COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

TUESDAY, JUNE 30, 2015

SESSION OF 2015 199TH OF THE GENERAL ASSEMBLY No. 56

HOUSE OF REPRESENTATIVES

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

THE SPEAKER (MIKE TURZAI) PRESIDING

PRAYER

HON. RICK SACCONE, member of the House of Representatives, offered the following prayer:

Good morning.

I invite you all to pray in your faith tradition as I pray in mine.

Almighty God, we welcome You into our House and into our hearts. We stand before You with thanks for all the blessings You continue to pour out over us and our Commonwealth. Lord, we acknowledge that You are almighty and that You govern over the universe which You created. We ask that You enter our hearts and govern over us.

Father God, as our culture morally crashes around us, we pray that we may live out the words spoken by Abraham Lincoln at Gettysburg "…that this nation, under God, shall have a new birth of freedom…."

Heavenly Father, we know we cannot survive as a nation without You. Help us to turn back toward You, to seek Your guidance in everything we do.

Lord, we pray that You will bless those in our military, especially those in harm's way; that You will comfort and strengthen those that have been wounded in defense of this great nation. Lord, be with us within this chamber and without, and with our families.

We ask all this in Your holy name, in the name of Your son, Jesus Christ. Amen.

PLEDGE OF ALLEGIANCE

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

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, the approval of the Journal of Monday, June 29, 2015, will be postponed until printed.

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

HB 1204, PN 1579 By Rep. ROSS

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 interlocking business prohibited, for number and kinds of licenses allowed same licensee and for interlocking business prohibited; and, in distilleries, wineries, bonded warehouses, bailees for hire and transporters for hire, further providing for limited wineries.

LIQUOR CONTROL.

HB 1273, PN 2002 (Amended) By Rep. ROSS

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 the definitions of "association" and "person"; and, in licenses and regulations and liquor, alcohol and malt and brewed beverages, further providing for applications for hotel, restaurant and club liquor licenses and for sales by liquor licensees and restrictions.

LIQUOR CONTROL.

ACTUARIAL NOTES

The SPEAKER. The Speaker acknowledges receipt of an actuarial note for SB 1, PN 1132.

The Speaker acknowledges receipt of actuarial notes for amendment A01625, amendment A01626, amendment A01627, amendment A01628, and amendment A01629 to HB 727, PN 1555.

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

HOUSE BILLS INTRODUCED AND REFERRED

No. 1367 By Representatives HARHAI, KNOWLES, SANTORA, GROVE, HEFFLEY, HELM, ROZZI, O'BRIEN, KOTIK, SCHLOSSBERG, THOMAS, MILLARD, LONGIETTI, D. COSTA, KAUFFMAN, DeLUCA, MURT and WATSON

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, in personal income tax, providing for contributions for State Food Purchase Program.

Referred to Committee on FINANCE, June 30, 2015.

No. 1426 By Representatives DiGIROLAMO, RAVENSTAHL, V. BROWN, CALTAGIRONE, COHEN, DAVIS, DEASY, DONATUCCI, DRISCOLL, FREEMAN, GAINEY, HANNA, HARKINS, KAVULICH, KOTIK, MAHONEY, McCARTER, McNEILL, MURT, O'BRIEN, READSHAW, SANTORA, THOMAS, YOUNGBLOOD, MICCARELLI, D. COSTA, WHITE and DeLUCA

An Act amending the act of July 19, 1979 (P.L.130, No.48), known as the Health Care Facilities Act, providing for hospital patient protection.

Referred to Committee on HEALTH, June 30, 2015.

No. 1427 By Representatives MULLERY, COHEN, CARROLL, TOPPER, MILLARD, PASHINSKI, BARRAR, D. COSTA, THOMAS, KAVULICH, MOUL, DONATUCCI, SCHREIBER, ROZZI, RADER, TOOHIL, SCHLOSSBERG, SAYLOR and EVERETT

An Act amending the act of April 6, 1951 (P.L.69, No.20), known as The Landlord and Tenant Act of 1951, in tenants' rights to cable television, further providing for definitions, for right to render services and notice and for compensation for physical damage.

Referred to Committee on JUDICIARY, June 30, 2015.

No. 1428 By Representatives KAMPF, TURZAI, CUTLER, MUSTIO, DIAMOND, MILLARD, TOPPER, KAUFFMAN, ZIMMERMAN, PHILLIPS-HILL, SCHEMEL, CORBIN, WHEELAND, BARRAR, DELOZIER, SAYLOR, GODSHALL, A. HARRIS, TOEPEL, ROSS and TRUITT

An Act providing for transparency of claims made against asbestos-related bankruptcy trusts, for compensation and allocation of responsibility, for the preservation of resources and for the imposition of liabilities.

Referred to Committee on JUDICIARY, June 30, 2015.

No. 1429 By Representatives PASHINSKI, KOTIK, ROEBUCK, CALTAGIRONE, McNEILL, GODSHALL, D. COSTA, COHEN, SCHREIBER, KORTZ and KIRKLAND

An Act amending the act of August 9, 1955 (P.L.323, No.130), known as The County Code, in third class county convention center authorities, further providing for hotel room rental tax.

Referred to Committee on TOURISM AND RECREATIONAL DEVELOPMENT, June 30, 2015.

SENATE BILLS FOR CONCURRENCE

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

SB 6, PN 1124

Referred to Committee on EDUCATION, June 30, 2015.

SB 533, PN 490

Referred to Committee on JUDICIARY, June 30, 2015.

SB 536, PN 1118

Referred to Committee on HEALTH, June 30, 2015.

SB 748, PN 790

Referred to Committee on TRANSPORTATION, June 30, 2015.

SB 756, PN 1009

Referred to Committee on COMMERCE, June 30, 2015.

SB 862, PN 1129

Referred to Committee on EDUCATION, June 30, 2015.

LEAVES OF ABSENCE

The SPEAKER. The majority whip requests a leave of absence for Representative BAKER of Tioga County for the day.

And the minority whip requests leaves of absence for Representative BARBIN of Cambria County for the day, and Representative DeLUCA of Allegheny County for the day.

The majority whip has also indicated that Representative LAWRENCE of Chester County requests a leave of absence for the day.

The majority whip's requests are granted, and the minority whip's requests are granted.

MASTER ROLL CALL

The SPEAKER. We will now proceed to the master roll call. Members will proceed to vote.

The following roll call was recorded:

PRESENT–194

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

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

ADDITIONS–0

NOT VOTING–0

EXCUSED–4

Baker	Barbin	DeLuca	Lawrence

LEAVES CANCELED–1

Lawrence

The SPEAKER. The yeas are 194 on the master roll, a quorum being present.

GUESTS INTRODUCED

The SPEAKER. Located to the left of the rostrum, the Chair welcomes Representative Julie Harhart's sister, Louise Seng, and her husband, Mike. If you could please rise. We certainly appreciate having you with us today. Thank you so much. With Louise and Mike are Steven, Sandy, Sophie, Caroline, and Noah Bischof. If you would please rise. It is great having this great family with us today. Thank you so much.

Located to the left of the rostrum, we welcome Greg Wagner. Greg, if you could please stand. He is the guest of Representative Dean. Thanks for being us with today, sir.

Now, I think there will be additional comments, I believe from Representative Grove, on some of these guests that are here with us today, so you may be reintroduced to them, but Michael Froehlich, Mike Rutter, and Leon Butler are here to celebrate the 250th anniversary of the York County Fair. Representative Grove has them here as guests, along with the rest of the York delegation. Thank you so much. I see they are down there with Representative Regan, Representative Saylor, and Representative Gillespie as well. Thank you so much for being with us today. I am sure there are going to be additional remarks, but it is great having you here in the chamber.

Located to the left of the rostrum, the Chair welcomes Adam Breneman. Adam, if you could please rise. You will not miss him. He is shadowing Representative Mike Regan for the day. This gentleman is the starting tight end for the Penn State Nittany Lions. Give him a warm welcome. We had Coach Franklin here not long ago, and he is one dynamic guy. So I hope you have a great season.

UNCONTESTED CALENDAR

RESOLUTIONS PURSUANT TO RULE 35

Mr. GROVE called up **HR 355, PN 1629,** entitled:

A Resolution commemorating the 250th anniversary of the York Fair.

* * *

Mr. PYLE called up **HR 398, PN 1809,** entitled:

A Resolution designating the month of August 2015 as "Kidney Cancer Awareness Month" in Pennsylvania.

On the question,
Will the House adopt the resolutions?

The following roll call was recorded:

YEAS–194

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

Ellis	Kim	Pyle	Youngblood
Emrick	Kinsey	Quigley	Zimmerman
English	Kirkland	Quinn	
Evankovich	Klunk	Rader	Turzai,
Evans	Knowles	Rapp	Speaker

NAYS–0

NOT VOTING–0

EXCUSED–4

Baker	Barbin	DeLuca	Lawrence

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

The SPEAKER. On the resolutions that we just passed on unanimous consent, Representative Seth Grove is recognized on HR 355, and then Representative Pyle will be recognized on HR 398.

Representative Grove.

LEAVE OF ABSENCE CANCELED

The SPEAKER. The majority whip has indicated that Representative Lawrence is in the hall and should be marked on the master roll for the day.

STATEMENT BY MR. GROVE

The SPEAKER. Representative Grove, the floor is yours, sir.

Mr. GROVE. Thank you, Mr. Speaker.

It is an honor to have the opportunity to speak today in recognition of a major milestone in York County, the 250th anniversary of the York Fair. As many in York County know, this is not a run-of-the-mill celebration. This was America's first fair, getting its start in the town of York in 1765 – that is 11 years before the founding of the United States.

Over the years the fair has continued even as wars raged at home and abroad. The fairgrounds provided a resting place for soldiers in the American Revolution and the War of 1812, and served as a hospital site during the Civil War. The festivities continued through World War I, stopping only in 1918 due to the influenza outbreak, which killed more than 150 people in York. To the people of York, the fair is a spot of stability and happiness in times of tragedy and sadness. The fair was ongoing in September of 2001, when terrorists struck New York City, the Pentagon, and Somerset County.

The fair has grown from a 2-day celebration of agriculture in 1765 to a 10-day exposition filled with great food, entertainment, and educational farm-related exhibits. This year the York Fair runs September 11th through the 20th at the York Fairgrounds alongside Carlisle Avenue. I invite everyone to come out to the fair and see why I am so proud of it and learn about its vibrant history. And also, the Speaker also promised to show up specifically on September 12, so thank you, Mr. Speaker, for coming down to the York Fair to celebrate its 250th anniversary with us.

Obviously, we have some wonderful guests who have already been introduced, and we greatly appreciate their hard work and dedication to agriculture and the continued success of the fair for 250 more years.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, Representative Grove.

STATEMENT BY MR. PYLE

The SPEAKER. Representative Jeff Pyle, on HR 398.

Mr. PYLE. Thank you, Mr. Speaker.

Mr. Speaker, I appreciate the House's unanimous support of HR 398, which designates August as "Kidney Cancer Awareness Month." As many of you know, I was affected by kidney cancer in 2005, and I live here to tell you that with early detection and proper treatment, it is not a fatal disease.

My thanks to the House, Mr. Speaker, and to you. Thank you.

The SPEAKER. Thank you, Representative Pyle.

UNCONTESTED SUPPLEMENTAL CALENDAR A

RESOLUTION PURSUANT TO RULE 35

Ms. QUINN called up **HR 417, PN 2003,** entitled:

A Resolution designating the month of July 2015 as "Fragile X Syndrome Awareness Month" in Pennsylvania.

On the question,

Will the House adopt the resolution?

The following roll call was recorded:

YEAS–195

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

Davis	Hickernell	Nesbit	Tobash
Dawkins	Hill	Neuman	Toepel
Day	Irvin	O'Brien	Toohil
Dean	James	O'Neill	Topper
Deasy	Jozwiak	Oberlander	Truitt
DeLissio	Kampf	Ortitay	Vereb
Delozier	Kaufer	Parker, C.	Vitali
Dermody	Kauffman	Parker, D.	Ward
Diamond	Kavulich	Pashinski	Warner
DiGirolamo	Keller, F.	Payne	Watson
Donatucci	Keller, M.K.	Peifer	Wentling
Driscoll	Keller, W.	Petrarca	Wheatley
Dunbar	Killion	Petri	Wheeland
Dush	Kim	Pickett	White
Ellis	Kinsey	Pyle	Youngblood
Emrick	Kirkland	Quigley	Zimmerman
English	Klunk	Quinn	
Evankovich	Knowles	Rader	Turzai,
Evans	Kortz	Rapp	Speaker
Everett			

NAYS–0

NOT VOTING–0

EXCUSED–3

Baker	Barbin	DeLuca

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

CALENDAR

RESOLUTION PURSUANT TO RULE 35

Mr. PAYNE called up **HR 416, PN 1971,** entitled:

A Resolution commending Penn State Hershey Children's Hospital for being recognized as one of the nation's best children's hospitals.

On the question,
Will the House adopt the resolution?

The SPEAKER. Representative Payne is recognized.

Members, if you can, please give Representative Payne the floor. Thank you.

Mr. PAYNE. Thank you, Mr. Speaker.

Mr. Speaker, I never stand for a resolution. Today marks the first time in 13 years that I have stood for a resolution. However, this is personal and special.

The Penn State Hershey Children's Hospital at the Penn State Hershey Med Center is a destination for hope and healing for thousands of children. As the only Level I pediatric trauma center between Philadelphia and Pittsburgh, it serves our rural regions of Pennsylvania. Over a million children have been served by Penn State's Children's Hospital.

Currently they have 20 specialty pediatric patient services in Hershey. They have over 30 outpatient clinics throughout Pennsylvania. Originally, the children's hospital was actually part of the Elizabethtown crippled children's home run by the Masonic Villages down there. Penn State Med Center took it over and made it one floor of their hospital. In 2012 they dedicated the current children's hospital.

And, Mr. Speaker, on a personal note, my youngest daughter – my grandson was born 5 weeks prematurely just this past spring. He almost died. If it would not have been for the Children's Hospital in Hershey and their excellent guidance and medical care, I believe my grandson would not be here today.

So, Mr. Speaker, I am proud to stand and recognize the Penn State Hershey Children's Medical Center as being named one of the top 50 children's hospitals in the United States. I appreciate your "yes" vote.

Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS–195

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

NAYS–0

NOT VOTING–0

EXCUSED–3

Baker Barbin DeLuca

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

APPROPRIATIONS COMMITTEE MEETING

The SPEAKER. Representative Adolph, for a committee announcement, please.

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

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

The SPEAKER. Thank you, sir.

Members, we are going to be at ease while the Appropriations Committee meets. Once the Appropriations Committee is finished with its business, we will go right into our legislative calendar.

So at the present time we are at ease for the Appropriations Committee to meet.

All right, members, we are called back into order. The House is back in order.

BILLS REREPORTED FROM COMMITTEE

HB 773, PN 1563 By Rep. ADOLPH

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in limitation of time, providing for ten-year limitation and for mesne profits and further providing for twenty-one year limitation.

APPROPRIATIONS.

HB 905, PN 1102 By Rep. ADOLPH

An Act amending Title 8 (Boroughs and Incorporated Towns) of the Pennsylvania Consolidated Statutes, in recreation places, shade trees and forests, further providing for care, custody and control, for notice of work and for shade tree commission.

APPROPRIATIONS.

HB 912, PN 1838 By Rep. ADOLPH

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in consolidated county assessment, further providing for definitions and for subjects of local taxation.

APPROPRIATIONS.

HB 1118, PN 1965 By Rep. ADOLPH

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for independent counsel; and making an editorial change; and amending the act of October 15, 1980 (P.L.950, No.164), entitled "A supplement to the act of April 9, 1929 (P.L.177, No.175), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," implementing the addition of section 4.1 to Article IV of the Constitution of Pennsylvania; establishing the Office of Attorney General elected by the citizens and setting forth powers and duties of the Attorney General; creating an Office of General Counsel and providing for legal services for Commonwealth agencies; transferring, reorganizing or reconstituting certain boards, commissions and agencies; placing certain duties upon the courts and district attorneys; repealing certain acts and parts of acts and making appropriations," in Office of Attorney General, further providing for criminal prosecutions; and, in Office of General Counsel, providing for investigations involving the Attorney General.

APPROPRIATIONS.

HB 1329, PN 1883 By Rep. ADOLPH

An Act requiring certain hospitals to allow patients an opportunity to designate caregivers in patients' medical records and imposing duties on hospitals.

APPROPRIATIONS.

HB 1340, PN 1822 By Rep. ADOLPH

An Act amending Title 68 (Real and Personal Property) of the Pennsylvania Consolidated Statutes, in condominiums, further providing for creation, alteration and termination of condominiums and for management of condominiums; and, in planned communities, further providing for creation, alteration and termination of planned communities and for management of planned communities.

APPROPRIATIONS.

SB 1, PN 1132 By Rep. ADOLPH

An Act amending Titles 24 (Education), 51 (Military Affairs) and 71 (State Government) of the Pennsylvania Consolidated Statutes, extensively revising pension provisions: for the Public School Employees' Retirement System, in the areas of preliminary provisions, of membership, contributions and benefits, of School Employee's Defined Contribution Plan and of administration and miscellaneous provisions; for health insurance for retired school employees, in the area of preliminary provisions; for military pensions, in the area of military leave of absence; for boards and offices, in the area of Independent Fiscal Office; for the State Employees' Retirement System, in the areas of preliminary provisions, of membership, credited service, classes of service and eligibility for benefits, of State Employees' Defined Contribution Plan, of contributions, of benefits and of administration, funds, accounts, general provisions; and providing, as to the revisions, for construction and administration, for applicability, for funding, for liability, for State Employee member statements and for State Employees Retirement Board obligations.

APPROPRIATIONS.

SB 329, PN 220 By Rep. ADOLPH

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, establishing the Ready to Succeed Scholarship Program; and conferring powers and imposing duties on the Pennsylvania Higher Education Assistance Agency and the Department of Education.

APPROPRIATIONS.

SB 487, PN 1133 By Rep. ADOLPH

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, providing for limits on copayments for insured medical services provided by a physical therapist, chiropractor and occupational therapist.

APPROPRIATIONS.

SB 812, PN 1078 By Rep. ADOLPH

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.

APPROPRIATIONS.

SB 813, PN 1119 By Rep. ADOLPH

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.

APPROPRIATIONS.

SB 814, PN 1080 By Rep. ADOLPH

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.

APPROPRIATIONS.

SB 815, PN 874 By Rep. ADOLPH

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.

APPROPRIATIONS.

SB 816, PN 1081 By Rep. ADOLPH

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.

APPROPRIATIONS.

SB 817, PN 1082 By Rep. ADOLPH

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.

APPROPRIATIONS.

SB 818, PN 877 By Rep. ADOLPH

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.

APPROPRIATIONS.

SB 819, PN 1083 By Rep. ADOLPH

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.

APPROPRIATIONS.

SB 820, PN 1084 By Rep. ADOLPH

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.

APPROPRIATIONS.

SUPPLEMENTAL CALENDAR B

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 1, PN 1132,** entitled:

An Act amending Titles 24 (Education), 51 (Military Affairs) and 71 (State Government) of the Pennsylvania Consolidated Statutes, extensively revising pension provisions: for the Public School Employees' Retirement System, in the areas of preliminary provisions, of membership, contributions and benefits, of School Employee's Defined Contribution Plan and of administration and miscellaneous provisions; for health insurance for retired school employees, in the area of preliminary provisions; for military pensions, in the area of military leave of absence; for boards and offices, in the area of Independent Fiscal Office; for the State Employees' Retirement System, in the areas of preliminary provisions, of membership, credited service, classes of service and eligibility for benefits, of State Employees' Defined Contribution Plan, of contributions, of benefits and of administration, funds, accounts, general provisions; and providing, as to the revisions, for construction and administration, for applicability, for funding, for liability, for State Employee member statements and for State Employees Retirement Board obligations.

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

On the bill, Representative Warren Kampf is recognized.

Mr. KAMPF. Thank you, Mr. Speaker.

The SPEAKER. Sir, please suspend.

Members, if you will please take your seats. All members, please take your seats. All members, please take your seats.

On SB 1, Representative Warren Kampf.

Mr. KAMPF. Thank you, Mr. Speaker.

Members, with respect to SB 1, I do not think it can be gainsaid here in this room that we certainly have some significant issues with our current public pension system, SERS (State Employees' Retirement System) and PSERS (Public School Employees' Retirement System). The unfunded liabilities combined, even using conservative numbers, are north of $50 billion, and none of us are strangers to the impact that that has on the services that the State government can provide and the services that our school districts can provide, because they owe about half of that liability along with us.

It is causing massive problems for budgeting. It has for several years, and it is going to continue to do so, not just here in these halls, but also in our school districts. It is having an impact on our taxpayers, and I think with current projections, that situation is only going to intensify. So if you want any sort of change to such a system, then you have to look at bills like SB 1 and say, "Do they provide pension reform?"

SB 1 came over from the Senate, and in my mind, it is a bill that is full of good pension reform. But before I get to precisely what is in it, let me say this. I have heard a lot over the last few days and certainly read a lot in the newspaper about the need for compromise in the State Capitol, the need to work across the aisle, to work with multiple interest groups. And from where I sit, SB 1, that has come out of our State Government Committee and is now here for final consideration for us, is all about compromise.

So any of you who are looking for simply that, the notion that people who want pension reform can listen and can change legislation or craft legislation to reflect compromise, SB 1 is such a bill. Now, why do I say that? I believe, and I have a bill on this calendar, HB 727, that we should go for future hires to a straight defined contribution plan. I mean, in my mind, imagine that, the State government, the school districts would actually have what just about every other employer in the United States of America has for its employees. I think that is a good reform and a necessary reform, but there are people who oppose that in this House, in this Capitol, and elsewhere, and so that is not in SB 1. The drafters of SB 1 recognized that that would be an issue, that would be a problem, and so there is what is called a hybrid, or a half-and-half. There is half a defined benefit plan – that is the cash balance piece – and there is half a defined contribution plan, or a 401(k)-type plan, in it. So for future hires of the State and school districts, SB 1, the bill that you are considering, is a piece of compromise.

Now then, with respect to the subject of current employees, there are really only three ways that you can attack a massive unfunded liability and costs like we have in our current system: you can raise taxes; you can cut services elsewhere to fund the pension; or you can affect current benefits. This bill, SB 1, when it came out of the Senate 28-19, had very significant changes for our current complement of employees at the State and school district level. In the State Government Committee in the House, those significant changes for current employees were significantly reduced. There was lots of talk about the need with respect to our uniformed officers, State Police, the F.O.P. (Fraternal Order of Police) members, and our corrections officers, that they have a different sort of job, different kind of dynamic for retirement and disability and they should be removed from SB 1 and kept in the existing plan. The State Government Committee here in our House removed those employees from SB 1 as it came over, so their benefit is preserved, unlike what the original bill was. That is fully 20,000 employees of our roughly 80,000 complement of State workers – a very significant compromise and reduction in the scope of SB 1.

In addition to that, in SB 1 as it came over there was an increase in the contribution rate for all employees, unless they wanted to reduce their multiplier for future hires or for future days of service, you know, the multiplier that goes into the benefit calculation. That would have saved the taxpayer in this system some $9 billion over the projection period. The State Government Committee of the House, however, removed that entire change, so there is not a contribution rate increase here. There is not a multiplier reduction here as this bill is before you on third consideration.

So for those two I think very significant points about changes with respect to current hires and the hybrid plan for future hires, this bill is all about compromise, and it can be voted for on that I think in good conscience.

In the end, this is a very good bill. It saves $10 billion, despite the removal of those reforms that were in the bill to begin with. It saves the taxpayer and the systems, over the projection period, more than $10 billion. Anybody who has an opportunity to vote on something that will save the taxpayer $10 billion I think really does have a good opportunity and you should consider it for that.

I am going to just finish by calling up a couple of items that my friend from Schuylkill County came up with as sort of the markers for what good pension reform is. He said that you should shift at least some of the investment risk away from the Commonwealth and the school districts and the taxpayers – shift some of that investment risk away – deliver competitive benefits to new hires, protect the benefits earned by current employees and retirees, responsibly meet our obligations to the retirement system, help ensure that the unfunded liability does not grow, and safeguard the Commonwealth's credit rating.

SB 1 shifts some of the risk by going to a defined contribution plan, where the taxpayer is putting in an amount each year but is not getting a bill 30 years hence because of some mistakes that are made in the State Capitol for a much higher amount. It shifts some of the investment risk away from the Commonwealth, away from the taxpayer, away from the school districts. It does deliver competitive benefits for future hires and for current employees to our employment complement and those who would work for us in the school districts.

It protects the benefits earned by current employees and retirees. It meets our obligation to the retirement systems. There are no additional collars in this bill. There is no front-loading of savings, no gimmickry in order to avoid our obligation as it currently stands in existing law. And not only does it help ensure that the unfunded liability will not grow, it actually

reduces the overall cost of the system, as I said, by $10 billion.

And finally, does it proactively safeguard the Commonwealth's credit rating? Well, under the current system and our current funding cycle, we have been getting bad grades on that. By shifting to a defined contribution plan in part, by reducing the cost, adding savings to our current liabilities, we are going to let the credit ratings take notice. They will take notice, the credit agencies. They will take notice.

So when it comes to those six points that the good gentleman from Schuylkill County wisely came up with, I think SB 1 meets those and is therefore worthy of your support.

Thank you, Mr. Speaker.

The SPEAKER. Representative Markosek.

Mr. MARKOSEK. Thank you, Mr. Speaker.

Mr. Speaker, I am at a complete loss to figure out why the majority party has tied passage of this bill to the State budget. This bill has no impact on the 2015-2016 proposed budget. This bill does not reduce next year's required pension payment for the State or school districts, not even by one penny. This bill will not help to close the budget gap. The majority party's budget plan that is headed to the Governor's desk does not even rely on any of the savings from this bill. This plan also does not pay off the debt any sooner, the pension debt, any sooner than our current payment schedule under Act 120 that we passed about 5 years ago. Let me repeat that, just so we are clear: This plan does not pay off the debt any sooner than our current plan. The debt is the real issue with pension systems, and SB 1 fails to even address it.

This pension plan is a classic case of bait and switch, erroneously, erroneously sold to the public as a plan that will fix the State's budget and debt problems. I encourage everyone to take a look behind the curtain, and you remember the Wizard of Oz back there. He would tell you that fixing the pension with this bill is simply not the case.

This proposal involves brutal cuts to retirement benefits for thousands of workers for no good reason, for no good reason. When you look at the details from the actuarial analysis, you will see that despite the bill's long-term savings – and by long-term, I mean well into the future – there are $25 billion worth of hidden costs, $25 billion worth of hidden costs associated with putting in place a 401(k)-style defined contribution plan.

Let me talk a little bit about those costs, and I would refer you to the fiscal note prepared by the Republican House Appropriations Committee staff. "There will be costs incurred by" the State Employees' Retirement System and the Public School Employees' Retirement System, "SERS and PSERS for the implementation of the new pension plans…. Both systems will need to secure additional legal counsel and consulting services to make system changes on a very short timeline. SERS estimates start-up costs to be $11,539,000 and annualized costs to be $3,594,000" annually. "PSERS estimates start-up costs to be $7,095,000. Second year costs for PSERS are estimated to be $5,262,000." I keep hearing supporters claim that we need to shift the risk from the employer to employees. If we pass this bill, we are shifting the risk to the taxpayers, because in the end, this bill will put an even bigger strain on our social safety net programs.

I serve on the board of PSERS, and with that appointment comes a fiduciary duty, and I cannot in good conscience vote for this plan. When it comes to our retirement systems, we first, first need to do no harm. We first need to do no harm. I strongly encourage members to vote "no" on SB 1. It is harmful to current and active employees, other stakeholders, and most of all, as I mentioned, to our taxpayers.

This is another example and yet another example of kicking the can down the road, not solving the problem. And again, our mantra here before we even consider this is to do no harm, and yet SB 1 does a lot of harm to taxpayers, employees, stakeholders, and the people of Pennsylvania.

Mr. Speaker, I ask all the members to please vote "no" on SB 1. Thank you.

The SPEAKER. Thank you, sir.

Representative Mike Tobash.

Mr. TOBASH. Thank you, Mr. Speaker.

We have spent an awful lot of time talking about pensions over the last few days, over the last few weeks, months, over the last few years, and no one denies that it is a problem. So why have we not done anything? Well, there are two reasons to take action. The impetus, the motivation, the passing of legislation for reform for positive change for this Commonwealth, you can do it either because of the emotion and outrage, or we can do it because we are managing by the numbers, and I like the numbers.

I want to talk about the numbers, the common sense, the rationale for passing SB 1. It is bad. It is so bad that I am relatively sure that at some point in time it is going to get better, because at this point in time, with these budgets that we are going through, it is unsustainable. And here is how bad it is. We talk about education funding in this chamber all the time. We talk about underfunding since the loss of Federal stimulus money in the 2011 budget, and we talk about restoring cuts. Now, to be fair, we really talk about restoring Federal cuts with Pennsylvania tax dollars, so we lose $1 billion of Federal stimulus money and we want to make it up. It is not that easy just to make up $1 billion. One billion dollars is a thousand million, and you do not just snap your fingers and make up $1 billion.

But here is what makes it so much more difficult. In 2010 our State payment to the pension systems was $536 million. In 2011 that payment went to $762 million, an increase of $225 million in that year; 2012, the payment rose another $330 million. And in 2013 the total payment was $1.5 billion; 2014, another $400 million.

In this year's budget we will be spending over $1.8 billion more tax dollars than we did in 2010 on pension costs, but we are not finished. In fact, we are certain that before it gets better it is going to get worse. If we stay on track in the next 2 years, the costs will be another $690 million. So we lose $1 billion in Federal stimulus money that was going to education, and we do what we heard time and time again from almost every group, and that is, "Don't kick the can down the road. Pay what you have promised." And we will pay what we have promised, to the tune of $2 1/2 billion more than we were paying 5 years ago. Those are the numbers.

Now, here is the outrage. Students: we have larger class sizes. Teachers: we have less teachers. Education: we have eliminated curriculum that is applicable to what students will be doing in their futures. You know, we start talking, then we start screaming about education around here and we almost come to fisticuffs. And the question becomes, what do we do? And today we have an opportunity to do something. We do not do nothing. Can anybody in this chamber in good conscience vote against reform in a system that is crushing education in the

Commonwealth of Pennsylvania? Do we prolong contentious, controversial, and painful budgets? Do we sit back and watch while one-third or more of our school districts get exceptions to raise property taxes higher and higher? I know what property tax payers say: "No way. No thanks." Some say, "I can't possibly afford it," and many cannot.

It is only going to start getting better when we manage by the numbers and we do what is right for everyone in the Commonwealth of Pennsylvania. It is simple. You have a huge debt. You need to take action. We have got the fiscal note now; it is hot off the press. It estimates that this SB 1 will save taxpayers of the Commonwealth more than $10 billion. We do not get an opportunity to vote for a $10 billion tax saving every day, and we need to do it here now.

The principles are simple. SB 1 lowers costs. It starts to shift the risk of this ever happening again out of the hands of this legislature, because government has proven that it cannot handle it. It puts us in a position to pay what we owe. It provides future employees with a great benefit, one that will be difficult to find in the private sector. You talk about attracting and hiring and keeping great employees, but under our current plan you are forcing them to put between 6 and 8 percent of their salaries into a plan that is $55 billion in debt. Give them a break. Pay them at least some of their benefits at the time that they earn it. Our promise to pay them 30 years from now is a joke. Just take a look at our track record.

These are the numbers. There is a $3 1/2 billion swing between loss of stimulus money and this pension crisis, and here is the outrage. That money should be going to education. It should be going to law enforcement and public safety. It should be going to our most vulnerable citizens or back in the pockets of our taxpayers.

Vote to get out of this mess sooner. Vote to make positive change, positive reform, that will help to save the future of this Commonwealth. Please, I urge you, vote "yes" to SB 1.

The SPEAKER. Representative Kortz.

Mr. KORTZ. Thank you, Mr. Speaker.

Mr. Speaker, SB 1, as has been stated previously, will not save any money this year and it will not help our budget. What SB 1 is, Mr. Speaker, is an attack on the working-class folks in this State. It is an attack on our State employees. It is a bill that will rip off the hardworking folks of their hard-earned pensions, folks who have worked 20, 30, 40, and in some cases, 50 years. I have a teacher that is just retiring after 50 years, Mr. Speaker. It was crafted by the Republican Party leadership so that the State can back out of their mandatory payments that they have reneged on for many years under both parties. And contrary to the notion that the State Police and other law enforcement personnel, their pensions will be exempted and protected, well, I have news for those folks. You are being hoodwinked, because as people in the defined benefit plan retire and there are less and less people in that plan putting less and less money, as that dwindles down, it will eventually run out of funds. It will be short. It will be bankrupt at some point, and the law enforcement personnel will be in the same boat and you will lose a good bit of your pension. You will get pennies on the dollar. You are not being protected. SB 1 just delays law enforcement's eventual pension demise.

Mr. Speaker, the answer to the pension crisis is not SB 1. Act 120 that was put in with a huge bipartisan support – 41 Senate "yes" votes out of 50; 192 House votes out of 203 – that was huge. What that did was put 60,000 new people, or 16 percent of our State workforce, in a reduced-benefit tier. Already, that is where we are. It cut retirement benefits by $33 billion and reduced the employer expense of over 60 percent. It deferred $30 billion in employer payments through predictable, stepped employer contributions that increase over time, and moderates the rate spike.

The unfunded liability can be addressed further, sir, through Governor Wolf's plan, which is not even being considered by the Republican leadership. Mr. Speaker, State employees have always made their pension contributions. It comes right out of their paycheck. The employer, i.e. the State and the school districts, have not kept up their payments, and this started with the State in 2001 under Governor Ridge and it has continued under both parties. Mr. Speaker, SB 1 penalizes the employees who have always kept their end of the bargain.

Mr. Speaker, I would request that all my colleagues pay close attention to how SB 1 hurts women. SB 1 can hurt women who want to start a family. Women employees who are currently in the defined benefit plan, who wish to start a family, can be negatively impacted by SB 1, and here is how. If she is currently in the defined benefit plan and she takes maternity leave, when she returns to work she can be put in a defined contribution plan if her leave was not formally approved by her supervisor. The same thing can happen to current employees, male and female, who take advantage of the Family Medical Leave Act. If their leave is not formally approved by their supervisor, they will be switched unilaterally in the defined contribution plan.

Mr. Speaker, this is discrimination. This is not fair. It is absolutely wrong. So I say to the other side of the aisle, choose life. Be on the side of families and vote "no" to SB 1.

Thank you, Mr. Speaker.

The SPEAKER. Representative Mary Jo Daley.

Ms. DALEY. Thank you, Mr. Speaker.

Mr. Speaker, I rise in opposition to SB 1. This bill would do away with reliable defined benefit pension systems that have existed in the Commonwealth of Pennsylvania for nearly a century – PSERS since 1917 and SERS since 1923.

Mr. Speaker, these are not flawed systems but are actually deferred compensation plans that have provided retirement security for millions of Pennsylvanians who mostly spend their retirement dollars here in Pennsylvania. These retirement dollars add to our economy and ensure that, together with Social Security, former State employees can retire comfortably. These defined benefit pension plans provide a fundamental value to this Commonwealth.

The reason that we are even debating pension reform is due in large part to decisions made by the General Assembly. Overgenerous benefits enjoyed by pre-Act 120 employees, along with the failure to make the annual employer payment starting back in 2003, weakened the system so that the inevitable financial crisis created the unfunded liability that exists today.

Act 120 passed with 41 votes in the Senate and 192 votes in the House in 2010. It was the right way to go. Retirement experts lauded Pennsylvania for moving the pension systems in the right direction and have cautioned legislators to let Act 120 work.

So I am here speaking in opposition to SB 1, and so here are just a few more reasons. SB 1 is complicated, far-reaching, and a potentially unconstitutional plan to overhaul the State's pension systems. SB 1 does not save money to help address the

budget deficit. There were statements that this bill saves $10 billion, but that is over 35 years, 35 years. SB 1 does not pay off the unfunded liability debt any faster than Act 120. SB 1 further endangers the retirement security for future school and State employees by cutting benefits by 70 percent. SB 1 does not address unintended consequences of further weakening the pension systems and requiring further fixes.

The impact on future female employees will be far greater than it will on future male employees. SB 1 will affect future teachers, school nurses, school secretaries, legislative assistants, district office staff, social workers, and a lot of other jobs that are most typically held by women.

On the other hand, the amended bill would exempt sworn police officers; enforcement officers; wildlife conservation officers; Delaware River Port Authority policemen; park rangers; Capitol Police officers; campus police officers employed by State-owned educational institutions, community colleges, or Penn State; and the police officers employed by Fort Indiantown Gap or other designated Commonwealth military installations or facilities, as well as corrections officers. These are jobs most typically filled by men.

It has been well documented that women are paid less than men, often live longer, and so are impacted in a far greater way than men by the changes in SB 1.

SB 1 does not have bipartisan support and was ramrodded through the House State Government Committee, which did not allow a full discussion or adequate time to review an 11-page amendment on a 410-page bill. Discussion was cut off prematurely during that committee meeting, conceivably because of time constraints, when there were still about 90 minutes available. As a member of that committee, my conclusion was that my questions as a duly elected Representative of the 148th District in Montgomery County were just really not that important to the majority members of the committee.

In closing, I cannot, in good conscience, vote for this pension plan. If it was really full of good pension reform, it would not be breaking down so completely along party lines. When it comes to our retirement systems, I agree with Chairman Markosek. We first need to do no harm.

I strongly encourage a "no" vote on SB 1. Thank you, Mr. Speaker.

The SPEAKER. Representative Mike Sturla.

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, we have heard a lot about what got us here, and certainly there is enough blame to go around for years of underfunding the pension system in the State of Pennsylvania. But back in 2010 Act 120 passed, and since that time the employees that have been employed by the State that are under the post-Act 120 portion of the retirement system, that portion of the system is fully funded. That portion of the system is costing us 3 percent of payroll, which when I talk to anybody in the private sector says, can you get me a deal like that, too, because it is great, 3 percent of the cost of payroll? Twenty percent of State employees are currently under that revised plan. We are moving in the right direction. Within 5 years we have put 20 percent of the employees under that plan. Part of the crisis that I see happening is that some people know that if we get to a point where 40 percent are under that plan and it is still working, there is going to be no hue and cry to go to a 401(k)-type system.

Mr. Speaker, in 2010, with Act 120, we set out a formula for making payments to reduce the unfunded liability, and at the time, for those of you that were not here, we said we would actually wait a couple years and give a Governor, whomever it might be, the opportunity to get their sea legs with a budget, and then we could move forward with starting to make those payments. We told school districts, understand that in 2013 you are going to start having increased payments. Start putting money away. We encouraged them to amass reserves. And then we got a new Governor, and along with the legislature, he cut taxes, laid off 20,000 teachers, many of whom took an early retirement. We then told school districts, oh, by the way; those reserves we told you to hold, use those for school payments, not for retirement payments, because we are not going to fund you – not this year, not next year, not the year after that and not the year after that. Even as recently as last week we had members stand on the floor and say the school districts are holding reserves. How dare they? But this bill does nothing to reduce the liability for those school districts that are holding reserves to make a pension payment. Those pension payments, as it was pointed out, are still there this year, next year, and into the foreseeable future.

Mr. Speaker, I have heard people say, well, you know, it is okay for the private sector. Why is it not okay for the State? There is a big difference. In the private sector, if their pension system goes belly-up, the Federal government comes in and bails out the pensioneers. The State supplies benefits, food stamps, and welfare benefits if that person becomes destitute as a result of the fact that their pension failed them. The difference is, with the State the Feds do not back us up, and if we go to a 401(k) system and it fails, the employees of the State, which are one in six households affected, one in six households in the entire State of Pennsylvania, one in six households in every one of your districts is affected by this pension system, and in the future if we go to a 401(k) system, as is proposed here, and those 401(k)s fail, those people do not go to the Feds and say, hey, help us out. They come back to the State and say, hey, help us out. So why would you invest in a State System that, in some cases, almost guarantees that people will be in poverty even with a State pension, and then say, oh, and when you are in poverty with your State pension, we will actually back you up with other State programs, then we will call it welfare, then we will call it something else, but at least it will not be your pension.

Mr. Speaker, analysis from the National Association of State Retirement Administrators shows that pre Act 120, pension benefits to State employees who have retired is about 75 percent of what they were earning when they were gainfully employed. Mr. Speaker, I had a private sector come visit several legislators from our county, and they said, you know, you do not need to have somebody retiring with 100 percent of what they earned when they were working. Seventy percent is considered a rational number. Well, pre Act 120, we are at 75 percent. Post Act 120, the projected retirement benefit is going to be 60 percent of what those people earned when they were working. The average hybrid plan does about 30 percent. SB 1 for SERS and PSERS is estimated to provide 10 percent of what the person was making when they were actively employed – 10 percent, hardly a retirement benefit. In most cases, their Social Security benefit will exceed that payment.

Mr. Speaker, in other States that have tried doing a similar scheme to SB 1 – Alaska, Michigan, West Virginia – they made those switches and there were case studies done on them. The report said that they shifted retirement plans from defined benefit pension plans to defined contribution individual accounts and they experienced higher costs in all three States – not savings, higher costs. Moreover, the current financial data indicates that the defined benefit to defined contribution switch in fact worsened the pension underfunding issues.

Mr. Speaker, we heard that PERC (Public Employee Retirement Commission) gave us a fiscal note that said this was going to save $10 billion over the next 35 years. What those speakers failed to point out is that that fiscal note did not include a projected spike in retirement as a result of the switch from going from a defined benefit to a defined contribution plan.

Mr. Speaker, on the same day that the House State Government Committee held a hearing on SB 1, the House Democratic Policy Committee, in conjunction with the House Democratic Appropriations Committee, held a hearing on pensions in general, and we actually allowed national experts who were denied the ability to speak at that State Government Committee to speak at our hearing. You can actually view that, if you would like to, at www.pahouse.com/policycommittee and you can see what national experts have to say about what happens when these plans switch. In every State where something similar to this has happened, there has been a spike in retirement, and consequently, a spike in the unfunded liability. The PERC fiscal note does not recognize a spike at all.

Mr. Speaker, we were told this would help our credit ratings. In fact, despite where our liability goes up, with no ability to have a dedicated funding stream decreases our credit ratings. Mr. Speaker, at that same hearing we heard that should SB 1 become law, Pennsylvania would have the worst State pension system in the nation.

Mr. Speaker, we heard that this shifts liability away from the State. Mr. Speaker, in a democracy the State is the people, and so what this does is says that collectively as a State we do not want responsibility for ensuring that our retirees are not put at risk. We want that to be placed on individuals.

Mr. Speaker, it was pointed out that this disproportionately affects women. Currently 73 percent of employees participating in PSERS are women, 43 percent in SERS, but we have carved out police and prison guards and other male-dominated professions. This will disproportionately adversely affect women.

Mr. Speaker, moving to a defined contribution plan means that there will not be new entrants into the existing defined benefit plan. This will increase cash-flow requirements for investments to the plan because you have to pay it off and there is no one else paying in. Fluctuations will be more acutely felt with diminishing populations, and that is what happened in other States. Some of them when they switched from a defined benefit to a defined contribution plan even had plans that were 100 percent funded that now have large unfunded liabilities.

Mr. Speaker, this also does not treat people in this system in the same manner. Some elected officials upon reelection have to get switched over to the new defined contribution plan, but, for example, judges that sit for retention elections do not.

Mr. Speaker, the National Institute on Retirement Security study said that every dollar contributed to State and local pensions returns $9.46 to the State's economy, and with one in six families in this State being involved with a State pension, that is a huge impact. Investment in Commonwealth pension plans returns $10.5 billion in economic output to the State every year. According to the Keystone Research Center, the current median annual pension for Pennsylvania public-sector retirees is between twenty-two and twenty-seven thousand dollars a year. Mr. Speaker, that ensures that they are not living on public assistance, but it is by no means a get-rich-quick scheme for retirement.

Mr. Speaker, currently approximately one in five public retirees in Pennsylvania receives less than $1,000 per month, all of which gets spent on goods and services in the State of Pennsylvania.

Mr. Speaker, finally, one of the things that we heard from one of those national experts that testified at our hearing that was not allowed to testify at the State Government Committee meeting said, here is a number you need to know: $18,433. That is the median amount in a 401(k) savings account in the United States. Now, Mr. Speaker, that is not $18,433 payout per year. That is $18,433 total value of the entire IRA (individual retirement account) – 401(k); excuse me. Almost 40 percent of employees have less than $10,000 in a 401(k) account.

Mr. Speaker, what this has done has said that if you are wealthy and you have excess dollars that you can put in a 401(k) account over and above what is normally contributed, you can actually retire, but if you happen to be somebody like the majority of State employees that is working somewhere around the statewide average and only contributing what is required into that pension account because that is what is suggested, that you will essentially have to work until you die.

Mr. Speaker, SB 1 is a bad excuse for poor management. I urge a "no" vote. Thank you, Mr. Speaker.

The SPEAKER. Representative McCarter.

Mr. McCARTER. Thank you, Mr. Speaker.

It is interesting to listen to the debate today and see the great divide that exists over the issue of responsibility for pensions. What has driven the two sides, the two parties into such strident positions on an issue of pensions for public-sector workers? And it is a fascinating question, and being a history teacher, maybe a short history of pensions might help us to understand a few main elements.

Pensions are not really new. In fact, pensions for military personnel date back to Roman times, with the use of pensions to grant legionnaires post-service income – and I stress "income." Many other societies have paid our sailors and soldiers, including the Colonial Army and Navy during the Revolutionary War.

Mr. Speaker, in more recent times public-sector pensions were begun in the late 19th century and private-sector pensions in the early 20th century. Private-sector pensions peaked in the United States at about 48 percent of workers in 1980 and have been dropping ever since. Public-sector pensions have remained fairly constant over the last 50 years. In all cases, these were defined benefit pensions until the early 1990s when the concept of defined contributions began with the advent of 401(k) plans, and these plans became more popular for companies in the private sector trying to pass more responsibility of pension liability to employees.

With the economic collapse of 2008, the move to 401(k) defined contribution plans was greatly accelerated as both the private sector, and in some cases, States and local municipalities strained by reduced revenue have considered 401(k)-style plans.

Now, please remember that the 401 plans, 401(k) plans were originally developed in 1978 and approved by the Federal government. They were introduced to supplement defined benefit pension plans, not to replace them.

Mr. Speaker, it is important to remember this history, because SB 1 is being presented to us as a bill to save us from the destruction of our current pension plans, but in reality, this is not the case. This is far more ideological. We do not have a benefit problem. We have a debt problem. The unfunded liability comes from the issue of past debt, and that debt accumulated in large part because of poor market performance during the years of the economic collapse and the lack of the State contributions. And to fix the issue of that past debt, we are mortgaging the retirement security of thousands of employees across the State. This bill, SB 1, does nothing, nothing to eliminate that debt. That debt will still be there. The workers of Pennsylvania, the public-sector workers of Pennsylvania have paid into the system every week, every month, every year. They have made their contributions. The State has not, in all cases.

What we have in SB 1 is an attempt to permanently reduce the State's responsibility for the pensions of public employees, to take away that liability on the State. We hear we can no longer afford the cost of these pensions, and yet these pensions average only $25,000 and now are to be replaced under this measure by a plan that would see future retirees receive up to 70 percent less on average, or about $7500. That, Mr. Speaker, would be about $625 per month after 30 years of service or, even if you want to calculate it out, roughly $150 per week.

The supposed savings that the bill creates is estimated to be about $10 billion over 30, 35, or 38 years, depending upon which system we are looking at, and these could be achieved in other ways. For instance, an increase in the personal income tax of one-sixth of 1 percent. Let me repeat, one-sixth of 1 percent would raise the same amount of money to keep the system fully funded as to where we are spread out over those 38 years – one-sixth of 1 percent. Think about that. So picture 38 years from now when people retire under this new system with that 70-percent reduced pension benefit, 70 percent less than everybody in this chamber will receive. Picture the loss of the $17 billion to the Pennsylvania economy that happens each year, $17 billion in loss that is pumped into that system of our economy in Pennsylvania. How do we make up that loss, Mr. Speaker?

Mr. Speaker, as we have heard, SB 1 was fast-tracked and rammed through the Senate and also through the House State Government Committee, giving members of the committee inadequate time to ask questions, analyze, and debate the key changes. Pension changes this dramatic must be fully vetted and debated and understood so the entire General Assembly, along with the people of Pennsylvania, understands the financial consequences that this bill has for our State and its employees. Quite simply, we are not being given that chance.

And I would say, Mr. Speaker, that like health care, all people deserve to have good pensions in their golden years when they can no longer work productively, when age takes over and makes it so that they cannot be productive. That is why we have had them for over 100 years.

And as you have heard, who does it affect most? Women; women, more vulnerable than others, but the largest bulk of our percentage of people are teachers and in those other fields that we have heard about that have now been away from those fields that have been carved out.

This bill is bad for our workers. Frankly, it is bad for State government and it is bad for Pennsylvania. The only people who gain from this bill, this bad bill, are the investment brokers and investment bankers who stand to gain from the fees paid by public workers handling their 401(k) investments. Workers who have faithfully contributed into the pension fund lose, families lose, pensioners lose, and Pennsylvania's economy loses. Billions lost for workers, billions gained by investment managers. There is something very wrong with this picture.

For these reasons and more, Mr. Speaker, I implore my fellow legislators to vote "no" on SB 1, protect the retirement security of Pennsylvanians, and try to find a way to make sure that all Pennsylvanians have a secure and productive retirement.

Thank you, Mr. Speaker.

The SPEAKER. Yes, sir.

FILMING PERMISSION

The SPEAKER. Members, Chris Knight of the Associated Press will be taking still photos of members during the debate for the next 10 minutes. Chris Knight of the Associated Press will be taking photos of the debate for the next 10 minutes.

ANNOUNCEMENT BY MR. KNOWLES

The SPEAKER. Also, our good friend – I am just going to take a quick break here – Jerry Knowles. Jerry, we are going to recognize you on unanimous consent.

Mr. KNOWLES. Thank you, Mr. Speaker.

Mr. Speaker, I would just like to take a minute to wish my wife, Lorraine, a happy anniversary. Today is our 42d wedding anniversary. I thank her for the sacrifices that she makes so that I can be here with you and do this job.

And I also want to wish many of you in this chamber a happy anniversary, because this is the seventh anniversary that I have spent with you on this very day. Thank you.

Thank you very much, Mr. Speaker.

The SPEAKER. Representative Knowles, congratulations. Clearly when you picked your wedding date, you were not thinking about coming to the General Assembly, were you? Congratulations.

CONSIDERATION OF SB 1 CONTINUED

The SPEAKER. Representative Madeleine Dean.

Mrs. DEAN. Thank you, Mr. Speaker.

My parents used to love to take my brothers and sisters and me to plays and to musicals and to comic operas, and there is one lyric that keeps running through my head from a show they took us to a very long time ago. The comic opera was "H.M.S. *Pinafore*" by Gilbert and Sullivan, and the lyric is this: "Things are seldom what they seem, skim milk masquerades as cream." That is what is going on here today. This is not reform. This is a masquerade. This is a weak, watered-down version of benefits, and that is what we will get in return. While we should be attracting the cream of the crop, instead we will be getting a watered-down version of that and the whole State will pay.

While there is a lot of issue with SB 1, I want to focus on only one area, and that area is our future hires. I want to focus on the human beings who will help us run this State, teach our children, clean our cafeterias. Our State and our schools are

only as good as the people that run them. What kind of people do we want running our government, teaching our children, taking care of our elderly? Future hire benefits under SB 1 will be reduced by 70 percent. For example – let us put some flesh on that statistic – a janitor that we hire in the future, hire to work to clean our schools, who may earn as much as $31,000 a year pre Act 120, after her 35 years of service, she would earn a $26,000 a year pension. As a result of Act 120, she will earn a $21,000 pension. That same janitor hired, if we should pass SB 1, would earn $6,300 a year after 35 years of service, $6,000 a year. Who could hope to live on that?

In truth, what SB 1 does is demands that the future employees we hire pay for our past mistakes. That is simply wrong. That is a masquerade. We legislators know that the good people that make this government work are not doing so because the pay is so great. It is not that. They do it for two main reasons. They do it because they believe in the work, they believe in making a difference in our communities and the future, and because they know that at the end of the road they will have a pension plan that they contributed to, that they earned that has value. SB 1 will strip that value away.

What kind of people will we attract? It does not matter how much you want to help your community if you know at the end of the day and at the end of a career you are not going to be able to have enough money to survive.

It is true we have a pension problem, we have a debt problem. It must be fixed by the people that made these mistakes, by our governing bodies, not on the backs of current and future workers. We talk about this as a solution to the pension problem, but it makes no short-term improvement. We all know that.

In the end, Mr. Speaker, "Things are seldom what they seem, skim milk masquerades as cream." This is not reform. Let us tell the truth. This is skim milk masquerading as reform. I urge a "no" vote.

The SPEAKER. Representative John McGinnis.

Mr. McGINNIS. Thank you, Mr. Speaker.

Mr. Speaker, bipartisanship is alive and well in the Capitol and Pennsylvania taxpayers should be afraid, very afraid.

Republicans bragged in presenting the general appropriations bill that it increased spending, particularly for education. Democrats argued simply that those increases should be larger. And both parties left unmentioned 15 years of unpaid pension bills which have accumulated to over $55 billion of unconstitutional debt.

Let me be blunt, Mr. Speaker. If executives in a corporation deliberately diverted money from their employees' pension fund to other purposes, they would be arrested and sent to jail – and rightly so. We in the General Assembly have been doing exactly that for more than a dozen years, and SB 1 will do little to change that behavior.

SB 1 is silent on the real pension problem. According to the Pew foundation, we are a State that is 49th in funding its pensions. Just the interest on the pension debt is nearly $4 billion a year and growing. That is the equivalent of full salary and benefits for over 50,000 teachers.

As measured by economists, including those at the credit rating agencies who have downgraded the Commonwealth's credit six consecutive times in the past 2 years, the pension debt is over $120 billion. That is nearly $10,000 for every man, woman, and child in the State. Think of that. A family of four who leaves the State immediately receives $40,000 of debt forgiveness, while a family of four who thinks about moving into Pennsylvania would get hit with a $40,000 debt for a service they never received. Which way do you think the migration is going to go? The pension debt is making young people Pennsylvania's number one export.

What does SB 1 do to address 15 years of malfeasance regarding pension underfunding and the impending insolvency of SERS and PSERS? It is 400 pages of complexities, contortions, and carveouts, but it does not have even one sentence that addresses the real problem.

Mr. Speaker, although pensions are a direct cost of government and ought to be paid for out of general funds, perhaps I can offer a suggestion on how to raise some new revenues. Let us pass a gaming law establishing a betting pool on when the next downgrade of Pennsylvania's credit will take place and a megapool on when the assets of SERS and PSERS will be fully depleted. Of course, the pool on the credit downgrades can be ongoing because we are certain to see that streak of infamy continue well into the future.

And I think we should also change the State bird from the ruffed grouse to the ostrich, because regarding the consequences of pension debt, we have our collective head in the sand or someplace worse.

There is an old ditty, Mr. Speaker, there is an old ditty that goes, "Don't tax you. Don't tax me. Tax that man behind the tree." Well, the man behind the tree is our children and children not yet born as we pile up a gigantic growing debt on their shoulders for our own benefit.

One thing you can say about Pennsylvania's government, it does not discriminate. It has robbed the taxpayers of the past, it is robbing the taxpayers of the present, and it has already robbed the taxpayers of the future with this dereliction of debt.

Mr. Speaker, all of us in State government – Governors past and present, Representatives and Senators, Republicans and Democrats – all of us have failed as fiduciaries to the citizens of Pennsylvania and are complicit in divesting the future of this Commonwealth. SB 1 accomplishes little except to distract and deflect this failure.

Mr. Speaker, there is only one essential reform for pension plans like SERS and PSERS that are massively underfunded, and that is simply more funding – much more, and sooner, not later. Unfortunately, SB 1 continues the de facto State policy of intergenerational theft through underfunding our pensions.

Mr. Speaker, we will hear that SB 1 is historic, but the only history we are making is to continue a streak of more than a dozen years of missed pension payments and unconstitutional budgets that were not balanced. We should oppose SB 1 and institute true pension reform by focusing on the catastrophic problem of our unfunded liabilities.

Thank you, Mr. Speaker.

The SPEAKER. Representative Chris Ross.

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

While I have a great deal of sympathy to the idea of generating additional revenues to pay down unfunded liability, I want to focus our attention on what this bill is and what this bill is not. It is not a Tax Code bill.

Now, if we can amongst ourselves come to a conclusion about dedicated revenues to pay down the unfunded liability through infusion of new funds, we should do so, and I would be happy to discuss and support that kind of an effort, but we have to do it in the right bill.

What we have in front of us here is a bill to reform the existing pension systems. And for those that say this offers no help, I would urge you to reread the PERC note, where it explicitly states that we are taking down the $50 billion unfunded liability by $10 billion. That is a substantial effort. For those that say it is somewhere out in the distant future, the PERC note also indicates that as soon as next fiscal year after this, that we are getting $175 million of relief. That is not insignificant, and it is not something that we should just throw aside and ignore.

Now, some have mentioned that they are concerned about the teachers, particularly those who are female who are in the system, and they indicate that this somehow is going to be unfair to them. And there was actually a reference earlier by one of my colleagues, which was somewhat artfully stated, indicating that if the teacher failed to properly notify, they might not be covered under what is known as the footprint rule. So they might not be able to come back in. The rules under PSERS are very simple and very straightforward and very clear that a teacher who leaves and winds up separating because of childbirth and raising a family maintains their footprint. We did nothing to change that. That is the existing system. Those rules continue. They would come back under the existing defined benefit system, pick up their service at that point and continue.

Now, let us talk about someone who would be hired on in a school district in the future. A female who is in the system after the effective date of this bill would wind up gaining, not losing. And we all ought to recognize that we are actually helping the women in the school districts, because under the existing system, if they were to work 9 years and leave, all they would take away from the system was their own contributions. They would get none of the contributions that were being paid in by the employers – the State and the school district. Under the new system, they would retain those and become vested after 3 years under the system. So now they would not only take their own money out but they would also get the money that was being contributed on their behalf, and they would maintain their defined contribution system, which is now portable.

Some have said that we are going to be putting our new employees into the welfare system and they talk about a very, very low amount of pension that an employee would receive. Well, when thinking about retirement benefits, it is rather disingenuous to ignore the amount of money that we contribute into the Social Security system on behalf of employees. The employees need to be thinking about their final salary and what they would finally yield off the system. So they are entitled to their Social Security as well as their pension, and a person who commits their entire career to State service, pension and Social Security together actually equals 80 percent of their salary, combined with some legitimate savings and also some downsizing that is logical. I am looking forward to getting into a smaller house myself quite shortly.

We are going to wind up giving them quite a respectable living. Are we responsible for giving them more than 100 percent of their salary? Do we need to give them a retirement that exceeds their total final salary by giving them a pension that combines with Social Security and gets them to 110 or 120 percent? Do we need to require the taxpayers to allow for spiking on final salary? I do not think so. We should give them a good final salary or final pension, but we do not need to give them more for not working than they currently are getting for working.

In sum, the system that we are proposing here is fair, reasonable, fair to the taxpayers, and transparent. Now, some have said that we should – that Act 120 is working and we should continue to let Act 120 go. I would hardly say that Act 120 is working while we are receiving credit downgrades, and I would hardly say that Act 120 projects to be continuing to work well when we are just one economic downturn away, and it does not have to be as bad as the one we had in 2008 to have a reversal in the investment returns sufficient to increase that unfunded liability all over again.

So let us get ourselves on a more sustainable and sensible track. Let us go ahead and pass SB 1 today.

Thank you very much, Mr. Speaker.

The SPEAKER. Representative Petri.

Mr. PETRI. Thank you, Mr. Speaker.

I know all of us have heard from many of our constituents the last couple days with the form letters and the like. I want to thank all of those constituents who have written to us, because it is important for us to talk and communicate with our constituents, even when we do not agree with the basic premise.

Based upon the letters that I have received, I am not so sure that most of the individuals that have contacted me are aware that SB 1 that is before us is substantially different than when it left the Senate in a number of respects. Some, in my opinion, good; some, in my opinion, not as good. For instance, we all know that law enforcement has been eliminated and so have corrections officers. I believe those are good provisions in that our law enforcement has certain limits that the rest of us do not have on Social Security earnings and therefore need a retirement. Our corrections officers have early retirement requirements which prohibit them from being able to choose corrections as a career forever.

With respect to the robocalls that we received, I did have a number of communications with constituents, and based upon that, I will share with the chamber their conversations. I heard from a couple retirees. The answer for retirees is simple. This law, SB 1, as originally enacted, and SB 1, as before us, does nothing. It changes nothing. It cannot.

This gentleman said to me, but my daughter is a teacher. She currently works for XYZ school district. SB 1 as amended does nothing to those contributions, to those benefits except option 4, actuarially neutral requirements. For those of us in the chamber, we understand what that means. For those who do not, it is simply an option that Pennsylvanians have, Pennsylvania retirees in SERS and PSERS, that no one else in the country has. We have the ability to take out our cash portion of contributions with interest, and there is supposed to be an actuarial reduction. That has not been neutral in the past, and the savings on that alone are billions. There is not a single person I have heard from that objects to that feature. There is also the increase in the averaging issues; again, something that I do not believe has been objected to by any group, including bargaining units.

The third issue that came up during these conversations is really the crux of today's debate. That is about, will school districts and will the State be able to attract qualified employees? Is this a benefit that is similar to what is in the marketplace? As an attorney for a long time and a managing partner, I can tell you this is still a benefit that is equal if not better to what is available to private individuals. In fact, in fact, it is better than what our Federal employees receive as a benefit.

Let me say that one more time: It is better than what Federal employees receive.

The fourth issue that came up frequently in these conversations is, why did this happen? And the assumption was that it was because the employer, whether it be the State or the school district, did not put in its minimum contribution for a period of years. And the truthful answer to that is, that is 45 percent correct. It is 45 percent correct because that is the percentage of the unfunded liability that is attributable to not paying in contributions. And why did we not do that, we being the collective body? Many of us were not here when those decisions were made, and because the law we had in Pennsylvania was flawed. It said that you could not put in any more money than what the actuaries told us our next level of liability was, but the problem was, we were not measuring liability correctly.

There is a book I would recommend everyone read, "The U.S. Pension Crisis" by Ronald J. Ryan. It talks about both public and private pension issues. It is an excellent read, and one of the previous speakers hit on some of the financial accounting issues that are still existing in this book. This gentleman says, "The pension crisis is the largest financial dilemma this country has faced since the Great Depression. The pension deficits of private and public plans are estimated to exceed $4 trillion as of the end of 2012. If TARP I" (Troubled Asset Relief Program) "was a national emergency at $800 billion – what do we call this? More importantly, we must acknowledge the true cause of this pension crisis: inappropriate accounting rules that mispriced pension assets and liabilities, causing exaggerated funded ratios which led to inappropriate asset allocation, benefit, and contribution decisions...it all links!"

The rest of this problem is as follows: benefit enhancements, $8.6 billion, about 25 percent of the unfunded liability; and then the economy, $10.2 billion, or 29 percent. Now, we, of course, in this chamber all know that because we have been studying this issue until we are blue in the face, and now we are faced with the decision about what we do about this.

Let me tell you what I think the key factor is. It is looking at the number of active employees versus the number of retirees and watching those trends. So those of you at home that think your pensions are safe, take a dose of this. In the State retirement system, there are more retirees currently than active employees. The fund bleeds $1.52 billion per year. What that means is, we are paying out $1 1/2 billion more than we are taking in. Well, you can imagine if you had a bank account, what that would look like. In the next 5 years the trend is about 7200 employees in the State System are expected to retire, which is about a 5.8-percent increase. Not really that bad.

If you turn to the PSERS system, if I were a PSERS employee, active employee, I would be scared about whether my pension is safe. That fund loses $2.252 billion each year, $2.25 billion. Worse yet, in the next 5 years it is projected that 40,391 new retirees, or an additional 18.9 percent, will retire causing the outflow of money to accelerate.

What we have to do is shore up the fund, and one of the points that Mr. Ryan makes in his book is very clear, and that is simply this, that public-sector pensions and private-sector pensions have to shore up the liability aspect of the equation. It has to be ascertainable. It has to be at a low or moderate rate so that these obligations can be paid, and that is what SB 1 does. It sets forth a reliable, calculable, ascertainable number of which the employer can make contributions and the employee can plan, remembering that we have not done anything to impact existing employees. But let me add one cautionary note: As previous speakers have indicated, that alone, along with the previous reforms that have been made, will not be enough. We still need to deal with some of the liability issues in these funds, the administrative costs, and the accounting rules.

Mr. Speaker, I know it is never easy to face constituents when we are changing the landscape, but given the fact that we are only changing the landscape as to new employees who can decide to take the job or not take the job based upon other market conditions, this is not a bad next step.

I would encourage you to support SB 1 as amended. Thank you.

The SPEAKER. Representative Bryan Cutler.

Mr. CUTLER. Thank you, Mr. Speaker.

Mr. Speaker, I would like to correct some of the misinformation that has been offered previously, because I think it is important to talk about what this bill does and does not do.

There were a lot of allegations that Act 120 is working and that we should give it more time to work. I assure you the residents in the 100th District that are impacted by the rising property taxes do not believe that Act 120 is working. When you look at these numbers, and I believe it is very instructive for us to do so, we have increased the SERS general fund payments from the years 2013-14 to $933.8 million, to $1.233 billion in '14-'15, and $1.5 billion this upcoming year. You mirror that with the PSERS system of $1.086 billion in '13-'14, $1.382 billion in '14-'15, and $1.7 billion this year. Mr. Speaker, that is an increase from $2 billion out of a $28.4 billion budget the entire way up to $3.2394 billion out of a $30 billion budget. This portion of our budget continues to grow – 3 short years ago it was 7 percent; this year it will nearly be 11 percent. When you look at the overall education funding that we provide at the State level of over $10 billion, $1.7 billion of that goes to fund the pension payments.

The primary reason why some folks claim that Act 120 works was because of the collars; however, those collars had a substantial cost. In fact, when you total up the cost in SERS and PSERS, you are looking at over $30 billion in costs, which is nothing more than pushing the payment ahead for my children and yours and children yet to be born to pay the bill.

In my opinion, what we really have is a math problem. We have a formula that does not work and is not sustainable. If you look back to 2006, we had 102,000 people retire from the SERS system. In 8 short years we have increased that by nearly 20 percent up to 122,000. The gentleman from Bucks correctly pointed out that the outflows are quickly outpacing the inflows, and most importantly, outpacing the ability to raise that money because we are losing principle in the system.

Mr. Speaker, I would compare this to an individual who has a lot of credit card debt. We have nearly $50 billion in credit card debt, and there are really two options today. One is we can move them to another card through collars and artificial means, or we could make some substantive changes to the current system, stop digging the hole that we have created and move forward, and most importantly, cut up the card to make sure that it does not happen again.

We have heard a lot of talk about the legislative malpractice that has occurred in this General Assembly over the years, and you are correct: there is plenty of blame to go around on both sides, in all parties. But the reality is, we have an obligation to

make sure that these funds are solvent. Mr. Speaker, the General Assembly may enact legislation that changes the terms of the retirement benefits to enhance actuarial soundness of the retirement funds. This is persistent through all the case law.

Mr. Speaker, when you look at the *Harvey* case, and quoting directly from the case, it says, "The legislature may from time to time, within the confines of that established relation, alter, change, amend, and render intact the actuarial soundness of the system so as to strengthen its fibers in any way it sees fit. *Changes and details, such as length of service required, contributions needed, and age requirements, to keep the fund on sound actuarial practices, are essential.*" Further down in the same opinion it says, "A moment's reflection will indicate that all members of a retirement system – whether actually receiving pension payments," – those currently retired – "eligible to receive payments, or in the process of completing the requirements necessary to receive them – benefit from the maintenance of an actuarially sound retirement fund."

This was reiterated and quoted again in the *Catania* case, where the judge, writing for the majority said, "Nonetheless, I am unconvinced that a pension plan is absolutely unalterable once a public employee has commenced employment and joined the retirement plan." Quoting from *Allegheny Co.* v. *McGovern*, he says, "Until an employee has earned his retirement pay, or until the time arrives when he may retire, his retirement pay is but an *inchoate right*, but when the conditions are satisfied, at that time retirement pay becomes a *vested right* of which the person entitled thereto cannot be deprived: it has ripened into a full contractual obligation." "Implicitly, at least" – and I think this is important because there is a lot of talk about pensions being a contractual right – "Implicitly, at least, inchoate rights were not held to come under the protection of Art. I, § 17 of the Pennsylvania Constitution."

Mr. Speaker, we have a fiduciary obligation, as the gentleman from the midstate pointed out earlier. I think the first rule is to cut up the credit cards, stop digging the hole, and put our system into a way that we can, one, better manage our liability, and then step two, as many of my colleagues have argued today as a reason to oppose this plan but is really a second step of how we need to fix it, how do you pay that bill, how do you fund that bill, and how do you go forward?

Let us be clear: Without any current changes to the system, the unfunded liability will continue to grow to levels it could render both SERS and PSERS insolvent. The changes being made in SB 1 as amended do not cause a reduction in the amount of pension accrual being earned by members of their respective plans. The employee contribution rates and the benefit accrual rates for current members are not being altered. The addition of the shared risk and shared gain provisions to both the SERS and the PSERS codes enhances the actuarial soundness of the plan and provides a benefit to current members of the system in that if the investment returns are above the actuarially assumed rate of return, employees will directly benefit from a decrease in the employee contribution rate that they are required to pay. These changes are not retroactive and they are merely perspective. No benefits already accrued by the State or school employees will be affected by these necessary changes.

Furthermore, Mr. Speaker, there have been some questions regarding the handling of the police or the F.O.P. under this proposal, and I would highlight several main concerns, particularly with the State Police. The State Police do not participate in the Social Security System, which is a fundamental reason to exclude them, because they need to have a disability payment in the event of injury on the job. And we are on sound legal footing here as well in the *Geary* case, where it says, "As we have just pointed out in Baxter v. City of Philadelphia,…the duties of and interests…protected by police are of a sufficiently distinct character from those of other governmental employees to justify different terms of employment." Mr. Speaker, this is exactly what SB 1 does.

Mr. Speaker, as we look here today, I think it is incumbent upon us to reflect upon the duty that we owe, not just those who are currently in the pension systems but to those who are also taxpayers. Mr. Speaker, the workers who were described earlier as being impacted by changes in the pension system, I can assure you they will be directly impacted if taxes are raised, whether it is the sales tax or the income tax or whatever methodology is used to backfill this hole.

It is clear that the legislative power of the Commonwealth is vested in the General Assembly. It is equally clear that we have the power of the purse in Appropriations. It is our duty to manage effectively, and as I said earlier, we need to stop digging this financial hole. I would encourage a "yes" vote.

The SPEAKER. Representative Evankovich.

Mr. EVANKOVICH. Thank you, Mr. Speaker.

Mr. Speaker, this is a sensitive issue for taxpayers, it is a sensitive issue for employees, and it is a sensitive issue for various special interest groups around our State.

We sit here today debating the merits of a pension reform proposal. For those who support that reform proposal, we talk about fixing a broken system. For those who oppose the reforms of that pension proposal, they cite that the system is not broken, and even if it is, it was not the public-sector employees that broke the system.

Mr. Speaker, there is validity on both sides, and I could not agree more with many of the things that our good colleague from Blair County mentioned earlier.

We would all like to go the distance, we would all like to see every problem in every aspect of everyone's lives resolved as far as we can, but there are certain realities, and the reality is this: We sit here today – and not to just use another analogy – but we sit here today with a pension, a pension plan that takes on water every day, every hour a new public employee enters the system or works. As that plan takes on water, we are left with two options: We can bail water out or we can plug the hole. Mr. Speaker, if we choose to just try to bail the water out, we will sink. If we choose to just plug the hole and not address the unfunded liability – the water that is in the boat – we sink. Mr. Speaker, SB 1 does both of those.

Mr. Speaker, we heard prior speakers talk about private pension plans, about how private pensioners in those plans do not have a tremendous amount of savings. We heard about how the average worker does not have the resources to provide themselves with those pension plans. Well, Mr. Speaker, just so that we understand, by not passing SB 1, we are expecting those same workers who are not able to provide their own pension to pay for the pensions of public-sector employees if we do not fix it with SB 1. We are asking those same private-sector employees to pay more taxes.

We heard that it would just be a small tax increase, a small tax increase to fund the pension plans at the level of which they need to be funded. Mr. Speaker, this is not about employees in the public sector; Mr. Speaker, this is about the taxpayers of

Pennsylvania, the prosperity of the future of our State, and the next generation. We have an opportunity today, we have an opportunity to stand with our constituents, to stand with the people who pay the taxes in Pennsylvania, and say, "Look, we're not going to sit here and mire in the problems of the past; we're going to move forward, we're going to address them, and we are going to make Pennsylvania a more sustainable place for our children and our grandchildren."

Thank you, Mr. Speaker.

The SPEAKER. Representative Cohen.

Mr. COHEN. Thank you, Mr. Speaker.

One of the best ways to convey information sometimes is in the form of a metaphor, but a danger with using metaphors is that sometimes people get confused as to what reality is. A metaphor may help understand reality, but a metaphor is not reality.

A professor of political science wrote a column in the Delaware County Times which compared our debt to a credit card debt – our unfunded liability, rather, with a credit card debt, and she urged that we do a better job in funding the system. The majority party has run away with this metaphor and has started comparing it to a credit card debt without reaching the author's conclusions.

Let us be clear, an unfunded liability is not a debt. Nobody has gone to a bank or anywhere else and borrowed $53 billion. There is no repayment schedule for the $53 billion. There is no debt. Nobody can go file a lawsuit against us tomorrow and demand payment of $53 billion.

What the $53 billion is, is an estimate; it is an estimate by actuaries, it is an estimate meeting professional standards, but it is not the same thing as a debt. It lacks the precision of a debt. If somebody had gone and borrowed $53 billion, we would know we have a $53 billion debt. Nobody has borrowed the money, and therefore, all this is, is an estimate.

There are higher estimates, there are some lower estimates, but $53 billion is the official estimate. It includes assumptions on how long each of us is going to live, something we do not know ourselves. It includes estimates on how the stock market is going to perform over the next 30 years, something that we obviously do not know. It includes estimates as to what the salaries of public employees are going to be over the next 30 years, something we obviously do not know. There are a lot of assumptions in this process, and the one thing that can safely be asserted is that whatever happens, it will not be exactly $53 billion. It could be more than that, it could be less than that, but this is not an exact figure.

Now, despite all that, that it is not an exact figure, we are going on the basis of assuming that we can make reasonable conclusions based on the actuarial assumptions, and if we start looking at the actuarial assumptions closely, we find some rather odd things.

For instance, if we compare the current unfunded liability for the SERS system with the unfunded liability for SB 1 as amended in the State Government Committee – Chairman Metcalfe offered the amendment – we find that the unfunded liability peaks – the unfunded liability under the current law, without any changes in the Senate law – peaks in 2016-2017 at $18.42 billion. Under this amendment, the unfunded liability peaks at $21.01 billion, $2 1/2 billion – $2.6 billion, rather, higher than it would be if we did nothing.

And then you go outward from 2017 on and every single year through 2052, the unfunded liability for the SERS system is higher under the current version of SB 1 than it would be if we did not pass SB 1. Let me repeat that. Every year from 2016-2017 on, the unfunded liability for the SERS system is higher under SB 1 than it is under the existing law.

Now, for PSERS, it is slightly lower – the unfunded liability is slightly lower under SB 1 as amended than it is under existing law. However, you combine the two together and beginning in 2017 and ending in 2045, the unfunded liability is higher. The combined unfunded liability is higher under SB 1 than it is under the existing law. So if we are worried about unfunded liability and we want to reduce unfunded liability, passing this law is a step in the wrong direction, because unfunded liability goes up, not down; it makes the problem worse, not better.

Now, it is not true that there are no victims among current employees. Current employees are hurt by this bill because their pension will be based on their best 5 years instead of their best 3 years. For most people, it is at least slightly higher, the best 5 years instead of the best 3 years. In addition, their ability to withdraw money in a lump-sum payment from the fund is reduced under this legislation, and their security is reduced, because the amount of money that is going to be put into this fund will be reduced. So there will be endless demands for further cuts, because the unfunded liability will be going up and not down.

Now, we have to be precise, as one of the speakers said. I believe it was Mr. Ross who noted this is merely a pension bill; it does not deal with other things that are not directly covered by the scope of this bill.

If you cut future employees' pensions, what do you think is going to happen? I think it is obvious, they are going to demand higher salaries. This assumes that for the next 30-plus years not one penny of additional salaries is going to be added. It assumes that because there is no room in this formula for additional salaries; additional salaries do not come from the pension fund. But in reality, we know this is unlikely. Employers can make demands, employers can negotiate, but there are limits to what you get from negotiations.

Some years ago the School District of Philadelphia thought they were very smart. They negotiated with the Philadelphia Federation of Teachers, and they negotiated a very low starting salary. And you know, they were bragging – I think they got on the front page of the Pennsylvania School Boards Association newsletter for their very low starting salary that they had negotiated. Then after a while, they were forced to return to the negotiating table because the very low starting salary they had negotiated did not encourage people to join the Philadelphia School District. They had huge numbers of vacancies, so they had to renegotiate a much higher starting salary. When we cut the pensions, we are forcing higher salaries.

Now, over the last 20 years in which we have underfunded it, there is one political party that has been in charge of the Senate for all these years and in the House for all but the 4 of the years – and hint, it is not the Democratic Party. But in fairness, this program of the pension fund was started under the Republican Party. There were Republican majorities in the legislature when the pension fund started. There were Republican Governors who signed this into law. And the reason it was supported by Republican Governors and Republican legislatures when it

started was it was seen as a way to reduce salaries. It was seen to be a cost-efficient way to manage the government, to have lower salaries, but give people benefits and higher pensions that would be paid over time.

Now, if we wind up with what will be one of the least generous pension funds in America – somebody came up with a statistic that we would be the second lowest pension fund of any of the 50 States; 48 of the 50 States would have higher pensions than we did – what we are going to demand is higher salaries, and higher salaries will lead to other costs, including costs and additional money for cash balance programs.

This is not a positive step forward. This legislation is a step in the wrong direction. It hurts existing State employees, it hurts future State employees, it drives up wage costs for the State government in the future, it drives up labor strife in the future, and it is not a worthwhile piece of legislation to vote for. I strongly urge a "no" vote on the current version of SB 1.

The SPEAKER. Representative Mark Gillen.

Mr. GILLEN. Thank you, Mr. Speaker.

Before I ask my friend and colleague from Chester County to stand for a word of interrogation, I would like to say that at this stage of the debate, I am honestly somewhat undecided. I think I probably represent a little bit of a rarity in the room. I am being very transparent, very honest; there needs to be change. But the questions that I would like to pose to my colleague from Chester County under interrogation, if he will stand for interrogation, are relative to the unfunded liability in the system.

My distinguished colleague from Blair County well articulated his concerns. To my friend from Chester County, who has been in my office a number of times and we have visited on this subject and we have had telephone conversations, I feel a sense of a little bit of a black hole on this issue with a system that is tens of billions of dollars in arrears, and I would like some amplification on how this is addressed through this particular bill or any subsequent bills. Thank you.

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

Mr. KAMPF. Mr. Speaker, I think I got your question, right? Okay. So the question is, what is this doing about the unfunded liability?

Mr. GILLEN. That is correct—

Mr. KAMPF. Okay.

Mr. GILLEN. —Mr. Speaker.

Mr. KAMPF. So there are a couple of things. First of all, the PERC note indicates $10 billion in savings. What essentially that means is that the bill that we are going to have to pay if we do nothing over the next 30 years is going to be reduced by $10 billion. So, you know, that is a significant amount of money. We still are going to have to put in quite a bit more, but it is a significant amount of money. So in terms of the obligations that the taxpayer has and the unfunded liability as a piece of that, you are talking about $10 billion to the good.

In addition to that, by moving to a hybrid plan that is a 401(k) plan and a cash balance plan where you are only going to guarantee 4 percent, essentially like a bond investment, you are significantly shifting the risk away from the taxpayer; that over the next 30 years, let us say we did not do anything, that unfunded liability grew, and we know it grows because we are now paying 25 percent of payroll and we are on our way to 30 percent next year. So the second point I am trying to make is, with SB 1 over the 30 years, by shifting probably more than half of our payroll to a defined contribution plan, we are definitely doing good for the taxpayers against the risk that some subsequent legislature will do something misguided, the stock market will mess things up, or the economy will mess things up. So in those two senses, I think that the bill does significant things for the unfunded liability and its risks.

And the third thing it does is it does not change the collaring, right? The collaring goes away, I think, next year. So it does not give in to that temptation to try to front-load the savings or just reduce our contributions, like they did in our neighbor and our sister State, New Jersey.

And I would add that we are dealing with the unfunded liability right now. It is causing us lots of problems, but I think all in, between us and the school districts, we are going to put $5 billion into our pension funds this year, an enormous sum of money, and that is partly to deal with the unfunded liability.

Thank you, Mr. Speaker.

Mr. GILLEN. Thank you, Mr. Speaker.

I understand my distinguished colleague had said at the genesis of this debate that reforms were removed, if I am not mistaken, and that the removed elements would have saved $9 billion. Is that correct, Mr. Speaker?

Mr. KAMPF. That is correct. If those reforms had remained in, especially the contribution rate, that would be—

POINT OF ORDER

Mr. DERMODY. Mr. Speaker?

Mr. KAMPF. —on the— I am sorry.

Mr. DERMODY. Mr. Speaker, point of order.

The SPEAKER. Yes, sir.

Mr. DERMODY. I understand it is a long debate and I am fine with that, but I do believe it is clear that the interrogation here, they are asking questions they know the answer to, and if that is the case, it is an improper interrogation.

The SPEAKER. Representative Gillen, the questions that you are posing to Representative Kampf, are these questions that you do not know the answers to?

Mr. GILLEN. I asked relative to the unfunded liability. When the gentleman had made that statement, I wanted to connect the dots between what he indicated was a removal of an element that would have saved $9 billion as it pertains to the unfunded liability, Mr. Speaker.

The SPEAKER. Okay. Sir, you may proceed, but – for everybody here – if you are going to interrogate, it is when you are looking to get clarification on the bill and what its consequences are and you do not know the answer.

Representative Gillen, you may proceed.

Mr. GILLEN. Thank you, Mr. Speaker.

With some clarification that I am needing relative to this bill, how would it influence members of the General Assembly?

Mr. KAMPF. Mr. Speaker, members of the General Assembly for a brief period of time would have some of the same changes that exist in the bill for nonelected officials – you know, the neutral Option 4 and the like, the final average salary and the like. But the bill does say that on reelection, the first reelection, on reelection all members would go into the new plan for future service. So for past service everything is there, booked, and in place, but for future service, they would be in the hybrid plan.

Mr. GILLEN. It is my understanding that given the triggers that you just described, with the last election for some members, they would carry over into the old plan into January of 2019. Is that correct, Mr. Speaker?

Mr. KAMPF. Not to my knowledge.

Mr. GILLEN. It is my understanding that those that would fall into the 2016 election cycle, which would be consummated by swearing in to office in January of 2017, would take out 203 on this side of the building, 25 on the other side; and then those that were running for reelection in 2018, with the constitutional consummation the first Tuesday in January, would have application of this particular bill in 2019. Is that not correct, Mr. Speaker?

Mr. KAMPF. Just a moment, please.

POINT OF ORDER

The SPEAKER. Leader Dermody.

Mr. DERMODY. I would suggest to you that if you are asking leading questions, you know the answer, and it is improper interrogation. If you want to speak on the bill, that is fine, but we do not have to endure an interrogation where you already know all the answers.

The SPEAKER. Representative Cutler, in response, please.

Mr. CUTLER. Mr. Speaker, the gentleman clearly said at the outset that he was currently undecided. I do not believe that the questions are meant to be leading and are truly for gathering additional information prior to his vote.

The SPEAKER. Representative Gillen.

Mr. GILLEN. The makers of the bill and the students of the bill find it necessary to huddle to divine what the actual facts are. Is it not plausible and possible—

The SPEAKER. Representative Gillen, just hold, please.

Mr. GILLEN. Okay.

The SPEAKER. Please suspend.

Representative Gillen, do you have many more questions here?

Mr. GILLEN. I am waiting for certainty of the answer of the last question that I asked, Mr. Speaker.

The SPEAKER. Okay. Representative Kampf, answer this question and then I will follow up after this.

Mr. KAMPF. Yeah. Representative, my understanding of the bill as written is on reelection.

Mr. GILLEN. And so for a class of legislators, that would be January of 2019. Is that in fact accurate?

Mr. KAMPF. My understanding of the bill is that upon reelection, in other words— Let us say it is me, and I happen to be reelected to begin service in – I guess, it would be January 1, '19, right? Because my election would be in '18. Well, no—

Mr. GILLEN. Your election would be in '16.

Mr. KAMPF. Forgive me, in '16.

Mr. GILLEN. The consummation would be in '17.

Mr. KAMPF. In '17 I would go into the new plan.

Mr. GILLEN. Thank you, Mr. Speaker.

On the bill?

The SPEAKER. On the bill, Representative Gillen.

Mr. GILLEN. I am a little concerned about the disparate consequences under this bill, since we appear to be asking those that work in this building and in State government, as well as those that work in schools and cafeterias around the Commonwealth, as well as new hires next year to be prepared for changes. Yet, as it was articulated, I understand that part of the thought process of the designers of the plan was to lead by example.

I have difficulty with the notion of leading by example when the implementation for some who fall under the 2018 reelection cycle, the implementation and the consequences to their pension, their multiplier, and their lump-sum distribution would not consummate until the year 2019.

And so, Mr. Speaker, I think it is fair to expect that we should lead by example, and part of leading by example is putting us under the same set of consequences for those that work for the Commonwealth of Pennsylvania, as well as our school districts, and I find this piece of legislation wanting in the balances when it comes to that level of parity.

I will remain interested in the rest of the discourse. I will remain open to discussion and debate, but I find that a notable shortfall in SB 1.

Thank you, Mr. Speaker.

The SPEAKER. Representative Pashinski.

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

I rise in great apprehension today as we prepare to vote on a huge bill that will literally affect hundreds of thousands of people – millions – over time. The repercussions are enormous, and the fallout is huge. If we make the right decision, we have corrected an issue that needs addressing, and if we make the wrong decision, we will once again find ourselves here, years later, trying to fix it.

If we think about the idea of retirement and we think about the idea of having a retirement plan, just imagine that it goes back to the time when this incredible building was being dedicated in 1906; Teddy Roosevelt – that is how far back – when he stood in the Capitol dome and said, "This is the handsomest building I…" have ever seen. A mere 11 years later, the retirement system was devised here in Harrisburg, Pennsylvania, in 1917. That defined idea was there as a way so that we could preserve the dignity of people in their twilight of life when they can no longer work. Instead of living in squalor and poverty, a qualified retirement plan was a legitimate and human way in which we could prepare ourselves for our last days.

This plan, as stated to earlier, we heard chapter and verse about this legislature having the ability to change it when necessary. It is correct. We changed the plan many times over to be able to accommodate the advancements of life. Otherwise, our retirees would be making less than $100 a month. We made changes in the sixties and we made changes in the eighties. But I want to make it very clear that this plan worked for decades and decades, providing a legitimate benefit to literally hundreds of thousands of people, or retirees.

It was 84 years old in 2001 when this plan was 125 percent fully funded. This defined benefit plan was 125 percent fully funded. The SERS plan was 130 percent fully funded. It worked, it worked; the right formula, the right funding, and it worked for millions of people.

And then in 2001, because of the fact that the funds were so well funded and Wall Street was doing so well, there was an idea that the fund could sustain an improvement. So what happened between the House and the Senate and Governor Ridge, they decided they would change the formula. They changed the multiplier, they added some more benefits, and then they initiated the debate, and it was passed.

Mr. Speaker, if the old formula prior to 2001 was still in effect, we would not be discussing pensions. Let me repeat that: If the old formula – the defined benefit plan with the 2-percent multiplier – if that was in effect today, without the changes, we would not be discussing retirement.

Even with the collapse of 2001 with the tech bubble and in 2008 with the global financial collapse, do you know that our Pennsylvania retirees never suffered any loss? They could retire knowing that the money that they put in and the formula that was devised provided them with a monthly benefit until death.

But because of that colossal error, that colossal mistake to change that formula, and then on top of it, not fund it – 2 years the State did not fund it at all – that is why we are here today.

SB 1 does not address the unfunded liability. What it does do, it impairs the future retirements of every State worker once this bill is passed.

You have heard the numbers – 70 percent difference. The number was astonishing. Someone making $31,000 after 35 years of working, their retirement would be about 500 bucks a month – $500 a month after 35 years. If they were making $60,000, their retirement would be about $1,000 per month.

Mr. Speaker, I beg that we use good common sense here today, that we do not manipulate the numbers, that we realize that the vote that we take here today could have colossal reaction, cataclysmic effect, down the road. SB 1 does not provide any money for our State budget deficit, it provides no money for the unfunded liability, and makes significant changes that will create havoc down the road. This is a tremendous danger.

Let us not make that same error that was made in 2001. I would ask that our leaders in both Houses request a cooling-off period, request some time to rereview this. It is a 400-page document that was pushed through the Senate without any hearings. At least in the House, we had two hearings, but every one of the testifiers, every one of the testifiers when asked about SB 1 and the unfunded liability said, "You must pay your debt."

It is correct; it is a credit card, yes, and if we cut up that credit card and we start with a new one, we still have the debt on the old one. SB 1 does nothing to address the problem of that debt.

I ask for cool heads, a cooling-off period. I ask my leaders, our leaders, to go back and rereview this, and to remember that a defined benefit plan is the only kind of plan that regular people must have.

You heard earlier, the defined contribution was an invention in the seventies. It was there as a tax shelter for the very wealthy – and good for them – so that when the market went down, it did not matter what happened to their 401(k), they could recover. But, Mr. Speaker, the people that work in these halls, the people that work throughout this Commonwealth that make twenty, thirty, forty, fifty, sixty, seventy, even eighty thousand dollars cannot succumb to a defined contribution plan that is affected by the market.

Mr. Speaker, once again, I ask you for cool heads. I ask you to please think carefully before we vote on this very, very, very serious bill. I leave you with a thought that was given to me some time back where it said, "Never try to mess up someone's life with misconceptions and sleight of hand when yours can be destroyed with the truth."

The truth is, SB 1 does not address the unfunded liability, it does not work, it needs to go back for review. I say vote "no." Thank you.

The SPEAKER. Representative Kristin Phillips-Hill.

Mrs. HILL. Thank you, Mr. Speaker.

I did not intend to speak today. I have no witty sayings or songs to share with you all. I do, however, feel compelled to rise to clarify statements made by some of our colleagues with regard to the purported substandard treatment of women under SB 1.

Mr. Speaker, there exists under this legislation a footprint rule, and that rule enables any employee to leave their position for whatever reason – whether it is caring for an aging parent, raising your children, or even following a spouse's military career, like I did – and when they return, their retirement benefit status will be the same as it was before they left. Let me state that again: They come back to the exact same benefit plan that they left. Mr. Speaker, that is not a war on women or anyone else for that matter.

Many teachers leave school district employment for various reasons – again, it could be another job, it could be a spouse's transfer, it could be to raise their children – and they do not return. So under SB 1, these employees will have portability. Currently under the existing system, they cannot take their benefits with them. Honestly, with a young woman as my daughter, that lack of portability could impede her from being attracted to public service in the future.

Mr. Speaker, the pension rules set forth in this legislation apply equally to men and women, and while there is little doubt that the circumstances of men's and women's lives can differ, because of the footprint rule and portability that is contained within this legislation, women are not disproportionately impacted.

Thank you, Mr. Speaker.

The SPEAKER. Representative Gabler.

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

Today I rise to speak in support of a bill that offers us a great opportunity. We have been talking about Pennsylvania's public pension crisis for many years. Today we have a bill in front of us that addresses, in a positive way, the single most pressing issue facing the citizens, taxpayers, schools, and employees in the Commonwealth of Pennsylvania. Today we are going to make history by scoring a victory for everyone who dares to hope that this legislative body can look past short-term political gain and instead make decisions in the long-term best interests of the people of our State, not just today, but for generations to come.

As mentioned earlier by the gentleman from Chester County, SB 1 as amended by the House State Government Committee represents a balanced approach. It recognizes the need for compromise to get a workable product to achieve meaningful solutions to real problems. This bill protects the stability of our system while respecting the dignity of every current retiree, every current employee, and every future employee in our State.

This meaningful pension reform proposal is built upon respect for taxpayers, who are, unfortunately, already on the hook for the mistakes of the past. The unsustainable $53 billion burden caused by politicians' mismanagement of the current system is something that our State will have to deal with for many years to come. Should we continue the current system

without changes and expect the problem to go away? The definition of "insanity" is doing the same thing over and over again and expecting different results. This bill in front of us enables us to save taxpayers from shouldering further increasing burdens caused by the current unsustainable pension system and will save over $10 billion over the next 30 years.

Furthermore, a failure to work toward a sustainable fix to our system will likely lead to broken promises. We have seen this example in Detroit, where bankruptcy proceedings have resulted in cuts to the benefits promised to current employees and current retirees. Should we not take the hint from this? Should we not reform our system before it gets to that point?

The sound bites on this issue suggest that the supporters of this proposal are the ones attacking the pension system. In fact, just the opposite is true: The supporters of this proposal are the ones who are acting in good faith to save the pension benefits that have been promised by SERS and PSERS. This bill enacts meaningful reforms to save the system, and it does so by respecting the needs of everyone involved – current retirees, current employees, future employees, the students in our schools, those who depend on State services, and of course the taxpayers of Pennsylvania.

Opponents of this bill suggest that we can just let the status quo work through the problem. With mandatory employer contributions growing each and every year, our school districts are seeing more and more of taxpayers' hard-earned dollars intercepted by the pension system before those dollars ever have a chance in reaching the classroom.

Consider this: In 2010 the unfunded liability in SERS and PSERS was computed at $34.4 billion. Today our pension system's unfunded liability stands at $53.3 billion. That tells you what you need to know about the status quo. The status quo leaves politicians in charge of the management of the pension system, with all the incentives to underfund the system and overpromise benefits in just the same way we have become accustomed to in the past. That is why this bill in front of us is a courageous proposal. This bill recognizes that there must be discipline in managing a pension system if we want it to be there for our State and for our valued employees and retirees in the long run.

There has been much debate about what this bill is. I think it is also important to point out what this bill is not. Opponents of this bill in front of us suggest that our $53 billion pension crisis can be addressed by borrowing the money. Imagine, we can simply borrow money to pay off our debts. In my mind, this circular logic goes absolutely nowhere. Pension obligation bonds, as these instruments are called, represent a dangerous gamble with taxpayers' money. Other States have already showed us how badly such proposals can end.

Consider the State of Illinois. They have issued $17.2 billion in pension obligation bonds since 2003. They are gambling the market with borrowed money. They have used more than half of their bond proceeds just to make their annual required payments to the fund, just as our Governor and many of my colleagues who oppose this bill have indicated they would do. Despite the fact that Illinois went to the bond market to bring $17.2 billion in borrowed funds into their system, their two main pension plans in that State reported funding ratios of 35 1/2 percent and 46 1/2 percent in 2011.

Now, let us look at Connecticut. They issued over $2 billion in pension obligation bonds in 2007. They sold those bonds, paying a rate of 5.88-percent interest, and assumed that their investments would bring in returns of 8 1/2 percent. This is what is known as arbitrage. Soon after that, we know what happened to the stock market; it tanked. The result? It made their pension system look like an underwater subprime mortgage on steroids. Their taxpayers are stuck paying not only the interest on the bonds, but they are also making up investment losses in the fund. That is on the backs of the taxpayers.

So let us look at what a pension obligation bond proposal would look like in Pennsylvania. Assuming a 30-year bond borrowing $3 billion at 4 1/2 percent interest, as our Governor has suggested in his so-called pension reform proposal, the taxpayers would pay nearly $2 1/2 billion in interest alone over the term of the bond. Imagine making an investment decision that you know up front will cause you to lose 83 percent of your money. That is what a pension obligation bond represents. I have been told that some on the other side have suggested borrowing as much as $9 or $10 billion in bonds. Those bonds at a 5-percent rate would charge $8.56 billion and $9.52 billion in interest, respectively – that is interest alone. Any way you cut it, pension obligation bonds are not a viable way to address this problem.

Today this proposal in front of us shores up our State retirement systems, it provides stability to taxpayers, to school districts, and the State government. This proposal courageously addresses one of the most prolific governmental challenges of our time without resorting to arbitrage schemes and gambling with taxpayers' hard-earned money.

I encourage everyone to stand up for responsible, forward-thinking solutions. The status quo is old school. Let us recognize a new day. Let us make it morning again in Pennsylvania. Let us pass true pension reform for the citizens of Pennsylvania by passing SB 1. Thank you very much.

The SPEAKER. Representative Matt Bradford.

Mr. BRADFORD. Thank you, Mr. Speaker.

If I could, I would like to interrogate whoever might be able to speak on it. There were some amendments that were added in State Government that – I am trying to figure out how they play into it, as well as with the PERC note from last evening.

The SPEAKER. Representative Kampf, do you want to stand for interrogation?

The gentleman will.

Mr. BRADFORD. Thank you, Representative Kampf.

I had a particular question about how SB 1 as amended in State Government will affect current employees. What changes would the average, current State employee potentially see as a result of SB 1?

Mr. KAMPF. Mr. Speaker, there are a number of changes, and depending on what category of employee you are, the change could or could not affect you. The reforms put into the bill in the State Government Committee included, of course, taking out 20,000 employees – those are the F.O.P., the corrections officers, and also the State Police – this is future hires. They will be in the existing DB (defined benefit) plans.

For current employees, it depends on whether you are pre-Act 120 or post-Act 120. For example, final average salary change applies to post-Act 120 SERS members. That is actually a modest change. It essentially says that we will look at your final average salary over the current law of 3 years without overtime or 5 years with overtime, and whichever is higher, that will be the impact of that, so whichever is higher, whichever is better for the employee.

For post-Act 120 SERS employees, there is a cap of $118,000. That is the Social Security wage base for compensation. But those individuals who exceed the $118,000 compensation, they will also be eligible to go into the cash balance and to the DC (defined contribution) plan for wages above $118,000, and they can make voluntary contributions to that if they like. There is also a shared-gain provision for those individuals. In other words, if the market performs well and so the systems perform well, the contribution rates of the post-Act 120 SERS employees will actually go down. So those are some of the examples for post-Act 120.

For pre-Act 120, those individuals have the Option 4 right, where they can take out the lump sum if they would like. The post-Act 120 employees do not have that. That benefit will be changed, but only going forward for future days of service. Fundamentally, what that means is right now the notion of Option 4 neutrality is, if we do not make this change, if you take the – I will take my annuity for every year and I will not take out the lump sum, let us say you would get over the life of your retirement $300,000 in combined money, right? You know, each year, let us say that was $20,000, but over your retirement life, it would be a total of $300,000. Right now if you take the lump sum, your annuity, your yearly payment, is lower, but you end up with the lump sum and your yearly annuity. Instead of that $300,000 over your lifetime, you get $340,000, and it is really not supposed to work out that way. That is actuarially not neutral.

So for future days of service, the pre-Act 120 employees will have a neutral Option 4 piece of their overall Option 4 right. They will also have the final average salary that I just described, that component of the reform, although any police who have DiLauro benefits will not be affected by that, because the case law says that theirs is the final best year, I believe, plus overtime. And the pre-Act 120 SERS employees will have shared gains, so if the market does well, they, too, will be able to have a lower contribution rate as a result of that, and they will have the option for money over and above to go into the cash balance plan if they would like, because they only are allowed to contribute 6 1/4 percent, most of them – some buy up. But the bottom line is, if you want to put more in, you can go into the cash balance plan too.

I think that basically summarizes the SERS changes.

Mr. BRADFORD. I appreciate your description of the SERS changes, and that will affect all existing as well as new employees?

Mr. KAMPF. No.

Mr. BRADFORD. Can you delineate how you break that out?

Mr. KAMPF. So for future hires, if we are talking about State Police, the F.O.P. complement, and corrections officers, the rules that I just described – although there are some caveats for them, for example, DiLauro – will be as I described.

For future hires who are not in that complement – and keep in mind, that is about one-fourth of our workforce, so the other three-quarters – for future hires, people not in the system today, unless they have prior service because some people sometimes have prior service and they come back and the footprint rule keeps them in the old plan, but for future hires who have never touched State government, they will go into the cash balance/defined contribution hybrid plan.

Mr. BRADFORD. And to reassure the public as well as the members of the legislature, one of the concerns that has often been raised is that we in the legislature treat others in the complement differently. As elected officials, we will all go into the plan that all future hires will get beginning with our next term of office. Is that accurate?

Mr. KAMPF. That is correct.

Mr. BRADFORD. Okay. So no elected official, after these terms expire that we are currently serving in, will be in a defined benefit plan. Is that a fair assessment?

Mr. KAMPF. The bill describes elected officers as members of the General Assembly. So the members of the General Assembly – and there is actually case law to support this because every time we get reelected, that is considered, I believe, by case law to be a new contract – we will go into—

POINT OF ORDER

The SPEAKER. Representative Cutler— Please suspend, sir.

Representative Cutler.

Mr. CUTLER. Mr. Speaker, I believe just as the issue was raised earlier, I believe the gentleman might be asking questions he already knows the answer to. That is clearly outlined on page 189 of the bill, as well as page 399.

The SPEAKER. Representative Bradford, just as the same with Representative Gillen, if we do know the response, save that to argument. Thank you.

Mr. BRADFORD. Thank you, Mr. Speaker, and I appreciate the admonition.

I am trying to get clarity because the amendment that was made in State Government, and I will point to the exact wording I am trying to get clarity – page 183 of the bill where we strike out in the definition of "elected officer." Now, the Senate passed "elected officer" to be defined, "An individual who is elected, reelected or retained in a retention election to a term of office that begins after December 31, 2015, as a member of the General Assembly."

Now, I believe there was an amendment by – I believe it was Chairman Metcalfe. I believe it may have been amendment 2716. It was the 12th amendment, I believe, issued on that day. It struck, "or retained in a retention election." Now, obviously no member of the General Assembly stands for retention, so what was the purpose and what is the effect of striking that language?

The SPEAKER. Representative Cutler, for a point of order.

Mr. CUTLER. No. Actually, Mr. Speaker, I can answer the gentleman's question, if that is appropriate.

The SPEAKER. Okay. I apologize. Representative Cutler, on that issue.

Mr. CUTLER. Mr. Speaker, as you pointed out in your question, members of the General Assembly are not retained, and therefore, it was modified to reflect that it only included us.

Mr. BRADFORD. Thank you, Mr. Speaker. I believe you answered the first half of the question. Now let me ask you the second half. So what is the purpose of striking it and what is the effect?

The SPEAKER. Representative Cutler, in response.

Mr. CUTLER. Mr. Speaker, the purpose was to strike out any language that was inconsistent, and again, since we stand for election and reelection, those are the two terms that describe

legislators and the retained was subsequently removed in committee.

Mr. BRADFORD. Thank you again, Mr. Speaker.

Let me point out a couple pages: Page 183, obviously line 14 defines "elected officer"; then go to page 203, line 16, which talks about mandatory and optional membership in the system and participation in the plan, meaning the new DC plan; and then you can go to page 205, I believe that is line 9. You realize if you read them together, it would have the combined effect to potentially carve certain selected members of the SERS class out of the new DC plan, and obviously, there was an assurance given that all elected officers and officials would be treated the same when their terms expire.

There was an amendment in State Government – now, I realize the State Government process was not as lengthy as some would have liked – but what is now the effect of this language? It would seem that if you read them together, we have carved out a certain group of State officials.

The SPEAKER. Representative Kampf has indicated he will stand for your interrogation.

Representative Kampf.

Mr. BRADFORD. In fairness, there are two of them; there is only one of me.

Mr. KAMPF. Mr. Speaker, the bill as it was considered in the State Government Committee, prior to any amendments, defined an "elected officer" as "An individual who is elected, reelected or retained in a retention election to a term of office that begins after December 31, 2015, as a member of the General Assembly." Because it says, "as a member of the General Assembly," and then if you turn to page 399 of that particular printer's number, the bill also, again, refers to members of the General Assembly, the bill as drafted and as before the State Government Committee limited the reelection change to members of the General Assembly. The amendment simply took out the nonsensical language, "retention," because retention does not apply to us. However, all new elected officers, like a judge – somebody who runs for election for the first time after the effect of the bill – is to go into the hybrid plan.

Mr. BRADFORD. Okay. So judges will also be placed into the new DC plan upon election just like us. Is that accurate?

Mr. KAMPF. I said a new judge.

Mr. BRADFORD. Well, that is an interesting question because I am not a new State Representative when I am reelected, but judges are retained, and when we strike this language, I hope we are not trying to be cute. And I hope what we are doing is treating all State officials the same, so when we strike this language via amendment and—

The SPEAKER. Representative Bradford—

Mr. BRADFORD. —we change the will of the Senate—

The SPEAKER. —if I might, are you on the bill?

Mr. BRADFORD. No, no. It is a question.

The SPEAKER. Okay.

Mr. BRADFORD. Will the judiciary, as a consequence, be treated differently upon retention? Because that is the language you are saying is being struck, and you are saying it was a typo. It would seem as though it gives legal effect to a different class of State employee.

Mr. KAMPF. Mr. Speaker, first of all, with respect to the court system, the neutral Option 4 and the final average salary changes apply to them as they do to us under the bill.

The bill, as I said before – and you can look on page 399 of that printer's number or 182 – clearly indicates that it is for members of the General Assembly. As I said before as well, the retention, the word "retention" does not, you know, does not make sense in the world of Representatives and Senators. We run for election and reelection, and so it was removed.

Mr. BRADFORD. And I understand, and I thank the gentleman for explaining that we do not run for retention, but certain judges do, and there was an assurance given that all State officials would go into the new plan upon reelection. By striking the word "retention," do we not give effect to the fact that we are carving out certain classes of State employees?

Mr. KAMPF. The bill, as it came from the Senate, says that "elected officer" means a member of the General Assembly.

Mr. BRADFORD. That may be true, but let me ask you this. If you read the document together and you look at the citations, of which I gave you previously and I will be glad to do again, it gives effect, read as a whole, to carve out a certain class of State employee.

I would point to you if you would, if you want to look at the actuary that actually has a fiduciary responsibility to SERS, the Hay Group, if you look at page 4/9 of their note on SB 1, it talks about member, class, and group and it talks about Class A-3, A-4, Class AA, Class D-4, Class A. Then it includes judiciary and includes State Police.

If you would look at that particular page, please, you can notice, you will find that the judiciary is being included under the final average salary, which I believe you mentioned, and I appreciate your pointing that out as well as the neutral Option 4. But it would seem to one, at least to this one, that read as a whole, you have successfully carved out a certain class of State employee for special treatment, and I think it is a fair question, and since it has a pretty big impact on our Commonwealth and on its finances and frankly on the credibility of this bill since we have assured the people that the days of playing political games with the pension are over, are we carving out a certain section of State employee for special treatment?

Mr. KAMPF. First of all, Mr. Speaker, an actuarial note is not the law.

The bill, as I have said several times, clearly states that it is members of the General Assembly who are elected officers and will be affected by the change upon reelection. There is case law, which is referenced in a number of the actuarial notes, that indicates that with respect to legislators, that is a permitted change. There is also case law that indicates that for an independent judiciary – we are not members of the judiciary – for an independent judiciary, there must be some consistency from year to year and class to class.

So SB 1 is lawful and constitutional insofar as it treats members of the General Assembly, and likewise, it is lawful and constitutional as it treats members of the judiciary.

Mr. BRADFORD. Respectfully, sir—

The SPEAKER. Representative, if I might.

If you could be a little bit more pointed with your questions.

Mr. BRADFORD. Sure.

The SPEAKER. You know, just because they are—

Mr. BRADFORD. Let me be as—

The SPEAKER. Okay.

Mr. BRADFORD. —as pointed as possible.

Have we carved out judges at reelection from the same impact that we have on every other elected official, including

the legislature? Is the language, this amendment, specifically carving out the judiciary?

The SPEAKER. Representative Kampf, it seems to me that this has been asked and answered, if I were a judge, but here is the thing. Representative Kampf, everybody has the option to stand for interrogation or not. You know, you do not have to accept interrogation. But Representative Kampf, please go right ahead.

Mr. KAMPF. Asked and answered.

The language clearly says that it applies to members of the General Assembly because that is how "elected officer" is defined. Mr. Speaker, that is the last time I am going to say that.

Mr. BRADFORD. Would Representative Cutler stand for interrogation?

The SPEAKER. He indicates no.

Mr. BRADFORD. On the bill, Mr. Speaker?

The SPEAKER. On the bill, Representative Bradford, the floor is yours.

Mr. BRADFORD. I think it is pretty obvious by what is being said and what is not being said. I think you are being hoodwinked. We are being told that we are taking politics out of the pension once and for all. We are being told that we are treating all elected officials equal. That is not the case. And respectfully, the lack of an answer on an issue of billions of dollars of importance in which the very credibility of this body has been shredded by our inactions and actions, omissions over the last decade. Today on this floor, to not be able to answer such a simple question, "Are the judges included?" It is a simple answer.

Look, you could have accused me of saying I am asking a question I already know the answer to. Now, that would have been worth making that objection. But let us be honest, why cannot we say that we are not treating all elected officials equal? When judges stand for reelection, they will continue in the same plan. The legislature will not. They will not say it. We just did. And the facts are that. The fact that they will not answer it is just shameful.

For that reason and so many others, I ask you to vote "no."

The SPEAKER. Representative Simmons.

Mr. SIMMONS. Thank you, Mr. Speaker.

I rise in support of SB 1. Mr. Speaker, I have a message to all the current workers that contribute into our PSERS and SERS systems here in Pennsylvania. If you have a pension plan, you can keep your pension plan, and unlike other leaders regarding different issues in Washington, we are actually telling the truth on this issue.

Mr. Speaker, can we all agree we have a pension problem in this State? We have over a $60 billion unfunded liability. If we do not act, the State will no longer be able to pay the people who have put their hard-earned dollars into the pension system.

Mr. Speaker, I know we can go through the merry-go-round and point fingers of how we got here, but I came here to solve problems. I did not come here to point fingers. In fact, when some of the worst decisions were made regarding this system, I actually was a freshman in high school. This is a good piece of legislation.

In fact, the fiscal note that just came off the press has stated it will save taxpayers over $10 billion. Let me repeat, $10 billion. Mr. Speaker, 90 percent of the private sector is currently in a defined contribution 401(k)-type system. The system that SB 1 would implement is not even a full defined contribution system. It is a hybrid defined contribution/cash balance system that many, many people in the private sector would love to have.

Mr. Speaker, I am also happy to report that the men and women that keep us safe, including State Police, F.O.P., and correction officers are exempted. They put their lives on the line for us and do not get Social Security, and it is the right thing to do to exempt them.

Now, Mr. Speaker, I must admit, I do not take a pension, but I have to commend the authors of this legislation for forcing all legislators into the new plan. That is what I call leading by example. Our plan is also fiscally responsible. We are contributing more than $2.5 billion into the system than when Ed Rendell was Governor.

This plan also protects benefits and meets our obligations. Most importantly, it reduces our unfunded liability by $10 billion. Finally, it safeguards our credit rating, which has been affected in recent years by the pension crisis.

Mr. Speaker, I constantly hear from the other side of the aisle how this will not solve our budget problems. Well, let me tell you something. In your life, if you had the opportunity to pay down the principal on your mortgage, would you do it? I know I would. Mr. Speaker, this is a great bill. It reduces taxpayers' liability by $10 billion, safeguards our credit rating, meets our obligations, and protects our State workers to make sure their hard-earned money is there when they retire.

Mr. Speaker, I urge my colleagues to vote "yes" on SB 1. Thank you.

The SPEAKER. Representative Dan Frankel.

Mr. FRANKEL. Thank you, Mr. Speaker.

We have heard a lot this afternoon about real data, but I think it would help members, and particularly I remember my colleague from Berks County who is undecided, to take a look at some of the documentation here that PERC has provided us.

Let me start by talking about what happens when you move cash flow. In other words, we are going to be taking the incoming money into these pension systems and reducing it in the hybrid plan. And many believe, and including actuaries that have taken a look at this, that the transition of going into SB 1 will have significant costs that relate to the fact that there will be less cash flow. The cash flow is enormously important when you are talking about these pension plans because it really helps to dictate how much these pension funds can invest, how much they have to put into liquid assets, and what the assumed rate of return is.

So our assumed rate of return under these pension plans is currently 7 1/2 percent. By the way, they both, both SERS and PSERS, reduced that assumed rate of return in the last several years from 8 percent to 7 1/2 percent. That reduction for SERS alone – and I sit, I am a trustee of the SERS system – that reduction from 8 to 7 1/2 percent in terms of the rate of return, assumed rate of return, resulted in an inflation of the unfunded liability by nearly $2.5 billion.

So in other words, as you reduce that assumption, you are going to inflate the unfunded liability, and many folks believe, including the actuaries that PERC has used here, but they cannot quantify it – and I am going to read something to you that I think is very important – believe that there will be an impact. They have not been able to quantify it by making this transition.

So let me read a paragraph from the consulting actuary to the PSERS plan that is in the PERC documentation, and this will tell you that this bill is not ready for prime time because we are

making this decision without the necessary information that each and every one of us should have. Let me read this paragraph. It is a little dry, but I think you need to pay attention. "This analysis is based on an assumed 7.50% annual discount rate. However, under Senate Bill No. 1, it is possible that liquidity considerations may arise due to the shift in liability towards retirees and the PSERS Board may change the asset allocation to reduce the risk of the portfolio and reflect the need to hold a growing proportion of its assets in more liquid, less volatile asset classes. In general, lowering the risk of the portfolio lowers the discount rate used in the System's valuation. This increases the accrued liabilities and contribution requirements of the System. Therefore, the cost analysis presented will change, potentially significantly" – let me say that – "potentially significantly, if there is a change in the asset allocation and expected asset return. However, due to time constraints, this analysis was not performed for this cost note."

So we are sitting here making this enormous decision for tens of thousands of retirees that we have a fiduciary responsibility to, hundreds of thousands, without sufficient information.

Let me also point you to something else that I have— There was a lot of talk about reducing the unfunded liability. Again, let me refer you to the PERC actuarial impact, cost impact for both plans. There really is very little difference under existing law versus the amended SB 1 in terms of the rate that we reduce the unfunded liability. For instance, in 2025, under existing law, the funded ratio is 69.9 percent for PSERS. Under SB 1, it is 70 percent, one-tenth of 1 percent. They both reach 100 percent, 100 percent funded in the same exact year. So in 2042, under existing law, we become 100 percent funded for PSERS, and under SB 1 as amended, 100 percent in the same exact year. No difference. And we are going to take this out on our employees and our retirees to get the same exact result.

Under SERS, actually SERS reduces, under existing law, the unfunded liability more rapidly, more rapidly than amended SB 1. Again, are we making this decision to basically carve out the future of existing retirees and future retirees, take this out on them, and we are not really getting any benefit out of it? It seems to me that on one hand there may be an ideological issue here, not a practical solution, and that is what we need to take a look at.

This is not ready for prime time. The actuarial note does not give us sufficient information. It is not responsible. It is absolutely irresponsible for us to be considering this piece of legislation without at least having a full actuarial analysis of the impacts of this bill. You should vote "no." This should go back to the drawing board. It is not responsible to pass this bill.

Thank you, Mr. Speaker.

The SPEAKER. Representative Gene DiGirolamo.

Mr. DiGIROLAMO. Thank you, Mr. Speaker.

I am going to surprise a lot of people by letting you know that I am a "no" on SB 1.

I know what everybody is going to say. Here we go. Me and my friend from Altoona, working together on a big issue, like we did on the budget, and voting "no." I know that is what everybody is going to say.

I want to share with you a little story because I want to tell you how strongly I feel that SB 1 is the wrong thing to do. I tried to put together an amendment earlier in the week to offer on SB 1. I came up here early on Sunday morning. I did not want to involve any of our staff on my side of the aisle because of the sensitivity of the issue. So I worked myself with a couple of other people, and we put together an amendment. I ran it up to LRB (Legislative Reference Bureau) at 10 minutes before 2. I got a certificate, literally ran through the Capitol to come down here to the floor to go to the amendment clerk to file the certificate, but guess what? There was nobody over there at the clerk's desk. So 5 of 2, I had to again, as fast as I could, down the steps, literally to the basement, to where the bill clerk's office is, and got the amendment filed at 1:58, because that is how strongly I felt that SB 1 was the wrong thing to do. And that was not the end of the journey.

After I got the amendment back, I looked at it, and I found that it was not exactly as I had intended it when I went up to LRB. So this was the next day. I had to run up, and they agreed to do a corrective reprint of the amendment. I got the corrective reprint filed, but of course I needed a PERC note. I tried very hard and was told there was a possibility of being able to get a PERC note on my amendment. Unfortunately, I was not able to get that PERC note and was not able to offer my amendment. And believe me, I blame nobody but myself for that because I certainly had the opportunity to work on this a little bit earlier. But that is how strongly I felt that SB 1 is the wrong thing to do.

Now, you heard me talk last week about working on a farm before I came here to the legislature. You know, I worked on my grandfather's farm when I was a young boy, and you might have heard me tell this story before that my grandfather used to tell me all the time, and I hope with affection, he used to tell me, "Gene, you were born stupid and have been losing ground ever since." So what I am going to tell you now, I mean, just take it with a grain of salt. You do not have to clap. Thank you.

When I look at SB 1, really, seriously, I just see so many problems. And you know when we talk about pension reform, and you know what the general public, why they want pension reform? Because it has been drilled into them by the media and by the school board that if we do something about pension reform, their property taxes are going to go down. But guess what? Under SB 1, that is not going to happen. Their property tax bill is not going to go down when they get their bills in August. It is not going to go down next year. It is not going to go down the year after that. When it comes to our budget, there is no budget relief under SB 1 for this year or next year. God only knows when there will be any budget relief if at all.

Also, we have created for the legislators, to me it appears a special system for legislators. I mean, does that seem fair? I mean, after our election, we are going into some kind of 401 cash, I do not know, benefit system. I mean, we are the only ones that are being made to do that. I mean, I do not know if that is to penalize or whatever. Does that seem fair to do? And the gentleman from Montgomery County, just a few minutes ago, pointed out in the bill, and I want to hold up the page, page 401. That is right, Mr. Speaker, and anybody else who was watching that, page 401. We carved the judges out on retention. Why would we do that? Does that seem fair? I cannot understand, why would we carve the judges out and create another special system for judges? It just does not seem fair. It has been said this is unconstitutional. My guess is, when we pass this bill, it is going to be tied up in the courts. Is that not what we just want to do for another couple years, tie this bill up in the courts?

The biggest problem as I see it, Mr. Speaker, is the problem of the unfunded liability that we have. This SB 1 does not address the problem of the unfunded liability, and I think when

I look at this, when we put new hires into a 401(k) and they stop paying into the system, the unfunded liability, in my opinion, is only going to grow.

Too many unanswered questions. We stood here, I think almost on the same day last June, trying to do another pension bill. I guess there is somewhere in our rules or somewhere that we have to do pension reform bills on the last day of June each and every year. I am not sure why that is. I am not sure why we cannot take it up some time during the year.

And I am just going to close with this. I would love to work on something that I think is realistic and something that will work. Our former colleague in the House, Representative Glen Grell, he had a plan. I think if we put what he wanted to do together with maybe some of the ideas that I had in my amendment, I think that might be something that will work to get at the unfunded liability.

I had a really good discussion with the Governor, about a half hour. We sat down. It was the first time I had a chance to talk to the Governor one-on-one. And most of the discussion focused on our families. We are the same age. We graduated high school the same year. We were actually married for 40 years at the same time.

Go ahead. The gentleman from Allegheny wants to be recognized.

The SPEAKER. Representative Mustio.

Mr. MUSTIO. Yeah. Can we get to the bill?

The SPEAKER. Representative DiGirolamo, if you could get your remarks to the bill that we have in front of us. Please, go right ahead.

Mr. DiGIROLAMO. Okay. Thank you, Mr. Speaker.

SB 1, I mean, I think it is the wrong thing to do, and there are too many unanswered questions. I think that we are going to see that there are too many unanswered questions about this. Page 401, this reminds me of somebody said in Washington, "Let's pass the bill, and we'll figure out what is in it after we pass it."

Mr. Speaker, I ask for a "no" vote on SB 1. It is the wrong thing to do. Thank you.

The SPEAKER. Representative Kerry Benninghoff.

Mr. BENNINGHOFF. Thank you, Mr. Speaker.

Like all of you, I have sat here for several hours, and I respect the colleagues that have gotten up and spoken, and I respect the issues that they have raised. Some think SB 1 goes too far, while others think it does not go far enough, and some want to continue the status quo and do nothing. But to do nothing would be irresponsible.

Some talk about this being a 100-year-old system. When demographic studies were different, people did not live as long and now we are trying to use the same system here in the 21st century. But the reality is, the pension problem is not a Republican-Democrat issue. It is not a male-female issue as some alluded to earlier. It is an issue about finances. It is a major financial issue.

SB 1 is a compromise of several years' worth of discussion, hearings, and debates, despite some people who felt we did not have enough hearings. Frankly, I do not think there is another piece of legislation that has had more hearings. Well, maybe there is one. But this is about a financial issue.

Mr. Speaker, I rise because there is nothing that is going to drive school board budgets or our State budgets faster into debt – and hopefully not into irreversible debt – than this, if we do not take it on and do something today. But more importantly, Mr. Speaker, I rise because after sitting here for several hours, there is one group of constituencies I have heard very little about and have not heard much mention of, and that is the citizens of Pennsylvania, the 11.5 million other people in Pennsylvania that are not in public pension systems.

The reality is, we are very blessed, the jobs that we have and those that are in public service, because at one time the wages were not as good, and so the pensions were set as an offset. When I go through my town or I drive down here and I see the laborers working on building houses; I listen to the wonderful, sweet nursing assistants who take care of my parents as they age; and I talk to a lot of my nonprofit friends that work in jobs that do not even know what a pension is because they do not have one, they do not have a retirement system, and for 4, 5, 6 consecutive years, they have not had a pay raise. Their milk costs have gone up. Their fuel costs have gone up.

I have heard people talk about this thing like it was only them that were going to benefit. We are talking, yes, about some very good 800,000-plus, give or take, retirees and State employees like ourselves and people in public schools and people that work at our public universities. But who is going to speak for the 11.5 million other people that, guess what, still have to pay higher property taxes when their school property taxes go up to fund these issues? Who is going to talk about all those wage earners regardless if they are making minimum wage or $8 an hour or $10 an hour? Those clerks that I see working at some of our Sheetz stores, who have gone back to work at 70 and 75 years old to help supplement their income, because guess what? It is their PIT (personal income tax) and their checks that are going to pay yours and my pensions and the other 875,000 people that balance out the 12.6 million people in Pennsylvania.

SB 1 is a lot better than it was when it came over here. This is about trying to tell our State employees and those people within the system that we want to protect your retirement and make sure there is something there. People do not think governments can go bankrupt. Well, I tell you, look across our own State. There are some small municipalities that are already suffering that. You only have to look across the waterways into Greece and what is happening in these other countries because of irresponsible financial planning.

SB 1 is the only bill before us, and it is the right thing to do at the right time because 11.5 million people of the 12.6 million in this State are going to pay one way or another as they watch the lack of their own retirements or their own retirement systems failing. They will pay if we do not correct this problem, and I think we owe it to all the citizens we represent, not just our colleagues that work within public service.

Mr. Speaker, I thank you and the members for their time.

The SPEAKER. Representative Conklin.

Mr. CONKLIN. I want to thank you, Mr. Speaker.

Mr. Speaker, I would like it put on the record that some of the best speeches, the truest speeches, the actual speeches, one is by the gentleman from Altoona across the aisle, who probably has more knowledge of this than any person sitting on this floor today. We may not agree on everything, but I will tell you from what I have heard and what he has said since he has been here, the gentleman on the other side of the aisle from Blair County, please, the public, ask for a transcript of what he said because it is not about an emotional issue. It was the facts. The gentleman from Luzerne County on my side of the aisle brought up very clearly the history behind this.

Sometimes I sit here and I begin to worry about what we are doing. Today is not as bad as others, but I hear folks talk on this floor with total disrespect for this body, disrespect for the individuals that get elected. I heard the gentleman, Mr. Bradford, earlier asking a simple question, "Why are we carved out?" And he could not get an answer. That is disrespect. Not that I disrespect the gentleman and person, but I disrespect not answering a simple question that, yes, we are carved out. Yes, we do not respect ourselves. Yes, we know that if we make the judges into it, it is dead on arrival. Yes, we know that if we take our hardworking police officers, our correctional officers, our State troopers, and put them in, what they want to do, it is dead on arrival.

You know, you can look around this aisle and you can look all you want, you can look up and down these halls, but you know what, take a walk up and down the halls. Look down in this well. I want you to tell the person that takes your page's place why they are only going to end up with $6,000 a year in retirement after 35 years of service. That is right. You can talk about us all you want, but you explain, go down and shake their hand when they come here, and say, "Hey, I just want to let you know you are going to make $31,000 for the next 35 years and you are going to get $6300. Congratulations. I helped you out."

And we will use the fact that, you know, other people do not have it. We will use the fact that, you know what, other people struggle. Why are they struggling? Because provisions were not made to make sure when they get to their senior years that they are still active and productive adults. I do not know about you, but when you leave tonight, I want you to shake the hand of the man that is protecting us and the woman that protects us. And then shake the hand of the one that takes their place and say, "Guess what? I want you to pat me on the back, because when you do 35 years, you will only get $7200 in retirement, not 100 percent of your wage."

I want you to think about what you are doing. SB 1 does not cure any financial burden. Why cannot we get that through our heads? It does not cure a financial burden. In fact, it will make hardship for people in the future. Oh yeah, you can call me anything you want, but when I drive down the highway and I see that PENNDOT worker making $37,000 running a lawn mower with two kids at home and a wife, I can say with pride that I know when he gets older, he is still going to go to the Sheetz, he is still going to be able to take a little trip, and maybe he will make a whole – on top of his $15,000 Social Security – maybe have a little bit of money.

Let us respect this system for a change, and let us respect each other. This bill is not a good bill. It does not save money. I am not going to bring up the past in 2001, but you know for 10 years, 10 years the employees of this State paid their contribution. You, my legislative brothers and sisters, paid your contribution. But there was a bill passed that said the employer did not have to pay. We gave them 10 years rent-free, and what we have done is we have destroyed them because we gave them the wrong thing.

And you know what, I am going to say one more thing that really has me aggravated today. You talk about State workers like they are welfare recipients. I am sick and tired of hearing you talk about folks that protect us, folks that work in this building, folks that work on the highway as welfare recipients because they are not. They work darn hard. They work hard for their money. They are not sucking off the system. They are paying taxes, property taxes. And by the way, if you do it right, for those of you who are county commissioners, you better stand up or explain to your colleagues that when you do it right, the counties are not in this problem because the counties have a little rule that we this legislative body set in place many years ago, that you use an actuary and a 5-year ARC (annual required contribution) and you have got to pay your debt. You do not cut up a credit card as said and get a new credit card. You pay off your credit card.

So you can pass SB 1, but your debt is still going to be there. You can go ahead and do it and disrespect this system by carving us out and not having respect for what you do here. That is fine. I do respect you. And because of that, I am going to vote "no" today. You may want to give it all away. I could bring up the fact that you could not take the pension system, but the day before you leave office, you can sign up and get a full pension system. I am not going to bring that up.

But I am going to bring up one thing. Respect the system tonight. Respect yourselves. Quit pulling this fallacy on the public that this is going to cure the pension ills. It is not. The debt still exists. Quit pulling the fallacy that, you know what we did, if we would have left it alone before 2001, it would be fine. And if we put it back and we fix it, it will be fine. But quit spreading the rumors. And when you are asked a question, answer it straight, yes or no, because you should be proud of your work, you should be proud of this institution, you should be proud of the people you work with.

Mr. Speaker, I am going to ask these folks, I know it is an emotional issue, but what makes me feel the worst, it is more of a political issue tonight than it is a social issue. It is more of an issue that folks want to do politics. And when I look at the winners and the losers in this, when folks retire, they are going to lose. They are going to have less money to spend. Anybody that understands a rising tide understands that. But the winners are going to be those three people that are picked by a group within these chambers who get to make the money off the folks who do the 401s. There are going to be three folks, three businesses, that are going to be picked, and they are going to be the winners. They are going to be the ones that make out. You know what we should do is do like we do with the liquor law that says that anybody who is involved in this does not get to give a campaign contribution or be part of the system or take anybody else, to keep them separated from us. We should do that.

But instead, let us do the right thing. Protect yourselves. Respect yourselves. Understand the institution. Understand what you are doing. But most of all, understand that if you pass this tonight, you are not doing anything to stop the hemorrhage. You still owe the debt. The credit card is still there. And it does not go back any further. It stays the same.

Do the right thing. Vote "no" tonight, Mr. Speaker. Thank you.

REMARKS SUBMITTED FOR THE RECORD

The SPEAKER. Representative Todd Stephens.

Mr. STEPHENS. I just have some remarks to submit for the record, Mr. Speaker.

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

Thank you, Mr. Speaker.

Since I was first elected to the Pennsylvania House of Representatives, I have worked diligently to ensure our schools receive the funding necessary to provide the education our children deserve. I was fortunate to have received a great public education at Hatboro-Horsham and Shippensburg University, both public institutions. I remain committed to ensuring our students have the same opportunity that I enjoyed for an outstanding public education. Unfortunately, the amount of money we are spending annually to fulfill our pension obligations threatens our ability to deliver meaningful resources to our schools.

Pennsylvania is facing a public pension crisis, threatening our fiscal stability. From 2011-12 through 2018-19 our annual pension obligations will rise from $1.2 billion to $5.06 billion – an increase of $3.86 billion over just a few years. The $5 billion we must pay to meet our pension obligations is money that cannot be spent on other important educational initiatives like early childhood education, additional teachers to reduce class size, new programs, new technology, or textbooks for our students. This system is unsustainable and must change.

To be clear, the crisis we face was caused by politicians in both parties who overpromised and underfunded the pension system. I fully understand that while politicians were playing political games, the employees were fulfilling their obligations. Notwithstanding who is to blame, we must address this issue.

I believe we need pension reforms that will maximize the savings to the Commonwealth while upholding the obligations we have to our State workers, law enforcement, teachers, and corrections officers. I supported and continue to support a pension reform bill from last session that creates a hybrid plan that includes a defined contribution component for new employees. That plan would achieve comparable savings for the Commonwealth without any risk of a constitutional challenge. To me, that would be a far better approach than the one offered to us today.

That said, I am but one member of the General Assembly, which is comprised of 253 members. In other words, I do not get to unilaterally determine which approach we adopt. The choice I have today is not between last session's plan and SB 1. The choice I have today is between the current plan, which is costing us billions, and SB 1, which saves us over $10 billion.

Given the magnitude of the pension problem and the long-lasting implications for our students and schools, I will be supporting SB 1 and anticipate that any constitutionally questionable issues will be addressed as discussions on pension reform continue with the Senate and Governor. Not because I think SB 1 is the perfect solution, but because for the reasons I mentioned earlier, this situation is so dire that our students cannot afford for us to do nothing.

The SPEAKER. Representative Dush.

Mr. DUSH. Thank you, Mr. Speaker.

I am going to tell you right now, I am mad. I am a former State employee, former union member, a man who for 20 years actually was collecting union dues or paying union dues, who has a State employees' retirement benefit waiting for me, not from this House, my service in here. To the gentleman from Centre County's comments, I am insulted that he would even imply that somebody who would deny themselves a benefit such as that would turn around and try and do something manipulative with it. I have been insulted in this House and in committees. I have had my wife, my grandfather, our civil service records insulted in committees and in this House, and I am not going to put up with that kind of behavior without it going challenged.

Now, I am going to tell you, I stand—

Mr. HANNA. Mr. Speaker?

Mr. DUSH. —in support—

Mr. HANNA. Mr. Speaker? Mr. Speaker?

Mr. DUSH. —I stand in support of SB 1.

The SPEAKER. Sir, please suspend for just a moment.

POINTS OF ORDER

The SPEAKER. Representative Hanna, for what reason do you rise?

Mr. HANNA. Point of order.

The SPEAKER. Yes, sir.

Mr. HANNA. I do not believe the speaker is addressing the bill, Mr. Speaker, and he has also mentioned—

The SPEAKER. I actually believe that he is addressing the bill. He is responding to something about the bill.

Representative Dush, please proceed and keep your remarks—

Mr. HANNA. Mr. Speaker?

The SPEAKER. —as best you can to the amendment—

Mr. HANNA. Mr. Speaker?

The SPEAKER. —or to the bill. Excuse me.

Mr. HANNA. Mr. Speaker, point of order.

The SPEAKER. Yes, sir. Yes, sir.

Mr. HANNA. He is questioning the motives of the other speakers.

The SPEAKER. No, no, no. Please suspend.

All members, stick to the rational policy points that you want to make. In no way, for everybody – and I know it has been done a little bit on both sides today – you cannot impugn or question the motives – it has definitely been done on both sides – you cannot impugn or question the motives of any other members here.

There are policy differences, and the good gentleman is going to speak to that. Please proceed.

Mr. DUSH. I would like to reiterate something that was addressed here earlier. Right now we are digging a hole to the tune of $1 1/2 billion in SERS, $2.25 billion in PSERS every year. Now, I have got a little bit of experience behind the controls of a TD-14 dozer and a Case 580B Extendahoe. I know about digging holes. But you do not put the equipment down in there and keep on digging, and that is what we have been doing since 2001. And, Mr. Speaker, we are not using picks and shovels. Right now we are using draglines.

This is not a time for short-term measures. And the gentleman from Blair County is exactly right on one part of this issue: (a) that this does not get the equipment out and start filling the hole back in. But what it does do, SB 1, it stops us from digging further into the hole. It puts the brakes on it. Once this is done, we do have to take the advice of people like our gentleman and colleague from Blair County. We do need to start funding this.

But one of the things that was addressed earlier is that this does not address the unfunded liability. It most certainly does, and here is how it does it. It prevents us from doing what was done in this House, what was done in the Governor's Office back in 2001, from ever happening again.

Another comment today was that the burden needs to be put back onto the backs of the legislature. Well, I am going to tell you right now, none of the things that have been proposed

counter to this do any of that. Nothing we do with any of this legislation is going to put it on the backs of the legislature. It is going to put it on the backs of our taxpayers, the other 96 percent of the people in the State of Pennsylvania. No matter what we do, that 96 percent of the population is on the hook, and it is because of what this House, what previous Governors, the last three or the three, Ridge, Schweiker, and Rendell – it is what those gentlemen and what this House did. Thirty-three members are still here from Act 9.

And yet I sit and I listen as this discussion is going on. Well, what about my pension? Well, you know what? Thirty-three of you impacted that, and the rest of us have to deal with it. And our taxpayers, our citizens, have to deal with it. Those are the people who pay our wages. Those are the people who those teachers and corrections officers— I am going to say right now, I have spoken out in committee against the carveouts for my fellow officers, and I have had this discussion with my fellow corrections officers, and I have told them in advance that I am against it. However, there are some people who do not have the guts to go and spend some time and talk with their constituents and find out if this really does matter to them, whether or not they are going to hold that gun as a law enforcement officer to the heads of their kids and grandkids. I am not going to do that.

Law enforcement and corrections, I have been involved since 1980. It is a calling. It is a calling. Public service is a calling. It should be a calling. But you do not go as a public servant holding a gun to the head of your kids and grandkids. Frederic Bastiat, back in the 1830s, was writing about this. The law is the use of force against its citizens to compel some sort of action or another. I am used to being on the end of dealing, being that force for the government. In this House, I will not hold a gun to the heads of my kids, grandchildren, yours, or my constituents. And anybody who is a public servant and cannot abide by that, I left it back there, but I am going to tell you right now, in Nigeria, their legislature is voting to reduce their benefits. Why do we not? Thank you.

The SPEAKER. Members, we have three leaders to speak: Representative Hanna, Representative Dermody, and Representative Reed. I understand that two members wish to go for a second time, Representative Kortz and Representative Cohen. And I have Chairman Metcalfe.

Chairman Metcalfe is going to be called upon, and then I would like to go to the leaders, but if the others who have already spoken still want to speak, I will call on them. But at this time Chairman Metcalfe, and then we have three leaders: Representative Hanna, Representative Dermody, Representative Reed. And then I have two members over here that wish to go again.

Chairman Metcalfe, the floor is yours.

Mr. METCALFE. Thank you, Mr. Speaker.

I think as I have sat here and listened to the debate today, it struck me that I think the chamber has been the quietest it has been for any debate that I have been here for over the last 16 1/2 years. I do not understand the new dynamic with the docile nature of the chamber other than those that are at the mike, but you are actually able to hear everything that is going on now with the noise in the chamber, so that has been a benefit as I have been following the arguments today.

I think there has been a lot of confusing information that has been put out. I mean, over the last three sessions – this is the third session now that I am the chairman of the State Government Committee – we have held hearing after hearing after hearing over the last three sessions now, including this session, on pension reform, most recently with a couple of hearings on SB 1 specifically. And over that timeframe, there have been a few things that have struck me that I would like to kind of summarize the positives in SB 1 today.

You have heard from members on both sides. You have heard from members that do not appreciate the legislation and will be voting against it. You have heard from members that would appreciate a good bit more being done in the legislation, but they are still going to support it and vote for it because this is a good piece of legislation. We have moved legislation out of the State Government Committee last session related to pension reform. We were not able to find consensus between the House and the Senate. This is historic today that we have found consensus between the House and Senate majorities and that we are going to take a major piece of pension reform legislation and place it on the Governor's desk, historic. I mean, it is not perfect. It is a good piece of legislation. It is a piece of legislation that moves us in the direction of protecting taxpayers and protecting individuals who are going to be depending on this retirement and having a retirement in the future and protecting individuals who are already retired. Whereas, this legislation does not take anything away from anybody already retired; it protects the systems that they are depending on for the rest of their retirement.

The systems, as currently operating, are not sustainable. We have heard a lot of testimony over the last several sessions at the hearings related to pension reform and a lot of different perspectives, but the one point that struck me the most, and it has been mentioned by a couple of members throughout the process, is that in order to fix the unfunded liability, we have to fix the structural problem that we have with the system. A defined benefit system operated by the government will never be truly sustainable because those who are making the decisions, those people in office, are always going to try and appease the members of the system in enhancing their benefits, giving them extra, extra benefits that people in the private sector are not able to afford.

So when we have seen some of the system problems that we have seen over the last couple of decades with 2001 being mentioned, with the pension enhancements that we saw put forward and passed into law at the time, that was certainly part of the problem. If we do not fix the structural problem with the pension systems, if we do not try and remove the politicians from making decisions that should be made by financial experts regarding investments in retirement, if we do not remove the political forces from the system, we will never correct the deficiencies that have created the unfunded liabilities.

The two major components to our problem is an unfunded liability and is the structure of the current defined benefit pension systems. The private sector has left us in the dust. Years ago they moved in the direction of eliminating defined benefit plans and moving toward defined contribution plans. This legislation moves us in that direction. The majority of what a new hire will have accessible to them will be a defined contribution plan with a supplemental cash balance plan running alongside of it. A cash balance plan is being set up in a way that I believe we are going to protect taxpayers from the unfunded liabilities that have been created within this current defined benefit structure.

So in order to protect the taxpayers of Pennsylvania and in order to protect those who are we the people, that are the government, that we should be representing here today, it is important that we pass SB 1 and take that positive step forward to ensure that we protect taxpayers and protect the investments that people have already made into the systems so that they are able to be paid out in the future.

When you see what is happening on the front page with Greece, you see problems with Puerto Rico now, this problem is not beyond reach in the United States of America. Many have experienced losses just in the wake of what has happened with Greece, with the market reactions. We have to ensure that we protect the investments of those who are investing for their retirement, and the best way to do that is to give them access to defined contribution plans as we see outlined in this legislation, Mr. Speaker.

So the two main points that I would like to leave everyone with is that this historic piece of legislation moves us in the direction of creating a new plan for new hires which enables us to stop the structural problems that have created the unfunded liability. And I think most importantly, Mr. Speaker, because after this is complete, there is still more work to be done related to the unfunded liability, I think what is most important is that we will be leading by example as legislators in this legislation, Mr. Speaker.

Mr. Speaker, every legislator in this body and every legislator that will be elected to this body, along with the Senate across the Capitol, when you are reelected, when somebody is elected, that new legislator will be treated as a new hire. That incumbent legislator will be treated as a new hire. Every legislator will be treated as a new hire, and we will be leading by example toward the ultimate fix for protecting the taxpayers and ensuring that we protect the retirement investments of current employees and future employees, Mr. Speaker.

The SPEAKER. We are going to go with Representative Kortz, who has already gone, then Representative Cohen, then Representative Kampf. Representative Saccone now wants to speak, given that other members are coming back to a second time. So Representative Saccone will go before Representative Kampf. And then we are going to the leaders. If anybody else wishes to be placed on the list, please tell us now.

So we are going with Representative Kortz, Representative Cohen, Representative Saccone, Representative Kampf, and then the leaders.

Representative Kortz.

Mr. KORTZ. Thank you, Mr. Speaker, and I promise to be brief.

Mr. Speaker, there was some mention earlier from the gentlelady from York County that the female employees currently in the defined benefit plan would not be impacted because they have this footprint rule. I have the footprint rule here. But it is very clear. You must get approval. You better have formal approval. You better have it in writing. And we all know that everybody has a good boss, that they do not play politics, that principals and superintendents never get into this political game. So if that female employee— What I am getting at is, if that female employee does take that maternity leave and does not have something in her hand, hard-documented evidence, that she had formal leave granted, that she can be put in that defined contribution plan. The other thing that the footprint rule does is 2 years, so if you are off longer than 2 years for whatever reason, if there is a medical condition or you want to stay at home and raise a child, whatever you want to do, if it is longer than 2 years, you are automatically cut to the other plan, and that can happen.

Mr. Speaker, the bottom line is, women can be at risk here, and I do not want to put them at risk, and you ladies need to think about that because that is exactly what this thing does.

I would ask everybody, please vote "no." Stick with the families.

Thank you, Mr. Speaker.

The SPEAKER. Representative Cohen.

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, I just want to give comments on some of the comments that were made. We are told, first of all, that we ought to take politics out of the pension process, and I know this is just a wild coincidence, but it strikes me as very odd that all the unions that were exempted from this are the more Republican-inclined unions. I am sure it was just a wild coincidence, but it sure does not look like we are taking politics out of the process.

Secondly, the unions that were taken out are disproportionately men, and so therefore, we are creating in addition to the legal challenge of the fact that we are impairing contracts, which might well lead the courts to throw this plan out if it ever gets to the courts, we are also creating a challenge under the Equal Rights Amendment, because Pennsylvania has an Equal Rights Amendment and the unions that are overwhelmingly men have been eliminated. And so easily 70, 80 percent or more of all the people whose pensions are hurt are women. I think that, too, is an equal rights challenge.

Now, in terms of the numbers, the numbers are that the unfunded liability goes up under this bill. We are told there is $10 billion in savings. That is not a savings in unfunded liability, however. That is compiled by cutting benefits by $35 billion and substituting the $35 billion in benefit cuts with a defined contribution plan, which costs the State $25 billion. So you do the arithmetic, and the State will be spending $10 billion less in benefits in the future, but the unfunded liability will still rise because this plan— And every single year going forward, the unfunded liability in the SERS system goes up, and it goes up enough so that the small decline in unfunded liability in the PSERS system is outweighed by the more substantial increase in unfunded liability in the SERS system.

This is a bad plan. It makes many things worse. It makes the lives of hundreds of thousands of Pennsylvanians worse. We hear rhetoric on the other side of the aisle about these poor people that we have to take into account, they are economically struggling. They are being left in the dust, according to one speaker. We are not going to solve problems of poverty in Pennsylvania by creating a whole new class of poor people. We are going to solve problems in Pennsylvania by dealing with the poverty problems, not by increasing the number of poor people. We ought to be more interested in problems in pensions and retirement problems with people in the private sector. We ought to be working on that. But cutting the pensions of the people in the public sector is not going to increase the retirement security of people in the private sector. It merely makes it worse. It merely adds the number of people in desperate financial need in every community in this State. This is a bad idea. It should be defeated overwhelmingly.

The SPEAKER. Representative McCarter, for the second time.

Mr. McCARTER. Thank you, Mr. Speaker.

It was not my intention to speak for a second time, but I do want to respond in part to I think a mischaracterization of a little bit of history here.

It was stated a few minutes ago that in fact the private sector, and we have been, can we say the private sector has left us in the dust. Well, the reality is, Mr. Speaker, that the movement to 401(k)s came as a result in a sense of fully funded pension funds, which were defined contribution – defined benefit funds, throughout the private sector, but what happened? What happened in that, Mr. Speaker, was very clear. Corporate raters came in to rate those systems, and as a result, corporate America was forced to go to 401(k)s. They were never designed to be pension funds. They were supplemental for the management that in fact was making already 18 times what the average worker was in their companies. But what has happened as a result since then? Now we see corporate managers and corporate presidents in the private sector making hundreds of times more than the average worker, while the workers deal with 401(k)s instead of defined benefit plans that gave them secure futures.

That money was stolen from them back then, and what is happening today is much the same. We are stealing the money from workers in Pennsylvania and their families, all 2 million of them, not 800,000. Take their families into consideration. And those funds that are going from those people are going now into that private sector, as we heard earlier, to people who are going to manage those funds and take advantage of this system to make their millions.

This is wrong, Mr. Speaker. It is an ideological battle, and let us face that, and it is wrong. Thank you.

The SPEAKER. Representative Saccone.

Mr. SACCONE. Thank you, Mr. Speaker.

I rise in support of this amendment. I would like to add a perspective to what has been said so far.

We all know this is a very complicated problem. We have to wonder if anyone can unravel the Gordian knot of this pension plan. This pension problem has grown so big that you have to wonder if there is any policy out there that can bind this leviathan. But remember, I want my colleagues to remember that most of the people paying the bills for the current pension plan are in the same lower economic bracket as public workers, yet they are compelled to contribute to their own plans back home and fund the generous plans of the public employees also.

Now, I have heard it said that this plan has worked for decades, has worked for 98 years. Well, it may have worked for some public employees. It sure has not worked for the taxpayer for 98 years. Believe me when I say that taxpayers want this reform and only ask public employees to share the same burdens as they do.

Now I know a young lady, for example, one of my constituents, who worked her way through a master's degree, paid for it with loans, works at early development child intervention, goes to people's homes and helps little kids. She is very good at it. She worked up until the last few days of her most recent pregnancy. She has no pension. Yet she has got to pay for the pensions of the public employees.

And I think it is emblematic of what we see in the private sector, people suffering, and no one seems to care about the suffering of the taxpayer. When I go home, Mr. Speaker, my constituents say to me, "It's like an avalanche of avarice." These employees with their handsome benefits paid for by the taxpayers, they hear the taxpayers say, "Look, I'm tapped out. I can't afford to pay your generous benefits and fund my own at the same time."

All we want is to move your new employees to a defined contribution plan, just like we do in the private sector. And the answer of the public employees' leadership and the answer of this Governor is, "No. You pay my benefits. I don't care if you can't afford your own retirement. You owe me a generous retirement even if it bankrupts you. There will be no compromise." That is what my constituents hear. Well, it is time that these public unions remember that the taxpayers are the hand that feeds them.

When you use the force of law to transfer wealth from a person who earned it to another person to whom it does not belong, it becomes just a form of legal plunder. There is an old saying that in government, difficulty lies not so much in developing new ideas as escaping the old ones. We have to escape the defined benefit plan and move toward a new idea that will help the taxpayer. We have to transfer the risk from the taxpayer to the individual employee. The taxpayers want this change and so should you. It is the only fair thing to do.

Please vote "yes" on SB 1. Thank you, Mr. Speaker.

The SPEAKER. Representative Warren Kampf and then Representative Mike Hanna, Representative Frank Dermody, and Representative Dave Reed.

Mr. KAMPF. Thank you, Mr. Speaker.

Just a couple of, maybe, points in response to some things that were said here on the floor.

The notion that somebody who leaves, say, a school district and then comes back is somehow not going to get into their prior benefit plan is just untrue. Those rules are not changed at all.

And I have heard a fair amount about how the future-hire benefit is, you know, it is not significant, I guess. So think about it this way. First of all, we are not talking about a 401(k) plan. The employee is going to have to put 3 percent into the cash balance, 3 percent into the defined contribution plan at a minimum, they can put in more, and for the State system, they are going to have to put in – the taxpayer is going to have to put in 4 percent. You cannot take out any loans on that. A lot of people get in trouble with these DC plans because they take out loans, emergency withdrawals. You are not allowed to do that.

And this plan is fundamentally portable. So Pew did an analysis of PSERS and SERS and found that in a very short period of time, many of our teachers and many of our State employees leave State service and do not come back, and under a defined benefit plan, like the one we have, those individuals are treated very badly. They put a lot of skin in the game, and they walk away with all – all they walk away with is what they put in plus, basically, 4 percent, and that is not fair, but that is how defined benefit plans often are. They are back-loaded so that the long-term employee, the 30- or 35-year employee, is the one who significantly benefits, but that is not the way today's world is. Pew did an analysis and found that many of our employees leave after a fairly short period of time. There was testimony in the State Government Committee that the average State worker across the country only serves in State Government for about 7 years, and under our current plan, it is not fair to them.

Pew took a look at those benefits under a hybrid plan, a DC and a cash balance, and found that they were actually better for future hires than the plan that we currently have for

somebody who is in the system for 10 or 15 or 20 years. So fairness is often in the eyes of the beholder, and in today's world, it seems to me that a hybrid plan or a defined contribution plan, which is properly crafted, is actually better for our employees of all kinds.

They also found that even for the long-term employees, and these are people that are going to retire in 30 or 40 years, they will have upwards of 50 or 60 percent replacement income, and you put that with Social Security, 25, 30 percent, that is right in the range where they need to be. So this new-hire benefit is a good benefit despite what you have heard from some individuals on the floor.

You also heard some comment about how there are no savings in this plan for this year's budget. You know, I looked at the analysis from PERC and from the actuaries, and the savings for any reform, especially of a system this size, takes time to implement. It does not mean it is not worth doing it, but we are fortunate. The analysis indicates that next year, in next year's budget, we are going to be north of $100 million in savings. That is $100 million that the taxpayer does not have to put in to our current pension system. That is important, and it goes up from there – $100 million, $150 million, a couple of hundred million in each budget year. That is nothing to ignore, and overall, it saves us about $10 billion.

There is some notion out there that it increases the unfunded liability on SERS. Not true, and in fact, if you read the consulting actuary for PERC, they made it quite clear the reason why it looks like there is an increase in the unfunded liability for SERS is because SERS somehow calculates that their cost, once we change this, will be zero. Well, we know their cost for an employee is not zero. Right now it is 4, 5, 6 percent, and that is how they are calculating it. So it is really just a matter of, you know, actuarial science that it appears the unfunded liability goes up in one actuary's report, but in Milliman's and the consulting actuary for PERC, they do not buy that and they criticize that concept heavily, and they have for the several years we have been doing this.

And then I guess, really, lastly I just want to conclude by saying that this is, as I started out, a compromise bill. We do want to have a good benefit for our current hires. We do want to have a good benefit for our future hires. This bill balances that with the need for savings in a system which is, obviously, heavily stressed. What it does is it generates $10 billion in savings and savings starting next year, which is real, but in the overall liability for the next 30 years, we are still going to owe as taxpayers, as residents of the Commonwealth, a couple of hundred billion dollars for our current employee complement, and when you reduce that by about $10 billion, that is about a 5- or 6-percent impact for our current employee complement.

It is not the doomsday, somehow we are affecting current employees so that they will be on the doorstep after retirement and have no resources. Not at all. It is a compromise that balances savings with a commitment to our current hires, to our current employees. It is the right compromise, and I ask you to support SB 1. Thank you, Mr. Speaker.

The SPEAKER. Representative Hanna.

Mr. HANNA. Thank you, Mr. Speaker.

Mr. Speaker, it is clear, based on the vote in the Senate, that this is not an issue most Republicans and Democrats are working on together, nor is it a productive approach for the people of Pennsylvania. This bill was rushed through the legislative process in order to avoid hearings and public scrutiny. That is wrong, Mr. Speaker. We are elected by the people, and the people want transparency.

Mr. Speaker, proponents of this bill claim this will save money, but the costs associated with switching new employees to a new system, including the inevitable court battles, will mitigate or eliminate any cost savings that this legislation might have in the short- or long-term.

Mr. Speaker, in May of this year, the Illinois Supreme Court threw out an unconstitutional law aimed at reducing retirement benefits for existing employees in an attempt to erase their pension system debt. Have we learned nothing? Apparently not. Today we heard the majority whip assure us again SB 1 is constitutional. Well, he also assured us that voter ID and Act 13 of 2012 was constitutional, and our Supreme Court disagreed. Last year he assured us that HB 80 was constitutional, and last week the Commonwealth Court disagreed. It is clearer that SB 1 is unconstitutional than any of those other measures. So here we go again, wasting money on court challenges and likely having to come back a year or two later to fix this unconstitutional proposal.

Mr. Speaker, not only does SB 1 undermine public employees who have consistently paid into the retirement system even though their employers have not, this bill includes language that states the Commonwealth cannot be held responsible if and when retirees lose out on their investment. How, Mr. Speaker, is that retirement security?

Any move to a 401(k)-style plan without an adequate retirement package would increase dependence on public assistance. Mr. Speaker, as my colleague from Lancaster County mentioned, studies have shown that defined benefit pensions keep retirees out of poverty.

Mr. Speaker, the gentleman from Chester County argues that SB 1 is all about compromise. Compromise with whom? Certainly not with our caucus. While we have had talks about pension in the Governor's four-caucus working group, when the House Republican Caucus wrote the Metcalfe amendment, which is now SB 1, our caucus and the Governor's Office were excluded. Trust me, when the five-party work group is excluded in the drafting of the Metcalfe amendment, that is not compromise.

Mr. Speaker, there are a litany of reasons why we need to oppose this bill, and I believe very few individuals stand to benefit from this plan. And now most recently as this debate has moved on, we have just heard from SERS that they believe the pickup contribution provisions in the DC plan may violate the Internal Revenue Code.

Mr. Speaker, this bill would overhaul pensions for State workers and teachers in a way that cuts employees' retirement by almost 70 percent, yet it will do little to address the pension systems' current unfunded liability.

My Democratic colleagues and I oppose any plan to put new hires or any other employee in a 401(k)-style defined contribution plan. Retirees know that such plans are inadequate and were only designed to supplement, not replace pensions.

What is more, new hires are not the problem and should not have their investment earnings used to pay off the unfunded liability they did not help to create. The cash balance portion of this plan robs one group of employees to pay the debt owed to another group. In addition to being unfair, the reduction in the unfunded liability from this cash-grab plan is minimal, at best, according to the PERC note.

Mr. Speaker, this convoluted bill is being rushed through the legislative process in hopes of passing a pension bill along with this bad Republican budget. That simply is not necessary.

Our pension reform law, Act 120 of 2010, put the State on a path to healthy pension funding. It passed with bipartisan support and in time will close the funding gap, but we must give employers and employees an opportunity to make that happen.

Mr. Speaker, I urge a "no" vote on SB 1. Thank you, Mr. Speaker.

The SPEAKER. Representative Dermody.

Mr. DERMODY. Thank you, Mr. Speaker.

As we just heard from my good friend, the whip, I, too, am wondering whom the compromise was with. We heard this bill is a compromise. Not with us. There were no discussions with us about this. As a matter of fact, we were shut out in the hearing where it was amended, at the committee meeting. Our members were not allowed to speak. Now, there is no compromise here. SB 1 is not something anybody on our side would want to be a part of.

We have heard a lot of talk about what is going to happen with new hires and how it is so good for new hires, and while I am no expert on pensions, I did take a look at the actuarial note, and if you look at the actuarial note, there is a first bullet point regarding the cash balance plan. That bullet point makes it clear that new hires will make more in contributions to that cash balance plan than they will ever get back in pension benefits, than they will ever get back in pension benefits. Those new hires would be better off placing their money in a piggy bank or under the mattress because they will at least wake up with what they put in. Not the case with the new hires in SB 1.

And it gets worse if you go to a 401(k). The 401(k) will add billions of dollars in costs to the taxpayers and to the plan. Pensions are more efficient than 401(k)s. They deliver the same amount of retirement benefits at half the cost. Furthermore, closing out PSERS and SERS and transitioning new employees to 401(k)-type plans will cost billions, and the long-term savings that Republicans promise in SB 1 come primarily from slashing benefits. This bill will cut benefits by 70 percent beyond the big cuts that were made 5 years ago in Act 120. The reality is, these cuts will put future retirees into poverty.

We have heard a discussion today about what the pension benefit will be for a State worker making $31,000 a year, and that benefit is $6,000. Now, we heard that that person, and a previous speaker mentioned today, they would get Social Security. They would be lucky if that Social Security benefit was $1,000 a month. But it was also suggested they could downsize, and you are darn right they could downsize, and they will be downsizing. They will be downsizing to a homeless shelter if this takes effect.

You claim that this budget package is balanced and it does not rely on gimmicks. SB 1 is nothing but a gimmick. It will cost billions of dollars. We will not compromise with the retirement security of Pennsylvania's workers. This is no retiring with dignity here. This is retiring in poverty. It does not solve problems. It creates problems, and that is why we should all vote "no." Thank you, Mr. Speaker.

The SPEAKER. The majority leader, Dave Reed.

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

Public pension reform has been a topic of discussion in this body, in this State for decades. During some of those debates, public pension reform has meant enhancing benefits to retirees or current employees. At other times public pension reform has meant bringing the system into check so that we can securitize and stabilize that system for our retirees, our current employees, and our future employees. Those debates, much like the debate today, can be a little bit of a roller coaster as passions are enhanced and the rhetoric oftentimes outweighs the facts.

As we consider this proposal today, I think we need to focus on six fundamental principles embodied within this legislation. They are very simple and they are very short, but they are very important for the folks that we represent around this Commonwealth to understand.

First, our commitment to our retirees is maintained under this proposal. Each retiree in this Commonwealth will continue to receive their retirement check for the pension benefits they have earned, unchanged.

Second, current employees will be able to keep the plan structure they signed up for when they became an employee of the Commonwealth or the school district.

Third, new employees going forward will actually have a dual benefit system, a hybrid system, that will include a cash balance plan and a defined contribution plan coupled together to secure their retirement in the years ahead.

Fourth, over the length of the system this plan will save $10 billion in the unfunded liabilities to that system.

Fifth, there is no new debt associated with this plan. We are making our legally mandated payments to the system in full and on time. Unlike the proposals of former Governor Corbett and former Governor Rendell, this plan contains no options to reduce the collars and artificially decrease our payments to the systems further. We are maintaining our payment system and not issuing new debt using one credit card to pay off the old credit card.

Six, legislators are leading by example. I understand that this can be a sensitive topic for some members of this body, but if the new plan going forward is good enough for new employees, it should be good enough for us too.

Mr. Speaker, I understand that there are some folks who would like to just leave the system as it is and we can wait and see what happens, but we do not need a crystal ball to find out. If you leave an unsustainable pension system unchecked, if you continue to allow unfunded liability to grow year after year after year, billion after billion after billion, all you have to do is look at the city of Detroit what happens. You can see what happens to their retirees. You can see what happens to the current employees. You can see what happens to future employees. It is very simple. You get pennies on the dollar for the retirement you spent years earning, pennies on the dollar.

Mr. Speaker, SB 1 is a proposal that will allow us to keep our commitment to our retirees. It is a proposal that will allow our current employees to keep the benefit structure they signed up for. It is a proposal that will stabilize the system for new employees going forward. It is a proposal that will minimize the risk for the taxpayers in the long term.

Mr. Speaker, it is time to vote for SB 1. It is time to get off this roller-coaster ride and move this State forward. 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–106

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

NAYS–89

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

NOT VOTING–0

EXCUSED–3

Baker	Barbin	DeLuca

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.

TRANSPORTATION COMMITTEE MEETING

The SPEAKER. Representative John Taylor, chairman of the Transportation Committee, is recognized for a committee announcement.

Mr. TAYLOR. Thanks, Mr. Speaker.

The House Transportation Committee will meet immediately in room 205 of the Ryan Office Building, 205 of the Ryan Office Building, or as soon as we have a break.

The SPEAKER. The Transportation Committee will meet immediately, or as soon as we have a break, in room 205 of the Ryan Office Building.

RULES COMMITTEE MEETING

The SPEAKER. Representative Reed, chairman of the Rules Committee, for an announcement.

Mr. REED. Thank you, Mr. Speaker.

There will be an immediate meeting of the House Rules Committee in the Appropriations conference room, an immediate meeting of the House Rules Committee in the Appropriations conference room.

The SPEAKER. There will be an immediate meeting of the Rules Committee in the Appropriations conference room.

REPUBLICAN CAUCUS

The SPEAKER. The majority caucus chair, Sandy Major, for an announcement.

Ms. MAJOR. Thank you, Mr. Speaker.

Republicans will meet this afternoon at 4:30. I would ask our Republican members to please report to our caucus room at 4:30. We would be prepared to come back on the floor, Mr. Speaker, at 6 p.m. Thank you.

DEMOCRATIC CAUCUS

The SPEAKER. Representative Dan Frankel, the minority caucus chair, for an announcement.

Mr. FRANKEL. Thank you, Mr. Speaker.

Democrats will also caucus at 4:30. Democrats will caucus at 4:30. Thank you.

SENATE MESSAGE

HOUSE BILLS
CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, returned **HB 140, PN 124; HB 157, PN 307;** and **HB 272, PN 1202,** with information that the Senate has passed the same without amendment.

SENATE MESSAGE

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

The clerk of the Senate, being introduced, returned **HB 466, PN 1985; HB 972, PN 1922; HB 1071, PN 1998;** and **HB 1276, PN 1997,** with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

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 140, PN 124

An Act amending the act of December 14, 1982 (P.L.1211, No.279), entitled "An act providing for ridesharing arrangements and providing that certain laws shall be inapplicable to ridesharing arrangements," providing for a short title; further providing for definitions and for motor carrier laws not applicable to ridesharing; and making editorial changes.

HB 157, PN 307

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, in professional and occupational licenses, further providing for definitions and for retention and certification.

HB 272, PN 1202

An Act amending the act of November 29, 2006 (P.L.1471, No.165), known as the Sexual Assault Testing and Evidence Collection Act, further providing for the title of the act, for definitions and for sexual assault evidence collection program; and providing for rights of sexual assault victims.

SB 330, PN 775

An Act amending Titles 18 (Crime and Offenses) and 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in other offenses, repealing the offense of municipal housing code avoidance; and, in neighborhood blight reclamation and revitalization, providing for failure to comply with a code requirement.

SB 687, PN 673

An Act amending Title 68 (Real and Personal Property) of the Pennsylvania Consolidated Statutes, in general provisions for planned communities, further providing for applicability of local ordinances, regulations and building codes.

SB 688, PN 674

An Act amending Title 68 (Real and Personal Property) of the Pennsylvania Consolidated Statutes, in general provisions for condominiums, further providing for applicability of local ordinances, regulations and building codes.

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

RECESS

The SPEAKER. The House stands in recess until 6 p.m., unless sooner recalled by the Speaker. Thank you.

AFTER RECESS

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

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

HB 813, PN 2010 (Amended) By Rep. TAYLOR

An Act amending the act of June 25, 1931 (P.L.1352, No.332), referred to as the Delaware River Joint Toll Bridge Compact, providing for veto power by the Governor over certain actions; further providing for audits; and providing the Governor of each state with power to ratify or veto certain actions taken by commissioners.

TRANSPORTATION.

HB 1087, PN 1493 By Rep. TAYLOR

An Act amending the act of June 12, 1931 (P.L.575, No.200), entitled "An act providing for joint action by Pennsylvania and New Jersey in the development of the ports on the lower Delaware River, and the improvement of the facilities for transportation across the river; authorizing the Governor, for these purposes, to enter into an agreement with New Jersey; creating The Delaware River Joint Commission and specifying the powers and duties thereof, including the power to finance projects by the issuance of revenue bonds; transferring to the new commission all the powers of the Delaware River Bridge Joint Commission; and making an appropriation," providing for gubernatorial veto.

TRANSPORTATION.

HB 1195, PN 2011 (Amended) By Rep. TAYLOR

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for duration of perfection.

TRANSPORTATION.

HB 1342, PN 2012 (Amended) By Rep. TAYLOR

An Act designating a portion of State Route 1008 in Fayetteville, Franklin County, as the James W. Cutchall Memorial Highway.

TRANSPORTATION.

HB 1411, PN 1968 By Rep. TAYLOR

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.

TRANSPORTATION.

HB 1412, PN 1969 By Rep. TAYLOR

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.

TRANSPORTATION.

BILLS ON CONCURRENCE REPORTED FROM COMMITTEE

HB 466, PN 1985 By Rep. REED

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, as follows: In preliminary provisions, further providing for definitions. In Pennsylvania Liquor Control Board, further providing for general powers of board. In Pennsylvania liquor stores, providing for career training and postsecondary education grant eligibility. In licenses and regulations, liquor, alcohol and malt and brewed beverages, further providing for license districts, license period and hearings and for issuance, transfer or extension of hotel, restaurant and club liquor licenses, providing for wholesale permit, for wholesale licenses, for wine or liquor expanded permits and for wine or liquor enhanced permits; further providing for malt and brewed beverages manufacturers', distributors' and importing distributors' licenses, for malt and brewed beverages retail licenses, for application for distributors', importing distributors' and retail dispensers' licenses, for prohibitions against the grant of licenses, for interlocking business prohibited, for licenses not assignable and transfers, for surrender of restaurant, eating place retail dispenser, hotel, importing distributor and distributor license for benefit of licensee and for unlawful acts relative to malt or brewed beverages and licensees.

RULES.

HB 972, PN 1922 By Rep. REED

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, in life and endowment insurance and annuities, further providing for policy delivery.

RULES.

HB 1071, PN 1998 By Rep. REED

An Act amending the act of July 9, 2013 (P.L.362, No.54), known as the Development Permit Extension Act, further providing for the definition of "approval" and for existing approval.

RULES.

HB 1276, PN 1997 By Rep. REED

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, in child protective services, further providing for definitions, for persons required to report suspected child abuse, for access to information in Statewide database, for release of information in confidential reports, for employees having contact with children and adoptive and foster parents, for information relating to certified or registered day-care home residents, for volunteers having contact with children, for continued employment or participation in program, activity or service, for certification compliance, for education and training and for mandatory reporting of children under one year of age.

RULES.

SENATE MESSAGE

RECESS RESOLUTION
FOR CONCURRENCE

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

In the Senate,
June 30, 2015

RESOLVED, (the House of Representatives concurring), Pursuant to Article II, Section 14 of the Pennsylvania Constitution, that when the Senate recesses this week, it reconvene on Monday, September 21, 2015, unless sooner recalled by the President Pro Tempore of the Senate; and be it further

RESOLVED, Pursuant to Article II, Section 14 of the Pennsylvania Constitution, that when the House of Representatives recesses this week, it reconvene on Tuesday, August 25, 2015, unless sooner recalled by the Speaker of the House of Representatives; and be it further

RESOLVED, Pursuant to Article II, Section 14 of the Pennsylvania Constitution, that when the House of Representatives recesses the week of August 25, 2015, it reconvene on Monday, September 21, 2015, unless sooner recalled by the Speaker of the House of Representatives.

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

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

CALENDAR CONTINUED

BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of **SB 678, PN 1121,** entitled:

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.

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

SUPPLEMENTAL CALENDAR C

BILL ON CONCURRENCE IN SENATE AMENDMENTS

The House proceeded to consideration of concurrence in Senate amendments to **HB 466, PN 1985,** entitled:

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, as follows: In preliminary provisions, further providing for definitions. In Pennsylvania Liquor Control Board, further providing for general powers of board. In Pennsylvania liquor stores, providing for career training and postsecondary education

grant eligibility. In licenses and regulations, liquor, alcohol and malt and brewed beverages, further providing for license districts, license period and hearings and for issuance, transfer or extension of hotel, restaurant and club liquor licenses, providing for wholesale permit, for wholesale licenses, for wine or liquor expanded permits and for wine or liquor enhanced permits; further providing for malt and brewed beverages manufacturers', distributors' and importing distributors' licenses, for malt and brewed beverages retail licenses, for application for distributors', importing distributors' and retail dispensers' licenses, for prohibitions against the grant of licenses, for interlocking business prohibited, for licenses not assignable and transfers, for surrender of restaurant, eating place retail dispenser, hotel, importing distributor and distributor license for benefit of licensee and for unlawful acts relative to malt or brewed beverages and licensees.

On the question,

Will the House concur in Senate amendments?

The SPEAKER. Moved by the majority leader that the House concur in the amendments inserted by the Senate.

The question is, will the House concur in the amendments inserted by the Senate?

The Chair recognizes Representative Ross, chair of the Liquor Control Committee, for a brief description of the Senate amendments.

Mr. ROSS. Thank you, Mr. Speaker.

The Senate amended the bill to change some of the language relating to the closure of the liquor stores, created expanded wine and liquor permits for restaurant and hotel licensees, created enhanced wine and liquor permits for beer distributors and unlicensed entities, provided for a 10-year lease of the wholesale system followed by divestiture, amended the duration and fees associated with placing a license in safekeeping, included provisions relating to the closure of the State stores, and otherwise provided for the fees for those permits.

I would urge an affirmative vote.

The SPEAKER. Representative McNeill.

Mr. McNEILL. Thank you, Mr. Speaker.

Mr. Speaker, I rise to oppose privatization of the State liquor system.

The proposal favors the interests of giant retailers and corporate interests over those small businesses and tax-paying citizens.

One aisle in Walmart or a corner in a local convenience store dedicated to beer and liquor is not going to replace those jobs, reopen the family-owned beer distributors that will be forced to close, or improve customer convenience or satisfaction.

There are estimates of up to 4,000 LCB employees losing their jobs if this bill becomes law. They are good, family-sustaining jobs that we should be fighting to protect, not eliminate.

I am seriously concerned about a potential increase in underage drinking if we eliminate our current control system. With our State store system, we can feel confident that we are doing a good job preventing the sale of alcohol to minors, but with more for-profit licensees and no PLCB (Pennsylvania Liquor Control Board) oversight, we could see dire consequences.

Increased alcohol consumption will inevitably result in the need for more law enforcement, which will cost local governments and taxpayers more money. We must protect Pennsylvania's children, so we cannot create a system that makes it easier for them to obtain alcohol.

Washington was the last State to sell off its liquor system, and the citizens of that State will tell you that privatization has been harmful for youth, liquor prices have risen instead of fallen, and competition has actually suffered. We must avoid that situation in Pennsylvania.

Instead of selling a profitable asset, we should improve the current system by making it more customer-friendly. We should start by expanding State store hours and opening more stores on Sundays and implementing flexible pricing.

If you are interested in saving jobs and protecting our children, I urge you to vote "no" on this legislation. Thank you, Mr. Speaker.

The SPEAKER. Representative Thomas.

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, I rise to nonconcur on HB 466. Mr. Speaker, I rise to nonconcur for the following reasons: Number one, we have 10-plus counties in Pennsylvania that have structural unemployment and underemployment. While there have been a number of jobs created in Pennsylvania, there are some communities that have been left out, there are some communities registering the third highest poverty in America. Let me say that again. There are some communities registering the third highest poverty in America.

And so, Mr. Speaker, the one thing that I do not want to do is to put 400-and-some employees on the street. Privatization would create structural unemployment among many of those people who currently work for the system. People, in many cases, are single mothers. In many cases people are just getting back on their feet from the recession, have to pay mortgages, have to go into the affordable care, have to worry about benefits. And, Mr. Speaker, given the climate in Pennsylvania, I am not prepared to put thousands of people on the street without any clear, clear roadmap to how they are going to feed their families and continue moving forward.

Secondly, Mr. Speaker, secondly, this privatization will not improve the business climate in the Commonwealth of Pennsylvania, and the reason that it will not improve the business climate in Pennsylvania is because we have been operating a system that is working. It is not broken. Let me say that again. It is not broken. It has been turning in $80-plus million a year in revenues for the Commonwealth of Pennsylvania. So it is not broken, we do not need to fix it, and if we are going to fix it, let us modernize it in a way that will increase the revenues to the Commonwealth of Pennsylvania. So privatization is academic in face of the current climate here in the Commonwealth of Pennsylvania.

Thirdly, Mr. Speaker, the previous speaker raised the question about privatization versus a regulated system regarding the behavior of young people, young people who will have—And it has been demonstrated across the board from the studies that have been done by Franklin and Marshall, a number of other people, there are more young people who have access to alcohol in nonregulated, in nonregulated communities than in regulated communities like Utah and the Commonwealth of Pennsylvania. And they might be the only two that are left, but, Mr. Speaker, because of the way the system has operated in Pennsylvania, young people are unable, unable, unable to access alcohol to the degree that they are able to access it in other States.

In the State of New Jersey, our neighbor, the legislature had to impose a 10 o'clock closure, 10 o'clock prohibition against the sale of alcohol. In the State of New Jersey, after 10 o'clock

you cannot buy alcohol in retail places, and the reason that the legislature imposed that condition is because we had a situation where too many young people were dying, dying because they were able to access alcohol and involved in fatal car accidents and in other related tragedies.

So, Mr. Speaker, it is clear that in communities like the Commonwealth of Pennsylvania, in a heavily regulated environment young people are going to have less access to alcohol and the other issues associated with it.

So for those three reasons, Mr. Speaker, one, do not put anybody else out of work until we have created some jobs for those that are unemployed.

Secondly, do not dismantle the system until we have modernized it. It is not broken. It produces a good revenue for the Commonwealth of Pennsylvania. So let us modernize. Let us build on an asset that is working rather than destroying it because we might have personal reasons about whether or not the Commonwealth of Pennsylvania should be in the liquor business.

And thirdly, public safety. We can minimize, minimize the availability of alcohol and related problems when it comes to our young people in a regulated situation like the one we have here in Pennsylvania.

So, Mr. Speaker, for those reasons and a lot more, if I did not want to just kind of hog up the mike tonight, I ask that we nonconcur on HB 466. And I remind the new people, the new people in the General Assembly, whether you be D or R, you know or you should know that if you nonconcur on HB 466, it will have to go to a conference committee, and if it goes to a conference committee, it is possible for us to talk about modernization rather than destruction of the system. So if we nonconcur, you will at least get it to a conference committee where you can bring a variety of ideas to the table of how to improve our asset rather than destroying our asset and putting decent, honest people out of work because of our callousness as it relates to this issue. Thank you, Mr. Speaker.

The SPEAKER. Representative Dan Frankel.

Mr. FRANKEL. Thank you, Mr. Speaker.

Let me just address one aspect of this, and we will be hearing a lot of issues. We already have this evening about why this is a wrongheaded proposal.

We might argue and discuss the idea of the State of Pennsylvania owning a business like the liquor business, whether that is the right thing or the wrong thing. The fact of the matter is, we own it. It produces revenue, $80 million in profits plus taxes. It is an asset and it is an asset that provides sustainable revenue to the State.

At a time when we are talking about looking for revenue in other places – and obviously, my colleagues across the aisle here have been reticent, to say the least, about even considering any new sources of revenue – but here we have a sustainable source of revenue that they are willing to give up for one-time revenue for this State, an asset that produces sustainable revenue. And not only that, any businessman who is looking to sell their business would begin by taking a look at how you are going to improve it and maximize the revenues of that business.

And we know, we know that there are ways to modernize our State liquor system to enhance its ability to produce revenue. We know that. It is an underperforming asset. Even though it does produce sustainable revenue today, we can make it perform better. So even if you were considering selling the asset, why would you not take the time to modernize it and take a look at maximizing its value? We are not even doing that. We are not taking a responsible position as an owner of a business. Whether you like it or not, we own it. We ought to take it as a fiduciary. We own it on behalf of the taxpayers. It produces sustainable revenue. It can be enhanced to create additional revenue. You folks do not want to find any new revenue anywhere else. Why on earth would we agree to give up an asset that produces positive revenue and can produce more for the State of Pennsylvania at a time like this?

This should be voted down. It makes no sense. So I urge my colleagues to vote "no." Thank you.

The SPEAKER. Eli Evankovich, Representative Evankovich.

Mr. EVANKOVICH. Thank you, Mr. Speaker.

Mr. Speaker, I rise tonight to ask my colleagues for an affirmative vote on HB 466, what we have come to call our liquor privatization plan.

Mr. Speaker, there are no issues that unite Pennsylvanians like liquor privatization, the ability for Pennsylvanians to be able to buy alcohol like adults. Mr. Speaker, the city of Pittsburgh, the city of Philadelphia, the T in the middle, liberals and conservatives, all want the ability to buy alcohol like they do when they go to the beach, like they want to whenever they go on vacation. They want to be able to do the same thing here in Pennsylvania.

And, Mr. Speaker, there is every manner of excuse offered for why we should not privatize the liquor stores. Let us go through them. A loss of jobs, loss of jobs. Mr. Speaker, with absolute compassion we need to look at the liquor store employees and reassure them that they will find employment in other places, whether it is with the State of Pennsylvania, with the advantages given to them through HB 466, or whether it is in private industry.

Mr. Speaker, can we imagine how we would have been as a body, say, 150 years ago? Would we be sitting here defending the job of the town crier? Would we be sitting here saying that just because clocks and watches exist, we should keep the job of town crier? I think all of us would look at ourselves and think we looked silly. Mr. Speaker, it is no fault of those public-sector employees that the system exists in the State of Pennsylvania, but it is time to rectify it.

And, Mr. Speaker, I would just say that this body and the Federal bodies that govern this nation often make moves, often pass laws, often pass regulations that destroy industries across the Commonwealth, across the nation – energy industries, coal mining. We do not hear the same outcry about the loss of jobs in the oil industry and the gas industry with coal, with energy. Government takes action all of the time that affects private industry. Why the specific care here?

We hear that this is going to create a loss of revenue for our State. Mr. Speaker, by all accounts the liquor store system over the last dozen years or so has provided, outside of tax revenue, between $60 million and at most $100 million of P&L (profit and loss) to the State. And, Mr. Speaker, whenever we switch that industry over to the private sector, when we give the private sector the ability to invest in their stores, to hire new employees, to build out, that profitability will come back to the State of Pennsylvania in the form of new payroll taxes. It will come back to the State of Pennsylvania in the form of new hires. It will come back to the State of Pennsylvania with increased sales.

And, Mr. Speaker, we hear about that having Pennsylvanians have the ability to buy alcohol like adults will somehow lead to more alcoholism in Pennsylvania or that it will somehow lead to more drunk-driving deaths. Well, Mr. Speaker, with Pennsylvania's current State-controlled system, Mothers Against Drunk Driving ranks Pennsylvania the fourth worst State in the nation. It is a statistic we should be ashamed of, but Pennsylvania is listed as the fourth worst State in the nation for drunk-driving deaths, drunk-driving fatalities. Mr. Speaker, there is no link, there is absolutely no link between increased alcohol problems and the ability to buy that alcohol not from the State of Pennsylvania.

Mr. Speaker, we have a great opportunity tonight. We have a great opportunity to bring Pennsylvania out of the Dark Ages, to get rid of an archaic system that has been in existence for far too long, and to give Pennsylvanians something that they want, whether they are Republican, Democrat, in the city or in a rural setting, and that is the ability to buy alcohol like an adult. Thank you, Mr. Speaker.

The SPEAKER. Representative Cherelle Parker.

Mrs. PARKER. Thank you. Thank you, Mr. Speaker.

Mr. Speaker, will the gentleman stand for a very, very brief interrogation?

The SPEAKER. He has agreed to stand for interrogation. Representative Parker, you may proceed.

Mrs. PARKER. Thank you, Mr. Speaker.

Mr. Speaker, presently the city of Philadelphia is home to 50 wine and spirit stores. We are only second to Allegheny County with 75 compared to data that I have recently received.

If HB 466 were to become law, Mr. Speaker, do you have a number, is there a number of potential establishments in the city of Philadelphia or a number of licenses that would be there?

Mr. ROSS. Yes, Mr. Speaker. The number I actually have is about 48 State stores, and we have about 113 "D" or beer distributor licenses, and that is in keeping, generally, with the sense that we have statewide, where we have about 600 State store retail outlets and approximately 1200 distributors and importing distributors. So there is a ratio of about 2 to 1 throughout the State and there is about a similar ratio in Philadelphia of 2 to 1.

Mrs. PARKER. Thank you.

My final question, Mr. Speaker, is that – and you have heard us mention this before when this issue has come up for a debate – we have an overwhelming amount in the city of Philadelphia of an establishment that is often referred to as "Stop-N-Gos," and you can find multiple Stop-N-Gos on one corner in the city of Philadelphia, and they are particularly prevalent in those that have the most poverty and the most overall socioeconomic distress.

Do we know, Mr. Speaker, one, whether or not those Stop-N-Gos would be eligible to acquire a permit and/or a license, and if so, do we know how many of those establishments, approximately? I am not expecting you to have a, you know, specific number.

Mr. ROSS. My sense is, and I may be wrong on this, that many of those are "E" licenses, and if in fact they are under the "E" license, they get no additional rights out of this legislation and they would not be permitted anything more than they are currently using.

Mrs. PARKER. Okay. Well, Mr. Speaker, just for the record, and again, this is information that I just received from my technical staff, is that there are several Stop-N-Gos in the city of Philadelphia that have something called "R" licenses, and you will notice them, Mr. Speaker, when you walk into them, because although their major business is the selling of beer and other items, they sell food, and you will see maybe five or six tables in an establishment, and with that in mind, these are the types of Stop-N-Gos that have "R" licenses.

So I guess I should reframe my question, Mr. Speaker, and say, do we know how many Stop-N-Gos that have "R" licenses in the city of Philadelphia that would be permitted to sell wine and/or spirits if HB 466 became law?

Mr. ROSS. Well, if one of these establishments does in fact have an "R" license, they are currently allowed to let a person take an uncorked bottle out of the establishment that they have opened. What we would do in this is we would instead have a sealed bottle, sealed container, and it would be a limited number of ounces that we would do.

So I recognize the Stop-N-Gos continue to be a problem, and I am in favor of more intense enforcement in this area. As a matter of fact, what I would like to do is, once we go down this road, go further with other legislation similar to that that we passed earlier to help you with your enforcement issues. But the restaurants would go from an uncorked bottle to the limits that we put in the bill here for sealed. It might be slightly better to have them sealed at least so that people are not drinking openly on the street, which might be part of your problem, but I do recognize that this legislation does not resolve that problem for you entirely.

Mrs. PARKER. Thank you, Mr. Speaker.

And my final question, Mr. Speaker, and I appreciate your raising the issue just now as it relates to the enforcement, and one of the things that I am proud of is that you have often paid attention to that from a nuisance-establishment issue in the city of Philadelphia. The enforcement issue has been of a major concern to residents across the city.

And just for the record, Mr. Speaker, are there any additional enforcement opportunities included in HB 466 that we are being asked to concur on this evening that would directly impact the Stop-N-Gos with the "R" licenses?

Mr. ROSS. Mr. Speaker, as the Senate has amended this bill, there are not additional enforcement elements in this, but I look forward to working with the gentlelady from Philadelphia in other legislation and have every intention to support any efforts that we can come to on that regard in the future.

Mrs. PARKER. Thank you, Mr. Speaker.

Mr. Speaker, that ends my interrogation. On the bill?

The SPEAKER. Representative Parker, on the bill.

Mrs. PARKER. Thank you, Mr. Speaker.

Mr. Speaker, I have a great deal of respect for the gentleman who just gave me the opportunity to interrogate him. He knows that I personally believe that he is one of the greatest minds in this House, is a hard worker. Oh, he is, Mr. Speaker. He is a bright gentleman. We have to acknowledge that. And, Mr. Speaker, I appreciated him acknowledging on the record the issue that the city of Philadelphia has as it relates to Stop-N-Gos and the issue of nuisance establishments and the challenge that we have regarding enforcement, and unfortunately, all of the enforcement efforts that we had included in this bill were taken out over in the Senate.

It is with that in mind, Mr. Speaker, that I will ask my colleagues to not concur with HB 466, simply because, as I stated, I know that Philadelphia has 50 stores. I think the gentleman reflected 48 stores. So I will say between 48 and 50.

I know we are only second to that number to Allegheny County. And so with the ability of Stop-N-Gos and other entities being able to have access to this opportunity, I am afraid, Mr. Speaker, and the response that I get from my constituency in the city of Philadelphia is, what about oversaturation, particularly in our most impoverished communities?

In addition to that, Mr. Speaker, I want to say that, you know, I do not know whether or not HB 466, makes good economic sense for the Commonwealth. Based on data that I have received, if we focus less on privatization and more on modernization, Mr. Speaker, we could generate an additional $80 million in revenue for the '15-'16 fiscal year and an additional $185 million in revenue for the 2017-2018 fiscal year. And, Mr. Speaker, I need to note for the record that both numbers are exceptionally higher than what is projected in this privatization plan.

And the gentleman, my colleague from Allegheny County, has already done an outstanding job, Mr. Speaker, in talking about the cost, the human cost of this bill as it relates to the elimination of approximately 4700 family-sustaining jobs. We are dealing with issues associated with how we are going to generate revenue needed to fund public education, how we are going to increase funding to higher education, Mr. Speaker, and at the same time we are talking about eliminating 4700 family-sustaining jobs that give families the opportunity to make an investment in their children's education.

So it is with that in mind, Mr. Speaker, and although with great respect and admiration for the gentleman I just interrogated, that I ask my colleagues to not concur on HB 466. Thank you, Mr. Speaker.

The SPEAKER. Mike Reese.

Mr. REESE. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of HB 466.

The topic of taking Pennsylvania out of the liquor business is, obviously, not a new one, Mr. Speaker. We have been here before. During the last legislative session, this body passed HB 790, and at that time it was considered a historic vote. Shortly after this session began, just a few months ago when we first considered HB 466, privatizing the liquor business in Pennsylvania garnered even more support, Mr. Speaker. This is not an accident. This is something that a vast majority of our constituents want.

HB 466 will put beer, wine, and spirits in the same business, which will eliminate an unnecessary burden for consumers that wish to purchase more than one kind of alcohol. This is another convenience that residents in my district have asked for. They want a one-stop shop. Many of us have heard from locally owned beer distributors on these matters, and I believe that HB 466 addresses their concerns. These business owners will have an opportunity to expand their investment by adding wine and spirits to their inventory. This will help them develop a business model that is desirable to the consumers they serve. I ultimately believe this to be a lifeline for these distributors in an ever-changing marketplace.

Mr. Speaker, in past debates this chamber has heard various statistics on the subject of alcohol abuse and DUI-related accidents. We have compared this Commonwealth with the 48 other States that currently have privatized wine and spirit systems. Through this debate it has become abundantly clear that there is no correspondence between alcohol-related problems and whether or not it was alcohol sold by a State employee standing behind the cash register. However, what we can surmise from research in past debates is that if selling alcohol was a worthwhile revenue resource for State governments, then at least a few of the other 48 States who are currently privatized would attempt to take those systems over and generate revenue for their general fund, but that is not happening, Mr. Speaker, and I think we all know why. Consumers deserve to shop in a free market and not in an environment set up for them by some governmental body.

It is with this in mind that I will be casting a "yes" vote for HB 466, and I urge my colleagues to do the same. It is time we treat our bosses, the residents of Pennsylvania, as adults, because that is what they are. They are adults, Mr. Speaker. Thank you very much.

The SPEAKER. Representative Markosek.

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

Mr. Speaker, I, obviously, rise in opposition to HB 466.

As with the pension bill debated earlier today, I am also at a complete loss as to why the majority party has tied passage of this bill to the State budget. I understand the majority party's budget plan that is headed to the Governor's desk depends on over $200 million from this scheme. However, that estimate is based on some very loose assumptions. I have no reason to believe that this revenue will come to fruition. In fact, according to our estimates, we think this plan would result in a net revenue loss in the first year.

Furthermore, let me remind everyone what happened when the General Assembly expanded small games of chance to taverns. The majority party banked on $156 million from that endeavor to fill the budget gap. It did not prove to be as lucrative as some had thought. We lowered the licensing fees and the State has only generated $554,000, and compared to $156 million that they predicted, $554,000 in the first full year. Let us not make that mistake again.

This plan sells off a valuable State asset for pennies on the dollar. It is a bad deal for the taxpayers. There has been no, no independent valuation of the liquor system in Pennsylvania. Should we not at least, should we not at least know what the system is worth before you sell it off or lease it? Would you sell or rent any of your personal assets such as your home without knowing what it is worth? No, you would not, because that is irresponsible.

It is also irresponsible to increase the number of outlets selling wine and liquor but yet provide no additional support for drug and alcohol programs or law enforcement. At a time when the State desperately needs revenue just to pay for the basics, this plan would give away a dependable source of revenue. The State benefits from $80 million annually in profits from the State stores, money that goes directly into the General Fund to pay for critical programs and services. The system's actual profits, which are available to be transferred to the General Fund, are much higher, $120 million. That transfer would no longer exist under a privatized system. Instead, private businesses would be reaping those profits. The State could maximize liquor profits through modernization efforts as Democrats proposed and our Governor has proposed. However, if we pass this plan, we would be robbing the State of its ability to increase the profitability of the liquor system.

For consumers this plan fails to deliver. Consumers will likely see higher prices for wine and liquor. We know businesses will just pass along the licensing fees and renewal fees to consumers in the form of higher prices. Let us not kid ourselves, consumers will also likely have less selection. Why?

Because this bill creates a complicated and confusing licensing bureaucracy, which means product selection will vary from store to store across the State. That is not exactly the one-stop shopping experience supporters have promised.

I am also at a complete loss as to why this body is even considering privatization of the liquor system when it is not a priority for the people we represent. In a recent poll by Franklin and Marshall College, Pennsylvanians said that increasing funding for public education was their number one budget priority. Privatizing the State liquor stores was dead last on their list of budget priorities.

This plan is half-baked. It is a bad deal for taxpayers. It is a bad deal for consumers. I encourage members to vote "no" on HB 466. Let us sit down and negotiate a real plan to improve the liquor system for Pennsylvania consumers.

Thank you, Mr. Speaker.

The SPEAKER. Members, we have just a few members left who wish to speak.

In ending our debate, we will have Representative Costa, the Democratic chair of the committee; Representative Ross, the Republican chair of the committee; Representative Dermody, the leader; and Representative Reed, the leader. At this time Gene DiGirolamo is recognized, and then there are just a few other speakers who have been marked down.

Mr. DiGIROLAMO. Thank you, Mr. Speaker.

I rise in opposition of HB 466.

I just cannot help thinking tonight about our former colleague and my good friend, Paul Clymer, and what he would be doing right now if he was here tonight. I guarantee you, he would be at his desk right now writing feverishly about what he was going to say about why this bill was a bad idea. So, Paul, if you are watching out there, hello, and I wish you were here.

Mr. Speaker, there are a number of reasons why I rise in opposition to HB 466. The first thing I want to mention is the 4,500 employees of the State store system that are absolutely going to lose their job if this bill gets passed. I see nothing in this legislation that is going to have anything to do with protecting their jobs. I will tell you what, Mr. Speaker, this is just me, but in a lot of ways to me, this is just heartbreaking on their behalf.

I cannot imagine that this bill makes any kind of good business sense, Mr. Speaker. Here we are selling an asset for a fixed rate, and then we are going to lose the revenue that the State store system generates each and every year. I am going to remind everybody that this year the profit, not the taxes collected, but the profit is on target to make $150 million. But, Mr. Speaker, most of my remarks are going to be geared toward public health and public safety.

I am going to say this and I have said it before, alcohol by far is still the number one abused drug in this State and this country. I will say it again, alcohol by far is still the number one abused drug in this State, and I am going to throw a number out there to you, Mr. Speaker, for everybody to hear – 14,000; 14,000 is the number of outlets in Pennsylvania that will now be able to sell wine and liquor – 14,000. You know how many State stores we have? Six hundred and a few. So we are going to go from 600 and a few State stores that sell wine and alcohol to now there are going to be over 14,000. Can that be a good thing? I have got to ask you, is that a good thing? Is that what we want to see happen to Pennsylvania – 14,000 outlets?

Mr. Speaker, I just want to remind the members of some of the letters of opposition to HB 466 when it left the House, and I am sure all of these groups are still going to be opposed: Fraternal Order of Police, opposed; Chiefs of Police Association, representing every one of our chiefs of police in the State of Pennsylvania, opposed; the Professional Fire Fighters Association, and I want to read to you one sentence from their letter, "Every day, our members take to the streets to protect the residents of our state. Any scheme that would potentially place these brave men and women to increased danger through privatization is unconscionable."

It has been mentioned about the correlation about increased access to alcohol and alcohol-related crime and accidents and deaths, and it has been said there is no correlation. Well, I strongly disagree. From DASPOP (Drug and Alcohol Service Providers Organization of Pennsylvania), which represents all the drug and alcohol treatment facilities in the State of Pennsylvania, "The research is overwhelming and underscores common, every day experience – increases in access such as that reflected in the proposals being discussed, will increase consumption and with it, will increase alcohol-related problems."

The Commonwealth Prevention Alliance, opposed.

Mr. Speaker, I am going to throw that number out there at you again, 14,000 – from 600 to 14,000 outlets that are now going to be able to sell wine and alcohol in the State of Pennsylvania, and where do you think they are going to put these stores, Mr. Speaker? Where do you think? I guarantee you, our college campuses will be a prime target for a number of these State stores; I guarantee it. Our cities, in the city of Philadelphia and Pittsburgh and many of our other cities, anywhere they can make the most profit from the sale of alcohol, that is where they are going to put these stores, Mr. Speaker – 14,000.

It is not what I want to see Pennsylvania turn into, Mr. Speaker. For the sake of public health and public safety, I would ask you all to consider your vote tonight and vote "no" on HB 466. Thank you.

The SPEAKER. Representative Christiana.

Mr. CHRISTIANA. Thank you, Mr. Speaker.

I rise in support of concurrence on HB 466.

I would, first, like to thank Senator Scarnati, Senator Corman, and the 25 other Senators that are giving us a chance to send this bill to the Governor. This House and this chamber has led on this issue a few times, and so this is a little bit different in the sense that the Senators gave us an opportunity to get this to the Governor's desk.

Mr. Speaker, the reason that I support getting Pennsylvanians out of the booze business is because I am tired, like many folks in my district, of the liquor system in Pennsylvania trying to mask itself as a free-market business. We hear from the other side of the aisle tonight that one of the solutions is that we should modernize and be more like the private sector, but I remind them of two examples.

When the LCB tried to act more like a private business, they spent taxpayer dollars doing it and it failed miserably. I remind the General Assembly of TableLeaf. That is when the liquor system tried to buy a winery and sell it, and it failed miserably. I remind the General Assembly of the wine kiosk system that the LCB tried to implement and mask itself as a private business and sell wine in a grocery store. They spent over $1 million to do it, and it failed miserably.

Instead of trying to implement more modernization and act like a private business, why do we not just do what the other 48 States do and allow the private sector to manage this industry? Instead of saying that we need increased revenues for education – and the $80 million we get from the LCB is vital to that – I think the $200 million a year that this bill will allow us to invest in things like education makes more sense.

I think the system speaks for itself on why we should get out of it. The complications that our constituents have when they go to a liquor store, they cannot stand the inconvenience. In fact, the other side of the aisle tries to say that we have it right, the other 48 States have it wrong. The problem with that argument is that no one from my district has come back from the other 48 States and said, "Man, our liquor system is the best." Instead, they actually say, "Our liquor system is broken and we need to be more like the other 48 States."

Instead of us trying to find creative excuses of why we should not get out of the business, why do we not just give the public what they want, which is increased convenience, lower prices.

And I would like to also respond to some of the other criticism about job loss. The problem with that is we are hearing there is going to be job loss, but then the same folks are talking about that there are going to be hundreds of more establishments. If we are going to have hundreds of more establishments, are we not going to need employees to work in those establishments? So how is there going to be job loss if the private sector is going to increase venues for people to buy their wine and spirits?

Mr. Speaker, if the Governor and the other side of the aisle are as serious as we are about funding our schools and increasing revenue, then why in the world would we not get out of the booze business and pass this to the Governor? Why do we have to increase taxes as the first option?

Mr. Speaker, I cannot ask my constituents to pay a dime – and I do not care what industry they work in; I do not care what they do for a living – I cannot ask them to pay a dime in higher taxes before we do the responsible thing and divest from the Liquor Control Board and we allow that the private sector do what it is doing across the country and stop coming up with these excuses of why we should modernize.

And yet we worry in the same sense about having a system in place to protect young people from getting booze. We talk about the fact that we need the LCB to enforce this, yet they are the exact same board that is trying to maximize sales. It is a conflict of interest that we have debated on the floor, but there is a tremendous amount of merit to having the same organization try to maximize sales, yet try to control the alcohol consumption from getting into those hands of young folks or to stop people from abusing the product.

Let us let the Liquor Control Board do their job, and let us let the private retail market do its job. Let us get out of the booze business. This is the first time this General Assembly, I believe, ever has had the opportunity to send a liquor privatization bill to the Governor, and we should not miss that opportunity.

Thank you, Mr. Speaker.

The SPEAKER. Representative Bishop.

Ms. BISHOP. Thank you, Mr. Speaker.

I rise tonight to add my voice against privatizing the State liquor store system.

You see, Mr. Speaker, Pennsylvanians have spoken. They have said that increasing State funding for education is their top priority, not selling off the liquor stores. I am not holding our children and I will not hold our children hostage, or the future of Pennsylvania should not be held hostage, by tying our State budget to liquor privatization.

The State wine and State spirits generate $80 million a year in profit for the State budget. That is money the State no longer would receive under this plan. With a few changes to our current system, the stores could generate at least $125 million more per year – that is per year, Mr. Speaker – compared to a one-time chunk of revenue that selling the stores would bring. And I do not need to tell you the fallacy of relying on a one-time fix – or maybe I do. Pennsylvania is facing a significant problem because of all of the one-time fixes implemented in the last several budgets.

Pennsylvania consumers want more convenience and accessibility when it comes to buying alcohol. The State can do that under the current system, while still ensuring that alcohol stays out of the hands of our children. Under the current system, which has a zero-tolerance policy to sell to minors, which has a zero-tolerance policy currently – it already has that – we can expand hours, put more PLCB stores inside grocery stores, and allow direct shipment of wine as a few ways to increase convenience.

So, Mr. Speaker, in my closing remarks, I say once again, we do not need to privatize. As I mentioned, selling wine and spirits stores does not provide recurring revenue for our schools or any part of the State budget. Our children are too precious for the State to consider making alcohol available without proven oversight by trained employees.

Privatization is not the answer. Pennsylvania must take care of children first. Those are our children that we are exposing. If we care about our children, privatization is a no-no, it is a no-no, and a no-no in Pennsylvania. Privatizing is a no-no. Vote "no" on the bill and protect our children. Thank you.

REMARKS SUBMITTED FOR THE RECORD

The SPEAKER. Representative Hanna.

Mr. HANNA. Thank you, Mr. Speaker.

I would like to submit some remarks for the record.

The SPEAKER. Sir, those will be accepted.

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

Mr. Speaker, once again, I rise in opposition to HB 466.

Mr. Speaker, privatization is wrong – wrong for employees, wrong for customers, wrong for public safety, wrong for licensees, and a complete financial loser.

According to recent Franklin and Marshall polls, when given a choice, 57 percent of respondents preferred to modernize the State wine and spirits stores. In addition, Mr. Speaker, only 1 percent of voters believe privatization should be a priority in Pennsylvania. So why is privatization being linked to this budget debate?

Supporters claim privatizing the liquor stores will generate $220 million in the first year – that is it – and proponents of this bill cannot sit here today and determine future profits.

During Gov. Tom Corbett's tenure, he commissioned a study that illustrated that Pennsylvania would need to make up $408 million each year for privatization to be revenue-neutral. That does not include a profit, Mr. Speaker. That is just to be revenue-neutral.

In addition, that same study projected it would cost Pennsylvania nearly $1.4 billion over 5 years to fully divest our liquor operations. This would do nothing, absolutely nothing, to help close the State's more than $2 billion budget gap.

In the past 5 years, the PLCB's net income has grown at a 25-percent compound annual rate. The PLCB has never operated in the red. In fact, PLCB profited $123 million in the past fiscal year and continues to contribute more money to the State Treasury every single year.

In recent days, many have blocked this General Assembly from funding our educational system through a steady stream of Marcellus Shale revenue. Now you want to take away another steady source of revenue for our entire State? This makes no sense, Mr. Speaker. Your idea of one-time revenue gains from selling the liquor stores pales in comparison to the long-term profit losses.

Our very own Speaker said yesterday that we need to be careful. We need to be careful not to make a mistake with this budget, because if we make a mistake, it will devastate the people of Pennsylvania. I would argue, Mr. Speaker, that this bill is a huge mistake.

If this bill passes, Mr. Speaker, 4,700 workers would lose their jobs. Do you understand what that means, Mr. Speaker? That means 4,700 State workers would no longer be contributing to our State pension system, ultimately shifting additional costs onto Pennsylvania taxpayers. For the second time today we are considering legislation that will affect the health and security of our State pension system.

You want to talk about doing something insane – this is insane, Mr. Speaker. It is, without a doubt, insane that we are considering legislation that goes against everything we believe in. This proposal eliminates several thousand family-sustaining jobs in return for no discernible financial, consumer convenience, or economic benefits to the State.

We all know this issue is nothing new to this chamber. During the Corbett administration, privatization was a top priority. Yet, even with one of your own in office, you could not manage to privatize. Why would you think that our Democratic Governor would sign this bill?

There are many States that have divested from State-run wine and liquor sales which have seen significant revenue losses. Prior to privatizing, West Virginia's system was providing $22 million per year to the State. In the years to follow, that number plummeted to only $6 million. In Iowa, after privatizing wine sales, revenues plummeted by $20 million in just 3 years; then after privatizing liquor sales, revenues dropped another $18 million. After privatizing liquor sales in Washington State, it became known as the State with the highest liquor prices in the nation. In the words of Sharon Foster, former head of Washington's Liquor Control Board, "I think it's the dumbest thing we ever did in our state."

Again, have we learned nothing?

Mr. Speaker, many members here today want people to think that they are all about the spirit of compromise. Yet, once again, all four caucuses and the Governor's Office have been highly engaged in workgroups that were intended to help us all come to a reasonable agreement on a variety of issues. But when the only proposal being considered by the Republican Party includes one that privatizes our entire liquor system, that, Mr. Speaker, is the opposite of compromise.

If you are interested in having a real conversation, a real compromise, you would consider modernizing to not only improve our current system and make it more profitable for consumers, but to preserve good-paying jobs for families in every county in the State.

I ask for a "no" vote on HB 466.

The SPEAKER. Representative Petri. Representative Petri waives off.

The last speakers are Representative Costa, then Representative Ross, then Representative Dermody, and then Representative Reed.

Representative Costa, the floor is yours.

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

Good evening, Mr. Speaker, and happy fiscal eve.

Before I start, there is a group out there that is called Outkast, and one of my favorite songs that they have is called "Ms. Jackson." If you know the chorus, it is, "I'm sorry Ms. Jackson…." But there is also a line in the song that I have always liked that says, "You can plan a pretty picnic, But you can't predict the weather…."

Well, I want to talk about this plan and what it is going to do. First off, let us go to what the fiscal note says the plan is going to do. It says that we are going to divest our wholesale system and our retail system, and in exchange for that, we will get $220 million this year.

Now, the Senate Republican fiscal note says $220 million this year. It makes no reference to years 2, 3, 4, 5, and beyond. What happens then? I have concerns about that. The Senate Democratic fiscal note had a comment in it, and it says that the fiscal impact of this legislation is unclear. That is pretty scary when we are going to risk an industry that generates at least $100 million – and to correct the person from Beaver County about using the taxpayer dollars, our LCB system and our retail and wholesale system is self-sufficient. As a matter of fact, they turn over close to $100 million every year to the General Fund; every year they turn over that. So according to this fiscal note, in 2 years we break even. Why in the world would we give up an asset that generates revenue? Honestly, it does not make sense.

What also does not make sense is the jobs that we are giving up on. The estimates are anywhere from 2500 to 5,000, so we will split in the middle somewhere at 3500. There are 3500 family-sustaining jobs that our friends, our neighbors, and maybe even our relatives have working in the State store system, and we are going to give that away. And we are going to tell them, "Sorry, Ms. Jackson, find another job. Maybe you can work in one of the retail stores where they'll pay you minimum wage, maybe a little bit more, but you're not going to make the family-sustaining wages."

Also, we hear about how this is going to be great for consumers to be able to purchase alcohol wherever they want. I do not think it is such a big deal now to go to two different places, one place to get beer and one place to get spirits and wine. To me, I think it is safety, I think it protects our citizens, I think it protects us from shoplifting, I think it protects us from underage drinking. Again, we are giving away all these things. Again, it makes me nervous.

There is another fallacy I would like to correct from the gentleman from Beaver County. It is not just two States that have a controlled system. There are in fact 17 jurisdictions that have control over the sale of alcohol. And again, why would we sell an asset that we do not utilize to its full potential? We handcuff our LCB system and expect them to make money. I have offered a plan, and I hope to offer it again.

Now, I realize that, I am assuming, this bill will pass here today, and I am hoping, with all my heart I hope that the Governor vetoes this bill and that we get an opportunity to come back and work on something that we can all agree on, that we can all agree that we can continue to maintain our jobs, that we continue to create the revenue that we have, and we continue the safety for our citizens. Giving away the store for a risk, it just does not make sense to me.

Earlier this evening we had a 4- to 5-hour debate on the pension. Let us assume that this bill does become law and the Governor does sign it into law, and let us assume that according to Governor Corbett's study, that 2300 people will be out of a job. What if those 2300 people go to their pension and say, "I want to be paid now." If you thought we have a problem today, imagine what it is going to be like when those 2300 people pull – not only do they pull their money out, they will not be adding to the fund.

So for that and several other reasons, I would ask you to please vote "no" on concurrence on HB 466, and bring it back when we all agree what we can vote for. Thank you.

The SPEAKER. Representative Chris Ross.

Mr. ROSS. Thank you, Mr. Speaker.

I will keep my remarks brief because we are all tired and have been here for a long time, and I know we have other important business to get done tonight. But I will focus in on just a couple of items that have been brought up previously and there have been some misunderstandings about.

Let us talk about the jobs first of all, and rather than just estimate and guess, why do we not take the Liquor Control Board's actual numbers. There are 1400 full-time clerks in the State stores. There are 74 wine specialists. There are 886 managers for the 600 stores.

We are proposing to increase the opportunities for employment to the 1200 existing beer distributorships. They will need managers and clerks, so they will be hiring. We are going to have additional warehouse jobs, because as the wholesale goes into a variety of different distribution outlets, there are going to be additional warehouse jobs, there are going to be additional trucking jobs. Those are high-paid jobs. They will do a lot to offset the losses that we might otherwise have. And then finally, we are expanding the sales within the grocery stores, which in turn will also wind up increasing opportunities at the grocery stores, some of which are high-paid union jobs as well.

So the net change to employment, I believe, will not be a loss of employment and I believe it will actually be a net gain of employment as we bring more sales back into this Commonwealth away from States where they are currently migrating.

There has been a discussion about enforcement, and I take the point that my good colleague from Philadelphia raises about existing enforcement, but let us not misunderstand what we are doing here. We are proposing to put these sales in existing licensed establishments that we are currently controlling and that have been, generally, doing a pretty good job of making sure that we do not have problems. So the idea that suddenly the beer distributors and those that are otherwise holding restaurant licenses are going to suddenly become huge problems does not make sense and is really not fair to the good people that are running those establishments currently in Pennsylvania. So the enforcement issue will not be made worse.

Should we do more with enforcement? Absolutely, and I stand ready as chair of the Liquor Committee to work with my colleagues to increase enforcement, but you should recognize that privatized States have better ratings from the Mothers Against Drunk Driving and others on their enforcement right now than we, as a controlled State, do. So it is quite clear that we have a separate issue with enforcement that needs to be dealt with separately. The LCB has different departments for enforcement and licensing. Those will stay and we need to strengthen them in the future.

Finally, I want to talk about two things: the discussion about an asset and also the discussion about continuing revenues.

We have frequently heard the State store retail and wholesale being described as an "asset." Now, I was in business, and I know some of you actually are accountants and have a better sense of what an asset is, but I would point out the following. We, the State, do not own the warehouse or the warehouses; we, the State, do not own the retail stores. Both of those are rented. We do not actually even own the product, the wine and the spirits, while they are in the wholesale. They do not actually come into our possession until they leave the wholesale warehouse and are delivered to the retail store where they briefly rest before they wind up becoming the property of the people that are buying it. So the sense that this is some kind of a fabulous asset that we somehow have rights to is wrong.

What we do have rights to is the ability to interfere in the transfer from the distilleries and the wineries to our customer, our constituents, the people who are responsibly drinking alcohol, and we also have the right to interfere in between the wineries and the distilleries and those people that are running restaurants and other licensed establishments. Now, we should interfere for good reason and sensibly, not abusively, not as a monopoly that disturbs in an unregulated sort of a way and in an uncontrolled way interferes with a fair transaction between the makers of this product and those of our constituents that want to properly use it.

So the idea that we are giving up some kind of asset, it really is wrong and is a bad analogy, and I think we ought to start thinking more about service to the people whom we represent – variety, convenience, and fair prices.

Finally, we have had a discussion about continuing revenue. It has been held out that we have, first, $80 million of continuing revenue that is coming to the State from the liquor retail operations, and then we also have been told about this magical $180 million that supposedly is available through modernization. Those of you that were in the Appropriations Committees, both here and I have also reviewed the testimony over in the Senate, show that that $180 million of so-called modernization to the retail and wholesale chain is pretty illusory and even the LCB is backing away from that number. In fact, it includes things such as the transfer of the State Police enforcement over to the General Fund. Those are State dollars no matter where you pay them. It also includes issues relating to licensing and fines. Licensing and fines have nothing to do with privatization or improvement of the retail sales. Those dollars come in separately.

The idea of expanding Sunday sales has also been questioned. The stores that we currently have open for Sunday sales are the ones that were most likely and were chosen specifically because they were most likely to turn a profit. The ones that are not open are the low-volume stores, and the problem with opening them up on Sundays is you have to pay overtime to every employee that walks in the door on Sunday under the contract, so therefore, your cost of operation goes up dramatically.

If you have a low-volume store, you are not going to make money off of that. It is not going to be a big profit. I talked to former chairman Jonathan Newman about this, and he confirms that that is in fact the case and that is the reason they went down the road that they did.

So basically the modernization ideas are really not going to yield you revenue. What do we really have in front of us here?

The fiscal note that has been referred to is selectively referred to. The total number of revenue that is offered under this plan for the upcoming year is a total of $359 million; in the second year, $423 million; in the third year and continuing, $285 million.

Now, it is true that the moneys that we get from the operation of the stores will fade out over those 3 years, but by my math, $359 million is a pretty good trade to lose the $80 million. And even in the continuing years, even in the out-year of $285 million, we are still $200 million in the good.

So this is a sustainable, good idea that is going to be more convenient for the people that we represent. Liquor sales and service are going to get better. We can concentrate our efforts on enforcement and licensing, which is the State's proper job here, not to get into the retail and wholesale sale of alcohol.

So having considered all factors – convenience, practicality, focusing government on what it should be doing, and looking at the net cash benefit for this – I strongly urge a "yes" vote.

The SPEAKER. Representative Frank Dermody.

Mr. DERMODY. Thank you, Mr. Speaker.

Mr. Speaker, the fact is, the fiscal note that was provided by the Senate on this issue indicated for the first year there would be $220 million and there were other indications that even Republican members who voted for it in the Senate were not sure that was even accurate and it was likely lower. That is what it said.

Make no mistake about it, this bill will cost us 4,000 jobs. It will absolutely cost us 4,000 jobs, revenue loss in the millions, prices will go up, and selection will go down.

What is the reason we would sell what is an asset? What that asset provides every year is at least $100 million in profit, $500 million in tax revenues for the Commonwealth, and there are no taxpayer dollars involved here because what is paying for this whole operation is the people who go in and use the liquor stores.

Look, we have got to tell the truth about what is going on and be accurate about what is going on with the birth of these stores. We know that the fiscal notes that we have seen have gone from $4 billion, now that we are going to achieve in the sale of the stores, to $200 million. We are going to give up a recurring source of revenue that can help us balance our budget year after year after year, and we have the opportunity now to increase consumer convenience, make it easier for the consumers while still protecting Pennsylvanians, protecting their jobs, increasing revenue for the Commonwealth with a great selection and great prices.

Even if you believe selling the stores is a good idea, this bill, this bill is not the way to do it. It is wrongheaded. It does not do what we have just heard it does.

Let us keep the State stores. We can work on a plan and we have a plan to make consumer convenience key here while maintaining an asset that helps the Commonwealth in many, many ways.

We should vote "no" on HB 466. Thank you, Mr. Speaker.

The SPEAKER. Representative Dave Reed.

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

I know it has been a long day and we have talked about a number of issues, but just three very concise points in support of HB 466.

When we think about where we want our liquor system to be in the future, I think there are three points to consider. Number one, should we be, as a State government, in the liquor business to begin with? Should we be the only other State, in addition to Utah, that has a complete monopoly over the wholesale and retail side of the liquor system?

Number two, anything we do should be a revenue gainer for the Commonwealth. As we look at the revenue estimates as evaluated by our Appropriations Committee, we see that over the next 3 fiscal years we are estimating an additional, an additional $359 million to the Commonwealth this year, $423 million to the Commonwealth next year, and then $285 million to the Commonwealth in year 3, and then there on out, we have got recurring revenue of over $200 million in addition to the taxes and fees and transfers already provided by the liquor system to the Commonwealth.

And third and finally, particularly those of us from the western half of the State, we are oftentimes asked by our constituents, who will travel to Virginia, to Maryland, to the Carolinas, why they cannot have the same sort of convenience in our communities as those States have in their communities? What is so special about those States that we cannot provide those same sort of opportunities here in Pennsylvania?

Mr. Speaker, this is an opportunity for us once and for all to bring Pennsylvania into the 21st century; to bring in additional recurring revenue to the Commonwealth to fund things like early childhood education, basic education, higher education; and for once and all get this State out of the liquor business.

I would ask the members to concur on HB 466. Thank you.

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–113

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

NAYS–82

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

NOT VOTING–0

EXCUSED–3

Baker	Barbin	DeLuca

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 BILL
CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, returned **HB 1192, PN 1959,** with information that the Senate has passed the same without amendment.

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 466, PN 1985

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, as follows: In preliminary provisions, further providing for definitions. In Pennsylvania Liquor Control Board, further providing for general powers of board. In Pennsylvania liquor stores, providing for career training and postsecondary education grant eligibility. In licenses and regulations, liquor, alcohol and malt and brewed beverages, further providing for license districts, license period and hearings and for issuance, transfer or extension of hotel, restaurant and club liquor licenses, providing for wholesale permit, for wholesale licenses, for wine or liquor expanded permits and for wine or liquor enhanced permits; further providing for malt and brewed beverages manufacturers', distributors' and importing distributors' licenses, for malt and brewed beverages retail licenses, for application for distributors', importing distributors' and retail dispensers' licenses, for prohibitions against the grant of licenses, for interlocking business prohibited, for licenses not assignable and transfers, for surrender of restaurant, eating place retail dispenser, hotel, importing distributor and distributor license for benefit of licensee and for unlawful acts relative to malt or brewed beverages and licensees.

HB 1192, PN 1959

An Act to provide from the General Fund for the expenses of the Executive and Judicial Departments, the State Government Support Agencies and the General Assembly of the Commonwealth, the public debt and the public schools for the fiscal year July 1, 2015, to June 30, 2016, for certain institutions and organizations, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2015; to provide appropriations from the State Lottery Fund, the Tobacco Settlement Fund, the Aviation Restricted Account, the Hazardous Material Response Fund, The State Stores Fund, the Milk Marketing Fund, the Home Investment Trust Fund, the Emergency Medical Services Operating Fund, the Tuition Account Guaranteed Savings Program Fund, the Banking Fund, the Firearm Records Check Fund, the Ben Franklin Technology Development Authority Fund, the Oil and Gas Lease Fund, the Home Improvement Account, the Cigarette Fire Safety and Firefighter Protection Act Enforcement Fund, the Insurance Regulation and Oversight Fund, the Pennsylvania Racehorse Development Restricted Receipt Account, the Justice Reinvestment Fund and the Multimodal Transportation Fund to the Executive Department; to provide appropriations from the Judicial Computer System Augmentation Account to the Judicial Department for the fiscal year July 1, 2015, to June 30, 2016; to provide appropriations from the Motor License Fund for the fiscal year July 1, 2015, to June 30, 2016, for the proper operation of several departments of the Commonwealth and the Pennsylvania State Police authorized to spend Motor License Fund money; to provide for the appropriation of Federal funds to the Executive Department of the Commonwealth and for the payment of bills remaining unpaid at the close of the fiscal year ending June 30, 2015; and to provide for the additional appropriation of Federal and State funds from the General Fund and the State Lottery Fund for the Executive Department of the Commonwealth for the fiscal year July 1, 2014, to June 30, 2015, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2015.

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

SUPPLEMENTAL CALENDAR B CONTINUED

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1329, PN 1883,** entitled:

An Act requiring certain hospitals to allow patients an opportunity to designate caregivers in patients' medical records and imposing duties on hospitals.

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–194

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

NAYS–1

Ward

NOT VOTING–0

EXCUSED–3

Baker	Barbin	DeLuca

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 812, PN 1078,** 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 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–195

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

Emrick	Kirkland	Quigley	Zimmerman
English	Klunk	Quinn	
Evankovich	Knowles	Rader	Turzai,
Evans	Kortz	Rapp	Speaker
Everett			

NAYS–0

NOT VOTING–0

EXCUSED–3

Baker	Barbin	DeLuca

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 813, PN 1119,** 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 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–195

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

NAYS–0

NOT VOTING–0

EXCUSED–3

Baker	Barbin	DeLuca

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 814, PN 1080,** 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 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–193

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

NAYS–2

McGinnis	Truitt

NOT VOTING–0

EXCUSED–3

Baker	Barbin	DeLuca

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 815, PN 874,** 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 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–193

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

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

NAYS–2

McGinnis Truitt

NOT VOTING–0

EXCUSED–3

Baker Barbin DeLuca

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 816, PN 1081,** 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 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–195

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

NAYS–0

NOT VOTING–0

EXCUSED–3

Baker Barbin DeLuca

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 818, PN 877,** 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 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–191

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

NAYS–4

Davidson	Gillen	Santora	Tallman

NOT VOTING–0

EXCUSED–3

Baker	Barbin	DeLuca

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 817, PN 1082,** 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 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–195

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

Deasy	Jozwiak	Oberlander	Truitt
DeLissio	Kampf	Ortitay	Vereb
Delozier	Kaufer	Parker, C.	Vitali
Dermody	Kauffman	Parker, D.	Ward
Diamond	Kavulich	Pashinski	Warner
DiGirolamo	Keller, F.	Payne	Watson
Donatucci	Keller, M.K.	Peifer	Wentling
Driscoll	Keller, W.	Petrarca	Wheatley
Dunbar	Killion	Petri	Wheeland
Dush	Kim	Pickett	White
Ellis	Kinsey	Pyle	Youngblood
Emrick	Kirkland	Quigley	Zimmerman
English	Klunk	Quinn	
Evankovich	Knowles	Rader	Turzai,
Evans	Kortz	Rapp	Speaker
Everett			

NAYS–0

NOT VOTING–0

EXCUSED–3

Baker	Barbin	DeLuca

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 819, PN 1083,** 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 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–195

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

NAYS–0

NOT VOTING–0

EXCUSED–3

Baker	Barbin	DeLuca

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 820, PN 1084,** 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 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–195

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

NAYS–0

NOT VOTING–0

EXCUSED–3

Baker	Barbin	DeLuca

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 329, PN 220,** entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, establishing the Ready to Succeed Scholarship Program; and conferring powers and imposing duties on the Pennsylvania Higher Education Assistance Agency and the Department of Education.

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–195

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

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

NAYS–0

NOT VOTING–0

EXCUSED–3

Baker	Barbin	DeLuca

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 487, PN 1133,** entitled:

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, providing for limits on copayments for insured medical services provided by a physical therapist, chiropractor and occupational therapist.

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–195

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

NAYS–0

NOT VOTING–0

EXCUSED–3

Baker	Barbin	DeLuca

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 **HB 1118, PN 1965,** entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for independent counsel; and making an editorial change; and amending the act of October 15, 1980 (P.L.950, No.164), entitled "A supplement to the act

of April 9, 1929 (P.L.177, No.175), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," implementing the addition of section 4.1 to Article IV of the Constitution of Pennsylvania; establishing the Office of Attorney General elected by the citizens and setting forth powers and duties of the Attorney General; creating an Office of General Counsel and providing for legal services for Commonwealth agencies; transferring, reorganizing or reconstituting certain boards, commissions and agencies; placing certain duties upon the courts and district attorneys; repealing certain acts and parts of acts and making appropriations," in Office of Attorney General, further providing for criminal prosecutions; and, in Office of General Counsel, providing for investigations involving the Attorney General.

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–194

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

NAYS–1

McCarter

NOT VOTING–0

EXCUSED–3

Baker	Barbin	DeLuca

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 905, PN 1102,** entitled:

An Act amending Title 8 (Boroughs and Incorporated Towns) of the Pennsylvania Consolidated Statutes, in recreation places, shade trees and forests, further providing for care, custody and control, for notice of work and for shade tree commission.

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?

VOTE CORRECTION

The SPEAKER. Representative McCarter wishes to be recognized on HB 905.

Mr. McCARTER. Thank you, Mr. Speaker.

If you can note that the button malfunctioned on my dais there, and on HB 1118 it should be in the affirmative.

The SPEAKER. Yes, sir. Thank you.

CONSIDERATION OF HB 905 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–131

Acosta	Driscoll	Kinsey	Reed
Adolph	Dunbar	Kirkland	Regan
Bishop	English	Kortz	Roebuck
Bizzarro	Evans	Kotik	Ross
Bloom	Fabrizio	Lewis	Rozzi
Boyle	Farina	Longietti	Sainato
Bradford	Farry	Maher	Samuelson
Briggs	Flynn	Mahoney	Santarsiero
Brown, R.	Frankel	Markosek	Santora
Brown, V.	Freeman	Marshall	Saylor
Burns	Gainey	Marsico	Schlossberg
Caltagirone	Galloway	Masser	Schreiber
Carroll	Gergely	Matzie	Schweyer
Cohen	Gibbons	McCarter	Sims
Conklin	Gillespie	McNeill	Snyder
Corbin	Gingrich	Miccarelli	Staats
Costa, D.	Goodman	Miller, D.	Stephens
Costa, P.	Hahn	Milne	Sturla
Cruz	Hanna	Mullery	Taylor
Culver	Harhai	Murt	Thomas
Cutler	Harhart	Mustio	Toepel
Daley, M.	Harkins	Neuman	Toohil
Daley, P.	Harper	O'Brien	Vereb
Davidson	Harris, J.	O'Neill	Vitali
Davis	Helm	Parker, C.	Warner
Dawkins	Hennessey	Parker, D.	Watson
Day	James	Pashinski	Wheatley
Dean	Kampf	Payne	Wheeland
Deasy	Kavulich	Petrarca	White
DeLissio	Keller, M.K.	Petri	Youngblood
Delozier	Keller, W.	Quinn	
Dermody	Killion	Ravenstahl	Turzai,
DiGirolamo	Kim	Readshaw	Speaker
Donatucci			

NAYS–64

Barrar	Greiner	Major	Rader
Benninghoff	Grove	Maloney	Rapp
Boback	Harris, A.	McGinnis	Reese
Causer	Heffley	Mentzer	Roae
Christiana	Hickernell	Metcalfe	Saccone
Cox	Hill	Metzgar	Sankey
Diamond	Irvin	Millard	Schemel
Dush	Jozwiak	Miller, B.	Simmons
Ellis	Kaufer	Moul	Sonney
Emrick	Kauffman	Nesbit	Tallman
Evankovich	Keller, F.	Oberlander	Tobash
Everett	Klunk	Ortitay	Topper
Fee	Knowles	Peifer	Truitt
Gabler	Krieger	Pickett	Ward
Gillen	Lawrence	Pyle	Wentling
Godshall	Mackenzie	Quigley	Zimmerman

NOT VOTING–0

EXCUSED–3

Baker	Barbin	DeLuca

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 912, PN 1838,** entitled:

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in consolidated county assessment, further providing for definitions and for subjects of local taxation.

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 Dave Maloney, on the bill.

Mr. MALONEY. Thank you, Mr. Speaker.

The SPEAKER. Sir, you have the floor.

Mr. MALONEY. Thank you, Mr. Speaker.

I rise today with a true conflict on why we would even pass this bill. I want to give you a few examples of foundation coming from a construction industry point of view.

Permanently attached – we actually have an exemption and a requirement that mobile homes would be permanently attached. That is 3 feet in the ground, steel cables around a substrate, down onto the piers or the block foundation. But mobile homes actually depreciate in value, and rightly so, so you actually will depreciate having a permanent foundation, and yet in this legislation, your shed out back, because you put a lightbulb in it, will be assessed. And if you have a workshop that you might want to put a propane heater in and you hook up gas to it, it can now be assessed.

Property tax is a tremendous issue for me, as it is for many of you. Many people do not put additions on their homes, and another alternative for them to do is to have extra storage outside and they place a shed in place. Last night I went past the Farm Show Complex, and out in front of the main building is what is called a run-in building. Now, that building that is sitting there presently has more square footage than the 200-square-foot exemption in this bill. So if you get a goat, a pony, or you just want to drive in your lawn mower into a building like this without a foundation, you now give more authority to have it assessed higher.

It is very troubling to me, and I know you will hear, "They can do this now." Then why do we need the bill? Why do we make a square-foot exemption? Property taxes should be eliminated, not allowing more definitions so that we can expand and assess higher.

Thank you, Mr. Speaker.

The SPEAKER. Representative Ross.

Mr. ROSS. Thank you, Mr. Speaker.

And I just wanted to make sure that everybody understood, this was a slight correction to the existing standards in the code when we did a recodification through the Local Government Commission. The language was placed in slightly the wrong place. It does currently cover the manufactured housing, but it did not actually go into the area where we were referring to other buildings. So we want to be clear. There is a de minimis exception that would prevent assessment of small sheds that would not otherwise be particularly valuable. It simplifies matters, clarifies the language, which became somewhat confused due to an interpretation by the courts, so we are not trying to do anything radical here. And again, obviously if there is no additional value added to the property, there will be no increase in the assessment anyway, so the assessor does have to consider whether these are trivial improvements on the property or whether they are major. But we did want to make clear that the intent of the law as it was before codification came out the same way after codification.

I urge a "yes" vote. Thank you.

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–41

Bloom	Galloway	Kim	Schemel
Boyle	Gingrich	Lawrence	Schlossberg
Briggs	Greiner	Maher	Schweyer
Corbin	Grove	McGinnis	Stephens
Daley, M.	Hanna	Moul	Sturla
Day	Harhart	Murt	Taylor
DeLissio	Harper	Mustio	White
Dermody	Irvin	Petri	
DiGirolamo	Jozwiak	Rader	Turzai,
Farry	Kampf	Ross	Speaker
Freeman	Killion	Samuelson	

NAYS–154

Acosta	Evans	Lewis	Rapp
Adolph	Everett	Longietti	Ravenstahl
Barrar	Fabrizio	Mackenzie	Readshaw
Benninghoff	Farina	Mahoney	Reed
Bishop	Fee	Major	Reese
Bizzarro	Flynn	Maloney	Regan
Boback	Frankel	Markosek	Roae
Bradford	Gabler	Marshall	Roebuck
Brown, R.	Gainey	Marsico	Rozzi
Brown, V.	Gergely	Masser	Saccone
Burns	Gibbons	Matzie	Sainato
Caltagirone	Gillen	McCarter	Sankey
Carroll	Gillespie	McNeill	Santarsiero
Causer	Godshall	Mentzer	Santora
Christiana	Goodman	Metcalfe	Saylor
Cohen	Hahn	Metzgar	Schreiber
Conklin	Harhai	Miccarelli	Simmons
Costa, D.	Harkins	Millard	Sims
Costa, P.	Harris, A.	Miller, B.	Snyder
Cox	Harris, J.	Miller, D.	Sonney
Cruz	Heffley	Milne	Staats
Culver	Helm	Mullery	Tallman
Cutler	Hennessey	Nesbit	Thomas
Daley, P.	Hickernell	Neuman	Tobash
Davidson	Hill	O'Brien	Toepel
Davis	James	O'Neill	Toohil
Dawkins	Kaufer	Oberlander	Topper
Dean	Kauffman	Ortitay	Truitt
Deasy	Kavulich	Parker, C.	Vereb
Delozier	Keller, F.	Parker, D.	Vitali
Diamond	Keller, M.K.	Pashinski	Ward
Donatucci	Keller, W.	Payne	Warner
Driscoll	Kinsey	Peifer	Watson
Dunbar	Kirkland	Petrarca	Wentling
Dush	Klunk	Pickett	Wheatley
Ellis	Knowles	Pyle	Wheeland
Emrick	Kortz	Quigley	Youngblood
English	Kotik	Quinn	Zimmerman
Evankovich	Krieger		

NOT VOTING–0

EXCUSED–3

Baker	Barbin	DeLuca

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill fell.

* * *

The House proceeded to third consideration of **HB 773, PN 1563,** entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in limitation of time, providing for ten-year limitation and for mesne profits and further providing for twenty-one year limitation.

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–181

Acosta	Evans	Kotik	Reese
Adolph	Everett	Lawrence	Regan
Benninghoff	Fabrizio	Lewis	Roae
Bishop	Farina	Longietti	Roebuck
Bizzarro	Farry	Mackenzie	Ross
Bloom	Fee	Mahoney	Rozzi
Boback	Flynn	Major	Saccone
Boyle	Frankel	Maloney	Sainato
Bradford	Freeman	Markosek	Samuelson
Briggs	Gainey	Marshall	Sankey
Brown, R.	Galloway	Marsico	Santarsiero
Brown, V.	Gergely	Masser	Santora
Burns	Gibbons	Matzie	Saylor
Caltagirone	Gillespie	McCarter	Schemel
Carroll	Gingrich	McGinnis	Schlossberg
Causer	Goodman	McNeill	Schreiber
Christiana	Greiner	Mentzer	Schweyer

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

NAYS–14

Barrar	Godshall	Maher	Murt
Day	Harper	Metcalfe	Rapp
Gabler	Keller, F.	Metzgar	Tallman
Gillen	Krieger		

NOT VOTING–0

EXCUSED–3

Baker	Barbin	DeLuca

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.

SENATE MESSAGE

HOUSE BILL
CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, returned **HB 164, PN 787,** with information that the Senate has passed the same without amendment.

SENATE MESSAGE

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

The clerk of the Senate, being introduced, returned **HB 88, PN 2000; HB 501, PN 2001;** and **HB 762, PN 1999,** with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

BILL SIGNED BY SPEAKER

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

HB 164, PN 787

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

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

SUPPLEMENTAL CALENDAR C CONTINUED

BILLS ON CONCURRENCE IN SENATE AMENDMENTS

The House proceeded to consideration of concurrence in Senate amendments to **HB 972, PN 1922,** entitled:

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, in life and endowment insurance and annuities, further providing for policy delivery.

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

The SPEAKER. With respect to HB 972, PN 1922, that bill was called up for concurrence in Senate amendments. The clerk read from an extract of the Journal of the Senate.

The question before us is actually, will the House concur in the amendments inserted by the Senate?

Moved by the gentlelady, Ms. Pickett, that the House concur in the amendments inserted by the Senate.

The Chair recognizes Representative Pickett for a brief description of the Senate amendments.

Ms. PICKETT. Thank you, Mr. Speaker.

The Senate amended HB 972 to remove the signed receipt requirement. The new language establishes policy delivery as the date of mailing, the date of physical delivery, or the date of electronic transmission.

Thank you very much, Mr. Speaker.

The SPEAKER. Thank you very much.

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–195

Acosta	Fabrizio	Kotik	Ravenstahl
Adolph	Farina	Krieger	Readshaw
Barrar	Farry	Lawrence	Reed
Benninghoff	Fee	Lewis	Reese

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

NAYS–0

NOT VOTING–0

EXCUSED–3

Baker	Barbin	DeLuca

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

Ordered, That the clerk inform the Senate accordingly.

* * *

The House proceeded to consideration of concurrence in Senate amendments to **HB 1071, PN 1998,** entitled:

An Act amending the act of July 9, 2013 (P.L.362, No.54), known as the Development Permit Extension Act, further providing for the definition of "approval" and for existing approval.

On the question,

Will the House concur in Senate amendments?

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

The Chair recognizes Representative Warner for a brief description of those Senate amendments.

Mr. WARNER. Thank you, Mr. Speaker.

Mr. Speaker, the Senate amendment is a technical amendment in nature, and I concur with it.

REMARKS SUBMITTED FOR THE RECORD

Mr. WARNER. And I will submit my comments for the record.

The SPEAKER. Those will be accepted. Thank you, sir.

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

HB 1071 is a piece of legislation to clarify the intent of the Development Permit Extension Act, a law originally passed by the General Assembly in response to a sagging construction economy. The act was passed to suspend the expiration of construction and land development approvals because construction and development projects were not progressing as quickly as required under timelines set forth in statute, regulation, and/or municipal approvals. The act was designed to extend these deadlines so that approvals and permits would not expire before the builder or developer could secure buyers and financing for residential development projects.

The General Assembly expressly provided that among the approvals covered by the act are certain declarant's rights to convert or withdraw real estate in the development of a planned community or condominium. These rights are provided under both the Planned Community Act and the Condominium Act, and afford the declarant, commonly referred to as "developer," the ability to reserve land within the project to either convert into more housing units or common elements, or withdraw from the project altogether. The purpose of convertible or withdrawable real estate is to provide the declarant some flexibility on the project depending on how well units are selling and respond accordingly – the very purpose contemplated by the act. Under the statutes, the declarant has just 7 years from the start of the project in which to either convert or withdraw real estate. If the developer failed to take any action within the 7 years, the land would automatically be converted to common area owned by the homeowners or condominium association and the developer would no longer be able to develop the land, a result that no developer would choose.

In light of the nature of convertible and withdrawable real estate, the General Assembly expressly included a declarant's right to convert or withdraw real estate in a planned community or condominium among the approvals that are suspended by the act. In fact, the act makes several specific references such as defining "approval" to include, "creating additional units and common elements out of convertible real estate," defining "development" to include, "the right to convert convertible real estate or withdraw withdrawable real estate," and defining "approval" to include, "creating additional units and common elements out of convertible real estate in a condominium or planned community." By including these unmistakable references, the General Assembly was clear that the act covered the right to convert or withdraw real estate, and a declarant should have been secure in believing that the 7-year timeline to elect to convert or withdraw real estate was suspended under the act.

It was by a plain reading of the act that the York County Court of Common Pleas concluded that the right to convert or withdraw real estate was clearly covered. *Logan Greens Community Association, Inc.* v. *Church Reserve, LLC*, No. 2011-SU-794-93. In fact, the court astutely remarked that any interpretation to the contrary "would be to ignore the multiple and explicit references to the Planned Communities

Act contained within the Permit Extension Act and would cause an absurd result." *Id*.

Unfortunately, that is just the interpretation subsequently given to the act by the Commonwealth Court in an unreported panel decision reversing the *Logan Greens* decision. *Logan Greens Community Association, Inc.* v. *Church Reserve, LLC*, WL 5302578. The Commonwealth Court effectively read these multiple references out of the statute and concluded that the act did not suspend the 7-year time limit to convert or withdraw real estate. In doing so, the court inexplicably stated, "If the General Assembly had intended the Permit Extension Act to suspend the applicability of the seven year limit on the right to convert or withdraw contained in the Planned Community Act, it would have said so directly." However, as discussed above, that is exactly what the General Assembly did in passing the act – it made multiple, explicit references making clear that the right to convert or withdraw real estate is an approval under the act. The court, concluding to the contrary, effectively rendered these provisions meaningless. HB 1071 is intended to do nothing more than clarify that the General Assembly meant what it said, and that the right to convert or withdraw real estate is clearly covered under the act.

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–195

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

NAYS–0

NOT VOTING–0

EXCUSED–3

Baker	Barbin	DeLuca

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

Ordered, That the clerk inform the Senate accordingly.

* * *

The House proceeded to consideration of concurrence in Senate amendments to **HB 1276, PN 1997,** entitled:

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, in child protective services, further providing for definitions, for persons required to report suspected child abuse, for access to information in Statewide database, for release of information in confidential reports, for employees having contact with children and adoptive and foster parents, for information relating to certified or registered day-care home residents, for volunteers having contact with children, for continued employment or participation in program, activity or service, for certification compliance, for education and training and for mandatory reporting of children under one year of age.

On the question,

Will the House concur in Senate amendments?

The SPEAKER. Moved by the gentlelady, Representative Watson, that the House concur in those amendments.

The Chair recognizes Representative Watson for a brief description of the Senate amendments.

Mrs. WATSON. Thank you, Mr. Speaker.

And I certainly will try to be brief. HB 1276, as it came back, makes the Senate just put amendments in to make the statute even more explicit with regard to background check/clearance requirements for employees and adult volunteers. It clearly defines who is subject to the requirements, and makes those requirements, as some of you have wanted, less onerous in some instances.

I think of particular note, and I will not go through every little thing, but of particular note would be that they have now made all the background clearances equal. They are every 5 years regardless, whether it is with DHS (Department of Human Services) or it is Federal or whatever. So people will be able to plan and understand easier.

Also, there was a discrepancy when they were made, when background checks for volunteers were made for free, that if you were a new volunteer you had July 1, but background checks did not go into effect free until July 25. The Senate has changed that date from July 1 to August 25. So when you have

had constituents ask, "What do I do? I want to wait the 3 weeks, but will I be in trouble?" or whatever, not a problem.

They are probably two of the biggest that your constituents were concerned about.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, Representative Watson.

Representative Dave Millard.

Mr. MILLARD. Thank you, Mr. Speaker.

While I will be voting for this bill, I still have some concerns related to the background checks and clearances for higher education employees. At the State-owned universities, including Bloomsburg University, and at the community colleges, virtually all introductory courses are open for dual enrollment. Since nearly all faculty teach at least one introductory course, that would mean that every faculty member would still be required to have a background check. We all want to protect our minors; however, if a minor student takes a college course with 100 other students, he or she is surrounded by 100 adults, not just the professor. Every other student in the course is also an adult.

Even as we move on this bill, we still need to deal with these concerns in the near future.

Thank you, Mr. Speaker.

The SPEAKER. Representative Doyle Heffley.

Mr. HEFFLEY. Thank you, Mr. Speaker.

Mr. Speaker, I rise to oppose HB 1276. While this bill had the best of intentions as a fix to fix some of the concerns in the child protection laws that were passed earlier on, I feel that the exemption that was put in for colleges and universities, while the Senate did make it better, it still sets up a two-tier system, when you are going to have folks that are volunteering that are going to be subject to one criteria of background checks and folks that are working with underage children on colleges and university campuses that are going to get a free ride. I think we should treat everybody equally.

This should not be a two-tiered system, and I will be opposing this bill.

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

NAYS–5

Diamond	Masser	O'Brien	Thomas
Heffley			

NOT VOTING–0

EXCUSED–3

Baker	Barbin	DeLuca

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.

REMARKS SUBMITTED FOR THE RECORD

The SPEAKER. Representative Hanna is recognized.

Mr. HANNA. Thank you, Mr. Speaker.

I would like to submit some remarks for HB 1276.

The SPEAKER. They will be accepted. Thank you, sir.

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

Mr. Speaker, I am in support of HB 1276, not only because it is important to the Pennsylvania State System of Higher Education, but to all State-owned and State-related universities.

Mr. Speaker, the bill as amended adequately addresses the concerns previously raised on the floor regarding children's safety by the Representatives from Warren (Rapp) and Berks (Maloney) Counties.

As we have seen under Act 153, the one-size-fits-all approach is not effective. HB 1276 would help clarify many issues that have arisen since Act 153's enactment.

The Federal government considers any college student who is 16 years of age or older an adult; therefore, the State should not treat these individuals any differently. People who have contact with college students, who under Federal law are considered adults, should be exempt from criminal background and child abuse clearances. If the Federal government considers college students adults, then Pennsylvania law should reflect the same. I am simply advocating for consistency on the State and Federal levels.

As mentioned by the Representative from Bucks County (Watson), the point of this legislation is not to lessen in any way the importance of background checks. Rather, I believe the importance of this legislation is to strengthen our background check laws by illustrating consistency on both the State and Federal levels.

Mr. Speaker, I ask for an affirmative vote on HB 1276.

Thank you, Mr. Speaker.

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 972, PN 1922

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, in life and endowment insurance and annuities, further providing for policy delivery.

HB 1071, PN 1998

An Act amending the act of July 9, 2013 (P.L.362, No.54), known as the Development Permit Extension Act, further providing for the definition of "approval" and for existing approval.

HB 1276, PN 1997

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, in child protective services, further providing for definitions, for persons required to report suspected child abuse, for access to information in Statewide database, for release of information in confidential reports, for employees having contact with children and adoptive and foster parents, for information relating to certified or registered day-care home residents, for volunteers having contact with children, for continued employment or participation in program, activity or service, for certification compliance, for education and training and for mandatory reporting of children under one year of age.

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

RULES COMMITTEE MEETING

The SPEAKER. The majority leader is recognized for an announcement.

Mr. REED. Thank you, Mr. Speaker.

There will be an immediate meeting of the Rules Committee in the Appropriations conference room.

Members, the House will be at ease.

THE SPEAKER PRO TEMPORE (JOHN MAHER) PRESIDING

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

BILLS ON CONCURRENCE REPORTED FROM COMMITTEE

HB 88, PN 2000 By Rep. REED

An Act designating a portion of State Route 309 North in Lynn Township, Lehigh County, between the intersections of Northwest Road and Long Court and Mosserville Road and Mountain Road, as the Lance Corporal Brandon J. Van Parys Memorial Road; designating a portion of State Route 2014 in Lycoming County as the Petty Officer Thomas Johnson Memorial Highway; designating a portion of State Route 61 in Schuylkill County, from State Route 443 to State Route 2014, as the Captain Jason B. Jones Memorial Highway; designating a portion of State Route 254 in Northumberland County as the Staff Sergeant Thomas Allen Baysore Memorial Highway; designating the portion of State Route 443 within the municipal boundaries of Orwigsburg Borough, Schuylkill County, as the Corporal David F. Heiser Memorial Highway; designating a portion of State Route 15 in Lycoming County as the Kelly Rae Mertes DUI Awareness Memorial Highway; designating a portion of State Route 153 from segment 80 to segment 310 in Clearfield County as the Austin M. Harrier Memorial Highway; designating a portion of State Route 422 in Lebanon County as the Officer Michael H. Wise II Memorial Highway; designating Exit 26 from the Mon-Fayette Expressway in Luzerne Township, Fayette County, as the Ronald F. DeSalvo Memorial Interchange; designating a portion of Davisville Road in Upper Moreland Township, Montgomery County, from State Route 611, also known as York Road, to Terwood Road as the PFC Robert S. Alexander Memorial Highway; and designating a portion of State Route 22/322 in Juniata County as the Honorable Daniel F. Clark Memorial Highway.

RULES.

HB 501, PN 2001 By Rep. REED

An Act designating the Conodoguinet Bridge on that portion of State Route 641 over the Conodoguinet Creek, Hopewell Township, Cumberland County, as the Army Pfc. Harold "Sam" E. Barrick Memorial Bridge; designating the bridge located on that portion of State Route 865, over the railroad tracks and Main Street in Bellwood, Blair County, as the Dominec M. "Patsy" Padula Memorial Bridge; designating the bridge on that portion of State Route 940 over Tobyhanna Creek (Pocono Lake) in Tobyhanna Township, Monroe County, as the Sullivan Bridge; designating a bridge on that portion of State Route 155 over the Allegheny River, Port Allegany Borough and Liberty Township, McKean County, as the Port Allegany Veterans Memorial Bridge; designating a bridge on that portion of Local Route T-325 over the Allegheny River, Coudersport Borough, Potter County, as the Lt. William E. Daisley, Jr., Memorial Bridge; designating the bridge on that portion of State Route 3005 over the outlet of Lily Lake, Conyngham Township, Luzerne County, as the Senior Officer Eric J. Williams Memorial Bridge; designating the bridge on that portion of State Route 3005 over the West Branch of the Susquehanna River, Greenwood Township, Clearfield County, as the 1st Lieutenant Wendell Elbert Ross Memorial Bridge; designating a bridge on that portion of State Route 3007 over the Redbank Creek, Summerville Borough, Jefferson County, as the Summerville Veterans Memorial Bridge; and 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.

RULES.

HB 762, PN 1999 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 preliminary provisions, providing for powers and duties of the Secretary of Education; in grounds and buildings, further providing for limitations on approval of public school building projects and establishing the Public School Building Construction and Reconstruction Advisory Committee; in pupils and attendance, further providing for education and training of exceptional children; in charter schools, further providing for school staff; in vocational education, further providing for vocational

education equipment grants; in community colleges, further providing for financial program and payment reimbursement; in disruptive student programs, further providing for applications; in private alternative education institutions for disruptive students, further providing for contracts with private alternative education institutions; providing for the rural regional college for underserved counties; in funding for public libraries, providing for State aid for fiscal year 2015-2016; in reimbursements by Commonwealth and between school districts, providing for student-weighted basic education funding; further providing for payments to intermediate units, for special education payments to school districts, for extraordinary special education program expenses and for special education funding for eligible students with disabilities in Cost Category 3; in reimbursements by Commonwealth and between school districts, providing for reimbursement for school districts without required documentation, for public school building lease and debt service reimbursements for fiscal year 2015-2016 and for ready-to-learn block grants; providing for school district debt refinancing bonds; and repealing provisions of The Fiscal Code relating to rural regional college for underserved counties.

RULES.

SUPPLEMENTAL CALENDAR D

BILL ON CONCURRENCE IN SENATE AMENDMENTS

The House proceeded to consideration of concurrence in Senate amendments to **HB 88, PN 2000,** entitled:

An Act designating a portion of State Route 309 North in Lynn Township, Lehigh County, between the intersections of Northwest Road and Long Court and Mosserville Road and Mountain Road, as the Lance Corporal Brandon J. Van Parys Memorial Road; designating a portion of State Route 2014 in Lycoming County as the Petty Officer Thomas Johnson Memorial Highway; designating a portion of State Route 61 in Schuylkill County, from State Route 443 to State Route 2014, as the Captain Jason B. Jones Memorial Highway; designating a portion of State Route 254 in Northumberland County as the Staff Sergeant Thomas Allen Baysore Memorial Highway; designating the portion of State Route 443 within the municipal boundaries of Orwigsburg Borough, Schuylkill County, as the Corporal David F. Heiser Memorial Highway; designating a portion of State Route 15 in Lycoming County as the Kelly Rae Mertes DUI Awareness Memorial Highway; designating a portion of State Route 153 from segment 80 to segment 310 in Clearfield County as the Austin M. Harrier Memorial Highway; designating a portion of State Route 422 in Lebanon County as the Officer Michael H. Wise II Memorial Highway; designating Exit 26 from the Mon-Fayette Expressway in Luzerne Township, Fayette County, as the Ronald F. DeSalvo Memorial Interchange; designating a portion of Davisville Road in Upper Moreland Township, Montgomery County, from State Route 611, also known as York Road, to Terwood Road as the PFC Robert S. Alexander Memorial Highway; and designating a portion of State Route 22/322 in Juniata County as the Honorable Daniel F. Clark Memorial Highway.

On the question,

Will the House concur in Senate amendments?

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

The following roll call was recorded:

YEAS–195

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

NAYS–0

NOT VOTING–0

EXCUSED–3

Baker	Barbin	DeLuca

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.

STATEMENT BY MR. ADOLPH

The SPEAKER pro tempore. The Chair recognizes the gentleman from Delaware County, Representative Adolph, under unanimous consent with respect to the bill just considered.

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

Mr. Speaker, included in that bill was a House bill that we all voted and supported naming a section of Route 322 in Juniata County after a good friend, former State Representative, former legal counsel for the Republican Appropriations Committee,

Dan Clark. And I know we have had some disagreements tonight, but I know one thing: we did not disagree on this.

I want to thank both Chairman Taylor, Chairman Keller; Eric Bugaile; the Senate for moving this bill; and my good friend, Adam Harris, who replaced Dan in the 82d District. And for those that did not know Dan, these types of nights he thrived on, and it is kind of ironic tonight that we are naming a section of Route 322 after a good friend, a great State Representative, a public servant, Dan Clark.

God bless you. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

CALENDAR CONTINUED

RESOLUTION

Mr. REED called up **SR 149, PN 1128,** entitled:

A Concurrent Resolution urging the Congress to take all necessary action to prohibit any force structure changes, to prohibit any transfer of AH-64 Apache helicopters from the National Guard, and maintain the Army National Guard at 350,200 soldiers until the National Commission on the Future of the Army has reported its findings; and urging the United States Army to reverse its decision to deactivate the 55th Armored Brigade Combat Team, and to reverse its decision to transfer any National Guard AH-64 Apache helicopters to active duty.

On the question,
Will the House concur in the resolution of the Senate?

The following roll call was recorded:

YEAS–191

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

NAYS–3

McGinnis	Truitt	Ward

NOT VOTING–1

Vitali

EXCUSED–3

Baker	Barbin	DeLuca

The majority of the members elected to the House having voted in the affirmative, the question was determined in the affirmative and the resolution was concurred in.

Ordered, That the clerk inform the Senate accordingly.

SUPPLEMENTAL CALENDAR D CONTINUED

BILL ON CONCURRENCE IN SENATE AMENDMENTS

The House proceeded to consideration of concurrence in Senate amendments to **HB 501, PN 2001,** entitled:

An Act designating the Conodoguinet Bridge on that portion of State Route 641 over the Conodoguinet Creek, Hopewell Township, Cumberland County, as the Army Pfc. Harold "Sam" E. Barrick Memorial Bridge; designating the bridge located on that portion of State Route 865, over the railroad tracks and Main Street in Bellwood, Blair County, as the Dominec M. "Patsy" Padula Memorial Bridge; designating the bridge on that portion of State Route 940 over Tobyhanna Creek (Pocono Lake) in Tobyhanna Township, Monroe County, as the Sullivan Bridge; designating a bridge on that portion of State Route 155 over the Allegheny River, Port Allegany Borough and Liberty Township, McKean County, as the Port Allegany Veterans Memorial Bridge; designating a bridge on that portion of Local Route T-325 over the Allegheny River, Coudersport Borough, Potter County, as the Lt. William E. Daisley, Jr., Memorial Bridge; designating the bridge on that portion of State Route 3005 over the outlet of Lily Lake, Conyngham Township, Luzerne County, as the Senior Officer Eric J. Williams Memorial Bridge; designating the bridge on that portion of State Route 3005 over the West Branch of the Susquehanna River, Greenwood Township, Clearfield County, as the 1st Lieutenant Wendell Elbert Ross Memorial Bridge; designating a bridge on that portion of State Route 3007 over the Redbank Creek, Summerville Borough, Jefferson County, as the Summerville Veterans Memorial Bridge; and 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 concur in Senate amendments?

The SPEAKER pro tempore. It is moved by the gentleman, Representative Keller, that the House concur in the amendments inserted by the Senate.

And the gentleman is recognized for a brief explanation of those amendments.

Mr. M. KELLER. Thank you, Mr. Speaker.

What was amended to the bill is a renaming of a bridge on a portion of U.S. Route 219 over U.S. 422 in Cambria County known as the Alexander Miller Abercrombie Memorial Bridge; also in Luzerne County, a bridge which will be named Senior Officer Eric J. Williams Memorial Bridge; also in the Port Allegany Borough and Liberty Township in McKean County, the Port Allegany Veterans Memorial Bridge; a bridge located on Route 325 over the Allegheny River, Coudersport Borough, Potter County, the Lt. William Daisley, Jr., Memorial Bridge; a bridge also in West Branch Susquehanna River, the 1st Lt. Wendell Ross Memorial Bridge; and a bridge also at Redbank Creek in Jefferson County, Summerville Veterans Memorial Bridge; another bridge on State Route 865 over Main Street in Bellwood Borough in Blair County as the Dominec M. "Patsy" Padula Memorial Bridge; and one last one which is over State Route 940, Pocono Lake area in Monroe County, as the Sullivan Bridge.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question recurring,

Will the House concur in Senate amendments?

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

The following roll call was recorded:

YEAS–195

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

NAYS–0

NOT VOTING–0

EXCUSED–3

Baker	Barbin	DeLuca

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.

VOTE CORRECTION

The SPEAKER pro tempore. For what purpose does the gentlelady, Representative Ward, seek recognition?

Mrs. WARD. I would like to correct my vote on SR 0149. I was marked in the negative. I would like to be marked in the affirmative, please.

The SPEAKER pro tempore. The Chair thanks the lady, and her remarks will be spread across the record.

SUPPLEMENTAL CALENDAR B CONTINUED

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1340, PN 1822,** entitled:

An Act amending Title 68 (Real and Personal Property) of the Pennsylvania Consolidated Statutes, in condominiums, further providing for creation, alteration and termination of condominiums and for management of condominiums; and, in planned communities, further providing for creation, alteration and termination of planned communities and for management of planned communities.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS–195

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

NAYS–0

NOT VOTING–0

EXCUSED–3

Baker	Barbin	DeLuca

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.

SUPPLEMENTAL CALENDAR D CONTINUED

BILL ON CONCURRENCE IN SENATE AMENDMENTS

The House proceeded to consideration of concurrence in Senate amendments to **HB 762, PN 1999,** entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in preliminary provisions, providing for powers and duties of the Secretary of Education; in grounds and buildings, further providing for limitations on approval of public school building projects and establishing the Public School Building Construction and Reconstruction Advisory Committee; in pupils and attendance, further providing for education and training of exceptional children; in charter schools, further providing for school staff; in vocational education, further providing for vocational education equipment grants; in community colleges, further providing for financial program and payment reimbursement; in disruptive student programs, further providing for applications; in private alternative education institutions for disruptive students, further providing for contracts with private alternative education institutions; providing for the rural regional college for underserved counties; in funding for public libraries, providing for State aid for fiscal year 2015-2016; in reimbursements by Commonwealth and between school districts, providing for student-weighted basic education funding; further providing for payments to intermediate units, for special education payments to school districts, for extraordinary special education program expenses and for special education funding for eligible students with disabilities in Cost Category 3; in reimbursements by Commonwealth and between school districts, providing for reimbursement for school districts without required documentation, for public school building lease and debt service reimbursements for fiscal year 2015-2016 and for ready-to-learn block grants; providing for school district debt refinancing bonds; and repealing provisions of The Fiscal Code relating to rural regional college for underserved counties.

On the question,

Will the House concur in Senate amendments?

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

The gentleman is recognized for a brief description of those amendments inserted by the Senate.

Mr. ROAE. Thank you, Mr. Speaker.

HB 762 authorizes and requires the Secretary of Education to enter into and administer membership in a regional compact and an interstate reciprocity agreement governing the provision of distance education by institutions of higher education. We passed that language here on April 15 with a unanimous vote.

HB 762, as amended by the Senate, in addition to the underlying bill, now includes provisions for the implementation of the education budget for the 2015-2016 fiscal year. It includes language for the distribution of basic education funding, special education funding, the Ready to Learn Block Grant, CTC (Communities That Care) grants, community college funding, and the public library subsidy.

It also provides for improvements to the school construction reimbursement provisions through paperwork submission guidelines, bonding for payments due, and an advisory committee to make recommendations for long-term changes to the current program.

The SPEAKER pro tempore. The Chair thanks the gentleman.

And on the question of concurrence in Senate amendments, the Chair recognizes the gentleman from Monroe County, Representative Parker.

Mr. PARKER. Thank you, Mr. Speaker.

Mr. Speaker, I just wanted to speak on the code. As I understand, it contains the new funding formula for education, and I want to just say I applaud the work of the Basic Education Funding Commission on creating a new formula that counts students.

Nearly 24 years ago this body passed a budget which instituted the policy of hold harmless. And I say nearly 24 years ago because it was on August 3 that it was passed that year, and it took an extra month of debate to get that passed. Since then we now have an opportunity to eliminate this policy which has been punishing the taxpayers of Monroe County and other counties that grew in population for over two decades by implementing the new basic education funding formula in this year's code.

Unfortunately, we are not going to do that. Instead, this education code keeps hold harmless in place on level funding and distributes new money through the new formula, which has another hold-harmless provision built into it, the 3-year average on student population. The Basic Education Funding Commission's report stated that "…eliminating the hold harmless clause…would result in 320 school districts…" getting "$1 billion less in basic education funding." That is an average of $3.1 million per district.

Put another way, this statement acknowledges that we are shortchanging 180 school districts by $1 billion, which is more than $5 1/2 million per school district. A month and a half ago, as we were debating HB 504, the property tax relief bill, the gentleman from Westmoreland County spoke out against the potential redistribution of wealth that would result from that property tax relief bill.

Mr. Speaker, I submit to you that what has occurred over the last 23 years and will continue to occur in the coming years under this proposal is a redistribution of wealth as taxpayers in the school districts that grew, taxpayers who have been subsidizing the $1 billion overfunding of the shrinking school districts are forced to continue this practice much longer than necessary.

Monroe County taxpayers have been forced to liquidate their retirement savings to stay in their homes. They are forced to choose between buying groceries and paying their school property taxes. Some are forced to go back to work at 69 years of age so that they can pay their school property taxes. This overfunding has resulted in school districts with shrinking student populations deferring prudent fiscal decisions.

A couple months ago I was at dinner with a gentleman from the conventional oil and gas industry, and he was telling me about this school in his district. They have four high schools. They used to have 300 to 400 in a graduating class out of each school; now they have 75 to 100, but they still have 4 schools. He said they really need to consolidate because they have trouble filling teams and bands and those sorts of things. Economically they should consolidate, but because they have extra funding, they do not. But we do not want to take $1 billion from these districts and pull the rug out from under them. I hear that and I get that.

My question is, why are we giving them more money on top of the $1 billion, while admitting that 180 school districts are underfunded by $1 billion? I have an amendment which would allow the 320 districts to keep their $1 billion in overfunding but would allocate all new money to the districts which are underfunded. Once the underfunded districts are brought up to parity, all money could flow through the new formula and every district would get their fair share of funding that counts students.

It is a simple, commonsense way to transition into this new funding formula and enable those districts who have been shortchanged for 23 years to get their fair share sooner. It does not address the past underfunding, but it at least gets us to parity sooner.

So I will be voting "no" on this because I would like us to consider that amendment.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question, the Chair recognizes the gentleman from Luzerne County, Representative Carroll.

Mr. CARROLL. Thank you, Mr. Speaker.

Mr. Speaker, in addition to the reasons that were just outlined by the gentleman from Monroe, I have two reasons why we should vote against concurrence on HB 762. The first is for those of you who do not like borrowing money and bonding money. This bill contains $5 billion in borrowed, bonded money, so if you really want to borrow and bond $5 billion, a "yes" vote is for you.

Secondly, Mr. Speaker, this bill would be the vehicle to separate the Keystone Exam graduation requirements that many in this chamber despise. A "yes" vote for this bill continues the Keystone graduation marriage that, in my opinion, should be ended today.

So, Mr. Speaker, here we have a bill that borrows $5 billion or more and does not solve the Keystone Exam problem. For those two reasons and others this should be a "no."

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question, the Chair recognizes the gentleman from Lancaster County, Representative Sturla.

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, I rise in opposition to concurrence on HB 762, and I will be brief.

First, this does not restore funding to schools that were cut in the last 4 years. That is just the facts. Secondly, while I understand people were talking about the spreadsheet that they saw as to how the $100 million was going to get distributed, they forgot to mention that the other day when we passed the Fiscal Code, there were $87 million in cuts to those same school districts. You did not see how that was distributed, and I would ask you or caution you that you should probably try and get ahold of that before you vote "yes" on this, because there are some school districts that will actually receive less in funds from the State than they did last year as a result of that $87 million cut versus this $100 million add.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question, the Chair recognizes the gentleman from Philadelphia County, Representative Roebuck.

Mr. ROEBUCK. Thank you, Mr. Speaker.

I rise to ask that the House not concur in the language of HB 762. There is no language in this bill, as proposed by

Governor Wolf, to restore the education funding cuts of the last 4 years. The Basic Education Funding Commission did an excellent job in defining the problems of how we fund basic education and suggesting a rational way to move forward. The success of that endeavor, however, is premised upon restoring the cuts to education and then establishing a firm foundation upon which to build and move forward.

This bill does not provide for that, and what in effect you do is you create a formula that continues the inequities, the disparity, the differences between the 500 school districts across the Commonwealth. It does little to help children who do not receive the quality education they deserve because the State is underfunding their school district. It creates a permanent gap.

I would also point out that there is no language in this bill to implement the Governor's proposed expansion of vo-tech, vocational-technical equipment grants, and other initiatives for vocational-technical students. We talk about, and we increasingly recognize the importance of, providing equal educational opportunity, particularly for those students who want to pursue vocational-technical careers. This bill does not provide the means to do that. It does not provide all of the directions suggested by the Governor to enable those students to have the quality education they deserve.

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

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question, the Chair recognizes the majority Education Committee chairman from York County, Representative Saylor.

Mr. SAYLOR. Thank you, Mr. Speaker.

I rise in support of HB 762. I have heard a number of arguments tonight about the basic education funding formula which came out of the Education Funding Commission unanimously, with Democratic and Republican support. There is no money in this bill. The bill, the money for the spending in basic education funding formula comes in a budget bill that we voted earlier this week. This bill just simply says how those dollars will be distributed. Every school district in Pennsylvania will get more dollars than they got last year, and with unanimous support of that funding commission, it took into account 13 different factors in deciding how school funding should be fairly funded.

You know, I hear a lot about, "This should be delayed for a year." Why, when a funding commission said this is the best way to distribute new dollars? We all recognize the fact that there are inequities in the funding formula. We understand that. But if you want to vote 180 school districts more money and take 375 school districts and take money away from them, you go ahead and you can do that. This bill just simply says that the commission came out with their report. It says that it is fair based upon poverty, based upon growth, based upon sparsity, and a number of other issues. Why would we in the General Assembly, with unanimous bipartisan support of the Governor's Office, both sides of the aisle here in the House and the Senate, now reject that proposal to be fair to all school districts?

So I ask for a positive vote on 762. There are no dollars in this bill. It simply tells the Governor how to spend the dollars that are in our State budget.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

And on the question, the Chair recognizes, for the second time, the gentleman from Luzerne County, Representative Carroll.

Mr. CARROLL. Thank you, Mr. Speaker.

There are dollars in this bill, contrary to what the last speaker said, over $5 billion in bonded money. So when you contemplate the vote and you hear there are no dollars in this bill, there are $5 billion in borrowed, bonded money.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

Anyone else seeking recognition?

On the question recurring,

Will the House concur in Senate amendments?

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

The following roll call was recorded:

YEAS–107

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

NAYS–88

Acosta	Dean	Harkins	Pashinski
Barrar	Deasy	Harris, J.	Petrarca
Bishop	DeLissio	Kavulich	Rader
Bizzarro	Dermody	Keller, W.	Ravenstahl
Boyle	DiGirolamo	Kim	Readshaw
Bradford	Donatucci	Kinsey	Roebuck
Briggs	Driscoll	Kirkland	Rozzi
Brown, R.	Evans	Kortz	Sainato
Brown, V.	Fabrizio	Kotik	Samuelson
Burns	Farina	Longietti	Santarsiero
Caltagirone	Flynn	Mahoney	Schlossberg
Carroll	Frankel	Markosek	Schreiber
Cohen	Freeman	Matzie	Schweyer
Conklin	Gainey	McCarter	Sims
Costa, D.	Galloway	McGinnis	Snyder
Costa, P.	Gergely	McNeill	Sturla

Cruz	Gibbons	Miller, D.	Thomas
Daley, M.	Gillen	Mullery	Tobash
Daley, P.	Godshall	Neuman	Truitt
Davidson	Goodman	O'Brien	Vitali
Davis	Hanna	Parker, C.	Wheatley
Dawkins	Harhai	Parker, D.	Youngblood

NOT VOTING–0

EXCUSED–3

Baker	Barbin	DeLuca

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.

CALENDAR CONTINUED

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **SB 166, PN 1135,** entitled:

An Act amending Titles 18 (Crimes and Offenses) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in criminal history record information, further providing for general regulations and providing for order for limited access; and, in governance of the system, providing for petition for expungement or order for limited access fee.

On the question,

Will the House agree to the bill on second consideration?

Mr. **MARSICO** offered the following amendment No. **A02879:**

Amend Bill, page 7, line 6, by striking out "60" and inserting 180

On the question,

Will the House agree to the amendment?

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

Mr. MARSICO. Thank you, Mr. Speaker.

This amendment extends the effective date to 180 days. This was suggested by the Pennsylvania State Police. So I ask for an affirmative vote.

Thank you, and it is agreed to.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS–195

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

NAYS–0

NOT VOTING–0

EXCUSED–3

Baker	Barbin	DeLuca

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

On the question,

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

Bill as amended was agreed to.

The SPEAKER pro tempore. The bill as amended will be reprinted.

* * *

The House proceeded to second consideration of **SB 663, PN 1136,** entitled:

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, in support matters generally, further providing for liability for support; and, in child custody, further providing for consideration of criminal conviction.

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

RULES SUSPENDED

The SPEAKER pro tempore. The gentleman, Representative Petrarca, has filed amendment A03036.

Mr. Petrarca, it is my understanding it is a late-filed amendment. Will you be seeking suspension for consideration of your amendment?

Mr. PETRARCA. Yes, Mr. Speaker. I move to suspend the rules to offer that amendment.

The SPEAKER pro tempore. The gentleman, Representative Petrarca, moves that the House suspend the rules for immediate consideration of amendment A03036.

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

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

Mr. PETRARCA. Thank you, Mr. Speaker.

What this amendment does, simply, it adds an additional way to establish paternity in certain child custody and support cases.

I would appreciate an affirmative vote.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On that question, the Chair recognizes the gentleman, the majority whip, Representative Cutler, on the question.

Mr. CUTLER. Thank you, Mr. Speaker.

Mr. Speaker, it is my understanding this is an agreed-to amendment, and we would support the rules suspension. We request the members to vote in the affirmative. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the minority leader, Representative Dermody, on the question.

Mr. DERMODY. I would also urge all the members to support the motion to suspend the rules.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS–187

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

NAYS–8

English	Metzgar	Milne	Tallman
Gillen	Miller, D.	Mullery	Truitt

NOT VOTING–0

EXCUSED–3

Baker	Barbin	DeLuca

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

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

Mr. **PETRARCA** offered the following amendment No. **A03036:**

Amend Bill, page 5, line 27, by inserting after "THROUGH"
voluntary acknowledgment of paternity or
Amend Bill, page 6, line 30, by inserting after "BY"
voluntary acknowledgment of paternity or

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

The SPEAKER pro tempore. The gentleman, Representative Petrarca, is recognized for the purpose of introducing amendment A030361.

Mr. PETRARCA. Mr. Speaker, my understanding is that the amendment number is 03036.

The SPEAKER pro tempore. I am sorry; could the gentleman repeat?

Mr. PETRARCA. My understanding is that the amendment number that I was trying to suspend the rules for was number 03036.

The SPEAKER pro tempore. The record will so reflect that. Thank you.

Mr. PETRARCA. Thank you, Mr. Speaker.

I offer amendment 03036, which deals with support and custody, including termination of parental rights when a child is conceived as a result of certain sexual offenses. This is a very good bill that makes the legal process better in this area. A lot of work went into this with a number of our colleagues in the House Judiciary Committee.

Under the bill, there are a number of ways to establish paternity, such as genetic testing and blood testing. What my amendment simply does is adds voluntary acknowledgement as a way of establishing paternity in this area, and I would appreciate an affirmative vote. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

And on the question, the Chair recognizes the gentleman from Dauphin County, Representative Marsico.

Mr. MARSICO. Mr. Speaker, thank you.

This is agreed to, and I thank the maker of the amendment, the chairman, for his cooperation with this bill, and I ask for an affirmative vote.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS–195

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

NAYS–0

NOT VOTING–0

EXCUSED–3

Baker	Barbin	DeLuca

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

On the question,

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

Bill as amended was agreed to.

The SPEAKER pro tempore. The bill as amended will be reprinted.

RECONSIDERATION MOTION FILED

The SPEAKER pro tempore. The Chair is in receipt of a motion to reconsider the vote by which HB 912, PN 1838, was defeated on the 30th day of June from Representatives Reed and Cutler. That motion will be filed.

ANNOUNCEMENT BY SPEAKER PRO TEMPORE

The SPEAKER pro tempore. For the information of the members, tomorrow will be a nonvoting session day thanks to your good cooperation.

Are there any announcements?

BILLS RECOMMITTED

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

SB 166;
SB 663; and
SB 678.

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

BILLS REMOVED FROM TABLE

The SPEAKER pro tempore. The Speaker recognizes the majority leader, who moves that SB 307 and SB 875 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 SPEAKER pro tempore. For the information of the members, the desk will remain open for a bit, although we do not expect there will be any votes of any sort.

With any luck, I will see you all on August 25.

THE SPEAKER (MIKE TURZAI) PRESIDING

The SPEAKER. The House is back in order.

REMARKS SUBMITTED FOR THE RECORD

The SPEAKER. The Speaker recognizes Representative Donna Oberlander.

Ms. OBERLANDER. Thank you, Mr. Speaker.

I would like to submit comments for the record on HB 762.

Thank you, Mr. Speaker.

The SPEAKER. Those will be accepted for the record. Thank you.

Ms. OBERLANDER submitted the following remarks for the Legislative Journal:

Thank you, Mr. Speaker.

I rise in support of HB 762, the Education Code.

Although this contains many important components, I will specifically speak on the basic funding portion of the bill and the formula included to distribute the 100 million new dollars for K-12.

This formula is based on the yearlong, painstaking work of the Basic Education Funding Commission – a bicameral, bipartisan group that included 12 legislators and 3 appointees of the Governor.

Included in this bill is the direct reflection of the consensus formula unanimously recommended by the commission on June 18. This new formula includes both student factors as well as district factors that take into account the diversity of this Commonwealth and our 500 school districts. It includes such things as poverty, student count average, median household income, sparsity, and charter schools, as well as tax effort and capacity in an effort to treat both rural and urban, rich and poor fairly. It offers predictability, stability, and transparency and has been applauded by statewide stakeholders.

I urge your support and ask for your affirmative vote for HB 762.

Thank you, Mr. Speaker.

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 1, PN 1132; SB 620, PN 1130;** and **SB 655, PN 1137.**

The SPEAKER. The House will stand at ease.

The House will come to order.

BILLS SIGNED BY SPEAKER

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

SB 1, PN 1132

An Act amending Titles 24 (Education), 51 (Military Affairs) and 71 (State Government) of the Pennsylvania Consolidated Statutes, extensively revising pension provisions: for the Public School Employees' Retirement System, in the areas of preliminary provisions, of membership, contributions and benefits, of School Employee's Defined Contribution Plan and of administration and miscellaneous provisions; for health insurance for retired school employees, in the area of preliminary provisions; for military pensions, in the area of military leave of absence; for boards and offices, in the area of Independent Fiscal Office; for the State Employees' Retirement System, in the areas of preliminary provisions, of membership, credited service, classes of service and eligibility for benefits, of State Employees' Defined Contribution Plan, of contributions, of benefits and of administration, funds, accounts, general provisions; and providing, as to the revisions, for construction and administration, for applicability, for funding, for liability, for State Employee member statements and for State Employees Retirement Board obligations.

SB 620, PN 1130

An Act authorizing the release of Project 70 restrictions on certain land owned by the Borough of Carlisle, Cumberland County, in return for the development of park and open-space lands within North Middleton Township, Cumberland County.

SB 655, PN 1137

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, establishing the Non-narcotic Medication Assisted Substance Abuse Treatment Grant Pilot Program; in special funds, further providing for funding, for State Workers' Insurance Board and for expiration; in the Tobacco Settlement Fund, further providing for use; in the Pennsylvania Race Horse Development Fund, further providing for distribution; in general budget implementation, further providing for the Department of Community and Economic Development, for the Department of Public Welfare, for the Pennsylvania State Police and for the Environmental Quality Board; providing for 2015-2016 budget implementation, for 2015-2016 restrictions on appropriations for funds and accounts and for required lapses of money in funds and accounts; and making related repeals.

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

The SPEAKER. The House will stand at ease.

The House will come to order.

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 88, PN 2000

An Act designating a portion of State Route 309 North in Lynn Township, Lehigh County, between the intersections of Northwest Road and Long Court and Mosserville Road and Mountain Road, as the Lance Corporal Brandon J. Van Parys Memorial Road; designating a portion of State Route 2014 in Lycoming County as the Petty Officer Thomas Johnson Memorial Highway; designating a portion of State Route 61 in Schuylkill County, from State Route 443 to State Route 2014, as the Captain Jason B. Jones Memorial Highway; designating a portion of State Route 254 in Northumberland County as the Staff Sergeant Thomas Allen Baysore Memorial Highway; designating the portion of State Route 443 within the municipal boundaries of Orwigsburg Borough, Schuylkill County, as the Corporal David F. Heiser Memorial Highway; designating a portion of State Route 15 in Lycoming County as the Kelly Rae Mertes DUI Awareness Memorial Highway; designating a portion of State Route 153 from segment 80 to segment 310 in Clearfield County as the Austin M. Harrier Memorial Highway; designating a portion of State Route 422 in Lebanon County as the Officer Michael H. Wise II Memorial Highway; designating Exit 26 from the Mon-Fayette Expressway in Luzerne Township, Fayette County, as the Ronald F. DeSalvo Memorial Interchange; designating a portion of Davisville Road in Upper Moreland Township, Montgomery County, from State Route 611, also known as York Road, to Terwood Road as the PFC Robert S. Alexander Memorial Highway; and designating a portion of State Route 22/322 in Juniata County as the Honorable Daniel F. Clark Memorial Highway.

HB 501, PN 2001

An Act designating the Conodoguinet Bridge on that portion of State Route 641 over the Conodoguinet Creek, Hopewell Township, Cumberland County, as the Army Pfc. Harold "Sam" E. Barrick Memorial Bridge; designating the bridge located on that portion of State Route 865, over the railroad tracks and Main Street in Bellwood, Blair County, as the Dominec M. "Patsy" Padula Memorial Bridge; designating the bridge on that portion of State Route 940 over Tobyhanna Creek (Pocono Lake) in Tobyhanna Township, Monroe County, as the Sullivan Bridge; designating a bridge on that portion of State Route 155 over the Allegheny River, Port Allegany Borough and Liberty Township, McKean County, as the Port Allegany Veterans Memorial Bridge; designating a bridge on that portion of Local Route T-325 over the Allegheny River, Coudersport Borough, Potter County, as the Lt. William E. Daisley, Jr., Memorial Bridge; designating the bridge on that portion of State Route 3005 over the outlet of Lily Lake, Conyngham Township, Luzerne County, as the Senior Officer Eric J. Williams Memorial Bridge; designating the bridge on that portion of State Route 3005 over the West Branch of the Susquehanna River, Greenwood Township, Clearfield County, as the 1st Lieutenant Wendell Elbert Ross Memorial Bridge; designating a bridge on that portion of State Route 3007 over the Redbank Creek, Summerville Borough, Jefferson County, as the Summerville Veterans Memorial Bridge; and 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.

HB 762, PN 1999

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in preliminary provisions, providing for powers and duties of the Secretary of Education; in grounds and buildings, further providing for limitations on approval of public school building projects and establishing the Public School Building Construction and Reconstruction Advisory Committee; in pupils and attendance, further providing for education and training of exceptional children; in charter schools, further providing for school staff; in vocational education, further providing for vocational education equipment grants; in community colleges, further providing for financial program and payment reimbursement; in disruptive student programs, further providing for applications; in private alternative education institutions for disruptive students, further providing for contracts with private alternative education institutions; providing for the rural regional college for underserved counties; in funding for public libraries, providing for State aid for fiscal year 2015-2016; in reimbursements by Commonwealth and between school districts, providing for student-weighted basic education funding; further providing for payments to intermediate units, for special education payments to school districts, for extraordinary special education program expenses and for special education funding for eligible students with disabilities in Cost Category 3; in reimbursements by Commonwealth and between school districts, providing for reimbursement for school districts without required documentation, for public school building lease and debt service reimbursements for fiscal year 2015-2016 and for ready-to-learn block grants; providing for school district debt refinancing bonds; and repealing provisions of The Fiscal Code relating to rural regional college for underserved counties.

SB 329, PN 220

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, establishing the Ready to Succeed Scholarship Program; and conferring powers and imposing duties on the Pennsylvania Higher Education Assistance Agency and the Department of Education.

SB 812, PN 1078

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.

SB 813, PN 1119

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.

SB 814, PN 1080

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.

SB 815, PN 874

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.

SB 816, PN 1081

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.

SB 817, PN 1082

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.

SB 818, PN 877

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.

SB 819, PN 1083

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.

SB 820, PN 1084

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.

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

BILLS AND RESOLUTIONS PASSED OVER

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

ADJOURNMENT

The SPEAKER. Representative Payne moves that this House be now adjourned until Wednesday, July 1, 2015, at 12 m., e.d.t., unless sooner recalled by the Speaker.

That will be a nonvoting session date. Thank you.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 9:26 p.m., e.d.t., the House adjourned.