

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

THURSDAY, JUNE 30, 2016

SESSION OF 2016

200TH OF THE GENERAL ASSEMBLY

No. 47

HOUSE OF REPRESENTATIVES

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

THE SPEAKER (MIKE TURZAI) PRESIDING

PRAYER

The SPEAKER. Our prayer will be offered today by Imam Hassan Ahmed, who is currently stationed here in Harrisburg's Hadee Mosque for the duration of the holy month of Ramadan. He is the guest of our good friend and colleague, Representative Dawkins.

IMAM HASSAN AHMED, Guest Chaplain of the House of Representatives, offered the following prayer:

(Prayer in Arabic.)

I begin in the name of the God of Abraham, Ishmael, and Isaac; the God of Moses, Jesus, and Muhammad – peace be upon them all – the God who is the most gracious, the ever merciful.

(Prayer in Arabic.)

May the peace and blessings of God be upon you all.

I am honored and humbled to stand before you today, a member of the Ahmadiyya Muslim community, Muslims who believe in the Messiah, as we join together in prayer before our creator.

All praise belongs to God, Lord of all the worlds. The gracious, the merciful, master of the Day of Judgment, Thee alone do we worship and Thee alone do we implore for help. Guide us in the right path – the path of those on whom Thou hast bestowed Thy blessings, those who have not incurred Thy displeasure, and those who have not gone astray.

Our Lord, do not punish us if we forget or fall into error. Our Lord, lay not upon us a responsibility as Thou did lay upon those before us. Our Lord, burden us not with what we have not the strength to bear and efface our sins and grant us forgiveness and have mercy on us. Surely Thou art our master. Our Lord, forgive us our errors and our excesses in our conduct and make firm our actions and steps and bestow upon us mercy from Thyself and provide for us guidance in our affairs.

You are the Representatives of the great people of this great State. You have been entrusted with authority and power on their behalf. It is your responsibility to your fellowman and to God that you always keep this in mind and fight for what is

right and what is just. I pray that God grants you guidance and strength from himself so that you may fulfill the duties and obligations that have been placed upon your shoulders and so that you may be able to justly discharge the trust placed upon you. 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 Wednesday, June 29, 2016, will be postponed until printed.

JOURNALS APPROVED

The SPEAKER. However, the following 2016 Journals are in print and, without objection, will be approved:

Monday, January 11, 2016;
Tuesday, January 12, 2016;
Monday, January 25, 2016;
Tuesday, January 26, 2016; and
Wednesday, January 27, 2016.

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

HB 1416, PN 3680 (Amended)

By Rep. O'NEILL

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, in corporate net income tax, further providing for definitions.

FINANCE.

HB 2148, PN 3681 (Amended)

By Rep. BARRAR

An Act amending the act of June 28, 1935 (P.L.477, No.193), referred to as the Enforcement Officer Disability Benefits Law, amending the title of the act; and providing for eligibility of firemen of airport authorities, firemen employed by the Commonwealth and emergency medical services personnel of cities.

VETERANS AFFAIRS AND EMERGENCY
PREPAREDNESS.

SENATE MESSAGE

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

The clerk of the Senate, being introduced, returned **HB 1062, PN 3638**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

SENATE MESSAGE

HOUSE BILLS
CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, returned **HB 64, PN 55; HB 1335, PN 1817; HB 2175, PN 3550; HB 2176, PN 3551; HB 2177, PN 3552; HB 2178, PN 3553; HB 2179, PN 3554; HB 2180, PN 3555; HB 2182, PN 3557; HB 2183, PN 3558; and HB 2184, PN 3559**, with information that the Senate has passed the same without amendment.

LEAVES OF ABSENCE

The SPEAKER. The majority whip requests leave of absence for Gary DAY of Lehigh County for the day. Without objection, that will be granted.

The minority whip requests leaves of absence for Tony DeLUCA of Allegheny County for the day, Pam DeLISSIO of Philadelphia County for the day, Bob FREEMAN of Northampton County for the day, Marc GERGELY of Allegheny County for the day, Dan McNEILL of Lehigh County for the day, and Dwight EVANS of Philadelphia County for the day. Without objection, those will be granted.

MASTER ROLL CALL

The SPEAKER. We will proceed to the master roll. Members, you may vote on the master roll.

The following roll call was recorded:

PRESENT—195

Acosta	Fabrizio	Lewis	Reed
Adolph	Farina	Longietti	Reese
Artis	Farry	Mackenzie	Regan
Baker	Fee	Maher	Roae
Barbin	Flynn	Mahoney	Roebuck
Barrar	Frankel	Major	Ross
Benninghoff	Gabler	Maloney	Rothman
Bizzarro	Gainey	Markosek	Rozzi
Bloom	Galloway	Marshall	Saccone
Boback	Gibbons	Marsico	Sainato
Boyle	Gillen	Masser	Samuelson
Bradford	Gillespie	Matzie	Sankey
Briggs	Gingrich	McCarter	Santarsiero
Brown, R.	Godshall	McClinton	Santora
Brown, V.	Goodman	McGinnis	Savage
Bullock	Greiner	Mentzer	Saylor
Burns	Grove	Metcalfe	Schemel
Caltagirone	Hahn	Metzgar	Schlossberg
Carroll	Hanna	Miccarelli	Schreiber

Causer	Harhai	Millard	Schweyer
Christiana	Harhart	Miller, B.	Simmons
Cohen	Harkins	Miller, D.	Sims
Conklin	Harper	Milne	Snyder
Corbin	Harris, A.	Moul	Sonney
Costa, D.	Harris, J.	Mullery	Staats
Costa, P.	Heffley	Murt	Stephens
Cox	Helm	Mustio	Sturla
Cruz	Hennessey	Neilson	Tallman
Culver	Hickernell	Nelson	Taylor
Cutler	Hill	Nesbit	Thomas
Daley, M.	Irvin	Neuman	Tobash
Daley, P.	James	O'Brien	Toepel
Davidson	Jozwiak	O'Neill	Toohil
Davis	Kampf	Oberlander	Topper
Dawkins	Kaufer	Ortitay	Truitt
Dean	Kauffman	Parker, D.	Vereb
Deasy	Kavulich	Pashinski	Vitali
Delozier	Keller, F.	Payne	Ward
Dermody	Keller, M.K.	Peifer	Warner
Diamond	Keller, W.	Petrarca	Watson
DiGirolamo	Kim	Petri	Wentling
Donatucci	Kinsey	Pickett	Wheatley
Driscoll	Kirkland	Pyle	Wheeland
Dunbar	Klunk	Quigley	White
Dush	Knowles	Quinn	Youngblood
Ellis	Kortz	Rader	Zimmerman
Emrick	Kotik	Rapp	
English	Krueger	Ravenstahl	Turzai,
Evankovich	Lawrence	Readshaw	Speaker
Everett			

ADDITIONS—0

NOT VOTING—0

EXCUSED—7

Day	DeLuca	Freeman	McNeill
DeLissio	Evans	Gergely	

LEAVES ADDED—4

Daley, P.	Day	DiGirolamo	Lewis
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LEAVES CANCELED—7

Daley, P.	DeLuca	Evans	McNeill
Day	DiGirolamo	Lewis	

The SPEAKER. One hundred and ninety-five members being present, there is a quorum in the House today.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HB 64, PN 55

An Act providing for suicide prevention continuing education.

HB 1335, PN 1817

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in powers of department and local authorities, further providing for emergency telephones along Pennsylvania Turnpike.

HB 2175, PN 3550

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

HB 2176, PN 3551

An Act making an appropriation from the State Employees' Retirement Fund to provide for expenses of the State Employees' Retirement Board for the fiscal year July 1, 2016, to June 30, 2017, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2016.

HB 2177, PN 3552

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

HB 2178, PN 3553

An Act making appropriations from the restricted revenue accounts within the State Gaming Fund and from the State Gaming Fund to the Pennsylvania Gaming Control Board, the Department of Revenue, the Pennsylvania State Police and the Attorney General for the fiscal year beginning July 1, 2016, to June 30, 2017, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2016.

HB 2179, PN 3554

An Act making appropriations from the Workmen's Compensation Administration Fund to the Department of Labor and Industry and the Department of Community and Economic Development to provide for the expenses of administering the Workers' Compensation Act, The Pennsylvania Occupational Disease Act and the Office of Small Business Advocate for the fiscal year July 1, 2016, to June 30, 2017, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2016.

HB 2180, PN 3555

An Act making appropriations from the Philadelphia Taxicab and Limousine Regulatory Fund and the Philadelphia Taxicab Medallion Fund to the Philadelphia Parking Authority for fiscal year July 1, 2016, to June 30, 2017.

HB 2182, PN 3557

An Act making an appropriation from the Public School Employees' Retirement Fund to provide for expenses of the Public School Employees' Retirement Board for the fiscal year July 1, 2016, to June 30, 2017, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2016.

HB 2183, PN 3558

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

HB 2184, PN 3559

An Act making appropriations from a restricted revenue account within the General Fund and from Federal augmentation funds to the Pennsylvania Public Utility Commission for the fiscal year July 1, 2016, to June 30, 2017.

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

The SPEAKER. Members, please take your seats.

GUESTS INTRODUCED

The SPEAKER. Located to the left of the rostrum, the Chair welcomes Kristen Reece, who attends Avon Grove High School, and she is here with her stepfather, Brian Wenzka, who is the mayor of Atglen Borough in Chester County. They are the guests of Representative John Lawrence. Could you please rise. Thank you so much for being here today.

And Representative Gabler and Representative Sankey welcome to our left Susan, Emily, and Elizabeth Williams from Clearfield County. If you could please stand. Thank you so much for being with us today.

Representative Phillips-Hill welcomes an intern from her district office. Robert Wood, if he could please stand. Robert is attending the Penn State Dickinson School of Law. It is great to have you here today. Thank you.

Members, I would ask you to take your seats. We are going to be honoring a person who has provided 35 years of service to the House of Representatives. So I would ask everybody to please take their seats.

LEAVE OF ABSENCE

The SPEAKER. Representative Harry LEWIS has requested to be placed on leave. Without objection, that will be granted.

I would invite Representative Delozier also to come up to the rostrum at this time.

LEAVE OF ABSENCE CANCELED

The SPEAKER. Representative Harry Lewis is on the House floor, and he should be placed back on the master roll.

BILL JONES PRESENTED

The SPEAKER. Members, please take your seats.

Many of you know Bill Jones, our current reading clerk. Bill is a face and voice familiar to all of us. He has been an unwavering and hardworking employee for the House of Representatives and for the citizens of Pennsylvania. He began his career as a messenger for the House Republican Caucus following graduation from Mechanicsburg High School.

Now, I will tell you, Bill is just an outstanding individual, and we are going to miss him very, very much.

REMARKS BY MS. DELOZIER

The SPEAKER. I am going to ask Representative Sheryl Delozier, who is his friend and State Representative, to read from the citation honoring Bill for his service.

Ms. DELOZIER. Thank you, Mr. Speaker.

Before I start talking about the many, many things that Bill has done for us here in the House, I do have to say that we are

very lucky, those of us that are central Pennsylvania Representatives, because we get to represent so many of the great hardworking individuals not only here in the House but in the State as a whole with State employees. So Bill is just one very, very good example of what we count on every day to make this State operate.

But to get to the official part of it, as the Speaker mentioned, he has been a graduate of the local high school in the 88th District, Mechanicsburg High School, and in 1983 became a calendar and voting schedule clerk with the House Calendar and Amendment Room, and throughout his career he continued to train and fill in as the roll-call clerk and reading clerk.

In addition to working for us, he has run a local painting business since 1987, so he has been very busy not only here but in his off time. And he has spent the 35 years here within the hall of the House having been witness to countless historical moments in Pennsylvania history, some of them good, some of them bad, but I am sure he has lots of stories to tell.

Throughout his tenure he has been a valuable member of our staff, keeping us all informed on the legislation that we have before us. Bill will be deeply missed by all of those who have worked with him and who have benefited from his dedicated commitment. And I will say that, just standing up here, the staff has informed us that they are not happy about this retirement. So if you happen to change your mind at all, you know, be sure and let us know, but I am sure his family will appreciate having him home.

But again, just as the ability for local Representatives, we truly have the ability to be proud of those that work for us here in the State. I know all of us, no matter where we represent, truly lean on our staff and count on them day in and day out, and those of us that have the extra benefit and the extra honor of being able to actually represent them in our districts, we just want to say thank you, Bill, for your tremendous, tremendous work here within the House. We could not have done it without you, and you will be truly missed.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, Representative Delozier.

Now, members, for this part I would especially ask that everybody please take their seats. We are going to be introducing Bill's family, who has taken the time to come here upon his retirement after 35 years of work for the House of Representatives.

First of all, Bill's wife, Colleen, please stand. Colleen, it is so wonderful to have you here today. His daughter, Sara. Sara, it is so great that you came to be with us today. Thank you. And his mother-in-law and father-in-law, Rose Marie and Charles Fogarty. Thank you so much for being with us today. Now, his daughter, Stephanie, could not be here today, and we send high regards, and I hope Bill is going to say hello to her from the rostrum, as well as his parents, Richard and Helena Jones of Florida, could not be with us today, but they are all here in spirit.

Bill, on a personal level, we wish you the very best as you begin a new chapter in your life. You have always been joyous, knowledgeable, quick-witted, easygoing, certainly dependable, and certainly selfless. You just are an all-around outstanding employee and friend to those folks that are here, both the members and your fellow employees who support the citizens of Pennsylvania. Thank you for your outstanding service and God bless.

REMARKS BY MR. JONES

The SPEAKER. You cannot be the person who is at the reading desk and not say a few words.

Bill, the floor is yours, sir.

Mr. JONES. Thirty-five years, I do not know exactly where they went. You cannot make some of this stuff up that happens here on the House floor even if you tried. But the one thing I do want to say is all of you Representatives are good people by yourself, but with the staff's help, you can be great.

Let us make Pennsylvania great again. Thank you very much.

UNCONTESTED CALENDAR

RESOLUTION PURSUANT TO RULE 35

Ms. TOOHIL called up **HR 954, PN 3676**, entitled:

A Resolution designating the month of June 2016 as "Cockayne Syndrome Awareness Month" in Pennsylvania and commending the work of the Share and Care Cockayne Syndrome Network for raising awareness of this disorder.

On the question,

Will the House adopt the resolution?

The following roll call was recorded:

YEAS—194

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

Delozier	Keller, F.	Payne	Ward
Dermody	Keller, M.K.	Peifer	Warner
Diamond	Keller, W.	Petrarca	Watson
DiGirolamo	Kim	Petri	Wentling
Donatucci	Kinsey	Pickett	Wheatley
Driscoll	Kirkland	Pyle	Wheeland
Dunbar	Klunk	Quigley	White
Dush	Knowles	Quinn	Youngblood
Ellis	Kortz	Rader	Zimmerman
Emrick	Kotik	Rapp	
English	Krueger	Ravenstahl	Turzai,
Evankovich	Lawrence	Readshaw	Speaker

NAYS—1

Gillen

NOT VOTING—0

EXCUSED—7

Day	DeLuca	Freeman	McNeill
DeLissio	Evans	Gergely	

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

CALENDAR

RESOLUTION PURSUANT TO RULE 35

Mr. REED called up **HR 941, PN 3576**, entitled:

A Resolution congratulating the Pittsburgh Penguins on winning the National Hockey League's 2016 Stanley Cup Finals.

On the question,
Will the House adopt the resolution?

RESOLUTION RECOMMENDED

The SPEAKER. The Chair recognizes the majority leader, who moves that HR 941 be recommitted to the Committee on Rules.

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

BILLS ON CONCURRENCE IN SENATE AMENDMENTS AS AMENDED

The House proceeded to consideration of concurrence in Senate amendments to the following **HB 1196, PN 3666**, as further amended by the House Rules Committee:

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, in preliminary provisions, further providing for definitions; in Pennsylvania Liquor Control Board, further providing for general powers of board; in Pennsylvania Liquor Stores, further providing for sales by Pennsylvania Liquor Stores; in licenses and regulations and liquor, alcohol and malt and brewed beverages,

further providing for sales by liquor licensees and restrictions, providing for national event permit, further providing for wine expanded permits, for casino liquor license, for malt and brewed beverages manufacturers', distributors' and importing distributors' licenses, for malt and brewed beverage retail licenses, for brand registration, for Pennsylvania Malt and Brewed Beverages Industry Promotion Board, for license auction, for unlawful acts relative to liquor, alcohol and liquor licensees and for unlawful acts relative to liquor, malt and brewed beverages and licensees; and, in distilleries, wineries, bonded warehouses, bailees for hire and transporters for hire, further providing for limited wineries; and making a related repeal.

On the question,

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

BILL RECOMMENDED

The SPEAKER. The Chair recognizes the majority leader, who moves that HB 1196 be recommitted to the Committee on Rules.

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

* * *

The House proceeded to consideration of concurrence in Senate amendments to the following **HB 530, PN 3665**, as further amended by the House Rules Committee:

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 Keystone Exams; 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 certificate; in terms and courses of study, further providing for agreements with institutions of higher education; 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 community colleges, further providing for election or appointment and term and organization of board of trustees; providing for educational tax credits; in the State Board of Education, further providing for powers and duties of the board; and repealing provisions of the Tax Reform Code of 1971 related to educational tax credits.

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

BILL RECOMMENDED

The SPEAKER. The Chair recognizes the majority leader, who moves that HB 530 be recommitted to the Committee on Rules.

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

HOUSE BILLS INTRODUCED AND REFERRED

No. 2233 By Representatives TAYLOR, W. KELLER, DAVIS, BOBACK, KOTIK, MURT, A. HARRIS and WHITE

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in preliminary provisions, further providing for definitions; and, in rules of the road in general, further providing for speed timing devices and providing for pilot program for automated speed enforcement system on designated highway.

Referred to Committee on TRANSPORTATION, June 30, 2016.

No. 2234 By Representatives GIBBONS, KAUFER, MULLERY, YOUNGBLOOD, MAHONEY, TRUITT, McNEILL, DAVIDSON, FARRY, V. BROWN, DAVIS and BURNS

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, further providing for qualifications of electors at primaries, for only enrolled electors to vote at primaries or hold party offices, for candidates to be nominated and party officers to be elected at primaries and for persons entitled to vote and challenges.

Referred to Committee on STATE GOVERNMENT, June 30, 2016.

No. 2235 By Representatives GIBBONS, MASSER, MILLARD, KORTZ and RADER

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in Pennsylvania Turnpike, further providing for deposit and distribution of funds.

Referred to Committee on TRANSPORTATION, June 30, 2016.

No. 2236 By Representatives GIBBONS, MAHONEY, YOUNGBLOOD, ZIMMERMAN, EVERETT, KORTZ, DAVIS and HELM

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in preliminary provisions, further providing for definitions; and, in rules of the road in general, further providing for speed timing devices and providing for pilot program for automated speed enforcement systems.

Referred to Committee on TRANSPORTATION, June 30, 2016.

No. 2237 By Representatives FARRY, BAKER, SAINATO, PHILLIPS-HILL, MILLARD, WHEELAND, TOEPEL, O'NEILL, HARHAI, BIZZARRO, VEREB, GIBBONS, MAJOR, D. COSTA, GOODMAN and McNEILL

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in burglary and other criminal intrusion, further providing for the offense of burglary and for the offense of criminal trespass.

Referred to Committee on JUDICIARY, June 30, 2016.

No. 2238 By Representative NEUMAN

An Act authorizing the Department of General Services, with the approval of the Governor, to grant and convey, at a price to be determined through a competitive bid process, certain lands, buildings and improvements situate in South Strabane Township, Washington County.

Referred to Committee on STATE GOVERNMENT, June 30, 2016.

URBAN AFFAIRS COMMITTEE MEETING

The SPEAKER. Representative Scott Petri is recognized for an announcement.

Mr. PETRI. Thank you, Mr. Speaker.

There will be an immediate meeting of the Urban Affairs Committee, which is a voting meeting, in room 205. Immediate Urban Affairs voting meeting. Thank you. It should last about, I do not know, 10, 15 minutes.

The SPEAKER. Thank you, sir.

The Urban Affairs Committee will have a voting meeting immediately in room 205.

APPROPRIATIONS COMMITTEE MEETING

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

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

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

The SPEAKER. The Appropriations Committee will meet immediately in the majority caucus room.

The House will stand at ease.

The House will come to order.

BILLS REREPORTED FROM COMMITTEE

HB 1974, PN 3139

By Rep. ADOLPH

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, in dispositions independent of letters, family exemption, probate of wills and grant of letters, further providing for payments to family and funeral directors.

APPROPRIATIONS.

HB 2153, PN 3497

By Rep. ADOLPH

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in juvenile matters, further providing for definitions and for summary offenses.

APPROPRIATIONS.

SB 514, PN 1970

By Rep. ADOLPH

An Act amending the act of November 24, 1976 (P.L.1163, No.259), referred to as the Generic Equivalent Drug Law, further providing for definitions, for substitutions, for posting requirements, for powers and duties of Department of Health and for immunity of pharmacists under certain circumstances.

APPROPRIATIONS.

SB 1227, PN 2010

By Rep. ADOLPH

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, in organization of independent administrative boards and commissions, transferring certain powers and duties relating to public pension system analysis and legislation; providing for the Independent Fiscal Office; in powers and duties of the Department of the Auditor General, transferring certain powers and duties relating to municipal pension reporting and analysis; and making related repeals.

APPROPRIATIONS.

SB 1229, PN 1983

By Rep. ADOLPH

An Act amending Title 3 (Agriculture) of the Pennsylvania Consolidated Statutes, making editorial changes; consolidating an article of The Administrative Code of 1929 relating to race horse industry reform; further providing for Pennsylvania Breeding Fund; and making a related repeal.

APPROPRIATIONS.

SUPPLEMENTAL CALENDAR B**BILLS ON THIRD CONSIDERATION**

The House proceeded to third consideration of **SB 1229, PN 1983**, entitled:

An Act amending Title 3 (Agriculture) of the Pennsylvania Consolidated Statutes, making editorial changes; consolidating an article of The Administrative Code of 1929 relating to race horse industry reform; further providing for Pennsylvania Breeding Fund; and making a related repeal.

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—193

Acosta	Fabrizio	Lewis	Reed
Adolph	Farina	Longietti	Reese
Artis	Farry	Mackenzie	Regan
Baker	Fee	Maher	Roae
Barrar	Flynn	Mahoney	Roebuck
Benninghoff	Frankel	Major	Rothman
Bizzarro	Gabler	Maloney	Rozzi
Bloom	Gainey	Markosek	Saccone
Boback	Galloway	Marshall	Sainato
Boyle	Gibbons	Marsico	Samuelson
Bradford	Gillen	Masser	Sankey
Briggs	Gillespie	Matzie	Santarsiero
Brown, R.	Gingrich	McCarter	Santora
Brown, V.	Godshall	McClinton	Savage

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

NAYS—2

Barbin Ross

NOT VOTING—0**EXCUSED—7**

Day DeLuca Freeman McNeill
DeLissio Evans Gergely

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

Ordered, That the clerk return the same to the Senate with the information that the House has passed the same with amendment in which the concurrence of the Senate is requested.

* * *

The House proceeded to third consideration of **SB 514, PN 1970**, entitled:

An Act amending the act of November 24, 1976 (P.L.1163, No.259), referred to as the Generic Equivalent Drug Law, further providing for definitions, for substitutions, for posting requirements, for powers and duties of Department of Health and for immunity of pharmacists under certain circumstances.

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—195

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

NAYS—0

NOT VOTING—0

EXCUSED—7

Day	DeLuca	Freeman	McNeill
DeLissio	Evans	Gergely	

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

Ordered, That the clerk return the same to the Senate with the information that the House has passed the same with amendment in which the concurrence of the Senate is requested.

* * *

The House proceeded to third consideration of **HB 1974, PN 3139**, entitled:

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, in dispositions independent of letters, family exemption, probate of wills and grant of letters, further providing for payments to family and funeral directors.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—195

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

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

NAYS—0

NOT VOTING—0

EXCUSED—7

Day	DeLuca	Freeman	McNeill
DeLissio	Evans	Gergely	

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

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

* * *

The House proceeded to third consideration of **HB 2153, PN 3497**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in juvenile matters, further providing for definitions and for summary offenses.

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—195

Acosta	Fabrizio	Lewis	Reed
Adolph	Farina	Longietti	Reese
Artis	Farry	Mackenzie	Regan
Baker	Fee	Maher	Roae
Barbin	Flynn	Mahoney	Roebuck
Barrar	Frankel	Major	Ross
Benninghoff	Gabler	Maloney	Rothman
Bizzarro	Gainey	Markosek	Rozzi
Bloom	Galloway	Marshall	Saccone
Boback	Gibbons	Marsico	Sainato

Boyle	Gillen	Masser	Samuelson
Bradford	Gillespie	Matzie	Sankey
Briggs	Gingrich	McCarter	Santarsiero
Brown, R.	Godshall	McClinton	Santora
Brown, V.	Goodman	McGinnis	Savage
Bullock	Greiner	Mentzer	Saylor
Burns	Grove	Metcalfe	Schemel
Caltagirone	Hahn	Metzgar	Schlossberg
Carroll	Hanna	Miccarelli	Schreiber
Causer	Harhai	Millard	Schweyer
Christiana	Harhart	Miller, B.	Simmons
Cohen	Harkins	Miller, D.	Sims
Conklin	Harper	Milne	Snyder
Corbin	Harris, A.	Moul	Sonney
Costa, D.	Harris, J.	Mullery	Staats
Costa, P.	Heffley	Murt	Stephens
Cox	Helm	Mustio	Sturla
Cruz	Hennessey	Neilson	Tallman
Culver	Hickernell	Nelson	Taylor
Cutler	Hill	Nesbit	Thomas
Daley, M.	Irvin	Neuman	Tobash
Daley, P.	James	O'Brien	Toepel
Davidson	Jozwiak	O'Neill	Toohil
Davis	Kampf	Oberlander	Topper
Dawkins	Kaufer	Ortitay	Truitt
Dean	Kauffman	Parker, D.	Vereb
Deasy	Kavulich	Pashinski	Vitali
Delozier	Keller, F.	Payne	Ward
Dermody	Keller, M.K.	Peifer	Warner
Diamond	Keller, W.	Petrarca	Watson
DiGirolamo	Kim	Petri	Wentling
Donatucci	Kinsey	Pickett	Wheatley
Driscoll	Kirkland	Pyle	Wheeland
Dunbar	Klunk	Quigley	White
Dush	Knowles	Quinn	Youngblood
Ellis	Kortz	Rader	Zimmerman
Emrick	Kotik	Rapp	
English	Krueger	Ravenstahl	Turzai,
Evankovich	Lawrence	Readshaw	Speaker
Everett			

NAYS—0

NOT VOTING—0

EXCUSED—7

Day	DeLuca	Freeman	McNeill
DeLissio	Evans	Gergely	

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 Cutler is recognized for a motion.

Mr. CUTLER. Thank you, Mr. Speaker.

Mr. Speaker, I would like to make a motion to proceed on SB 1227 so that we could vote it while we are currently on the House floor.

The SPEAKER. Yes, sir.

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

The SPEAKER. Representative Dermody, on the motion, please. On the motion.

Mr. DERMODY. Thank you, Mr. Speaker.

Mr. Speaker, I would 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—170

Acosta	Everett	Knowles	Regan
Adolph	Fabrizio	Kortz	Roebuck
Artis	Farina	Krueger	Ross
Baker	Farry	Lawrence	Rothman
Barbin	Fee	Lewis	Rozzi
Barrar	Flynn	Longietti	Saccone
Benninghoff	Frankel	Mackenzie	Sainato
Bizzarro	Gabler	Maher	Sankey
Bloom	Gainey	Mahoney	Santarsiero
Boback	Gibbons	Major	Santora
Boyle	Gillespie	Markosek	Savage
Briggs	Gingrich	Marshall	Saylor
Brown, R.	Godshall	Marsico	Schemel
Brown, V.	Goodman	Masser	Schlossberg
Bullock	Greiner	McClinton	Schreiber
Burns	Grove	Mentzer	Schweyer
Caltagirone	Hahn	Miccarelli	Simmons
Carroll	Hanna	Millard	Sims
Causar	Harhai	Miller, B.	Snyder
Christiana	Harhart	Moul	Sonney
Cohen	Harkins	Murt	Staats
Conklin	Harper	Mustio	Stephens
Corbin	Harris, A.	Neilson	Sturla
Costa, D.	Harris, J.	Nelson	Taylor
Costa, P.	Heffley	Nesbit	Thomas
Cox	Helm	O'Brien	Tobash
Cruz	Hennessey	O'Neill	Toepel
Culver	Hickernell	Oberlander	Toohil
Cutler	Hill	Ortitay	Topper
Daley, M.	Irvine	Parker, D.	Vereb
Daley, P.	James	Pashinski	Vitali
Davis	Jozwiak	Payne	Ward
Dawkins	Kampf	Peifer	Warner
Deasy	Kaufer	Petrarca	Watson
Delozier	Kauffman	Petri	Wentling
Dermody	Kavulich	Pickett	Wheatley
DiGirolamo	Keller, F.	Pyle	Wheeland
Donatucci	Keller, M.K.	Quigley	White
Driscoll	Keller, W.	Quinn	Youngblood
Dunbar	Kim	Rader	Zimmerman
Ellis	Kinsey	Readshaw	
Emrick	Kirkland	Reed	Turzai,
Evankovich	Klunk	Reese	Speaker

NAYS—25

Bradford	Gillen	Metcalfe	Rapp
Davidson	Kotik	Metzgar	Ravenstahl
Dean	Maloney	Miller, D.	Roae
Diamond	Matzie	Milne	Samuelson
Dush	McCarter	Mullery	Tallman
English	McGinnis	Neuman	Truitt
Galloway			

NOT VOTING—0

EXCUSED—7

Day	DeLuca	Freeman	McNeill
DeLissio	Evans	Gergely	

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 **SB 1227, PN 2010**, entitled:

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, in organization of independent administrative boards and commissions, transferring certain powers and duties relating to public pension system analysis and legislation; providing for the Independent Fiscal Office; in powers and duties of the Department of the Auditor General, transferring certain powers and duties relating to municipal pension reporting and analysis; and making related repeals.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

Representative Maher.

Mr. MAHER. Mr. Speaker, I will not delay our proceedings by very much, but I am entirely convinced that SB 1227 is unconstitutional. The Constitution provides in section 11, talking about the powers of each House, that "Each House shall have power to determine the rules of its proceedings...." By creating a statute which will prohibit members from being able to offer amendments, we are in fact creating a law that then does not allow each House to establish the rules for its proceedings. And while it may be well and good that we will have a majority vote and we can say, well, this year, this session, this House decided this is how we should proceed, but I do not believe it should be binding over into the future.

I do believe it is a constitutional problem. I am not going to ask for a vote on that issue, but I will say I would be very hopeful that someone addresses this matter in the courts.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, sir.

Does anybody else wish to be recognized?

LEAVE OF ABSENCE

The SPEAKER. Representative Pete DALEY has requested to be placed on leave of absence for the day. Without objection, that request will be granted.

CONSIDERATION OF SB 1227 CONTINUED

On the question recurring,

Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—185

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

NAYS—9

Burns	Heffley	Maloney	Nelson
Diamond	Maher	Masser	Tallman
Gillen			

NOT VOTING—0

EXCUSED—8

Daley, P.	DeLissio	Evans	Gergely
Day	DeLuca	Freeman	McNeill

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

Ordered, That the clerk return the same to the Senate with the information that the House has passed the same with amendment in which the concurrence of the Senate is requested.

BILL REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

SB 1221, PN 1884

By Rep. PETRI

An Act amending the act of February 12, 2004 (P.L.73, No.11), known as the Intergovernmental Cooperation Authority Act for Cities of the Second Class, in general provisions, further providing for definitions; in intergovernmental cooperation authority for cities of the second class, further providing for governing board, for powers and duties, for term of existence, for annual report to be filed and annual audits and providing for distribution of gaming revenue.

URBAN AFFAIRS.

SENATE BILL FOR CONCURRENCE

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

SB 1267, PN 1987

Referred to Committee on TRANSPORTATION, June 30, 2016.

TRANSPORTATION COMMITTEE MEETING

The SPEAKER. Representative John Taylor, for a committee announcement.

Mr. TAYLOR. Thank you, Mr. Speaker.

There will be a brief meeting of the House Transportation Committee at 12:30 in room 60, East Wing. We will be considering SB 1267.

The SPEAKER. There will be a Transportation Committee meeting at 12:30 in room 60, East Wing.

RULES COMMITTEE MEETING

REPUBLICAN CAUCUS

The SPEAKER. Representative Sandra Major, for a caucus announcement.

Ms. MAJOR. Thank you, Mr. Speaker.

I also have a committee announcement I would like to make. I would like to announce that Rules will meet immediately in the majority Appropriations conference room. That is Rules immediately.

And then I would like to announce that Republicans will caucus today at 1:15. I would ask our Republican members to please report to our caucus room at 1:15. We would be prepared to come back on the floor, Mr. Speaker, at 2:30. Thank you.

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

DEMOCRATIC CAUCUS

The SPEAKER. Representative Dan Frankel, for a caucus announcement.

Mr. FRANKEL. Thank you, Mr. Speaker.

Democrats will caucus at 1:15. Democrats will caucus at 1:15. Thank you.

VOTE CORRECTION

The SPEAKER. Representative Gillen, you are recognized, sir.

Mr. GILLEN. On HR 954 I was recorded in the negative. I should have been recorded in the positive.

Thank you, Mr. Speaker.

The SPEAKER. Yes, sir. We will reflect that in the record.

Does anybody else wish to be recognized?

RECESS

The SPEAKER. The House will stand in recess until 2:30 p.m.

RECESS EXTENDED

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

AFTER RECESS

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

**BILL REPORTED FROM COMMITTEE,
CONSIDERED FIRST TIME, AND TABLED****SB 1267, PN 1987**

By Rep. TAYLOR

An Act amending Titles 74 (Transportation) and 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in traffic signals, further providing for definitions and for maintenance agreement; in general provisions relating to operation of vehicles, further providing for traffic-control signals and for expiration of automated red light enforcement systems provisions; and, in taxes for highway maintenance and construction, further providing for allocation of proceeds.

TRANSPORTATION.

SENATE MESSAGE

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

The clerk of the Senate, being introduced, returned **HB 60, PN 3646; HB 1947, PN 3667; HB 2137, PN 3670; HB 2138, PN 3671; HB 2139, PN 3672; HB 2140, PN 3673; and HB 2141, PN 3674**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

SENATE MESSAGE

HOUSE AMENDMENTS
CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House of

Representatives to **SB 917, PN 1922; SB 1104, PN 1896; and SB 1123, PN 1937**.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

SB 917, PN 1922

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in juvenile matters, providing for interagency information sharing.

SB 1104, PN 1896

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, in orphans' court divisions, further providing for nonmandatory exercise of jurisdiction through orphans' court division; in wills, further providing for rules of interpretation; in dispositions independent of letters, family exemption, probate of wills and grant of letters, providing for submission to jurisdiction; in administration and personal representatives, further providing for continuation of business and for incorporation of estate's business; in accounts and distribution, further providing for determination of title to decedent's interest in real estate; in health care, further providing for definitions, for when health care power of attorney is operative, for authority of health care agent and for relation of health care agent to court-appointed guardian and other agents; in powers of attorney, further providing for general provisions, for authority that requires specific and general grant of authority, for form of power of attorney, for implementation of power of attorney, for durable powers of attorney and for account; providing for meaning and effect of power of attorney and for jurisdiction and venue; in estates, further providing for release or disclaimer of powers or interests; in estates, providing for release of powers and interests and disclaimer of powers; providing for powers of appointment; in trusts, further providing for nonjudicial settlement agreements - UTC 111, for representation of parties in interest in general, for division of trusts, for resignation of trustee and filing resignation, for duty to inform and report, for limitation of action against trustee and for powers, duties and liabilities identical with personal representatives; codifying provisions of the Charitable Instruments Act of 1971; in principal and income, further providing for charitable trusts; and making a related repeal.

SB 1123, PN 1937

An Act amending Title 3 (Agriculture) of the Pennsylvania Consolidated Statutes, in weights and measures, further providing for standards for automotive fuel.

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

CALENDAR CONTINUED**BILLS ON SECOND CONSIDERATION**

The House proceeded to second consideration of **HB 512, PN 568**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in transfers of credits between institutions of higher education, further providing for definitions, for duties of public institutions of higher education and for transfer and articulation oversight committee.

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

Mr. **ROEBUCK** offered the following amendment
No. **A00208**:

Amend Bill, page 2, line 16, by striking out "and" and inserting a comma

Amend Bill, page 2, line 17, by inserting after "exam"
and Dantes Subject Standardized Tests

Amend Bill, page 2, by inserting between lines 17 and 18
"Dantes Subject Standardized Tests (DSST)." A set of subject exams approved by the American Council on Education that tests knowledge of both lower-level and upper-level college material.

Amend Bill, page 3, line 30, by striking out "and" and inserting a comma

Amend Bill, page 4, line 1, by inserting after "exams"
and Dantes Subject Standardized Tests

Amend Bill, page 4, line 4, by striking out "and" and inserting a comma

Amend Bill, page 4, line 5, by inserting after "exams"
and Dantes Subject Standardized Tests

Amend Bill, page 4, line 8, by striking out "and" and inserting a comma

Amend Bill, page 4, line 9, by inserting after "exams"
and Dantes Subject Standardized Tests

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

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

Mr. ROEBUCK. Thank you, Mr. Speaker.

This amendment provides an additional way whereby a student can demonstrate their proficiency in terms of the base legislation and would enable them to further strengthen their academic credentials as they pursue the provisions of the legislation. I would ask for a favorable vote.

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

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

(Members proceeded to vote.)

LEAVE OF ABSENCE CANCELED

The SPEAKER. Representative Gary Day is on the House floor and should be placed back on the master roll.

LEAVE OF ABSENCE

The SPEAKER. Representative Gene DiGIROLAMO has requested to be placed on leave of absence. Without objection, that will be granted.

LEAVE OF ABSENCE CANCELED

The SPEAKER. Representative Dwight Evans is back on the House floor and should be placed back on the master roll.

CONSIDERATION OF HB 512 CONTINUED

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

The following roll call was recorded:

YEAS—195

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

NAYS—0

NOT VOTING—0

EXCUSED—7

Daley, P.	DeLuca	Freeman	McNeill
DeLissio	DiGirolamo	Gergely	

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. **SAYLOR** offered the following amendment No. **A09301**:

Amend Bill, page 3, line 4, by striking out "no later than July 1, 2016" and inserting
within 18 months of the effective date of this subsection

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

The SPEAKER. Representative Saylor is recognized on that amendment.

Mr. SAYLOR. Thank you, Mr. Speaker.

I rise to offer amendment 9301. It is a technical amendment to the bill, which simply changes the date for public institutions of higher education from "no later than July 1, 2016," to "within 18 months....," and this amendment will ensure the consistency within the compliance deadlines of this bill.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, sir.

LEAVE OF ABSENCE CANCELED

The SPEAKER. Representative Pete Daley is on the House floor and should be placed back on the master roll.

CONSIDERATION OF HB 512 CONTINUED

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

The following roll call was recorded:

YEAS—196

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

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

NAYS—0

NOT VOTING—0

EXCUSED—6

DeLissio	DiGirolamo	Gergely	McNeill
DeLuca	Freeman		

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

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

Bill as amended was agreed to.

The SPEAKER. The bill as amended will be reprinted.

We have much work to get done here on June 30.

* * *

The House proceeded to second consideration of **HB 946, PN 2371**, entitled:

An Act providing for pharmacy audit procedures.

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

Mr. **BAKER** offered the following amendment No. **A09145**:

Amend Bill, page 1, lines 4 through 14; pages 2 through 9, lines 1 through 30; page 10, lines 1 through 6; by striking out all of said lines on said pages and inserting
Section 1. Short title.

This act shall be known and may be cited as the Pharmacy Audit Integrity Act.

Section 2. Scope of act.

This act covers any audit of the records of a pharmacy conducted by a managed care company, third-party payer, pharmacy benefits manager, a health program administered by a department of the Commonwealth or any entity that represents a company, group or

department.

Section 3. Definitions.

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

"Auditing entity." A person, company or government entity that performs a pharmacy audit, including a plan sponsor, pharmacy benefit manager, managed care organization or third-party administrator.

"Business day." Any day of the week excluding Saturday, Sunday and any legal holiday.

"Department." The Insurance Department of the Commonwealth.

"Extrapolation." The practice of inferring a frequency of dollar amount of overpayments, underpayments, nonvalid claims or other errors on any portion of claims submitted, based on the frequency of dollar amount of overpayments, underpayments, nonvalid claims or other errors actually measured in a sample of claims.

"Health care practitioner." As defined in section 103 of the act of July 19, 1979 (P.L.130, No.48), known as the Health Care Facilities Act.

"Nonproprietary drug." As defined in section 2(7.1) of the act of September 27, 1961 (P.L.1700, No.699), known as the Pharmacy Act.

"Pharmacist." As defined in section 2(10) of the Pharmacy Act.

"Pharmacy." As defined in section 2(12) of the Pharmacy Act.

"Pharmacy audit." An audit, conducted on-site or remotely by or on behalf of an auditing entity of any records of a pharmacy for prescription or nonproprietary drugs dispensed by a pharmacy to beneficiaries of a health benefit plan. The term does not include either of the following:

(1) A concurrent review or desk audit that occurs within three business days of the pharmacy's transmission of a claim to an auditing entity.

(2) A concurrent review or desk audit where no charge-back or recoupment is demanded by the auditing entity.

"Pharmacy benefits management." Any entity that performs any of the following:

(1) The procurement of prescription drugs at a negotiated contracted rate for dispensation within this Commonwealth to covered individuals.

(2) The administration or management of prescription drug benefits provided by a covered entity for the benefit of covered individuals.

(3) The provision of any of the following in conjunction with the administration of pharmacy benefits:

(i) Mail-service pharmacy.

(ii) Claims processing.

(iii) Retail network management.

(iv) Payment of claims to pharmacies for prescription drugs dispensed to covered individuals via retail or mail-order pharmacy.

(v) Clinical formulary development and management services, including, but not limited to, utilization management and quality assurance programs.

(vi) Rebate contracting and administration.

(vii) Certain patient compliance, therapeutic intervention and generic substitution programs.

(viii) Disease management programs.

(ix) Setting pharmacy reimbursement pricing and methodologies, including maximum allowable cost, and determining single or multiple source drugs.

"Pharmacy benefits manager" or "PBM." A person, business or other entity that performs pharmacy benefits management.

"Pharmacy record." Any record stored electronically or as a hard copy by a pharmacy that relates to the provision of prescription or nonproprietary drugs or pharmacy services or other component of pharmacist care that is included in the practice of pharmacy.

"Plan sponsor." Any of the following that pays for or processes a claim for payment for prescription drugs or pharmacy services:

(1) A health insuring corporation.

(2) A person authorized to engage in the business of sickness and accident.

(3) A person or government entity providing coverage of prescription or nonproprietary drugs or pharmacy services to individuals on a self-insurance basis.

(4) A group health plan, as defined in 29 U.S.C. § 1167 (relating to definitions and special rules).

(5) A service benefit plan, as referenced in 42 U.S.C. § 1396a(a)(25) (relating to state plans for medical assistance).

(6) A Medicaid managed care organization that has entered into a contract with the Commonwealth.

(7) Any other person or government entity that is by law, contract or agreement responsible for paying or processing a claim for payment for the provision of prescription or nonproprietary drugs or pharmacy services.

Section 4. Procedures for conducting pharmacy audits.

(a) Procedure.—An entity conducting a pharmacy audit under this act shall conform to the following rules:

(1) Except as otherwise provided by Federal or State law, an auditing entity conducting a pharmacy audit may have access to a pharmacy's previous audit report only if the report was prepared by an auditing entity.

(2) Any information collected during a pharmacy audit shall be confidential by law, except that the auditing entity conducting the pharmacy audit may share the information with the pharmacy benefits manager and the plan sponsor, for which a pharmacy audit is being conducted.

(3) No auditing entity conducting a pharmacy audit shall compensate, directly or indirectly, any of its employees or any contractor with which an auditing entity contracts to conduct a pharmacy audit, based on the amount claimed or the actual amount recouped by the pharmacy being audited.

(4) The entity shall provide the pharmacy being audited with at least 10 business days' prior written notice before conducting a pharmacy audit. The audit may be delayed for a period of up to 30 days at the request of the pharmacy, one time per year, and shall only be granted if there is good cause, including, but not limited to, a planned medical procedure or planned absence from work of a necessary pharmacist. If a delay is requested by the pharmacy, the pharmacy shall provide notice to the PBM at least five business days prior to the day the audit is to commence.

(5) The entity shall provide the pharmacy being audited with a masked list of prescriptions to assist the pharmacy in preparing for the pharmacy audit. A list is considered masked if the last two numbers of the prescription are marked with an "X."

(6) The entity may not initiate or schedule a pharmacy audit during the first five business days of any month for any pharmacy that averages in excess of 600 prescriptions filled per week, without the express consent of the pharmacy.

(7) The entity shall accept paper or electronic signature logs that document the delivery of prescription or nonproprietary drugs and pharmacist services to a health plan beneficiary or the agent of the beneficiary.

(8) The entity shall provide to the representative of the pharmacy, prior to leaving the pharmacy at the conclusion of the on-site portion of the pharmacy audit, a complete list of pharmacy records reviewed.

(9) Any pharmacy audit that involves clinical judgment shall be conducted by or in consultation with a pharmacist.

(10) No pharmacy audit shall cover:

(i) a period of more than 24 months after the date a claim was submitted by the pharmacy to the pharmacy benefits manager or plan sponsor unless a longer period is required by law; or

(ii) more than 250 prescriptions, provided that a refill shall not constitute a separate prescription for the

purposes of this subparagraph.

(11) No auditing entity may use extrapolation to calculate penalties or amounts to be charged back or recouped unless otherwise required by Federal requirements or Federal plans.

(12) No auditing entity shall include dispensing fees in the calculation of overpayments unless a prescription is considered a misfill. As used in this paragraph, "misfill" means a prescription that was not dispensed, a prescription error, a prescription where the prescriber denied the authorization request or a prescription where an extra dispensing fee was charged.

(13) A pharmacy may do any of the following when a pharmacy audit is performed:

(i) To validate the pharmacy record and delivery, a pharmacy may use authentic and verifiable statements or records, including, but not limited to, medication administration records of a nursing home, assisted living facility, hospital or health care practitioner with prescriptive authority.

(ii) To validate claims in connection with prescriptions or changes in prescriptions, or refills of prescription or nonproprietary drugs, a pharmacy may use any valid prescription, including, but not limited to, medication administration records, facsimiles, electronic prescriptions, electronically stored images of prescriptions, electronically created annotations or documented telephone calls from the prescribing health care practitioner or practitioner's agent. Documentation of an oral prescription order that has been verified by the prescribing health care practitioner shall meet the provisions of this subparagraph for the initial audit review.

(b) Written report.—An auditing entity shall provide the pharmacy with a written report of the pharmacy audit and comply with the following requirements:

(1) The preliminary pharmacy audit report must be delivered to the pharmacy or its corporate parent within 60 days after the completion of the pharmacy audit. The preliminary report shall include contact information for the individual who conducted the pharmacy audit, including telephone number, facsimile number, e-mail and auditing firm, so that audit results, discrepancies and procedures can be reviewed. The preliminary pharmacy audit report shall include, but not be limited to, claim level information for any discrepancy found and total dollar amount of claims subject to recovery.

(2) A pharmacy shall be allowed 30 days following receipt of the preliminary audit report to respond to the findings of the preliminary report.

(3) A final audit report shall be delivered to the pharmacy or its corporate parent not later than 60 calendar days after any responses from the pharmacy or corporate parent are received by the auditing entity. The auditing entity shall issue a final pharmacy audit report that takes into consideration any responses provided to the auditing entity by the pharmacy or corporate parent.

(4) The final pharmacy audit report may be delivered electronically.

(5) No pharmacy shall be subject to a charge-back or recoupment for a clerical or recordkeeping error in a required document or record, including a typographical error, scrivener's error or computer error, unless the error resulted in overpayment to the pharmacy.

(6) No auditing entity conducting a pharmacy audit or person acting on behalf of the entity shall charge-back or recoup, attempt to charge-back or recoup or assess or collect penalties from a pharmacy until the time period to file an appeal of a final pharmacy audit report has passed or the appeals process has been exhausted, whichever is later.

(7) If an identified discrepancy in a pharmacy audit exceeds \$25,000, future payments to the pharmacy in excess of that amount may be withheld pending adjudication of an appeal.

(8) No interest shall accrue for any party during the audit period, beginning with the notice of the pharmacy audit and ending with the conclusion of the appeals process.

Section 5. Appeals process.

(a) General rule.—An auditing entity shall establish a written appeals process under which a pharmacy may appeal an unfavorable final audit report to the entity.

(b) Adjudication.—The adjudication of a claim may not be appealed through the audit process.

Section 6. Limitations.

(a) General rule.—The provisions of this act shall not apply to an audit of pharmacy records when:

(1) fraud or other intentional or willful misrepresentation is indicated by physical review or review of claims data or statements; or

(2) other investigative methods indicate a pharmacy is or has been engaged in criminal wrongdoing, fraud or other intentional or willful misrepresentation.

(b) Federal law.—This act does not supersede any audit requirements established by Federal law.

Section 7. Enforcement.

The department shall have enforcement authority and take action or impose penalties to bring noncomplying entities into full compliance with this act, including the promulgation of any regulations necessary to carry out this act.

Section 8. Effective date.

This act shall take effect in 90 days.

On the question,

Will the House agree to the amendment?

The SPEAKER. Representative Baker is recognized on the amendment.

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

Amendment A09145 is a gut-and-replace amendment, which encompasses most of the agreed-to provisions of the pharmacy audit bill. A lot of work has gone into these agreed-to amendments that we are offering this afternoon. There are numerous changes with respect to the timing of the audit, the number of prescriptions which can be reviewed, and the timing of filing a written report. This is an agreed-to amendment, upon which balances the interests of the pharmacists and pharmacies who are subject to these audits with the interest of the PBMs (pharmacy benefit managers) and the insurers who use the audits to detect fraud, waste, and abuse.

And I would ask my colleagues on both sides of the aisle, a lot of bipartisan support, and all the stakeholders are in agreement with this amendment.

The SPEAKER. Representative Fabrizio, on the amendment, sir.

Mr. FABRIZIO. Thank you, Mr. Speaker.

This is an agreed-to amendment. A lot of work, as Chairman Baker said, has gone into this, and it is just remarkable that we have come to some kind of an accord. So I would ask all of my colleagues and everyone to vote for it. Thank you.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—195

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

NAYS—1

O'Neill

NOT VOTING—0

EXCUSED—6

DeLissio	DiGirolamo	Gergely	McNeill
DeLuca	Freeman		

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

On the question,

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

The SPEAKER. Representative Baker, do you still wish to proceed with amendment 9302?

Mr. BAKER. Yes, sir; I do.

On the question recurring,

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

Mr. BAKER offered the following amendment No. A09302:

Amend Bill, page 2, line 7 (A09145), by striking out "desk" and inserting

remote

Amend Bill, page 2, line 7 (A09145), by striking out "occurs" and inserting

is initiated

Amend Bill, page 2, line 8 (A09145), by striking out "three" and inserting

seven

Amend Bill, page 2, line 10 (A09145), by striking out "desk" and inserting

remote

Amend Bill, page 3, line 26 (A09145), by inserting after "shall"

solely

Amend Bill, page 3, line 27 (A09145), by striking out ", directly or indirectly,"

Amend Bill, page 3, line 33 (A09145), by inserting after "audit"

, unless both parties agree otherwise

Amend Bill, page 3, lines 41 through 45 (A09145), by striking out all of said lines and inserting

(5) (Reserved).

Amend Bill, page 5, line 51 (A09145), by inserting after "fraud"

, waste, abuse

Amend Bill, page 5, line 51; page 6, line 1 (A09145), by striking out "or willful misrepresentation" and inserting

misconduct

On the question,

Will the House agree to the amendment?

The SPEAKER. On the amendment, Representative Baker, the floor is yours.

Mr. BAKER. Thank you, Mr. Speaker.

This, too, is an agreed-to amendment to the bill as amended by amendment 9145. This changed the definition of an exempt audit to the more proper remote audit term. It addresses the manner in which the auditing entity can be compensated and expands the limitations for when an audit can be conducted. Finally, it removes language on information which needs to be provided to the pharmacy prior to an audit occurring.

Again, this is an agreed-to amendment, which clarifies language which is more commonly used in the pharmacy and PBM setting, and I encourage all members to support this agreed-to amendment.

The SPEAKER. Representative Fabrizio, on the amendment, please.

Mr. FABRIZIO. We encourage everyone, you know, to agree to this amendment.

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

The following roll call was recorded:

YEAS—195

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

NAYS—1

Metzgar

NOT VOTING—0

EXCUSED—6

DeLissio	DiGirolamo	Gergely	McNeill
DeLuca	Freeman		

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

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

Bill as amended was agreed to.

The SPEAKER. The bill as amended will be reprinted.

* * *

The House proceeded to second consideration of **HB 947, PN 2372**, entitled:

An Act providing for registration of pharmacy benefits managers and for maximum allowable cost transparency.

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

Mr. **FABRIZIO** offered the following amendment
No. **A09300**:

Amend Bill, page 2, line 8, by striking out "Department of Health of the Commonwealth" and inserting

Insurance Department of the Commonwealth

Amend Bill, page 2, lines 12 through 14, by striking out all of said lines

Amend Bill, page 2, by inserting between lines 19 and 20

"Multiple source generic list." A list of drugs, medical products or devices, or both, for which a maximum allowable cost has been established by a pharmacy benefits manager.

Amend Bill, page 4, line 11, by inserting a period after "department"

Amend Bill, page 4, lines 11 through 30; page 5, lines 1 through 20; by striking out "annually by:" in line 11, all of lines 12 through 30 on page 4 and all of lines 1 through 20 on page 5 and inserting

The department shall promulgate regulations to implement this section.

Amend Bill, page 5, line 21, by striking out "Maximum allowable cost" and inserting

Multiple source generic

Amend Bill, page 5, lines 22 through 30; page 6, lines 1 through 10; by striking out "Before a PBM places a drug on a maximum" in line 22, all of lines 23 through 30 on page 5 and all of lines 1 through 10 on page 6 and inserting

In order to place a particular drug on a multiple source generic list, a PBM shall, at a minimum, ensure that:

(1) the drug is listed as "A," "B," "NR" or "NA" rated in the most recent version of the Food and Drug Administration's "Approved Drug Products with Therapeutic Equivalence Evaluations," commonly known as the orange book; and

(2) the drug is available for purchase by all pharmacies in this State from national or regional wholesalers and is not obsolete or temporarily unavailable.

(b) Removal from listing.—A PBM must maintain a procedure to eliminate drugs from the list of drugs subject to multiple source drug pricing or modify the maximum allowable cost in a timely fashion.

(c) Substitutions.—A PBM may not penalize a pharmacist or pharmacy on audit if the pharmacist or pharmacy performs a generic substitution pursuant to the act of November 24, 1976 (P.L. 1163, No. 259), referred to as the Generic Equivalent Drug Law.

Amend Bill, page 6, line 11, by striking out "maximum allowable cost" and inserting

multiple source generic

Amend Bill, page 6, line 12, by inserting before "Upon"

(a) General rule.—

Amend Bill, page 6, lines 12 and 13, by striking out "make available"

Amend Bill, page 6, lines 15 through 30; pages 7 and 8, lines 1 through 30; by striking out all of said lines on said pages

Amend Bill, page 9, lines 1 through 8, by striking out all of said lines and inserting

representative or agent such as PSAO:

(1) Include in the contract the sources utilized to determine multiple source drug pricing, including, if applicable, the maximum allowable cost or any successive pricing formula of the PBM.

(2) Update the pricing information every seven calendar days.

(3) Establish a reasonable process by which pharmacies have a method to access relevant or current maximum allowable cost pricing lists in effect and any successive pricing formulas in a timely fashion.

(b) Confidentiality provision.—Nothing in this section may prohibit a PBM from establishing a reasonable confidentiality provision with a pharmacy's or pharmacist's contracting representative agent such as a PSAO.

Section 6. Multiple source generic drug pricing appeals process.

(a) Process to be established.—All contracts between a PBM or a pharmacy, or alternatively, a pharmacy's contracting agent, such as a PSAO, shall include a process to appeal, investigate and resolve disputes regarding multiple source drug pricing. The contract provision establishing the process shall include the following:

(1) The right to appeal shall be limited to 14 calendar days following the initial claim.

(2) The appeal shall be investigated and resolved by the PBM through an internal process within 14 calendar days of receipt of the appeal by the PBM.

(3) A telephone number at which a pharmacy may contact the PBM and speak with an individual who is involved in the appeals process.

(b) Denial.—If a PBM denies an appeal, the PBM shall provide the reason for the denial and identify the national drug code of an equivalent drug that is available for purchase by network retail pharmacies in this Commonwealth from wholesalers at a price that is equal to or less than the maximum allowable cost for the appealed drug as determined by the PBM.

(c) Approval.—If a PBM grants an appeal, the PBM shall make the price correction, permit the reporting pharmacy to reverse and rebill the appealed claim and make the price correction effective for all similarly situated pharmacies from the date of the approved appeal.

Amend Bill, page 9, line 9, by striking out "8" and inserting

7 Amend Bill, page 9, line 10, by striking out "(a) Action by the department.—"

Amend Bill, page 9, lines 14 through 23, by striking out all of said lines

Amend Bill, page 9, line 24, by striking out "9" and inserting

8 Amend Bill, page 9, by inserting between lines 26 and 27

Section 9. Applicability.
This act shall apply to all contracts and agreements for pharmacy benefits management services executed or renewed on or after the effective date of this section.

On the question,

Will the House agree to the amendment?

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

Mr. FABRIZIO. Thank you, Mr. Speaker.

This amendment is agreed to and it makes the following changes to the underlying bill: It removes the definition of "maximum allowable cost list" and replaces the definition with "multiple source generic list," and this is reflected throughout

the bill. It changes the department that is tasked with oversight from the Department of Health to the Pennsylvania Department of Insurance. It removes the statutory requirements for registration of the PBM. Instead, the Insurance Department will determine the parameters for registration through regulation. It also expands the classification of drugs which can be on the multiple source generic drug list to all those generics found in the FDA's (Food and Drug Administration) Orange Book, which is "A," "B," "NR," and "NA." It removes the potential penalty of violation of unfair trade practice. It removes financial penalties.

This amendment is the result of, believe me, extensive negotiations with the stakeholders, including the Pennsylvania Pharmacists Association, the Pennsylvania Association of Chain Drug Stores, Pharmaceutical Care Management Association, Express Scripts, CVS/caremark, Insurance Federation of Pennsylvania, Highmark, Independence Blue Cross, all of whom support this amendment.

I would ask for an affirmative vote. Thank you.

The SPEAKER. Representative Baker, on the amendment, please.

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

I rise to support the amendment. This amendment and bill, as was true with the previous bill and amendments, are a package of bills that are agreed to as are the amendments, and I would encourage all members to support the amendment.

Thank you, Mr. Speaker.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—196

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

Dawkins	Kampf	Ortitay	Truitt
Day	Kaufer	Parker, D.	Vereb
Dean	Kauffman	Pashinski	Vitali
Deasy	Kavulich	Payne	Ward
Delozier	Keller, F.	Peifer	Warner
Dermody	Keller, M.K.	Petrarca	Watson
Diamond	Keller, W.	Petri	Wentling
Donatucci	Kim	Pickett	Wheatley
Driscoll	Kinsey	Pyle	Wheeland
Dunbar	Kirkland	Quigley	White
Dush	Klunk	Quinn	Youngblood
Ellis	Knowles	Rader	Zimmerman
Emrick	Kortz	Rapp	
English	Kotik	Ravenstahl	Turzai,
Evankovich	Krueger	Readshaw	Speaker
Evans	Lawrence		

NAYS—0

NOT VOTING—0

EXCUSED—6

DeLissio	DiGirolamo	Gergely	McNeill
DeLuca	Freeman		

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

On the question,

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

The SPEAKER. Representative Fabrizio, you are withdrawing the other amendments, I believe. So there are no other amendments.

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 REREPORTED FROM COMMITTEE

HB 1838, PN 3659

By Rep. REED

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

RULES.

HB 1872, PN 2893

By Rep. REED

An Act amending Title 37 (Historical and Museums) of the Pennsylvania Consolidated Statutes, in general provisions, further providing for definitions; in powers and duties of Pennsylvania Historical and Museum Commission, further providing for specific powers and duties, for personal property and for documents; providing for Commonwealth archival records, for local government archival records and for access to older public records; and, in historic properties, further providing for powers over certain historic property.

RULES.

HB 2208, PN 3602

By Rep. REED

An Act designating a portion of State Route 145 in Salisbury Township, Lehigh County, as the Cpl. Joshua B. Smith Memorial Highway.

RULES.

SUPPLEMENTAL CALENDAR A

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 1872, PN 2893**, entitled:

An Act amending Title 37 (Historical and Museums) of the Pennsylvania Consolidated Statutes, in general provisions, further providing for definitions; in powers and duties of Pennsylvania Historical and Museum Commission, further providing for specific powers and duties, for personal property and for documents; providing for Commonwealth archival records, for local government archival records and for access to older public records; and, in historic properties, further providing for powers over certain historic property.

On the question,

Will the House agree to the bill on second consideration?

Bill was agreed to.

* * *

The House proceeded to second consideration of **HB 1838, PN 3659**, entitled:

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

On the question,

Will the House agree to the bill on second consideration?

Mr. **GABLER** offered the following amendment
No. **A09362**:

Amend Bill, page 2, line 18, by inserting after "GROUP"
or any portion thereof as desired by the organization

On the question,

Will the House agree to the amendment?

RULES SUSPENDED

The SPEAKER. Now, that amendment is late-filed and it would require a motion to suspend.

Representative Gabler, you are recognized.

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

I rise to ask for suspension of the rules in order to offer amendment 9362. This is a small amendment to the same section that the underlying bill amends.

What I am seeking to do is create an opportunity for organizations to include a portion of their name on the plate. This is something I am working on as a member of the National Guard for a National Guard-related organization.

I would really appreciate support of the members on a rules suspension. Thank you very much.

The SPEAKER. Thank you, sir.

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

The SPEAKER. Representative John Taylor, on the motion to suspend.

Mr. TAYLOR. Thank you, Mr. Speaker.

I would ask the House to approve the motion to suspend. Thank you.

The SPEAKER. Thank you.

Representative Dermody, on the motion to suspend, sir.

Mr. DERMODY. Thank you, Mr. Speaker.

I also would urge the members to support the motion to suspend the rules.

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

The following roll call was recorded:

YEAS—183

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

NAYS—13

Davidson	Matzie	Miller, D.	Roae
Dean	McCarter	Mullery	Tallman
Gillen	Metzgar	Neuman	Truitt
Kotik			

NOT VOTING—0

EXCUSED—6

DeLissio	DiGirolamo	Gergely	McNeill
DeLuca	Freeman		

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

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

The SPEAKER. We are now turning to the underlying amendment, 9362. Right; we are now going to turn to the underlying amendment, 9362, for a vote.

Representative Gabler, on the amendment.

Mr. GABLER. Thank you, Mr. Speaker.

As I previously mentioned, what this amendment seeks to do is enable an organization to display a portion of their name on the plate. It is the language contained in my HB 2101. I would appreciate an affirmative vote. Thank you.

The SPEAKER. Representative Martina White, on the amendment, please.

Ms. WHITE. Mr. Speaker, I just want to encourage our members to vote in favor of this amendment. It is an agreed-to amendment, and I appreciate the maker of the amendment for making the bill better. Thank you.

The SPEAKER. Thank you.

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

The following roll call was recorded:

YEAS—196

Acosta	Everett	Lewis	Reed
Adolph	Fabrizio	Longietti	Reese
Artis	Farina	Mackenzie	Regan
Baker	Farry	Maher	Roae
Barbin	Fee	Mahoney	Roebuck
Barrar	Flynn	Major	Ross
Benninghoff	Frankel	Maloney	Rothman
Bizzarro	Gabler	Markosek	Rozzi
Bloom	Gainey	Marshall	Saccone
Boback	Galloway	Marsico	Sainato
Boyle	Gibbons	Masser	Samuelson
Bradford	Gillen	Matzie	Sankey
Briggs	Gillespie	McCarter	Santarsiero
Brown, R.	Gingrich	McClinton	Santora
Brown, V.	Godshall	McGinnis	Savage
Bullock	Goodman	Mentzer	Saylor
Burns	Greiner	Metcalfe	Schemel
Caltagirone	Grove	Metzgar	Schlossberg
Carroll	Hahn	Miccarelli	Schreiber
Causar	Hanna	Millard	Schweyer
Christiana	Harhai	Miller, B.	Simmons

Cohen	Harhart	Miller, D.	Sims
Conklin	Harkins	Milne	Snyder
Corbin	Harper	Moul	Sonney
Costa, D.	Harris, A.	Mullery	Staats
Costa, P.	Harris, J.	Murt	Stephens
Cox	Heffley	Mustio	Sturla
Cruz	Helm	Neilson	Tallman
Culver	Hennessey	Nelson	Taylor
Cutler	Hickernell	Nesbit	Thomas
Daley, M.	Hill	Neuman	Tobash
Daley, P.	Irvin	O'Brien	Toepel
Davidson	James	O'Neill	Toohil
Davis	Jozwiak	Oberlander	Topper
Dawkins	Kampf	Ortitay	Truitt
Day	Kaufer	Parker, D.	Vereb
Dean	Kauffman	Pashinski	Vitali
Deasy	Kavulich	Payne	Ward
Delozier	Keller, F.	Peifer	Warner
Dermody	Keller, M.K.	Petrarca	Watson
Diamond	Keller, W.	Petri	Wentling
Donatucci	Kim	Pickett	Wheatley
Driscoll	Kinsey	Pyle	Wheeland
Dunbar	Kirkland	Quigley	White
Dush	Klunk	Quinn	Youngblood
Ellis	Knowles	Rader	Zimmerman
Emrick	Kortz	Rapp	
English	Kotik	Ravenstahl	Turzai,
Evankovich	Krueger	Readshaw	Speaker
Evans	Lawrence		

NAYS—0

NOT VOTING—0

EXCUSED—6

DeLissio	DiGirolamo	Gergely	McNeill
DeLuca	Freeman		

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

On the question,

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

The SPEAKER. Seeing no other amendments on the bill.

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.

VOTE CORRECTION

The SPEAKER. Representative O'Neill is recognized.

Mr. O'NEILL. Thank you, Mr. Speaker.

To correct the record.

The SPEAKER. Yes, sir. You may proceed.

Mr. O'NEILL. On HB 946, amendment 09145, I accidentally voted in the negative and I wanted to be voted in the positive.

The SPEAKER. Yes, sir.

Mr. O'NEILL. Thank you.

The SPEAKER. Thank you.

BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 2208, PN 3602**, entitled:

An Act designating a portion of State Route 145 in Salisbury Township, Lehigh County, as the Cpl. Joshua B. Smith Memorial Highway.

On the question,

Will the House agree to the bill on second consideration?

Bill was agreed to.

RULES COMMITTEE MEETING

The SPEAKER. Chairman Adolph is recognized for an announcement.

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

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

The SPEAKER. The House will stand at ease.

The House will come back to order.

Chairman Adolph is recognized.

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

My mistake, Mr. Speaker. That Rules Committee meeting will be at 4:30, 4:30. Thank you.

The SPEAKER. There will be a meeting of the Rules Committee in the House Republican Appropriations conference room at 4:30.

RECESS

The SPEAKER. The House will stand in recess until 4:45.

RECESS EXTENDED

The time of recess was extended until 5 p.m.; further extended until 5:30 p.m.; further extended until 6 p.m.

AFTER RECESS

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

LEAVES OF ABSENCE CANCELED

The SPEAKER. Representative DiGirolamo is on the House floor and should be placed back on the master roll.

Representative Daniel McNeill is back on the House floor and should be placed on the master roll.

BILLS ON CONCURRENCE REPORTED FROM COMMITTEE

HB 60, PN 3646

By Rep. REED

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, in casualty insurance, providing for coverage for oral chemotherapy medications.

RULES.

HB 530, PN 3696 (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 Keystone Exams; 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 certificate; in terms and courses of study, further providing for agreements with institutions of higher education; 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 community colleges, further providing for election or appointment and term and organization of board of trustees; providing for educational tax credits; in the State Board of Education, further providing for powers and duties of the board; and repealing provisions of the Tax Reform Code of 1971 related to educational tax credits.

RULES.

HB 1062, PN 3638

By Rep. REED

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Human Services Code, as follows: in public assistance, further providing for persons eligible for medical assistance, for medical assistance payments for institutional care and for other computations affecting counties; in children and youth, further providing for provider submissions; in nursing facility assessments, further providing for time periods; in intermediate care facilities for persons with an intellectual disability assessments, further providing for time periods; in hospital assessments, further providing for time periods; in departmental powers and duties as to licensing, further providing for regulations; establishing the Pennsylvania eHealth Partnership Program; making editorial changes; and making related repeals.

RULES.

HB 1196, PN 3697 (Amended)

By Rep. REED

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, in preliminary provisions, further providing for definitions; in Pennsylvania Liquor Control Board, further providing for general powers of board; in Pennsylvania Liquor Stores, further providing for sales by Pennsylvania Liquor Stores; in licenses and regulations and liquor, alcohol and malt and brewed beverages, further providing for sales by liquor licensees and restrictions, providing for national event permit, further providing for wine expanded permits, for casino liquor license, for malt and brewed beverages manufacturers', distributors' and importing distributors' licenses, for malt and brewed beverage retail licenses, for brand registration, for Pennsylvania Malt and Brewed Beverages Industry Promotion Board, for license auction, for unlawful acts relative to liquor, alcohol and liquor licensees and for unlawful acts relative to liquor, malt and brewed beverages and licensees; and, in distilleries, wineries, bonded warehouses, bailees for hire and transporters for hire, further providing for limited wineries; in disposition of moneys collected under provisions of act, further providing for moneys paid into State Stores Fund for use of the Commonwealth; and making a related repeal.

RULES.

SB 1073, PN 2009

By Rep. REED

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, 2016, to June 30, 2017, 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, 2016; 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 Home Improvement Account, the Cigarette Fire Safety and Firefighter Protection Act Enforcement Fund, the Commonwealth Financing Authority Debt Service Restricted Revenue Account, the Insurance Regulation and Oversight Fund, the Pennsylvania Racehorse Development Restricted Receipt Account, the Justice Reinvestment Fund, the Multimodal Transportation Fund, the State Racing Fund and the ABLE Savings Program 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, 2016, to June 30, 2017; to provide appropriations from the Motor License Fund for the fiscal year July 1, 2016, to June 30, 2017, 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 and Judicial Departments of the Commonwealth and for the payment of bills remaining unpaid at the close of the fiscal year ending June 30, 2016; and to provide for the additional appropriation of Federal and State funds from the General Fund, the State Lottery Fund and the Tobacco Settlement Fund for the Executive and Legislative Departments of the Commonwealth for the fiscal year July 1, 2015, to June 30, 2016, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2015.

RULES.

SENATE MESSAGE

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

The clerk of the Senate, being introduced, returned **HB 898, PN 3675**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

CALENDAR CONTINUED**BILL ON SECOND CONSIDERATION**

The House proceeded to second consideration of **SB 1155, PN 1998**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in registration of vehicles, providing for special plates for current members of the armed forces of the United States.

On the question,

Will the House agree to the bill on second consideration?

Bill was agreed to.

LEAVE OF ABSENCE

The SPEAKER. Representative Gary DAY has requested to be placed on leave of absence for the remainder of the day. Without objection, that will be granted.

Would all members please report to the House floor. All members, please report to the House floor.

SUPPLEMENTAL CALENDAR D

BILL ON CONCURRENCE
IN SENATE AMENDMENTS

The House proceeded to consideration of concurrence in Senate amendments to **HB 60, PN 3646**, entitled:

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, in casualty insurance, providing for coverage for oral chemotherapy medications.

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

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

Does anybody wish to be recognized on the House bill, which is a concurrence in Senate amendments?

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

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

The following roll call was recorded:

YEAS—195

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

Dermody	Keller, F.	Payne	Warner
Diamond	Keller, M.K.	Peifer	Watson
DiGirolamo	Keller, W.	Petrarca	Wentling
Donatucci	Kim	Petri	Wheatley
Driscoll	Kinsey	Pyle	Wheeland
Dunbar	Kirkland	Quigley	White
Dush	Klunk	Quinn	Youngblood
Ellis	Knowles	Rader	Zimmerman
Emrick	Kortz	Rapp	
English	Kotik	Ravenstahl	Turzai,
Evankovich	Krueger	Readshaw	Speaker
Evans			

NAYS—0

NOT VOTING—2

Oberlander Pickett

EXCUSED—5

Day DeLuca Freeman Gergely
DeLissio

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

Ordered, That the clerk inform the Senate accordingly.

STATEMENT BY MR. DIGIROLAMO

The SPEAKER. Representative DiGirolamo is recognized on unanimous consent.

Mr. DIGIROLAMO. Thank you, Mr. Speaker.

On the bill that we just passed, HB 60, I want to give a shout-out and applaud my good friend from Tioga County, the majority chairman of the Health Committee, for his absolute hard work and sheer determination on making sure this bill, which is so important to the cancer patients around the State of Pennsylvania, was passed, and I just want to say all the best, my good friend. You did a lot of hard work.

And a lot of advocates were also involved in passing this bill, Mr. Speaker. The Cancer Society, and there is one young lady by the name of Kathy Hawkins who was an advocate and really did a lot of hard work on passing this, and I just want to recognize Kathy Hawkins. And congratulations, Kathy. You did it.

STATEMENT BY MR. BAKER

The SPEAKER. On unanimous consent, the Chair recognizes Representative Matt Baker, the chair of the Health Committee.

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

Many people are to be thanked for this. I want to thank the bipartisan support of the House, the Senate, all the cancer coalition advocates, Leukemia Society, cancer coalition, Breast Cancer Coalition. A lot of good work has gone into this.

Over 82,000 people every year in Pennsylvania are diagnosed with cancer, and this is a game-changing bill that will help provide affordable and accessible state-of-the-art oral chemo medicine, instead of sitting in an infusion chair for

many, many hours, sometimes traveling for hours to get treatment. It is just an incredible accomplishment that I am very, very proud of in the House and the Senate to help our cancer patients. Every single member here can be very, very proud of helping our cancer patients in Pennsylvania.

And from the bottom of my heart, on behalf of the cancer patients everywhere, I want to thank every member in this House. I want to thank Whitney. I want to thank Nicole and Karen Coates. There are just so many people that I want to thank, but we do not have time all night here. And I want to thank the leadership for their support as well.

Thank you very much.

The SPEAKER. Thank you, Representative Baker.

BILL ON CONCURRENCE IN SENATE AMENDMENTS

The House proceeded to consideration of concurrence in Senate amendments to **HB 1062, PN 3638**, entitled:

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Human Services Code, as follows: in public assistance, further providing for persons eligible for medical assistance, for medical assistance payments for institutional care and for other computations affecting counties; in children and youth, further providing for provider submissions; in nursing facility assessments, further providing for time periods; in intermediate care facilities for persons with an intellectual disability assessments, further providing for time periods; in hospital assessments, further providing for time periods; in departmental powers and duties as to licensing, further providing for regulations; establishing the Pennsylvania eHealth Partnership Program; making editorial changes; and making related repeals.

On the question,

Will the House concur in Senate amendments?

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

Does anybody wish to speak on the amendments inserted by the Senate or the underlying bill?

On the question recurring,

Will the House concur in Senate amendments?

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

The following roll call was recorded:

YEAS—195

Acosta	Everett	Lawrence	Readshaw
Adolph	Fabrizio	Lewis	Reed
Artis	Farina	Longietti	Reese
Baker	Farry	Mackenzie	Regan
Barbin	Fee	Maher	Roae
Barrar	Flynn	Mahoney	Roebuck
Benninghoff	Frankel	Major	Ross
Bizzarro	Gabler	Maloney	Rothman
Bloom	Gainey	Markosek	Rozzi
Boback	Galloway	Marshall	Saccone
Boyle	Gibbons	Marsico	Sainato
Bradford	Gillen	Masser	Samuelson
Briggs	Gillespie	Matzie	Sankey
Brown, R.	Gingrich	McCarter	Santarsiero
Brown, V.	Godshall	McClinton	Santora
Bullock	Goodman	McGinnis	Savage

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

NAYS—2

Metcalf

Vereb

NOT VOTING—0

EXCUSED—5

Day
DeLissio

DeLuca

Freeman

Gergely

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

Ordered, That the clerk inform the Senate accordingly.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HB 60, PN 3646

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, in casualty insurance, providing for coverage for oral chemotherapy medications.

HB 1062, PN 3638

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Human Services Code, as follows: in public assistance, further providing for persons eligible for medical assistance, for medical assistance payments for institutional care and for other computations affecting counties; in children and youth, further providing for provider submissions; in nursing facility assessments, further providing for time

periods; in intermediate care facilities for persons with an intellectual disability assessments, further providing for time periods; in hospital assessments, further providing for time periods; in departmental powers and duties as to licensing, further providing for regulations; establishing the Pennsylvania eHealth Partnership Program; making editorial changes; and making related repeals.

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

VOTE CORRECTIONS

The SPEAKER. Representative Tina Pickett.

Ms. PICKETT. Thank you, Mr. Speaker.

I need to correct the record, please. On HB 60 my voting button was not working correctly. I wish to be recorded as a "yes" on HB 60. Thank you.

The SPEAKER. Yes; Representative Pickett, that will be so noted in the record.

Representative Donna Oberlander.

Ms. OBERLANDER. Thank you, Mr. Speaker.

I was not recorded on HB 60, and I would like to correct the record and be in the affirmative, please.

Thank you, Mr. Speaker.

CALENDAR CONTINUED

BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 1040, PN 1490**, entitled:

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, in rates and distribution systems, further providing for standby charge prohibited.

On the question,

Will the House agree to the bill on second consideration?

The SPEAKER. There are 20 amendments, 20 amendments.

BILL RECOMMITTED

The SPEAKER. Representative Daley, for what purpose do you rise?

Mr. DALEY. To make a motion, Mr. Speaker.

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

Mr. DALEY. Thank you, Mr. Speaker.

I would like to move that the House recommit HB 1040 or send it to the Consumer Affairs Committee, Mr. Speaker.

On the question,

Will the House agree to the motion?

The SPEAKER. On the motion, sir. Please state your position.

Mr. DALEY. My position, Mr. Speaker, is I think this bill needs to go to the Consumer Affairs Committee so we can vet this bill in a much better fashion than it has been vetted. I believe that this is the proper place for this bill to go back at this time.

The SPEAKER. On the motion, Representative Harper.

Ms. HARPER. Thank you, Mr. Speaker.

This is a bill to help volunteer fire companies. I strenuously oppose the motion to return the bill or to send the bill to the Consumer Affairs Committee. It was voted out of the House Local Government Committee unanimously. In past sessions when this bill has been in the Consumer Affairs Committee, the chairman said he would not run it under any circumstances and did not. Since the chairman is the same, moving the bill to the Consumer Affairs Committee will kill the bill. My fire company needs relief.

The SPEAKER. You may proceed.

Ms. HARPER. Excuse me?

The SPEAKER. Chairwoman Harper, you may continue.

Ms. HARPER. Thank you.

Therefore, I would oppose this motion to send the bill to a slow and painful death in the Consumer Affairs Committee and ask that the members vote down the motion.

The SPEAKER. Representative Godshall, on the motion.

Mr. GODSHALL. I stand strongly to support the motion. The chairman of the Consumer Affairs Committee never ever made a statement such as was repeated here that that bill would never be reported out of committee.

And this bill, this bill goes well beyond the fire companies. This bill deals with almost all organizations, such as school boards—

The SPEAKER. Point of order?

Mr. GODSHALL. Such as your— Such as your—

The SPEAKER. Representative Godshall, please suspend for a motion.

POINT OF ORDER

The SPEAKER. Representative Harper.

Ms. HARPER. Point of order, Mr. Speaker.

The gentleman is off the motion and he has mischaracterized the bill. It is a two-page bill. It deals only with fire companies, ambulances, and rescue squads. That is it. So—

The SPEAKER. On the point of order, that is what we are on right now, the point of order.

Ms. HARPER. —his argument is incorrect.

The SPEAKER. Representative Godshall, if you could, on the motion itself. If the bill should come before us, we will address the substance of the bill.

On the motion, sir.

Mr. GODSHALL. This bill is a slippery slope. It goes way beyond whatever we are doing here because everybody is going to get in line for the same, you know, the same alleviants that we are allowing the fire companies to have. It can go to your schools, your nursing homes, your businesses—

The SPEAKER. Sir—

Mr. GODSHALL. —and anybody else that has a sprinkler system in their service. I ask for a "yes" vote.

The SPEAKER. Representative Mike Vereb.

All those in favor of the motion would be voting "aye"; those opposed would be voting "nay."

Representative Vereb, no, I know; Representative Vereb, I am still calling on you.

Mr. VEREB. Mr. Speaker, we are on the bill, correct? I am a little lost at this point.

The SPEAKER. On the motion, sir; on the motion.

Mr. VEREB. Oh, on the motion to recommit.

Mr. Speaker, some strange things have happened in Consumer Affairs this session, so if we are going to refer it to a committee, how about we refer it to a committee that will give the bill a fair shot. I think every member deserves their bills to have a look. I mean, you know, Consumer Affairs has become the expert on elephant issues this session, Mr. Speaker.

The SPEAKER. On the motion, sir. On the motion. Please, Representative Vereb, please suspend. Please suspend. On the motion; on the motion.

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—142

Acosta	English	Kortz	Ravenstahl
Adolph	Evankovich	Kotik	Readshaw
Artis	Evans	Krueger	Reese
Baker	Everett	Lewis	Roae
Barbin	Fabrizio	Longietti	Roebuck
Bizzarro	Farina	Mackenzie	Rozzi
Boyle	Flynn	Maher	Saccone
Briggs	Frankel	Mahoney	Sainato
Brown, R.	Gainey	Maloney	Samuelson
Brown, V.	Galloway	Markosek	Sankey
Bullock	Gillespie	Marshall	Santora
Burns	Gingrich	Matzie	Savage
Caltagirone	Godshall	McClinton	Saylor
Carroll	Goodman	McNeill	Schlossberg
Causser	Hahn	Mentzer	Schreiber
Christiana	Harhai	Metcalfe	Schweyer
Cohen	Harhart	Metzgar	Simmons
Conklin	Harkins	Miccarelli	Sims
Corbin	Harris, J.	Millard	Sonney
Costa, D.	Helm	Miller, B.	Staats
Costa, P.	Hennessey	Miller, D.	Stephens
Cox	Hickernell	Moul	Sturla
Cruz	Hill	Mullery	Tallman
Culver	James	Neilson	Taylor
Daley, P.	Jozwiak	Nelson	Thomas
Davidson	Kampf	Neuman	Tobash
Davis	Kaufer	O'Brien	Toepel
Dawkins	Kauffman	Oberlander	Toohil
Deasy	Kavulich	Ortitay	Truitt
Dermody	Keller, F.	Pashinski	Ward
Diamond	Keller, W.	Payne	Wheatley
Donatucci	Kim	Peifer	White
Driscoll	Kinsey	Pickett	Youngblood
Dunbar	Kirkland	Pyle	
Ellis	Klunk	Quigley	Turzai,
Emrick	Knowles	Rapp	Speaker

NAYS—55

Barrar	Gibbons	McCarter	Ross
Benninghoff	Gillen	McGinnis	Rothman
Bloom	Greiner	Milne	Santarsiero
Boback	Grove	Murt	Schemel
Bradford	Hanna	Mustio	Snyder
Cutler	Harper	Nesbit	Topper
Daley, M.	Harris, A.	O'Neill	Vereb
Dean	Heffley	Parker, D.	Vitali
Delozier	Irvin	Petrarca	Warner
DiGirolamo	Keller, M.K.	Petri	Watson
Dush	Lawrence	Quinn	Wentling
Farry	Major	Rader	Wheeland
Fee	Marsico	Reed	Zimmerman
Gabler	Masser	Regan	

NOT VOTING—0

EXCUSED—5

Day
DeLissio

DeLuca

Freeman

Gergely

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

The SPEAKER. Members, please, it is approaching 6:30 on June 30. The bill that is coming before us is the budget bill for '16-'17.

SUPPLEMENTAL CALENDAR C

BILL ON CONCURRENCE IN SENATE AMENDMENTS TO HOUSE AMENDMENTS

The House proceeded to consideration of concurrence in Senate amendments to House amendments to **SB 1073, PN 2009**, 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, 2016, to June 30, 2017, 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, 2016; 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 Home Improvement Account, the Cigarette Fire Safety and Firefighter Protection Act Enforcement Fund, the Commonwealth Financing Authority Debt Service Restricted Revenue Account, the Insurance Regulation and Oversight Fund, the Pennsylvania Racehorse Development Restricted Receipt Account, the Justice Reinvestment Fund, the Multimodal Transportation Fund, the State Racing Fund and the ABLE Savings Program 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, 2016, to June 30, 2017; to provide appropriations from the Motor License Fund for the fiscal year July 1, 2016, to June 30, 2017, 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 and Judicial Departments of the Commonwealth and for the payment of bills remaining unpaid at the close of the fiscal year ending June 30, 2016; and to provide for the additional appropriation of Federal and State funds from the General Fund, the State Lottery Fund and the Tobacco Settlement Fund for the Executive and Legislative Departments of the Commonwealth for the fiscal year July 1, 2015, to June 30, 2016, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2015.

On the question,

Will the House concur in Senate amendments to House amendments?

The SPEAKER. Moved by the gentleman, Representative Adolph, that the House concur in the amendments.

The Chair recognizes Representative Adolph for a description of the Senate amendments and for any remarks on the bill.

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

On the Senate changes. The Senate made some reductions and some increases in a variety of line items in the general appropriations bill. The budget now spends a total of \$31.6 billion when you include the transfer of the CFA (Commonwealth Financing Authority) line item to a restricted account. The major increase, Mr. Speaker, was to higher education line items, which they will—

The SPEAKER. Sir, please just suspend for a moment, and I do apologize for interrupting.

Members, I would ask that everybody please take their seats. Any conversations, please take them to the anterooms off the House floor.

Chairman Adolph will continue to speak. He will be followed by Chairman Markosek.

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

As I was saying, the major increase was to higher education line items, which will receive an increase of 2.5 percent. They include a \$250 million appropriation to Penn State, \$146.7 million appropriation to Pitt, \$150.5 million to Temple University, \$14.4 million to Lincoln University, and \$30.4 million to University of Penn vet school.

The other areas that were increased include agriculture, Department of Community and Economic Development, and human services. To increase the budget, because we are talking about \$75 million as compared to the budget that was passed here the other night, \$40 million of that \$75 million is going to higher ed and \$35 million to those areas of the budget that I just said.

That is a summary of the Senate changes to SB 1073, Mr. Speaker.

On the bill?

The SPEAKER. Yes, sir; on the bill.

Mr. ADOLPH. Thank you, Mr. Speaker.

Mr. Speaker, I rise today to ask the members of this General Assembly to concur in the Senate amendments to SB 1073.

As this General Assembly has been working in a very bipartisan manner, we now are on our last leg of our journey, which is to pass an on-time budget without any broad-based tax increases. No tax increase in the personal income tax and no increase in the Pennsylvania sales tax.

As I mentioned in my opening comments, this budget will spend a total of \$31.6 billion when you include that transfer to a restricted account. This increase is in large part due to mandated expenses and snapbacks from the 2015-16 budget. One point two billion dollars of this spending increase is the result of those snapbacks and mandatory increases. There is an increase of \$300 million in discretionary spending, most of which went to higher education.

It is important to note that we are making key investments in education, public safety, environmental protection, combating the heroin epidemic, and funding for our most vulnerable citizens. We went through that thoroughly the other night, regarding those on the waiting list.

On education. Basic education funding will increase by \$200 million, and I think it is important to say that the basic education funding line item reaches an all-time high, \$5.895 billion. This is the highest it has ever been, including the

years when we were receiving Federal stimulus money. Pre-K Counts will increase by \$25 million, Head Start Supplemental Assistance will increase by \$5 million, special education will increase by \$20 million, and early intervention will increase by \$10.4 million. I think it is important to understand that our PSERS (Public School Employees' Retirement System) contribution was increased by \$345 million in this budget. But, Mr. Speaker, this is the first time in 15 years that we will actually meet our actuarially required contribution, the ARC. This is very important to our bond ratings and will put us on a path of fiscal stability. In total, we are spending an additional \$665 million, pre-K to 12 education.

On public safety. The passage of this budget, the concurrence on SB 1073, will allow us to start three new classes of cadets for our State Police. This will put 180 new troopers on our highways. This budget will increase the Department of Corrections' budget by \$152.8 million.

On our environmental issues. This will allow us to make sure that our Oil and Gas Lease Fund can properly fund programs such as conservation and recreation programs, Growing Greener, and the Hazardous Sites Cleanup.

On combating the opioid addiction. Mr. Speaker, it is hard to combat such a terrible disease without the funding. This budget has \$15 million in it. Many of you out there have been actively seeking funding for these important line items on the budget. We have emphasized to our colleagues in the Senate that it is very, very important that this \$15 million address treatment, and I hope during the special session that we are able to come to a consensus on that as we will continue to push forward to treat the addiction.

This budget will increase the Department of Human Services by \$466 million. However, we carefully went through each line item and we decreased the increase by 50 percent. This budget also adds \$8.5 million to provide services to 700 graduates of special education and to provide the services to 250 individuals on the emergency waiting list. I know how hard many of you have lobbied and advocated for these increases.

In closing, it is June 30 at 6:30. We have been working in a bipartisan manner, let us continue. Now is the time to take the ball over the goal line. This budget is a compromise. It is not everything that everybody wanted. You can always find something in a budget that you do not agree with. However, we know what we went through last year with the impasse and how our nonprofits, our counties, our school districts, our universities and colleges suffered as a result of that. We need to get this done. We need to concur. Our constituents are looking to Harrisburg in hopes that we meet this deadline and not to repeat the impasse of last year's budget. This opportunity will show Pennsylvania that State government here in Harrisburg does work. We can work together. We can get this done. I encourage everyone in this chamber to concur in Senate amendments to SB 1073.

Thank you so much, Mr. Speaker.

The SPEAKER. Thank you, Representative Adolph.

Chairman Markosek, on the bill.

Mr. MARKOSEK. Thank you, Mr. Speaker.

Mr. Speaker, just echoing my colleague from Delaware County who just spoke, I think it is very important that we understand that we are doing something here tonight that we could not do the last few years. We are passing an on-time budget on time.

As my colleague mentioned, there are a lot of positive things about this budget that should give everybody a reason to vote "yes." One of the things that he mentioned was an extra \$5 million put in by the Senate amendment last night for the drug and alcohol program, the opioid heroin program, that we all the other night, as you know, we all had said that we need to get more funding into that program. So instead of the \$15 million that we talked about the other night, we now have \$20 million going into that program.

As my colleague mentioned again, last night the Senate put an increase for higher education in this budget, a 2 1/2-percent increase for higher education. That includes additional money for institutions, the community colleges, the State-related universities, the State System of Higher Education, and Thaddeus Stevens College of Technology. It will also deliver a 2 1/2-percent increase for PHEAA (Pennsylvania Higher Education Assistance Agency), PHEAA, the organization that so many, so many of our constituents use, either to go to college or to have their kids go to college.

SB 1073 would provide \$200 million more for basic education as compared to last year's budget. It would also include \$20 million more for special ed, an additional \$25 million for Pre-K Counts, \$5 million more for Head Start Supplemental Assistance, and \$10.4 million more for early intervention, \$10.4 million more for early intervention, something everybody in this chamber wants to see more funding for.

Lastly, before I summarize here, there was also put in last night in the amendment a \$750,000 increase for the Pennsylvania State Food Purchase Program, our food banks in Pennsylvania. I do not know about you, but I sure have gotten a lot of e-mails here recently from folks that say there are a lot of hungry people out there and we need more money for our food banks. Well, the amendment last night put in another \$750,000 more in this, and that is another reason why you should vote for this.

There are a lot of reasons why you should vote for this. But we are on time. You are never going to get everything you want, but there are a lot of good things in this budget. It is reasonable. It is at a reasonable cost for the people of Pennsylvania, and there is no reason not to vote for it. I would ask all of my colleagues, both the Republicans and the Democrats, to please vote "yes" on SB 1073.

Thank you, Mr. Speaker.

The SPEAKER. Representative Daryl Metcalfe.

Members, please take your seats.

Sir, please suspend.

Members, please take your seats. We have four speakers: Representative Metcalfe followed by Representative Thomas, followed by Representative Knowles, followed by Representative Dush. I would ask everybody to please take their seats. Each and every member is entitled to be heard.

Representative Metcalfe, the floor is yours, sir.

Mr. METCALFE. Thank you, Mr. Speaker.

Mr. Speaker, the previous speaker went through a long list of reasons why people should vote for this budget, a long list of things that the budget is going to be spending taxpayers' money on, as to why people should vote for it, and said that it is a reasonable budget and reasonable for the people that are paying for it, I believe is what he had said or was inferring also.

But, Mr. Speaker, the majority of people that I have been hearing from since the budget debate this week do not believe that increasing spending by \$1.6 billion is reasonable. They do not believe that increasing spending five times above the rate of inflation and population growth is reasonable, and I would venture to say that neither do they think that it is responsible, Mr. Speaker.

Mr. Speaker, I hear the same excuses out of many of my local school boards as I hear here in the General Assembly this year, and it is like we have these costs that we have to deal with, these cost-to-carry costs, these costs that we cannot do anything about. School boards are usually blaming the legislature. Well, we have all these mandates from Harrisburg or we have these mandates from Washington, DC, and we cannot do anything about it; always passing the buck, Mr. Speaker, instead of dealing with the sphere of responsibility that you are operating in to make responsible decisions that protect taxpayers and protect the people that have to pay the bill, Mr. Speaker.

Mr. Speaker, when government decides to not live within its means, to spend more than it is collecting, and I believe with the increase that the Senate made in this budget, increasing spending by another \$75 million above what it was sent to them the other day, increasing the spend number to above \$31.6 billion now, Mr. Speaker, with that spend number, I believe we are actually spending about \$1.1 billion, \$1.2 billion more than we are collecting, Mr. Speaker, which, of course, there still remains to be seen how anyone is going to pay for this budget, because we do not have currently the revenues on track to pay for it without additional legislation that has not been revealed to the general membership yet, Mr. Speaker.

That is not a responsible decision to spend more than you have, to spend more than you are bringing in. Every taxpayer knows that, every family knows that, every business owner knows that, Mr. Speaker. They do not create jobs in the economy by spending more than they are bringing in. They have to file bankruptcy, like so many individuals have to file bankruptcy, Mr. Speaker, if they are spending more than they are collecting. But what does government do when they are spending more than they are bringing in? They bill the taxpayer. The taxpayer gets the bill in the mail in additional taxes, Mr. Speaker.

Mr. Speaker, so many in this General Assembly will be voting for this budget tonight, as the Senate did, with the reasoning that it is not increasing taxes in this vote, Mr. Speaker. Mr. Speaker, if this was a \$1.6 billion tax increase that was being voted on or a \$1.2 billion tax increase to close the gap, that tax increase would not have the support amongst the membership in either chamber, Mr. Speaker. That is why the sales tax and the PIT (personal income tax) were taken off the table as they should have been. But the spending should have been taken off the table. We should be living within our means and not sending an additional bill to the taxpayer, Mr. Speaker. Mr. Speaker, members need to be held accountable for their spending decisions as well as their taxing decisions, because it is the spending decisions that will create the taxing decisions, Mr. Speaker.

Mr. Speaker, I heard the majority chair of the Appropriations Committee also going through a long list of things that are going to be funded in this budget, and one of them was on addictions, Mr. Speaker. Well, the one addiction that I did not

hear addressed, Mr. Speaker, that there needs to be a correction for is the spendaholic addiction that we have in the General Assembly, Mr. Speaker. The spendaholic ways of this legislature are going to break the taxpayers and are the reason so many young people are fleeing the State in search of jobs elsewhere, because they are not being created here, Mr. Speaker.

Mr. Speaker, this budget is the absolute wrong direction, absolutely the wrong direction. We need to correct the spendaholic disease that has infiltrated amongst this membership, and hopefully the new freshman members coming in next year will be inoculated or quarantined for those inoculations before they are mixed in, Mr. Speaker.

Mr. Speaker, I call for a "no" vote on the spendaholic budget.

The SPEAKER. Thank you, Chairman Metcalfe.

Representative Curtis Thomas.

Representative Thomas, the floor is yours.

Mr. THOMAS. If you give me some quiet, then I can go forward.

The SPEAKER. Representative Thomas, if you want, please come down front to the rostrum. You will be heard better.

All members, please take your seats.

Representative Thomas, you will start at 5 minutes. Please proceed.

Mr. THOMAS. Thank you, Mr. Speaker.

Thank you to the majority leader. Thank you to my leader, the Democratic leader, let me thank the Governor, and let me thank the chairs of the Appropriations Committee both on the majority and minority sides, (remarks in Russian), (remarks in Spanish), thank you, thank you, for stepping up to the plate.

This is the first time in 10 budgets that I am putting up an affirmative vote. Yes. And I am not putting up a "yes" vote because I am thoroughly satisfied with what happened. I view what we have today not as a period signifying an end but as a semicolon representing a new beginning in the direction that we are going here in this General Assembly.

And I say to Dr. Hite and the people in my county, Philadelphia County, put those nurses back into schools, put competent teachers in the classes. If I am trained for science, do not have me teaching gym. Pay them the appropriate salary. Put technology in our schools. Put our books in our schools. No, we did not get the \$350 million that we wanted, but we will run with the \$200 million, because we know that that will allow us to take a step forward.

Workforce development is extremely important. There are still 10 counties in the Commonwealth of Pennsylvania with structural unemployment and underemployment. We have the ability to turn that around, and I ask each and every one of you as we go forward that we do what we need to do to put people back to work.

The middle class in Pennsylvania is dying, as we have known it. We have the ability to turn that around. Yes, I am convinced that we are stronger when we are together, and so I ask each and every one of you to join us in really moving Pennsylvania forward.

So as I started out, let me close with treat not what is happening today as a period signifying an end but as a semicolon representing a new beginning. The children of Pennsylvania need to have a running start, and as the old folks used to say, you only get back what you put out. If you put nothing out, then you cannot get anything back. If we invest in

our kids in pre-K, if we invest during their education, we invest in after school, they will have a running chance.

And I am so thankful about the investment for prevention and intervention around heroin and opioids. I graduated from high school with the largest number of men to die in the Vietnam war of anywhere in America. I say it is too many of my friends from Vietnam, from Afghanistan, and from other wars who got stuck on drugs because they did not understand what was going on. They never got treatment, they never got the intervention, because they were Black and poor. Now that this evil has spread in other parts of Pennsylvania, I am thankful that we are making a commitment, and I hope that the availability of treatment and intervention is to all, not just some. In the African-American community, Latino community, Asian community, poor communities, rural communities, there are people that need help. This is a good opportunity to do the right thing in making sure that everybody that is in need of treatment and intervention, that they are able to take advantage of it.

Thank you. God bless you.

The SPEAKER. Representative Jerry Knowles.

Please, members, suspend.

Representative Knowles is entitled to be heard.

Representative Knowles, you may proceed.

Mr. KNOWLES. Thank you, Mr. Speaker.

Mr. Speaker, let me start by thanking many of the members in this chamber who, in the last 4 years of the previous administration, voted on budgets to control spending, hold the line on taxes, and spend within our means. That took a lot of courage. I admire you for that. It took a lot of courage, because you got a lot of pressure from special interest groups, but you held your ground, and you should be commended for that.

We continued with that tradition in the last budget, and, Mr. Speaker, I realize that none of us wanted it to take 9 months, but it did. But after the 9 months we settled on a budget spending \$30.12 billion. That was less than the budget that the Governor could have signed or could have let go into law. It was less, but yet we had to wait 9 months for that budget. So I commend you for that. I am sorry it took us so long to do it, but it was a good product when it was done.

Unfortunately, Mr. Speaker, we are not going to get the same results in this budget. Unfortunately, Mr. Speaker, I fear that we are reversing that trend. Mr. Speaker, I fear that we are going back to the bad old days. Mr. Speaker, over 5 percent increased spending. That is \$1.6 billion more, \$1.6 billion more, five times the rate of inflation and population growth. Recurring expenses paid by nonrecurring revenues: tax amnesty dollars, liquor money, expanded gaming, tobacco taxes, sin taxes. That is how we are going to pay for this. And you know, I said that is how we are going to pay for this, but I am not really sure because we are voting on a spending bill before we have no idea how we are going to pay for it, before we do not have the votes to pay for it. I think that is dangerous, Mr. Speaker.

Mr. Speaker, I want you all to think about next year. We have a Governor who has an appetite for spending. He is a spendaholic. He likes to spend money. Do you really believe, Mr. Speaker, that next year this Governor is going to come back and he is going to be satisfied and he is going to be all is fine? And my question to all of you is, when he does that, where do we go from there? I will tell you where we go from there. We go to an increased sales tax and we go to an increased personal income tax. That is where we go from there.

Mr. Speaker, I want you to know that I respect each and every one of you in this chamber, and I mean that sincerely. I truly mean that. I think that you will be voting for your constituents. I do not agree with you, and quite frankly, I really hesitated to stand up and speak, but I feel, yeah, I really feel that I want my constituents back home to know what I did, why I did it, and I would ask you to consider what I just said and for you to consider before you make that vote.

Mr. Speaker, I want to sincerely thank each and every one of you for listening to me and for giving me the respect that each and every member of this House deserves.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, sir.

Representative Cris Dush.

Please, members, suspend. Every member is entitled to be heard. I would ask all members to please take their seats. All members, please take your seats. I would ask that all conversations please be taken to the anterooms off the House floor.

Representative Dush, the floor is yours, sir.

Mr. DUSH. Thank you, Mr. Speaker.

Mr. Speaker, I rise simply to remind this body of the position we took last year that we would not vote on spending until we voted on how we were going to get the money. The position of this bill stands in direct contravention of what we did last year.

I am not going to repeat the numbers from my remarks from 2 days ago, Mr. Speaker, but I will ask this: When we have the numbers that show our citizens are making less, when we know we have fewer people employed, how do we justify taking more from their pockets?

I will not vote for an increase in spending so the Governor can agree to provide pay raises and health club benefits – and I do not mean to just single one out, but this one does stand out – for university professors, while the people they are working for, the people whose pockets we are picking, have been reduced to eating ramen noodles.

Mr. Speaker, we have heard it said that not everyone is getting everything they want. Well, Mr. Speaker, the main thing that my constituents want is for the government to stop robbing them. I will not vote for spending on new programs and creating new positions like a State weatherman while our citizens are losing their jobs.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, Representative.

Representative Cohen.

Mr. COHEN. Mr. Speaker, Representative Markosek said not too long ago that you can vote "yes" or "no" on any budget, that there is something in there to justify a "yes" or "no" vote. That is true. It is also true that this budget has a lot of very positive things and that the effort that the House made was a good effort and the Senate has managed to improve that effort. So I and many other members in Philadelphia who voted against the original bill are going to vote for this version of the bill. We are going to vote for this version, because unlike some of the "no" votes, we think that the spending in education that has increased by over 6 percent is a worthwhile expenditure. We are frustrated by schools in Philadelphia and elsewhere that do not have adequate books and that do not have adequate school nurses, adequate school psychologists. The schools in many places of this Commonwealth have been starved for funding. This is a step, a meaningful step, in moving forward in giving extra money so kids can learn.

I understand the argument that if any taxes have to be increased, that is a terrible thing, but I and many others believe that if kids are deprived the services they need, if kids are deprived the education they need, then that, too, is a terrible thing. We need spending that serves the interests of our citizens. Whether we like it or not, there are a lot of people in Pennsylvania who are dependent on our budgets. There are a lot of people who need educational spending. There are a lot of people who need spending for drug and alcohol abuse. There are a lot of people who need spending for public benefits. There are a lot of people who need spending in the Department of Human Services. We need a government that is compassionate and competent.

Now, it is true that this budget, as it now stands, cannot be paid for by current tax revenues. However, nobody is suggesting that the legislature go home immediately after the budget. Governor Wolf has been very clear that if we do not have a total package that is fiscally responsible, meaning that revenues are matched by taxes and spending is closely correlated with the revenues we expect to get, he is not going to sign it, and he has shown an ability, at least as great as any other Governor, to veto measures that are not fiscally responsible. I have no doubt he has retained that ability. I have no doubt that we will pass some revenue measures that will justify this budget, and we do not have to do it this very second. We still have time.

I would urge support of this legislation. It is a positive step forward. Pennsylvania is not going to move forward into the 21st century and be a State that people want to live in by starving those of its citizens who are dependent on the State budget. We are not going to be a positive role model for other States when we are among the leadership in high school dropouts, when we are among the leadership in schools without nurses, without psychologists. We are not going to move forward if our public services are so low that people feel they have no choice but to go elsewhere.

This budget is a positive step forward, and I urge all members of this House to support it. I commend both parties for negotiating an excellent step forward for all of Pennsylvania. Thank you very much.

The SPEAKER. Representative Mike Sturla.

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, I do not like this bill all that much but I intend to vote for it, because this is the first budget bill in 5 years that does not increase the structural deficit. It does not reduce it, but it does not increase it, and that is a step forward. Even last year's budget that was 9 months late and spent less than what was originally proposed still increased the structural deficit for the State. This year's budget, at least assuming we can get the revenue, pays for what we are doing.

Now, there are some things that I have concern with. This budget steals \$814 million from the Motor License Fund to help balance the budget. That is a practice that I think should end. I thought it should have ended 15 years ago. It does increase basic education funding, but as my colleague from Monroe County on the other side has pointed out, it does not solve the equity issue. As the majority Appropriations chair pointed out, it takes some citizens off the disabilities waiting list, but there is still a 5-year waiting list for persons with disabilities to receive services.

Imagine if we ran all the parts of this State government that way. Imagine if a 16-year-old qualified by passing the driver's license test and we told them, "Sorry, we just don't have enough money to process your license. You can get it when you're 21."

Imagine if somebody filed for a tax return from the State and we said, "Sorry, we just don't have enough people over in Revenue to process you. You can get your return 5 years from now, in 2021." There would be people in the streets with pitchforks. But we tell persons with disabilities, "Just wait 5 years to receive your services."

Mr. Speaker, I have heard members of the legislature stand up today and say they oppose this bill because we did not cut, and I would challenge those members and I would challenge in particular their constituents back home to ask them exactly what it is they would cut, and to not listen to platitudes of "Well, I would just cut waste, fraud, and abuse" or "I would just eliminate things that we don't need." Get specific. Tell us which classroom you are going to cut out of the education system. Tell us which grandmother you are going to throw out of the nursing home. Tell us which person with a disability you are going to tell they have a 10-year waiting list.

Mr. Speaker, this budget is not perfect, but it is certainly a lot better than anything that has happened here in the last 5 years, and I fully intend to vote for it, and I ask for every member to do so also.

Thank you, Mr. Speaker.

The SPEAKER. Representative Dan Truitt.

Mr. TRUITT. Thank you, Mr. Speaker.

I will be very brief.

Mr. Speaker, I feel like I have stepped into an episode of "The Twilight Zone" here. A budget has two parts, revenues and expenditures. We are about to vote on a bill to spend \$31.6 billion and we literally do not know where we are going to get the money. This is a pretty simple decision. The only rational vote is a "no" vote.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, Representative Truitt.

Representative Eli Evankovich.

Mr. EVANKOVICH. Thank you, Mr. Speaker.

Mr. Speaker, I was wondering if in the spirit of bipartisanship, the minority chair of the Appropriations Committee would stand for a brief interrogation.

The SPEAKER. Sir, Chairman Adolph has indicated that he will stand for interrogation if that works.

Mr. EVANKOVICH. Thank you, Mr. Speaker.

I was hoping my good neighbor, the minority chair of the Appropriations Committee, would stand.

I have a question because of a comment that one of the minority members had made about the budget not being able to – current revenues not being enough to pay for the spending plan, and I just have a very simple question, perhaps even a one-word answer. What is the current estimated revenues for the proposed spending plan in SB 1073? I apologize, Mr. Speaker. What is the current estimated revenue?

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

Based upon the IFO's (Independent Fiscal Office) proposed projections for '16-'17, the base revenue will be \$31.55 billion.

Mr. EVANKOVICH. Thank you, Mr. Speaker.

Is that estimated revenue based on recurring taxes that are already in statute and recurring fees that are already in statute?

Mr. ADOLPH. That is correct.

Mr. EVANKOVICH. Thank you, Mr. Speaker.

Mr. ADOLPH. You are more than welcome.

The SPEAKER. Representative Evankovich, do you want to speak on the bill, sir?

You may. Please proceed.

Mr. EVANKOVICH. Thank you, Mr. Speaker.

Just a quick clarification, was it \$30.55 billion or was it \$31.55 billion?

Mr. ADOLPH. The IFO estimate is \$31.55 billion.

Mr. EVANKOVICH. And, Mr. Speaker, that includes all deductions with refunds and all the—

Mr. ADOLPH. That is gross base revenues.

Mr. EVANKOVICH. And so would that \$31.55 billion include refunds that are going back to the taxpayers?

Mr. ADOLPH. That is before refunds.

Mr. EVANKOVICH. Okay. Thank you, Mr. Speaker.

Just on the budget bill, Mr. Speaker, SB 1073, I just wanted to get on the record that we have \$31.55 billion estimated revenues, which is good news, because that is close to the spending amount in SB 1073, but the estimated refunds certainly will come off of that, and I believe that I heard that it is about \$1.33 – \$1.3 billion, which leaves us about \$1.3 billion short, \$1.4 billion short, and I just wanted to make sure that that was in the legislative record. Thank you.

The SPEAKER. Thank you, sir.

Representative Mike Hanna.

Mr. HANNA. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of SB 1073.

Mr. Speaker, while the additions made by the Senate were not necessarily agreed to, they are positive additions to the bill and add additional reasons why we should be in support of this bill.

Mr. Speaker, higher education has struggled under the cuts from the prior administration, significant cuts of 19 percent that had to be restored. We made a significant step last year when we restored 5 percent of those cuts. Today, Mr. Speaker, we are going to make another significant step by adding 2 1/2 percent. While that is a far cry from the 19-percent cuts, it is significant and gets us on the path of restoring higher education funding.

Mr. Speaker, that is very important to us. We have to understand that students today are graduating from college with crushing debt, debt that keeps them from being able to acquire homes, to make investments, debt that ties them to very difficult situations for long periods of time, Mr. Speaker.

Mr. Speaker, we need to start the path of restoring the State's obligation to higher education so that those who cannot afford to attend higher education without our public higher education system and without the assistance that is provided to them have an opportunity without having to acquire such crushing debt.

So, Mr. Speaker, for all those reasons I strongly encourage a "yes" vote on SB 1073.

Thank you, Mr. Speaker.

The SPEAKER. Representative Bryan Barbin.

Mr. BARBIN. For the record, I think we are about ready to make this vote. I would like to say at this point that we have come up with a better spending plan. If the person you care about is the person who is going to college or going to the State System or going to the community college, all those plans will be provided with additional moneys, as well as the PHEAA system. Right now what we are doing is we are trying to get back some of the money we lost over the last 4 years, or the last

administration, when we just did an across-the-board cut to higher education and community colleges and the State System.

I do not know why I am having a problem. I do not usually seem to have a problem, but—

The SPEAKER. Representative Barbin, hold on, please.

All members, please take your seats. For this vote we are going to need everybody in their seats. We would appreciate if everybody could be in their seats. Representative Barbin is the last speaker, so I would ask that all members who are here to vote please be in your seats.

Mr. BARBIN. All right. Thank you, Mr. Speaker.

The SPEAKER. You may proceed; yes.

Mr. BARBIN. Thank you.

I would also like to point out that what the Senate has done is to, in a bipartisan fashion, I think a 40-to-7 vote, they decided that it is important to bring forward a budget that allows us to be able to say we are taking care of all the issues that we have not taken care of for the last 3 years. The waiting list for disabilities is really an important issue. The fact that we have a waiting list of 5 years is something that none of us should be proud of, but at least we are taking the first step to try to help families with disabilities. Now, up to this point those people's families are taking care of a burden that none of us would be easily able to take care of if we were the caregivers. It also provides some additional money for human services.

And I guess it is time to run the bill.

On the question recurring,

Will the House concur in Senate amendments to House amendments?

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

(Members proceeded to vote.)

LEAVE OF ABSENCE CANCELED

The SPEAKER. Representative Tony DeLuca is on the House floor and should be placed on the master roll.

Representative DeLuca, welcome. We are in the middle of the budget vote. Welcome.

CONSIDERATION OF SB 1073 CONTINUED

On the question recurring,

Will the House concur in Senate amendments to House amendments?

The following roll call was recorded:

YEAS—144

Acosta	Emrick	Kortz	Ravenstahl
Adolph	English	Krueger	Readshaw
Artis	Evans	Lewis	Reed
Baker	Everett	Longietti	Reese
Barbin	Fabrizio	Major	Roebuck
Barrar	Farina	Markosek	Ross
Benninghoff	Farry	Marshall	Rozzi
Bizzarro	Fee	Marsico	Sainato
Boback	Flynn	Masser	Samuelson
Boyle	Frankel	Matzie	Sankey
Bradford	Gabler	McCarter	Santarsiero
Briggs	Gainey	McClinton	Santora

Brown, R.	Galloway	McNeill	Savage
Brown, V.	Gingrich	Mentzer	Schlossberg
Bullock	Godshall	Miccarelli	Schreiber
Caltagirone	Goodman	Millard	Schweyer
Carroll	Greiner	Miller, D.	Simmons
Causer	Hahn	Milne	Snyder
Cohen	Hanna	Mullery	Sonney
Conklin	Harhai	Murt	Staats
Corbin	Harhart	Neilson	Stephens
Costa, D.	Harkins	Nesbit	Sturla
Costa, P.	Harris, A.	Neuman	Taylor
Cruz	Harris, J.	O'Brien	Thomas
Culver	Heffley	O'Neill	Tobash
Cutler	Helm	Oberlander	Toepel
Daley, M.	Hennessey	Parker, D.	Toohil
Daley, P.	Hickernell	Pashinski	Vereb
Davidson	James	Payne	Watson
Dawkins	Jozwiak	Peifer	Wheatley
Deasy	Kampf	Petri	White
DeLuca	Kaufer	Pickett	Youngblood
Dermody	Kavulich	Pyle	Zimmerman
Donatucci	Keller, W.	Quigley	
Driscoll	Kim	Quinn	Turzai,
Dunbar	Kinsey	Rader	Speaker
Ellis	Kirkland		

NAYS—54

Bloom	Grove	Maloney	Rothman
Burns	Harper	McGinnis	Saccone
Christiana	Hill	Metcalfe	Saylor
Cox	Irvin	Metzgar	Schemel
Davis	Kauffman	Miller, B.	Sims
Dean	Keller, F.	Moul	Tallman
DeLozier	Keller, M.K.	Mustio	Topper
Diamond	Klunk	Nelson	Truitt
DiGirolamo	Knowles	Ortitay	Vitali
Dush	Kotik	Petrarca	Ward
Evankovich	Lawrence	Rapp	Warner
Gibbons	Mackenzie	Regan	Wentling
Gillen	Maher	Roae	Wheeland
Gillespie	Mahoney		

NOT VOTING—0

EXCUSED—4

Day	DeLissio	Freeman	Gergely
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments to House amendments were concurred in.

Ordered, That the clerk inform the Senate accordingly.

BILL RECOMMITTED

The SPEAKER. HB 530 has been recommitted to Rules. Without objection, that bill will be moved to Rules.

BILLS RECOMMITTED

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

HB 512;
HB 946;
HB 947;
HB 1838;

HB 1872;
HB 2208; and
SB 1155.

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 1226 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.

CALENDAR CONTINUED

BILL ON CONCURRENCE IN SENATE AMENDMENTS AS AMENDED

The House proceeded to consideration of concurrence in Senate amendments to the following **HB 934, PN 2648**, as further amended by the House Rules Committee:

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, in public assistance, providing for the establishment of KEYS, for copayments for subsidized child care, for medical assistance payments for institutional care, for other medical assistance payments, for mileage reimbursement and paratransit services for individuals receiving methadone treatment and for other computations affecting counties; providing for children's health care; in children and youth, further providing for payments to counties for services to children, for provider submissions and for limits on reimbursements to counties; repealing provisions relating to Medicaid managed care organization assessments; in Statewide quality care assessment, further providing for definitions, for implementation, for restricted account and for expiration of article; providing for managed care organization assessments; in departmental powers and duties as to supervision, further providing for definitions, in departmental powers and duties as to licensing, further providing for definitions, for fees, for provisional license and for violation and penalty; repealing provisions relating to registration provisions; in family finding and kinship care, further providing for definitions, for kinship care program and for permanent legal custodianship subsidy and reimbursement; abrogating regulations; repealing provisions relating to children's health care in the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921; and making editorial changes.

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

BILL TABLED

The SPEAKER. The Chair recognizes the majority leader, who moves that HB 934 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 934 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 1246, PN 1640**, entitled:

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

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 1246 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 1246 be removed from the tabled calendar and placed on the active calendar.

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

* * *

The House proceeded to second consideration of **SB 747, PN 1115**, entitled:

An Act amending the act of March 20, 2002 (P.L.154, No.13), known as the Medical Care Availability and Reduction of Error (Mcare) Act, further providing for punitive damages; providing for punitive damages study; and imposing duties on the Insurance Commissioner.

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 747 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 747 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.

STATEMENT BY MR. DeLUCA

The SPEAKER. Chairman DeLuca, you are recognized on unanimous consent.

Mr. DeLUCA. Thank you, Mr. Speaker.

First of all, I want to thank all of my colleagues here for an excellent job you are doing up here. I have been watching it on PCN (Pennsylvania Cable Network). It is good to see the bipartisanship, working together on behalf of the Commonwealth out there, and I want to congratulate you on the fine job you are doing.

I also want to congratulate the gentleman who has been trying to get HB 60 going. I understand we finally got it, and it certainly will make a big difference in a lot of people's lives. So, Representative, I want to thank you very much for getting that bill passed.

God bless each and every one of you. Thank you.

The SPEAKER. Chairman DeLuca, it is so great to have you here today. Thank you so much for being here today. Thank you.

REMARKS SUBMITTED FOR THE RECORD

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

Mr. Speaker, I cannot begin to tell you how happy I am that we are here today considering HB 60. After a long wait, we are finally getting this bill to the Governor's desk for signature. This is not a partisan issue; it is a people issue and one that could affect all of us.

This legislation would guarantee that an insured individual be treated fairly and humanely when hearing those awful words, "you have cancer."

With the passage of HB 60, oral cancer medications will be more available to insured individuals who are fighting this brutal battle. Some oral anticancer medications have proven to be as effective or even more effective in treating some forms of cancer than some chemotherapy drugs given through traditional infusions.

Our goal is to make sure that our constituents will not have to make the difficult decision between oral chemotherapy or intravenous.

I want to commend some of the insurers for doing the right thing and already covering oral chemo medications at no less favorable coverage levels than intravenously administered or injected chemotherapy medications. This legislation would guarantee that all insurers make coinsurances equal on both sides of the chemo treatment options.

Forty States have already passed similar legislation. It is time for us to get on board. I would like to thank the insurers and the advocates for getting this bill done. I ask for an affirmative vote on HB 60.

Thank you, Mr. Speaker.

VOTE CORRECTION

The SPEAKER. Representative McCarter, sir, on unanimous consent.

Mr. McCARTER. Thank you, Mr. Speaker.

On the previous bill, SB 1073, I was recorded as a "yes." That should have been a "no."

The SPEAKER. Thank you, sir.

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. Members, Representative Mark Keller has moved that the House be adjourned until Friday, July 1, 2016, at 10 a.m., e.d.t., unless sooner recalled by the Speaker.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 7:22 p.m., e.d.t., the House was adjourned.