

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

TUESDAY, SEPTEMBER 24, 2013

SESSION OF 2013

197TH OF THE GENERAL ASSEMBLY

No. 58

HOUSE OF REPRESENTATIVES

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

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

PRAYER

The SPEAKER. Today the prayer will be offered by Bishop Mark Barchak, Bishop of the Altoona-Johnstown Diocese.

BISHOP MARK L. BARTCHAK, Guest Chaplain of the House of Representatives, offered the following prayer:

Let us pray:

God of heaven and earth, the men and women of this House of Representatives gather here today intent on doing good work for the benefit of the citizens of the Commonwealth of Pennsylvania. We pray that with Your blessing and the assistance of our prayers, they may seek to represent fairly and well those who have chosen them for this task. May their efforts be blessed with insight and guided by understanding and wisdom, seeking what is right for the common good of all. Bless them, O God, and bless our Commonwealth this day and every day. Amen.

PLEDGE OF ALLEGIANCE

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

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, the approval of the Journal of Monday, September 23, 2013, will be postponed until printed.

BILLS REPORTED FROM COMMITTEES, CONSIDERED FIRST TIME, AND TABLED

HB 20, PN 6

By Rep. MARSICO

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for concealing death of child.

JUDICIARY.

HB 129, PN 361

By Rep. GODSHALL

An Act amending the act of December 4, 1996 (P.L.911, No.147), known as the Telemarketer Registration Act, further providing for unlawful acts and penalties and for unwanted telephone solicitation calls prohibited.

CONSUMER AFFAIRS.

HB 202, PN 2360 (Amended)

By Rep. GODSHALL

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, in rates and distribution systems, further providing for standby charge prohibited.

CONSUMER AFFAIRS.

HB 228, PN 232

By Rep. GODSHALL

An Act amending the act of December 17, 1968 (P.L.1224, No.387), known as the Unfair Trade Practices and Consumer Protection Law, further providing for private actions.

CONSUMER AFFAIRS.

HB 494, PN 516

By Rep. MARSICO

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for the offense of failure of duty to report disappearance of a child.

JUDICIARY.

HB 1045, PN 1259

By Rep. MARSICO

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for false reports of child abuse.

JUDICIARY.

HB 1594, PN 2185

By Rep. MARSICO

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.

JUDICIARY.

HOUSE RESOLUTION INTRODUCED AND REFERRED

No. 461 By Representatives THOMAS, BISHOP, PASHINSKI, SCHLOSSBERG, YOUNGBLOOD, J. HARRIS, PARKER, HARKINS, MIRANDA, SCHREIBER, D. MILLER, BROWNLEE, KINSEY, CALTAGIRONE and COHEN

A Resolution memorializing the Congress of the United States to retain the boost in benefits as part of the American Recovery and Reinvestment Act of 2009.

Referred to Committee on STATE GOVERNMENT, September 24, 2013.

HOUSE BILLS INTRODUCED AND REFERRED

No. 1696 By Representatives GAINNEY, MILLARD, YOUNGBLOOD, MCNEILL, O'BRIEN, HAGGERTY, BOBACK, READSHAW, CALTAGIRONE, GOODMAN, DEASY, SWANGER, FRANKEL, COHEN, MOLCHANY, KORTZ, GABLER, KINSEY and SCHREIBER

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, providing for course scheduling for military students.

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, September 24, 2013.

No. 1697 By Representatives TRUITT, MILLARD, WATSON, QUINN, COHEN and LAWRENCE

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.

Referred to Committee on LABOR AND INDUSTRY, September 24, 2013.

No. 1698 By Representatives HARHART, V. BROWN, O'NEILL, M. K. KELLER, ROZZI, SONNEY, PICKETT, MILLARD, BAKER, HAGGERTY, MAHONEY, HARHAI, READSHAW, FARINA, MAJOR, DUNBAR, SWANGER, GINGRICH, VEREB, MARSHALL, MURT, CLYMER, R. MILLER, GOODMAN, DEASY, HESS, ROCK, HEFFLEY, STEVENSON and WATSON

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for sex offender information made available on the Internet.

Referred to Committee on JUDICIARY, September 24, 2013.

SENATE MESSAGE

RECESS RESOLUTION FOR CONCURRENCE

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

In the Senate,
September 23, 2013

RESOLVED, (the House of Representatives concurring), Pursuant to Article II, Section 14 of the Pennsylvania Constitution, that when the Senate recesses this week, it reconvene on Monday, September 30, 2013, unless sooner recalled by the President Pro Tempore of the Senate; and be it further

RESOLVED, Pursuant to Article II, Section 14 of the Pennsylvania Constitution, that when the House of Representatives recesses this week, it reconvene on Monday, September 30, 2013, unless sooner recalled by the Speaker of the House of Representatives.

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

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

The SPEAKER. The House will be at ease for a moment or two.

The House will come to order.

BILLS REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

HB 1234, PN 1901

By Rep. METCALFE

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, reducing the size of the General Assembly.

STATE GOVERNMENT.

HB 1716, PN 2326

By Rep. METCALFE

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, reducing the size of the General Assembly.

STATE GOVERNMENT.

LEAVES OF ABSENCE

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

The Speaker recognizes the minority whip, who requests a leave of absence for the gentleman, Mr. KIRKLAND, from Delaware County for the day, and the gentleman, Mr. MIRANDA, from Philadelphia County for the day. Without objection, the leaves will be granted.

MASTER ROLL CALL

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

The following roll call was recorded:

PRESENT—198

Adolph	Emrick	Kinsey	Petri
Aument	English	Knowles	Pickett
Baker	Evankovich	Kortz	Pyle
Barbin	Evans	Kotik	Quinn
Barrar	Everett	Krieger	Rapp
Benninghoff	Fabrizio	Kula	Ravenstahl
Bishop	Farina	Lawrence	Readshaw
Bizzarro	Farry	Longietti	Reed
Bloom	Fee	Lucas	Reese
Boback	Fleck	Mackenzie	Regan
Boyle, B.	Flynn	Maher	Roae
Boyle, K.	Frankel	Mahoney	Rock
Bradford	Freeman	Major	Roebuck
Briggs	Gabler	Maloney	Ross
Brooks	Gainey	Markosek	Rozzi
Brown, R.	Galloway	Marsico	Sabatina
Brown, V.	Gergely	Masser	Saccone
Brownlee	Gibbons	Matzie	Sainato
Burns	Gillen	McCarter	Samuelson
Caltagirone	Gillespie	McGeehan	Sankey
Carroll	Gingrich	McGinnis	Santarsiero
Causser	Godshall	McNeill	Saylor
Christiana	Goodman	Mentzer	Scavello
Clay	Greiner	Metcalfe	Schlossberg
Clymer	Grell	Metzgar	Schreiber
Cohen	Grove	Miccarelli	Simmons
Conklin	Hackett	Micozzie	Sims
Corbin	Haggerty	Millard	Smith
Costa, D.	Hahn	Miller, D.	Snyder
Costa, P.	Haluska	Miller, R.	Sonney
Cox	Hanna	Milne	Stephens
Cruz	Harhai	Mirabito	Stern
Culver	Harhart	Molchany	Stevenson
Cutler	Harkins	Moul	Sturla
Daley, M.	Harper	Mullery	Tallman
Daley, P.	Harris, A.	Mundy	Taylor
Davidson	Harris, J.	Murt	Thomas
Davis	Heffley	Mustio	Tobash
Day	Helm	Neilson	Toepel
Dean	Hennessey	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		

ADDITIONS—0

NOT VOTING—0

EXCUSED—4

Kirkland Marshall Miranda Swanger

LEAVES ADDED—4

B. Boyle Cruz Maloney Saccone

LEAVES CANCELED—3

Marshall Miranda Saccone

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

GUESTS INTRODUCED

The SPEAKER. If I could have the members' attention, I would appreciate holding the conversations down and your courtesy as I introduce some of the guests that are with us today. I would appreciate the members' attention. Would you kindly hold the conversations down.

If I could have the members' attention, please. Thank you.

I would like to introduce some of the guests that are with us. Located to the left of the rostrum, we would like to welcome guests of Representative Carroll. Brandon Igdalsky is the president and CEO (chief executive officer) of Pocono Raceway. He is here with Ricky Durst, ticket director. Since 1968, Pocono Raceway has been the host of the NASCAR (National Association of Stock Car Auto Racing) Sprint Cup Series and Camping World Truck Series, ARCA Racing Series and the IZOD IndyCar Series. Will our guests please rise. Welcome to the hall of the House.

Also located to the left of the rostrum, we would like to welcome Donna, Michael, Kristyn, and Stefanie Beard. They are here today as guests of Representative Corbin. Will our guests please rise. Welcome to the hall of the House.

Also to the left of the rostrum, we would like to welcome David Welsh, who is here today as a guest of Representative Vitali. Will the guest please rise. Welcome to the hall of the House.

Also located to the left of the rostrum, we would like to welcome Debra Bizzard, a social worker for the South Central Pennsylvania Sickle Cell Council, and Ronald Johnson, a client and sickle cell advocate. They are here today as guests of Representative Parker. Will our guests please rise. Welcome to the hall of the House.

As guests of Representative DeLissio, we would like to welcome Frank and Anthony Giovannone, who are here as guests of Representative DeLissio. They are up in the balcony. Give us a wave. Stand. There you go. Welcome to the hall of the House.

In the well of the House, we would like to welcome guest page Dylan Smith, and his grandmother, Jean Smith, is seated up in the gallery. They are here today as guests of Representative Grove. Welcome to the hall of the House.

REMARKS BY SPEAKER**GUESTS INTRODUCED**

The **SPEAKER**. For this next introduction, I would appreciate if the members would take their seats; appreciate if the members would kindly take their seats.

We are going to take up a resolution right after I do these introductions that kind of go together.

Recently our nation recognized the 12th anniversary of the terrorist attacks on the United States on September 11, 2001. More than 2,900 lives were lost in New York City, Washington, DC, and outside of Shanksville, Pennsylvania, in the worst terrorist attack in United States history.

Today we are honored to have seated with us family members of 9/11 victims. Would you please stand to be recognized by the House as I introduce you: Russa Steiner lost her husband, William; Tara Bane-Dellacorte lost her husband, Michael; Grace Godshalk lost her son, William; and Ellen Saracini lost her husband, Victor, when the plane he was flying, Flight 175, crashed into the South Tower of the World Trade Center.

With these survivors is Valerie Mihalek, dedication coordinator for the Garden of Reflection Remembrance Program. They are here today as guests of Representative Santarsiero. Welcome to the hall of the House, and please accept our deepest sympathies.

CALENDAR**RESOLUTIONS PURSUANT TO RULE 35**

Mr. **SANTARSIERO** called up **HR 382, PN 2105**, entitled:

A Resolution commemorating the American lives that were lost in the tragic events of September 11, 2001, recognizing the significance of these events in American history and encouraging this Commonwealth's school districts to incorporate these events into their curriculum.

On the question,
Will the House adopt the resolution?

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

Mr. **SANTARSIERO**. Thank you, Mr. Speaker.

I rise today in support of HR 382. HR 382 would urge school districts across the Commonwealth of Pennsylvania to develop and implement a curriculum for teaching children at every level about the tragic events of September 11, 2001. I am honored that we have with us today in support of this resolution the five remarkable women whom the Speaker just introduced.

In the years that followed the attacks, it would have been easy for Ellen, Grace, Tara, and Russa to withdraw from public life in sorrow and despair, but instead, they have spent these last 12 years dedicating themselves to this cause that we should never forget what happened that day. And, ladies, for that reason, we are deeply honored to have you with us here today. Thank you.

Late last year, Ellen Saracini and Valerie Mihalek came to me and Congressman Mike Fitzpatrick asking for our help in implementing an idea that they hoped would play an important

role in the education of our young people across the Commonwealth of Pennsylvania. The idea was simple: get Congress and our General Assembly involved in advocating for the regular commemoration of September 11 in our schools and teaching the events and aftermath of that dark day so that future generations would never forget.

As I sat and listened to their idea, I was struck by the importance of what they were calling for and the energy that they were putting into getting it implemented. I felt then, as I do today, that I had to help them. And I know that Congressman Fitzpatrick had the same reaction.

Ellen, Valerie, thank you for your leadership on this issue. We are grateful.

So here we stand before you today with another anniversary of the attacks just passed with two requests.

First, we ask that you join me and my fellow sponsors in voting for HR 382. It is important that this House formally declare its support of this plan.

Second, we ask that your affirmative vote here today not be the end of your involvement in this issue. Rather, we ask that when you return to your districts, that you meet with your school superintendents and enlist their support in fulfilling the words of this resolution by developing a curriculum to teach about this important day in our nation's history and how each grade level can participate in commemorating the 9/11 anniversary.

I decided to become a teacher because of the horrible events that I witnessed from my office window on that beautiful day 12 years ago. And I know as a teacher that our students are eager to understand the world in which they live. So much of that world has been shaped by the attacks of September 11, whether at home or in foreign lands where brave men and women of our Armed Forces continue to sacrifice to protect our homeland.

We owe it to them, we owe it to the victims of the attacks and their families, and perhaps most importantly, we owe it to our children so that through the lessons of history, they will one day advance the goal of what in Hebrew is called tikkun olam, or repairing the world, making it a place where freedom, liberty, and peace finally triumph over ignorance and darkness.

Mr. Speaker, I respectfully ask that you vote in favor of HR 382. Thank you.

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

The following roll call was recorded:

YEAS—198

Adolph	Emrick	Kinsey	Petri
Aument	English	Knowles	Pickett
Baker	Evankovich	Kortz	Pyle
Barbin	Evans	Kotik	Quinn
Barrar	Everett	Krieger	Rapp
Benninghoff	Fabrizio	Kula	Ravenstahl
Bishop	Farina	Lawrence	Readshaw
Bizzarro	Farry	Longietti	Reed
Bloom	Fee	Lucas	Reese
Boback	Fleck	Mackenzie	Regan
Boyle, B.	Flynn	Maher	Roae
Boyle, K.	Frankel	Mahoney	Rock
Bradford	Freeman	Major	Roebuck
Briggs	Gabler	Maloney	Ross
Brooks	Gainey	Markosek	Rozzi

Brown, R.	Galloway	Marsico	Sabatina
Brown, V.	Gergely	Masser	Saccone
Brownlee	Gibbons	Matzie	Sainato
Burns	Gillen	McCarter	Samuelson
Caltagirone	Gillespie	McGeehan	Sankey
Carroll	Gingrich	McGinnis	Santarsiero
Causar	Godshall	McNeill	Saylor
Christiana	Goodman	Mentzer	Scavello
Clay	Greiner	Metcalfe	Schlossberg
Clymer	Grell	Metzgar	Schreiber
Cohen	Grove	Miccarelli	Simmons
Conklin	Hackett	Micozzie	Sims
Corbin	Haggerty	Millard	Smith
Costa, D.	Hahn	Miller, D.	Snyder
Costa, P.	Haluska	Miller, R.	Sonney
Cox	Hanna	Milne	Stephens
Cruz	Harhai	Mirabito	Stern
Culver	Harhart	Molchany	Stevenson
Cutler	Harkins	Moul	Sturla
Daley, M.	Harper	Mullery	Tallman
Daley, P.	Harris, A.	Mundy	Taylor
Davidson	Harris, J.	Murt	Thomas
Davis	Heffley	Mustio	Tobash
Day	Helm	Neilson	Toepel
Dean	Hennessey	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—0

NOT VOTING—0

EXCUSED—4

Kirkland	Marshall	Miranda	Swanger
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The majority having voted in the affirmative, the question was determined in the affirmative and the resolution was adopted.

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Mr. MICCARELLI called up **HR 406, PN 2212**, entitled:

A Resolution honoring the memory of Sean Conroy and the efforts of the National Organization of Parents of Murdered Children to provide support and assistance to survivors of homicide victims.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—198

Adolph	Emrick	Kinsey	Petri
Aument	English	Knowles	Pickett
Baker	Evankovich	Kortz	Pyle
Barbin	Evans	Kotik	Quinn
Barrar	Everett	Krieger	Rapp
Benninghoff	Fabrizio	Kula	Ravenstahl

Bishop	Farina	Lawrence	Readshaw
Bizzarro	Farry	Longietti	Reed
Bloom	Fee	Lucas	Reese
Boback	Fleck	Mackenzie	Regan
Boyle, B.	Flynn	Maher	Roae
Boyle, K.	Frankel	Mahoney	Rock
Bradford	Freeman	Major	Roebuck
Briggs	Gabler	Maloney	Ross
Brooks	Gainey	Markosek	Rozzi
Brown, R.	Galloway	Marsico	Sabatina
Brown, V.	Gergely	Masser	Saccone
Brownlee	Gibbons	Matzie	Sainato
Burns	Gillen	McCarter	Samuelson
Caltagirone	Gillespie	McGeehan	Sankey
Carroll	Gingrich	McGinnis	Santarsiero
Causar	Godshall	McNeill	Saylor
Christiana	Goodman	Mentzer	Scavello
Clay	Greiner	Metcalfe	Schlossberg
Clymer	Grell	Metzgar	Schreiber
Cohen	Grove	Miccarelli	Simmons
Conklin	Hackett	Micozzie	Sims
Corbin	Haggerty	Millard	Smith
Costa, D.	Hahn	Miller, D.	Snyder
Costa, P.	Haluska	Miller, R.	Sonney
Cox	Hanna	Milne	Stephens
Cruz	Harhai	Mirabito	Stern
Culver	Harhart	Molchany	Stevenson
Cutler	Harkins	Moul	Sturla
Daley, M.	Harper	Mullery	Tallman
Daley, P.	Harris, A.	Mundy	Taylor
Davidson	Harris, J.	Murt	Thomas
Davis	Heffley	Mustio	Tobash
Day	Helm	Neilson	Toepel
Dean	Hennessey	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—0

NOT VOTING—0

EXCUSED—4

Kirkland	Marshall	Miranda	Swanger
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The majority having voted in the affirmative, the question was determined in the affirmative and the resolution was adopted.

UNCONTESTED CALENDAR

RESOLUTIONS PURSUANT TO RULE 35

Mrs. R. BROWN called up **HR 415, PN 2241**, entitled:

A Resolution designating September 20, 2013, as "Chestnuthill Township of Monroe County 250th Anniversary Day" in Pennsylvania.

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Mr. BENNINGHOFF called up **HR 418, PN 2253**, entitled:

A Resolution designating the week of September 15 through 21, 2013, as "National Rehabilitation Awareness Celebration Week" in Pennsylvania.

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Ms. HELM called up **HR 424, PN 2291**, entitled:

A Resolution designating September 25, 2013, as "Ataxia Awareness Day" in Pennsylvania.

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Mr. WHEATLEY called up **HR 435, PN 2319**, entitled:

A Resolution recognizing the month of September 2013 as "Hunger Action Month" in Pennsylvania.

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Mr. WHEATLEY called up **HR 436, PN 2320**, entitled:

A Resolution designating the month of September 2013 as "Infant Mortality Awareness Month" in Pennsylvania.

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Mr. MENTZER called up **HR 437, PN 2321**, entitled:

A Resolution designating September 20, 2013, as "POW/MIA Recognition Day" in Pennsylvania.

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Mr. ADOLPH called up **HR 441, PN 2329**, entitled:

A Resolution congratulating the Pennsylvania Higher Education Assistance Agency's Board of Directors, work force and management during its 50th year of service to Pennsylvania students, families and taxpayers on behalf of the Commonwealth.

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Mr. MAHER called up **HR 444, PN 2332**, entitled:

A Resolution recognizing the week of October 6 through 12, 2013, as "National Newspaper Week" in Pennsylvania.

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Mr. FARRY called up **HR 447, PN 2342**, entitled:

A Resolution recognizing September 22, 2013, as "National Falls Prevention Awareness Day" in Pennsylvania.

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Mr. FARINA called up **HR 448, PN 2343**, entitled:

A Resolution recognizing September 28, 2013, as "National Hunting and Fishing Day" in Pennsylvania.

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Mrs. PARKER called up **HR 449, PN 2344**, entitled:

A Resolution designating the month of September 2013 as "Sickle Cell Disease Awareness Month" in Pennsylvania.

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Ms. BROWNLEE called up **HR 450, PN 2345**, entitled:

A Resolution recognizing the month of September 2013 as "Senior Center Month" in Pennsylvania.

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Ms. BROWNLEE called up **HR 451, PN 2346**, entitled:

A Resolution designating the month of September 2013 as "Emergency Preparedness Month" in Pennsylvania.

On the question,

Will the House adopt the resolutions?

The following roll call was recorded:

YEAS—198

Adolph	Emrick	Kinsey	Petri
Aument	English	Knowles	Pickett
Baker	Evankovich	Kortz	Pyle
Barbin	Evans	Kotik	Quinn
Barrar	Everett	Krieger	Rapp
Benninghoff	Fabrizio	Kula	Ravenstahl
Bishop	Farina	Lawrence	Readshaw
Bizzarro	Farry	Longietti	Reed
Bloom	Fee	Lucas	Reese
Boback	Fleck	Mackenzie	Regan
Boyle, B.	Flynn	Maher	Roae
Boyle, K.	Frankel	Mahoney	Rock
Bradford	Freeman	Major	Roebuck
Briggs	Gabler	Maloney	Ross
Brooks	Gainey	Markosek	Rozzi
Brown, R.	Galloway	Marsico	Sabatina
Brown, V.	Gergely	Masser	Sacccone
Brownlee	Gibbons	Matzie	Sainato
Burns	Gillen	McCarter	Samuelson
Caltagirone	Gillespie	McGeehan	Sankey
Carroll	Gingrich	McGinnis	Santarsiero
Causar	Godshall	McNeill	Saylor
Christiana	Goodman	Mentzer	Scavello
Clay	Greiner	Metcalfe	Schlossberg
Clymer	Grell	Metzgar	Schreiber
Cohen	Grove	Miccarelli	Simmons
Conklin	Hackett	Micozzie	Sims
Corbin	Haggerty	Millard	Smith
Costa, D.	Hahn	Miller, D.	Snyder
Costa, P.	Haluska	Miller, R.	Sonney
Cox	Hanna	Milne	Stephens
Cruz	Harhai	Mirabito	Stern
Culver	Harhart	Molchany	Stevenson
Cutler	Harkins	Moul	Sturla
Daley, M.	Harper	Mullery	Tallman
Daley, P.	Harris, A.	Mundy	Taylor
Davidson	Harris, J.	Murt	Thomas
Davis	Heffley	Mustio	Tobash
Day	Helm	Neilson	Toepel
Dean	Hennessey	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—0

NOT VOTING—0

EXCUSED—4

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

STATEMENT BY MR. ADOLPH

The SPEAKER. The Speaker recognizes the gentleman from Delaware County, Mr. Adolph, under unanimous consent relative to one of the resolutions just adopted.

Mr. ADOLPH. Thank you, Mr. Speaker.

Mr. Speaker, I want to rise today to thank the members of the House for supporting HR 441. This resolution recognizes the 50th anniversary of the Pennsylvania Higher Education Assistance Agency, better known as PHEAA. I want to thank the members for supporting this resolution. I also would like to recognize the current members of the board of PHEAA that have worked tirelessly in trying to create an atmosphere here in Pennsylvania to make higher education more affordable, and they are: Representative Matt Bradford, Representative Mike Carroll, Representative Paul Clymer, Representative Jaret Gibbons, Representative Sandy Major, Representative Mike Peifer, and Representative Jim Roebuck.

I, as chairman of the PHEAA Board, am extremely proud of these members, the financial decisions that are made on a daily basis there. It has been a real pleasure. We have turned PHEAA into a national organization that has hundreds of billions of dollars of assets. We are grateful for the taxpayers of Pennsylvania that put forth about \$500 million a year, and I can tell everybody in this General Assembly that every dollar that goes to the State grants goes to the students and that the PHEAA Board uses the earnings from this organization to pay for all of its overhead, all of its salaries for its employees.

We just opened up a call center in southeast Pennsylvania as well as one in Pittsburgh. We are recognized nationally now, and we will continue our mission in using these earnings. We put \$75 million of our earnings this past year into the State grant program, and we put \$5 million of our earnings into the TIP program (Targeted Industry Program) for 2-year certificates for those that are involved in agriculture, mining, etc.

So thank you so much for recognizing it. It is certainly a pleasure to work in a bipartisan way with such a good board. Thank you.

The SPEAKER. The Speaker thanks the gentleman.

STATEMENT BY MR. FARRY

The SPEAKER. The Speaker recognizes the gentleman from Bucks County, Mr. Farry, under unanimous consent relative to one of the resolutions just adopted.

Mr. FARRY. Thank you, Mr. Speaker.

I rise today to bring awareness to an issue that affects nearly every Pennsylvania citizen at some point in their lives. It could happen to any one of us, our family members, or a friend. Our Commonwealth has the fifth highest senior population in the nation, and every 10 minutes an older Pennsylvanian is hospitalized due to a fall-related injury. Falls are the leading cause of injury-related deaths among Pennsylvanians who are 65 years or older. They are a threat to the health and independence of older adults and can significantly limit their ability to remain self-sufficient.

Falls are, however, largely preventable, and decreasing the incidence of falls will improve the socialization and functioning of older adults. The U.S. Preventive Services Task Force recommends exercise or physical therapy and vitamin D supplements to prevent falls in older adults. The task force recommends older adults get 150 minutes of moderate intensity aerobic activity per week as well as engaging in muscle-strengthening activities twice a week. Studies show that through a combination of fall-prevention strategies, evidence-based interventions, and practical lifestyle adjustments, we can significantly reduce falls among older adults.

I rise today to thank our colleagues for your support on HR 447, which recognizes September 22, 2013, as "National Falls Prevention Awareness Day" in Pennsylvania. By raising awareness of this issue today, we can positively impact the quality of life of Pennsylvania's older adults, helping our family members and friends and neighbors remain healthy, independent, and self-sufficient.

Thank you, Mr. Speaker.

The SPEAKER. The Speaker thanks the gentleman.

STATEMENT BY MRS. PARKER

The SPEAKER. The Speaker recognizes the lady from Philadelphia County, Mrs. Parker, under unanimous consent relative to one of the resolutions just adopted.

Mrs. PARKER. Thank you, Mr. Speaker.

Mr. Speaker, I rise to thank my colleagues for their unanimous support of HR 449, which recognizes September as "Sickle Cell Disease Awareness Month." Seated to the left of the Speaker, I want to wholeheartedly thank Debra Bizzard, who is a social worker for South Central Pennsylvania Sickle Cell Council, and Ronald Johnson, who is a client of the council and a sickle cell advocate, for their commitment to acting as a resource and a network of support for residents in south-central Pennsylvania. I want you to know that I along with my colleagues, we send you our heartfelt thanks.

As many of you may or may not know, sickle cell is an inherited blood disorder that causes normally round red blood cells to harden and sickle, which ultimately blocks oxygen to vital organs such as the lungs, kidneys, eyes, and brain. Now, I did not know that sickle cell was often referred to as the

forgotten disease because it affects many ethnicities and nationalities, including the Hispanic community, Middle Eastern, Greek, Asian, Italian, and African-Americans, where approximately 1 in 500 in the United States are living with this illness.

While technological advances have enhanced their quality of life, living with sickle cell anemia proves to be a daily struggle for many families. Mr. Speaker, for the record, I want to say that this next statement that I am about to make, I am able to make this statement because I have gotten permission to make this statement, and that is, I have watched my legislative assistant and her family fight the daily challenges of raising a child with sickle cell anemia. As a working-class family, they continue to make the sacrifices needed to ensure that their child has access to the best care. But their dedication is not limited only to their child. They understand the importance of acting as a resource for other families in need as well as educating their community and State legislators on the latest advances in sickle cell research.

Now, I want to thank Melanie Brown – and I call her my Melanie Brown because she is such a hard worker – her daughter, Keisha; and her granddaughter, Kaydence, who is actually here today in my office, but Kaydence is so shy we thought all of you here in this House and in this chamber would scare her away, so she is watching you down in the office on television. But I want to thank them for their advocacy and educating me and my staff. I also encourage you all to join me in spreading awareness of the facts of sickle cell throughout your respective legislative districts.

Thank you, Mr. Speaker.

The SPEAKER. Is the gentleman from Allegheny County, Mr. Wheatley, seeking recognition under unanimous consent as well? The gentleman is in order and may proceed.

Mr. WHEATLEY. Thank you, Mr. Speaker.

Mr. Speaker, I want to rise and thank the members for voting on HR 435, which recognizes this month as "Hunger Action Month."

I wanted to take this opportunity, too, Mr. Speaker, and have the members to reflect on a minute a question about hunger. Many times we will look at hunger as a self-imposed issue of individuals and not of something that is a systematic failure of our society. Right now there is a child somewhere, there is an adult somewhere, maybe one of your family members or neighbors or friends somewhere suffering from lack of food, and it is not just a suffering of the type that many of us might be experiencing right now because it is right before lunch and we want to get you a meal. It is a suffering that affects our abilities to function as productive citizens, something that happens to creep into our minds so that we cannot necessarily get all of the materials that we are being exposed to in our classrooms because we are experiencing real hunger.

So I want to lift up the action part, because there are policy actions and regulatory actions we can take to bring some relief to our fellow citizens so that they will not continue to experience something that is preventable, something that is part of our overall society's interest and best interest to resolve.

So I want to thank the members for supporting this, but I wanted to encourage the members, as we go back to our various caucuses, to think about policy positions that can help our fellow citizens address and fight hunger. Thank you, Mr. Speaker.

The SPEAKER. The Speaker thanks the gentleman and recognizes the lady from Philadelphia County, Ms. Brownlee, under unanimous consent.

Ms. BROWNLEE. Thank you, Mr. Speaker.

I rise today to thank my colleagues for their unanimous vote on HR 451.

Mr. Speaker, the service our emergency medical professionals, paramedics, firefighters, hospitals, police, and other first responders provide us with are vital in helping to minimize the damage and loss of life during an emergency. Our ability to help with or at least trust in their service makes a life-and-death difference.

Mr. Speaker, the Commonwealth's recognition of Emergency Preparedness Month in September goes a long way in saying thank you to the first responders while reminding us all that we need to be ready for disaster, manmade or natural.

I am sure many of you have seen or even participated in the various drills and training exercises held everywhere from airports, municipal buildings, to our schools and places of business, even at our homes, and I hope you have been paying attention to the valuable lifesaving information provided to you, because while no one wants to live out a disaster, we still would like to live through a disaster. Mr. Speaker, learning how to work with disaster professionals this month and all year is crucial to surviving an incident.

Mr. Speaker, HR 451 also urges us to thank local, State, and Federal emergency responders across the State for their heroic and most important work. Though we should never want them to have to do their jobs, but when they inevitably have to, it is a blessing to know that we are in good hands.

Mr. Speaker, to my colleagues, if you have the opportunity, please remember to thank a first responder this month. We have much to be grateful for in them. Thank you, Mr. Speaker.

The SPEAKER. The Speaker thanks the lady.

GUEST INTRODUCED

The SPEAKER. I would like to welcome another guest that is with us. As a guest of Representative Mackenzie, we would like to welcome Paige Brogan, who is interning with him and she is shadowing him today, and she is seated in the rear of the House. Will our guest please rise. Give us a wave. Welcome to the hall of the House.

UNCONTESTED SUPPLEMENTAL CALENDAR A

RESOLUTION PURSUANT TO RULE 35

Mr. COHEN called up **HR 458, PN 2359**, entitled:

A Resolution recognizing September 24, 2013, as "National Voter Registration Day" in Pennsylvania and encouraging Pennsylvanians to register and vote.

On the question,

Will the House adopt the resolution?

The following roll call was recorded:

YEAS—198

Adolph	Emrick	Kinsey	Petri
Aument	English	Knowles	Pickett
Baker	Evankovich	Kortz	Pyle
Barbin	Evans	Kotik	Quinn
Barrar	Everett	Krieger	Rapp
Benninghoff	Fabrizio	Kula	Ravenstahl
Bishop	Farina	Lawrence	Readshaw
Bizzarro	Farry	Longietti	Reed
Bloom	Fee	Lucas	Reese
Boback	Fleck	Mackenzie	Regan
Boyle, B.	Flynn	Maher	Roae
Boyle, K.	Frankel	Mahoney	Rock
Bradford	Freeman	Major	Roebuck
Briggs	Gabler	Maloney	Ross
Brooks	Gainey	Markosek	Rozzi
Brown, R.	Galloway	Marsico	Sabatina
Brown, V.	Gergely	Masser	Saccone
Brownlee	Gibbons	Matzie	Sainato
Burns	Gillen	McCarter	Samuelson
Caltagirone	Gillespie	McGeehan	Sankey
Carroll	Gingrich	McGinnis	Santarsiero
Causar	Godshall	McNeill	Saylor
Christiana	Goodman	Mentzer	Scavello
Clay	Greiner	Metcalfe	Schlossberg
Clymer	Grell	Metzgar	Schreiber
Cohen	Grove	Miccarelli	Simmons
Conklin	Hackett	Micozzie	Sims
Corbin	Haggerty	Millard	Smith
Costa, D.	Hahn	Miller, D.	Snyder
Costa, P.	Haluska	Miller, R.	Sonney
Cox	Hanna	Milne	Stephens
Cruz	Harhai	Mirabito	Stern
Culver	Harhart	Molchany	Stevenson
Cutler	Harkins	Moul	Sturla
Daley, M.	Harper	Mullery	Tallman
Daley, P.	Harris, A.	Mundy	Taylor
Davidson	Harris, J.	Murt	Thomas
Davis	Heffley	Mustio	Tobash
Day	Helm	Neilson	Toepel
Dean	Hennessey	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—0

NOT VOTING—0

EXCUSED—4

Kirkland	Marshall	Miranda	Swanger
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The majority having voted in the affirmative, the question was determined in the affirmative and the resolution was adopted.

REPUBLICAN CAUCUS

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

Ms. MAJOR. Thank you, Mr. Speaker.

I would like to announce Republicans will caucus today at 12 noon. I would ask our Republican members to please report to our caucus room at noon. We would be prepared to come back on the floor at 1:30. Thank you, Mr. Speaker.

DEMOCRATIC CAUCUS

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

Mr. FRANKEL. Thank you, Mr. Speaker.

Democrats will caucus at noon. Democrats will caucus at noon. Thank you.

RECESS

The SPEAKER. This House stands in recess until 1:30, unless sooner recalled by the Speaker.

RECESS EXTENDED

The time of recess was extended until 2 p.m.; further extended until 2:15 p.m.

AFTER RECESS

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

LEAVES OF ABSENCE

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

CALENDAR CONTINUED

BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 618, PN 1917**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in terms and courses of study, further providing for agreements with institutions of higher education; in opportunities for educational excellence, further providing for definitions and for concurrent enrollment agreements; and extensively revising and adding charter school provisions.

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

Mr. **TRUITT** offered the following amendment
No. **A01859**:

Amend Bill, page 34, line 23, by inserting after "PROGRAMS:"
one-half of the budgeted expenditures of the district of
residence for

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

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

Mr. TRUITT. Thank you, Mr. Speaker.

Mr. Speaker, HB 618 is attempting to address some of the inequities in the charter school funding formulas that are used to calculate how much money a charter school receives as a payment from the resident school districts from which a student – where they live and how much goes to the charter school. So I have to go into a little bit of an explanation of how that works.

In order for a charter school to get reimbursed by a school district, they have to complete a form. It is called a PDE-363 form. On the PDE-363 form, the school district starts off by listing its total expenditures and then the total number of students that attend that school district. They divide the total expenditures by the total number of students to calculate how much money they spend per student. A typical number, for example, in the West Chester School District, I cannot recall if it was last year or the year before, that number was about \$15,500 per student.

After calculating their base spending per student, the next thing that happens is the school district gets to deduct several categories of expenses, which are things that generally they assume that the charter schools do not have those expenses. Some of those expenses include things like transportation. That is a classic one. If you are a cyber charter school, it is assumed that you do not have transportation expenses. If you are a brick-and-mortar charter school, your transportation expenses are covered still by the school district because the school district will provide transportation to get the student to the brick-and-mortar location. After taking all those deductions, the districts end up with a new number, which is the amount of money that they are going to send per student to the charter schools. That number is often in the range, sometimes you will hear the number 80 percent, 70 percent. It can be as low as 60 percent of the starting point, depending how much money the school district has in different categories.

One of the things that school districts are allowed to deduct, surprisingly, is all of their expenses related to buildings, facilities, financing, all the costs of their brick-and-mortar facilities. The school districts get to deduct that, and to compensate charter schools for that, we have a lease reimbursement option, and that lease reimbursement option allows brick-and-mortar charter schools to be reimbursed for a percentage of the cost of their leases. Now, that percentage is calculated by applying their aid ratio. So sometimes if a charter school leases a building for, let us say, \$1 million a year, they can submit to the Department of Education for a reimbursement of that \$1 million, but it is reduced by their aid ratio, so they will get something closer to maybe \$600,000.

That other \$400,000, because it is calculated – I am sorry; that other \$400,000, because they are not receiving that money from the school district of residence, that money has to come out of other aspects of the charter school program. It either has to come out of teacher salaries or the number of teachers or it has to come out of, you know, instructional materials, things that are used to teach kids. And to assume that a student who stays with a school district is entitled to one amount of money but a student who attends a charter school, whether it is a cyber charter school or a brick-and-mortar charter school, is basically to say, those students that have chosen to attend a charter school are second-class citizens. We will spend \$15,500 on your kid if he will go to our school district, but if you are going to have the audacity to choose to go to a charter school instead and not take the option that we give you because of your ZIP Code (Zone Improvement Plan Code), then we are going to give you less money. We are only going to spend \$10,000 on you. Again, we are essentially treating those students as second-class citizens. It is unthinkable to me, grossly unfair what the result is. Charter schools have a harder time finding qualified teachers. They have less money to work with in their budgets to hire teachers. So that means their field of candidates that they can choose from is smaller, and we have treated those kids as second-class citizens.

What amendment A1859 does is it reduces by a half the amount of money that school districts are allowed to deduct for facilities, acquisitions, construction, and improvement services. In other words, they cannot deduct all of the money that they use to pay for their buildings and facilities. They can only deduct half of it. That would leave the other half to help cyber charter schools and brick-and-mortar charter schools pay for their facilities. Now, when I say cyber charter schools pay for their facilities, I know there are a number of people in this room right now who are thinking, what do you mean cyber charter schools paying for their facilities? They are a cyber school. They should not have facilities. Well, the fact of the matter is, every cyber charter school is going to have at least one building. They have to have an administration building where their administrators are housed. Some cyber charter schools have their teachers work from home, but other cyber charter schools bring all their teachers into a building and from there they record their classes, teach live classes, and so forth.

There are a number of other types of facilities that cyber charter schools use, and let me tell you about some of those. Some of those cyber charter schools use something called a mobile science lab. What a mobile science lab is, is basically a tractor-trailer with science equipment in the back, and they can drive that mobile science lab from place to place around the State, and the students can go into this mobile science lab and conduct their experiments. Let us take chemistry for an example. If you are a student taking chemistry through a cyber school, it is really hard to get a good understanding of it if you do not actually get to mix the chemicals and use some of the equipment. So the mobile science lab is a really important enhancement to a cyber education program.

In addition to mobile science labs, there is something called learning centers. Now, in Pennsylvania we have always had school choice. If you have enough money, you can send your kids to a number of different kinds of schools. You can send your kids to a private school. You can send your kids to a religious school. You have got options that other people do not have, and charter schools have always kind of been intended to be an option. It is a tuition-free option for people who do not

have quite as much money. Well, if you happen to be the son or daughter of a single parent or two parents who both work, the option to attend a cyber charter school is not available to you. So we have basically limited cyber charter schools only to the sons and daughters of people with money. Well, these learning centers cropped up. What the learning center is, it can be a small building. It could be as small as a trailer. It could have as few as 12 students in it or even hundreds of students in it, but a learning center is a facility where a student that does not have a stay-at-home parent can go be supervised by an adult and will have the opportunity to attend a cyber charter school. Now, under the current law, because cyber charter schools are not receiving any funding for buildings and facilities, that means to pay for a mobile science lab or a learning center has to come from something else.

Another example of a brick-and-mortar facility that is utilized by a cyber charter school is a performing arts center. There are a number of students out there who are really good at playing a musical instrument or performing and they like to attend a performing arts center. So some cyber charter schools have created performing art centers to, again, supplement the virtual program. This is another option that, again, because we do not provide any funding for buildings and facilities, has to be paid for out of money that would otherwise go to pay for instruction.

Another example of a brick-and-mortar facility that cyber schools have is there are some hybrid programs developing out there, and a hybrid program is an opportunity where a student who maybe is not a perfect fit for a cyber school but does not really want to attend a brick-and-mortar school goes to a program that is some percentage cyber and some percentage brick and mortar. One cyber charter school that is based out of my district has a program where the students attend school 50 percent of the time and the other 50 percent of the time they are online. Well, that particular program is so popular that there are students in that program who commute from Harrisburg every day to attend that – or not every day, but every other day to attend that brick-and-mortar facility. So they get on an Amtrak train, ride from Harrisburg to Exton, get off the train in Exton, and they get in a cab and go the rest of the way to West Chester. Parents come along with them to make sure that they are safe. We have had families commute from as far away as Wilkes-Barre to Chester County to attend this program. Programs like this, because they also have a brick-and-mortar facility, can only be paid for by taking yet more money away from the basics of instruction and materials. So if we continue to not provide any funding at all for cyber charter schools to cover their brick-and-mortar facilities and we take away, as the base of this bill proposes, some of the money that is used to reimburse them for their pension costs, then they will have even less money for these kinds of innovative and popular programs that are expanding the way we think about education in Pennsylvania.

So what I again have proposed in amendment A1859 is that instead of school districts being able to deduct 100 percent of their costs for buildings, facilities, and financing, which is part of their facility's cost, that they should only be able to deduct half of those expenses, and it seems like a perfectly reasonable amendment. If we are going to dive into changing the funding formulas for cyber charter schools or charter schools at all, we should probably look at all of the line items and not just the one single pension line item that is covered by the base bill.

So I encourage my colleagues for an affirmative vote on this amendment. It would make a big difference in the legitimacy of the base bill. Thank you, Mr. Speaker.

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

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

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, what we know is that under this Truitt amendment, 1859, it substantially increases the school district payments to charter and cyber charter schools. This subject should be considered instead by the Funding Advisory Commission, and therefore, Mr. Speaker, I would ask for a "no" vote on the amendment. Thank you.

The SPEAKER. The question is, will the House adopt the amendment?

On that question, the Speaker recognizes the gentleman from Mercer County, Mr. Longietti.

Mr. LONGIETTI. Thank you, Mr. Speaker.

Would the gentleman stand for interrogation?

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

Mr. LONGIETTI. Thank you, Mr. Speaker.

Mr. Speaker, would the net effect of this amendment increase or decrease tuition payments to charter and cyber charter schools?

Mr. TRUITT. The net effect of this amendment, Mr. Speaker, would be to increase the payment to cyber charter schools, and this would be to partially offset the decrease that is included in the base bill, but if the base bill strives to fix a defect in the funding formula, which it does, it attempts very poorly, but it attempts to fix the double-dip issue with the pension reimbursement. So if we are going to dive into funding formula corrections, we should address all of the deficiencies in the existing funding formula at the same time. Otherwise, we are just kind of taking a random shot in the dark, and this is the biggest other inequity that is built into PDE-363 aside from the pension double-dip issue.

Mr. LONGIETTI. Mr. Speaker, so this amendment in and of itself would require school districts to pay a higher tuition rate? Is that my understanding? Is that correct?

Mr. TRUITT. Yes, Mr. Speaker.

Mr. LONGIETTI. Okay.

On the bill, Mr. Speaker?

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

Mr. LONGIETTI. Thank you, Mr. Speaker.

Mr. Speaker, I rise in opposition to amendment 1859.

At a time when our school districts, many of them are already under financial distress, at a time when their subsidy payments under what is called PlanCon (planning and construction) for new construction, renovation have been suspended by the State, at a time when they are starved for money, this amendment would actually require school districts to pay a higher tuition rate, and ultimately, really, the taxpayers, the taxpayers would end up footing the bill for a higher tuition rate.

So, Mr. Speaker, I think that this is certainly an ill-advised amendment, particularly at this time where school districts are under financial distress, where they are not receiving reimbursements from the State for school construction and renovations, and I would urge my colleagues to vote "no." Thank you, Mr. Speaker.

The SPEAKER. The question is, will the House adopt the amendment?

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

Mr. EMRICK. Thank you, Mr. Speaker.

We would ask my colleagues to oppose amendment 1859.

This substantially increases school district payments to charter and cyber charter schools, and this subject should really be addressed by the funding commission. That is part of the legislation. Thank you, Mr. Speaker.

The SPEAKER. The question is, will the House adopt the amendment?

Is the gentleman from Chester County, Mr. Truitt, seeking recognition for the second time? Is the gentleman, Mr. Truitt, seeking recognition for the second time on the amendment?

Mr. TRUITT. Yes.

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

Mr. TRUITT. Thank you, Mr. Speaker.

Again, the argument against the amendment has been that it will cost school districts money, but I noticed that nobody has said anything about what is fair to the students who attend cyber charter schools. Again, by not providing funding for buildings and facilities to cyber charter schools, even though they do have buildings and facilities – they all have at least one, they all have at least an administration building, and many of them have many other buildings and lots of IT (information technology) costs and places where they have to put those computers and maintain those computers; they all have building and facility expenses – so by providing them with no funding for buildings and facilities, we are treating all of those students, and there are about 40,000 of them, we are treating them as second-class citizens, telling them, hey, you are not worth as much as a student that does not have the audacity to leave our school district and go to an alternative school.

So in the name of fairness, again, if we want to address funding in this – and my father taught me when I was growing up, if you are going to do something, let us do it right – if we are going to dive into the argument over what to do about charter school funding, we should do it all correctly.

Someone else had recently pointed out, or the gentleman from Bucks County had pointed out that part of the core bill is to establish a funding commission to analyze charter school funding. Well, if we are admitting that we do not understand charter school funding well enough to make decisions about it without the help of a commission, then we probably should not be changing anything in the charter school funding in the same bill that calls for establishing a commission.

Thank you, Mr. Speaker, and I encourage an affirmative vote.

On the question recurring,

Will the House agree to the amendment?

(Members proceeded to vote.)

The SPEAKER. For the record, the gentleman from Allegheny County, Mr. Gergely's switch is not functioning. The gentleman wishes to be voted in the negative? Try again.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—20

Barrar	Gillen	Killion	Mustio
Bloom	Godshall	Lawrence	Rapp
Cox	Hackett	Maher	Roae
Day	Heffley	McGinnis	Simmons
Evankovich	Hennessey	Metcalf	Truitt

NAYS—176

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

NOT VOTING—0

EXCUSED—6

Boyle, B.	Kirkland	Miranda	Swanger
Cruz	Marshall		

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?

Mr. **TRUITT** offered the following amendment
No. **A01860**:

Amend Bill, page 35, line 23, by striking out "THE FULL" and
inserting
one-half of the

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

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

Mr. **TRUITT**. Thank you, Mr. Speaker.

Mr. Speaker, this amendment attempts to address the gross errors in the way that we are attempting to fix the pension double-dip problem. So in order to make sure everybody understands what is going on here, I am going to go over how the pension double-dip works and the problem with the method that we are choosing to solve it.

First of all, as I mentioned before, on the PDE-363 the school district starts off by listing its total expenditures, the total number of students that it has. It divides the expenditures by the number of students to get its total spending per student. From that it deducts various expenses that do not apply to charter schools. One of those expenses that they do not get to deduct right now is their pension costs. Just to make it clear, because I know there are a lot of folks who do not realize this, but charter schools do have the same pension costs that brick-and-mortar schools or traditional public schools have. Because they have to hire teachers and most of those teachers are in the PSERS (Public School Employees' Retirement System) retirement plan, the charter school can have the same pension costs per student as a brick-and-mortar charter school or a traditional public school.

The bill that we have, the base bill, HB 618, the way it attempts to fix this problem – actually, let me back up and explain some of that math a little bit better. So the charter schools do not— The school districts do not get to deduct their pension costs, which means they are going to make a payment to the charter school roughly equal to their per-pupil spending on retirement costs. In addition to that, the charter schools receive a reimbursement from the State for one-half, not the whole amount, but one-half of their actual PSERS pension costs. So on the surface people say, oh, they are getting paid twice for the same expense. They are getting one payment from the school district to cover retirement costs, and then they are getting this other payment from the State. Let me emphasize again, the payment from the State is for only half of their pension costs. Whereas, the deduction that is proposed in HB 618 is to take away the entire amount that the school district spends on its pension costs. So if a school district spends, and I am going to use as an example \$500 per student in retirement costs and the charter school spends \$500 per student, then the charter school will get \$500 from the school district and \$250 from the State; that is \$750. That is an overpayment of 50 percent, not 100 percent. But what we are proposing to do here is instead of taking away the 50 percent, we are taking away the 100 percent, leaving the charter schools with only half of the money that they need to cover their pension costs, and if

they only have half of the money that they need to cover their pension costs, they have to get the other half – where do you think from? – they have to get the other half by taking it out of teachers' –salaries or reducing the number of teachers that they have or cutting back on the number of programs and additional enhancements that they can offer to their cyber education program.

Again, we are treating the cyber student as a second-class citizen, telling them that you are not worth as much money as you would be if you would just go to the public school down the street from you. It is completely inappropriate to be reducing payments or paying less for the education of students who choose cyber schools just because that is the choice that they made. A lot of folks have said to me, well, it is a choice that they made, but you have to understand, families do not choose to send their kids to charter schools because, oh, I think that sounds like something that would be fun to do. They choose to send their kids to charter schools because in some way their school district has already let them down. They are either providing inadequate education programming or they are not flexible enough to accommodate some of their outside activities or they are not moving at the pace that the student wants to move. So it is a decision that families make under a lot of duress. They see it as a desperate measure, and so after the school district has already let them down, what we are proposing to do here is let the State kick them again and tell the school districts, hey, you do not even have to send as much money with that student as we would spend on that kid if he stayed in your school.

So again, in the name of fairness, what I have proposed in this amendment is pretty straightforward. What I suggested is, the school district should only be able to deduct half of its pension expenses. Since the charter school will get the other half from the State, it is completely reasonable for the school district to provide the other half, because the only other place the charter school can get the money is from, again, by cutting it out of instruction, teachers, and so forth.

So in the name of fairness and decency to the 40,000 kids who attend cyber charter schools in this State, I encourage my colleagues to vote "yes" on this amendment, A1860.

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

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

Mr. **CLYMER**. Thank you, Mr. Speaker.

Mr. Speaker, this whole pension issue was brought to our attention by the public school business managers, and on more than one occasion, they told us that this reform is necessary. Amendment 1860 compromises that very reform. So, Mr. Speaker, I would ask for a "no" vote on amendment 1860. Thank you.

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

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

Mr. **BARBIN**. Thank you, Mr. Speaker.

I rise in opposition to this amendment.

There is nothing fair in Pennsylvania about the funding of charter schools and the 80 percent of cyber schools that pretend their costs are the same as public schools. So there is not anything fair about that. We as a State pay more money for cyber education and charter education than any other State in

the nation. We refuse to recognize that it is killing our public schools. So today when you ask me for more money for the cyber schools and more money for the charter schools, as I watch our urban schools, our rural schools, our suburban schools all lose that money for basically going to a choice that 70 percent of which is failing, I say no. I say that is a little more unfair than the current system, which is the most unfair system, the public schools, in the whole nation.

So I urge all my colleagues to say no to this amendment and no to the continuing billion-dollar special interest payment to cyber and charter schools.

The SPEAKER. The question is, will the House adopt the amendment?

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

Mr. EMRICK. Thank you, Mr. Speaker.

Again I would ask my colleagues to oppose amendment A01860.

This amendment would significantly reduce the savings achieved by the compromise in the legislation. The savings would be cut by an approximate \$13 million, and I would ask my colleagues to oppose. Thank you.

The SPEAKER. The question is, will the House adopt the amendment?

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

Mr. TRUITT. Thank you, Mr. Speaker.

Again, we have got to go back to looking at what this bill will accomplish. A number of folks have suggested that this bill is about saving school districts money, and that is complete nonsense. This bill will take \$1,000 per kid, let me say that again, \$1,000 per kid away from cyber charter schools to return less than \$20 per kid to the traditional brick-and-mortar schools. It is not going to save them any money at all. All it is going to do is harm the cyber charter schools that have the higher basis of costs.

One of the prior speakers suggested, he stated it as if it was a fact, that cyber charter schools have a lower cost than brick-and-mortar schools, and actually, that is not a guarantee. Let me give you some examples why. One of the common misunderstandings about cyber charter schools is that they all conduct something called asynchronous learning. Asynchronous learning means that a teacher can sit down in front of a camera and record a lecture once and students can watch it thousands of times over and enter in their answers to questions online and that there is no interaction with teachers. Well, if you want to run a really decent cyber charter program, what you need to do is a synchronous learning program, and in a synchronous learning program, the students and the teachers are both online at the same time, which makes the argument pretty easily that you have to have the same student-to-teacher ratio in a synchronous learning program that you need in a regular school. If a teacher cannot handle more than 30 students in a brick-and-mortar classroom, it is hard for them to handle more than 30 students in a cyber program if they are doing true synchronous learning because the students can ask questions in real time while the class is being conducted, and in fact, some cyber charter schools have implemented a coteaching model where they put two teachers in the classroom. So that is two to one versus the brick-and-mortar schools. What that second teacher does is fields questions through a chat window on the side from students that have questions. It makes the class a lot

more efficient. So now instead of needing the same student-to-teacher ratio that a traditional school has, they actually, to properly provide one of those programs, they need a lower student-to-teacher ratio to execute that program.

We talk about other expenses that you would think a cyber charter school does not have. Again, folks are thinking that in some cases teachers work from home. In other cases the teachers work all in the same building and they are able to collaborate with each other about specific students. So if a student is struggling in one subject, let us say math, that math teacher can consult with that same student's history teacher to find out if that history teacher has learned anything about that particular student in terms of what clicks and what does not click.

So it is not automatic that they do not have to have a place for teachers to teach. If you think about the way a synchronous learning environment would go, if I am a teacher in a classroom teaching a live course, I need everything that is in the front half of a classroom in a brick-and-mortar school. I still need a blackboard or a whiteboard or whatever the technologically equivalent of the day is. I still need a desk. I need all the props and everything else that I need that a regular teacher needs to teach the class.

On the flip side, if you look at the other half of the classroom, you might say, well, okay; so the teacher needs the front half of the room. They do not need the back half of the room where the students sit. They do not need all those desks. The room does not have to be as big. But that is offset by the technology cost. On the other side of the room is a camera and other equipment that the teacher uses to execute a live real-time program.

Every student has to be provided with a computer. The cyber charter schools provide every student with a computer. That is offset of some of their building costs. They have to provide Internet connections to all these students. They actually send art supplies out to all these students. They send PE (physical education) equipment out to these students. So the argument that their costs are lower is based on a false assumption that every cyber charter school is providing an asynchronous program and requiring their students to do a lot of things on their own that not all cyber charter schools do require them to perform.

So by cutting their funding, arbitrarily cutting the funding for every cyber charter school, what we are doing is we are going to harm the cyber charter schools that are doing innovative, positive things to enhance the cyber learning environment. So again, the argument that cyber schools have a lower cost basis, that is false, and the argument that this is going to save school districts a lot of money is also a complete joke. The \$20 per student, it works out to less than two-tenths of 1 percent of the money is going to go back to the school districts and it is just going to disappear into the sea of spending in the public school system.

Again, I cannot encourage enough my colleagues to vote in favor of amendment A1860. It is a reasonable, logical, fair solution to dealing with the pension double-dip. Thank you, Mr. Speaker.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—22

Barrar	Godshall	Mackenzie	Rapp
Bloom	Heffley	Maher	Roae
Brooks	Hennessey	McGinnis	Saccone
Christiana	James	Metcalfe	Simmons
Cox	Kauffman	Mustio	Truitt
Evankovich	Lawrence		

NAYS—174

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

NOT VOTING—0

EXCUSED—6

Boyle, B.	Kirkland	Miranda	Swanger
Cruz	Marshall		

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?

Mr. **TRUITT** offered the following amendment
No. **A01861**:

Amend Bill, page 1, line 15, by inserting after
"AGREEMENTS:"

in charter schools, further providing for transportation;
Amend Bill, page 44, by inserting between lines 26 and 27
Section 13.1. Section 1726-A(a) and (a.1) of the act, amended
July 11, 2006 (P.L.1092, No.114) and July 9, 2008 (P.L.846, No.61),
are amended to read:

Section 1726-A. Transportation.—(a) Students who attend a charter school [located in their school district of residence], a regional charter school of which the school district is a part [or a charter school] or a cyber charter school learning center located in their school district of residence or located outside district boundaries at a distance not exceeding ten (10) miles by the nearest public highway shall be provided free transportation to the charter school or cyber charter school learning center by their school district of residence on such dates and periods that the charter school is in regular session whether or not transportation is provided on such dates and periods to students attending schools of the district. Transportation is not required for elementary students, including kindergarten students, residing within one and one-half (1.5) miles or for secondary students residing within two (2) miles of the nearest public highway from the charter school in which the students are enrolled unless the road or traffic conditions are such that walking constitutes a hazard to the safety of the students when so certified by the Department of Transportation, except that if the school district provides transportation to the public schools of the school district for elementary students, including kindergarten students, residing within one and one-half (1.5) miles or for secondary students residing within two (2) miles of the nearest public highway under nonhazardous conditions, transportation shall also be provided to charter schools under the same conditions. Districts providing transportation to a charter school outside the district and, for the 2007-2008 school year and each school year thereafter, districts providing transportation to a charter school within the district shall be eligible for payments under section 2509.3 for each public school student transported.

(a.1) (1) The school district of residence shall also provide free transportation as required for students to receive services provided by intermediate units under section 1725-A(4).

(2) In addition to any other requirements in this section, school districts of the first class shall provide transportation to students who attend a charter school if they are the same age or are enrolled in the same grade, grades or their grade equivalents as any of the students of the school district for whom transportation is provided under any program or policy to the schools of the school district.

* * *

On the question,

Will the House agree to the amendment?

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

Mr. TRUITT. Thank you, Mr. Speaker.

Mr. Speaker, amendment A1861 attempts to address funding inequities associated with transportation for students who attend cyber charter schools.

Again, I am sure right now there are a number of folks in this room who are thinking cyber charter students do not have transportation expenses. Well, actually, if a cyber charter school student is going to receive services at the local intermediate unit, the cyber charter school is required to pay for the transportation to get the student from wherever they are located to the intermediate unit. This is an expense that they have in spite of the fact that the school districts get to deduct

100 percent of their transportation expenses from the payment to the cyber charter school. So again, now here a cyber charter school has to pay this expense and they are not being reimbursed for it from anybody so that money has to come out of money that would otherwise be spent on instructional materials, teachers, and so forth. It might be reasonable if the school district would provide that transportation. So what we are asking them to do is if that student lives in your district and you would otherwise be required to pay to transport them from their home to the intermediate unit, then pay for the cost or provide the transportation to get them from their home to the intermediate unit even though they attend the cyber charter school, because we let you deduct 100 percent of your transportation costs on the PDE-363.

Again, it is another – it just seems like a perfectly reasonable solution. If we are actually interested in coming up with a fair handling of the funding for cyber charter schools and charter schools in general, this is something that needs to be addressed. And so if we are going to touch the pension double-dip in the base bill, we need to address transportation issues in the bill as well. Thank you, Mr. Speaker.

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

On that question, the Speaker recognizes the gentleman from Westmoreland County, Mr. Reese.

Mr. REESE. Thank you, Mr. Speaker.

Mr. Speaker, under amendment 1861, our public schools would be responsible for busing our students to cyber facilities that are not necessarily recognized in statute. This would greatly increase the cost to our local school districts and of course on our property tax payers. Therefore, I urge a "no" vote. Thank you, Mr. Speaker.

The SPEAKER. The question is, will the House adopt the amendment?

On that question, is the gentleman, Mr. Truitt, seeking recognition for the second time? The gentleman is in order for a second time.

Mr. TRUITT. Thank you, Mr. Speaker.

I am a bit flummoxed, if you will. I do not understand how we can just say it is going to cost more, but somebody has to pay that cost. The cost of transporting a student from their home to the intermediate unit or some other location where they are going to receive the services that students with disabilities or special needs receive, somebody has to pay for that cost, and we are letting the school district deduct 100 percent of that cost from the cyber charter school's payment. What in the world could possibly justify us not asking that same school district that is deducting that cost from providing that transportation? It is just unbelievable to me that anybody would not see this as a reasonable correction of what is a flaw in the current Charter School Law. Thank you, Mr. Speaker.

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

LEAVE OF ABSENCE

The SPEAKER. Excuse me. The Speaker returns to leaves of absence and recognizes the majority whip, who requests a leave of absence for the gentleman from Berks County, Mr. MALONEY, for the remainder of the day. Without objection, the leave will be granted.

CONSIDERATION OF HB 618 CONTINUED

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

The following roll call was recorded:

YEAS—12

Bloom	Heffley	Krieger	Rapp
Evankovich	Hennessey	McGinnis	Roae
Godshall	Kauffman	Metcalf	Truitt

NAYS—183

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

NOT VOTING—0

EXCUSED—7

Boyle, B.	Kirkland	Marshall	Swanger
Cruz	Maloney	Miranda	

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?

Mr. **TRUITT** offered the following amendment
No. **A01864**:

Amend Bill, page 1, line 15, by striking out "AND" where it occurs the first time

Amend Bill, page 1, line 16, by inserting after "PROVISIONS"
; and, in reimbursements by Commonwealth and between school districts, further providing for Commonwealth reimbursements for charter schools and cyber charter schools

Amend Bill, page 68, by inserting between lines 23 and 24

Section 20.1. Section 2591.1 of the act is amended by adding a subsection to read:

Section 2591.1. Commonwealth Reimbursements for Charter Schools and Cyber Charter Schools.—* * *

(e) Beginning with the 2013-2014 school year and each year thereafter, the Commonwealth shall pay an amount equal to twenty percent (20%) of the total funding required under section 1725-A(a) to each school district with resident students enrolled in a charter school. For the purposes of this subsection, the term "charter school" shall include those schools approved under section 1717-A or 1718-A which provide instruction through the Internet or other electronic means or a cyber charter school as defined pursuant to Article XVII-A.

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

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

Mr. TRUITT. Thank you, Mr. Speaker.

Mr. Speaker, the genesis of amendment A1864 is the fact that, to be candid, a lot of the call to take money away from charter schools and cyber charter schools really got rolling about 2 years ago when we eliminated the charter school reimbursement from the State. Just to refresh everybody's memory, in the past if your school district sent a certain number of students – or paid a certain amount of tuition to charter schools, you got 30 percent of it back from the State, and the idea behind that was to help the school districts adapt and make the transition as they lose students, because if you lose one student, let us be honest, if one student leaves your school, that does not automatically mean that you can close a classroom or lay off a teacher. It might mean that you can. For example, if you had 101 students in the fourth grade and your class sizes are 25 students per class and that 101st student left to go to a charter school, you might be able to close one classroom and eliminate one teacher, but that is not a guarantee. The numbers are kind of random. So the charter school reimbursement kind of helped the school districts get past what are their fixed costs and their inability to adapt to their rising and falling pupil populations, although their pupil populations rise and fall as it is. When we took that away, that hurt a lot of school districts and started this chorus of, we have got to do something about these darn cyber charter schools, which I think is kind of ridiculous, because cyber charter schools account for 1 percent, 1 percent of the cost of education in Pennsylvania. And so the amount of money that school districts are losing to cyber charter schools really is not that much, but that seems to be what they are focused on and that focus seems to have been elevated from the point when we took away the charter school reimbursement.

Now, an awful lot of time has passed since we created charter schools in Pennsylvania, and I think that school districts should have learned to adapt at least somewhat at this point, but it is clear that they have not fully learned to adapt to losing students to charter schools. So what I have proposed in amendment A1864 is to bring back the charter school reimbursement that we used to provide from the State to the school districts, but instead of reimbursing school districts for 30 percent of their costs, we are going to reimburse them for only 20 percent of their costs. It is something that will help – it will put money – that will give school districts actual money. Instead of just getting back two-tenths of 1 percent, as the base bill suggests, they would get back some real money if we reinstituted the charter school reimbursement line item in the budget, Mr. Speaker.

So I encourage my colleagues to vote in the affirmative. Thank you.

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

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

Mr. EMRICK. Thank you, Mr. Speaker.

I would ask my colleagues to oppose amendment A01864.

I am holding the fiscal note in my hand, Mr. Speaker, and if this amendment were to go through, this fiscal note, it says that the estimated adoption of this amendment would cost the Commonwealth at least \$237 million in fiscal year 2013-14. This would put a gaping hole in our budget, and we cannot afford that. Thank you, Mr. Speaker.

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

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

Mr. DeLUCA. Thank you, Mr. Speaker.

Mr. Speaker, I support the Truitt amendment.

I have been trying to do this for a long time, because the fact is, this double-dipping is really an unfair advantage to not only our school districts but to the taxpayers of the Commonwealth of Pennsylvania. It makes no sense to me that our public schools have to pay for the pension costs and then the State also pays for the pension costs. That certainly is not in the interest of the public to be doing that.

Therefore, I would support the Truitt amendment. Thank you.

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

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

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, as has been mentioned by my colleague here from Northampton, there is a fiscal note of \$237 million, but consider this as well, that if we are in a tight economy and this amendment would go in, then the State would have to find money, \$237 million, and, Mr. Speaker, that may be very hard to find when you are doing a budget and you are trying to save money wherever you can. So that is one problem. But let us assume, for example, that we do have the \$237 million that would be somehow available. I would suggest we put it into PlanCon, into the construction component, because that creates jobs. It creates union jobs. It makes a lot of sense to get people working, and that is where I would recommend the money would go if I was in that position.

So for that reason and others, I would ask for a "no" vote on amendment 1864.

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

The following roll call was recorded:

YEAS—93

Barbin	DeLissio	Kim	Petrarca
Barrar	DeLuca	Kinsey	Rapp
Bishop	Dermody	Kortz	Ravenstahl
Bizzarro	Donatucci	Kotik	Readshaw
Bloom	Evans	Kula	Roae
Boyle, K.	Fabrizio	Longietti	Roebuck
Bradford	Farina	Mahoney	Rozzi
Briggs	Flynn	Markosek	Sabatina
Brown, V.	Frankel	Matzie	Sainato
Brownlee	Freeman	McCarter	Samuelson
Burns	Gainey	McGeehan	Santarsiero
Caltagirone	Galloway	McGinnis	Schlossberg
Carroll	Gergely	McNeill	Schreiber
Clay	Gibbons	Miller, D.	Sims
Cohen	Goodman	Mirabito	Snyder
Conklin	Haggerty	Molchany	Sturla
Costa, D.	Haluska	Mullery	Taylor
Costa, P.	Hanna	Mundy	Truitt
Daley, M.	Harhai	Neilson	Vitali
Daley, P.	Harkins	Neuman	Waters
Davidson	Harris, J.	Painter	Wheatley
Davis	Kavulich	Parker	White
Dean	Keller, W.	Pashinski	Youngblood
Deasy			

NAYS—102

Adolph	Fleck	Lawrence	Pyle
Aument	Gabler	Lucas	Quinn
Baker	Gillen	Mackenzie	Reed
Benninghoff	Gillespie	Maher	Reese
Boback	Gingrich	Major	Regan
Brooks	Godshall	Marsico	Rock
Brown, R.	Greiner	Masser	Ross
Causar	Grell	Mentzer	Saccone
Christiana	Grove	Metcalf	Sankey
Clymer	Hackett	Metzgar	Saylor
Corbin	Hahn	Miccarelli	Scavello
Cox	Harhart	Micozzie	Simmons
Culver	Harper	Millard	Smith
Cutler	Harris, A.	Miller, R.	Sonney
Day	Heffley	Milne	Stephens
Delozier	Helm	Moul	Stern
Denlinger	Hennessey	Murt	Stevenson
DiGirolamo	Hickernell	Mustio	Tallman
Dunbar	James	O'Brien	Thomas
Ellis	Kampf	O'Neill	Tobash
Emrick	Kauffman	Oberlander	Toepel
English	Keller, F.	Payne	Toohil
Evankovich	Keller, M.K.	Peifer	Turzai
Everett	Killion	Petri	Vereb
Farry	Knowles	Pickett	Watson
Fee	Krieger		

NOT VOTING—0

EXCUSED—7

Boyle, B.	Kirkland	Marshall	Swanger
Cruz	Maloney	Miranda	

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?

The SPEAKER. The lady from Allegheny County, Ms. Molchany, you have two amendments that, let us put it this way, if one is considered, the other cannot be, and I would recommend that you advise me as to which amendment of those two you would like to call up.

Ms. MOLCHANY. Mr. Speaker, I would like to withdraw amendment A01834.

The SPEAKER. And you would like to call up amendment A02061?

Ms. MOLCHANY. Yes.

The SPEAKER. Thank you.

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

Ms. **MOLCHANY** offered the following amendment
No. **A02061**:

Amend Bill, page 1, line 15, by striking out "AND" where it occurs the first time

Amend Bill, page 1, line 16, by inserting after "PROVISIONS"
; and providing for paid media advertisement by schools

Amend Bill, page 44, by inserting between lines 26 and 27
(g) It shall be unlawful for any charter school entity to expend any Federal, State or local funds received under this section for any paid media advertisement, including television, radio, movie theater, billboard, bus poster, newspaper, magazine, the Internet or any other commercial method that may promote enrollment of a charter school entity. Nothing in this subsection shall be construed to supersede or abrogate any applicable Federal, State or local law.

Amend Bill, page 68, by inserting between lines 23 and 24
Section 20.1. The act is amended by adding a section to read:
Section 2554. Paid Media Advertisement.—(a) Funds received under this article may not be used by a school entity for any paid media advertisement, including television, radio, movie theater, billboard, bus poster, newspaper, magazine, the Internet or any other commercial method that may promote enrollment of a school entity. Nothing in this section shall be construed to supersede or abrogate any applicable Federal, State or local law.

(b) For purposes of this section, the term "school entity" shall mean a school district, intermediate unit or an area vocational-technical school.

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

The SPEAKER. On that question, the Speaker recognizes the lady from Allegheny County, Ms. Molchany.

Ms. MOLCHANY. Thank you, Mr. Speaker.

Regarding this amendment, I just want to stress that this amendment does not ban advertising. It prohibits taxpayer dollars to be used to pay for the advertising designed to promote enrollment, and I would like to present some other options for those funds. In-kind trade can be used, corporate sponsorship, grants for marketing, PSAs (public service announcements). There are other alternatives.

Again, this amendment does not ban advertising. It just prohibits taxpayer dollars to be used to pay for the advertising designed to promote enrollment. Thank you.

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

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

Mr. BARBIN. Thank you.

I rise in support of this amendment for the following reason: We are sitting here in Harrisburg today and we are listening outside the Capitol to senior citizens that are losing their houses because of school property taxes. It is an affront to every senior citizen who is losing their house on sheriff's sale to have to ride down the Pennsylvania Turnpike and see an advertisement for a particular cyber school say, we are the answer to all your problems, when it is paid for with State tax dollars.

Public high schools cannot use that money and would never think of using that money. The school boards would run them out of town. We should not let the special interests, public schools, the cybers, or the brick-and-mortar charters use the money for such a ridiculous, wasteful tax expenditure.

I ask all the members to support this amendment.

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

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

Mr. CLYMER. Thank you, Mr. Speaker.

I certainly am very sympathetic to the prime sponsor of the amendment and to the gentleman that just made the commentary, but here is another issue that we have to look at, another consideration. It removes the charter school entity's ability to make residents aware of their existence, and therefore, it harms the public school choice. In other words, if we are saying that we have various entities within the education process making themselves available to the parents because the parents, obviously, choose the school they want their child to go to, by closing down that ability for the schools, charter schools, you have people who are homeschooling, who also – although it does not affect them directly, but the point I am making is that there is this communication that we have to have people consider homeschooling, cyber charters. I mean, at least it gives them that opportunity to make themselves available and say here is a choice, and I do not want to see us closing down on that option.

So I would ask for a "no" vote.

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

On that question, the Speaker recognizes the gentleman from Westmoreland County, Mr. Evankovich.

Mr. EVANKOVICH. Thank you, Mr. Speaker.

Mr. Speaker, I speak with my school districts at home. I talked to the various shareholders on the issue of school choice, and one of the things that I hear, one of the arguments that I hear made is that everyone wants to just compete on a level playing field and that things like advertising on television creates an uneven playing field. Well, Mr. Speaker, when I watch television in my home area, a local school district, Penn Hills School District, a public school, runs television advertisements to promote their community. While, Mr. Speaker, I may not necessarily agree that that is the best use

of property tax and State money, it is still giving that school district an opportunity to compete on a level playing field, but, Mr. Speaker, if we take the ability of charter schools and cybers away, if we take the ability for them to advertise away, it is not promoting the open-market position on school choice. I think we want that open dialogue. I think we want that level playing field, and public schools today, like Penn Hills, are advertising on television just like the cybers are. They are competing. They are competing for the opportunity to educate those kids.

So I would ask for a "no" vote on amendment 02061. Thank you.

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

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

Mr. J. HARRIS. Thank you, Mr. Speaker.

Will the maker of the amendment stand for interrogation?

The SPEAKER. The lady, Ms. Molchany, indicates she will stand for interrogation. You may proceed.

Mr. J. HARRIS. Thank you.

Mr. Speaker, there is a Federal requirement that requires charters to advertise in order to have a diverse student population. Mr. Speaker, does this amendment allow charters to use taxpayer dollars to fulfill the Federal mandate for a diverse population?

Ms. MOLCHANY. Mr. Speaker, this amendment does provide for what was suggested by the gentleman from Philadelphia County.

Just to reiterate, this amendment is similar to the initial amendment. This amendment clarifies that not contrary to any applicable Federal, State, or local law, the amendment would ban the use of taxpayer dollars for any advertising-related expenditures that promote enrollment at all public schools in the Commonwealth.

Again, Mr. Speaker, I just want to reiterate that this amendment does not ban advertising. It prohibits taxpayer dollars to be used to pay for the advertising designed to promote enrollment, and I would like to again submit alternative funds that could be used, just merely as a suggestion, in-kind trade with publications, corporate sponsorship dollars, grants for marketing, PSAs; these are just other options in lieu of taxpayer dollars.

Mr. J. HARRIS. Thank you, Mr. Speaker.

On the amendment?

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

Mr. J. HARRIS. Mr. Speaker, I rise to support the Molchany amendment, and I want to thank the gentlelady for revising the amendment to ensure that we do not ban charters from using taxpayer dollars with regards to fulfilling the Federal mandate to have a diverse population.

Mr. Speaker, I will urge all of my colleagues to support this amendment as charters would still have the ability to use taxpayer dollars to fulfill the Federal requirement to ensure that they have a diverse student population. Thank you, Mr. Speaker.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—93

Barbin	DeLuca	Kim	Parker
Bishop	Dermody	Kinsey	Pashinski
Bizzarro	DiGirolamo	Kortz	Petrarca
Boyle, K.	Donatucci	Kotik	Ravenstahl
Bradford	Evans	Kula	Readshaw
Briggs	Fabrizio	Longietti	Roebuck
Brown, R.	Farina	Mahoney	Rozzi
Brown, V.	Flynn	Markosek	Sabatina
Brownlee	Frankel	Matzie	Sainato
Burns	Freeman	McCarter	Samuelson
Caltagirone	Gainey	McGeehan	Santarsiero
Carroll	Galloway	McNeill	Schlossberg
Clay	Gergely	Metcalfe	Schreiber
Cohen	Gibbons	Metzgar	Sims
Conklin	Goodman	Miller, D.	Snyder
Costa, D.	Haggerty	Mirabito	Sturla
Costa, P.	Haluska	Molchany	Thomas
Daley, M.	Hanna	Mullery	Toohil
Daley, P.	Harhai	Mundy	Vitali
Davidson	Harkins	Neilson	Waters
Davis	Harris, J.	Neuman	Wheatley
Dean	Kavulich	O'Brien	White
Deasy	Keller, W.	Painter	Youngblood
DeLissio			

NAYS—101

Adolph	Gabler	Lawrence	Rapp
Aument	Gillen	Lucas	Reed
Baker	Gillespie	Mackenzie	Reese
Barrar	Gingrich	Maher	Regan
Benninghoff	Godshall	Major	Roae
Bloom	Greiner	Marsico	Rock
Boback	Grell	Masser	Ross
Brooks	Grove	McGinnis	Saccone
Causar	Hackett	Mentzer	Sankey
Clymer	Hahn	Miccarelli	Saylor
Corbin	Harhart	Micozzie	Scavello
Cox	Harper	Millard	Simmons
Culver	Harris, A.	Miller, R.	Smith
Cutler	Heffley	Milne	Sonney
Day	Helm	Moul	Stephens
Delozier	Hennessey	Murt	Stern
Denlinger	Hickernell	Mustio	Stevenson
Dunbar	James	O'Neill	Tallman
Ellis	Kampf	Oberlander	Taylor
Emrick	Kauffman	Payne	Tobash
English	Keller, F.	Peifer	Toepel
Evankovich	Keller, M.K.	Petri	Truitt
Everett	Killion	Pickett	Turzai
Farry	Knowles	Pyle	Vereb
Fee	Krieger	Quinn	Watson
Fleck			

NOT VOTING—1

Christiana

EXCUSED—7

Boyle, B.	Kirkland	Marshall	Swanger
Cruz	Maloney	Miranda	

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?

Mr. **ROEBUCK** offered the following amendment
No. **A01839**:

Amend Bill, page 51, lines 12 through 30; pages 52 and 53, lines 1 through 30; page 54, lines 1 through 29, by striking out all of said lines on said pages

Amend Bill, page 58, line 5, by striking out "(I)"

Amend Bill, page 58, lines 11 through 15, by striking out all of said lines

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

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

Mr. **ROEBUCK**. Thank you, Mr. Speaker.

This amendment is designed in part to enhance the operation and proficiency of charter education, providing for removal of the provisions in the bill that would allow two or more high-performing charter schools to merge or consolidate into multiple charter school organizations which operate two or more schools under the oversight of one board and one chief administrator. The effort is to ensure that there is clarity in the way these schools operate and that indeed they compete on the same basis as other school organizations.

I would urge the adoption of the amendment.

THE SPEAKER PRO TEMPORE (MATTHEW E. BAKER) PRESIDING

The **SPEAKER** pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Grove.

Mr. **GROVE**. Thank you.

I do appreciate the chairman's sentiments but unfortunately must oppose this amendment as it will eliminate efficiencies for charters within the same organization to consolidate administration. School districts are still given the ability to prove or deny consolidation. Moreover, school districts retain all initial and renewed chartering decisions for charter schools contained within the multiple charter organization. This language was clearly negotiated with stakeholders, and we have come to what is a good compromise. I do appreciate the chairman's leadership on education but unfortunately do ask my colleagues for a negative vote on this amendment.

Thank you, Mr. Speaker.

The **SPEAKER** pro tempore. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Clymer, who waives off. Thank you.

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

The following roll call was recorded:

YEAS—93

Barbin	DiGirolamo	Kinsey	Parker
Bishop	Donatucci	Kortz	Pashinski
Bizzarro	Evans	Kotik	Petrarca

Boyle, K.	Fabrizio	Kula	Ravenstahl
Bradford	Farina	Longietti	Readshaw
Briggs	Fleck	Mahoney	Roebuck
Brown, V.	Flynn	Markosek	Rozzi
Brownlee	Frankel	Matzie	Sabatina
Burns	Freeman	McCarter	Sainato
Caltagirone	Gainey	McGeehan	Samuelson
Carroll	Galloway	McNeill	Santarsiero
Clay	Gergely	Miccarelli	Schlossberg
Cohen	Gibbons	Miller, D.	Schreiber
Conklin	Goodman	Mirabito	Sims
Costa, D.	Haggerty	Molchany	Snyder
Costa, P.	Haluska	Mullery	Sturla
Daley, M.	Hanna	Mundy	Taylor
Daley, P.	Harhai	Murt	Thomas
Davis	Harkins	Neilson	Vitali
Dean	James	Neuman	Waters
Deasy	Kavulich	O'Brien	Wheatley
DeLissio	Keller, W.	O'Neill	White
DeLuca	Kim	Painter	Youngblood
Dermody			

NAYS—102

Adolph	Farry	Krieger	Rapp
Aument	Fee	Lawrence	Reed
Baker	Gabler	Lucas	Reese
Barrar	Gillen	Mackenzie	Regan
Benninghoff	Gillespie	Maher	Roae
Bloom	Gingrich	Major	Rock
Boback	Godshall	Marsico	Ross
Brooks	Greiner	Masser	Saccone
Brown, R.	Grell	McGinnis	Sankey
Causar	Grove	Mentzer	Saylor
Christiana	Hackett	Metcalfe	Scavello
Clymer	Hahn	Metzgar	Simmons
Corbin	Harhart	Micozzie	Smith
Cox	Harper	Millard	Sonney
Culver	Harris, A.	Miller, R.	Stephens
Cutler	Harris, J.	Milne	Stern
Davidson	Heffley	Moul	Stevenson
Day	Helm	Mustio	Tallman
DeLozier	Hennessey	Oberlander	Tobash
Denlinger	Hickernell	Payne	Toepel
Dunbar	Kampf	Peifer	Toohil
Ellis	Kauffman	Petri	Truitt
Emrick	Keller, F.	Pickett	Turzai
English	Keller, M.K.	Pyle	Vereb
Evankovich	Killion	Quinn	Watson
Everett	Knowles		

NOT VOTING—0

EXCUSED—7

Boyle, B.	Kirkland	Marshall	Swanger
Cruz	Maloney	Miranda	

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?

Mr. **McCARTER** offered the following amendment
No. **A01846**:

Amend Bill, page 1, line 11, by inserting after "THERETO," "
in preliminary provisions, further providing for definitions;
Amend Bill, page 3, lines 4 through 6, by striking out all of said
lines and inserting

Section 1. The definitions of "academic performance target," "corrective action," "school improvement" and "warning" in section 102 of the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, amended December 23, 2003 (P.L.304, No.48), are amended to read:

Section 102. Definitions.—When used in this act the following words and phrases shall have the following meanings:

"Academic performance target." A percentage of students in a cyber charter school, charter school, school or school district required to score at a level equal to or above proficient in those subject areas assessed through a PSSA test and required under the No Child Left Behind Act of 2001 (Public Law 107-110, 115 Stat. 1425) in order to achieve adequate yearly progress pursuant to 22 Pa. Code § 403.3 (relating to single accountability system).

* * *

"Corrective action." Classification as provided in 22 Pa. Code § 403.3 (relating to single accountability system) indicating that a cyber charter school, charter school, school or school district failed to meet adequate yearly progress for four or more consecutive years and requiring development of a corrective action plan.

* * *

"School improvement." Classification as provided in 22 Pa. Code § 403.3 (relating to single accountability system) indicating a cyber charter school, charter school, school or school district has failed to make adequate yearly progress for two consecutive years and needs improvement.

* * *

"Warning." Classification as provided in 22 Pa. Code § 403.3 (relating to single accountability system) indicating that a cyber charter school, charter school, school or school district has failed to make its academic performance targets for one year.

Section 1.1. Section 1525 of the act, added July 4, 2004 (P.L.536, No.70), is amended to read:

Amend Bill, page 49, line 3, by inserting after "1720-A" or failure to make adequate yearly progress for at least three (3) consecutive years under the Pennsylvania accountability standards that apply the requirements set forth in the Elementary and Secondary Education Act of 1965 (Public Law 89-10, 20 U.S.C. § 6301 et seq.)

Amend Bill, page 61, line 21, by striking out ", 1742-A AND 1745-A" and inserting
and 1742-A

Amend Bill, page 62, by inserting between lines 16 and 17

Section 19.1. The act is amended by adding a section to read:
Section 1742.1-A. Cyber charter school and charter school adequate yearly progress.

Each year, the department shall determine if each cyber charter school and charter school is making adequate yearly progress. If necessary, the department shall issue warnings, take corrective action or take any other measures that may be used for schools or school districts that fail to make adequate yearly progress.

Section 19.2. Section 1745-A of the act, added June 29, 2002 (P.L.524, No.88), is amended to read:

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

The SPEAKER pro tempore. On the amendment, the gentleman, Mr. McCarter, is recognized.

Mr. McCARTER. Thank you, Mr. Speaker.

Mr. Speaker, it is my intention, if I could, to raise a couple of questions relative to this amendment before I put it forth. Is that possible?

The SPEAKER pro tempore. Mr. McCarter, are you raising questions about your own amendment?

Mr. McCARTER. I am because of a change of the waiver, Mr. Speaker, that took place from the Federal government concerning AYP (adequate yearly progress). And I just need

classification, if I could, from the – I assume, the maker of the motion – of the bill.

The SPEAKER pro tempore. It may be more appropriate and efficient to have a quick sidebar with the gentleman and then return to your amendment.

Mr. McCARTER. Thank you very much.

The SPEAKER pro tempore. You are welcome.

(Conference held.)

AMENDMENT WITHDRAWN

The SPEAKER pro tempore. The question recurs, will the House adopt the amendment?

On that question, the gentleman, Mr. McCarter, is recognized.

Mr. McCARTER. Thank you, Mr. Speaker.

Given the assurances that I have just heard, we will withdraw the amendment. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the bill on second consideration?

Mr. **J. HARRIS** offered the following amendment No. **A02075**:

Amend Bill, page 3, lines 4 through 6, by striking out all of said lines and inserting

Section 1. The act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, is amended by adding a section to read:

Section 220.1. Failure to Meet Adequate Yearly Progress.—A public school, charter school or cyber charter school that fails to meet adequate yearly progress for three consecutive years shall be closed.

Section 1.1. Section 1525 of the act, added July 4, 2004 (P.L.536, No.70), is amended to read:

On the question,

Will the House agree to the amendment?

AMENDMENT WITHDRAWN

The SPEAKER pro tempore. On the amendment, the Chair recognizes the gentleman, Mr. Harris. The gentleman, Mr. Harris, is withdrawing his amendment. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the bill on second consideration?

Mr. **CONKLIN** offered the following amendment No. **A02439**:

Amend Bill, page 40, line 21, by striking out "THE" and inserting

Except for the provisions of subparagraph (vii), the

Amend Bill, page 41, by inserting between lines 17 and 18

(vii) The secretary shall withhold all payments to any charter school entity that fails to make adequate yearly progress for two (2) or more consecutive years under the Pennsylvania accountability standards that apply the requirements set forth in the Elementary and

Secondary Education Act of 1965 (Public Law 89-10, 20 U.S.C. § 6301 et seq.). The secretary shall commence payments to the charter school entity once the department receives verification that charter school entity has achieved adequate yearly progress in a school year.

On the question,

Will the House agree to the amendment?

The SPEAKER pro tempore. On the amendment, the gentleman, Mr. Conklin, is so recognized.

Mr. CONKLIN. I want to thank the Speaker.

This is a basic, simple amendment. It is just basically saying that any charter school that does not make AYP on behalf of the taxpayers will not be eligible for taxpayers' dollars until they correct that problem, if it goes on for 2 years, and then once they do correct and their students are performing to standards that above, they will then be eligible for the money once again.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Maher, on the amendment.

Mr. MAHER. Thank you, Mr. Speaker.

I would like to interrogate the maker of the amendment.

The SPEAKER pro tempore. Will the gentleman, Mr. Conklin, agree to brief interrogation?

The gentleman has agreed, and you may proceed.

Mr. MAHER. Did I understand the gentleman correctly that he said that any school that does not meet AYP for 2 successive years would cease to be funded?

Mr. CONKLIN. I want to thank— That is an excellent question. Charter schools, sir; I may have left that out.

Mr. MAHER. Oh, I am sorry. So you are only speaking about charter schools?

Mr. CONKLIN. Yes, sir. Thank you.

Mr. MAHER. Thank you, Mr. Speaker.

On the question?

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

Mr. MAHER. It is a draconian, although interesting solution to punish the children of some schools because the schools are failing. I do not think it is a very good solution, but I would suggest that if this is the gentleman's approach to how to solve these problems, that it is a solution that should be applied uniformly. And consequently, Mr. Speaker, it fails both those tests, and I would ask for a "no" vote.

The SPEAKER pro tempore. The Chair thanks the gentleman.

AMENDMENT WITHDRAWN

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Conklin.

Mr. CONKLIN. Mr. Speaker, I am running into the same problem that the previous gentleman came into. I was just informed with the new Federal regulations, I will need to redraft this amendment to a bill or two in another circumstance, because since this was drafted many months ago, the standards have changed and no longer would the wording be correct.

So I will be removing this amendment.

The SPEAKER pro tempore. The gentleman, Mr. Conklin, is removing – withdrawing his amendment. The Chair thanks the gentleman.

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

The SPEAKER pro tempore. Mr. Conklin, are you offering the other amendment?

Mr. CONKLIN. Yes, sir.

The SPEAKER pro tempore. Okay.

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

Mr. **CONKLIN** offered the following amendment
No. **A02440**:

Amend Bill, page 33, line 27, by inserting a bracket before
"THERE"

Amend Bill, page 33, line 27, by inserting after "THERE"

] Except as provided in subsection (a.1), there

Amend Bill, page 43, by inserting between lines 1 and 2

(a.1) If the student's school district or intermediate unit operates a cyber charter school and the student attends another cyber charter school, neither the Commonwealth nor the school district shall be required to provide funding under this section. The student may be charged tuition by the cyber charter school under section 2561. Provided, however, That this tuition shall not exceed the total expenditure per average daily membership of the prior school year of the school district of residence of the student pursuant to subsection (a)(2)(ii)(B) or (3).

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

The SPEAKER pro tempore. On the amendment, the gentleman, Mr. Conklin, is recognized.

Mr. CONKLIN. I want to thank the Speaker.

Basically, this is also a simple amendment. What it says is that if a home school district offers cyber education and if a child attending that school district decides to go outside of that school district for cyber education, the taxpayers would not have to pay more than what it would cost the home district to perform those services.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the amendment, the gentleman, Mr. Reese, is recognized.

Mr. REESE. Thank you, Mr. Speaker.

Mr. Speaker, I rise to oppose amendment 2440.

This amendment effectively eliminates public school choice for our families of Pennsylvania. Also, I think there is a drafting issue, because typically, the cyber programs that are offered at our IUs (intermediate units) are not necessarily schools.

Again, this would eliminate school choice for our families in Pennsylvania; therefore, I respectfully request a "no" vote on amendment 2440.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Barbin, on the amendment.

Mr. BARBIN. Thank you, Mr. Speaker.

In light of the fact that the cyber schools are failing at a 70-percent rate, I rise in support of this amendment because at least with the public schools, they are going to be held to the standard that applies to all public schools. We do not have the same standards. We have a way of reducing the cost of the cyber school component, which is \$1 billion. It keeps money in

a cyber school program that the home public school district offers. And for that reason – especially in light of the failing rate of the cyber schools – I believe it is cost-effective. It is the only reasonable thing we should do since we are not supposed to be wasting money.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Truitt, on the amendment.

Mr. TRUITT. Thank you, Mr. Speaker.

Mr. Speaker, this amendment illustrates one of the key problems that we have here in the General Assembly with association with charter schools is a fundamental misunderstanding of how cyber charter schools work. To say that a school district could put up their own cyber program and that would in effect disallow more money from being spent – disallow a student to go somewhere else and spend more money elsewhere assumes that all cyber programs are the same; they are not.

Under the proposed amendment, a school district could put up a real basic, asynchronous – you know, they buy a library of a couple hundred courses and require all the kids to take an asynchronous program and not provide any other enhancements to the cyber program, and they could say, well, we have a cyber program and ours only costs – and we have heard it in committee – three to four thousand dollars a year. Then that would prohibit every other student from going to a cyber charter school that spends more than three or four thousand dollars per student, which would include all the ones that are doing synchronous learning, live instruction, have mobile science labs, have learning centers, have performing art centers, and hybrid programs. You would basically be driving all of our cyber charter schools to the least common denominator, and that is definitely not what we want.

We want these cyber charter schools to experiment and innovate and find out what is good for education in Pennsylvania and what is not, and this is an indictment partially on us. We tie the school districts hands too much and prevent them from innovating and experimenting in the same ways as the cyber charter school.

Well, this amendment would just drive all cyber charter schools to the least common denominator. It would have a terrible effect on cyber education in Pennsylvania and the long-term future of education in Pennsylvania. So I encourage my colleagues to vote "no" on this amendment. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Clymer.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, as we just heard a few moments ago, this amendment is improperly drafted because school districts and intermediate units generally operate the cyber programs, not the cyber charter schools. They do not operate those programs, so how can they charge tuition.

So I would ask the members for a "no" vote on this amendment. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Moul, on the amendment.

Mr. MOUL. Thank you, Mr. Speaker.

I rise today in support of this amendment in the interest of property tax savings.

For those in my local school districts, we spend literally hundreds of thousands of dollars a year that comes out of our

budgets going out of our county to cyber schools. And I have schools that actually provide the exact same service at a much cheaper rate. So in the interest of saving the taxpayers in my county and many other counties around the State, I am going to be in support of this amendment and hope that everyone will vote in the affirmative on this.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentlelady, Ms. Rapp, on the amendment.

Ms. RAPP. Thank you, Mr. Speaker.

If I may, could I interrogate the maker of the amendment, please?

The SPEAKER pro tempore. Will the gentleman agree to interrogation? He has agreed and you may proceed.

Ms. RAPP. Mr. Speaker, I am curious as to whether or not the maker of this amendment believes that this would also pertain to students with an IEP (individualized education program).

Mr. CONKLIN. Yes.

Ms. RAPP. So, Mr. Speaker, if the IEP team of this student decides that a cyber charter school is the most appropriate educational placement for this child under Federal special education and Pennsylvania special education law, this child would be entitled to a free appropriate public education. So, Mr. Speaker, I would like to know how the maker of this amendment gets around the FAPE (free appropriate public education) requirement of special education if the IEP team would decide that this would be the best placement for the child.

Mr. CONKLIN. I think that is an excellent question, and I want to thank the speaker for asking that. It would be decided by the school district that would do that for the best interest of the child. Thank you.

Ms. RAPP. Excuse me; may I ask for a repeat of that statement?

Mr. CONKLIN. The school district is part of the IEP, and they would always go in the best interest of the child. So yes, it would be in the best interest of the child, the decision that would be made.

Ms. RAPP. Mr. Speaker, in an IEP team, the parents are partners with the school district in deciding and making the decision of where that child's education takes place. Now, it is easy to say that the school district would decide, but the parents then have other options, including due process proceedings that they can use if a parent understands what their rights are under special education. It is not just the decision of the school district. This is a decision of the IEP team to make, not just the school district. It is very clear in law that it is the IEP team, which the parents are a part of, and everybody who would be involved in the decisionmaking of that child's education, parents being foremost. This is not just a decision that the school district has to make.

The SPEAKER pro tempore. Has the gentlelady concluded her interrogation?

Ms. RAPP. Yes. I am asking my colleagues to please vote "no" for this. This is not, in my opinion, in compliance with the special education law.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the lady.

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

The following roll call was recorded:

YEAS—80

Barbin	Dean	Harkins	Painter
Bishop	Deasy	Kavulich	Petrarca
Bizzarro	Delozier	Keller, W.	Ravenstahl
Boback	DeLuca	Kim	Readshaw
Bradford	Dermody	Kortz	Roebuck
Briggs	Donatucci	Kotik	Rozzi
Brooks	Evans	Kula	Sabatina
Brownlee	Fabrizio	Longietti	Sainato
Burns	Farina	Mahoney	Santarsiero
Caltagirone	Flynn	Markosek	Scavello
Carroll	Frankel	Matzie	Schlossberg
Clay	Gainey	McCarter	Schreiber
Cohen	Galloway	McGeehan	Sims
Conklin	Gergely	McNeill	Snyder
Costa, D.	Goodman	Mirabito	Sturla
Costa, P.	Greiner	Molchany	Tobash
Cutler	Haggerty	Moul	Vitali
Daley, M.	Haluska	Mullery	Waters
Daley, P.	Hanna	Neuman	White
Davis	Harhai	O'Brien	Youngblood

NAYS—115

Adolph	Freeman	Lucas	Quinn
Aument	Gabler	Mackenzie	Rapp
Baker	Gibbons	Maher	Reed
Barrar	Gillen	Major	Reese
Benninghoff	Gillespie	Marsico	Regan
Bloom	Gingrich	Masser	Roae
Boyle, K.	Godshall	McGinnis	Rock
Brown, R.	Grell	Mentzer	Ross
Brown, V.	Grove	Metcalfe	Saccone
Causar	Hackett	Metzgar	Samuelson
Christiana	Hahn	Miccarelli	Sankey
Clymer	Harhart	Micozzie	Saylor
Corbin	Harper	Millard	Simmons
Cox	Harris, A.	Miller, D.	Smith
Culver	Harris, J.	Miller, R.	Sonney
Davidson	Heffley	Milne	Stephens
Day	Helm	Mundy	Stern
DeLissio	Hennessey	Murt	Stevenson
Denlinger	Hickernell	Mustio	Tallman
DiGirolamo	James	Neilson	Taylor
Dunbar	Kampf	O'Neill	Thomas
Ellis	Kauffman	Oberlander	Toepel
Emrick	Keller, F.	Parker	Toohil
English	Keller, M.K.	Pashinski	Truitt
Evankovich	Killion	Payne	Turzai
Everett	Kinsey	Peifer	Vereb
Farry	Knowles	Petri	Watson
Fee	Krieger	Pickett	Wheatley
Fleck	Lawrence	Pyle	

NOT VOTING—0

EXCUSED—7

Boyle, B.	Kirkland	Marshall	Swanger
Cruz	Maloney	Miranda	

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?

Mr. **J. HARRIS** offered the following amendment
No. **A02074**:

Amend Bill, page 1, line 11, by inserting after "THERETO,"
in school finances, providing for advertising;
Amend Bill, page 3, lines 4 through 6, by striking out all of said
lines and inserting
Section 1. The act of March 10, 1949 (P.L.30, No.14), known as
the Public School Code of 1949, is amended by adding a section to
read:
Section 618. Advertising.—A school district, charter school or
cyber charter school may not use State funds for advertising, except for
the purpose of enrollment and ensuring a diverse student body.
Section 1.1. Section 1525 of the act, added July 4, 2004
(P.L.536, No.70), is amended to read:

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

AMENDMENT WITHDRAWN

The SPEAKER pro tempore. On the amendment, the
gentleman, Mr. Harris, is recognized.

Mr. J. HARRIS. Thank you, Mr. Speaker.

Mr. Speaker, because of my ability to work with the
gentlelady from Allegheny County on a compromise that I think
is in the best interest of the Commonwealth, I will be
withdrawing this amendment. Thank you.

The SPEAKER pro tempore. The Chair thanks the
gentleman.

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

Mr. **ROEBUCK** offered the following amendment
No. **A01836**:

Amend Bill, page 44, by inserting between lines 26 and 27
Section 13.1. The act is amended by adding a section to read:
Section 1725.1-A. Actual Costs of Education Services.—(a)
Within one hundred eighty (180) days of the effective date of this
section, the department shall promulgate audit standards under this
article which shall be used in determining the year-end actual costs of
educational services per non-special education student and special
education student provided by a charter school to any child who is a
resident of a school district, which are subject to payment in
accordance with section 1725-A. The department shall follow the
procedures provided in the act of July 31, 1968 (P.L.769, No.240),
referred to as the "Commonwealth Documents Law," and the act of
June 25, 1982 (P.L.633, No.181), known as the "Regulatory Review
Act," for promulgation and review of final-omitted regulations.
Subsequent audit standards promulgated under this section or
amendments to the initial audit standards may not be in final-omitted
form. The audit standards shall take effect at the beginning of the first
school year after which such audit standards have been promulgated.
(b) In order for the year-end actual costs of educational services
per non-special education student and special education student to be
thoroughly and properly determined, the audit standards promulgated
by the department shall:
(1) Specify reasonable costs associated with the operation of the
educational program offered by a charter school. The following may
not be considered reasonable costs associated with the operation of the

educational program offered by a charter school:

(i) Any paid media advertisement, including television, radio,
movie theater, billboard, bus poster, newspaper, magazine, the Internet
or any other commercial method that may promote enrollment of a
charter school.

(ii) Any bonuses or additional compensation beyond the annual
or termed contractual compensation for all faculty, administration and
staff, including salary, benefits and any additional compensation not
specifically enumerated in the contract.

(2) Allow a closely related business entity to charge up to one
hundred and seven per centum of the actual educational costs.

(3) Require information as necessary for a full-scope review of a
finalized management agreement entered into between a charter school
and a closely related business entity, including:

(i) All payments received from school districts of residence.

(ii) Expenditures of the closely related business entity related to
the delivery of educational and administrative services pursuant to the
management agreement.

(4) List and show all receipts and expenditures for an
educational service provider that provides any service to a charter
school.

(5) Provide reasonable penalties for failure to comply.

(c) The following shall apply:

(1) The department shall effectuate an annual year-end final
reconciliation process of tuition payments against actual costs of
educational services per non-special education student and special
education student providing any necessary procedures for the transfer
of funds from the charter school to the school district of residence. The
final reconciliation process shall include one of the following:

(i) Allowing a school district of residence to withhold its last
monthly payment from a charter school to account for any
overpayments as identified by the year-end audit. If the school district
of residence has sent overpayments, the district may adjust its last
monthly payment accordingly.

(ii) Requiring a charter school at the end of each school year to
return any overpayments to a school district of residence owed a
refund. A charter school may not return any overpayments on a pro rata
basis.

(2) Procedures for the transfer of funds may not permit the
department to deduct from a school district of residence's basic
education subsidy any amount in excess of the selected expenditure per
average daily membership amount calculated in accordance with
section 1725-A.

(d) Charter schools, educational service providers and closely
related business entities shall provide to the department, unless already
retained by the department, any information necessary to carry out the
provisions of this section.

(e) Except as provided under subsection (c), nothing contained
under this section shall permit a school district of residence to provide
funding for a charter school in a manner other than that which is
specified in section 1725-A.

(f) For the purposes of this section, the following terms shall
have the following meanings:

"Charter school" shall mean a regional charter school or cyber
charter school.

"Closely related business entity" shall mean any organization
with a management or operational relationship with a charter school
involving either shared or overlapping aspects of corporate identity
such as ownership, board of directors or trustees membership, capital
or profits.

"Educational and administrative services" shall mean any direct
expenditures for any instruction and the administration of the
instructional program. The term shall not include any expenditures not
pertaining directly to the instruction and the administration of the
instructional program.

"Educational service provider" shall mean a for-profit education
management organization, nonprofit charter management organization,
school design provider, business manager or any other partner entity

with which a charter school intends to contract or presently contracts to provide educational services, operational services or management services to the charter school. The term shall not include a charter school foundation.

"Management agreement" shall mean any contract establishing a management or operational relationship between a charter school and closely related business entity for the provision of professional or nonprofessional services to the charter school.

On the question,

Will the House agree to the amendment?

The SPEAKER pro tempore. On the amendment, the gentleman, Mr. Roebuck, is recognized.

Mr. ROEBUCK. Thank you, Mr. Speaker.

This amendment requires year-end audits by the Department of Education to determine the actual cost of education services of a charter or cyber charter school. The department must also conduct an annual year-end process of final reconciliation of tuition payments against actual costs of education services of a charter or cyber charter school. If the actual cost of education services is less than the tuition payment from the school district, then the charter or cyber charter school would return overpayment to the school district.

We must understand, Mr. Speaker, that there is currently evidence of numerous overpayments by school districts to both charters and cyber charter schools. It is only fair then that there be audits and that there be accountability on how we spend taxpayer dollars. If we indeed overpay a charter or a cyber charter school for the services they are committed to do and that is verified by audit, then that money ought to be returned to school districts and ultimately, by that process, returned to taxpayers. That is responsible government. That is responsible education policy.

I would urge the adoption of the amendment.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Emrick.

Mr. EMRICK. Thank you, Mr. Speaker.

I would ask my colleagues to oppose amendment A01836.

The funding commission is already charged with studying the actual costs to educate a cyber and charter student. As well, PDE (Pennsylvania Department of Education) does not have the staff and it would endure incredible administrative costs, estimated at \$1 million, to perform these audits. So we would request a "no" vote on the amendment.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Clymer, on the amendment.

Mr. CLYMER. Thank you, Mr. Speaker.

In addition to what my colleague from Northampton County has said, I know that we have the Auditor General out there, and this may not be specifically in some of the audit that he does, but certainly, when he does his very thorough audit, you know, we can pick up some problems here regarding the actual cost to the school districts for the tuition to charter and cyber charter. And I do not totally disagree, quite frankly, with my colleague and friend from the other side of the aisle. But I do not think this is the direct way to go because we are putting in motion the mechanisms to look at this very important issue, and it is an important issue. I am not trying to say that we should not look at it. That is why we have HB 2, to create the funding commission, and that funding commission, when they come up with – you

have just heard – with their final result, will be that test to see what the true cost is for tuition for charter and cyber charter schools.

But at this point I concur with my colleague and would ask for a "no" vote. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Roebuck, for the second time.

Mr. ROEBUCK. Thank you, Mr. Speaker.

Let us understand what the issue here is. The Auditor General has demonstrated that \$365 million a year is paid in excess payment to charters and cyber charter schools; that is taxpayer money. Understand further that the problem is that the Department of Education does not have enough personnel to do what they should do. Then why do we not give them the money to do that.

An audit function is a basic function of responsible government. To say that the Department of Education does not have enough auditors, enough money, that we somehow should just forget about \$365 million in taxpayer dollars is wrong. We need to adopt this amendment and bring back responsible government, accountability in our education system.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Maher, on the amendment.

Mr. MAHER. One of the challenges I wrestle with on this subject is hearing from those who believe that funding of the public schools – the traditional brick-and-mortar public schools – those who say that funding is insufficient, it is not enough, also are quite certain that 60 or 70 percent of that when paying for the education of a cyber student is too much. This is sort of like Goldilocks and the Three Bears with hallucinogens, because 100 percent is deemed to be too little and 70 percent is deemed to be too much.

It does not make a lot of sense to me, and that is why I will be voting "no." Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS-92

Barbin	Dermody	Keller, W.	Parker
Bishop	DiGirolamo	Kim	Pashinski
Bizzarro	Donatucci	Kinsey	Petrarca
Boyle, K.	Evans	Kortz	Petri
Bradford	Fabrizio	Kotik	Ravenstahl
Briggs	Farina	Kula	Readshaw
Brown, V.	Fleck	Longietti	Roebuck
Brownlee	Flynn	Mahoney	Rozzi
Burns	Frankel	Markosek	Sabatina
Caltagirone	Freeman	Matzie	Sainato
Carroll	Gainey	McCarter	Samuelson
Clay	Galloway	McGeehan	Santarsiero
Cohen	Gergely	McNeill	Schlossberg
Conklin	Gibbons	Miller, D.	Schreiber
Costa, D.	Goodman	Mirabito	Sims
Costa, P.	Haggerty	Molchany	Snyder
Daley, M.	Haluska	Mullery	Sturla
Daley, P.	Hanna	Mundy	Thomas
Davis	Harhai	Murt	Vitali

Dean	Harkins	Neilson	Waters
Deasy	Harris, J.	Neuman	Wheatley
DeLissio	James	O'Brien	White
DeLuca	Kavulich	Painter	Youngblood

NAYS—103

Adolph	Farry	Lawrence	Reed
Aument	Fee	Lucas	Reese
Baker	Gabler	Mackenzie	Regan
Barrar	Gillen	Maher	Roae
Benninghoff	Gillespie	Major	Rock
Bloom	Gingrich	Marsico	Ross
Boback	Godshall	Masser	Saccone
Brooks	Greiner	McGinnis	Sankey
Brown, R.	Grell	Mentzer	Saylor
Causar	Grove	Metcalfe	Scavello
Christiana	Hackett	Metzgar	Simmons
Clymer	Hahn	Miccarelli	Smith
Corbin	Harhart	Micozzie	Sonney
Cox	Harper	Millard	Stephens
Culver	Harris, A.	Miller, R.	Stern
Cutler	Heffley	Milne	Stevenson
Davidson	Helm	Moul	Tallman
Day	Hennessey	Mustio	Taylor
DeLozier	Hickernell	O'Neill	Tobash
Denlinger	Kampf	Oberlander	Toepel
Dunbar	Kauffman	Payne	Toohil
Ellis	Keller, F.	Peifer	Truitt
Emrick	Keller, M.K.	Pickett	Turzai
English	Killion	Pyle	Vereb
Evankovich	Knowles	Quinn	Watson
Everett	Krieger	Rapp	

NOT VOTING—0

EXCUSED—7

Boyle, B.	Kirkland	Marshall	Swanger
Cruz	Maloney	Miranda	

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?

Mr. **MAHER** offered the following amendment No. **A01938**:

Amend Bill, page 35, line 23, by striking out "FULL"
Amend Bill, page 35, line 25, by inserting after "SYSTEM"
that is not reimbursed by the Commonwealth

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

The **SPEAKER** pro tempore. On the amendment, the gentleman, Mr. Maher, is recognized.

Mr. **MAHER**. Thank you, Mr. Speaker.

One of the issues this bill seeks to tackle deals with what has grown to be known as the pension double-dip, and while payment of public schools in Pennsylvania has not been a cost reimbursement, no matter what kind of public school they are, notionally I understand the point that is here, and I am okay with the notion of getting rid of a double-dip. But what I am also a fan of is good arithmetic.

So this amendment is not anticharter, this amendment is not pro-charter, this is not anything other than pro-arithmetic. This is saying that the amount of ironing out the double-dip, let us actually get the arithmetic correct, and I would ask for your support.

The **SPEAKER** pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Clymer, on the amendment.

Mr. **CLYMER**. Thank you, Mr. Speaker.

Mr. Speaker, I understand what the gentleman is attempting to do. However, actually if we adopt this amendment, it will give less financial relief to school districts.

Now, PASBO (Pennsylvania Association of School Business Officials) estimates that this deduction will save districts \$10 million – that is under the Maher amendment – versus \$26 million in the current printer's number. So, Mr. Speaker, we have quite a significant difference here, and I think all of us, understanding the moneys that we want to try to save and turn back to our school districts, understand basic mathematics, and I would ask for a "no" vote on the amendment.

The **SPEAKER** pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Truitt, on the amendment.

Mr. **TRUITT**. Thank you, Mr. Speaker.

Mr. Speaker, again, we hear that this is supposed to save school districts money. I just want to emphasize again, without the Maher amendment, we are taking \$1,000 per kid away from cyber charter schools to put less than \$20 per kid back into the public schools, and if we are going to attempt to help one set of students by taking money away from another set of students, we should at least have a logically sensible rationale for what we are doing, and the Maher amendment simply applies fair, reasonable math, and I encourage my colleagues to vote in favor of the Maher amendment.

Thank you, Mr. Speaker.

The **SPEAKER** pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Maher, for the second time.

Mr. **MAHER**. Thank you.

If the object of the bill is simply to take money from one form of public education and turn it to another form of education, then so be it, but let that be what the bill says it is doing. What this bill says it is doing is eliminating the so-called double-dip, which is really pretty easy to understand.

The public schools, the traditional public schools pay part of the cost of their pensions, and the other part of the cost of their pension is paid by the State. Charter schools and cyber charter schools have employees that participate in the same pension plan. So like the traditional public schools, they are responsible for part of the share of the pension costs and the other part is paid by the State.

Now, the way the form currently works is that both parts under the traditional school become part of the formula that goes to the charter school, but the charter school is only on the hook for half. But similarly, the public school is only on the hook for half. So the double-dip happens when a whole gets pushed over to the charter school instead of a half.

So what my amendment does is to sort this all out so that the amount that is getting passed to the charter school is based only on what they should be getting – not more, not less, just simple arithmetic; not pro-charter, not anticharter, simply

pro-arithmetic – and I would like to have legislation that does correctly accomplish what we say we are trying to do.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—60

Adolph	Gabler	Krieger	Oberlander
Aument	Gillen	Lawrence	Payne
Barrar	Gillespie	Mackenzie	Petri
Benninghoff	Gingrich	Maher	Quinn
Bloom	Godshall	Marsico	Rapp
Brown, R.	Grell	Masser	Roae
Christiana	Hackett	McGinnis	Rock
Cox	Harper	Mentzer	Saccone
Culver	Heffley	Metcalfe	Sankey
Cutler	Helm	Metzgar	Simmons
Day	Hennessey	Miccarelli	Stephens
Delozier	James	Micozzie	Toepel
Denlinger	Kauffman	Millard	Truitt
Evankovich	Keller, M.K.	Murt	Vereb
Farry	Killion	Mustio	Watson

NAYS—135

Baker	Ellis	Kinsey	Readshaw
Barbin	Emrick	Knowles	Reed
Bishop	English	Kortz	Reese
Bizzarro	Evans	Kotik	Regan
Boback	Everett	Kula	Roebuck
Boyle, K.	Fabrizio	Longietti	Ross
Bradford	Farina	Lucas	Rozzi
Briggs	Fee	Mahoney	Sabatina
Brooks	Fleck	Major	Sainato
Brown, V.	Flynn	Markosek	Samuelson
Brownlee	Frankel	Matzie	Santarsiero
Burns	Freeman	McCarter	Saylor
Caltagirone	Gainey	McGeehan	Scavello
Carroll	Galloway	McNeill	Schlossberg
Causar	Gergely	Miller, D.	Schreiber
Clay	Gibbons	Miller, R.	Sims
Clymer	Goodman	Milne	Smith
Cohen	Greiner	Mirabito	Snyder
Conklin	Grove	Molchany	Sonney
Corbin	Haggerty	Moul	Stern
Costa, D.	Hahn	Mullery	Stevenson
Costa, P.	Haluska	Mundy	Sturla
Daley, M.	Hanna	Neilson	Tallman
Daley, P.	Harhai	Neuman	Taylor
Davidson	Harhart	O'Brien	Thomas
Davis	Harkins	O'Neill	Tobash
Dean	Harris, A.	Painter	Toohil
Deasy	Harris, J.	Parker	Turzai
DeLissio	Hickernell	Pashinski	Vitali
DeLuca	Kampf	Peifer	Waters
Dermody	Kavulich	Petrarca	Wheatley
DiGirolamo	Keller, F.	Pickett	White
Donatucci	Keller, W.	Pyle	Youngblood
Dunbar	Kim	Ravenstahl	

NOT VOTING—0

EXCUSED—7

Boyle, B.	Kirkland	Marshall	Swanger
Cruz	Maloney	Miranda	

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?

Mr. **HARKINS** offered the following amendment No. **A01830**:

Amend Bill, page 11, by inserting between lines 12 and 13

Section 4.2. Section 1714-A(5) of the act, amended July 4, 2004 (P.L.536, No.70), is amended to read:

Section 1714-A. Powers of Charter Schools.—(a) A charter school established under this act is a body corporate and shall have all powers necessary or desirable for carrying out its charter, including, but not limited to, the power to:

* * *

(5) Make contracts and leases for the procurement of services, equipment and supplies[.], subject to the following:

(i) No contract or lease entered into by a charter school for an amount greater than one hundred dollars (\$100) may provide for a payment in excess of the fair market value of the services, equipment, supplies or other property being acquired or leased.

(ii) A charter school may not enter into or continue operating under a contract for management, operations or educational services that involves the charter school providing a percentage of the charter school's revenues to the educational service provider.

(iii) No contract entered into by a charter school shall have a term that extends beyond the charter school's existing charter agreement with a local school board or the department.

* * *

Amend Bill, page 45, line 7, by inserting after "SCHOOL" and any educational management service provider of the charter school that provides management, operations or educational services to the charter school

Amend Bill, page 45, line 11, by striking out "OR" and inserting a comma

Amend Bill, page 45, line 12, by inserting after "SCHOOL'S" or educational management service provider's

Amend Bill, page 45, line 29, by inserting after "SECRETARY." Within ten (10) days of receipt of the charter school's annual report, the local board of school directors and the secretary shall each certify to the charter school that the annual report has been received with an indication of the date of receipt. Within thirty (30) days of the date of receipt, the local board of school directors and the secretary shall each certify to the charter school that the annual report has been reviewed and is complete, or alternatively, has been reviewed and is missing specific information referenced in the certification. This review does not constitute a review for the accuracy of the contents of the charter school's annual report.

Amend Bill, page 46, by inserting between lines 10 and 11

(c.1) Each charter school shall form an independent audit committee of its board members which shall review at the close of each fiscal year a complete certified audit of the operations of the charter school. The audit shall be conducted by a qualified independent certified public accountant as selected from a list of approved providers established by the department. The audit shall be conducted under generally accepted audit standards of the Governmental Accounting Standards Board (GASB) and shall include, but not be limited to, the following tests:

(1) An enrollment test to verify the accuracy of student enrollment and reporting to the Commonwealth.

(2) Full review of expense reimbursements for board members and administrators, including sampling of all reimbursements.

(3) Review of internal controls, including review of receipts and disbursements.

(4) Review of annual Federal and State tax filings, including the Internal Revenue Service Code Form 990, Return of Organization Exempt from Income Tax and all related schedules and appendices for the charter school and charter school foundation, if applicable and including any educational management service providers of the charter school.

(5) Review of the financials of any charter school foundation, including any educational management service providers of the charter school.

(6) Review of all contracts over five thousand dollars (\$5,000) regarding the selection and acceptance process.

(7) Review of potential conflicts of interest among board members and senior level administrators with employees or educational service providers of the charter school.

(8) Review of employee files for compliance purposes but in accordance with Federal and State regulations governing confidentiality protection for employees.

(9) Any other test the department deems appropriate.

(c.2) The certified audit as required by subsection (c.1) is a public document and shall be made available on the department's Internet website and the charter school's Internet website, if applicable.

(d) Charter schools may be subject to an annual audit by the department its local school board or the Auditor General, in addition to any other audits required by Federal law or this act. Charter schools located within a school district of the first class may be subject to an annual audit by the controller of the city of the first class.

(e) The department shall publish an annual report that does all of the following:

(1) Identifies charter schools whose students are academically out-performing comparable students enrolled in the chartering school district.

(2) Describes best practices used in the charter school identified under clause (1) that should be disseminated to all school districts and charter schools.

(3) Makes any necessary recommendations to the General Assembly to further the dissemination and implementation of the best practices identified under clause (2).

(f) Charter schools shall annually provide a copy of the annual budget for the operation of the school that identifies the following:

(1) The source of funding for all expenditures as part of its reporting under subsection (a).

(2) Where funding is provided by a charter school foundation, including any educational management service providers of the charter school, the amount of funds and a description of the use of such funds.

(3) The salaries of all administrators of the charter school.

(g) Notwithstanding any other provisions of law, the charter school and any affiliated charter school foundation and educational management service providers of the charter school shall make copies of annual Federal and State tax filings available upon request and on the foundation's Internet website, including Internal Revenue Service Code Form 990, Return of Organization Exempt from Income Tax and all related schedules and appendices. The charter school foundation, including any educational management service providers of the charter school, shall also make copies of its annual budget available upon request and on the foundation's Internet website, the educational management service provider's Internet website or the charter school's Internet website within thirty (30) days of the close of the foundation's or educational management service provider's fiscal year. The annual budget must include the salaries of all employees of the charter school foundation or of the educational management service providers of the charter school.

(h) All operations of an educational management service provider for a charter school pursuant to a contract or agreement with the charter school which relate to the charter school shall be subject to public audit requirements under section 2553. In addition, funds provided by a charter school to an educational service management provider for a charter school pursuant to a contract or agreement with the charter school and the use of such funds by such educational

management service provider shall be subject to the audit provisions of section 403 of the act of April 9, 1929 (P.L.343, No.176), known as "The Fiscal Code."

(i) The charter school records produced, obtained or maintained by an educational management service provider for a charter school pursuant to a contract or agreement with the charter school shall be subject to disclosure under the act of February 14, 2008 (P.L.6, No.3), known as the "Right-to-Know Law."

Amend Bill, page 62, line 14, by inserting a bracket before "AND"

Amend Bill, page 62, line 14, by inserting after "AND"

],

Amend Bill, page 62, line 14, by inserting after "FACILITY" and to any educational management service provider of the cyber charter school that provide management, operations or educational services to the cyber charter school

Amend Bill, page 62, line 16, by inserting after "SUBDIVISION."

Ongoing reasonable access to a cyber charter school's records shall mean that the department shall have access to records, including, but not limited to, financial records, financial audits, standardized test scores, teacher certification and personnel records. Cyber charter schools and the department shall comply fully with the requirements of the Family Education Rights and Privacy Act of 1974 (Public Law 90-247, 20 U.S.C. § 1232g) and its implementing regulations.

(3.1) Every cyber charter school shall also comply with the requirements of section 1728-A(c.1), (c.2), (d), (e), (f), (g) and (h).

(4) Under section 1743-A(f) and within ten days of receipt of the cyber charter school's annual report, the secretary shall certify to the cyber charter school that the annual report has been received with an indication of the date of receipt. Within 45 days of the date of receipt, the secretary shall certify to the cyber charter school that the annual report has been reviewed and is complete or, alternatively, has been reviewed and is missing specific information referenced in the certification. This review does not constitute a review for the accuracy of the contents of the cyber charter school's annual report.

Amend Bill, page 68, by inserting between lines 23 and 24

Section 20.1. Section 2421 of the act is amended to read:

Section 2421. Duties of Controller.—The school controller, herein provided in each school district of the first class, shall properly audit the finances of the school district, including the accounts of the receiver of school taxes, school treasurer, or other proper authority collecting school taxes, school depositories, and all other funds under the control of the board of public education[.] and all funds provided by the school district of the first class to a charter school, including, but not limited to, those funds provided by a charter school to an educational service provider contractor or subcontractor that provides management, operations or education services to the charter school.

The school controller shall, at the end of each school year, certify to the board of public education that he has audited the several accounts above stated, and shall report to it the result of such audit.

On the question,

Will the House agree to the amendment?

The SPEAKER pro tempore. On the amendment, the gentleman, Mr. Harkins, is so recognized.

Mr. HARKINS. Thank you, Mr. Speaker.

This amendment provides adequate transparency for financial accountability for contractors, including the for-profit management companies that provide management, educational, or administrative services to charter and/or cyber charter schools.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the amendment, the gentleman, Mr. Reese, is recognized.

Mr. REESE. Thank you, Mr. Speaker.

Mr. Speaker, I rise to oppose amendment 1830.

The underlying bill, HB 618, currently addresses transparency and accountability issues. It provides for—Provisions in the amendment are overly burdensome and unnecessary. HB 618 opposes the Ethics Act on the administrators and trustees. It requires disclosure of EMO (education management organization) contracts, grants ongoing, access to financial records, and charters and cyber schools.

Therefore, I respectfully request a "no" vote on amendment 1830.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Clymer, on the amendment.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, this issue on transparency is an issue that both sides of the aisle were very concerned about, and one of the first things, other than the pension issue that we put into HB 618, was this issue on transparency, because there were problems that we felt that needed to be vetted and that is what we were doing. We had read in the press about some of the wrongdoings that were taking place and that we needed to make those corrections dealing with the charter school entities and cyber charters as well. So none of us are really opposed to what the gentleman is asking for. I mean, we really support that, but we already have it in the bill and we have it in a way that it is much more easy to articulate for the procedure to move forward, where the amendment would make it much more difficult.

So I would ask, not because we do not support what the gentleman is asking for, simply we have a better way to do it in HB 618, and I would ask for a "no" vote.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Harkins, for the second time.

Mr. HARKINS. Thank you, Mr. Speaker.

Again, this would require much more disclosure, though. This would require much more disclosure of financial documentation from the profit and nonprofit contractors alike. The current legislation requires similar disclosures but only for charter schools and foundations and not third-party or educational management service providers.

I would also point out that the recent Federal indictment of the Trombetta issue, this would address that in a much more in-depth situation. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—88

Barbin	DeLissio	Keller, W.	Parker
Bishop	DeLuca	Kim	Pashinski
Bizzarro	Dermody	Kinsey	Petrarca
Boyle, K.	Donatucci	Kortz	Ravenstahl
Bradford	Evans	Kotik	Readshaw

Briggs	Fabrizio	Kula	Roebuck
Brown, V.	Farina	Longietti	Rozzi
Brownlee	Flynn	Mahoney	Sabatina
Burns	Frankel	Markosek	Sainato
Caltagirone	Freeman	Matzie	Samuelson
Carroll	Gainey	McCarter	Santarsiero
Clay	Galloway	McGeehan	Schlossberg
Cohen	Gergely	McNeill	Schreiber
Conklin	Gibbons	Miller, D.	Sims
Costa, D.	Goodman	Mirabito	Snyder
Costa, P.	Haggerty	Molchany	Sturla
Daley, M.	Haluska	Mullery	Thomas
Daley, P.	Hanna	Mundy	Vitali
Davidson	Harhai	Neilson	Waters
Davis	Harkins	Neuman	Wheatley
Dean	Harris, J.	O'Brien	White
Deasy	Kavulich	Painter	Youngblood

NAYS—107

Adolph	Fee	Lawrence	Rapp
Aument	Fleck	Lucas	Reed
Baker	Gabler	Mackenzie	Reese
Barrar	Gillen	Maher	Regan
Benninghoff	Gillespie	Major	Roae
Bloom	Gingrich	Marsico	Rock
Boback	Godshall	Masser	Ross
Brooks	Greiner	McGinnis	Saccone
Brown, R.	Grell	Mentzer	Sankey
Causar	Grove	Metcalfe	Saylor
Christiana	Hackett	Metzgar	Scavello
Clymer	Hahn	Miccarelli	Simmons
Corbin	Harhart	Micozzie	Smith
Cox	Harper	Millard	Sonney
Culver	Harris, A.	Miller, R.	Stephens
Cutler	Heffley	Milne	Stern
Day	Helm	Moul	Stevenson
Delozier	Hennessey	Murt	Tallman
Denlinger	Hickernell	Mustio	Taylor
DiGirolamo	James	O'Neill	Tobash
Dunbar	Kampf	Oberlander	Toepel
Ellis	Kauffman	Payne	Toohil
Emrick	Keller, F.	Peifer	Truitt
English	Keller, M.K.	Petri	Turzai
Evankovich	Killion	Pickett	Vereb
Everett	Knowles	Pyle	Watson
Farry	Krieger	Quinn	

NOT VOTING—0

EXCUSED—7

Boyle, B.	Kirkland	Marshall	Swanger
Cruz	Maloney	Miranda	

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?

Mr. **LONGIETTI** offered the following amendment
No. **A01954**:

Amend Bill, page 8, line 20, by inserting after "GOVERNOR"
and chosen from a list of candidates submitted by the
Pennsylvania Coalition of Public Charter Schools

Amend Bill, page 8, line 29, by striking out "WHO SHALL BE
APPOINTED BY THE GOVERNOR"

Amend Bill, page 9, line 1, by inserting after "ENTITY"

who shall be appointed by the Governor and chosen from a list of candidates submitted by the Pennsylvania State Education Association

Amend Bill, page 9, line 2, by inserting after "ADMINISTRATORS"

who shall be appointed by the Governor and chosen from a list of candidates submitted by the Pennsylvania Association of School Administrators

Amend Bill, page 9, line 3, by inserting after "MEMBERS" where it occurs the second time

who shall be appointed by the Governor and chosen from a list of candidates submitted by the Pennsylvania School Board Association

Amend Bill, page 9, line 5, by inserting after "DISTRICT"

who shall be appointed by the Governor and chosen from a list of candidates submitted by the Pennsylvania Association of School Business Officials

Amend Bill, page 9, line 7, by inserting after "GOVERNOR" and chosen from a list of candidates submitted by the State System of Higher Education

Amend Bill, page 9, line 8, by inserting after "(3)"

The organizations required to submit lists of candidates under this section shall provide the Governor with their respective lists of candidates within ten days of the effective date of this section.

Amend Bill, page 9, lines 10 and 11, by striking out "BY THE ORIGINAL APPOINTING AUTHORITY" and inserting for the unexpired term by a successor appointed in the same manner as his predecessor

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

The SPEAKER pro tempore. On the amendment, the gentleman, Mr. Longietti, is recognized.

Mr. LONGIETTI. Thank you, Mr. Speaker.

Mr. Speaker, what I would like to do, if possible, would be to offer amendment A02597 at this time.

AMENDMENT WITHDRAWN

The SPEAKER pro tempore. Is the gentleman actually withdrawing then amendment A01954?

Mr. LONGIETTI. Yes.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

Mr. LONGIETTI offered the following amendment No. **A02597**:

Amend Bill, page 8, line 7, by striking out "THREE" and inserting

Four

Amend Bill, page 8, line 10, by striking out "ONE APPOINTEE" and inserting

two appointees

Amend Bill, page 8, line 12, by striking out "THREE" and inserting

Four

Amend Bill, page 8, line 16, by striking out "ONE APPOINTEE" and inserting

two appointees

Amend Bill, page 8, line 20, by inserting after "GOVERNOR" and chosen from a list of candidates submitted by the

Pennsylvania Coalition of Public Charter Schools

Amend Bill, page 8, line 29, by striking out "WHO SHALL BE APPOINTED BY THE GOVERNOR"

Amend Bill, page 8, line 30, by striking out "ONE MEMBER" and inserting

Two members

Amend Bill, page 8, line 30, by striking out "A TEACHER" and inserting

teachers

Amend Bill, page 9, line 1, by inserting after "ENTITY"

who shall be appointed by the Governor and chosen as follows:

(I) one teacher from a list of candidates submitted by the Pennsylvania State Education Association; and

(II) one teacher from a list of candidates submitted by the American Federation of Teachers - Pennsylvania

Amend Bill, page 9, line 2, by inserting after "ADMINISTRATORS"

who shall be appointed by the Governor and chosen from a list of candidates submitted by the Pennsylvania Association of School Administrators

Amend Bill, page 9, line 3, by inserting after "MEMBERS" where it occurs the second time

who shall be appointed by the Governor and chosen from a list of candidates submitted by the Pennsylvania School Board Association

Amend Bill, page 9, line 5, by inserting after "DISTRICT"

who shall be appointed by the Governor and chosen from a list of candidates submitted by the Pennsylvania Association of School Business Officials

Amend Bill, page 9, line 6, by striking out "ONE MEMBER" and inserting

Two members

Amend Bill, page 9, line 6, by striking out "AN INSTITUTION" and inserting

institutions

Amend Bill, page 9, line 7, by striking out "AND" where it occurs the first time and inserting a comma

Amend Bill, page 9, line 7, by striking out the period after "GOVERNOR" and inserting

, and who shall be chosen as follows:

(A) One member from a list of candidates submitted by the Chancellor of the Pennsylvania State System of Higher Education.

(B) One member from a list of candidates submitted by the Association of Independent Colleges and Universities of Pennsylvania.

Amend Bill, page 9, line 8, by inserting after "(3)"

The organizations required to submit lists of candidates under this section shall provide the Governor with their respective lists of candidates within ten days of the effective date of this section.

Amend Bill, page 9, lines 10 and 11, by striking out "BY THE ORIGINAL APPOINTING AUTHORITY;" and inserting

for the unexpired term by a successor appointed in the same manner as the successor's predecessor.

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

The SPEAKER pro tempore. On that amendment, Mr. Longietti.

Mr. LONGIETTI. Thank you, Mr. Speaker.

Mr. Speaker, what this does is, in the bill in chief there is a commission that is created and this changes the composition of the commission in a couple of respects.

First of all, the commission under the bill in chief would have an unequal number of legislators, both House and Senate members. In the bill in chief, it would be three House members, two from the majority party, one from the minority party; and three Senate members, two from the majority party and one

from the minority party. What this would do is equalize. This amendment would equalize it so that there would be two and two. And that has been our custom and practice, I believe, in most commissions.

Secondly, what this bill would do is, there are a number of commission spots – for example, there is a spot for a traditional public school teacher and that is appointed by the Governor. What this amendment would do is that there would be a list submitted of potential names by the Pennsylvania State Education Association and then the Governor would select from those. That same pattern would follow for each category. So when there is a school administrator, that list would be submitted by PASA (Pennsylvania Association of School Administrators), which is the administrators association. When there is a school board member, it would be submitted by the School Board Association. There is an additional public school teacher that would be added on, which would be submitted by the AFT, the American Federation of Teachers. But there would be an equal number of charter representatives as compared to representatives of traditional public schools.

And then finally, what this bill does is in regard to the higher education, that list would be submitted by the State System of Higher Ed. Again, the Governor would ultimately appoint. And then we also added a slot for the Association of Independent Colleges and Universities of Pennsylvania that would submit a list to the Governor. The reason for that, that would create an odd number so that we continue to have an odd number. So the commission would be enlarged from 17 members ultimately to 21 members.

So I think this gives us a balanced commission. It follows our practice of having an equal number of House and Senate members, and it also follows our tradition of having the various associations submit a list to the Governor. The same would apply to the charter schools; it would be through their Coalition of Public Charter Schools.

So I urge my colleagues to adopt this amendment so that when the commission produces its report, we can all have confidence in it. That is the whole idea behind this amendment, is that we have a balanced commission that follows our tradition, so that when recommendations come out, it is not subject to a concern that it came from an unbalanced commission that did not follow our tradition.

So I urge my colleagues to support this amendment.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Reese, on the amendment.

Mr. REESE. Thank you, Mr. Speaker.

I respectfully rise to oppose amendment 2597.

The underlying bill sought to find a balance between representation on this commission between public schools and our charter schools, our public charter schools. Unfortunately, this provision if passed would shift that balance in favor of one over the other.

Therefore, I respectfully request a "no" vote.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Roebuck, on the amendment.

Mr. ROEBUCK. Thank you, Mr. Speaker.

I rise in support of this amendment.

There is a basic legislative principle that says that when you create commissions like this, there is equal representation of each party on the commission. As the bill is written, that principle is lost, and it is not anything that is radical or new. It is fundamental to the way we do business and have done business in Harrisburg – equality of representation of each party, each house. And if we want to abandon that, I think that we lose then what is a fundamental principle, the way this House has operated, and it also strikes very clearly at the sense of what is fair in a democratic society.

I would argue that this amendment needs to be adopted if you are to maintain the principles upon which this House has always operated and the principles upon which a democratic society should operate and has operated.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Longietti, for the second time.

Mr. LONGIETTI. Thank you, Mr. Speaker.

Just to clarify here. Under the underlying bill, there is an unequal number of Representatives, both in terms of House and Senate members and in terms of charter versus traditional public schools, and if we look at the bill on page 8 and what my amendment does to it, so right now we have one member who shall represent a charter school, one member who shall represent a regional charter school, one member who shall represent a cyber charter school, one member who shall be a teacher in a charter school entity, and one member who shall be a parent of a child attending a charter school entity. That is five Representatives affiliated with charter schools. On the public school side, the traditional public school side of the equation, we have one teacher in a public school that is not a charter, one member who represents a school administrator – which, by the way, could be any school administrator, charter or traditional public – two members who are school board members, and one member that is a business manager of a school.

So if you look at those, that is an unequal number, and so what my amendment does is it levels that playing field so that we know that there is an equal number of both charter and non-charter school members. And it also makes an equal number of House and Senate members. It does enlarge the commission to 21, but I think that is an important provision so that, once again, we can have confidence when we get a report out that this is done on an equal footing.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Clymer.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, what the gentleman said is correct, but it is a 6-5 weighing in favor of public schools.

Now, in HB 1618, what you have, those who are really vested in the public schools are five members. Those who are truly vested in charter schools are five members. And then as the gentleman has pointed out, there are three members from the Senate and three members from the House. But that balance will then be shifted to 6-5 in the amendment that is before us. And I just think that when you go into negotiations that you want to have a balanced team, you want to have as many members on each side weighing in and making decisions, and if they come to a compromise, then that is what it is.

So for those reasons, Mr. Speaker, I would ask that we vote "no" on amendment – whatever it is that is up – 2597.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—88

Barbin	DeLissio	Keller, W.	Parker
Bishop	DeLuca	Kim	Pashinski
Bizzarro	Dermoddy	Kinsey	Petrarca
Boyle, K.	Donatucci	Kortz	Ravenstahl
Bradford	Evans	Kotik	Readshaw
Briggs	Fabrizio	Kula	Roebuck
Brown, V.	Farina	Longietti	Rozzi
Brownlee	Flynn	Mahoney	Sabatina
Burns	Frankel	Markosek	Sainato
Caltagirone	Freeman	Matzie	Samuelson
Carroll	Gailey	McCarter	Santarsiero
Clay	Galloway	McGeehan	Schlossberg
Cohen	Gergely	McNeill	Schreiber
Conklin	Gibbons	Miller, D.	Sims
Costa, D.	Goodman	Mirabito	Snyder
Costa, P.	Haggerty	Molchany	Sturla
Daley, M.	Haluska	Mullery	Thomas
Daley, P.	Hanna	Mundy	Vitali
Davidson	Harhai	Neilson	Waters
Davis	Harkins	Neuman	Wheatley
Dean	Harris, J.	O'Brien	White
Deasy	Kavulich	Painter	Youngblood

NAYS—107

Adolph	Fee	Lawrence	Rapp
Aument	Fleck	Lucas	Reed
Baker	Gabler	Mackenzie	Reese
Barrar	Gillen	Maher	Regan
Benninghoff	Gillespie	Major	Roae
Bloom	Gingrich	Marsico	Rock
Boback	Godshall	Masser	Ross
Brooks	Greiner	McGinnis	Saccone
Brown, R.	Grell	Mentzer	Sankey
Causser	Grove	Metcalfe	Saylor
Christiana	Hackett	Metzgar	Scavello
Clymer	Hahn	Miccarelli	Simmons
Corbin	Harhart	Micozzie	Smith
Cox	Harper	Millard	Sonney
Culver	Harris, A.	Miller, R.	Stephens
Cutler	Heffley	Milne	Stern
Day	Helm	Moul	Stevenson
Delozier	Hennessey	Murt	Tallman
Denlinger	Hickernell	Mustio	Taylor
DiGrolamo	James	O'Neill	Tobash
Dunbar	Kampf	Oberlander	Toepel
Ellis	Kauffman	Payne	Toohil
Emrick	Keller, F.	Peifer	Truitt
English	Keller, M.K.	Petri	Turzai
Evankovich	Killion	Pickett	Vereb
Everett	Knowles	Pyle	Watson
Farry	Krieger	Quinn	

NOT VOTING—0

EXCUSED—7

Boyle, B.	Kirkland	Marshall	Swanger
Cruz	Maloney	Miranda	

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?

The SPEAKER pro tempore. Mr. Longietti, are you withdrawing your remaining amendments – two amendments?

Mr. LONGIETTI. Thank you, Mr. Speaker.

Mr. Speaker, actually I would like to next offer amendment A01832.

The SPEAKER pro tempore. Before us right now would be amendment 2076 or 2596. Are you offering either one of those?

Mr. LONGIETTI. Yes. I would like to offer A02076.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the bill on second consideration?

Mr. LONGIETTI offered the following amendment
No. A02076:

Amend Bill, page 8, line 20, by inserting after "GOVERNOR"
and chosen from a list of candidates submitted by the
Pennsylvania Coalition of Public Charter Schools

Amend Bill, page 8, line 29, by striking out "WHO SHALL BE
APPOINTED BY THE GOVERNOR"

Amend Bill, page 8, line 30, by striking out "ONE MEMBER"
and inserting

Two members

Amend Bill, page 8, line 30, by striking out "A TEACHER" and
inserting

teachers

Amend Bill, page 9, line 1, by inserting after "ENTITY"

who shall be appointed by the Governor and chosen as follows:

(I) one teacher from a list of candidates submitted by the
Pennsylvania State Education Association; and

(II) one teacher from a list of candidates submitted by the
American Federation of Teachers - Pennsylvania

Amend Bill, page 9, line 2, by inserting after
"ADMINISTRATORS"

who shall be appointed by the Governor and chosen from a
list of candidates submitted by the Pennsylvania
Association of School Administrators

Amend Bill, page 9, line 3, by inserting after "MEMBERS"
where it occurs the second time

who shall be appointed by the Governor and chosen from a
list of candidates submitted by the Pennsylvania School
Board Association

Amend Bill, page 9, line 5, by inserting after "DISTRICT"

who shall be appointed by the Governor and chosen from a
list of candidates submitted by the Pennsylvania
Association of School Business Officials

Amend Bill, page 9, line 7, by inserting after "GOVERNOR"
and chosen from a list of candidates submitted by the State
System of Higher Education

Amend Bill, page 9, line 8, by inserting after "(3) "

The organizations required to submit lists of candidates under this
section shall provide the Governor with their respective lists of
candidates within ten days of the effective date of this section.

Amend Bill, page 9, lines 10 and 11, by striking out "BY THE
ORIGINAL APPOINTING AUTHORITY" and inserting

for the unexpired term by a successor appointed in the
same manner as his predecessor

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

The SPEAKER pro tempore. On the amendment, the gentleman, Mr. Longietti, is recognized.

Mr. LONGIETTI. Thank you, Mr. Speaker.

Mr. Speaker, this is a variation whereby, what it deals with is it requires the various associations to submit a list to the Governor for the various appointments. It does include two teachers, one submitted from a list from PSEA (Pennsylvania State Education Association) and one submitted from a list from AFT. That is essentially the amendment and I urge adoption.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the amendment, the gentleman, Mr. Clymer, is recognized.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, this is the same situation that we just encountered a few moments ago. It weighs the commission in favor of the traditional school districts by adding an additional non-charter school member which upsets the balance of the commission.

So, Mr. Speaker, I would respectfully ask that this amendment be voted down for the reasons I just articulated. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the amendment, the Chair recognizes the gentleman, Mr. Emrick.

Mr. EMRICK. Thank you, Mr. Speaker.

For the same reasons my colleague just mentioned, I would also ask for a "no" vote.

In addition to that, if a higher education authorizer is established as the commission is tasked to explore, some of our members would prefer that an authorizer be from a State-related university rather than PASSHE (Pennsylvania State System of Higher Education). So again, we would respectfully request a "no" vote.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—88

Barbin	DeLissio	Keller, W.	Parker
Bishop	DeLuca	Kim	Pashinski
Bizzarro	Dermoddy	Kinsey	Petrarca
Boyle, K.	Donatucci	Kortz	Ravenstahl
Bradford	Evans	Kotik	Readshaw
Briggs	Fabrizio	Kula	Roebuck
Brown, V.	Farina	Longietti	Rozzi
Brownlee	Flynn	Mahoney	Sabatina
Burns	Frankel	Markosek	Sainato
Caltagirone	Freeman	Matzie	Samuelson
Carroll	Gainey	McCarter	Santarsiero
Clay	Galloway	McGeehan	Schlossberg
Cohen	Gergely	McNeill	Schreiber
Conklin	Gibbons	Miller, D.	Sims
Costa, D.	Goodman	Mirabito	Snyder
Costa, P.	Haggerty	Molchany	Sturla
Daley, M.	Haluska	Mullery	Thomas

Daley, P.	Hanna	Mundy	Vitali
Davidson	Harhai	Neilson	Waters
Davis	Harkins	Neuman	Wheatley
Dean	Harris, J.	O'Brien	White
Deasy	Kavulich	Painter	Youngblood

NAYS—107

Adolph	Fee	Lawrence	Rapp
Aument	Fleck	Lucas	Reed
Baker	Gabler	Mackenzie	Reese
Barrar	Gillen	Maher	Regan
Benninghoff	Gillespie	Major	Roae
Bloom	Gingrich	Marsico	Rock
Boback	Godshall	Masser	Ross
Brooks	Greiner	McGinnis	Saccone
Brown, R.	Grell	Mentzer	Sankey
Causar	Grove	Metcalfe	Saylor
Christiana	Hackett	Metzgar	Scavello
Clymer	Hahn	Miccarelli	Simmons
Corbin	Harhart	Micozzie	Smith
Cox	Harper	Millard	Sonney
Culver	Harris, A.	Miller, R.	Stephens
Cutler	Heffley	Milne	Stern
Day	Helm	Moul	Stevenson
DeLozier	Hennessey	Murt	Tallman
Denlinger	Hickernell	Mustio	Taylor
DiGirolamo	James	O'Neill	Tobash
Dunbar	Kampf	Oberlander	Toepel
Ellis	Kauffman	Payne	Toohil
Emrick	Keller, F.	Peifer	Truitt
English	Keller, M.K.	Petri	Turzai
Evankovich	Killion	Pickett	Vereb
Everett	Knowles	Pyle	Watson
Farry	Krieger	Quinn	

NOT VOTING—0

EXCUSED—7

Boyle, B.	Kirkland	Marshall	Swanger
Cruz	Maloney	Miranda	

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?

The SPEAKER pro tempore. Mr. Longietti, are you still planning to offer amendment A02596?

Mr. LONGIETTI. Yes.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

Mr. LONGIETTI offered the following amendment
No. A02596:

Amend Bill, page 8, line 7, by striking out "THREE" and inserting

Four

Amend Bill, page 8, line 10, by striking out "ONE APPOINTEE" and inserting

two appointees

Amend Bill, page 8, line 12, by striking out "THREE" and

inserting

Four

Amend Bill, page 8, line 16, by striking out "ONE APPOINTEE" and inserting

two appointees

Amend Bill, page 8, line 20, by inserting after "GOVERNOR" and chosen from a list of candidates submitted by the Pennsylvania Coalition of Public Charter Schools

Amend Bill, page 8, line 29, by striking out "WHO SHALL BE APPOINTED BY THE GOVERNOR"

Amend Bill, page 8, line 30, by striking out "ONE MEMBER" and inserting

Two members

Amend Bill, page 8, line 30, by striking out "A TEACHER" and inserting

teachers

Amend Bill, page 9, line 1, by inserting after "ENTITY"

who shall be appointed by the Governor and chosen as follows:

(I) one teacher from a list of candidates submitted by the Pennsylvania State Education Association; and

(II) one teacher from a list of candidates submitted by the American Federation of Teachers - Pennsylvania

Amend Bill, page 9, line 2, by inserting after "ADMINISTRATORS"

who shall be appointed by the Governor and chosen from a list of candidates submitted by the Pennsylvania Association of School Administrators

Amend Bill, page 9, line 3, by inserting after "MEMBERS" where it occurs the second time

who shall be appointed by the Governor and chosen from a list of candidates submitted by the Pennsylvania School Board Association

Amend Bill, page 9, line 5, by inserting after "DISTRICT"

who shall be appointed by the Governor and chosen from a list of candidates submitted by the Pennsylvania Association of School Business Officials

Amend Bill, page 9, line 7, by inserting after "GOVERNOR" and chosen from a list of candidates submitted by the State System of Higher Education

Amend Bill, page 9, line 8, by inserting after "(3)." "

The organizations required to submit lists of candidates under this section shall provide the Governor with their respective lists of candidates within ten days of the effective date of this section.

Amend Bill, page 9, lines 10 and 11, by striking out "BY THE ORIGINAL APPOINTING AUTHORITY" and inserting for the unexpired term by a successor appointed in the same manner as the successor's predecessor

On the question,

Will the House agree to the amendment?

The SPEAKER pro tempore. On that amendment, the gentleman, Mr. Longietti, is recognized.

Mr. LONGIETTI. Thank you, Mr. Speaker.

So, Mr. Speaker, A02596 basically combines two of my previous amendments, A01832, which we have not had yet, but essentially what that would do is have an equal number of House and Senate members from each party, and A02076, which would clarify that the various other members of the commission would come from a list submitted from the various associations.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Clymer, on the amendment.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, this amendment is very similar to amendment 1954 and the one we just defeated, amendment 2597. It would change the balance of the commission in favor of school districts by adding a noncharter teacher and put PASSHE on the commission when other sectors of higher education may or may not be reviewed by the commission. So that could be a problem.

So, Mr. Speaker, respectfully I would ask for a "no" vote on the amendment.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—84

Barbin	DeLuca	Kim	Pashinski
Bishop	Dermody	Kinsey	Petrarca
Bizzarro	Donatucci	Kortz	Ravenstahl
Bradford	Evans	Kotik	Readshaw
Briggs	Fabrizio	Kula	Roebuck
Brown, V.	Farina	Longietti	Rozzi
Brownlee	Flynn	Mahoney	Sabatina
Burns	Frankel	Markosek	Sainato
Caltagirone	Freeman	Matzie	Samuelson
Carroll	Gainey	McCarter	Santarsiero
Clay	Galloway	McGeehan	Schlossberg
Cohen	Gergely	McNeill	Schreiber
Conklin	Gibbons	Miller, D.	Sims
Costa, D.	Goodman	Mirabito	Snyder
Costa, P.	Haggerty	Molchany	Sturla
Daley, M.	Haluska	Mullery	Thomas
Daley, P.	Hanna	Mundy	Vitali
Davis	Harhai	Neuman	Waters
Dean	Harkins	O'Brien	Wheatley
Deasy	Kavulich	Painter	White
DeLissio	Keller, W.	Parker	Youngblood

NAYS—111

Adolph	Farry	Krieger	Quinn
Aument	Fee	Lawrence	Rapp
Baker	Fleck	Lucas	Reed
Barrar	Gabler	Mackenzie	Reese
Benninghoff	Gillen	Maher	Regan
Bloom	Gillespie	Major	Roae
Boback	Gingrich	Marsico	Rock
Boyle, K.	Godshall	Masser	Ross
Brooks	Greiner	McGinnis	Saccone
Brown, R.	Grell	Mentzer	Sankey
Causar	Grove	Metcalfe	Saylor
Christiana	Hackett	Metzgar	Scavello
Clymer	Hahn	Miccarelli	Simmons
Corbin	Harhart	Micozzie	Smith
Cox	Harper	Millard	Sonney
Culver	Harris, A.	Miller, R.	Stephens
Cutler	Harris, J.	Milne	Stern
Davidson	Heffley	Moul	Stevenson
Day	Helm	Murt	Tallman
Delozier	Hennessey	Mustio	Taylor
Denlinger	Hickernell	Neilson	Tobash
DiGirolamo	James	O'Neill	Toepel
Dunbar	Kampf	Oberlander	Toohil
Ellis	Kauffman	Payne	Truitt
Emrick	Keller, F.	Peifer	Turzai
English	Keller, M.K.	Petri	Vereb
Evankovich	Killion	Pickett	Watson
Everett	Knowles	Pyle	

NOT VOTING—0

EXCUSED—7

Boyle, B. Cruz	Kirkland Maloney	Marshall Miranda	Swanger
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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?

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

The House will come to order.

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

Mr. **LONGIETTI** offered the following amendment
No. **A01832**:

Amend Bill, page 8, line 7, by striking out "THREE" and inserting

Four

Amend Bill, page 8, line 10, by striking out "ONE APPOINTEE" and inserting

two appointees

Amend Bill, page 8, line 12, by striking out "THREE" and inserting

Four

Amend Bill, page 8, line 16, by striking out "ONE APPOINTEE" and inserting

two appointees

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

The SPEAKER pro tempore. On the amendment, the gentleman, Mr. Longietti, is recognized.

Mr. LONGIETTI. Thank you, Mr. Speaker.

Mr. Speaker, this is a relatively simple amendment. All that it deals with is that the commission would have an equal number of legislators from both parties. So there would be two House majority members, two House minority members, two Senate majority members, two Senate minority members. This would not in any sense, in that sense change the balance of the commission in terms of other members of the commission. It would only deal with House and Senate members so that we do have an equal balance. And I think that that would create a much more level playing field so that when the recommendations come out, they would be viewed more legitimately.

So I urge adoption. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Reese, on the amendment.

Mr. REESE. Thank you, Mr. Speaker.

I rise in support of amendment 1832.

This amendment makes the commission more bipartisan, and I think at the end of the day, that would be a good thing for this

commission. Therefore, I respectfully ask for a "yes" vote on this amendment.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—185

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

NAYS—10

Bloom	Lucas	Mustio	Roe
Kauffman	McGinnis	Rapp	Rock
Lawrence	Metcalf		

NOT VOTING—0

EXCUSED—7

Boyle, B. Cruz	Kirkland Maloney	Marshall Miranda	Swanger
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The majority having voted in the affirmative, the question was determined in the affirmative and the amendment was agreed to.

On the question,

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

Mr. **LONGIETTI** offered the following amendment No. **A01833**:

Amend Bill, page 33, line 26, by inserting after "MANNER" and shall not be in violation of any applicable Federal or State law, regulation or agreement

Amend Bill, page 34, line 17, by striking out "**BUDGETED**" and inserting

actual

Amend Bill, page 34, lines 19 and 20, by striking out "**BUDGETED EXPENDITURES**" and inserting

actual expenditures at the end of the most recent fiscal year

Amend Bill, page 35, line 1, by striking out "**BUDGETED**" and inserting

actual

Amend Bill, page 35, lines 3 and 4, by striking out "**BUDGETED EXPENDITURES**" and inserting

actual expenditures at the end of the most recent fiscal year

Amend Bill, page 35, line 13, by striking out "**BUDGETED**" and inserting

actual

Amend Bill, page 35, line 15, by striking out "**BUDGETED EXPENDITURES**" and inserting

actual expenditures at the end of the most recent fiscal year

Amend Bill, page 36, line 29, by inserting after "(5)" , but shall not exceed the actual cost of the educational services provided for each special education student. A resident school district may not pay out to charter schools or cyber charter schools an amount greater than it receives for special education in a school year

On the question,

Will the House agree to the amendment?

The SPEAKER pro tempore. On the amendment, the gentleman, Mr. Longietti, is recognized.

Mr. LONGIETTI. Thank you, Mr. Speaker.

Mr. Speaker, this is a very significant amendment and it deals with special education expenditures, and really, it corrects some problems that currently exist in regard to special education.

First of all, what it does is, we talk about actual expenses as opposed to budgeted. That makes a lot of sense in terms of if we have actual numbers, let us use those.

Secondly, what it does is, under our current system, we assume that all school districts have 16 percent of their population is special ed, and so when it comes time to figure out what tuition a traditional public school would send a charter school, we look at what their overall costs are and then we divide that to get a per-pupil figure by 16 percent times their average daily membership. But there are school districts that have 20 percent special ed, and so because the denominator is assuming a 16 percent on a per-pupil basis, they are paying a whole lot more than what their average cost is per student. My amendment would correct that. My amendment would take the actual percentage and utilize that so it is not inflated.

Secondly, or thirdly, what my amendment would do is, there are school districts who actually pay over in special education tuition for charter students more than what they receive in the State for the year, because the State only pays about 30 cents on the dollar, and so they have enough students that are attending charters that are special education that they are actually sending tuition dollars in excess of all the money that they get from the State. My amendment would put a cap on that. It would put a cap and say that their maximum expenditure should not be more than what they get from the State, and that is only fair.

So this is a very significant amendment. I know that, and I am a member of it; I know that we have a Special Education Funding Commission that is looking at some of these issues. But bear in mind that that commission only deals with extra money that we would give on top of what we are already giving. So it does not address the money that we are currently dedicating to special education. My amendment does address that.

And this is something that school districts across the Commonwealth have been telling us in meeting after meeting that they are sending too much money on a per-pupil basis because they are assumed to be at 16 percent when they are higher for some of them, or in some cases, they are sending more than what the total amount that they receive from the State. So my amendment would correct that issue, and I urge the members to vote for it. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

Would the gentleman kindly agree to a brief sidebar. The Chair thanks the gentleman.

The House will be at ease.

(Conference held at Speaker's podium.)

The SPEAKER pro tempore. The House will come to order.

The Chair recognizes the gentleman, Mr. Longietti.

Mr. LONGIETTI. Thank you, Mr. Speaker.

Mr. Speaker, and thank you for the benefit of the opportunity to have a discussion with the gentleman from Bucks and the gentleman, the chairman of the House Education Committee.

Obviously, this is a very important issue, a huge issue for our school districts. This is a significant cost that they have been drawing to our attention that needs to be addressed because it is inequitable. I have had some conversation and have had some assurances that as we continue with the Special Education Funding Commission, which I am a member of, that this is an issue that we are all committed to and I have had assurances from my colleagues that we will address this issue and that we will address it through legislation that will be introduced separately.

AMENDMENT WITHDRAWN

Mr. LONGIETTI. So it is on that basis, Mr. Speaker, that I will withdraw this amendment. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question recurring,

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

Mr. **AUMENT** offered the following amendment
No. **A02935**:

Amend Bill, page 50, line 29, by striking out "INCLUDES" and inserting

has been preapproved by the department as being rigorous and as including

Amend Bill, page 51, by inserting between lines 11 and 12

(c) For purposes of this section, the term "educator" shall include all professional employees who are certified as teachers and noncertified staff members who teach in a charter school entity.

On the question,

Will the House agree to the amendment?

The SPEAKER pro tempore. On the amendment, the gentleman, Mr. Aument, is recognized.

Mr. AUMENT. Thank you, Mr. Speaker.

Amendment 2935 requires that the teacher evaluation system that each charter school entity is required under this bill to include with each initial charter or charter renewal application be approved by PDE. I would ask for your support of amendment 2935.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Clymer, on the amendment – who defers to the gentleman, Mr. Emrick, on the amendment.

Mr. EMRICK. Thank you, Mr. Speaker.

This is an agreed-to amendment. This helps to ensure that each charter school entity's teacher evaluation system is sufficiently rigorous, and we would ask for a "yes" vote. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the amendment, those in favor will vote—

LEAVE OF ABSENCE CANCELED

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Miranda, and he will be added to the master roll.

CONSIDERATION OF HB 618 CONTINUED

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—193

Adolph	English	Kim	Petri
Aument	Evankovich	Kinsey	Pickett
Baker	Evans	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, K.	Frankel	Mackenzie	Roae
Bradford	Freeman	Maher	Rock
Briggs	Gabler	Mahoney	Roebuck
Brooks	Gainey	Major	Ross

Brown, R.	Galloway	Markosek	Rozzi
Brown, V.	Gergely	Marsico	Sabatina
Brownlee	Gibbons	Masser	Saccone
Burns	Gillen	Matzie	Sainato
Caltagirone	Gillespie	McCarter	Samuelson
Carroll	Gingrich	McGeehan	Sankey
Causser	Godshall	McNeill	Santarsiero
Christiana	Goodman	Mentzer	Saylor
Clay	Greiner	Metzgar	Scavello
Clymer	Grell	Miccarelli	Schlossberg
Cohen	Grove	Micozzie	Schreiber
Conklin	Hackett	Millard	Simmons
Corbin	Haggerty	Miller, D.	Sims
Costa, D.	Hahn	Miller, R.	Smith
Costa, P.	Haluska	Milne	Snyder
Cox	Hanna	Mirabito	Sonney
Culver	Harhai	Miranda	Stephens
Cutler	Harhart	Molchany	Stern
Daley, M.	Harkins	Moul	Stevenson
Daley, P.	Harper	Mullery	Sturla
Davidson	Harris, A.	Mundy	Tallman
Davis	Harris, J.	Murt	Taylor
Day	Heffley	Mustio	Thomas
Dean	Helm	Neilson	Tobash
Deasy	Hennessey	Neuman	Toepel
DeLissio	Hickernell	O'Brien	Toohil
Delozier	James	O'Neill	Turzai
DeLuca	Kampf	Oberlander	Vereb
Denlinger	Kauffman	Painter	Vitali
Dermody	Kavulich	Parker	Waters
DiGirolamo	Keller, F.	Pashinski	Watson
Donatucci	Keller, M.K.	Payne	Wheatley
Dunbar	Keller, W.	Peifer	White
Ellis	Killion	Petrarca	Youngblood
Emrick			

NAYS—3

McGinnis	Metcalfe	Truitt
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NOT VOTING—0

EXCUSED—6

Boyle, B.	Kirkland	Marshall	Swanger
Cruz	Maloney		

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

On the question recurring,

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

Mr. **MAHER** offered the following amendment
No. **A01939**:

Amend Bill, page 10, by inserting between lines 16 and 17

(a.1) Consideration of establishing an independent State level board to authorize charter school entities and support charter school quality and accountability through performance monitoring and technical assistance.

On the question,

Will the House agree to the amendment?

The SPEAKER pro tempore. On the amendment, the gentleman, Mr. Maher, is recognized.

Mr. MAHER. A brief explanation of the amendment is that this adds to the agenda for the study commission the question of authorizers. It comes up time and time again. We are going to have a panel of wise, we hope, people studying the overall questions. That should be on the list. And I want to thank the members on my side of the aisle who have agreed to support the amendment. I thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Emrick, on the amendment.

Mr. EMRICK. Thank you, Mr. Speaker.

This also is an agreed-to amendment, and I would ask for an affirmative vote. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—111

Adolph	Farry	Krieger	Quinn
Aument	Fee	Lawrence	Rapp
Baker	Fleck	Lucas	Reed
Barrar	Gabler	Mackenzie	Reese
Benninghoff	Gillen	Maher	Regan
Bloom	Gillespie	Major	Roae
Boyle, K.	Gingrich	Marsico	Rock
Brooks	Godshall	Masser	Ross
Brown, R.	Greiner	McGinnis	Saccone
Brown, V.	Grell	Mentzer	Sankey
Causar	Grove	Metcalfe	Saylor
Christiana	Hackett	Metzgar	Scavello
Clymer	Hahn	Miccarelli	Simmons
Corbin	Harhart	Micozzie	Smith
Cox	Harper	Millard	Sonney
Culver	Harris, A.	Miller, R.	Stephens
Cutler	Harris, J.	Milne	Stern
Davidson	Heffley	Miranda	Stevenson
Day	Helm	Moul	Tallman
DeLozier	Hennessey	Murt	Taylor
Denlinger	Hickernell	Mustio	Tobash
DiGirolamo	James	O'Neill	Toepel
Dunbar	Kampf	Oberlander	Toohil
Ellis	Kauffman	Payne	Truitt
Emrick	Keller, F.	Peifer	Turzai
English	Keller, M.K.	Petri	Vereb
Evankovich	Killion	Pickett	Watson
Everett	Knowles	Pyle	

NAYS—85

Barbin	Dermody	Kinsey	Pashinski
Bishop	Donatucci	Kortz	Petrarca
Bizzarro	Evans	Kotik	Ravenstahl
Boback	Fabrizio	Kula	Readshaw
Bradford	Farina	Longietti	Roebuck
Briggs	Flynn	Mahoney	Rozzi
Brownlee	Frankel	Markosek	Sabatina
Burns	Freeman	Matzie	Sainato
Caltagirone	Gaine	McCarter	Samuelson
Carroll	Galloway	McGeehan	Santarsiero
Clay	Gergely	McNeill	Schlossberg
Cohen	Gibbons	Miller, D.	Schreiber
Conklin	Goodman	Mirabito	Sims
Costa, D.	Haggerty	Molchany	Snyder

Costa, P.	Haluska	Mullery	Sturla
Daley, M.	Hanna	Mundy	Thomas
Daley, P.	Harhai	Neilson	Vitali
Davis	Harkins	Neuman	Waters
Dean	Kavulich	O'Brien	Wheatley
Deasy	Keller, W.	Painter	White
DeLissio	Kim	Parker	Youngblood
DeLuca			

NOT VOTING—0

EXCUSED—6

Boyle, B.	Kirkland	Marshall	Swanger
Cruz	Maloney		

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

On the question recurring,

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

Mr. **TAYLOR** offered the following amendment
No. **A02029**:

Amend Bill, page 19, lines 23 through 25, by striking out "SECTIONS 1717-A(C), (D), (E) AND (F) AND 1719-A" in line 23 and all of lines 24 and 25 and inserting

Section 1717-A(c), (d), (e) and (f) of the act, added June 19, 1997 (P.L.225, No.22), are amended and the section is amended by adding subsections to read:

Amend Bill, page 22, by inserting between lines 16 and 17

(j) Notwithstanding the provisions of section 696(i) or any other provision of law to the contrary, a school reform commission considering an application to establish a charter school in a school district of the first class shall comply with subsection (e)(5).

(k) Notwithstanding the provisions of section 696(i) or any other provision of law to the contrary, a charter school applicant may appeal a decision of a school reform commission to deny an application to establish a charter school in a school district of the first class to the Charter School Appeal Board. Subsections (g), (h) and (i) shall apply to an appeal under this subsection.

Section 8.1. Section 1719-A of the act, added June 19, 1997 (P.L.225, No.22), is amended to read:

Amend Bill, page 33, line 10, by inserting after "SCHOOL"

or expansion of a charter school, regional charter school or cyber charter school into additional grade levels

On the question,

Will the House agree to the amendment?

The SPEAKER pro tempore. On the amendment, the gentleman, Mr. Taylor, is recognized.

Mr. TAYLOR. Thanks, Mr. Speaker.

I believe this is an agreed-to amendment, which is a little bit different from the substance.

All the other school districts in Pennsylvania have the ability to appeal a decision by their school district with regard to the denial of a charter school. Philadelphia does not. Once the School Reform Commission rules or does not rule in the case of many of our charters, that is the final decision. In many of our cases, they are not even hearing any petitions right now for charters and there is no way to appeal that.

This creates the appeal process that every other school district in the Commonwealth has, and I would ask for its adoption.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Emrick, on the amendment.

Mr. EMRICK. Thank you, Mr. Speaker.

This is also an agreed-to amendment. I would ask for an affirmative vote.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The question recurs, will the House adopt the amendment?

On that question, the gentleman, Mr. Roebuck, is recognized.

Mr. ROEBUCK. Thank you, Mr. Speaker.

I just want to point out that the School Reform Commission, the group that runs the schools in Philadelphia, is a creation of the State, so that in effect the State already runs our school system. For good or for bad, it is run by the State. The majority of the appointments are by the Governor, so if there is a problem with this kind of appeal, then what are we talking about? The State already runs the school system.

I urge a "no" vote. I do not see the purpose of this. If the State already runs the schools, what do we need to appeal to the State a second time for?

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Taylor, for the second time.

Mr. TAYLOR. Thanks, Mr. Speaker.

Just to clear up that comment. The School Reform Commission is made up of some appointments from the State; some of the appointments are made by the mayor of Philadelphia. These appeals are taken to the State Department of Education, so they are separate entities. The board members, you know, while it is a State commission, the members are not all appointed by the Governor.

But again, just like in every other single school district that has the appeal rights, Philadelphia does not, and this amendment will correct that. Thanks.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Roebuck, for the second time.

Mr. ROEBUCK. Thank you, Mr. Speaker.

I just want to be very clear. The reality is that a majority of the members of the School Reform Commission are appointed by the Governor. They are gubernatorial appointments. And the fact, the way that this was structured, the SRC has special powers, expanded powers, to deal with things like charter schools. So either we are doing it one way or we are doing it another. If we are having problems with the SRC not approving charters, then talk to the Governor, who appoints the members of that commission. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Barbin.

Mr. BARBIN. I rise in opposition to this amendment because tucked into this amendment is a statement that says it not only applies to decisions of current charter schools, which I object to because I think they are killing public schools, but it also says the question of whether you should expand charter schools. So what this does is it gives anybody who is out there that would like to try a new charter school another bite at the apple, so then

instead of having 16 cyber schools, we might have 20 cyber schools. I do not think that something that is failing 70 percent ought to have another bite at the apple.

If we want to fix public education, we should fix it, but we should not put in this amendment another opportunity to have yet another failing cyber school. So I am in opposition to this amendment.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Philadelphia County, Mr. Keller.

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

I will speak on firsthand experience. Everybody is talking about this may happen, that may happen. In Philadelphia where we have a need for new charters, I was there when a charter application – and if anybody has ever seen one, they are about 13 inches thick – was delivered to the School Reform Commission, the school district. They never even acknowledged that they were dropped off. When we fought and said that we dropped them off and we had a certified receipt for the applications, they just totally ignored them. It is not that we do not need— We need to have the ability to appeal just like everyone else has.

We have great charter operators in my district. They are being totally ignored. The kids are not getting a chance to get a great education. In south Philadelphia, there were 12 spots open for a charter school. There were 800 applications for 12 spots, and they are still ignoring those charters being expanded and getting a chance to get more.

Vote "yes" on this. Give the kids a chance to get a great education. Do not fight about adult stuff. Let us get the kids a chance to get a good education. Please vote "yes" on the Taylor amendment.

The SPEAKER pro tempore. The Chair thanks the gentleman.

LEAVE OF ABSENCE CANCELED

The SPEAKER pro tempore. The Chair recognizes the presence on the floor of the House of the gentleman from Beaver County, Mr. Marshall, and he will be added to the master roll.

CONSIDERATION OF HB 618 CONTINUED

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Thomas, on the amendment.

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of the Democratic chair of the House Education Committee.

Mr. Speaker, you know, I am somewhat disheartened. I was part of an original group that felt that it was a need for charter schools, because in my district, Mr. Speaker, I had schools that were overcrowded, I had parents who wanted to provide something in addition to the regular school experience, and, Mr. Speaker, charter schools were originally designed to complement the existing public school system, to help enhance the constitutional responsibility that we have.

And, Mr. Speaker, at the time we debated, we debated, and after a long debate, Mr. Speaker, we both agreed on both sides that charter schools would be able to complement the existing

school system if we empowered local bodies to make intelligent decisions about charter school existence, about establishing new charter schools.

And, Mr. Speaker, as we go through this amendment, I am reminded of a press conference I attended yesterday, and there were school administrators, there were teachers, there were young people, and they were from all parts of the Commonwealth of Pennsylvania.

And, Mr. Speaker, every section of the State that had something to say, they made it very clear that what we should be doing is talking about our constitutional responsibility to public education and that charters, cybers, Mickey Mouse, or whoever, whatever program we might come up to, that program must be tailored to complement and enhance our basic constitutional responsibility. And so now, Mr. Speaker, we are going off in all of these different directions, and at the end of the day, it is not doing anything about the kids and helping the kids.

And, Mr. Speaker, with respect to this amendment, this amendment, while it might have good merit, but I am not prepared to support it until I first deal with the issue of public education, making sure that every child in the Commonwealth of Pennsylvania has access to a quality education, Mr. Speaker, and the first thing that we need to be doing is figuring out how we can provide a dedicated source of money that will ensure every child access to a quality education. This does not line up with that constitutional responsibility, and to that end, I ask my colleagues on both sides to vote "no" on the Taylor amendment.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—128

Adolph	Everett	Krieger	Quinn
Aument	Farry	Lawrence	Rapp
Baker	Fee	Lucas	Readshaw
Barrar	Fleck	Mackenzie	Reed
Benninghoff	Gabler	Maher	Reese
Bloom	Galloway	Major	Regan
Boback	Gillen	Marshall	Roae
Boyle, K.	Gillespie	Marsico	Rock
Brooks	Gingrich	Masser	Ross
Brown, R.	Godshall	McGeehan	Sabatina
Brown, V.	Greiner	McGinnis	Saccone
Causar	Grell	Mentzer	Sankey
Christiana	Grove	Metcalfe	Saylor
Clymer	Hackett	Metzgar	Scavello
Corbin	Hahn	Miccarelli	Simmons
Costa, P.	Harhart	Micozzie	Sims
Cox	Harper	Millard	Smith
Culver	Harris, A.	Miller, R.	Sonney
Cutler	Harris, J.	Milne	Stephens
Davidson	Heffley	Miranda	Stern
Day	Helm	Moul	Stevenson
DeLozier	Hennessey	Murt	Tallman
DeLuca	Hickernell	Mustio	Taylor
Denlinger	James	Neilson	Tobash
DiGirolamo	Kampf	O'Brien	Toepel
Donatucci	Kauffman	O'Neill	Toohil
Dunbar	Keller, F.	Oberlander	Truitt
Ellis	Keller, M.K.	Payne	Turzai
Emrick	Keller, W.	Peifer	Vereb
English	Killion	Petri	Watson

Evankovich
Evans

Knowles
Kotik

Pickett
Pyle

Wheatley
Youngblood

NAYS—69

Barbin
Bishop
Bizzarro
Bradford
Briggs
Brownlee
Burns
Caltagirone
Carroll
Clay
Cohen
Conklin
Costa, D.
Daley, M.
Daley, P.
Davis
Dean
Deasy

DeLissio
Dermody
Fabrizio
Farina
Flynn
Frankel
Freeman
Gainey
Gergely
Gibbons
Goodman
Haggerty
Haluska
Hanna
Harhai
Harkins
Kavulich

Kim
Kinsey
Kortz
Kula
Longietti
Mahoney
Markosek
Matzie
McCarter
McNeill
Miller, D.
Mirabito
Molchany
Mullery
Mundy
Neuman
Painter

Parker
Pashinski
Petarca
Ravenstahl
Roebuck
Rozzi
Sainato
Samuelson
Santarsiero
Schlossberg
Schreiber
Snyder
Sturla
Thomas
Vitali
Waters
White

NOT VOTING—0

EXCUSED—5

Boyle, B.
Cruz

Kirkland

Maloney

Swanger

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

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

Mr. **SANTARSIERO** offered the following amendment
No. **A01837**:

Amend Bill, page 34, line 27, by inserting after
"DEPARTMENT"
; and the full employer's share of retirement contributions
paid to the Public School Employees' Retirement System

Amend Bill, page 34, lines 28 through 30; page 35, lines 1
through 25, by striking out "BEGINNING IN THE 2013-2014
SCHOOL YEAR AND THROUGH AND" in line 28, all of lines 29
and 30 on page 34 and all of lines 1 through 25 on page 35 and
inserting

(Reserved).

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

The SPEAKER pro tempore. On the amendment, the gentleman, Mr. Santarsiero, is recognized.

Mr. SANTARSIERO. Thank you, Mr. Speaker.

This amendment is straightforward. Unlike the bill as currently drafted, this amendment would end the pension double-dip, both with respect to cyber charters and brick-and-mortar charters, and it would do it forever. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Clymer, on the amendment.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, we certainly understand the interest that the gentleman from Bucks County has in this amendment, 1837. However, I do believe that in the amendment he eliminates the sunset provision, and by doing that, you remove the incentive of both sides on the Funding Advisory Commission to negotiate in good faith, and that is so important. We need tangible results from the Funding Advisory Commission and they have to negotiate in good faith, but if you remove that sunset provision, then I think you are going to run into some problems that are perhaps not intended, but they are going to occur.

For those reasons, Mr. Speaker, I ask for a "no" vote on the amendment.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The question recurs, will the House adopt the amendment?

Those in favor will vote "aye"; those opposed, "no"— I am sorry. Mr. Santarsiero. Mr. Santarsiero, you are recognized for the second time.

Mr. SANTARSIERO. Thank you, Mr. Speaker.

Mr. Speaker, I would merely respond to my colleague, the gentleman from Bucks County, by saying that this issue of fairness of applying or ending the double-dip with respect to both types of charter schools, I think, takes precedence over his concern, and as a consequence, I would respectfully ask all of my colleagues to support this amendment. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—92

Barbin	Deasy	Kavulich	Painter
Bishop	DeLissio	Keller, W.	Parker
Bizzarro	DeLuca	Kim	Pashinski
Boback	Dermoddy	Kinsey	Petrarca
Boyle, K.	DiGirolamo	Kortz	Ravenstahl
Bradford	Donatucci	Kotik	Readshaw
Briggs	Evans	Kula	Roebuck
Brown, R.	Fabrizio	Longietti	Rozzi
Brown, V.	Farina	Mahoney	Sabatina
Brownlee	Flynn	Markosek	Sainato
Burns	Frankel	Matzie	Samuelson
Caltagirone	Freeman	McCarter	Santarsiero
Carroll	Gainey	McGeehan	Schlossberg
Clay	Galloway	McNeill	Schreiber
Cohen	Gergely	Miller, D.	Sims
Conklin	Gibbons	Mirabito	Snyder
Costa, D.	Goodman	Miranda	Sturla
Costa, P.	Haggerty	Molchany	Thomas
Daley, M.	Haluska	Mullery	Vitali
Daley, P.	Hanna	Mundy	Waters
Davidson	Harhai	Neilson	Wheatley
Davis	Harkins	Neuman	White
Dean	Harris, J.	O'Brien	Youngblood

NAYS—105

Adolph	Gillen	Mackenzie	Rapp
Aument	Gillespie	Maher	Reed
Baker	Gingrich	Major	Reese
Barrar	Godshall	Marshall	Regan

Benninghoff	Greiner	Marsico	Roae
Bloom	Grell	Masser	Rock
Brooks	Grove	McGinnis	Ross
Causer	Hackett	Mentzer	Saccone
Christiana	Hahn	Metcalfe	Sankey
Clymer	Harhart	Metzgar	Saylor
Corbin	Harper	Miccarelli	Scavello
Cox	Harris, A.	Micozzie	Simmons
Culver	Heffley	Millard	Smith
Cutler	Helm	Miller, R.	Sonney
Day	Hennessey	Milne	Stephens
Delozier	Hickernell	Moul	Stern
Denlinger	James	Murt	Stevenson
Dunbar	Kampf	Mustio	Tallman
Ellis	Kauffman	O'Neill	Taylor
Emrick	Keller, F.	Oberlander	Tobash
English	Keller, M.K.	Payne	Toepel
Evankovich	Killion	Peifer	Toohil
Everett	Knowles	Petri	Truitt
Farry	Krieger	Pickett	Turzai
Fee	Lawrence	Pyle	Vereb
Fleck	Lucas	Quinn	Watson
Gabler			

NOT VOTING—0

EXCUSED—5

Boyle, B. Cruz	Kirkland	Maloney	Swanger
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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 as amended?

Mr. **CARROLL** offered the following amendment
No. **A01838**:

Amend Bill, page 35, line 11, by inserting after

"DEPARTMENT"

: and the full employer's share of retirement contributions
paid to the Public School Employees' Retirement System

On the question,

Will the House agree to the amendment?

The SPEAKER pro tempore. On the amendment, the gentleman, Mr. Carroll, is recognized.

Mr. CARROLL. Thank you, Mr. Speaker.

Mr. Speaker, we have had an afternoon of consideration of the whole series of amendments related to charters and cyber charters, and we have come now to the point of the discussion and the consideration of what I consider an expanded discussion of financing for our public schools, the 500 public schools, as it relates to cyber charters and charters.

And, Mr. Speaker, everything we do in Harrisburg and in this chamber has a consequence for our 500 school districts. Our school directors and our superintendents, I have to assume, like me, many of those folks have spoken with you over the course of the summer relative to the financial crisis that many of our school districts face.

Mr. Speaker, I have been approached by one school director after another and one superintendent after another who is

completely concerned, each completely concerned about how in the world these school districts are going to meet the financial obligations that are on the horizon, particularly the pension obligation that our school districts face.

Mr. Speaker, at the moment in time when our school districts are drawing down their fund balances to near zero, at a moment in time when our basic education subsidies are in the neighborhood of 1 or 2 percent if we are lucky, at a moment in time when our teacher contracts are either expired or about to expire, and at a moment in time when our school boards, even if they could refine five votes to raise property taxes, can only raise the property tax to the index provided by the Department of Education. Mr. Speaker, our school boards are faced with an unsolvable mathematical problem, and that is they cannot meet and reconcile all of those various conditions.

And so, Mr. Speaker, now we have an opportunity to treat cyber charters and charters equally with respect to the double-dip on the pension. Mr. Speaker, the bill as currently drafted that affects cyber charters is essentially a \$25 million proposition for our 500 school districts. My amendment essentially doubles that to \$50 million by treating the cyber charters and the charters, the brick-and-mortar charters equally, and so here we have an opportunity to direct \$50 million to our 500 school districts without a single penny coming out of the General Fund, without a single penny coming from a program that we currently fund in our General Fund budget.

Mr. Speaker, this vote on this amendment is a vote on whether or not we want to direct 25 additional million dollars to our 500 school districts. I ask you to join me in voting "yes."

The SPEAKER pro tempore. The Chair thanks the gentleman.

LEAVE OF ABSENCE

The SPEAKER pro tempore. The Chair is in receipt of a request for a leave of absence for the gentleman, Mr. SACCONI. Without objection, the leave will be so granted.

CONSIDERATION OF HB 618 CONTINUED

The SPEAKER pro tempore. The gentleman, Mr. Barbin, is recognized on the amendment.

Mr. BARBIN. Thank you, Mr. Speaker.

I rise in support of this amendment. It is time to look at the problem at least truthfully. Every year we go through a budget and we also pass a Fiscal Code, and usually tucked into the Fiscal Code is an additional \$10 to \$20 million to protect a few special school districts, to get them to the next year, and some of those are leadership positions, but they are always a special amount of money. What this particular amendment would do is say, all right, we know we have a crisis with the 500 public schools. We are not willing to really do the hard work, which is to say that maybe we are spending too much money on at least some of the cybers and charters that are failing. Maybe some of that money should go back to the public schools, but we will not do that. We will not change how we pay cyber schools, and we will not change how we pay charters. So all this one really does is to say if we can give \$20 million to 10 special school districts on the second reading of the Fiscal Code every year, why can we not just once take a real amount of money, \$50 million, and

give it to the public schools to try to get them through this recession?

The current bill says \$25 million. We are not changing the billion dollars we hand over to the cybers or the charters. Why can we not just say we are going to give \$25 million more, we are going to spread it out among all 500 school districts, and we are going to give them a chance not to raise their taxes? It is a fair thing to do, it is a straightforward thing to do, and it applies across the board.

I ask all members to give all public schools a little bit of what 10 special school districts get every year when we pass the Fiscal Code.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the minority leader, Mr. Dermody, on the amendment.

Mr. DERMODY. Thank you, Mr. Speaker.

Mr. Speaker, we are now where we were back in June on this very same issue, and what this amendment is about is simply fairness, fairness to our school districts, but most importantly, fairness to our children, every one of our children. Every child who was in public school, not just some of them. You recognize, we recognize there is a problem, that there is double-dipping on the pensions. We all know it. The people of Pennsylvania know it. Yet you say we should only take care of half of that problem. We should only take care of cyber schools, and the rest of our children and the rest of our school districts should suffer and we should let them double-dip. That is what you are doing with this bill.

This amendment cures that problem. It is a problem. It is a matter of fairness for all our children. We have a crisis in education funding in this Commonwealth, and we all know that. We know that billion-dollar cut has had a tremendous impact on all of our school districts. Property taxes are going up all over every school district, and yet we are willing to say that \$50 million should not go back to every child, should not go back to every school district. We can start to solve this funding problem by passing this amendment.

As I said then, and it is true now, you should be ashamed of yourselves for suggesting to the people of Pennsylvania that we are only going to solve half a double-dipping problem. We are going to go let the cyber schools take what they need and the brick-and-mortar schools. Forget about those charter schools; they do not get to double-dip but you do.

It is wrong. It is wrong for our schools. It is wrong for our children. Pass the Carroll amendment. Let us send \$50 million back to all of our kids in this Commonwealth.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Clymer, on the amendment.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, we are really not that far apart as we are looking at the way that we can create savings for our school systems. However, the problem that I have with this is that what the gentleman is attempting to do is extend the same deductions that we have for charter and cyber charter to the brick-and-mortar, and we have a funding commission that will be charged in doing this. So why should we take that responsibility upon ourselves when we already have a commission from HB 2 that is going to be doing this?

So for those reasons that we had in the amendment from the Bucks County legislator, I would oppose amendment 1838. So we are trying to get to the same goal line. The problem is, we do not want to duplicate things. We do not want to create more problems and unintended consequences to reach that goal to where we want to go. And, you know, philosophically, I could agree with the gentleman who has offered this amendment. However, Mr. Speaker, I do believe that we are creating ourselves more problems and a kind of bureaucracy by changing who is going to study to see where the pension reform is going to come.

So for those reasons, Mr. Speaker, I would ask for a "no" vote. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Roebuck, on the amendment.

Mr. ROEBUCK. Thank you, Mr. Speaker.

If we look at this bill, HB 618, it seeks to resolve a problem, and the problem is identified as double-dipping pension moneys for cyber charter schools. Why then does this bill not also say that if there is a problem with cyber charters, there is also a problem with brick-and-mortar charters? There is no difference between the two, yet this bill draws a distinction between the two that is arbitrary. If we are going to deal with a problem, let us deal with the problem in its totality. Let us not deal with half the problem.

Now, my good colleague from Bucks County just talked about a commission and something is going to come down the road hereafter to deal with the other part of the problem. Well, we have an opportunity now to deal with the whole problem today. We recognize there is a problem with the way in which we do pension moneys for cyber charters. The same problem exists for brick-and-mortar charters. Let us deal with both now. Let us not go down the road where we say you have two components of a school system, we do this for one and not for the other, and we create then what is a separate and unequal school system. If that is what we want to do, then perhaps we should roll back the clock to before 1954 and again go back to a system of having all schools be separate and unequal. That is fundamentally wrong. It is wrong in terms of the law. It is wrong in terms of moral conscience. It is wrong in terms of the commitment we have to young people in this State.

We need to make sure that we do educational policy; we do it so it applies equally and fairly across all of the schools in a given category. Here we need to make sure that there is double-dipping, which is wrong for cyber charters. It is also equally wrong for brick-and-mortar charters. We need to address both.

I urge that we adopt this amendment and that by adding it to this bill, make the bill a better bill and make it a bill we can go forward with, and by doing that, ensure that our funding for charters and cyber charters is done in a fair manner. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. DeLuca, on the amendment.

Mr. DeLUCA. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of the Carroll amendment. You know, every one of us in this House knows that we need to address both the cyber and the brick-and-mortar charter schools. Every one of us in this House knows we have a problem. One of my colleagues mentioned the fact that Penn Hills is advertising for students, my school district. Yes, they are advertising for

students. They built a new school. They lost, they lost 900 children to charter schools and cyber charter schools. This year alone, \$9 million is coming out of their budget which they cannot afford. The reserve fund is \$7,000. We cannot afford to treat public education and continue to fund these charters and cyber charters at the expense of our public school system. Everyone here in this House knows there are problems in our public school systems because of these charters and the cyber charter schools.

We need to address the whole issue, not just half a piece of the pie. We need to address the whole issue, which this Carroll amendment does. I do not know why we do not do things in this House the right way instead of piecemealing everything. I have been here long enough to know that we try to solve problems, but we are just making it harder and harder for the taxpayers out there, and we are elected to be stewards of the public trust out there. We take a constitutional pledge there to support the Constitution every 2 years when we get reelected. I just do not understand why we do not want to try to correct the whole problem. We know there is a problem, yet we will not do it for whatever reason. I hope it is— I just do not know the reason. Therefore, I stand in support of the Carroll amendment. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Clymer, for the second time.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, I will tell you that HB 618 is a bill that we have tried to work out the compromises. We are not saying it is a perfect bill. We are not saying that maybe there are some glitches in there, but we have to move forward. I mean, this is a consensus after many weeks and months of hearings, talking to people on both sides of the aisle but also charter, cyber charter, even homeschoolers, faith-based schools, public school people, and we are trying to resolve those problems and we have done it by consensus. And if we have to continue to labor on this issue in the months to come, we will so do that. But at the present time, we feel that what we have put in place is just going to be very beneficial. It is fair to the education process here in Pennsylvania. I just wanted to respond to the gentleman who had made those comments and would ask again that we oppose this amendment. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Kortz, on the amendment.

Mr. KORTZ. Thank you, Mr. Speaker.

I rise in support of the Carroll amendment. Mr. Speaker, it is patently unfair to let one entity continue to double-dip while we are going to solve the other one. I want to make an analogy. A lot of us here are businesspeople. I came out of a factory. If I was the manager of a factory and I had operators and maintenance running the factory and they were double-dipping on their overtime, first we would fire them, but absent that, we cannot fire these schools. But I would correct the whole problem. I just would not let the operators take the double-dip away from them and let the maintenance guys have it. That is essentially what we are saying today. We have caught these guys cheating if you will. They are talking extra money they should not be taking because there is a loophole in the law. So now we are going to fix one-half of the problem and let the other half continue to cheat and double-dip. That is basically what we are doing.

At a time when my schools have been crushed, all five of my schools have been crushed over the last couple years, and we are going to allow this to go on. How are we going to go back and look at our school district and say, well, you know, we took it away from the operators, but the maintenance guys are still going to be able to cheat. That is not going to fly, and anybody that owns a business in management knows that would never work.

So, Mr. Speaker, we can solve that today. We can pass the Carroll amendment and solve this problem once and for all. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Sturla, on the amendment.

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of the Carroll amendment. If we are going to have— If we are concerned that by passing the Carroll amendment we would somehow be interfering with what the commission might be looking at, then we should not do the bill at all because the bill says, hey, we are going to dictate to the commission that for the first 2 years, this at least applies to cyber charters. So let us be consistent about what we are doing here, and that is exactly what the Carroll amendment does. It says this should apply consistently across the board to cyber charters and brick-and-mortar charters and still says that the commission should take a look at this. There is nothing that prevents the commission from looking at it in the future. But it says, let us have an even application of what we are trying to do here in the interim. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the maker of the amendment, Mr. Carroll, for the second time.

Mr. CARROLL. Thank you, Mr. Speaker.

Mr. Speaker, I listened to what I heard were the objections offered by the chair of the Education Committee, and I think that they could be summed up in the following: The first reason why the amendment should be defeated is because the funding commission that has been created will help solve this problem. Those that know me know I am not a big commission guy. The commission's responsibilities are our responsibilities. That is what we were elected to do, to make decisions like this. We do not have commissions that pass budgets. We do not have commissions that pass the School Code. That is our job. I am also not eager to have an additional layer of bureaucracy that was contemplated as the potential solution for whether or not we should file back the double-dip for the brick-and-mortar charters. So I have to say, that does not seem to be a compelling reason to vote "no."

Secondly, the reason offered by the chair of the committee was that we ought to work toward consensus, and that is what this process is. We are about to have consensus reflected in this board. And if the majority of folks in this chamber decide that it is not important to send an additional \$25 million to the 500 school districts in this State, that would be the consensus of this chamber, and I will live with it as having offered an amendment that was defeated. And alternatively, if the majority of folks in this chamber decide it is a good idea to send an additional \$25 million to our public schools, that will be the consensus of this body.

And again, Mr. Speaker, just to reiterate, we are at a moment in time when our 500 school districts are at the edge of a cliff. They really and truly are. And I do not need to repeat forever and ever the stories related to the stimulus and the loss of education funding with respect to the basic education subsidy, but the reality is the reality, and that is that our school districts, the bulk of the 500, will face a real financial problem in the not too distant future. It is my expectation that we will have school districts in this State, not Chester Upland, not Duquesne, not York and Harrisburg, but districts in rural Pennsylvania and in suburban Pennsylvania that are going to wonder how in the world they are going to be able to reconcile their budgets. And so here we have an opportunity to help the school board members throughout our State solve that problem by directing an additional \$25 million that does not come from the General Fund. I ask for a "yes" vote.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—97

Barbin	Dermody	Kinsey	Pashinski
Bishop	DiGirolamo	Kortz	Petrarca
Bizzarro	Donatucci	Kotik	Petri
Boback	Evans	Kula	Ravenstahl
Boyle, K.	Fabrizio	Longietti	Readshaw
Bradford	Farina	Lucas	Roebuck
Briggs	Farry	Mahoney	Rozzi
Brown, V.	Flynn	Markosek	Sabatina
Brownlee	Frankel	Matzie	Sainato
Burns	Freeman	McCarter	Samuelson
Caltagirone	Gainey	McGeehan	Santarsiero
Carroll	Galloway	McNeill	Scavello
Clay	Gergely	Miller, D.	Schlossberg
Cohen	Gibbons	Mirabito	Schreiber
Conklin	Goodman	Miranda	Sims
Costa, D.	Haggerty	Molchany	Snyder
Costa, P.	Haluska	Mullery	Sturla
Daley, M.	Hanna	Mundy	Thomas
Daley, P.	Harhai	Murt	Vitali
Davidson	Harkins	Neilson	Waters
Davis	Harris, J.	Neuman	Watson
Dean	Kavulich	O'Brien	Wheatley
Deasy	Keller, W.	Painter	White
DeLissio	Kim	Parker	Youngblood
DeLuca			

NAYS—99

Adolph	Fleck	Krieger	Quinn
Aument	Gabler	Lawrence	Rapp
Baker	Gillen	Mackenzie	Reed
Barrar	Gillespie	Maher	Reese
Benninghoff	Gingrich	Major	Regan
Bloom	Godshall	Marshall	Roae
Brooks	Greiner	Marsico	Rock
Brown, R.	Grell	Masser	Ross
Causar	Grove	McGinnis	Sankey
Christiana	Hackett	Mentzer	Saylor
Clymer	Hahn	Metcalfe	Simmons
Corbin	Harhart	Metzgar	Smith
Cox	Harper	Miccarelli	Sonney
Culver	Harris, A.	Micozzie	Stephens

Cutler	Heffley	Millard	Stern
Day	Helm	Miller, R.	Stevenson
Delozier	Hennessey	Milne	Tallman
Denlinger	Hickernell	Moul	Taylor
Dunbar	James	Mustio	Tobash
Ellis	Kampf	O'Neill	Toepel
Emrick	Kauffman	Oberlander	Toohil
English	Keller, F.	Payne	Truitt
Evankovich	Keller, M.K.	Peifer	Turzai
Everett	Killion	Pickett	Vereb
Fee	Knowles	Pyle	

NOT VOTING—0

EXCUSED—6

Boyle, B.	Kirkland	Saccone	Swanger
Cruz	Maloney		

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

On the question recurring,

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

The SPEAKER pro tempore. The gentleman, Mr. DeLuca, calls up amendment A01887, which— The gentleman is withdrawing? Thank you, Mr. DeLuca.

On the question recurring,

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

Mr. **STURLA** offered the following amendment No. **A01882**:

Amend Bill, page 44, by inserting between lines 26 and 27

(g) Any paid media advertisement by a charter school entity that refers to the cost of tuition or transportation shall not advertise those expenses as free. Any reference to attendance or transportation costs must stipulate that the cost is borne by taxpayer dollars. Paid media advertisement includes television, radio, movie theater, billboard, bus poster, newspaper, magazine, the Internet or any other commercial method that may promote enrollment of a charter school entity.

On the question,

Will the House agree to the amendment?

The SPEAKER pro tempore. On the amendment, the gentleman, Mr. Sturla, is recognized.

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, this is a pretty straightforward amendment. It simply says that "Any paid media advertisement by a charter school entity that refers to the cost of tuition or transportation shall not advertise those expenses as free. Any reference to attendance or transportation costs must stipulate that the cost is borne by taxpayer dollars," which in fact it is, and that "Paid media advertisement includes television, radio, movie theater, billboard, bus poster, newspaper, magazine, the Internet or any other commercial method that may promote enrollment of a charter school entity."

Mr. Speaker, this does not say you cannot advertise your charter school. It just simply says that instead of saying that tuition is free or that transportation is free, that you have to say it is actually paid for by who it is, the taxpayers of Pennsylvania. If it was in fact free, then I would suggest that the school districts would not have to send a check to any of these entities. The taxpayers have a right to know. This is just truth in advertising.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Clymer, on the amendment.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, my response will be very straightforward and very short, and that is this really, this amendment is really unnecessary. Paid advertising is essential to maintaining the public school choice option, and again, think about it, if we do not allow, if we have to put the requirements as stated in this amendment, we have more bureaucracy. We have more unintended consequences. We do not want that. So let the system continue as it is, and I would ask members to cast a "no" vote on the amendment. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Barbin, on the amendment.

Mr. BARBIN. I rise in support of this amendment, and I do not believe it is unnecessary because every trip that I make from Johnstown, I am offended every time I see the word "free." It is not free. The money is being diverted. It is crippling our public schools, and this is a reasonable amendment to make people know where the money is really coming from. It is coming from me, and I object.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the amendment, for the second time, the maker of the amendment is recognized, Mr. Sturla.

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, I would hope that members that are very supportive of charters and cyber charters as well as members that are not so supportive of cybers and charters could support this. If you are supportive of a charter or cyber charter, you should be proud of the fact that you are paying for it. If you are not so sure that the taxpayer money should be used for this, you should be interested in having the public know that the public is paying for it. But either way, all this does is say that when you advertise, you have to tell the truth, because the truth is, the taxpayers are paying for this. It is not free. That is all this says. It does not restrict advertising. It just says you have to say who is paying for it. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—94

Barbin	DeLuca	Kim	Parker
Bishop	Dermody	Kinsey	Pashinski
Bizzarro	Donatucci	Kortz	Petrarca
Boback	Evans	Kotik	Ravenstahl
Boyle, K.	Fabrizio	Kula	Readshaw
Bradford	Farina	Longietti	Roebuck
Briggs	Fleck	Lucas	Rozzi
Brooks	Flynn	Mahoney	Sabatina
Brown, V.	Frankel	Markosek	Sainato
Brownlee	Freeman	Matzie	Samuelson
Burns	Gainey	McCarte	Santarsiero
Caltagirone	Galloway	McGeehan	Schlossberg
Carroll	Gergely	McNeill	Schreiber
Clay	Gibbons	Miller, D.	Sims
Cohen	Goodman	Mirabito	Snyder
Conklin	Haggerty	Miranda	Sturla
Costa, D.	Haluska	Molchany	Thomas
Costa, P.	Hanna	Mullery	Tobash
Daley, M.	Harhai	Mundy	Vitali
Daley, P.	Harkins	Neilson	Waters
Davis	Harris, J.	Neuman	Wheatley
Dean	James	O'Brien	White
Deasy	Kavulich	Painter	Youngblood
DeLissio	Keller, W.		

NAYS—102

Adolph	Fee	Mackenzie	Quinn
Aument	Gabler	Maher	Rapp
Baker	Gillen	Major	Reed
Barrar	Gillespie	Marshall	Reese
Benninghoff	Gingrich	Marsico	Regan
Bloom	Godshall	Masser	Roae
Brown, R.	Greiner	McGinnis	Rock
Causar	Grell	Mentzer	Ross
Christiana	Grove	Metcalfe	Sankey
Clymer	Hackett	Metzgar	Saylor
Corbin	Hahn	Miccarelli	Scavello
Cox	Harhart	Micozzie	Simmons
Culver	Harper	Millard	Smith
Cutler	Harris, A.	Miller, R.	Sonney
Davidson	Heffley	Milne	Stephens
Day	Helm	Moul	Stern
Delozier	Hennessey	Murt	Stevenson
Denlinger	Hickernell	Mustio	Tallman
DiGirolamo	Kampf	O'Neill	Taylor
Dunbar	Kauffman	Oberlander	Toepel
Ellis	Keller, F.	Payne	Toohil
Emrick	Keller, M.K.	Peifer	Truitt
English	Killion	Petri	Turzai
Evankovich	Knowles	Pickett	Vereb
Everett	Krieger	Pyle	Watson
Farry	Lawrence		

NOT VOTING—0

EXCUSED—6

Boyle, B.	Kirkland	Saccone	Swanger
Cruz	Maloney		

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

On the question recurring,

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

Mr. **ROEBUCK** offered the following amendment
No. **A01959**:

Amend Bill, page 34, line 17, by striking out "SUBJECT TO CLAUSE (II), NO" and inserting

No

Amend Bill, page 34, line 28, by striking out "BEGINNING" and inserting

Notwithstanding subclause (i), beginning

Amend Bill, page 34, lines 28 and 29, by striking out "THROUGH AND INCLUDING THE 2014-2015" and inserting
each

Amend Bill, page 34, line 29, by inserting after "YEAR"

thereafter

Amend Bill, page 34, line 30, by inserting after "STUDENT"

residing in a school district of the first class and

Amend Bill, page 35, line 8, by striking out "AND" where it occurs the first time

Amend Bill, page 35, line 11, by inserting after

"DEPARTMENT"

; and the full employer's share of retirement contributions paid to the Public School Employees' Retirement System

On the question,

Will the House agree to the amendment?

AMENDMENT WITHDRAWN

The SPEAKER pro tempore. On the amendment, the gentleman, Mr. Roebuck, is recognized.

Mr. ROEBUCK. Thank you, Mr. Speaker.

I am withdrawing that amendment.

The SPEAKER pro tempore. Thank you very much, Mr. Roebuck.

On the question recurring,

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

The SPEAKER pro tempore. Are you offering amendment A01960?

I am sorry. I did not—

Mr. ROEBUCK. I am also withdrawing that amendment, Mr. Speaker.

The SPEAKER pro tempore. Outstanding. Thank you, Mr. Roebuck.

LEAVE OF ABSENCE CANCELED

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Saccone, who is on the floor of the House and will be added back to the master roll.

CONSIDERATION OF HB 618 CONTINUED

On the question recurring,

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

AMENDMENT A01860 RECONSIDERED

The SPEAKER pro tempore. The Chair is in receipt of a motion to reconsider by Representatives Brooks and Reed, who move that the vote by which amendment 1860 to HB 618, PN 1917, was defeated on this 24th day of September be reconsidered.

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

The following roll call was recorded:

YEAS—153

Adolph	Farina	Keller, W.	Petrarca
Aument	Farry	Killion	Petri
Baker	Fee	Knowles	Pickett
Barrar	Fleck	Krieger	Pyle
Benninghoff	Flynn	Kula	Quinn
Bizzarro	Frankel	Lawrence	Rapp
Bloom	Freeman	Longietti	Reed
Boback	Gabler	Lucas	Reese
Bradford	Galloway	Mackenzie	Regan
Briggs	Gibbons	Maher	Roae
Brooks	Gillen	Major	Rock
Brown, R.	Gillespie	Markosek	Ross
Caltagirone	Gingrich	Marshall	Saccone
Causar	Godshall	Marsico	Sainato
Christiana	Goodman	Masser	Samuelson
Clymer	Greiner	McGeehan	Sankey
Cohen	Grell	McGinnis	Santarsiero
Corbin	Grove	Mentzer	Saylor
Costa, P.	Hackett	Metcalfe	Scavello
Cox	Haggerty	Metzgar	Simmons
Culver	Hahn	Miccarelli	Smith
Cutler	Haluska	Micozzie	Snyder
Daley, M.	Hanna	Millard	Sonney
Daley, P.	Harhai	Miller, R.	Stephens
Day	Harhart	Milne	Stern
Dean	Harkins	Mirabito	Stevenson
Delozier	Harper	Moul	Sturla
Denlinger	Harris, A.	Mundy	Tallman
Dermody	Heffley	Murt	Taylor
DiGirolamo	Helm	Mustio	Tobash
Donatucci	Hennessey	Neilson	Toepel
Dunbar	Hickernell	Neuman	Toohil
Ellis	James	O'Neill	Truitt
Emrick	Kampf	Oberlander	Turzai
English	Kauffman	Painter	Vereb
Evankovich	Kavulich	Pashinski	Waters
Evans	Keller, F.	Payne	Watson
Everett	Keller, M.K.	Peifer	Wheatley
Fabrizio			

NAYS—44

Barbin	Davis	Mahoney	Readshaw
Bishop	Deasy	Matzie	Roebuck
Boyle, K.	DeLissio	McCarter	Rozzi
Brown, V.	DeLuca	McNeill	Sabatina
Brownlee	Gainey	Miller, D.	Schlossberg
Burns	Gergely	Miranda	Schreiber
Carroll	Harris, J.	Molchany	Sims
Clay	Kim	Mullery	Thomas
Conklin	Kinsey	O'Brien	Vitali
Costa, D.	Kortz	Parker	White
Davidson	Kotik	Ravenstahl	Youngblood

NOT VOTING—0

EXCUSED—5

Boyle, B. Cruz	Kirkland	Maloney	Swanger
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The majority having voted in the affirmative, the question was determined in the affirmative and the motion was agreed to.

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

The clerk read the following amendment No. **A01860**:

Amend Bill, page 35, line 23, by striking out "THE FULL" and inserting

one-half of the

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

The following roll call was recorded:

YEAS—19

Barrar	Heffley	Mackenzie	Rapp
Bloom	Hennessey	Maher	Roae
Christiana	James	McGinnis	Simmons
Cox	Kauffman	Metcalfe	Truitt
Day	Lawrence	Mustio	

NAYS—178

Adolph	Evankovich	Knowles	Pickett
Aument	Evans	Kortz	Pyle
Baker	Everett	Kotik	Quinn
Barbin	Fabrizio	Krieger	Ravenstahl
Benninghoff	Farina	Kula	Readshaw
Bishop	Farry	Longietti	Reed
Bizzarro	Fee	Lucas	Reese
Boback	Fleck	Mahoney	Regan
Boyle, K.	Flynn	Major	Rock
Bradford	Frankel	Markosek	Roebuck
Briggs	Freeman	Marshall	Ross
Brooks	Gabler	Marsico	Rozzi
Brown, R.	Gainey	Masser	Sabatina
Brown, V.	Galloway	Matzie	Saccone
Brownlee	Gergely	McCarter	Sainato
Burns	Gibbons	McGeehan	Samuelson
Caltagirone	Gillen	McNeill	Sankey
Causar	Gillespie	Mentzer	Santarsiero
Clay	Gingrich	Metzgar	Saylor
Clymer	Godshall	Miccarelli	Scavello
Cohen	Goodman	Micozzie	Schlossberg
Conklin	Greiner	Millard	Schreiber
Corbin	Grell	Miller, D.	Sims
Costa, D.	Grove	Miller, R.	Smith
Costa, P.	Hackett	Milne	Snyder
Culver	Haggerty	Mirabito	Sonney
Cutler	Hahn	Miranda	Stephens
Daley, M.	Haluska	Molchany	Stern
Daley, P.	Hanna	Moul	Stevenson
Davidson	Harhai	Mullery	Sturla
Davis	Harhart	Mundy	Tallman
Dean	Harkins	Murt	Taylor
Deasy	Harper	Neilson	Thomas
DeLissio	Harris, A.	Neuman	Tobash
Delozier	Harris, J.	O'Brien	Toepel
	Helm	O'Neill	Toohil

DeLuca	Hickernell	Oberlander	Turzai
Denlinger	Kampf	Painter	Vereb
Dermody	Kavulich	Parker	Vitali
DiGirolamo	Keller, F.	Pashinski	Waters
Donatucci	Keller, M.K.	Payne	Watson
Dunbar	Keller, W.	Peifer	Wheatley
Ellis	Killion	Petrarca	White
Emrick	Kim	Petri	Youngblood
English	Kinsey		

NOT VOTING—0

EXCUSED—5

Boyle, B.	Kirkland	Maloney	Swanger
Cruz			

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

On the question recurring,

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

The SPEAKER pro tempore. The subject matter of HB 618 is a comprehensive amendment to the Charter School Law. Although the Charter School Law is contained in the Public School Code, that does not mean that all laws contained in the Public School Code are subject to amendment. Based upon recent decisions by the Pennsylvania Supreme Court, all remaining amendments offered by Representative Truitt and amendment 2115, sponsored by Representative Barrar, are in violation of Article III, section 3, of the Pennsylvania Constitution because they would cause the bill to contain more than one subject and thus are out of order.

On the question recurring,

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

The SPEAKER pro tempore. On that question, the gentleman, Mr. Truitt, and the gentleman, Mr. Metcalfe, have asked for a recorded vote.

On the question recurring,

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

The following roll call was recorded:

YEAS—99

Adolph	Farina	Keller, W.	Pickett
Aument	Farry	Killion	Pyle
Baker	Fee	Knowles	Quinn
Barrar	Fleck	Krieger	Reed
Benninghoff	Gabler	Lucas	Reese
Boback	Galloway	Mackenzie	Regan
Boyle, K.	Gillen	Major	Ross
Brooks	Gillespie	Marshall	Saccone
Brown, R.	Gingrich	Marsico	Sankey
Causar	Godshall	Masser	Saylor
Christiana	Greiner	Mentzer	Scavello

Clymer	Grell	Metzgar	Simmons
Corbin	Grove	Miccarelli	Smith
Culver	Hackett	Micozzie	Sonney
Cutler	Hahn	Millard	Stephens
Davidson	Harhart	Miller, R.	Stern
Day	Harper	Milne	Stevenson
Delozier	Harris, A.	Moul	Tallman
Denlinger	Heffley	Murt	Taylor
DiGirolamo	Helm	Neilson	Tobash
Dunbar	Hickernell	O'Neill	Toepel
Ellis	James	Oberlander	Toohil
Emrick	Kampf	Payne	Turzai
English	Keller, F.	Peifer	Watson
Everett	Keller, M.K.	Petri	

NAYS—94

Barbin	Dermody	Longiotti	Ravenstahl
Bishop	Donatucci	Maher	Readshaw
Bizzarro	Evans	Mahoney	Roae
Bloom	Fabrizio	Markosek	Rock
Bradford	Flynn	Matzie	Roebuck
Briggs	Frankel	McCarter	Rozzi
Brown, V.	Freeman	McGeehan	Sabatina
Brownlee	Gainey	McGinnis	Sainato
Burns	Gergely	McNeill	Samuelson
Caltagirone	Gibbons	Metcalfe	Santarsiero
Carroll	Goodman	Miller, D.	Schlossberg
Clay	Haggerty	Mirabito	Schreiber
Cohen	Haluska	Miranda	Sims
Conklin	Hanna	Molchany	Snyder
Costa, D.	Harhai	Mullery	Sturla
Costa, P.	Harkins	Mundy	Thomas
Cox	Hennessey	Mustio	Truitt
Daley, M.	Kauffman	Neuman	Vereb
Daley, P.	Kavulich	O'Brien	Vitali
Davis	Kim	Painter	Waters
Dean	Kortz	Parker	Wheatley
Deasy	Kotik	Pashinski	White
DeLissio	Kula	Rapp	Youngblood
DeLuca	Lawrence		

NOT VOTING—4

Evankovich	Harris, J.	Kinsey	Petrarca
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EXCUSED—5

Boyle, B.	Kirkland	Maloney	Swanger
Cruz			

The majority having voted in the affirmative, the question was determined in the affirmative and the bill as amended was agreed to.

(Bill as amended will be reprinted.)

The SPEAKER pro tempore. There will be no further votes. Pardon me. I withdraw that.

We had a change of heart here.

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 198, PN 2210**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for Dyslexia Screening Pilot Program.

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—197

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Boyle, B. Cruz	Kirkland	Maloney	Swanger
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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 present the same to the Senate for concurrence.

* * *

The House proceeded to third consideration of **HB 1559, PN 2110**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for youth suicide awareness and prevention training.

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—194

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

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

NAYS—3

Krieger Metcalfe Metzgar

NOT VOTING—0

EXCUSED—5

Boyle, B. Kirkland Maloney Swanger
Cruz

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

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

REMARKS SUBMITTED FOR THE RECORD

The SPEAKER pro tempore. For what purpose does the gentleman, Mr. Neilson, rise?

Mr. NEILSON. I would like to thank the members on HB 198 and submit comments for the record.

The SPEAKER pro tempore. The gentleman is in order and may submit those to the clerk. Thank you, sir.

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

Thank you, Mr. Speaker. And thank you for the unanimous support of my legislation. I would also like to thank Representative Miccarelli and Senator Wiley, who have been of tremendous support and assistance throughout this process.

HB 198 will provide a careful and effective solution to a very difficult problem. The pilot program will screen students for risk factors of dyslexia and provide them with the interventions they need.

Dyslexia affects anywhere from 5 to 10 percent of the population, although some estimates put the number as high as 15 to 30 percent. If the condition goes unrecognized, these boys and girls may become frightened, frustrated, and angry. They tend to think of themselves as "dumb" and grow to dislike school and reading. They perceive themselves as "different" from their classmates, which can cause them to further alienate themselves. Without help, dyslexic children can lose their self-esteem; they can get angry at the educational institution that has allowed them to fall through the cracks, which may eventually cause them to drop out.

No child should be abandoned by our system because of how they were born. No child should think less of themselves because the right tools were not made available to them.

The dyslexia screening pilot program will give worried parents the answers they need and dyslexic children the resources they need. But beyond that, this bill will also provide us with a model for other efforts to reform our school system to provide better outcomes at a lower cost.

Albert Einstein, who was dyslexic, once said, "Learn from yesterday, live for today, hope for tomorrow." I think this is an appropriate quote for us gathered here today. In the past we did not have the proper understanding of dyslexia to do much about it.

Now that our understanding has grown, it is past time to make sure that the condition no longer causes students serious strife in the classroom. The interventions we can provide offer real hope for these students.

No one is born to read. As legislators, we need to make certain that we give our youths the correct tools at an early age. We need to teach our children to read so they may read to learn. Thank you for supporting this important initiative.

VOTE CORRECTIONS

The SPEAKER pro tempore. For what purpose does the gentleman, Mr. O'Brien, wave to us all?

Mr. O'BRIEN. Mr. Speaker, on amendment A01864, my vote was recorded in error. It should be a "yes" vote.

The SPEAKER pro tempore. The Chair thanks the gentleman, and his remarks will be spread upon the record.

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

The SPEAKER pro tempore. You are welcome.

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

Mr. EVANKOVICH. To correct the record.

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

Mr. EVANKOVICH. Mr. Speaker, my button malfunctioned on the second consideration vote for HB 618. I wish to be recorded in the affirmative.

The SPEAKER pro tempore. The gentleman is in order, and his remarks will be spread upon the record.

**LABOR AND INDUSTRY
COMMITTEE MEETING**

The SPEAKER pro tempore. For what purpose does the gentleman, Mr. Mackenzie, rise?

Mr. MACKENZIE. Committee announcement, sir. Committee announcement.

The SPEAKER pro tempore. Committee announcement? You may proceed.

Mr. MACKENZIE. The Labor and Industry Committee will hold a voting meeting tomorrow, Wednesday, September 25. The meeting will be called by Chairman Scavello in room 60, East Wing, for the purpose of discussing and considering HB 1538. Thank you.

The SPEAKER pro tempore. You are welcome. The Chair thanks the gentleman.

BILL RECOMMITTED

The SPEAKER pro tempore. The Chair recognizes the majority leader, who moves that HB 618 be recommitted to the Committee on Appropriations.

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 125;
HB 974;
HB 1189;
HB 1215;
HB 1216;
HB 1356;
HB 1504;
HB 1527;
HB 1677;
HB 1685; and
HB 1694.

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

BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 304, PN 1533**, entitled:

An Act requiring certain large mass transit agencies to purchase buses that meet certain criteria within a specific implementation schedule; and providing for the powers and duties of the Department of Transportation.

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 that HB 304 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 that HB 304 be removed from the tabled calendar and placed on the active calendar.

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

BILLS AND RESOLUTIONS PASSED OVER

The SPEAKER 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. Representative Molchany from Allegheny County moves that this House do now adjourn until Wednesday, September 25, 2013, at 11 a.m., e.d.t., unless sooner recalled by the Speaker.

On the question,
Will the House agree to the motion?
Motion was agreed to, and at 5:52 p.m., e.d.t., the House adjourned.