

# COMMONWEALTH OF PENNSYLVANIA

## LEGISLATIVE JOURNAL

WEDNESDAY, NOVEMBER 13, 2013

SESSION OF 2013

197TH OF THE GENERAL ASSEMBLY

No. 70

### HOUSE OF REPRESENTATIVES

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

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

#### PRAYER

HON. MARK PAINTER, member of the House of Representatives, offered the following prayer:

Let us pray:

O Lord, our Mother, Father, and sovereign God, how great is Your name, how majestic is Your creation. The everyday miracles of our world fill us with awe. The marvels of the universe inspire us with wonder. We seem such small and feeble parts of Your mysterious plan.

This House meets today to consider the needs of this corner of creation called Pennsylvania. Even here, Lord, we are mindful that our bodies are frail, our minds clouded. Our constituents entrust us with weighty responsibilities and we know that on our own we have not the might to bear this burden, and so we turn to You for help and guidance.

We marvel, as did the Psalmist of old. What are women and men that You are mindful of them? What are our daughters and sons that you regard them?

Grant us the graces that we need to become equal to the responsibilities with which we have been entrusted. Grant health and strength to our bodies. Grant clarity and insight to our minds. We know that justice and mercy, grace and charity are Your good gifts. Open our hearts to them. We ask not for our own sake, for we are unworthy, but rather that we might become the instruments by which You pour out Your blessings upon our constituents and our Commonwealth.

O Lord, our Mother and Father, our sovereign God, how great is Your name, how tender is Your mercy. 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, November 12, 2013, will be postponed until printed.

### BILL ON CONCURRENCE REPORTED FROM COMMITTEE

**HB 1098, PN 2639** (Amended)

By Rep. TURZAI

An Act amending the act of December 19, 1988 (P.L.1262, No.156), known as the Local Option Small Games of Chance Act, further providing for definitions, for games of chance permitted, for distributor licenses, for major league sports drawing, for club licensee, for distribution of proceeds, for records and for raffle tickets; providing for background checks; further providing for enforcement; providing for tavern gaming and for a host municipality tavern games tax; establishing the Host Municipality Tavern Games Local Share Account; providing for a report of the Legislative Budget and Finance Committee; and making an editorial change.

RULES.

### RESOLUTION REPORTED FROM COMMITTEE

**HR 111, PN 2646** (Amended)

By Rep. GODSHALL

A Resolution urging the Commonwealth to upgrade its broadband communications network for use by the private and public sectors in the Northern Tier of this Commonwealth.

CONSUMER AFFAIRS.

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

**HB 490, PN 513**

By Rep. METCALFE

An Act amending the act of August 5, 1941 (P.L.752, No.286), known as the Civil Service Act, further providing for powers and duties of director.

STATE GOVERNMENT.

**HB 1534, PN 2049**

By Rep. CAUSER

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, providing for a coyote control incentive program.

GAME AND FISHERIES.

**HB 1576, PN 2647** (Amended)

By Rep. CAUSER

An Act providing a process for the designation of certain species.

GAME AND FISHERIES.

**SB 607, PN 1556** (Amended) By Rep. GODSHALL

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

CONSUMER AFFAIRS.

**SB 763, PN 782** By Rep. CAUSER

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, further providing for roster of parties hunting big game.

GAME AND FISHERIES.

**SB 895, PN 1422** By Rep. CAUSER

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, further providing for organization of commission.

GAME AND FISHERIES.

### HOUSE RESOLUTION INTRODUCED AND REFERRED

**No. 550** By Representatives HARHAI, GILLESPIE, SCHLOSSBERG, R. MILLER, COHEN, KOTIK, KIRKLAND, HAGGERTY, LUCAS, B. BOYLE, KINSEY, V. BROWN, BROWNLEE, CALTAGIRONE, JAMES, YOUNGBLOOD, BOBACK, BIZZARRO, SCHREIBER, READSHAW, HENNESSEY, SWANGER, DAVIS, MAHONEY, GODSHALL, WHITE, KORTZ, PARKER, GINGRICH, ROSS, MURT, FARINA, REED, CLYMER, MAJOR, GRELL, FLECK, GOODMAN, THOMAS, MCNEILL, DELISSIO, WATSON, SABATINA and SCAVELLO

A Resolution directing the Joint State Government Commission to establish a bipartisan legislative task force and an advisory committee to conduct a study of the occurrence, effects and trends of homelessness in Pennsylvania and to report its findings and recommendations to the House of Representatives.

Referred to Committee on HEALTH, November 13, 2013.

### HOUSE BILLS INTRODUCED AND REFERRED

**No. 1829** By Representatives KIM, NEILSON, W. KELLER, McGEEHAN, HELM, DAVIS, BROWNLEE, HAGGERTY, KORTZ, COHEN and D. COSTA

An Act amending the act of June 23, 1931 (P.L.932, No.317), known as The Third Class City Code, providing for emergency services reimbursement.

Referred to Committee on LOCAL GOVERNMENT, November 13, 2013.

**No. 1830** By Representatives MALONEY, METCALFE, SACCONI, MILLARD, JAMES, HAGGERTY, KAUFFMAN, MURT, BARRAR, GODSHALL, SWANGER, DENLINGER and ROCK

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, in penalties, further prohibiting duress and intimidation of voters and interference with the free exercise of the elective franchise.

Referred to Committee on STATE GOVERNMENT, November 13, 2013.

**No. 1831** By Representatives REGAN, HENNESSEY, ROZZI, SCHREIBER, PICKETT, BAKER, VEREB, MAJOR, COX, KIM, CALTAGIRONE, LUCAS, DiGIROLAMO, O'NEILL, READSHAW, SONNEY, PAYNE, AUMENT, SAYLOR, MUSTIO, MILLARD, MICOZZIE, KNOWLES, BROWNLEE, ROCK, EVERETT, MARSHALL, COHEN, MURT, SANKEY, GINGRICH, MARSICO, SAINATO, R. MILLER, FLECK, C. HARRIS, WATSON, GROVE, JAMES, MAHONEY, FARRY, M. K. KELLER, HAHN, KULA, FARINA, GILLEN, MIRABITO, TALLMAN, EVANKOVICH, STERN, QUINN, D. COSTA, MILNE, GRELL and DENLINGER

An Act designating a bridge on that portion of State Route 15 over the Yellow Breeches Creek, Carroll Township, York County, as the Glenn Bowers Memorial Bridge.

Referred to Committee on TRANSPORTATION, November 13, 2013.

**No. 1832** By Representatives TALLMAN, DAVIDSON, DENLINGER, GROVE, JAMES, METCALFE, MILLARD, R. MILLER, ROCK and SWANGER

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for restitution for costs and expenses of dismissal incurred by school districts.

Referred to Committee on JUDICIARY, November 13, 2013.

### SENATE BILLS FOR CONCURRENCE

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

**SB 1130, PN 1511**

Referred to Committee on INSURANCE, November 13, 2013.

**SB 1131, PN 1470**

Referred to Committee on AGRICULTURE AND RURAL AFFAIRS, November 13, 2013.

### SENATE MESSAGE

#### HOUSE BILL CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, returned **HB 1128, PN 1377**, with information that the Senate has passed the same without amendment.

**SENATE MESSAGE**

**RECESS RESOLUTION  
FOR CONCURRENCE**

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

In the Senate,  
November 12, 2013

RESOLVED, (the House of Representatives concurring), Pursuant to Article II, Section 14 of the Pennsylvania Constitution, that when the Senate recesses this week, it reconvene on Monday, November 18, 2013, unless sooner recalled by the President Pro Tempore of the Senate; and be it further

RESOLVED, Pursuant to Article II, Section 14 of the Pennsylvania Constitution, that when the House of Representatives recesses this week, it reconvene on Monday, November 18, 2013, unless sooner recalled by the Speaker of the House of Representatives.

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

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

**BILL SIGNED BY SPEAKER**

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

**HB 1128, PN 1377**

An Act amending Title 12 (Commerce and Trade) of the Pennsylvania Consolidated Statutes, codifying the provisions of the Motor Vehicle Sales Finance Act and the Goods and Services Installment Sales Act; making conforming amendments to Titles 7 and 42; and making related repeals.

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

**LEAVES OF ABSENCE**

The SPEAKER. The Speaker turns to leaves of absence. The majority whip indicates there are no requests for leaves of absence.

The Speaker recognizes the minority whip, who requests a leave of absence for the gentleman, Mr. CRUZ, 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. The members will proceed to vote.

The following roll call was recorded:

**PRESENT—200**

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

**ADDITIONS—0**

**NOT VOTING—0**

**EXCUSED—2**

Bishop Cruz

**LEAVES ADDED—3**

O'Neill Miranda Wheatley

**LEAVES CANCELED—1**

O'Neill

The SPEAKER. Two hundred 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 like to introduce some of the guests that are with us today. I would appreciate the courtesy of your attention, please. If members could hold the conversations down. Thank you.

Located to the left of the rostrum, I would like to welcome Bruce and Barbara Dearnley and Polly Beckham, and they are here today as guests of Representative Harper. Will our guests please rise. Welcome to the hall of the House.

Also located to the left of the rostrum, we would like to welcome Yebin Seo, who is Representative Mary Jo Daley's district office intern. Will our guest please rise. Welcome to the House.

Also located to the left of the rostrum, we would like to welcome George and Barbara McCloskey, Kelly Wolfe, Dave Kowalski, and one of our former members, Ron Raymond. They are here today as guests of Representative Miccarelli. Will our guests please rise.

And in the rear of the House, we would like to welcome members of Healing Tree International, a network of pastors and community leaders. They are here today as guests of Representative Saccone. Will our guests please rise. Welcome to the hall of the House.

Also in the rear of the House, we would like to welcome Emily Spillar, who is interning with Representative Gingrich. Will our guest please rise; over here to the left.

**UNCONTESTED CALENDAR**

**RESOLUTIONS PURSUANT TO RULE 35**

Mr. READSHAW called up **HR 386, PN 2109**, entitled:

A Resolution recognizing the week of November 17 through 23, 2013, as "Hunger and Homelessness Awareness Week" in Pennsylvania.

\* \* \*

Mr. SIMMONS called up **HR 543, PN 2622**, entitled:

A Resolution designating the month of November 2013 as "Hydrocephalus Awareness Month" in Pennsylvania.

\* \* \*

Ms. DONATUCCI called up **HR 548, PN 2629**, entitled:

A Resolution designating November 17, 2013, as "World Prematurity Day" in Pennsylvania and recognizing the serious public health concern of prematurity in birth and the compelling need to reduce the incidence of preterm births in this Commonwealth.

\* \* \*

Ms. DONATUCCI called up **HR 549, PN 2630**, entitled:

A Resolution honoring female veterans who heroically served our country as members of the armed forces.

On the question,  
Will the House adopt the resolutions?

The following roll call was recorded:

**YEAS—200**

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

**NAYS—0**

**NOT VOTING—0**

**EXCUSED—2**

Bishop Cruz

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

## CALENDAR

## RESOLUTIONS PURSUANT TO RULE 35

Mr. MICCARELLI called up **HR 460, PN 2363**, entitled:

A Resolution honoring George F. McCloskey for his 20 years of service as Mayor of Norwood Borough.

On the question,  
Will the House adopt the resolution?

The SPEAKER. If I could have the members just kindly hold the conversations down a little bit. Thank you very much.

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

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

Mr. MICCARELLI. Thank you, Mr. Speaker.

On Monday, in all parts of our Commonwealth, citizens came together to honor our veterans. From Punxsutawney to Philadelphia, from Erie to Easton, and right here in this Capitol, the public turned out to show their appreciation for those who serve us.

In 1906 another celebration was held in this building, the dedication of our great Capitol. Among those in attendance was a great veteran himself, the 26th President of the United States, Mr. Theodore Roosevelt. I would like to take a moment to recount some words of President Roosevelt and to take time to honor a man who exemplifies his ideals of service.

President Roosevelt said, "It is not the critic who counts; not the man who points out how the strong man stumbles, or where the doer of deeds could have done them better. The credit belongs to the man who is actually in the arena, whose face is marred by dust and sweat and blood; who strives valiantly; who errs, who comes short again and again, because there is no effort without error and shortcoming; but who does actually strive to do the deeds; who knows great enthusiasms, the great devotions; who spends himself in a worthy cause; who at best knows in the end the triumph of high achievement, and who at the worst, if he fails, at least fails while daring greatly, so that his place shall never be with those cold and timid souls who neither know victory nor defeat."

The honorable mayor of Norwood, Mr. George McCloskey, is the personification of President Roosevelt's words.

In 1947 Mr. McCloskey joined the United States Marine Corps, and according to claims he makes today about his age, he must have joined at the age of 12. George moved quickly through the ranks, finally receiving an honorable discharge from his beloved Marine Corps as a staff sergeant. He then took a job at Westinghouse and took a special interest in his community. In 1982 he began his service to the people of Norwood when he was elected to their borough council. George was one of very few Democrats in a very Republican county.

In 1984 he took on the unenviable task of running against my predecessor. The history of this House contains the outcome of that race, but what is not in the history books is the great friends they became after that election. The honorable gentleman from Delaware County, retired Representative Ron Raymond, and Mayor McCloskey, despite being leaders in their opposing political parties, remain friends to this day. Twenty-four years

after they ran against each other, they were the campaign chairmen for two candidates who sought to represent the 162d District. While Representative Raymond and I were on one side, George and my first opponent on the other, George never broke his cardinal rule. He remained, above all, a gentleman. From his first race, which was before I was born, until his last race, he remained committed to run on his principles and his unblemished record to the service of Norwood. His decency is evidenced by the presence of the Republican president of Norwood Borough Council, Councilman Dave Kowalski.

After the 2008 election, George and I, too, became friends. We would work together on many projects in Norwood and we maintained a great relationship. We would frequently trade jibes about his service in the Marine Corps and my service in the Army. It was George who informed me that the word "Army" was in fact an acronym for "Ain't Ready for Marines Yet," to which I responded, "George, you're only a Marine, I'm a paratrooper." Then at the age of 80, George told me, "If you want, I'll gladly show you that I can jump out of a perfectly good airplane just as well as any of you Army guys."

After receiving permission from the general, his wife Barbara, we went skydiving. George's Marine Corps bravado was on display, that is until the jumpmaster opened the door of the aircraft and said, "Get ready." Despite his first jump jitters, the 80-year-old mayor, dressed in Marine Corps sweatpants, was the first man out the door. When he was safely on the ground, he resumed his typical, confident Marine Corps swagger. He could not wait to get home to tell Barbara about it.

George McCloskey has served Norwood for 31 years; 11 as a councilman and 20 as the town's mayor. George has lived a life of service to others, which is as impressive as it is extensive. But none of this would have been possible without the loving support of his wife of 60 years who is known in Delaware County as Our Lady, Saint Barbara of Garfield Street. This nickname was bestowed upon her by the residents who know what a handful George can be. Through victory and defeat, through good times and bad, Barbara has been by his side. She is the first lady of Norwood and the first lady in George's life.

Barbara and George have six children, who they are so rightly proud of. We are joined today by his daughter, Kelly. And while this resolution honors George's achievements, it would be wholly unfitting to overlook the contributions of the beautiful woman who God saw fit to put in George's life. Saint Barb is one of the kindest souls I have ever had the good fortune to meet. When George decided to retire, I asked him if he was sure that he did not want to run one more time. I made the mistake of making this request in Barbara's presence. Barbara let me know very kindly but very firmly that she wanted some time to have George to herself.

After a lifetime of service, Mr. and Mrs. McCloskey have certainly earned some time to themselves. They have also earned the respect and admiration of all of us who have served with George in one capacity or another. Barbara and George McCloskey have brought great credit, Mr. Speaker, upon the borough of Norwood, the Commonwealth of Pennsylvania, and most importantly, their beloved family who they hold so dear.

Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—200

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

NAYS—0

NOT VOTING—0

EXCUSED—2

Bishop Cruz

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

\* \* \*

Mr. MULLERY called up **HR 545, PN 2626**, entitled:

A Resolution honoring the life and service of James G. Hoffman, Sr., Fire Chief of Newport Township, and expressing condolences on his passing.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—200

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

NAYS—0

NOT VOTING—0

EXCUSED—2

Bishop Cruz

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

### BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1665, PN 2288**, entitled:

An Act designating a portion of State Route 4007 in the Borough of Indiana, Indiana County, as the James Nance Memorial Highway.

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

On that question, the Speaker recognizes the gentleman from Indiana County, Mr. Reed.

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

I rise today in honor of an Indiana County sports legend, James Nance.

Nance was a standout athlete at Indiana High School in wrestling and football. He won two PIAA heavyweight wrestling championships while in high school and later won two NCAA (National Collegiate Athletic Association) championships at Syracuse University.

The SPEAKER. Will the gentleman suspend one second, please. I would appreciate if the members would kindly hold the conversations down. Will the members please hold the conversations down.

The gentleman may proceed.

Mr. REED. He also led the Syracuse football team to the Sugar Bowl and was named an All-American. His football career continued in the American, National, and World Football Leagues. Signed by the Boston, now New England Patriots, Jim was the AFL (American Football League) Most Valuable Player in 1966 and was All-Pro both that year and in 1967. After an ankle injury in 1968, Jim was awarded the league's Comeback Player of the Year in 1969. Jim is the second all-time leading rusher in New England Patriots football history with over 5,000 yards.

To this day, he is still the franchise record holder for all-time rushing touchdowns with 45. A 2009 inductee into the Patriots Hall of Fame, Jim is widely considered one of the best fullbacks in franchise history. Jim concluded his NFL career in 1973 with the New York Jets and followed that up playing 2 years in the World Football League, finishing as the all-time leading rusher with over 2,000 yards and he also scored 15 touchdowns.

Nance's accomplishments are still regularly brought up in football discussions in Indiana, which speaks to their brilliance more than half a century after his playing days. In fact, the Indiana High School football team honored Nance in September wearing helmets adorned with decals featuring his number, number 31.

Sadly, Jim Nance passed away in 1992 at the age of 49. HB 1665 would rename a portion of North Fifth Street in Indiana, from Philadelphia Street to North Fifth Avenue, the James Nance Memorial Highway.

### GUESTS INTRODUCED

Mr. REED. Seated at the rear of the House are members of Jim Nance's family, if they could please stand as I announce their names: his brother, Dr. Drew Nance, and his wife, Linda; his other brother, Gene Nance, and his wife, Debra; his sister, Mae Nance; his other sister, Delia Nance; his daughter, Rachel Nance Wade, and her husband, Chaka Wade; and their son and Jim's grandson, James Nance Wade. If we could give them a round of applause.

I would ask that my colleagues support HB 1665 in honor of Jim Nance and his many contributions both on and off the athletic fields in Indiana, Syracuse, and New England.

Thank you, Mr. Speaker.

On the question recurring,  
Shall the bill pass finally?

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

The following roll call was recorded:

### YEAS—200

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

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

NAYS—0

NOT VOTING—0

EXCUSED—2

Bishop Cruz

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

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

### GUESTS INTRODUCED

The SPEAKER. I would like to take a minute to introduce a couple other guests that are with us in the gallery. I would like to welcome Eileen Cipriani, West Wyoming Borough chairman of council, and Eileen is here today as a guest of Representative Phyllis Mundy. Will our guest please rise or give us a wave up there in the gallery. Welcome to the hall of the House.

And located to my immediate left on the rostrum, I would like to welcome some guests from Indiana County, Chuck and Linda Glasser and their daughter, Alicia. Alicia is a graduate of Widener Law School and just recently passed the bar exam and is here to get sworn in I guess today. Is that the right term, Alicia? Congratulations. Please rise. Welcome to the hall of the House.

### CONDOLENCE RESOLUTION

The SPEAKER. We are about to take up a condolence resolution on the death of a former Governor of the Commonwealth of Pennsylvania.

The Sergeants at Arms will close the doors of the House. Members will please take their seats.

The clerk will read the resolution.

The following resolution was read:

#### COMMONWEALTH OF PENNSYLVANIA THE HOUSE OF REPRESENTATIVES

#### CONDOLENCE RESOLUTION

WHEREAS, The House of Representatives of Pennsylvania wishes to honor the memory of the Honorable William Warren Scranton, a former Governor of this Commonwealth, who passed away at the age of ninety-six on July 28, 2013; and

WHEREAS, Born in Madison, Connecticut, on July 19, 1917, Mr. Scranton was the son of the late Worthington and Marion Margery Warren Scranton. He was a 1939 graduate of Yale University and served this country with honor and distinction as a member of the

United States Army Air Corps during World War II. He served as a pilot and Operations Officer from 1941 to 1945 and attained the rank of Captain. Following his military service, Mr. Scranton graduated from the Yale Law School and served in the private sector before his election to the Eighty-Seventh United States Congress in 1960, representing Pennsylvania's Tenth District. Inaugurated the Thirty-Eighth Governor of Pennsylvania on January 15, 1963, Mr. Scranton pushed education reform, lowered unemployment and assisted in writing a new State constitution, allowing governors to run for a second term. Following his service as Governor, he served on government commissions, advised the White House on arms control and completed presidential missions. A true civic leader, Mr. Scranton received the B'nai B'rith Americanism Award and the Saint David's Society Distinguished Citizen Award; and

WHEREAS, A beloved family man, dedicated worker and avowed community steward, Mr. Scranton exemplified the best qualities of the human experience. He generously gave of his heart and time to enhance the quality of life of his family and community, and his loss will be felt by the many individuals who knew, admired and loved him; now therefore be it

RESOLVED, That the House of Representatives of the Commonwealth of Pennsylvania proclaim with enduring sorrow the passing of the Honorable William Warren Scranton; and extend heartfelt condolences to his wife of seventy-one years, Mary Lowe Chamberlin Scranton; sons, William, Joseph and Peter; daughter, Susan Scranton Dawson; three grandchildren; and many other family members and friends; and be it further

RESOLVED, That a copy of this resolution, sponsored by Representatives Samuel H. Smith, Mike Turzai and Frank Dermody on July 30, 2013, be transmitted to Mary Lowe Chamberlin Scranton.

Samuel H. Smith, Sponsor

Mike Turzai, Sponsor

Frank Dermody, Sponsor

ATTEST:

Anthony Frank Barbush, Chief Clerk of the House

On the question,  
Will the House adopt the resolution?

The SPEAKER. Those in favor of the resolution will rise and remain standing as a mark of respect for the former Governor. Guests will also please rise.

(Whereupon, the members of the House and all visitors stood in a moment of silence in solemn respect to the memory of the Honorable William Warren Scranton.)

The SPEAKER. The resolution has been unanimously adopted.

### REMARKS BY MAJORITY LEADER

The SPEAKER. The Speaker recognizes the majority leader, Mr. Turzai.

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

I had an opportunity to meet Governor Scranton when his son, Lieutenant Governor Scranton, was contemplating running for Governor, and I must say, he was every bit the dapper, congenial, friendly individual that I had always heard about. He was so gracious.

I had the opportunity, as others here did, to attend the funeral service in Scranton, the town from which their family – the town that was named after members of their family. I was able



to go to that service with other members, and it was one of the most touching services I ever had the opportunity to attend.

The Lieutenant Governor did not only walk through this man's remarkable achievements – a Yale grad, a successful businessman, a Yale Law grad, a lieutenant colonel, a Navy flier, lovely family, three boys and a daughter, great tennis player, young Governor, successful, won a congressional seat in a heavily Democratic area because he was so popular and went and met all the folks up in that region – but he talked about a man who was always caring about individuals, who was focused on making sure that everybody had the same opportunities no matter what their backgrounds were, and how he pushed educational reforms as a Governor, creating a State community college system, a State Board of Education, and the Higher Education Assistance Agency.

He was also making sure that our State was competitive so that employers would stay here and create family-sustaining jobs. He was also ambassador to the United Nations and served on many boards but never forgot his roots in the Scranton area.

I thought out of all the touching comments that the Lieutenant Governor said about his father, the best was this: He passed away at 96, and he and his wife in their late years would be together, and he would go down and play some cards or talk to men in the place in which he lived, but he said, when he talked to Bill he said, I come up here and I sit with your mom and it is still the greatest thing I have the opportunity to do. They had this 71-year marriage that was just loving and expressed lots of love and it allowed him to be successful in his life because he and his wife had that support.

I rise to say thank you for this vote in honor of Governor Scranton. I am glad I had that opportunity to meet him, and in knowing his son and his two granddaughters, it gave me an opportunity to see just what a good man and what a good role model he is for so many of us in public service.

Thank you, Mr. Speaker.

The SPEAKER. The Speaker thanks the gentleman.

### REMARKS BY MINORITY LEADER

The SPEAKER. The Speaker recognizes the Democratic leader, Mr. Dermody.

Mr. DERMODY. Thank you, Mr. Speaker.

Mr. Speaker, on behalf of the Democratic Caucus, and really, all of us would also like to extend our condolences to the Scranton family on the passing of the late Governor.

I grew up in Clarks Summit, Pennsylvania, and you did not grow up in northeastern Pennsylvania without knowing the Scranton family and really without knowing the Governor. I played football in those days back at Clarks Summit and Bill Scranton never missed a Thanksgiving Day football game. I have got pictures of myself with the Governor while he was attending the Thanksgiving Day game in the morning.

And as you have already heard, he was a tremendous guy who cared about his community. His family cared about his community. They were always involved. No matter what was going on in the community, the Scranton family was there.

Obviously he worked. He was a bipartisan guy. He was elected as a Congressman from a heavily Democratic district. He beat an incumbent Democrat to go to Congress and then run

for Governor. I had the opportunity to get to know his son, Bill, mostly throughout those years, who was a great guy. He was the Lieutenant Governor, obviously, and still cared dramatically about northeastern Pennsylvania in the area where I grew up, Clarks Summit and Waverly.

I have tremendous memories of the Governor. It is fitting today that we take this time to remember him and his family. I had the opportunity to know him and his family and his sons and his daughter, Susan. So I, too, would like to join the majority leader and all of us here today in extending our condolences to the family.

Thank you for this opportunity, Mr. Speaker.

The SPEAKER. The Sergeants at Arms may open the doors of the House.

### APPROPRIATIONS COMMITTEE MEETING

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

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

Mr. Speaker, 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 in the majority caucus room of the Appropriations Committee.

### RULES COMMITTEE MEETING

The SPEAKER. The Speaker recognizes the majority leader.

Mr. TURZAI. Thank you, Mr. Speaker.

We will have a Rules Committee meeting in the majority leader's conference room, a Rules Committee meeting. After the Appropriations Committee meeting is adjourned, we will then meet in the majority leader's conference room for a Rules Committee meeting. Thank you.

Mr. Speaker, the Rules Committee meeting will be at 12:15 in the majority leader's conference room, at 12:15.

The SPEAKER. The Speaker thanks the gentleman.

The Rules Committee meeting will be at 12:15 in the majority leader's conference room,

### TRANSPORTATION COMMITTEE MEETING

The SPEAKER. The Speaker recognizes the gentleman from Delaware County, Mr. Micozzie, for an announcement.

Mr. MICOZZIE. Thank you, Mr. Speaker.

There will be a Transportation Committee meeting in room 205 at 1:15; room 205 in the Ryan Building at 1:15.

Thank you, Mr. Speaker.

The SPEAKER. There will be a Transportation Committee meeting in room 205 of the Ryan Building at 1:15.

### 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 that Republicans will caucus at 12:30. I would ask our Republican members to please report to

our caucus room at 12:30. We would be prepared to come back on the floor at 1:30.

Thank you, Mr. Speaker.

### DEMOCRATIC CAUCUS

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

Mr. FRANKEL. Thank you, Mr. Speaker.

Democrats will caucus at 12:30. Democrats will caucus at 12:30.

### HEALTH COMMITTEE MEETING

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

Mr. BAKER. Thank you, Mr. Speaker.

There will be an immediate meeting of the Health Committee in the bowels of the Capitol in room B-31 for the consideration of a Senate bill, one bill.

Thank you, Mr. Speaker.

The SPEAKER. There will be an immediate meeting of the Health Committee in room B-31.

### RECESS

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

### RECESS EXTENDED

The time of recess was extended until 2 p.m.

### AFTER RECESS

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

### BILLS REREPORTED FROM COMMITTEE

**HB 112, PN 103** By Rep. ADOLPH

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for the offense of sexual assault by sports official, volunteer or employee of nonprofit association.

### APPROPRIATIONS.

**HB 710, PN 2599** By Rep. ADOLPH

An Act amending the act of April 14, 1972 (P.L.233, No.64), known as The Controlled Substance, Drug, Device and Cosmetic Act, further providing for authority to control, for liquefied ammonia gas, precursors and chemicals and for promulgation of regulations.

### APPROPRIATIONS.

**HB 744, PN 846** By Rep. ADOLPH

An Act amending Title 65 (Public Officers) of the Pennsylvania Consolidated Statutes, in lobbying disclosure, further providing for prohibited activities, for penalties and for registration filing system.

### APPROPRIATIONS.

**HB 1420, PN 2557** By Rep. ADOLPH

An Act providing for newborn child pulse oximetry screening.

### APPROPRIATIONS.

**SB 731, PN 1551** By Rep. ADOLPH

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for burglary, for robbery, for grading of theft offenses and for the offense of retail theft.

### APPROPRIATIONS.

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

**SB 1042, PN 1559** (Amended) By Rep. BAKER

An Act amending the act of September 26, 1951 (P.L.1539, No.389), known as The Clinical Laboratory Act, further providing for definitions, for inspection, for unlawful conduct and for penalty.

### HEALTH.

### BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

**SB 546, PN 510**

An Act designating the bridge carrying State Route 88 over the Ten Mile Creek connecting Jefferson Township, Greene County, and East Bethlehem Township, Washington County, as the Lieutenant General William M. Keys Bridge.

**SB 851, PN 909**

An Act designating a bridge to be constructed on that portion of State Route 222 over the Amtrak rail lines in the City of Lancaster, Lancaster County, replacing the Lititz Pike Bridge, as the Thaddeus Stevens Bridge.

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

### LEAVE OF ABSENCE

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

### BILL ON CONCURRENCE REPORTED FROM COMMITTEE

**HB 290, PN 2651** (Amended) By Rep. TURZAI

An Act amending the act of December 19, 1988 (P.L.1262, No.156), known as the Local Option Small Games of Chance Act,

further providing for definitions and for games of chance permitted; providing for prohibition regarding pools; further providing for prize limits and for limited sales; providing for raffle sales; further providing for distributor licenses, for registration of manufacturers, for regulations of department, for licensing of eligible organizations to conduct games of chance, for special permits and for revocation of licenses; providing for affiliated clubs; further providing for enforcement; and providing for pool selling.

RULES.

### CALENDAR CONTINUED

#### BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **SB 802, PN 1524**, entitled:

An Act amending the act of June 18, 1998 (P.L.655, No.85), known as the Boiler and Unfired Pressure Vessel Law, further providing for definitions, for design and construction, for construction of act, for registration of boilers and unfired pressure vessels, for shop inspection, for repairs and alterations and for field inspection; repealing provisions relating to issuance of certificates of operation, inspector commissions and fees for examination, enforcement, placement of equipment out of service, regulatory authority, right of entry, accident report, fees, procedure in prosecutions and penalties; and providing for field inspection frequency, for certificates of operation, for inspector commissions and for authorized private inspection agencies, for powers of department, for department investigation, for accident report, for fees, for department enforcement and for administrative penalties.

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 408, PN 418**, entitled:

An Act amending the act of April 16, 1992 (P.L.155, No.28), known as the Assessors Certification Act, further providing for nonapplicability.

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 1431, PN 2515**, entitled:

An Act designating the bridge on State Route 3072, Hanover Road, near its intersection with State Route 3092, Lake Road, in Spring Grove Borough, York County, as the Corporal Luke S. Runyan Memorial Bridge; designating the traffic circle on State Route 116 at Hanover Road and Roth's Church Road in Spring Grove, York County, as the Officer David D. Tome Memorial Circle; designating a bridge on State Route 116 in Spring Grove Borough, York County, as the Specialist Cameron J. Stambaugh Memorial Bridge; designating a bridge on that portion of State Route 4002 between Intermediate Avenue and Municipal Drive in Dover Borough, York County, as the Specialist Zachary R. Clouser Memorial Bridge; and designating the bridge on State Route 74 between Drawbaugh Avenue and Mill Alley, Dover Borough, York County, as the Sergeant Brett E. Walden Memorial Bridge.

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

Mr. **GROVE** offered the following amendment No. **A04199**:

Amend Bill, page 1, line 8, by inserting after "THE"  
Specialist  
Amend Bill, page 1, line 11, by inserting after "THE"  
Specialist  
Amend Bill, page 3, line 11, by inserting after "3. "  
Specialist  
Amend Bill, page 3, lines 20 and 21, by striking out "AND BY  
HIS WIFE, JACKIE"  
Amend Bill, page 3, line 23, by inserting after "THE"  
Specialist  
Amend Bill, page 3, line 28, by inserting after "4. "  
Specialist  
Amend Bill, page 4, line 28, by inserting after "THE"  
Specialist

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

#### LEAVE OF ABSENCE

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

#### CONSIDERATION OF HB 1431 CONTINUED

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.

Amendment A04199 just makes some technical amendments to the underlying bill to correct some drafting errors.

Thank you, Mr. Speaker.

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

The following roll call was recorded:

#### YEAS—198

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

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

NAYS—0

NOT VOTING—0

EXCUSED—4

|        |      |         |          |
|--------|------|---------|----------|
| Bishop | Cruz | Miranda | Wheatley |
|--------|------|---------|----------|

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 1138, PN 1387**, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, in sales and use tax, further providing for definitions.

On the question,

Will the House agree to the bill on second consideration?

Mr. **GABLER** offered the following amendment  
No. **A03602**:

Amend Bill, page 2, line 24, by inserting after "activities."

The term "timbering" shall include:

(1) The business of producing or harvesting trees from forests, woodlots or tree farms for the purpose of the commercial production of wood, paper or energy products.

(2) All operations prior to the transport of the harvested product necessary for the removal of timber or forest products from the site, in-field processing of trees into logs or chips, complying with environmental protection and safety requirements applicable to the harvest of forest products, creating access to the harvest site, loading of forest products onto highway vehicles for transport to storage or processing facilities and postharvest site reclamation, including those activities necessary to improve timber growth or ensure natural or direct reforestation of the site.

Amend Bill, page 5, line 6, by inserting after "activities."

The term "timbering" shall include:

(1) The business of producing or harvesting trees from forests, woodlots or tree farms for the purpose of the commercial production of wood, paper or energy products.

(2) All operations prior to the transport of the harvested product necessary for the removal of timber or forest products from the site, in-field processing of trees into logs or chips, complying with environmental protection and safety requirements applicable to the harvest of forest products, creating access to the harvest site, loading of forest products onto highway vehicles for transport to storage or processing facilities and postharvest site reclamation, including those activities necessary to improve timber growth or ensure natural or direct reforestation of the site.

On the question,

Will the House agree to the amendment?

The **SPEAKER**. On that question, the Speaker recognizes the gentleman from Clearfield County, Mr. Gabler.

Mr. **GABLER**. Thank you, Mr. Speaker.

This amendment provides a definition of "timbering" to provide clarity in the bill. I ask all members for an affirmative vote. Thank you.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—198

|             |            |           |            |
|-------------|------------|-----------|------------|
| Adolph      | Evankovich | Knowles   | Petri      |
| Aument      | Evans      | Kortz     | Pickett    |
| Baker       | Everett    | Kotik     | Pyle       |
| Barbin      | Fabrizio   | Krieger   | Quinn      |
| Barrar      | Farina     | Kula      | Rapp       |
| Benninghoff | Farry      | Lawrence  | Ravenstahl |
| Bizzarro    | Fee        | Longietti | Readshaw   |
| Bloom       | Fleck      | Lucas     | Reed       |
| Boback      | Flynn      | Mackenzie | Reese      |
| Boyle, B.   | Frankel    | Maher     | Regan      |
| Boyle, K.   | Freeman    | Mahoney   | Roae       |
| Bradford    | Gabler     | Major     | Rock       |
| Briggs      | Gainey     | Maloney   | Roebuck    |
| Brooks      | Galloway   | Markosek  | Ross       |
| Brown, R.   | Gergely    | Marshall  | Rozzi      |
| Brown, V.   | Gibbons    | Marsico   | Sabatina   |
| Brownlee    | Gillen     | Masser    | Saccone    |
| Burns       | Gillespie  | Matzie    | Sainato    |
| Caltagirone | Gingrich   | McCarter  | Samuelson  |
| Carroll     | Godshall   | McGeehan  | Sankey     |

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

NAYS—0

NOT VOTING—0

EXCUSED—4

|        |      |         |          |
|--------|------|---------|----------|
| Bishop | Cruz | Miranda | Wheatley |
|--------|------|---------|----------|

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?

**RULES SUSPENDED**

The SPEAKER. The Speaker recognizes the gentleman from Berks County, Mr. Caltagirone, for a motion to suspend the rules for consideration of amendment A04370?

Mr. CALTAGIRONE. Yes, sir. Thank you, Mr. Speaker.

I think it is an agreed-to suspension.

The SPEAKER. The gentleman, Mr. Caltagirone, moves for a suspension of the rules for the immediate consideration of amendment A04370.

On the question,

Will the House agree to the motion?

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

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

Mr. Speaker, this is an agreed-to amendment.

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

The following roll call was recorded:

YEAS—178

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

NAYS—20

|           |          |            |         |
|-----------|----------|------------|---------|
| Brownlee  | Fee      | Mentzer    | Painter |
| Cutler    | Grell    | Metzgar    | Roae    |
| Daley, M. | Lawrence | Miller, D. | Sims    |
| DeLissio  | Matzie   | Mullery    | Thomas  |
| Donatucci | McCarter | Mundy      | Truitt  |

NOT VOTING—0

EXCUSED—4

|        |      |         |          |
|--------|------|---------|----------|
| Bishop | Cruz | Miranda | Wheatley |
|--------|------|---------|----------|

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

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

Mr. **CALTAGIRONE** offered the following amendment No. **A04370**:

Amend Bill, page 1, lines 14 through 17, by striking out all of said lines and inserting

Section 1. Section 201(k)(8), (o)(4)(B) and (pp) of the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, amended or added April 23, 1998 (P.L.239, No.45), are amended to read:

Amend Bill, page 6, by inserting between lines 11 and 12

(pp) "Building machinery and equipment." Generation equipment, storage equipment, conditioning equipment, distribution equipment and termination equipment, which shall be limited to the following:

- (1) air conditioning limited to heating, cooling, purification, humidification, dehumidification and ventilation;
- (2) electrical;
- (3) plumbing;
- (4) communications limited to voice, video, data, sound, master clock and noise abatement;
- (5) alarms limited to fire, security and detection;
- (6) control system limited to energy management, traffic and parking lot and building access;
- (7) medical system limited to diagnosis and treatment equipment, medical gas, nurse call and doctor paging;
- (8) laboratory system;
- (9) cathodic protection system; or
- (10) furniture, cabinetry and kitchen equipment.

The term shall include boilers, chillers, air cleaners, humidifiers, fans, switchgear, pumps, telephones, speakers, horns, motion detectors, dampers, actuators, grills, registers, traffic signals, traffic signal foundations, poles and mast arms, sensors, card access devices, guardrails, medial devices, floor troughs and grates and laundry equipment, together with integral coverings and enclosures, whether or not the item constitutes a fixture or is otherwise affixed to the real estate, whether or not damage would be done to the item or its surroundings upon removal or whether or not the item is physically located within a real estate structure. The term "building machinery and equipment" shall not include guardrail posts, pipes, fittings, pipe supports and hangers, valves, underground tanks, wire, conduit, receptacle and junction boxes, insulation, ductwork and coverings thereof.

\*\*\*

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

The **SPEAKER**. On that question, the Speaker recognizes the gentleman from Berks County, Mr. Caltagirone.

Mr. **CALTAGIRONE**. Thank you, Mr. Speaker.

For the benefit of the members, it has come to my attention that the Department of Revenue taxes the sales of traffic signal poles and the mast arms used in traffic signal construction despite a Tax Code provision to the contrary. Under our Tax Code, when things like traffic signals are to be transferred to a governmental entity, they are exempt from taxation.

My concern is that if the companies that install traffic signals are subject to the sales tax on the materials, they will pass that cost on to our municipalities, who will inevitably have to pass the costs on to our constituents. Mr. Speaker, this is something that is quite unusual, has not happened before. It is just a recent

ruling by Revenue, and I respectfully request that these rules in this amendment be approved. Thank you.

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

On that question, the Speaker recognizes the gentleman from Clearfield County, Mr. Gabler.

Mr. **GABLER**. Thank you very much, Mr. Speaker.

I want to commend the gentleman for identifying this issue.

I think we are seeing a recurring theme here of cases where the legislative intent and the Department of Revenue's interpretation sometimes vary, and so this is an opportunity to correct that.

It is a good amendment. I support the amendment. I ask all members for an affirmative vote. Thank you very much.

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

The following roll call was recorded:

YEAS—196

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

NAYS-2

Daley, M. Mundy

NOT VOTING-0

EXCUSED-4

Bishop Cruz Miranda Wheatley

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

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

(Bill as amended will be reprinted.)

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 Bucks County, Mr. O'NEILL, for the remainder of the day. Without objection, the leave will be granted.

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 1750, PN 2485**, entitled:

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

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

Mr. MAHER offered the following amendment No. **A04267**:

- Amend Bill, page 1, line 2, by inserting after "Statutes," in riot, disorderly conduct and related offenses,
- Amend Bill, page 2, line 6, by striking out "that" and inserting who
- Amend Bill, page 2, lines 11 and 12, by striking out ", after being sentenced under paragraph (2)."
- Amend Bill, page 2, line 12, by inserting after "subsection" and and who has committed a prior offense
- Amend Bill, page 2, line 15, by inserting after "both."  
As used in this paragraph, the term "prior offense" shall mean a conviction, adjudication of delinquency, acceptance of Accelerated Rehabilitative Disposition or other form of preliminary disposition, occurring before the sentencing on the present violation, for any of the following:
  - (i) an offense under this subsection; or
  - (ii) an offense substantially similar to an offense under this subsection, including an offense under a prior law of this Commonwealth or an offense under a law of another jurisdiction.

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

The SPEAKER. On that question, the Speaker recognizes the gentleman from Allegheny County, Mr. Maher.  
Mr. MAHER. Thank you, Mr. Speaker.  
This is simply a technical amendment clarifying language about penalties. Thank you.

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

The following roll call was recorded:

YEAS-197

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

NAYS-0

NOT VOTING-0

EXCUSED-5

Bishop                      Miranda                      O'Neill                      Wheatley  
Cruz

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 1596, PN 2187**, entitled:

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

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 1599, PN 2194**, entitled:

An Act designating a bridge on that portion of S.R. 3019 over the Schuylkill River, City of Philadelphia, Philadelphia County, as the Honorable Robert C. Donatucci Memorial Bridge.

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

**RESOLUTION**

Mr. CALTAGIRONE called up **HR 168, PN 2433**, entitled:

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.

On the question,  
Will the House adopt the resolution?

Mr. **PETRI** offered the following amendment No. **A04325**:

Amend Resolution, page 2, by inserting between lines 18 and 19  
**RESOLVED**, That the study include an approximation of the cost to the Pennsylvania State Police to patrol municipalities with either a part-time municipal police department or no municipal police department; and be it further

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

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

Mr. **PETRI**. Mr. Speaker, this amendment simply adds language to have the Legislative Budget and Finance Committee study the cost to the State Police of local police protection. Thank you.

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

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

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

Regretfully, I must ask the body to vote against the amendment.

The House Local Government Committee vetted this study in an effort to see whether we could get numbers that would show that voluntary consolidations of police departments would be helpful. The gentleman's amendment is worthy of a study in its own right and would complicate this study.

So I would ask that the gentleman introduce some resolution, and I would ask the members to vote against the amendment.

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

The following roll call was recorded:

**YEAS-147**

|             |            |            |             |
|-------------|------------|------------|-------------|
| Adolph      | Ellis      | Kirkland   | Petri       |
| Baker       | English    | Knowles    | Pickett     |
| Barbin      | Evans      | Kortz      | Pyle        |
| Barrar      | Everett    | Kotik      | Quinn       |
| Bizzarro    | Fabrizio   | Kula       | Ravenstahl  |
| Boback      | Farina     | Lawrence   | Readshaw    |
| Boyle, B.   | Farry      | Longietti  | Roae        |
| Boyle, K.   | Fleck      | Lucas      | Roebuck     |
| Briggs      | Flynn      | Mahoney    | Rozzi       |
| Brooks      | Frankel    | Major      | Sabatina    |
| Brown, R.   | Freeman    | Markosek   | Saccone     |
| Brown, V.   | Gainey     | Masser     | Sainato     |
| Brownlee    | Galloway   | Matzie     | Samuelson   |
| Burns       | Gergely    | McCarter   | Sankey      |
| Caltagirone | Gibbons    | McGeehan   | Santarsiero |
| Carroll     | Gillen     | McNeill    | Saylor      |
| Christiana  | Godshall   | Mentzer    | Scavello    |
| Clay        | Goodman    | Miccarelli | Schlossberg |
| Clymer      | Greiner    | Micozzie   | Schreiber   |
| Cohen       | Grell      | Millard    | Simmons     |
| Conklin     | Grove      | Miller, D. | Sims        |
| Costa, D.   | Hackett    | Miller, R. | Snyder      |
| Costa, P.   | Haggerty   | Mirabito   | Sonney      |
| Culver      | Hahn       | Molchany   | Stern       |
| Daley, M.   | Haluska    | Moul       | Stevenson   |
| Daley, P.   | Hanna      | Mullery    | Sturla      |
| Davidson    | Harhai     | Mundy      | Tallman     |
| Davis       | Harhart    | Murt       | Taylor      |
| Day         | Harkins    | Mustio     | Thomas      |
| Dean        | Harris, A. | Neilson    | Toohil      |
| Deasy       | Harris, J. | Neuman     | Truitt      |
| DeLissio    | Helm       | O'Brien    | Turzai      |
| DeLozier    | Kavulich   | Painter    | Vitali      |
| DeLuca      | Keller, W. | Parker     | Waters      |
| Dermody     | Killion    | Pashinski  | White       |
| DiGirolamo  | Kim        | Payne      | Youngblood  |
| Donatucci   | Kinsey     | Peifer     |             |



## NAYS—50

|             |              |            |          |
|-------------|--------------|------------|----------|
| Aument      | Gabler       | Mackenzie  | Reed     |
| Benninghoff | Gillespie    | Maher      | Reese    |
| Bloom       | Gingrich     | Maloney    | Regan    |
| Bradford    | Harper       | Marshall   | Rock     |
| Causar      | Heffley      | Marsico    | Ross     |
| Corbin      | Hennessey    | McGinnis   | Smith    |
| Cox         | Hickernell   | Metcalfe   | Stephens |
| Cutler      | James        | Metzgar    | Swanger  |
| Denlinger   | Kampf        | Milne      | Tobash   |
| Dunbar      | Kauffman     | Oberlander | Toepel   |
| Emrick      | Keller, F.   | Petrarca   | Vereb    |
| Evankovich  | Keller, M.K. | Rapp       | Watson   |
| Fee         | Krieger      |            |          |

## NOT VOTING—0

## EXCUSED—5

|        |         |         |          |
|--------|---------|---------|----------|
| Bishop | Miranda | O'Neill | Wheatley |
| Cruz   |         |         |          |

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 adopt the resolution as amended?

The following roll call was recorded:

## YEAS—192

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

|            |              |            |            |
|------------|--------------|------------|------------|
| Delozier   | James        | Neilson    | Toepel     |
| DeLuca     | Kampf        | Neuman     | Toohil     |
| Denlinger  | Kauffman     | O'Brien    | Truitt     |
| Dermody    | Kavulich     | Oberlander | Turzai     |
| DiGirolamo | Keller, F.   | Painter    | Vereb      |
| Donatucci  | Keller, M.K. | Parker     | Vitali     |
| Dunbar     | Keller, W.   | Pashinski  | Waters     |
| Ellis      | Killion      | Payne      | Watson     |
| Emrick     | Kim          | Peifer     | White      |
| English    | Kinsey       | Petrarca   | Youngblood |

## NAYS—5

|        |        |          |      |
|--------|--------|----------|------|
| Brooks | Gabler | Metcalfe | Rapp |
| Causar |        |          |      |

## NOT VOTING—0

## EXCUSED—5

|        |         |         |          |
|--------|---------|---------|----------|
| Bishop | Miranda | O'Neill | Wheatley |
| Cruz   |         |         |          |

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

**BILL ON SECOND CONSIDERATION**

The House proceeded to second consideration of **HB 1053, PN 1275**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in judicial boards and commissions, authorizing the Pennsylvania Board of Law Examiners to obtain criminal history record checks.

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

Mr. **MARSICO** offered the following amendment  
No. **A03873**:

Amend Bill, page 1, line 16, by striking out "submit" and inserting

be subject to

Amend Bill, page 2, line 3, by striking out "If an applicant" and inserting

All applicants

Amend Bill, page 2, line 4, by striking out "submits" and inserting

shall submit

Amend Bill, page 2, line 6, by inserting after "checks,"

and

Amend Bill, page 2, line 14, by inserting after "Examiners"

only

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

The **SPEAKER**. On that question, the Speaker recognizes the gentleman from Dauphin County, Mr. Marsico.

Mr. **MARSICO**. Mr. Speaker, thank you very much.

This is an agreed-to amendment. It complies with the Federal criminal background checks on applicants for admission to the

Pennsylvania Bar. So it does comply with Federal requirements. Thank you. I appreciate your vote.

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

The following roll call was recorded:

YEAS—197

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

NAYS—0

NOT VOTING—0

EXCUSED—5

|        |         |         |          |
|--------|---------|---------|----------|
| Bishop | Miranda | O'Neill | Wheatley |
| Cruz   |         |         |          |

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.)

SUPPLEMENTAL CALENDAR A

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1420, PN 2557**, entitled:

An Act providing for newborn child pulse oximetry screening.

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—197

|             |            |            |             |
|-------------|------------|------------|-------------|
| Adolph      | Evankovich | Kirkland   | Petri       |
| Aument      | Evans      | Knowles    | Pickett     |
| Baker       | Everett    | Kortz      | Pyle        |
| Barbin      | Fabrizio   | Kotik      | Quinn       |
| Barrar      | Farina     | Krieger    | Rapp        |
| Benninghoff | Farry      | Kula       | Ravenstahl  |
| Bizzarro    | Fee        | Lawrence   | Readshaw    |
| Bloom       | Fleck      | Longietti  | Reed        |
| Boback      | Flynn      | Lucas      | Reese       |
| Boyle, B.   | Frankel    | Mackenzie  | Regan       |
| Boyle, K.   | Freeman    | Maher      | Roae        |
| Bradford    | Gabler     | Mahoney    | Rock        |
| Briggs      | Gainey     | Major      | Roebuck     |
| Brooks      | Galloway   | Maloney    | Ross        |
| Brown, R.   | Gergely    | Markosek   | Rozzi       |
| Brown, V.   | Gibbons    | Marshall   | Sabatina    |
| Brownlee    | Gillen     | Marsico    | Saccone     |
| Burns       | Gillespie  | Masser     | Sainato     |
| Caltagirone | Gingrich   | Matzie     | Samuelson   |
| Carroll     | Godshall   | McCarter   | Sankey      |
| Causer      | Goodman    | McGeehan   | Santarsiero |
| Christiana  | Greiner    | McGinnis   | Saylor      |
| Clay        | Grell      | McNeill    | Scavello    |
| Clymer      | Grove      | Mentzer    | Schlossberg |
| Cohen       | Hackett    | Metcalfe   | Schreiber   |
| Conklin     | Haggerty   | Metzgar    | Simmons     |
| Corbin      | Hahn       | Miccarelli | Sims        |

|            |              |            |            |
|------------|--------------|------------|------------|
| Costa, D.  | Haluska      | Micozzie   | Smith      |
| Costa, P.  | Hanna        | Millard    | Snyder     |
| Cox        | Harhai       | Miller, D. | Sonney     |
| Culver     | Harhart      | Miller, R. | Stephens   |
| Cutler     | Harkins      | Milne      | Stern      |
| Daley, M.  | Harper       | Mirabito   | Stevenson  |
| Daley, P.  | Harris, A.   | Molchany   | Sturla     |
| Davidson   | Harris, J.   | Moul       | Swanger    |
| Davis      | Heffley      | Mullery    | Tallman    |
| Day        | Helm         | Mundy      | Taylor     |
| Dean       | Hennessey    | Murt       | Thomas     |
| Deasy      | Hickernell   | Mustio     | Tobash     |
| DeLissio   | James        | Neilson    | Toepel     |
| Delozier   | Kampf        | Neuman     | Toohil     |
| DeLuca     | Kauffman     | O'Brien    | Truitt     |
| Denlinger  | Kavulich     | Oberlander | Turzai     |
| Dermody    | Keller, F.   | Painter    | Vereb      |
| DiGirolamo | Keller, M.K. | Parker     | Vitali     |
| Donatucci  | Keller, W.   | Pashinski  | Waters     |
| Dunbar     | Killion      | Payne      | Watson     |
| Ellis      | Kim          | Peifer     | White      |
| Emrick     | Kinsey       | Petrarca   | Youngblood |
| English    |              |            |            |

NAYS-0

NOT VOTING-0

EXCUSED-5

|        |         |         |          |
|--------|---------|---------|----------|
| Bishop | Miranda | O'Neill | Wheatley |
| Cruz   |         |         |          |

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

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

\* \* \*

The House proceeded to third consideration of **HB 112, PN 103**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for the offense of sexual assault by sports official, volunteer or employee of nonprofit association.

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS-197

|        |            |          |         |
|--------|------------|----------|---------|
| Adolph | Evankovich | Kirkland | Petri   |
| Aument | Evans      | Knowles  | Pickett |
| Baker  | Everett    | Kortz    | Pyle    |

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

NAYS-0

NOT VOTING-0

EXCUSED-5

|        |         |         |          |
|--------|---------|---------|----------|
| Bishop | Miranda | O'Neill | Wheatley |
| Cruz   |         |         |          |

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

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

\* \* \*

The House proceeded to third consideration of **HB 710, PN 2599**, entitled:

An Act amending the act of April 14, 1972 (P.L.233, No.64), known as The Controlled Substance, Drug, Device and Cosmetic Act, further providing for authority to control, for liquefied ammonia gas, precursors and chemicals and for promulgation of regulations.

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—197

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

NAYS—0

NOT VOTING—0

EXCUSED—5

|        |         |         |          |
|--------|---------|---------|----------|
| Bishop | Miranda | O'Neill | Wheatley |
| Cruz   |         |         |          |

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

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

\* \* \*

The House proceeded to third consideration of **HB 744, PN 846**, entitled:

An Act amending Title 65 (Public Officers) of the Pennsylvania Consolidated Statutes, in lobbying disclosure, further providing for prohibited activities, for penalties and for registration filing system.

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—197

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

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

NAYS—0

NOT VOTING—0

EXCUSED—5

|        |         |         |          |
|--------|---------|---------|----------|
| Bishop | Miranda | O'Neill | Wheatley |
| Cruz   |         |         |          |

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

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

The SPEAKER. The House will be at ease for a few moments.

The House will come to order.

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

**HB 106, PN 2654 (Amended)** By Rep. MICOZZIE

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in registration of vehicles, further providing for period of registration and for display of registration plate; and in fees, further providing for annual registration fees.

TRANSPORTATION.

**HB 1652, PN 2272** By Rep. MICOZZIE

An Act designating Whitaker Avenue from its intersection with Roosevelt Boulevard in Philadelphia City, Philadelphia County, to the point where it meets East Erie Avenue in Philadelphia City, Philadelphia County, as the 65th Infantry "Borinqueneers" Avenue.

TRANSPORTATION.

**HB 1653, PN 2273** By Rep. MICOZZIE

An Act designating West Erie Avenue from its intersection with North Second Street in Philadelphia City, Philadelphia County, to the point where it meets North Front Street in Philadelphia City, Philadelphia County, as Roberto Clemente Way.

TRANSPORTATION.

**HB 1707, PN 2390** By Rep. MICOZZIE

An Act designating a bridge on that portion of S.R. 3100 over Interstate 83 in Springfield Township, York County, as the Rodney P. Miller Memorial Bridge.

TRANSPORTATION.

**HB 1753, PN 2468** By Rep. MICOZZIE

An Act designating the section of State Route 45, from the intersection of State Route 26, Segment 0140, Offset 0000, in Pine Grove Mills, Centre County, to U.S. Business Route 322, segment 0240, Offset 0000, in Boalsburg, Centre County, as the Sergeant Adam Hartswick Interchange.

TRANSPORTATION.

**HB 1782, PN 2655 (Amended)** By Rep. MICOZZIE

An Act designating a bridge on that portion of S.R. 128 over Buffalo Creek, Freeport Borough, Armstrong County, as the Freeport Firemen's Bridge.

TRANSPORTATION.

**HB 1794, PN 2572** By Rep. MICOZZIE

An Act designating Route 11 in Montour County as Veterans Highway.

TRANSPORTATION.

**SUPPLEMENTAL CALENDAR B**

**BILL ON CONCURRENCE  
IN SENATE AMENDMENTS  
AS AMENDED**

The House proceeded to consideration of concurrence in Senate amendments to the following **HB 1098, PN 2639**, as further amended by the House Rules Committee:

An Act amending the act of December 19, 1988 (P.L.1262, No.156), known as the Local Option Small Games of Chance Act, further providing for definitions, for games of chance permitted, for distributor licenses, for major league sports drawing, for club licensee, for distribution of proceeds, for records and for raffle tickets; providing for background checks; further providing for enforcement; providing for tavern gaming and for a host municipality tavern games tax; establishing the Host Municipality Tavern Games Local Share Account; providing for a report of the Legislative Budget and Finance Committee; and making an editorial change.

On the question,

Will the House concur in Senate amendments as amended by the Rules Committee?

The SPEAKER. Moved by the gentleman, Mr. Payne, that the House concur in the amendments.

The Speaker recognizes the gentleman, Mr. Payne, for a brief description of Senate amendments.

Mr. PAYNE. Thank you, Mr. Speaker.

Mr. Speaker, as my colleagues know, when HB 1098 left the House, it was a 50-50 drawing bill for the minor league sports teams. The Senate inserted small games of chance stuff.

Basically, I will give you a brief overview. I think most of the members have read all this over the last 2 days. Taverns are going to be licensed to operate small games of chance. They will be licensed by the LCB (Liquor Control Board). The Bureau of Investigations and Enforcement under the Pennsylvania Gaming Board will do the background checks. The Department of Revenue will create regulations and do the audits on tavern licenses.

The application fee is \$1,000; the initial fee of \$2,000 with an annual renewal fee of \$1,000. All these fees are deposited into the General Fund. Taverns would be limited to pull-tabs, daily drawings, and a raffle as games of chance, only three items. Prize limits for the taverns are capped at \$2,000 individual, \$35,000 on a weekly limit, and the proceeds from the games will be distributed 60 percent of the revenue to the Commonwealth's General Fund, 40 percent retained by the taverns themselves.

Thank you, Mr. Speaker.

### MOTION TO SUSPEND RULES

The SPEAKER. The question is, will the House concur in the amendments inserted by the Senate as amended by the House?

On that question, the Speaker recognizes the gentleman from Adams County, Mr. Moul, who is seeking a suspension of the rules.

Mr. MOUL. Thank you, Mr. Speaker.

Due to the House rules, I cannot go in too much depth as to the substance of this amendment, but the basic underpinnings of this amendment would allow your local money or more of your local money that is generated in your local clubs to stay with your local community. The way the bill is written today, it is an incremental shift of money coming from your local community to this building, and I would appreciate a suspension of the rules so that I can explain my amendment in detail, which has already been approved by the tavern owners association and our clubs.

So, Mr. Speaker, I would appreciate a vote in the affirmative to suspend the rules to consider this amendment.

The SPEAKER. The gentleman, Mr. Moul, moves for a suspension of the rules for the consideration of amendment A04413.

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

The SPEAKER. The motion to suspend the rules is debatable only by the two floor leaders, the maker of the bill, and the maker of the motion.

### MOTION WITHDRAWN

The SPEAKER. On the motion to suspend the rules—

The gentleman indicates he has withdrawn his motion to suspend the rules.

Is the gentleman seeking further recognition on the bill? Is the gentleman, Mr. Moul, seeking further recognition on the bill?

Mr. MOUL. No, Mr. Speaker, I do not seek further recognition. Thank you.

The SPEAKER. The Speaker thanks the gentleman.

On the question recurring,  
Will the House concur in Senate amendments as amended by the Rules Committee?

The SPEAKER. On that question, the Speaker recognizes the gentleman from Lehigh County, Mr. Day, for the purpose of seeking a suspension of the rules on amendment A04412. The gentleman may proceed.

Mr. DAY. Thank you, Mr. Speaker.

Mr. Speaker, I rise today to ask the House to support a suspension of the rules so that we might consider an amendment to this bill. In light of talking to my colleagues, I found that there is not support for a suspension of the rules here today. So I withdraw my request.

The SPEAKER. The Speaker thanks the gentleman.

On the question recurring,  
Will the House concur in Senate amendments as amended by the Rules Committee?

### MOTION TO SUSPEND RULES

The SPEAKER. On that question, the Speaker recognizes the gentleman from Montgomery County, Mr. Bradford, who is seeking suspension of the rules for consideration of an amendment. The gentleman is in order and may proceed.

Mr. BRADFORD. Thank you, Mr. Speaker.

I, too, come forward to ask for a suspension at this time. Obviously, this bill, because of the way it is being handled, has not offered the House an opportunity to suspend the small games of chance bill. And this expansion of gaming in the past has come with the promise of expanded property tax relief, and many have spoken on numerous occasions of how they felt disillusioned by expanded gaming in Pennsylvania not funding property tax elimination or property tax relief. This suspension vote will allow us to use the new revenue, giving us an opportunity to do property tax relief not by merely shifting the ball but, frankly, reducing the burden on Pennsylvania property tax payers. This is an opportunity to use new money from expanded gaming in Pennsylvania, if we get the suspension vote, to fund property tax reduction for Pennsylvanians who are so badly in need.

Several weeks ago we had the opportunity to debate a similar bill, and when we went over—

The SPEAKER. The gentleman will suspend.

The subject of the underlying amendment is not before the House. The question is, you know, you have a little bit of a warm-up to what might be there, but you need to confine your comments to a suspension of the rules. I was giving you a little leeway. I thought you were winding down, but you seem to be ramping back up. So wind down.

Mr. BRADFORD. Thank you, Mr. Speaker.  
Well, Mr. Speaker, I will wind up by saying I think this offers us an opportunity to do property tax relief. Let us use this new money and give the promise of gaming to property tax relief for Pennsylvanians once and for all. Thank you so much, Mr. Speaker.

The SPEAKER. The gentleman from Montgomery County, Mr. Bradford, has moved to suspend the rules for the immediate consideration of amendment A04418.

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

The SPEAKER. The question therefore is, shall the House suspend the rules?

The Speaker recognizes the gentleman from Dauphin County, Mr. Payne.

Mr. PAYNE. Thank you, Mr. Speaker.

Mr. Speaker, while the intent any time for property tax relief is well intended, our view is the amendment is not drafted correctly and is not at this time in order. Thank you, Mr. Speaker.

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

(Members proceeded to vote.)

**LEAVE OF ABSENCE CANCELED**

The SPEAKER. The Speaker returns to leaves of absence and recognizes the presence of the gentleman from Bucks County, Mr. O'Neill, on the floor of the House. Without objection, his name will be added back to the master roll call.

**CONSIDERATION OF HB 1098 CONTINUED**

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

The following roll call was recorded:

**YEAS—95**

|             |            |            |             |
|-------------|------------|------------|-------------|
| Bizzarro    | DeLissio   | Kavulich   | Painter     |
| Boback      | DeLuca     | Keller, W. | Parker      |
| Boyle, B.   | Dermodly   | Kim        | Pashinski   |
| Boyle, K.   | DiGirolamo | Kinsey     | Petrarca    |
| Bradford    | Donatucci  | Kirkland   | Ravenstahl  |
| Briggs      | Evans      | Kortz      | Readshaw    |
| Brown, V.   | Fabrizio   | Kotik      | Roebuck     |
| Brownlee    | Farina     | Kula       | Rozzi       |
| Burns       | Flynn      | Longietti  | Sabatina    |
| Caltagirone | Frankel    | Mahoney    | Sainato     |
| Carroll     | Freeman    | Markosek   | Samuelson   |
| Clay        | Gainey     | Matzie     | Santarsiero |
| Clymer      | Galloway   | McCarter   | Schlossberg |
| Cohen       | Gergely    | McGeehan   | Schreiber   |
| Conklin     | Gibbons    | McNeill    | Sims        |
| Costa, D.   | Gillen     | Miller, D. | Snyder      |
| Costa, P.   | Goodman    | Mirabito   | Sturla      |
| Cox         | Haggerty   | Molchany   | Thomas      |
| Daley, M.   | Haluska    | Mundy      | Truitt      |
| Daley, P.   | Hanna      | Murt       | Vitali      |
| Davidson    | Harhai     | Mustio     | Waters      |

|       |            |         |            |
|-------|------------|---------|------------|
| Davis | Harkins    | Neilson | White      |
| Dean  | Harris, J. | Neuman  | Youngblood |
| Deasy | Heffley    | O'Brien |            |

**NAYS—103**

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

**NOT VOTING—0**

**EXCUSED—4**

|        |      |         |          |
|--------|------|---------|----------|
| Bishop | Cruz | Miranda | Wheatley |
|--------|------|---------|----------|

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

On the question recurring,  
Will the House concur in Senate amendments as amended by the Rules Committee?

**MOTION TO SUSPEND RULES**

The SPEAKER. On that question, the Speaker recognizes the lady from Philadelphia County, Ms. Youngblood, who seeks recognition for the purpose of suspending the rules for the consideration of an amendment. The lady may proceed.

Ms. YOUNGBLOOD. Mr. Speaker, I am asking to have the rules suspended to offer amendment A04419. We need to suspend the rules in order to offer my amendment so that we can provide additional funding for public education. I ask for an affirmative vote for public education.

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

The SPEAKER. The question is, shall the House move to suspend the rules for the immediate consideration of amendment A04419?

On that question, the Speaker recognizes the gentleman from Dauphin County, Mr. Payne.

Mr. PAYNE. Thank you, Mr. Speaker.  
Mr. Speaker, while I support education, I support senior programs first.

And last night in Rules there was a provision added to HB 1098 that if in fact the Lottery Fund is short money, the proceeds from the small games of chance will go to the lottery. If the lottery is flush with money, the proceeds will go to the General Fund, and I would submit to you, Mr. Speaker, that many of our senior programs still come out of the General Fund. People are under the misconception that everything for seniors is funded out of the lottery, and that is not true. DPW (Department of Public Welfare) has a lot of programs in there. We have other programs in the Health Department line. This money is going towards seniors. We need to make sure it stays there.

Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—88

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

NAYS—110

|             |            |            |           |
|-------------|------------|------------|-----------|
| Adolph      | Fleck      | Mackenzie  | Pyle      |
| Aument      | Gabler     | Maher      | Quinn     |
| Baker       | Gillen     | Major      | Rapp      |
| Barrar      | Gillespie  | Maloney    | Reed      |
| Benninghoff | Gingrich   | Marshall   | Reese     |
| Bloom       | Godshall   | Marsico    | Regan     |
| Boback      | Greiner    | Masser     | Roe       |
| Brooks      | Grell      | McGinnis   | Rock      |
| Brown, R.   | Grove      | Mentzer    | Ross      |
| Causar      | Hackett    | Metcalfe   | Saccone   |
| Christiana  | Hahn       | Metzgar    | Sankey    |
| Clymer      | Harhart    | Miccarelli | Saylor    |
| Corbin      | Harper     | Micozzie   | Scavello  |
| Cox         | Harris, A. | Millard    | Simmons   |
| Culver      | Heffley    | Miller, D. | Smith     |
| Cutler      | Helm       | Miller, R. | Sonney    |
| Day         | Hennessey  | Milne      | Stephens  |
| Delozier    | Hickernell | Moul       | Stern     |
| Denlinger   | James      | Mullery    | Stevenson |
| DiGiroloam  | Kampf      | Murt       | Swanger   |
| Dunbar      | Kauffman   | Mustio     | Tallman   |
| Ellis       | Keller, F. | O'Neill    | Tobash    |

|            |              |            |        |
|------------|--------------|------------|--------|
| Emrick     | Keller, M.K. | Oberlander | Toepel |
| English    | Killion      | Payne      | Toohil |
| Evankovich | Knowles      | Peifer     | Turzai |
| Everett    | Krieger      | Petri      | Vereb  |
| Farry      | Lawrence     | Pickett    | Watson |
| Fee        | Lucas        |            |        |

NOT VOTING—0

EXCUSED—4

|        |      |         |          |
|--------|------|---------|----------|
| Bishop | Cruz | Miranda | Wheatley |
|--------|------|---------|----------|

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

On the question recurring,  
Will the House concur in Senate amendments as amended by the Rules Committee?

MOTION TO SUSPEND RULES

The SPEAKER. On that question, the Speaker recognizes the lady from Philadelphia County, Ms. Donatucci, for the purpose of suspending the rules for the immediate consideration of amendment A04420.

For the information of the members, that amendment had been filed under the name of Representative Neuman. However, the lady from Philadelphia is making the motion.

The lady may proceed.

Ms. DONATUCCI. Thank you, Mr. Speaker.

I rise for the purpose to suspend the rules to offer amendment A04420 to HB 1098. We need to suspend the rules to offer my amendment in an effort to protect the State Lottery Fund that is expected to have a 5-percent reduction from the passage of HB 1098.

I ask for an affirmative vote to protect senior citizens. Thank you, Mr. Speaker.

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

The SPEAKER. On that question, the Speaker recognizes the gentleman from Dauphin County, Mr. Payne.

Mr. PAYNE. Thank you, Mr. Speaker.

As I indicated, Rules inserted a provision to require the money go to the deficit in the lottery, if there is one. If not, it would go to the General Fund for senior programs. But it is protecting the Lottery Fund. Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—88

|           |           |            |            |
|-----------|-----------|------------|------------|
| Barbin    | DeLissio  | Kavulich   | Parker     |
| Bizzarro  | DeLuca    | Keller, W. | Pashinski  |
| Boyle, B. | Dermody   | Kim        | Petrarca   |
| Boyle, K. | Donatucci | Kinsey     | Ravenstahl |
| Bradford  | Evans     | Kirkland   | Readshaw   |
| Briggs    | Fabrizio  | Kortz      | Roebuck    |



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

NAYS—110

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

NOT VOTING—0

EXCUSED—4

|        |      |         |          |
|--------|------|---------|----------|
| Bishop | Cruz | Miranda | Wheatley |
|--------|------|---------|----------|

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

On the question recurring,

Will the House concur in Senate amendments as amended by the Rules Committee?

The SPEAKER. Is the lady, Mrs. Kula, seeking a suspension of the rules? The lady indicates she is no longer going to attempt that. I appreciate it.

On the question recurring,

Will the House concur in Senate amendments as amended by the Rules Committee?

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

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, if I had to give a title to this legislation, this major expansion of gambling here in Pennsylvania, I would call it "Great Expectations," and I say that because it was not that many years ago that this General Assembly considered the policy of legalizing slot machines here in the Commonwealth, and there were great expectations how the money would reduce property tax, how the money would come somehow rolling into the General Assembly and help us with our budgets, how people employed would be paying those taxes, and yet we find that it has not lived up to those expectations that we were sold upon. In fact, over the years we have had to make changes because of some of the liabilities that were in the original law.

The next expectation we had was with table games. The previous Governor had indicated to us that if we only do the table games, this money will be flowing into the General Assembly; this is needed; make Pennsylvania – put it on the map as a gambling mecca in the nation, and he was correct. It has made us the second largest gaming destination in this nation, but the budget did not grow that greatly under the table game money that came in. The people who are making the money in the casinos are those who own the casinos, and it is interesting that we were told, keep the money in Pennsylvania, but the money is flowing out because many of those people, many of those people who own the casinos are out of State.

But, Mr. Speaker, I want to get down to this legislation, to HB 1098. As I just mentioned, there are failed policies here, and I see the same kind of pattern developing with this legislation. What we see are people taking their discretionary money, as they did in the other two venues, and spending it at the taverns, which now we are expanding to 8,000, 11,000 that will now have the gambling, discretionary money that they would use normally for restaurants, going to restaurants and maybe buy a household item. However that money would be used, much of that under the legislation that is proposed will now go to these bars and taverns and these other entities that are expanding the gambling.

It is interesting to note that that discretionary money goes to gambling, Mr. Speaker. It does not provide any sales tax. There is no sales tax that they are going to get from that discretionary – from that spending on the gambling.

And also, Mr. Speaker, it creates no new wealth. It is not as though that money is going to be used to go to a manufacturing site where they are going to manufacture maybe refrigerators or sewing machines, whatever, a product that creates wealth. It is not going to do that either.

And then, Mr. Speaker, we can learn from the past. You heard that it is just going to allow the bars and taverns to have three new types of gambling, just three. I will tell you, you can almost count on it that that is going to expand in a couple of years from three to four to five to six. They will not be satisfied, and that is just the way the nature of this beast is. You want to expand it, and who is going to get hurt? We are going to be hurting many Pennsylvania families because gambling addiction is part of this scenario. You cannot eliminate gambling addiction with expansion of gambling of this sort.

And then, Mr. Speaker, we are told that the law enforcement will be there to have oversight. Really? Law enforcement to oversight of 8,000 to 10,000 new bars and taverns and increased gambling in these other gambling venues as well? I mean, we

have the people to do that? I do not think so. I think there are going to be major problems regarding that issue as well.

And the last I heard, that we have made several repeals, which I thought – I just put a question mark up – why are we repealing the language in which a club license has to obtain a background check? Why are we repealing language that required a club licensee to maintain records relating to premium purchasing of raffle tickets? It is kind of an interesting scenario that is put before us, and I just wondered why we are doing that if we are supposed to have law and order within this legislation.

Mr. Speaker, I wonder if I could have a little quiet.

The SPEAKER. It is getting kind of loud. I would appreciate if the members could kindly hold the conversations down.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, I want to go back to just briefly where we were getting money into the casinos for the horsemen's fund. You know, we have millions of dollars sitting there, and I just wonder why we cannot try to move some of that money out of the horsemen's fund to use in our budget. It seems to me that would make a lot of sense, not take all of it, but, you know, as we have taken the lottery money for other useful purposes, why cannot we do that to the horsemen's fund?

Mr. Speaker, the bottom line here is that things are going to work in a wonderful way that everyone is going to benefit. We are going to have more money coming into our State Treasury so that we can balance budgets, and I will only tell you if we look at the record from the past, it leaves a lot to be desired.

And so, Mr. Speaker, in conclusion, as I mentioned about the addiction, unfortunately, there are going to be many Pennsylvania families, many people who drink and gamble that are going to provide – that are going to hurt the families. I foresee as much growth in our health and human services for those people who will have spent far more money than what they should have to go on welfare, to collect the food stamps because the families need it because they have lost too much money in the gambling arena. And with these huge prizes, I am very, very concerned about the abuse that is going to take place with thousands of dollars being plopped down in these gambling entities. It is certainly a temptation, Mr. Speaker, and like I said, the lack of oversight.

I thank the members for their attention, and I will be a "no" vote.

The SPEAKER. The question is, will the House concur in the amendments inserted by the Senate as amended by the House?

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

Ms. MUNDY. Thank you, Mr. Speaker.

Mr. Speaker, I rise in defense of the Pennsylvania lottery programs that will see perhaps as much as and maybe more than a 5-percent reduction in the funds available to them as a result of this bill, and that is not coming from me. That number, 5-percent reduction in available lottery funds, is coming from the House Republican's Appropriations Committee chairman in a Rules Committee meeting that we had recently.

Now, the gentleman from Dauphin has said a couple of times on this floor today that this money will be replaced by money from the General Fund from these proceeds. Mr. Speaker, allow me to read from the amendment that he is referring to that was offered in the Rules Committee and passed. This is the language that we put in to so call replace this money. "NO LATER THAN MARCH 15, 2016, AND EACH MARCH 15

THEREAFTER, THE LEGISLATIVE BUDGET AND FINANCE COMMITTEE SHALL ISSUE A REPORT TO THE GENERAL ASSEMBLY ANALYZING THE IMPACT, IF ANY, OF CHAPTER 9 ON THE STATE LOTTERY. THE GOVERNOR MAY SUBMIT A REQUEST TO THE GENERAL ASSEMBLY TO AUTHORIZE A TRANSFER OF FUNDS FROM THE GENERAL FUND TO THE STATE LOTTERY FUND UP TO THE AMOUNT IDENTIFIED IN THE REPORT FOR THE FISCAL YEAR FOLLOWING THE DATE OF THE REPORT." Mr. Speaker, the Governor may request that the General Assembly move money from the General Fund to the Lottery Fund, and this is supposed to be a guarantee that the Lottery Fund programs will not be adversely affected?

Now, several times on this House floor in recent months House Democrats have stood and tried to offer enhancements to lottery programs using the surplus in the lottery. "Oh, no," says the chairman of the Aging Committee. "An LB&FC report said there is not enough money available to do that. We cannot expand the property tax and rent rebate program. We cannot offer those Federal employees who have been denied an allowance of half of their pension funds, we cannot give them the same opportunities that other senior citizens in Pennsylvania have because there just is not enough surplus in the lottery." But now when we need to fill our General Fund budget hole because we keep giving away money through tax breaks, tax credits, and tax incentives to the biggest and wealthiest corporations who deal in this Commonwealth, now all of a sudden there is plenty of money in the State lottery to go into the General Fund. A 5-percent hit? No problem. There is plenty of surplus in the lottery to handle that.

Mr. Speaker, there are many reasons that I am opposed to this HB 1098, and I agree with Representative Clymer that we are going too far in expanding gambling. We will have gambling on every street corner in Pennsylvania. We will have more embezzlements. We will have more families who sink into poverty because somebody in the family gambles away the weekly paycheck.

This is not a good idea, but primarily my objection is that the State lottery will take a 5-percent cut based on the model that we are using, which was the model from Indiana. So we know that it has happened in another State. This is not a good idea. We should not be doing this. There is no guarantee this money will be replaced to fund lottery programs. So I am a "no." Thank you.

The SPEAKER. The question is, will the House concur in the amendments inserted by the Senate as amended by the House?

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

Mr. MARKOSEK. Thank you, Mr. Speaker.

I have several concerns with the bill as amended. I am concerned about the potential impact HB 1098 could have on senior programs supported by the Lottery Fund. The bill would authorize small games of chance to be sold at roughly 13,000 locations, including restaurants. To put that figure in perspective, the lottery currently has about 9100 retailers that sell lottery games. Therefore, if this bill passes, there could be approximately 4,000 more locations selling small games of chance in the Commonwealth than selling lottery tickets. Let me repeat that, 4,000 more locations selling small games of chance in the Commonwealth than are permitted to sell lottery tickets.

Think about that for a moment. There could be thousands more locations selling small games of chance in the State than lottery tickets, and the fiscal note from the Budget Office only indicates a \$25 million loss to the Lottery Fund.

The expansion of small games of chance will also harm the lottery's ability to expand into bars and taverns because the tavern owners will make a much higher profit on selling small games of chance as compared to the 5-percent commission they would receive on selling lottery tickets. Again, the expansion of small games of chance will harm the lottery's ability to expand into taverns because the tavern owners, quite simply, will make a much higher profit on selling small games of chance as compared to the 5-percent commission they would receive on selling lottery tickets.

I am happy to see that the bill was amended to require the Legislative Budget and Finance Committee to study the impact of the expansion of the gambling. However, the bill does not require us to make the Lottery Fund whole. The Lottery Fund is right now, as some of the other speakers have mentioned, solvent, but we have said along, for many reasons why I do not support privatizing the lottery, but I also believe we should not do any harm to the current lottery. Keep in mind what is funded through the current lottery. Keep in mind the people that come into your district office, many of them for the rent rebate program, or the PACE (Pharmaceutical Assistance Contract for the Elderly) program, or the shared-ride program, the ACCESS program, the transit free ride program, all of those things that are lottery funded that we are putting in jeopardy, and while we have a sufficient surplus in the current Lottery Fund, we should not do anything moving forward to harm that.

Finally, I am concerned about the impact this bill will have on our charitable, religious, fraternal, and veterans organizations; clubs; and civic and service associations that currently depend on the revenue they generate from selling pull-tabs and punch boards and conducting raffle drawings. The Budget Office fiscal note gives a range of revenue estimates from \$31 million to \$156 million. If we dramatically expand the number of locations permitted to sell small games of chance, how much of the revenue is new money versus money we are simply shifting away from seniors and VFWs (Veterans of Foreign Wars) and American Legions?

I encourage a "no" vote on the bill. Thank you.

The SPEAKER. The question is, will the House concur in the amendments inserted by the Senate as amended by the House?

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

Mr. PETRI. Mr. Speaker, may I interrogate the maker of the bill?

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

Mr. PETRI. Mr. Speaker, it is my understanding that some amendment changes were made by the Rules Committee to protect the Lottery Fund. Can you explain to me, Mr. Speaker, how that protection is derived in the Lottery Fund?

Mr. PAYNE. Thank you, Mr. Speaker.

Mr. Speaker, the amendment, which I just talked to Representative Adolph, which was put in in the Rules Committee, basically allows an audit, a study to be completed of the Lottery Fund, and the Governor at that time would have the ability to transfer any money that is required to go into the

lottery. The intent is clearly that the lottery stays even with cash, that it is not just the General Fund, Mr. Speaker.

Mr. PETRI. Okay. And, Mr. Speaker, has the Senate agreed to these provisions, to your knowledge?

Mr. PAYNE. Yes; yes, Mr. Speaker. That is an excellent question. Yes, they have.

Mr. PETRI. Thank you, Mr. Speaker.

On the bill?

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

Mr. PETRI. Mr. Speaker, I, like many members, would be concerned about the impact to the lottery, but I have been satisfied, and for purposes of legislative intent, I think we have inserted into the record the intent that this bill is to protect the Lottery Fund. I think it does so. It is certainly within the administration's discretion to continue the funding at the level that has been in existence, and I ask the members to support the bill as amended. Thank you.

The SPEAKER. The question is, will the House concur in the amendments inserted by the Senate as amended by the House?

On that question, the Speaker recognizes the lady from Fayette County, Mrs. Kula.

Mrs. KULA. Thank you, Mr. Speaker.

Mr. Speaker, when we first began the original small games of chance by the gentelady from Cumberland County, I believe we all thought we were doing the right thing, and then we went home and we heard that everything we did was the wrong thing. And I know my veterans organizations, my small clubs were livid over the requirements that were in that. Then we come to now when the gentelady from Mercer County offers her bill, which seemed to correct some of the problems, and that goes over to the Senate and it comes back, HB 1098, with what we have before us now, which has really become quite a conglomeration of issues.

My belief in small games of chance is that it was supposed to be there for the benefit of nonprofits, and the last time I looked, taverns were not in the business for nonprofit. So now we have a bill that is incorporating something for profit and then bringing in our clubs, our veterans organizations, our Moose, Elk, all of those that depend upon fundraising so that they can function.

And if in this bill the playing field were somewhat leveled, it might be a little easier to at least consider a vote in favor of this, but the playing field is not level. The taverns have pretty much been given free rein with their money. Our organizations still have a limit on what they can keep, what they can do with the money, and still reporting that will be very burdensome for my small clubs that are run by probably people my age that maybe are not as up to computers and how to do all of that, and the reporting is very burdensome.

I have talked with – and there was a rally here yesterday – with veterans organizations that are opposed to this bill. As we celebrated Veterans Day on Monday, I know many of us attended those functions and we all stood up and gave our speeches about how we should support our veterans, how they deserve our help, how they have paid their dues, and then today, 2 days later, we are voting on something, on a bill that could shut down our VFWs, our American Legions, our AMVETS, and that came directly from the leaders of those groups. VFWs sent us a letter that said that within the next 2 years, if this bill passes, you could see 200 VFWs closing in the Commonwealth of Pennsylvania, and I do not want to see that happen.

So I implore each and every one of us to remember what we said on Veterans Day and please vote "no" on HB 1098. Thank you, Mr. Speaker.

The SPEAKER. The question is, will the House concur in the amendments inserted by the Senate as amended by the House?

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

Mr. DALEY. Thank you, Mr. Speaker.

You know, when we started discussing this issue last year, there was a ground swell about this time of year last year from our VFWs, our American Legions, our seniors groups, and a lot of groups that were involved, and there was this pandemonium that was spreading throughout the Commonwealth in every one of our districts that everyone was concerned that we were going to impact on those clubs and organizations that we all love very dearly and we participate in as members of this legislature. We all met. We talked about it, and Representative Brooks's staff and my staff worked very diligently on a compromise piece of legislation that we thought really adequately addressed how we were going to resolve this issue. However, when we sent these bills over to the Senate with only 29 negative votes – and we know there are going to be negative votes on any type of gambling in Pennsylvania; that is how it works – all of a sudden we get back these bills with 25 new members on the bus. Now we have to deal with bringing in taverns and how we are going to divvy this process up.

We have one opportunity to fix this problem. We have to get these amendments out. We need to vote against the concurrence. How this works, I believe, and I can be corrected on the floor by the leader of the House or by the Speaker of the House, we get these amendments that were placed in by our Rules Committee, we vote against this, it goes back to Rules, they take those amendments out, and we bring them back and we nonconcur, and we set up a conference committee and we resolve this issue right. You have one opportunity. You are rolling the dice on all these small groups and American Legions, the VFWs, the senior centers, everyone.

We need to be patient here. We have time this year to fix this, to fix it right. No one needs to be stood by with a gun to their head saying take it or leave it. All of a sudden you have got to take it this way with the taverns in here, and no one is opposed to taverns benefiting, but we have got to make sure this legislation is right, and this is your time to do that. We have the opportunity to fix it. Let us nonconcur. Let us get these amendments out. Let us bring this bill and nonconcur in the Senate amendments to this bill. Let us go to a conference committee. Let us work this thing out right. We do not want one legion, one veterans group, one senior citizen, one anybody to go out of business because of something you did and I did. Let us use our head on this bill. Let us be smart. It is a bipartisan issue. It affects every one of us.

I ask for a nonconcurrence. Thank you, Mr. Speaker.

The SPEAKER. The question is, will the House concur in the amendments inserted by the Senate as amended by the House?

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

Mr. BARBIN. Thank you, Mr. Speaker.

I rise also in opposition to this concurrence motion, and the reason I rise in opposition to it is we have now transformed a bill that will have an incredible impact on the veterans groups,

the American Legions, the VFWs, the social clubs, and we are doing it in a manner that we usually only reserve for the Tax Code bill or the Fiscal Code bill or the education bill, and nobody really gets to know what is in the bill. Last night we had a level that said you did not have to report and last night we changed that level to a lower number.

So now this bill, as of the Rules amendments last night, will put additional small clubs, additional VFWs, additional American Legions at risk of not being able to meet the reporting requirements. We do not have to do this. These people are charities. They are integral parts of small municipalities that are still doing good work and holding our societies together. We have enough problems in our small towns and our small municipalities. We do not need to take charitable organizations and close their doors so they cannot do the work that government cannot provide.

So all we have to do is to say this bill with these Rules amendments is not what we should be voting on. The veterans groups deserve better than what we have. No one has stood up on the floor and said the veterans groups are for this bill, because they are not. They were for HB 290. They wanted the reporting bills changed. They were for HB 1098 before when it went over to the Senate, not what is before us today.

We do not have to vote on this bill. We can get it right. We owe it to the small VFWs, the American Legions, and the small clubs that are providing millions of dollars of charitable benefits, and if we are going to do this thing for the taverns, why should it be in the reporting bill for the VFWs and the social clubs? It is in there because somebody wants additional money to the General Fund. That is not a reason to put out of business small charitable organizations that hold up municipalities throughout Pennsylvania. They hold up Johnstown. I am sure they hold up all of your areas as well. This is a bad bill. We can fix it.

The SPEAKER. The question is, will the House concur in the amendments inserted by the Senate as amended by the House?

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

Mr. HANNA. Thank you, Mr. Speaker.

Mr. Speaker, I rise in opposition to concurrence on HB 1098.

There are a multitude of reasons to vote "no" on this bill, but I would like to talk specifically about two. But first I would like to just say thanks to all of those who did work to try and make the bill better. A host of amendments were adopted over the course of the last several days and have made some positive steps for the legislation, but it still has a long way to go.

And a couple of the reasons why I believe we still need to do further work on this bill include— We have heard from a number of folks about the lottery language, and I just think it is important for all of us to just look exactly at what is said in the bill. It says, "NO LATER THAN MARCH 15, 2016, AND EACH MARCH 15 THEREAFTER, THE LEGISLATIVE BUDGET AND FINANCE COMMITTEE SHALL ISSUE A REPORT TO THE GENERAL ASSEMBLY ANALYZING THE IMPACT, IF ANY, OF CHAPTER 9 ON THE STATE LOTTERY. THE GOVERNOR MAY" – operative word, "MAY" – "THE GOVERNOR MAY SUBMIT A REQUEST TO THE GENERAL ASSEMBLY TO AUTHORIZE A TRANSFER OF FUNDS FROM THE GENERAL FUND TO THE STATE LOTTERY FUND UP TO THE AMOUNT IDENTIFIED IN THE REPORT FOR THE FISCAL YEAR

FOLLOWING THE DATE OF THE REPORT." So the suggestion that this bill protects the Lottery Fund is technically inaccurate. The bill clearly says that it is optional, and of course it would have to go through the legislative process as well.

Now, I would just submit to all of you that we are dealing, in this case, with a Governor who has not shown support for the Pennsylvania lottery system, with a Governor who has attempted to sell the Pennsylvania lottery system, and a Governor who I think would prefer to see the Pennsylvania lottery system fail. So I do not believe that this language adequately protects the Pennsylvania Lottery.

The other issue that I am concerned about is the enforcement issue. The language in this bill creates two different types of enforcement – one type of enforcement for clubs and a different type of enforcement for taverns. That is one problem. We certainly should not have two different levels of enforcement. If there is going to be enforcement, it should be uniform. It should be the same for the clubs and it should be the same for the taverns that it is for the clubs. That is not what this bill says. It sets up two different types of enforcement.

But the bigger enforcement problem that I think everybody needs to understand is this bill has the potential to create 13,000 more licensed establishments who have the ability to do these small games of chance, 13,000, and I think we currently have around 900 and some that are doing that. If it grows to 13,000, it is reasonable to expect that there will be a considerably larger enforcement issue, and this bill does not allocate a single dollar to enforcement, not one single new dollar to enforcement. So the reality is here that if this were to pass, that we could put the current LCE (Bureau of Liquor Control Enforcement) and those who are required to enforce this law in a situation where they do not have the manpower or the resources to enforce this law.

So those are the two biggest reasons why I believe that we should nonconcur and keep this bill either in a conference committee or keep it here in the Rules Committee where we could work on the bill further and try and get something that is supportable, but at this point I would urge a definite "no" on this because it is not ready to be signed into law. Thank you, Mr. Speaker.

The SPEAKER. The question is, will the House concur in the amendments inserted by the Senate as amended by the House?

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

Mr. MICCARELLI. Thank you, Mr. Speaker.

Will the maker stand for brief interrogation?

The SPEAKER. The gentleman, Mr. Payne, indicates he will stand for interrogation.

Mr. MICCARELLI. Thank you, Mr. Speaker.

As a member of the VFW, the American Legion, and several other veterans organizations, this bill is of great concern to me.

The VFWs, American Legions provide many different types of programs to help veterans returning home, and I was wondering, under this legislation will the VFWs, the Legions, etc., be able to keep more or less of their money that they receive from gambling?

Mr. PAYNE. Thank you, Mr. Speaker.

Actually, two things occur in this bill. First, they get to keep more of their money than they can presently, but second and most importantly, I heard a gentlelady just earlier indicate that the restaurants and taverns get a larger percent than the clubs. That is not accurate. The clubs get to keep 40 percent. The

restaurants and taverns only get to keep 35 percent, 5 percent goes to the local municipality, and 60 percent comes to us. So the clubs have a double win. First, they keep more than the restaurants and taverns keep, and second, they are allowed now to keep more money than they currently can keep.

Mr. MICCARELLI. Okay. Thank you, Mr. Speaker.

Mr. PAYNE. Thank you, Mr. Speaker.

Mr. MICCARELLI. On the bill, Mr. Speaker.

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

Mr. MICCARELLI. It sounds to me, Mr. Speaker, like any ability that we have to allow our veterans organizations to continue their good missions in our community, to help returning veterans, then to provide them more funding to do that is a great idea.

I urge a "yes" vote.

The SPEAKER. The question is, will the House concur in the amendments inserted by the Senate as amended by the House?

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

Mr. VITALI. Thank you, Mr. Speaker.

I really have not weighed too deeply into the bill, but as I was reading the analysis, it struck me that two groups who oppose this bill are groups who I wanted to make sure the membership is aware of. This bill is opposed by the Pennsylvania State Police, and this bill is opposed by the Pennsylvania District Attorneys Association. They are two groups that we frequently cite as reasons to follow their lead.

With regard to the District Attorneys Association, I have a letter in my hand dated November 7 from them, and they make reference to the accompanying negative public safety and quality-of-life issues that will result from the legislation, and although they are not, you know, for or against gambling per se, they do talk about there are really no resources provided to deal with these negative public safety and quality-of-life issues.

The second group, the State Police, I am in possession or at least have viewed an e-mail dated October 22 from them that do list numerous reasons, numerous unspecified reasons that they have for opposing the bill generally and also talk about the enforcement issues related to this.

So I think because the State Police opposes this bill and because the Pennsylvania District Attorneys Association opposes this bill, I think we ought to take their views under strong consideration. Thank you.

The SPEAKER. The question is, will the House concur in the amendments inserted by the Senate as amended by the House?

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

Mr. ADOLPH. Thank you, Mr. Speaker.

Mr. Speaker, I want to address this enforcement issue. Number one, I cannot ever remember a problem at one of our social clubs with the enforcement of these games that have been in existence for years. On one hand we talk about what great work these VFWs, American Legions, the Elks Clubs, the Moose Clubs, the Knights of Columbus, all these social clubs do, and then all of a sudden the other hand says, we are worried about the enforcement. We need armored guards at the front of these places. We need to take more money, put more State Police. These are private clubs that have been in existence for years. Now we are talking about legitimate neighborhood taverns that have been in our neighborhoods and providing our

constituents jobs. That is where our constituents go and eat and have a beer and enjoy a sports game. That is who we are talking about. We do not need armored guards that go in and study what is going on in there. These are good, legitimate business owners, and they deserve to make a living here in Pennsylvania and we are going to tax them. And I always hear from the other side, why do we not tax some businesses? Well, here we are. We are taxing them and now all of a sudden it is not good enough.

Well, let me tell you something, Mr. Speaker. This is good. We have worked with both sides of the aisle. Representative Sturla came up with a very good idea – 5 percent goes to our host municipalities. I think it is an excellent idea. I was glad to support it.

I listened to the Governor. I listened to the other side of the aisle regarding the lottery. We put an amendment in there. The Legislative Budget and Finance Committee is going to take a look at it and going to make a report to us by March 15 of 2016 and we can address that issue. This was a model piece of legislation after the State of Indiana. So let us work together. Let us make this piece of legislation what it should be – law. Thank you.

The SPEAKER. The question is, will the House concur in the amendments inserted by the Senate as amended by the House?

Is the gentleman from Northampton County, Mr. Samuelson, seeking recognition? The gentleman is in order on the bill.

Mr. SAMUELSON. Thank you, Mr. Speaker.

Many of my colleagues have raised many concerns about this bill. The gentleman from the 166th District in Delaware County just mentioned the opposition to this bill from the Pennsylvania District Attorneys Association and the State Police.

I have a lot of concerns about this bill. Enforcement and background checks are one of them. If you think about it, the enforcement of potentially 13,000 new places where you could have these games would be left to the Liquor Control Board, and I do not see any additional, any additional resources provided to the Liquor Control Board to complete that task.

And also, what about background checks? Currently we have a Bureau of Investigations and Enforcement within the Gaming Control Board, and they are responsible for doing all the background checks for 12 casinos around Pennsylvania and maybe the 13th and 14th casinos when they open. So that Bureau of Investigations and Enforcement in the Gaming Control Board is responsible for those background checks at the casinos in Pennsylvania. Now all of a sudden that bureau is going to be responsible for background checks at potentially 13,000 new places all across Pennsylvania. This is a significant expansion of gambling in Pennsylvania, and I think we ought to proceed very cautiously with such a proposal coming up in short order with no chance for the House of Representatives to amend it on the House floor. When this came over from the Senate 2 weeks ago, there was no chance for amendment. Today no chance for amendment.

Perhaps my main concern is about the impact on the Pennsylvania Lottery Fund. If you think about it, the lottery was created in 1971, and for the last 42 years the Lottery Fund has been set aside for senior programs in Pennsylvania, and you know that the senior programs that are funded this way include the property tax and rent rebate program, the prescription drug program, PACE and PACENET (Pharmaceutical Assistance

Contract for the Elderly Needs Enhancement Tier), transportation programs for our seniors, and the area agencies on aging that are in all counties across Pennsylvania. So when you start threatening the funding that our seniors depend on, you have to be very careful.

There has been some talk about an estimate from the Appropriations Committee that this would have a 5-percent impact on the lottery, a 5-percent reduction in lottery funding. Well, just think about that. The official estimate says \$24.9 million would be lost. If you look at all of the lottery revenues, that is just under \$1.1 billion a year. If you take 5 percent of that, that is \$55 million coming away from the programs that our senior citizens depend on, and I believe that that 5-percent estimate is a low-ball estimate.

And consider this: Currently there are 9,100 places in Pennsylvania where you can buy a lottery ticket; 9100 places in Pennsylvania. This bill provides for as many as 13,000 more. Instead of buying a daily number ticket at one of the lottery outlets, you could buy a daily drawing ticket at one of these 13,000 places. That could be everything from the clubs to places with a liquor license to Stop-N-Go corner stores. It is so broadly defined that it looks like as many as 13,000 new gambling outlets in Pennsylvania would be created. And if you go from 9100 places where there is a lottery machine, add 13,000, you are up to 22,000 places. The dilution of funding for our lottery could be a lot more severe than just the 5 percent that is contained in the initial estimate.

We have a lot of senior programs that we have to protect. We have to protect the property tax and rent rebate program, we have to protect the PACE and PACENET program for our seniors, we have to protect transportation programs, and we have to make sure that our counties have the resources to have efficient and effective area agencies on aging. We should not be looking at legislation that is going to threaten the Lottery Fund that has been here since 1972. We should not be diluting the resources that are going to our seniors. We should be protecting the Lottery Fund and strengthening the Lottery Fund, and I urge a "no" vote on HB 1098. Thank you, Mr. Speaker.

The SPEAKER. The question is, will the House concur in the amendments inserted by the Senate as amended by the House?

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

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

I would like to echo the comments by the majority Appropriations chair.

I think one of the things that we are forgetting about is, these taverns are run and owned by our neighbors and friends. These are family-run businesses that over the years we keep putting them, making it harder and harder for them to make a living. This is going to give them the ability to keep their businesses open.

Again, remember, it is our friends, neighbors, and some might be family members that are running these small Pennsylvania businesses. Let us do what we can to help them out. Let us vote for this bill.

Thank you, Mr. Speaker.

The SPEAKER. The question is, will the House concur in the amendments inserted by the Senate as amended by the House?

On that question, the Speaker recognizes the gentleman from Northumberland County, Mr. Masser.

Mr. MASSER. Thank you, Mr. Speaker.

I appreciate the comments from the previous speaker from Allegheny County, recognizing the industry, because my remarks are, this is not an us-against-them.

When I was approached by my clubs, I asked them one simple question, "When you go into your taverns, how many of your members do you see?" And the answer was the same from all of them, we see very few of our members in there, if any. The reason is simple, because the clubs have their membership, their members are there because they are there for a reason. They support the activities of that club. Oftentimes they are getting cheaper drinks. They can smoke. There is a whole host of reasons why they belong to that club. But I can tell you from the industry standpoint as a tavern owner for 25 years, my customers are not in those clubs, and those members seldom come to my restaurant.

So this is not about us versus them. This is not about us putting them out of business by allowing gaming into taverns.

I just want to give you a little talk about what it has been like 25 years in the tavern industry.

About that same time as I got into the tavern industry, this State government said, welcome to the tavern industry; now we are going to give the clubs small games of chance; you do not have that opportunity. A little while later, they allowed clubs to stay open until 3 o'clock in the morning; taverns, nope, you can only stay open till 2. Clubs, you are allowed memberships; taverns, no, you are not.

Then the smoking ban came, and that changed the industry immensely. Many of my customers left, and where did they go? They went to the one place where they could be served alcohol and still smoke. They went to the clubs. But this is not, again, this is not about competition between the two, because through all of that as an industry we changed, we changed the way we did things, but we got no thanks for it.

During that whole time though, what we were doing was employing your friends, your neighbors. We were paying our taxes. We were paying property taxes. We were paying income taxes, payroll taxes. We were doing all of those things and creating jobs. Again, this is not about us versus them. This is two totally different clienteles.

The tavern industry also supports all of the things in our communities. We are talking about, oh, but we lose those things that are being given back to our communities. I, as a tavern owner, have supported our Little League teams, our Boy Scouts, our football team, the Legions themselves, the fire companies themselves for 25 years, and I will continue to do so.

Please think about it, when you go back to your taverns, how do you answer them? For 25 years they have gotten the wrong end of the deal. It is time that they are given a little bit of something and be able to stay in business. I am asking for an affirmative vote. Thank you.

The SPEAKER. The question is, will the House concur in the amendments inserted by the Senate as amended by the House?

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

Mr. MUSTIO. Thank you, Mr. Speaker.

Would it be permissible for me to interrogate the majority Appropriations chair?

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

Mr. MUSTIO. Thank you, Mr. Speaker.

Mr. Speaker, we have heard a lot of debate regarding the possible reduction in lottery income based on the implementation of this legislation, and in the early 2000s when we were debating bringing slots to Pennsylvania, those very same arguments were made.

Mr. Speaker, I would like to ask the Appropriations chair to kind of give us a comparison between the type of revenue we are expected to generate under this legislation and what is generated currently under slots.

Mr. ADOLPH. As far as the slots revenue, Mr. Speaker, it generates about \$800 million.

Mr. MUSTIO. And the estimated revenue to be generated by this legislation of small games of chance?

Mr. ADOLPH. \$156 million.

Mr. MUSTIO. Now, there has been some, in my opinion, red herrings thrown out there that there will be a 5-percent reduction in lottery funds. Since the implementation of slots in Pennsylvania, has there been a reduction in revenue to the lottery?

Mr. ADOLPH. No, there has not been.

Mr. MUSTIO. Not a 5-percent reduction. With this \$800 million a year in revenue coming to the State, which is a significant amount, that means there are a lot of slots played in Pennsylvania, apparently. There has been no reduction in revenue to the lottery?

Mr. ADOLPH. Actually, in the last 3 months, our lottery ticket sales have gone up 7 percent.

Mr. MUSTIO. Lottery ticket sales are up 7 percent. No more interrogation. Thank you.

Mr. Speaker—

Mr. ADOLPH. Thank you.

Mr. MUSTIO. —I would just like to—

The SPEAKER. Does the gentleman want to speak further on the bill?

Mr. MUSTIO. Yes, I would. Thank you.

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

Mr. MUSTIO. I would like to encourage my colleagues to vote "yes" on this legislation.

Their concerns, if they have any regarding the reduction in revenues to the lottery fund, in my opinion, should be alleviated certainly by the large pile of test cases we had with slots being brought to Pennsylvania, where not only did we not see a reduction in revenue to the Lottery Fund, but as the Appropriations chair just indicated, we continue to see increases in that revenue to benefit our seniors.

Thank you, Mr. Speaker.

The SPEAKER. The question is, will the House concur in the amendments inserted by the Senate as amended by the House?

On that question, the Speaker recognizes the gentleman from Clearfield County, Mr. Gabler.

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

I appreciate the opportunity to comment on this package. Today we have before us HB 1098, and on Monday we will have the opportunity to consider HB 290.

And when I went back to my district, I had the opportunity, especially across the Veterans Day weekend, to discuss this package of legislation with my constituents, with my fellow American Legion members, with folks that are in the local VFW, and with folks in our community who are concerned

about how we can best utilize these small games of chance to benefit our community.

There is one thing I think we need to clarify and make absolutely clear. If we do nothing to our small games of chance law, many of our veterans organizations are going to close in the next few years. The current law is no good. The current law is no good because our veterans organizations are limited to a specific demographic. They are limited to a specific group of people who have previously served in the service, and that is a shrinking portion of our population that can be in their organization.

And so I presented this package to them. I presented both bills to my constituents in the VFWs and the American Legions, and I asked them, what would you think of a package of bills that went through, that among other things, like in this bill, allows the clubs to keep now 40 percent instead of 30 percent of their revenues, that would open up some of these small games of chance in some of the taverns as well in a different program, and on Monday when we have the opportunity to look at 290 also, and this is the big thing for the veterans organizations, to actually amend the definition of a public interest purpose to allow the veterans organizations to benefit from the small games of chance that take place in their clubs.

And when you look at the package as a whole, there was no question, it was not even close, the veterans in my organizations, in my hometown, clearly said, absolutely, let us get this done, because if we do nothing, we know we are at risk, but if we get this done, go ahead and do 1098, let us do 290, let us get this stuff done. Our veterans organizations will be better off. They will have the opportunity to benefit. This is a good package of legislation.

And as a person who is very, very concerned, as a member of this body who is very much concerned about making sure that our veterans organizations can be sustainable and can continue to offer those vital services that they do, I am proud to support this package of bills together, both HB 1098 and I am really looking forward to Monday when I will have the opportunity to support HB 290. I urge an affirmative vote on both bills. Thank you very much.

The SPEAKER. The question is, will the House concur in the amendments inserted by the Senate as amended by the House?

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

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, because we have had negotiations on this and we have made some progress and particularly with some issues that I was concerned with, I intend to vote "yes." However, having said that, I understand that there are still a host of issues with this legislation, and in the negotiations, it was admitted that we are probably going to need to run another bill again next year to correct the problems in this bill.

Now, none of those problems are things that we cannot correct in short order, but I think it begs the question, why are we not fixing them now instead of passing a bill that we know has inherent flaws in it so that we can then come back and fix it again next year?

## MOTION TO RECOMMIT

Mr. STURLA. And so, Mr. Speaker, I want to move that we refer this bill to the Rules Committee so that perhaps between now and the time we come back on Monday to do 290, we can correct those issues and have this be a bill that— The reason I am doing this is because actually I want this thing to pass.

The SPEAKER. Will the gentleman suspend.

If you have made that motion – I believe you did – I would prefer to put the motion before us and then you can debate why it should be referred.

Mr. STURLA. Yes.

The SPEAKER. The gentleman from Lancaster, Mr. Sturla, has moved that HB 1098 be referred back to the Rules Committee.

On the question,

Will the House agree to the motion?

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

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, the reason I am making this proposal is because I would actually like to see this bill pass. I am not convinced that there are enough votes to have it pass, and then we have lost the issue. Putting this off until Monday, so that we can correct some of the known problems that we have with this legislation that I believe almost anyone would agree to, we can get this to a point where we can have more than a majority voting for this within a few short days.

We have negotiated in good faith for the last 2 weeks while we were in recess. We have negotiated in good faith and I believe there has been some progress made in the last – as late as 6:30 yesterday. If we can give this a slight bit more time, I think we can get this to a point where we will have solved a lot of the problems and allayed a whole lot of fears for a whole lot of people that are currently either just saying, well, if you promise me you are going to change it, I will stay neutral and will not oppose you, and other people that are saying, no, we just do not like it the way it is because we are fearful that there are things that are going to happen. You know, even organizations that say they are neutral on it, their individual members have concerns, and we can allay those concerns and correct those issues with a short delay.

And so I would appreciate a "yea" vote, a "yes" vote, on recommitting for a specific time period, not to put this off forever because I would actually like to see this passed.

Thank you, Mr. Speaker.

The SPEAKER. On the motion to recommit, the Speaker recognizes the majority leader, Mr. Turzai.

Mr. TURZAI. Three amendments were passed in Rules Committee, including one made by the chairman, the minority chair of the Policy Committee. There are no known concerns with the bill as it is. We in fact want to put the vote up tonight, and we are asking everybody to please not recommit and to let everybody have an opportunity to vote on HB 1098 today.

It has been in Rules twice. Opportunities were given for everybody to present their concerns prior to yesterday's Rules vote. In addition, this has been worked out with our colleagues



in the Senate, and we would ask everybody to please vote against recommittal so that we can have the vote tonight, and I would ask all members of this chamber to vote against recommittal so that we can take it to a vote. Thank you very much.

We have a lot of other important issues to address in the upcoming days. This one has been thoroughly vetted since springtime. People know where they are, members know where they are, organizations know where they are. Issues have been addressed. It is time to put the issue to a vote so we can move to other issues. Please vote against recommittal. Thank you.

The SPEAKER. On the motion to recommit, the Speaker recognizes the gentleman from Cambria County, Mr. Barbin.

Mr. BARBIN. Thank you, Mr. Speaker.

I understand the positions that have been taken in this floor debate this afternoon, but the reality of the situation is this, and this is why I support the maker's motion of this particular – sending it back to Rules.

We came into this situation with a problem. We passed a bill where there were reporting requirements that had unintended consequences. We went back then and said – and at the time it should be remembered that the people that were most affected, the charities were the Veterans of Foreign Wars, the American Legions, and the social clubs, and they said, we are neutral on this bill because we think there might be problems.

We went back to our constituents and they said, you know something, we got big problems, we do not have little problems and we need them fixed. So we came up with a couple different bills, HB 290 and this bill that we sent over to the Senate to fix a reporting problem – not an additional revenue problem, a reporting problem.

Now, everybody has done their best to try to fix the reporting problem, but in the process of this, we have thrown in a lot of additional issues. We have thrown in 13,000 additional gambling locations, and that might not be a bad thing, but we did it, and now this bill is a whole lot more complex than it was when it left here. So today we are sitting with this situation. We are in exactly the same position. The VFW has said, we are neutral; the American Legion has said, we are neutral; the Pennsylvania State Police said, we are against it; the district attorneys say, we are against it.

Now, we can spend one more day or one more weekend trying to get this thing right, but right now we got an additional factor thrown into the bill – tavern owners, tavern enforcement, money to the General Fund. How much money of that money, that new money should go to the municipalities? All those things are new issues and all those things could be compromised, could come to an agreement again. We can bring it up, we are here all next week, and we can get this right, for not only the person who writes the neutral letter, but for the person who has the actual problem. And the person who has the actual problem is the American Legion that has a small following that may go out of business. And whether or not the American Legion at the State level says they are neutral or not, some of our small organizations are going out of business.

Now, we can stop that from happening if we just rerefer this bill to Rules and we ask Rules to say, is this the best we can do, and can we not have 2 days to look at what the unintended consequences would be? And because we certainly can take 2 days to look at the unintended consequences and because we did exactly the same thing last year and we had to fix it last year, just like we will have to fix it this year, we should try to

make it better. We should try to avoid coming into January and having all those small clubs come back and all those small VFWs and all those small American Legions and they are going to tell us, you know, when you went from 40 to 30, you really messed us up.

Maybe 30 is not the right number; maybe 40 is a better number. We will not know because we are rushing the bill through. Maybe it is a good idea to have the taverns in; maybe it is not. But we do not even get a chance to discuss it with our constituents because you made the amendments in Rules and now everybody has a take-it-or-leave-it. And we do not even know that the people this was intended to fix are really in support of it and we do not even know if they have actually asked any of their member chapters whether they like it or do not like it, because it is all done under cover of darkness.

I am not for cover of darkness. We can spend 2 more days. We can decide whether they really think this is a good idea or a bad idea, but we will not be able to do it if we vote today.

The SPEAKER. On the motion to recommit, the Speaker recognizes the gentleman from Lancaster County, Mr. Sturla, for the second time.

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, it was stated that there are no known flaws with this bill, but as one of the Representatives pointed out, there are unintended consequences, and I would like to give one specific example, although I believe there are multiple specific examples of issues that need to be fixed in this bill and issues that you will hear about should this become law in its current form.

As the bill is currently written, if I am a club – a VFW, a Legion, an AMVETS – and I do \$39,999 worth of pull-tabs and 50-50s and those types of things, I get to keep the first \$20,000 of that and then I get to keep 40 percent of the second \$19,999. So I get to roughly keep \$28,000 in my club. However, because the threshold or the cutoff for the \$20,000 exemption is \$40,000, if I sell two more pull-tabs and I do \$40,001 worth of small games of chance in my club, I now get to keep 40 percent of \$40,000, or \$16,000. So for selling two more dollars' worth of pull-tabs, my club loses \$12,000. That is the way the bill is currently written.

And somebody said, well then, just do \$50,000 worth of business, but if I do \$50,000 worth of business, I get to keep \$20,000 and I lose \$8,000 for doing another \$10,000 worth of business. If I do \$60,000 worth of business, I get to keep \$24,000 and I lose \$4,000 for doing an extra \$20,000 worth of business. That does not make sense. That is easy to fix. That is something we can do with the change of one number in that bill. We can do that this weekend.

I would suggest that it makes sense for us to make those corrections instead of passing this legislation, having our clubs set up for reporting one way, and then having to come back and do legislation to correct the problem that we know exists. This is simply about trying to get it right. I want this bill to pass. This is not about trying to stop this legislation. This is about trying to make it so that we do not have to come back and do it again and again and again.

I urge a "yes" vote on recommitting to Rules with the notion that we would get back here on Monday and pass this legislation with the corrections necessary.

Thank you, Mr. Speaker.

The SPEAKER. On the motion to recommit, does the majority leader seek recognition for a second time on the motion to recommit?

The gentleman is in order and may proceed on the motion.  
Mr. TURZAI. Thank you very much, Mr. Speaker.

Certainly this legislation has been dealing with the taverns for the better part of 3 weeks and has been fully vetted and there is no cover of darkness. The implication is not accurate, and this has been fully vetted both in Rules Committee, on the floor. Members had opportunities to go back to their districts to talk to their constituents. This has been nothing but open-ended. Everybody has had an opportunity, full Democratic staff was involved in amendments, full Republican staff. There has been bipartisan support, bipartisan work, and the bill needs to come to a vote.

I would ask all members to vote against recommittal. Thank you.

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

The following roll call was recorded:

YEAS—84

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

NAYS—114

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

|            |          |       |        |
|------------|----------|-------|--------|
| Evankovich | Kotik    | Pyle  | Vereb  |
| Everett    | Krieger  | Quinn | Watson |
| Farry      | Lawrence |       |        |

NOT VOTING—0

EXCUSED—4

|        |      |         |          |
|--------|------|---------|----------|
| Bishop | Cruz | Miranda | Wheatley |
|--------|------|---------|----------|

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

On the question recurring,  
Will the House concur in Senate amendments as amended by the Rules Committee?

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

Mr. BARRAR. Thank you, Mr. Speaker.

Could I ask the maker of the bill if he would stand for a brief interrogation?

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

Mr. BARRAR. Thank you, Mr. Speaker.

Mr. Speaker, can you explain to me the amendment that went in in Rules? As you know, we have been meeting with the American Legion and VFW over the last 2 days to try to work out an agreement with them, and one of their big concerns was the reporting requirements in the bill and the current reporting requirements that they are under law required to do. What changes are there in this legislation that kind of ease up or are there less restrictions on the reporting requirements?

Mr. PAYNE. Mr. Speaker, it has been changed from \$40,000 to \$20,000, so it has been cut in half as far as reporting.

Mr. BARRAR. Is there a change in the amount of time that they have to report?

Mr. PAYNE. Well, they have an annual report.

Mr. BARRAR. Okay.

Mr. PAYNE. Annual report, and that is not every 6 months now; it is once a year. So they cut it from 40 to 20 and they cut the number of times they have to report it from every 6 months to once a year.

Mr. BARRAR. Great. Okay. That was one of their concerns because they say that costs the small clubs quite a bit of money.

One of the other concerns that they expressed in our meeting was the amount — is there an increase in the fines that they would be required to pay for violations? Was there any—

Mr. PAYNE. Not for clubs but for — now, under the restaurants and taverns, there are substantial fines.

Mr. BARRAR. Okay. But their fine schedule, someone had reported to me that their fines increase from \$1,000 to \$2,000. So that is—

Mr. PAYNE. No. Mr. Speaker, thanks for that clarification. The clubs had no change to their fines. The clubs only have to report once a year instead of twice a year, and the clubs now do not have to report anything below \$40,000 instead of \$20,000.

Mr. BARRAR. Okay. Thank you.

Mr. Speaker, on the bill?

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

Mr. BARRAR. For the information of the members, for the past 2 days I have been in meetings with the VFW and the American Legions. We have hashed out quite a few of the issues contained in this bill and their concerns, and I am happy to say that the American Legions and the VFWs have taken no opposition to this bill.

They understand in the bill that there is a give-and-take. They say in their e-mail that most of us should be receiving very soon that they have a problem, they are opposed to the taverns getting small games of chance, but they also understand the immediate good that this legislation will do for the Commonwealth, they have not come out in support of the bill, but they are neutral on the bill and they say they will not oppose the bill, which I think is a good place for us to be.

So I would ask the members, take that into consideration and please support the bill.

Thank you, Mr. Speaker.

The SPEAKER. The question is, will the House concur in the amendments inserted by Senate as amended by the House?

On that question, the Speaker recognizes the gentleman from Philadelphia County, Mr. O'Brien.

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

I have listened intently to the discussion that we have had here this afternoon, and I have to tell you, I am befuddled; I am absolutely befuddled.

On one hand, we have the fraternal organizations who, through the work of the gentlelady from Cumberland County a year or so ago, have small games of chance. Now, on the other hand, we have an opportunity to find a revenue enhancer.

As we hear often, there is no money. The Commonwealth lacks money, localities lack money, and here we have a vehicle to enhance revenue freely and willingly by the people who do this.

It is simply a good idea. It bears fruit. It should move forward.

The SPEAKER. The question is, will the House concur in the amendments inserted by the Senate as amended by the House?

For the information of the members, I do not see any other members that are seeking recognition to debate this bill. However, under House rules, the 24-hour rule would prohibit voting it until 7:02 p.m.

### MOTION TO PROCEED TO CONSIDERATION UNDER RULE 21

The SPEAKER. For what purpose does the gentleman from Dauphin County, Mr. Payne, rise?

Mr. PAYNE. Mr. Speaker, on the bill if I may – make a motion to proceed. Let me correct that, Mr. Speaker.

The SPEAKER. The gentleman is in order to make the motion.

Mr. PAYNE. Thank you, Mr. Speaker.

Mr. Speaker, I would like to make the motion that we proceed with HB 1098.

The SPEAKER. The gentleman from Dauphin County, Mr. Payne, has made the motion to move to proceed.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

#### YEAS—135

|             |              |            |             |
|-------------|--------------|------------|-------------|
| Adolph      | Farry        | Longietti  | Readshaw    |
| Baker       | Fleck        | Lucas      | Reed        |
| Barrar      | Flynn        | Mackenzie  | Reese       |
| Benninghoff | Frankel      | Maher      | Regan       |
| Bloom       | Gabler       | Mahoney    | Rock        |
| Boback      | Galloway     | Major      | Roebuck     |
| Boyle, B.   | Gillespie    | Maloney    | Ross        |
| Boyle, K.   | Gingrich     | Markosek   | Rozzi       |
| Brown, R.   | Godshall     | Marshall   | Saccone     |
| Burns       | Goodman      | Marsico    | Sainato     |
| Caltagirone | Grove        | Masser     | Sankey      |
| Causar      | Hackett      | McGeehan   | Santarsiero |
| Christiana  | Hahn         | McGinnis   | Saylor      |
| Clymer      | Haluska      | McNeill    | Scavello    |
| Cohen       | Harhai       | Metcalfe   | Schlossberg |
| Corbin      | Harhart      | Miccarelli | Simmons     |
| Costa, P.   | Harper       | Micozzie   | Smith       |
| Cox         | Harris, A.   | Millard    | Sonney      |
| Culver      | Heffley      | Miller, R. | Stephens    |
| Davidson    | Helm         | Mirabito   | Stern       |
| Davis       | Hennessey    | Molchany   | Stevenson   |
| Day         | James        | Murt       | Sturla      |
| Deasy       | Kampf        | Mustio     | Swanger     |
| DeLozier    | Kauffman     | Neilson    | Tallman     |
| DeLuca      | Keller, F.   | O'Brien    | Taylor      |
| Dermody     | Keller, M.K. | O'Neill    | Tobash      |
| DiGirolamo  | Keller, W.   | Oberlander | Toepel      |
| Donatucci   | Killion      | Pashinski  | Toohil      |
| Dunbar      | Kim          | Payne      | Turzai      |
| Ellis       | Knowles      | Peifer     | Vereb       |
| Emrick      | Kortz        | Petri      | Vitali      |
| English     | Kotik        | Pickett    | Watson      |
| Evankovich  | Krieger      | Pyle       | White       |
| Everett     | Lawrence     | Quinn      |             |

#### NAYS—63

|           |           |            |            |
|-----------|-----------|------------|------------|
| Aument    | DeLissio  | Harris, J. | Painter    |
| Barbin    | Denlinger | Hickernell | Parker     |
| Bizzarro  | Evans     | Kavulich   | Petrarca   |
| Bradford  | Fabrizio  | Kinsey     | Rapp       |
| Briggs    | Farina    | Kirkland   | Ravenstahl |
| Brooks    | Fee       | Kula       | Roae       |
| Brown, V. | Freeman   | Matzie     | Sabatina   |
| Brownlee  | Gainey    | McCarter   | Samuelson  |
| Carroll   | Gergely   | Mentzer    | Schreiber  |
| Clay      | Gibbons   | Metzgar    | Sims       |
| Conklin   | Gillen    | Miller, D. | Snyder     |
| Costa, D. | Greiner   | Milne      | Thomas     |
| Cutler    | Grell     | Moul       | Truitt     |
| Daley, M. | Haggerty  | Mullery    | Waters     |
| Daley, P. | Hanna     | Mundy      | Youngblood |
| Dean      | Harkins   | Neuman     |            |

#### NOT VOTING—0

#### EXCUSED—4

|        |      |         |          |
|--------|------|---------|----------|
| Bishop | Cruz | Miranda | Wheatley |
|--------|------|---------|----------|

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

On the question recurring,

Will the House concur in Senate amendments as amended by the Rules Committee?

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

The following roll call was recorded:

YEAS—102

|             |              |            |           |
|-------------|--------------|------------|-----------|
| Adolph      | Gabler       | Maher      | Quinn     |
| Barrar      | Galloway     | Mahoney    | Reed      |
| Benninghoff | Gillespie    | Major      | Reese     |
| Boyle, B.   | Gingrich     | Marsico    | Regan     |
| Boyle, K.   | Godshall     | Masser     | Ross      |
| Brown, R.   | Grell        | Matzie     | Sabatina  |
| Burns       | Grove        | McGeehan   | Saccone   |
| Caltagirone | Hackett      | McGinnis   | Sainato   |
| Causar      | Hahn         | Metzgar    | Sankey    |
| Christiana  | Harhart      | Miccarelli | Saylor    |
| Cohen       | Harper       | Micozzie   | Scavello  |
| Corbin      | Harris, A.   | Millard    | Simmons   |
| Costa, P.   | Heffley      | Miller, R. | Smith     |
| Davidson    | Helm         | Moul       | Sonney    |
| Davis       | Hennessey    | Murt       | Stephens  |
| Delozier    | James        | Mustio     | Stevenson |
| DeLuca      | Kampf        | Neilson    | Sturla    |
| DiGrolamo   | Keller, M.K. | O'Brien    | Tallman   |
| Donatucci   | Keller, W.   | O'Neill    | Taylor    |
| Dunbar      | Killion      | Oberlander | Tobash    |
| Ellis       | Knowles      | Payne      | Toepel    |
| Emrick      | Kortz        | Peifer     | Toohil    |
| English     | Kotik        | Petri      | Turzai    |
| Evankovich  | Krieger      | Pickett    | Vereb     |
| Everett     | Lucas        | Pyle       | Watson    |
| Farry       | Mackenzie    |            |           |

NAYS—96

|           |            |            |             |
|-----------|------------|------------|-------------|
| Aument    | DeLissio   | Kauffman   | Parker      |
| Baker     | Denlinger  | Kavulich   | Pashinski   |
| Barbin    | Dermody    | Keller, F. | Petrarca    |
| Bizzarro  | Evans      | Kim        | Rapp        |
| Bloom     | Fabrizio   | Kinsey     | Ravenstahl  |
| Boback    | Farina     | Kirkland   | Readshaw    |
| Bradford  | Fee        | Kula       | Roae        |
| Briggs    | Fleck      | Lawrence   | Rock        |
| Brooks    | Flynn      | Longietti  | Roebuck     |
| Brown, V. | Frankel    | Maloney    | Rozzi       |
| Brownlee  | Freeman    | Markosek   | Samuelson   |
| Carroll   | Gainey     | Marshall   | Santarsiero |
| Clay      | Gergely    | McCarter   | Schlossberg |
| Clymer    | Gibbons    | McNeill    | Schreiber   |
| Conklin   | Gillen     | Mentzer    | Sims        |
| Costa, D. | Goodman    | Metcalfe   | Snyder      |
| Cox       | Greiner    | Miller, D. | Stern       |
| Culver    | Haggerty   | Milne      | Swanger     |
| Cutler    | Haluska    | Mirabito   | Thomas      |
| Daley, M. | Hanna      | Molchany   | Truitt      |
| Daley, P. | Harhai     | Mullery    | Vitali      |
| Day       | Harkins    | Mundy      | Waters      |
| Dean      | Harris, J. | Neuman     | White       |
| Deasy     | Hickernell | Painter    | Youngblood  |

NOT VOTING—0

EXCUSED—4

|        |      |         |          |
|--------|------|---------|----------|
| Bishop | Cruz | Miranda | Wheatley |
|--------|------|---------|----------|

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

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

SUPPLEMENTAL CALENDAR A CONTINUED

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 731, PN 1551**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for burglary, for robbery, for grading of theft offenses and for the offense of retail theft.

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—189

|             |            |            |             |
|-------------|------------|------------|-------------|
| Adolph      | Evankovich | Knowles    | Petri       |
| Aument      | Evans      | Kortz      | Pickett     |
| Baker       | Everett    | Kotik      | Pyle        |
| Barbin      | Fabrizio   | Krieger    | Quinn       |
| Barrar      | Farina     | Kula       | Rapp        |
| Benninghoff | Farry      | Lawrence   | Ravenstahl  |
| Bizzarro    | Fee        | Longietti  | Readshaw    |
| Bloom       | Fleck      | Lucas      | Reed        |
| Boback      | Flynn      | Mackenzie  | Reese       |
| Boyle, B.   | Frankel    | Maher      | Regan       |
| Boyle, K.   | Freeman    | Mahoney    | Roae        |
| Bradford    | Gabler     | Major      | Rock        |
| Briggs      | Galloway   | Maloney    | Roebuck     |
| Brooks      | Gergely    | Markosek   | Ross        |
| Brown, R.   | Gibbons    | Marshall   | Rozzi       |
| Brown, V.   | Gillen     | Marsico    | Sabatina    |
| Brownlee    | Gillespie  | Masser     | Saccone     |
| Burns       | Gingrich   | Matzie     | Sainato     |
| Caltagirone | Godshall   | McCarter   | Samuelson   |
| Carroll     | Goodman    | McGeehan   | Sankey      |
| Causar      | 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      |
| Culver      | Harkins    | Milne      | Stephens    |
| Cutler      | Harper     | Mirabito   | Stern       |
| Daley, P.   | Harris, A. | Molchany   | Stevenson   |
| Davidson    | Heffley    | Moul       | Sturla      |
| Davis       | Helm       | Mullery    | Swanger     |
| Day         | Hennessey  | Murt       | Tallman     |
| Dean        | Hickernell | Mustio     | Taylor      |
| Deasy       | James      | Neilson    | Tobash      |
| Delozier    | Kampf      | Neuman     | Toepel      |
| DeLuca      | Kauffman   | O'Brien    | Toohil      |

|            |              |            |            |
|------------|--------------|------------|------------|
| Denlinger  | Kavulich     | O'Neill    | Truitt     |
| Dermody    | Keller, F.   | Oberlander | Turzai     |
| DiGirolamo | Keller, M.K. | Painter    | Vereb      |
| Donatucci  | Keller, W.   | Pashinski  | Vitali     |
| Dunbar     | Killion      | Payne      | Watson     |
| Ellis      | Kim          | Peifer     | White      |
| Emrick     | Kirkland     | Petrarca   | Youngblood |
| English    |              |            |            |

## NAYS—9

|           |            |        |        |
|-----------|------------|--------|--------|
| Daley, M. | Harris, J. | Mundy  | Thomas |
| DeLissio  | Kinsey     | Parker | Waters |
| Gainey    |            |        |        |

## NOT VOTING—0

## EXCUSED—4

|        |      |         |          |
|--------|------|---------|----------|
| Bishop | Cruz | Miranda | Wheatley |
|--------|------|---------|----------|

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

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

**REMARKS SUBMITTED FOR THE RECORD****VOTE CORRECTION**

The SPEAKER. For what purpose does the lady from Montgomery County, Mrs. Dean, rise?

Mrs. DEAN. For the purpose of correcting the record.

The SPEAKER. The lady may state her correction.

Mrs. DEAN. Mr. Speaker, I was registered in the affirmative. I wish to be a "no" vote on that bill, and I also wish to offer comments for the record.

The SPEAKER. You are referring to SB 731?

Mrs. DEAN. Yes, please.

The SPEAKER. The lady's remarks will be noted in the record, and submit your remarks to the clerk and they will be noted in the record as well.

Mrs. DEAN. Thank you very much, Mr. Speaker.

Mrs. DEAN submitted the following remarks for the Legislative Journal:

Thank you, Mr. Speaker.

I rise to bring attention to what I think is a potential danger of continuing to expand our prison population while not addressing the underlying issue of addiction.

This bill – amended to include stealing of controlled substances or designer drugs – seeks to punish those who steal in order to profit from the resale of these items. However, the result will be the unfair targeting of addicts with no hope of treating the underlying cause – addiction.

Assistance to drug and alcohol programs was flat funded in this year's budget, and with no State funding to D.A.R.E. (Drug Abuse Resistance Education), school D.A.R.E. programs continue to vanish from our schools. As top law enforcement officials have noted, "There are too many people in jail for too long, and for not necessarily good reasons." With declining education of your young people, declining resources to treat addiction, and increased penalties for those who

suffer from addiction, as this bill does, we are setting ourselves on a dangerous, expensive path. We should not be ramping up.

Thank you, Mr. Speaker, for considering my thoughts.

**HOUSE BILL  
INTRODUCED AND REFERRED**

**No. 1835** By Representatives BARRAR, METCALFE, DENLINGER, KOTIK, KRIEGER, R. MILLER, SWANGER and WATSON

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, in district election officers, further providing for qualifications of election officers and for vacancies in election boards.

Referred to Committee on STATE GOVERNMENT, November 13, 2013.

**QUESTION OF PERSONAL PRIVILEGE**

The SPEAKER. The Speaker recognizes the gentleman from Butler County, Mr. Metcalfe, for a point of personal privilege.

Mr. METCALFE. Thank you, Mr. Speaker.

Mr. Speaker, at the end of this month I will have served in this august body for 15 years. Besides the 15 years of service here, I also served honorably for 4 years of active duty in the United States Army, Mr. Speaker. In recognition of Veterans Day this past Monday, I would like to thank all of my fellow veterans for their honorable service, Mr. Speaker.

Today is the first time I have requested to use personal privilege to respond to an attack on my character and reputation, even though throughout my service liberals in both parties have targeted me with libelous and slanderous attacks.

On October 21, I sent a cosponsor memo to members of this chamber to request support for a resolution of impeachment. My request is a legislative action. My request is based on the constitutional authority granted to this legislative body.

Mr. DERMODY. Mr. Speaker?

Mr. METCALFE. My request is in support of the rule of law.

Mr. DERMODY. Mr. Speaker?

Mr. METCALFE. Mr. Speaker, on October 23, the minority leader—

Mr. DERMODY. Is he speaking on unanimous consent, Mr. Speaker?

The SPEAKER. Will the gentleman suspend.

**PARLIAMENTARY INQUIRY**

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

Mr. DERMODY. Parliamentary inquiry, I think, Mr. Speaker.

The SPEAKER. The gentleman may state his parliamentary inquiry.

Mr. DERMODY. Is the gentleman speaking on unanimous consent?

The SPEAKER. No. The gentleman has requested to be recognized under a point of personal privilege, which if you look at what that deals with, it deals with when someone feels that their character or, you know, their own personal reputation

has been hindered or harmed by someone and they are afforded that opportunity under the rules, although it is seldom used I admit.

Mr. DERMODY. I would then object to using that procedure because I do not believe the Attorney General has in any way talked about or discussed the reputation of the gentleman. I think it is an inappropriate forum right now to be having this discussion about impeachment.

The SPEAKER. I think— The gentleman, Mr. Metcalfe, had indicated to me because this is a rather seldom used procedure and it is clearly in our rules and in the Mason's Manual, he had given me an idea of where he is going with this and it was in my judgment that he was entitled to a point of personal privilege on this subject.

Mr. DERMODY. Well, if it is a defense of character, the gentleman should defend his character, but not legislation.

The SPEAKER. I think if you will allow him to continue, you will see where he is going.

Mr. DERMODY. I obviously object to his continuing, I think it is a mistake, and I am not interested in him continuing. I think it is wrong on this floor of this House to be discussing this matter right now.

The SPEAKER. I appreciate the gentleman's objection.

The gentleman, Mr. Metcalfe, may proceed.

Mr. METCALFE. Thank you, Mr. Speaker.

And if the members will bear with me, the comments overall would have taken 2 1/2 minutes, but of course, this has prolonged it.

Mr. Speaker, on October 23, the minority leader from the 43d Senatorial District in Allegheny County utilized his time under petitions and remonstrances to parrot the talking points of the Attorney General's response to my call for her impeachment. He made accusations against me, Mr. Speaker, using the word "bully" over and over and over again.

The Senator launched a blatant personal attack in response to the judicious choice I made to propose we exercise our legislative duty as provided for in the Pennsylvania Constitution. Frankly, Mr. Speaker, his conduct was truly unbecoming of a member of this esteemed legislative body.

Mr. Speaker, a bully is someone who uses a position of strength or power to impose his or her will on someone of a weaker status in an unjust manner.

Mr. DERMODY. Mr. Speaker?

Mr. METCALFE. The bully preys on someone who is weaker—

Mr. DERMODY. Mr. Speaker?

Mr. METCALFE. —with the intent to commit an injustice.

The SPEAKER. Will the gentleman suspend.

Mr. DERMODY. Mr. Speaker?

Mr. METCALFE. A bully is not someone—

The SPEAKER. Will the gentleman suspend. Will the gentleman suspend. Will the gentleman, Mr. Metcalfe, please suspend.

### PARLIAMENTARY INQUIRY

The SPEAKER. Does the gentleman, Mr. Dermody, have a further parliamentary inquiry?

Mr. DERMODY. Yes, Mr. Speaker.

The SPEAKER. You may state it.

Mr. DERMODY. Mr. Speaker, I believe that the gentleman is using personal privilege to attack another person's character instead of defending his own. If he is going to defend his own, fine.

The SPEAKER. That is not a parliamentary inquiry.

Mr. DERMODY. I believe 6 months ago—

The SPEAKER. The gentleman is recognized for a parliamentary inquiry. I do not believe that was a parliamentary inquiry. That was an observation of yours.

Mr. DERMODY. Well, I would ask the Speaker that he ask the gentleman to follow the rule, and in addition, I believe it was like 6 months ago that the Speaker ruled in a similar instance with one of our members that those discussions had to be made on the House floor, those remarks had to be made on the House floor. I believe that was Representative Sims of Philadelphia.

The SPEAKER. I believe that involved unanimous consent.

Mr. DERMODY. It was personal privilege.

The SPEAKER. I appreciate your comments. As I mentioned, the gentleman gave me an indication of where he was going with this and it was in my judgment that it fell in under the rules of personal privilege.

Mr. DERMODY. I guess, is it not a parliamentary inquiry when you are discussing the rule itself and how the rule does not provide for disparaging another's character? He is supposed to be defending his own; that is what the rule discusses.

The SPEAKER. In the judgment of the Speaker, certainly the gentleman is defining why he thought he was disparaged.

The gentleman, Mr. Metcalfe, may proceed. Will the gentleman suspend a minute.

### PARLIAMENTARY INQUIRY

The SPEAKER. The gentleman from Lancaster County, state your parliamentary inquiry.

Mr. STURLA. Mr. Speaker, the question I have is, if someone feels disparaged, does it have to be that they feel disparaged by another member of the House or that they were disparaged on the floor of the House or if they feel that they were disparaged by anyone, are they allowed to then use point of personal privilege? Because when I get into a campaign, there are times I often think my opponent disparages me, am I allowed to stand on the floor of the House with point of personal privilege and refute what my opponent said about me or does it only apply to members on the floor of the House?

The SPEAKER. Mason's Manual, section 222, "Questions of Personal Privilege":

"Questions affecting the rights, reputation and conduct of members of the body in their representative capacity are questions of personal privilege."

Number two, "Questions of privilege of members must relate..." to members— Excuse me; let me start over. "Questions of privilege of members must relate to persons as members of the body or relate to charges against their character that would, if true, incapacitate them from membership. They are not entitled to the floor on a question of personal privilege unless the subject that they propose to present relates to them in their representative capacity."

Number three, "Persons raising questions of personal privilege must confine themselves to the remarks which concern themselves personally. When speaking under...personal privilege, members have no right to defend any persons other than themselves."

I would say that under the most broadest interpretation, it could go to any person in the universe that might disparage one. I think the intent is more to be confined to those of us, you know, in this building, working directly in your capacity as a State Representative.

Do you have a further parliamentary inquiry?

Mr. STURLA. Thank you, Mr. Speaker.

The SPEAKER. The gentleman, Mr. Metcalfe, may proceed.

Mr. METCALFE. Thank you, Mr. Speaker.

And as I said, Mr. Speaker, at the beginning, after being here for 15 years at the end of this month, I have never asked to use this personal privilege before and I thought it very appropriate to respond to one of our colleagues in the Senate that was making the attack, Mr. Speaker.

Mr. Speaker, as I was saying, the bully preys on someone who is weaker with the intent to commit an injustice. A bully is not someone who proposes to use constitutional authority to rein in the misbehavior of someone elected to a statewide office. A bully is not someone who encourages this body to stand up for the rule of law.

There is a book entitled "Bullies: How the Left's Culture of Fear and Intimidation Silences America," written by Ben Shapiro. He makes the case that the left uses the word "bully" to actually bully their opposition into silence, Mr. Speaker. Mr. Speaker, liberals also misuse many other words such as "bigot," "homophobe," "xenophobe," all in an attempt to create fear and intimidation amongst their opposition. The fear of the damage that labels can have is used in an attempt by the left to bully we the people into acceptance of their liberal agenda, Mr. Speaker.

Mr. Speaker, I will not be silenced. I will stand up for the rule of law. I will stand up for the Constitution, and I will fight for justice, and I encourage my colleagues here and fellow citizens to stand with me.

Thank you, Mr. Speaker.

### **BILLS RECOMMITTED**

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

HB 408;  
 HB 1053;  
 HB 1138;  
 HB 1431;  
 HB 1596;  
 HB 1599;  
 HB 1750; and  
 SB 802.

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

### **BILLS REMOVED FROM TABLE**

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

HB 106;  
 HB 179;  
 HB 207;  
 HB 530;  
 HB 1603;  
 HB 1662;  
 HB 1718;  
 SB 34;  
 SB 763;  
 SB 895; and  
 SB 1042.

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

### **ANNOUNCEMENT BY SPEAKER**

The SPEAKER. For the information of the members, tomorrow has been added as a nonvoting day and it will be at 9 a.m. However, the members are not required to be here.

### **BILLS AND RESOLUTIONS PASSED OVER**

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

### **ADJOURNMENT**

The SPEAKER. Seeing no further business before this House, the Speaker recognizes the lady from Montgomery County, Ms. Daley, who moves that this House do adjourn until Thursday, November 14, 2013, at 9 a.m., e.s.t., unless sooner recalled by the Speaker.

On the question,  
 Will the House agree to the motion?  
 Motion was agreed to, and at 4:54 p.m., e.s.t., the House adjourned.