

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

WEDNESDAY, OCTOBER 2, 2013

SESSION OF 2013

197TH OF THE GENERAL ASSEMBLY

No. 62

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 Pastor Charlie Gross, West Grove Presbyterian Church, West Grove, Pennsylvania.

PASTOR CHARLIE GROSS, Guest Chaplain of the House of Representatives, offered the following prayer:

Let us come together in prayer.

Gracious, loving, merciful, all-wise God, You are the one sovereign over all creation. You not only spun the earth and stars in their orbits, but You made us in Your image and You love us with an everlasting love.

Lord, we are grateful for each masterpiece of humanity in this room today, for You have called gifted, skilled, and privileged each man and woman here for public leadership, public service. As we come seeking Your wisdom, Your imagination, Your creative ability to care for this great State of Pennsylvania, we pray for Your life-giving, life-affirming Holy Spirit to blow through this place. Come with power, come with insight, come with energy for life-giving conversation and collaboration. We pray Your mighty blessing of grace and wisdom for not only the leadership of this House and this State, but also for President Obama and the United States Congress. Mold and shape all Your chosen leaders to lead with virtue, to live with integrity, and to put the greater good of the State and the country before their very own.

Lord of love, You not only tell us that there is no greater love than that of laying down one's life for others, but You model that same type of self-giving love. We pray for each of these men and women who do exactly that, who in so many ways pour out their lives in service to their country. We pray Your extravagant blessings for their families, their loved ones, and their constituents.

Almighty God, we pray this in Your Holy, self-giving name, even Jesus Christ. 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 Tuesday, October 1, 2013, will be postponed until printed.

BILLS REPORTED FROM COMMITTEES, CONSIDERED FIRST TIME, AND TABLED

HB 982, PN 2431 (Amended) By Rep. SCAVELLO

An Act amending the act of August 24, 1963 (P.L.1175, No.497), known as the Mechanics' Lien Law of 1963, providing for the definition of "costs of construction"; and further providing for right to lien and amount, for priority of lien and for discharge of lien on payment into court or entry of security.

LABOR AND INDUSTRY.

HB 1285, PN 2429 (Amended) By Rep. BARRAR

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, providing for the State Geospatial Coordinating Board.

VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS.

HB 1529, PN 2039 By Rep. HARPER

An Act amending the act of May 1, 1933 (P.L.103, No.69), known as The Second Class Township Code, further providing for filing and recording of ordinances.

LOCAL GOVERNMENT.

HB 1530, PN 2040 By Rep. HARPER

An Act amending the act of June 24, 1931 (P.L.1206, No.331), known as The First Class Township Code, further providing for filing and recording of ordinances.

LOCAL GOVERNMENT.

HB 1617, PN 2228 By Rep. HARPER

An Act amending the act of May 25, 1945 (P.L.1050, No.394), known as the Local Tax Collection Law, further providing for collection by legal representatives of deceased tax collectors.

LOCAL GOVERNMENT.

HB 1632, PN 2430 (Amended) By Rep. BARRAR

An Act amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, further providing for employment sanctions; and providing for a volunteer emergency responders employer tax credit.

VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS.

HB 1672, PN 2428 (Amended) By Rep. R. MILLER

An Act providing for the testing of new, environmentally beneficial and energy efficient technologies within various State agencies.

ENVIRONMENTAL RESOURCES AND ENERGY.

HB 1706, PN 2381 By Rep. BARRAR

An Act amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, in emergency services, changing implementing authority from the Pennsylvania Emergency Management Agency to the Office of the State Fire Commissioner; further providing for assistance to volunteer fire companies, ambulance service and rescue squads and for powers and duties; and making editorial changes.

VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS.

RESOLUTIONS REPORTED FROM COMMITTEES

HR 44, PN 2432 (Amended) By Rep. BARRAR

A Resolution encouraging the National Fire Protection Association to consider economic impact, to include additional active firefighters and to allow for more fire department and emergency medical services input.

VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS.

HR 168, PN 2433 (Amended) By Rep. HARPER

A Resolution directing the Legislative Budget and Finance Committee to conduct a study concerning the consolidation or merger of municipal police departments in this Commonwealth.

LOCAL GOVERNMENT.

HR 425, PN 2292 By Rep. R. MILLER

A Resolution celebrating 25 years of successful recycling and urging the Department of Environmental Protection to review its recycling programs and report any recommendations for improvements.

ENVIRONMENTAL RESOURCES AND ENERGY.

BILLS REPORTED AND REREFERRED TO COMMITTEE ON URBAN AFFAIRS

HB 1524, PN 2031 By Rep. HARPER

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

Reported from Committee on LOCAL GOVERNMENT with request that it be rereferred to Committee on URBAN AFFAIRS.

The SPEAKER. Without objection, the bill will be so rereferred.

HB 1644, PN 2267

By Rep. HARPER

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

Reported from Committee on LOCAL GOVERNMENT with request that it be rereferred to Committee on URBAN AFFAIRS.

The SPEAKER. Without objection, the bill will be so rereferred.

BILL REPORTED AND REREFERRED TO COMMITTEE ON PROFESSIONAL LICENSURE

HB 1063, PN 1283

By Rep. SCAVELLO

An Act providing for licensing of fire sprinkler contractors and inspectors; and imposing duties on the Department of Labor and Industry.

Reported from Committee on LABOR AND INDUSTRY with request that it be rereferred to Committee on PROFESSIONAL LICENSURE.

The SPEAKER. Without objection, the bill will be so rereferred.

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. BENNINGHOFF, from Centre 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. ROEBUCK, from Philadelphia County for the day, and the lady, Ms. BISHOP, 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—196

Adolph	English	Kortz	Petri
Aument	Evankovich	Kotik	Pickett
Baker	Evans	Krieger	Pyle
Barbin	Everett	Kula	Quinn
Barrar	Fabrizio	Lawrence	Rapp
Bizzarro	Farina	Longietti	Ravenstahl

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

ADDITIONS—0

NOT VOTING—0

EXCUSED—6

Benninghoff	Gabler	Godshall	Roebuck
Bishop	Gingrich		

LEAVES ADDED—2

Donatucci	Masser
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LEAVES CANCELED—1

Benninghoff

The SPEAKER. One hundred and ninety-six 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 your holding the conversations down and would appreciate your courtesy as I introduce some of the guests that are with us today. Thank you.

Located to the left of the rostrum, directly left of the rostrum, we would like to welcome our Guest Chaplain's wife, Lisa Gross. The pastor and his wife are here today as the guests of Representative Lawrence. Please rise, and welcome to the hall of the House.

To the normal left of the rostrum, we would like to welcome the Honorable David Beasley, former Governor of South Carolina. He served as Governor from 1995 to 1999. He is a close friend of Governor Ridge and he also was a former Speaker of the House. Will our guest please rise. He is here as a guest of Representative Denlinger today. Nice to have you here, Mr. Speaker. We will welcome you more as a Speaker than a Governor, frankly.

Also to the left of the rostrum, we would like to welcome Samantha Buck. She is here with her mother, Melissa Lytle, and her stepmother, Melissa LaBounty, and they are here today as guests of Representative Culver. Will our guests please rise. Welcome to the hall of the House.

As guests of Representative Kampf, we would like to welcome Frank and Carol Shannahan. They are over here to the left of the rostrum as well. Welcome to the hall of the House.

In the well of the House, we would like to welcome guest page Zachery Miller. He is a junior at New Oxford High School. He is here today as a guest of Representative Tallman. Welcome to the hall of the House.

LEGISLATIVE FELLOWS INTRODUCED

The SPEAKER. And also to the left of the rostrum, we have several Legislative Fellows who are here for the fall semester.

Benjamin Clear attends Temple University and works with the Transportation Committee under the direction of the Republican chairman, Representative Micozzie.

Jordan Grant attends Harrisburg Area Community College and is working with the Urban Affairs Committee and the Republican chairman, Representative Gillespie.

Daniel McGurl attends Albright College and is working with the Democrat chairman, Representative Youngblood, and the House Gaming Oversight Committee.

Andrew Ausel attends Messiah College and has been assigned to the Urban Affairs Committee working with the Democrat chairman, Representative Harhai.

Katherine Morton, who attends Temple University, is working with the Democrat Human Services Committee under the direction of Representative Cruz.

Ryan Salem attends Lebanon Valley College and is assigned to the Democrat Judiciary Committee under Representative Caltagirone.

And Rachel Schwalm attends West Chester University and works with Representative Barrar and the House Veterans Affairs and Emergency Preparedness Committee.

Will our guests please rise. Welcome to the hall of the House.

The House will be at ease for a couple of minutes.

The House will come to order.

UNCONTESTED CALENDAR

RESOLUTIONS PURSUANT TO RULE 35

Mr. MIRANDA called up **HR 427, PN 2299**, entitled:

A Resolution recognizing September 2013 as "Non-valvular Atrial Fibrillation Awareness Month" in Pennsylvania.

* * *

Mr. MURT called up **HR 473, PN 2401**, entitled:

A Resolution designating the month of October 2013 as "Disability History Awareness Month" in Pennsylvania.

* * *

Mr. O'BRIEN called up **HR 479, PN 2406**, entitled:

A Resolution recognizing October 7, 2013, as "Trigeminal Neuralgia Awareness Day."

On the question,
Will the House adopt the resolutions?

The following roll call was recorded:

YEAS—196

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

DeLissio	Kauffman	Neuman	Toohil
DeLozier	Kavulich	O'Brien	Trutt
DeLuca	Keller, F.	O'Neill	Turzai
Denlinger	Keller, M.K.	Oberlander	Vereb
Dermody	Keller, W.	Painter	Vitali
DiGirolamo	Killion	Parker	Waters
Donatucci	Kim	Pashinski	Watson
Dunbar	Kinsey	Payne	Wheatley
Ellis	Kirkland	Peifer	White
Emrick	Knowles	Petrarca	Youngblood

NAYS—0

NOT VOTING—0

EXCUSED—6

Benninghoff	Gabler	Godshall	Roebuck
Bishop	Gingrich		

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

STATEMENT BY MR. MIRANDA

The SPEAKER. Is the gentleman from Philadelphia County, Mr. Miranda, seeking recognition under unanimous consent relative to one of the resolutions?

Members will please clear out the well of the hall. Members will please clear out of the well of the hall of the House.

The gentleman, Mr. Miranda, may proceed under unanimous consent.

Mr. MIRANDA. Thank you, Mr. Speaker.

AFib (atrial fibrillation) is the most common cause of cardiac arrhythmia, or irregular heartbeat. The vast majority of these cases are caused by non-valvular AFib, which means the fibrillation is not caused by a heart valve problem. AFib is a medical condition in which the heart beats in a rapid and less productive manner, which can lead to shortness of breath, dizziness, and other symptoms. It can be a life-threatening condition, as it can lead to poor circulation and possible blood clots.

Unfortunately, many people have relatively mild symptoms, which may not present themselves until a major medical crisis develops or a physical or a stress test reveals the arrhythmia. It has been estimated that 15 percent of all strokes are caused by AFib, and the condition affects more than 2 million Americans.

Thank you to my colleagues for adopting this resolution, which recognized September as Non-valvular AFib Awareness Month in Pennsylvania. I hope this resolution is the first step toward earlier recognition and treatment of this dangerous medical issue.

Thank you, Mr. Speaker.

The SPEAKER. The Speaker thanks the gentleman.

STATEMENT BY MR. MURT

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

Mr. MURT. Thank you, Mr. Speaker.

Mr. Speaker, I am grateful for the support for HR 473.

Mr. Speaker, all those with special needs require and deserve our love, encouragement, and support. For children with learning disabilities, such positive reinforcement can help ensure that they achieve a strong sense of self-worth, confidence, and the determination to keep going even when things get difficult.

In searching for ways to help children with learning disabilities, we as legislators must be committed to giving them the tools to help them help themselves. Our responsibility is not to cure a disability, but to give that person the social and emotional tools and supports he or she needs to work through challenges.

Mr. Speaker, in the long run, facing and overcoming a challenge such as a learning disability – or any disability, for that matter – can help an individual grow stronger and more resilient. We need to always remember that the way we respond to these challenges as legislators has an enormous impact on those who cannot help themselves. Platitudes alone will not solve the problems associated with a learning disability.

This resolution will give those in need hope, but it is critical that we follow up by properly funding programs and services that help those with special needs find success in a world of challenges. A disability is certainly not insurmountable. It is just an obstacle like any other, but it is up to us to provide the tools so parents can teach their child how to deal with those obstacles without becoming discouraged or overwhelmed. We must not let the bureaucracies and ineffective regulation distract our caregivers from what is really important: offering emotional and moral support.

Mr. Speaker, let us use Disability Awareness Month to educate others about the challenges faced by those with special needs and to educate ourselves on ways to help them overcome these challenges.

Thank you, Mr. Speaker.

STATEMENT BY MR. O'BRIEN

The SPEAKER. The Speaker recognizes the gentleman from Philadelphia County, Representative O'Brien, under unanimous consent relative to one of the resolutions just adopted.

Mr. O'BRIEN. Thank you, Mr. Speaker.

I would like to thank my colleagues for their affirmative vote on Trigeminal Neuralgia Awareness Day.

The trigeminal nerve travels from the base of the skull to the frontal lobe. It has been referred to as "the worst pain known to mankind" to the extent that it is known as the suicide disease.

Oftimes trigeminal neuralgia is misdiagnosed as severe migraines or cluster headaches. There is no known cure for trigeminal neuralgia but a series of hit and miss of different medications to try to deal with it. It is a very rare disease, and as I said, often misdiagnosed.

I appreciate my colleagues' affirmative votes in bringing awareness of trigeminal neuralgia to the people. Thank you.

CALENDAR

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 125, PN 124**, entitled:

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, further providing for exemptions and special provisions.

On the question,

Will the House agree to the bill on second consideration?

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

On the question recurring,

Will the House agree to the bill on second consideration?

Bill was agreed to.

* * *

The House proceeded to second consideration of **HB 1677, PN 2311**, entitled:

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in assessments of persons and property, further providing for limitations.

On the question,

Will the House agree to the bill on second consideration?

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

On the question recurring,

Will the House agree to the bill on second consideration?

Bill was agreed to.

APPROPRIATIONS COMMITTEE MEETING

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

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

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

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

HEALTH COMMITTEE MEETING

The SPEAKER. The Speaker recognizes the gentleman from Tioga County, Mr. Baker, for an announcement.

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

There will be an immediate meeting of the Health Committee in room G-50 for consideration of two bills. Thank you, Mr. Speaker.

The SPEAKER. There will be an immediate meeting of the Health Committee in room G-50.

REPUBLICAN CAUCUS

The SPEAKER. The Speaker recognizes the lady from Susquehanna County, Ms. Major, for 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 p.m.

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 12 noon. Democrats will caucus at 12 noon. Thank you.

GUEST INTRODUCED

The SPEAKER. If I could have the members' attention, I want to introduce one other guest that came in after we did the original announcements.

To the left of the Speaker, as a guest of Representative Harris, we would like to welcome Patricia Canela. Please rise. Welcome to the hall of the House.

RECESS

The SPEAKER. The House stands in recess until 1 p.m., unless sooner recalled by the Speaker.

RECESS EXTENDED

The time of recess was extended until 1:15 p.m.

AFTER RECESS

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

LEAVE OF ABSENCE

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

BILLS REREPORTED FROM COMMITTEE**HB 28, PN 2065**

By Rep. ADOLPH

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for definitions; and providing for nonmunicipal police extraterritorial jurisdiction for purposes of municipal police jurisdiction.

APPROPRIATIONS.

HB 111, PN 102

By Rep. ADOLPH

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

APPROPRIATIONS.

HB 612, PN 1959

By Rep. ADOLPH

An Act relating to the right to practice naturopathic medicine; providing for the issuance of licenses and the suspension and revocation of licenses; providing for penalties; and making repeals.

APPROPRIATIONS.

HB 1189, PN 2427

By Rep. ADOLPH

An Act amending the act of December 31, 1965 (P.L.1257, No.511), known as The Local Tax Enabling Act, providing for optional property tax elimination.

APPROPRIATIONS.

HB 1523, PN 2030

By Rep. ADOLPH

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

APPROPRIATIONS.

HB 1594, PN 2185

By Rep. ADOLPH

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.

APPROPRIATIONS.

LEAVE OF ABSENCE

The SPEAKER. The Speaker returns to leaves of absence and recognizes the minority whip, who requests a leave of absence for the lady from Philadelphia County, Ms. DONATUCCI, for the remainder of the day. Without objection, the leave will be granted.

**HOUSE BILLS
INTRODUCED AND REFERRED****No. 1610** By Representative BARBIN

An Act amending Title 61 (Prisons and Parole) of the Pennsylvania Consolidated Statutes, further providing for parole power.

Referred to Committee on JUDICIARY, October 2, 2013.

No. 1735 By Representatives AUMENT, CLYMER, CUTLER, HICKERNELL, SWANGER, TRUITT, TALLMAN, GROVE, KRIEGER, BLOOM, C. HARRIS, GRELL, R. MILLER and EVERETT

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for causes for suspension and for persons to be suspended.

Referred to Committee on EDUCATION, October 2, 2013.

No. 1736 By Representatives EMRICK, AUMENT, BAKER, V. BROWN, CALTAGIRONE, CAUSER, COHEN, COX, M. DALEY, DAY, DiGIROLAMO, DONATUCCI, EVANKOVICH, EVERETT, FARINA, FLECK, FREEMAN, GABLER, GILLEN, GINGRICH, GOODMAN, GROVE, HAHN, HEFFLEY, HICKERNELL, KAVULICH, M. K. KELLER, KNOWLES, KULA, MACKENZIE, MAHONEY, MAJOR, MARSHALL, MARSICO, MCNEILL, MICOZZIE, MILLARD, D. MILLER, MIRABITO, MURT, MUSTIO, PASHINSKI, PICKETT, READSHAW, ROCK, SAMUELSON, SONNEY, STERN, TALLMAN, VEREB and WATSON

An Act designating a portion of PA Route 191 in Washington Township, Northampton County, as the "World War II Homefront Heroes Highway."

Referred to Committee on TRANSPORTATION, October 2, 2013.

No. 1737 By Representatives MARSICO, CAUSER, BAKER, MALONEY, ROCK, DUNBAR, SACCONI, SAYLOR, AUMENT, HICKERNELL, CUTLER, KNOWLES, TALLMAN, MENTZER, LUCAS, MILLARD, COX, SWANGER, GROVE, WATSON, TURZAI, KAUFFMAN, ROSS, EVERETT and OBERLANDER

An Act amending the act of August 15, 1961 (P.L.987, No.442), known as the Pennsylvania Prevailing Wage Act, providing for the definition of "locally funded"; and further providing for the definitions of "maintenance work" and "public work."

Referred to Committee on LABOR AND INDUSTRY, October 2, 2013.

No. 1738 By Representatives O'NEILL, CLYMER, ROEBUCK, SANTARSIERO, READSHAW, BARBIN, V. BROWN, COHEN, CUTLER, DAVIS, DeLUCA, DUNBAR, FARRY, FLECK, GINGRICH, GODSHALL, GRELL, GROVE, HARHART, HELM, HENNESSEY, JAMES, KORTZ, KOTIK, LONGIETTI, MACKENZIE, MENTZER, MILLARD, R. MILLER, MILNE, MIRABITO, MURT, QUINN, REESE, ROSS, SAYLOR, SCHLOSSBERG, SONNEY, STEPHENS, SWANGER, TOEPEL, TRUITT and WATSON

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for basic education funding commission.

Referred to Committee on EDUCATION, October 2, 2013.

SENATE MESSAGE

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

The clerk of the Senate, being introduced, returned **HB 1483, PN 2426**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

REPORT OF COMMITTEE ON COMMITTEES

The SPEAKER. The clerk will read the supplemental report from the Committee on Committees.

The following report was read:

Committee on Committees Supplemental Report

In the House of Representatives
October 2, 2013

RESOLVED, That

Representative Marcy Toepel, Montgomery County, is resigning as a member of the Human Services Committee.

Representative Mauree Gingrich, Lebanon County, is resigning as a member of the Health Committee.

Representative C. Adam Harris, Juniata County, is resigning as a member of the Insurance Committee.

Representative Kerry Benninghoff, Centre County, is elected as a member of the Health Committee.

Representative Marcy Toepel, Montgomery County, is elected as a member of the Judiciary Committee.

Representative John Payne, Dauphin County, is elected as a member of the Transportation Committee.

Respectfully submitted,
Nicholas A. Micozzie, Chairman
Committee on Committees

On the question,
Will the House adopt the resolution?
Resolution was adopted.

COMMITTEE APPOINTMENT

The SPEAKER. Speaker appointment. Representative Kurt Masser, Northumberland County, is appointed as a member of the Rules Committee.

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

HB 1656, PN 2276

By Rep. BAKER

An Act repealing the act of December 18, 1984 (P.L.1068, No.213), entitled "An act requiring physicians to obtain informed consent from patients for treatment of breast disease."

HEALTH.

SB 358, PN 1448 (Amended)

By Rep. BAKER

An Act requiring the notification of breast density to patients who receive a mammogram.

HEALTH.

CALENDAR CONTINUED

BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 1685, PN 2333**, entitled:

An Act amending the act of June 27, 2006 (1st Sp.Sess., P.L.1873, No.1), known as the Taxpayer Relief Act, in taxation by school districts, further providing for adoption of further referendum and for disposition of income tax revenue and property tax reduction allocation.

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

Mr. **BRADFORD** offered the following amendment
No. **A03485**:

Amend Bill, page 1, line 13, by inserting after "allocation"
; and, in senior citizens property tax and rent rebate
assistance, providing for additional rebates

Amend Bill, page 2, by inserting between lines 21 and 22
Section 3. The act is amended by adding a section to read:

Section 1304.1. Additional rebates.

Notwithstanding any other provision of this act, beginning in
calendar year 2015 and each calendar year thereafter, a claimant with a
household income of \$50,000 or less shall receive a property tax rebate
equal to 100% of school real property taxes paid during the preceding
calendar year.

Amend Bill, page 2, line 22, by striking out "3" and inserting

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

The SPEAKER. On that question, the Speaker recognizes the gentleman from Montgomery County, Mr. Bradford.

Mr. BRADFORD. I stand to introduce amendment 3485 as an effort to bring property tax relief to those in most need in Pennsylvania, in particular, our seniors, those over 65.

While I know there was an effort yesterday that fell short to provide property tax elimination, this provides us a good step towards primary residential property tax elimination, beginning with those who need it most: our seniors. And I think it is an amendment that is obviously right on point with the underlying stated interest of the maker of the bill.

So I would ask for your support to eliminate property taxes on those over 65 in Pennsylvania.

Thank you, Mr. Speaker.

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

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

Mr. GROVE. Thank you, Mr. Speaker.

While this amendment is well-intentioned, unfortunately the language does not provide funding for the rebates and will put a direct financial strain on the Lottery Fund and the Property Tax Relief Fund.

Unfortunately, I must stand to oppose this amendment and urge my colleagues to also oppose it. Thank you, Mr. Speaker.

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

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

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of the Bradford amendment.

What, essentially, this amendment does, as I understand it anyway, is provides for tax relief for senior citizens that are making less than \$50,000 a year. The arguments we have heard for why we need property tax relief mostly have centered around the fact that people are getting taxed out of their homes, that it was not fair to seniors whose kids were grown up now, a whole host of reasons, and this goes straight to the heart of that.

Additionally, this simply says that this would be required as part of the mix, so when those school districts that are looking at different forms of taxation other than the property tax, this would be a factor that got brought into that. Right now we have a property tax and rent rebate program that puts that into the mix. This simply extends that a little farther, I believe to make sure that those seniors are the ones that are not bearing the brunt of property taxes, who have been living in their homes for 10, 20, 30, 40, 50, sometimes 60 years.

It is a commonsense amendment. The funding is there when any of those school districts do whatever it is that they want to do with the underlying bill, and I think it is something that all of us would do well to support. Thank you, Mr. Speaker.

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

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

Mr. BARBIN. I also rise in support of the amendment by the good gentleman from Montgomery County.

Yesterday the vote was taken with a lot of property tax reformers saying they were really trying to help. Well, this bill helps those people that were supposed to be helped. The amendment says, "...household income..." limited to "\$50,000..." and it is limited to senior citizens. The Constitution allows this type of an amendment. It says that if you are in that situation, the rebate is equal to 100 percent of your property tax bill. This amendment actually does what the good gentleman from Berks should have done, which is limit it to the people who are senior citizens and avoid giving a tax break to commercial businesses.

For those reasons I support the bill.

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

The Speaker recognizes the gentleman from Montgomery County, Mr. Stephens.

Mr. STEPHENS. Mr. Speaker, will the gentleman respond to brief interrogation?

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

Mr. STEPHENS. Where would this revenue come from to provide these rebates?

Mr. BRADFORD. I believe there are actually quite a few ideas that have been thrown out there. I think keno would be an idea that is worthy of looking at; I believe small games of chance. I believe we could look at a shale tax. I believe there is huge support for a Marcellus Shale extraction tax, some portion of that; combined reporting. Those who yesterday spoke in favor of some form of HB 76 have talked about consumption taxes. I am not as willing, necessarily, to move taxes on regressive taxation like that, but if we are willing to use taxes that are equitable and target relief to the primary residential owner as opposed to commercial landowners, I think we could look at some mix of those revenues.

Taxes are probably not as preferred on the aisle opposite, but I think there is an opportunity to finally do something serious, looking at revenue sources that are there to provide primary property tax relief to our residential, and specifically our seniors, and I believe this amendment gets us down that road.

Mr. STEPHENS. Well, I certainly agree with you. The aim is noble. I guess, so my question is, this amendment would require a separate piece of legislation then in order to provide the funding mechanism for this to be implemented. Is that right?

Mr. BRADFORD. Absolutely. I actually am recalling in a different context the very wise chairman of the Appropriations Committee, who once said, we write the bills here and at budget we figure out how to pay for them. Obviously, this puts together a proposal to have a property tax and rent rebate for all of our seniors. This leads us into a budget discussion about how we afford it. I believe there are ways to shift that tax and deal with it in an appropriate way at the appropriate time. At this time when property tax relief is the issue of the day, I think we need to talk about limiting it to where we can afford it and where it is most urgently needed.

Mr. STEPHENS. So without another piece of legislation then, is it fair to say that if this were implemented, the funds would have to come from either the Lottery Fund or the Property Tax Relief Fund in the absence of any other legislation?

Mr. BRADFORD. It would for the time being until we take real action to provide property tax relief.

Mr. STEPHENS. All right. 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. Saccone.

Mr. SACCONI. Mr. Speaker, would the maker of the amendment allow a brief interrogation?

Mr. BRADFORD. I would be honored to.

Mr. SACCONI. Mr. Speaker, would the maker of the amendment allow a brief interrogation?

The SPEAKER. The gentleman, Mr. Bradford, says he will stand for interrogation. You may proceed.

Mr. SACCONI. Thank you, Mr. Speaker.

Mr. Speaker, I am curious, because I thought about doing this a year or so ago, and I am sure people thought about it years before I ever got here, but I was told originally that this would

be unconstitutional because you have to tax everyone equally. Can you clarify how that does not apply in this case?

Mr. BRADFORD. This actually fits completely within the current property tax and rent rebate program that we have. This is just an expansion of that program.

Mr. SACCONI. 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, one of the concerns that I have, and I would trust the members would have as well, is that since there has to be additional legislation passed to provide – and we do not know what that fiscal note is. Maybe there is a fiscal note as to the millions of dollars that are going to have to be generated in order to comply with this amendment before us. The very fact that you may have to go and provide more gambling is not a very good idea, and let me tell you why: because those who are already vetted in the gambling industry in Pennsylvania are going to bring in the lobbyists and lobby very hard and effectively, quite frankly, against legislation that would raise money for this type of property tax reform, for this increase in property tax for those senior citizens.

So, Mr. Speaker, I think the gentleman at the very outset, the Republican member who said that he opposes this legislation, made some good points, but equally important is the fact that there is absolutely no guarantee that we are going to get additional money for this amendment by increasing gambling in Pennsylvania, and I would ask for a "no" vote on this as well.

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

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

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

Mr. Speaker, our staff did put together a fiscal note on this amendment, and the adoption of this amendment will result in an increased cost to the Commonwealth for the additional property tax rebates estimated to be \$1.16 billion, and there is absolutely no offsetting revenues generated in this amendment to pay for the increased cost to the Commonwealth.

So I want the members of this House while they are considering voting for this amendment, a \$1.16 billion cost to the Commonwealth with no revenue to generate it.

We have a very successful property tax and rent rebate program here in Pennsylvania, where it pays up to \$650 for those eligible claimants. This particular amendment rebate is 100 percent of the school property taxes.

Now, I remember standing on this floor of the House the night that the gaming bill was being passed, and we had suggested over and over again that the gaming money should go to those claimants that are eligible for the property tax and rent rebate and not to every property tax owner in Pennsylvania. We said that over and over and over again on the floor of the House, but the previous administration insisted that every property tax owner receives some type of property tax relief, and as you look, and when you get your school property tax, you are going to see a relief, sometimes as small as \$150, as great as maybe \$300.

I thought then and I think now that this rebate program that came out of the gaming should have been addressed and should

have been directed to those that need it the most. However, even though I think the maker of this amendment is well intended in getting the money to the people that are struggling the most, it would be fiscally irresponsible to support this amendment. So I oppose this amendment at this time. Thank you.

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

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

Mr. LAWRENCE. Thank you, Mr. Speaker.

Mr. Speaker, I would just like to say I support the concept being proffered here by the gentleman's amendment, A03485. I think it is a fantastic concept. I have often thought of it myself. But I would like to be very clear in echoing the gentleman from Delaware County: In absence of a revenue source, this is a pipe dream. Some of us here put up a very tough vote yesterday for an amendment that reflected the concept of HB 76. Now, it ultimately went down in defeat, but whether you liked that plan or whether you did not like that plan, it had some language in there as far as where the revenue would come from. That is why it was a tough vote, because nobody ever wants to talk about where the revenue is going to come from.

So I would be very supportive of this concept being offered in this amendment. Certainly, seniors need property tax relief, but in the absence of revenue, it is simply a pipe dream and I cannot vote for it.

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 Crawford County, Mr. Roae.

Mr. ROAE. Thank you, Mr. Speaker.

I agree this amendment is very ill-conceived. I was just looking at the Pennsylvania Lottery Web site. Last year the Pennsylvania Lottery provided about \$1 billion worth of services for seniors. This amendment would increase the property tax rebate by over \$1 billion. What that means, Mr. Speaker, is there would be no money in the Lottery Fund for the PACE (Pharmaceutical Assistance Contract for the Elderly) program, that is the low-cost prescription drug program for seniors. There would be no money for the shared-ride program. The mass transit agencies, they have the big buses on the fixed routes that nobody hardly ever rides, but the small buses that they use on the shared-ride program, they take seniors to where they need to go, that would not be funded if we passed this amendment. Senior centers get their funding from the Lottery Fund. That would not be funded, and some long-term-care funding comes from the lottery. That would not happen either. So this is an example of spending money that does not exist.

Some people have suggested a severance tax could pay for it. Well, how many things are we going to pay for with the severance tax? Every time people talk about doing something, oh, the schools need more money, do a severance tax; we need to expand medical assistance, do a severance tax; we need to pass this amendment right here, do a severance tax. You cannot spend a dollar that does not exist, but some people want to spend dollars that do not exist five or six times.

So this amendment sounds good politically, but it would be a disaster for all these other programs that seniors depend on. Thank you.

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

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

Mr. HENNESSEY. Thank you, Mr. Speaker.

I rise to speak against this amendment and ask people to vote against it.

The House Legislative Budget and Finance Committee last year reported to us that our Pennsylvania Lottery system is in good shape but with two provisos, and that was, one is that we do not change the qualifications or we do not increase the amount of the prizes, the payouts, coming. And the warning that was given was that with the baby boomers reaching age 65 and beyond, and we are in the second year or a third year of a 25-year wave of baby boomers who will be increasing the number of claims against the lottery, there is no way that the lottery can sustain itself even for its present prizes if we start to increase the amount of people who can make claims at those levels of prizes.

This really throws open the cap on the prizes to allow for people to get their entire school property tax rebated to them. Frankly, if we are trying to create a demise of the lottery system, this would be a good way to do it and we could drain that fund rather quickly. We do not want that to happen. The LB&FC study said, just as I said, do not increase the prizes and do not increase the number of people who are claiming on these prizes, or eligible to claim, or you could do damage to the lottery. This amendment, frankly, does both. It increases the size of the prize and increases the pool of people who could claim. I would suggest that we do not want to do this. It would just do unimaginable harm to our Pennsylvania Lottery and hurt the seniors that we currently help now by its adoption. Thank you.

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

On that question, the Speaker recognizes the lady from Luzerne County, Ms. Boback.

Ms. BOBACK. Thank you, Mr. Speaker.

May I interrogate the maker of the amendment?

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

Ms. BOBACK. The way it is written in my synopsis, are you saying that it would be for every senior citizen, or only citizens that are making \$50,000 or below?

Mr. BRADFORD. It is \$50,000 or lower, and it is actually calculated using the current formula in terms of how Social Security only counts 50 percent towards the formula. So it is the current system up to \$50,000, using half Social Security.

Ms. BOBACK. Okay, thank you. So it is not all of the seniors in our State that would benefit from this. It is those who have that criteria, correct?

Mr. BRADFORD. That is correct, though I would largely be supportive of, frankly, total primary residential elimination.

Ms. BOBACK. Thank you.

Thank you, Mr. Speaker.

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

On that question, is the gentleman, Mr. Bradford, seeking recognition for the second time? Were you seeking recognition for the second time? The gentleman is in order.

Mr. BRADFORD. Thank you, Mr. Speaker.

I want to point out a vote that took place on January 29, 2008. At that time there was an amendment to HB 1600. And I want to recognize the gentleman from Bucks, not just for his longevity of service but also his consistency of vote, because every single Republican member who was here at the time of HB 1600 voted for this exact amendment when it was offered by the former Speaker of the House. This idea has been out there for a long time, and much like HB 76 and other property tax relief efforts in the past, there has been a reason why not to vote for it.

I did not support the amendment that was offered by the good gentleman from Berks County yesterday because I think in some ways it just went way too far. Eliminating property taxes on corporations, on landlords, and such, I think is the wrong way to go. But targeting relief – not for the big corporations, not for the commercial properties, not for industrial – but targeting relief on those we would otherwise raise revenue from – the seniors, the primary residential homeowner, that is where relief needs to be targeted.

If we are going to do property tax relief, the process has to begin with saying, what is our target? Who are we going to provide relief to? I do not support property tax relief outside of the primary residential. I think it is a mistake, and frankly, the good chairman of the Appropriations Committee has shown why, because the dollars get very large when you start trying to eliminate all property tax. But if you are conscientious and you are careful and you focus your target on where relief is needed, and if there is going to be a tax shift and you use consumption taxes as those who have proposed to the right who want to see those kinds of taxes, then we use those kinds of taxes in a targeted way. Those who pay the taxes – those who pay the sales tax, those who pay the EIT (earned income tax) – would get the relief. This opens the door for the debate on property tax we so sorely need.

HB 76 and other options have been shot down. They have said there are drafting errors and there are technical issues, but the reality is, there is no issue that keeps us today to the beginning of March, towards the year, not 2013 or 2014, but in 2015 as this bill prescribes, property tax elimination for our seniors. It is a major step in the right direction.

This bill gives us a year and a half to choose from a whole source of funding sources. It is obvious, I did not take a no-tax pledge. I am here fully willing to throw out a whole list of revenues that we should be taking advantage of to fully fund our schools and to do so in a way that provides property tax relief. They are not mutually exclusive; they are complementary.

We no longer must pit the interests of our students against our seniors, and this bill offers us that opportunity. This begins us an opportunity for progressives and Tea Party guys to work together to eliminate the property tax, but in order to do that, you need to be willing to put up the tough vote.

I will certainly stand with you on the revenue votes. I will offer revenues that are not even consumption taxes if that is a bridge too far. We can do keno. We can do small games of chance. We can close corporate loopholes. We can do combined reporting once and for all. These are all within reach, but we have got to start putting up the vote on what property taxes we propose to eliminate. This is that opportunity.

If we put up this vote today, the clock starts ticking towards the year 2015, the year where we start eliminating taxes on those who are feeling it the worse. It is a major step in the right direction.

Now, again, the good chairman from the Appropriations Committee, whom I respect tremendously, he talks about offsetting revenue. Offsetting revenue was never the discussion that prohibited us from doing cracker plants or tax cuts to incentivize natural gas use by our corporate friends.

Mr. GROVE. Mr. Speaker? Mr. Speaker? Mr. Speaker?

THE SPEAKER PRO TEMPORE (SCOTT A. PETRI) PRESIDING

The SPEAKER pro tempore. Will the gentleman suspend.

For what reason—

Mr. GROVE. On the amendment.

The SPEAKER pro tempore. —does the gentleman, Mr. Grove, rise?

Mr. GROVE. On the amendment, Mr. Speaker. The speaker is going off the amendment.

The SPEAKER pro tempore. The gentleman will kindly confine his remarks to the subject matter. You may proceed.

Mr. BRADFORD. I appreciate that, Speaker pro tempore.

And let us be clear, the issue has been raised about offsetting revenue and we have to have that discussion about what offsetting revenue is out there. It is real. It is tangible. It is real dollars that can be providing the property tax relief that everyone campaigns that they support but no one will put up the vote for. Let us begin that conversation.

This bill, this amendment, says 2015 is when we get it done. It says, let us not do it through the amendment process, because we know that the majority leader will not support a real debate, whether in committee or on the floor, on what we need to do to do primary—

Mr. GROVE. Mr. Speaker?

Mr. BRADFORD. — residential property tax relief.

Mr. GROVE. Mr. Speaker?

The SPEAKER pro tempore. Will the gentleman suspend.

Mr. BRADFORD. This begins us down the road—

The SPEAKER pro tempore. Will the gentleman suspend.

Mr. GROVE. Mr. Speaker, on the amendment.

Mr. BRADFORD. —to doing it. Now, I realize—

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

The gentleman, Mr. Grove, is recognized; sorry.

Mr. GROVE. I think the speaker was given a lot of leeway, and if he could confine his remarks to the amendment and the issue at hand.

The SPEAKER pro tempore. The Speaker agrees with the gentleman. You have strayed a little bit. I would ask that you narrow your argument, please.

Mr. BRADFORD. Thank you again, Speaker, and I appreciate the efforts by the majority leader to curtail my comments.

Let us be clear: There is an opportunity to do some good today, but it will require bucking party leadership. This amendment is clearly capable of beginning a real discussion where we sit down – frankly, like they cannot do in

Washington, DC – where Democrats and Republicans sit together in a room and work out the compromise that needs to be done. We have the honest discussion about what revenues are available. We apply revenues that we will support. We do not eliminate taxes on those who, frankly, fund our schools. We are not going to eliminate the tax on the big pharmaceuticals or the big corporations. It is not going to be a corporate giveaway. It is going to be targeted. It is going to be limited. It is going to be appropriate, and we can fund it.

Let us begin today; 2015 we can eliminate property taxes for our seniors if we are willing to show the courage to buck the special interests to put up the vote.

So I ask for your support on this amendment that will begin the road towards primary residential property tax elimination beginning with our seniors. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Speaker recognizes the gentleman from Montgomery County, Representative Painter, on the amendment.

Mr. PAINTER. Thank you, Mr. Speaker.

Yesterday I voted for the amendment that was offered by my good friend and neighbor from Berks County. Every one of us knew that amendment was not perfect and was not going to solve the entire property tax problem all by itself, but we voted for it, those of us who did, because it was a step forward.

This bill, or this amendment, rather, similarly is not going to solve the problem, but then we are never going to see a bill or amendment before this chamber that solves the entire problem in one fell swoop. This is a problem that is a large problem for many of our residents, our homeowners, our constituents. Senior citizens are losing their homes every week in this Commonwealth. The problem is only going to get bigger. If we are waiting for the perfect bill that solves everything in one fell swoop, that is never going to happen.

This is the start of a process. It is a very good amendment. I salute my colleague from Montgomery County for offering it. Under this amendment, no senior citizen will ever lose their house in the Commonwealth again, and that is sufficient reason to vote "yes."

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Bucks County, Representative O'Neill, on the amendment.

Mr. O'NEILL. Thank you, Mr. Speaker.

Mr. Speaker, I just want to correct the record of the maker of the amendment. He said that in 2008 all Republicans voted for this amendment. If I am not mistaken – you can correct me if I am wrong – but if I am not mistaken, the former member from Philadelphia, the amendment he offered was targeted to specific seniors above a certain age at a \$40,000 threshold, and the money was coming from the gaming fund, not the Lottery Fund. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Allegheny County, Representative Kortz, on the amendment.

Mr. KORTZ. Thank you, Mr. Speaker.

I rise in support of amendment A3485, and I want to thank the prime sponsor for bringing this.

Mr. Speaker, this is nothing more than enabling legislation, we have heard that, that will help the most vulnerable in this State as it relates to school property tax relief.

But I do want to bring up, as it was brought up before, that this was brought to this House floor in the past. On January 29, 2008, this same amendment came here before the House floor and it passed with 159 "yes" votes. And yes, the majority chairman of the Appropriations Committee was absent that day, but the entire leadership team on the majority side that is here today voted "yes" for that amendment, January 29, 2008. I want to repeat that, Mr. Speaker. The entire majority team, leadership team on the majority side, absent the majority chair of the Appropriations, voted "yes" for this amendment, and that was amendment A5339 back on January 29, 2008.

So I would ask everybody, let us put up the "yes" votes just like we did back then with 159 yeses.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Monroe County, Representative Scavello, on the amendment.

Mr. SCAVELLO. Thank you, Mr. Speaker.

This is a great story, because I truly appreciate what he is doing and I support it. I supported that amendment back then as well. The difference is, Mr. Speaker, that amendment had funding, that was funded. This is not. I think everyone in this room would love to see property taxes eliminated, but guess what? When it comes down to putting the vote down to what tax you are reducing or what tax you are increasing, that is when everybody starts to run away. We would love to see this happen, but put the dollars there with your amendment and I am willing to work with you, because I would love to see it happen.

If the STAR (School Tax Relief) program in New York, it is almost modeled under the STAR program in New York State, I believe it is \$55,000, seniors earning under \$55,000. But we had that bill before in front of us. But it is nice to see us talking about property tax. We need to do more of it in this House, because if you poll this Commonwealth, that is the number one problem facing our seniors and our families.

I like the amendment, but unfortunately, there are no dollars. It is just a show. We need to fund it. We need to put the dollars with the amendment to make it happen.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Washington County, Representative Neuman, on the amendment.

Mr. NEUMAN. Thank you, Mr. Speaker.

Mr. Speaker, would the sponsor of the amendment rise for brief interrogation?

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

Mr. NEUMAN. Mr. Speaker, we have heard a lot from the other side that there is no funding source for your amendment. Could you kind of explain how you envision the funding source to make this amendment work?

Mr. BRADFORD. Thank you, and I think that is a great question to ask, because I think an ambiguity has been raised and I know one of the ways that property tax amendments have been shot down is we argue about ambiguities and drafting errors. But let us be blunt. Just like Speaker Perzel when he offered that motion, he said we could use gaming money. We are fine with redirecting every ounce of that gaming money towards this property tax rate.

Now, the people in Bensalem may not like to hear that news, and quite a few other communities that are doing quite well. I know my friend, Representative Briggs, might not like it. But

let us not kid ourselves: There is something more important than any of these other sources, which is providing relief to our seniors. This gives us that opportunity. We can create distinctions without a difference and say, oh well, that was then and this is now. But for our seniors, the problem is as real today as it was then, and it gets worse every year.

I say to you, there is a solution that is there for the taking. And again, if you are not comfortable with gaming, let us look at keno. Let us look at expanded table games. Let us look at opportunities that are there that are ripe for the picking.

And again, for my friends who support 76, who support consumption taxes, I think that has got to be on the table and part of the discussion. I am glad they are willing to look at revenue as part of that discussion, but it has got to be all of the above.

We have got to be willing to begin the process today towards 2015 with real residential primary tax elimination. This gets us going in that direction, and we are willing to put up the revenue votes to offset it.

Mr. NEUMAN. Thank you, Mr. Speaker.

On the amendment?

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

Mr. NEUMAN. Thank you, Mr. Speaker.

This amendment clearly gives the leeway to allow us to find a revenue source to help senior citizens eliminate their property taxes. They are the most vulnerable. They are the ones that have the least amount of income. They are the ones that we need to help. They are the ones that worked their whole lives to have a house, and now you want property taxes to potentially eliminate what they have worked so hard for.

So let us do the right thing. Let us adopt the Bradford amendment and let us use the revenue that we have and redirect what we need to do to make sure that our senior citizens have their properties protected.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Beaver County, Representative Matzie, on the amendment.

Mr. MATZIE. Thank you, Mr. Speaker.

In plain English, the amendment before us, 3485, eliminates school property taxes for seniors 65 and over, permanently disabled persons 18 and over, and widows/widowers 50 and over whose annual household income is \$50,000 or less. So basically, Mr. Speaker, in plain English, you are either for or against eliminating property taxes for our seniors and permanently disabled or not. Vote for the Bradford amendment.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from York, Representative Saylor, on the amendment.

Mr. SAYLOR. Thank you, Mr. Speaker.

Again, I want to set the record straight. This amendment has never been on this floor before. The amendment that was talked about by the gentleman from Philadelphia that was offered previously, in 2008, I believe, was actually an amendment I offered several years before that when we passed the gaming bill. Those amendments at that time were fully funded as part of the amendment. The money that is to go to senior citizens in those two previous amendments that were offered came out of the gaming fund, where there was money to pay for this at that time. So to take money out of the lottery, as this amendment does—

And I do not think there is one single member here who does not support, and ladies who do not support the concept and the ideal that the gentleman offers in this amendment. It is a very good concept, and I would love to vote for it. But I cannot vote to do something that they do in Washington all the time, and that is spend money we do not have.

Let us put this amendment into a bill, find the funding for it, and pass it, because I am for that. But the bottom line is, you cannot spend money you do not have. And we can find that money, but we have to find that funding stream before you spend these kinds of dollars of \$1.16 billion.

So, Mr. Speaker, instead of ending PACENET (Pharmaceutical Assistance Contract for the Elderly Needs Enhancement Tier) and shared ride and mass transit for our senior citizens of this State, let us do something that is truly going to get the results that the gentleman wants, and that is provide the funding to deliver on this amendment. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentlelady from Bucks County, Representative Quinn, on the amendment.

Ms. QUINN. Thank you, Mr. Speaker.

This body has had a good deal of turnover since January 29, 2008, and if my recollection is correct – and I am pretty darn certain it is, and I know I will be corrected by some of you if it is not – once that amendment that has been referenced was put into the bill, the subject bill at the time, the Speaker's desk closed down. It was a Tuesday, we broke, were never called back to the floor that day, and session was canceled for the following day. My point being that at that time when the majority of the House voted for that when there was in fact a funding source, for some reason we did not proceed with the bill.

I respectfully request that the maker of the amendment withdraws the amendment and has it redrafted so that its effective date is when there is an identified revenue source to fund it.

Mr. BRADFORD. Was that a question?

Ms. QUINN. It was not a question; it was a statement.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentlelady and recognizes the gentleman from Adams County, Representative Moul, on the amendment.

Mr. MOUL. Thank you, Mr. Speaker, for allowing Representative Moul to speak.

I would request interrogation of the maker of the bill for a moment, please – the amendment; I am sorry.

The SPEAKER pro tempore. The gentleman agrees, and you may proceed.

Mr. MOUL. Just a couple quick questions.

How did you come up with the dollar of income of \$50,000 as household revenue?

Mr. BRADFORD. I think like a lot of legislation, obviously you weigh a lot of concerns in your district. I wish I could say I had a magic wand or a magic number.

I think it is a number that most closely allows us to easily come up with the revenue we need to do the kind of tax shift we need for senior property tax relief. It is not so large, which I think was kind of the problem with 76 and some of the others, that frankly we could not come up with a stable enough revenue source to provide the property tax relief that is needed to be offset. I think we have revenue sources, you know, I kind of

lined them up in terms of what keno has projected to bring in, what small games of chance; again, trying to attract votes from those who do not want to necessarily vote for a consumption tax. There are those revenue sources that are there. Just like in the past, gaming has been used as a potential source of this.

These sources of revenue are real. They are stable. They are sufficient to afford the kind of relief that is being proposed in this bill, and that is why the under \$50,000, because that pretty much came up with a solid number.

Again, I would propose a bigger number. I would propose all primary residential property tax elimination, but again, we would have to talk about consumption taxes, and I know quite a few members of the party opposite have taken no-tax pledges and are unable to provide the kind of relief as a result of that.

Mr. MOUL. Thank you for your very long-winded answer. I am not trying to be – it is just you gave me a whole lot more than what I was looking for, because what I am asking is, do you feel that \$50,000 is on the borderline of poverty?

Mr. BRADFORD. I think and I listened to my colleagues yesterday and I took to heart the concerns of seniors throughout this Commonwealth. It is not just about seniors in poverty; it is about middle-class seniors who have done the right thing, who have worked hard and played by the rules at \$50,000 a year. They have paid for their house, and this is an opportunity to do something for them. So no, do I believe they are poor? No, but I do not think that is the standard. I think they are worthy.

Mr. MOUL. Okay. Thank you.

I am certainly not going to argue the worthiness for seniors, because I certainly would support helping seniors in any way. I certainly plan to be one someday.

However, we have to deal with the here and now. And I can only speak for my county, and the average blue-collar worker in my county of Adams makes \$28,000 a year. Now, let us put this into perspective a little bit. You can have a retired person on a pension—

The SPEAKER pro tempore. Will the gentleman cease a moment. Has the gentleman completed his interrogation?

Mr. MOUL. Not really, I am still trying to dig a little more information. I just want to try to dig this out. If you could—

Mr. BRADFORD. Do not worry, I have a good answer for that.

Mr. MOUL. —bear with me for a moment.

The SPEAKER pro tempore. So the Speaker would request that you continue with the interrogation and then make your argument, please.

Mr. MOUL. Okay, I will do that. I will tell you what, I will finish my interrogation and just make a statement then.

The SPEAKER pro tempore. Okay.

Mr. BRADFORD. Could I answer the outstanding questions?

Mr. MOUL. I would then follow this up by saying—

The SPEAKER pro tempore. The gentleman will cease. The gentleman will cease.

The gentleman, Representative Moul—

Mr. MOUL. Thank you.

The SPEAKER pro tempore. —is recognized. You may proceed.

Mr. MOUL. Thank you, Mr. Speaker.

I would contend to say that if you are a retired – and we will just pick them out – teacher, a State worker, how about a State Representative, who retires and you have a \$50,000 a year

income for the rest of your life. And chances are, chances are – and which we have heard the Representative say that they have worked all their lives, they have paid for their homes – chances are there are more people who are retired, percentage-wise, that have their homes paid for than those that are still working, the working class. And we are going to tell, by this legislation, we are going to tell a retired State Representative that has an income of 50 grand a year for the rest of his entire life, that he gets from those blue-collar workers I was just talking about at \$28,000 a year in my county and your counties as well, that not only do they have to pay his property taxes, but by raiding the Property Tax Relief Fund, that is less money coming in on his homestead exemption, so not only do we have to pay his property taxes for him when he makes double for the rest of his life, but now his property taxes, in a sense, are going up, because he is not getting as much out of the Property Tax Relief Fund.

To me, this does not seem fair. I am going to take a guy or a blue-collar worker from my county that has got a wife, a mortgage, and a couple of kids, that is making \$28,000 a year, I am going to increase his taxes while I am going to tell the State Representative that retired at 50 grand a year off of his back, that he gets his taxes paid for by the blue-collar worker. Think that one through for a minute. Not that we do not want to help seniors, but 50 grand? I think that is a bit excessive.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

BILL PASSED OVER

The SPEAKER pro tempore. The Chair recognizes the majority leader, Representative Turzai.

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

Mr. Speaker, I would request that we go over HB 1685 and the amendment 3485.

I think that the Representative raises a very good concept. I think it needs more work. I think we have to look at a funding source. I think it can be an option that comes in front of the House of Representatives along with the other legislation, and we will be going over on HB 1685 at this time. Thank you.

The SPEAKER pro tempore. Does the gentleman seek for the entire bill to be over or the amendment?

Mr. TURZAI. Thank you, sir; the entire bill.

The SPEAKER pro tempore. HB 1685 is over for today.

SUPPLEMENTAL CALENDAR A

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 111, PN 102**, entitled:

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

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—186

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

NAYS—8

Bloom	McGinnis	Metzgar	Swanger
Keller, F.	Metcalfe	Roae	Tobash

NOT VOTING—0

EXCUSED—8

Benninghoff	Donatucci	Gingrich	Masser
Bishop	Gabler	Godshall	Roebuck

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 28, PN 2065**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for definitions; and providing for nonmunicipal police extraterritorial jurisdiction for purposes of municipal police jurisdiction.

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

Davis	Hickernell	Mustio	Thomas
Day	James	Neilson	Tobash
Dean	Kampf	Neuman	Toepel
Deasy	Kauffman	O'Brien	Toohil
DeLissio	Kavulich	O'Neill	Truitt
Delozier	Keller, F.	Oberlander	Turzai
DeLuca	Keller, M.K.	Painter	Verab
Denlinger	Keller, W.	Parker	Vitali
Dermody	Killion	Pashinski	Waters
DiGirolamo	Kim	Payne	Watson
Dunbar	Kinsey	Peifer	Wheatley
Ellis	Kirkland	Petrarca	White
Emrick	Knowles	Petri	Youngblood
English	Kortz		

NAYS-0

NOT VOTING-0

EXCUSED-8

Benninghoff	Donatucci	Gingrich	Masser
Bishop	Gabler	Godshall	Roebuck

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.

GUESTS INTRODUCED

The SPEAKER pro tempore. Located to the left of the rostrum, the Chair welcomes Scott, Traci, Katelyn, Megan, Abigail, and Madelyn Derr; and Candace and Carolyn Plank. These individuals are the guests of Representative Regan and were the impetus behind HB 1594. Will you please stand and be recognized.

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1594, PN 2185**, entitled:

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.

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?

The Chair recognizes the Representative on the bill.
Mr. REGAN. Thank you, Mr. Speaker.

Mr. Speaker, we gather today and the crime of luring a child in Pennsylvania is a misdemeanor. I know from my 23 years as a law enforcement official in this Commonwealth that luring a child leads to the kidnapping of a child, which many times

tragically leads to the sexual assault and murder of a child. The woefully insufficient penalties for this crime of luring were recently brought to my attention in a prominent case in my district where these five wonderful children over here were stalked, lured, pursued, and terrorized by individuals who ultimately received a probationary sentence but qualified for an even lesser sentence.

This bill strengthens the penalties against those who prey on our kids. It protects our families. It protects our kids and protects innocence. And, Mr. Speaker, I would ask for my colleagues' support in the affirmative vote on this bill.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question recurring,
Shall the bill pass finally?

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

The following roll call was recorded:

YEAS-194

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

Emrick Knowles Petri Youngblood
English Kortz

NAYS-0

NOT VOTING-0

EXCUSED-8

Benninghoff Donatucci Gingrich Masser
Bishop Gabler Godshall Roebuck

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 1523, PN 2030**, entitled:

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

On the question,
Will the House agree to the bill on 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	Evankovich	Kotik	Pickett
Aument	Evans	Krieger	Pyle
Baker	Everett	Kula	Quinn
Barbin	Fabrizio	Lawrence	Rapp
Barrar	Farina	Longietti	Ravenstahl
Bizzarro	Farry	Lucas	Readshaw
Bloom	Fee	Mackenzie	Reed
Boback	Fleck	Maher	Reese
Boyle, B.	Flynn	Mahoney	Regan
Boyle, K.	Frankel	Major	Roae
Bradford	Freeman	Maloney	Rock
Briggs	Gainey	Markosek	Ross
Brooks	Galloway	Marshall	Rozzi
Brown, R.	Gergely	Marsico	Sabatina
Brown, V.	Gibbons	Matzie	Saccone
Brownlee	Gillen	McCarter	Sainato
Burns	Gillespie	McGeehan	Samuelson
Caltagirone	Goodman	McGinnis	Sankey
Carroll	Greiner	McNeill	Santarsiero
Causar	Grell	Mentzer	Saylor

Christiana	Grove	Metcalfe	Scavello
Clay	Hackett	Metzgar	Schlossberg
Clymer	Haggerty	Miccarelli	Schreiber
Cohen	Hahn	Micozzie	Simmons
Conklin	Haluska	Millard	Sims
Corbin	Hanna	Miller, D.	Smith
Costa, D.	Harhai	Miller, R.	Snyder
Costa, P.	Harhart	Milne	Sonney
Cox	Harkins	Mirabito	Stephens
Cruz	Harper	Miranda	Stern
Culver	Harris, A.	Molchany	Stevenson
Cutler	Harris, J.	Moul	Sturla
Daley, M.	Heffley	Mullery	Swanger
Daley, P.	Helm	Mundy	Tallman
Davidson	Hennessey	Murt	Taylor
Davis	Hickernell	Mustio	Thomas
Day	James	Neilson	Tobash
Dean	Kampf	Neuman	Toepel
Deasy	Kauffman	O'Brien	Toohil
DeLissio	Kavulich	O'Neill	Truitt
Delozier	Keller, F.	Oberlander	Turzai
DeLuca	Keller, M.K.	Painter	Vereb
Denlinger	Keller, W.	Parker	Vitali
Dermody	Killion	Pashinski	Waters
DiGirolamo	Kim	Payne	Watson
Dunbar	Kinsey	Peifer	Wheatley
Ellis	Kirkland	Petrarca	White
Emrick	Knowles	Petri	Youngblood
English	Kortz		

NAYS-0

NOT VOTING-0

EXCUSED-8

Benninghoff Donatucci Gingrich Masser
Bishop Gabler Godshall Roebuck

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 612, PN 1959**, entitled:

An Act relating to the right to practice naturopathic medicine; providing for the issuance of licenses and the suspension and revocation of licenses; providing for penalties; and making repeals.

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—161

Adolph	Ellis	Kim	Petrarca
Aument	Emrick	Kinsey	Petri
Baker	Evankovich	Kirkland	Pyle
Barbin	Evans	Kortz	Quinn
Bizzarro	Fabrizio	Kotik	Ravenstahl
Boback	Farina	Kula	Readshaw
Boyle, B.	Fee	Longietti	Reese
Boyle, K.	Fleck	Mackenzie	Regan
Bradford	Flynn	Maher	Roae
Briggs	Frankel	Mahoney	Rock
Brooks	Freeman	Maloney	Ross
Brown, R.	Gainey	Markosek	Rozzi
Brown, V.	Galloway	Marshall	Sabatina
Brownlee	Gergely	Marsico	Saccone
Burns	Gibbons	Matzie	Sainato
Caltagirone	Goodman	McCarter	Samuelson
Carroll	Greiner	McGeehan	Sankey
Christiana	Grell	McNeill	Santarsiero
Clay	Grove	Mentzer	Scavello
Clymer	Hackett	Miccarelli	Schlossberg
Cohen	Haggerty	Micozzie	Schreiber
Conklin	Hahn	Millard	Simmons
Costa, D.	Haluska	Miller, D.	Sims
Costa, P.	Hanna	Milne	Smith
Cox	Harhai	Mirabito	Snyder
Cruz	Harhart	Miranda	Sonney
Culver	Harkins	Molchany	Stephens
Cutler	Harper	Moul	Stern
Daley, M.	Harris, A.	Mullery	Stevenson
Daley, P.	Harris, J.	Mundy	Sturla
Davidson	Heffley	Murt	Taylor
Davis	Helm	Mustio	Thomas
Day	Hickernell	Neilson	Toepel
Dean	Kampf	Neuman	Turzai
Deasy	Kauffman	O'Brien	Vereb
DeLissio	Kavulich	Oberlander	Vitali
Delozier	Keller, F.	Painter	Waters
DeLuca	Keller, M.K.	Parker	Wheatley
Dermody	Keller, W.	Pashinski	White
DiGiroloamo	Killion	Payne	Youngblood
Dunbar			

NAYS—33

Barrar	Gillespie	McGinnis	Reed
Bloom	Hennessey	Metcalfe	Saylor
Causar	James	Metzgar	Swanger
Corbin	Knowles	Miller, R.	Tallman
Denlinger	Krieger	O'Neill	Tobash
English	Lawrence	Peifer	Toohil
Everett	Lucas	Pickett	Truitt
Farry	Major	Rapp	Watson
Gillen			

NOT VOTING—0

EXCUSED—8

Benninghoff	Donatucci	Gingrich	Masser
Bishop	Gabler	Godshall	Roebuck

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

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

CALENDAR CONTINUED

BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 20, PN 6**, entitled:

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

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

STATEMENT BY MR. MUSTIO

The SPEAKER pro tempore. For what purpose does Representative Mustio stand?

Mr. MUSTIO. I believe it is unanimous consent, Mr. Speaker.

The SPEAKER pro tempore. The gentleman is recognized and may proceed.

Mr. MUSTIO. I wanted to thank the body for passage of HB 612, but I also wanted to take time to thank my favorite chairwoman, Chairman Harhart, and Chairman Readshaw, and also the executive directors of the committee, Wayne Crawford and Marlene Tremmel, and also the gentleman from Westmoreland County, who a couple sessions ago had also sponsored the legislation.

Thank you, Mr. Speaker.

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 1538, PN 2053**, entitled:

An Act amending the act of August 15, 1961 (P.L.987, No.442), known as the Pennsylvania Prevailing Wage Act, authorizing optional prevailing wage ordinances.

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

* * *

The House proceeded to second consideration of **HB 1041, PN 1239**, entitled:

An Act amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, in emergency telephone service, providing for prohibited release of information.

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

Mr. **HACKETT** offered the following amendment No. **A03762**:

Amend Bill, page 1, line 10, by striking out "for a record"
Amend Bill, page 1, line 10, by striking out "section 708(b)(18)"
of"

Amend Bill, page 1, line 12, by inserting after "a" where it occurs the second time

public

Amend Bill, page 1, line 12, by inserting after "a" where it occurs the third time

public

Amend Bill, page 1, lines 14 through 16, by striking out "unless a court of competent jurisdiction" in line 14, all of line 15 and "interest in nondisclosure" in line 16

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

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

Mr. HACKETT. Thank you, Mr. Speaker.

Amendment A3762 makes some technical changes to HB 1041 and clarifies the bill's intent that the personal information provided during a 911 call – the caller's name, telephone number, address, and location – is not available to requesters under the Commonwealth's Right-to-Know Law. This is an agreed-upon amendment, and I respectfully request a "yes" vote.

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

The following roll call was recorded:

YEAS—194

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

Deasy	Kauffman	O'Brien	Toohil
DeLissio	Kavulich	O'Neill	Trutt
DeLozier	Keller, F.	Oberlander	Turzai
DeLuca	Keller, M.K.	Painter	Vereb
Denlinger	Keller, W.	Parker	Vitali
Dermody	Killion	Pashinski	Waters
DiGirolamo	Kim	Payne	Watson
Dunbar	Kinsey	Peifer	Wheatley
Ellis	Kirkland	Petrarca	White
Emrick	Knowles	Petri	Youngblood
English	Kortz		

NAYS—0

NOT VOTING—0

EXCUSED—8

Benninghoff	Donatucci	Gingrich	Masser
Bishop	Gabler	Godshall	Roebuck

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

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

(Bill as amended will be reprinted.)

* * *

The House proceeded to second consideration of **HB 36, PN 1244**, entitled:

An Act amending Title 12 (Commerce and Trade) of the Pennsylvania Consolidated Statutes, providing for an angel investment tax credit.

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

Mr. **MIRANDA** offered the following amendment No. **A01317**:

Amend Bill, page 9, lines 19 through 30; page 10, lines 1 through 7, by striking out all of said lines on said pages and inserting § 3811. Reports.

The secretary shall submit an annual report to the chair and minority chair of the standing committees in the Senate and the chair and minority chair of the standing committees in the House of Representatives with jurisdiction over the department and the Department of Revenue indicating the effectiveness of the tax credit provided under this chapter no later than March 15 following the fiscal year in which the tax credits were approved. Notwithstanding any law providing for the confidentiality of tax records, the report shall include all of the following:

- (1) The names of all taxpayers awarded the tax credits.
- (2) All taxpayers utilizing the tax credits.
- (3) The amount of tax credits approved and utilized by each taxpayer.
- (4) The names and locations of the qualified business ventures for which the tax credits were awarded.
- (5) The effect of the tax credit on the level of qualified investment.

(6) The amount of county economic activity and impact, including the number of jobs and the wages of the jobs, generated by qualified business ventures along with job training opportunities that have arisen as a result of receiving the tax credit.

(7) The incremental change in State and local taxes paid as a result of the tax credit.

(8) The net benefit of the tax credit to the economy of this Commonwealth as compared to alternative uses, such as reducing the corporate net income tax rate or increasing the research and development tax credit under Articles IV and XVII-B of the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971.

The report may also include any recommendations for changes in the calculation or administration of the tax credit. The report and the information contained in it shall be considered a public record under section 102 of the act of February 14, 2008 (P.L.6, No.3), known as the Right-to-Know Law.

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

AMENDMENT PASSED OVER TEMPORARILY

The SPEAKER pro tempore. The amendment will be gone over temporarily.

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

Mr. SIMS offered the following amendment No. **A02436**:

Amend Bill, page 2, by inserting after line 30 "Immediate family." A spouse, parent, sibling, child or a spouse of a parent, sibling or child.

Amend Bill, page 4, line 8, by inserting after "credit." The term shall not include any of the following:

(1) An individual who, alone or together with one or more members of the individual's immediate family, either prior to or as a result of the making of the qualified investment, owns 50% or more of the equity interest in the qualified business venture.

(2) A member of the immediate family of the individual described under paragraph (1).

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

The SPEAKER pro tempore. On that question, the Chair recognizes Representative Sims.

Mr. SIMS. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of amendment 2436.

Mr. Speaker, the whole point of the angel investment tax credit is to encourage new investment in Pennsylvania startups rather than to entice individuals who have already established businesses and who routinely invest in their businesses anyway. A2436 adds the definition of "Immediate family," which is defined as "A spouse, parent, sibling, child or a spouse of a parent, sibling or child." The amendment prohibits those with majority or principal ownership of a business and their immediate family from receiving the credit. Without this language, we could undermine the thrust of this bill, which is about encouraging startups, not providing a tax credit to mature businesses.

The very heart of the angel investment tax credit is new investment, new capital, new ideas, and new production. The program only has so much money, and this amendment will help ensure the program's limited funds are used to entice new investment and are targeted towards new businesses that exhibit a high potential for growth, and not to reward C.P.A.s (certified public accountants) for creative accounting.

This is a loophole, Mr. Speaker, that needs to be closed, and I ask for an affirmative vote. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

Will the House agree to the amendment?

On that question, the Representative from York, Representative Saylor, is recognized.

Mr. SAYLOR. Thank you, Mr. Speaker,

I do not know why we are trying to dictate to our business community and business structures who exactly can invest in them. I think we all know that angel investments are risky. It is one of the reasons this legislation is written as it is, to protect people.

But more importantly, to say that I want to start a company tomorrow and I am not allowed to ask my family and my friends to invest in my company is kind of ridiculous. Usually, if you are starting a company, are they not the first people you seek out to invest in your company? And it is, as we talk about it and how this angel tax credit works, it is a risk, and that is why it is being offered as a tax credit.

So I do not understand why you would exclude family members from it. They assume the same risk any other investor does and I do not think it is our place to dictate who should invest in a company.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

Will the House agree to the amendment?

Anyone seeking recognition? The Chair recognizes the gentleman from Philadelphia, Representative Thomas. He waives off. Thank you.

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

The following roll call was recorded:

YEAS-93

Barbin	DeLuca	Kinsey	Painter
Bizzarro	Dermody	Kirkland	Parker
Boyle, B.	English	Kortz	Pashinski
Boyle, K.	Evans	Kotik	Petrarca
Bradford	Fabrizio	Krieger	Ravenstahl
Briggs	Farina	Kula	Readshaw
Brown, V.	Flynn	Longietti	Rozzi
Brownlee	Frankel	Lucas	Sabatina
Burns	Freeman	Mahoney	Sainato
Caltagirone	Gainey	Markosek	Samuelson
Carroll	Galloway	Matzie	Santarsiero
Clay	Gergely	McCarter	Schlossberg
Cohen	Gibbons	McGeehan	Schreiber
Conklin	Goodman	McNeill	Sims
Costa, D.	Haggerty	Miller, D.	Snyder
Costa, P.	Haluska	Mirabito	Sturla
Cruz	Hanna	Miranda	Thomas
Daley, M.	Harhai	Molchany	Truitt
Daley, P.	Harkins	Mullery	Vitali

Davidson	Harris, J.	Mundy	Waters
Davis	Kavulich	Neilson	Wheatley
Dean	Keller, W.	Neuman	White
Deasy	Kim	O'Brien	Youngblood
DeLissio			

NAYS—101

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

NOT VOTING—0

EXCUSED—8

Benninghoff	Donatucci	Gingrich	Masser
Bishop	Gabler	Godshall	Roebuck

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 Chair returns to consideration of amendment 1317 and recognizes the gentleman, Representative Miranda.

The clerk will read a summary of the bill. I am sorry; the clerk will read a summary of the amendment.

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

Mr. **MIRANDA** offered the following amendment No. **A01317**:

Amend Bill, page 9, lines 19 through 30; page 10, lines 1 through 7, by striking out all of said lines on said pages and inserting § 3811. Reports.

The secretary shall submit an annual report to the chair and minority chair of the standing committees in the Senate and the chair and minority chair of the standing committees in the House of Representatives with jurisdiction over the department and the Department of Revenue indicating the effectiveness of the tax credit

provided under this chapter no later than March 15 following the fiscal year in which the tax credits were approved. Notwithstanding any law providing for the confidentiality of tax records, the report shall include all of the following:

- (1) The names of all taxpayers awarded the tax credits.
- (2) All taxpayers utilizing the tax credits.
- (3) The amount of tax credits approved and utilized by each taxpayer.
- (4) The names and locations of the qualified business ventures for which the tax credits were awarded.
- (5) The effect of the tax credit on the level of qualified investment.
- (6) The amount of county economic activity and impact, including the number of jobs and the wages of the jobs, generated by qualified business ventures along with job training opportunities that have arisen as a result of receiving the tax credit.
- (7) The incremental change in State and local taxes paid as a result of the tax credit.
- (8) The net benefit of the tax credit to the economy of this Commonwealth as compared to alternative uses, such as reducing the corporate net income tax rate or increasing the research and development tax credit under Articles IV and XVII-B of the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971.

The report may also include any recommendations for changes in the calculation or administration of the tax credit. The report and the information contained in it shall be considered a public record under section 102 of the act of February 14, 2008 (P.L.6, No.3), known as the Right-to-Know Law.

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

The SPEAKER pro tempore. The gentleman is recognized. Mr. MIRANDA. Thank you, Mr. Speaker.

The purpose of this amendment is to strengthen the reporting requirement so that in the future policymakers and the public can have a better understanding of whether or not the angel investment model produces the economic stimulus hoped for.

Mr. Speaker, the amendment requires the qualified business venture to supply the Secretary with information on job creation, investment, and the net benefit to our economy. The Secretary is also to report county economic activity and the number of jobs created, along with wage information and information about new training opportunities that have arisen due to the tax credit.

Mr. Speaker, this amendment carries forward existing language already contained in the bill but expands the information that will be collected, thereby greatly enhancing the usefulness of the report. Over time we will collect a wealth of information that will help us make an informed decision about whether or not this program should continue or whether or not it deserves, perhaps, expanded funding.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and, on that question, recognizes Representative Saylor from York on the amendment.

Mr. SAYLOR. Thank you, Mr. Speaker.

I appreciate the gentleman's amendment, but it is already in the bill. It requires the Secretary to report by no later than March 15 of the preceding year. It subjects that report to Right-to-Know, as well as the names of the businesses who receive that tax report, as well as recommendations on, if needed, how to improve the tax credit system as well.

So there is no need for this amendment. It is already in the bill. 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—89

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

NAYS—105

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

NOT VOTING—0

EXCUSED—8

Benninghoff	Donatucci	Gingrich	Masser
Bishop	Gabler	Godshall	Roebuck

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?

Mrs. DAVIDSON offered the following amendment No. A02437:

Amend Bill, page 9, by inserting between lines 18 and 19 § 3810.1. Recapture.

A taxpayer shall repay to the Commonwealth any or all of the tax credit claimed by the taxpayer under this chapter if the taxpayer withdraws any portion of its qualified investment at any time during the period commencing with the date of its investment through the taxable year that the taxpayer claims or carries over unused portions of the tax credit under section 3806 (relating to carryover, application of tax credit, carryback, refund and assignment). The amount of the repayment shall be calculated as follows:

(1) If the withdrawal occurs in the taxable year in which the investment was made or in the taxable year following the taxable year in which the investment was made, the aggregate amount of the tax credit claimed by the taxpayer during both taxable years shall be repaid to the Commonwealth.

(2) If the withdrawal occurs in the second taxable year following the taxable year in which the investment was made or any subsequent taxable year, the amount of the tax credit claimed by the taxpayer in the taxable year in which the withdrawal occurs shall be repaid to the Commonwealth.

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

The SPEAKER pro tempore. On that amendment, Representative Davidson is recognized.

Mrs. DAVIDSON. Thank you, Mr. Speaker.

Mr. Speaker, this amendment ensures that where a qualified investment has been made and then retracted by the investor, that any credit extended to that investor is repaid to the Commonwealth. This amendment provides accountability for those who use the angel investment tax credit. It simply requires that a taxpayer who receives a credit to pay back the Commonwealth if he or she withdraws or divests any portion of that investment at any time from inception through the taxable year of the credit it is claimed to be carried forward.

This amendment provides a disincentive, Mr. Speaker, for those who are looking to game the system by investing in a startup, collecting the tax credit, and then pulling their investment. Without this provision, Mr. Speaker, there is no protection for the taxpayer. This scenario could occur weeks or even days after the investment is made. This scheme could be repeated with the investors sending capital elsewhere and then reclaiming a tax credit.

This amendment is intended to build trust and a level of confidence, not only for the program itself, but for the qualified business ventures which are relying on a stable source of investment income.

And I want to commend the maker of the bill. I do support angel investments and I do think that it is something that is very needed in the Commonwealth. Also, we do need to protect our taxpayers when investments and tax credits are given by the Commonwealth, so I ask for a supportive vote.

The SPEAKER pro tempore. The Chair thanks the gentlelady and recognizes Representative Saylor on the amendment.

Mr. SAYLOR. Thank you, Mr. Speaker.

This amendment was defeated in committee 15 to 10. And again, angel investors are typically in a business venture for a short term, about approximately 5 years. Within that business agreement, there is usually a defined exit strategy about either acquisition, sale, or the initial public offering. And this amendment would discourage business startups, as angel investors would typically be required to repay the tax credit if they operated under a typical 5-year investment strategy.

So again, I do not see this as adding a positive note to the bill. I think it discourages angel investments. And I appreciate the maker of the motion's compliments on the bill and I appreciate the fact that she wants to improve it, but I think this has a detriment to the bill, and I would ask for a "no" vote, Mr. Speaker.

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

On that question, Representative Davidson is recognized for a second time.

Mrs. DAVIDSON. Would the maker stand for brief interrogation?

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

Mrs. DAVIDSON. Thank you, Mr. Speaker.

Is there anything in the current bill that will protect the taxpayer if the investment is not done in the way that provides the tax credit to the investor? Is there anything in the bill currently, any clawback provision whatsoever to protect the taxpayer?

Mr. SAYLOR. Yes, there is.

Mrs. DAVIDSON. What would that be, please, Mr. Speaker?

Mr. SAYLOR. Under section 38, "Repayment. The department shall require the taxpayer to repay any tax credit received under this chapter where the department, in conjunction with the Department of Revenue, determines that any of the following conditions exist: (1) That the qualified business venture did not satisfy the requirements of the qualified business plan submitted at the time of application," and "(2) That the business in which the taxpayer made the qualified investment is no longer a qualified business venture," and "(3) That the taxpayer received the tax credit as a result of fraud."

Mrs. DAVIDSON. Thank you, Mr. Speaker.

On the bill?

The SPEAKER pro tempore. You may proceed on the amendment.

Mrs. DAVIDSON. On the amendment, thank you.

I would contend, Mr. Speaker, that this amendment strengthens the clawback provision in this legislation, proposed legislation, and that this should be supported in order to protect the taxpayer further.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentlelady.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—100

Bizzarro	DeLissio	Kinsey	Painter
Boback	DeLuca	Kirkland	Parker
Boyle, B.	Dermody	Kortz	Pashinski
Boyle, K.	DiGirolamo	Kula	Petrarca
Bradford	English	Longietti	Quinn
Briggs	Evans	Maher	Ravenstahl
Brooks	Fabrizio	Mahoney	Readshaw
Brown, R.	Farina	Markosek	Rozzi
Brown, V.	Flynn	Marshall	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	Miranda	Thomas
Cruz	Hanna	Molchany	Truitt
Daley, M.	Harhai	Mullery	Vitali
Daley, P.	Harkins	Mundy	Waters
Davidson	Harris, J.	Mustio	Watson
Davis	Kavulich	Neilson	Wheatley
Dean	Keller, W.	Neuman	White
Deasy	Kim	O'Brien	Youngblood

NAYS—94

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

NOT VOTING—0

EXCUSED—8

Benninghoff	Donatucci	Gingrich	Masser
Bishop	Gabler	Godshall	Roebuck

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

On the question,

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

Bill as amended was agreed to.

DECISION OF CHAIR RESCINDED

The SPEAKER pro tempore. Without objection, the Chair rescinds its announcement that the bill has been agreed to on second consideration as amended.

On the question recurring,

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

Mr. THOMAS offered the following amendment No. A02441:

Amend Bill, page 7, line 1, by inserting after "year." The sale or assignment must be conditioned upon the seller or assignor compensating the buyer or assignee for compliance with section 3810 (relating to repayment).

On the question,

Will the House agree to the amendment?

The SPEAKER pro tempore. The Chair recognizes Representative Thomas, the gentleman from Philadelphia.

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, I encourage members of both sides to support this. This amendment is really about clawback when there is noncompliance to the rules of the investment. The last amendment was about accountability; this is about allowing the Commonwealth to protect its interests in the case of noncompliance.

LEAVE OF ABSENCE CANCELED

The SPEAKER pro tempore. The Chair recognizes the presence of Representative Benninghoff from Centre County, and his name will be added to the master roll.

CONSIDERATION OF HB 36 CONTINUED

The SPEAKER pro tempore. On the amendment, the Chair recognizes Representative Saylor from York County.

Mr. SAYLOR. Thank you, Mr. Speaker.

Again, this amendment was defeated in committee by a vote of 16 to 9. Why is the seller of a tax credit being required to compensate the buyer of a tax credit for compliance with a repayment section before the sale or consignment of a tax credit? And who would determine the cost of the compliance?

Again, under section 3810, repayment already requires the taxpayer to repay any tax credit if the business did not satisfy the business plan and if the business becomes unqualified and if the tax credit was received as a result of fraud.

So, Mr. Speaker, I ask for a negative vote on this.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes Representative Thomas for the second time.

Mr. THOMAS. Thank you, Mr. Speaker.

This amendment is really about punishment for failure to comply; the Commonwealth protecting its interests in a case where there is fraud or where the tax credit beneficiary does not comply with the rules. If you look at the bill, the bill provides

aesthetic penalties but does not provide any specificity as to how the Commonwealth of Pennsylvania will get its taxpayers' money back.

As the speaker said, this is a risky business, and we have a responsibility that even in risky businesses to try to provide as much protection as possible. So this just kind of lays out a clawback policy in cases of noncompliance.

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-86

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

NAYS-109

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

NOT VOTING-0

EXCUSED—7

Bishop Donatucci	Gabler Gingrich	Godshall Masser	Roebuck
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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?

Bill as amended was agreed to.

(Bill as amended will be reprinted.)

MOTION TO PROCEED TO CONSIDERATION UNDER RULE 24

The SPEAKER pro tempore. The Chair recognizes the majority leader, Representative Turzai, for a motion.

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

Sir, I would like to move to proceed on HB 1189. I know there was significant debate, and if my colleague on the other side of the aisle was amenable to that, we could— It is the last bill of the day, and we would be able to close up and be back here on October 15.

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

The SPEAKER pro tempore. On the motion, the Chair recognizes the gentleman, Representative Sturla.

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, I was wondering if the majority leader might be willing to consider going over this legislation just as we did 1685 until we have a chance to deal with the Bradford amendment on 1685. For the same reasons that we went over the Bradford amendment, 1685, I think it would be advantageous to members to look at this, look at the Bradford amendment on 1685 before we proceed with this.

The SPEAKER pro tempore. The Chair recognizes the majority leader.

Mr. TURZAI. To the good gentleman from Lancaster County, HB 1189 was significantly vetted on second and we have a motion to proceed. I will say this: I think that the concept put forth under HB 1685 – and it is an entirely different option, but not a mutually exclusive option, by the way – is one that we will certainly be meeting with to look at a freeze for some segment and what a potential revenue source might be, but that was not in 685 – I think I am saying the correct amendment number; 1685; excuse me – and we would like to move to proceed if leadership from the other side is amenable to that.

Mr. STURLA. Thank you.

The SPEAKER pro tempore. The gentleman indicates that he is.

The Chair recognizes the minority leader, Representative Dermody, on the motion.

Mr. DERMODY. Thank you, Mr. Speaker.

I, also, would urge the members to vote for the motion to proceed.

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

The following roll call was recorded:

YEAS—174

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

NAYS—21

Boyle, B.	Dean	Lawrence	Mullery
Conklin	Freeman	Matzie	Samuelson
Cutler	Galloway	McCarter	Swanger
Daley, M.	Grell	Metzgar	Truitt
Davidson	Kim	Miller, D.	White
Davis			

NOT VOTING—0

EXCUSED—7

Bishop Donatucci	Gabler Gingrich	Godshall Masser	Roebuck
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A majority of the members required by the rules having voted in the affirmative, the question was determined in the affirmative and the motion was agreed to.

SUPPLEMENTAL CALENDAR A CONTINUED

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1189, PN 2427**, entitled:

An Act amending the act of December 31, 1965 (P.L.1257, No.511), known as The Local Tax Enabling Act, providing for optional property tax elimination.

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—149

Adolph	Everett	Killion	Painter
Aument	Fabrizio	Kim	Pashinski
Baker	Farina	Kortz	Payne
Benninghoff	Farry	Kotik	Peifer
Bizzarro	Fee	Krieger	Petrarca
Bloom	Fleck	Kula	Petri
Boback	Flynn	Lawrence	Pickett
Boyle, B.	Frankel	Longiotti	Pyle
Bradford	Freeman	Mackenzie	Quinn
Brown, R.	Gainey	Mahoney	Ravenstahl
Brown, V.	Galloway	Major	Readshaw
Burns	Gergely	Markosek	Reed
Caltagirone	Gibbons	Marshall	Reese
Carroll	Gillespie	Marsico	Regan
Causar	Greiner	Matzie	Ross
Christiana	Grell	McGeehan	Sabatina
Clymer	Grove	McGinnis	Saccone
Conklin	Hackett	McNeill	Sainato
Corbin	Haggerty	Mentzer	Samuelson
Costa, D.	Hahn	Metzgar	Sankey
Costa, P.	Haluska	Miccarelli	Santarsiero
Cruz	Hanna	Micozzie	Saylor
Culver	Harhai	Millard	Schlossberg
Cutler	Harhart	Miller, D.	Schreiber
Daley, P.	Harkins	Miller, R.	Smith
Davidson	Harper	Milne	Snyder
Davis	Harris, A.	Mirabito	Sonney
Day	Heffley	Molchany	Stephens
Deasy	Helm	Moul	Stern
DeLozier	Hennessey	Mullery	Stevenson
DeLuca	Hickernell	Mundy	Tallman
Denlinger	James	Murt	Taylor
Dermody	Kampf	Neilson	Toohil
Dunbar	Kavulich	Neuman	Turzai
Ellis	Keller, F.	O'Brien	Watson
Emrick	Keller, M.K.	O'Neill	Wheatley
English	Keller, W.	Oberlander	White
Evankovich			

NAYS—46

Barbin	DiGirolamo	McCarter	Sims
Barrar	Evans	Metcalfe	Sturla
Boyle, K.	Gillen	Miranda	Swanger
Briggs	Goodman	Mustio	Thomas
Brooks	Harris, J.	Parker	Tobash
Brownlee	Kauffman	Rapp	Toepel
Clay	Kinsey	Roae	Truitt
Cohen	Kirkland	Rock	Vereb
Cox	Knowles	Rozzi	Vitali
Daley, M.	Lucas	Scavello	Waters
Dean	Maher	Simmons	Youngblood
DeLissio	Maloney		

NOT VOTING—0

EXCUSED—7

Bishop	Gabler	Godshall	Roebuck
Donatucci	Gingrich	Masser	

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

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

STATEMENT BY MR. CLYMER

The **SPEAKER pro tempore**. Does the gentleman, Representative Grove, seek to be recognized?

The Chair recognizes Representative Clymer under unanimous consent.

Mr. CLYMER. Mr. Speaker, this will just take a minute, and it is some good news that we get from the Capitol Preservation Committee. We were recently honored by Preservation Pennsylvania.

Preservation Pennsylvania is the Commonwealth's only statewide, private, nonprofit membership organization dedicated to the protection of historically significant properties. And last week we received from them, because of the South Capitol Park improvements and reconstruction, we received their construction project award, and this is for special historic properties.

So we are very pleased. I am pleased to announce to the members of the General Assembly of another award that the Capitol Preservation has received, but to let the members know that their moneys, when they provide those dollars to CPC, they are well spent, they are well used. And in this case, we are very proud of the South Capitol Park and I am sure members who have walked through the park have seen major improvements over the last year and a half.

So thank you, Mr. Speaker.

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

ANNOUNCEMENT BY MR. SANTARSIERO

The **SPEAKER pro tempore**. The Chair recognizes the gentleman from Bucks County, Representative Santarsiero, for an announcement.

Mr. SANTARSIERO. Thank you, Mr. Speaker.

Mr. Speaker, I want to remind the Democratic members of the southeastern delegation that we are going to have an immediate meeting in my conference room, an immediate meeting in my conference room in the East Wing. Thank you. It will be brief.

The SPEAKER pro tempore. The Chair thanks the gentleman.

BILLS RECOMMITTED

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

HB 20;
HB 36;
HB 125;
HB 1041;
HB 1538; and
HB 1677.

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 494;
HB 1513;
HB 1584; and
SB 648.

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

CALENDAR CONTINUED

BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 777**, **PN 889**, entitled:

An Act amending the act of August 26, 1971 (P.L.351, No.91), known as the State Lottery Law, in Pharmaceutical Assistance for the Elderly, further defining "income"; and further providing for determination of eligibility.

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 777 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 777 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.

STATEMENT BY MR. BENNINGHOFF

The SPEAKER pro tempore. For what purpose does the gentleman from Centre County, Representative Benninghoff, rise?

Mr. BENNINGHOFF. I just had a quick comment under unanimous consent.

The SPEAKER pro tempore. The gentleman is recognized under unanimous consent.

Mr. BENNINGHOFF. To the membership, I know we have had a busy week, and sometimes—

The SPEAKER pro tempore. Will gentleman cease a moment. May we have some order, please? May we have some order?

The gentleman is recognized.

Mr. BENNINGHOFF. I will be brief. I know we have had a contentious week and a lot of different issues facing us. I this morning sat in a hospital waiting room, and as I was busily going through emails and all the stuff that keeps us so occupied in our lives in this electronic age, I was blessed to hear a bell system ring over the intercom announcing the birth of my daughter's baby. And it was a grandson, Aaron James Cleaver. Thank you.

And selfishly I share that, obviously as a new grandpa, which is a greater title than Representative, as much as I love my constituents letting me be a Representative. But it was a reminder that in the scope of life, that ringing of the bell says what we need to stay focused on, and it is those little people in the world and the joy they bring us. And as a father of five, I could not believe how I could fall in love again with this little child. Thank you

The SPEAKER pro tempore. The gentleman is to be congratulated. Thank you.

STATEMENT BY MR. GROVE

The SPEAKER pro tempore. For what purpose does the gentleman from York rise?

Mr. GROVE. Unanimous consent, Mr. Speaker.

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

Mr. GROVE. Thank you, Mr. Speaker.

I just want to thank my colleagues for their affirmative votes on HB 1189. A huge thank you to the chairman of the Finance Committee, Grandpa Kerry Benninghoff. A special thanks to all my colleagues who have worked hard to bring this issue to the forefront, my colleagues from Berks County, Allegheny

County, York, Lancaster, Monroe, Pike, Wayne, and all across. I do forget your delegation, your county number. My colleagues from the southeast: Bucks, Montco, Delaware, Chester. Thank you very much. Without a unified support, this issue would not be put to the forefront of the House.

REMARKS SUBMITTED FOR THE RECORD

Mr. GROVE. And I would like to submit my official remarks, all four pages' worth, to the record.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

Thank you Mr. Speaker,

HB 1189, or the Optional Property Tax Elimination Act (OPTEA), was developed to find consensus among our chamber to deal with the scourge of school property tax.

The taxation of property has been and always will be the most hated tax by homeowners. They get a bill every year so they see how much taxes they are paying. It is not based on an individual's ability to pay. On the other side of the argument, property taxes are a stable tax base. School business managers are used to this tax. Change is slow and tedious in Pennsylvania. It always has been and always will be.

But change is in the air this evening. Thanks to the hard work, dedication, and perseverance of so many of my colleagues here today and many which came before, we will finally have an opportunity to provide school districts the mechanism to eliminate their property taxes.

Before I get into the details of HB 1189, I wanted to thank the delegations of Berks County, Monroe County, Lancaster, York, Butler, Wayne, Pike, Carbon, Schuylkill, Lebanon, Luzerne, Centre, Bucks, Montgomery, Chester, Adams, Westmoreland, and Allegheny, who have been a constant and loud voice for the elimination of school property taxes. I applaud them and thank them all for their leadership. I would also like to thank the chairman of the House Finance Committee for his steadfast and honest leadership, but also congratulate him on being a new grandfather; Leader Turzai for his help, wisdom, and working to find a consensus solution to a problem which has plagued this Commonwealth for decades; Tammy Fox, the executive director of the Finance Committee; and Ritchie LaFaver, deputy executive director of the Appropriations Committee for their tireless efforts dealing with property taxes.

What does HB 1189 do? There are many States with lower property taxes than Pennsylvania across the United States because they allow their local governments to have more taxing options, thus local governments are not solely funded by property taxes. Even in Pennsylvania school districts that have raised their EIT (earned income tax) rates have less property taxes. HB 1189 builds on this fact. It allows school districts to implement an elimination tax in order to eliminate or reduce their property taxes. Every dollar raised by the elimination tax is mandated to reduce property taxes dollar for dollar. If you are uneasy or do not trust your school districts, do not worry. The Auditor General of Pennsylvania is mandated to audit school districts' finances, and if a school district would violate this provision, it will show up in an audit.

The elimination tax consists of an earned income tax, business privilege tax, and/or a mercantile tax. School boards are authorized to set the rates of the taxes to provide the level of reduction or complete elimination their local community is demanding. This legislation does not dictate nor mandate to school districts.

This tax mix was selected to ensure businesses that currently pay property taxes would ensure they still pay taxes and ensure that business taxes are not shifted to wage earners. The EIT was selected over a PIT (personal income tax) due to its stability. As I stated, property taxes are a stable tax. The portions of the PIT which tax business income and personal investments have wide swings. Looking at our own State PIT, the business and investment revenue portions saw an increase of 26.4 percent in 2008 and reductions of 46 percent in 2009 and 22.4 percent in 2010. Is this the stability we want in local education funding? The wage component of the State's PIT saw a 3.7-percent increase in 2008, a 0.2-percent decrease in 2009, and a 0.7-percent increase in 2010. This is the stability we want to fund education.

Combined, the elimination tax provides school districts with tax options which grow naturally with the economy, unlike property taxes. This is a powerful tool as school districts will not have to raise tax rates in order to fund inflationary increases as their costs increase. The elimination tax rates can remain constant while providing increases to school districts. This is a much more effective approach in budgeting and adds taxpayer protections.

HB 1189 provides a multitude of options for school districts to deal with their property taxes. In areas where the local populace is demanding elimination, it eliminates. In areas where the local populace wants reductions, it reduces. In areas that want to be left alone, it allows them to keep the status quo. This flexibility is why HB 1189 will be successful. It does not mandate a one-size-fits-all fix. It allows local communities to choose their tax base.

HB 1189 has taxpayer protections. If a school district eliminates its property taxes, the elimination tax is locked into Act 1, which has proven to work. If a school district decides to reduce property taxes, the elimination tax revenue can only be used to further reduce property taxes until they are eliminated. In no way does HB 1189 provide new or increasing revenue for new spending. The elimination tax is for the elimination of property taxes.

In closing, Mr. Speaker, HB 1189 provides a multitude of possibilities for school districts to once and for all deal with property taxes. Let us follow in the footsteps with what works and learn from our sister States on how they have lower property taxes. And might I add, if HB 1189 is signed into law, this would be the first mechanism which allows local governments to eliminate their property taxes in the United States.

The SPEAKER pro tempore. There will be no further votes today.

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. The gentleman, Representative Schlossberg, is recognized, the gentleman from Lehigh County, and moves that the House be adjourned until Tuesday, October 15, 2013, at 1 p.m., e.d.t., unless sooner recalled by the Speaker.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 3:07 p.m., e.d.t., the House adjourned.