

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

THURSDAY, JUNE 25, 2015

SESSION OF 2015

199TH OF THE GENERAL ASSEMBLY

No. 51

HOUSE OF REPRESENTATIVES

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

THE SPEAKER PRO TEMPORE (JOHN MAHER) PRESIDING

PRAYER

HON. THADDEUS KIRKLAND, member of the House of Representatives, offered the following prayer:

Let us pray:

The psalmist reminds us that blessed is the man or woman who walks not in the counsel of the ungodly, nor stands in the way of sinners, nor sits in the seat of the scornful, but his or her delight is in the law of the Lord and in God's law does he or she meditate day and night.

Our Father and our God, it is once again, O Lord, that we have come into Your presence with thanksgiving, and, God, we thank You for life, health, and strength. Thank You, O God, for yet another day's journey for which we are so glad. Thank You, O God, for providing us with brand-new mercies, new mercies, another opportunity to get things right.

Father God, we are grateful because we realize that millions did not make it today, but because of Your grace and Your mercy, we are some of the ones who did, and so we give You thanks.

And, God, as we debate and deliberate and discuss the laws of this land, as we debate and deliberate and discuss this budget, we pray, O God, that You would give us wisdom and understanding from on high. We pray, O God, that You would plant a seed of hope and faith and guidance inside of us so that we might do Your will and the will of these people.

God, we thank You for this opportunity, and we pray that our leaders, O God, would look to You, the author and finisher of our faith, look to You to have their footsteps ordered and their mind stayed on Thee, for You said in Your Word that he whose mind is stayed on You, You will keep them in perfect peace. And so, God, we thank You for perfect peace today, and we pray, O God, whatever we do would be pleasing in Your eyes.

We say this prayer in the mighty and miraculous name of Your son, Jesus, the Christ. With thanksgiving, our soul says amen.

PLEDGE OF ALLEGIANCE

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

JOURNAL APPROVAL POSTPONED

The SPEAKER pro tempore. Without objection, the approval of the Journal of Wednesday, June 24, 2015, will be postponed until printed.

HOUSE RESOLUTION INTRODUCED AND REFERRED

No. 410 By Representatives MAHONEY, MILLARD, ROZZI, R. BROWN, KIRKLAND, GIBBONS, D. PARKER, COHEN and COX

A Resolution urging the Governor to direct the Department of Education to conduct a study on the cost savings of consolidating school districts in this Commonwealth.

Referred to Committee on EDUCATION, June 25, 2015.

HOUSE BILLS INTRODUCED AND REFERRED

No. 508 By Representatives COX, COHEN, CUTLER, M. DALEY, DIAMOND, EVANKOVICH, FRANKEL, GABLER, GIBBONS, J. HARRIS, M. K. KELLER, KORTZ, KRIEGER, MULLERY, MURT, RAPP, ROAE, SIMS, STURLA, THOMAS, YOUNGBLOOD and NESBIT

An Act amending Titles 4 (Amusements), 18 (Crimes and Offenses), 30 (Fish), 42 (Judiciary and Judicial Procedure) and 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in administration and enforcement relating to gaming, further providing for prohibited acts and penalties; in inchoate crimes, further providing for the offense of manufacture, distribution, use or possession of devices for theft of telecommunication services; in criminal homicide, further providing for drug delivery resulting in death; in loss of property rights relating to sexual offenses, further providing for general rule; repealing provisions relating to process and seizure, to custody of property and to disposal of property; in forgery and other fraudulent practices, further providing for the offenses of copying and recording devices and of trademark counterfeiting; in riot, disorderly conduct and related offenses, further providing for the offense of gambling devices, gambling, etc; in wiretapping and electronic surveillance, further providing for seizure and forfeiture of electronic, mechanical or other devices; in minors, further providing for sentencing and penalties for trafficking drugs to minors; in nuisances, further providing for the offense of scattering rubbish; in other offenses, further providing for drug trafficking sentencing and penalties; in vehicle chop shop and illegally obtained and altered property, further providing for loss of property rights to Commonwealth; repealing provisions relating to procedure with respect to seized property subject to liens and rights of lienholders; in enforcement relating to Fish and Boat Code, further providing for forfeiture of fish and devices; adding provisions relating to asset forfeiture in Judicial Code; in forfeitures, further providing for controlled substances forfeiture and procedure with respect to seized

property subject to liens and rights of lienholders; in size, weight and load relating to Vehicle Code, further providing for transporting foodstuffs in vehicles used to transport waste; in liquid fuels and fuel use tax enforcement, further providing for forfeitures, process and procedures and for disposition of fines and forfeitures; and making repeals of provisions of the Liquor Code, the Tax Reform Code of 1971 and another act relating to certain forfeiture of property.

Referred to Committee on JUDICIARY, June 25, 2015.

No. 1345 By Representatives PAYNE, D. COSTA, DeLUCA, DIAMOND, FLYNN, GIBBONS, KORTZ, McNEILL, MILLARD, O'NEILL, SANKEY and THOMAS

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, in licenses and regulations, liquor, alcohol and malt and brewed beverages, further providing for license districts, license period and hearings, for applications for hotel, restaurant and club liquor licenses, for issuance, transfer or extension of hotel, restaurant and club liquor licenses and for license fees, for sales by liquor licensees and restrictions; providing for casino liquor license; further providing for limiting number of retail licenses to be issued in each county, for revocation and suspension of licenses and fines and for unlawful acts relative to liquor, malt and brewed beverages and licensees.

Referred to Committee on LIQUOR CONTROL, June 25, 2015.

No. 1352 By Representatives MOUL, PASHINSKI, JAMES, KORTZ, V. BROWN, COHEN, HEFFLEY and MURT

An Act amending the act of October 9, 2008 (P.L.1408, No.113), known as the Scrap Material Theft Prevention Act, further providing for title of act, for findings, for short title and for definitions; providing for identification requirements for sale of second-hand goods to second-hand dealers; and further providing for law enforcement, for penalties and for preemption.

Referred to Committee on CONSUMER AFFAIRS, June 25, 2015.

No. 1353 By Representatives MOUL, MILLARD, KAUFFMAN, JAMES, A. HARRIS, DEASY, READSHAW, TALLMAN, MENTZER, MURT and WATSON

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in licensing of drivers, further providing for suspension of operating privilege; and, in miscellaneous provisions, further providing for the offense of homicide by vehicle while driving under influence.

Referred to Committee on TRANSPORTATION, June 25, 2015.

No. 1369 By Representatives BOYLE, D. COSTA, THOMAS, FRANKEL, SCHLOSSBERG, MILLARD, COHEN, DeLUCA, KORTZ, BROWNLEE, READSHAW, MURT, ROZZI and FARRY

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in sentencing, providing for GPS electronic monitoring devices.

Referred to Committee on JUDICIARY, June 25, 2015.

No. 1373 By Representatives D. COSTA, DeLUCA, CALTAGIRONE, V. BROWN, TAYLOR, McNEILL, KOTIK, THOMAS, DEASY, MAHONEY, MURT and JOZWIAK

An Act amending the act of February 24, 1984 (P.L.92, No.17), referred to as the Precious Metal Sale Regulation Law, further providing for definitions, for license required, for records of transactions, for dealer's retention of precious metal and availability for inspection, for purchases from minors and for penalties.

Referred to Committee on CONSUMER AFFAIRS, June 25, 2015.

No. 1375 By Representatives PAYNE, KOTIK, D. COSTA, DUNBAR, HELM, McNEILL, MILLARD, MOUL, O'NEILL and THOMAS

An Act amending Title 4 (Amusements) of the Pennsylvania Consolidated Statutes, in administration and enforcement, providing for casino liquor license.

Referred to Committee on GAMING OVERSIGHT, June 25, 2015.

No. 1392 By Representatives DUSH, D. COSTA and RADER

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in municipal authorities, providing for cash deposits and household information requirements.

Referred to Committee on LOCAL GOVERNMENT, June 25, 2015.

No. 1401 By Representatives BOYLE, THOMAS, CALTAGIRONE, DAVIS, McNEILL, KINSEY, PASHINSKI, SCHLOSSBERG, DRISCOLL, COHEN, KORTZ, McCARTER, GOODMAN and MURT

An Act amending the act of June 24, 1976 (P.L.424, No.101), referred to as the Emergency and Law Enforcement Personnel Death Benefits Act, amending the title of the act; further providing for authority for payment; adding a definition of "natural gas responder"; and further providing for construction of act.

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, June 25, 2015.

No. 1402 By Representatives D. COSTA, PAYNE, THOMAS, MILLARD, KOTIK, JOZWIAK, COHEN, WARNER and MOUL

An Act amending Title 4 (Amusements) of the Pennsylvania Consolidated Statutes, in licensees, further providing for Category 3 slot machine license; and repealing the effective date provision of an act relating, in part, to number of slot machine licenses.

Referred to Committee on GAMING OVERSIGHT, June 25, 2015.

No. 1403 By Representatives QUINN, DeLUCA, PICKETT, BROWNLEE, COHEN, COX, EVERETT, GILLEN, HARHAI, JAMES, MAHONEY, READSHAW, SAMUELSON, SAYLOR, THOMAS and WATSON

An Act amending Title 40 (Insurance) of the Pennsylvania Consolidated Statutes, providing for unclaimed life insurance benefits.

Referred to Committee on INSURANCE, June 25, 2015.

No. 1405 By Representatives YOUNGBLOOD, GOODMAN, MURT, O'BRIEN, SCHLOSSBERG, BISHOP, KOTIK, THOMAS, DRISCOLL, V. BROWN, KINSEY, DAVIS, ROZZI and ROEBUCK

An Act providing for the Clean, Healthy and Dry Grant Program; establishing the Clean, Healthy and Dry Fund; and imposing powers and duties on the Department of Health.

Referred to Committee on HEALTH, June 25, 2015.

No. 1407 By Representatives EVERETT, WHEELAND, HENNESSEY, KOTIK, BENNINGHOFF, COHEN, ROZZI, READSHAW, BAKER, DUSH, SONNEY, REGAN, DIGIROLAMO, HARHART, CAUSER, VEREB, MARSICO, PICKETT, MURT, McNEILL, MAJOR, MILLARD, DAVIS, DONATUCCI, GROVE, HAHN, RAPP, SANKEY, COX, GOODMAN, BARRAR, PAYNE, THOMAS, M. K. KELLER, FARINA, YOUNGBLOOD, GILLEN and JOZWIAK

An Act designating a bridge on State Route 2014 over the Muncy Creek in Muncy Creek Township, Lycoming County, as the Private Walter L. Smith Spanish-American War Memorial Bridge.

Referred to Committee on TRANSPORTATION, June 25, 2015.

No. 1408 By Representatives KOTIK, PAYNE, MUSTIO, D. COSTA, READSHAW, KORTZ, THOMAS, MILLARD, KINSEY, COHEN, McNEILL, YOUNGBLOOD, MATZIE and EVERETT

An Act amending Title 4 (Amusements) of the Pennsylvania Consolidated Statutes, in general provisions relating to gaming, further providing for definitions; in licensees, providing for Category 1 slot machines in qualified airports, further providing for additional Category 1 slot machine license requirements, providing for Category 2 slot machines in qualified airports and for Category 3 slot machines in qualified airports; further providing for establishment of State Gaming Fund and net slot machine revenue distribution; and establishing the Municipal Services Fund.

Referred to Committee on GAMING OVERSIGHT, June 25, 2015.

No. 1411 By Representatives TAYLOR, MURT, DRISCOLL, W. KELLER, MILLARD, O'BRIEN, A. HARRIS and COHEN

An Act amending Title 26 (Eminent Domain) of the Pennsylvania Consolidated Statutes, in special damages for displacement, further providing for moving and related expenses of displaced persons, for replacement housing for homeowners and for replacement housing for tenants and others.

Referred to Committee on TRANSPORTATION, June 25, 2015.

No. 1412 By Representatives TAYLOR, THOMAS, HEFFLEY, MURT, DIAMOND, KILLION, DAY,

W. KELLER, MILLARD, MARSHALL, M. K. KELLER, D. COSTA, A. HARRIS, COHEN and JOZWIAK

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in commercial drivers, further providing for definitions, for employer responsibilities, for commercial driver's license qualification standards, for nonresident CDL, for commercial driver's license and for disqualification.

Referred to Committee on TRANSPORTATION, June 25, 2015.

SENATE BILLS FOR CONCURRENCE

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

SB 299, PN 1045

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, June 25, 2015.

SB 370, PN 1046

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, June 25, 2015.

SB 398, PN 312

Referred to Committee on TRANSPORTATION, June 25, 2015.

SB 663, PN 1092

Referred to Committee on JUDICIARY, June 25, 2015.

SB 737, PN 763

Referred to Committee on GAME AND FISHERIES, June 25, 2015.

SB 775, PN 834

Referred to Committee on LOCAL GOVERNMENT, June 25, 2015.

SENATE MESSAGE

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

The clerk of the Senate, being introduced, returned **HB 131, PN 1861**; and **HB 189, PN 1851**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

LEAVES OF ABSENCE

The SPEAKER pro tempore. The majority whip requests leaves of absence for the gentleman from Bucks County, Representative O'NEILL, for the day. Without objection, that leave is granted.

The Democratic minority whip requests leaves of absence for the gentleman from Allegheny County, Representative DeLUCA, for the day, and that leave is granted, without objection.

MASTER ROLL CALL

The SPEAKER pro tempore. The Chair is about to take the master roll call. Members will proceed to vote.

(Members proceeded to vote.)

LEAVES OF ABSENCE

The SPEAKER pro tempore. The Chair is in receipt of a request from the majority whip that the gentleman from Bucks County, Representative PETRI, be on leave for the day, and that the gentleman from Berks County, Representative COX, be on leave for a bit of time. Without objection, those leaves are granted.

MASTER ROLL CALL CONTINUED

The following roll call was recorded:

PRESENT—192

Acosta	Evans	Kortz	Readshaw
Adolph	Everett	Kotik	Reed
Baker	Fabrizio	Krieger	Reese
Barbin	Farina	Lawrence	Regan
Barrar	Farry	Lewis	Roae
Benninghoff	Fee	Longietti	Roebuck
Bishop	Flynn	Mackenzie	Ross
Bizzarro	Frankel	Maher	Rozzi
Bloom	Freeman	Mahoney	Saccone
Boback	Gainey	Major	Sainato
Boyle	Galloway	Maloney	Samuelson
Bradford	Gergely	Markosek	Sankey
Briggs	Gibbons	Marshall	Santarsiero
Brown, R.	Gillen	Marsico	Santora
Brown, V.	Gillespie	Masser	Saylor
Burns	Gingrich	Matzie	Schemel
Caltagirone	Godshall	McCarter	Schlossberg
Carroll	Goodman	McGinnis	Schreiber
Causar	Greiner	McNeill	Schweyer
Christiana	Grove	Mentzer	Simmons
Cohen	Hahn	Metcalfe	Sims
Conklin	Hanna	Metzgar	Snyder
Corbin	Harhai	Miccarelli	Sonney
Costa, D.	Harhart	Millard	Staats
Costa, P.	Harkins	Miller, B.	Stephens
Cruz	Harper	Miller, D.	Sturla
Culver	Harris, A.	Milne	Tallman
Cutler	Harris, J.	Moul	Taylor
Daley, M.	Heffley	Mullery	Thomas
Daley, P.	Helm	Murt	Tobash
Davidson	Hennessey	Mustio	Toepel
Davis	Hickernell	Nesbit	Toohil
Dawkins	Hill	Neuman	Topper
Day	Irvin	O'Brien	Truitt
Dean	James	Oberlander	Vereb

Deasy	Jozwiak	Ortity	Vitali
DeLissio	Kampf	Parker, C.	Ward
DeLozier	Kaufner	Parker, D.	Warner
Dermody	Kauffman	Pashinski	Watson
Diamond	Kavulich	Payne	Wentling
DiGirolamo	Keller, F.	Peifer	Wheatley
Donatucci	Keller, M.K.	Petrarca	Wheeland
Driscoll	Keller, W.	Pickett	White
Dunbar	Killion	Quigley	Youngblood
Dush	Kim	Quinn	Zimmerman
Ellis	Kinsey	Rader	
Emrick	Kirkland	Rapp	Turzai,
English	Klunk	Ravenstahl	Speaker
Evankovich	Knowles		

ADDITIONS—0

NOT VOTING—0

EXCUSED—6

Cox	Gabler	Petri	Pyle
DeLuca	O'Neill		

LEAVES ADDED—5

Conklin	Hennessey	Santora	Taylor
Godshall			

LEAVES CANCELED—2

Cox	Petri
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The SPEAKER pro tempore. One hundred and ninety-two members having voted on the master roll call, a quorum is present.

**BILL REPORTED FROM COMMITTEE,
CONSIDERED FIRST TIME, AND
RECOMMITTED TO COMMITTEE ON RULES**

HB 561, PN 634

By Rep. PEIFER

An Act amending the act of December 31, 1965 (P.L.1257, No.511), known as The Local Tax Enabling Act, in consolidated collection of local income taxes, further providing for definitions.

FINANCE.

GUESTS INTRODUCED

The SPEAKER pro tempore. Located to the left of the rostrum, the Chair welcomes Colin Gribben, who is interning with Representative Metcalfe's office for the summer. Colin is a senior at Westminster College. Colin, welcome to the hall of the House.

Also located to the left of the rostrum, the Chair welcomes Rachel Hoover. She is interning with Representative Gingrich this summer. Rachel, welcome.

Also to the left of the rostrum, the Chair welcomes three citizens from the city of Coatesville: Linda Lavender-Norris, Marie Lawson, and Carmen Green. They are here in honor of the city's centennial anniversary, which will be the subject of a resolution a bit later, and they are guests of Representative Harry Lewis and Representative Tim Hennessey. Welcome to the hall of the House.

Located to the left of the rostrum, the Chair welcomes Billy Irving and his parents, William and Maureen. They are guests of Representative Santora.

STATEMENT BY MR. SANTORA

The SPEAKER pro tempore. The Chair understands the gentleman, Representative Santora, would like to be recognized for a brief comment under unanimous consent. You are in order to proceed.

Mr. SANTORA. Thank you, Mr. Speaker.

Mr. Speaker, this week has been a proud week to hail from the 163d, especially Upper Darby Township. Back home it was announced that we achieved our second highest employment level in over 25 years. That is a testament to the residents, the businesses, and the hard work of our mayor, Tom Micozzie; the council, which I was proud to serve on until I resigned this past winter to work in this great chamber; and to the administration. We attracted new businesses throughout the community and continue to work and strive to get our employment numbers to the highest level in 25 years.

Also this week Arielle Baril, a seventh grader and a classmate of my son at Drexel Hill Middle School, received national attention when she debuted on "America's Got Talent" and was put through to Radio City Music Hall, skipping an entire level of the competition because Heidi Klum hit the golden buzzer as she was blown away by her amazing singing talent.

And today I have the honor of acknowledging Billy Irvine's talents, who is here in the chamber with us. Billy is one amazing young man, whom I just recently presented a citation to at his court of honor when he became an Eagle Scout this past winter. Billy's list of accomplishments is too long to read here, but I will include a few. Billy will be attending Dickinson College this August. He has received many graduation awards. Two that should really be acknowledged are the fact that Billy received the Seventh Congressional District Good Citizenship Award, distinguished honors all 4 years every marking period, and there are so many more, but I will just include those for the record. It is an honor to have Billy here and announce such great things from the 163d.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and again welcomes your guests to the hall of the House.

FILMING PERMISSION

The SPEAKER pro tempore. Members are advised that the Chair has given permission to Lucas Rodgers from the Daily Local News of Coatesville to be on the floor for the next 10 minutes operating a camera that can take still photos, videotape, and videotape with audio.

CALENDAR

RESOLUTION PURSUANT TO RULE 35

Mr. LEWIS called up **HR 392, PN 1804**, entitled:

A Resolution congratulating the City of Coatesville upon the momentous occasion of its centennial anniversary.

On the question,

Will the House adopt the resolution?

The SPEAKER pro tempore. On that question, the Chair is pleased to recognize the gentleman from Coatesville, Representative Harry Lewis.

Mr. LEWIS. Thank you, Mr. Speaker.

Mr. Speaker, it is with great pride that I share a tremendous accomplishment for the 74th District. On April 27 I joined more than 300 other residents to celebrate the centennial anniversary of my hometown, Coatesville, Pennsylvania. It was an honor to participate in the positive presentation of the past, present, and future of Chester County's only city. Without the many people who have contributed to the city's history throughout the previous 100 years, we would not have been able to realize such an achievement. However, Coatesville was blessed with dedicated civic leaders who have helped it grow and flourish, as well as diligent and productive residents. I look forward to the continued progress for the city of Coatesville to make the next 100 years even better.

Please support HR 392.

The SPEAKER pro tempore. The Chair thanks the gentleman and, on the question, recognizes another gentleman from Chester County, Representative Tim Hennessey.

Mr. HENNESSEY. Thank you, Mr. Speaker.

I am pleased to join today with Representative Harry Lewis and the delegation from our city council in the city of Coatesville, including the president of the city council, Linda Lavender, who happens to be my district office manager for the last 18 years. Linda, Marie, Carmen, would you stand up, please. They are here today, as you have heard, to celebrate the 100-year anniversary of the city of Coatesville. The city of Coatesville has been around a lot longer than that, but it was chartered as a city 100 years ago this year.

I had the honor of representing the city of Coatesville for 22 years here in the House until redistricting placed Coatesville in Harry's 74th District.

I would like to recognize, as we stop and think about the 100 years that Coatesville has existed, I would like to recognize the hard work and the tireless efforts of so many of Coatesville's citizens over the last two decades to help the city recover from the difficult effects of the global steel industry readjustment. The good news from Coatesville's perspective is that we, while other cities around the Commonwealth and around our United States and, really, around the world have lost steel capacity, we still have a thriving, productive steel plant, ArcelorMittal, the successor to Lukens Steel. Lukens Steel has been the lifeline of

our city for more than 100 years, and it is where our steelworkers created high-quality alloy steel, a high-strength steel that allowed our U.S. Navy to have our deep-sea diving nuclear submarine fleet, and also, we produced the steel for the World Trade Center towers that used to stand in New York City.

The Coatesville citizens have worked hard to replace our downtown infrastructure to remove the blight of the Oak Street housing project and relocate those needy families in scattered-site housing throughout the city. Our main street, the Lincoln Highway, the historic Lincoln Highway, has been completely rebuilt, repiped, relandscaped, resurfaced, and the Brandywine Foundation built a brand-new five-story brick building and community services building right in the downtown, and I would point out that our Representative, Harry Lewis, was the chairman of the board when that was done.

Ours, Coatesville, is a proud past, a 100-year record of growth, power, success, and struggle, and now renewal. Congratulations to Coatesville and its citizens on this 100th anniversary.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—192

Acosta	Evans	Kortz	Readshaw
Adolph	Everett	Kotik	Reed
Baker	Fabrizio	Krieger	Reese
Barbin	Farina	Lawrence	Regan
Barrar	Farry	Lewis	Roae
Benninghoff	Fee	Longietti	Roebuck
Bishop	Flynn	Mackenzie	Ross
Bizzarro	Frankel	Maher	Rozzi
Bloom	Freeman	Mahoney	Saccone
Boback	Gainey	Major	Sainato
Boyle	Galloway	Maloney	Samuelson
Bradford	Gergely	Markosek	Sankey
Briggs	Gibbons	Marshall	Santarsiero
Brown, R.	Gillen	Marsico	Santora
Brown, V.	Gillespie	Masser	Saylor
Burns	Gingrich	Matzie	Schemel
Caltagirone	Godshall	McCarter	Schlossberg
Carroll	Goodman	McGinnis	Schreiber
Causar	Greiner	McNeill	Schweyer
Christiana	Grove	Mentzer	Simmons
Cohen	Hahn	Metcalfe	Sims
Conklin	Hanna	Metzgar	Snyder
Corbin	Harhai	Miccarelli	Sonney
Costa, D.	Harhart	Millard	Staats
Costa, P.	Harkins	Miller, B.	Stephens
Cruz	Harper	Miller, D.	Sturla
Culver	Harris, A.	Milne	Tallman
Cutler	Harris, J.	Moul	Taylor
Daley, M.	Heffley	Mullery	Thomas
Daley, P.	Helm	Murt	Tobash
Davidson	Hennessey	Mustio	Toepel
Davis	Hickernell	Nesbit	Toohil
Dawkins	Hill	Neuman	Topper
Day	Irvin	O'Brien	Truitt
Dean	James	Oberlander	Vereb
Deasy	Jozwiak	Ortitay	Vitali
DeLissio	Kampf	Parker, C.	Ward
Delozier	Kaufer	Parker, D.	Warner
Dermody	Kauffman	Pashinski	Watson

Diamond	Kavulich	Payne	Wentling
DiGirolamo	Keller, F.	Peifer	Wheatley
Donatucci	Keller, M.K.	Petrarca	Wheeland
Driscoll	Keller, W.	Pickett	White
Dunbar	Killion	Quigley	Youngblood
Dush	Kim	Quinn	Zimmerman
Ellis	Kinsey	Rader	
Emrick	Kirkland	Rapp	Turzai,
English	Klunk	Ravenstahl	Speaker
Evankovich	Knowles		

NAYS—0

NOT VOTING—0

EXCUSED—6

Cox	Gabler	Petri	Pyle
DeLuca	O'Neill		

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

GUESTS INTRODUCED

The SPEAKER pro tempore. Located in the rear of the House, the Chair welcomes the recipients of the Legislative Black Caucus's 2015 scholarship awards. Those scholarship recipients are Isaiah Jordan, Sheldon Snell, Israel Williams, Morgan Flores Williams, and Kierra Jones Fogle. They are all guests of Representative Vanessa Brown, and the Chair congratulates you and welcomes you to the hall of the House.

UNCONTESTED CALENDAR

RESOLUTION PURSUANT TO RULE 35

Mr. TAYLOR called up **HR 401, PN 1864**, entitled:

A Resolution commending the Pennsylvania School Bus Association for its work to provide services, education and guidance to its members to help foster the highest degree of safety in the transportation of our Commonwealth's future, our children.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—192

Acosta	Evans	Kortz	Readshaw
Adolph	Everett	Kotik	Reed
Baker	Fabrizio	Krieger	Reese
Barbin	Farina	Lawrence	Regan
Barrar	Farry	Lewis	Roae
Benninghoff	Fee	Longietti	Roebuck
Bishop	Flynn	Mackenzie	Ross
Bizzarro	Frankel	Maher	Rozzi
Bloom	Freeman	Mahoney	Saccone
Boback	Gainey	Major	Sainato
Boyle	Galloway	Maloney	Samuelson
Bradford	Gergely	Markosek	Sankey
Briggs	Gibbons	Marshall	Santarsiero
Brown, R.	Gillen	Marsico	Santora
Brown, V.	Gillespie	Masser	Saylor

Burns	Gingrich	Matzie	Schemel
Caltagirone	Godshall	McCarter	Schlossberg
Carroll	Goodman	McGinnis	Schreiber
Causser	Greiner	McNeill	Schweyer
Christiana	Grove	Mentzer	Simmons
Cohen	Hahn	Metcalfe	Sims
Conklin	Hanna	Metzgar	Snyder
Corbin	Harhai	Miccarelli	Sonney
Costa, D.	Harhart	Millard	Staats
Costa, P.	Harkins	Miller, B.	Stephens
Cruz	Harper	Miller, D.	Sturla
Culver	Harris, A.	Milne	Tallman
Cutler	Harris, J.	Moul	Taylor
Daley, M.	Heffley	Mullery	Thomas
Daley, P.	Helm	Murt	Tobash
Davidson	Hennessey	Mustio	Toepel
Davis	Hickernell	Nesbit	Toohil
Dawkins	Hill	Neuman	Topper
Day	Irvin	O'Brien	Truitt
Dean	James	Oberlander	Vereb
Deasy	Jozwiak	Ortitay	Vitali
DeLissio	Kampf	Parker, C.	Ward
Delozier	Kaufer	Parker, D.	Warner
Dermody	Kauffman	Pashinski	Watson
Diamond	Kavulich	Payne	Wentling
DiGirolamo	Keller, F.	Peifer	Wheatley
Donatucci	Keller, M.K.	Petrarca	Wheeland
Driscoll	Keller, W.	Pickett	White
Dunbar	Killion	Quigley	Youngblood
Dush	Kim	Quinn	Zimmerman
Ellis	Kinsey	Rader	
Emrick	Kirkland	Rapp	Turzai,
English	Klunk	Ravenstahl	Speaker
Evankovich	Knowles		

NAYS—0

NOT VOTING—0

EXCUSED—6

Cox	Gabler	Petri	Pyle
DeLuca	O'Neill		

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

The SPEAKER pro tempore. Turning to today's supplemental A House calendar, the Chair would ask members and guests to be seated and end your conversations. Members and guests will be seated and conclude their conversations.

SUPPLEMENTAL CALENDAR A

RESOLUTION PURSUANT TO RULE 35

Ms. V. BROWN called up **HR 411, PN 1920**, entitled:

A Resolution honoring the nine people who lost their lives during the mass shooting at the Emanuel African Methodist Episcopal Church in Charleston, South Carolina, on June 17, 2015.

On the question,
Will the House adopt the resolution?

The SPEAKER pro tempore. On that question, the Chair recognizes the sponsor of the resolution, Representative Vanessa Brown.

Ms. V. BROWN. Thank you, Mr. Speaker.

If I could ask for all of the members of the Pennsylvania Legislative Black Caucus to please stand with me in solidarity for South Carolina.

Thank you, Mr. Speaker, and thanks also to my colleagues for their vote today recognizing the lives of those who died last week in the unprovoked shooting in Charleston's historic Emanuel AME (African Methodist Episcopal) Church. Nine innocent victims lost their lives due to bigotry and racial intolerance.

I rise today on behalf of the entire Pennsylvania Legislative Black Caucus to recognize these victims with the promise that their deaths will not be in vain. Reports indicate that even before the accused shooter opened fire, he spent an hour as a welcomed guest at the historically Black church for an evening of prayer and Bible study. He was apparently so welcomed that he had second thoughts about carrying out the act he had planned, obviously not moved enough to cancel his plans.

As members of this legislature, we are especially saddened to know that the church pastor, Mr. Clementa Pinckney, was also a South Carolina State Senator.

My biggest hope is that we can all learn from this tragedy. Not only had we heard that church members welcomed the man in the spirit of Christian love, we also learned that some who died in the shooting were valiantly attempting to protect others in the church. This reminds me of the Biblical saying that man can have no greater love for his fellow man than to lay down his life for another.

Furthermore, the church congregation, affectionately known as Mother Emanuel, has refused to let this tragedy stop them from their ministry and service. The church opened for worship last Sunday, and last night they held their weekly Wednesday evening Bible study, unwilling to let the acts of hate and malice stop them.

Once again, I thank you for supporting this resolution. And to the residents of Charleston and the members of Emanuel AME, please know that Pennsylvanians are supporting you in their thoughts and prayers. And today is the day of the service for the nine, so please keep them in your hearts and prayers.

Thank you so much, Mr. Speaker, and thank you to all in this House.

The SPEAKER pro tempore. The Chair thanks the lady.

As a sign of respect to those who lost their lives, members and guests will please rise for a moment of silence.

(A moment of silence was observed.)

The SPEAKER pro tempore. Members and guests may be seated.

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

The following roll call was recorded:

YEAS—192

Acosta	Evans	Kortz	Readshaw
Adolph	Everett	Kotik	Reed
Baker	Fabrizio	Krieger	Reese
Barbin	Farina	Lawrence	Regan
Barrar	Farry	Lewis	Roae
Benninghoff	Fee	Longietti	Roebuck

Bishop	Flynn	Mackenzie	Ross
Bizzarro	Frankel	Maher	Rozzi
Bloom	Freeman	Mahoney	Saccone
Boback	Gainey	Major	Sainato
Boyle	Galloway	Maloney	Samuelson
Bradford	Gergely	Markosek	Sankey
Briggs	Gibbons	Marshall	Santarsiero
Brown, R.	Gillen	Marsico	Santora
Brown, V.	Gillespie	Masser	Saylor
Burns	Gingrich	Matzie	Schemel
Caltagirone	Godshall	McCarter	Schlossberg
Carroll	Goodman	McGinnis	Schreiber
Causar	Greiner	McNeill	Schweyer
Christiana	Grove	Mentzer	Simmons
Cohen	Hahn	Metcalfe	Sims
Conklin	Hanna	Metzgar	Snyder
Corbin	Harhai	Miccarelli	Sonney
Costa, D.	Harhart	Millard	Staats
Costa, P.	Harkins	Miller, B.	Stephens
Cruz	Harper	Miller, D.	Sturla
Culver	Harris, A.	Milne	Tallman
Cutler	Harris, J.	Moul	Taylor
Daley, M.	Heffley	Mullery	Thomas
Daley, P.	Helm	Murt	Tobash
Davidson	Hennessey	Mustio	Toepel
Davis	Hickernell	Nesbit	Toohil
Dawkins	Hill	Neuman	Topper
Day	Irvin	O'Brien	Truitt
Dean	James	Oberlander	Vereb
Deasy	Jozwiak	Ortitay	Vitali
DeLissio	Kampf	Parker, C.	Ward
Delozier	Kaufner	Parker, D.	Warner
Dermody	Kauffman	Pashinski	Watson
Diamond	Kavulich	Payne	Wentling
DiGirolamo	Keller, F.	Peifer	Wheatley
Donatucci	Keller, M.K.	Petrarca	Wheeland
Driscoll	Keller, W.	Pickett	White
Dunbar	Killion	Quigley	Youngblood
Dush	Kim	Quinn	Zimmerman
Ellis	Kinsey	Rader	
Emrick	Kirkland	Rapp	Turzai,
English	Klunk	Ravenstahl	Speaker
Evankovich	Knowles		

NAYS—0

NOT VOTING—0

EXCUSED—6

Cox	Gabler	Petri	Pyle
DeLuca	O'Neill		

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

The SPEAKER pro tempore. The Chair anticipates announcements from both the majority and minority leadership desks.

RULES AND APPROPRIATIONS COMMITTEE MEETINGS

The SPEAKER pro tempore. The Chair recognizes the majority Appropriations chairman, Representative Adolph, for the purpose of an announcement.

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

Mr. Speaker, there will be a Rules Committee meeting in the House Republican conference room immediately.

And then at 1:45, we will have a House Appropriations Committee meeting in the majority caucus room. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

There will be a Rules Committee meeting in the House Republican conference room immediately, and then at 1:45, there will be a House Appropriations Committee meeting in the majority caucus room.

REPUBLICAN CAUCUS

The SPEAKER pro tempore. The Chair recognizes the gentledady who chairs the Republican Caucus for the purpose of an announcement.

Ms. MAJOR. Thank you, Mr. Speaker.

I would like to announce Republicans will caucus today at 2 p.m. I would ask our Republican members to please report to our caucus room at 2 o'clock. We would be prepared to come back on the floor, Mr. Speaker, at 3 p.m. Thank you.

The SPEAKER pro tempore. The Chair thanks the lady.

DEMOCRATIC CAUCUS

The SPEAKER pro tempore. The Chair recognizes the minority caucus chairman, Representative Dan Frankel, for the purpose of an announcement.

Mr. FRANKEL. Thank you, Mr. Speaker.

Democrats will caucus at 2 o'clock. Democrats will caucus at 2 o'clock. Thank you.

EDUCATION COMMITTEE MEETING

The SPEAKER pro tempore. Does the gentleman, Representative Saylor, seek recognition for the purpose of an announcement?

Mr. SAYLOR. I do, Mr. Speaker.

The SPEAKER pro tempore. You are in order and may proceed.

Mr. SAYLOR. Mr. Speaker, as I announced yesterday, we will have an Education Committee meeting immediately at recess in 205 Ryan Office Building to take up SB 678.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

There will be an Education Committee meeting immediately at recess in 205 Ryan Office Building to take up SB 678.

Any further announcements?

RECESS

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

RECESS EXTENDED

The time of recess was extended until 3:15 p.m.

AFTER RECESS

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

**THE SPEAKER (MIKE TURZAI)
PRESIDING**

**VETERANS AFFAIRS AND EMERGENCY
PREPAREDNESS COMMITTEE MEETING**

The SPEAKER. Members, at this time Chairman Steve Barrar for an announcement.

Mr. BARRAR. Thank you, Mr. Speaker.

Mr. Speaker, I need to announce a voting meeting tomorrow for the Veterans Affairs and Emergency Preparedness Committee; that is tomorrow at 10 a.m. in room G-50 of the Irvis Office Building. Again, that is the Veterans Affairs and Emergency Preparedness Committee, 10 a.m. tomorrow. It is a voting meeting.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, sir.

There will be a voting meeting tomorrow for the Veterans Affairs and Emergency Preparedness Committee at 10 a.m. in room G-50 of the Irvis Office Building.

**BILL REPORTED FROM COMMITTEE,
CONSIDERED FIRST TIME, AND
RECOMMITTED TO COMMITTEE ON RULES**

HB 162, PN 1943 (Amended) By Rep. WATSON

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, in adoption, further providing for definitions and for original birth record.

CHILDREN AND YOUTH.

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

SB 678, PN 1121 (Amended) By Rep. SAYLOR

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in the State System of Higher Education, further providing for definitions.

EDUCATION.

BILLS REREPORTED FROM COMMITTEES

HB 605, PN 678 By Rep. ADOLPH

An Act renaming the bridge on that portion of U.S. Route 219 over U.S. Route 422 in Ebensburg Borough, Cambria County, as the Alexander Miller Abercrombie Memorial Bridge.

APPROPRIATIONS.

HB 871, PN 1727

By Rep. ADOLPH

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in certificate of title and security interests, further providing for transfer to scrap metal processor.

APPROPRIATIONS.

HB 941, PN 1244

By Rep. REED

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, in Commonwealth agency fees, further providing for distillery of historical significance license fee reduction.

RULES.

HB 970, PN 1802

By Rep. REED

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in snowmobiles and all-terrain vehicles, further providing for restricted account, for Snowmobile and ATV Advisory Committee, for operation on private or State property, for operation by persons under age sixteen, for mufflers and noise control and for enforcement personnel and procedures.

RULES.

HB 1089, PN 1881

By Rep. ADOLPH

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in sentencing, further providing for collection of restitution, reparation, fees, costs, fines and penalties.

APPROPRIATIONS.

HB 1112, PN 1798

By Rep. REED

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in school districts, providing for data collection reduction.

RULES.

HB 1114, PN 1443

By Rep. ADOLPH

An Act designating a bridge on that portion of State Route 3007 over the Redbank Creek, Summerville Borough, Jefferson County, as the Summerville Veterans Memorial Bridge.

APPROPRIATIONS.

HB 1131, PN 1871

By Rep. REED

An Act making appropriations from the Professional Licensure Augmentation Account and from restricted revenue accounts within the General Fund to the Department of State for use by the Bureau of Professional and Occupational Affairs in support of the professional licensure boards assigned thereto.

RULES.

HB 1132, PN 1872

By Rep. REED

An Act making appropriations from the Workmen's Compensation Administration Fund to the Department of Labor and Industry and the Department of Community and Economic Development to provide for the expenses of administering the Workers' Compensation Act, The

Pennsylvania Occupational Disease Act and the Office of Small Business Advocate for the fiscal year July 1, 2015, to June 30, 2016, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2015; and making an interfund transfer.

RULES.

HB 1133, PN 1873

By Rep. REED

An Act making appropriations from the restricted revenue accounts within the State Gaming Fund and from the State Gaming Fund to the Pennsylvania Gaming Control Board, the Department of Revenue, the Pennsylvania State Police and the Attorney General for the fiscal year beginning July 1, 2015, to June 30, 2016, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2015.

RULES.

HB 1134, PN 1874

By Rep. REED

An Act making appropriations from a restricted revenue account within the General Fund and from Federal augmentation funds to the Pennsylvania Public Utility Commission for the fiscal year July 1, 2015, to June 30, 2016.

RULES.

HB 1135, PN 1875

By Rep. REED

An Act making an appropriation from a restricted revenue account within the General Fund to the Office of Small Business Advocate in the Department of Community and Economic Development.

RULES.

HB 1136, PN 1506

By Rep. REED

An Act making an appropriation from a restricted revenue account within the General Fund to the Office of Consumer Advocate in the Office of Attorney General.

RULES.

HB 1137, PN 1507

By Rep. REED

An Act making appropriations from the Philadelphia Taxicab and Limousine Regulatory Fund and the Philadelphia Taxicab Medallion Fund to the Philadelphia Parking Authority for fiscal year July 1, 2015, to June 30, 2016.

RULES.

HB 1138, PN 1876

By Rep. REED

An Act making an appropriation from the State Employees' Retirement Fund to provide for expenses of the State Employees' Retirement Board for the fiscal year July 1, 2015, to June 30, 2016, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2015.

RULES.

HB 1139, PN 1877

By Rep. REED

An Act making an appropriation from the Public School Employees' Retirement Fund to provide for expenses of the Public School Employees' Retirement Board for the fiscal year July 1, 2015, to June 30, 2016, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2015.

RULES.

HB 1385, PN 1853

By Rep. REED

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

RULES.

HB 1386, PN 1854

By Rep. REED

A Supplement to the act of July 28, 1966 (3rd Sp.Sess., P.L.87, No.3), entitled "An act providing for the establishment and operation of the University of Pittsburgh as an instrumentality of the Commonwealth to serve as a State-related university in the higher education system of the Commonwealth; providing for change of name; providing for the composition of the board of trustees; terms of trustees, and the power and duties of such trustees; authorizing appropriations in amounts to be fixed annually by the General Assembly; providing for the auditing of accounts of expenditures from said appropriations; providing for public support and capital improvements; authorizing the issuance of bonds exempt from taxation within the Commonwealth; requiring the chancellor to make an annual report of the operations of the University of Pittsburgh," making appropriations for carrying the same into effect; and providing for a basis for payments of such appropriations, for a method of accounting for the funds appropriated and for certain fiscal information disclosure.

RULES.

HB 1387, PN 1855

By Rep. REED

A Supplement to the act of November 30, 1965 (P.L.843, No.355), entitled "An act providing for the establishment and operation of Temple University as an instrumentality of the Commonwealth to serve as a State-related university in the higher education system of the Commonwealth; providing for change of name; providing for the composition of the board of trustees; terms of trustees, and the power and duties of such trustees; providing for preference to Pennsylvania residents in tuition; providing for public support and capital improvements; authorizing appropriations in amounts to be fixed annually by the General Assembly; providing for the auditing of accounts of expenditures from said appropriations; authorizing the issuance of bonds exempt from taxation within the Commonwealth; requiring the President to make an annual report of the operations of Temple University," making an appropriation for carrying the same into effect; providing for a basis for payments of such appropriation; and providing a method of accounting for the funds appropriated and for certain fiscal information disclosure.

RULES.

HB 1388, PN 1856

By Rep. REED

A Supplement to the act of July 7, 1972 (P.L.743, No.176), entitled "An act providing for the establishment and operation of Lincoln University as an instrumentality of the Commonwealth to serve as a State-related institution in the higher education system of the Commonwealth; providing for change of name; providing for the composition of the board of trustees; terms of trustees, and the power and duties of such trustees; providing for preference to Pennsylvania residents in tuition; authorizing appropriations in amounts to be fixed annually by the General Assembly; providing for the auditing of accounts of expenditures from said appropriations; providing for public support and capital improvements; authorizing the issuance of bonds exempt from taxation within the Commonwealth; requiring the President to make an annual report of the operations of Lincoln

University," making an appropriation for carrying the same into effect; providing for a basis for payments of the appropriation; and providing a method of accounting for the funds appropriated and for certain fiscal information disclosure.

RULES.

HB 1389, PN 1857

By Rep. REED

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

RULES.

SB 42, PN 1025

By Rep. ADOLPH

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in licensing of drivers, further providing for issuance and content of driver's license.

APPROPRIATIONS.

SB 284, PN 783

By Rep. ADOLPH

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for special motorcycle plates for veterans.

APPROPRIATIONS.

SB 285, PN 163

By Rep. ADOLPH

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, further providing for Veterans' Trust Fund.

APPROPRIATIONS.

SB 405, PN 1075

By Rep. ADOLPH

An Act designating Exit 30 from Interstate 84 onto State Route 402, in Pike County, as the Corporal Bryon K. Dickson, II, Exit.

APPROPRIATIONS.

**BILL ON CONCURRENCE
REPORTED FROM COMMITTEE**

HB 131, PN 1861

By Rep. REED

An Act amending the act of December 15, 1982 (P.L.1266, No.287), entitled, as amended, "An act conferring limited residency status on military personnel, their dependents and civilian personnel assigned to an active duty station in Pennsylvania," further providing for attendance at State-related and State-owned institutions of higher learning and community colleges; and providing for applicability and eligibility.

RULES.

SENATE MESSAGE

**HOUSE AMENDMENTS
CONCURRED IN BY SENATE**

The clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to **SB 397, PN 1058**.

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:

SB 397, PN 1058

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in bonds and recognizances, amending provisions relating to professional bondsmen and providing for authorization to conduct business within each county, for forfeited undertaking, for private cause of action and for third party sureties.

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

LEAVE OF ABSENCE

The SPEAKER. The majority whip has indicated that the good gentleman from Chester County, Representative HENNESSEY, has asked to be placed on leave of absence for the day. That request will be granted.

Members, if you would take your seats.

STATEMENT BY MR. SACCONI

The SPEAKER. At this time our colleague is recognized on unanimous consent, Representative Rick Saccone.

Mr. SACCONI. Thank you, Mr. Speaker.

Thank you, colleagues. I just want to remind you that today, June 25, is the 65th anniversary of the start of the Korean war, 1950 – 3-year war – 1950-1953, where we lost about 35,000 brave Americans in that struggle on the Korean Peninsula. And we have about 8,000 missing, many of them still missing even after all these years. We send teams over to try to find our veterans that were missing in action in that war.

You know, Pennsylvania has the third largest number of veterans – the State with the third largest number of veterans in the United States. I just want to thank all of our veterans. Our Korean war veterans are aged, as you can imagine, and they are dying off very rapidly. And I want to thank our, especially, our Korean war veterans today and I want to thank all of our veterans for their service in liberating Korea and for their service to our country. Thank you all, and God bless you.

Thank you, Mr. Speaker.

CALENDAR CONTINUED

BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 603, PN 677**, entitled:

An Act amending the act of July 9, 1987 (P.L.220, No.39), known as the Social Workers, Marriage and Family Therapists and Professional Counselors Act, further providing for State Board of Social Workers, Marriage and Family Therapists and Professional Counselors, for restriction on the use of title "Licensed Marriage and Family Therapist" and for penalties.

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

Mr. **TOPPER** offered the following amendment
No. **A02469**:

Amend Bill, page 3, by inserting between lines 22 and 23
(6) A person who provides faith-based marriage, family
or couples therapy, provided the person clearly identifies he or
she offers faith-based services and does not represent himself or
herself as a licensed marriage and family therapist.

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

The **SPEAKER**. On that question, the Chair recognizes
Representative Topper.

Mr. **TOPPER**. Thank you, Mr. Speaker.

This amendment is simply to offer some clarity in regards to
those who are offering ministerial counseling services through
faith-based organizations. It is an agreed-to amendment.

Thank you, Mr. Speaker.

The **SPEAKER**. Thank you.

Representative Harry Readshaw, on the amendment.

Mr. **READSHAW**. Thank you, Mr. Speaker.

Mr. Speaker, I stand in support of this amendment.

As everyone might recall, a few days ago there were a couple
of members that did have concern for the clergy, their actions –
what they are allowed to do, what they are not allowed to do.
I believe this amendment clarifies that, and I would ask for an
affirmative vote.

The **SPEAKER**. Thank you, sir.

LEAVE OF ABSENCE CANCELED

The **SPEAKER**. Representative Petri has indicated that he is
back and would like to be placed on the record, and that request
will be granted.

CONSIDERATION OF HB 603 CONTINUED

The **SPEAKER**. Do any other members wish to be
recognized?

The chairwoman of the Professional Licensure Committee,
Julie Harhart.

Mrs. **HARHART**. Thank you, Mr. Speaker.

I also rise in support of amendment A02469.

HB 603 only restricts the use of the title of marriage
therapist, couples therapist, family therapist, and marriage and
family therapist. It does not restrict anyone, including clergy,
from providing such services.

The amendment A02469 simply highlights the fact that
clergy and laypersons may continue to provide family or
couples counseling, provided they do not represent themselves
to be a licensed marriage and family therapist. And I ask the
members to support this amendment. Thank you.

The **SPEAKER**. Thank you.

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

The following roll call was recorded:

YEAS—192

Acosta	Evans	Kotik	Readshaw
Adolph	Everett	Krieger	Reed
Baker	Fabrizio	Lawrence	Reese
Barbin	Farina	Lewis	Regan
Barrar	Farry	Longietti	Roae
Benninghoff	Fee	Mackenzie	Roebuck
Bishop	Flynn	Maher	Ross
Bizzarro	Frankel	Mahoney	Rozzi
Bloom	Freeman	Major	Saccone
Boback	Gainey	Maloney	Sainato
Boyle	Galloway	Markosek	Samuelson
Bradford	Gergely	Marshall	Sankey
Briggs	Gibbons	Marsico	Santarsiero
Brown, R.	Gillen	Masser	Santora
Brown, V.	Gillespie	Matzie	Saylor
Burns	Gingrich	McCarter	Schemel
Caltagirone	Godshall	McGinnis	Schlossberg
Carroll	Goodman	McNeill	Schreiber
Causar	Greiner	Mentzer	Schweyer
Christiana	Grove	Metcalfe	Simmons
Cohen	Hahn	Metzgar	Sims
Conklin	Hanna	Miccarelli	Snyder
Corbin	Harhai	Millard	Sonney
Costa, D.	Harhart	Miller, B.	Staats
Costa, P.	Harkins	Miller, D.	Stephens
Cruz	Harper	Milne	Sturla
Culver	Harris, A.	Moul	Tallman
Cutler	Harris, J.	Mullery	Taylor
Daley, M.	Heffley	Murt	Thomas
Daley, P.	Helm	Mustio	Tobash
Davidson	Hickernell	Nesbit	Toepel
Davis	Hill	Neuman	Toohil
Dawkins	Irvin	O'Brien	Topper
Day	James	Oberlander	Truitt
Dean	Jozwiak	Ortitay	Vereb
Deasy	Kampf	Parker, C.	Vitali
DeLissio	Kaufner	Parker, D.	Ward
Delozier	Kauffman	Pashinski	Warner
Dermody	Kavulich	Payne	Watson
Diamond	Keller, F.	Peifer	Wentling
DiGirolamo	Keller, M.K.	Petrarca	Wheatley
Donatucci	Keller, W.	Petri	Wheeland
Driscoll	Killion	Pickett	White
Dunbar	Kim	Quigley	Youngblood
Dush	Kinsey	Quinn	Zimmerman
Ellis	Kirkland	Rader	
Emrick	Klunk	Rapp	Turzai,
English	Knowles	Ravenstahl	Speaker
Evankovich	Kortz		

NAYS—0

NOT VOTING—0

EXCUSED—6

Cox	Gabler	O'Neill	Pyle
DeLuca	Hennessey		

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

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

The SPEAKER. Members, Representative Sims had marked amendment 2491. That has been ruled out of order, but at this time Representative Sims will be recognized.

Mr. SIMS. Thank you, Mr. Speaker, for the opportunity.

Mr. Speaker, my amendment would have prohibited mental health professionals from engaging in the erroneously named "conversion therapy" with respect to individuals under the age of 18.

Mr. Speaker, in our State it is currently legal to subject LGBT (lesbian, gay, bisexual, and transgender) youth to this faux therapy, commonly referred to as "conversion therapy," which attempts to change an individual's sexual orientation. The practice has been found by the American Psychological Association to pose a serious health risk to people, leading to depression, social withdraw, substance abuse, and suicide. Further, Mr. Speaker, the American Medical Association, the American Academy of Pediatrics, the American Psychiatric Association, the American Psychological Association, the American Psychoanalytic Association, and the National Association of Social Workers condemn and vehemently oppose this practice.

We must, on behalf of tens of thousands of Pennsylvania youth, ensure that medical providers in our Commonwealth maintain their fidelity to the Hippocratic oath, which requires them, Mr. Speaker, to do no harm. We must ensure that those who fail to honor that oath are accountable to the lifetime of pain and suffering that they cause.

But, Mr. Speaker, for the sake of not putting at risk this underlying bill, which I do support, I will withdraw my amendment and hope that we can revisit this issue individually and substantively again in the future.

Thank you very much, Mr. Speaker, for the opportunity.

The SPEAKER. Thank you, sir.

On the question recurring,

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

Bill as amended was agreed to.

The SPEAKER. The bill as amended will be reprinted.

SUPPLEMENTAL CALENDAR B

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 1131**, **PN 1871**, entitled:

An Act making appropriations from the Professional Licensure Augmentation Account and from restricted revenue accounts within the General Fund to the Department of State for use by the Bureau of Professional and Occupational Affairs in support of the professional licensure boards assigned thereto.

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 1132**, **PN 1872**, entitled:

An Act making appropriations from the Workmen's Compensation Administration Fund to the Department of Labor and Industry and the Department of Community and Economic Development to provide for the expenses of administering the Workers' Compensation Act, The Pennsylvania Occupational Disease Act and the Office of Small Business Advocate for the fiscal year July 1, 2015, to June 30, 2016, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2015; and making an interfund transfer.

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 1133**, **PN 1873**, entitled:

An Act making appropriations from the restricted revenue accounts within the State Gaming Fund and from the State Gaming Fund to the Pennsylvania Gaming Control Board, the Department of Revenue, the Pennsylvania State Police and the Attorney General for the fiscal year beginning July 1, 2015, to June 30, 2016, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2015.

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 1134**, **PN 1874**, entitled:

An Act making appropriations from a restricted revenue account within the General Fund and from Federal augmentation funds to the Pennsylvania Public Utility Commission for the fiscal year July 1, 2015, to June 30, 2016.

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 1135**, **PN 1875**, entitled:

An Act making an appropriation from a restricted revenue account within the General Fund to the Office of Small Business Advocate in the Department of Community and Economic Development.

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 1136**, **PN 1506**, entitled:

An Act making an appropriation from a restricted revenue account within the General Fund to the Office of Consumer Advocate in the Office of Attorney General.

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 1137**, **PN 1507**, entitled:

An Act making appropriations from the Philadelphia Taxicab and Limousine Regulatory Fund and the Philadelphia Taxicab Medallion Fund to the Philadelphia Parking Authority for fiscal year July 1, 2015, to June 30, 2016.

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 1138**, **PN 1876**, entitled:

An Act making an appropriation from the State Employees' Retirement Fund to provide for expenses of the State Employees' Retirement Board for the fiscal year July 1, 2015, to June 30, 2016, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2015.

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 1139**, **PN 1877**, entitled:

An Act making an appropriation from the Public School Employees' Retirement Fund to provide for expenses of the Public School Employees' Retirement Board for the fiscal year July 1, 2015, to June 30, 2016, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2015.

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 1389**, **PN 1857**, entitled:

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

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 941**, **PN 1244**, entitled:

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, in Commonwealth agency fees, further providing for distillery of historical significance license fee reduction.

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 1385**, **PN 1853**, entitled:

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

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

Ms. **TOOHIL** offered the following amendment
No. **A02564**:

Amend Bill, page 1, line 12, by inserting after "1. "

(a)

Amend Bill, page 2, by inserting between lines 3 and 4

(b) The appropriations provided in subsection (a) shall be contingent on the university complying with the provisions of this subsection. The university shall waive tuition and fees, including lab fees, for an individual who is 18 years of age, but less than 21 years of age, and meets one of the following requirements:

(1) Has been placed in substitute care as a dependent child at any time while 16 years of age or older.

(2) Has been placed in substitute care and had shared case management through the dependency and delinquency systems.

(3) Has been adopted from the substitute care system as a dependent child.

(4) Has been placed with a permanent legal custodian from substitute care as a dependent child.

(5) Is participating in the tuition and fee waiver program on the individual's 21st birthday, until the individual reaches 23 years of age.

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

The **SPEAKER**. On that question, the Chair recognizes Representative Toohil.

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

This amendment would waive tuition for foster children and former foster children for this school, and it was an amendment that was added to all of the nonpreferred State-related universities.

AMENDMENT WITHDRAWN

Ms. TOOHL. I am at this time withdrawing the amendment.

But I did want to point out to the members of this body that the statistics of foster children and former foster children in Pennsylvania going to college and having success stories are very low. The statistics are that less than 3 percent of youths who have aged out of the foster-care system actually go on to earn a college degree. This is a very low number, and we are asking to get the conversation started so that the universities and colleges in Pennsylvania look at how providing a tuition waiver would be at very low or little cost to the university.

In Luzerne County this year, we have 193 foster children who are aging out, and out of those 193 children, only 10 of them are going to be enrolled in college or a university. We have had great success with Luzerne County Community College. They are waiving tuition for those 10 children. And we would ask that you spread the word throughout your districts so that we can help these foster children to not be a statistic; to not be one in five that are homeless after age 18, or by the age of 24, the 50 percent of people that are unemployed. Seventy-one percent of former foster children become pregnant by age 21. So we want to lower these statistics and we want to create a dialog with our universities.

We do have a separate piece of legislation that is going to be running, so I am withdrawing the amendments at this time for all four of the bills, Mr. Speaker.

The SPEAKER. Thank you, Representative Toohil.
So at this time amendment 2564 will be withdrawn.

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

MOTION TO SUSPEND RULES

The SPEAKER. Representative Markosek has offered amendment 2570. That amendment has been ruled out of order, but I call upon Representative Markosek.

Mr. MARKOSEK. Thank you, Mr. Speaker.

Mr. Speaker, you know, this time of year I know the days start to get a little longer, so with your permission, I am going to make one motion that will amend four bills with four amendments that I have.

Those amendments are amendment 2570 to HB 1385, amendment 2571 to HB 1386, amendment 2572 to HB 1387, and amendment 2573 to HB 1388.

I would like to make the motion to suspend the rules to consider those amendments.

The SPEAKER. Yes, sir. If you will just give me a moment.

Members, the four bills to which Representative Markosek is referring are HBs 1385, 1386, 1387, and 1388.

The amendments have been ruled out of order because there is not revenue neutrality with respect to each of those amendments in relation to the underlying bill. Representative Markosek is entitled to move to suspend with a vote of two-thirds of the membership to allow those amendments to be voted upon, but it would be, two-thirds would have to say that that amendment would be appropriate to be voted upon.

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

The SPEAKER. At this time I will call on Representative Markosek to speak on the motion, and then I will call on the Appropriations chair, the majority Appropriations chair, Bill Adolph, to speak on the motion.

Representative Markosek, the floor is yours.

Mr. MARKOSEK. Thank you, Mr. Speaker.

Members, I will try to run through this as quickly as I can. We have congealed all these into one motion to try to make it as efficient as we can.

First of all, amendment 2570 would increase the appropriations for Penn State and the Pennsylvania College of Technology. We just had the Appropriations Committee, by the way, up at the Pennsylvania College of Technology in Lycoming County a couple of weeks ago, and it is a wonderful university. My amendment would increase funding for Penn State by 11 percent and the Pennsylvania College of Technology by 7 percent. These are the same amounts I introduced in HB 1126.

Higher education is a critical priority that we need to address in the budget. Adopting this amendment to increase funding for one of our State-related universities is an important first step.

I rise to suspend the rules also because it is meaningful – it is the first meaningful increase for Penn State since State support was cut in 2011-2012, and it would put us on a path to fully restore the cut over the next 2 years.

Just a few weeks ago, the majority chair of the Appropriations Committee took the committee to Williamsport, as I mentioned, for regional hearings and meetings. We had the pleasure of visiting the Pennsylvania College of Technology, and I know the gentleman from Lycoming visited there with us, and certainly, it was a great trip and they have a great institution. They can only continue that success, however, if we stand behind them and provide the necessary resources. This amendment would do that.

The second amendment and the second bill that I have is amendment 2571 to HB 1386. Amendment 2571 would increase the general support appropriations for the University of Pittsburgh. The amendment would increase funding by 11 percent also, which is what is contained in my bill, HB 1127.

I know firsthand how vital the University of Pittsburgh is to the city and the region. Our research institutions especially are huge economic drivers. It would be the first meaningful increase for Pitt since State support was cut in 2011-2012, and it would put us on a path to fully restore the cut over the next 2 years. We should increase support for our universities, and I ask members to also consider the University of Pittsburgh as part of this motion.

The third amendment, 2572, to HB 1387 is relative to Temple University. Again, Mr. Speaker, I would ask support for our State-related universities by adopting amendment 2572. This amendment would increase support for Temple, again, by 11 percent, which is what I introduced in HB 1128. It would be the first meaningful increase for Temple, again, since support was cut in 2011-2012.

The SPEAKER. Sir, if you will please suspend.

POINT OF ORDER

The SPEAKER. Representative Reed.

Mr. REED. Mr. Speaker, we would just ask the maker of the motion to speak on the motion to suspend as opposed to the content of the amendments, as well as the history of education funding in Pennsylvania. If we could just narrow the scope a little bit more to the motion to suspend, that would be wonderful. Thank you.

The SPEAKER. Representative Markosek, what we have in front of us is the motion to suspend. It is based on the issue of revenue neutrality. That is why they were ruled out of order. If you could just speak on that motion, we would appreciate that and direct you to do so.

Thank you, sir.

Mr. MARKOSEK. Thank you, Mr. Speaker.

And I do, I rise to suspend the rules, as I mentioned, for Temple University so that they can get the funding back that was cut some time ago, 4 years ago as we know.

Also, Mr. Speaker, I rise to suspend the rules for amendment 2573 to HB 1388. Amendment 2573 would increase funding for Lincoln by 11 percent, which is similar to what I proposed in HB 1129. And without belaboring the point, as the Speaker has mentioned, I will stick to suspending the rules so that they can get back their 11-percent cut over the last few years and over the next 2 years be made to recover that money that they lost over the last 4 years.

Mr. Speaker, thank you, and I would appreciate a "yes" vote to suspend the rules.

The SPEAKER. Chairman Adolph.

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

Mr. Speaker, I am going to ask the members to vote "no" on the suspension of the rules on all these amendments, and the reason being – and I am going to tell the members, and the chairman knows it, the members of the Appropriations Committee know it – this amendment that we will be offering for our well-respected State-related universities is level-funded from last year, but as I said in the Appropriations Committee and as I said several weeks ago on the floor of the House, we are moving the vehicle until we get an agreement.

These amendments that I am offering today for these State-related universities have last year's spend number. It will go back into the Appropriations Committee, and as we work and negotiate on the amount of their increases, we will do an amendment in the Appropriations Committee and move it back on the floor of the House.

The amendments that my good friend, Chairman Markosek, offered are out of balance. They must be revenue-neutral. He is asking for suspension of those rules for that reason. I do not think it would be best for the House to suspend the rules on these – revenue-neutral – because it is an appropriation to our State-related universities and I believe it is best done in the Appropriations Committee.

So I ask a "no" vote on the suspension of the rules. Thank you.

The SPEAKER. Representative Dermody, on the motion to suspend.

Mr. DERMODY. Thank you, Mr. Speaker.

Mr. Speaker, we should suspend the rules to consider these Markosek amendments, because without these amendments, the cuts to higher education to our State-related universities of 4 years ago – the cuts to Pitt and Penn State and Temple and

Lincoln and the Penn Vet School – will be etched in stone. We should suspend because those cuts of 4 years ago that continue throughout all the 4 years of the last administration have resulted in significantly higher tuition increases, higher tuition and tuition increases every year for Pitt and Penn State and Temple and Lincoln and the Penn Vet School.

We need to suspend the rules so we can begin the process of restoring the cuts to our State-related universities and the Penn Vet School. That can get started today if we suspend the rules and consider these amendments, these four amendments. We can begin to treat higher education the way it should be treated; we can begin to treat higher education and give our students an opportunity to be able to afford to go to our State universities. That is what happens if we suspend the rules; that is why we should suspend them, to give every child in the Commonwealth a chance for great education at our State-related universities.

Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—78

Acosta	Dawkins	Harkins	Pashinski
Barbin	Dean	Harris, J.	Petrarca
Bishop	Deasy	Kavulich	Ravenstahl
Bizzarro	DeLissio	Keller, W.	Readshaw
Boyle	Dermody	Kim	Roebuck
Bradford	Donatucci	Kinsey	Rozzi
Briggs	Driscoll	Kirkland	Sainato
Brown, V.	Evans	Kortz	Samuelson
Burns	Fabrizio	Kotik	Santarsiero
Caltagirone	Farina	Longietti	Schlossberg
Carroll	Flynn	Maher	Schreiber
Cohen	Frankel	Mahoney	Schweyer
Conklin	Freeman	Markosek	Sims
Costa, D.	Gainey	Matzie	Snyder
Costa, P.	Galloway	McCarter	Sturla
Cruz	Gergely	McNeill	Thomas
Daley, M.	Gibbons	Neuman	Vitali
Daley, P.	Goodman	O'Brien	Wheatley
Davidson	Hanna	Parker, C.	Youngblood
Davis	Harhai		

NAYS—114

Adolph	Greiner	Masser	Roae
Baker	Grove	McGinnis	Ross
Barrar	Hahn	Mentzer	Saccone
Benninghoff	Harhart	Metcalfe	Sankey
Bloom	Harper	Metzgar	Santora
Boback	Harris, A.	Miccarelli	Saylor
Brown, R.	Heffley	Millard	Schemel
Causer	Helm	Miller, B.	Simmons
Christiana	Hickernell	Miller, D.	Sonney
Corbin	Hill	Milne	Staats
Culver	Irvin	Moul	Stephens
Cutler	James	Mullery	Tallman
Day	Jozwiak	Murt	Taylor
Delozier	Kampf	Mustio	Tobash
Diamond	Kaufner	Nesbit	Toepel
DiGrolamo	Kauffman	Oberlander	Toohil
Dunbar	Keller, F.	Ortitay	Topper
Dush	Keller, M.K.	Parker, D.	Truitt
Ellis	Killion	Payne	Vereb
Emrick	Klunk	Peifer	Ward
English	Knowles	Petri	Warner
Evankovich	Krieger	Pickett	Watson
Everett	Lawrence	Quigley	Wentling

Farry	Lewis	Quinn	Wheeland
Fee	Mackenzie	Rader	White
Gillen	Major	Rapp	Zimmerman
Gillespie	Maloney	Reed	
Gingrich	Marshall	Reese	Turzai,
Godshall	Marsico	Regan	Speaker

NOT VOTING—0

EXCUSED—6

Cox	Gabler	O'Neill	Pyle
DeLuca	Hennessey		

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.

The SPEAKER. Each of those amendments with respect to the particular bills will be ruled out of order.

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

* * *

The House proceeded to second consideration of **HB 1386**, **PN 1854**, entitled:

A Supplement to the act of July 28, 1966 (3rd Sp.Sess., P.L.87, No.3), entitled "An act providing for the establishment and operation of the University of Pittsburgh as an instrumentality of the Commonwealth to serve as a State-related university in the higher education system of the Commonwealth; providing for change of name; providing for the composition of the board of trustees; terms of trustees, and the power and duties of such trustees; authorizing appropriations in amounts to be fixed annually by the General Assembly; providing for the auditing of accounts of expenditures from said appropriations; providing for public support and capital improvements; authorizing the issuance of bonds exempt from taxation within the Commonwealth; requiring the chancellor to make an annual report of the operations of the University of Pittsburgh," making appropriations for carrying the same into effect; and providing for a basis for payments of such appropriations, for a method of accounting for the funds appropriated and for certain fiscal information disclosure.

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 1387**, **PN 1855**, entitled:

A Supplement to the act of November 30, 1965 (P.L.843, No.355), entitled "An act providing for the establishment and operation of Temple University as an instrumentality of the Commonwealth to serve as a State-related university in the higher education system of the Commonwealth; providing for change of name; providing for the composition of the board of trustees; terms of trustees, and the power and duties of such trustees; providing for preference to Pennsylvania residents in tuition; providing for public support and capital improvements; authorizing appropriations in amounts to be fixed annually by the General Assembly; providing for the auditing of accounts of expenditures from said appropriations; authorizing the issuance of bonds exempt from taxation within the Commonwealth; requiring the President to make an annual report of the operations of

Temple University," making an appropriation for carrying the same into effect; providing for a basis for payments of such appropriation; and providing a method of accounting for the funds appropriated and for certain fiscal information disclosure.

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 1388**, **PN 1856**, entitled:

A Supplement to the act of July 7, 1972 (P.L.743, No.176), entitled "An act providing for the establishment and operation of Lincoln University as an instrumentality of the Commonwealth to serve as a State-related institution in the higher education system of the Commonwealth; providing for change of name; providing for the composition of the board of trustees; terms of trustees, and the power and duties of such trustees; providing for preference to Pennsylvania residents in tuition; authorizing appropriations in amounts to be fixed annually by the General Assembly; providing for the auditing of accounts of expenditures from said appropriations; providing for public support and capital improvements; authorizing the issuance of bonds exempt from taxation within the Commonwealth; requiring the President to make an annual report of the operations of Lincoln University," making an appropriation for carrying the same into effect; providing for a basis for payments of the appropriation; and providing a method of accounting for the funds appropriated and for certain fiscal information disclosure.

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 1112**, **PN 1798**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in school districts, providing for data collection reduction.

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

Mr. McCARTER offered the following amendment No. **A02258**:

Amend Bill, page 4, by inserting between lines 22 and 23
(e.1) Any data collection requirement under Article XVI-C pertaining to disclosure of interscholastic athletics opportunities shall not be subject to this section.

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

The SPEAKER. On that question, the Chair recognizes Representative McCarter.

Mr. McCARTER. Thank you, Mr. Speaker.

I ask my fellow legislators for their support of this amendment, A02259, to help ensure that the overall bill does not run afoul of any Title IX requirements and of the requirements included—

The SPEAKER. Sir, if you will just please suspend for a moment. We have marked amendment 2258, and I just want to make sure that—

Mr. McCARTER. Sorry. No, that is correct.

The SPEAKER. Okay. I apologize. Thank you. Please proceed.

Mr. McCARTER. Again, this is an amendment that really wants to try to make sure that we do not run afoul of any of the Title IX requirements and the requirements included in the Interscholastic Athletics Disclosure Act of 2012 that we passed in this chamber overwhelmingly.

As I am sure everyone in this room knows, Title IX is a landmark Federal legislation piece that prohibits sex discrimination in all aspects of education. My amendment simply ensures that reporting in athletics pertaining to the disclosure of interscholastic athletic opportunities is still subject to reporting.

Mr. Speaker, it is vital that we continue to ensure that our young men and women all receive equal opportunities. There was a reason that Title IX and the 2012 Interscholastic Athletics Disclosure Act were passed, however. We need to ensure that this legislation is not encroaching on any of the positive athletic opportunities that have been given to students across Pennsylvania.

On a personal note, as a former girls softball coach for more than 10 years, I witnessed discriminatory practices that, through reporting that we now require, would be far more apparent today.

Mr. Speaker, we need to do everything we can to make sure that all young women have every opportunity to enjoy the rewards and benefits of participating in sports at all levels. Mr. Speaker, now is not the time to move an opportunity for a commission to even recommend a change of policy that could result in a loss of opportunity for young women across the State.

For that reason I ask that all members vote in the affirmative for this amendment to make sure that this well-intentioned legislation does not do something that would be detrimental and end the transparency that helps to keep discrimination at bay.

Thank you, Mr. Speaker.

The SPEAKER. Representative Brown, on the amendment.

Mrs. R. BROWN. Thank you, Mr. Speaker.

And I thank the gentleman for his comments, but I do want to let you know that this piece of legislation is specifically just looking at all of the reports that are from the State. This is something that – from both sides of the aisle – our school districts are asking us to really look at what is time-consuming, what is cost savings for them, what is taking a lot from them every day in the daily life of schools. So what we are looking for is strictly to just review all the reports that are being taken at the school district and create a report that they can look at and for us to further redo legislative action so that we are not targeting any one specific report. We are only just looking at all the reports to try to give a good guiding for us to do.

The SPEAKER. Representative McCarter, for the second time.

Mr. McCARTER. Thank you, Mr. Speaker.

And I understand the concerns of the gentlelady that, you know, that obviously this is not a piece that is set out to deliberately discriminate in any way, shape, or form against any group of individuals. That is very clear.

But I think it is also paramount that the actions that have been taken, both at the Federal and here in the State, make sure that that does not happen. No matter how sometimes onerous – and I have heard the same complaints occasionally that this legislation that we passed in 2012 takes time to fill out. Well, accumulating statistics does not have to be all that time-consuming, and I know we have had conversations already about trying to find ways to make the reporting a little bit easier, and I agree with that completely.

However, to end that reporting would bring back the days when you can hide things that we do not want to see hidden. So that is all I am asking for in this amendment, is to make sure that this one area that is so crucial to make sure that we do not engage in any further discrimination as we have in the past, unfortunately, will not take place.

Thank you, Mr. Speaker.

The SPEAKER. Representative Brown, on the amendment, second time.

Mrs. R. BROWN. Thank you, Mr. Speaker.

And just once again, I would just like to reiterate that this is just a full review of reports and this will just present a report to the legislative body on possible action in the future. So this does not do anything specific to any one report. It is looking at our full system, and we will just give a guidance to us for future legislation.

So I do ask for a "no" on this from the members.

Thank you, Mr. Speaker.

The SPEAKER. Representative Phillips-Hill, on the amendment.

Mrs. HILL. Thank you, Mr. Speaker.

Mr. Speaker, I urge my colleagues to oppose this amendment.

Every data collection and reporting requirement that has been placed on a school district and all the school districts in the Commonwealth really need to be evaluated. My hope would be that through this review and this report that will be given to the legislature, we may find more efficient and more effective ways for school districts to comply with these data collection requirements to help save school districts more money. Thank you.

The SPEAKER. Thank you.

LEAVE OF ABSENCE

The SPEAKER. Representative CONKLIN of Centre County seeks to be marked on leave for the rest of the voting day, according to the minority whip. That request will be granted.

CONSIDERATION OF HB 1112 CONTINUED

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

The following roll call was recorded:

YEAS—79

Acosta	Dean	Harris, J.	Petrarca
Barbin	Deasy	Kavulich	Ravenstahl
Bishop	DeLissio	Keller, W.	Readshaw

Bizzarro	Dermody	Kim	Roebuck
Boyle	Donatucci	Kinsey	Rozzi
Bradford	Driscoll	Kirkland	Sainato
Briggs	Evans	Kortz	Samuelson
Brown, V.	Fabrizio	Kotik	Santarsiero
Burns	Farina	Longietti	Schlossberg
Caltagirone	Flynn	Mahoney	Schreiber
Carroll	Frankel	Markosek	Schweyer
Cohen	Freeman	Matzie	Sims
Costa, D.	Gainey	McCarter	Snyder
Costa, P.	Galloway	McNeill	Sturla
Cruz	Gergely	Miller, D.	Thomas
Daley, M.	Gibbons	Mullery	Toepel
Daley, P.	Goodman	Neuman	Vitali
Davidson	Hanna	O'Brien	Wheatley
Davis	Harhai	Parker, C.	Youngblood
Dawkins	Harkins	Pashinski	

NAYS—112

Adolph	Greiner	Marsico	Roae
Baker	Grove	Masser	Ross
Barrar	Hahn	McGinnis	Saccone
Benninghoff	Harhart	Mentzer	Sankey
Bloom	Harper	Metcalfe	Santora
Boback	Harris, A.	Metzgar	Saylor
Brown, R.	Heffley	Miccarelli	Schemel
Causer	Helm	Millard	Simmons
Christiana	Hickernell	Miller, B.	Sonney
Corbin	Hill	Milne	Staats
Culver	Irvin	Moul	Stephens
Cutler	James	Murt	Tallman
Day	Jozwiak	Mustio	Taylor
DeLozier	Kampf	Nesbit	Tobash
Diamond	Kaufert	Oberlander	Toohil
DiGirolamo	Kauffman	Ortitay	Topper
Dunbar	Keller, F.	Parker, D.	Truitt
Dush	Keller, M.K.	Payne	Vereb
Ellis	Killion	Peifer	Ward
Emrick	Klunk	Petri	Warner
English	Knowles	Pickett	Watson
Evankovich	Krieger	Quigley	Wentling
Everett	Lawrence	Quinn	Wheeland
Farry	Lewis	Rader	White
Fee	Mackenzie	Rapp	Zimmerman
Gillen	Maher	Reed	
Gillespie	Major	Reese	Turzai,
Gingrich	Maloney	Regan	Speaker
Godshall	Marshall		

NOT VOTING—0

EXCUSED—7

Conklin	DeLuca	Hennessey	Pyle
Cox	Gabler	O'Neill	

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

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

* * *

The House proceeded to second consideration of **HB 970, PN 1802**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in snowmobiles and all-terrain vehicles, further providing for restricted account, for Snowmobile and ATV Advisory Committee, for operation on private or State property, for operation by persons under age sixteen, for mufflers and noise control and for enforcement personnel and procedures.

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

Mr. **CAUSER** offered the following amendment
No. **A02254**:

Amend Bill, page 3, by inserting between lines 25 and 26
(b.1) Regulations.—No later than 60 days from the effective date of this subsection, the department shall promulgate regulations necessary to implement the provisions of subsection (b). The department shall promulgate the regulations in a manner that is separate from regulations pertaining to any other grant program administered by the department. The department's regulations shall include a quarterly approval grant process.

Amend Bill, page 4, lines 11 through 17, by striking out all of said lines

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

The **SPEAKER**. On that question, the Chair recognizes Representative Martin Causer.

Mr. **CAUSER**. Thank you, Mr. Speaker.

Mr. Speaker, I ask for support for amendment A02254. This is a technical amendment that corrects a drafting error in the bill. It moves language on the grant regulations to the proper subsection.

Thank you, Mr. Speaker.
The **SPEAKER**. Thank you, sir.

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

The following roll call was recorded:

YEAS—191

Acosta	Everett	Kotik	Readshaw
Adolph	Fabrizio	Krieger	Reed
Baker	Farina	Lawrence	Reese
Barbin	Farry	Lewis	Regan
Barrar	Fee	Longietti	Roae
Benninghoff	Flynn	Mackenzie	Roebuck
Bishop	Frankel	Maher	Ross
Bizzarro	Freeman	Mahoney	Rozzi
Bloom	Gainey	Major	Saccone
Boback	Galloway	Maloney	Sainato
Boyle	Gergely	Markosek	Samuelson
Bradford	Gibbons	Marshall	Sankey
Briggs	Gillen	Marsico	Santarsiero
Brown, R.	Gillespie	Masser	Santora
Brown, V.	Gingrich	Matzie	Saylor
Burns	Godshall	McCarter	Schemel

Caltagirone	Goodman	McGinnis	Schlossberg
Carroll	Greiner	McNeill	Schreiber
Causer	Grove	Mentzer	Schweyer
Christiana	Hahn	Metcalf	Simmons
Cohen	Hanna	Metzgar	Sims
Corbin	Harhai	Miccarelli	Snyder
Costa, D.	Harhart	Millard	Sonney
Costa, P.	Harkins	Miller, B.	Staats
Cruz	Harper	Miller, D.	Stephens
Culver	Harris, A.	Milne	Sturla
Cutler	Harris, J.	Moul	Tallman
Daley, M.	Heffley	Mullery	Taylor
Daley, P.	Helm	Murt	Thomas
Davidson	Hickernell	Mustio	Tobash
Davis	Hill	Nesbit	Toepel
Dawkins	Irvin	Neuman	Toohil
Day	James	O'Brien	Topper
Dean	Jozwiak	Oberlander	Truitt
Deasy	Kampf	Ortitay	Vereb
DeLissio	Kaufman	Parker, C.	Vitali
Delozier	Kauffman	Parker, D.	Ward
Dermody	Kavulich	Pashinski	Warner
Diamond	Keller, F.	Payne	Watson
DiGirolamo	Keller, M.K.	Peifer	Wentling
Donatucci	Keller, W.	Petrarca	Wheatley
Driscoll	Killion	Petri	Wheeland
Dunbar	Kim	Pickett	White
Dush	Kinsey	Quigley	Youngblood
Ellis	Kirkland	Quinn	Zimmerman
Emrick	Klunk	Rader	
English	Knowles	Rapp	Turzai,
Evankovich	Kortz	Ravenstahl	Speaker
Evans			

NAYS—0

NOT VOTING—0

EXCUSED—7

Conklin	DeLuca	Hennessey	Pyle
Cox	Gabler	O'Neill	

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

On the question,

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

The SPEAKER. Representative Hanna had called up amendment 2406. That has been ruled out of order.

On the question recurring,

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

Bill as amended was agreed to.

The SPEAKER. The bill as amended will be reprinted.

CALENDAR CONTINUED

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1110, PN 1440**, entitled:

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, in general provisions applying to both liquor and malt and brewed beverages, further providing for limiting number of retail licenses to be issued in each county.

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—154

Acosta	Evankovich	Kortz	Reese
Adolph	Evans	Kotik	Regan
Baker	Everett	Krieger	Roae
Barbin	Fabrizio	Lewis	Roebuck
Barrar	Farina	Longietti	Ross
Benninghoff	Farry	Maher	Rozzi
Bishop	Flynn	Mahoney	Saccone
Bizzarro	Frankel	Major	Sainato
Bloom	Freeman	Markosek	Samuelson
Boyle	Gainey	Marsico	Sankey
Bradford	Galloway	Matzie	Santarsiero
Briggs	Gergely	McCarter	Santora
Brown, V.	Gibbons	McNeill	Saylor
Burns	Gillespie	Miccarelli	Schemel
Caltagirone	Gingrich	Millard	Schlossberg
Carroll	Godshall	Miller, D.	Schreiber
Christiana	Goodman	Milne	Schweyer
Cohen	Grove	Moul	Sims
Costa, D.	Hanna	Mullery	Snyder
Costa, P.	Harhai	Murt	Sonney
Cruz	Harhart	Mustio	Staats
Daley, M.	Harkins	Nesbit	Stephens
Daley, P.	Harper	Neuman	Sturla
Davidson	Harris, A.	O'Brien	Taylor
Davis	Harris, J.	Oberlander	Thomas
Dawkins	Helm	Ortitay	Toohil
Day	Hill	Parker, C.	Topper
Dean	Irvin	Parker, D.	Vereb
Deasy	Jozwiak	Pashinski	Vitali
DeLissio	Kampf	Payne	Warner
Delozier	Kauffman	Petrarca	Watson
Dermody	Kavulich	Petri	Wentling
DiGirolamo	Keller, M.K.	Pickett	Wheatley
Donatucci	Keller, W.	Quigley	Wheeland
Driscoll	Killion	Quinn	White
Dunbar	Kim	Rader	Youngblood
Dush	Kinsey	Ravenstahl	
Ellis	Kirkland	Readshaw	Turzai,
English	Klunk	Reed	Speaker

NAYS—37

Boback	Greiner	Mackenzie	Peifer
Brown, R.	Hahn	Maloney	Rapp
Causer	Heffley	Marshall	Simmons
Corbin	Hickernell	Masser	Tallman
Culver	James	McGinnis	Tobash
Cutler	Kaufner	Mentzer	Toepel
Diamond	Keller, F.	Metcalf	Truitt
Emrick	Knowles	Metzgar	Ward
Fee	Lawrence	Miller, B.	Zimmerman
Gillen			

NOT VOTING—0

EXCUSED—7

Conklin	DeLuca	Hennessey	Pyle
Cox	Gabler	O'Neill	

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 1196, PN 1858**, entitled:

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, in preliminary provisions, further providing for definitions; and, in licenses and regulations and liquor, alcohol and malt and brewed beverages, further providing for malt and brewed beverages manufacturers', distributors' and importing distributors' licenses, for local option and for unlawful acts relative to liquor, alcohol and liquor licensees.

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—169

Acosta	Dush	Kinsey	Readshaw
Adolph	Ellis	Kirkland	Reed
Baker	English	Klunk	Reese
Barbin	Evankovich	Kortz	Regan
Barrar	Evans	Kotik	Roae
Benninghoff	Everett	Krieger	Roebuck
Bishop	Fabrizio	Lewis	Ross
Bizzarro	Farina	Longietti	Rozzi
Bloom	Farry	Mackenzie	Saccone
Boback	Flynn	Mahoney	Sainato

Boyle	Frankel	Major	Samuelson
Bradford	Freeman	Markosek	Sankey
Briggs	Gainey	Marshall	Santarsiero
Brown, R.	Galloway	Marsico	Santora
Brown, V.	Gergely	Masser	Saylor
Burns	Gibbons	Matzie	Schemel
Caltagirone	Gillespie	McCarter	Schlossberg
Carroll	Gingrich	McGinnis	Schreiber
Causer	Godshall	McNeill	Schweyer
Christiana	Goodman	Miccarelli	Simmons
Cohen	Grove	Millard	Sims
Corbin	Hahn	Miller, D.	Snyder
Costa, D.	Hanna	Moul	Sonney
Costa, P.	Harhai	Mullery	Staats
Cruz	Harhart	Murt	Stephens
Culver	Harkins	Mustio	Sturla
Cutler	Harper	Nesbit	Taylor
Daley, M.	Harris, A.	Neuman	Thomas
Daley, P.	Harris, J.	O'Brien	Toepel
Davidson	Heffley	Ortitay	Toohil
Davis	Helm	Parker, C.	Vereb
Dawkins	Hill	Parker, D.	Vitali
Day	Irvin	Pashinski	Ward
Dean	James	Payne	Warner
Deasy	Kampf	Peifer	Watson
DeLissio	Kaufner	Petrarca	Wentling
Delozier	Kauffman	Petri	Wheatley
Dermody	Kavulich	Pickett	White
Diamond	Keller, F.	Quigley	Youngblood
DiGirolamo	Keller, M.K.	Quinn	
Donatucci	Keller, W.	Rader	Turzai,
Driscoll	Killion	Rapp	Speaker
Dunbar	Kim	Ravenstahl	

NAYS—22

Emrick	Knowles	Metzgar	Tobash
Fee	Lawrence	Miller, B.	Topper
Gillen	Maher	Milne	Truitt
Greiner	Maloney	Oberlander	Wheeland
Hickernell	Mentzer	Tallman	Zimmerman
Jozwiak	Metcalf		

NOT VOTING—0

EXCUSED—7

Conklin	DeLuca	Hennessey	Pyle
Cox	Gabler	O'Neill	

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 826, PN 1841**, entitled:

An Act amending Titles 45 (Legal Notices) and 71 (State Government) of the Pennsylvania Consolidated Statutes, in general provisions, requiring executive orders to have a fiscal note; in effectiveness of documents, further providing for effective date of documents; in Independent Fiscal Office, requiring the Independent Fiscal Office to prepare fiscal notes for executive orders; and making an inconsistent repeal of certain provisions of The Administrative Code of 1929.

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?

Representative Vitali.

Mr. VITALI. Thank you, Mr. Speaker.

I rise in opposition to HB 826.

This bill is not only unnecessary and a waste of resources, but it is legislative overreaching, which I think even goes into political mischief making on the part of the legislature. What this bill would do would be to, with regard to Executive orders issued by the Governor, require after they are issued, they receive a fiscal note from a legislative creation, the Independent Fiscal Office, and then be published in the Pennsylvania Bulletin for 60 days before they go into effect.

This is unnecessary and a waste of tax dollars for a number of reasons. First of all, the Governor's Budget Office already issues fiscal notes for gubernatorial actions, including Executive orders, and does them prior to their issuance.

You know, we in this chamber do not require a fiscal note after we have voted on a bill, as this piece of legislation would. We prepare a fiscal note so we can analyze whether it is worth the cost before we vote on it. It would make no sense after we vote on the bill and hand it to the Governor for his consideration to have a fiscal note on it, but that is exactly what this piece of legislation would do.

This legislation holds the Governor's Office to a standard that we are unwilling to hold ourselves to. We are satisfied in analyzing our amendments and bills to have fiscal notes prepared in-house; that is what the Governor does with his Executive orders. I think it is inconsistent to hold the Governor to a higher standard than we hold ourselves.

This fiscal note— Rather, this— Not only is this a waste of tax dollars, but it is also legislative overreaching because what this bill would in effect do is allow a legislatively created body – and that is exactly what the Independent Fiscal Office is. The Independent Fiscal Office is created by the legislature with legislative appointments, and there is no, on the Independent Fiscal Office Committee, no representation on the part of the Governor, just legislators. So it is a legislatively created entity, and this entity can in effect stop, stop an Executive action. It can stop an Executive action because this legislatively created entity can refuse to move forward on this fiscal note, and that would in effect stop an Executive action.

So we are creating a piece of law which would allow the legislature, one independent branch of government, to stop an action of another independent branch of government.

CONSTITUTIONAL POINT OF ORDER

Mr. VITALI. And therefore, I would move that HB 826 be declared unconstitutional as violative of Article IV, section 2, of the Pennsylvania Constitution, and I so move.

The SPEAKER. Mr. Vitali raises the point that HB 826 is unconstitutional. The Speaker, under rule 4, is required to submit questions affecting the constitutionality of a bill to the House for decision, which the Chair now does.

On the question,
Will the House sustain the constitutionality of the bill?

The SPEAKER. The Chair recognizes the gentleman, Mr. Vitali.

Mr. VITALI. Thank you, Mr. Speaker.

Again, to just add a little meat to that argument.

Again, the article in question deals with the power of the Governor. The constitutional provision being violated here, Article IV, section 2, specifically talks about "the supreme executive power..." being "...vested in the Governor,..." and that is what we are talking about here.

I would first like to establish that we are dealing with a legislative agency, and if you look at the composition of the Independent Fiscal Office as set out in statute, you will see that the committee is composed of the chairman and minority chairman of the Appropriations Committee of the Senate and chairman and minority chairman of the Appropriations Committee of the House, majority leader and minority leader of the Senate and majority leader and minority leader of the House, President Pro Tempore of the Senate and Speaker of the House. It is entirely a legislative creation, the Independent Fiscal Office.

Now, this bill would make an Executive order of the Governor – it would require that Independent Fiscal Office to, before this moves into law, prepare a fiscal note, and this entity could choose not to do that. It is clear if you look at the bill that the bill requires this independent fiscal note to be prepared by this legislative entity.

So because this entity, legislatively creative entity, can stop an Executive action, therefore, it is violative of the supremacy clause of the Constitution, and I would ask that this be held unconstitutional.

The SPEAKER. On the issue of constitutionality, any member wishing to speak may do so, but you are limited to one opportunity other than the leaders and the maker of the motion.

At this time Representative Maher.

Mr. MAHER. Thank you, Mr. Speaker.

Fortunately, we all have these computers on our desks, which allow us to quickly call up the Constitution, and you can read for yourself Article IV, section 2, and you will see that it has nothing whatsoever to do with Executive orders. It does provide that the Governor has the duty to obey and enforce the law.

If you look at the existing statute about Executive orders, which only exists because this legislature at some time created Executive orders as an option, a tool for a Governor, and provided some ground rules, one of those ground rules was that they must be published in the Pennsylvania Bulletin. This proposal says they must be published, but people need to have reasonable notice, so 60 days' notice before it is effective. That gives it a chance that people across the State who may be affected by an order know that they will be affected, and in this case, consistent with this Governor's cries in favor of transparency and integrity, offers transparency in the form of a fiscal note that explains how much money is involved and where it is going to come from.

There is nothing in this bill that violates the Constitution. What is in this bill builds upon the legislatively granted permission to our Chief Executive to have Executive orders. Executive orders are a creature of statute and therefore are subject to change by statute.

The suggestion that it has got anything to do with the Constitution issue, well, it just suggests to me that somebody did not read the Constitution. I will oppose this.

Thank you, Mr. Speaker.

The SPEAKER. Representative Cutler – oh, excuse me. I apologize. Representative Cohen.

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, this bill goes beyond what is reasonable and what is in the scope of the Constitution.

Executive orders are not some bright idea the Pennsylvania Legislature just dreamed up one night at 2 o'clock in the morning. Executive orders are a standard part of Executive power in every State in the nation and in the Federal government as well.

So the fact that we have a law regulating Executive orders does not mean that we can do anything we want with Executive orders. We can do reasonable things with Executive orders, but we cannot impinge on the Executive power of the Governor as this seriously does.

The Governor has a right, under Pennsylvania law and under the Executive power section of the Pennsylvania Constitution, to issue Executive orders. It should not be an obstacle course. This legislation converts the Governor's power to issue Executive orders into an obstacle course, which makes it a matter of negotiations to issue any single Executive order.

The effect of this is to drive Executive orders underground and to take away transparency in government, not to increase it. It also has a loophole that is impenetrable to me and is something that should be addressed more on the merits of the bill than on the constitutionality of it. But speaking strictly on constitutionality, we can do reasonable things with Executive orders. This is not reasonable. This ties the Governor's hands and makes him negotiate with the legislature on every little Executive order.

The power to issue an order is something that all 50 Governors have and the President of the United States has. The power to issue an Executive order if the legislative fiscal office agrees to it is not the same as having the power to issue an Executive order. Executive power which is dependent on the will of the legislature is not the same as Executive power. This legislation is plainly unconstitutional. It bogs the government down.

Furthermore, it runs the risk of overreach and runs the risk that our ability to serve on all sorts of boards and commissions, which legislators in many other States do not have and which legislators in the Federal government do not have, will be in jeopardy. We run the risk of an overreaching State Supreme Court decision which throws out our ability to serve on boards and commissions as a revulsion against this totally unreasonable legislation.

This is not wild speculation on my part. This is what happened to the U.S. Congress in the *Chatta* decision in which the legislative branch was trying to control each and every decision of the immigration and naturalization service, and the Federal courts said that was not the duty of the U.S. Congress to control the immigration decisions, it was the duty of the executive branch, and they took massive amounts of power

away from the congressional branch in relating to immigration and relating to all other Federal functions. I think we ought to learn from that decision that we are at risk, our powers are at risk, and that we have to behave in a responsible fashion which recognizes that the Governor has the right to do his job, just as we have the right to do our job.

I strongly join Mr. Vitali in urging that this bill be declared unconstitutional.

The SPEAKER. Representative Barbin.

Mr. BARBIN. I rise in support of this motion for unconstitutionality.

In a nutshell, this violates separation of powers, period. The vote, of course, will be taken, and the legislature will determine by a vote of its members what is constitutional or what is not constitutional. The problem is, the record will now have established that this really is special legislation, and the reason it is special legislation is because on second consideration an amendment was put up to submit the same rule to the judiciary as this legislation now intends to apply to the Governor. That amendment was shot down.

Now, another fact that is in the record now, so when this goes to court this will be decided to be unconstitutional by the courts, is because section 2 says, "The supreme executive power shall be vested in the Governor...." It does not say it will be vested in the legislature if they almost have a supermajority to override vetoes. It says that the Executive power is vested in the Governor, just like the judicial power is vested in the Supreme Court.

This is a bad bill. When it is a bad bill and you have bad facts in the legislative record, it goes to the court and they say, "What were they really trying to do?" And when they look at that, in this case, especially since the amendment was voted down for the judiciary, they are going to know this was intended to hamstring the Governor. The Governor won an election. We have a law on the books that says that Executive orders are within the power of the Governor. All this is, is a back-door attempt to try to make a Democratic Governor with Republican legislators be a little bit weakened. That is not the process or the purpose of legislation.

We did not bring this up when we had a Republican Governor and a Republican legislature. This is bad legislation. It is unconstitutional, and it will be determined to be so when the case goes to court if this bill gets passed. The best thing to do here is not to pass an unconstitutional bill.

The SPEAKER. Representative Cutler, on the motion with respect to constitutionality.

Mr. CUTLER. Thank you, Mr. Speaker.

Mr. Speaker, I would like to address some of the concerns that have been brought up by our colleagues, and I think that the best place to start as to how and why this bill is constitutional actually resides in the origins of the Independent Fiscal Office itself. Mr. Speaker, if you would go back and review the discussions about the creation of that office, its reason for its existence is in its very name. It is an independent fiscal determination of items that are submitted before it.

Mr. Speaker, when we looked, under prior administrations, and it is not just this one, there was sometimes a difference between budgetary numbers presented by different caucuses and different chambers and the executives themselves from their budget office. The office was created to give an independent, third-party review of items that were before it.

In this particular case, the gentleman from Delaware County has implied that it would somehow create an intolerable delay, and I want to assure you that could not happen because there is nothing in this bill that would make one of the Executive orders inoperable. And in fact, the Fiscal Office could not delay. If you would turn to page 2, lines 19 through 22, it is mandatory, "The office shall: (8) Notwithstanding any other provision of law, prepare a fiscal note for each executive order of the Governor...."

The gentleman from Philadelphia implied that we would not be able to appropriately respond to emergencies, and that is equally untrue when reviewed in the nature of how the bill is drafted. It is only those Executive orders that are general and permanent in nature. It does not infringe upon the emergency powers of the Governor.

And if you look at the brief history of Executive orders, I think there are some very important points that must be highlighted for the record. The Commonwealth's own laws already require the Governor to publish Executive orders, which are general and permanent. That is Executive orders which implement or supplement statutory and constitutional provisions. Additionally, if these documents are not published, they are only effective against people with actual knowledge; hence, the reason for publishing. Ignorance of the law in this case regarding an Executive order is an excuse. Fiscal notes already have to be published for these. They are prepared by the Budget Office. And all of these provisions are currently in our laws and have not been challenged.

In the interest of openness and transparency, this bill simply requires the Independent Fiscal Office to prepare a note and provides for a 60-day period of publication and public notice.

If we would go back to the Independent Fiscal Office and we would accept some of the arguments that are being proffered by the opponents of the bill, the Independent Fiscal Office likewise would not be able to review our own items because of our legislative authority.

Furthermore, if you look at how Executive orders are categorized, there are essentially three different kinds. This is well established in case law. There is the formal and ceremonial, very similar to our own House resolutions; there are communications to lower executive branch officials or employees; and the third class, which we are talking about here, those implementing or supplementing constitutional or statutory provisions.

In *Shapp v. Butera*, they reference this third class of Executive orders and say, "...we have treated this third class of orders in a fashion similar to that of a departmental regulation..." Furthermore, in the *National Solid Wastes Management Association v. Casey*, these Executive orders were again discussed, and this, I believe, is one of the salient points in this debate. Subsection (3) in that case says, "...orders which serve to implement or supplement the constitution or statutes." And again, implement the statutes, which this would be one. "Only the third class of orders create legally enforceable rights and therefore have the force of law...."

In that same case, they started with a proposition that the Governor has the power, which has been delegated to him by the Constitution and statutory provisions. Mr. Speaker, they would never have mentioned statutory provisions unless they meant for his own Executive powers to be impacted by that.

And again, they go through and reference the three kinds of orders, which I have already listed. But their most important observation contained in the opinion says, "In no event, however, may any executive order be contrary to any constitutional or statutory provision, nor may it reverse, countermand, interfere with, or be contrary to any final decision or order of any court. The Governor's power is to execute the laws and not to create or interpret them. The Legislative Branch of government creates laws, and the Judicial Branch interprets them."

When you review this bill, this is simply a set of guardrails that we are putting on Executive order power to ensure, quite frankly, that the Executive power cannot disproportionately or inappropriately impact our own legislative power. We have seen past administrations who will execute Executive orders, and they will directly impact the budget, the very item that we are considering this week, and it is important to understand what that impact is and have an independently reviewed and discussed number so that we can make accurate decisions about it. The Governor cannot unilaterally – and please understand me; I am not talking about our specific Governor – but the Executive cannot unilaterally impact that budget without impacting our legislative powers, and this is simply going the other way, saying we would like to see how these numbers work out and what the impact would be.

The bill is constitutional, and I would urge the members to defeat the motion. Thank you.

The SPEAKER. Those voting "aye" will declare that the bill is— Representative Vitali. I am sorry. Representative Vitali, you spoke once. It is my understanding that you will not be able to speak again on the motion. On a motion for constitutionality, you are able to speak once.

POINT OF ORDER

Mr. VITALI. Mr. Speaker?

The SPEAKER. Point of order?

Mr. VITALI. Point of order. That also applies to the maker? Question of order.

The SPEAKER. Yes, it does. I apologize. It does.

Those who vote "aye" will vote to declare the bill to be constitutional; those voting "no" will be voting to declare the bill to be unconstitutional.

On the question recurring,

Will the House sustain the constitutionality of the bill?

(Members proceeded to vote.)

LEAVE OF ABSENCE CANCELED

The SPEAKER. Also, just for the record, Representative Cox is back on the master roll.

CONSIDERATION OF HB 826 CONTINUED

On the question recurring,

Will the House sustain the constitutionality of the bill?

The following roll call was recorded:

YEAS—113

Adolph	Godshall	Marsico	Ross
Baker	Greiner	Masser	Saccone
Barrar	Grove	McGinnis	Sankey
Benninghoff	Hahn	Mentzer	Santora
Bloom	Harhart	Metcalfe	Saylor
Boback	Harris, A.	Metzgar	Schemel
Brown, R.	Heffley	Miccarelli	Simmons
Causar	Helm	Millard	Sonney
Christiana	Hickernell	Miller, B.	Staats
Corbin	Hill	Milne	Stephens
Cox	Irvin	Moul	Tallman
Culver	James	Murt	Taylor
Cutler	Jozwiak	Mustio	Tobash
Day	Kampf	Nesbit	Toepel
Delozier	Kaufner	Oberlander	Toohil
Diamond	Kauffman	Ortitay	Topper
DiGirolamo	Keller, F.	Parker, D.	Truitt
Dunbar	Keller, M.K.	Payne	Vereb
Dush	Killion	Peifer	Ward
Ellis	Klunk	Petri	Warner
Emrick	Knowles	Pickett	Watson
English	Krieger	Quigley	Wentling
Evankovich	Lawrence	Quinn	Wheeland
Everett	Lewis	Rader	White
Farry	Mackenzie	Rapp	Zimmerman
Fee	Maher	Reed	
Gillen	Major	Reese	Turzai,
Gillespie	Maloney	Regan	Speaker
Gingrich	Marshall	Roae	

NAYS—79

Acosta	Dean	Harper	Pashinski
Barbin	Deasy	Harris, J.	Petrarca
Bishop	DeLissio	Kavulich	Ravenstahl
Bizzarro	Dermody	Keller, W.	Readshaw
Boyle	Donatucci	Kim	Roebuck
Bradford	Driscoll	Kinsey	Rozzi
Briggs	Evans	Kirkland	Sainato
Brown, V.	Fabrizio	Kortz	Samuelson
Burns	Farina	Kotik	Santarsiero
Caltagirone	Flynn	Longietti	Schlossberg
Carroll	Frankel	Mahoney	Schreiber
Cohen	Freeman	Markosek	Schweyer
Costa, D.	Gainey	Matzie	Sims
Costa, P.	Galloway	McCarter	Snyder
Cruz	Gergely	McNeill	Sturla
Daley, M.	Gibbons	Miller, D.	Thomas
Daley, P.	Goodman	Mullery	Vitali
Davidson	Hanna	Neuman	Wheatley
Davis	Harhai	O'Brien	Youngblood
Dawkins	Harkins	Parker, C.	

NOT VOTING—0

EXCUSED—6

Conklin	Gabler	O'Neill	Pyle
DeLuca	Hennessey		

The majority having voted in the affirmative, the question was determined in the affirmative and the constitutionality of the bill was sustained.

On the question recurring,
Shall the bill pass finally?

The SPEAKER. On the bill itself, Representative McCarter.

Mr. McCARTER. Thank you, Mr. Speaker.

Mr. Speaker, as we have already heard in debate, what is before us today is clearly a partisan piece of legislation designed at interfering with the constitutional actions taken by the Governor on behalf of Pennsylvania residents.

As I used to teach in school, there are three branches of government: the legislature, the executive, and the judiciary, whose authority is spelled out in what we know as the Constitution. Unfortunately, throughout history we have seen at various times an overreach by one branch of government trying to force its will over another branch for reasons that can best be described as purely partisan. We should all be grateful that the system throughout the history of the United States and in the Commonwealth of Pennsylvania has worked as well as it has.

Today, Mr. Speaker, we see one of those historical occasions when the majority party in the legislature, reacting to the newly elected Governor's early steps in office, has decided to try to rein him in by creating mechanisms to slow his actions by requiring, in this case, detailed fiscal analysis, and again, in this case, by a legislative body, the Independent Fiscal Office.

It is clear from the comments in committee that the intent is clearly aimed at this Governor because of his newly executed Executive orders dealing with the moratorium on new drilling in State forests and parklands and an Executive order with home-care workers. The majority party, of course, has a right to disagree with these actions, but the constitutional mechanism to address them is through direct legislation, not back-door attempts like this bill to slow the process on Executive actions and unilaterally change the Constitution.

Mr. Speaker, instead, we have a bill that has many— This bill also has several undefined terms like "general and permanent in nature." It sets a timetable for review and analysis that is imprecise and creates more confusion for getting anything accomplished through Executive orders. This legislation if enacted, as already has been stated, will undoubtedly face a legal challenge in the courts.

Mr. Speaker, I would urge the majority to use the legislative process to challenge the Governor if that be their desire, but not to unconstitutionally overreach, try to limit the power of the Chief Executive, and limit the power of the Chief Executive's office.

If in fact it were such a good idea, we would have seen it over the past 3 years, but we did not. Mr. Speaker, it is June 23 – excuse me; it is June 25 – and we need to focus on the key issues facing the State and its budget: restoring educational funding and taxing people and business in Pennsylvania in a fair way. Let us put aside these partisan attacks and work together for a budget that moves Pennsylvania forward instead of proposing measures to hamstring the Governor's Office.

Thank you, Mr. Speaker.

The SPEAKER. Representative Cohen.

Mr. COHEN. Mr. Speaker, I was curious yesterday or the day before, when we were discussing this amendment, whether any State in the country had a system like this. So I called up the NCSL's (National Conference of State Legislatures) office in Denver, Colorado, and I asked them the question. I described this legislation, and I was assured by the staff person that no State anywhere in the United States had any system at all like this.

This is an unprecedented attempt to restrict Executive power. This is an unwise attempt to restrict gubernatorial power. It is like the story of Gulliver and the Lilliputians, in which a giant sailor was tied up by a lot of very small human beings and prevented from moving in any direction. It is like the device famously set up by Rube Goldberg, which took something, a process that was very simple, and made it excruciatingly complicated.

The power of Executive orders is not something that should be inherently complicated. The merits behind the orders might be complicated, but the process of issuing the orders should not be complicated. The people of Pennsylvania, in electing Governor Wolf and a strong Republican majority in the House and a strong Republican majority in the Senate, did not vote for deadlock. They voted for Democrats and Republicans working together in a constructive way. This is not a constructive way. This is a movement towards deadlock. This is a movement to sabotage the operations of the Governor's Office.

We all rise and fall to some degree on the overall performance of the executive branch. The executive branch has many times more resources than the legislative branch. When people evaluate government, they evaluate essentially the performance of the executive branch. By seeking to tie the executive branch up in knots, by seeking to make it extremely difficult for the Governor of Pennsylvania to do the simplest thing, we are hurting government. We are guaranteeing that all of us are going to be held accountable for a government that cannot do very much of anything at all.

I strongly urge that this amendment be defeated – that this legislation, rather, be defeated.

The SPEAKER. Representative DeLissio.

Ms. DeLISSIO. Thank you, Mr. Speaker.

Mr. Speaker, will the maker of the bill stand for brief interrogation?

The SPEAKER. The Chair will stand for interrogation. You may proceed.

Ms. DeLISSIO. Thank you, Mr. Speaker.

Mr. Speaker, my question is, in the bill there is no timeline for the Independent Fiscal Office to have to complete its analysis. Is there a reason why no timeline was put in there?

Mrs. GINGRICH. Mr. Speaker, may I ask for you to have repeated for me the second half of that question? I heard the first part.

The SPEAKER. Members, the maker of the bill needs to be able to hear the questions from the gentlelady. If we could have everybody, please, if you could take the conversations to the back. Also, if you could just take your seats.

Representative DeLissio, can you please repeat your question.

Ms. DeLISSIO. Thank you, Mr. Speaker.

Is there a particular reason why no timeline is in the legislation as it pertains to when the Independent Fiscal Office must complete its analysis?

Mrs. GINGRICH. Mr. Speaker, I would respond that the Fiscal Office has an operational process in which they prepare their fiscal notes and get them back out to those that request.

Ms. DeLISSIO. So the concern then, Mr. Speaker, is, I am not familiar with the IFO process. I think I may have looked through the original legislation that created the IFO, and I do not see anything that mandates any type of quote, unquote, "timely completion."

So Executive orders are for a particular reason, and without any timeline or defined timeframe, then the process of governing, which is the Governor's job, could be impacted and impeded in a material way. That is why I was asking if there is a particular reason why there is no stipulated timeline in the legislation.

Mr. Speaker, I am not sure if the answer is any different after I have clarified the question.

The SPEAKER. Representative DeLissio, you have another question?

Ms. DeLISSIO. No, no. Same question. And I was hoping that clarification of my question would prompt perhaps another answer.

The SPEAKER. No, no. She has answered—

Ms. DeLISSIO. The question.

The SPEAKER. Yeah, the gentlelady has answered the question.

Ms. DeLISSIO. Thank you, Mr. Speaker.

Mr. Speaker, my concern further is that in addition—

The SPEAKER. Are you going to speak on the bill?

Ms. DeLISSIO. On the bill.

The SPEAKER. Yes. Representative DeLissio, on the bill.

Ms. DeLISSIO. Thank you, Mr. Speaker.

So in addition, Mr. Speaker, to the fact that there is no timeline for the Independent Fiscal Office to complete its analysis, the Executive order is published simultaneously when the analysis is finally at some point undetermined, done, and published, and then would take effect 60 days hence from that. So we have an open-ended process here.

And for those reasons— And I am also very curious – and I believe I brought this up in committee – the opportunity to have done this over many, many years was for this body, and I find the timing of the introduction of this particular piece of legislation to be very curious.

So I will be a "no" vote and really urge consideration of other "no" votes.

The SPEAKER. Representative Maher, on the bill.

Mr. MAHER. Thank you, Mr. Speaker.

The bill as presented does nothing to diminish the authority of a Governor to establish an Executive order. The bill simply embraces this Governor's call for transparency and integrity by having straightforward explanations of how much the Executive order is going to cost and where those funds are coming from. So I would hope that all the members of this chamber can embrace this Governor's call for transparency and integrity and support an effort to build that in to Executive orders from now until forever into the future.

Thank you, Mr. Speaker.

The SPEAKER. Leader Dermody.

Mr. DERMODY. Thank you, Mr. Speaker.

Mr. Speaker, this bill has nothing to do with transparency. All this bill is, what this bill is, is just partisan legislation aimed at meddling with and delaying constitutional Executive actions the Governor takes on behalf of the residents of Pennsylvania. This does not address or solve a legitimate legislative or public concern, and it is curious that no similar legislation has been offered ever in previous legislative sessions, including last session when Executive orders and other independent actions taken by Governor Corbett cost the taxpayers millions of dollars.

This bill will and should result in a court case if it passes. All it does is waste taxpayers' money. It is unconstitutional, and that is why we should vote "no."

Thank you, Mr. Speaker.

The SPEAKER. Representative Neuman, do you wish to be recognized? Representative Neuman.

Mr. NEUMAN. Thank you, Mr. Speaker.

In addition to this bill, in my opinion, being unconstitutional and being ruled unconstitutional, we have an issue in this State with flooding and natural disasters, and if this passes, we could have a potential delay of emergency funding. We could have a potential delay of people getting the resources they need in time of an emergency.

Our State, in the last 10 years, has seen disasters, and in order for the Governor to act, he has to act swiftly. There is no accounting mechanism to determine how much a natural disaster is going to cost the Commonwealth, and the IFO would deliberately delay the implementation of an Executive order to save Pennsylvania from a natural disaster.

Mr. Speaker, in addition to an Executive order to start a state of emergency, we also need an Executive order to end a state of emergency. Mr. Speaker, there are no exceptions in this bill to address emergencies that happen in Pennsylvania. There are no exceptions in this bill to address the fact that if the Governor issues an Executive order to address disaster relief, that the IFO will delay us. There are no exceptions. The IFO potentially could delay relief for millions of Pennsylvanians if there is a flood or any other natural disaster right here in Pennsylvania.

I ask, in addition to the fact that this is an unconstitutional reach of the legislature into the executive branch, that this bill is incomplete because we could potentially put Pennsylvanians at risk because the Governor cannot do his due diligence in ordering an Executive order to relieve Pennsylvanians from disasters.

Thank you, Mr. Speaker.

The SPEAKER. Representative Samuelson.

Mr. SAMUELSON. Thank you, Mr. Speaker.

I rise to raise several concerns about this bill. It is quite interesting to me that on June 25, 5 days before a budget deadline, we are debating a bill that could add 60 days of delay to many actions in State government. It is also curious that if you look on your legislative system and search for similar legislation in the year 2011, when Governor Corbett was Governor, there is no such bill. And then you can look in 2012 and '13 and '14, and when there is a Republican Governor, there is no such similar bill in the legislative system. I did check the end of the bill to make sure there was not a sunset that this bill would go out of effect when a Republican is elected Governor in Pennsylvania. Thankfully, that is not part of this bill.

The timing of this is curious. It was introduced on March 24, 2 months after Gov. Tom Wolf was introduced.

But think of the issues that have been raised here today. Representative DeLissio raised a very important issue that this talks about the Executive order not going into effect until 60 days after the fiscal note is published, but it does not say how long the Independent Fiscal Office has to publish that fiscal note. So if the Independent Fiscal Office takes 3 days to write their fiscal note, that is okay under the Gingrich legislation. If they take 3 months, that is okay under the Gingrich legislation. And what if the Independent Fiscal Office takes 3 years to write

their fiscal note? Well, that would be okay under HB 826, which is before us.

Now, the bill talks about applying to Executive orders which are general and permanent in nature. There is no language to exempt natural disasters, as the gentleman from Washington County just stated. If you think of Bucks County, which is along the Delaware River, I know there are levies in the boroughs of Bristol and Morrisville. What if there was a catastrophe and a Governor of Pennsylvania would have to take action? I know I think one of them is administered by the Delaware River Basin Commission. What if we got into a situation where the Governor of New Jersey said, "You know what, I'm going to issue an Executive order to help fix that levy," and then the Governor of Pennsylvania would say, "Well, I'm sorry; I'm going to issue an Executive order, but we have to wait 60 days plus 3 months plus 3 years. I have to wait for my Independent Fiscal Office to help fix that levy."

The majority whip said this legislation is for guardrails, we are trying to establish some guardrails. Well, what if we had a natural disaster that impacted a highway and you really did need to fix the guardrails, a catastrophic situation on the Schuylkill Expressway or Interstate 376 in Pittsburgh, and a Governor in Pennsylvania had to issue an Executive order to add funding to immediately address fixing the guardrails and the rest of the highway. Well, guess what? You would have to wait 60 days plus however long it takes the Independent Fiscal Office to write this fiscal note.

Finally, what if the Governor of Pennsylvania, a hypothetical situation, what if you went into a situation where there was no State budget and the Governor of Pennsylvania had to issue an Executive order saying certain employees are essential and should continue to get paid? Let us say a Governor of Pennsylvania said, "You know what, the State Police of Pennsylvania are essential employees and they will get paid during this budget standoff." Well, that is a general and permanent Executive order, but under this legislation, the State police officers would have to wait 60 days until the Independent Fiscal Office would issue their order, their fiscal note.

Finally, I think an important point was made by the gentleman from the 40th District in Allegheny County. He said, actually speaking in favor of this bill, he said that nothing in this bill diminishes the authority of the Governor. And then when I read the bill closely, I look on page 2, lines 13 and 14. This bill does not seek to stop an Executive order. If you look at page 2, lines 13 and 14, it just talks about when the Executive order would be valid. This bill does not say the Executive order is not valid. This bill does not say the Executive does not have the power to issue the Executive order. This bill just seeks to delay the implementation of an Executive order.

Read lines 13 and 14, "NO OTHERWISE VALID EXECUTIVE ORDER OF THE GOVERNOR WHICH IS GENERAL AND PERMANENT IN NATURE SHALL BE VALID AS AGAINST ANY PERSON UNTIL 60 DAYS AFTER THE PUBLICATION HAS BEEN EFFECTED UNDER THE PROVISIONS OF THIS TITLE."

So HB 826 does not say that the Governor does not have the power to issue the Executive order. This bill is written to add delay, delay, delay to State government.

I think our constituents are sick of delay, I think our constituents will see right through this bill, and I urge my colleagues to vote "no" on this legislation.

The SPEAKER. We have three other members that wish to be recognized: Representative Metcalfe, Representative Fred Keller, Representative Cutler, and then the chair and the maker of the bill, Representative Gingrich, will also, of course, speak.

I will call upon Representative Keller and then Representative Metcalfe.

Mr. F. KELLER. Thank you, Mr. Speaker.

As I listen to today's debate on HB 826, I almost think we are talking about different legislation and different authorities. Our Governor is an Executive. Okay? He is not the legislature. And part of our duty as the General Assembly is to appropriate and raise revenue for the actions of the Commonwealth of Pennsylvania, and any money spent by the Governor has to first be gotten from the taxpayers of this Commonwealth.

So I would make the argument that we are perfectly within our constitutional rights and duties to be allowed to have our Independent Fiscal Office prepare the fiscal notes for Executive orders. They are going to cause money to be expended, and to cause that money to be expended, we first have to take it from someone else. That is our responsibility in this General Assembly. So the arguments on the other side that we do not have the authority are just false. We do have that authority, and we have that duty.

Another point I would like to make on this is, we have heard that if there is an emergency, the Governor will not be able to react. Well, he can still declare a state of emergency, which sets in play a whole bunch of other items that can take care of the citizens of the Commonwealth.

I support HB 826, and I would encourage the rest of the members of this chamber to do the same.

Thank you, Mr. Speaker.

BILL PASSED OVER TEMPORARILY

The SPEAKER. Members, we are going to temporarily go over HB 826, temporarily. We have some other bills on third consideration that we just need to make sure we have addressed today because other members have asked to speak on that particular bill at this time.

So at this time we are going to temporarily go over 826.

SUPPLEMENTAL CALENDAR C

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1089**, **PN 1881**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in sentencing, further providing for collection of restitution, reparation, fees, costs, fines and penalties.

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?

Representative Petrarca, please, you may proceed.

Mr. PETRARCA. Thank you, Mr. Speaker.

I ask for a brief interrogation.

The SPEAKER. Representative Stephens has indicated he will stand for interrogation.

Mr. PETRARCA. Thank you, Mr. Speaker.

In the legislation, on page 1, it talks about correctional facilities and that the facility "...which the offender has been sentenced..." to shall be able to take "...at least 25% of the offender's wages and 50% of all deposits made..." My question, in terms of clarity and also hopefully to establish legislative intent, my question is, when it says at least 25 percent of wages, when we are talking about the other money collected, is that just a flat 50 percent or is it at least 50 percent of other money also?

Mr. STEPHENS. It is intended to be 50 percent. I think it is on page 2 of the amended bill, the first line, line 1, page 2.

Mr. PETRARCA. Correct.

Mr. STEPHENS. Yes. Yes, it is intended to be 50 percent for the inmate account and at least 25 percent of the wages.

Mr. PETRARCA. A flat 50 percent of other dollars?

Mr. STEPHENS. That is the intention.

Mr. PETRARCA. Great. Thank you, Mr. Speaker.

Any other members have any questions or comments, remarks?

Representative Dean.

Mrs. DEAN. Thank you, Mr. Speaker.

Mr. Speaker, I rise in opposition to HB 1089, not because of what it intends to do, but because of what it will do. What it intends to do is to get more money to crime victims and their families more quickly out of inmate accounts. Unfortunately, the opposite will take place.

I offered an amendment to this piece of legislation that would actually change the minimum withholding from inmate deposits from 50 percent down to 25 percent. That is the amount suggested by the joint task force. And I did not pick 25 percent for an idle reason. I spoke with Diana Woodside, director of policy for the Pennsylvania Department of Corrections. She was also a task force member. And she echoes the paradoxical truth of this legislation. As we see the higher amount of inmate deposits, deposits will go down and victims and their families will get less.

In our State prisons, just to put this into some context, we have about 3800 open accounts with active restitution obligations. More than 44 percent of inmates have less than \$20 in their account. Deposits are made primarily by family and friends. Currently the Department of State, Department of Corrections collects 20 percent from deposits. In addition to the 20 percent, they collect support and they collect victims compensation fund moneys owed. Family and friends often hold up this withholding as a reason why they are not depositing into accounts anymore, and my fear and the Department of Correction's fear and some other people's fear is that as we increase this rate to 50 percent, the number of people that refuse to deposit, the family and friends who no longer deposit money into these accounts will dramatically increase.

I raise this opposition not because I believe prisoners should get more money or purchase luxury items, but because every time a family member refuses to deposit money into the account, victims will receive less. As I said, Diana Woodside of the Department of Corrections has echoed this very concern. The task force recommends 25 percent. The County

Commissioners Association opposes this legislation. I hope that should this pass today, our colleagues in the Senate will look at this in more detail and consider the unintended consequences it will have on victims.

I urge a "no" vote. Thank you, Mr. Speaker.

LEAVES OF ABSENCE

The SPEAKER. The majority whip has indicated that Representative TAYLOR and Representative SANTORA wish to be marked on leave for the day. That request will be granted.

CONSIDERATION OF HB 1089 CONTINUED

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—152

Adolph	Farry	Lawrence	Rapp
Baker	Fee	Lewis	Ravenstahl
Barbin	Flynn	Longietti	Readshaw
Barrar	Freeman	Mackenzie	Reed
Benninghoff	Gergely	Maher	Reese
Bizzarro	Gibbons	Mahoney	Regan
Bloom	Gillen	Major	Roae
Boback	Gillespie	Maloney	Ross
Boyle	Gingrich	Marshall	Saccone
Briggs	Godshall	Marsico	Sainato
Brown, R.	Goodman	Masser	Samuelson
Burns	Greiner	Matzie	Sankey
Caltagirone	Grove	McGinnis	Santarsiero
Causar	Hahn	Mentzer	Saylor
Christiana	Hanna	Metcalfe	Schemel
Corbin	Harhai	Metzgar	Schweyer
Costa, D.	Harhart	Miccarelli	Simmons
Costa, P.	Harkins	Millard	Snyder
Cox	Harper	Miller, B.	Sonney
Culver	Harris, A.	Miller, D.	Staats
Cutler	Heffley	Milne	Stephens
Daley, P.	Helm	Moul	Tallman
Davis	Hickernell	Mullery	Tobash
Dawkins	Hill	Murt	Toepel
Day	Irvin	Mustio	Toohil
Deasy	James	Nesbit	Topper
Delozier	Jozwiak	Neuman	Truitt
Dermody	Kampf	Oberlander	Vereb
Diamond	Kaufner	Ortitay	Vitali
DiGirolamo	Kauffman	Parker, D.	Ward
Dunbar	Keller, F.	Payne	Warner
Dush	Keller, M.K.	Peifer	Watson
Ellis	Killion	Petrarca	Wentling
Emrick	Kim	Petri	White
English	Klunk	Pickett	Zimmerman
Evankovich	Knowles	Quigley	
Everett	Kortz	Quinn	Turzai,
Fabrizio	Kotik	Rader	Speaker
Farina	Krieger		

NAYS—38

Acosta	DeLissio	Kinsey	Rozzi
Bishop	Donatucci	Kirkland	Schlossberg
Bradford	Driscoll	Markosek	Schreiber
Brown, V.	Evans	McCarter	Sims
Carroll	Frankel	McNeill	Sturla
Cohen	Gainey	O'Brien	Thomas

Cruz	Galloway	Parker, C.	Wheatley
Daley, M.	Harris, J.	Pashinski	Wheeland
Davidson	Kavulich	Roebuck	Youngblood
Dean	Keller, W.		

NOT VOTING—0

EXCUSED—8

Conklin	Gabler	O'Neill	Santora
DeLuca	Hennessey	Pyle	Taylor

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 605, PN 678**, entitled:

An Act renaming the bridge on that portion of U.S. Route 219 over U.S. Route 422 in Ebensburg Borough, Cambria County, as the Alexander Miller Abercrombie Memorial Bridge.

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—187

Acosta	Evans	Kortz	Rapp
Adolph	Everett	Kotik	Ravenstahl
Baker	Fabrizio	Krieger	Readshaw
Barbin	Farina	Lawrence	Reed
Barrar	Farry	Lewis	Reese
Benninghoff	Fee	Longietti	Regan
Bishop	Flynn	Mackenzie	Roae
Bizzarro	Frankel	Maher	Roebuck
Bloom	Freeman	Mahoney	Ross
Boback	Gainey	Major	Rozzi
Boyle	Galloway	Maloney	Saccone
Bradford	Gergely	Markosek	Sainato
Briggs	Gillen	Marshall	Samuelson
Brown, R.	Gillespie	Marsico	Sankey
Brown, V.	Gingrich	Masser	Saylor
Burns	Godshall	Matzie	Schemel
Caltagirone	Goodman	McCarter	Schlossberg
Carroll	Greiner	McGinnis	Schreiber
Causar	Grove	McNeill	Schweyer
Christiana	Hahn	Mentzer	Simmons
Cohen	Hanna	Metcalfe	Sims
Corbin	Harhai	Metzgar	Snyder
Costa, D.	Harhart	Miccarelli	Sonney
Costa, P.	Harkins	Millard	Staats
Cox	Harper	Miller, B.	Stephens

Cruz	Harris, A.	Miller, D.	Sturla
Culver	Harris, J.	Milne	Tallman
Cutler	Heffley	Moul	Thomas
Daley, M.	Helm	Mullery	Tobash
Daley, P.	Hickernell	Murt	Toepel
Davis	Hill	Mustio	Toohil
Dawkins	Irvin	Nesbit	Topper
Day	James	Neuman	Truitt
Dean	Jozwiak	O'Brien	Vereb
Deasy	Kampf	Oberlander	Vitali
DeLissio	Kaufer	Ortitay	Ward
Delozier	Kauffman	Parker, C.	Warner
Dermody	Kavulich	Parker, D.	Watson
Diamond	Keller, F.	Pashinski	Wentling
DiGirolamo	Keller, M.K.	Payne	Wheatley
Donatucci	Keller, W.	Peifer	Wheeland
Driscoll	Killion	Petrarca	White
Dunbar	Kim	Petri	Youngblood
Dush	Kinsey	Pickett	Zimmerman
Ellis	Kirkland	Quigley	
Emrick	Klunk	Quinn	Turzai,
English	Knowles	Rader	Speaker
Evankovich			

NAYS-0

NOT VOTING-3

Davidson	Gibbons	Santarsiero
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EXCUSED-8

Conklin	Gabler	O'Neill	Santora
DeLuca	Hennessey	Pyle	Taylor

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 871, PN 1727**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in certificate of title and security interests, further providing for transfer to scrap metal processor.

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-190

Acosta	Evankovich	Knowles	Rapp
Adolph	Evans	Kortz	Ravenstahl

Baker	Everett	Kotik	Readshaw
Barbin	Fabrizio	Krieger	Reed
Barrar	Farina	Lawrence	Reese
Benninghoff	Farry	Lewis	Regan
Bishop	Fee	Longietti	Roae
Bizzarro	Flynn	Mackenzie	Roebuck
Bloom	Frankel	Maher	Ross
Boback	Freeman	Mahoney	Rozzi
Boyle	Gainey	Major	Saccone
Bradford	Galloway	Maloney	Sainato
Briggs	Gergely	Markosek	Samuelson
Brown, R.	Gibbons	Marshall	Sankey
Brown, V.	Gillen	Marsico	Santarsiero
Burns	Gillespie	Masser	Saylor
Caltagirone	Gingrich	Matzie	Schemel
Carroll	Godshall	McCarter	Schlossberg
Causser	Goodman	McGinnis	Schreiber
Christiana	Greiner	McNeill	Schweyer
Cohen	Grove	Mentzer	Simmons
Corbin	Hahn	Metcalf	Sims
Costa, D.	Hanna	Metzgar	Snyder
Costa, P.	Harhai	Miccarelli	Sonney
Cox	Harhart	Millard	Staats
Cruz	Harkins	Miller, B.	Stephens
Culver	Harper	Miller, D.	Sturla
Cutler	Harris, A.	Milne	Tallman
Daley, M.	Harris, J.	Moul	Thomas
Daley, P.	Heffley	Mullery	Tobash
Davidson	Helm	Murt	Toepel
Davis	Hickernell	Mustio	Toohil
Dawkins	Hill	Nesbit	Topper
Day	Irvin	Neuman	Truitt
Dean	James	O'Brien	Vereb
Deasy	Jozwiak	Oberlander	Vitali
DeLissio	Kampf	Ortitay	Ward
Delozier	Kaufer	Parker, C.	Warner
Dermody	Kauffman	Parker, D.	Watson
Diamond	Kavulich	Pashinski	Wentling
DiGirolamo	Keller, F.	Payne	Wheatley
Donatucci	Keller, M.K.	Peifer	Wheeland
Driscoll	Keller, W.	Petrarca	White
Dunbar	Killion	Petri	Youngblood
Dush	Kim	Pickett	Zimmerman
Ellis	Kinsey	Quigley	
Emrick	Kirkland	Quinn	Turzai,
English	Klunk	Rader	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-8

Conklin	Gabler	O'Neill	Santora
DeLuca	Hennessey	Pyle	Taylor

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.

VOTE CORRECTION

The SPEAKER. Representative Santarsiero is recognized on unanimous consent.

Mr. SANTARSIERO. Thank you, Mr. Speaker.

Just to correct the record. For some reason my vote did not register on the previous bill, 605. A vote was not cast. It should have been in the affirmative.

The SPEAKER. Thank you.
That will be reflected in the record.

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1114, PN 1443**, entitled:

An Act designating a bridge on that portion of State Route 3007 over the Redbank Creek, Summerville Borough, Jefferson County, as the Summerville Veterans Memorial Bridge.

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—190

Acosta	Evankovich	Knowles	Rapp
Adolph	Evans	Kortz	Ravenstahl
Baker	Everett	Kotik	Readshaw
Barbin	Fabrizio	Krieger	Reed
Barrar	Farina	Lawrence	Reese
Benninghoff	Farry	Lewis	Regan
Bishop	Fee	Longietti	Roae
Bizzarro	Flynn	Mackenzie	Roebuck
Bloom	Frankel	Maher	Ross
Boback	Freeman	Mahoney	Rozzi
Boyle	Gainey	Major	Saccone
Bradford	Galloway	Maloney	Sainato
Briggs	Gergely	Markosek	Samuelson
Brown, R.	Gibbons	Marshall	Sankey
Brown, V.	Gillen	Marsico	Santarsiero
Burns	Gillespie	Masser	Saylor
Caltagirone	Gingrich	Matzie	Schemel
Carroll	Godshall	McCarter	Schlossberg
Causer	Goodman	McGinnis	Schreiber
Christiana	Greiner	McNeill	Schweyer
Cohen	Grove	Mentzer	Simmons
Corbin	Hahn	Metcalfe	Sims
Costa, D.	Hanna	Metzgar	Snyder
Costa, P.	Harhai	Miccarelli	Sonney
Cox	Harhart	Millard	Staats
Cruz	Harkins	Miller, B.	Stephens
Culver	Harper	Miller, D.	Sturla
Cutler	Harris, A.	Milne	Tallman
Daley, M.	Harris, J.	Moul	Thomas
Daley, P.	Heffley	Mullery	Tobash
Davidson	Helm	Murt	Toepel
Davis	Hickernell	Mustio	Toohil
Dawkins	Hill	Nesbit	Topper
Day	Irvin	Neuman	Truitt
Dean	James	O'Brien	Vereb
Deasy	Jozwiak	Oberlander	Vitali
DeLissio	Kampf	Ortitay	Ward
Delozier	Kaufer	Parker, C.	Warner
Dermody	Kauffman	Parker, D.	Watson
Diamond	Kavulich	Pashinski	Wentling
DiGirolamo	Keller, F.	Payne	Wheatley
Donatucci	Keller, M.K.	Peifer	Whealand
Driscoll	Keller, W.	Petrarca	White

Dunbar	Killion	Petri	Youngblood
Dush	Kim	Pickett	Zimmerman
Ellis	Kinsey	Quigley	
Emrick	Kirkland	Quinn	Turzai,
English	Klunk	Rader	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—8

Conklin	Gabler	O'Neill	Santora
DeLuca	Hennessey	Pyle	Taylor

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

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

* * *

The House proceeded to third consideration of **SB 42, PN 1025**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in licensing of drivers, further providing for issuance and content of driver's license.

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—190

Acosta	Evankovich	Knowles	Rapp
Adolph	Evans	Kortz	Ravenstahl
Baker	Everett	Kotik	Readshaw
Barbin	Fabrizio	Krieger	Reed
Barrar	Farina	Lawrence	Reese
Benninghoff	Farry	Lewis	Regan
Bishop	Fee	Longietti	Roae
Bizzarro	Flynn	Mackenzie	Roebuck
Bloom	Frankel	Maher	Ross
Boback	Freeman	Mahoney	Rozzi
Boyle	Gainey	Major	Saccone
Bradford	Galloway	Maloney	Sainato
Briggs	Gergely	Markosek	Samuelson
Brown, R.	Gibbons	Marshall	Sankey
Brown, V.	Gillen	Marsico	Santarsiero
Burns	Gillespie	Masser	Saylor
Caltagirone	Gingrich	Matzie	Schemel
Carroll	Godshall	McCarter	Schlossberg
Causer	Goodman	McGinnis	Schreiber
Christiana	Greiner	McNeill	Schweyer
Cohen	Grove	Mentzer	Simmons
Corbin	Hahn	Metcalfe	Sims

Costa, D.	Hanna	Metzgar	Snyder
Costa, P.	Harhai	Miccarelli	Sonney
Cox	Harhart	Millard	Staats
Cruz	Harkins	Miller, B.	Stephens
Culver	Harper	Miller, D.	Sturla
Cutler	Harris, A.	Milne	Tallman
Daley, M.	Harris, J.	Moul	Thomas
Daley, P.	Heffley	Mullery	Tobash
Davidson	Helm	Murt	Toepel
Davis	Hickernell	Mustio	Toohil
Dawkins	Hill	Nesbit	Topper
Day	Irvin	Neuman	Truitt
Dean	James	O'Brien	Vereb
Deasy	Jozwiak	Oberlander	Vitali
DeLissio	Kampf	Ortitay	Ward
Delozier	Kaufert	Parker, C.	Warner
Dermody	Kauffman	Parker, D.	Watson
Diamond	Kavulich	Pashinski	Wentling
DiGirolamo	Keller, F.	Payne	Wheatley
Donatucci	Keller, M.K.	Peifer	Wheeland
Driscoll	Keller, W.	Petrarca	White
Dunbar	Killion	Petri	Youngblood
Dush	Kim	Pickett	Zimmerman
Ellis	Kinsey	Quigley	
Emrick	Kirkland	Quinn	Turzai,
English	Klunk	Rader	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-8

Conklin	Gabler	O'Neill	Santora
DeLuca	Hennessey	Pyle	Taylor

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.

* * *

The House proceeded to third consideration of **SB 284, PN 783**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for special motorcycle plates for veterans.

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-190

Acosta	Evankovich	Knowles	Rapp
Adolph	Evans	Kortz	Ravenstahl
Baker	Everett	Kotik	Readshaw
Barbin	Fabrizio	Krieger	Reed
Barrar	Farina	Lawrence	Reese
Benninghoff	Farry	Lewis	Regan
Bishop	Fee	Longietti	Roae
Bizzarro	Flynn	Mackenzie	Roebuck
Bloom	Frankel	Maher	Ross
Boback	Freeman	Mahoney	Rozzi
Boyle	Gainey	Major	Saccone
Bradford	Galloway	Maloney	Sainato
Briggs	Gergely	Markosek	Samuelson
Brown, R.	Gibbons	Marshall	Sankey
Brown, V.	Gillen	Marsico	Santarsiero
Burns	Gillespie	Masser	Saylor
Caltagirone	Gingrich	Matzie	Schemel
Carroll	Godshall	McCarter	Schlossberg
Causer	Goodman	McGinnis	Schreiber
Christiana	Greiner	McNeill	Schweyer
Cohen	Grove	Mentzer	Simmons
Corbin	Hahn	Metcalfe	Sims
Costa, D.	Hanna	Metzgar	Snyder
Costa, P.	Harhai	Miccarelli	Sonney
Cox	Harhart	Millard	Staats
Cruz	Harkins	Miller, B.	Stephens
Culver	Harper	Miller, D.	Sturla
Cutler	Harris, A.	Milne	Tallman
Daley, M.	Harris, J.	Moul	Thomas
Daley, P.	Heffley	Mullery	Tobash
Davidson	Helm	Murt	Toepel
Davis	Hickernell	Mustio	Toohil
Dawkins	Hill	Nesbit	Topper
Day	Irvin	Neuman	Truitt
Dean	James	O'Brien	Vereb
Deasy	Jozwiak	Oberlander	Vitali
DeLissio	Kampf	Ortitay	Ward
Delozier	Kaufert	Parker, C.	Warner
Dermody	Kauffman	Parker, D.	Watson
Diamond	Kavulich	Pashinski	Wentling
DiGirolamo	Keller, F.	Payne	Wheatley
Donatucci	Keller, M.K.	Peifer	Wheeland
Driscoll	Keller, W.	Petrarca	White
Dunbar	Killion	Petri	Youngblood
Dush	Kim	Pickett	Zimmerman
Ellis	Kinsey	Quigley	
Emrick	Kirkland	Quinn	Turzai,
English	Klunk	Rader	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-8

Conklin	Gabler	O'Neill	Santora
DeLuca	Hennessey	Pyle	Taylor

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 without amendment.

* * *

The House proceeded to third consideration of **SB 405, PN 1075**, entitled:

An Act designating Exit 30 from Interstate 84 onto State Route 402, in Pike County, as the Corporal Bryon K. Dickson, II, Exit.

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?

Representative Peifer. You are recognized, sir.

Mr. PEIFER. Thank you, Mr. Speaker.

Pennsylvania lost one of its finest last fall when Cpl. Bryon Dickson was ambushed outside of the State Police barracks in Blooming Grove, Pike County. The coward who took his life, then ran away and hid in the woods.

For nearly 7 weeks, law enforcement officers from across the State, along with Federal agents, swarmed the normally quiet communities of Pike County. The grief we felt at the loss of Corporal Dickson and the concern for Trooper Alex Douglass, who was also seriously injured, was compounded by a great deal of worry and fear.

And then the coward was caught. Life returned to normal for most of us.

But for the family and friends of Cpl. Bryon Dickson, there is no return to what life was like before this tragedy. Their loving son, husband, father, and friend is gone. This man who bravely put his life on the line, first as a member of the United States Marine Corps and then as a police officer, was taken from them, and from all of us, through a random act of selfless violence.

We owe it to Corporal Dickson and those who knew and loved him to always remember his contributions to our great community. By naming the exit from Interstate 84 onto State Route 402 in Pike County, we will do that. As you cast your vote today, I hope you will say a prayer for Corporal Dickson's family and for all the police officers who put their lives on the line for us each and every day.

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—190

Acosta	Evankovich	Knowles	Rapp
Adolph	Evans	Kortz	Ravenstahl
Baker	Everett	Kotik	Readshaw
Barbin	Fabrizio	Krieger	Reed
Barrar	Farina	Lawrence	Reese
Benninghoff	Farry	Lewis	Regan
Bishop	Fee	Longietti	Roae
Bizzarro	Flynn	Mackenzie	Roebuck
Bloom	Frankel	Maher	Ross

Boback	Freeman	Mahoney	Rozzi
Boyle	Gainey	Major	Saccone
Bradford	Galloway	Maloney	Sainato
Briggs	Gergely	Markosek	Samuelson
Brown, R.	Gibbons	Marshall	Sankey
Brown, V.	Gillen	Marsico	Santarsiero
Burns	Gillespie	Masser	Saylor
Caltagirone	Gingrich	Matzie	Schemel
Carroll	Godshall	McCarter	Schlossberg
Causar	Goodman	McGinnis	Schreiber
Christiana	Greiner	McNeill	Schweyer
Cohen	Grove	Mentzer	Simmons
Corbin	Hahn	Metcalfe	Sims
Costa, D.	Hanna	Metzgar	Snyder
Costa, P.	Harhai	Miccarelli	Sonney
Cox	Harhart	Millard	Staats
Cruz	Harkins	Miller, B.	Stephens
Culver	Harper	Miller, D.	Sturla
Cutler	Harris, A.	Milne	Tallman
Daley, M.	Harris, J.	Moul	Thomas
Daley, P.	Heffley	Mullery	Tobash
Davidson	Helm	Murt	Toepel
Davis	Hickernell	Mustio	Toohil
Dawkins	Hill	Nesbit	Topper
Day	Irvin	Neuman	Truitt
Dean	James	O'Brien	Vereb
Deasy	Jozwiak	Oberlander	Vitali
DeLissio	Kampf	Ortitay	Ward
Delozier	Kaufner	Parker, C.	Warner
Dermody	Kauffman	Parker, D.	Watson
Diamond	Kavulich	Pashinski	Wentling
DiGirolamo	Keller, F.	Payne	Wheatley
Donatucci	Keller, M.K.	Peifer	Wheeland
Driscoll	Keller, W.	Petrarca	White
Dunbar	Killion	Petri	Youngblood
Dush	Kim	Pickett	Zimmerman
Ellis	Kinsey	Quigley	
Emrick	Kirkland	Quinn	Turzai, Speaker
English	Klunk	Rader	

NAYS—0

NOT VOTING—0

EXCUSED—8

Conklin	Gabler	O'Neill	Santora
DeLuca	Hennessey	Pyle	Taylor

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.

* * *

The House proceeded to third consideration of **SB 285, PN 163**, entitled:

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, further providing for Veterans' Trust Fund.

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—190

Acosta	Evankovich	Knowles	Rapp
Adolph	Evans	Kortz	Ravenstahl
Baker	Everett	Kotik	Readshaw
Barbin	Fabrizio	Krieger	Reed
Barrar	Farina	Lawrence	Reese
Benninghoff	Farry	Lewis	Regan
Bishop	Fee	Longietti	Roae
Bizzarro	Flynn	Mackenzie	Roebuck
Bloom	Frankel	Maher	Ross
Boback	Freeman	Mahoney	Rozzi
Boyle	Gainey	Major	Saccone
Bradford	Galloway	Maloney	Sainato
Briggs	Gergely	Markosek	Samuelson
Brown, R.	Gibbons	Marshall	Sankey
Brown, V.	Gillen	Marsico	Santarsiero
Burns	Gillespie	Masser	Saylor
Caltagirone	Gingrich	Matzie	Schemel
Carroll	Godshall	McCarter	Schlossberg
Causar	Goodman	McGinnis	Schreiber
Christiana	Greiner	McNeill	Schweyer
Cohen	Grove	Mentzer	Simmons
Corbin	Hahn	Metcalfe	Sims
Costa, D.	Hanna	Metzgar	Snyder
Costa, P.	Harhai	Miccarelli	Sonney
Cox	Harhart	Millard	Staats
Cruz	Harkins	Miller, B.	Stephens
Culver	Harper	Miller, D.	Sturla
Cutler	Harris, A.	Milne	Tallman
Daley, M.	Harris, J.	Moul	Thomas
Daley, P.	Heffley	Mullery	Tobash
Davidson	Helm	Murt	Toepel
Davis	Hickernell	Mustio	Toohil
Dawkins	Hill	Nesbit	Topper
Day	Irvin	Neuman	Truitt
Dean	James	O'Brien	Vereb
Deasy	Jozwiak	Oberlander	Vitali
DeLissio	Kampf	Ortitay	Ward
Delozier	Kaufner	Parker, C.	Warner
Dermody	Kauffman	Parker, D.	Watson
Diamond	Kavulich	Pashinski	Wentling
DiGirolamo	Keller, F.	Payne	Wheatley
Donatucci	Keller, M.K.	Peifer	Wheeland
Driscoll	Keller, W.	Petrarca	White
Dunbar	Killion	Petri	Youngblood
Dush	Kim	Pickett	Zimmerman
Ellis	Kinsey	Quigley	
Emrick	Kirkland	Quinn	Turzai,
English	Klunk	Rader	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—8

Conklin	Gabler	O'Neill	Santora
DeLuca	Hennessey	Pyle	Taylor

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 without amendment.

SUPPLEMENTAL CALENDAR D

BILL ON CONCURRENCE
IN SENATE AMENDMENTS

The House proceeded to consideration of concurrence in Senate amendments to **HB 131, PN 1861**, entitled:

An Act amending the act of December 15, 1982 (P.L.1266, No.287), entitled, as amended, "An act conferring limited residency status on military personnel, their dependents and civilian personnel assigned to an active duty station in Pennsylvania," further providing for attendance at State-related and State-owned institutions of higher learning and community colleges; and providing for applicability and eligibility.

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

The SPEAKER. Moved by the gentleman, Representative Barrar, that the House concur in the amendments inserted by the Senate.

And the Chair recognizes Representative Barrar for a brief description of those Senate amendments.

Mr. BARRAR. Thank you, Mr. Speaker.

Mr. Speaker, the Senate amended this bill. Most of the amendments that were added in the Senate were technical in nature. They reworded a section that assisted the Department of Education in implementing this plan. Also, the Senate added what is referred to as "CTCs," or they are career technical centers, that would be part of the schools that would receive instate tuition. And the effective date of this legislation was changed to July 1, 2015.

Mr. Speaker, this bill is the legislation that will grant instate tuition rates at our State-owned universities and State-related schools, community colleges, and career technical centers. It will give out-of-State veterans and their families, their spouses and children, instate tuition rates. This puts us in compliance with the Federal law that will take effect on July 1.

I would ask the members for a "yes" vote on this. Thank you, Mr. Speaker.

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

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

The following roll call was recorded:

YEAS—190

Acosta	Evankovich	Knowles	Rapp
Adolph	Evans	Kortz	Ravenstahl
Baker	Everett	Kotik	Readshaw
Barbin	Fabrizio	Krieger	Reed
Barrar	Farina	Lawrence	Reese
Benninghoff	Farry	Lewis	Regan
Bishop	Fee	Longietti	Roae
Bizzarro	Flynn	Mackenzie	Roebuck
Bloom	Frankel	Maher	Ross
Boback	Freeman	Mahoney	Rozzi

Boyle	Gainey	Major	Saccone
Bradford	Galloway	Maloney	Sainato
Briggs	Gergely	Markosek	Samuelson
Brown, R.	Gibbons	Marshall	Sankey
Brown, V.	Gillen	Marsico	Santarsiero
Burns	Gillespie	Masser	Saylor
Caltagirone	Gingrich	Matzie	Schemel
Carroll	Godshall	McCarter	Schlossberg
Causar	Goodman	McGinnis	Schreiber
Christiana	Greiner	McNeill	Schweyer
Cohen	Grove	Mentzer	Simmons
Corbin	Hahn	Metcalf	Sims
Costa, D.	Hanna	Metzgar	Snyder
Costa, P.	Harhai	Miccarelli	Sonney
Cox	Harhart	Millard	Staats
Cruz	Harkins	Miller, B.	Stevens
Culver	Harper	Miller, D.	Sturla
Cutler	Harris, A.	Milne	Tallman
Daley, M.	Harris, J.	Moul	Thomas
Daley, P.	Heffley	Mullery	Tobash
Davidson	Helm	Murt	Toepel
Davis	Hickernell	Mustio	Toohil
Dawkins	Hill	Nesbit	Topper
Day	Irvin	Neuman	Truitt
Dean	James	O'Brien	Verab
Deasy	Jozwiak	Oberlander	Vitali
DeLissio	Kampf	Ortitay	Ward
Delozier	Kaufer	Parker, C.	Warner
Dermody	Kauffman	Parker, D.	Watson
Diamond	Kavulich	Pashinski	Wentling
DiGirolamo	Keller, F.	Payne	Wheatley
Donatucci	Keller, M.K.	Peifer	Wheeland
Driscoll	Keller, W.	Petrarca	White
Dunbar	Killion	Petri	Youngblood
Dush	Kim	Pickett	Zimmerman
Ellis	Kinsey	Quigley	
Emrick	Kirkland	Quinn	Turzai,
English	Klunk	Rader	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—8

Conklin	Gabler	O'Neill	Santora
DeLuca	Hennessey	Pyle	Taylor

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

Ordered, That the clerk inform the Senate accordingly.

SENATE MESSAGE

**HOUSE AMENDMENTS
TO SENATE AMENDMENTS
CONCURRED IN BY SENATE**

The clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to the Senate amendments to **HB 911, PN 1878**.

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:

HB 131, PN 1861

An Act amending the act of December 15, 1982 (P.L.1266, No.287), entitled, as amended, "An act conferring limited residency status on military personnel, their dependents and civilian personnel assigned to an active duty station in Pennsylvania," further providing for attendance at State-related and State-owned institutions of higher learning and community colleges; and providing for applicability and eligibility.

HB 911, PN 1878

An Act amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, further providing for emergency telephone service; and establishing the 911 Fund.

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

CALENDAR CONTINUED

CONSIDERATION OF HB 826 CONTINUED

**THE SPEAKER PRO TEMPORE
(MATTHEW E. BAKER) PRESIDING**

The SPEAKER pro tempore. Returning to consideration of HB 826, the gentleman, Mr. Sturla, is recognized.

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, will the maker of the bill rise for brief interrogation?

The SPEAKER pro tempore. The gentledady has agreed, and you may proceed.

Mr. STURLA. Thank you.

Mr. Speaker, the production of a fiscal note, and I know in some cases that there has been a difference in how, at least in the House, various caucuses even produce fiscal notes in terms of what they cover, and some look at what potential revenues might be generated or might not be generated, and others look at actual costs of implementing a program but do not look at what the ramifications of that program might be.

And just for hypothetical purposes, a lot of us have historic properties in our districts, and if a future Governor, because there was a movement to try and put casinos in every historic property as a way of generating dollars in the State of Pennsylvania, and a future Governor would issue an Executive order that said we are not going to allow casinos in State-owned historic properties, would the fiscal note say that the cost of that Executive order was zero because we currently did not have any casinos in those facilities and we were not generating any money, or would it say, gosh, there is a loss of \$50 million that could be generated by putting those facilities in those properties?

Mrs. GINGRICH. Mr. Speaker? Mr. Speaker, am I on? Thank you very much.

The SPEAKER pro tempore. Will the gentledady please suspend.

Mrs. GINGRICH. Sure.

The SPEAKER pro tempore. The Chair has been advised that the question is rather speculative in nature. It is not really to the point on the underlying bill, HB 826.

Mr. STURLA. Well, Mr. Speaker, then I will not do a speculative one.

The Governor that is currently sitting in the Executive Office did an Executive order that said there will be no drilling on State forest land. Is the cost of that, in your estimation, the way you have written this bill, would the fiscal note come back and say there is no cost to the State because, after all, we were not generating any revenue from that and so therefore there is no — we are not reducing the flow of dollars into the State from what was previously coming, or would it say, well, you might be able to put a well every 10 square feet and you now have reduced the potential for \$50 million worth of oil and gas generation?

Mrs. GINGRICH. Mr. Speaker, may I?

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

Mrs. GINGRICH. Thank you.

And that would be, actually, the base purpose of looking at the fiscal note in the design that we have it here, because in fact, you are correct; that can happen between administrations. That is what an Executive order is. It lives on with the administration and can change with the next.

And yes, the impact can be significant on the taxpayers of Pennsylvania. So the fiscal note would indicate what difference there would be should it be a revenue generator that is then eliminated within the next administration. So it would depend upon what it is, absolutely.

Mr. STURLA. Mr. Speaker, if I could, what I am trying to determine is, in this particular case that I am talking about, there was no revenue lost to the State of Pennsylvania because there were no leases generating any dollars for the State of Pennsylvania.

Mrs. GINGRICH. I see what you are saying, Mr. Speaker, but we entrust the Independent Fiscal Office to make those calculations, to get that information.

Mr. STURLA. But to get what information? That there were no impacts or that there was a potential impact?

Mrs. GINGRICH. It very specifically, if you read the bill, lists out the expectations that go to the Fiscal Office, and those are the areas that they would respond with the information that they would have; correct.

Mr. STURLA. Well, but I do not understand anywhere in the bill where it spells out whether, in this particular case, whether the impact would be considered zero since there was no loss of revenue to the State or whether the Fiscal Office, the Independent Fiscal Office, would be looking at what could be potential revenue, and that is a big difference.

The SPEAKER pro tempore. Will the gentleman please suspend.

The gentleman led with a hypothetical question that can only be answered by the Fiscal Office, as I understand it.

Mrs. GINGRICH. Thank you; yes.

The SPEAKER pro tempore. And the gentelady is not the person that makes that decision. It is the Fiscal Office.

Mr. STURLA. Thank you, Mr. Speaker.

On the bill?

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

Mr. STURLA. Mr. Speaker, if we as a legislature do not know what it is that we are asking the Independent Fiscal Office, how are they going to know what to tell us, because what was just pointed out here is, we do not know whether we are asking them what potential revenue generation might be or what real revenue generation is and the difference in those two, and that can, in some cases, be tens of millions of dollars. And

the point of this is that for the general public reading a fiscal note, not knowing whether one is the potential income or one is the actual income and revenue change, it makes a world of difference.

And so there are a whole host of reasons that I was opposed to this bill prior to even asking this question, but I think this just points out that even if this bill would pass and would, by some stretch of the imagination, be considered constitutional by the courts, that we are still not going to get at what we are interested in finding out here because we do not even know what question we are asking the Fiscal Office to tell us the answer to.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Chairman Metcalfe.

Mr. METCALFE. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of HB 826.

I think there has been a lot of confusing information put out this evening during the debate. First of all, Mr. Speaker, the current law requires, the General Assembly in the past has passed a law that requires that the executive branch prepare a fiscal note when they execute an Executive order. Now, we have had about five or six Executive orders that have come out of the new Governor's Office. Executive order 2015-03 in his fiscal note says no fiscal impact, and that was related to leasing of State forest and State park land for oil and gas development. So the current law requires, the current law requires the fiscal note—

The SPEAKER pro tempore. Will the gentleman kindly suspend.

For what purpose does the gentleman, Mr. Sturla, seek recognition?

Mr. STURLA. Point of order, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will state his point of order.

Mr. STURLA. Does the bill apply to previous Executive orders or only future Executive orders?

The SPEAKER pro tempore. That is not a point of order, sir. That is a question that you would ask under interrogation.

Mr. STURLA. I guess my point is that if it does not apply to past Executive orders, then talking about past Executive orders is not in order.

Mr. METCALFE. That is nonsense.

The SPEAKER pro tempore. Time out.

The gentleman, Mr. Metcalfe, may proceed.

Mr. METCALFE. Thank you, Mr. Speaker.

Mr. Speaker, the arguments that have been proffered from the other side have been that this is for some reason a violation of separation of powers between the executive and legislature, and my point is that there is already a requirement in the law that fiscal notes are produced, number one.

Number two, this Governor has put forth a number of Executive orders already. I believe I have about six here in my hand, and as you look through those, Executive order No. 1, no fiscal impact; Executive order No. 2, no fiscal impact; Executive order No. 3 that I had read earlier, no fiscal impact; Executive order No. 4, no fiscal impact; Executive order No. 5, no fiscal impact; Executive order No. 6, no fiscal impact.

So it seems to be and it is very concerning to many of us that that section of the law that requires that a fiscal note be generated is not being taken very seriously by the administration or complied with, and that is why this legislation is so important at this time. It is not partisan in nature; it is fiscal

in nature. It is keeping in mind the current law, wanting the current law to be actually carried out, and the thought in this legislation is that the best people to carry that out is the Independent Fiscal Office, Mr. Speaker.

Now, one of the Executive orders from the previous administration that dealt with the same exact issue as the current administration was related to the leasing of the State forest and State park land for oil and gas development, and they had an extensive fiscal note on what would be expected from revenue that would be generated. So if you just come back from the next administration and say zero when a previous administration had given a pretty extensive fiscal note, Mr. Speaker, I think it shows the problem that we are facing.

And, Mr. Speaker, some of the other information that has been put forth is that this would prevent emergency situations from being dealt with when in fact that is not the case at all. The current law allows for proclamations to be made by the Governor, allows for Executive orders to be made by the Governor related to disaster emergencies, and they are temporary in nature. It states in the law that they can exist for no longer than 90 days unless renewed by the Governor. So it is not a permanent Executive order like we are seeing in this legislation, Mr. Speaker. So the emergency situations are not even part of this, part of this discussion that we are talking about. We are talking about permanent Executive orders, Mr. Speaker.

So a lot of the arguments that have been offered, I think they have created a lot of confusion for the members, a lot of confusion for the public, and hopefully, this information will help to resolve some of that confusion, because there is a legitimate need in passing this, and it is not partisan. It is about ensuring that taxpayers have good information, it is ensuring that legislators have good information. When we are facing a \$1.2 billion budget deficit, it is important that we have good information in knowing, what is the fiscal impact of Executive orders that are being passed, Mr. Speaker? Current law requires it. We are not getting it. We need this bill to ensure that we get that information through the Independent Fiscal Office, and I would ask for a positive vote for this legislation, Mr. Speaker. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

LEAVE OF ABSENCE

The SPEAKER pro tempore. The Chair recognizes the majority whip, who requests a leave of absence for the gentleman, Mr. GODSHALL. Without objection, the request will be so granted.

CONSIDERATION OF HB 826 CONTINUED

The SPEAKER pro tempore. The Chair recognizes the majority whip on HB 826, final passage.

Mr. CUTLER. Thank you, Mr. Speaker.

Mr. Speaker, I would urge support of this important proposal.

Many of our colleagues have raised issues regarding the constitutionality of the other requirements that the gentleman from Butler County just outlined on existing Executive orders.

To say that this legislation or the creation of a fiscal note regarding this by an independent office is somehow unconstitutional is essentially saying that the provisions in the Commonwealth Documents Law and the Administrative Law Code that are discussed within the bill and the bill analysis, which had been law for over 40-plus years here in the Commonwealth, are also unconstitutional.

And I recognize that it is easy to sometimes confuse the issues that are before us, and I would like to further delve into Title 35, chapter 73, specific to disaster orders. The gentleman from the Lehigh Valley and the gentleman from Washington County question the ability of a Governor to accurately respond and actively respond in the case of an emergency. Mr. Speaker, how that occurs is clearly outlined in Title 35, titled "Health and Safety," chapter 73, subchapter 7301. The gentleman from Butler County clearly indicated that they are not under the purview of this bill because they are temporary in nature. They only exist for 90 days.

Furthermore, I would offer that by the Governor's own admission on his own Web site, that they are in fact not Executive orders, but rather proclamations. And I think furthermore, it is important to actually understand the process of a disaster proclamation and it will further highlight why those concerns that were raised previously simply are not valid.

First, under a true emergency proclamation, the Governor can suspend all laws except constitutional rights. Furthermore, the PEMA (Pennsylvania Emergency Management Agency) statute, contained in Title 35, requires that the council, some of which our members sit on by virtue of their chairmanships in the Veterans Affairs and Emergency Preparedness Committees, must meet within 3 days. Again, that order is only in action for up to 90 days, but it is important to note that that order and those actions undertaken by the Governor can, in fact, be up to \$25 million of immediate assistance before coming before the council or the General Assembly for further appropriations.

Mr. Speaker, the plain reading of the law is clear. First, it is an emergency proclamation, not an Executive order. Second, even if it were an Executive order, which is also referenced in this same subchapter, it in fact is temporary in nature and not permanent, as those who wish to oppose this bill have alleged.

And furthermore, Mr. Speaker, I think quoting directly from the Constitution regarding the duties of the Governor make it very clear that we can in fact influence and/or put requirements on Executive orders. It says, "The supreme executive power shall be vested in the Governor, who shall take care that the laws be faithfully executed...."

Mr. Speaker, the requirement of a fiscal note is a law and it must be followed, and I would urge support of this so that we can get some true, good independent numbers on the impacts of this nature of the Executive order so that we can make good budgetary decisions, which is clearly a legislative power that has delegated to us the power of the purse strings. We need this information to operate effectively, and we should not allow any administration to hamstring us and provide numbers that are not accurate or independent or, in some cases as demonstrated by the gentleman from Butler County, not provide numbers at all.

I urge a "yes" vote. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

Seeing no one else, Chairman Gingrich, the maker of the legislation on final passage.

Mrs. GINGRICH. Thank you, Mr. Speaker.

We certainly have generated some healthy dialogue on this issue today. We have cited chapter and verse on the Pennsylvania Constitution. We have heard opinions of what it will include and what it will not include. We have talked about, have we given direction precisely to the Independent Fiscal Office? We have. It is clearly listed in the bill what our expectations are in the fiscal analysis.

What I want to do – and I thank everybody who got themselves involved in the conversation, because it is such an important conversation – what I want to make clear is what it does and what it does not do. It does not alter or prohibit in any way this Governor or any Governor's authority to issue Executive orders. It does not affect – and you heard it by the Speaker or our majority whip before me – it does not affect disaster proclamations and things that need to be handled in a very time-sensitive manner.

But I do want to remind my colleagues that our Independent Fiscal Office was established to provide revenue projections for use in the State budget process, which we are very challenged with at the moment, along with impartial and timely, according to their process, timely analysis of the fiscal and economic and budgetary issues that address us here in the Commonwealth to assist us here in the General Assembly to make and evaluate our policy decisions. So under this bill, what we are looking for is joint accountability between the legislation and the Executive Office. We have that accountability and responsibility to the taxpayer.

One thing, it strengthens the process we have. It is not changing the process so much as strengthening it.

But what really hit me was when I saw on our current Governor's Web site, where he says, "It's time to restore the public's trust in our government by pushing for reforms and initiatives that increase openness and transparency," and that is what this bill does. We are looking for information that is through a fresh set of eyes, through an independent agency that we can count on to do so as we make the decisions related to the Executive orders going forward. I think this legislature ensures that the Governor's actions and the words he shared with us on his Web site are true statements and commitments.

And I urge all my fellow members, thank you for the discussion, and I ask everybody to consider a positive vote on HB 826 for the people of Pennsylvania. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentlelady.

On the question recurring,
Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—111

Adolph	Greiner	Marshall	Regan
Baker	Grove	Marsico	Roae
Barrar	Hahn	Masser	Ross
Benninghoff	Harhart	McGinnis	Saccone
Bloom	Harper	Mentzer	Sankey
Boback	Harris, A.	Metcalfe	Saylor
Brown, R.	Heffley	Metzgar	Schemel

Causer	Helm	Miccarelli	Simmons
Christiana	Hickernell	Millard	Sonney
Corbin	Hill	Miller, B.	Staats
Cox	Irvin	Milne	Stephens
Culver	James	Moul	Tallman
Cutler	Jozwiak	Murt	Tobash
Day	Kampf	Mustio	Toepel
DeLozier	Kaufner	Nesbit	Toohil
Diamond	Kauffman	Oberlander	Topper
DiGirolamo	Keller, F.	Ortitay	Truitt
Dunbar	Keller, M.K.	Parker, D.	Vereb
Dush	Killion	Payne	Ward
Ellis	Klunk	Peifer	Warner
Emrick	Knowles	Petri	Watson
English	Krieger	Pickett	Wentling
Evankovich	Lawrence	Quigley	Wheeland
Everett	Lewis	Quinn	White
Farry	Mackenzie	Rader	Zimmerman
Fee	Maher	Rapp	
Gillen	Major	Reed	Turzai,
Gillespie	Maloney	Reese	Speaker
Gingrich			

NAYS—78

Acosta	Dean	Harris, J.	Pashinski
Barbin	Deasy	Kavulich	Petrarca
Bishop	DeLissio	Keller, W.	Ravenstahl
Bizzarro	Dermody	Kim	Readshaw
Boyle	Donatucci	Kinsey	Roebuck
Bradford	Driscoll	Kirkland	Rozzi
Briggs	Evans	Kortz	Sainato
Brown, V.	Fabrizio	Kotik	Samuelson
Burns	Farina	Longietti	Santarsiero
Caltagirone	Flynn	Mahoney	Schlossberg
Carroll	Frankel	Markosek	Schreiber
Cohen	Freeman	Matzie	Schweyer
Costa, D.	Gainey	McCartier	Sims
Costa, P.	Galloway	McNeill	Snyder
Cruz	Gergely	Miller, D.	Sturla
Daley, M.	Gibbons	Mullery	Thomas
Daley, P.	Goodman	Neuman	Vitali
Davidson	Hanna	O'Brien	Wheatley
Davis	Harhai	Parker, C.	Youngblood
Dawkins	Harkins		

NOT VOTING—0

EXCUSED—9

Conklin	Godshall	O'Neill	Santora
DeLuca	Hennessey	Pyle	Taylor
Gabler			

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.

BILLS RECOMMITTED

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

- HB 603;
- HB 941;
- HB 970;
- HB 1112;

HB 1131;
 HB 1132;
 HB 1133;
 HB 1134;
 HB 1135;
 HB 1136;
 HB 1137;
 HB 1138;
 HB 1139;
 HB 1385;
 HB 1386;
 HB 1387;
 HB 1388; and
 HB 1389.

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

VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS COMMITTEE MEETING

The SPEAKER pro tempore. For what purpose does the gentleman, Mr. Barrar, rise?

Mr. BARRAR. Mr. Speaker, I wanted to remind the members of a committee meeting tomorrow, if I can give you—

The SPEAKER pro tempore. You are in order, sir, and you may proceed.

Mr. BARRAR. Tomorrow at 10 o'clock the Veterans Affairs and Emergency Preparedness Committee will meet to move a resolution and a bill. I know caucus is scheduled for the same time. I cannot imagine that the meeting will last any longer than 10, 15 minutes, and I would ask the members to attend. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

Tomorrow at 10 o'clock there will be a Veterans Affairs and Emergency Preparedness Committee meeting.

BILL REMOVED FROM TABLE

The SPEAKER pro tempore. The Chair recognizes the majority leader, who moves that SB 620 be removed from the tabled calendar and placed on the active calendar.

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

REPUBLICAN CAUCUS

The SPEAKER pro tempore. The Chair recognizes the caucus chairman, Ms. Major, for an announcement.

Ms. MAJOR. Thank you, Mr. Speaker.

I would like to announce a Republican caucus tomorrow morning; that is Friday morning at 10 a.m. Republicans will caucus tomorrow morning at 10 a.m. I would ask all our members to please report to our caucus room. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentlelady.

DEMOCRATIC CAUCUS

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Frankel, for a caucus announcement.

Mr. FRANKEL. Thank you, Mr. Speaker.

Democrats will caucus at the first break after session tomorrow, at the first break. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

ANNOUNCEMENT BY MR. PAYNE

The SPEAKER pro tempore. The Chair recognizes the gentleman, Chairman Payne, for an announcement.

Mr. PAYNE. Thank you, Mr. Speaker.

Mr. Speaker, the Gaming Oversight Committee hearings scheduled for Monday and Tuesday are canceled. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

BILLS REMOVED FROM TABLE

The SPEAKER pro tempore. The Chair recognizes the majority leader, who moves that HB 62 and HB 773 be removed from the tabled calendar and placed on the active calendar.

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

BILLS TABLED

The SPEAKER pro tempore. The Chair recognizes the majority leader, who moves that HB 62 and HB 773 be removed from the active calendar and placed on the tabled calendar.

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

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 222, PN 1587**, entitled:

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, in public assistance, prohibiting eligibility for individuals convicted of drug distribution.

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

BILL TABLED

The SPEAKER pro tempore. The Chair recognizes the majority leader, who moves that HB 222 be removed from the active calendar and placed on the tabled calendar.

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

Motion was agreed to.

BILL REMOVED FROM TABLE

The SPEAKER pro tempore. The Chair recognizes the majority leader, who moves that HB 222 be removed from the tabled calendar and placed on the active calendar.

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

* * *

The House proceeded to second consideration of **HB 727, PN 1555**, entitled:

An Act amending Titles 24 (Education), 51 (Military Affairs) and 71 (State Government) of the Pennsylvania Consolidated Statutes, in Title 24, in preliminary provisions, further providing for definitions and construction and providing for references; in retirement membership, contributions and benefits, further providing for mandatory and optional membership, for credited school service, for waiver of adjustments and for classes of service, for elections, for eligibility points, for eligibility for annuities, for eligibility for refunds, for pickup contributions, for member contributions, for contributions for purchase of credit, for annual compensation limit, for contributions by Commonwealth, for payments by employers, for actuarial cost method, for appropriations by Commonwealth, for return of accumulated deductions, for single life annuity, for disability annuities, for termination of annuities and payment of benefits; providing for school employees' defined contribution plan; in administrative and miscellaneous provisions, further providing for the Public School Employees' Retirement Board, for administrative duties of board, for health insurance, for advisory and reporting duties, for application and election duties, for duties of employers, for rights and duties of school employees and members, for management of fund and accounts, for Public School Employees' Retirement Fund, for State accumulation account, for annuity reserve account, for State guarantee, for taxation, for attachment and assignment of funds, for approval of domestic relations orders, for irrevocable survivor annuitant and for amendment of approved domestic relations orders; providing for irrevocable successor payee; further providing for fraud and adjustment of errors and for payments to school entities by Commonwealth; providing for payments to school entities by Commonwealth commencing with the 2015-2016 school year; in health insurance for retired school employees, further providing for definitions; in Title 51, in employment preferences and pensions, further providing for military leaves of absence; in Title 71, in retirement for State employees and officers, further providing for definitions, for preliminary provisions and for membership, credited service, classes of service, and eligibility benefits, providing for State Employees' Defined Contribution Plan, further providing for contributions, for benefits and for administration, funds and accounts; and making editorial changes.

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

BILL TABLED

The SPEAKER pro tempore. The Chair recognizes the majority leader, who moves that HB 727 be removed from the active calendar and placed on the tabled calendar.

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

BILL REMOVED FROM TABLE

The SPEAKER pro tempore. The Chair recognizes the majority leader, who moves that HB 727 be removed from the tabled calendar and placed on the active calendar.

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

RESOLUTION

Mr. REED called up **HR 82, PN 482**, entitled:

A Resolution honoring the life and contributions of John Patrick Stanton, humanitarian, activist and founder of the prolife movement in this Commonwealth, who died on January 31, 2014, at 86 years of age.

On the question,
Will the House adopt the resolution?

RESOLUTION TABLED

The SPEAKER pro tempore. The Chair recognizes the majority leader, who moves that HR 82 be removed from the active calendar and placed on the tabled calendar.

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

RESOLUTION REMOVED FROM TABLE

The SPEAKER pro tempore. The Chair recognizes the majority leader, who moves that HR 82 be removed from the tabled calendar and placed on the active calendar.

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

BILLS AND RESOLUTIONS PASSED OVER

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

ADJOURNMENT

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Dawkins, from Philadelphia County, who moves that this House do now adjourn until Friday, June 26, 2015, at 11 a.m., e.d.t., unless sooner recalled by the Speaker.

On the question,
Will the House agree to the motion?
Motion was agreed to, and at 6 p.m., e.d.t., the House adjourned.