

# COMMONWEALTH OF PENNSYLVANIA

## LEGISLATIVE JOURNAL

TUESDAY, DECEMBER 22, 2015

SESSION OF 2015

199TH OF THE GENERAL ASSEMBLY

No. 109

### HOUSE OF REPRESENTATIVES

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

#### THE SPEAKER (MIKE TURZAI) PRESIDING

#### PRAYER

HON. HAROLD A. ENGLISH, member of the House of Representatives, offered the following prayer:

Please bow your heads in prayer.

Heavenly Father, thank You for bringing us here together and return us safely to our families. You have blessed each of us with the opportunity to serve our neighbors in our communities. We appreciate all of the staff here in the Capitol that enhance our abilities to do Your work for the people of Pennsylvania.

Be with each of us today and this week to remind us that we can talk to You and ask for guidance. Help us to be wise women and wise men who look for a star of guidance in our own lives and be willing to follow where You lead us. We know that Your unending love gives us hope, and with hope, we can find peace, and that peace brings us joy.

You gave us the greatest joy, Your son, the light of the world. Illuminate us in this great House to work together to improve the lives of our neighbors throughout this Commonwealth.

In God's name we pray. Amen.

#### PLEDGE OF ALLEGIANCE

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

#### JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, the approval of the Journal of Monday, December 21, 2015, will be postponed until printed.

#### JOURNALS APPROVED

The SPEAKER. The following 2015 Journals are in print and, without objection, will be approved:

Tuesday, June 30, 2015;  
Wednesday, July 1, 2015;

Monday, July 20, 2015; and  
Tuesday, July 21, 2015.

It looks like we will have a very exciting day ahead of us.

#### LEAVES OF ABSENCE

The SPEAKER. The majority whip requests a leave of absence for Representative SACCONI of Allegheny County for the day. Without objection, his leave will be marked.

And there are none from the minority whip, no requests from the minority whip.

#### MASTER ROLL CALL

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

The following roll call was recorded:

#### PRESENT—201

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

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

**ADDITIONS—0****NOT VOTING—0****EXCUSED—1**

Saccone

**LEAVES ADDED—6**

Acosta	Daley, P.	Simmons	Zimmerman
Corbin	Maher		

**LEAVES CANCELED—2**

Simmons	Zimmerman
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The SPEAKER. There are 201 members on the master roll. A quorum is present.

**GUESTS INTRODUCED**

The SPEAKER. Located to the left of the rostrum, the Chair welcomes a relative of Representative Greg Rothman from Texas, Josephine Zucker. Josephine, thanks so much for being here today.

And Marie Franklin, many of you may know, works in the Chief Clerk's Office. Located to the left of the rostrum, the Chair is honored to welcome Pfc. Joseph Porter of the United States Marine Corps. Joseph recently graduated from boot camp at Parris Island, South Carolina, and he begins his MOS (Military Occupational Specialty) training in January. Welcome, Joseph. Thanks so much for being with us.

**REPUBLICAN CAUCUS**

The SPEAKER. Madam Chair, Sandra Major, for a caucus announcement, please.

Ms. MAJOR. Thank you, Mr. Speaker.

I would like to announce Republicans will caucus at 11:30. I would ask our Republican members to please report to our caucus room at 11:30. We would be prepared to come back to the floor, Mr. Speaker, at 12:30. Thank you.

**DEMOCRATIC CAUCUS**

The SPEAKER. Representative Frankel, for a minority caucus chair announcement.

Mr. FRANKEL. Thank you, Mr. Speaker.

Democrats will caucus at 11:30. Democrats will caucus at 11:30.

**RECESS**

The SPEAKER. We will stand in recess until 12:30, until 12:30 on the House floor.

**RECESS EXTENDED**

The time of recess was extended until 1 p.m.

**LEAVES OF ABSENCE**

The SPEAKER. Representative SIMMONS, Representative CORBIN, and Representative ZIMMERMAN have requested to be placed on leave. Without objection, those requests will be granted.

**PARLIAMENTARY INQUIRY**

The SPEAKER. Representative Samuelson, you have an inquiry, I believe.

Mr. SAMUELSON. Yes. Thank you, Mr. Speaker.

When the House adjourned earlier, the announcement was that the House would be in recess until 12:30. Then we all received an electronic notification that the recess was extended until 1 o'clock. In fact, that information was put on statewide television. Pennsylvania Cable Network says the House is in recess until 1 o'clock.

The SPEAKER. Sir, please suspend.

We will not start any business until 1 o'clock.

Mr. SAMUELSON. Okay.

My question was, I noticed that the Speaker called the House back to order at 12:48, 12 minutes early. We were not notified about the House being in session 12 minutes before the stated time. Is that—

The SPEAKER. No. Representative Samuelson, Karen Coates, my Chief of Staff, was not here. People just wanted to come up to the floor. We are not doing anything until 1 o'clock.

Mr. SAMUELSON. Okay.

Is that a ruling that the House could not do any business before the stated time that it was going to—

The SPEAKER. Right. We cannot do business until 1 o'clock—

Mr. SAMUELSON. Thank you, Mr. Speaker.

The SPEAKER. —as was sent out in the notification.

Mr. SAMUELSON. Thank you, Mr. Speaker.

The SPEAKER. No business will be done until 1 o'clock, although I have been doing the leaves of absence, just the perfunctory matters.

Will members please take their seats. Members, please take your seats. All members, please take your seats.

## CALENDAR

## RESOLUTION

Mr. REED called up **HR 627, PN 2693**, entitled:

A Resolution adopting a temporary rule of the House of Representatives relating solely to the General Appropriation Bill for the fiscal year 2015-2016, Senate Bill No. 1073 (2015).

On the question,  
Will the House adopt the resolution?

Mr. **TAYLOR** offered the following amendment No. **A05457**:

Amend Resolution, page 1, line 14, by inserting after "1073"  
, except for a motion to revert to Printer's Number 1459,  
Amend Resolution, page 2, line 3, by inserting after  
"amendment,"  
except for a motion to revert to Printer's Number 1459,  
Amend Resolution, page 2, line 11, by inserting after "once."  
A motion to revert to Printer's Number 1459 shall be in order at  
any time.

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

The SPEAKER. On that question, the Chair recognizes Representative Taylor for remarks and an explanation of the amendment.

Mr. TAYLOR. Thank you, Mr. Speaker.

This is amendment 5457 to this House resolution, which changes our rules as it pertains to the budget bill. This amendment merely states that a motion to revert is allowable under this new rule.

I would ask for your support.

The SPEAKER. Does anybody else wish to speak?

Representative Vitali, on the amendment.

Mr. VITALI. Will the maker of the amendment stand for interrogation?

The SPEAKER. The gentleman has indicated he will so stand.

Representative Vitali, the floor is yours.

All members, please take your seats. Members, please take your seats.

You may proceed, sir.

Mr. VITALI. Does this amendment in any way apply to a—  
Would this affect a motion to revert to a prior printer's number with regard to the Fiscal Code bill that is also on the schedule today?

Mr. TAYLOR. No. This is strictly for the budget bill that is being considered today.

Mr. VITALI. Thank you, Mr. Speaker.

I would like to speak on the amendment.

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

Mr. VITALI. I just want to make it clear, Mr. Speaker, that my vote on this bill should not be reflective of the vote I intend to take against a vote to revert to the prior printer's number on the Fiscal Code bill. I just want the Speaker to be clear on that and the rest of the chamber. Thank you.

The SPEAKER. The existing rule that we are operating under now requires a two-thirds vote to revert to a prior printer's number. This temporary rule that is in front of us has the two-thirds requirement as well, consistent with the underlying rule. The amendment would change it from a two-thirds requirement to a majority requirement, 102; 102 requirement. So two-thirds under existing rule, two-thirds under the temporary rule that is in front of us; that would change to a majority vote by virtue of the amendment.

Representative Reed, on the amendment.

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

With all due respect to the gentleman from Philadelphia County, I would respectfully ask the members to oppose amendment A05457. Thank you.

The SPEAKER. Representative Dermody.

Mr. DERMODY. Thank you, Mr. Speaker.

Mr. Speaker, we need the support of this amendment in order for us to get an adequate budget, a budget that all Pennsylvanians can be proud of. We need to support the Taylor amendment.

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

The following roll call was recorded.

## YEAS—107

Acosta	DeLuca	Kinsey	Petri
Barbin	Dermody	Kirkland	Quinn
Barrar	Donatucci	Kortz	Ravenstahl
Bizzarro	Driscoll	Kotik	Readshaw
Boback	English	Krueger	Roebuck
Boyle	Evans	Lewis	Ross
Bradford	Fabrizio	Longietti	Rozzi
Briggs	Farina	Maher	Sainato
Brown, V.	Farry	Mahoney	Samuelson
Bullock	Flynn	Markosek	Santarsiero
Burns	Frankel	Masser	Santora
Caltagirone	Freeman	Matzie	Schlossberg
Carroll	Gainey	McCarter	Schreiber
Christiana	Galloway	McClinton	Schweyer
Cohen	Gergely	McNeill	Sims
Conklin	Gibbons	Miccarelli	Snyder
Costa, D.	Goodman	Miller, D.	Sturla
Costa, P.	Hanna	Milne	Taylor
Cruz	Harhai	Mullery	Thomas
Daley, M.	Harkins	Neilson	Toohil
Daley, P.	Harper	Neuman	Vereb
Davidson	Harris, A.	O'Brien	Vitali
Davis	Harris, J.	O'Neill	Watson
Dawkins	Kaufner	Parker, C.	Wheatley
Dean	Kavulich	Pashinski	White
Deasy	Keller, W.	Payne	Youngblood
DeLissio	Kim	Petrarca	

## NAYS—91

Adolph	Godshall	Major	Reed
Baker	Greiner	Maloney	Reese
Benninghoff	Grove	Marshall	Regan
Bloom	Hahn	Marsico	Roae
Brown, R.	Harhart	McGinnis	Rothman
Causar	Heffley	Mentzer	Sankey
Cox	Helm	Metcalfe	Saylor
Culver	Hennessey	Metzgar	Schemel
Cutler	Hickernell	Millard	Sonney

Day	Hill	Miller, B.	Staats
Delozier	Irvin	Moul	Stephens
Diamond	James	Murt	Tallman
DiGirolamo	Jozwiak	Mustio	Tobash
Dunbar	Kampf	Nesbit	Toepel
Dush	Kauffman	Oberlander	Topper
Ellis	Keller, F.	Ortitay	Truitt
Emrick	Keller, M.K.	Parker, D.	Ward
Evankovich	Killion	Peifer	Warner
Everett	Klunk	Pickett	Wentling
Fee	Knowles	Pyle	Wheeland
Gabler	Krieger	Quigley	
Gillen	Lawrence	Rader	Turzai,
Gillespie	Mackenzie	Rapp	Speaker
Gingrich			

NOT VOTING—0

EXCUSED—4

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

On the question,  
Will the House adopt the resolution as amended?

The following roll call was recorded:

YEAS—185

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

Dermody	Kauffman	Parker, D.	Wentling
DiGirolamo	Kavulich	Pashinski	Wheatley
Donatucci	Keller, F.	Payne	Wheeland
Driscoll	Keller, M.K.	Peifer	White
Dunbar	Keller, W.	Petrarca	Youngblood
Dush	Killion	Petri	
Ellis	Kim	Pickett	Turzai,
English	Kinsey	Quigley	Speaker
Evankovich	Kirkland	Quinn	

NAYS—13

Cox	Krieger	Maloney	Rothman
Diamond	Lawrence	Mustio	Tallman
Emrick	Mackenzie	Pyle	Truitt
Gillen			

NOT VOTING—0

EXCUSED—4

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

### ANNOUNCEMENT BY SPEAKER

The SPEAKER. Members, HR 627, which was adopted by this body, specifically states that within 2 hours of that rule being adopted, amendments may be filed. So we will be back on the floor shortly, but I am going to just wait until the leader speaks with the caucus chair, the leader and the caucus chair, and we will take some announcements.

### REPUBLICAN CAUCUS

The SPEAKER. Madam Chair.

Ms. MAJOR. Thank you, Mr. Speaker.

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

### DEMOCRATIC CAUCUS

The SPEAKER. Representative Frankel.

Mr. FRANKEL. Thank you, Mr. Speaker.

Democrats will caucus immediately. Thank you.

### RECESS

The SPEAKER. Members, we are recessed until 3 p.m., unless sooner recalled by the Speaker. If you are called back sooner, obviously there will be notification electronically to all of the members, but we are in recess until 3 p.m., unless sooner recalled by the Speaker.

### AFTER RECESS

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



### LEAVE OF ABSENCE CANCELED

The SPEAKER. Representative Simmons is back on the House floor and should be listed on the master roll. God bless him.

### ANNOUNCEMENT BY SPEAKER

The SPEAKER. Members, 2 hours have elapsed since the temporary rule was passed.

Also, I just want to indicate, members, rule 19(b), as I indicated, rule 19(b) is the underlying rule in our rules that addresses notice with respect to amendments on budget vehicles.

In addition, the Constitution, the State Constitution, has a 3-day requirement, which sits within our House rule of 19(b). The original resolution, HR 627, shortened the ability to take a vote on a budget vehicle by 1 day, and under our circumstances, so that we would not be here on Christmas Eve, it took it to Wednesday. You were not able to take it any sooner because the Constitution has a 3-day requirement, which you cannot in any way abrogate. So Wednesday was the earliest day that could be taken on either a stopgap budget or any other budget.

The underlying 19(b) rule did require a two-thirds vote for any amendment, as did the temporary rule. Those were consistent. It was the Taylor amendment that passed that took it from two-thirds to a 102 majority. That is just explaining the procedural posture in which we are in.

The original resolution and the underlying 19(b) were the same on the two-thirds. That changed with the Taylor amendment.

Now, we are going to proceed on— And also, there has been, I just want to say, there has been significant precedent for using a temporary rule to get an earlier budget vote, beginning in 1988 under Speaker Manderino. It was also used in 1992, 1996, 1997, 1998, and 1999.

### CALENDAR CONTINUED

### BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of **SB 1073, PN 1485**, entitled:

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

Account to the Judicial Department for the fiscal year July 1, 2015, to June 30, 2016; to provide appropriations from the Motor License Fund for the fiscal year July 1, 2015, to June 30, 2016, for the proper operation of several departments of the Commonwealth and the Pennsylvania State Police authorized to spend Motor License Fund money; to provide for the appropriation of Federal funds to the Executive Department of the Commonwealth and for the payment of bills remaining unpaid at the close of the fiscal year ending June 30, 2015; and to provide for the additional appropriation of Federal and State funds from the General Fund and the State Lottery Fund for the Executive Department of the Commonwealth for the fiscal year July 1, 2014, to June 30, 2015, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2014.

On the question,

Will the House agree to the bill on second consideration?

### BILL REVERTED TO PRIOR PRINTER'S NUMBER

The SPEAKER. The Chair recognizes Representative John Taylor. There is also— How many amendments filed? One amendment is filed.

Representative Taylor.

Mr. TAYLOR. Thank you, Mr. Speaker.

I will make this very brief and to the point. I am moving to revert this bill to its prior printer's number. It is SB 1073, and the prior printer's number is 1459.

For the benefit of the members, reverting to this prior printer's number is the Senate bill that the Senate sent over to us prior to being amended in committee. The advantage of this particular move is that tomorrow we can vote a spending plan and send it to the Governor's desk. It is not the end of the process, but it is certainly an important piece of the beginning of the process, in addition to a pension vote and a revenue package, but this is the budget as people know it. We can have it on the Governor's desk tomorrow, and I would appreciate a "yes" vote on this motion.

The SPEAKER. The motion in front of us is that SB 1073, PN 1485, which has the stopgap language, be reverted to SB 1073, PN 1459, which has the original Senate budget language.

On the question,

Will the House agree to the motion?

### PARLIAMENTARY INQUIRY

The SPEAKER. Does anybody wish to be recognized?

Representative Todd Stephens.

Mr. STEPHENS. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER. Yes, sir; you may.

Mr. STEPHENS. If we were to revert to the prior printer's number, then am I correct that – and then this chamber would tomorrow vote to pass this bill on third consideration – it would go directly to the Governor. Is that right?

The SPEAKER. That is correct.

Mr. STEPHENS. Is the Governor able to sign an appropriations bill— This appropriations bill, if all this were approved, the appropriations bill would spend more money than has been certified as available, so we would need the tax bill to go as well at some point. Is that right?

The SPEAKER. Well, that is a parliamentary inquiry and does not address, you know, the rules and procedures of this House.

It is my understanding, and I am not, as Speaker, I am not the arbiter of that, but you would have to have a tax code to make that possible that it was certified by the Governor. Now, I believe there is a perspective that the Governor might have power to spend up to what revenues are in place, but I am not the arbiter of that decision. That is not the Speaker's role.

Mr. STEPHENS. Well, I guess I am asking relative to the constitutionality of passing a general appropriations bill that would spend more money than has been approved by the General Assembly. Is that permissible? Is it permissible for us to put up a vote on a GA bill that would spend more than is available to the Commonwealth at this point, given the balanced budget requirement in our Constitution?

The SPEAKER. Representative Stephens, you certainly could make a constitutional argument, but after discussion with the Parliamentarian and myself, that would be on second consideration where you would actually be voting on should it be reverted, and you would then tomorrow be voting on that particular legislation. It is the vote of the House that determines constitutionality, but that would be a germane motion tomorrow.

Mr. STEPHENS. Okay.

If this bill were to be approved tomorrow and go directly to the Governor, would the Governor be able to sign that bill without the appropriate tax increase bill before him at the same time?

The SPEAKER. Representative Stephens, the Governor would have to consult his counsel in making that decision under his authority as an executive.

Mr. STEPHENS. Okay. Thank you, Mr. Speaker.

### PARLIAMENTARY INQUIRY

The SPEAKER. Representative Truitt.

Mr. TRUITT. Thank you, Mr. Speaker.

I have a similar parliamentary inquiry.

The SPEAKER. Yes, sir.

Mr. TRUITT. On a rather routine basis here we rule amendments out of order on budget bills on second consideration because they would throw the budget out of balance, and I am curious to know how this motion to go back to a prior printer's number is any different than an amendment that would throw the budget bill out of balance.

The SPEAKER. Under both rule 19(b) and under the temporary rule, you can in fact do an amendment. A reversion is comparable to an amendment, so you can do that particular amendment.

Mr. TRUITT. Well, would that not make the case that then we could consider amendments that throw the budget – that throw things out of balance?

The SPEAKER. Representative Truitt, just as an aside, the Senate did send the budget bill over here without a tax code.

Mr. TRUITT. Agreed.

The SPEAKER. Just a little reminder there.

But my understanding is that you can vote on this reversion to a prior printer's number based on the temporary rule, and it would be the case under 19(b).

Mr. TRUITT. Okay. Thank you, Mr. Speaker.

The SPEAKER. Representative Metcalfe.

Mr. METCALFE. Thank you, Mr. Speaker.

Mr. Speaker, I rise in opposition to the motion to revert to the prior printer's number.

Mr. Speaker, reverting to the prior printer's number will spend \$30.8 billion, an excessive amount of money for what is currently coming into the Commonwealth, an excessive amount of money for what the taxpayers of this State want to deliver to the Commonwealth out of their paychecks, Mr. Speaker.

Mr. Speaker, this reversion to the prior printer's number would make it the same bill that the Senate sent us by a 43-7 vote, and there were Senators who were claiming that that vote was not a tax-increase vote. But, Mr. Speaker, they should not – no one should assume that their constituents do not understand what is happening. If you vote to spend the money, then you are going to have to vote, under our Constitution – there is a constitutional requirement to have a balanced budget – you are going to have to vote to take the money from the taxpayers to pay for this \$30.8 billion spending bill. Mr. Speaker, this is not the type of Christmas present that our constituents were looking for.

The news was reporting that we are coming to vote on a temporary measure, an emergency funding bill, to get us through, to deliver funds for the last 5 months of operation, and to get us into the future so negotiations could continue. Mr. Speaker, the public is going to watch this maneuver and look at it as a bait and switch. When they are out shopping and preparing and traveling to celebrate Christmas with their families, they are going to wake up to the news that the General Assembly totally changed the plan midstream and voted to spend more of their money so that they will have to pay more in taxes, unless this gets to the Governor's desk and he line-item vetoes enough money to balance it with the revenues that are coming in this year, and if he does that, the General Assembly, both sides of the aisle, both chambers, ceded their power to prioritize spending to a man that has no consideration for the needs of this Commonwealth and only has consideration for his own political end.

Mr. Speaker, I ask for a "no" vote.

The SPEAKER. Members, a point of clarification. The original – Representative Truitt, this is directed to your question, because I need to be more clear, and I did not quite understand it myself as the Parliamentarian was explaining it – 19(b) and the original resolution, HR 627, would have prevented, arguably, the reversion for the reason that you made mention of. It was in the Taylor amendment, first offered by Representative Dermody and then changed to be Representative Taylor, to HR 627, PN 2693. It specifically says, "A motion to revert to Printer's Number 1459 shall be in order at any time." It is that amendment that permits that to be offered at this time.

### PARLIAMENTARY INQUIRY

The SPEAKER. So does anybody else wish to speak?

Representative Todd Stephens.

Mr. STEPHENS. Thank you, Mr. Speaker.

So, Mr. Speaker, am I correct that under the resolution that was adopted, I could have filed a motion to add \$100 billion to the education lines in the GA bill and it would have been in order for the House to consider?

The SPEAKER. No; that would not be accurate. It is the specific line that is at the end of the amendment to the resolution that reads, "A motion to revert to Printer's Number 1459 shall be in order at any time."

Mr. STEPHENS. Got it.

The SPEAKER. It is that language.

Mr. STEPHENS. Okay. Thank you, Mr. Speaker.

The SPEAKER. Does anybody else wish to speak on the motion?

Representative Reed.

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

I will not belabor the point. I know we had a discussion earlier today and I understand folks are going to vote how they are going to vote, but I would respectfully ask the members of this body to vote against the motion to revert to the prior printer's number. Thank you.

The SPEAKER. All those in favor of the motion to revert will be voting "aye"; those opposed will be voting "nay."

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

#### YEAS—100

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

#### NAYS—99

Adolph	Greiner	Maloney	Reed
Baker	Grove	Marshall	Reese
Benninghoff	Hahn	Marsico	Regan
Bloom	Harhart	Masser	Roae
Boback	Heffley	McGinnis	Rothman
Brown, R.	Helm	Mentzer	Sankey
Causser	Hennessey	Metcalfe	Saylor
Cox	Hickernell	Metzgar	Schemel
Culver	Hill	Millard	Simmons
Cutler	Irvin	Miller, B.	Sonney
Day	James	Milne	Staats
Delozier	Jozwiak	Moul	Stephens
Diamond	Kampf	Murt	Tallman

DiGirolamo	Kaufer	Mustio	Tobash
Dunbar	Kauffman	Nesbit	Toepel
Dush	Keller, F.	Oberlander	Topper
Ellis	Keller, M.K.	Ortitay	Truitt
Emrick	Killion	Parker, D.	Ward
Evankovich	Klunk	Peifer	Warner
Everett	Knowles	Petri	Watson
Fee	Krieger	Pickett	Wentling
Gabler	Lawrence	Pyle	Wheeland
Gillen	Lewis	Quigley	
Gillespie	Mackenzie	Rader	Turzai,
Gingrich	Major	Rapp	Speaker
Godshall			

#### NOT VOTING—0

#### EXCUSED—3

Corbin	Saccone	Zimmerman
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The majority having voted in the affirmative, the question was determined in the affirmative and the motion was agreed to.

On the question,

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

The SPEAKER. The gentleman, Mr. Markosek, has offered an amendment, 5458, for the current – it was to PN 1459.

Mr. Markosek.

Mr. MARKOSEK. Thank you, Mr. Speaker.

I will be withdrawing this amendment.

On the question recurring,

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

#### PARLIAMENTARY INQUIRY

The SPEAKER. Representative Mustio, on unanimous consent, sir?

Mr. MUSTIO. Mr. Speaker, there seems to be confusion on the last amendment, or the last vote on a motion. Did it pass or did it fail?

The SPEAKER. It passed 100 to 99.

Members, I understand the question at this time.

Representative Mustio is asking if it passed or failed. On a motion, the votes are the majority of those voting. It is not a required vote of 102. The vote was 100 "yeas," 99 "nays," and 3 "excused."

There is a request for a roll-call vote for second consideration of SB 1073. There are 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 members who have requested a second consideration vote on SB 1073. Two members may demand a vote on second consideration, a roll-call vote on second consideration. So there will be a vote, a roll-call vote taken on SB 1073 as PN 1459. Since the reversion vote passed— Now, this is not a required vote of 102; this is a majority vote of the members voting.

So anybody who is in favor of SB 1073, which has gone back to the prior printer's number of 1459, you will be voting "aye"; if you are opposed, you will be voting "nay," and it is on second consideration. To take it just past second consideration,

members are allowed to request a roll-call vote. They have so done. We will be taking a vote to take SB 1073 past second consideration.

### LEAVE OF ABSENCE

The SPEAKER. Representative MAHER is going on leave. Representative Maher is going on leave.

As I said, Representative Maher has requested to be placed on leave for the day. Without objection, that will be granted.

### CONSIDERATION OF SB 1073 CONTINUED

The SPEAKER. Representative Santarsiero?

Mr. SANTARSIERO. Mr. Speaker, I would like to be recognized to speak on the bill, if I may?

The SPEAKER. Yes, sir; you may. Absolutely.

Mr. SANTARSIERO. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of SB 1073 on second consideration. This bill, while not a perfect spending plan for the Commonwealth, is nonetheless a better spending plan for the Commonwealth. I need not remind my colleagues of the date, of the time, and of the many messages that I know we have all received from our constituents throughout our districts about the importance of passing a general appropriations bill. Certainly the time has come to do that. Mr. Speaker, it is time to help our school districts, it is time to help all of the agencies across this Commonwealth that rely on State funding, and it is indeed time to put aside our differences, heartfelt and legitimate though they may be, to do the right thing to pass a budget.

Now, Mr. Speaker, we can indeed have differences about the different lines in this budget. We can debate those things, and we have over the last nearly a year now, but the time has come for us, Republican and Democrat alike, to come together and pass this measure. Yes, we still have to deal with other related bills, and surely we will do that over the next 24 hours, but if we do not vote "yes" on this second consideration vote, then we are not moving this budget forward and we will not have a budget passed tomorrow, 2 days before Christmas.

Mr. Speaker, I know there are many of us on the Democratic side who would like to see more money for education. There are many on the other side of the aisle who would like to see a reduction in certain lines, but again, none of us can have all that we want. Instead, we truly do need to come together to get this passed now. If we do not, if we do not, then we risk this entire process collapsing, we risk not having a budget for an indefinite period of time, and we risk the very real possibility, if not probability, that after the new year our schools will not be opening their doors to their students.

Mr. Speaker, the time has come for us to act.

The SPEAKER. Representative—

Mr. SANTARSIERO. I am sorry, Mr. Speaker. That is quite all right.

Mr. Speaker, the time has come for us to act. And I see that the clock has stopped. So either this is good time management on the field – oh, it is gone again. I urge, I urge all of my colleagues, Republican and Democrat alike, to put aside your differences, and for the benefit of all of our constituents, to come together now and vote to move this bill forward on second consideration and to vote "aye" in just a few moments.

Thank you, Mr. Speaker.

### MOTION TO REVERT TO PRIOR PRINTER'S NUMBER RECONSIDERED

The SPEAKER. At this time a motion to reconsider the vote on SB 1073, PN 1459, that was adopted on December 22 has been filed by four members – Representatives Evankovich, Grove, Gabler, and Metzgar – and this is a reconsideration on the vote to revert to a prior printer's number. So the first vote has to be whether or not to reconsider that vote; simple majority of those voting.

On the question,

Will the House agree to the motion?

The SPEAKER. Anybody wishing to speak on the motion to reconsider? Does anybody wish to be recognized on the motion to reconsider the vote of reverting to a prior printer's number for SB 1073?

The Chair was going to recognize Representative Dermody first, the minority leader, and then the Chair will recognize you, Representative Bradford.

### LEAVE OF ABSENCE CANCELED

The SPEAKER. Also, Representative Zimmerman is on the House floor and wishes to be marked on the master roll.

### CONSIDERATION OF SB 1073 CONTINUED

The SPEAKER. Representative Dermody.

Mr. DERMODY. Thank you, Mr. Speaker.

Mr. Speaker, our only pathway to pass a budget, to pass a budget before Christmas, to pass a budget that funds Pennsylvania's priorities is to have SB 1073 moved to third consideration tomorrow. This is part of a deal that every other caucus has agreed to, the House Republicans agreed to. It does the job for the people of Pennsylvania.

Now, it is time to stop the fooling around. It is time to stop the procedural gimmicks that will prevent us from doing what we need to do for the students of Pennsylvania, our most vulnerable citizens. We need to pass this budget now, we need to move it to third consideration, and we need to vote it tomorrow and we need to vote the other code bills we have to vote. We need to give Pennsylvanians a budget, and we need to go home.

Now, it is time. You can play these silly games all you want, but who are suffering are going to be – the kids will be suffering, our most vulnerable citizens will be suffering. We can do the right thing. We need to do the right thing.

The Senate sent us this bill. It is time for us to vote it, move it to third consideration. Let us vote it tomorrow morning and go home.

Thank you, Mr. Speaker.

The SPEAKER. Representative Evankovich will be followed by Representative Taylor.

Representative Bradford, you waived off, right? Okay.



**PARLIAMENTARY INQUIRY**

Mr. TAYLOR. Parliamentary inquiry.

The SPEAKER. Yes; Representative Taylor.

Mr. TAYLOR. Mr. Speaker, was there not just a motion on the board to have a roll-call vote to second? Whatever happened to that?

The SPEAKER. I asked the Parliamentarian which took precedence, and the motion to reconsider, once filed, takes precedence over going to the roll-call vote. The roll-call vote allows the bill to move past second. Thus, any motions made with respect to that vote would have to take place before moving to the vote on a roll call to take it past second, and I did consult the Parliamentarian on that issue.

Representative Evankovich.

Mr. EVANKOVICH. Thank you, Mr. Speaker.

Mr. Speaker, I would respectfully ask the membership to support the motion to reconsider the vote on reverting to a prior printer's number for SB 1073. Mr. Speaker, reconsidering this vote will ensure that we can pass an appropriate constitutional budget here in this chamber so that our school districts, our nonprofits, and our government agencies do not have to be held hostage by this process any longer. Thank you.

**PARLIAMENTARY INQUIRIES**

The SPEAKER. Representative Metcalfe.

Mr. METCALFE. Mr. Speaker, these votes that we are taking today are very important, and I think it is important to ensure that the members that are here are voting and that they are not being voted by someone else. What motion do we make to ensure that members are actually here voting themselves, Mr. Speaker?

The SPEAKER. The historical precedent is this: All members should take their seats. If there is any challenge to the seating of a member, that has to be raised by either the majority leader or the minority leader, but all members should take their seats, and that is the historical precedent. It is not a ruling of the Speaker to determine.

Representative Metcalfe.

Mr. METCALFE. Mr. Speaker, if you made your leadership aware of a situation and it is not acted on, what is still there for the membership to do to hold this body accountable to ensure that people are being voted appropriately?

The SPEAKER. Representative Metcalfe, if you have raised the issue, members should take their seats. Everybody knows, I believe, where they are voting on these, and I think we should proceed with the vote.

Yes, sir; one last parliamentary inquiry.

Mr. METCALFE. I would like to make a motion, call of the House, Mr. Speaker.

The SPEAKER. The call of the House does not apply to this fact pattern.

Mr. METCALFE. Thank you, Mr. Speaker.

The SPEAKER. All those in favor of reconsideration will be voting "aye"; those opposed to reconsideration will be voting "nay."

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

The following roll call was recorded:

**YEAS—98**

Adolph	Godshall	Maloney	Reed
Baker	Greiner	Marshall	Reese
Benninghoff	Grove	Marsico	Regan
Bloom	Hahn	Masser	Roae
Boback	Harhart	McGinnis	Rothman
Brown, R.	Heffley	Mentzer	Sankey
Causser	Helm	Metcalfe	Saylor
Cox	Hennessey	Metzgar	Schemel
Culver	Hickernell	Millard	Simmons
Cutler	Hill	Miller, B.	Sonney
Day	Irvin	Milne	Stephens
DeLozier	James	Moul	Tallman
Diamond	Jozwiak	Murt	Tobash
DiGirolamo	Kampf	Mustio	Toepel
Dunbar	Kaufer	Nesbit	Topper
Dush	Kauffman	Oberlander	Truitt
Ellis	Keller, F.	Ortitay	Ward
Emrick	Keller, M.K.	Parker, D.	Warner
Evankovich	Killion	Peifer	Watson
Everett	Klunk	Petri	Wentling
Fee	Knowles	Pickett	Wheeland
Gabler	Krieger	Pyle	Zimmerman
Gillen	Lawrence	Quigley	
Gillespie	Mackenzie	Rader	Turzai,
Gingrich	Major	Rapp	Speaker

**NAYS—101**

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

**NOT VOTING—0****EXCUSED—3**

Corbin	Maher	Saccone
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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?

The SPEAKER. We are now proceeding to the vote to move the bill past second. That will be a roll-call vote.

I know that folks spoke on that issue. Does anybody else wish to speak on the bill? The vote will be on the bill.

Members, we are going to go at ease. The leaders have had discussions with respect to certain members being in their seats at the request of Representative Metcalfe. We are not going to be moving to the next vote until we have some clarification on this issue.

We are going to stand at recess for the time being – at ease. We are going to be at ease. I apologize; at ease.

The House will come to order.

Would the leaders please approach the rostrum. We really need to bring the House back in order, and those who are here to vote will be able to vote; those who are not here to vote should not be voting.

Please, members, take your seats, and the leaders will please come to the rostrum.

(Conference held at Speaker's podium.)

The SPEAKER. All members, please take your seats.

Representative Mustio, the Chair will recognize you once I have everybody in their seats.

It is my understanding that the minority whip and the majority whip will be requesting leaves for any members that are not in their seats.

### PARLIAMENTARY INQUIRY

The SPEAKER. Representative Mustio, you are recognized on unanimous consent.

Mr. MUSTIO. Thank you, Mr. Speaker.

Since we do not go through this process very often, I just want to make sure that I understand what I am doing here and what possibly could happen tomorrow if we do or do not vote this from second to third, if that is okay, Mr. Speaker?

The SPEAKER. Yes, sir. Parliamentary inquiry is appropriate.

Mr. MUSTIO. Thank you.

So normally we do not do this. So normally a bill will be read. If there are no amendments, it just automatically proceeds from second to third. Is that correct?

The SPEAKER. After the Speaker agrees on behalf of the House. I actually put that into the record.

Mr. MUSTIO. Right. If there is an amendment, then you follow that same procedure.

The SPEAKER. Correct.

Mr. MUSTIO. Okay. So because this is very visible on who is here today and it may change who is here tomorrow, if this does not pass from second to third today, is it possible for that to be reconsidered tomorrow?

The SPEAKER. Yes.

Mr. MUSTIO. To take it back from wherever it is to wherever those that want to reconsider it to take it.

So is that a simple majority vote to do that, or is it 102?

The SPEAKER. Simple majority.

Mr. MUSTIO. All right. I am asking these questions not to persuade anyone to vote a certain way. As we approach December – does anybody know what day it is? – that it is feasible— Okay. I think everybody gets my point. Thank you.

### LEAVES OF ABSENCE

The SPEAKER. The minority whip, with respect to any requests for leaves of absence. Representative Pete DALEY has requested to be placed on leave for the day, and Representative ACOSTA has requested to be placed on leave for the day. Without objection, those are granted.

The majority whip, are there any additional requests for leaves of absence? No.

### PARLIAMENTARY INQUIRY

The SPEAKER. Representative Taylor.

Mr. TAYLOR. Parliamentary inquiry, Mr. Speaker.

The SPEAKER. Yes, sir.

Mr. TAYLOR. So if this motion would pass, then tomorrow if this bill, in whatever form it takes, is moved to third, we are definitely past tomorrow no matter what. Is that correct?

The SPEAKER. Yes, it would be on third consideration for a vote tomorrow.

Mr. TAYLOR. So there is no way we could put a general appropriations bill on the Governor's desk prior to at least Christmas Eve?

The SPEAKER. No; it could be tomorrow. Tomorrow is Wednesday the 23d. That is third consideration.

Mr. TAYLOR. No; it is just the opposite.

The SPEAKER. Representative Taylor, I apologize. You are saying that if the vote on this to go past second consideration should fail?

Mr. TAYLOR. No; if this should pass, Mr. Speaker.

The SPEAKER. Oh, yes. If this passes, you would have the vote tomorrow on third consideration. That is correct.

Mr. TAYLOR. No, Mr. Speaker. If this passes, it means that— Oh, that is right. You are correct. I got it.

If this passes, then we can vote it on third. If it fails, then we would have to move it to third tomorrow at the very best.

The SPEAKER. Yes. If this moves past second consideration on this vote, the bill would be available to vote on third consideration and it would go to the Governor's desk.

Mr. TAYLOR. Just to be clear, if you want this to move to third, it is a vote in the affirmative, correct?

The SPEAKER. Yes. I will be stating that.

Also, if it should not pass, it essentially stays seated in second and cannot move to third. It just essentially stays there. That is the consequence of a "no" vote: it cannot move forward in the constitutional process.

It is a simple majority vote. Members, this is a simple majority vote. It is not a motion; it is actually— If more than two members request a roll-call vote on second consideration, to move it past second consideration to third, then you must take a roll-call vote.

All those who wish to move past second consideration will be voting "aye"; those opposed will be voting "nay."

On the question recurring,

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

The following roll call was recorded:

#### YEAS—100

Barbin	Donatucci	Kim	Petrarca
Barrar	Driscoll	Kinsey	Quinn
Bizzarro	Ellis	Kirkland	Ravenstahl
Boyle	English	Kortz	Readshaw
Bradford	Evans	Kotik	Roebuck
Briggs	Fabrizio	Krueger	Ross
Brown, V.	Farina	Lewis	Rozzi
Bullock	Farry	Longietti	Sainato
Burns	Flynn	Mahoney	Samuelson
Caltagirone	Frankel	Markosek	Santarsiero
Carroll	Freeman	Matzie	Santora
Cohen	Gainey	McCarter	Schlossberg
Conklin	Galloway	McClinton	Schreiber
Costa, D.	Gergely	McNeill	Schweyer
Costa, P.	Gibbons	Miccarelli	Sims
Cruz	Godshall	Miller, D.	Snyder
Daley, M.	Goodman	Milne	Sturla
Davidson	Hanna	Mullery	Taylor
Davis	Harhai	Neilson	Thomas
Dawkins	Harkins	Neuman	Toohil
Dean	Harper	O'Brien	Vereb
Deasy	Harris, A.	O'Neill	Vitali
DeLissio	Harris, J.	Parker, C.	Wheatley
DeLuca	Kavulich	Pashinski	White
Dermody	Keller, W.	Payne	Youngblood

#### NAYS—97

Adolph	Greiner	Marshall	Regan
Baker	Grove	Marsico	Roe
Benninghoff	Hahn	Masser	Rothman
Bloom	Harhart	McGinnis	Sankey
Boback	Heffley	Mentzer	Saylor
Brown, R.	Helm	Metcalfe	Schemel
Causar	Hennessey	Metzgar	Simmons
Christiana	Hickernell	Millard	Sonney
Cox	Hill	Miller, B.	Staats
Culver	Irvin	Moul	Stephens
Cutler	James	Murt	Tallman
Day	Jozwiak	Mustio	Tobash
Delozier	Kampf	Nesbit	Toepel
Diamond	Kaufer	Oberlander	Topper
DiGirolamo	Kauffman	Ortitay	Truitt
Dunbar	Keller, F.	Parker, D.	Ward
Dush	Keller, M.K.	Peifer	Warner
Emrick	Killion	Petri	Watson
Evankovich	Klunk	Pickett	Wentling
Everett	Knowles	Pyle	Wheeland
Fee	Krieger	Quigley	Zimmerman
Gabler	Lawrence	Rader	
Gillen	Mackenzie	Rapp	Turzai,
Gillespie	Major	Reed	Speaker
Gingrich	Maloney	Reese	

#### NOT VOTING—0

#### EXCUSED—5

Acosta	Daley, P.	Maher	Saccone
Corbin			

The majority having voted in the affirmative, the question was determined in the affirmative and the bill as amended was agreed to.

(Bill as amended will be reprinted.)

### BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 231, PN 225**, entitled:

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, in hunting and furtaking licenses, further providing for authorized license-issuing agents.

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 HB 231 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 231 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 544, PN 960**, entitled:

An Act amending the act of February 2, 1965 (P.L.1860, No.586), entitled "An act encouraging landowners to make land and water areas available to the public for recreational purposes by limiting liability in connection therewith, and repealing certain acts," further providing for liability for landowners to recreational users; and providing for attorney fees and court costs.

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 544 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 544 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 352, PN 1436**, entitled:

An Act amending the act of December 17, 1981 (P.L.435, No.135), known as the Race Horse Industry Reform Act, in general provisions, further providing for definitions; repealing provisions relating to the State Horse Racing Commission and State Harness Racing Commission; in racing oversight, providing for racing oversight, for pari-mutuel wagering licensing and for advance deposit wagering; providing for compliance; in medication rules and enforcement provisions, further providing for mandatory requirements for medication rules, for establishment of Pennsylvania Race Horse Testing Program, for costs for enforcement of medication rules; providing for the cessation of the State Horse Racing Commission and the State Harness Racing Commission; providing for a study; and making a repeal.

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 352 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 352 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 526, PN 1295**, entitled:

An Act amending the act of May 1, 1933 (P.L.103, No.69), known as The Second Class Township Code, in auditors and accountants, further providing for completion, filing and publication of annual township report and financial statement.

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 526 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 526 be removed from the tabled calendar and placed on the active calendar.

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

**RESOLUTION**

Mr. REED called up **HR 389, PN 1782**, entitled:

A Resolution appointing a committee and empowering it to make investigation.

On the question,  
Will the House adopt the resolution?

**RESOLUTION TABLED**

The SPEAKER. The Chair recognizes the majority leader, who moves that HR 389 be removed from the active calendar and placed on the tabled calendar.

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

**RESOLUTION REMOVED FROM TABLE**

The SPEAKER. The Chair recognizes the majority leader, who moves that HR 389 be removed from the tabled calendar and placed on the active calendar.

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

The SPEAKER. The Chair recognizes the majority leader for a Rules Committee announcement.  
I apologize; I do have one more item.

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

The House proceeded to consideration of concurrence in Senate amendments to the following **HB 1327, PN 2694**, as further amended by the House Rules Committee:



An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, in oil and gas wells, providing for the Environmental Stewardship Fund; in tax credits, providing for the Department of Community and Economic Development; in special funds, further providing for funding, for State Workers' Insurance Board and for expiration; in additional special funds, further providing for use of the Tobacco Settlement Fund and for distributions from the Pennsylvania Race Horse Development Fund and providing for miscellaneous limitations and transfers; in general budget implementation, further providing for the Department of Public Welfare and for the Pennsylvania State Police; providing for school district debt refinancing bonds; providing for 2015-2016 budget implementation and for 2015-2016 General Appropriation Act; making related repeals; and making editorial changes.

On the question,

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

### **BILL RECOMMITTED**

The SPEAKER. The Chair recognizes the majority leader, who moves that HB 1327 be removed from the active calendar and recommitted to the Rules Committee.

On the question,

Will the House agree to the motion?

Motion was agreed to.

### **RULES COMMITTEE MEETING**

The SPEAKER. Representative Reed, for a Rules Committee announcement.

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

There will be a meeting of the House Rules Committee at 6 this evening in the House majority Appropriations conference room. There will be a meeting of the House Rules Committee at 6 this evening in the House Appropriations Committee conference room. Thank you.

The SPEAKER. There will be a House Rules Committee meeting at 6 this evening in the House majority Appropriations conference room.

### **ANNOUNCEMENT BY SPEAKER**

The SPEAKER. Members, there will be no more votes today. The desk will be kept open.

### **RECESS**

The SPEAKER. This House stands in recess until the call of the Chair.

### **AFTER RECESS**

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

## **BILLS ON CONCURRENCE REPORTED FROM COMMITTEE**

**HB 530, PN 2696** (Amended)

By Rep. REED

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in preliminary provisions, further providing for criminal history of employees and prospective employees and conviction of certain offenses and for Keystone exams; providing for powers and duties of the Secretary of Education; in duties and powers of boards of school directors, providing for publication of policies; providing for school watch, and for State opportunity schools; in grounds and buildings, providing for posting of information and further providing for limitations on approval of public school building projects; and establishing the Public School Building Construction and Reconstruction Advisory Committee; in professional employees; further providing for payment of salaries in cases of sickness, injury or death; in certification of teachers, further providing for granting provisional college certificates and providing for provisional vocational education; in pupils and attendance, further providing for education and training of exceptional children; and for cost of tuition and maintenance of certain exceptional children in approved institutions; in school health services, further providing for definitions; providing for education of school employees in diabetes care and management, for diabetes care in schools, for possession and use of diabetes medication and monitoring equipment, for liability, for coordinating, supervising or educating not considered delegation and for diabetes care in nonpublic schools; in terms and courses of study, further providing for agreements with institutions of higher education; in education support services and educational assistance programs, providing for supplemental online mathematics support; in opportunities for educational excellence, further providing for definitions, for responsibilities of school entities and for concurrent enrollment agreements; in charter schools, extensively revising and adding charter school provisions; in vocational education, further providing for vocational education equipment grants; in community colleges, further providing for election or appointment and term and organization of board of trustees, financial program and payment reimbursement; in disruptive student programs, further providing for applications; in private alternative education institutions for disruptive students, further providing for contracts with private alternative education institutions; providing for rural regional college for underserved counties; in funding for public libraries, providing for State aid for fiscal year 2015-2016; in reimbursements by Commonwealth and between school districts, providing for student-weighted basic education funding, for transition to student-weighted basic education funding for 2014-2015 school year and for career and technical education career preparation; further providing for payments to intermediate units, for special education payments to school districts and for extraordinary special education program expenses; repealing provisions relating to special education funding for eligible students with disabilities in Cost Category 3; further providing for assistance to school districts declared to be in financial recovery status or identified for financial watch status; providing for reimbursement for school districts not submitting required documentation, for public school building lease and debt service reimbursements for fiscal year 2015-2016 and for ready-to-learn block grants; providing for school district debt refinancing bonds; in the State Board of Education, further providing for powers and duties of the board; and repealing provisions of The Fiscal Code relating to rural regional college for underserved counties.

### **RULES.**

**HB 1327, PN 2697** (Amended)

By Rep. REED

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, in cigarette sales and licensing, further providing for definitions, for retention of records and for violations and penalties and providing for preemption; in financially distressed municipalities, providing for financial recovery; in oil and gas wells, providing for the Environmental Stewardship Fund; in special funds,

further providing for funding, for State Workers' Insurance Board, for expiration and for other grants; in additional special funds, further providing for use of the Tobacco Settlement Fund and for distributions from the Pennsylvania Race Horse Development Fund and providing for miscellaneous limitations and transfers and for the Natural Gas Infrastructure Development Fund; in general budget implementation, further providing for the Department of Community and Economic Development, for the Department of Education, for the Department of Environmental Protection, for the Department of General Services, for the Department of Public Welfare, for the Pennsylvania State Police, for the Environmental Quality Board and for the Pennsylvania Housing Finance Agency and providing for the Commonwealth Financing Authority; providing for 2015-2016 budget implementation; making related repeals; and making editorial changes.

RULES.

### **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 John Lawrence moves that the House be adjourned until tomorrow morning, Wednesday, December 23, 2015, at 9 a.m., e.s.t., unless sooner recalled by the Speaker; 9 a.m.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 6:56 p.m., e.s.t., the House adjourned.