

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

FRIDAY, DECEMBER 18, 2015

SESSION OF 2015

199TH OF THE GENERAL ASSEMBLY

No. 105

HOUSE OF REPRESENTATIVES

The House convened at 10 a.m., e.s.t.

THE SPEAKER (MIKE TURZAI) PRESIDING

PRAYER

HON. THOMAS P. MURT, member of the House of Representatives, offered the following prayer:

Please bow your heads.

Heavenly Father, as we pray this morning, we thank You for the many gifts You have already given to us. We especially thank You for the honor of being elected officials in this great Commonwealth of ours.

Let us never fail to have compassion for the Pennsylvanians who sent us here as well as the ones who struggle to support themselves, feed their children, educate their loved ones, and provide shelter for their families. These constituents whom we serve deserve our very best efforts at concluding the current budget impasse.

Heavenly Father, we also ask for a better understanding of one another. In Proverbs 17:27 You tell us, "...a man or woman of understanding is of an excellent spirit." And in Timothy 2:7 You tell us, "...the Lord will give you understanding in everything."

We ask that You empower us to manifest a better understanding of one another in this chamber. Heavenly Father, this understanding for which we pray will help us conclude the budget impasse and restore the faith and trust we seek in one another and in You. We ask this in Your name.

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 Thursday, December 17, 2015, will be postponed until printed.

HOUSE BILLS INTRODUCED AND REFERRED

No. 1767 By Representatives CRUZ, YOUNGBLOOD, V. BROWN, O'BRIEN, BAKER, D. COSTA, READSHAW, KINSEY, PEIFER, DAVIDSON, MURT, THOMAS, TRUITT, MAHONEY, MILNE, WARD, ENGLISH, GILLEN and PHILLIPS-HILL

An Act requiring the testing of members of the General Assembly for illegal drug use and providing for removal from office.

Referred to Committee on STATE GOVERNMENT, December 18, 2015.

No. 1800 By Representatives MACKENZIE, COHEN, GROVE, A. HARRIS, HEFFLEY, McNEILL and MILLARD

An Act amending the act of June 2, 1915 (P.L.736, No.338), known as the Workers' Compensation Act, in interpretation and definitions, further providing for definitions; in liability and compensation, further providing for schedule of compensation; and, in procedure, further providing for investigations and peer review.

Referred to Committee on LABOR AND INDUSTRY, December 18, 2015.

ACTUARIAL NOTE

The SPEAKER. The Speaker acknowledges receipt of an actuarial note for amendment No. 5333 to SB 1071, PN 1475.

(Copy of actuarial note is on file with the Journal clerk.)

LEAVES OF ABSENCE

The SPEAKER. The majority whip requests leaves of absence for Representative SACCONI of Allegheny County for the day, Representative MASSER of Northumberland County for the day, Representative HELM of Dauphin County for the day, Representative HENNESSEY of Chester County for the day, and Representative TAYLOR of Philadelphia County for the day. Without objection, those leaves will be granted.

The minority whip requests leaves of absence for Representative FARINA of Lackawanna for the day and Representative DEAN of Montgomery County for the day. Without objection, those leaves will be granted.

ANNOUNCEMENT BY SPEAKER

The SPEAKER. The Speaker grants permission to the Environmental Resources and Energy Committee to continue meeting even while we are in session and to be able to take votes while we are in session.

We will not be taking any voting, including the master roll, until the Environmental Resources and Energy Committee has completed its meeting, its voting meeting. Thank you.

GUEST INTRODUCED

The SPEAKER. Located in the well of the House, the Chair welcomes guest page Zack Harvey from Lower Dauphin High School. He is the guest of Representative Hickernell.

APPROPRIATIONS COMMITTEE MEETING

The SPEAKER. Chairman Bill Adolph is recognized for a committee announcement.

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

Mr. Speaker, I would like to call a meeting of the House Appropriations Committee in the majority caucus room. Thank you.

The SPEAKER. The Appropriations Committee will meet in the majority caucus room. The House will stand at ease while the Appropriations Committee meets and while the Environmental Resources and Energy Committee meets.

The House will come to order.

BILLS REREPORTED FROM COMMITTEE**HB 757, PN 893**

By Rep. ADOLPH

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, in licenses and regulations, liquor, alcohol and malt and brewed beverages, further providing for unlawful acts relative to liquor, alcohol and liquor licensees.

APPROPRIATIONS.

HB 824, PN 2678

By Rep. ADOLPH

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.

APPROPRIATIONS.

MASTER ROLL CALL

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

The following roll call was recorded:

PRESENT—195

Acosta	Evans	Krieger	Rapp
Adolph	Everett	Krueger	Ravenstahl
Baker	Fabrizio	Lawrence	Readshaw
Barbin	Farry	Lewis	Reed
Barrar	Fee	Longietti	Reese

Benninghoff	Flynn	Mackenzie	Regan
Bizzarro	Frankel	Maher	Roae
Bloom	Freeman	Mahoney	Roebuck
Boback	Gabler	Major	Ross
Boyle	Gainey	Maloney	Rothman
Bradford	Galloway	Markosek	Rozzi
Briggs	Gergely	Marshall	Sainato
Brown, R.	Gibbons	Marsico	Samuelson
Brown, V.	Gillen	Matzie	Sankey
Bullock	Gillespie	McCarter	Santarsiero
Burns	Gingrich	McClinton	Santora
Caltagirone	Godshall	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.	Hickernell	Mustio	Thomas
Daley, P.	Hill	Neilson	Tobash
Davidson	Irvin	Nesbit	Toepel
Davis	James	Neuman	Toohil
Dawkins	Jozwiak	O'Brien	Topper
Day	Kampf	O'Neill	Truitt
Deasy	Kaufer	Oberlander	Vereb
DeLissio	Kauffman	Ortitay	Vitali
Delozier	Kavulich	Parker, C.	Ward
DeLuca	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—7

Dean	Helm	Masser	Taylor
Farina	Hennessey	Saccone	

LEAVES CANCELED—1

Helm

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

ANNOUNCEMENT BY SPEAKER

The SPEAKER. Members, if we may have your attention, please. Our reading clerk, Diana, this is her last day and she will be returning to school in January to pursue a degree in cardiac technology.

Thank you for your service during the past 2 1/2 years, and we wish you nothing but the best in your future endeavors. Thank you, Diana.

LEAVE OF ABSENCE CANCELED

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

SUPPLEMENTAL CALENDAR A**BILL ON THIRD CONSIDERATION**

The House proceeded to third consideration of **HB 757, PN 893**, entitled:

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, in licenses and regulations, liquor, alcohol and malt and brewed beverages, further providing for unlawful acts relative to liquor, alcohol and liquor licensees.

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—136

Acosta	Gabler	Marshall	Ross
Adolph	Galloway	Marsico	Rothman
Baker	Gibbons	McGinnis	Rozzi
Barbin	Gillespie	McNeill	Sankey
Barrar	Gingrich	Mentzer	Santarsiero
Benninghoff	Godshall	Metcalfe	Santora
Bizzarro	Goodman	Metzgar	Saylor
Bloom	Greiner	Miccarelli	Schemel
Boback	Grove	Millard	Schlossberg
Boyle	Hahn	Miller, B.	Simmons
Brown, R.	Hanna	Milne	Snyder
Carroll	Harhart	Moul	Sonney
Causar	Harper	Mullery	Staats
Christiana	Harris, A.	Murt	Stephens
Corbin	Heffley	Mustio	Sturla
Cox	Helm	Nesbit	Tallman
Culver	Hickernell	Neuman	Tobash
Cutler	Hill	O'Neill	Toepel
Davis	Irvin	Oberlander	Toohil
Day	James	Ortitay	Topper
Delozier	Kampf	Parker, D.	Truitt
Dermody	Kaufer	Payne	Vereb
Diamond	Keller, F.	Peifer	Vitali
DiGirolo	Keller, M.K.	Petri	Ward
Dunbar	Killion	Pickett	Warner
Dush	Klunk	Pyle	Watson
Ellis	Knowles	Quigley	Wentling
Emrick	Krieger	Quinn	Wheatley
English	Krueger	Rader	Wheeland
Evankovich	Lawrence	Rapp	White
Everett	Lewis	Reed	Zimmerman
Fabrizio	Mackenzie	Reese	
Farry	Maher	Regan	Turzai,
Fee	Major	Roae	Speaker
Frankel	Maloney		

NAYS—59

Bradford	DeLissio	Kavulich	O'Brien
Briggs	DeLuca	Keller, W.	Parker, C.
Brown, V.	Donatucci	Kim	Pashinski
Bullock	Driscoll	Kinsey	Petrarca
Burns	Evans	Kirkland	Ravenstahl
Cohen	Flynn	Kortz	Readshaw
Conklin	Freeman	Kotik	Roebuck
Costa, D.	Gainey	Longietti	Sainato
Costa, P.	Gergely	Mahoney	Samuelson
Cruz	Gillen	Markosek	Schreiber
Daley, M.	Harhai	Matzie	Schweyer
Daley, P.	Harkins	McCarter	Sims
Davidson	Harris, J.	McClinton	Thomas
Dawkins	Jozwiak	Miller, D.	Youngblood
Deasy	Kauffman	Neilson	

NOT VOTING—1

Caltagirone

EXCUSED—6

Dean	Hennessey	Saccone	Taylor
Farina	Masser		

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

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

**MOTION TO PROCEED TO CONSIDERATION
UNDER RULE 24**

The SPEAKER. Representative Reed, on a motion.

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

I would make a motion to proceed to the immediate consideration of HB 824, a motion to proceed to the immediate consideration of HB 824. Thank you.

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

The SPEAKER. Representative Dermody, on that motion, please.

Mr. DERMODY. Thank you, Mr. Speaker.

Mr. Speaker, I would also urge the members to support the motion to proceed.

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

The following roll call was recorded:

YEAS—185

Acosta	English	Knowles	Rapp
Adolph	Evankovich	Kortz	Ravenstahl
Baker	Evans	Kotik	Readshaw
Barbin	Everett	Krieger	Reed
Barrar	Fabrizio	Krueger	Reese
Benninghoff	Farry	Lawrence	Regan
Bizzarro	Fee	Lewis	Roebuck

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

NAYS—11

Davidson	Matzie	Mullery	Samuelson
Gillen	Miller, D.	Neuman	Tallman
Keller, F.	Milne	Roae	

NOT VOTING—0

EXCUSED—6

Dean	Hennessey	Saccone	Taylor
Farina	Masser		

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

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 824, PN 2678**, 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 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—196

Acosta	Evans	Krieger	Rapp
Adolph	Everett	Krueger	Ravenstahl
Baker	Fabrizio	Lawrence	Readshaw
Barbin	Farry	Lewis	Reed
Barrar	Fee	Longiotti	Reese
Benninghoff	Flynn	Mackenzie	Regan
Bizzarro	Frankel	Maher	Roae
Bloom	Freeman	Mahoney	Roebuck
Boback	Gabler	Major	Ross
Boyle	Gainey	Maloney	Rothman
Bradford	Galloway	Markosek	Rozzi
Briggs	Gergely	Marshall	Sainato
Brown, R.	Gibbons	Marsico	Samuelson
Brown, V.	Gillen	Matzie	Sankey
Bullock	Gillespie	McCarter	Santarsiero
Burns	Gingrich	McClinton	Santora
Caltagirone	Godshall	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	Thomas
Daley, P.	Hickernell	Neilson	Tobash
Davidson	Hill	Nesbit	Toepel
Davis	Irvin	Neuman	Toohil
Dawkins	James	O'Brien	Topper
Day	Jozwiak	O'Neill	Truitt
Deasy	Kampf	Oberlander	Vereb
DeLissio	Kaufman	Ortitay	Vitali
Delozier	Kauffman	Parker, C.	Ward
DeLuca	Kavulich	Parker, D.	Warner
Dermody	Keller, F.	Pashinski	Watson
Diamond	Keller, M.K.	Payne	Wentling
DiGirolamo	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
Evankovich	Kotik		

NAYS—0

NOT VOTING—0

EXCUSED—6

Dean	Hennessey	Saccone	Taylor
Farina	Masser		

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

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

GUEST INTRODUCED

The SPEAKER. Serving in the United States Navy, Lt. Bill Ward, Representative Judy Ward's son, we welcome him to the chamber.

CALENDAR

BILL ON SECOND CONSIDERATION

The SPEAKER. The Chair returns to SB 1071, PN 1475. That is on page 8 of today's House calendar.

The House proceeded to second consideration of **SB 1071, PN 1475**, entitled:

An Act amending Titles 24 (Education), 51 (Military Affairs) and 71 (State Government) of the Pennsylvania Consolidated Statutes, extensively revising pension provisions as follows: In Title 24: for retirement for school employees, in the areas of preliminary provisions, of membership, contributions and benefits, of school employees' defined contribution plan and of administration and miscellaneous provisions; and for health insurance for retired school employees, in the area of preliminary provisions. In Title 51: for employment preferences and pensions, in the area of military leave of absence. In Title 71: for boards and offices, in the area of Independent Fiscal Office; and for retirement for State employees and officers, in the areas of preliminary provisions, of membership, credited service, classes of service and eligibility for benefits, of contributions, of benefits, of State employees' defined contribution plan and of administration, funds, accounts, general provisions. Providing, as to the revisions: for construction and administration, for applicability, for liability, for member statements and for suspension of provisions of the Public Employee Retirement Study Commission Act.

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

MOTION TO RECOMMIT CONTINUED

The SPEAKER. At the time where we were with the bill, there was a motion on the table to recommit to the Finance Committee. That was made by Representative DiGirolamo.

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

MOTION WITHDRAWN

The SPEAKER. On the motion, Representative DiGirolamo. Mr. DiGIROLAMO. Thank you, Mr. Speaker. I would like to withdraw the motion at this time.
The SPEAKER. Thank you, sir.

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

The SPEAKER. We are going to proceed to the amendments.

CONSIDERATION OF AMENDMENT A05305 CONTINUED

The SPEAKER. We were on the Dermody amendment; that is 5305.

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

The SPEAKER. I apologize.

PARLIAMENTARY INQUIRIES

The SPEAKER. For what purpose does Representative Evankovich rise?

Mr. EVANKOVICH. Parliamentary inquiry.

The SPEAKER. Yes, sir.

Mr. EVANKOVICH. Is the Speaker in receipt of an actuarial analysis for amendment 5316, which would allow the House to proceed on voting on that amendment in accordance with the PERC (Public Employee Retirement Commission) law?

The SPEAKER. I was informed by the leader's office that actuarial notes have been received for 5333, 5313, and 5305. They are awaiting additional PERC letters or notes with respect to additional amendments. The parties responsible for requesting or receiving those actuarial notes from the Public Employee Retirement Commission include the prime sponsor of the legislation or the amendment, the chairmen of the relevant House standing committee, and the Appropriations Committee chairs. I understand that there are – from staff – that additional PERC notes are supposed to be here, but I do not have an actuarial note at this time for that particular one, although I was informed that one was supposed to be transmitted to those particular parties.

Mr. EVANKOVICH. Further inquiry, Mr. Speaker?

The SPEAKER. Yes, sir.

Mr. EVANKOVICH. If we would proceed on voting on these amendments that have received notes, would the Speaker be able to make a ruling that other subsequent amendments that had not received actuarial analyses from PERC would be deemed out of order?

The SPEAKER. The precedent set under Speaker McCall was that if an actuarial note is not present with respect to an amendment – or excuse me, not an actuarial note – a PERC note has not been filed with respect to an amendment, that it would be in fact ruled out of order. However, it is my understanding that more PERC notes for amendments are coming. I have just been informed of that. That is all I can tell you.

But in front of the Speaker at this time, the amendments that do have PERC notes, or actuarial notes, are 5333, 5313, and 5305. Those are the particular amendments that at this time have either PERC notes or letters.

We are going to move to Representative Dermody's—

Mr. EVANKOVICH. Mr. Speaker, may I be recognized for the purpose of making a motion?

The SPEAKER. Representative Dermody has been called on first.

Please, Representative Dermody, please proceed.

Mr. DERMODY. Thank you, Mr. Speaker.

Mr. Speaker, as we said last night, the bill as it came over from the Senate, the Senate added language that would not allow members of the General Assembly or annuitants to serve as chairmen of the board of SERS (State Employees' Retirement System) and PSERS (Public School Employees' Retirement System).

Now, members of the General Assembly and annuitants serve on many boards and commissions in the Commonwealth. They serve with honor and distinction, they do a good job, and they become elected chairmen. As I mentioned last night, the chairman of PHEAA (Pennsylvania Higher Education Assistance Agency), who does a tremendous job, is our current majority chairman of the Appropriations Committee.

All this amendment does is it would allow members of the General Assembly who serve on these boards and annuitants who have served honorably, with distinction, do a fine job, would allow them to serve as chairmen of SERS and PSERS. That is all it would do, and the Governor appoints the SERS, and PSERS, the chairman is elected, and if they should choose, the Governor should choose or the board should choose—

The SPEAKER. Representative Dermody, if you could just—

Mr. DERMODY. —to allow members of the General Assembly or an annuitant to serve, we ought to make sure they can do that.

The SPEAKER. Thank you, sir.

MOTION TO POSTPONE

The SPEAKER. Representative Evankovich.

Mr. EVANKOVICH. I would like to be recognized for the purpose of making a motion.

The SPEAKER. Please state your motion.

Mr. EVANKOVICH. I would like to make a motion to postpone consideration of SB 1071 until such time that the House is in receipt of an actuarial analysis for amendment A05316, which would permit that amendment to be in order for voting in the House.

On the question,

Will the House agree to the motion?

PARLIAMENTARY INQUIRY

The SPEAKER. On the motion, Representative Daley.

Mr. DALEY. Thank you, Mr. Speaker.

I guess my first point is a parliamentary inquiry.

The last gentleman had raised the issue that the Speaker said that we are waiting for several amendments – I mean, the PERC notes for several of these amendments, and I think the Speaker, if he recalls, mentioned that last night.

I have four amendments, as this gentleman I think has one amendment, and several of us have other amendments. What are the amendments that we are waiting for? Does the Speaker have the numbers of the amendments that we are waiting for, and are my four amendments included in that wait, Mr. Speaker?

The SPEAKER. Representative Daley, those questions need to be addressed to the respective leader's office.

We do not request, nor do we receive, PERC notes. All we do at this stage is call up the amendments. When the amendments are called up, we make note that there is a PERC note. If there is an amendment that does not have a PERC note, given precedent, it would be ruled out of order.

As those amendments are called up by the leader, you would come to each of those amendments, we follow the order that was suggested to us, and if there is not a PERC note, that particular amendment would be ruled out of order, given earlier precedent.

If you want to request what the status of those are, the prime sponsor of the legislation or the amendment, the chairmen of the relevant House standing committee, the Appropriations Committee chairs are the individuals charged with requesting and receiving actuarial notes from the Public Employee Retirement Commission. We are not. The Speaker's Office is not responsible for getting the PERC notes.

There are also, I know, members from each side of the aisle that have responsibility or have representatives on the Public Employee Retirement Commission. You certainly can speak to them as well.

Mr. DALEY. Mr. Speaker, thank you very much for the information.

But on December 16, 2015, my Appropriations chair of the Democratic Caucus did put in a request for my amendments to have a PERC note for all four amendments, and I asked my leadership – and right now the Web site shows that my amendments do not have PERC notes, as this gentleman's amendments, obviously, do not have the PERC notes. I would ask, Mr. Speaker, in essence if we are going to make a motion to postpone based upon his amendment, I think we ought to make a motion on all the amendments that we are waiting for additional PERC notes.

The SPEAKER. Sir, there is a motion on the table to postpone the bill, because when you move to postpone the bill, you automatically, given our rules, postpone all votes on the amendments as well. So it is the bill and the underlying amendments.

Mr. DALEY. Well, I do not think that was the nature of the motion, although it was the gist of the motion, Mr. Speaker, but it was precipitous to his single amendment. If the Chair wants to – I mean, if the Speaker wants to make it— We are going to table this until we get others instead of just one.

The SPEAKER. Representative Daley, if you will please suspend.

Representative Evankovich, please restate your motion so that it is clear what the motion is.

Mr. EVANKOVICH. Thank you, Mr. Speaker.

I hate to make a mistake the second time around with stating my motion, but I believe that my motion was a motion to postpone consideration of SB 1071 and all amendments until such time as a PERC note accompanied with the actuarial analysis that would permit that amendment to be in order for voting on the House floor for amendment A05316.

The SPEAKER. Representative Reed, on the motion.

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

The Chair is correct. It is the respective leaders' offices and the chairs' and the members' responsibility to request the PERC analysis. We have done just that on every single amendment that has been filed. It is our anticipation that those letters will be sent to this body throughout the course of today.

We intend to proceed with the amendments that do have the PERC response first, and then it would be incumbent upon the Chair to make the decision as to how to proceed once we run through the amendments that have the PERC analysis, that have been transmitted to the members of this body.

So for the time being, I would ask that the members vote against this motion to postpone and let us run through the amendments that are ready to go, and then I would defer to the Chair after that. Thank you.

The SPEAKER. Representative Dermody, on the motion.

Representative Evankovich, on the motion.

Mr. EVANKOVICH. Thank you, Mr. Speaker.

Mr. Speaker, it is not my typical way of doing things to stand up and to try to work through the process on the House floor—

The SPEAKER. Please suspend.

Mr. EVANKOVICH. —in this manner.

POINT OF ORDER

The SPEAKER. Representative Vereb, point of order. Point of order, Representative Vereb.

Mr. VEREB. Mr. Speaker, how many times do you get to speak on this motion?

The SPEAKER. Twice. The earlier time, the individual spoke on a parliamentary inquiry, and then this is the second time on the motion.

Mr. VEREB. Actually, thank you, Mr. Speaker. I concur, this is the second time. Thank you.

The SPEAKER. Representative Evankovich, you may proceed.

PARLIAMENTARY INQUIRY

Mr. EVANKOVICH. Mr. Speaker, I would like to make an inquiry.

It is my contention that I only spoke once on this motion. I made the motion and then was immediately cut off from speaking by the Speaker recognizing another speaker. I did not have an opportunity to speak a first time on the motion. I made the motion and then was unable to continue speaking on the motion. I believe that I have only spoken once. Is that correct?

The SPEAKER. Sir, you may proceed to speak on your motion. Thank you.

Mr. EVANKOVICH. Thank you, Mr. Speaker.

As I was saying, I do not normally, I do not normally address this chamber in this manner in this type of process.

As the leader mentioned, PERC is responsible for getting us notes and actuarial analyses on amendments and bills that have to deal with pensions, but there is some cleverness to the way that PERC operates.

Yes, we will receive notes from PERC on every amendment, but just because we receive a note does not mean that that amendment will then be in order to be voted on. In fact, if there is an actuarial impact, the PERC law will require—

Mr. Speaker, may I have some order in the chamber, please?

The SPEAKER. Members, please take your seats. Members, please take your seats.

You may proceed.

Mr. EVANKOVICH. The nuance is that when we receive the notes, it does not mean that we will receive the actuarial analyses that will allow us to vote on those amendments, and in

fact, what will happen – what could happen is that the notes come through, the actuarial analyses do not, the amendments that have been voted on will be voted on, and every other amendment will be found to be out of order.

I respectfully ask for support on the motion to postpone because I believe that we have a major issue with the way that this PERC process is being utilized. In essence, we have given PERC the ability to pull our own amendments by virtue of the fact that they do not provide an actuarial analysis—

The SPEAKER. Representative, please suspend.

We are afield from the motion itself. Any policy decisions with respect to PERC are not appropriate for this motion.

You may speak on the motion.

Mr. EVANKOVICH. Thank you, Mr. Speaker.

If we do not allow – if we do not support this motion to postpone, in essence what you have done is you have allowed PERC veto power in this chamber. You will have allowed PERC to say whether or not your amendment should be voted on or not, not a vote of this chamber and not your ability to pull your own amendment.

It would be akin if we created a tax commission. That tax commission would then be able to determine whether or not tax votes, or tax amendments or bills were in order or out of order. I believe that we need to support this motion to postpone so that we can include the important provisions of amendment A05316.

Thank you, Mr. Speaker.

The SPEAKER. Representative Tobash, on the motion.

Mr. TOBASH. Thank you, Mr. Speaker.

I would respectfully ask this body to vote in the negative on this motion to suspend the process.

We are at December 18, and there has been a tremendous amount of work done in regard to this pension legislation.

I can tell you as a member of the retirement commission, the commission does its very best job at taking the legislation that has been presented to it and going back to the actuaries that require – or that the work that is required by actuaries be completed in a timely fashion. They hire their own actuaries and try and give this body an independent, third-party assessment of the legislation that has been presented.

Now, in this body oftentimes there are amendments that are ruled out of order for various reasons, and unfortunately, when you are dealing with a topic like pension legislation that requires additional actuarial work, some of these amendments do not make it across the finish line. It is not because there is a preconceived consideration on which amendments will be addressed and which will not. The commission has a certain amount of resources available to it. I think it has done a very good job at producing in a short amount of time the information that this body needs to make a vote on what will be before it.

There are a number of amendments that were presented and gone through the process that we can address today, but on December 18, to think that we will hold this process up any longer after we have worked on pension reform in the last number of sessions, days, weeks, months, years, I think it is not prudent for us to try and hold this process up.

I would ask my colleagues to vote "no" on the motion to suspend. Thank you, Mr. Speaker.

The SPEAKER. Representative Harper, on the motion.

Ms. HARPER. Thank you, Mr. Speaker.

I would also ask my colleagues to vote "no" on the motion to postpone.

It is December 18. It is time to get stuff done. The pension this year – the pension this year, our costs will rise by 25 percent, and the pension alone for the education line item is \$1 billion, \$1 billion.

We need to deal with the issue of pensions in Pennsylvania. We need to deal with them as a budgetary matter, and we should not postpone the discussion for any reason.

Now, with respect to PERC, a few years ago I had a very popular bill. You might remember it. It dealt with changing the pension with regard to officers killed in the line of duty. There was no opposition to that bill, to the best of my knowledge. However, it took several weeks to get the actuarial note from PERC. It takes a long time to crunch the numbers. I get that. If you have a really great idea about pensions, it is going to take time to get the actuarial note. Introduce a bill, get the actuarial note, and we will deal with it later. But to postpone a discussion on a \$1 billion budget line item when we do not even have a budget in December does not make any sense to me.

Please vote "no" on the motion to postpone. Thank you.

The SPEAKER. Representative Schlossberg, on the motion.

Mr. SCHLOSSBERG. Thank you, Mr. Speaker.

I join with my colleagues in asking that this motion be voted "no."

Mr. Speaker, it is mid-December. At what point are we going to actually get this work done?

The SPEAKER. Representative Daley, on the motion.

Mr. DALEY. Mr. Speaker, first of all, it is my understanding that the motion to postpone includes all the amendments with it. Is that correct, Mr. Speaker?

The SPEAKER. That is correct.

Mr. DALEY. Thank you, Mr. Speaker.

I rise in support of the motion.

Guess what? It is the 18th of December, and how many days have we been here, went up, came down, we went up, came down, went up and for 5, 10, 15 minutes, but now we have a pension bill that could have been voted on weeks ago. All of the sudden there is this exigent circumstance. There is this immediacy, we are going to vote this today. Where is our budget?

All of the amendments – I have a cost of living for seniors; I have a 30-and-out – we should discuss those. I do not want to see those get frozen out of the process. That is what the gentleman is trying to do. Democrat, Republican, this is a fairness issue. Vote "yes"; vote to postpone.

The SPEAKER. Representative DiGirolamo, on the motion.

Mr. DiGIROLAMO. Thank you, Mr. Speaker.

I rise to support the motion to postpone SB 1071.

And why do we not go back a little bit, a couple of weeks ago. This bill came over from the Senate, and on the last page of the bill, there was language in there that said this bill does not need a PERC note to be voted on. The bill came over here. I mean, does anybody in here think that was the right thing to do? The bill came over here, and thankfully in State Government, they took that language out.

Now, I also have been caught up in debate on the pension because I had an amendment that was filed to the pension bill that we considered back in the summer. I thought my amendment—

Mr. REED. Mr. Speaker?

Mr. DiGIROLAMO. —was going to get a PERC note.

POINT OF ORDER

The SPEAKER. Yes, Representative Reed, point of order.

Mr. REED. Just a point of inquiry.

The SPEAKER. Yes, sir.

Mr. REED. I may be mistaken, but I believe it was actually the other Senate bill that was sent over by the Senate on pensions that came with the language not requiring a PERC note, not SB 1071. Could I ask whether that is correct or not?

The SPEAKER. I realize that is not a parliamentary inquiry, but at the same time—

Mr. REED. I was not sure. Maybe point of order.

The SPEAKER. But your point is definitely correct. It is correct.

Mr. REED. So it is correct?

The SPEAKER. Yes.

Mr. REED. Okay. I just wanted to make that point before the gentleman continued. Thank you.

Mr. DiGIROLAMO. Thank you. And if I was mistaken, I apologize. That was correct on the other pension bill that came over from the Senate.

But as I was saying, I also had an amendment filed back on the pension bill that we voted on in the summer. I thought I was going to get a PERC note when the bill came up for a vote. When the bill came back, all they had was a PERC note on the bill, not on any of the amendments.

Mr. Speaker, I think that is wrong. I think if somebody files an amendment and sends it over to PERC, that they all should have an equal opportunity to be considered. I think that is fair. I agree with the motion to postpone, and I would ask for an affirmative vote. Thank you.

The SPEAKER. Representative Barbin, on the motion.

Mr. BARBIN. Thank you, Mr. Speaker.

I rise in opposition to this motion, having the same type of amendment that I would like to put before the House, that would actually do something for pensions, the pension guaranty bond.

But regardless, we are at December 18. They did the process they did behind the curtain. They sent the bill over here, and we can now deal with what we have or we can say we do not like it, we are taking our football, and we are going home.

I am not taking my football and going home. I am rising in opposition to this motion. We need to get on with this bill and we need to get on with the budget.

The SPEAKER. Thank you, Representative Barbin.

Representative Diamond.

Mr. DIAMOND. Thank you, Mr. Speaker.

I rise in support of this motion.

I want to note that I am very cognizant of the fact that it is December 18. It is December 18. It would not matter if it was January 18 or February 18.

For 10 years I stood outside this building shaking my fists and I got to this building because I insisted that the General Assembly know what it is voting on when it votes for something. And I will remind my colleagues of this chamber what happened the last time we voted on, or this chamber voted on something that nobody really knew the details of. It was a calamity. We do not need a repeat of the calamity.

The gentleman is correct. We are entitled to know the fiscal outcome of these amendments. So I urge you to support this motion. Thank you, Mr. Speaker.

The SPEAKER. Representative Dermody.

Mr. DERMODY. Thank you, Mr. Speaker.

Mr. Speaker, we should vote "no" on this motion to postpone. It is premature.

We should run through the amendments. If we do not have PERC notes when we are done doing that, then we should revisit this because I have several amendments also that need PERC notes. They have been requested and I hope they arrive here in time, and if not, we should revisit this.

Thank you, Mr. Speaker.

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—26

Bradford	Dush	Miccarelli	Mustio
Briggs	Evankovich	Miller, B.	Ravenstahl
Burns	Freeman	Milne	Samuelson
Carroll	Kavulich	Moul	Simmons
Daley, P.	Klunk	Mullery	Truitt
Diamond	Maher	Murt	Warner
DiGirolamo	McGinnis		

NAYS—170

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

NOT VOTING—0

EXCUSED—6

Dean	Hennessey	Sacone	Taylor
Farina	Masser		

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

On the question recurring,

Will the House agree to the amendment?

The SPEAKER. We will return to Representative Dermody's amendment, 5305. I know Representative Dermody already spoke on the amendment. 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—94

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

NAYS—102

Adolph	Greiner	Marshall	Ross
Baker	Grove	Marsico	Rothman
Barrar	Hahn	McGinnis	Sankey
Benninghoff	Harhart	Mentzer	Saylor
Bloom	Harper	Metcalfe	Schemel
Causar	Harris, A.	Metzgar	Simmons
Christiana	Heffley	Miller, B.	Sonney
Corbin	Helm	Milne	Staats
Cox	Hickernell	Moul	Stephens
Culver	Hill	Murt	Tallman
Cutler	Irvin	Mustio	Tobash
Day	Jozwiak	Nesbit	Toepel
Delozier	Kampf	Oberlander	Toohil
Diamond	Kauffman	Ortitay	Topper
Dunbar	Keller, F.	Payne	Truitt
Dush	Keller, M.K.	Petri	Verab
Ellis	Killion	Pickett	Ward
Emrick	Klunk	Pyle	Warner
English	Knowles	Quigley	Watson
Evankovich	Krieger	Quinn	Wentling

Everett	Lawrence	Rader	Wheeland
Fee	Lewis	Rapp	White
Gabler	Mackenzie	Reed	Zimmerman
Gillen	Maher	Reese	
Gillespie	Major	Regan	Turzai,
Gingrich	Maloney	Roae	Speaker

NOT VOTING—0

EXCUSED—6

Dean	Hennessey	Saccone	Taylor
Farina	Masser		

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

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

Mr. **TOBASH** offered the following amendment
No. **A05313**:

Amend Bill, page 502, by inserting between lines 24 and 25
(r) Management fees.—

(1) At the beginning of the next fiscal year after the report in section 8538(b)(5) (relating to public pension management and asset investment review commission) is delivered to the Governor and the General Assembly, the board shall implement a strategy to reduce pension management fees to be within the 75% least expensive systems compared to other statewide public pension funds performing in the United States by the fifth fiscal year, based on benchmarking analysis provided by a consultant with data and expertise on pension funds.

(2) Subsequent to the five-year period described in paragraph (1), the board shall implement an additional strategy to reduce total pension management fees to be within the 60% least costly statewide public pension systems performing in the United States by the tenth fiscal year, based on benchmarking analysis provided by a consultant with data and expertise on pension funds.

(3) For the purposes of this section, pension management fees shall mean investment management fees expressed as a percentage of assets under management.

Amend Bill, page 675, by inserting between lines 19 and 20
(q) Management fees.—

(1) At the beginning of the next fiscal year after the report in section 5958(b)(5) (relating to public pension management and asset investment review commission) is delivered to the Governor and the General Assembly, the board shall implement a strategy to reduce total pension management fees to be within the 75% least expensive systems compared to other statewide public pension funds performing in the United States by the fifth fiscal year, based on benchmarking analysis provided by a consultant with data and expertise on pension funds.

(2) Subsequent to the five-year period described in paragraph (1), the board shall implement an additional strategy to reduce total pension management fees to be within the 60% least costly statewide public pension systems performing in the United States by the tenth fiscal year, based on benchmarking analysis provided by a consultant with data and expertise on pension funds.

(3) For the purposes of this section, pension management fees shall mean investment management fees expressed as a percentage of assets under management.

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

The **SPEAKER**. On that question, Representative Tobash.
Mr. **TOBASH**. Thank you, Mr. Speaker.

Amendment 05313 requires SERS and PSERS to reduce pension management fees. In the first 5 years, SERS and PSERS management fees will be reduced to be below the 25 percent most expensive systems compared to other statewide public pension funds. In the next 5 years, we will require that they be below 40 percent of the most expensive systems compared to other statewide pension funds.

SB 1071 establishes a commission to investigate the management fees. I can tell you, in the State of Pennsylvania we have got some of the most expensive fees in the nation. This amendment merely puts the teeth in the requirement of that commission and compels the pension systems to reduce our costs. If you want to do business in the State of Pennsylvania with our pension systems, you have got to give us a fair price.

I ask my colleagues to vote in favor of this amendment.
Thank you, Mr. Speaker.

The **SPEAKER**. Does anybody else wish to be recognized on amendment 5313?

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

The following roll call was recorded:

YEAS—183

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

Dush	Kim	Petri	Wheeland
Ellis	Kinsey	Pickett	White
Emrick	Kirkland	Pyle	Youngblood
English	Klunk	Quigley	Zimmerman
Evankovich	Knowles	Quinn	
Evans	Kortz	Rader	Turzai,
Everett	Kotik	Rapp	Speaker
Fabrizio			

NAYS—13

Bradford	DiGirolamo	Markosek	O'Brien
Daley, M.	Dunbar	McCarter	Schemel
Daley, P.	Godshall	McGinnis	Truitt
Dawkins			

NOT VOTING—0

EXCUSED—6

Dean	Hennessey	Saccone	Taylor
Farina	Masser		

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?

Mr. **ELLIS** offered the following amendment No. **A05333**:

Amend Bill, page 483, lines 8 through 12, by striking out all of said lines and inserting

(iv) Standards and criteria for providing not less than 10 options which are offered by three or more providers of investment options to eligible individuals regarding investments of amounts deferred under the plan. The standards and criteria must provide for a variety of investment options and shall be reviewed in accordance with criteria established by the board.

Amend Bill, page 659, lines 12 through 16, by striking out all of said lines and inserting

(iv) Standards and criteria for providing not less than 10 options which are offered by three or more providers of investment options to eligible individuals regarding investments of amounts deferred under the plan. The standards and criteria must provide for a variety of investment options and shall be reviewed in accordance with criteria established by the board.

On the question,

Will the House agree to the amendment?

The SPEAKER. On that question, Representative Ellis. Representative Ellis, on the amendment, sir.

Mr. **ELLIS**. Thank you, Mr. Speaker.

I would ask the chamber to support amendment A05333.

What this amendment does is basically provide options for the folks that are going into the new DC (defined contribution) plans. We require there to be at least 3 different options for them as far as providers and 10 different investment options.

Simply put, this is just an additional way for people to have choice on how they invest their money, and I ask for support from the chamber. Thank you very much.

The SPEAKER. Representative Markosek, on the amendment.

Mr. **MARKOSEK**. Thank you, Mr. Speaker.

I would ask for a "no" vote on the amendment.

I think what this does is puts some handcuffs on the boards of the various pension systems. I think, you know, they have a whole cadre of professionals over at each system. They are very good; they are very experienced, very talented. To put any kind of restrictions on them for doing what is best for the citizens of Pennsylvania and for the pension systems and for the annuitants that come under their auspices, I think is a mistake.

I think we should vote this down, please. I would ask all members to vote "no." Thank you.

The SPEAKER. Representative Ellis, for the second time.

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

While I do appreciate the comments from the gentleman, what we are trying to avoid here is deciding how people invest their retirement money for them. This bill simply gives them the options to control how they invest their retirement money. This language was in before and removed, and we are putting it back in.

I ask for an affirmative vote on amendment A05333. Thank you very much, Mr. Speaker.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—134

Adolph	Gabler	Lawrence	Rader
Baker	Galloway	Lewis	Rapp
Barbin	Gergely	Mackenzie	Reed
Barrar	Gibbons	Maher	Reese
Benninghoff	Gillen	Major	Regan
Bizzarro	Gillespie	Maloney	Roae
Bloom	Gingrich	Marshall	Ross
Boback	Goodman	Marsico	Rothman
Boyle	Greiner	McGinnis	Samuelson
Brown, R.	Grove	Mentzer	Sankey
Burns	Hahn	Metcalfe	Santora
Caltagirone	Harhart	Metzgar	Saylor
Carroll	Harkins	Miccarelli	Schemel
Causar	Harper	Millard	Schweyer
Christiana	Harris, A.	Miller, B.	Simmons
Conklin	Heffley	Milne	Sonney
Corbin	Helm	Moul	Staats
Costa, P.	Hickernell	Mullery	Stephens
Cox	Hill	Murt	Tallman
Culver	Irvin	Mustio	Tobash
Cutler	James	Neilson	Toepel
Davis	Jozwiak	Nesbit	Toohil
Day	Kaufer	Neuman	Topper
Delozier	Kauffman	O'Neill	Truitt
Diamond	Kavulich	Oberlander	Vereb
Dunbar	Keller, F.	Ortitay	Ward
Dush	Keller, M.K.	Parker, D.	Warner
Ellis	Killion	Payne	Watson
Emrick	Kim	Peifer	Wentling
English	Klunk	Petri	Wheeland
Evankovich	Knowles	Pickett	Zimmerman
Everett	Kortz	Pyle	
Farry	Kotik	Quigley	Turzai,
Fee	Krieger	Quinn	Speaker

NAYS—62

Acosta	DiGirolamo	Kirkland	Readshaw
Bradford	Donatucci	Krueger	Roebuck
Briggs	Driscoll	Longietti	Rozzi
Brown, V.	Evans	Mahoney	Sainato
Bullock	Fabrizio	Markosek	Santarsiero
Cohen	Flynn	Matzie	Schlossberg
Costa, D.	Frankel	McCarter	Schreiber
Cruz	Freeman	McClinton	Sims
Daley, M.	Gainey	McNeill	Snyder
Daley, P.	Godshall	Miller, D.	Sturla
Davidson	Hanna	O'Brien	Thomas
Dawkins	Harhai	Parker, C.	Vitali
Deasy	Harris, J.	Pashinski	Wheatley
DeLissio	Kampf	Petrarca	White
DeLuca	Keller, W.	Ravenstahl	Youngblood
Dermody	Kinsey		

NOT VOTING—0

EXCUSED—6

Dean	Hennessey	Saccone	Taylor
Farina	Masser		

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?

The SPEAKER. The House will be at ease.

The House is back in order.

ACTUARIAL NOTE

The SPEAKER. The Speaker acknowledges receipt of an actuarial note from the Public Employee Retirement Commission for amendment 5323, an amendment filed by Representative Kampf.

(Copy of actuarial note is on file with the Journal clerk.)

CONSIDERATION OF SB 1071 CONTINUED

On the question recurring,

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

Mr. **KAMPF** offered the following amendment No. **A05323**:

Amend Bill, page 596, line 8, by striking out "3.25%" and inserting

4.5%

On the question,

Will the House agree to the amendment?

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

Mr. KAMPF. Thank you, Mr. Speaker.

Mr. Speaker, this amendment corrects an error in the bill as the PERC note indicates. It corrects a drafting error that reduced the member contribution rate for current Class D-4 members from 4.5 percent to 3.25 percent of compensation. The amendment corrects this error by restoring the member contribution rate to 4.5 percent of compensation.

Frankly, if we do not do this amendment, then the bill will violate Federal Internal Revenue Code regs on pension plans. So I would ask for the members' support.

The SPEAKER. On the amendment, Representative Markosek.

Mr. MARKOSEK. Thank you, Mr. Speaker.

I agree, we should support the amendment. Thank you.

The SPEAKER. All those in favor will be voting "aye"—Representative DiGirolamo. For what purpose does the gentleman rise?

Mr. DIGIROLAMO. I would like to be recognized to make a motion.

The SPEAKER. Representative, we cannot recognize you for that purpose at this time because we are voting on the amendment. We have to finish the amendment; then we can recognize you for a motion.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—196

Acosta	Evans	Krieger	Rapp
Adolph	Everett	Krueger	Ravenstahl
Baker	Fabrizio	Lawrence	Readshaw
Barbin	Farry	Lewis	Reed
Barrar	Fee	Longietti	Reese
Benninghoff	Flynn	Mackenzie	Regan
Bizzarro	Frankel	Maher	Roae
Bloom	Freeman	Mahoney	Roebuck
Boback	Gabler	Major	Ross
Boyle	Gainey	Maloney	Rothman
Bradford	Galloway	Markosek	Rozzi
Briggs	Gergely	Marshall	Sainato
Brown, R.	Gibbons	Marsico	Samuelson
Brown, V.	Gillen	Matzie	Sankey
Bullock	Gillespie	McCarter	Santarsiero
Burns	Gingrich	McClinton	Santora
Caltagirone	Godshall	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	Thomas
Daley, P.	Hickernell	Neilson	Tobash
Davidson	Hill	Nesbit	Toepel
Davis	Irvin	Neuman	Toohil
Dawkins	James	O'Brien	Topper
Day	Jozwiak	O'Neill	Truitt
Deasy	Kampf	Oberlander	Vereb
DeLissio	Kaufer	Ortitay	Vitali

DeLozier	Kauffman	Parker, C.	Ward
DeLuca	Kavulich	Parker, D.	Warner
Dermody	Keller, F.	Pashinski	Watson
Diamond	Keller, M.K.	Payne	Wentling
DiGirolamo	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
Evankovich	Kotik		

NAYS—0

NOT VOTING—0

EXCUSED—6

Dean	Hennessey	Saccone	Taylor
Farina	Masser		

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?

MOTION TO POSTPONE

The SPEAKER. Representative DiGirolamo, you are recognized.

Mr. DIGIROLAMO. Mr. Speaker, I would like to be recognized to make a motion.

The SPEAKER. Yes, sir. Please state your motion.

Mr. DIGIROLAMO. Thank you, Mr. Speaker.

I move that we postpone consideration of SB 1071 until the actuarial notes are available on all the amendments so that they are in order.

On the question,

Will the House agree to the motion?

The SPEAKER. On the motion, Representative Reed.

Mr. REED. Thank you, Mr. Speaker.

I would ask the members to oppose the motion to postpone. Thank you.

The SPEAKER. On the motion, Representative Dermody.

Mr. DERMODY. Mr. Speaker, as we said earlier, I thought the previous motion was premature, but I also have several amendments here that need PERC notes. There are certain amendments that are getting PERC notes; others are not. I think we should postpone this until we get the ability to hear all our amendments. We should support the motion.

Thank you, Mr. Speaker.

The SPEAKER. Representative Daley.

Mr. DALEY. Thank you, Mr. Speaker.

Patchwork legislation does not work. Vote "yes" to postpone.

The SPEAKER. Do any other members wish to be recognized on the motion? Do any other members wish to be recognized on the motion?

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

The following roll call was recorded:

YEAS—94

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

NAYS—97

Adolph	Greiner	Maloney	Ross
Baker	Grove	Marshall	Rothman
Barrar	Hahn	Marsico	Sankey
Benninghoff	Harhart	McGinnis	Saylor
Bloom	Harper	Mentzer	Schemel
Boback	Harris, A.	Millard	Sonney
Brown, R.	Heffley	Moul	Staats
Causser	Helm	Mustio	Stephens
Christiana	Hickernell	Nesbit	Tallman
Corbin	Irvin	O'Neill	Tobash
Cox	James	Oberlander	Toepel
Culver	Jozwiak	Ortitay	Toohil
Cutler	Kampf	Parker, D.	Topper
Day	Kaufer	Payne	Vereb
DeLozier	Kauffman	Peifer	Ward
Dunbar	Keller, F.	Petri	Warner
Emrick	Keller, M.K.	Pickett	Watson
English	Killion	Quigley	Wentling
Everett	Knowles	Quinn	Wheeland
Fee	Krieger	Rader	White
Gabler	Lawrence	Rapp	Zimmerman
Gillen	Lewis	Reed	
Gillespie	Mackenzie	Reese	Turzai,
Gingrich	Maher	Regan	Speaker
Godshall	Major	Roae	

NOT VOTING—5

Barbin	Ellis	Hill	Pyle
Diamond			

EXCUSED—6

Dean	Hennessey	Saccone	Taylor
Farina	Masser		

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

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

VOTE CORRECTION

The SPEAKER. Representative Barbin, you are recognized, sir. Will you please state your purpose.

Mr. BARBIN. On the last vote, Mr. Speaker, I attempted to vote "no." I would like to be recorded as a "no."

The SPEAKER. Thank you, sir.

CONSIDERATION OF SB 1071 CONTINUED

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

The SPEAKER. Representative Barbin, you have amendment 5291 and 5292. I am recognizing you with respect to those amendments.

Mr. BARBIN. Thank you, Mr. Speaker.

I move to withdraw both amendments.

The SPEAKER. Thank you, sir.

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

VOTE CORRECTIONS

The SPEAKER. Representative Phillips-Hill.

Mrs. HILL. Mr. Speaker, on the previous vote, my vote was not recorded. I would like to be recorded as a "no."

The SPEAKER. Thank you, Representative.
Representative Ellis.

Mr. ELLIS. Thank you, Mr. Speaker.

On the previous vote, on the motion, my button malfunctioned and I would like to be recorded in the negative.

The SPEAKER. Representative Metcalfe.

Mr. METCALFE. Thank you, Mr. Speaker.

My button did not malfunction, but you locked it in too quick and I should have been recorded as a "no."

The SPEAKER. Thank you, sir.

Representative Diamond.

Mr. DIAMOND. Thank you, Mr. Speaker.

I would like to be recorded as a "yes" on the previous motion. My vote was not recorded. Thank you.

CONSIDERATION OF SB 1071 CONTINUED

The SPEAKER. Representative Kampf, Representative Daley, Representative Tobash, Representative Dermody, and Representative Evankovich had all filed amendments that do not have actuarial notes. At this time they would be ruled out of order because we do not have those notes.

RULING OF CHAIR APPEALED

The SPEAKER. Representative Dermody, can you state your purpose, sir, for rising?

Mr. DERMODY. Thank you, Mr. Speaker.

I rise to make a motion. I would like to appeal the ruling of the Chair on ruling that my amendments are out of order.

On the question,

Shall the decision of the Chair stand as the judgment of the House?

The SPEAKER. Representative Reed, on the motion, sir.

Mr. DERMODY. I would like to have time to speak on the—

The SPEAKER. Oh, I apologize, Representative Dermody; I apologize. If you will just give me a second for a moment.

When an appeal is taken, we need to have the appeal very clearly stated. Representative Dermody, could you just state the clear appeal and the rationale behind. Thank you, sir.

Mr. DERMODY. Mr. Speaker, this ruling goes against the precedent of the House and indeed the laws of the Commonwealth.

In 1984 this House considered SB 1341, which was signed into law as Act 226 of 1984. Through the amendment process in the House, SB 1341 had a new section 8 amended into it which provided, "THE PROVISIONS OF SECTION 7 OF THE ACT OF JULY 9, 1981,...KNOWN AS THE PUBLIC EMPLOYEE RETIREMENT STUDY COMMISSION ACT, ARE SUSPENDED FOR THE PURPOSE OF CONSIDERING THIS BILL AND ALL AMENDMENTS TO IT."

Mr. Speaker, this amendment nullified the statutory requirement of having an actuarial note for the purposes of considering the bill at hand or any amendments to it. This amendment not only was accepted by the House in 1984, thereby establishing precedent, but the bill was passed by the General Assembly and signed by the Governor. My amendments contain identical language to that of SB 1341 of 1984 which nullifies the requirement of an actuarial note.

In addition to directly following this 1984 precedent and in line with its reasoning, we all know that one General Assembly cannot bind the actions of a future General Assembly. The effect of this constitutional principle is that each successive General Assembly can change the current statutory law. That is exactly what my amendment and this legislation will do. This bill will become subsequently passed legislation that will nullify the actuarial note requirements of Title 43, section 1407, with regards to the passage of SB 1071.

Our pension system is too important to play political games with. This ruling to prevent the offering of amendments that would provide retirement security to teachers and State workers should be voted. These people dedicate their lives to the future of our children and our Commonwealth. They protect us and our most vulnerable. We must protect their retirement security. Let us keep our teachers and State employees off the State welfare rolls.

The language of my amendment falls directly in line with the precedents of this House. As such, I ask my colleagues to stand with me in voting "yes" and appeal the ruling of the Chair. Thank you, Mr. Speaker.

The SPEAKER. The appeal that has been enunciated by Leader Dermody is the ruling of the Chair that the amendments that actuarial notes have not be secured for are ruled out of order; that is the specific decision of the Chair that Leader Dermody is appealing.

On that, Representative Reed.

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

We would ask the members to uphold the ruling of the Chair, and we would cite precedent from the Legislative Journal from June 15, 2010, with an exchange between then Democratic Speaker Keith McCall and Republican Representative Michele Brooks. In response to an inquiry on HB 2497, amendment A07647, in regard to a similar exchange about the requirement of a PERC note before consideration of such an amendment, Speaker McCall responded as follows: "As a matter of fact,...'any public employee pension or retirement...' system '...shall be considered by either House of the General Assembly until an actuarial note' " is " 'prepared....' Even a technical amendment that would be filed to this bill would require an actuarial note. So your legislation or your amendment would need that actuarial note."

We would cite this precedent by Democratic Speaker Keith McCall, which is the most recent precedent in the Legislative Journal in regard to this issue, as our rationale for upholding the ruling of the Chair.

Thank you, Mr. Speaker.

PARLIAMENTARY INQUIRY

The SPEAKER. Representative Daley, withdraw? Parliamentary inquiry, Representative Daley.

Mr. DALEY. Mr. Speaker, I do not know if I misheard you. My inquiry is that I thought the Chair, I mean, the Speaker ruled earlier that the amendments that did not have the PERC notes, we would delay voting on those until those PERC notes came in today. I thought that was the ruling of the Chair earlier in an inquiry that I made to you.

The SPEAKER. Representative Daley, in just clarifying what the status is in respect to a question from the good gentleman from Allegheny and Westmoreland Counties, I had indicated that it was my understanding, from the respective offices that are responsible for receiving PERC notes, that additional PERC notes were coming. The ones that have come in, we have taken a vote on. There are no PERC notes that have been given to us by those respective offices with respect to those amendments.

So with respect to those amendments as they have come before the Chair at this time without PERC notes, based on precedent they had been ruled out of order.

Representative Dermody, on the appeal, sir.

Mr. DERMODY. Thank you, Mr. Speaker.

Mr. Speaker, there is a significant distinction between Speaker McCall's ruling and the ruling we are discussing now from '84.

The amendments that were being considered during the Speaker McCall ruling did not contain the language that is in my amendments nullifying the requirement for a PERC note, and in the '84 precedent, it is specifically on point where that language was included in the bill, and when the law was passed, that PERC note requirement was nullified and not required.

Therefore, the precedent in '84 should take precedent here because it is more specific. It actually deals with exactly the same case. There is a huge distinction between what went on with Speaker McCall's ruling and the 1984 ruling; therefore, our amendment should be ruled in order.

Thank you, Mr. Speaker.

The SPEAKER. As indicated, the ruling of the Chair is that the amendments without actuarial notes are out of order. It is based on a precedent from 2010. Specifically, Speaker McCall indicated that, quote, unquote, "Even a technical amendment that would be filed to this bill would require an actuarial note." And he ruled it out of order.

Let me read this to you so that we are very clear about the vote. The issue before the body is, shall the decision of the Chair stand as the judgment of the House? Those in favor of sustaining the Chair's decision will be voting "aye"; those opposed will be voting "nay."

On the question recurring,

Shall the decision of the Chair stand as the judgment of the House?

The following roll call was recorded:

YEAS—112

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

NAYS—84

Acosta	Deasy	Kavulich	Parker, C.
Barbin	DeLissio	Keller, W.	Pashinski
Bizzarro	DeLuca	Kim	Petrarca
Boyle	Dermody	Kinsey	Ravenstahl
Bradford	DiGirolamo	Kirkland	Readshaw
Briggs	Donatucci	Kortz	Roebuck
Brown, V.	Driscoll	Kotik	Rozzi
Bullock	Evans	Krueger	Sainato
Burns	Fabrizio	Longietti	Samuelson
Caltagirone	Flynn	Mahoney	Santarsiero
Carroll	Frankel	Markosek	Schlossberg
Cohen	Freeman	Matzie	Schreiber
Conklin	Gainey	McCarter	Schweyer

Costa, D.	Galloway	McClinton	Sims
Costa, P.	Gergely	McNeill	Snyder
Cruz	Gibbons	Miller, D.	Sturla
Daley, M.	Goodman	Mullery	Thomas
Daley, P.	Hanna	Murt	Truitt
Davidson	Harhai	Neilson	Vitali
Davis	Harkins	Neuman	Wheatley
Dawkins	Harris, J.	O'Brien	Youngblood

NOT VOTING—0

EXCUSED—6

Dean	Hennessey	Saccone	Taylor
Farina	Masser		

Less than a majority of the members elected to the House having voted in the negative, the decision of the Chair stood as the judgment of the House.

On the question recurring,

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

Bill as amended was agreed to.

The SPEAKER. The bill as amended will be reprinted.

BILLS REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

HB 1103, PN 1419

By Rep. MAHER

An Act amending the act of October 4, 1978 (P.L.864, No.167), known as the Storm Water Management Act, further providing for definitions and for effect of watershed storm water plans.

ENVIRONMENTAL RESOURCES AND ENERGY.

HB 1712, PN 2580

By Rep. MAHER

An Act establishing the Private Dam Financial Assurance Program and the Private Dam Financial Assurance Fund.

ENVIRONMENTAL RESOURCES AND ENERGY.

HB 1737, PN 2607

By Rep. MAHER

An Act amending the act of December 19, 1996 (P.L.1478, No.190), entitled "An act relating to the recycling and reuse of waste tires; providing for the proper disposal of waste tires and the cleanup of stockpiled tires; authorizing investment tax credits for utilizing waste tires; providing remediation grants for the cleanup of tire piles and for pollution prevention programs for small business and households; establishing the Small Business and Household Pollution Prevention Program and management standards for small business hazardous waste; providing for a household hazardous waste program and for grant programs; making appropriations; and making repeals," further providing for household hazardous waste collection program.

ENVIRONMENTAL RESOURCES AND ENERGY.

RESOLUTION REPORTED FROM COMMITTEE

HR 60, PN 2682 (Amended)

By Rep. MAHER

A Resolution directing the Legislative Budget and Finance Committee to review the Commonwealth's program for beneficial use of sewage sludge by land application.

ENVIRONMENTAL RESOURCES AND ENERGY.

BILL RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader, who moves that SB 1071 be recommitted to the Committee on Appropriations.

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 1295 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 ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 1664, PN 2442**, entitled:

An Act amending the act of October 27, 1955 (P.L.744, No.222), known as the Pennsylvania Human Relations Act, further providing for the title of the act, for findings and declaration of policy, for right to freedom from discrimination in employment, housing and public accommodation, for definitions, for unlawful discriminatory practices, for prohibition of certain real estate practices, for powers and duties of the commission, for educational program, for construction and exclusiveness of remedy and for cooperation of State agencies.

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 1664 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 1664 be removed from the tabled calendar and placed on the active calendar.

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

* * *

The House proceeded to second consideration of **SB 385, PN 1363**, entitled:

An Act amending the act of December 8, 2004 (P.L.1801, No.238), known as the Transit Revitalization Investment District Act, in general provisions, further providing for definitions; in TRID creation and location, further providing for criteria for proposed TRID, for TRID designation, for implementing authority, for TRID planning study factors, for roles and responsibilities of public transportation agencies and municipalities and for amendments to TRID planning study; in land development powers of public transportation agencies, further providing for development or redevelopment of property; in value capture approaches, further providing for creation of value capture area and for dedication of tax revenues; providing for capture of TRID tax revenue; and, in community involvement, further providing for public meeting to explain TRID and alternative implementation approaches.

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 SB 385 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 SB 385 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.

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 590, PN 566**, entitled:

An Act amending the act of July 5, 2012 (P.L.1102, No.132), known as the State System of Higher Education Intellectual Property Act, further providing for title of act, for short title, for definitions and for repeal.

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

BILL TABLED

The SPEAKER. The Chair recognizes the majority leader, who moves that SB 590 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 SB 590 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.

ANNOUNCEMENT BY MR. MURT

The SPEAKER. For what purpose does Representative Murt wish to be recognized?

Mr. MURT. Thank you, Mr. Speaker.

Mr. Speaker, under rule 21, I would like to give notice of my intention to call up Discharge Resolution No. 4 on Sunday, December 20, or any date thereafter.

The SPEAKER. Yes, sir, and that is with respect to HB 135?

Mr. MURT. That is affirmative, Mr. Speaker.

The SPEAKER. Thank you, Representative Murt.

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 Steve Barrar moves that we be adjourned until 11 a.m., e.s.t., tomorrow, Saturday, December 19, 2015, unless sooner recalled by the Speaker.

It is my understanding that the bills will be in position with respect to a number of the important items, Representative Reed has indicated to me. So tomorrow at 11 a.m., Saturday, December 19, 2015.

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

Motion was agreed to, and at 11:43 a.m., e.s.t., the House adjourned.