

# COMMONWEALTH OF PENNSYLVANIA

## LEGISLATIVE JOURNAL

WEDNESDAY, DECEMBER 9, 2015

SESSION OF 2015

199TH OF THE GENERAL ASSEMBLY

No. 98

### HOUSE OF REPRESENTATIVES

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

#### THE SPEAKER (MIKE TURZAI) PRESIDING

#### PRAYER

The SPEAKER. The prayer today will be offered by Pastor Brent Salsgiver, Paxton United Methodist Church in Harrisburg. He is the guest of the gentleman who will soon be our new Chief Clerk officially and Representative Helm.

PASTOR BRENT SALSGIVER, Guest Chaplain of the House of Representatives, offered the following prayer:

Let us pray:

Gracious and loving Creator of us all, You have called us here this day to do the work of the Commonwealth. You call us to be careful and efficient stewards. To this end, we join together as Representatives of each of the 203 districts of the State of Pennsylvania to consider the pressing matters of our State.

Allow each Representative to remember their constituents. Allow each member to grasp the magnitude of their work, that their words and actions impact the 12 million citizens that call Pennsylvania their home.

Before this session began, 2 million children started a day of school. Over 500,000 of those children woke up in poverty. Help each Representative to remember the hundreds of thousands of children who depend on them to be fed both mentally and physically. Help them to know the thousands upon thousands of college students that begin this time of exams uncertain how they are going to pay for their higher education. Let this body not forget the 5 million senior citizens that call Pennsylvania their home and who look for assistance in meeting the overwhelming demands of their life. As this session begins, so does the difficult day of over 16,000 citizens who live on the streets of our districts, 1300 of whom are veterans.

Help this body not to forget the cries of the 12,000 people who died at the hands of gun violence last year, 3,000 of which were children, or the tears of the 29,000 cases of children being abused in our great State. Help us not to overlook the 1.1 million people who call Pennsylvania home yet who struggle with drug and alcohol addiction. Make clear to each member that each person from Chester County to Forest County looks to them for action.

Lord, I ask that You humble this body and allow them to be Your servants working not for the good of their party, their reelection, or for political points, but for the good of the people that call this amazing State their home. Allow all the men and women of this body to see themselves as humble servants who do not think twice about crossing the aisle, because at the end of the session we all are citizens of the same State.

Strengthen each person here and let not the weariness of their duties distract them. Give this body vision to lead and courage to act, because as they work, their citizens are speaking, waiting, and watching.

Almighty God, we thank You for filling these walls and surrounding this place as a new workday begins. Amen.

#### PLEDGE OF ALLEGIANCE

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

#### JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, the approval of the Journal of Tuesday, December 8, 2015, will be postponed until printed.

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

**HB 365, PN 2634** (Amended) By Rep. TAYLOR

An Act designating a portion of Byberry Road between Warminster Road and Orangemen's Road in Montgomery County as the Major Jeffrey Toczylowski Memorial Highway.

TRANSPORTATION.

**HB 1520, PN 2635** (Amended) By Rep. TAYLOR

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, requiring compliance with Federal Selective Service requirements as part of application for learners' permits or drivers' licenses.

TRANSPORTATION.

**HB 1551, PN 2636** (Amended) By Rep. TAYLOR

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in other required equipment, further providing for restraint systems; and making an editorial change.

TRANSPORTATION.

**HB 1653, PN 2633** (Amended) By Rep. BARRAR

An Act amending Title 62 (Procurement) of the Pennsylvania Consolidated Statutes, providing for recognized entities.

VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS.

**HB 1689, PN 2515** By Rep. BARRAR

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, providing for the National Guard Youth Challenge Program.

VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS.

**HB 1709, PN 2552** By Rep. TAYLOR

An Act designating the bridge carrying U.S. Route 222 Business over the Schuylkill River, Riverfront Drive and Norfolk Southern Railroad in the City of Reading, Berks County, commonly referred to as the Bingaman Street Bridge, as the 65th U.S. Infantry Regiment, Borinqueneers Memorial Bridge.

TRANSPORTATION.

**HB 1727, PN 2592** By Rep. BARRAR

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, in decorations, medals, badges and awards, further providing for authorized decorations, medals, badges and awards.

VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS.

**SENATE MESSAGE**

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

The clerk of the Senate, being introduced, returned **HB 1279, PN 2613**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

**HOUSE RESOLUTION  
INTRODUCED AND REFERRED**

**No. 616** By Representatives CAUSER and CARROLL

A Resolution directing the Joint State Government Commission, with assistance from the Independent Fiscal Office, to conduct a study on the impact of regulations and policies concerning Pennsylvania's horse racing industry.

Referred to Committee on AGRICULTURE AND RURAL AFFAIRS, December 9, 2015.

**HOUSE BILLS  
INTRODUCED AND REFERRED**

**No. 1744** By Representatives FREEMAN, MURT, SAMUELSON, THOMAS, DIAMOND, SCHWEYER, McNEILL, CONKLIN, BLOOM, DAVIDSON, KINSEY, PASHINSKI, DEASY, DeLUCA, McCARTER, GIBBONS and SIMMONS

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, providing for audits of affairs of the General Assembly and legislative agencies; and making a related repeal.

Referred to Committee on FINANCE, December 9, 2015.

**No. 1745** By Representatives FREEMAN, MURT, McCARTER, O'BRIEN, THOMAS, DAVIS, McNEILL, MATZIE, KINSEY, MULLERY, CARROLL, COHEN and GIBBONS

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, in primary and election expenses, further providing for reporting by candidate and political committees and other persons.

Referred to Committee on STATE GOVERNMENT, December 9, 2015.

**No. 1746** By Representatives HARHAI, COHEN, MILLARD, THOMAS and MAHONEY

An Act authorizing the release of Project 70 restrictions on certain land owned by the Borough of West Newton, Westmoreland County, in return for the development of park and open space lands within the Borough of West Newton, Westmoreland County.

Referred to Committee on STATE GOVERNMENT, December 9, 2015.

**No. 1747** By Representatives MAHONEY, SNYDER, ROZZI, WATSON, GILLEN and SCHWEYER

An Act amending the act of June 1, 1945 (P.L.1242, No.428), known as the State Highway Law, further providing for maintenance of parts of roads abandoned as State highways and vacation when not of full width.

Referred to Committee on TRANSPORTATION, December 9, 2015.

**No. 1748** By Representatives MAHONEY, THOMAS, BISHOP, BURNS, TAYLOR, ROZZI, READSHAW, KILLION, MILLARD, McNEILL, V. BROWN, O'BRIEN, KOTIK, YOUNGBLOOD, MURT, GROVE, COHEN, HARHAI, D. COSTA and DEAN

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in terms and courses of study, further providing for subjects of instruction and Flag Code and for alcohol, chemical and tobacco abuse program.

Referred to Committee on EDUCATION, December 9, 2015.

**No. 1749** By Representatives PYLE, M. K. KELLER, SANTORA, SANKEY, EVANKOVICH, BARRAR, HELM, HEFFLEY, DIAMOND, KAUFFMAN, STEPHENS, METCALFE, MARSHALL, PHILLIPS-HILL, GROVE, RAPP, TRUITT, MALONEY, KNOWLES, JAMES, KLUNK, REGAN, SAYLOR, REESE, FARRY, SONNEY, WATSON and JOZWIAK

A Joint Resolution proposing integrated amendments to the Constitution of the Commonwealth of Pennsylvania, further providing for action by Lieutenant Governor as Governor and for vacancy in office of Lieutenant Governor; and providing for an initiative to recall elected Statewide officers.

Referred to Committee on STATE GOVERNMENT, December 9, 2015.

**No. 1756** By Representatives BISHOP, THOMAS, O'BRIEN, YOUNGBLOOD, COHEN, KINSEY, V. BROWN and ROEBUCK

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in school finances, further providing for distress in first class school districts.

Referred to Committee on EDUCATION, December 9, 2015.

**No. 1757** By Representatives CONKLIN, O'BRIEN, BRIGGS, BURNS, COHEN, FABRIZIO, HARKINS, MAHONEY, STURLA and THOMAS

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, in tax for education, repealing provisions relating to discount.

Referred to Committee on FINANCE, December 9, 2015.

**No. 1758** By Representatives CONKLIN, O'BRIEN, BRIGGS, BURNS, COHEN, FABRIZIO, MAHONEY, STURLA, THOMAS and NEILSON

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, in corporate net income tax, further providing for definitions, for reports and payment and for consolidated reports; and, in general provisions, further providing for underpayment of estimated tax.

Referred to Committee on FINANCE, December 9, 2015.

### LEAVES OF ABSENCE

The SPEAKER. Turning to leaves of absence, the majority whip indicates that Representative JAMES of Venango County would like to be marked on leave for the day, Representative GODSHALL of Montgomery County would like to be marked on leave for the day, and Representative TOOHIIL of Luzerne County would like to be marked on leave for the day. Without objection, those will be granted.

The minority whip requests a leave of absence for Representative DeLUCA of Allegheny County for the day. Without objection, that request will be 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—199

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

#### ADDITIONS—0

#### NOT VOTING—0

#### EXCUSED—4

DeLuca	Godshall	James	Toohil
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#### LEAVES ADDED—5

Jozwiak	Maher	Metzgar	Santora
Krueger			

## LEAVES CANCELED—2

Godshall

Santora

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

**LEAVE OF ABSENCE**

The SPEAKER. The majority whip has indicated that Representative MAHER would like to be placed on leave. Without objection, that request will be granted.

I would ask all the members to please be seated. I would ask that you take any conversations to the anterooms. We are actually going to be participating in quite a historic moment here. All members, please take your seats. All members, please come into the chamber and take your seats.

**ELECTION OF CHIEF CLERK**

The SPEAKER. It is my distinct honor and pleasure to indicate to you that we will now proceed to swear in our new Chief Clerk of the Pennsylvania House of Representatives, David Reddecliff.

Pursuant to Act 104 of 1979, the Bipartisan Management Committee has unanimously selected David Reddecliff as the Chief Clerk of the Pennsylvania House of Representatives. This act also provides that the Bipartisan Management Committee's nominee must be confirmed by a two-thirds vote of this House.

On the question of the confirmation of Dave Reddecliff as the Chief Clerk of this House, the Chair recognizes the majority leader of the House of Representatives, the gentleman from Indiana, Mr. Reed.

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

It is a great honor to stand before this body today to nominate a true public servant and a good personal friend of mine to be the next Chief Clerk of the Pennsylvania House of Representatives.

David L. Reddecliff started his political career in Indiana County. As an IUP (Indiana University of Pennsylvania) student, he actually worked in the district office of the gentleman who held my seat many decades ago, Representative Paul Wass. He then came to Harrisburg and worked as an executive director and a research analyst on our committee staff; he was a legislative assistant to the caucus administrator, the executive director for the majority caucus chairman; he was an assistant in the Appropriations Committee's office, Chief of Staff to the majority whip and the minority whip, and director of administration to the House majority leader and the Speaker of the House – a position he left just 1 week ago to assume the role of Acting Chief Clerk.

Dave Reddecliff has been blessed throughout his life with tremendous support from his wife, Carole; his three children, Andrew, Maggie, and Hannah; a wealth of knowledge of the history of this institution; and a true dedication to serving the people of Pennsylvania.

I had the opportunity to meet David for the first time when I was a junior at IUP. The Student Affairs director at IUP happened to be a former college roommate of Mr. Reddecliff,

and he knew that I had an interest in going into public service and getting involved in government. He directed me to a man that he knew from his college years and suggested that I drive out to Harrisburg and have a conversation with David. David and I sat down while I was an intern with Governor Ridge's Policy Office with the Department of Community and Economic Development and Dave gave me some great advice on different paths to choose to get into elected service. Dave now takes credit for me being majority leader of this body, although I will say given the roller coaster of the last 6 months, I do not know if he deserves credit or he should be offering his condolences to me.

But I can honestly say from that moment, Dave and I hit it off. We have had great conversations over the years, and he has given me great advice from a professional vantage point, but more importantly, from a personal vantage point of the appropriate way to conduct yourself, dealing with members, dealing with staff, but most importantly, on always making sure you strike that right balance and take care of your family first.

As we fight whatever fights we fight on this House floor, we all have to remember, we all go back home to our families and they are the reason we serve.

So with that, it is my great honor to submit into nomination to be the next Chief Clerk of the Pennsylvania House of Representatives, David L. Reddecliff.

Thank you, Mr. Speaker.

The SPEAKER. The Speaker now recognizes the Democratic leader, the gentleman from Allegheny County, Mr. Dermody.

Mr. DERMODY. Thank you, Mr. Speaker.

Mr. Speaker, I rise to second the nomination of David L. Reddecliff to be Chief Clerk of the House.

It is a position that is not well understood by most people unless they work here every day. The Chief Clerk of the House oversees the nonpartisan CORE staff and makes sure the House is always ready for session. The Chief Clerk also works with the leaders of both caucuses and tries to help make them work with each other. Sometimes that is not so easy. The Chief Clerk is on duty every day of the year, not just when the House is in session. If I could describe it in very simple terms, the job of the Chief Clerk is to ensure that all members of the House and staff of the House are able to do their jobs. That is why I am pleased to second the nomination of Dave Reddecliff.

Over many years, members of our caucus have found Dave Reddecliff to be friendly, fair-minded, attentive to detail, and always even-tempered. Although he worked for the other caucus until now, he has always been sensitive to the concerns of both caucuses. Dave has been on the House staff for years, and that is a plus because the Chief Clerk must take care of staff's needs as well as legislators'. The Chief Clerk is a pillar of the House, supporting every one of us, Republican and Democrat alike.

In the years that I have had the opportunity to work with Dave, I have found that his care and concern for this institution are real. He will be fair, honest, and open as he undertakes the duties of his new role because that is the kind of person he has always been – fair, honest, and open.

Dave is taking on this role at one of the most challenging times in the history of our House, and it is not just because we have a little budget impasse going on. This House and both of its caucuses are facing many tough challenges: adapting to new

technology and new laws that govern how we function, financial pressures like never before, and telling the story of what we do here to skeptical observers everywhere.

Mr. Speaker, that is why I know we are in good hands with Mr. Reddecliff as Chief Clerk. He understands how this House works. He appreciates the importance of the work we do here. He wants the House to do its best work. Dave wants the members and staff of this House to succeed.

Mr. Speaker, House Democrats congratulate and welcome Dave Reddecliff to his new position, and I gladly second the nomination.

The SPEAKER. The question before the House is the election of a Chief Clerk. Those voting in favor of the election of Dave Reddecliff will be voting "aye"; those opposed will be voting "nay."

The following roll call was recorded:

#### YEAS—198

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

NAYS—0

NOT VOTING—0

EXCUSED—5

DeLuca  
Godshall

James

Maher

Toohil

The SPEAKER. More than the required two-thirds majority – in fact, a unanimous vote – voting in the affirmative, David Reddecliff is elected Chief Clerk of the Pennsylvania House of Representatives.

#### OATH OF OFFICE ADMINISTERED TO CHIEF CLERK

The SPEAKER. The oath of office will now be administered, and I would ask that Dave; his wife, Carole; and his children, Andrew, Maggie and Hannah, please come to the rostrum for the purpose of the administration of the oath of office.

Members and all guests, please rise for the oath of office.

Dave, place your left hand on the Bible, raise your right hand, and repeat after me.

I, David Reddecliff, do solemnly swear that I will support, obey, and defend the Constitution of the United States and the Constitution of this Commonwealth and that I will discharge the duties of my office with fidelity.

(Mr. Reddecliff asserted oath.)

The SPEAKER. Congratulations.

The CHIEF CLERK. Thank you.

#### REMARKS BY SPEAKER

The SPEAKER. David, what a lovely family. The entire Reddecliff family, we are so happy to have you here.

I am going to say a few remarks, and then Dave is actually going to address the body.

First of all, Dave and Carole and their kids treat me like family. I often stay with them, in their basement sometimes. Dave, as you know, is one of my best, best friends ever, although that is not why he is the Chief Clerk. This man is the best. He is just the best.

It is truly a historic day. It is historic because only 80 individuals since 1682 have served as the Chief Clerk of the Pennsylvania House of Representatives. Dave, you are following in the footsteps of many great individuals who once held this position. Benjamin Franklin served as the Chief Clerk for 14 years, from 1736 to 1750. The well-known writer and philosopher Thomas Paine also held this position. By overseeing the daily operations of the House, which includes everything that takes place in legislative sessions, the Chief Clerk plays a key role in preserving the history of this chamber for generations to come.

Here is the thing, folks: Dave has been part of our institution for 33 years. Throughout his tenure he has counseled members of both sides of the aisle, for generations. He started with Republican Caucus Administrator Harry Bowser, and then Caucus Chair Howard Fargo, and then Appropriations Chair and Majority Whip Dave Argall, and finally, serving in the office of the majority leader for 4 years while I was there, as,

really, the director of personnel and administration for the House Republican Caucus and presently performs that role and a variety of other responsibilities under the Speaker's Office. He is capable, conscientious, trustworthy, and unfailingly, unfailingly beyond reproach.

Over the past 5 years working with our colleagues from the Democratic side, who Dave has always had an impeccable relationship with, impeccable relationship with, the work between the two caucuses from an administrative perspective has been really seamless, with the minority leader, Frank Dermody, and my predecessor, Sam Smith, and myself in our roles, seamless, and now with our majority leader, Dave Reed, in terms of good administration of the House.

There really was nobody else to consider for this role because nobody has had the level of experience that Dave Reddecliff has had in terms of the actual operations of management and administration and in terms of the great relationship he has with members and staff. Everybody knew Dave Reddecliff had to be the next Chief Clerk.

When he examined, he found ways to utilize staff more efficiently, which resulted in more than \$6.5 million in reductions to payrolls and benefits in the 4 years that he held that role under the majority leader's office. He took a look at printing and mail services and saved another \$1.7 million. He found ways to streamline our staff and to make sure that we were actually paying on a merit base, while at the same time overall reducing costs by making sure that we were efficient in our operations.

Dave is responsible for saving our caucus over \$8 million in 4 years in terms of management. He contributed to changes initiated by House leaders in the Bipartisan Management Committee relative to members' reimbursements and expenses. It resulted in a 40-percent reduction in costs, which began in the '11-'12 legislative session.

Dave thinks outside the box. He can look at numbers, see what story it tells, and react accordingly. He always wants to make operations run as efficiently and as pleasantly and as honorably as possible. His service to the House of Representatives as a career may be unmatched.

#### GUESTS INTRODUCED

The SPEAKER. Dave, I just want to recognize – and I know you will be talking about them – but I know Bill and Sally Reddecliff are here, your parents. Could you please stand. Your sister, Luann, please stand. His mother-in-law, Shirley Seigler, please stand. And brother and sister-in-law, Craig and Rhonda, would you please stand as well. Thank you.

I see two very, very distinguished individuals who are here that were great friends and mentors for Dave – Senator Argall, Dave Argall, and former majority leader, Representative Sam Hayes.

You have been there, Dave, as a great husband and father. You have understood the long hours and the sacrifices made for the good of the Commonwealth and this institution. We celebrate with you as you reach this outstanding milestone in your career. Congratulations and thank you for being here today.

#### REMARKS BY CHIEF CLERK

The SPEAKER. David, I know you have some remarks to make.

The CHIEF CLERK. Speaker Turzai, let me begin by saying what an honor and privilege it has been to work for the House of Representatives, the Republican Caucus, and directly with you over the last 5 years. The experience and knowledge gained has been invaluable. Thank you from the bottom of my heart. Thanks for being a great boss, a principled leader, and a special friend. I have completely enjoyed our time together and look forward to working with you in my new position. I very much appreciate your efforts on my behalf today, and thank you for your kind and generous comments.

To the additional four members of the Bipartisan Management Committee – Majority Leader Dave Reed; Minority Leader Frank Dermody; both whips, Representatives Bryan Cutler and Mike Hanna – thank you for your faith and trust in me to forward my name to the full House for their consideration. I also appreciate your warm and gracious remarks.

I want to thank each of you, each member, today for your vote. It is certainly an honor to serve you, this institution, and the citizens of Pennsylvania.

I am going to go back to Indiana County for just a few moments. On May 20, 1983, I had been working for less than 6 months for Representative Wass in the 62d district office in Indiana County. That day was very memorable for me. As you see, the community was throwing an enormous birthday celebration for its favorite son, Jimmy Stewart. As you could imagine, there was a lot of excitement in the air.

While I had no role in the actual festivities, I did experience quite a thrill that day. What made it extraordinary for me was that our office was the designated holding area prior to the start of the celebration. So here I am, a 22-year-old, working for the legislature out in the country, one of only four people sitting in a room for almost 30 minutes trying to have a normal conversation with an American icon. It was just Jimmy, his wife, and two district aides. Talk about a thrill. I remember thinking to myself, does it get any better than this?

Now, around the same time I had an interview with another fellow in Harrisburg, the minority whip, Sam Hayes, whom many of you know, for another position in our research department here in Harrisburg. That, too, was noteworthy because Sam offered me the job that day. He ended our lengthy meeting telling me that the House of Representatives is a tremendous place to work, filled with serious, dedicated, and smart public officials, and he was referring to both members and staff at that time. I remember this so vividly, Sam. He said I would make many good friends, experience wonderful moments, and most interestingly and perhaps somewhat prophetically, he told me that there are so many opportunities here that I could make this into a long-term career. I, of course, never thought that would be the case. I think I may have chuckled in your face, no disrespect, but I never thought it was going to be long-term.

But fast-forward three decades, and well, Sam, you must have had a crystal ball because you were spot on. I never left this great institution, even though I have had several

opportunities to do so, but I always had a new door open up right here. Now it looks like I am in until the end. It has been a thrilling 33 years, and in some ways it seems like it is just the beginning.

So many have been important in my life, and I want to thank a few. First, I want to acknowledge former members who played various roles in my professional development. Again, Paul Wass for hiring a young guy right off a losing political campaign. We became friends long ago and remain close today. Sam Hayes, of course, who brought me to Harrisburg, and, Sam, your presence means a lot to me today. Thank you. George Hasay, my committee chairman. Harry Bowser was the member who pulled me into the ranks of leadership staff. Howard Fargo became one of my best friends, mentor, and golf buddy, as many of you know. And Dave Argall, now Senator Argall. Dave, we have been friends since our days together on the research staff. Thanks to each of you for the opportunities, guidance, lasting friendship, and wonderful memories.

I want to thank my pastor, who was here today; a number of special friends and coworkers; and many others who could not join us.

I have been extremely fortunate to work with so many hardworking, conscientious professionals in both chambers and on both sides of the aisle and know firsthand that the same can be said for the outstanding employees that are in the Chief Clerk's Office and all of CORE.

Finally, I want to say thanks to my family. I left you at the end because they all know I get emotional when I talk about my family, so it might seem quick and to the point, but there is a reason for that.

My beautiful wife, Carole, whom I met here over 30 years ago. She was working here before I got here, so I did not get her a job. Thank goodness you work here. As we all know, it can be a difficult place to fully understand, and she knows the crazy hours and schedules we tend to keep. Andrew, Maggie, and Hannah, my three great kids, thanks for being here. My mom and dad, my mother-in-law, and my sister, Luann, and her friend, Karl, are here today. My brother, Scott, and sister, Heidi Jo, and their families could not be here, but I believe we are streaming this on PCN (Pennsylvania Cable Network), so I say hello to my family out there. My brother-in-law and his wife, Craig and Rhonda, and their family, and Jennie, Brit, and Kennedy. It is so great and it means so much to have all of my family and all of my friends here.

I never imagined back in 1983 that I would be standing in front of you. To answer my own question, does it get any better than this, it sure does and today is certainly proof of that.

I count many of you as friends, and one of my goals is to change that from many to all. I look forward to serving as your next Chief Clerk. I am deeply honored and humbled by your support today. Thank you very much.

The SPEAKER. Members and guests, that concludes our ceremony. All guests, you are now free to leave. There is a family reception downstairs in the Speaker's Office. Please feel free to stop by. Dave, you are going to need to stay and work though. We have a lot of work.

So at this time we will have a short recess for the family members and friends to exit. Thank you so much for being here.

The House will come back to order, please.

## CALENDAR

### RESOLUTION PURSUANT TO RULE 35

Mr. ROTHMAN called up **HR 614, PN 2618**, entitled:

A Resolution congratulating the United States Marine Corps Reserve Toys for Tots Program and the Marine Toys for Tots Foundation on their continued efforts to provide a message of hope to less fortunate children and commending all those who volunteer their time to contribute to this goal.

On the question,  
Will the House adopt the resolution?

The SPEAKER. We will finish the resolution and then we will do on unanimous consent, if everybody is okay with that.

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

The following roll call was recorded:

### YEAS—198

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

Ellis	Klunk	Quigley	
Emrick	Knowles	Quinn	Turzai,
English	Kortz	Rader	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—5

DeLuca	James	Maher	Toohil
Godshall			

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

### STATEMENT BY MR. ROTHMAN

The SPEAKER. On unanimous consent, the Chair recognizes Representative Greg Rothman.

Members, please take your seats. I appreciate all conversations going to the anterooms.

Representative Rothman, the floor is yours, sir.

Mr. ROTHMAN. Mr. Speaker, thank you.

I rise today to thank my colleagues for their support of HR 614, honoring the Marine Corps Toys for Tots Program.

Mr. Speaker, the Toys for Tots Program was founded nearly 70 years ago by Maj. Bill Hendricks. It was first adopted by the Marine Corps Reserve and then a year later adopted by the whole Marine Corps. The program provides toys for children less fortunate during the holiday season.

It is interesting to note that the logo for Toys for Tots that is still used today was designed by Mr. Walt Disney.

Since the program began, nearly 500 million toys have been distributed to nearly 230 million children. Local campaigns are held nationwide, and hundreds of drop sites collect toys throughout the months of October, November, and December.

When I was a young Marine stationed in Reading and serving in the Reserves, the best duty this time of the year was to wear our dress blues and go to local malls to collect toys. As the holiday season is now upon us, I believe it is important to thank all the volunteers across the Commonwealth for their efforts in assisting this program, and I want to thank the United States Marine Corps for their continuing to bring smiles to children's faces across the nation each holiday season.

Today we have three members of the Marine Corps, Staff Sergeant Najar, Sergeant Block, and Sergeant Jackson from Echo Company in Harrisburg, here with us today. Mr. Speaker, may we give an oohrah and a thank you to all Marine Corps and all those who support Toys for Tots.

The SPEAKER. Thank you so much for being here today.

### GUESTS INTRODUCED

The SPEAKER. We have some other guests.

Located to the left of the rostrum, the Chair welcomes, if you will please rise, Jay Colburn, Richard Roller, Loretta Gillespie, and Kevin Gillespie. They are the guests of Representative Stephens. Thank you so much for being with us today.

Representative Harper has the following guests, if they will please rise: Dr. and Mrs. Michael Seidner and with them are Dr. and Mrs. Arthur Seidner. Thank you so much for being with us today. It is great to have you here.

In the rear of the House with Representative Jeff Pyle, we have guests Toni and Ed Fisher and Dot and Jim Riggle. Thank you so much for being here. Thank you.

### 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 House Appropriations Committee in the majority caucus room. Thank you.

The SPEAKER. Thank you.

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

### REPUBLICAN CAUCUS

The SPEAKER. Sandra Major, caucus chair, for an announcement.

Ms. MAJOR. Thank you, Mr. Speaker.

I would like to announce Republicans will caucus today at 1 p.m. I would ask our Republican members to please report to our caucus room at 1 o'clock. We would be prepared to come back on the floor, Mr. Speaker, at 3 p.m. Thank you.

The SPEAKER. Thank you, Madam Chair.

### DEMOCRATIC CAUCUS

The SPEAKER. Representative Frankel.

Mr. FRANKEL. Thank you, Mr. Speaker.

Democrats will caucus at 1 o'clock. Democrats will caucus at 1 o'clock.

### RECESS

The SPEAKER. This House will stand in recess until 3 p.m.

### RECESS EXTENDED

The time of recess was extended until 3:30 p.m.

### AFTER RECESS

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

### BILL REREPORTED FROM COMMITTEE

**HB 1351, PN 1848**

By Rep. ADOLPH

An Act providing for the use of epinephrine auto-injectors by certain entities and organizations; and conferring powers and imposing duties on the Department of Health.

APPROPRIATIONS.



## LEAVE OF ABSENCE

The SPEAKER. The majority whip has indicated that Barry JOZWIAK, Representative Barry Jozwiak, would like to be placed on leave for the day. That request will be granted.

## JUDICIARY COMMITTEE MEETING

The SPEAKER. Representative Marsico, chairman of the Judiciary Committee, is recognized for a committee announcement.

Mr. MARSICO. Thank you, Mr. Speaker.

The Judiciary Committee will meet tomorrow, that is Thursday, December 10, 10 a.m., 205 Ryan Building; tomorrow, 10 a.m., Ryan Building.

Thank you, Mr. Speaker.

The SPEAKER. The Judiciary Committee will meet tomorrow, Thursday, December 10, at 10 a.m., in 205 Ryan Building.

Representative John Payne, chairman of the Gaming Oversight Committee, for an announcement.

Mr. PAYNE. Thank you, Mr. Speaker.

Mr. Speaker, the Republicans in the Gaming Oversight Committee will meet immediately in the rear of the House; immediately in the rear of the House, the Republican members of the Gaming Oversight Committee.

Thank you, Mr. Speaker.

The SPEAKER. Representative Payne, hold on for a second.

Members, we have to hold off on the committee announcement. It is my error. We need, actually, a conference room off the House floor, so as soon as we have information as to availability of a conference room, I will recall the chair of the Gaming Oversight Committee. But that is the Speaker's error; I apologize.

## CALENDAR CONTINUED

### BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1325, PN 2611**, entitled:

An Act amending the act of May 1, 1933 (P.L.103, No.69), known as The Second Class Township Code, in storm water management plans and facilities, further providing for ordinances and providing for fees.

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 Maloney, do you wish to be recognized, sir?

Members, please take your seats. Members, please take your seats.

Representative Maloney wishes to speak on HB 1325. The floor is his.

Mr. MALONEY. Thank you, Mr. Speaker.

Well, here we go again. Property taxes over and over and over again come up, and especially in this time of year. I did not think we were going to be moving this bill, so in all fairness, I am only going to say a few things about it. But I want you to read, just in the summary, as to what this bill will do.

Assess a fee – in other words, tax – on an entire township on property benefited by a specific project. I am not so sure— Of course I know what they do. I have been impacted by it myself. I know how you assess it on a specific project or through the creation of the storm water management district. The townships can already enforce this. They can already put in place the storm water— As a matter of fact, it is the bill that we passed last year, or last session, with respect—

The SPEAKER. Representative, please just suspend for a second. Just a second.

Members, please take your seats. All conversations to the back anterooms. Members, please take your seats.

And, Representative Maloney, you may proceed, sir.

Mr. MALONEY. Thank you.

And again, storm water management authority, the legislation has already been put in place. You can already do this. Townships and boroughs can already assess a fee. What they want us to do is to pass this legislation so that they can say, "The legislature did this. They are the ones that said we should pass this tax on your property to pay for this." That is what is going on, more property tax. I, quite frankly, get really impatient with the constant taxation of the property. You want to put an escrow account on somebody's project, and you put this escrow account into perpetuity. That means somebody's property is going to have a tax on it forever. I am just not so sure how constitutional that is, especially when you isolate one project and you are going to assess those people to pay for that into perpetuity.

I know there is a member real close to me, he looked at buying a piece of property. When the title search went through, it came up "escrow account on this property." He says, "I'm not going anywhere near it." I do not blame you. You try to sell a piece of property, same thing. I just think this is misguided. This is another excuse to say, "Well, what we did to the townships is a mandate, and now they want a way to pay for it." They can, but what this really is, is another property tax, and I have frankly had enough of it. It is just one tax after the next on your property.

My word, we just celebrated Thanksgiving. To me, this is thankstaking. Why do you not wrap it, put a bow on it, and give it to your constituents and say, "Here is another tax on your property—

The SPEAKER. Representative Harper.

Mr. MALONEY. Thank you, Mr. Speaker.

The SPEAKER. Oh, I am sorry. I apologize. I thought you had a point of order.

Representative Maloney, thank you.

Representative Harper, the floor is yours.

Ms. HARPER. Thank you, Mr. Speaker.

The storm water bills we are dealing with this afternoon have come from the Local Government Committee because many of our local governments are faced with mandates from the Department of Environmental Protection, which is being forced by the Environmental Protection Agency in Washington to take

measures dealing with storm water in order to correct problems in our streams, creeks, rivers, and quite frankly, in the Chesapeake Bay. All the legislation does is gives your local governments, if they choose, an option for paying for storm water projects. In fact, if we do not give them this option, they will invariably be forced to raise property taxes instead because they do not have any extra money in their current budgets to pay for what the Department of Environmental Protection and the Environmental Protection Agency are requiring that they do. Because storm water depends heavily on geography, it makes sense to let the local governments decide whether they would like to do it within their neighborhoods, within their borders, or in a regional way with their neighbors in a watershed. So all the bill does is enables a local government to assess a fee.

I would ask that the body vote in favor of this, because if you do not vote in favor of this, the problem does not go away, it just gets bigger and bigger and eventually ends up causing a municipality not to be able to operate its local government services.

So I respectfully ask the members to please vote "yes." If you have any concerns about your local borough councilmen or your local commissioners or your local supervisors, they should be raised when those local elected officials choose to take advantage of this or not. All we are doing is letting them have a local option.

Thank you, Mr. Speaker.

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

Mr. FREEMAN. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of HB 1325. As the lady from Montgomery pointed out, this is a good piece of legislation. It is merely enabling legislation, a "may" provision that allows townships to be able to levy a storm water fee to address serious environmental impacts within their community where storm water management problems are a key issue. There is not a mandate here. It is merely a tool that we are offering to local government at the township level to deal with serious storm water problems.

Storm water management problems are serious. They affect the environment, but they also affect property values within a community, because not properly dealt with, storm water issues can damage property considerably over the course of time. In the absence of this legislation, what would happen is that a township seeking to address storm water issues, instead of using a fair fee structure geared specifically for storm water issues, would have to raise property taxes. So the gentleman from Berks was wrong in his assessment. With the absence of this legislation, the likely avenue for a township to go to is to raise property taxes, but with this legislation, with this very reasonable legislation, they can utilize a fee structure that is fair, that addresses the storm water issue and protects the environment and property values of a community. The only other alternative is for the township to form an authority, a storm water authority that then in turn would levy fees.

We want to be able to give townships the option of not having to go to that step, of not having to create another level of government, another bureaucracy, by being able to deal with this issue on their own through a fair fee structure on storm water management. I urge the House to adopt HB 1325.

## LEAVE OF ABSENCE

The SPEAKER. Representative Jamie SANTORA has requested that he be placed on leave of absence for the rest of the day. That will be granted.

## LEAVE OF ABSENCE CANCELED

The SPEAKER. Representative Bob Godshall is on the House floor and wishes to be placed back on the master roll.

## CONSIDERATION OF HB 1325 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—150

Acosta	Driscoll	Krueger	Readshaw
Adolph	English	Lewis	Reed
Barbin	Evans	Longietti	Roebuck
Barrar	Everett	Mahoney	Ross
Benninghoff	Fabrizio	Major	Rozzi
Bishop	Farina	Markosek	Sainato
Bizzarro	Farry	Marshall	Samuelson
Boback	Fee	Masser	Sankey
Boyle	Flynn	Matzie	Santarsiero
Bradford	Frankel	McCarter	Saylor
Briggs	Freeman	McClinton	Schlossberg
Brown, R.	Gainey	McGinnis	Schreiber
Brown, V.	Galloway	McNeill	Schweyer
Bullock	Gergely	Mentzer	Simmons
Burns	Gibbons	Miccarelli	Sims
Caltagirone	Gillespie	Millard	Snyder
Carroll	Godshall	Miller, B.	Sonney
Christiana	Greiner	Miller, D.	Staats
Cohen	Hahn	Milne	Stephens
Conklin	Hanna	Mullery	Sturla
Corbin	Harhai	Murt	Taylor
Costa, D.	Harkins	Mustio	Thomas
Costa, P.	Harper	Neilson	Toepel
Cruz	Harris, J.	Nesbit	Topper
Culver	Helm	Neuman	Truitt
Cutler	Hennessey	O'Brien	Vereb
Daley, M.	Hickernell	O'Neill	Vitali
Daley, P.	Irvin	Parker, C.	Ward
Davidson	Kampf	Parker, D.	Warner
Davis	Kaufert	Pashinski	Watson
Dawkins	Kavulich	Payne	Wheatley
Day	Keller, W.	Peifer	Wheeland
Dean	Killion	Petrarca	White
Deasy	Kim	Petri	Youngblood
DeLissio	Kinsey	Quigley	Zimmerman
Dermody	Kirkland	Quinn	
DiGirolamo	Kortz	Rader	Turzai,
Donatucci	Kotik	Ravenstahl	Speaker

### NAYS—47

Baker	Gillen	Knowles	Pyle
Bloom	Gingrich	Krieger	Rapp
Causar	Goodman	Lawrence	Reese
Cox	Grove	Mackenzie	Regan
Delozier	Harhart	Maloney	Roae

Diamond	Harris, A.	Marsico	Rothman
Dunbar	Heffley	Metcalfe	Saccone
Dush	Hill	Metzgar	Schemel
Ellis	Kauffman	Moul	Tallman
Emrick	Keller, F.	Oberlander	Tobash
Evankovich	Keller, M.K.	Ortitay	Wentling
Gabler	Klunk	Pickett	

NOT VOTING—0

EXCUSED—6

DeLuca	Jozwiak	Santora	Toohil
James	Maher		

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.

### GUEST INTRODUCED

The SPEAKER. Members, please welcome Representative Louise Bishop's son, James Bishop, Jr. Please rise. It is great to have you in the hall.

### BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1394, PN 2612**, entitled:

An Act amending Title 8 (Boroughs and Incorporated Towns) of the Pennsylvania Consolidated Statutes, in storm sewers and watercourses, further providing for authority of boroughs and for manner of financing work.

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 Maloney, on the bill, HB 1394.  
Mr. MALONEY. Thank you, Mr. Speaker.

Probably no surprise, it is the same old thing, same old bill. You can wrap up another present and give it to Christmas, another property tax bill.

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—152

Acosta	Ellis	Longietti	Readshaw
Adolph	English	Mahoney	Reed
Barbin	Evans	Major	Roebuck
Barrar	Everett	Markosek	Ross
Benninghoff	Fabrizio	Marshall	Rozzi
Bishop	Farina	Masser	Sainato
Bizzarro	Farry	Matzie	Samuelson
Boback	Fee	McCarter	Sankey
Boyle	Flynn	McClinton	Santarsiero
Bradford	Frankel	McGinnis	Saylor
Briggs	Freeman	McNeill	Schlossberg
Brown, R.	Gainey	Mentzer	Schreiber
Brown, V.	Galloway	Miccarelli	Schweyer
Bullock	Gergely	Millard	Simmons
Burns	Gibbons	Miller, B.	Sims
Caltagirone	Gillespie	Miller, D.	Snyder
Carroll	Godshall	Milne	Sonney
Christiana	Greiner	Mullery	Staats
Cohen	Hahn	Murt	Stephens
Conklin	Hanna	Mustio	Sturla
Corbin	Harhai	Neilson	Taylor
Costa, D.	Harkins	Nesbit	Thomas
Costa, P.	Harper	Neuman	Toepel
Cruz	Harris, J.	O'Brien	Topper
Culver	Hennessey	O'Neill	Truitt
Cutler	Hickernell	Oberlander	Vereb
Daley, M.	Irvin	Parker, C.	Vitali
Daley, P.	Kampf	Parker, D.	Ward
Davidson	Kaufer	Pashinski	Warner
Davis	Kavulich	Payne	Watson
Dawkins	Keller, W.	Peifer	Wheatley
Day	Killion	Petrarca	Wheeland
Dean	Kim	Petri	White
Deasy	Kinsey	Pyle	Youngblood
DeLissio	Kirkland	Quigley	Zimmerman
Dermody	Kortz	Quinn	
DiGirolamo	Kotik	Rader	Turzai,
Donatucci	Krueger	Ravenstahl	Speaker
Driscoll	Lewis		

NAYS—45

Baker	Gingrich	Klunk	Pickett
Bloom	Goodman	Knowles	Rapp
Causar	Grove	Krieger	Reese
Cox	Harhart	Lawrence	Regan
Delozier	Harris, A.	Mackenzie	Roae
Diamond	Heffley	Maloney	Rothman
Dunbar	Helm	Marsico	Saccone
Dush	Hill	Metcalfe	Schemel
Emrick	Kauffman	Metzgar	Tallman
Evankovich	Keller, F.	Moul	Tobash
Gabler	Keller, M.K.	Ortitay	Wentling
Gillen			

NOT VOTING—0

EXCUSED—6

DeLuca	Jozwiak	Santora	Toohil
James	Maher		

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 A**

**BILL ON THIRD CONSIDERATION**

The House proceeded to third consideration of **HB 1351, PN 1848**, entitled:

An Act providing for the use of epinephrine auto-injectors by certain entities and organizations; and conferring powers and imposing duties on the Department of Health.

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

**YEAS—197**

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

Driscoll	Kim	Petri	Youngblood
Dunbar	Kinsey	Pickett	Zimmerman
Dush	Kirkland	Pyle	
Ellis	Klunk	Quigley	Turzai,
Emrick	Knowles	Quinn	Speaker
English	Kortz	Rader	

NAYS—0

NOT VOTING—0

EXCUSED—6

DeLuca	Jozwiak	Santora	Toohil
James	Maher		

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.

**RULES COMMITTEE MEETING**

The **SPEAKER**. Representative Cutler, for an announcement, please.

Mr. **CUTLER**. Thank you, Mr. Speaker.

The Rules Committee will meet immediately in the Appropriations conference room; the Rules Committee, in the Appropriations conference room. Thank you.

The **SPEAKER**. The Rules Committee will meet immediately in the Appropriations conference room.

**GAMING OVERSIGHT COMMITTEE MEETING**

The **SPEAKER**. Representative Payne, Chairman Payne, of the Gaming Oversight Committee.

Mr. **PAYNE**. Thank you, Mr. Speaker.

A correction on the location. The Gaming Oversight Committee, Republican members, will meet in the majority caucus room. That is, Republican members of the Gaming Oversight Committee will meet in the majority caucus room at the break.

The **SPEAKER**. Members, we are going to take a slight recess for the Rules Committee to meet and for the Gaming Oversight Republicans to meet. We are just going to stand in recess here on the floor until the committees return.

We will be standing at ease. We are going to stand at ease.

The House will come to order.

**BILL ON CONCURRENCE REPORTED FROM COMMITTEE**

**HB 934, PN 2648** (Amended)

By Rep. **REED**

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, in public assistance, providing for the establishment of KEYS, for copayments for subsidized child care, for medical assistance payments for institutional care, for other medical assistance payments, for mileage reimbursement and paratransit services for individuals receiving methadone treatment and for other

computations affecting counties; providing for children's health care; in children and youth, further providing for payments to counties for services to children, for provider submissions and for limits on reimbursements to counties; repealing provisions relating to Medicaid managed care organization assessments; in Statewide quality care assessment, further providing for definitions, for implementation, for restricted account and for expiration of article; providing for managed care organization assessments; in departmental powers and duties as to supervision, further providing for definitions; in departmental powers and duties as to licensing, further providing for definitions, for fees, for provisional license and for violation and penalty; repealing provisions relating to registration provisions; in family finding and kinship care, further providing for definitions, for kinship care program and for permanent legal custodianship subsidy and reimbursement; abrogating regulations; repealing provisions relating to children's health care in the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921; and making editorial changes.

## RULES.

### CALENDAR CONTINUED

### BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 649, PN 2574**, entitled:

An Act amending Title 4 (Amusements) of the Pennsylvania Consolidated Statutes, in general provisions, further providing for legislative intent and for definitions; in Pennsylvania Gaming Control Board, further providing for general and specific powers, for licensed gaming entity application appeals from board, for board minutes and records, for regulatory authority of board, for slot machine license fee and for reports of board, providing for fantasy sports report and further providing for diversity goals of board; in licensees, further providing for Category 3 slot machine license, for slot machine license application, for supplier licenses, for manufacturer licenses, for slot machine testing and certification standards and for license renewals; in table games, further providing for authorization to conduct table games, for table game tournaments, for other financial transactions, for table game device and associated equipment testing and certification standards and for local share assessment; providing for interactive gaming, for casino simulcasting and for slot machines at nonprimary locations; in revenues, further providing for establishment of State Gaming Fund and net slot machine revenue distribution; in administration and enforcement, further providing for responsibility and authority of the Department of Revenue, for wagering on credit, for compulsive and problem gambling program, providing for child endangerment protection, further providing for financial and employment interests, for regulation requiring exclusion or ejection of certain persons, for repeat offenders excludable from licensed gaming facility, for list of persons self excluded from gaming activities, for investigations and enforcement, for prohibited acts and penalties and for liquor licenses at licensed facilities and providing for casino liquor license; in miscellaneous provisions, further providing for appropriations; making an editorial change; and making a related repeal.

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

Mr. **MUSTIO** offered the following amendment  
No. **A04847**:

Amend Bill, page 1, line 6, by inserting after "DEFINITIONS;"  
providing for video gaming;

Amend Bill, page 39, by inserting between lines 20 and 21

Section 2.1. Title 4 is amended by adding a chapter to read:

#### CHAPTER 11A VIDEO GAMING

Sec.

11A01. Definitions.

11A02. Powers and duties.

11A03. Licensing of manufacturers, distributors, terminal operators  
and service technicians.

11A04. Video gaming license.

11A05. License prohibitions.

11A06. Video gaming limitations.

11A07. Central computer system.

11A08. Video gaming terminal and redemption terminal.

11A09. Unlawful acts.

11A10. Enforcement.

11A11. Multiple types of licenses prohibited.

11A12. Establishment of account and distribution of funds.

11A13. Initial funding.

11A14. Preemption of local taxes and license fees.

11A15. Exemption from State gaming laws.

11A16. Exemption from Federal regulation.

11A17. Preemption.

11A18. Compulsive and problem gambling.

11A19. Provisional licenses.

11A20. Temporary video gaming regulations.

§ 11A01. Definitions.

The following words and phrases when used in this chapter shall have the meanings given to them in this section unless the context clearly indicates otherwise:

"Central computer system." A central site computer system controlled by the department and accessible by the board that at all times is connected to video gaming terminals at licensed establishments and that, at a minimum, is capable of monitoring, communicating, auditing, retrieving information, generating games, activating and disabling each video gaming terminal.

"Coin-operated amusement game." A machine that requires the insertion of a coin, currency or token to play or activate a game, the outcome of which is predominantly and primarily determined by the skill of the player. The term does not include a video gaming terminal.

"Department." The Department of Revenue of the Commonwealth.

"Distributor." A person licensed by the board to buy, sell, lease, service or distribute video gaming terminals. The term does not include a terminal operator or a manufacturer.

"Enforcement Bureau." The Bureau of Liquor Control Enforcement of the Pennsylvania State Police.

"Gaming machine." A device or game that has the outcome of play primarily determined by chance. The term includes an antique slot machine under 18 Pa.C.S. § 5513(c) (relating to gambling devices, gambling, etc.) when used for profit. The term shall not include any of the following:

(1) A coin-operated amusement game.

(2) A video gaming terminal that has all of its seals or identification plates.

(3) A slot machine as defined under section 1103 (relating to definitions).

(4) A game of chance under the act of December 19, 1988 (P.L.1262, No.156), known as the Local Option Small Games of Chance Act.

(5) A lottery terminal used under the act of August 26, 1971 (P.L.351, No.91), known as the State Lottery Law.

"Grocery store." A retail establishment, commonly known as a grocery store, supermarket or delicatessen, where food, food products and supplies are sold for human consumption on or off the premises. The term shall include a restaurant with an interior connection to, and the separate and segregated portion of, any other retail establishment which is dedicated solely to the sale of food, food products and supplies for the table for human consumption on or off the premises.

"Gross revenue." The total of cash or cash equivalents used for the play of a video gaming terminal minus cash or cash equivalent paid players as a result of playing a video gaming terminal.

"Incentive." Any consideration, including a promotion or prize.

provided from a licensee under this chapter or an employee of a licensee to a patron of a licensed establishment as an enticement to play a video gaming terminal.

"Inducement." Any consideration paid directly or indirectly, from a terminal operator, employee of the terminal operator or any other person on behalf of the terminal operator, to a licensed establishment owner or an employee of the licensed establishment, directly or indirectly as an enticement to solicit or maintain the licensed establishment owner's business. The term includes cash, a gift, loan and prepayment of gross revenue.

"Licensed establishment." A licensed liquor establishment or a truck stop establishment with a video gaming license granted under § 11A05 (relating to license prohibitions).

"Licensed liquor establishment." A brew pub, club, hotel, privately owned public golf course or restaurant as defined or licensed under the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, that operates under a valid liquor or malt or brewed beverage license under Article IV of the Liquor Code. The term shall not include a grocery store or a hotel or restaurant whose place of business is located in a licensed facility as defined in 4 Pa.C.S. § 1103 (relating to definitions).

"Manufacturer." A person that:

(1) is licensed by the board; and

(2) manufactures, produces or assembles video gaming terminals or major parts and components of video gaming terminals.

"Minor." An individual who is less than 21 years of age.

"Redemption terminal." The collective hardware, software, communications technology and other ancillary equipment used to facilitate the payment of cash or cash equivalent to a player as a result of playing a video gaming terminal.

"Service technician." An individual licensed by the board to service, maintain and repair video gaming terminals.

"State Lottery." The lottery established and operated under the act of August 26, 1971 (P.L.351, No.91), known as the State Lottery Law.

"Terminal operator." A person that:

(1) is licensed by the board; and

(2) owns, services or maintains video gaming terminals for placement in licensed establishments.

"Truck stop establishment." A premises that is equipped with diesel islands used for fueling commercial motor vehicles, has sold on average 50,000 gallons of diesel or biodiesel fuel each month for the previous 12 months or is projected to sell an average of 50,000 gallons of diesel or biodiesel fuel each month for the next 12 months, has parking spaces dedicated for commercial motor vehicles, has a convenience store and is situated on a parcel of land not less than three acres.

"Video gaming license." A license issued by the board authorizing the placement and operation of video gaming terminals at the licensed establishment specified in the application for licensure.

"Video gaming terminal." A device or terminal:

(1) that, upon insertion of a coin or currency, will play or simulate the play of a video poker, bingo, keno, slot machine, blackjack or any other game authorized by the board;

(2) that utilizes a video display and microprocessor; and

(3) in which, by the skill of the player or by chance, the player may receive a free game or credit that may be redeemed for cash at a redemption terminal.

§ 11A02. Powers and duties.

The board shall regulate and adopt standards for video gaming as authorized under this chapter.

§ 11A03. Licensing of manufacturers, distributors, terminal operators and service technicians.

(a) Application.—A person that applies to the board for a manufacturer, distributor, terminal operator or service technician license related to video gaming under this section shall do so on a form prescribed by the board.

(b) Application fee.—

(1) An applicant for a manufacturer or distributor license must pay a nonrefundable application fee of \$50,000.

(2) An applicant for a terminal operator license must pay a nonrefundable application fee of \$10,000.

(3) An applicant for a service technician license must pay a nonrefundable application fee of \$100.

(c) Production of information.—An applicant must produce information, documentation and assurances as required by the board, including:

(1) Written consent by the applicant to provide for the examination of financial and business accounts, bank accounts, tax returns and related records in the applicant's possession or under the applicant's control that establish the financial stability, integrity and responsibility of the license applicant.

(2) Written authorization by the applicant for third parties in possession or control of accounts or records under paragraph (1) to allow for examination of such documents as deemed necessary by the board or the Pennsylvania State Police in conducting background investigations.

(3) If the applicant has conducted a gaming operation in a jurisdiction that permits such activity, a letter of reference from the gaming or casino enforcement or control agency that specifies the experience of the agency with the applicant, the applicant's associates and the applicant's gaming operations. If the applicant is unable to obtain the letter within 60 days of the request, the applicant may submit a copy of the letter requesting the information, together with a statement under oath or affirmation that, during the period activities were conducted, the applicant was in good standing with the appropriate gambling or casino enforcement control agency.

(4) Information, documentation and assurances as required by the board to establish the applicant's good character, honesty and integrity. Information under this paragraph may relate to family, habits, character, reputation, business affairs, financial affairs, business associates, professional associates and personal associates, covering the 10-year period immediately preceding the filing of the application.

(d) Background investigation.—Pennsylvania State Police shall conduct, at the request of the board, a background investigation of an applicant for a manufacturer, distributor or terminal operator license as follows:

(1) The applicant shall consent to a background investigation and provide any and all information requested by the Pennsylvania State Police and consent to a release of any and all information necessary for the completion of the background investigation, which information shall include fingerprints.

(2) The background investigation shall include a security, criminal and credit investigation by the Pennsylvania State Police, which shall include records of criminal arrests and convictions, in any jurisdiction, including Federal criminal history record information. The investigation may utilize information about the applicant compiled by the Pennsylvania Liquor Control Board. The Pennsylvania State Police may share investigation information with the board to the extent permitted by Federal and State law as determined by the Pennsylvania State Police. None of the information obtained by the Pennsylvania State Police may be disclosed publicly nor be subject to disclosure under the act of February 14, 2008 (P.L.6, No.3), known as the Right-to-Know Law.

(3) The background investigation shall include an examination of personal, financial or business records, including tax returns, bank accounts, business accounts, mortgages and contracts to which the applicant is a party or has an interest.

(4) The background investigation shall include an examination of personal or business relationships that:

(i) Include a partial ownership or voting interest in a partnership, association or corporation.

(ii) Bear on the fitness of the applicant for licensure.

(5) The applicant shall reimburse the bureau for the actual costs of conducting the background investigation. The board may not approve an applicant that has not fully reimbursed the Pennsylvania State Police for the investigation.

(e) Eligibility.—To be eligible for a license under this section, an applicant for a manufacturer, distributor, terminal operator or service technician license must comply with all of the following:

(1) Be of good moral character and reputation in the community.

(2) Be 18 years of age or older.

(3) Be current in the payment of all taxes, interest and penalties owed to the Commonwealth and political subdivisions of the Commonwealth. This paragraph excludes taxes subject to a timely administrative or judicial appeal or subject to a duly authorized deferred payment plan.

(4) An applicant for a manufacturer, distributor or terminal operator license must also demonstrate sufficient financial resources to support the activities required of, respectively, a manufacturer, distributor or terminal operator related to video gaming terminals.

(f) Review and approval.—The board shall review the information submitted by the applicant and the investigation information provided by the Pennsylvania State Police. If being satisfied that the requirements of subsection (e) have been met, the board may approve the application and grant the applicant a manufacturer, distributor or terminal operator license consistent with all of the following:

(1) The license shall be valid for a period of two years. Nothing in this paragraph shall be construed to relieve the licensee of the affirmative duty to notify the board of any change relating to the status of its license or to any other information contained in application materials on file with the board.

(2) The license shall be nontransferable.

(3) Any other condition established by the board.

(g) Annual fees.—

(1) The annual fee for a terminal operator license shall be \$25,000 for a terminal operator that has placed 50 or fewer video gaming terminals at licensed establishments in this Commonwealth. An additional annual fee of \$500 shall be charged per video gaming terminal license for a terminal operator that has placed more than 50 video gaming terminals at licensed establishments in this Commonwealth.

(2) The annual fee for a distributor license shall be \$10,000.

(3) The annual fee for a manufacturer license shall be \$10,000.

(4) The annual fee for a service technician license shall be \$100.

(h) Renewal and late filing fees.—

(1) Sixty days prior to expiration of the license, the licensee seeking renewal of the license shall submit a renewal application accompanied by the annual fee or the license shall be subject to appropriate late filing fees.

(2) If the renewal application satisfies the requirements of subsection (e), the board may renew the license.

(3) If the board receives a complete renewal application but fails to act upon the renewal application prior to the expiration of the license, the license shall continue in effect for an additional six-month period or until acted upon by the board, whichever occurs first.

(4) The board may accept renewal applications filed less than 60 days before the effective date of renewal upon the payment of the requisite annual fees and an additional late filing fee of \$100. A renewal application filed on or after the effective date of renewal shall be accompanied by the requisite annual fee and an additional late filing fee of \$250. A renewal application

may not be considered for approval unless accompanied by the requisite annual and late filing fees, tax clearance and any other information required by the board.

(i) Validation of licenses and late filing fees.—

(1) One year after the issuance or renewal of a license, the licensee shall file an application for validation of the license with the requisite annual fees and tax clearance, at least 60 days before the effective date of the validation or the license shall be subject to appropriate late filing fees.

(2) The board may accept a validation application filed less than 60 days before the effective date of renewal upon the payment of the requisite annual fee and an additional late filing fee of \$100. A validation application filed on or after the effective date of validation shall be accompanied by the requisite annual fee and an additional late filing fee of \$250. A validation application may not be considered for approval unless accompanied by the requisite annual and late filing fees, tax clearance and any other information required by the board.

(j) Third-party disclosure.—An applicant must accept any risk of adverse public notice, embarrassment, criticism, damages or financial loss, which may result from disclosure or publication by a third party of material or information requested by the board pursuant to action on an application. The applicant expressly must waive a claim against the board or the Commonwealth and the applicant's employees from damages as a result of disclosure or publication by a third party.

(k) Hearing upon denial.—A person that is denied a license or the renewal of a license under this section has the right to a hearing before the board in accordance with the provisions of 2 Pa.C.S. Chs. 5 Subch. A (relating to practice and procedure of Commonwealth agencies) and 7 Subch. A (relating to judicial review of Commonwealth agency action).  
§ 11A04. Video gaming license.

(a) Application.—A person that applies to the board for a video gaming license under this section shall do so on a form prescribed by the board.

(b) Licensed liquor establishment.—Except as provided in section 11A05 (relating to license prohibitions), the board shall issue a video gaming license to a licensed liquor establishment upon a showing that the establishment's liquor or retail dispenser license is valid and is in good standing with the Pennsylvania Liquor Control Board.

(c) Truck stop establishment.—The board shall issue a license to a truck stop establishment if the person who owns establishment meets the following requirements:

(1) Is of good moral character and reputation in the community.

(2) Is 18 years of age or older.

(3) Is current in the payment of all taxes, interest and penalties owed to the Commonwealth and political subdivisions of the Commonwealth. This paragraph excludes taxes subject to a timely administrative or judicial appeal or subject to a duly authorized deferred payment plan.

(4) Demonstrates sufficient financial resources to support the activities required of a manufacturer, distributor or terminal operator related to video gaming terminals.

(5) Produces information, documentation and assurances as required by the board, including:

(i) Written consent by the applicant to provide for the examination of financial and business accounts, bank accounts, tax returns and related records in the applicant's possession or under the applicant's control that establish the financial stability, integrity and responsibility of the license applicant.

(ii) Written authorization by the applicant for third parties in possession or control of accounts or records under paragraph (1) to allow for examination of such documents as deemed necessary by the board or the Pennsylvania State Police in conducting background investigations.

(iii) If the applicant has conducted a gaming operation in a jurisdiction that permits such activity, a letter of reference from the gaming or casino enforcement or control agency that specifies the experience of the agency with the applicant, the applicant's associates and the applicant's gaming operations. If the applicant is unable to obtain the letter within 60 days of the request, the applicant may submit a copy of the letter requesting the information, together with a statement under oath or affirmation that, during the period activities were conducted, the applicant was in good standing with the appropriate gambling or casino enforcement control agency.

(iv) The applicant must provide information, documentation and assurances as required by the board to establish the applicant's good character, honesty and integrity. Information under this paragraph may relate to family, habits, character, reputation, business affairs, financial affairs, business associates, professional associates and personal associates, covering the 10-year period immediately preceding the filing of the application.

(6) Consent to a background investigation and provide any and all information requested by the Pennsylvania State Police and consent to a release to obtain any and all information necessary for the completion of the background investigation, which information shall include fingerprints. The background investigation shall include the following:

(i) A security, criminal and credit investigation by the Pennsylvania State Police, which shall include records of criminal arrests and convictions, in any jurisdiction, including Federal criminal history record information. The investigation may utilize information about the applicant compiled by the Pennsylvania Liquor Control Board. The Pennsylvania State Police may share investigation information with the board to the extent permitted by Federal and State law as determined by the Pennsylvania State Police. None of the information obtained by the Pennsylvania State Police shall be disclosed publicly nor be subject to disclosure under the act of February 14, 2008 (P.L.6, No.3), known as the Right-to-Know Law.

(ii) An examination of personal, financial or business records, including tax returns, bank accounts, business accounts, mortgages and contracts to which the applicant is a party or has an interest.

(iii) An examination of personal or business relationships that include a partial ownership or voting interest in a partnership, association or corporation and bear on the fitness of the applicant for licensure.

(iv) The applicant shall reimburse the bureau for the actual costs of conducting the background investigation. The board may not approve an applicant that has not fully reimbursed the Pennsylvania State Police for the investigation.

(d) Application fee.—A licensed establishment shall pay an application fee of \$100.

(e) Annual fees.—A licensed establishment shall pay an annual fee of \$1,000 and an annual fee of \$500 per video gaming terminal.

(f) Review and approval.—The board shall review the information submitted by the applicant and, if the applicant is a truck stop establishment, the investigation information provided by the Pennsylvania State Police. If satisfied that the requirements for a video gaming license have been met, the board shall approve the application and grant the applicant a video gaming license consistent with all of the following:

(1) The license shall be valid for a period of two years. Nothing in this paragraph shall be construed to relieve the

licensee of the affirmative duty to notify the board of any change relating to the status of its license or to any other information contained in application materials on file with the board.

(2) The license shall be nontransferable.

(3) Any other condition established by the board.

(g) Renewal and late filing fees.—

(1) Sixty days prior to expiration of the license, the licensee seeking renewal of the license shall submit a renewal application accompanied by the renewal fee or the license shall be subject to appropriate late filing fees.

(2) If the renewal application satisfies the requirements for the video gaming license, the board may renew the license.

(3) If the board receives a complete renewal application but fails to act upon the renewal application prior to the expiration of the license, the license shall continue in effect for an additional six-month period or until acted upon by the board, whichever occurs first.

(4) The board may accept a renewal application filed less than 60 days before the effective date of renewal upon the payment of the requisite license and filing fee and an additional late filing fee of \$100. A renewal application filed on or after the effective date of renewal shall be accompanied by the requisite license and filing fee and an additional late filing fee of \$250. A renewal application may not be considered for approval unless accompanied by the requisite annual and late filing fees, tax clearance and any other information required by the board.

(h) Validation of licenses and late filing fees.—

(1) One year after the issuance or renewal of a license, the licensee shall file an application for validation of the license with the requisite annual fees and tax clearance, at least 60 days before the effective date of the validation or the license shall be subject to appropriate late filing fees.

(2) The board may accept a validation application filed less than 60 days before the effective date of renewal upon the payment of the requisite annual fee and an additional late filing fee of \$100. A validation application filed on or after the effective date of validation shall be accompanied by the requisite annual fee and an additional late filing fee of \$250. A validation application will not be considered for approval unless accompanied by the requisite filing, license and late filing fees, tax clearance and any other information required by the board.

(i) Third-party disclosure.—An applicant must accept any risk of adverse public notice, embarrassment, criticism, damages or financial loss, which may result from disclosure or publication by a third party of material or information requested by the board pursuant to action on an application. The applicant expressly must waive a claim against the board or the Commonwealth and the applicant's employees from damages as a result of disclosure or publication by a third party.

(j) Hearing upon denial.—A person who is denied a license or the renewal of a license under this section has the right to a hearing before the board in accordance with the provisions of 2 Pa.C.S. Chs. 5 Subch. A (relating to practice and procedure of Commonwealth agencies) and 7 Subch. A (relating to judicial review of Commonwealth agency action).

§ 11A05. License prohibitions.

(a) Felony conviction prohibition.—A person that has been convicted of a felony in any jurisdiction may not be issued a license under this chapter.

(b) Gambling offense prohibition.—A person that has been convicted in any jurisdiction of a gambling offense, including a violation of 18 Pa.C.S. § 5516 (relating to gambling devices, gambling, etc.), unless 15 years have elapsed from the date of conviction for the offense, may not be issued a license under this chapter.

(c) Factors to be considered.—Following the expiration of any prohibition period applicable to an applicant under subsection (b), in determining whether to issue a license, the board shall consider the following factors:

(1) The nature and seriousness of the offense or conduct.



(2) The circumstances under which the offense or conduct occurred.

(3) The age of the applicant when the offense or conduct was committed.

(4) Whether the offense or conduct was an isolated or repeated incident.

(5) Any evidence of rehabilitation, including good conduct in the community, counseling or psychiatric treatment received and the recommendation of persons who have substantial contact with the applicant.

(d) Felony offenses.—For purposes of this section, a felony offense is any of the following:

(1) An offense punishable under the laws of this Commonwealth by imprisonment for more than five years.

(2) An offense which, under the laws of another jurisdiction, is:

(i) classified as a felony; or

(ii) punishable by imprisonment for more than five years.

(3) An offense under the laws of another jurisdiction which, if committed in this Commonwealth, would be subject to imprisonment for more than five years.

§ 11A06. Video gaming limitations.

(a) General rule.—A licensed establishment shall be subject to the following limitations:

(1) No more than five video gaming terminals may be placed on the premises of the licensed establishment.

(2) With the exception of tickets indicating amounts won, which are redeemable for cash, or which can be reinserted into video gaming machines for play of games authorized by the board, no video gaming terminal may directly dispense a coin, cash, token or anything else of value. The winning ticket may, however, be used in other video gaming terminals in the same licensed establishment.

(3) (i) The licensed establishment must enter into a written video gaming terminal placement agreement with a licensed terminal operator for a minimum 60-month term and a maximum 120-month term. The form of the agreement shall be approved by the board and on file and available for inspection at the licensed establishment. A licensed establishment or licensed establishment applicant, may only sign, or agree to sign, a written agreement with a terminal operator or terminal operator applicant.

(ii) Any person soliciting the execution of a video gaming terminal placement agreement on behalf of an applicant or licensee shall be disclosed to the board.

(iii) No video gaming terminal placement agreement may be transferred or assigned unless the individual or entity making the assignment and the individual or entity receiving the assignment of the video gaming terminal placement agreement are both applicants or licensees under this chapter.

(iv) No payment may be made to an individual or entity for or with respect to the procurement of a video gaming terminal placement agreement to an individual or entity which or whom is not licensed by or disclosed to the board.

(v) If an application for a terminal operator license is denied or withdrawn, the video gaming terminal placement agreement shall be null and void.

(vi) A video gaming terminal placement agreement not in strict compliance with this section is void.

(4) (i) No video gaming terminal may be in an area easily accessible to a minor. A floor-to-ceiling wall is not required.

(ii) The entrance to the video gaming area must

be secure and easily seen and observed by the employees or management of the licensed establishment.

(iii) The video gaming area must at all times be monitored by an employee of the licensed establishment, who is at least 18 years of age, either directly or through video surveillance.

(5) (i) Except as may be approved by the board, no licensed establishment with a video gaming license may generally advertise gaming to the general public.

(ii) A customer of a licensed establishment may opt in to receive written advertising materials from a licensed establishment.

(6) No licensed establishment or employee of a licensed establishment may offer an incentive to a patron of the licensed establishment related to the play of a video gaming terminal.

(b) Fines.—A person found in violation of any of the limitations in subsection (a) shall be subject to the following fines:

(1) A fine of not less than \$300, nor more than \$500 for the first violation.

(2) For more than one violation or subsequent violations, a fine of not less than \$500, nor more than \$1,000.

(3) The right to suspend and revoke licenses granted under this chapter shall be in addition to the fines enumerated in this subsection.

§ 11A07. Central computer system.

The department shall establish and procure a central computer system capable of monitoring and communicating with each video gaming terminal. The following shall apply:

(1) All video gaming terminals shall be linked to the central computer system under the control of the department and accessible by the board.

(2) The department may utilize the central control computer system employed by the department to monitor slot machine gaming or the State Lottery.

(3) All communications data collected by the central computer system may be provided to the terminal operator.

(4) Interconnection of jackpots, pursuant to a wide area progressive system, shall be allowed.

§ 11A08. Video gaming terminal and redemption terminal.

(a) Specifications.—

(1) The board shall approve one or more video gaming terminals and redemption terminals that include hardware and software specifications. All video gaming terminals and redemption terminals offered for play or use in this Commonwealth shall conform to the approved specifications.

(2) The board may utilize the standards and models approved by other states, and may contract for the services of the board's testing laboratory.

(b) Service contracts authorized.—The board may also contract for services of one or more independent outside testing laboratories that have been accredited by a national accreditation body and that, in the judgment of the board, are qualified to perform such examinations and tests.

(c) Contents of specifications.—The specifications shall include:

(1) All video gaming terminals shall have the ability to interact with the central communications system.

(2) Unremovable identification plates shall appear on the exterior of the video gaming terminal containing the name of the manufacturer and the serial and model number of the video gaming terminal.

(3) Rules of play shall be displayed on the video gaming terminal face or screen as promulgated by the board.

(4) A video gaming terminal may not directly dispense coins, cash, tokens or any other article of exchange or value except for tickets. Such tickets shall be dispensed by pressing the ticket dispensing button on the video gaming terminal at the end of one's turn or play. The ticket shall indicate the total amount of the cash award. The player shall be permitted to insert the ticket

into another terminal in the same licensed establishment or turn in the ticket for redemption. Redemption shall be made by giving the ticket to the responsible person in charge who is over 18 years of age at the licensed establishment or through the use of an approved redemption machine. A redemption machine is required at the licensed establishment if the establishment has three or more terminals.

(5) The cost of a credit shall be 1¢, 5¢, 10¢ or 25¢ and the maximum wager played per game shall not exceed \$2.50. A game may result in one or more prizes.

(6) No cash award for any individual game may exceed \$1,000.

(7) All video gaming terminals must be designed and manufactured with total accountability to include gross proceeds, net profits, winning percentages and any other information the board requires.

(8) Each video gaming terminal shall pay out a minimum of 85% of the amount wagered.

#### § 11A09. Unlawful acts.

(a) General rule.—It shall be unlawful for any person to do any of the following:

(1) To operate or attempt to operate a video gaming terminal or to receive or attempt to receive payment from a redemption terminal if the person is under 21 years of age.

(2) To permit a person under 21 years of age to play a video gaming terminal or to provide payment as a result of playing video gaming to a person under 21 years of age.

(3) To permit a visibly intoxicated person to play a video gaming terminal.

(4) To possess a gaming machine.

(5) To install or operate more video gaming terminals in a licensed establishment than permitted by this chapter or the board.

(6) To tamper with the connection of a video gaming terminal to the central communications system.

(7) To sell, distribute, service, own, operate or place on location a video gaming terminal unless the person holds the appropriate license under this chapter and is in compliance with all requirements of this chapter.

(8) As a terminal operator, to give, or offer to give, directly or indirectly, any type of inducement to a licensed liquor establishment or truck stop establishment to secure a video gaming terminal placement agreement.

(9) As a licensed liquor establishment or truck stop establishment, to accept any inducement from a terminal operator or any other third party, directly or indirectly, associated with a terminal operator.

(b) Penalties and fines.—In addition to any other penalty provided by law, the following shall apply:

(1) A person convicted of violating subsection (a)(1) or (3) is guilty of a summary offense.

(2) A person convicted of violating subsection (a)(4) is guilty of a misdemeanor of the first degree and shall be subject to additional penalties as provided in subsection (c).

(3) Except for subsection (a)(1), (3) or (4):

(i) A person convicted of violating any other provision of subsection (a) is guilty of a misdemeanor of the third degree and shall pay fine of not less than \$5,000.

(ii) A person convicted of violating any other provision of subsection (a) that is convicted of a second or subsequent violation is guilty of a misdemeanor of the second degree and shall pay a fine of not less than \$15,000.

(c) Seizure, forfeiture and destruction of gaming machines and fines.—

(1) A licensee under this chapter shall consent to seizure of its gaming machines. Gaming machines and the proceeds of

gaming machines shall be subject to seizure under sections 1517(e) (relating to investigations and enforcement) and 1518(f) (relating to prohibited acts; penalties).

(2) In the case of a gaming machine seized from a licensed establishment:

(i) For a first violation, the penalty shall be a fine of at least \$10,000 and not more than \$25,000 and a suspension of the licensed establishment owner's liquor license for not less than seven consecutive days.

(ii) For a second or subsequent violation, the penalty shall be a fine of \$50,000 and a suspension of the liquor license for not less than 60 consecutive days, or a revocation of the establishment's license.

(3) In the case of a gaming machine seized from a place of business other than a licensed establishment:

(i) For a first violation, the penalty shall be a fine of at least \$10,000 and not more than \$25,000 against the owner of the business from which the gaming machine was seized, and a suspension of the licensed establishment owner's liquor license for not less than 30 consecutive days.

(ii) For a second or subsequent violation, the penalty shall be a fine of \$50,000, and a suspension of the liquor license for not less than 60 consecutive days.

#### § 11A10. Enforcement.

In addition to any other law enforcement agency with jurisdiction, the enforcement bureau shall have the jurisdiction and the authority to enter a business in order to enforce the provisions of this chapter.

#### § 11A11. Multiple types of licenses prohibited.

(a) Manufacturer restriction.—A manufacturer may not be licensed as a video gaming terminal distributor or a terminal operator, or own, manage or control a licensed establishment, and shall be licensed only to sell to licensed distributors.

(b) Distributor restriction.—A licensed video gaming terminal distributor may not be licensed as a manufacturer or a terminal operator, or own, manage or control a licensed establishment.

(c) Terminal operator restriction.—A terminal operator may not be licensed as a manufacturer or distributor and shall be licensed only to contract with licensed distributors and licensed establishments.

(d) Licensed establishment restriction.—An owner of a licensed establishment may not be licensed as a manufacturer, distributor or terminal operator.

#### § 11A12. Establishment of account and distribution of funds.

(a) Video Gaming Account.—The Video Gaming Account is established as a separate account in the State Treasury. Except as otherwise provided in this chapter, fees and fines collected under this chapter and the portion of gross revenue distributable to the Commonwealth under subsection (c)(3) shall be deposited in the Video Gaming Account.

(b) Video operator accounts.—A video operator shall establish and maintain an account in a State depository in this Commonwealth into which the video operator shall deposit gross revenue generated by the play of all video gaming terminals for which the operator has been issued a video operator license. The sums in the video operator account shall be withdrawn weekly by the department and deposited as provided in subsection (a).

(c) Distribution of gross revenue.—The gross revenue from each video gaming terminal shall be distributed in the following manner:

(1) To the licensed establishment, 33%.

(2) To the terminal operator, 33%.

(3) To the Commonwealth, 34%.

(d) Video Gaming Account appropriations.—

(1) Money from the Video Gaming Account shall be appropriated to:

(i) The board for its operations related to the licensing and regulation of video gaming.

(ii) To the department for operation of the

central management system.

(iii) To the bureau for enforcement of this chapter upon appropriation by the General Assembly.

(2) The board, department and bureau shall prepare and annually submit to the chairperson and minority chairperson of the Appropriations Committee of the Senate and the chairperson and minority chairperson of the Appropriations Committee of the House of Representatives, an itemized budget consisting of amounts to be appropriated out of the Video Gaming Account necessary to pay such costs.

(e) Payments to municipalities.—On an annual basis, each municipality that has one or more licensed establishments within the municipality shall be paid \$1,000 per licensed terminal located in the municipality from the Video Gaming Account.

(f) Funding for compulsive gambling programs.—The board shall allocate from the Video Gaming Account \$1,000,000 annually for the purpose of treating compulsive gambling in this Commonwealth. § 11A13. Initial funding.

The sum of \$10,000,000 is hereby appropriated from the General Fund to the board for the purpose of paying costs associated with the licensing and regulation of video gaming and the initial implementation of this chapter and other costs associated with this chapter by the board. The appropriated amount shall be repaid from the Video Gaming Account to the General Fund by June 30, 2017.

§ 11A14. Preemption of local taxes and license fees.

(a) Statutes.—Video gaming terminals shall be exempt from taxes levied under the following:

(1) The act of August 5, 1932 (Sp.Sess., P.L.45, No.45), referred to as the Sterling Act.

(2) The act of December 31, 1965 (P.L.1257, No.511), known as The Local Tax Enabling Act.

(3) 53 Pa.C.S. Pt. III Subpt. E (relating to home rule and optional plan government).

(4) Any statute that confers taxing authority to a political subdivision.

(b) Licensing fees.—

(1) Video gaming terminals are exempt from local licensing fees.

(2) Local licensing fees imposed on all other coin-operated amusement games shall not exceed \$100.

§ 11A15. Exemption from State gaming laws.

Video gaming terminals authorized under this chapter and the use of video gaming terminals as authorized under this chapter are exempt from 18 Pa.C.S. § 5513 (relating to gambling devices, gambling, etc.).

§ 11A16. Exemption from Federal regulation.

The General Assembly declares that the Commonwealth is exempt from section 2 of the Gambling Devices Transportation Act (64 Stat. 1134, 15 U.S.C. § 1172). Shipments of approved video gaming terminals into this Commonwealth in compliance with sections 3 and 4 of the Gambling Devices Transportation Act (15 U.S.C. §§ 1173 and 1174) shall be deemed legal shipments into this Commonwealth.

§ 11A17. Preemption.

This chapter shall preempt all laws of units of local government to the extent they are inconsistent with this chapter.

§ 11A18. Compulsive and problem gambling.

(a) Establishment of program.—

(1) The Department of Health shall develop program guidelines for public education, awareness and training regarding compulsive and problem gambling and the treatment and prevention of compulsive and problem gambling specifically in the area of video gaming. The program shall supplement and be complimentary to the existing program under 4 Pa.C.S. § 1509 (relating to compulsive and problem gambling program).

(2) Except as otherwise provided in this subsection, the provisions of 4 Pa.C.S. § 1509 shall be fully applicable to video gaming. The guidelines shall include strategies for the prevention of compulsive and problem gambling. The Department of Health

may consult with the board and licensed gaming entities to develop such strategies.

(3) The program shall include the following, specifically with respect to video gaming:

(i) Maintenance of a compulsive gamblers assistance organization's toll-free problem gambling telephone number to provide crisis counseling and referral services to families experiencing difficulty as a result of problem or compulsive gambling.

(ii) The promotion of public awareness regarding the recognition and prevention of problem or compulsive gambling.

(iii) Facilitation, through in-service training and other means, of the availability of effective assistance programs for problem and compulsive gamblers and family members affected by problem and compulsive gambling.

(iv) Conducting studies to identify adults and juveniles in this Commonwealth who are, or are at risk of becoming, problem or compulsive gamblers.

(v) Providing grants to and contracting with organizations which provide services as provided in this section.

(vi) Providing reimbursement for organizations for reasonable expenses in assisting the Department of Health in carrying out the purposes of this section.

(b) Notice of availability of assistance.—

(1) A licensed establishment shall obtain a toll-free telephone number to be used to provide persons with information on assistance for compulsive or problem gambling. A licensed establishment shall conspicuously post at least two signs containing language similar to the following statement: If you or someone you know has a gambling problem, help is available. Call (toll-free telephone number). The signs shall be posted within 50 feet of each entrance and exit and, within 50 feet of each automated video gaming area within the licensed establishment and in other appropriate public areas of the licensed establishment as determined by the licensed establishment.

(2) A licensed establishment shall have available in its establishment written handout materials in a format prescribed by the Department of Health which contain the same information as the signs referenced in paragraph (1).

(3) A licensed establishment that fails to post or print the warning sign or provide the written materials in accordance with paragraph (1) or (2) shall be assessed a fine of \$1,000 per day for each day the minimum number of signs are not posted as required in this subsection.

(c) Mandatory training.—The board's Office of Compulsive and Problem Gambling shall develop mandatory training for employees and management of a licensed establishment who oversee the video gaming terminal to identify and address compulsory gambling behaviors and provide assistance to problem gamblers. The board shall establish a fee to cover the cost of the training.

§ 11A19. Provisional licenses.

(a) General rule.—The General Assembly has determined that prompt and expedited implementation of video gaming in this Commonwealth is desirable, to the extent that such expedited implementation can be accomplished without compromising the integrity of gaming. The provisional licensing provisions of this section are found to strike the correct balance between assuring that licensees meet the licensing criteria without causing an undue delay in implementation of this chapter.

(b) Provisional licensing of licensed liquor establishments.—

(1) Within 60 days after the effective date of this section, the board shall make applications for a video gaming license as a licensed liquor establishment available to applicants.

(2) The board shall issue a provisional license to an

applicant for a video gaming license as a licensed liquor establishment if the applicant satisfies, as determined by the board, all of the following criteria:

(i) The applicant has never been convicted of a felony.

(ii) The applicant is current on all State taxes.

(iii) The applicant has submitted a completed application for licensure as a licensed establishment, which may be submitted concurrently with the applicant's request for a provisional license.

(iv) The applicant held a valid liquor license under Article IV of the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, on the date of application and has never had the liquor license revoked.

(v) The applicant has never been convicted of any gambling law violation in any jurisdiction.

(3) The board shall issue a provisional license to an applicant for a video gaming license as a licensed liquor establishment, within 60 days after the application has been received by the board, provided that the board determines that the criteria contained in paragraph (2) has been satisfied. If the board has determined that the criteria contained in paragraph (2) has not been satisfied, the board shall give a written explanation to the applicant as to why it has determined the criteria has not been satisfied.

(4) A provisional license shall be valid until:

(i) the board either approves or denies the applicant's application for licensure;

(ii) the provisional license is terminated for a violation of this chapter; or

(iii) one calendar year has passed since the provisional license was issued.

If the board fails to act upon the application for a video gaming license as a licensed liquor establishment, within 60 days after the expiration of a provisional license, the applicant may apply for a renewal of the provisional license.

(5) Each applicant shall attest by way of affidavit under penalty of perjury that the applicant is not otherwise prohibited from licensure according to the requirements of this section or any other provision of this chapter.

(6) All requests for provisional licensure under this subsection shall include payment of a \$100 fee, which is in addition to the applicable fee required for an application for licensure as a licensed establishment.

(7) If the board fails to act upon a request for provisional licensure within 60 days after receipt of the request, the request shall be deemed approved and the board shall issue the applicant a provisional video gaming license as a licensed liquor establishment.

(b) Provisional licensing of terminal operators.—

(1) Within 60 days after the effective date of this section, the board shall make applications for licensure as terminal operator available to applicants.

(2) The board shall accept applications for licensure as a terminal operator beginning 14 days after applications become available.

(3) The board shall issue a provisional license to an applicant for licensure as a terminal operator if the applicant satisfies, as determined by the board, all of the following criteria:

(i) The applicant has never been convicted of a felony.

(ii) The applicant is current on all State taxes.

(iii) The applicant has submitted a completed application for licensure as a licensed terminal operator, which may be submitted concurrently with the applicant's request for a provisional license.

(iv) The applicant has never had its terminal operator license or similar gaming license revoked in

another jurisdiction.

(v) The applicant has never been convicted of any gambling law violation in any jurisdiction.

(4) The board shall issue a provisional license to an applicant for licensure as a licensed terminal operator, within 60 days after such application has been received by the board, provided that the board determines that the criteria contained in paragraph (3) has been satisfied. If the board has determined that the criteria contained in paragraph (3) has not been satisfied, the board shall give a written explanation to the applicant as to why it has determined the criteria has not been satisfied.

(5) A provisional license shall be valid until:

(i) the board either approves or denies the applicant's application for licensure;

(ii) the provisional license is terminated for a violation of this chapter; or

(iii) one calendar year has passed since the provisional license was issued.

If the board fails to act upon the application for licensure as a terminal operator, within 60 days after the expiration of a provisional license, the applicant may apply for a renewal of the provisional license.

(6) Each applicant shall attest by way of affidavit under penalty of perjury that the applicant is not otherwise prohibited from licensure according to the requirements of this subsection or any other provision of this chapter.

(7) All requests for provisional licensure under this subsection shall include payment of a \$5,000 fee, which is in addition to the applicable fee required for an application for licensure as a terminal operator.

(8) The board shall initially issue no fewer than 10 provisional licenses to terminal operator applicants, unless the board receives less than 10 applications for provisional licenses.

(9) If the board fails to act upon a request for provisional licensure within 60 days after receipt of the request, the request shall be deemed approved and the board shall issue the applicant a provisional license as a licensed terminal operator.

(c) Provisional licensing of service technicians.—

(1) Within 60 days after the effective date of this section, the board shall make applications for licensure as a service technician available to applicants.

(2) The board shall issue a provisional license to an applicant for licensure as a service technician if the applicant satisfies, as determined by the board, all of the following criteria:

(i) The applicant has never been convicted of a felony.

(ii) The applicant is current on all State taxes.

(iii) The applicant has submitted a completed application for licensure as a service technician, which may be submitted concurrently with the applicant's request for a provisional license.

(iv) The applicant has never been convicted of any gambling law violation in any jurisdiction.

An individual who has a valid license issued by the Commonwealth that allows the individual to serve as a service technician in a Pennsylvania casino shall be exempt from the requirements of this section and shall automatically be eligible for a provisional license as a service technician.

(3) The board shall issue a provisional license to an applicant for licensure as a service technician, within 60 days after the application has been received by the board, provided that the board determines that the criteria contained in paragraph (2) has been satisfied. If the board has determined that the criteria contained in paragraph (2) of this subsection has not been satisfied, the board shall give a written explanation to the applicant as to why it has determined the criteria has not been satisfied.

(4) A provisional license shall be valid until:

- (i) the board either approves or denies the applicant's application for licensure;
- (ii) the provisional license is terminated for a violation of this chapter; or
- (iii) one calendar year has passed since the provisional license was issued.

If the board fails to act upon the application for licensure as a service technician, within 60 days after the expiration of a provisional license, the applicant may apply for a renewal of the provisional license.

(5) Each applicant shall attest by way of affidavit under penalty of perjury that the applicant is not otherwise prohibited from licensure according to the requirements of this subsection or any other provision of this chapter.

(6) All requests for provisional licensure under this subsection shall include payment of a \$100 fee, which is in addition to the applicable fee required for an application for licensure as a service technician.

(7) If the board fails to act upon a request for provisional licensure within 60 days after receipt of the request, the request shall be deemed approved and the board shall issue the applicant a provisional license as a service technician.

(d) Provisional licensing of manufacturers and distributors.—

(1) Within 60 days after the effective date of this section, the board shall make applications for licensure as manufacturers or distributors available to applicants.

(2) The board shall issue a provisional license to an applicant for licensure as a licensed manufacturer or distributor if the applicant satisfies, as determined by the board, all of the following criteria:

- (i) The applicant has never been convicted of a felony.
- (ii) The applicant is current on all State taxes.
- (iii) The applicant has submitted a completed application for licensure as a manufacturer or distributor, which may be submitted concurrently with the applicant's request for a provisional license;
- (iv) The applicant has never been convicted of any gambling law violation in any jurisdiction.

(3) The board shall issue a provisional license to an applicant for licensure as a manufacturer or distributor, within 60 days after such application has been received by the board, provided that the board determines that the criteria contained in paragraph (2) has been satisfied. If the board has determined that the criteria contained in paragraph (2) has not been satisfied, the board shall give a written explanation to the applicant as to why it has determined the criteria has not been satisfied.

(4) A provisional license shall be valid until:

- (i) the board either approves or denies the applicant's application for licensure;
- (ii) the provisional license is terminated for a violation of this chapter; or
- (iii) one calendar year has passed since the provisional license was issued.

If the board fails to act upon the application for licensure as a manufacturer or distributor, within 60 days after the expiration of a provisional license, the applicant may apply for a renewal of the provisional license.

(5) Each applicant shall attest by way of affidavit under penalty of perjury that the applicant is not otherwise prohibited from licensure according to the requirements of this subsection or any other provision of this chapter.

(6) All requests for provisional licensure under this subsection shall include payment of a \$1,000 fee, which is in addition to the applicable fee required for an application for licensure as a manufacturer or distributor.

(7) If the board has not acted upon a request for provisional licensure within 60 days after receipt of the request, the request shall be deemed approved and the board shall issue the applicant a provisional license as a licensed manufacturer or distributor.

§ 11A20. Temporary video gaming regulations.

(a) General rule.—Regulations promulgated by the board under this chapter shall be deemed temporary regulations which shall expire not later than two years following the publication of the temporary regulation. The board may promulgate temporary regulations not subject to:

(1) Sections 201, 202, 203, 204 and 205 of the act of July 31, 1968 (P.L.769, No.240), referred to as the Commonwealth Documents Law.

(2) The act of June 25, 1982 (P.L.633, No.181), known as the Regulatory Review Act.

(3) Sections 204(b) and 301(10) of the act of October 15, 1980 (P.L.950, No.164), known as the Commonwealth Attorneys Act.

(b) Expiration.—The board's authority to adopt temporary regulations under subsection (a) shall expire two years after the effective date of this section. Regulations adopted after this period shall be promulgated as provided by law.

(c) Temporary regulations.—The board shall begin publishing temporary regulations governing video gaming within 120 days after the effective date of this section.

On the question,

Will the House agree to the amendment?

The SPEAKER. On the question, the Chair recognizes Representative Mustio.

Members, if you could, please take your seats.

Mr. MUSTIO. Thank you, Mr. Speaker.

Mr. Speaker, we have named a few bridges over the last few months, and—

The SPEAKER. Representative, just suspend for just a second.

Members, please take your seats. Members, please take your seats. I would ask that all conversations please go to the anterooms.

And, Representative Mustio, the floor is yours.

Mr. MUSTIO. Thank you, Mr. Speaker.

We have named a few bridges over the last few weeks, but today I would like to try and build a bridge. I am standing on this side because the language in this amendment is Representative Paul Costa's. Representative Paul Costa started working on this issue in 2004, I believe, when he tried to amend a liquor bill with video poker. When I first got elected, we were in the majority, and Paul and I struck up a friendship and I was able to help him get some bills through Liquor. We quickly went in the minority, and Paul was kind enough to help me get some things out of the House at that point as well.

So last summer, in recognition that there may be an opportunity to do something with video gaming in Pennsylvania, Representative Costa and I took a trip to Chicago, Illinois – not together; we were not able to coordinate schedules that way, but he went out first and he advised me that he thought it was something worthwhile to investigate, and I went out and basically did the same tour and trip that he did. The legislation that he put together that is now this amendment in front of us I think will do a lot to help our clubs, our taverns, and our restaurants in Pennsylvania.

In 2004 I was one of the people that voted for the slots in Pennsylvania. Many of you did as well. A lot of the people that did vote for that have retired, but we created in Pennsylvania that industry.

We have all received e-mails of concern, how this legislation will cannibalize, will cannibalize our slots businesses in Pennsylvania, and they cite, they cite a lot of what they claim had happened in Illinois. Representative Costa addressed a lot of those issues in a letter that he wrote in June of this year to Chairman Payne and Chairman Kotik. And just to highlight a few of the points— If I could have the members' attention just for a minute.

The SPEAKER. Members, please.

Mr. MUSTIO. We have received some letters, previous to this one that Paul had written in June, and the same letter was retyped with a December 7 date on it this week. That letter claims that the introduction of video gaming terminals in Illinois created a loss of revenue of 43 percent from 2007 to 2013. It implies that. It does not specifically say that, but it implies that that is the case, that that reduction took place at the nine casinos in Illinois.

Currently there are 10 casinos in Illinois. The 10th casino, Rivers, opened in 2012, and is owned by Rivers Casino, Inc., the same company who owns the Rivers Casino in Pittsburgh. If you look at the revenues, if you go to the Illinois gaming Web site and you compile the revenues back to the, boy, it must be the early 2000s, you will see a significant reduction in revenues, and their comment that revenues reduced significantly is absolutely accurate.

The challenge that they have is that they say, they imply that it is from 2007 to 2013, but video gaming terminals only were implemented in Illinois in 2012. The smoking ban in casinos took place in 2008, and there was a significant reduction in revenue. We all rely on information that we receive from those that are experts in their field, but I sense, no pun intended, that we are being played here.

In addition, the new casino that opened, the Rivers Casino, has seen significant, significant growth since they first opened their doors. In fact, it is one of the few that has grown since the smoking ban, although if you compare the Rock Island Casino in 2007, their revenues have more than doubled during that same period of supposed decline. But the point is that VGTs (video gaming terminals) offer an opportunity to our small clubs and businesses that are here in Pennsylvania, revenues that are going to stay in our communities, and it offers an opportunity, potentially, for our local governments as well as our State coffers.

So, Mr. Speaker, I would encourage a "yes" vote on this amendment, and I believe, in talking with Chairman Payne, that he is in agreement with the amendment as well. Thank you.

The SPEAKER. Representative Sainato.

Mr. SAINATO. Thank you, Mr. Speaker.

I rise today to support this amendment. I think the gentleman from Allegheny County made some very good points. This is the time that we reach out. We are talking about your mom-and-pops out there, your small taverns, your local clubs, and fraternal organizations. They have been in our community for many, many years. This issue has gone on since I have been in the legislature. We have dealt with gaming, and I have voted for every gaming bill that has been up – July 4, 2004, when we legalized slots.

We have always, in the end, have never finished and closed the deal to try to help the small businessman. These are in most communities in Pennsylvania. Many of them are struggling today. Many of them are struggling. Your local fraternal clubs, they do so much good in all of our communities. The money they raise, they give to charity and they help.

You hear arguments that this is going to hurt the major casinos. I do not think so, Mr. Speaker. That is like comparing apples to oranges. Those are two different types of players. When a \$200 to \$300 million facility is worried about a \$100,000 bar on Main Street, I think there is something wrong here, Mr. Speaker. I know they are always afraid of competition. They know the rules. The casinos know the rules in Pennsylvania. And if you are afraid of a mom-and-pop bar and a fraternal club, I am very, very disappointed in them. I encourage my colleagues, because this is important, the next few days we are going to be needing revenue. We are going to be needing revenue to help fund the budget. You can generate revenue, and lots of it, with these machines that the studies have shown.

My friend from Allegheny pointed out Illinois. Illinois has shown that money can be generated. And to my friends, remember this, there are options out there, especially my friends on the other side. Those options are raising revenue through taxes or you raise revenue other ways. I personally would like to raise it other ways than raising it through taxes.

So I encourage my colleagues to vote "yes" on the Mustio amendment, and let us do something today to help each and every community that has small bars and clubs.

Thank you, Mr. Speaker.

## LEAVES OF ABSENCE

The SPEAKER. Members, the majority whip has indicated that Representative METZGAR wishes to be placed on leave of absence. That request will be granted.

The minority whip has indicated that Representative KRUEGER of Delaware County has requested that she be placed on leave of absence, and that will be granted.

## CONSIDERATION OF HB 649 CONTINUED

The SPEAKER. Representative Kortz.

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

I rise in support of amendment A04847, and I want to commend my colleague from Allegheny County for putting this amendment forth. Mr. Speaker, this amendment, as put forth, will allow for the legalization, regulated and controlled use of video games in clubs and taverns – clubs and taverns that I have in my district and that all of us in this chamber have, clubs such as American Legions that have a liquor license, VFWs (Veterans of Foreign Wars) that have a liquor license, the volunteer fire departments that have a liquor license, and the mom-and-pop taverns. The local communities will gain from it. The clubs will gain from it. And the casinos will not be impacted, because as was stated by the previous speaker, there is a clientele that goes to these clubs and taverns that does not go to the casinos. There are veterans that like to sit in their American Legion, and they like to have a beer with their friends and maybe a cigarette and play maybe \$5 in the machine. There

are veterans that go to the VWFs and do the same thing. There are people that like to stay in their communities that want to visit their local pub, their mom-and-pop tavern, and they want to go in and talk with their friendly bartender because they know them and they are personal friends. They have a different clientele.

This amendment allows for a maximum of five video machines in these clubs and taverns, Mr. Speaker. They will be highly regulated and controlled. Machines will be tied into a central computer system so that it is monitored. There are preventative measures put in this amendment to help prevent minors from getting in there, and there are penalties and progressive penalties to the point where you can lose your liquor license and be fined severely. Excluded are the grocery stores. They are out of this. Excluded are the beer distributors. A background investigation will be done by the State Police.

No moneys will be dispensed at these machines. You will receive a ticket and then you will have to take that ticket to another redemption machine, Mr. Speaker. And the revenue: 33 percent to the establishment, 33 percent to the terminal operator, 34 percent to the State. All good stuff.

But I would be remiss if I did not comment and dovetail onto what my colleague from Allegheny County said earlier about the disinformation that has been put out recently. We have all received this letter, this information from the 12 casinos, and I want to reference, on page 2 just how bad it really is. And I quote from page 2 of this letter: "The authorization of VGTs at bars, taverns and other locations in Illinois is particularly instructive. Gaming revenue at the original nine (9) Illinois casinos has fallen 43% from \$1.9 billion in 2007 to \$1.1 billion in 2013." They are inferring that the VGTs did this to them, and it could not be further from the truth. What they did not tell you is that the VGTs came in Illinois at the end of 2012. They said they lost all this profit, starting from '07 to 2013 – very disingenuous. They did not tell you that Illinois passed a no-smoking ban in 2008, and they lost 26 percent of their revenue, \$410 million, in 2008 – 4 years prior to the VGTs. They did not tell you they lost 15 percent in 2009 and '10 because of the recession. And they did not tell you that there was a 10th casino that opened up in 2011. As was stated earlier, the gentleman, the owner of the Rivers Casino in Pittsburgh opened up that casino right outside the Chicago district, and that one casino is outgrossing three of the other top casinos in Illinois. They did not tell you that. They strictly inferred that the VGTs were the cause. Shame on them. It was terrible. It is mistruth, and it is disingenuous, and it is terrible. The multimillionaire casinos completely skewed the facts to infer that the VGTs were the cause.

Mr. Speaker, the bottom line is, as was stated by the previous speaker, this is going to help our clubs. It is going to help the VFWs, the volunteer fire departments, it is going to help the American Legions and the mom-and-pop taverns. Look, Mr. Speaker, we all know that the machines are there now. All we are trying to do is regulate them, legalize them, control them, get some revenue. It will help the local communities. They are going to receive money. It is the right thing to do.

Mr. Speaker, I encourage a "yes" vote. Thank you, Mr. Speaker.

The SPEAKER. Representative Rosita Youngblood.

Ms. YOUNGBLOOD. Am I doing this— Oh; okay.

This is the first time I ever stood at this podium.

The SPEAKER. Representative, hold on. Just suspend for a second; I am sorry.

Members, please take your seats. Members, please take your seats. Members, please take your seats.

Representative Youngblood.

Ms. YOUNGBLOOD. Thank you, Mr. Speaker.

I rise to oppose the Mustio amendment, A04847, reason being, liquor license establishments are automatically guaranteed to have a license and up to five machines in their bar or restaurant, and that, in the city of Philadelphia, could also include Stop-N-Gos. Most of them have an "R" license, and they are selling shots, \$2 to \$4 a piece.

I see this as a hazardous situation across the Commonwealth. There is no additional vetting, no public input, no community input. All you have to have is a liquor license or an "R" license, which is considered a restaurant. You have no input as the general public on what is going to happen in your community. We cannot allow this to happen in Pennsylvania without any additional public input. When we did casinos, we vetted them for a year to 2 years and investigated. Well, who is going to do the investigation on these video terminals that are coming into our community? Who is going to look out for John Q. Public to make sure that they are safe and there is transparency?

If a bar in your community has a conditional licensing agreement, they will still get five gaming machines without any review or public input or amendment to the CLA. We hear a lot about Illinois, but Illinois, they made sure they had local control and input was put in for local control.

And according to an article in the State Journal-Register, a Springfield, Illinois, newspaper, the Illinois Municipal League said that another positive thing in video gaming law is the respect, the respect for local control. If you are going to have something in your community, you need to know what is going in your community. You need to have a voice on how it is being handled, and that is not happening here. We are giving them something with no input, no community input, or no local control, and not the wherewithal to vet them. This bill does not offer any local control. It offers no local control whatsoever to get five gaming machines. That means, if we do this, we could have 60,000 video terminal machines across the Commonwealth. And who is watching over to make sure our citizenry is protected? No one.

The SPEAKER. Representative Vitali.

Mr. VITALI. Thank you, Mr. Speaker.

Will the maker of the amendment stand for brief interrogation?

The SPEAKER. Representative Mustio, will you stand for interrogation, sir?

Yes; you may proceed, Representative Vitali. The gentleman has agreed to stand for interrogation.

Mr. VITALI. Thank you very much.

Okay. Just a couple of questions to understand what we are dealing with. Could you outline in what— Well, let us start with the type of machines we are dealing with. Your amendment, could you describe the type or type of machines we are dealing with?

Mr. MUSTIO. Yes. The video gaming terminals are capable of playing slots or electronic table games. Basically, it is a slot machine.

Mr. VITALI. Okay. Slot—

Mr. MUSTIO. I can send you a picture of it if you would like.

Mr. VITALI. Too late for that.

Okay. So essentially you are talking slot machines.

Mr. MUSTIO. Essentially, yes.

Mr. VITALI. Okay. Now, as far as the allowed location for the slot machines, where does your amendment allow these slot machines?

Mr. MUSTIO. All right. They are permitted in licensed liquor establishments, which is defined "a brew pub, a club, a hotel, privately owned public golf course, restaurant," as defined or licensed under the Liquor Code.

Mr. VITALI. Right. Okay. A lot of truck stops— I saw truck stops and grocery stores as I was scanning the bill.

Mr. MUSTIO. Truck stops, correct. Truck stops as well. Grocery stores are out.

Mr. VITALI. Okay. So bars, hotels, restaurants, golf courses, truck stops. Anywhere else?

Mr. MUSTIO. No.

Mr. VITALI. Okay. And what is the total limit on the number of slot machines that can be allowed in each location? Did I hear five?

Mr. MUSTIO. The maximum is five, up to five; yes.

Mr. VITALI. Right. And what is the maximum in the State or in any given county or municipality? Is that just the total number of establishments times five?

Mr. MUSTIO. Yes.

Mr. VITALI. Okay. So you can be— Now, the previous speaker mentioned 60,000. Is that a good estimate or is that just a—

Mr. MUSTIO. No; I do not think that would be necessarily a good estimate. It would really depend on percentage of infiltration. You know what I mean?

Mr. VITALI. So you could see them maybe 10—

Mr. MUSTIO. You could maybe— Yes. You could probably go 65, 75 percent, assuming you have a competitive distributor system set up. If you go to a sole source distribution model, then the percentage would be significantly lower and the competition would be significantly reduced.

Mr. VITALI. Okay. So I am not good at math. Would it be safe to say that maybe there are tens of thousands of slot machines—

Mr. MUSTIO. That is fair. That is fair.

Mr. VITALI. I am sorry. Okay. And I am from Haverford Township. If Haverford Township just made a decision, you know what? We just do not want this for various reasons in our township. Could townships opt out of this allowance of slot machines in the various locations in their community?

Mr. MUSTIO. I do not believe that is possible.

Mr. VITALI. Okay.

Mr. MUSTIO. The Illinois model was addressed, and in Illinois their Liquor Code, their liquor licenses are approved locally in local municipalities. Pennsylvania is not that way.

Mr. VITALI. Okay. What is the projected amount of revenue to the Commonwealth that would occur here? What are you projecting, you know, as we move forward?

Mr. MUSTIO. Once an annual implementation, the low side would be \$200 million.

Mr. VITALI. Okay. Two hundred. Okay.

That concludes my interrogation. Thank you. And I would just like to speak on the bill.

The SPEAKER. Yes, sir. Mr. Vitali, on the bill.

Mr. VITALI. First of all, thank you for your effort to raise revenue that is much needed for the budget. I appreciate the efforts you have taken in that regard. I must rise in opposition to this amendment because I really think this is a very poor way to raise revenue for the Commonwealth. I think statistics show that revenue raised from gambling comes predominantly from poor and unsophisticated people, people also who have addictive problems. I just think it is bad tax policy to fund governmental services as a whole by taking – by letting the poor people, the unsophisticated people, the people with addictive issues, I think it is really poor tax policy to raise revenues like this. I think that with regard to gambling, the more temptation – as with most vices – the more opportunities there are, the more temptations there are, the more you will see.

I have been around long enough to remember when there was not gambling in Pennsylvania. First came the racetracks, and then for years, we said, okay, we will just do slot machines, but we will just keep them in the racetracks. This way we will control them. It will not be a slippery slope. We will just stop at slot machines at the racetracks. And then it became slot machines at the racetracks and other places, but that is it, slot machines at racetracks and other places. And then it became, well, table games, you know, they are playing the slots anyway. Let us do the table games, and on and on and on. And it is just, the addiction we are dealing with is our addiction as policymakers to the use of gambling as a revenue source instead of what we ought to be doing is engaging in good tax policy.

Mr. Speaker, good tax policy, the laws we pass regarding raising revenue should reflect certain – many things, but one certainly should be the ability to pay, and that is why, for example, the personal income tax is a good tax, because the more pay you have, the more you pay. Some use of service is a good – if you are using the service from which the revenue is raised, that is good tax policy. For example, a tax on gasoline. The more gas you use, the more you pay. That is fair. That is what we as a body ought to be doing when it comes time to raising money for the budget. We ought to be engaging in good tax policy based on good principles like ability to pay or a use of the service.

This is bad tax policy. I believe it is wrong for us to avoid taking the tough political votes like raising the income tax, like raising the sales tax, like raising a Marcellus drilling tax to avoid that—

## POINT OF ORDER

The SPEAKER. Representative Mustio, point of order.

Mr. MUSTIO. Thank you, Mr. Speaker.

I think we have gone a little astray.

Mr. VITALI. Well, I do not.

The SPEAKER. Representative Vitali, please stick to the—

Mr. VITALI. Mr. Speaker, I believe I—

The SPEAKER. Sir, just let me finish, please, sir. Please stay on message with respect to the underlying amendment. I know you are well versed on tax policy and I am respectful, but that is not what we are here for. We are here for the underlying amendment on the video gaming terminals, and you certainly may speak to that, and you may speak to it as long as you would like, but you have to be on message, on point on that.

Thank you, sir.



Mr. VITALI. I understand. I pretty much completed the thoughts I wanted to complete. I would just urge my colleagues to vote "no." Thank you.

The SPEAKER. Representative Paul Costa. Representative Costa, the floor is yours, sir.

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

And I want to first start off by thanking Representative Mark Mustio for the kind words that he said and for laying the groundwork of how we got to this point. As Mark said, we have served together for several years now, and for one reason or another, we always find a project to work together on in a bipartisan manner. And I think that sends a clear, hopefully that sends a clear message to everyone out there that we are not like Washington, DC. We actually do have members that are interested in getting things done and working together in a bipartisan manner.

Now, having said all that, here are my views on this bill. As Mark – I am sorry, Representative Mustio read you part of the letter, some of the things we also addressed in this letter were that when our casinos testified at a joint hearing before the Liquor Committee and for the Gaming Oversight, they estimated that there were over 40,000 illegal machines that are in play today – 40,000. This bill, I do not believe, gets you up to that many machines, so actually, this helps get rid of illegal machines. It only makes them proper.

The gentleman also told us, when we talked, they asked for expansion of their liquor license hours, and our concern was people leaving our regular bars and taverns and going to the casinos to drink. His quote was, and I am paraphrasing, the people that go to our establishment are not the same people that go to bars and taverns. Which, to continue that argument, it is going to be different people that are going to play on these video machines and it will not cannibalize the casinos. I am actually for the whole bill that gives the casinos the things that they are interested in. The only thing I am not for is I am not for 24-hour liquor service. I have a problem with that, but most of everything else that is in that bill I actually support and would like to see become law. But at the same time, I want to see our bars, our taverns, our volunteer fire departments, our social clubs, our fraternal clubs, give them the opportunity to legitimize what they are doing and have an opportunity to not only make revenue for their clubs and their small businesses, but it also can make money for our Commonwealth.

I also want to be clear that any money that is generated now, we will not reap that benefit in this fiscal year. The reason we are trying to move this bill forward is because it will take months to get the operation up and running. So this has absolutely no impact on this year's fiscal budget, but if we do want to reap the benefit at some point, we have to plant the seed. And what we are trying to do now is plant the seed so we can reap future benefits, hopefully in the fiscal year '16-'17, so we do not have to raise taxes and we do not have to do the undesirable choices to raise revenue.

I would hope that most of the members here will support this legislation. It will help your small businesses in your community. It will help your volunteer fire departments that have licenses. It will also help your fraternal organizations. Please, somebody has got to stand up for these organizations, and I want to thank Representative Mustio for offering this amendment to help do that.

I would appreciate a positive vote. Thank you.

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

The following roll call was recorded:

#### YEAS—96

Adolph	Farina	Longiotti	Reese
Barbin	Flynn	Mahoney	Regan
Barrar	Frankel	Markosek	Roae
Benninghoff	Gabler	Marshall	Ross
Bloom	Gainey	Marsico	Rothman
Boback	Gergely	Masser	Saccone
Briggs	Gibbons	Matzie	Sainato
Brown, R.	Gillespie	Miccarelli	Sankey
Burns	Godshall	Millard	Saylor
Caltagirone	Goodman	Moul	Schemel
Causar	Grove	Mullery	Schreiber
Christiana	Harhai	Mustio	Snyder
Cohen	Harper	Oberlander	Stephens
Conklin	Harris, A.	Parker, D.	Sturla
Costa, D.	Heffley	Pashinski	Tobash
Costa, P.	Helm	Payne	Toepel
Davidson	Hill	Petrarca	Topper
Deasy	Irvin	Pickett	Truitt
Dermody	Kampf	Pyle	Vereb
Diamond	Kaufner	Quigley	Ward
Driscoll	Klunk	Rader	Whealand
Ellis	Knowles	Ravenstahl	
English	Kortz	Readshaw	Turzai,
Evankovich	Krieger	Reed	Speaker
Everett	Lewis		

#### NAYS—93

Acosta	Dush	Kinsey	Petri
Baker	Emrick	Kirkland	Quinn
Bishop	Evans	Lawrence	Rapp
Bizzarro	Fabrizio	Mackenzie	Roebuck
Boyle	Farry	Major	Samuelson
Bradford	Fee	Maloney	Santarsiero
Brown, V.	Freeman	McCarter	Schlossberg
Bullock	Galloway	McClinton	Schweyer
Corbin	Gillen	McGinnis	Simmons
Cox	Gingrich	McNeill	Sims
Cruz	Greiner	Mentzer	Sonney
Culver	Hahn	Metcalfe	Staats
Cutler	Harhart	Miller, B.	Tallman
Daley, M.	Harkins	Miller, D.	Taylor
Daley, P.	Harris, J.	Milne	Thomas
Davis	Hennessey	Murt	Vitali
Dawkins	Hickernell	Neilson	Warner
Day	Kauffman	Nesbit	Watson
Dean	Keller, F.	O'Brien	Wentling
DeLissio	Keller, M.K.	O'Neill	Wheatley
Delozier	Keller, W.	Ortitay	White
DiGirolamo	Killion	Parker, C.	Youngblood
Donatucci	Kim	Peifer	Zimmerman
Dunbar			

#### NOT VOTING—6

Carroll	Kavulich	Neuman	Rozzi
Hanna	Kotik		

#### EXCUSED—8

DeLuca	Jozwiak	Maher	Santora
James	Krueger	Metzgar	Toohil

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?

Ms. DONATUCCI offered the following amendment  
No. **A04911**:

Amend Bill, page 22, by inserting between lines 24 and 25  
"Airport authority." The governing body of a municipal authority organized and incorporated to oversee the operations of a qualified airport under 53 Pa.C.S. Ch. 56 (relating to municipal authorities) or the governing body of a city of the first class, which regulates the use and control of a qualified airport.

"Airport gaming area." A location or locations within a qualified airport approved for the conduct of authorized interactive games through the use of multi-use computing devices by eligible passengers as approved by the airport authority, in consultation with the Pennsylvania Gaming Control Board.

\* \* \*

Amend Bill, page 23, line 17, by inserting after "GAMING)."  
The term shall include any interactive game approved by regulation of the Pennsylvania Control Board to be suitable for interactive gaming through the use of a multi-use computing device.

Amend Bill, page 25, line 26, by inserting after "BOARD."  
The term shall include the licensed placement, operation and play of authorized interactive games through the use of multi-use computing devices at a qualified airport, as authorized and approved by the Pennsylvania Gaming Control Board.

Amend Bill, page 26, by inserting between lines 14 and 15

\* \* \*

"Eligible passenger" or "passenger." An individual 21 years of age or older who has cleared security check points with a valid airline boarding pass for travel from one destination to another by airplane.

\* \* \*

"Fully automated electronic gaming table." An electronic gaming table determined by the Pennsylvania Gaming Control Board to be playable or operable as a table game without the assistance or participation of a person acting on behalf of a certificate holder. The term shall include a multi-use computing device, which through the use of digital, electronic or other communications technology, is capable of simulating a table game.

\* \* \*

Amend Bill, page 27, line 19, by inserting after "DEVICES"  
, including multi-use computing devices.

Amend Bill, page 30, line 13, by inserting after "PLAYERS."  
The term shall include the placing of bets or wagers through the use of a multi-use computing device.

Amend Bill, page 31, line 1, by inserting after "HOLDER."  
The term shall include an interactive gaming agreement entered into by or between an interactive gaming certificate holder and an interactive gaming operator for the conduct of interactive gaming through the use of multi-use computing devices at a qualified airport in accordance with this part.

Amend Bill, page 35, line 9, by inserting after "EQUIPMENT"  
, including multi-use computing devices or associated equipment.

Amend Bill, page 35, by inserting between lines 11 and 12  
"Multi-use computing device." As follows:

(1) A computing device, including, but not limited to, a tablet computer, that:

(i) Allows a player to access an authorized interactive game.

(ii) Is located and accessible to eligible passengers only in an airport gaming area.

(iii) Communicates with a server that is in a location approved by the Pennsylvania Gaming Control Board.

(iv) Is approved by the Pennsylvania Gaming Control Board.

(v) Has the capability of being linked to and monitored by the department's central control computer system, as applicable for any particular interactive game, in accordance with section 1323 (relating to central control computer system).

(vi) Offers a player additional functions which shall include Internet browsing, the capability of checking flight status and ordering food or beverages.

(2) The term shall not include any tablet or computing device that restricts, prohibits or is incapable of providing access to interactive gaming, interactive gaming skins or interactive gaming platforms.

Amend Bill, page 36, by inserting between lines 27 and 28  
"Qualified airport." A publicly owned commercial service airport that is designated by the Federal Government as an international airport.

\* \* \*

Amend Bill, page 38, by inserting between lines 28 and 29

(iv) A multi-use computing device which is capable of simulating, either digitally or electronically, a slot machine.

Amend Bill, page 39, line 6, by inserting after  
"COMMONWEALTH."

The term shall include a person that sells, leases, offers or otherwise provides, distributes or services any multi-use computing device as approved by the Pennsylvania Gaming Control Board.

Amend Bill, page 39, line 10, by inserting after "DEVICE"  
, including any multi-use computing device.

Amend Bill, page 39, line 19, by striking out the period after  
"GAME" and inserting  
or that is capable, through the use of digital, electronic or other communications technology, of simulating play of a table game.

Amend Bill, page 47, line 21, by striking out "OR CASINO SIMULCASTING" and inserting

, casino simulcasting or multi-use computing devices

Amend Bill, page 62, line 30, by striking out "OR" where it occurs the second time and inserting a comma

Amend Bill, page 63, line 1, by inserting after "EQUIPMENT"  
or multi-use computing devices

Amend Bill, page 64, line 2, by inserting after "GAMING"  
, including multi-use computing devices.

Amend Bill, page 106, by inserting between lines 19 and 20

#### SUBCHAPTER B.1 MULTI-USE COMPUTING DEVICES

Sec.

13B20. Authorization.

13B20.1. Board authorization required.

13B20.2. Standard for review of applications.

13B20.3. Fees.

13B20.4. Multi-use gaming device tax.

13B20.5. Local share assessment.

13B20.6. Regulations.

13B20.7. Construction.

§ 13B20. Authorization.

(a) Authority.—

(1) Notwithstanding any provision of this part or regulation of the board, an interactive gaming certificate holder may provide for the conduct of interactive gaming at a qualified airport through the use of multi-use computing devices or enter into a written agreement with an interactive gaming operator that provides for the conduct of such interactive gaming by the interactive gaming operator on behalf of the interactive gaming certificate holder.

(2) An interactive gaming certificate holder seeking to make authorized interactive games available for play through the use of multi-use computing devices at a qualified airport shall file a petition with the board in such form and manner as the board, through regulations, shall require.

(b) Place of conduct.—The board, at its discretion, may authorize an interactive gaming certificate holder or an interactive gaming operator to place and make authorized interactive games available for play at a qualified airport through the use of multi-use computing devices in accordance with the requirements of this subchapter and regulations of the board.

(c) Satisfaction of contingencies.—Authorization for an interactive gaming certificate holder to conduct interactive gaming at a qualified airport in accordance with subsection (a) shall be contingent upon the following:

(1) The interactive gaming certificate holder has submitted a petition to the board seeking authorization to manage the conduct of interactive gaming at the qualified airport and the board has approved the petition.

(2) The interactive gaming certificate holder has disclosed that it has or will enter into an agreement with an interactive gaming operator who will manage, operate and control the conduct of interactive gaming at a qualified airport on behalf of the interactive gaming certificate holder and the interactive gaming operator has petitioned the board for approval and the board has approved the agreement and the petition.

(3) The interactive gaming certificate holder or interactive gaming operator, as the case may be, has entered into an agreement with a licensed supplier.

(4) The interactive gaming certificate holder or interactive gaming operator, as the case may be, has received or will receive written approval for the conduct of interactive gaming at a qualified airport from the entity or person that holds the concession management contract at the qualified airport and the board has reviewed the agreement to ensure protection of the Commonwealth's interest.

(5) The interactive gaming certificate holder or interactive gaming operator, as applicable, has provided adequate assurances that the conduct of interactive gaming at the qualified airport will be conducted and operated in accordance with this part and regulations promulgated by the board.

(6) The interactive gaming certificate holder and the interactive gaming operator has paid or will pay all applicable taxes and fees.

(d) Agreement required.—The following shall apply:

(1) An interactive gaming certificate holder may seek authorization for the operation and placement of authorized interactive games at a qualified airport or may enter into an agreement with an interactive gaming operator to provide for the conduct of interactive gaming at the qualified airport.

(2) An interactive gaming certificate holder or an interactive gaming operator, as applicable, shall secure the written approval of the airport authority for the conduct of interactive gaming through the use of multi-use computing devices at the qualified airport.

(3) An agreement entered into in accordance with this subsection shall be in writing and shall be submitted to the board for review and approval.

#### § 13B20.1. Board authorization required.

An interactive gaming certificate holder seeking authorization to conduct interactive gaming at a qualified airport through the use of a multi-use computing device shall petition the board for approval. The petition shall include:

(1) The name, business address and contact information of the interactive gaming certificate holder or the name, business address and contact information of the interactive gaming operator, if an interactive gaming operator will manage the operation of interactive gaming at a qualified airport on behalf of an interactive gaming certificate holder pursuant to an interactive gaming agreement.

(2) The name and business address, job title and a photograph of each principal and key employee of the interactive gaming certificate holder and, if relevant, the interactive gaming

operator who will be directly involved in the conduct of authorized interactive games at the qualified airport and who is not currently licensed by the board, if known.

(3) The name and business address of the airport authority, the location of the qualified airport and the names of the governing body of the airport authority, if the airport authority is incorporated in accordance with 53 Pa.C.S. Ch. 56 (relating to municipal authorities).

(4) If the use and control of a qualified airport is regulated by a city of the first class, an identification of the municipal agency and primary officials of a city of the first class, which regulates the use and control of the qualified airport.

(5) The name and job title of the person or persons who will be responsible for ensuring the operation and integrity of airport gaming and reviewing reports of suspicious transactions.

(6) The brand name and manufacturer of the multi-use computing devices that will be placed in operation at the qualified airport.

(7) An itemized list of the interactive games for which authorization is being sought.

(8) Information, as the board may require, on any special computer applications or apps, including gaming apps, which can be accessed on the multi-use computing devices.

(9) Information on the terms and conditions of any interactive gaming agreement and concession contract entered into by or between an interactive gaming certificate holder, interactive gaming operator and an airport authority or supplier or other person related to the conduct of interactive gaming through the use of multi-use computing devices at a qualified airport, if the board deems necessary and appropriate.

(10) A copy of each agreement and contract referred to in paragraph (9), if required by the board.

(11) Detailed site plans illustrating the location of the proposed airport gaming area at the qualified airport.

(12) Information and documentation concerning financial background and resources, as the board may require, to establish by clear and convincing evidence the financial stability, integrity and responsibility of the petitioner.

(13) Any other information as the board may require.

(b) Confidentiality.—Information submitted to the board under paragraphs (9), (10), (12) and (13) may be considered confidential by the board if the information would be confidential under section 1206(f) (relating to board minutes and records).

(c) Approval of petition.—Upon approval of a petition as required under this section, the board shall authorize an interactive gaming certificate holder or an interactive gaming operator, as applicable, to conduct interactive gaming at a qualified airport through the use of multi-use computing devices. The authorization of an interactive gaming certificate holder or an interactive gaming operator, as applicable, to conduct interactive gaming at a qualified airport in accordance with this chapter prior to the full payment of the authorization fee under section 13B20.3 (relating to fees) shall not relieve the interactive gaming certificate holder or interactive gaming operator, as applicable, from the obligation to pay the authorization fee in accordance with section 13B20.3.

#### § 13B20.2. Standard for review of applications.

The board shall approve an application under section 13B20.1 (relating to board authorization required) if the interactive gaming operator has been or will be issued an interactive gaming license under section 13B14 (relating to interactive gaming operators), and if it establishes, by clear and convincing evidence, all of the following:

(1) The interactive gaming operator has an agreement with an airport authority authorizing the conduct of interactive gaming at a qualified airport through multi-use computing devices.

(2) The interactive gaming operator has an agreement with an interactive gaming certificate holder relating to the conduct of authorized interactive games by the interactive

gaming operator on behalf of the interactive gaming certificate holder.

(3) The board has approved the agreements under paragraphs (1) and (2).

(4) The interactive gaming operator has paid all applicable fees and the authorization fee under section 13B51 (relating to interactive gaming authorization fee).

(5) The interactive gaming operator possesses the necessary funds or has secured adequate financing to commence the conduct of interactive gaming at the qualified airport.

(6) The proposed internal and external security and surveillance measures within the airport gaming area of the qualified airport are adequate.

§ 13B20.3. Fees.

(a) Required fees.—An interactive gaming certificate holder shall pay a one-time, nonrefundable fee of \$1,000,000 upon the authorization to conduct interactive gaming at a qualified airport through the use of multi-use computing devices in accordance with this chapter.

(b) Deposit of fees.—Notwithstanding section 1208 (relating to collection of fees and fines), all fees or penalties received by the board under this chapter shall be deposited in the General Fund.

§ 13B20.4. Multi-use gaming device tax.

(a) Imposition.—

(1) Each interactive gaming certificate holder authorized to conduct interactive gaming at a qualified airport in accordance with the provisions of this chapter shall report to the department and pay from its daily gross interactive gaming revenue generated from the conduct of interactive gaming through multi-use computing devices at the qualified airport, on a form and in the manner prescribed by the department, a tax of 14% of its daily gross interactive gaming revenue generated from multi-use computing devices at the qualified airport and a local share assessment.

(2) The tax imposed under subsection (a) shall be payable to the department on a weekly basis and shall be based upon the gross interactive gaming revenue generated from multi-use computing devices at a qualified airport derived during the previous week.

(3) All funds owed to the Commonwealth under this section shall be held in trust for the Commonwealth by the interactive gaming certificate holder until the funds are paid to the department. Unless otherwise agreed to by the board, an interactive gaming certificate holder shall establish a separate bank account into which gross interactive gaming revenue from multi-use computing devices shall be deposited and maintained until such time as the funds are paid to the department under this section.

(4) The department shall transfer the tax revenues collected under this section to the General Fund.

§ 13B20.5. Local share assessment.

(a) Required payment.—In addition to the tax imposed under section 13B20.4 (relating to multi-use gaming device tax), each interactive gaming certificate holder shall pay on a weekly basis and on a form and in a manner prescribed by the department a local share assessment into a restricted receipts account established in the fund. All funds owed under this section shall be held in trust by the interactive gaming certificate holder until the funds are paid into the account. Funds in the account are hereby appropriated to the department on a continuing basis for the purposes set forth in this section.

(b) Distributions to qualified airports.—

(1) The department shall make quarterly distributions from the local share assessments deposited into the fund under subsection (a) to qualified airports.

(2) Notwithstanding paragraph (1) or any other provision of law, the multi-use computing device local share assessment generated at a qualified airport located in a city of the first class which regulates the use and control of a qualified

airport shall be distributed to the school district of the city of the first class for pre-kindergarten programs.

(c) Definition.—As used in this section, the term "multi-use computing device local share assessment" means 20% of an interactive gaming certificate holder's gross interactive gaming revenue from multi-use computing devices at qualified airports.

§ 13B20.6. Regulations.

(a) Regulations.—The board shall promulgate regulations related to the operation of authorized interactive games through the use of multi-use computing devices at qualified airports, including, but not limited to:

(1) Procedures for the creation of temporary or provisional interactive gaming accounts that take into consideration the nature of interactive gaming through multi-use computing devices at qualified airports.

(2) Procedures to govern credits, debits, deposits and payments to interactive gaming accounts established through multi-use computing devices at qualified airports.

(3) Procedures, in consultation with the department, to govern financial transactions between an interactive gaming certificate holder, an interactive gaming operator or other persons that relates to the reporting of gross interactive gaming revenue generated through the use of multi-use computing devices at qualified airports.

(b) Temporary regulations.—In order to facilitate the prompt implementation of this chapter, regulations promulgated by the board in accordance with subsection (a) shall be deemed temporary regulations which shall expire not later than two years following the publication of the temporary regulation. The board may promulgate temporary regulations not subject to:

(1) Sections 201, 202, 203, 204 and 205 of the act of July 31, 1968 (P.L.769, No.240), referred to as the Commonwealth Documents Law.

(2) Sections 204(b) and 301(10) of the act of October 15, 1980 (P.L.950, No.164), known as the Commonwealth Attorneys Act.

(3) The act of June 25, 1982 (P.L.633, No.181), known as the Regulatory Review Act.

(c) Expiration.—The board's authority to adopt temporary regulations under subsection (a) shall expire two years after the effective date of this section. Regulations adopted after this period shall be promulgated as provided by law.

§ 13B20.7. Construction.

Nothing in this subchapter shall be construed to create a separate license governing the use of multi-use computing devices for the conduct of interactive games at eligible airports by interactive gaming certificate holders within this Commonwealth.

On the question,

Will the House agree to the amendment?

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

Ms. DONATUCCI. Thank you, Mr. Speaker.

Amendment 04911 permits qualified airports in the Commonwealth to conduct interactive gaming through the use of multiuse tablets for use by ticketed departing passengers in postsecurity areas. These devices with interactive gaming are approved by the Pennsylvania Gaming Control Board and cannot be played from anywhere other than on said devices in airport departure areas.

Mr. Speaker, I believe this is an agreed-to amendment. Thank you.

The SPEAKER. Representative Payne, on the amendment.

Mr. PAYNE. Mr. Speaker, this is an agreed-to amendment. Thank you. I would ask all members to vote "yes."

## LEAVE OF ABSENCE CANCELED

The SPEAKER. Representative Santora is on the floor and should be placed on the master roll.

## CONSIDERATION OF HB 649 CONTINUED

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

The following roll call was recorded:

## YEAS—124

Acosta	Evans	Kortz	Ravenstahl
Adolph	Everett	Kotik	Readshaw
Barbin	Fabrizio	Krieger	Reed
Barrar	Farina	Lewis	Reese
Bishop	Flynn	Longietti	Roae
Bizzarro	Frankel	Mahoney	Roebuck
Boyle	Gabler	Markosek	Ross
Briggs	Gainey	Marshall	Rozzi
Brown, R.	Gergely	Marsico	Saccone
Brown, V.	Gibbons	Masser	Sainato
Bullock	Gillespie	Matzie	Sankey
Burns	Godshall	McClinton	Santora
Caltagirone	Goodman	Miccarelli	Saylor
Christiana	Grove	Millard	Schreiber
Cohen	Hanna	Moul	Sims
Conklin	Harhai	Mullery	Snyder
Costa, D.	Harkins	Mustio	Sonney
Costa, P.	Harper	Neilson	Stephens
Cruz	Harris, A.	Nesbit	Sturla
Daley, P.	Harris, J.	Neuman	Taylor
Davis	Heffley	Oberlander	Tobash
Dawkins	Helm	Ortitay	Toepel
Deasy	Hennessey	Parker, C.	Topper
DeLissio	Hill	Parker, D.	Vereb
Dermody	Irvin	Pashinski	Warner
Diamond	Kampf	Payne	Wheeland
Donatucci	Kaufner	Petrarca	White
Driscoll	Kavulich	Pickett	Youngblood
Dunbar	Keller, W.	Pyle	
Ellis	Killion	Quigley	Turzai,
English	Kinsey	Rader	Speaker
Evankovich	Klunk		

## NAYS—72

Baker	Emrick	Mackenzie	Regan
Benninghoff	Farry	Major	Rothman
Bloom	Fee	Maloney	Samuelson
Boback	Freeman	McCarter	Santarsiero
Bradford	Galloway	McGinnis	Schemel
Carroll	Gillen	McNeill	Schlossberg
Causar	Gingrich	Mentzer	Schweyer
Corbin	Greiner	Metcalfe	Simmons
Cox	Hahn	Miller, B.	Staats
Culver	Harhart	Miller, D.	Tallman
Cutler	Hickernell	Milne	Thomas
Daley, M.	Kauffman	Murt	Truitt
Davidson	Keller, F.	O'Brien	Vitali
Day	Keller, M.K.	O'Neill	Ward
Dean	Kim	Peifer	Watson
Delozier	Kirkland	Petri	Wentling
DiGirolamo	Knowles	Quinn	Wheatley
Dush	Lawrence	Rapp	Zimmerman

## NOT VOTING—0

## EXCUSED—7

DeLuca	Jozwiak	Maher	Toohil
James	Krueger	Metzgar	

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

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

Mr. PAYNE offered the following amendment No. **A04855**:

Amend Bill, page 22, line 30, by inserting a bracket before "MACHINES,"

Amend Bill, page 22, line 30, by inserting after "REPLACEMENT"

] machine replacement

Amend Bill, page 25, line 21, by inserting a bracket before the period after "REQUIRE"

Amend Bill, page 25, line 21, by inserting after "REQUIRE."

] or any successor commission which may be established by an act of the General Assembly before, on or after the effective date of this section.

Amend Bill, page 25, line 24, by striking out "GAMING" and inserting

games

Amend Bill, page 28, line 28, by striking out "OPERATIONAL" and inserting

operations

Amend Bill, page 29, line 10, by inserting after "AND"

elements of

Amend Bill, page 30, line 26, by striking out "IN THIS COMMONWEALTH"

Amend Bill, page 31, by inserting between lines 16 and 17

"Interactive gaming licensee." A person who has been issued a license to act as an interactive gaming operator under Chapter 13B.

Amend Bill, page 31, line 18, by striking out "AUTHORIZED" and inserting

licensed

Amend Bill, page 32, line 6, by striking out "LICENSED"

Amend Bill, page 32, line 10, by inserting after "HOLDER"

or interactive gaming license holder

Amend Bill, page 32, line 26, by inserting after "MAKES"

authorized

Amend Bill, page 33, line 12, by striking out "GAMES" and inserting

gaming

Amend Bill, page 33, line 13, by inserting after "WITH"

authorized

Amend Bill, page 34, line 28, by inserting after "OR"

by a Category 1 slot machine licensee in connection with the operation of slot machines at a nonprimary location or in connection with

Amend Bill, page 35, line 9, by striking out "OR" where it occurs the first time and inserting a comma

Amend Bill, page 35, line 9, by inserting after "EQUIPMENT"

or casino simulcasting technology or equipment

Amend Bill, page 35, line 16, by striking out "INTERACTIVE RECIPROCAL AGREEMENT" and inserting

agreement authorizing the conduct of a multistate wide-area progressive slot machine system by slot machine licensees in this Commonwealth with gaming entities in such other state or jurisdiction

Amend Bill, page 36, line 5, by striking out "LICENSED FACILITIES" and inserting

slot machine licensees  
Amend Bill, page 37, lines 23 and 24, by striking out "AS DETERMINED OVER A PERIOD OF CONTINUOUS PLAY"

Amend Bill, page 40, line 6, by inserting after "EQUIPMENT" and the implementation and regulation of airport gaming

Amend Bill, page 41, line 21, by inserting after "LOCATIONS" and qualified airports

Amend Bill, page 41, line 22, by inserting a comma after "SIMULCASTING"

Amend Bill, page 43, line 29, by inserting after "CERTIFICATE,"

"an interactive gaming license,"

Amend Bill, page 44, line 9, by inserting after "CERTIFICATE,"

"an interactive gaming license,"

Amend Bill, page 44, line 9, by striking out "OR" and inserting a comma

Amend Bill, page 44, line 10, by inserting after "PERMIT" or an airport gaming operation certificate

Amend Bill, page 44, line 18, by inserting after "PERMITTEE" , certificate holder

Amend Bill, page 44, line 22, by inserting after "PETITION," 13B14 (relating to interactive gaming operators).

Amend Bill, page 45, line 13, by inserting after "HOLDER" or airport gaming operation certificate holder

Amend Bill, page 46, line 28, by striking out "INTERACTIVE GAMING"

Amend Bill, page 47, lines 10 and 11, by striking out "INTERACTIVE GAMING AFFILIATES AND"

Amend Bill, page 48, line 15, by inserting after "HOLDER" or interactive gaming licensee

Amend Bill, page 48, line 15, by inserting before "INTERACTIVE" authorized

Amend Bill, page 48, line 20, by inserting after "LICENSEES" and the operation of slot machines at a nonprimary location by a Category 1 slot machine licensee

Amend Bill, page 49, line 18, by striking out "MACHINES" and inserting

machine system

Amend Bill, page 50, line 15, by inserting after "LOCATIONS" and qualified airports

Amend Bill, page 51, line 13, by inserting after "BOARD" , with the approval of the Governor,

Amend Bill, page 52, lines 13 through 15, by striking out "NO LATER THAN 12 MONTHS AFTER THE EFFECTIVE DATE OF" in line 13, all of line 14 and "THEREAFTER, THE" in line 15 and inserting

The

Amend Bill, page 55, line 5, by striking out "DEFINITION OF FANTASY SPORTS." and inserting

general overview of fantasy sports and legalized gaming in this Commonwealth.

Amend Bill, page 55, line 6, by striking out "THE DIFFERENT"

Amend Bill, page 55, line 6, by inserting after "SPORTS" wagering

Amend Bill, page 55, line 8, by inserting after "FOR" regulatory

Amend Bill, page 55, line 22, by striking out "FEDERAL AND" where it occurs the first time

Amend Bill, page 55, line 22, by striking out "FEDERAL AND" where it occurs the second time

Amend Bill, page 60, line 5, by striking out "REQUEST" and inserting

petition

Amend Bill, page 60, line 6, by striking out "THROUGH REGULATION"

Amend Bill, page 60, line 14, by striking out "REQUEST" and

inserting

petition

Amend Bill, page 60, lines 15 and 16, by striking out "THROUGH REGULATION,"

Amend Bill, page 60, lines 23 and 24, by striking out "SUBSECTION (C)" and inserting

subsections (c) and (c.1)

Amend Bill, page 61, line 6, by inserting after "A" one-time

Amend Bill, page 61, line 13, by inserting after "A" one-time

Amend Bill, page 71, line 8, by striking out "BOARD" and inserting

bureau

Amend Bill, page 72, line 9, by inserting after "LICENSE" , permit, certificate or registration

Amend Bill, page 75, line 3, by inserting after "ADDITIONAL" gaming

Amend Bill, page 80, line 2, by striking out "DEPOSITED" and inserting

distributed

Amend Bill, page 80, line 9, by striking out "DEPOSITED" and inserting

distributed

Amend Bill, page 80, line 14, by striking out "DEPOSITED" and inserting

distributed

Amend Bill, page 81, line 26, by striking out "IS" and inserting

was

Amend Bill, page 82, line 25, by striking out "INCLUDED AN EXCEPTION THAT"

Amend Bill, page 82, lines 27 through 29, by striking out "PROVIDED THAT" in line 27, all of line 28 and "STATE UNDER CERTAIN CIRCUMSTANCES" in line 29

Amend Bill, page 87, line 2, by inserting after "MEANS" , as approved by the board

Amend Bill, page 88, line 15, by inserting after "GAMING" and interactive gaming restricted areas

Amend Bill, page 88, line 27, by inserting after "EQUIPMENT" or devices

Amend Bill, page 88, line 27, by striking out "IS" and inserting

are

Amend Bill, page 89, line 6, by striking out "PERSONS" and inserting

registered players

Amend Bill, page 89, line 9, by striking out "SLOT MACHINE LICENSEE'S" and inserting

interactive gaming certificate holder's

Amend Bill, page 90, lines 21 and 22, by striking out "(A)(9), (12), (14) AND (15)(X) AND (X)" and inserting

(a)(12), (14) and (15)(viii) and (ix)

Amend Bill, page 91, line 24, by inserting after "GAMES" where it occurs the second time

or variations thereof

Amend Bill, page 93, line 13, by inserting after "CERTIFICATE"

or an interactive gaming license

Amend Bill, page 93, line 19, by inserting after "CERTIFICATE"

or interactive gaming license

Amend Bill, page 93, line 30, by striking out "INTERACTIVE GAMING" where it occurs the first time

Amend Bill, page 94, lines 11 through 13, by striking out "SLOT" in line 11, all of line 12 and "GAMING OPERATOR" in line 13 and inserting

interactive gaming certificate holder or interactive gaming licensee

Amend Bill, page 95, line 13, by striking out "INTERACTIVE"

**GAMING AFFILIATE OR"**

Amend Bill, page 96, line 1, by striking out "OR ADMINISTERED" and inserting

, administered or controlled

Amend Bill, page 101, lines 22 and 23, by striking out "INTERACTIVE GAMING AFFILIATE AND"

Amend Bill, page 101, line 24, by striking out "THE REASONABLE AND NECESSARY" and inserting

Any additional

Amend Bill, page 102, line 19, by inserting after "INVESTIGATION."

The extension of suitability in accordance with this paragraph shall not relieve the holder of a valid license, permit, registration or certificate issued under this chapter from payment of all fees imposed under this chapter.

Amend Bill, page 103, line 8, by inserting after "HOLDERS"

, as determined by the board

Amend Bill, page 103, line 11, by inserting after "OWNED"

by, affiliated with

Amend Bill, page 103, line 13, by inserting after "CHAPTER."

The board shall determine by regulation the criteria or conditions necessary to determine whether an interactive gaming operator is owned by, affiliated with or otherwise controlled by a slot machine licensee to effectuate the purpose of this subsection.

Amend Bill, page 104, lines 10 and 11, by striking out "THE TEMPORARY" and inserting

conditional

Amend Bill, page 106, line 17, by inserting after "CERTIFICATE"

and applications for an interactive gaming license

Amend Bill, page 106, line 18, by inserting after "PETITION"

or application

Amend Bill, page 107, line 26, by inserting after "INTERNET"

through the interactive gaming certificate holder's interactive gaming skin or portal or Internet website

Amend Bill, page 108, line 12, by striking out "SLOT MACHINE LICENSEE" and inserting

interactive gaming certificate holder

Amend Bill, page 108, line 22, by striking out "PROOF" and inserting

verification

Amend Bill, page 108, line 29, by striking out "PROPER ADDRESS" and inserting

address of record

Amend Bill, page 108, line 30, by inserting after "MATERIALS"

to the interactive gaming account holder

Amend Bill, page 111, line 14, by striking out "AN ACCOUNT HOLDER'S" and inserting

a registered player's

Amend Bill, page 115, lines 14 through 17, by striking out "ANY INTERMEDIATE ROUTING OF" in line 14 and all of lines 15 through 17

Amend Bill, page 116, line 11, by striking out "INTERNET" and inserting

interactive

Amend Bill, page 116, line 29, by inserting after "FOR"

interactive

Amend Bill, page 117, line 4, by inserting after "DORMANT"

interactive

Amend Bill, page 117, line 20, by striking out "PROBATION" and inserting

protection

Amend Bill, page 117, line 25, by striking out "OF PERSONAL IDENTIFYING" and inserting

and sharing of personal identifiable

Amend Bill, page 117, line 28, by inserting after "ACCOUNTS."

The procedures shall include the means by which an interactive gaming certificate holder or interactive gaming

operator will provide notice to registered players related to its sharing of personal identifiable information. For the purpose of this paragraph, "personal identifiable information" shall mean any data or information that can be used, on its own or with other data or information, to identify, contact or otherwise locate a registered player, including a registered player's name, address, date of birth and Social Security number.

Amend Bill, page 119, by inserting between lines 8 and 9

(22) Procedures to govern emergencies, including suspected or actual cyber attacks, hacking or tampering with the interactive gaming certificate holder's interactive gaming portal, platform or Internet website.

Amend Bill, page 121, line 8, by inserting after "CHAPTER"

and regulations of the board

Amend Bill, page 121, line 11, by striking out "AND" and inserting

or

Amend Bill, page 121, line 12, by striking out "AND" where it occurs the first time and inserting

or

Amend Bill, page 122, line 6, by inserting after "OWNED"

, affiliated with

Amend Bill, page 122, lines 18 and 19, by striking out ", AN AFFILIATE OF AN INTERACTIVE GAMING CERTIFICATE HOLDER"

Amend Bill, page 122, line 20, by inserting after "OPERATOR"

under subsection (a)(2)

Amend Bill, page 122, lines 28 and 29, by striking out "OR AFFILIATE OF AN INTERACTIVE GAMING OPERATOR UNDER SUBSECTION (A)(3)" and inserting

under subsection (a)(2)

Amend Bill, page 123, line 6, by striking out "AT A LICENSED FACILITY"

Amend Bill, page 126, line 23, by inserting after "HOLDING"

, subsidiary

Amend Bill, page 127, lines 1 and 2, by striking out "ITS HOLDING OR INTERMEDIARY COMPANIES." and inserting

any holding, subsidiary or intermediary company of an interactive gaming certificate holder, interactive gaming operator or applicant.

Amend Bill, page 127, line 11, by striking out "THE" where it occurs the second time and inserting

an

Amend Bill, page 127, line 12, by inserting after "HOLDING"

, subsidiary

Amend Bill, page 127, line 13, by inserting after "COMPANY"

of an interactive gaming certificate holder, interactive gaming operator or applicant

Amend Bill, page 127, line 25, by inserting after

"AGREEMENT"

in accordance with section 1332 (relating to appointment of trustee)

Amend Bill, page 127, line 27, by striking out "AND ITS"

RELEVANT" and inserting

or any

Amend Bill, page 127, line 28, by inserting after "COMPANY"

of an interactive gaming certificate holder, interactive gaming operator or applicant

Amend Bill, page 128, line 29, by inserting after "ACCESSING"

authorized

Amend Bill, page 131, line 13, by striking out the comma after

"CHAPTER" and inserting

and

Amend Bill, page 132, lines 5 and 6, by striking out "THE TIMES DURING WHICH CASINO SIMULCASTING MAY BE CONDUCTED BY LICENSED GAMING ENTITIES."

Amend Bill, page 135, line 3, by striking out "AND THE"

COMMISSIONS"

Amend Bill, page 135, line 21, by striking out "AND" and inserting

, in consultation with

Amend Bill, page 135, line 21, by inserting a comma after "COMMISSIONS"

Amend Bill, page 136, line 3, by striking out "AND" and inserting

, in consultation with

Amend Bill, page 136, line 3, by inserting a comma after "COMMISSIONS"

Amend Bill, page 137, lines 29 and 30; page 138, lines 1 through 4; by striking out all of lines 29 and 30 on page 137, all of lines 1 through 3 and "(11)" in line 4 on page 138 and inserting

(10)

Amend Bill, page 138, line 7, by striking out "(12)" and inserting

(11)

Amend Bill, page 139, lines 23 through 27, by striking out all of said lines

Amend Bill, page 142, lines 16 through 19, by striking out "WHICH SHALL BE OPEN" in line 16, all of lines 17 and 18 and "ACCORDANCE WITH REGULATIONS" in line 19

Amend Bill, page 142, line 24, by striking out "JOINTLY"

Amend Bill, page 142, line 25, by striking out "AND" and inserting

, in consultation with

Amend Bill, page 142, line 28, by striking out "JOINTLY"

Amend Bill, page 142, line 28, by striking out "AND" and inserting

, in consultation with

Amend Bill, page 143, line 28, by striking out "OR" and inserting

, in consultation with the

Amend Bill, page 148, lines 8 and 9, by striking out "ALL REMAINING MONEY SHALL BE PAID TO THE" in line 8 and all of line 9

Amend Bill, page 151, line 1, by striking out "AND" and inserting

, in consultation with

Amend Bill, page 151, line 1, by inserting a comma after "COMMISSIONS"

Amend Bill, page 151, line 11, by striking out "OR THE COMMISSIONS"

Amend Bill, page 151, line 29, by striking out "AND" and inserting

, in consultation with

Amend Bill, page 151, line 29, by inserting a comma after "COMMISSIONS"

Amend Bill, page 152, line 13, by inserting after "ENTITY"

that is a licensed corporation

Amend Bill, page 153, lines 10 through 18, by striking out all of lines 10 through 17 and "(4)" in line 18 and inserting

(3)

Amend Bill, page 153, line 27, by striking out "(5)" and inserting

(4)

Amend Bill, page 154, line 3, by striking out "(6)" and inserting

(5)

Amend Bill, page 154, line 4, by striking out "(5)" and inserting

(4)

Amend Bill, page 154, line 9, by striking out "(7)" and inserting

(6)

Amend Bill, page 154, line 26, by striking out "(A)(4), (5) AND (6)" and inserting

(a)(3), (4) and (5)

Amend Bill, page 155, lines 2 and 3, by striking out "(A)(4), (5) AND (6)" and inserting

(a)(3), (4) and (5)

Amend Bill, page 156, line 12, by striking out "13D07(A)(4), (5) AND (6)" and inserting

13D07(a)(3), (4) and (5)

Amend Bill, page 159, line 24, by striking out "SUBSECTION" and inserting

section

Amend Bill, page 162, line 29, by inserting after "GAMING"

operation

Amend Bill, page 163, line 23, by inserting after "APPLICANT"

, and the name, business address and contact information of the airport authority and the location of the qualified airport

Amend Bill, page 165, line 1, by inserting after "AIRPORT."

The agreement shall identify the members of the governing board of the airport authority and all employees of the airport authority who, directly or indirectly, regulate the use and control of the qualified airport and who will oversee airport gaming at the qualified airport.

Amend Bill, page 165, line 4, by striking out "(9), (10) AND (11)" and inserting

(8), (9) and (10)

Amend Bill, page 165, line 13, by striking out the period after "BOARD" and inserting

, and the applicant has an agreement with the airport authority authorizing the placement of slot machines at the qualified airport.

Amend Bill, page 168, line 30, by striking out "ARE COMPATIBLE AND COMPLY" and inserting

have been approved by the board and are compatible

Amend Bill, page 170, line 30, by inserting after "A"

current

Amend Bill, page 171, lines 5 through 7, by striking out "AND CONSENT FOR THE BOARD TO OBTAIN COPIES OF" in line 5, all of line 6 and "CONNECTION THEREWITH" in line 7

Amend Bill, page 171, line 16, by striking out "LICENSE" where it occurs the second time and inserting

occupation permit

Amend Bill, page 187, line 12, by striking out "AN" and inserting

a financial

Amend Bill, page 187, line 13, by striking out "HOLD EMPLOYMENT WITH," and inserting

be employed by or

Amend Bill, page 187, line 19, by inserting after "HOLDING"

, subsidiary

Amend Bill, page 187, lines 20 through 23, by striking out "OR ANY INTERACTIVE" in line 20, all of lines 21 and 22 and "RESPECT THERETO," in line 23

Amend Bill, page 187, line 28, by inserting after "MATTER."

The financial interest and employment prohibitions under this paragraph shall remain in effect for one year following termination of the individual's status as an executive-level public employee, public official or party officer.

Amend Bill, page 188, lines 5 through 8, by striking out "OR INTERMEDIARY COMPANY WITH RESPECT THERETO OR ANY" in line 5, all of lines 6 and 7 and "INTERACTIVE GAMING LICENSE OR ANY HOLDING" in line 8 and inserting

, subsidiary

Amend Bill, page 191, line 2, by striking out "CONDUCTED" and inserting

managed, administered or controlled

Amend Bill, page 191, line 3, by inserting after "SIMULCASTING"

is conducted

Amend Bill, page 194, line 2, by inserting after "LOCATION"

and the specified area of a qualified airport

Amend Bill, page 198, line 20, by inserting after "AN"

authorized

Amend Bill, page 198, line 21, by inserting after "THE" where it occurs the second time

authorized

Amend Bill, page 199, line 21, by inserting after "LOCATION"



and the specified area of a qualified airport  
 Amend Bill, page 199, line 27, by inserting after "LICENSEE "  
or other such person  
 Amend Bill, page 200, line 3, by striking out "OR" and inserting  
 a comma  
 Amend Bill, page 200, line 3, by inserting after "LICENSEE "  
or other such person  
 Amend Bill, page 206, line 6, by inserting after "FOR "  
each year of  
 Amend Bill, page 208, line 12, by inserting after "CASINO"  
liquor  
 Amend Bill, page 210, line 2, by striking out "1307" and  
 inserting  
 1305

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

The SPEAKER. On the question, the Chair recognizes Representative Payne for a brief description of the amendment and any remarks.

Mr. PAYNE. Thank you, Mr. Speaker.

I will make it brief. This is a legal technical change, nothing other than a technical change of some of the language in the bill. I would appreciate a "yes" vote.

Thank you, Mr. Speaker.

The SPEAKER. Does anybody else wish to be recognized on the amendment?

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

The following roll call was recorded:

YEAS—166

Acosta	Evans	Knowles	Ravenstahl
Adolph	Everett	Kortz	Readshaw
Baker	Fabrizio	Kotik	Reed
Barbin	Farina	Krieger	Reese
Barrar	Fee	Lawrence	Regan
Benninghoff	Flynn	Lewis	Roae
Bishop	Frankel	Longietti	Roebuck
Bizzarro	Freeman	Mahoney	Ross
Bloom	Gabler	Major	Rothman
Boyle	Gainey	Markosek	Rozzi
Bradford	Galloway	Marshall	Saccone
Briggs	Gergely	Marsico	Sainato
Brown, R.	Gibbons	Masser	Sankey
Brown, V.	Gillespie	Matzie	Santora
Bullock	Gingrich	McClinton	Saylor
Burns	Godshall	McGinnis	Schemel
Caltagirone	Goodman	McNeill	Schlossberg
Carroll	Greiner	Mentzer	Schreiber
Causar	Grove	Miccarelli	Schweyer
Christiana	Hanna	Millard	Sims
Cohen	Harhai	Miller, B.	Snyder
Conklin	Harhart	Moul	Sonney
Costa, D.	Harkins	Mullery	Stephens
Costa, P.	Harper	Mustio	Sturla
Cruz	Harris, A.	Neilson	Tallman
Culver	Harris, J.	Nesbit	Taylor
Cutler	Heffley	Neuman	Tobash
Daley, P.	Helm	O'Brien	Toepel
Davidson	Hennessey	O'Neill	Topper
Davis	Hickernell	Oberlander	Truitt
Dawkins	Hill	Ortitay	Vereb
Deasy	Irvin	Parker, C.	Ward
Dermody	Kampf	Parker, D.	Warner

Diamond	Kaufert	Pashinski	Watson
Donatucci	Kauffman	Payne	Wentling
Driscoll	Kavulich	Peifer	Wheeland
Dunbar	Keller, F.	Petrarca	White
Dush	Keller, M.K.	Pickett	Youngblood
Ellis	Keller, W.	Pyle	Zimmerman
Emrick	Kinsey	Quigley	
English	Kirkland	Rader	Turzai,
Evankovich	Klunk	Rapp	Speaker

NAYS—30

Boback	DiGirolamo	McCarter	Samuelson
Corbin	Farry	Metcalfe	Santarsiero
Cox	Gillen	Miller, D.	Simmons
Daley, M.	Hahn	Milne	Staats
Day	Killion	Murt	Thomas
Dean	Kim	Petri	Vitali
DeLissio	Mackenzie	Quinn	Wheatley
Delozier	Maloney		

NOT VOTING—0

EXCUSED—7

DeLuca	Jozwiak	Maher	Toohil
James	Krueger	Metzgar	

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

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

Ms. **YOUNGBLOOD** offered the following amendment No. **A04912**:

Amend Bill, page 153, line 30; page 154, line 1; by striking out "50" in line 30 on page 153 and "LINEAR MILES" in line 1 on page 154 and inserting

the primary market area  
 Amend Bill, page 154, lines 3 through 8, by striking out "AT A DISTANCE" in line 3 and all of lines 4 through 8 and inserting  
within the primary market area of a licensed facility if the Category 1 licensed gaming entity owns the nonprimary location and the licensed gaming entity enters into an agreement with the affected licensed gaming entity or entities and the agreement is filed with the commission and the board.

Amend Bill, page 154, by inserting between lines 13 and 14  
(8) For the purposes of this subsection, the term "primary market area" shall mean the area within 50 linear miles of a licensed facility or nonprimary location.

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

The SPEAKER. On the question, the Chair recognizes Representative Youngblood for a brief description of the amendment and any remarks.

Ms. YOUNGBLOOD. Thank you, Mr. Speaker.

Amendment A04912 is a technical amendment that would simply clarify location restrictions currently in the bill. I believe the amendment is agreed to by the Republican chairman of the Gaming Oversight Committee; therefore, I request an affirmative vote, Mr. Speaker.

The SPEAKER. Representative Payne, on the amendment, sir.

Mr. PAYNE. This is an agreed-to amendment. I would ask the members to support the amendment.

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

The following roll call was recorded:

#### YEAS—157

Acosta	Everett	Kotik	Reed
Adolph	Fabrizio	Krieger	Reese
Barbin	Farina	Lewis	Roae
Benninghoff	Fee	Longietti	Roebuck
Bishop	Flynn	Mahoney	Ross
Bizzarro	Frankel	Major	Rozzi
Bloom	Freeman	Markosek	Saccone
Boyle	Gabler	Marshall	Sainato
Bradford	Gainey	Marsico	Samuelson
Briggs	Galloway	Matzie	Sankey
Brown, R.	Gergely	McClinton	Santora
Brown, V.	Gibbons	McGinnis	Saylor
Bullock	Gillespie	McNeill	Schemel
Burns	Gingrich	Mentzer	Schlossberg
Caltagirone	Godshall	Miccarelli	Schreiber
Carroll	Goodman	Millard	Schweyer
Christiana	Greiner	Miller, B.	Simmons
Cohen	Grove	Moul	Sims
Conklin	Hanna	Mullery	Snyder
Costa, D.	Harhai	Mustio	Sonney
Costa, P.	Harhart	Neilson	Stephens
Cruz	Harkins	Nesbit	Sturla
Culver	Harper	Neuman	Tallman
Cutler	Harris, A.	O'Brien	Thomas
Daley, M.	Harris, J.	O'Neill	Tobash
Daley, P.	Helm	Oberlander	Toepel
Davidson	Hennessey	Ortitay	Topper
Davis	Hickernell	Parker, C.	Vereb
Dawkins	Hill	Parker, D.	Vitali
Deasy	Irvin	Pashinski	Ward
DeLissio	Kampf	Payne	Warner
Dermody	Kaufer	Peifer	Wheatley
Diamond	Keller, F.	Petrarca	Wheeland
Donatucci	Keller, M.K.	Petri	White
Driscoll	Keller, W.	Pickett	Youngblood
Dunbar	Kim	Pyle	Zimmerman
Ellis	Kinsey	Quigley	
English	Kirkland	Rader	Turzai,
Evankovich	Klunk	Ravenstahl	Speaker
Evans	Knowles	Readshaw	

#### NAYS—39

Baker	Dush	Lawrence	Rapp
Barrar	Emrick	Mackenzie	Regan
Boback	Farry	Maloney	Rothman
Causar	Gillen	Masser	Santarsiero
Corbin	Hahn	McCarter	Staats
Cox	Heffley	Metcalfe	Taylor
Day	Kauffman	Miller, D.	Truitt
Dean	Kavulich	Milne	Watson
Delozier	Killion	Murt	Wentling
DiGirolamo	Kortz	Quinn	

#### NOT VOTING—0

#### EXCUSED—7

DeLuca	Jozwiak	Maher	Toohil
James	Krueger	Metzgar	

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

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

#### BILL PASSED OVER

The SPEAKER. It is my understanding that the maker of the bill would like to go over the bill at this time.

I also am in receipt of a letter from Representative Frank Dermody and Representative Michael Hanna that have indicated pursuant to rule— Okay. Oh, I received the letter. I guess it is inapplicable.

Representative Dermody will come—  
Representative Payne.

Mr. PAYNE. Mr. Speaker, I think you answered the question to go over the bill. Thank you.

#### BILLS REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader, who moves that HB 802 and HB 1246 be removed from the tabled calendar and placed on the active calendar.

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

#### BILLS REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader, who moves that HB 498 and HB 682 be removed from the tabled calendar and placed on the active calendar.

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

#### BILLS TABLED

The SPEAKER. The Chair recognizes the majority leader, who moves that HB 498 and HB 682 be removed from the active calendar and placed on the tabled calendar.

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

#### BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 824, PN 1565**, entitled:

An Act amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, in miscellaneous provisions, providing for confidentiality of personal information of public safety officials.

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

### **BILL TABLED**

The SPEAKER. The Chair recognizes the majority leader, who moves that HB 824 be removed from the active calendar and placed on the tabled calendar.

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

### **BILL REMOVED FROM TABLE**

The SPEAKER. The Chair recognizes the majority leader, who moves that HB 824 be removed from the tabled calendar and placed on the active calendar.

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

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

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

### **ADJOURNMENT**

The SPEAKER. Representative Karen Boback moves that the House be adjourned until Thursday, December 10, 2015, at 11 a.m., e.s.t., unless sooner recalled by the Speaker.

On the question,  
Will the House agree to the motion?  
Motion was agreed to, and at 5:11 p.m., e.s.t., the House adjourned.