

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

WEDNESDAY, JULY 13, 2016

SESSION OF 2016

200TH OF THE GENERAL ASSEMBLY

No. 52

HOUSE OF REPRESENTATIVES

The House convened at 9 a.m., e.d.t.

THE SPEAKER (MIKE TURZAI) PRESIDING

PRAYER

HON. BRYAN BARBIN, member of the House of Representatives, offered the following prayer:

Would you join me in praising our one God, who alone has power to make all things right in mercy:

Help us to understand Your purposes. Help us to replace our character with Your character of love in decisions for all people of this great Commonwealth. Guide us away from blame and help each of us to give no offense to fuel strife. Guide us to do our duty in all things so that we may say to You on that last day, "I could do no more. I never wanted to do less."

Bless the Lord, who has given us this day the opportunity to mourn, to recommit our lives to do good, and to love all who died unjustly. Protect all of Your citizens, protect all of Your law enforcement officers, protect all of Your servicemen. This I pray in the name of my Lord, the Prince of Peace. Amen. Bless the Lord, bless the Lord.

PLEDGE OF ALLEGIANCE

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

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, the approval of the Journal of Tuesday, July 12, 2016, will be postponed until printed.

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 1221, PN 1884

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, and for annual report to be filed and annual audits and providing for distribution of gaming revenue.

SB 1267, PN 1987

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.

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

RECESS

The SPEAKER. The House will stand in recess until the call of the Chair. We are waiting direction from the Republican and Democratic leadership. So at this time we are going to be at the call of the Chair. My understanding is that it should be shortly. So at this time we are going to be recessed until the call of the Chair.

AFTER RECESS

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

SENATE MESSAGE

SENATE INSISTS ON AMENDMENTS NONCONCURRED IN BY HOUSE

The clerk of the Senate, being introduced, informed that the Senate has insisted upon its amendments nonconcurring in by the House of Representatives to **HB 1198, PN 2683**, and has authorized President Pro Tempore to appoint a committee of conference on behalf of the Senate to confer with a similar committee of the House of Representatives (if the House of Representatives shall appoint such committee) on the subject of the differences existing between the two Houses in relation to said bill.

MOTION INSISTING UPON
NONCONCURRENCE
IN SENATE AMENDMENTS

Mr. REED moved that the House insist upon its nonconcurrence in Senate amendments to HB 1198, PN 2683, and that a committee of conference on the part of the House be appointed.

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

CONFERENCE COMMITTEE APPOINTED

The SPEAKER. The Chair appoints as a committee of conference on the part of the House on HB 1198, PN 2683:

The good gentleman, Mr. REED; the good gentleman, Mr. ADOLPH; and the good gentleman, Mr. DERMODY.
Ordered, That the clerk inform the Senate accordingly.

Again, our appointees to the conference committee are the good gentleman, Mr. Adolph; the good gentleman, Mr. Reed; and the good gentleman, Mr. Dermody.

SENATE MESSAGE

CONFERENCE COMMITTEE APPOINTED

The clerk of the Senate, being introduced, informed that the Senate has appointed Senators CORMAN, BROWNE, and HUGHES to a Committee of Conference on **HB 1198, PN 2683**, on behalf of the Senate to confer with a similar committee of the House of Representatives (if the House of Representatives shall appoint such committee) on the subject of the differences existing between the two Houses in relation to said bill.

PARLIAMENTARY INQUIRY

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

Mr. THOMAS. Mr. Speaker, I just heard reference to HB 1198. I remember somebody calling HB 1198 in December Lazarus. Now, it is—

The SPEAKER. It is my understanding that— Yes, sir. Hold on, please.

The vehicle I think is the same vehicle. The legislative bill is the same bill that is being used. I believe that is the case. Right now all we are doing is naming the conference committee. So we are not taking any further action at this time. That is all we are doing.

Mr. THOMAS. What is the subject of it?

The SPEAKER. That is the Tax Code bill, and it has been nonconcurrent in by both chambers, and there will be a conference committee with respect to the Tax Reform Code.

Mr. THOMAS. Thank you, Mr. Speaker.

The SPEAKER. That is the only action we are taking at this time, the naming of the conference committee.

HOUSE SCHEDULE

The SPEAKER. We are now at this time going to be recessing to the call of the Chair.

The leaders from both chambers have informed me that the Senate holds the two other bills that are part of the budget, the remaining part of the budget. The Fiscal Code will be coming from the Senate and the Education Code will be coming from the Senate. The Senate has convened at 10 a.m., and it is my understanding that they will be voting on those bills shortly. That is the Education Code and the Fiscal Code. I do not have the numbers in front of me, but the Education Code and the Fiscal Code will be coming over from the Senate.

The Tax Reform Code is HB 1198 and both chambers nonconcurrent. Therefore, there will be a conference committee for HB 1198. We have not yet set the hour of the meeting of the conference committee with the Senate, but the conferees have been named. Senator Corman, Senator Hughes, and Senator Browne have been named by the Senate pro tem; and in the House, Representative Reed, Representative Adolph, and Representative Dermody have been named.

And at this time until we receive the Fiscal Code and the Education Code from the Senate and until the date and time — well, it is going to be today — but the time is going to be set for the meeting of the conference committee, and we cannot vote upon a Tax Reform Code until the conference committee meets. There are six members. It will be chaired, I believe, by Representative Adolph. Those six members will have to meet. They will have to vote upon the Tax Reform Code before either chamber can vote upon that bill.

So let me repeat it one more time. There is a Fiscal Code and an Education Code that are coming over from the Senate. The Senate went into session at 10 a.m. Those bills will be coming over to the House once passed in the Senate. Both chambers will have to caucus those bills. I know both caucused the Fiscal Code to a certain extent, but both chambers will have to caucus those bills. Conference committee members have been named by the Senate and the House. Those conference committee members will have to meet at a time sunshined, but I do not have a time set for that. I have not been given a time from leadership on the Republican side or the Democratic side yet as to when that meeting will occur.

RECESS

The SPEAKER. The House is going to stand in recess until the Speaker calls everybody back. Thank you.

AFTER RECESS

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

CONFERENCE COMMITTEE MEETING

The SPEAKER. The Chair recognizes Chairman Adolph for an announcement.

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

Mr. Speaker, I would like to announce a conference committee meeting in the majority caucus room on HB 1198 at 2 p.m. Thank you very much.

RECESS

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

AFTER RECESS

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

**REPORT OF COMMITTEE
OF CONFERENCE PRESENTED**

Mr. ADOLPH presented the report of the committee of conference on **HB 1198, PN 3731**.

The SPEAKER. The bill will be placed on supplemental calendar B.

BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

SB 648, PN 1297

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in snowmobiles and all-terrain vehicles, further providing for restricted account and for Snowmobile and ATV Advisory Committee; and making an editorial change.

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

LEAVES OF ABSENCE

The SPEAKER. The majority whip requests leaves of absence for the following members: John McGINNIS of Blair County for the day, Jim CHRISTIANA of Beaver County for the day, Curt SONNEY of Erie County for the day, and Kathy WATSON of Bucks County for the day. Without objection, those requests will be granted.

The minority whip requests leaves of absence for Steve SANTARSIERO of Bucks County for the day, Rob MATZIE of Beaver County for the day, and Pam SNYDER of Greene County for the day. Without objection, those requests will be granted.

MASTER ROLL CALL

The SPEAKER. We will proceed to take the master roll. Members, please vote.

(Members proceeded to vote.)

The SPEAKER. It is my understanding that Representative Christiana is on the House floor and should have the opportunity to vote here on the master roll.

LEAVE OF ABSENCE

The SPEAKER. It is also my understanding that Representative Frank FARRY has requested to be placed on leave of absence, and without objection, that will be granted.

MASTER ROLL CALL CONTINUED

The following roll call was recorded:

PRESENT—194

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

ADDITIONS—0**NOT VOTING—0****EXCUSED—8**

Farry	Matzie	Santarsiero	Sonney
Gingrich	McGinnis	Snyder	Watson

LEAVES ADDED—4

Daley, P. DeLuca Nelson Schlossberg

The SPEAKER. There are 194 members voting on the master roll. A quorum is present.

HOUSE BILLS INTRODUCED AND REFERRED

No. 2260 By Representatives JAMES, ACOSTA, CORBIN, DAVIS, HELM, KINSEY, MENTZER, READSHAW, STAATS and WARD

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in terms and courses of study, providing for CPR instruction.

Referred to Committee on EDUCATION, July 13, 2016.

No. 2261 By Representatives BURNS, BARRAR, CORBIN, D. COSTA, FARRY, GIBBONS, KOTIK, MAHONEY, MILLARD, READSHAW, SAINATO, SAYLOR and PHILLIPS-HILL

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in assault, further providing for the offense of ethnic intimidation.

Referred to Committee on JUDICIARY, July 13, 2016.

No. 2262 By Representatives M. QUINN, ADOLPH, DUNBAR, GROVE, PHILLIPS-HILL, MASSER, MILNE and WARD

An Act providing for an audit of dependent eligibility in group health insurance plans for State employees.

Referred to Committee on INSURANCE, July 13, 2016.

No. 2263 By Representatives BRIGGS, SCHLOSSBERG, V. BROWN, SANTARSIERO, KINSEY, BULLOCK, RAVENSTAHL, SCHREIBER, LONGIETTI, NEILSON, BRADFORD and SAVAGE

An Act amending Title 25 (Elections) of the Pennsylvania Consolidated Statutes, in voter registration, further providing for qualifications to register.

Referred to Committee on STATE GOVERNMENT, July 13, 2016.

SENATE BILL FOR CONCURRENCE

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

SB 717, PN 1996

Referred to Committee on PROFESSIONAL LICENSURE, July 13, 2016.

RULES COMMITTEE MEETING

The SPEAKER. At this time the Speaker recognizes the majority leader for announcements.

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

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

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

The House will stand at ease for the Rules Committee meeting. The House will stand at ease for the Rules Committee meeting.

LEAVE OF ABSENCE

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

BILLS ON CONCURRENCE REPORTED FROM COMMITTEE

HB 325, PN 3084

By Rep. REED

An Act amending the act of December 22, 1983 (P.L.327, No.85), known as the Auctioneer Licensing and Trading Assistant Registration Act, further providing for the title of the act, for definitions and for auctioneer and apprentice auctioneer licenses; providing for sales exempt from license requirements; further providing for status of existing licensees and for applications for initial and renewal licenses; providing for registration of trading assistants and trading assistant companies; further providing for special licensees to furnish bond and for authority to transact business not transferable; repealing provisions relating to auction house license, auction company license, trading assistant registration and nonresident licensees; further providing for reciprocity with other states; repealing provisions relating to licensee and registrant to furnish bond; further providing for no other license or registration required and for list of licensees and registrants; providing for contracts; further providing for records of sales; repealing provisions relating to contracts for conduct of transaction; and further providing for display of licenses, for investigations and enforcement actions, for escrow account, for hearing on charges, for administration and enforcement, for revocation or suspension of license or registration, for issuance of new license or registration pending investigation and decision, for issuance of new license or registration after revocation, for penalties, for actions by unlicensed persons prohibited and for the State Board of Auctioneer Examiners.

RULES.

HB 806, PN 2948

By Rep. REED

An Act amending the act of December 19, 1974 (P.L.973, No.319), known as the Pennsylvania Farmland and Forest Land Assessment Act of 1974, further providing for land devoted to agricultural use, agricultural reserve, and/or forest reserve, for responsibilities of department and for responsibilities of county assessor in establishing use values.

RULES.

HB 835, PN 3708

By Rep. REED

An Act designating a portion of State Route 74 in Cumberland County as the Marine Lance Corporal Gary Lee Ream Memorial Highway; designating a bridge on that portion of State Route 4010 over

Sugar Creek, Sugarcreek Borough, Venango County, as the Lieutenant Andrew J. White Memorial Bridge; designating a portion of State Route 220 in Lycoming and Sullivan Counties as the Lieutenant Commander John J. Peterman Memorial Highway; designating a portion of State Route 220 in Lycoming County as the Thomas A. Paternostro Memorial Highway; designating a bridge on that portion of State Route 74 over the Sherman's Creek, Spring Township, Perry County, as the PFC William Oscar Stambaugh Memorial Bridge; designating a portion of State Route 309 in Upper Saucon Township, Lehigh County, as the Officer David M. Petzold Memorial Highway; designating the pedestrian walkways on the Matsonford Bridge, located on State Route 3016 over the Schuylkill River, connecting the Boroughs of West Conshohocken and Conshohocken, Montgomery County, as the Clay-Doc Walk in memory of West Conshohocken Borough Police Chief Joseph G. Clayborne III and Conshohocken Borough Police Chief James H. Dougherty, Sr.; and designating a portion of State Route 1030 in the Borough of Donora, Washington County, as the Ken Griffey Sr. & Jr. Drive.

RULES.

FILMING PERMISSION

The SPEAKER. Members, from CBS 21, Colin Powell – not Colin Powell – Colin Powell from CBS 21 will be coming onto the House floor to take photos and to do videotaping with audio. He will be granted access on the floor here for approximately 10 minutes of time.

Thank you. You may come onto the floor.

SUPPLEMENTAL CALENDAR A

BILLS ON CONCURRENCE IN SENATE AMENDMENTS

The House proceeded to consideration of concurrence in Senate amendments to **HB 325, PN 3084**, entitled:

An Act amending the act of December 22, 1983 (P.L.327, No.85), known as the Auctioneer Licensing and Trading Assistant Registration Act, further providing for the title of the act, for definitions and for auctioneer and apprentice auctioneer licenses; providing for sales exempt from license requirements; further providing for status of existing licensees and for applications for initial and renewal licenses; providing for registration of trading assistants and trading assistant companies; further providing for special licensees to furnish bond and for authority to transact business not transferable; repealing provisions relating to auction house license, auction company license, trading assistant registration and nonresident licensees; further providing for reciprocity with other states; repealing provisions relating to licensee and registrant to furnish bond; further providing for no other license or registration required and for list of licensees and registrants; providing for contracts; further providing for records of sales; repealing provisions relating to contracts for conduct of transaction; and further providing for display of licenses, for investigations and enforcement actions, for escrow account, for hearing on charges, for administration and enforcement, for revocation or suspension of license or registration, for issuance of new license or registration pending investigation and decision, for issuance of new license or registration after revocation, for penalties, for actions by unlicensed persons prohibited and for the State Board of Auctioneer Examiners.

On the question,

Will the House concur in Senate amendments?

The SPEAKER. Moved by the gentleman, Representative Mark Keller, that the House concur in the amendments. The Chair recognizes Representative Keller for a brief description of

the Senate amendments along with any remarks on the bill. Representative Mark Keller is recognized.

Mr. M. KELLER. Thank you, Mr. Speaker.

Mr. Speaker, what took place over in the Senate is they modified the definition of "auction" and added the definition of the term "negotiated transaction" to make it clear that a sale of a property conducted through a process of negotiations between a seller and a seller's agent and a prospective buyer, involving offers and counteroffers, is not considered an auction.

I just would like to take this time to— Would it be okay, Mr. Speaker?

The SPEAKER. Yes.

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

Mr. M. KELLER. I would like to take the opportunity to thank the chairman of the Professional Licensure Committee, Chairman Harhart, and also Chairman Readshaw, and also the executive directors of both committees for helping to foster this bill for quite a few years to get it through just to clear up some inequities that existed in the bill. It makes the law much clearer.

And I know that there are 193 votes. So 190, 191, 192, now 193. Could we have 193 votes for this bill?

Thank you very much.

On the question recurring,

Will the House concur in Senate amendments?

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

The following roll call was recorded:

YEAS—193

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

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

NAYS-0

NOT VOTING-0

EXCUSED-9

Daley, P.	Matzie	Santarsiero	Sonney
Farry	McGinnis	Snyder	Watson
Gingrich			

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

Ordered, That the clerk inform the Senate accordingly.

* * *

The House proceeded to consideration of concurrence in Senate amendments to **HB 806, PN 2948**, entitled:

An Act amending the act of December 19, 1974 (P.L.973, No.319), known as the Pennsylvania Farmland and Forest Land Assessment Act of 1974, further providing for land devoted to agricultural use, agricultural reserve, and/or forest reserve, for responsibilities of department and for responsibilities of county assessor in establishing use values.

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

The SPEAKER. Moved by the gentleman, Representative Causer, that the House so concur. The Chair recognizes him for a brief description of Senate amendments and any remarks on the bill.

Mr. CAUSER. Thank you, Mr. Speaker.

Mr. Speaker, the Senate added a technical amendment to clarify in dealing with Clean and Green that if a parcel has a road or a right-of-way going through it, that the minimum contiguous number of acres is still the same for eligibility. So, Mr. Speaker, if you have 10 acres, it is 10 acres. So this is a technical amendment, and I would ask for support for the bill. Thank you.

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

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

The following roll call was recorded:

YEAS-193

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

NAYS-0

NOT VOTING-0

EXCUSED-9

Daley, P.	Matzie	Santarsiero	Sonney
Farry	McGinnis	Snyder	Watson
Gingrich			

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

Ordered, That the clerk inform the Senate accordingly.

* * *

The House proceeded to consideration of concurrence in Senate amendments to **HB 835, PN 3708**, entitled:

An Act designating a portion of State Route 74 in Cumberland County as the Marine Lance Corporal Gary Lee Ream Memorial Highway; designating a bridge on that portion of State Route 4010 over Sugar Creek, Sugarcreek Borough, Venango County, as the Lieutenant Andrew J. White Memorial Bridge; designating a portion of State Route 220 in Lycoming and Sullivan Counties as the Lieutenant Commander John J. Peterman Memorial Highway; designating a portion of State Route 220 in Lycoming County as the Thomas A. Paternostro Memorial Highway; designating a bridge on that portion of State Route 74 over the Sherman's Creek, Spring Township, Perry County, as the PFC William Oscar Stambaugh Memorial Bridge; designating a portion of State Route 309 in Upper Saucon Township, Lehigh County, as the Officer David M. Petzold Memorial Highway; designating the pedestrian walkways on the Matsonford Bridge, located on State Route 3016 over the Schuylkill River, connecting the Boroughs of West Conshohocken and Conshohocken, Montgomery County, as the Clay-Doc Walk in memory of West Conshohocken Borough Police Chief Joseph G. Clayborne III and Conshohocken Borough Police Chief James H. Dougherty, Sr.; and designating a portion of State Route 1030 in the Borough of Donora, Washington County, as the Ken Griffey Sr. & Jr. Drive.

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

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

The Chair recognizes Representative Bloom for a brief description of Senate amendments along with any remarks on the bill. Representative Bloom.

Mr. BLOOM. Thank you, Mr. Speaker.

The Senate simply amended additional honorary road namings, bridge namings, and pedestrian-walk namings in seven other counties of the Commonwealth to a bill that originally named a highway for a fallen Marine in Cumberland County.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, Representative Bloom.

LEAVE OF ABSENCE

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

CONSIDERATION OF HB 835 CONTINUED

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—192

Acosta	Evankovich	Kotik	Rapp
Adolph	Evans	Krueger	Ravenstahl
Artis	Everett	Lawrence	Readshaw
Baker	Fabrizio	Lewis	Reed
Barbin	Farina	Longiotti	Reese
Barrar	Fee	Mackenzie	Regan
Benninghoff	Flynn	Maher	Roae
Bizzarro	Frankel	Mahoney	Roebuck

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

NAYS—0

NOT VOTING—0

EXCUSED—10

Daley, P.	Gingrich	Santarsiero	Sonney
DeLuca	Matzie	Snyder	Watson
Farry	McGinnis		

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 325, PN 3084

An Act amending the act of December 22, 1983 (P.L.327, No.85), known as the Auctioneer Licensing and Trading Assistant Registration Act, further providing for the title of the act, for definitions and for auctioneer and apprentice auctioneer licenses; providing for sales exempt from license requirements; further providing for status of existing licensees and for applications for initial and renewal licenses;

providing for registration of trading assistants and trading assistant companies; further providing for special licensees to furnish bond and for authority to transact business not transferable; repealing provisions relating to auction house license, auction company license, trading assistant registration and nonresident licensees; further providing for reciprocity with other states; repealing provisions relating to licensee and registrant to furnish bond; further providing for no other license or registration required and for list of licensees and registrants; providing for contracts; further providing for records of sales; repealing provisions relating to contracts for conduct of transaction; and further providing for display of licenses, for investigations and enforcement actions, for escrow account, for hearing on charges, for administration and enforcement, for revocation or suspension of license or registration, for issuance of new license or registration pending investigation and decision, for issuance of new license or registration after revocation, for penalties, for actions by unlicensed persons prohibited and for the State Board of Auctioneer Examiners.

HB 806, PN 2948

An Act amending the act of December 19, 1974 (P.L.973, No.319), known as the Pennsylvania Farmland and Forest Land Assessment Act of 1974, further providing for land devoted to agricultural use, agricultural reserve, and/or forest reserve, for responsibilities of department and for responsibilities of county assessor in establishing use values.

HB 835, PN 3708

An Act designating a portion of State Route 74 in Cumberland County as the Marine Lance Corporal Gary Lee Ream Memorial Highway; designating a bridge on that portion of State Route 4010 over Sugar Creek, Sugar Creek Borough, Venango County, as the Lieutenant Andrew J. White Memorial Bridge; designating a portion of State Route 220 in Lycoming and Sullivan Counties as the Lieutenant Commander John J. Peterman Memorial Highway; designating a portion of State Route 220 in Lycoming County as the Thomas A. Paternostro Memorial Highway; designating a bridge on that portion of State Route 74 over the Sherman's Creek, Spring Township, Perry County, as the PFC William Oscar Stambaugh Memorial Bridge; designating a portion of State Route 309 in Upper Saucon Township, Lehigh County, as the Officer David M. Petzold Memorial Highway; designating the pedestrian walkways on the Matsonford Bridge, located on State Route 3016 over the Schuylkill River, connecting the Boroughs of West Conshohocken and Conshohocken, Montgomery County, as the Clay-Doc Walk in memory of West Conshohocken Borough Police Chief Joseph G. Clayborne III and Conshohocken Borough Police Chief James H. Dougherty, Sr.; and designating a portion of State Route 1030 in the Borough of Donora, Washington County, as the Ken Griffey Sr. & Jr. Drive.

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

SUPPLEMENTAL CALENDAR B

REPORT OF COMMITTEE OF CONFERENCE

Mr. ADOLPH called up for consideration the following report of the committee of conference on **HB 1198, PN 3731**, entitled:

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

On the question,

Will the House adopt the report of the committee of conference?

The SPEAKER. Representative Thomas.

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, I rise to concur with the conference report, and, Mr. Speaker, I rise to concur with the conference report not because I support the totality of the report. I voted for the general appropriations bill which took effect at 12 o'clock last night, I guess, or the night before last. This conference report provides the finances necessary to make the general appropriations bill have some life and represent something more than just paper with ink on it. So we need to move this forward so that the Governor can implement the general appropriations bill.

Last week I sent to you and all of the leaders some recommendations of how I think we could have closed the budget gap and made things work, because I believe that when it comes to raising revenues, there are three common denominators: One, are the revenues predictable? Two, are the revenues sustainable? And three, can we hold the revenues, spending to some line of accountability?

I see where you approved one of my three recommendations, but given the myriad of other recommendations contained in here, they do not satisfy that test of predictability and sustainability, so I know that we will be back here again next year trying to get this worked out.

But at the end of the day, I have to jump up and down for the kids of Pennsylvania who will receive a real shot in the arm of funding through the general appropriations bill. I jump up and down for the people all across Pennsylvania, especially in rural and urban Pennsylvania, that need the health and human resource benefits contained in the general appropriations bill.

Mr. Speaker, I hope that the language dealing with real jobs, real job training, real workforce development, has some real teeth in it in this upcoming year, because until we provide every Pennsylvanian who needs a job or needs training so that they can enter the job or to move up in their particular job, until we can do that, then it is impossible for us to deal with many of the other social and economic problems that we face in all parts, from all parts of Pennsylvania.

So, Mr. Speaker, I concur, but I concur cautiously optimistic about doing it better next year than what we are doing this year. I thank you, Mr. Speaker.

The SPEAKER. Representative Russ Diamond.

Mr. DIAMOND. Thank you, Mr. Speaker.

Mr. Speaker, in reference to this conference committee report, I just want to talk about the single biggest piece of new revenue included in the new taxes, accounting for \$495 million of \$752 million – that is greater than 57 percent of the new revenue – and that comes from tobacco and tobacco-related taxes.

In the last few weeks I have received numerous – and I am sure many of you have – communications from the American Cancer Society saying things like, 72 percent of voters favor increasing the tobacco tax; 72 percent of Republicans, 75 percent of Democrats, and even Tea Party supporters, 66 percent, support that. Another one, they said, 72 percent of voters in Republican-held State House seats, 71 percent of voters in Democratic-held State House seats, 73 percent of voters in Republican-held State Senate seats, 70 percent of voters in Democratic-held State Senate seats; 70 percent of voters would be more likely to vote for a State legislative candidate who supported an increase in the State tobacco tax.

Those are big numbers, Mr. Speaker; I get it. The one fact they failed to share with any member here is that about the same number of Pennsylvanians do not use tobacco products.

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

Members, please take your seats. I would ask all members to please take their seats. I know all legislation is important, but this is a very important piece of legislation and the gentleman has the right to be heard. I would ask everybody to please take their seats. For vote purposes, too, members should be in their seats.

Representative Diamond, the floor is yours, sir.

Mr. DIAMOND. Thank you, Mr. Speaker.

Again, I get it. If we were to propose a tax on people with blue eyes, I guarantee you the people with brown eyes would agree. It is an easy vote for most people in this chamber. No member will probably get too much backlash from this vote, but I consider it a cheap shot.

Mr. Speaker, how many times in this body have we talked about legislation aimed at ending anything that even resembles bullying? Well, Mr. Speaker, right here what is before us is bullying writ large, under color of law. I thought we lived in a Commonwealth where we are all in this thing together. I do not believe we should tax 20 percent of the population because 80 percent of the population believes we should. I do not believe that is sound policy. I do not believe that is moral. I do not believe that is fair.

But let us talk about whom these taxes will impact. According to the Centers for Disease Control, 14 percent of people who make \$50,000 or more use tobacco, but 37 percent of people who make \$15,000 or less a year are smokers – 37 percent.

Now, Mr. Speaker, I know there are many members of this General Assembly who are pounding the pavement, pounding the doors, pounding our e-mails saying we need a minimum-wage increase. We can have that argument sometime, but I wonder how many of those same members will now impose a \$365-a-year tax on 37 percent of the people who earn less than \$15,000. It just does not seem fair to me. And by the way, while we are taxing those poor people, who is getting off scot-free here? The big fat cats smoking their cigars. There is no tax on them in this package.

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

A number of individuals have asked to speak on this bill. They are entitled to be heard. I would ask all members to please take your seats.

Representative Diamond, you may proceed.

Mr. DIAMOND. Thank you, Mr. Speaker.

Mr. Speaker, my third point is, I want to talk about this revenue projection of \$495 million from these tobacco and tobacco-related taxes. It should be known that between the years of 2009 and 2013 there were 32 increases in tobacco excise taxes in various jurisdictions across the country; 91 percent of them fell short of revenue expectations. That is 29 of 32. Only three actually met those expectations, and in fact, four of those jurisdictions actually lost revenue from what they collected under the old, lower tax.

I think we have to also look to our own city of the first class, Philadelphia, in their revenue expectations when they increased the cigarette tax there. It was expected in the first year to

generate \$84 million, and \$77 million after that. Just in the last couple days their report came out: \$58 million, far short of expectations.

My fourth point, Mr. Speaker, is the unintended consequences of increasing the excise taxes on tobacco and tobacco-related products. We are going to encourage tax evasion. We have already seen that in Philadelphia, where people are going across to Montgomery or Bucks or Chester or Delaware Counties to buy their cigarettes. We have also seen – you can only call them outlaws, who are out there rolling their own in some warehouse somewhere with a big machine and selling them by the bag for \$14 a carton. We are only going to see more of that.

For example, in West Virginia, if we increase – if we pass this, in West Virginia cigarettes will be \$3 a pack cheaper. In Ohio they will be \$1.50 cheaper. In Maryland they will be \$1.25 cheaper. And in Delaware, which is within the reach of 30 percent of Pennsylvania's population – 37 percent, excuse me – they will be \$2.25 a pack cheaper than the State price, but probably \$4.25 a pack cheaper than Philadelphia's price.

We are also going to increase smuggling from southern States. I spent a lot of time in New York State when I was a truck driver. I want to tell you, some of the cigarettes you buy there have Virginia tax stamps. How do they get there? They get there on Route 81. Interstate 81 is a smuggler's alley; now Pennsylvania will be a stop on smuggler's alley.

And what kind of folks are in the cigarette-smuggling business and what else do they do with their money? Are they also involved in other illegal activities? Are they involved in human trafficking? Are they funding Hezbollah or ISIS (Islamic State of Iraq and Syria)? We do not know.

Let us talk about the impact this will have on our retailers, Mr. Speaker. There are 13,420 retailers in Pennsylvania that sell cigarettes. Cigarettes account for 33 percent of convenience store sales. If people are buying cigarettes illegally and not at the convenience store, what do you think that does to those businesses?

Mr. Speaker, I believe that these cigarette taxes are nothing more than bullying writ large. I believe we are impacting the poor far too heavily. I believe the revenue projections will fall far short of the \$495 million, and I believe the unintended consequences of a black market will be detrimental to Pennsylvania. For these reasons and others I will be voting "no" on this conference committee report.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, sir.

Representative Cris Dush.

Members, and any members who have indicated they will be speaking, Representative Dush will be followed by Representative Vitali, Representative Evankovich, Representative Dean, Representative Truitt, Representative DiGirolamo, and Representative Saccone.

Representative Dush, the floor is yours. Please wait.

I would ask everybody to please take their seats. Members, please take your seats.

PARLIAMENTARY INQUIRY

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

Mr. DUSH. Mr. Speaker, I just have a quick question. Do we have to have a motion to proceed on this?

The SPEAKER. We have not had a motion to proceed at this stage. There will need to be a motion to proceed before a vote can be taken, but you can have debate. There is a long precedent for having debate prior to the motion, any motion to proceed to actually vote.

Mr. DUSH. Actually, I am just going to wait, and I will submit my remarks for the record for the motion to proceed.

Thank you, Mr. Speaker.

The SPEAKER. Yes, sir.

REMARKS SUBMITTED FOR THE RECORD

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

Mr. Speaker, I rise to submit my comments for the record on the motion to suspend the rules reflecting my "no" vote on the motion.

Mr. Speaker, 229 years ago, in the city of Philadelphia, representatives of the various States met at what we now call Independence Hall.

When they left, the first Speaker of the Pennsylvania House was asked, "Mr. Franklin, what have you given us?" He answered, "A Republic, if you can keep it."

Mr. Speaker, when the members of the Constitutional Convention met, it was the delegates who deliberated and negotiated the language of the Constitution. When they departed, there were some who went home and urged people not to ratify it. Others returned and strongly, successfully argued ratification.

The representatives to the convention were given the authority to act, Mr. Speaker. They were given the authority to negotiate and participate. That authority was not given to a bunch of bureaucrats, Mr. Speaker. It was given to the Representatives.

Mr. Speaker, the people who hired us did not hire us to come to Harrisburg to listen and take direction from nor to delegate our responsibility of negotiation to a group of bureaucrats. They hired us to be part of the conversation.

On the floor of this house and in caucus, Mr. Speaker, I have had my mind changed on individual bills by the arguments of members on both sides of the aisle. That is the purpose for which this deliberative body was established.

Mr. Speaker, on this bill, and the other code bills being discussed, we have not had those deliberations.

While there are a number of staff members here for whom I have very high regard, there are others for whom I have not had enough exposure to come to a similar conclusion. At the same time, very few of us have been informed as to who has actually been part of the negotiation. In any case, Mr. Speaker, I do not trust any of them to act in my stead in the interests of my constituents, nor the stead of any other member of this house.

The motion to suspend the rules in order to vote on this bill, Mr. Speaker, places us in the same infamous position of the U.S. House under former Speaker Nancy Pelosi: "We" have "to pass the bill..." to "find out what is in it."

I value the discussions we actually do have in this chamber and in caucus. Our constituents expect us to be responsible and consider all of the ramifications of the laws we enact, especially when we are reaching into their pockets, Mr. Speaker. Especially when we are impacting their livelihoods.

To move forward on these bills without serious discussion about such things as the impact of reducing the income from a young woman in my district whose store sales have already dropped 20 percent in the past year because of the impact the State government has had on her customers flies in the face of what a Republic is meant to be.

I would urge members to vote "no" on the motion, Mr. Speaker, and for this body to begin deliberations on the merits and perils of these bills in a manner worthy of our founding principles.

Thank you, Mr. Speaker.

The SPEAKER. Representative Vitali.

Mr. VITALI. May I just defer my turn? I am still working my way through the document.

The SPEAKER. Representative Eli Evankovich.

Mr. EVANKOVICH. Thank you, Mr. Speaker.

The SPEAKER. You may proceed, sir.

Mr. EVANKOVICH. Thank you, Mr. Speaker.

Mr. Speaker, as the revenue package for this budget is still being considered – and I know that the language has just been made available to members in the last few hours, of the conference committee report – one of the most troubling aspects of this conference committee report that I just wanted to express to the membership and to those watching at home and for the legislative record itself is found on page 8 of the conference report, and I just want members to understand what they are casting a vote for, or against, in this conference committee report in regards to digital downloads.

I just want to read real briefly what a digital download is. A digital download will now be considered "tangible" property, and that term includes the following: "...whether electronically or digitally delivered, streamed" – I stress, Mr. Speaker, streamed – "or accessed and whether purchased singly, by subscription or in any other manner, including maintenance, updates and support."

So, Mr. Speaker, if we are talking about in today's day and age much of what we do is electronic, I would like to just read some of the things that are outlined, including "video; photographs; books; any otherwise taxable printed matter; applications, commonly known as apps; games; music; any other audio, including satellite radio...; canned software" – Mr. Speaker, I am not sure that the definition for "canned" software is anywhere in this document or defined within the Tax Code otherwise – and that, Mr. Speaker, is "canned software, notwithstanding the function" that that software performs, and "any other taxable tangible personal property electronically or digitally delivered," streamed, "or accessed."

I just wanted to put into the legislative record and express specifically this aspect of things that we are now going to start taxing here in the State of Pennsylvania, things that few other States tax.

Thank you.

The SPEAKER. Representative Madeleine Dean.

Mrs. DEAN. Thank you, Mr. Speaker.

On June 30 I voted against the general appropriations budget bill because in my mind we had not funded it, and because I hoped and I still believe we could do better. And yet today I am going to vote on concurrence with the report of the committee for that which we have in front of us, because it has become very clear to me that while this revenue package is not the best, it is the best Harrisburg can do at least today, and the alternative, not to do our job, is unacceptable to me.

By my count, 142 of my colleagues on both sides of the aisle voted for the budget that I voted against. I call upon each of you to vote in favor, in support of this revenue bill, of this

concurrence committee report. Vote to pay for that which you voted to spend, to pay our bills and to not leave people hanging in the balance, to show our constituents and our credit agencies that we have the economic and the political will to begin, and to right now right our financial house. The credit agencies are paying attention and so are our constituents.

There are things about this package that I do not like – questionable borrowing, corporate giveaways – but I will focus on just a couple of the things that are good. What is good is increased spending for education; investment in education at all levels will be in this package, and that is the key to our future; increased spending to battle the opioid and heroin epidemic that affects my community and yours; and additionally, we will be relying upon much recurring revenue – much that is not, but much that is recurring – to fund our todays and our tomorrows and avoid some of the one-time fixes we have used in the past.

Still there is so much more for us to do. Let us move forward. Let us fully support this budget and this revenue plan. It is not enough, but it is more than nothing, and we cannot do nothing, because that is what we have done here for too long. We have left the people of Pennsylvania forced to settle for far less.

Let us use today to begin working together much more closely, so that going forward we do not settle for the best that simply Harrisburg can do today, but rather that which our Commonwealth and our constituents deserve: a robust and stable future that we can all be proud of.

Thank you, Mr. Speaker.

The SPEAKER. Representative Dan Truitt.

Mr. TRUITT. Thank you, Mr. Speaker.

I was wondering if there is anyone available who can stand for brief interrogation regarding the digital download section of this?

The SPEAKER. Yes, sir. Representative Adolph will stand for interrogation.

Mr. TRUITT. Thank you, Mr. Speaker.

Mr. Speaker, I have got a lot of curiosity about the practicality of the digital downloads section of the conference report. My question is, if I am traveling on vacation in, let us say, Delaware, where there is no sales tax, and I download a book to read while I am on the beach in Delaware, and I read that book while I am on the beach in Delaware, do I have to pay the tax on that download?

Mr. ADOLPH. If your telecommunication device is based in Pennsylvania, the answer would be yes.

Mr. TRUITT. But if I went to Delaware and bought a book and read that same book on the beach and then left it there, do I pay a tax on that?

Mr. ADOLPH. If you are downloading it on a device that is purchased and based in an address in Pennsylvania, the answer would be yes, very similar to if you would buy a car in the State of Delaware.

Mr. TRUITT. When you say the device—

Mr. ADOLPH. Telephone.

Mr. TRUITT. —does it matter if I download it to my device or download it to the cloud where I can read it from multiple devices?

Mr. ADOLPH. The billing address of that device.

Mr. TRUITT. The billing address of the device or the account? So if I download it to the cloud, do I pay the tax?

Mr. ADOLPH. Account.

Mr. TRUITT. The account. Okay.

Does this apply to movies that you download? And I apologize if the answer to this is in the bill, but we have not had it for very long, but if there is a television show that you subscribe to and you pay per view, do you pay the tax on that?

Mr. ADOLPH. Are you in a hotel?

Mr. TRUITT. Well, that is the funny thing. With today's technology there are things like a Kindle Fire Stick or Roku device that I could take to a hotel or I could be using in my home, so I am curious to know, do I have to pay the tax no matter where I am?

Mr. ADOLPH. If you are using the hotel's devices in the State of Delaware, the answer is no. If you are using your device, which is based and the billing address is Pennsylvania, the answer is yes.

Mr. TRUITT. Okay. I am sorry, Mr. Speaker.

So the question earlier, I do not think we actually got a response about if I buy a book, a physical book in Delaware, and I read it in Delaware and I leave it in Delaware, do I pay the tax on that?

Mr. ADOLPH. If you bring it back into Pennsylvania, the answer is yes. There is a question on your PA-40 that asks you, did you purchase anything out of State or on the Internet during the calendar year? And you are supposed to submit the use tax on that item at the end of the year.

Mr. TRUITT. Okay. But yet with the digital downloads, if I download the device in Delaware and then I delete it – let us say I read it and I delete it, I still have to pay the tax?

Mr. ADOLPH. Yes. If that device's billing address is Pennsylvania, yes.

Mr. TRUITT. Okay. I think that is all the questions.

I guess the last thing I want to know is, how in the world are we going to enforce this? How will we know – are we going to require the vendors to keep track of where the accounts are located and charge the tax, or are we going to require individuals to self-report?

Mr. ADOLPH. Yes, that is a great question, Mr. Speaker. You know, with the Internet and all the new technology, obviously there are always ways that people can, you know, not pay the tax, and obviously, the Department of Revenue will have to adjust to these new changes. But to answer your question with a yes answer; yes.

Mr. TRUITT. Okay. And again, I apologize. We have not had the bill for very long. In another life I would buy very expensive software packages that are used in manufacturing facilities across the country. Do I have to pay this tax or would people in similar businesses be required to pay taxes on downloads for software products that in the past were not taxable here in Pennsylvania?

Mr. ADOLPH. Yes.

Mr. TRUITT. So even if it was not taxable before, so if I buy literally a \$5,000 software package, and now I download it off the Internet instead of having it physically shipped to my office where my vendor knows that I am using it for manufacturing, I do not have to pay the tax now. They will have to charge me the tax?

Mr. ADOLPH. Previously, if you bought a disk, you would have to pay the sales tax, not on the software, but now you are going to have to do that; yes.

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

Mr. ADOLPH. You are welcome.

Mr. TRUITT. On the bill?

The SPEAKER. Yes.

Representative Truitt, on the bill, please.

Mr. TRUITT. Thank you, Mr. Speaker.

I just want to point out to my colleagues that, you know, technology today makes it awfully nebulous where it is that you buy things, where it is that you use things, who owns it, and so forth, and I am a little concerned about the unintended consequences of imposing a tax on digital downloads when we did not even hear about this until literally less than 24 hours ago, we got a sense that it was going to be in the bill. I really think this is a subject that should have had a lot more time to flesh out how it would impact businesses and individuals who live both inside and outside of Pennsylvania, and I just urge my colleagues to consider that when making their decision on this overall report.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, sir.

Representative Greg Vitali. Representative Vitali waives off.

Representative Gene DiGirolamo.

Mr. DiGIROLAMO. One of my favorite songs was recorded back in about 1965 by a group by the name of the Byrds, and I think Frank and Joe, you will remember that, and Billy, you will remember the song. The song was "Turn! Turn! Turn!" It was written by a gentleman by the name of Pete Seeger, and the lyrics came from the words from the Book of Ecclesiastes: a time for war and a time for peace; a time to hate, a time to love; a time to cast away stones and a time to gather stones together.

Mr. Speaker, I rise in support of the Conference Committee Report on HB 1198. If we do not pass this bill today, we will not come back in July, we will not come back in August, we will come back in September, but we will not deal with this issue because we will be too close to election. October is out. November is probably out. We will be 6 months from now before we even entertain about taking on the revenue to support the general appropriations bill that we passed almost 2 weeks ago. We are going to create a crisis and a mess that is going to be pale in comparison to what happened last year. Mr. Speaker, it is time, as Democrats and Republicans, to gather stones together.

I ask for an affirmative vote on the Conference Committee Report on 1198. Thank you.

The SPEAKER. Representative Rick Saccone.

Mr. SACCONI. Thank you, Mr. Speaker.

I rise in—

The SPEAKER. Please suspend, sir.

After Representative Saccone, he will be followed by the Appropriations chair, Representative Adolph. I have no other members who are— Representative Daryl Metcalfe, I am sorry, sir. Representative Metcalfe will follow Representative Saccone. I would ask everybody to please take your seats. Members will need to be in their seats for the vote. Representative Saccone is entitled to be heard, so I am asking all members to please be in their seats, and I would ask all conversations to be taken off the House floor.

Representative Saccone, the floor is yours, sir.

Mr. SACCONI. Thank you, Mr. Speaker.

I rise in opposition to this proposal. Like so many bills, this proposal, this report has some good points. The funding for opioid addiction is one of them, and there are several others. But it also has so many flaws, too many flaws to let go by. It

supports the largest spending increase in a decade in this State. It supports a painful tax on small businesses. And I want to say that I am not against paying taxes in Pennsylvania. As a famous person once said, I am proud to pay taxes in Pennsylvania, but I can be just as proud for half the money.

You see, in Harrisburg, the wine of increased spending and taxes is sweet, and it appears our government here has become tipsy on its influence. The taxpayers expect us to be their advocates here in the legislature. In fact, we are expected to act as the shock troops in defense of the taxpayers; instead, we appear to be betraying them with a kiss.

First of all, who can believe we are going to borrow, we are going to borrow \$200 million to be paid back over the next 5 years, Mr. Speaker, to award an increase to the teachers union under the guise of education spending? This is the definition of "fiscal irresponsibility," and it positions us to be in a further deficit next year when the budget is going to be even more difficult. We are borrowing money to fund an increase; does not make sense.

Next, we are trying to raise the tax on tobacco, and I have heard many say, the tobacco tax, that is the easiest of taxes, they say. They say, it is a sin tax. It affects people who not only have little voice – and by the way, they do not really vote that much, and we should help them and encourage them to abandon their unhealthy habits. We are, as a legislature, we are not only ready to trample on the poor who disproportionately bear the burden of that tax, but we are prepared to disregard the ugly consequence that driving the price too high nurtures: illegal tobacco sales, which have been connected to funding terrorism against us. I say that again, Mr. Speaker. Illegal tobacco sales, price driven too high, has been connected to at least several cases of funding terrorism against us, in multiyear investigations over the last decade and a half.

And where are all those good Samaritans out there? They want to help the little guy, they claim. When you saw that wounded traveler on the road to Jericho – or in this case, to Philadelphia or to Pittsburgh – you not only passed to the other side, but you are willing to slap him with a tax for his troubles.

We have been commiserating here all week – this is my biggest complaint – we have been commiserating here all week, not on how to reduce spending, but we have been gathering our best minds to determine a way to raise taxes without it looking like we are raising taxes. Now, I warned you all back home a week ago to grab your wallets and run. I am afraid it is too late. You are about to have your pockets picked and you will be told it was for your own good.

So what should we do? What should we do? It appears we are faced with the odious predicament that we have not the funds to pay for our profligate spending. It is simple, Mr. Speaker. We have to vote to reduce spending. But we are not faced with that, you say. That proposal is not before us today in this conference report. I agree. So the only correct recourse is to stand with the taxpayers against this bill.

There is an old saying that to know what is right and not do it is the worst form of cowardice. You know, our citizens are thirsting for leadership in their defense. That is what is fueling the debate at the national level right now, leadership in their defense. Be a leader. Defend those who sent you here to control spending. Stand with the taxpayers and vote "no" on this conference report.

Thank you, Mr. Speaker.

The SPEAKER. Representative Daryl Metcalfe.

Mr. METCALFE. Thank you, Mr. Speaker.

Mr. Speaker, since one of the former speakers had mentioned a song from yesteryear, I thought I would bring up one also that so many are probably familiar with, the "Taxman." I would like to read through the lyrics a little bit to bring us about to this tax increase conference report, Mr. Speaker. The "Taxman" went like this:

Let me tell you how it will be
There's one for you, nineteen for me
'Cause I'm the taxman, yeah, I'm the taxman

Should five per cent appear too small
Be thankful I don't take it all
'Cause I'm the taxman, yeah, I'm the taxman.

If you drive a car, I'll tax the street,
If you try to sit, I'll tax your seat.
If you get too cold, I'll tax the heat,
If you take a walk, I'll tax your feet.
Taxman
'Cause I'm the taxman,
Yeah, I'm the taxman.

Don't ask me what I want it for
If you don't want to pay some more
'Cause I'm the taxman,
Yeah, I'm the taxman.

Now my advice for those who die,
Declare the pennies on your eyes,
'Cause I'm the taxman,
Yeah, I'm the taxman.
And you're working for no-one but me.
Taxman.

The SPEAKER. Members—

Sir, I apologize. I did not mean to interrupt you.

I just wanted to make sure, would all the members please take their seats, and I do apologize. Members, please take your seats. Representative Metcalfe has the floor and is entitled to be heard. I would ask all members to please take their seats. Any conversations should go off the House floor.

Representative Metcalfe, the floor is yours, sir, and I do apologize for interrupting.

Mr. METCALFE. Thank you, Mr. Speaker.

Mr. Speaker, I think certainly the driving a car and I will tax the street; try to sit, I will tax your seat. If you get too cold, I will tax the heat – well, I am thankful, Mr. Speaker, that this bill does not contain what so many people were pushing for in the form of the gross receipts tax on people that use natural gas in their homes to warm themselves or heat up their dinner. I am thankful that it does not contain that, Mr. Speaker, but they were certainly considering that aspect of what was referenced in the "Taxman."

And, Mr. Speaker, the attitude of the "Taxman" song is seen in the halls of this Capitol during this time of tax increase conference reports. We are talking about, what are you taking it for? Just be thankful I do not take it all, is kind of the attitude, Mr. Speaker. As was pointed out by some of the members earlier with the digital downloads, I think especially with the millennial generation, they might possibly be woken up by this. Some have been woken up by Bernie, some by Donald. I think

some more might be woken up when they have to start paying a tax on their downloads, Mr. Speaker.

Mr. Speaker, the attitude that comes across in this is certainly exemplified in what has happened with this piece of legislation, a simple bill that was introduced, probably half a dozen pages when it was originally introduced at the beginning of session, to amend the Tax Code to deal with reports, to amend reports to the Pennsylvania corporate net income tax report, just a bill introduced to amend the reporting process, Mr. Speaker. And that bill turned from half a dozen or so pages into 257 pages that encompass taxes like the download tax that was mentioned; imposing taxes on PA lottery winnings; certainly imposing hundreds of millions of dollars, \$431.1 million estimated, for the increase of a cigarette tax, increasing it by \$1 a pack to \$2.60 a pack; taxes on e-cigarettes and smokeless tobacco, roll-your-own; additional taxes on table games.

Mr. Speaker, this simple bill that was meant to amend a form has multiple topics and subjects in it now, changing tax after tax after tax, taking \$752.3 million more, under this estimate, from taxpayers in Pennsylvania, Mr. Speaker. And that old saying about "Don't tax you. Don't tax me. Tax that man behind the tree" – well, now they know where he is because he is smoking. But it still does not make it right, Mr. Speaker. It just feeds the insatiable appetite of Wolf and the government beast that is in this Capitol's halls and chambers, Mr. Speaker.

Mr. Speaker, the people of Pennsylvania expect better. I have heard from many of them. I have been talking to many colleagues that know that they expect better; some that vote for this today know they expect better. They did not send a Republican majority here to increase taxes, Mr. Speaker. We, the Republican majority, have control of this floor, and I sat in disappointed, discouraged anticipation today at that conference committee report knowing that all six votes will be cast, even the Republican votes, for this huge three-quarters-of-a-billion-dollar tax increase that sets us up next year for another battle with this Governor on stopping a PIT (personal income tax) or sales tax increase.

Mr. Speaker, in recent history, with the judges that sit in the courts of Pennsylvania, we have seen one piece of legislation overturned after another because of more than one subject being in a bill. We have seen legislation overturned because of original purpose being thwarted in a bill, and I think this bill meets both of those situations, Mr. Speaker. If you want to increase taxes on cigarette smokers and you want to create new taxes on smokeless tobacco users and you want to create a new tax on people that are downloading information off the Internet, then have the intestinal fortitude to put up a vote for each and every one of them instead of ramrodding it through a bill that should be challenged and should be overturned by the courts based on recent decisions for multiple subjects being in a bill when they should not be and for the original purpose that was to amend a form, amend a form. Who in the world from the public watching the legislation being introduced through the session would have ever expected that a bill that has been introduced to amend a corporate tax form would have been turned into this monstrosity of a tax increase at this eleventh hour after we have an unconstitutional, unbalanced budget now in place in Pennsylvania because the Governor allowed it to go into law without his signature the night before last and did not line-item veto it to be a responsible participant in his exercising his constitutional duty, Mr. Speaker?

Mr. Speaker, this bill should not be advanced by anyone in this House that has sworn to uphold and defend the Constitution or that has told their taxpayers, their constituents, that they are being sent here to protect their pockets or being sent here to be a guardian of the dollars that they are paying or being sent here to be a good steward of what the State Treasurer has been entrusted with, to provide for the commonwealth needs of the State, Mr. Speaker.

Mr. Speaker, the "Taxman" is an old song back from the sixties. It is still very applicable here. I think it was '66, actually. So here in 2016, still very applicable, Mr. Speaker, and the attitude which seems to have led to that song is still here that many years later, that attitude of, do not ask us. Just be thankful that we are not taking it all.

And, Mr. Speaker, people have shown over the last several decades, as we have watched our congressional delegation dwindle in numbers as people have voted with their feet to leave the State of Pennsylvania, to leave the spending and the corruption behind and to go to another State where they can have their pockets protected and enjoy more of the fruit of their labor, Mr. Speaker.

Well, Mr. Speaker, once again today this vote, if it passes, will infringe on the economic liberty of every Pennsylvanian, and even more so next year because of what it is setting us up for for the next budget battle less than a year away, Mr. Speaker.

Mr. Speaker, the only responsible vote here today is a "no" vote on this conference report. And I know everybody wants to go home. I want to go home, but I do not want to go home and see people harmed as a result of my being able to go home. People are harmed when you take more out of their pocket. It does not matter if you are saying that you are doing it for their own good because they are smoking cigarettes and I do not and you do not, maybe. If they are smoking cigarettes and you do not agree with it, well, let us throw another sin tax on them. Well, there are a lot of people addicted to those cigarettes, and as a result, they are still going to be buying those cigarettes and somebody else in their family and themselves will be paying the cost for it because the State government wants more out of their pocket.

Mr. Speaker, there is outrage at some of the rallies that we have seen around the country. We have seen a lot of energy on taxpayers demanding that their government be responsible and react to what they are hearing, and, Mr. Speaker, this bill will do nothing to show people that government is listening. This bill will do everything to tell the people that you are the taxman. Do not ask you what you are going to do with their money. Just be glad that you are not taking it all from them.

PARLIAMENTARY INQUIRY

The SPEAKER. Representative Paul Costa.

Mr. P. COSTA. Do not moan, do not moan.

Thank you, Mr. Speaker.

A quick question, what time can we actually— I know we can proceed, but what time are we permitted to vote for this bill?

The SPEAKER. We would not be able to vote on the bill until approximately 2:10 tomorrow, but I do understand that after everybody has had an opportunity to debate the bill that there will be a motion to proceed.

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

The SPEAKER. Thank you, sir.

REMARKS AND DOCUMENTS SUBMITTED FOR THE RECORD

The SPEAKER. Representative Seth Grove.

Mr. GROVE. Thank you. Thank you, Mr. Speaker.

I want to submit some documents for the record. One is "Cigarette Tax for Law Enforcement" from the Pennsylvania Department of Revenue, which cites, quote, "Profits from cigarette smuggling have funded terrorism acts against the U.S."; a report by the Tax Foundation which shows that a \$1 increase in the cigarette tax will increase illicit cigarette sales by 20 percent, from the Tax Foundation; a report from the U.S. Committee on Homeland Security, "Tobacco and Terror: How Cigarette Smuggling is Funding our Enemies Abroad," and that also cites New York City, which currently has the highest cigarette tax in the country. If this is passed, actually that will be the city of Philadelphia; "Following the Money: Examining Current Terrorist Financing Trends and the Threat to the Homeland," a report by the Homeland Security's Subcommittee on Counterterrorism and Intelligence; "The Nexus of Organized Crime and Terrorism: Two Case Studies in Cigarette Smuggling." One of them is a cell, "...a Hezbollah cell operating out of Charlotte, North Carolina. The cell trafficked cigarettes from North Carolina to Michigan, reaping significant profits...by exploiting the differential..." in cigarette tax rates between the two States; and "National Terrorist Financing Risk Assessment 2015," a report by the U.S. Treasury.

I would like to submit them for the record, Mr. Speaker, as well as my remarks, which also cover the May attacks from France and Belgium by ISIS, which were also in part funded by illicit cigarette sales, Mr. Speaker.

Thank you, Mr. Speaker.

The SPEAKER. Yes, sir. Those will be accepted into the record.

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

Mr. Speaker, I rise in opposition to HB 1198 because it would be harmful to the economy of Pennsylvania and the people of Pennsylvania. The Independent Fiscal Office reported, only a few weeks ago, that revenue collections had decreased and our economy was slowing. This is concerning, Mr. Speaker, because at a time when our economy is slowing, we cannot afford to raise taxes, as taxes negatively impact economic growth. This fact has been well established by peer-reviewed academic research with comprehensive studies showing a negative relationship between taxes and economic growth.

If enacted, this proposal would increase the bank share tax which will be passed on to all consumers who bank in Pennsylvania. This will negatively impact our economy, as many Pennsylvanians could see their access to credit reduce while paying higher financial transaction fees through their banks. This will disproportionately affect lower income Pennsylvanians who now pay a higher percentage of their income for less access to credit. Additionally, this tax will negatively impact the Commonwealth's banks, as small banks throughout the State will be forced to close their doors because of limited lending and growing costs.

HB 1198 is also bad for our economy by balancing the budget on the backs of small businesses across the Commonwealth by removing the State's reimbursement for collecting sales tax. This change to the vendor discount is bad for Pennsylvania companies, many of whom already collect sales tax for the Commonwealth at a loss. By removing the 1-percent reimbursement, the negative impact from this tax increase will result in higher costs for small businesses. This in turn, Mr. Speaker, reduces their ability to expand their business or hire new workers and leads to higher prices, all of which slow economic growth.

Another broad-based tax currently within HB 1198 is expansion of the sales tax to include digital downloads. If levied, this increase in the sales tax would impact any Pennsylvanian who chooses to download a book, a movie, game, app, or song on an electronic device.

Mr. Speaker, I remember when myself and many of my colleagues stood to prevent Pennsylvanians from seeing a broad-based tax increase. Yet, Mr. Speaker, here we are voting on a broad-based tax increase on Pennsylvanians, despite the fact their disposable income is shrinking.

Mr. Speaker, many of these taxes are not only broad in their impact, but the burden to pay these taxes will be shouldered by millions of low-income and middle-class Pennsylvanians. While these broad-based taxes are regressive and impact the financially vulnerable populations, the most regressive of these taxes is the cigarette tax. The regressive nature of the cigarette tax has been displayed by study after study. These studies show low-income individuals smoke at a much higher rate and lose a greater portion of their income paying tobacco taxes.

Increasing the tobacco tax is also concerning because State and Federal government sources link higher tobacco taxes to a growth in illicit tobacco sales and terrorism. In October of 2014, after this legislature allowed the city of Philadelphia to increase its cigarette tax by \$2 a pack, the Department of Revenue sent out a warning concerning illicit cigarette sales, quote, "Profits from cigarette smuggling have funded terrorism..." The U.S. Department of State released a report less than 12 months ago titled, "The Global Illicit Trade in Tobacco: A Threat to National Security." The report details how smuggling cigarettes is a low-risk, high-reward crime which "is a lucrative...potential revenue source to finance acts of terror." The report later states that the trade is both domestic and international in scope. Given a report from the House Committee on Homeland Security in 2008, this is not surprising. The report details how terrorist groups such as Hamas, Al-Qaeda, and Hezbollah have used smuggled cigarettes to raise funds for their terrorist activities. As detailed in the report, "Tobacco and Terror," a Hezbollah cell from North Carolina was able to generate \$8 million from legally purchasing cigarettes in North Carolina and selling them in Michigan. This is not limited to the past, either, as testimony from May of this year before the Homeland Security Committee revealed that ISIS had funded its attacks in France and Belgium in part through sales of illicit cigarettes.

In particular, Mr. Speaker, this information creates concerns about Pennsylvania raising its tobacco tax, as the proposal would leave Philadelphia with a tax rate above New York's cigarette tax. This is important, as the House Homeland Security thoroughly documents how New York's high tax rate creates a problem of black market sales by criminal organizations.

When combined with Philly's new and increased tax rate, under HB 1198, the negative coverage about a higher tobacco tax, a market opportunity is created for criminal actors, including terrorist groups, to smuggle cigarettes within Philadelphia and the Commonwealth. This startling revelation, which came from a conversation with the U.S. State Department, is backed up by research from the Tax Foundation which showed \$1-per-pack increases illicit sales by 20 percent.

The opportunity for increased smuggling is alarming because the revenue from these illicit tobacco sales funds the activities of gangs, drug cartels, and international terrorist groups. Included among these activities is drug trafficking while we fight the heroin-opioid epidemic; human trafficking, which violates people of their basic human dignity; arms trafficking, which floods the streets with more violent crimes, racketeering, and murder. These are things which Republicans and

Democrats stand united against. These are crimes which violate our values and our laws.

As these proposals will hurt our economy, increase the financial burden on Pennsylvanians, especially those most struggling to make ends meet, and make our communities less safe, I stand in opposition to these taxes and request my colleagues to also oppose these taxes.

Mr. GROVE submitted documents for the Legislative Journal.

(For documents, see Appendix.)

The SPEAKER. Representative Mike Vereb.

Mr. VEREB. Thank you, Mr. Speaker.

Since it appears this may be one of the last times I get to speak on these types of bills, I wanted to take that opportunity to not stand up and – oh, thank you, thank you – to not stand up and infuse the word "skulduggery," which I normally do. The gentleman from Lancaster was here earlier, but I do not need him counting if it is going to be another parliamentary inquiry, which I routinely do.

But I figured I would do something different, Mr. Speaker, and infuse music, as so many other people have done ahead of me. And one thing I learned about being here for 10 years is that the longer you are here and the longer the negotiations go, the higher the spend goes and then the boards go blank.

So, Mr. Speaker, the great song by Eric Burdon and the Animals, "We gotta get out of this place if it's the last thing we ever do."

Vote "yes." Thank you, Mr. Speaker.

The SPEAKER. Representative Brad Roae.

Members, everyone is entitled to be heard. I would ask everybody to please take your seats. Members, after Representative Roae, I will turn to Representative Markosek and then Representative Adolph for final comments, and then we will entertain any motions. Members, please take your seats. Everybody needs to be in their seats. All members need to be in their seats.

Representative Roae, you may proceed, sir.

Mr. ROAE. Thank you, Mr. Speaker.

I think it should be very clear what this bill is about. Pennsylvania already has the 15th highest taxes in the country. There are 35 other States that charge lower taxes than we do. So what a "yes" vote means on this bill is even though 35 other States have schools and roads and hospitals and State parks and court systems and all the things that a State government does, we cannot do it unless we are charging a lot more, and what a "yes" vote means is we need even more money on top of the even more money that we are already charging. Mr. Speaker, we should be talking about a tax cut, not a tax increase.

Mr. Speaker, this is how the economy works. Companies operate in Pennsylvania if they think they can turn a profit. If they do not think they can, they do not. That is why companies are leaving Pennsylvania. Companies that are already in Pennsylvania, a lot of them are choosing not to expand in Pennsylvania. If they need more capacity, they go to a State with lower taxes.

Mr. Speaker, does anybody in this room think a "yes" vote, a "yes" vote for higher taxes will encourage more companies to come to Pennsylvania? Does anybody really think a "yes" vote will create jobs? If I looked at all of your campaign fliers, they probably all say you are going to work to create jobs when you

go to Harrisburg. Higher taxes destroy job creation. A "yes" vote is basically a "yes" vote to have fewer jobs in Pennsylvania. If you vote "yes," you are saying you want the businesses in your district to go out of State. If you vote "yes," you are saying, if people in your district are looking for a job, they can go to some other State and find a job.

This is wrong, Mr. Speaker. If we do this tax increase, we are sending our kids out of State. All of our kids are going to move away when they grow up and get jobs because there are not going to be jobs here, Mr. Speaker. This tax increase is wrong.

Now, I do want to talk specifically about the tobacco tax.

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

Members, Representative Roae is entitled to be heard. I would ask that all members please take their seats.

Representative, you may proceed, sir.

Mr. ROAE. Thank you, Mr. Speaker.

Mr. Speaker, there are about \$495 million of new tobacco taxes in this tax increase bill. We already collect over \$900 million a year in cigarette taxes. So if this passes, there are going to be about \$1 1/2 billion of tobacco taxes.

Mr. Speaker, in the general appropriations bill and the Fiscal Code legislation, there is language in there that funds tobacco prevention and tobacco cessation programs. I have a question, Mr. Speaker. What if it actually works? What if the tax money we use to get people to stop smoking and stop using tobacco, what if it works, Mr. Speaker, and people stop using tobacco? We would have a \$1.5 billion hole in our budget. This is a very, very irresponsible way to try to balance a budget, by trying to tax something that we are using tax money for to get people to stop using. I mean, this is crazy, Mr. Speaker. And this is crazy that we would vote to raise taxes on Pennsylvania residents.

And a prior speaker did mention how tobacco taxes target the poor people. It is a fact, Mr. Speaker, that lower income people are more likely to smoke than higher income people. So if some people in this chamber, if they want to raise the minimum wage because they think lower income people have trouble, well, if you raise cigarette taxes \$1 a pack and that person smokes even a pack a day, that is an extra \$365 a year that person is going to have to pay in higher taxes. This is absolutely insane, Mr. Speaker, that we would have a tax increase when Pennsylvania is already one of the highest tax States in the country.

Locally, back home, Mr. Speaker, the General Electric plant just announced – well, they already did it – they moved 1500 jobs from Erie, PA, down to Texas. In Pennsylvania we have a 9.99 percent corporate net income tax. Texas does not have one. We are never going to be able to reduce the corporate net income tax and help our business environment a little bit if we keep increasing spending. The tax increase just keeps the spending going. If we want to spend more money, we tax this, we tax that, we tax the other thing. The people are strapped, Mr. Speaker. They cannot afford even more taxes.

I do want to mention one other thing, Mr. Speaker, that – well, I guess I already said this before but I just have to say it again – a "yes" vote means, yes, you want your kids and your grandkids to move out of Pennsylvania, because it is going to be harder for them to get a job as we continue to raise taxes.

I urge a "no" vote.

The SPEAKER. Unless anybody else wishes to speak, at this time I am going to turn to the Appropriations chairs, if anybody else wishes to speak.

Representative Markosek, the floor is yours.

Mr. MARKOSEK. Thank you, Mr. Speaker.

Members of the Pennsylvania House of Representatives, please vote "yes" to concur on HB 1198. Thank you very much.

The SPEAKER. Representative Bill Adolph, the majority Appropriations chair.

Mr. ADOLPH. Thank you, Mr. Speaker.

I know many people in this House of Representatives and I understand the passion and your advocacy for various constituencies that you all represent. Pennsylvania is very diverse. It is our strength, but at times the diversity can make it very difficult for us to come together, whether it be a tax package or a general spending plan. But on June 30 we came together, four caucuses and the administration, and passed a responsible budget. Some of us would have had a different budget, but when you are working with the diversity that we have here in Pennsylvania, from farms to high-rises to mountains to waterfronts, you have to make compromises, but the biggest obstacle that we had to overcome were the mandates that we have to pay, \$1.2 billion, before we increased one line item.

When I first saw the DHS (Department of Human Services) operating expenses, I charged our staff – and at this time it would only be right for me to thank the Appropriations staffs, both the Republicans and the Democrats, for their endless amount of work that they have done putting together an outstanding, responsible budget, living within our means. So thank you so much for your efforts.

We are able to reduce the proposed increase by over half a billion dollars; real money, real money. We increased our education from across the State and we used the fair funding, the Basic Education Funding Commission's formula for the second year in a row. We increased pre-K, we increased special ed for our future generations to be educated and to stay here in Pennsylvania.

I want to remind the taxpayers out there that Pennsylvania has the lowest of any State that has a State income tax in the nation – the lowest – and the largest population that we have in Pennsylvania, our aging population, those that are retired. We are one of the few States, if not the only State, in the nation that does not tax our retirement incomes.

So we can attack our taxation policies here. Let us not forget what we just did for the business community over the last term: completely repealed the capital stock and franchise tax to attract businesses to Pennsylvania and to make it easier on our Pennsylvania-based businesses.

The Appropriations Committee and staff, along with the Finance Committee and staff, were charged with putting together a budget that did not increase broad-based taxes. That was the message that we heard loud and clear – no increase to the personal income tax, no increase to our Pennsylvania sales tax. When you are working with the increased mandates and you are working with those parameters, this package today – and it is not a surprise; we did not surprise anyone today. We have been talking about this package of revenue options to pay for a responsible budget since November of 2015; some of the dollar amounts went up and down depending on the revenue needed, but I really believe, I really, truly believe that the majority of the Pennsylvania residents, whether you be in rural Pennsylvania, suburban Pennsylvania, or inner-city Pennsylvania, do not want us to be Washington, DC. They want a balanced budget and they want a balanced budget in place,

and that is what this conference report does. It pays for a budget that we passed and the Governor allowed it to become law. This is the responsible vote. This is what the majority of Pennsylvanians sent us here to do.

I ask each and every one of you to understand that process. I accept your advocacy and I accept your passion, but the right thing to do today is to vote "yes" for this conference report and move Pennsylvania forward. Thank you very much.

MOTION TO PROCEED TO CONSIDERATION UNDER RULE 21

The SPEAKER. Representative Reed, on a motion.

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

I would make a motion to proceed to the immediate consideration of the Conference Report on HB 1198. Thank you very much, Mr. Speaker.

The SPEAKER. Thank you, sir.

On the question,

Will the House agree to the motion?

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

Mr. DERMODY. Thank you, Mr. Speaker.

Mr. Speaker, I would also urge the members to support the motion to proceed with HB 1198.

LEAVE OF ABSENCE

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

MOTION TO PROCEED TO CONSIDERATION UNDER RULE 21 CONTINUED

The SPEAKER. All those in favor of a motion to proceed—Yes; I am sorry.

Representative Tallman. You may proceed, sir.

Mr. TALLMAN. Thank you, Mr. Speaker.

Just a quick question, a parliamentary inquiry.

In the 2007-08 session of this body, we had a Reform Commission report, and one of the recommendations, I believe – I would like to have somebody confirm it – was that we wait 24 hours to consider a bill, and as complex as this bill is with multiple facets, I am just wondering if somebody else recalls that report of the Reform Commission, the 2007-08?

The SPEAKER. Representative Tallman, that would not be a parliamentary inquiry because it is not with respect to the rules.

The motion to proceed is in order.

Mr. TALLMAN. Well, then I will speak on the motion.

The SPEAKER. I was going to say, but you may speak on the motion and cite any commission report that you are aware of.

Mr. TALLMAN. Well, thank you, Mr. Speaker.

The Reform Commission recommended after the pay raise fiasco that we wait 24 hours to consider pieces of legislation, and this is a very complex bill, multiple facets. I think we should observe what the Reform Commission's report was. Thank you.

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

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—143

Acosta	Donatucci	Kim	Ravenstahl
Adolph	Driscoll	Kinsey	Readshaw
Artis	Dunbar	Kirkland	Reed
Baker	Ellis	Kortz	Regan
Barbin	Emrick	Kotik	Roebuck
Barrar	Evans	Lewis	Ross
Benninghoff	Everett	Longietti	Rozzi
Bizzarro	Fabrizio	Mahoney	Sankey
Boback	Farina	Major	Santora
Boyle	Flynn	Markosek	Savage
Bradford	Frankel	Marshall	Saylor
Briggs	Gabler	Marsico	Schlossberg
Brown, R.	Gainey	McCarter	Schreiber
Brown, V.	Galloway	McClinton	Schweyer
Bullock	Gergely	McNeill	Simmons
Caltagirone	Gillespie	Miccarelli	Sims
Carroll	Godshall	Millard	Staats
Causer	Goodman	Moul	Stephens
Christiana	Grove	Murt	Sturla
Cohen	Hahn	Mustio	Taylor
Conklin	Hanna	Neilson	Thomas
Corbin	Harhai	Nesbit	Tobash
Costa, D.	Harhart	O'Brien	Toepel
Costa, P.	Harkins	O'Neill	Toohil
Cruz	Harper	Oberlander	Topper
Culver	Harris, A.	Ortitay	Vereb
Cutler	Harris, J.	Parker, D.	Vitali
Daley, M.	Heffley	Pashinski	Ward
Davis	Helm	Payne	Warner
Dawkins	Irvin	Peifer	Wheatley
Day	James	Petri	Wheeland
Dean	Jozwiak	Pickett	White
Deasy	Kampf	Pyle	Youngblood
DeLissio	Kavulich	Quigley	
Delozier	Keller, M.K.	Quinn	Turzai,
Dermody	Keller, W.	Rader	Speaker
DiGirolamo			

NAYS—48

Bloom	Greiner	Maher	Rapp
Burns	Hennessey	Maloney	Reese
Cox	Hickernell	Masser	Roae
Davidson	Hill	Mentzer	Rothman
Diamond	Kaufner	Metcalfe	Saccone
Dush	Kauffman	Metzgar	Sainato
English	Keller, F.	Miller, B.	Samuelson
Evankovich	Klunk	Miller, D.	Schemel
Fee	Knowles	Milne	Tallman
Freeman	Krueger	Mullery	Truitt
Gibbons	Lawrence	Neuman	Wentling
Gillen	Mackenzie	Petrarca	Zimmerman

NOT VOTING—0

EXCUSED—11

Daley, P.	Gingrich	Nelson	Sonney
DeLuca	Matzie	Santarsiero	Watson
Farry	McGinnis	Snyder	

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 adopt the report of the committee of conference?

The SPEAKER. We will now proceed to the conference committee report. HB 1198, PN 3731, is the conference committee report.

On the question of adopting the report, if you are voting "yea" on the report, "yea"; "nay" for those opposed. I guess it is pretty simple. I have never done one of these; I apologize. So all those in favor of the conference committee report will be voting "yea"; any opposed, "nay."

On the question recurring,

Will the House adopt the report of the committee of conference?

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

The following roll call was recorded:

YEAS—116

Acosta	Driscoll	Kim	Rader
Adolph	Dunbar	Kinsey	Ravenstahl
Artis	Ellis	Kirkland	Readshaw
Barbin	English	Kortz	Reed
Barrar	Evans	Lewis	Roebuck
Benninghoff	Everett	Longietti	Ross
Boyle	Fabrizio	Major	Rozzi
Bradford	Farina	Markosek	Samuelson
Briggs	Flynn	Marshall	Santora
Brown, R.	Frankel	McCarter	Savage
Brown, V.	Freeman	McClinton	Schlossberg
Bullock	Gabler	McNeill	Schreiber
Caltagirone	Gainey	Miccarelli	Schweyer
Carroll	Galloway	Miller, D.	Sims
Causser	Gergely	Mullery	Stephens
Cohen	Godshall	Murt	Sturla
Corbin	Goodman	Mustio	Taylor
Costa, D.	Hanna	Neilson	Thomas
Costa, P.	Harhai	Nesbit	Tobash
Cruz	Harkins	O'Brien	Toepel
Cutler	Harper	O'Neill	Toohil
Daley, M.	Harris, A.	Oberlander	Vereb
Davidson	Harris, J.	Parker, D.	Vitali
Dawkins	Helm	Pashinski	Wheatley
Dean	Hennessey	Payne	White
Deasy	James	Petri	Youngblood
DeLissio	Jozwiak	Pyle	
Dermody	Kampf	Quigley	Turzai,
DiGirolamo	Kavulich	Quinn	Speaker
Donatucci	Keller, W.		

NAYS—75

Baker	Gillespie	Maher	Regan
Bizzarro	Greiner	Mahoney	Roae
Bloom	Grove	Maloney	Rothman
Boback	Hahn	Marsico	Saccone
Burns	Harhart	Masser	Sainato
Christiana	Heffley	Mentzer	Sankey
Conklin	Hickernell	Metcalfe	Saylor
Cox	Hill	Metzgar	Schemel
Culver	Irvin	Millard	Simmons
Davis	Kaufer	Miller, B.	Staats

Day	Kauffman	Milne	Tallman
DeLozier	Keller, F.	Moul	Topper
Diamond	Keller, M.K.	Neuman	Truitt
Dush	Klunk	Ortitay	Ward
Emrick	Knowles	Peifer	Warner
Evankovich	Kotik	Petrarca	Wentling
Fee	Krueger	Pickett	Wheeland
Gibbons	Lawrence	Rapp	Zimmerman
Gillen	Mackenzie	Reese	

NOT VOTING—0

EXCUSED—11

Daley, P.	Gingrich	Nelson	Sonney
DeLuca	Matzie	Santarsiero	Watson
Farry	McGinnis	Snyder	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the committee of conference was adopted.

Ordered, That the clerk inform the Senate accordingly.

SENATE MESSAGE

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

The clerk of the Senate, being introduced, returned **HB 1605, PN 3730**, and **HB 1606, PN 3723**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

RULES COMMITTEE MEETING

The SPEAKER. Members, the House is going to go at ease shortly, but we are going to take an announcement from the majority leader for a committee meeting.

Representative Reed, you may proceed for a committee announcement, please.

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

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

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

The House will stand at ease for the Rules Committee meeting.

The House is back in order.

BILLS ON CONCURRENCE REPORTED FROM COMMITTEE

HB 1605, PN 3730

By Rep. REED

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, in cigarette sales and licensing, further providing for definitions, for retention of records and for violations and penalties and providing for preemption and for compliance checks; providing for cancer control, prevention and research; in disposition of abandoned and unclaimed property, further providing for definitions

and for property held by fiduciaries, providing for notice given by holder and for United States savings bonds and further providing for certificate of finder registration and for notice and publication of lists of property subject to Commonwealth custody and control; providing for capital facilities; in oil and gas wells, further providing for Environmental Stewardship Fund and providing for oil and gas conservation; in heritage areas, further providing for program and providing for declaration of policy and for Heritage Area Program; providing for Business in Our Sites Program account; providing for transportation network companies and motor carrier companies; in special funds, further providing for funding and for State Workers' Insurance Board; in additional special funds, further providing for use of fund, providing for hospital uncompensated care payments and reimbursements for extraordinary expense report and further providing for definitions, for Pennsylvania Race Horse Development Fund, for distributions from Pennsylvania Race Horse Development Fund, for drug and alcohol programs and for Natural Gas Infrastructure Development Fund; repealing provisions relating to 2011-2012 budget implementation and 2011-2012 restrictions on appropriations for funds and accounts; providing for 2016-2017 budget implementation and for 2016-2017 restrictions on appropriations for funds and accounts; in general budget implementation, further providing for executive offices and for Gaming Control Board and providing for Commonwealth Financing Authority restricted revenue account, for Federal and Commonwealth use of forest land, for Motor License Fund, for Pennsylvania Liquor Control Board procedure, for restaurant liquor license auction and for Liquor Code term; providing for general budget restrictions on appropriations for funds and accounts; providing for school district intercepts for the payment of debt service during budget impasse; in 2015-2016 budget implementation, further providing for Department of Human Services; and making related repeals.

RULES.

HB 1606, PN 3723

By Rep. REED

An Act amending the act of March 10, 1949 (P.L. 30, No. 14), known as the Public School Code of 1949, in preliminary provisions, providing for duties of Public School Building Construction and Reconstruction Advisory Committee; in school districts, providing for data collection reduction; in duties and powers of boards of school directors, providing for publication of rules, regulations and policies; in school finances, providing for payroll tax; in school district financial recovery, providing for additional criteria; providing for the posting of annual financial information for public school entities; in professional employees, further providing for payment of salaries in cases of sickness, injury or death; in certification of teachers, providing for substitute teaching permit for prospective teachers, further providing for granting provisional college certificates, providing for provisional vocational education certificate and further providing for program of continuing professional education; in pupils and attendance, providing for assignment of students to school districts of the first class A and further providing for exceptional children and education and training and for cost of tuition and maintenance of certain exceptional children in approved institutions; in school health services, further providing for definitions and providing for education of school employees in diabetes care and management, for diabetes care in schools, for possession and use of diabetes medication and monitoring equipment, for liability, for coordinating, supervising or educating not considered delegation and for diabetes care in nonpublic schools; providing for Drug and Alcohol Recovery High School Pilot Program; providing for administrative partnerships between school entities and for the E-chievement Program; in high schools, further providing for courses of study; in charter schools, further providing for definitions, for school staff and for funding for charter schools; in vocational education, further providing for vocational education equipment grants; in community colleges, further providing for election or appointment and term and organization of board of trustees and for financial program and reimbursement of payments; in disruptive student programs, further providing for applications and establishing the Alternative Education Program Account; in private alternative education institutions for disruptive students, further providing for contracts with private alternative education institutions; providing for rural regional college for underserved counties and for educational tax credits; in funding for public libraries, providing for State aid for fiscal year 2016-2017; in reimbursements by Commonwealth and between school districts,

further providing for payments to intermediate units, for special education payments to school districts, for extraordinary special education program expenses and for assistance to school districts declared to be in financial recovery status or identified for financial watch status and providing for Ready-to-Learn Block Grant and for payment of required contribution for public school employees' Social Security; saving an appropriation from lapsing; allocating an appropriation; making related repeals; and making editorial changes.

RULES.

SUPPLEMENTAL CALENDAR C

BILLS ON CONCURRENCE IN SENATE AMENDMENTS

The House proceeded to consideration of concurrence in Senate amendments to **HB 1605, PN 3730**, entitled:

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, in cigarette sales and licensing, further providing for definitions, for retention of records and for violations and penalties and providing for preemption and for compliance checks; providing for cancer control, prevention and research; in disposition of abandoned and unclaimed property, further providing for definitions and for property held by fiduciaries, providing for notice given by holder and for United States savings bonds and further providing for certificate of finder registration and for notice and publication of lists of property subject to Commonwealth custody and control; providing for capital facilities; in oil and gas wells, further providing for Environmental Stewardship Fund and providing for oil and gas conservation; in heritage areas, further providing for program and providing for declaration of policy and for Heritage Area Program; providing for Business in Our Sites Program account; providing for transportation network companies and motor carrier companies; in special funds, further providing for funding and for State Workers' Insurance Board; in additional special funds, further providing for use of fund, providing for hospital uncompensated care payments and reimbursements for extraordinary expense report and further providing for definitions, for Pennsylvania Race Horse Development Fund, for distributions from Pennsylvania Race Horse Development Fund, for drug and alcohol programs and for Natural Gas Infrastructure Development Fund; repealing provisions relating to 2011-2012 budget implementation and 2011-2012 restrictions on appropriations for funds and accounts; providing for 2016-2017 budget implementation and for 2016-2017 restrictions on appropriations for funds and accounts; in general budget implementation, further providing for executive offices and for Gaming Control Board and providing for Commonwealth Financing Authority restricted revenue account, for Federal and Commonwealth use of forest land, for Motor License Fund, for Pennsylvania Liquor Control Board procedure, for restaurant liquor license auction and for Liquor Code term; providing for general budget restrictions on appropriations for funds and accounts; providing for school district intercepts for the payment of debt service during budget impasse; in 2015-2016 budget implementation, further providing for Department of Human Services; and making related repeals.

On the question,

Will the House concur in Senate amendments?

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

Chairman Adolph of the Appropriations Committee will provide a brief description of the Senate amendments.

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

Mr. Speaker, this is HB 1605 and it was most recently amended by the Senate. It provides the language necessary to implement the Commonwealth's annual budget for the year 2016-17 as provided in Act 16A of 2016.

The bill contains the following: It sets the annual transfer from the Oil and Gas Lease Fund, stops the transfer to the Rainy Day Fund, adds some language pursuant to the State Workers' Insurance Fund, distributes money from the Tobacco Settlement Fund, distributes money from the Race Horse Development Fund, creates a restricted account for the CFA (Commonwealth Financing Authority) transfer, authorizes the Motor License Fund for the State Police. It also transfers profits of the PLCB (Pennsylvania Liquor Control Board) to the General Fund, authorizes the transfers of special funds to the General Fund, adds some clarifying language to the Oil and Gas Conservation Law, provides updates and clarifications to unclaimed property.

It implements the following parts to the general appropriations bill: the executive offices, the Treasury, the Department of Agriculture, Community and Economic Development, DCNR (Department of Conservation and Natural Resources), Corrections, drug and alcohol programs, Department of Education, DGS (Department of General Services), Health Department, Labor and Industry, Human Services, the Department of Revenue, the Department of Transportation, PEMA (Pennsylvania Emergency Management Agency), PENNVEST (Pennsylvania Infrastructure Investment Authority), and the Pennsylvania Liquor Control Board. It appropriates funding from the State Lottery Fund.

I urge a "yes" vote and a concurrence on this bill. Thank you.

MOTION TO SUSPEND RULES

The SPEAKER. Representative Jamie Santora.

Mr. SANTORA. Thank you, Mr. Speaker.

I make a motion to offer amendment A09571, which I believe requires a suspension of the rules.

The SPEAKER. On the motion – again, sir, you want a motion to suspend the rules to be able to offer an amendment?

Mr. SANTORA. A09571.

On the question,

Will the House agree to the motion?

The SPEAKER. Representative Santora, you may proceed on the motion.

Mr. SANTORA. Thank you.

Mr. Speaker, I feel this motion is in order, and I am hoping that we can get support for it based on the fact that what was left out of the Fiscal Code when it pertains to TNC (transportation network company) vehicles operating in the city of the first class, even on a temporary basis, was the fact that our handicapped citizens were left out of this legislation. We need to require that a percentage, 10 percent, of these vehicles offer wheelchair-accessible access. So that is what my amendment does, and that is why I feel that this is in order.

Yesterday there were many members of the community with disabilities in court fighting an injunction for this provision. They joined taxi drivers and Uber Black drivers in Philadelphia in court to make sure that their voices were heard.

By approving this motion and moving forward with this amendment, we are going to make sure that their voices are heard and that they will have the opportunity to also call a TNC and go throughout the city if they so choose.

So again, I ask for support on the motion to suspend the rules. Thank you, Mr. Speaker.

The SPEAKER. Representative Miccarelli, on the motion.

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

I rise in support of the gentleman's motion to suspend.

As the gentleman mentioned, some weeks ago the Philadelphia Parking Authority entered into an agreement with several TNCs, transit network companies, for their operation in Philadelphia, and we are asking for suspension, because just last night a court in Philadelphia struck that agreement down. That lawsuit was filed by, as the gentleman from Upper Darby said, Uber drivers, taxi drivers, and the disabled community in Philadelphia. The language that was struck down is nearly identical, Mr. Speaker, to the language that is contained in this Fiscal Code before us. We had multiple hearings and votes in the Consumer Affairs Committee, and I believe that it is imperative that we suspend the rules so we consider this and maybe a couple other amendments which will put standards in place, Mr. Speaker, until we return in the fall.

I would like it to be known, Mr. Speaker, that in our support for the amendment, for the suspension for the amendment, that these standards that we are asking for are in place and they are abided by and profitable for Uber, TNCs, limousine companies, taxis all over the United States. These regulations, these standards we are asking for are mild in comparison to some that are shown around the country.

So with that, I would ask for all the members' support for suspension on A09571. Thank you, Mr. Speaker.

The SPEAKER. Members, I must apologize. I did give the good gentleman from Delaware County the opportunity to speak on the motion. The rules in fact state that only the leaders, the maker of the motion, and the prime sponsor of the bill with respect to any motion to suspend the rules are permitted. That was my mistake. I apologize. And I had already said yes, so I was not going to interrupt.

At this time does the maker of the bill or the leaders wish to—

Representative Dermody, on the motion.

Mr. DERMODY. Thank you, Mr. Speaker.

Mr. Speaker, these amendments do bring up some important issues, but I believe they need a more comprehensive discussion than we can give them here today. We are more than happy to work with the gentleman on this issue in the fall. And I think it is very important that this Fiscal Code bill gets to the Governor unamended so that he can sign the bill.

So, Mr. Speaker, I would urge the members to oppose the motion to suspend the rules.

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—57

Adolph	Driscoll	Lawrence	Reese
Barrar	Dush	Maloney	Roae
Bloom	English	Masser	Rothman
Boback	Freeman	McCarter	Samuelson
Bradford	Galloway	Metcalfe	Sankey
Briggs	Gibbons	Miccarelli	Santora
Causar	Grove	Millard	Staats
Christiana	Hennessey	Moul	Sturla
Daley, M.	Hill	Mustio	Tallman
Davidson	Irvin	Neilson	Truitt
Davis	Klunk	O'Neill	Ward

Day	Knowles	Petri	Warner
Dean	Kotik	Quinn	White
Diamond	Krueger	Rapp	Youngblood
DiGirolamo			

NAYS—133

Acosta	Fabrizio	Kinsey	Rader
Artis	Farina	Kirkland	Ravenstahl
Baker	Fee	Kortz	Readshaw
Barbin	Flynn	Lewis	Reed
Benninghoff	Frankel	Longiatti	Regan
Bizzarro	Gabler	Mackenzie	Roebuck
Boyle	Gainey	Maher	Ross
Brown, R.	Gergely	Mahoney	Rozzi
Brown, V.	Gillen	Major	Saccone
Bullock	Gillespie	Markosek	Sainato
Burns	Godshall	Marshall	Savage
Caltagirone	Goodman	Marsico	Saylor
Carroll	Greiner	McClinton	Schemel
Cohen	Hahn	McNeill	Schreiber
Conklin	Hanna	Mentzer	Schweyer
Corbin	Harhai	Metzgar	Simmons
Costa, D.	Harhart	Miller, B.	Sims
Costa, P.	Harkins	Miller, D.	Stephens
Cox	Harper	Milne	Taylor
Cruz	Harris, A.	Mullery	Thomas
Culver	Harris, J.	Murt	Tobash
Cutler	Heffley	Nesbit	Toepel
Dawkins	Helm	Neuman	Toohil
Deasy	Hickernell	O'Brien	Topper
DeLissio	James	Oberlander	Vereb
Delozier	Jozwiak	Ortitay	Vitali
Dermody	Kampf	Parker, D.	Wentling
Donatucci	Kaufner	Pashinski	Wheatley
Dunbar	Kauffman	Payne	Wheeland
Ellis	Kavulich	Peifer	Zimmerman
Emrick	Keller, F.	Petrarca	
Evankovich	Keller, M.K.	Pickett	Turzai,
Evans	Keller, W.	Pyle	Speaker
Everett	Kim	Quigley	

NOT VOTING—0

EXCUSED—12

Daley, P.	Gingrich	Nelson	Snyder
DeLuca	Matzie	Santarsiero	Sonney
Farry	McGinnis	Schlossberg	Watson

Less than a majority of the members required by the rules having voted in the affirmative, the question was determined in the negative and the motion was not agreed to.

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

MOTION TO SUSPEND RULES

The SPEAKER. Representative Margo Davidson.

Mrs. DAVIDSON. Thank you, Mr. Speaker.

I make a motion to suspend the rules because Uber is a multibillion-dollar, multinational corporation—

The SPEAKER. Representative Davidson, you have to first state your motion. So please state your motion and identify your amendment number and then I will call on you for remarks on the motion, but you have to state the motion first; I apologize.

Mrs. DAVIDSON. Thank you, Mr. Speaker.

I make a motion to suspend the rules on A09567.

The SPEAKER. Okay. So Representative Davidson is asking the members to suspend the rules to allow for consideration of amendment 9567.

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

The SPEAKER. On the motion, the maker of the motion, the maker of the bill, and the two leaders under our rules are permitted to speak on the motion.

PARLIAMENTARY INQUIRY

The SPEAKER. Representative Maher, on, I presume, a parliamentary inquiry, sir? You may proceed.

Mr. MAHER. On the system that amendment number is associated with a different member. Is it appropriate for one member to seek suspension to consider the amendment of another member? I do not know the answer.

The SPEAKER. Sir, the rulings in the past, given precedent, have been that if the maker of the amendment has given permission to the maker of the motion, yes, that is in fact the case.

The Parliamentarian is indicating to me that Representative Santora has in fact filed amendment 9567. It is my understanding from the information we have been given that Representative Davidson is making the motion to suspend the rules to have consideration of that amendment.

Representative Santora, you may proceed.

Mr. SANTORA. I have asked Representative Davidson to make that motion.

The SPEAKER. Okay. Thank you.

Representative Davidson, you may proceed on the motion, please.

Mrs. DAVIDSON. Thank you, Mr. Speaker.

I am making a motion today, and I rise on behalf of a motion to suspend the rules for A09567, and the reason we need to suspend the rules to consider this motion is that this particular language was put in at the last minute and does not affect the overall Fiscal Code, it does not affect how we move forward with our budget. The only thing it allows is a multinational, multibillion-dollar company to operate unfettered and unlicensed in our Commonwealth with no protection for the drivers, with no protection for the riders. And they are, as I said, a multibillion-dollar, a multinational corporation that has just gotten \$4.5 billion from Saudi Arabia and are in the process of making a deal with China for another \$7 billion, a China-based company, to come together as the biggest multinational, multibillion-dollar company in the world, and we are going to unleash them into our Commonwealth without rules or regulations to the detriment of small businesses that reside right here in the Commonwealth of Pennsylvania.

It is unfair, it is unconscionable, and I would hope that the members would vote to suspend the rules so that at least we can get some needed revenue into our General Fund if we consider this bill. Thank you, Mr. Speaker.

The SPEAKER. Representative Reed, on the motion.

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

Much like the Democratic leader on the last amendment, I believe we want to have a thorough discussion on this topic.

We want to work through a permanent solution that makes sense for all parties in regard to this issue going forward into the future. For the time being, though, we would ask that the members oppose the motion to suspend the rules and we will come back and work through this issue in the upcoming months. Thank you.

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

The following roll call was recorded:

YEAS—39

Adolph	Davis	Kim	Quinn
Artis	Dawkins	Kortz	Roae
Barrar	DiGirolamo	Kotik	Sankey
Boback	Dush	Krueger	Santora
Boyle	English	Masser	Sturla
Brown, V.	Freeman	McClinton	Thomas
Caltagirone	Galloway	Metcalfe	Truitt
Christiana	Harris, J.	Miccarelli	White
Daley, M.	Hennessey	Mustio	Youngblood
Davidson	Hill	O'Neill	

NAYS—151

Acosta	Fee	Lewis	Ravenstahl
Baker	Flynn	Longietti	Readshaw
Barbin	Frankel	Mackenzie	Reed
Benninghoff	Gabler	Maher	Reese
Bizzarro	Gainey	Mahoney	Regan
Bloom	Gergely	Major	Roebuck
Bradford	Gibbons	Maloney	Ross
Briggs	Gillen	Markosek	Rothman
Brown, R.	Gillespie	Marshall	Rozzi
Bullock	Godshall	Marsico	Saccone
Burns	Goodman	McCarter	Sainato
Carroll	Greiner	McNeill	Samuelson
Causar	Grove	Mentzer	Savage
Cohen	Hahn	Metzgar	Saylor
Conklin	Hanna	Millard	Schemel
Corbin	Harhai	Miller, B.	Schreiber
Costa, D.	Harhart	Miller, D.	Schweyer
Costa, P.	Harkins	Milne	Simmons
Cox	Harper	Moul	Sims
Cruz	Harris, A.	Mullery	Staats
Culver	Heffley	Murt	Stephens
Cutler	Helm	Neilson	Tallman
Day	Hickernell	Nesbit	Taylor
Dean	Irvin	Neuman	Tobash
Deasy	James	O'Brien	Toepel
DeLissio	Jozwiak	Oberlander	Toohil
Delozier	Kampf	Ortitay	Topper
Dermody	Kaufer	Parker, D.	Vereb
Diamond	Kauffman	Pashinski	Vitali
Donatucci	Kavulich	Payne	Ward
Driscoll	Keller, F.	Peifer	Warner
Dunbar	Keller, M.K.	Petrarca	Wentling
Ellis	Keller, W.	Petri	Wheatley
Emrick	Kinsey	Pickett	Wheeland
Evankovich	Kirkland	Pyle	Zimmerman
Evans	Klunk	Quigley	
Everett	Knowles	Rader	Turzai,
Fabrizio	Lawrence	Rapp	Speaker
Farina			

NOT VOTING—0

EXCUSED—12

Daley, P.	Gingrich	Nelson	Snyder
DeLuca	Matzie	Santarsiero	Sonney
Farry	McGinnis	Schlossberg	Watson

Less than a majority of the members required by the rules having voted in the affirmative, the question was determined in the negative and the motion was not agreed to.

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

MOTION TO SUSPEND RULES

The SPEAKER. Representative Miccarelli, for the purpose of stating a motion, please.

Mr. MICCARELLI. Yes, Mr. Speaker.

I move that the House suspend the rules for the consideration of amendment 09568.

The SPEAKER. Members, in front of us Representative Miccarelli has filed a motion to suspend the rules with respect to be able to immediately consider amendment 9568. The amendment is offered by Representative Santora. The motion is being made by Representative Miccarelli.

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

The SPEAKER. Representative Miccarelli, you may proceed.

Mr. MICCARELLI. Thank you, Mr. Speaker.

While I may not agree with the majority or minority leaders on the way they are voting, I do agree that we should certainly have legitimate and significant action on this legislation, which we have attempted to do in Consumer Affairs. However, in the Fiscal Code there is significant action on TNCs and the way that these transportation companies will operate in Philadelphia.

Mr. Speaker, this amendment calls for nothing more than a sticker, a sticker, which I am certain our friends in the Senate would be more than happy to go along with and I am certain the Governor would probably sign it as well. All I ask, Mr. Speaker, is that we give the little guy – our limo drivers, our Uber Black drivers, our taxi drivers – the same respect and the same voice that a multibillion-dollar corporation would have.

You know, we often talk about the influence corporations have. This is a vote for the little guy. One vote, one sticker, that is all we ask. Thank you, Mr. Speaker.

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

Mr. DERMODY. Thank you, Mr. Speaker.

Mr. Speaker, as we have heard from the last two proposed motions, these are important issues. They need a comprehensive, detailed discussion and a resolution, and we are looking forward to working with the makers of the amendment to do just that.

However, we need to oppose the motion to suspend the rules, because as we stated before, it is important that these bills not be amended and that they go to the Governor for his signature. It is an important Fiscal Code. Therefore, I would ask the members to oppose the motion to suspend the rules.

Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—50

Adolph	DiGirolamo	Maloney	Reese
Barrar	Dush	Masser	Roae
Boback	English	McCarter	Samuelson
Briggs	Freeman	McClinton	Sankey
Christiana	Galloway	Metcalfe	Santora
Cohen	Gibbons	Miccarelli	Staats
Cox	Godshall	Moul	Sturla
Daley, M.	Hennessey	Mustio	Thomas
Davidson	Kim	Neilson	Truitt
Davis	Knowles	O'Neill	Ward
Day	Kortz	Quinn	White
Dean	Kotik	Rapp	Youngblood
Diamond	Krueger		

NAYS—140

Acosta	Fabrizio	Kirkland	Rader
Artis	Farina	Klunk	Ravenstahl
Baker	Fee	Lawrence	Readshaw
Barbin	Flynn	Lewis	Reed
Benninghoff	Frankel	Longietti	Regan
Bizzarro	Gabler	Mackenzie	Roebuck
Bloom	Gainey	Maher	Ross
Boyle	Gergely	Mahoney	Rothman
Bradford	Gillen	Major	Rozzi
Brown, R.	Gillespie	Markosek	Saccone
Brown, V.	Goodman	Marshall	Sainato
Bullock	Greiner	Marsico	Savage
Burns	Grove	McNeill	Saylor
Caltagirone	Hahn	Mentzer	Schemel
Carroll	Hanna	Metzgar	Schreiber
Causser	Harhai	Millard	Schweyer
Conklin	Harhart	Miller, B.	Simmons
Corbin	Harkins	Miller, D.	Sims
Costa, D.	Harper	Milne	Stephens
Costa, P.	Harris, A.	Mullery	Tallman
Cruz	Harris, J.	Murt	Taylor
Culver	Heffley	Nesbit	Tobash
Cutler	Helm	Neuman	Toepel
Dawkins	Hickernell	O'Brien	Toohil
Deasy	Hill	Oberlander	Topper
DeLissio	Irvin	Ortitay	Vereb
Delozier	James	Parker, D.	Vitali
Dermody	Jozwiak	Pashinski	Warner
Donatucci	Kampf	Payne	Wentling
Driscoll	Kaufer	Peifer	Wheatley
Dunbar	Kauffman	Petrarca	Wheeland
Ellis	Kavulich	Petri	Zimmerman
Emrick	Keller, F.	Pickett	
Evankovich	Keller, M.K.	Pyle	Turzai,
Evans	Keller, W.	Quigley	Speaker
Everett	Kinsey		

NOT VOTING—0

EXCUSED—12

Daley, P.	Gingrich	Nelson	Snyder
DeLuca	Matzie	Santarsiero	Sonney
Farry	McGinnis	Schlossberg	Watson

Less than a majority of the members required by the rules having voted in the affirmative, the question was determined in the negative and the motion was not agreed to.

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

MOTION TO SUSPEND RULES

The SPEAKER. Representative Santora is recognized, I believe, for a motion.

Mr. SANTORA. I promise this will be the last one. I am going to drop all the rest of the amendments after this.

However, I would like to make a motion for suspension of the rules to offer A09573.

The SPEAKER. Yes, sir.

Representative Santora has asked for a motion to suspend the rules for immediate consideration of amendment 9573.

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

The SPEAKER. Sir, on the motion.

Mr. SANTORA. Mr. Speaker, back in, I believe, 2004 this body decided that they would give a property right to small business owners in the form of a medallion. With that property right came certain other rights, including the ability to pick up and drop off passengers from the Philadelphia Airport, train stations located within Philadelphia, and at hotel taxi stands.

There is nothing here – there is no one here that does not believe that competition is good for this industry. However, to take what has been a level playing field for many years and just take it away when these people who work hard, these small business owners, when their Black Friday finally shows up in Pennsylvania with a convention, now we are going to take their opportunity away.

I heard over and over that we need a bigger discussion on this. That is absolutely right, we need a bigger discussion on this, but we decided to shove this language into a Fiscal Code with no concern for the residents that own these small businesses.

We covered to the multibillion-dollar business from California to allow them, basically, to run over the small business men and women from southeastern Pennsylvania. It is a sad day here in the Capitol when we are going to destroy that opportunity for these small business men and women.

I hope in the fall we are going to have that discussion, and I hope this time these small business people are actually going to be brought to the table and not avoided, not quiet backroom meetings that leave them out. I hear so many times, bring people to the table so it is fair.

MOTION WITHDRAWN

Mr. SANTORA. With that, I withdraw my motion, and I will speak on the bill later. Thank you.

The SPEAKER. Yes, sir.

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

The SPEAKER. Members, there were other amendments that have been filed, but my understanding is that they have been withdrawn.

Are all other amendments withdrawn? Does anybody else wish to offer a motion to suspend for consideration of any other amendment? Okay.

Then my understanding is, all other amendments are withdrawn. There are no more motions in front of us.

And does anybody wish to speak on the bill?

MOTION TO PROCEED TO CONSIDERATION UNDER RULE 21

The SPEAKER. We are going to need a motion to proceed.

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

I make a motion to allow the immediate consideration of HB 1605 and HB 1606. Thank you.

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

The SPEAKER. Representative Dermody, on the motion.

Mr. DERMODY. Thank you, Mr. Speaker.

I also would urge the members to support the motion to proceed on HB 1605 and HB 1606.

PARLIAMENTARY INQUIRY

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

Mr. THOMAS. Mr. Speaker, you asked the question of whether there were any amendments or motions to suspend on HB 1605. I did not hear HB 1606. There are amendments filed to HB 1606.

The SPEAKER. Yes. Sir, you certainly will— I will cover the amendments still on HB 1606 when that bill comes in front of us, and I do know that this motion does proceed with voting with respect, but that does not take away your ability to raise any motions for your amendments on HB 1606.

So in front of us right now we have the motion to proceed with voting on the bill for HB 1605 and HB 1606.

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

The following roll call was recorded:

YEAS—147

Acosta	Donatucci	Keller, M.K.	Rader
Adolph	Driscoll	Keller, W.	Ravenstahl
Artis	Dunbar	Kim	Readshaw
Baker	Ellis	Kinsey	Reed
Barbin	Emrick	Kirkland	Regan
Barrar	Evans	Kortz	Roebuck
Benninghoff	Everett	Lewis	Ross
Bizzarro	Fabrizio	Mackenzie	Rozzi
Boback	Farina	Mahoney	Sankey
Boyle	Fee	Major	Savage
Bradford	Flynn	Maloney	Saylor
Briggs	Frankel	Markosek	Schemel
Brown, R.	Gabler	Marshall	Schreiber
Brown, V.	Gainey	Marsico	Schweyer
Bullock	Galloway	McCarter	Simmons
Caltagirone	Gergely	McClinton	Sims
Carroll	Gillespie	McNeill	Staats
Causar	Godshall	Mentzer	Stephens
Christiana	Goodman	Millard	Sturla
Cohen	Greiner	Moul	Taylor

Conklin	Hahn	Murt	Thomas
Corbin	Hanna	Mustio	Tobash
Costa, D.	Harhai	Neilson	Toepel
Costa, P.	Harhart	Nesbit	Toohil
Cox	Harkins	O'Brien	Topper
Cruz	Harper	O'Neill	Vereb
Culver	Harris, A.	Oberlander	Vitali
Cutler	Harris, J.	Ortitay	Ward
Daley, M.	Heffley	Parker, D.	Warner
Davis	Helm	Pashinski	Wheatley
Dawkins	Hickernell	Payne	Wheeland
Day	Irvin	Peifer	White
Dean	James	Petri	Youngblood
Deasy	Jozwiak	Pickett	Zimmerman
DeLissio	Kampf	Pyle	
Delozier	Kaufner	Quigley	Turzai,
Dermody	Kavulich	Quinn	Speaker
DiGirolamo			

NAYS—43

Bloom	Hennessey	Masser	Reese
Burns	Hill	Metcalfe	Roae
Davidson	Kauffman	Metzgar	Rothman
Diamond	Keller, F.	Miccarelli	Saccone
Dush	Klunk	Miller, B.	Sainato
English	Knowles	Miller, D.	Samuelson
Evankovich	Kotik	Milne	Santora
Freeman	Krueger	Mullery	Tallman
Gibbons	Lawrence	Neuman	Truitt
Gillen	Longietti	Petrarca	Wentling
Grove	Maher	Rapp	

NOT VOTING—0

EXCUSED—12

Daley, P.	Gingrich	Nelson	Snyder
DeLuca	Matzie	Santarsiero	Sonney
Farry	McGinnis	Schlossberg	Watson

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 concur in Senate amendments?

The SPEAKER. So once again, HB 1605 was called up by Representative James. That is on pages 1 and 2 of today's supplemental C House calendar. It is for concurrence in Senate amendments.

As I indicated, the question is, will the House concur in the amendments inserted by the Senate?

We have had a brief description of those by Chairman Adolph.

Representative Santora, on the concurrence.

Mr. SANTORA. Thank you, Mr. Speaker.

I understand that we need to move forward with this Fiscal Code, in some people's opinion. I just cannot support a bill that discriminates against our disabled community, and that is exactly what this bill does. I will be a "no" vote. Thank you.

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

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

The following roll call was recorded:

YEAS—124

Acosta	Ellis	Kaufer	Peifer
Adolph	Emrick	Kavulich	Petri
Artis	English	Keller, W.	Pickett
Baker	Evans	Kim	Pyle
Barrar	Everett	Kinsey	Quigley
Benninghoff	Fabrizio	Kirkland	Rader
Boyle	Farina	Lewis	Ravenstahl
Bradford	Fee	Mackenzie	Readshaw
Briggs	Flynn	Major	Reed
Brown, R.	Frankel	Markosek	Roebuck
Brown, V.	Gabler	Marshall	Rozzi
Bullock	Gainey	Masser	Savage
Caltagirone	Galloway	McCarter	Saylor
Carroll	Gergely	McClinton	Schreiber
Causer	Godshall	McNeill	Schweyer
Corbin	Goodman	Mentzer	Sims
Costa, D.	Greiner	Millard	Staats
Costa, P.	Hahn	Miller, D.	Stephens
Cruz	Hanna	Milne	Sturla
Culver	Harhart	Moul	Taylor
Cutler	Harkins	Mullery	Thomas
Daley, M.	Harper	Murt	Tobash
Dawkins	Harris, A.	Mustio	Toepel
Dean	Harris, J.	Neilson	Toohil
Deasy	Heffley	Nesbit	Topper
DeLissio	Helm	O'Brien	Verb
Dermody	Hennessey	O'Neill	Wheatley
DiGirolamo	Hickernell	Oberlander	Wheeland
Donatucci	James	Parker, D.	White
Driscoll	Jozwiak	Pashinski	Youngblood
Dunbar	Kampf	Payne	Zimmerman

NAYS—66

Barbin	Gibbons	Maher	Rothman
Bizzarro	Gillen	Mahoney	Saccone
Bloom	Gillespie	Maloney	Sainato
Boback	Grove	Marsico	Samuelson
Burns	Harhai	Metcalfe	Sankey
Christiana	Hill	Metzgar	Santora
Cohen	Irvin	Miccarelli	Schemel
Conklin	Kauffman	Miller, B.	Simmons
Cox	Keller, F.	Neuman	Tallman
Davidson	Keller, M.K.	Ortitay	Truitt
Davis	Klunk	Petrarca	Vitali
Day	Knowles	Quinn	Ward
Delozier	Kortz	Rapp	Warner
Diamond	Kotik	Reese	Wentling
Dush	Krueger	Regan	
Evanovich	Lawrence	Roae	Turzai,
Freeman	Longietti	Ross	Speaker

NOT VOTING—0

EXCUSED—12

Daley, P.	Gingrich	Nelson	Snyder
DeLuca	Matzie	Santarsiero	Sonney
Farry	McGinnis	Schlossberg	Watson

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

Ordered, That the clerk inform the Senate accordingly.

* * *

The House proceeded to consideration of concurrence in Senate amendments to **HB 1606, PN 3723**, entitled:

An Act amending the act of March 10, 1949 (P.L. 30, No. 14), known as the Public School Code of 1949, in preliminary provisions, providing for duties of Public School Building Construction and Reconstruction Advisory Committee; in school districts, providing for data collection reduction; in duties and powers of boards of school directors, providing for publication of rules, regulations and policies; in school finances, providing for payroll tax; in school district financial recovery, providing for additional criteria; providing for the posting of annual financial information for public school entities; in professional employees, further providing for payment of salaries in cases of sickness, injury or death; in certification of teachers, providing for substitute teaching permit for prospective teachers, further providing for granting provisional college certificates, providing for provisional vocational education certificate and further providing for program of continuing professional education; in pupils and attendance, providing for assignment of students to school districts of the first class A and further providing for exceptional children and education and training and for cost of tuition and maintenance of certain exceptional children in approved institutions; in school health services, further providing for definitions and providing for education of school employees in diabetes care and management, for diabetes care in schools, for possession and use of diabetes medication and monitoring equipment, for liability, for coordinating, supervising or educating not considered delegation and for diabetes care in nonpublic schools; providing for Drug and Alcohol Recovery High School Pilot Program; providing for administrative partnerships between school entities and for the E-chievement Program; in high schools, further providing for courses of study; in charter schools, further providing for definitions, for school staff and for funding for charter schools; in vocational education, further providing for vocational education equipment grants; in community colleges, further providing for election or appointment and term and organization of board of trustees and for financial program and reimbursement of payments; in disruptive student programs, further providing for applications and establishing the Alternative Education Program Account; in private alternative education institutions for disruptive students, further providing for contracts with private alternative education institutions; providing for rural regional college for underserved counties and for educational tax credits; in funding for public libraries, providing for State aid for fiscal year 2016-2017; in reimbursements by Commonwealth and between school districts, further providing for payments to intermediate units, for special education payments to school districts, for extraordinary special education program expenses and for assistance to school districts declared to be in financial recovery status or identified for financial watch status and providing for Ready-to-Learn Block Grant and for payment of required contribution for public school employees' Social Security; saving an appropriation from lapsing; allocating an appropriation; making related repeals; and making editorial changes.

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

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

Further, the Chair recognizes Representative Christiana for a brief description of those amendments and any remarks on the bill.

Mr. CHRISTIANA. Thank you, Mr. Speaker.

The Senate amended HB 1606 to add provisions for both policy changes and implementation language for the fiscal year 2016-2017 and the education budget.

The changes include approved private schools returned fund redistribution; duties for the PlanCon Advisory Committee; additional criteria for financial watch identification; Social Security reporting requirements; transfer of students to a school

district of the first class A; payroll taxes in a distressed municipality in the city of the first class A; charter school provisions which include reconciliation, permanent elimination of Social Security and pension payments, "aid ratio" definition; data collection reduction—

The SPEAKER. I would ask all members to please suspend.

Please give Representative Christiana the ability to articulate the amendments in the Education Code bill.

Representative Christiana, the floor is yours.

Mr. CHRISTIANA. Thank you, Mr. Speaker.

Online posting of policies; substitute teacher pilot program; provisional vocational education certification requirements; diabetes management provisions; recovery school pilot program; providing for administrative partnerships; computer science credit provisions; community college board of trustees provisions; Act 48 hour carryover provisions; bereavement leave for grandparents; E-chievement program changes; EITC (educational improvement tax credit), OSTC (opportunity scholarship tax credit) increase of tax credits as well as changes to administrability of the program; rural regional college provisions; unencumbered fund language; alternative education fees; funding formulas for special education, libraries, community colleges; career and technical grants; and Ready to Learn Block Grant funding formula changes. Thank you, Mr. Speaker.

The SPEAKER. Thank you, sir.

MOTION TO SUSPEND RULES

The SPEAKER. Representative Thomas is recognized for motions with respect to immediate consideration of amendments.

Representative Thomas, the floor is yours, sir.

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, I rise and ask my colleagues to suspend the rules so that we can consider amendment 09563 to HB 1606.

The SPEAKER. Yes, sir. So the motion is to suspend the rules to have immediate consideration of amendment 9563.

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

The SPEAKER. Representative, you may speak on the motion.

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, for the last 2, 3 years a number of my colleagues from both sides of the aisle have had something to say about the School Reform Commission in Philadelphia County. The Governor while campaigning said that he was going to give the school district in Philadelphia County back to the county. The circumstances which gave rise to the establishment of the School Reform Commission have been more than satisfied. Now it is time to abolish the School Reform Commission in Philadelphia County.

And so I would like for this motion to be honored so that we can move to the amendment that would bring about, once and for all, an end to the School Reform Commission in Philadelphia County and let the people of Philadelphia deal with the education needs of the kids in Philadelphia County.

Thank you, Mr. Speaker.

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

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

This is one of the last components of the School Code bill to complete the budget process. We understand the gentleman has concerns about a number of different areas. We would welcome that conversation into the future, but at this moment we would ask the members to oppose the motion to suspend the rules. Thank you.

The SPEAKER. Thank you, sir.

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

The following roll call was recorded:

YEAS—33

Acosta	Davis	Kim	Murt
Artis	Dawkins	Kinsey	Roae
Bradford	Dean	Kortz	Santora
Briggs	DiGirolamo	Kotik	Savage
Brown, V.	Evans	Krueger	Sturla
Bullock	Freeman	McCarter	Thomas
Cohen	Hanna	McClinton	Truitt
Daley, M.	Harris, J.	Miccarelli	Youngblood
Davidson			

NAYS—157

Adolph	Fee	Longiatti	Ravenstahl
Baker	Flynn	Mackenzie	Readshaw
Barbin	Frankel	Maher	Reed
Barrar	Gabler	Mahoney	Reese
Benninghoff	Gainey	Major	Regan
Bizzarro	Galloway	Maloney	Roebuck
Bloom	Gergely	Markosek	Ross
Boback	Gibbons	Marshall	Rothman
Boyle	Gillen	Marsico	Rozzi
Brown, R.	Gillespie	Masser	Saccone
Burns	Godshall	McNeill	Sainato
Caltagirone	Goodman	Mentzer	Samuelson
Carroll	Greiner	Metcalfe	Sankey
Causser	Grove	Metzgar	Saylor
Christiana	Hahn	Millard	Schemel
Conklin	Harhai	Miller, B.	Schreiber
Corbin	Harhart	Miller, D.	Schweyer
Costa, D.	Harkins	Milne	Simmons
Costa, P.	Harper	Moul	Sims
Cox	Harris, A.	Mullery	Staats
Cruz	Heffley	Mustio	Stephens
Culver	Helm	Neilson	Tallman
Cutler	Hennessey	Nesbit	Taylor
Day	Hickernell	Neuman	Tobash
Deasy	Hill	O'Brien	Toepel
DeLissio	Irvin	O'Neill	Toohil
Delozier	James	Oberlander	Topper
Dermody	Jozwiak	Ortitay	Vereb
Diamond	Kampf	Parker, D.	Vitali
Donatucci	Kaufner	Pashinski	Ward
Driscoll	Kauffman	Payne	Warner
Dunbar	Kavulich	Peifer	Wentling
Dush	Keller, F.	Petrarca	Wheatley
Ellis	Keller, M.K.	Petri	Wheeland
Emrick	Keller, W.	Pickett	White
English	Kirkland	Pyle	Zimmerman
Evankovich	Klunk	Quigley	
Everett	Knowles	Quinn	Turzai,
Fabrizio	Lawrence	Rader	Speaker
Farina	Lewis	Rapp	

NOT VOTING—0

EXCUSED—12

Daley, P.	Gingrich	Nelson	Snyder
DeLuca	Matzie	Santarsiero	Sonney
Farry	McGinnis	Schlossberg	Watson

Less than a majority of the members required by the rules having voted in the affirmative, the question was determined in the negative and the motion was not agreed to.

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

MOTION TO SUSPEND RULES

The SPEAKER. Representative Thomas, do you have a motion with respect to any additional amendments?

Sir, you may proceed.

Mr. THOMAS. Thank you, Mr. Speaker.

And, Mr. Speaker, let me thank my Democratic leader and let me thank the majority leader for their willingness to sit down with some of the people who believe that it is important to move Philadelphia into the 21st century by getting rid of the School Reform Commission. So to that end, I thank each of you for your comments.

I rise at this particular time and ask you to join me in suspending the rules so that we can consider amendment 09564.

The SPEAKER. So Representative Thomas files a motion that asks for immediate consideration of amendment 9564.

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

The SPEAKER. Representative Thomas, on the motion.

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, as many of you know, in Philadelphia County, which is the only county in the Commonwealth that the school district does not have independence over their fiscal affairs, and so to that end, when we pay property taxes in the city of Philadelphia, 55 percent of those taxes go to the school district or are supposed to be going to the school district. We have had an explosion of tax abatements in Philadelphia over the last couple of years, and every time there is a 10-year tax abatement, that is money that is not going into the School District of Philadelphia. And so to that end, this amendment would establish a school revitalization fund that would require all developers to provide a certain percentage of the abatement or the money saved from the development project into this fund that can help buy books, get nurses, get counselors, and help our kids in Philadelphia County. So if we suspend, then we can consider this amendment to establish a school revitalization fund in Philadelphia County.

The SPEAKER. Representative Reed, on the motion.

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

Once again, we would ask the members to oppose the motion to suspend the rules. Thank you.

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

The following roll call was recorded:

YEAS—28

Acosta	Daley, M.	Kim	Parker, D.
Artis	Davidson	Kinsey	Roae
Bradford	Dawkins	Kortz	Sturla
Briggs	Dean	Kotik	Thomas
Brown, V.	Evans	Krueger	Truitt
Bullock	Hanna	McCarter	Vitali
Cohen	Harris, J.	McClinton	Youngblood

NAYS—162

Adolph	Farina	Lewis	Rapp
Baker	Fee	Longietti	Ravenstahl
Barbin	Flynn	Mackenzie	Readshaw
Barrar	Frankel	Maher	Reed
Benninghoff	Freeman	Mahoney	Reese
Bizzarro	Gabler	Major	Regan
Bloom	Gainey	Maloney	Roebuck
Boback	Galloway	Markosek	Ross
Boyle	Gergely	Marshall	Rothman
Brown, R.	Gibbons	Marsico	Rozzi
Burns	Gillen	Masser	Saccone
Caltagirone	Gillespie	McNeill	Sainato
Carroll	Godshall	Mentzer	Samuelson
Causar	Goodman	Metcalfe	Sankey
Christiana	Greiner	Metzgar	Santora
Conklin	Grove	Miccarelli	Savage
Corbin	Hahn	Millard	Saylor
Costa, D.	Harhai	Miller, B.	Schemel
Costa, P.	Harhart	Miller, D.	Schreiber
Cox	Harkins	Milne	Schweyer
Cruz	Harper	Moul	Simmons
Culver	Harris, A.	Mullery	Sims
Cutler	Heffley	Murt	Staats
Davis	Helm	Mustio	Stephens
Day	Hennessey	Neilson	Tallman
Deasy	Hickernell	Nesbit	Taylor
DeLissio	Hill	Neuman	Tobash
Delozier	Irvin	O'Brien	Toepel
Dermody	James	O'Neill	Toohil
Diamond	Jozwiak	Oberlander	Topper
DiGirolamo	Kampf	Ortitay	Vereb
Donatucci	Kaufner	Pashinski	Ward
Driscoll	Kauffman	Payne	Warner
Dunbar	Kavulich	Peifer	Wentling
Dush	Keller, F.	Petrarca	Wheatley
Ellis	Keller, M.K.	Petri	Wheeland
Emrick	Keller, W.	Pickett	White
English	Kirkland	Pyle	Zimmerman
Evankovich	Klunk	Quigley	
Everett	Knowles	Quinn	Turzai, Speaker
Fabrizio	Lawrence	Rader	

NOT VOTING—0

EXCUSED—12

Daley, P.	Gingrich	Nelson	Snyder
DeLuca	Matzie	Santarsiero	Sonney
Farry	McGinnis	Schlossberg	Watson

Less than a majority of the members required by the rules having voted in the affirmative, the question was determined in the negative and the motion was not agreed to.

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

MOTION TO SUSPEND RULES

The SPEAKER. Representative Thomas, do you wish to seek a motion to suspend the rules for any other amendments?

Mr. THOMAS. Yes, Mr. Speaker. I rise to—

The SPEAKER. You may proceed, sir.

Mr. THOMAS. I rise to ask for my colleagues to support suspending the rules so that we can consider amendment A09565 and also amendment 09566. But here is the good part about this. I am prepared to withdraw both of those amendments under a condition, under a condition, and that is, that is—

The SPEAKER. Representative Thomas, please wait. Please suspend for just a second.

Can you please restate, just restate that.

Mr. THOMAS. Mr. Speaker, I am prepared to withdraw these two amendments if we can get an understanding about—

The SPEAKER. Representative, please suspend.

Sir, with all due respect, you can either make a motion or not make a motion. If you are making the motion, that is fine, and it is July 13 and we are here. So if you want to make a motion, feel free, and I understand you have two more amendments. So if you are going to make a motion, you may, but you cannot negotiate from the podium.

Mr. THOMAS. Mr. Speaker, I do not want to negotiate from the podium. What I would like is in the last 2 years—

The SPEAKER. Please suspend, sir.

You may make a motion or you may not make a motion. If you want to make a motion, please—

Mr. THOMAS. I make a motion that we suspend the rules.

The SPEAKER. Okay. Please proceed.

Mr. THOMAS. Mr. Speaker, for the last 2 years, my colleagues from both sides of the aisle voted to merge the Opportunity Scholarship Tax Credit Program with the Educational Improvement Tax Credit Program into one because there were real legal questions about the—

The SPEAKER. Sir, please suspend.

Please state your motion. You are motioning to ask to suspend the rules for the immediate consideration of what amendment?

Mr. THOMAS. Mr. Speaker, I would like to suspend the rules so that I can offer two amendments that will allow us to in fact merge the OSTC and the EITC programs as we promised 2 years ago.

The SPEAKER. Okay. So you are calling up amendment 9565.

Does anybody else wish to speak on that motion?

So it is a motion to suspend the rules for immediate consideration of amendment 9565.

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

The following roll call was recorded:

YEAS—22

Acosta	Daley, M.	Kortz	Roae
Artis	Dermody	Kotik	Sturla
Briggs	Galloway	Krueger	Thomas
Brown, V.	Hanna	McCarter	Truitt
Bullock	Kim	Parker, D.	Youngblood
Cohen	Kinsey		

NAYS—168

Adolph	Everett	Lewis	Rapp
Baker	Fabrizio	Longietti	Ravenstahl
Barbin	Farina	Mackenzie	Readshaw
Barrar	Fee	Maher	Reed
Benninghoff	Flynn	Mahoney	Reese
Bizzarro	Frankel	Major	Regan
Bloom	Freeman	Maloney	Roebuck
Boback	Gabler	Markosek	Ross
Boyle	Gainey	Marshall	Rothman
Bradford	Gergely	Marsico	Rozzi
Brown, R.	Gibbons	Masser	Saccione
Burns	Gillen	McClinton	Sainato
Caltagirone	Gillespie	McNeill	Samuelson
Carroll	Godshall	Mentzer	Sankey
Causar	Goodman	Metcalfe	Santora
Christiana	Greiner	Metzgar	Savage
Conklin	Grove	Miccarelli	Saylor
Corbin	Hahn	Millard	Schemel
Costa, D.	Harhai	Miller, B.	Schreiber
Costa, P.	Harhart	Miller, D.	Schweyer
Cox	Harkins	Milne	Simmons
Cruz	Harper	Moul	Sims
Culver	Harris, A.	Mullery	Staats
Cutler	Harris, J.	Murt	Stephens
Davidson	Heffley	Mustio	Tallman
Davis	Helm	Neilson	Taylor
Dawkins	Hennessey	Nesbit	Tobash
Day	Hickernell	Neuman	Toepel
Dean	Hill	O'Brien	Toohil
Deasy	Irvin	O'Neill	Topper
DeLissio	James	Oberlander	Vereb
DeLozier	Jozwiak	Ortity	Vitali
Diamond	Kampf	Pashinski	Ward
DiGirolamo	Kaufer	Payne	Warner
Donatucci	Kauffman	Peifer	Wentling
Driscoll	Kavulich	Petrarca	Wheatley
Dunbar	Keller, F.	Petri	Wheeland
Dush	Keller, M.K.	Pickett	White
Ellis	Keller, W.	Pyle	Zimmerman
Emrick	Kirkland	Quigley	
English	Klunk	Quinn	Turzai, Speaker
Evankovich	Knowles	Rader	
Evans	Lawrence		

NOT VOTING—0

EXCUSED—12

Daley, P.	Gingrich	Nelson	Snyder
DeLuca	Matzie	Santarsiero	Sonney
Farry	McGinnis	Schlossberg	Watson

Less than a majority of the members required by the rules having voted in the affirmative, the question was determined in the negative and the motion was not agreed to.

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

The SPEAKER. Sir, you only have one other late-filed amendment; it is 9566. Do you wish to file a motion to suspend the rules for consideration of that amendment?

Mr. THOMAS. No. Mr. Speaker, I have talked with the Democratic leader, and I will be looking forward to talking with your leadership and find a way that we can go back and honor what we voted on and what we committed ourselves to doing, and that is to merge these two tax programs rather than having

them continue to operate as independent programs and violate the law. So, Mr. Speaker, with that understanding, I would like to withdraw amendment 09566. Thank you.

The SPEAKER. Thank you, sir.

Mr. THOMAS. And thank you for your indulgence.

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—172

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

NAYS—18

Barbin	Diamond	Metcalfe	Petrarca
Boback	Dush	Metzgar	Roae
Burns	Kortz	O'Neill	Schemel
Carroll	Mahoney	Pashinski	Thomas
Davidson	McCarter		

NOT VOTING—0

EXCUSED—12

Daley, P.	Gingrich	Nelson	Snyder
DeLuca	Matzie	Santarsiero	Sonney
Farry	McGinnis	Schlossberg	Watson

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. CHRISTIANA

The SPEAKER. On unanimous consent, Representative Jim Christiana is recognized.

Mr. CHRISTIANA. Thank you, Mr. Speaker.

Mr. Speaker, I just rise to thank you, Mr. Speaker, personally, for your efforts to expand and improve the EITC and OSTC programs in the previous bill. I would also like to thank the gentleman from Montgomery County, Representative Vereb, who has been instrumental in doing the same over the years, as well as the gentleman from Delaware County, Representative Santora, whose bill language was also included in the previous bill. And obviously, I would like to thank all members of the General Assembly who supported the previous bill.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, Representative.

ANNOUNCEMENT BY SPEAKER

The SPEAKER. Members, as we are soon to adjourn, on behalf of our staff, I have been asked to say there will be over the next weeks— There are other votes, but this has been on my announcement list.

Before we break, before we finally break, we are making sure that everybody please takes anything that they have in their desks with them after this evening because there is going to be repair and cleanup work over the next number of weeks.

CALENDAR

BILLS ON CONCURRENCE IN SENATE AMENDMENTS

The House proceeded to consideration of concurrence in Senate amendments to **HB 2137, PN 3670**, entitled:

A Supplement to the act of April 1, 1863 (P.L.213, No.227), entitled "An act to accept the grant of Public Lands, by the United States, to the several states, for the endowment of Agricultural Colleges," making appropriations for carrying the same into effect; providing for a basis for payments of such appropriations, for a method of accounting for the funds appropriated and for certain fiscal information disclosure; and making an appropriation from a restricted account within the Agricultural College Land Scrip Fund.

On the question,

Will the House concur in Senate amendments?

The SPEAKER. Representative Adolph moves that the House concur in those Senate amendments.

The Chair recognizes Chairman Adolph for a brief description of those Senate amendments.

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

Mr. Speaker, HB 2037, as amended by the Senate, gives Penn State University a \$250.5 million increase, and I ask for an affirmative vote. Thank you.

On the question recurring,

Will the House concur in Senate amendments?

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

The following roll call was recorded:

YEAS—160

Table listing names of members who voted 'YEAS' (160 total). Includes names like Acosta, Adolph, Artis, Baker, Barbin, Barrar, Benninghoff, Bizzarro, Boback, Boyle, Bradford, Briggs, Brown, R., Brown, V., Bullock, Burns, Caltagirone, Carroll, Causer, Cohen, Conklin, Corbin, Costa, D., Costa, P., Cruz, Culver, Cutler, Daley, M., Davidson, Davis, Dawkins, Day, Dean, Deasy, DeLissio, Dermody, DiGirolamo, Donatucci, Driscoll, Dunbar, Ellis, Emrick, English, Evankovich, Evans, Everett, Fabrizio, Farina, Fee, Flynn, Frankel, Freeman, Gabler, Gainey, Galloway, Gergely, Gibbons, Gillespie, Godshall, Goodman, Greiner, Hahn, Hanna, Harhai, Harkins, Harper, Harris, A., Harris, J., Heffley, Helm, Hennessey, Hickernell, Irvin, James, Jozwiak, Kampf, Kaufer, Kavulich, Keller, M.K., Keller, W., Kim, Kinsey, Kirkland, Kortz, Kotik, Krueger, Lawrence, Lewis, Longietti, Mackenzie, Maher, Mahoney, Major, Markosek, Marshall, Marsico, Masser, McCarter, McClinton, McNeill, Mentzer, Miccarelli, Millard, Miller, D., Milne, Moul, Mullery, Murt, Mustio, Neilson, Nesbit, Neuman, O'Brien, O'Neill, Oberlander, Parker, D., Pashinski, Payne, Peifer, Petrarca, Petri, Pickett, Pyle, Quigley, Quinn, Ravenstahl, Readshaw, Reed, Reese, Regan, Roebuck, Ross, Rozzi, Sainato, Samuelson, Sankey, Santora, Savage, Saylor, Schreiber, Schweyer, Simmons, Sims, Staats, Stephens, Sturla, Taylor, Thomas, Toepel, Toohil, Vitali, Ward, Warner, Wentling, Wheatley, Wheeland, White, Youngblood, Zimmerman, Turzai, Speaker.

NAYS—30

Table listing names of members who voted 'NAYS' (30 total). Includes names like Bloom, Christiana, Cox, Delozier, Diamond, Dush, Gillen, Grove, Harhart, Hill, Kauffman, Keller, F., Klunk, Knowles, Maloney, Metcalfe, Metzgar, Miller, B., Ortitay, Rader, Rapp, Roae, Rothman, Saccone, Schemel, Tallman, Tobash, Topper, Truitt, Vereb.

NOT VOTING—0

EXCUSED—12

Table listing names of members who were 'EXCUSED' (12 total). Includes Daley, P., DeLuca, Farry, Gingrich, Matzie, McGinnis, Nelson, Santarsiero, Schlossberg, Snyder, Sonney, Watson.

The two-thirds 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 consideration of concurrence in Senate amendments to **HB 2138, PN 3671**, entitled:

A Supplement to the act of July 28, 1966 (3rd Sp.Sess., P.L.87, No.3), known as the University of Pittsburgh—Commonwealth Act, making appropriations for carrying the same into effect; and providing for a basis for payments of such appropriations, for a method of accounting for the funds appropriated and for certain fiscal information disclosure.

On the question,

Will the House concur in Senate amendments?

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

The Chair recognizes Representative Adolph for a brief description of the Senate amendments.

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

HB 2138 increases the nonpreferred appropriation to the University of Pitt by \$3.5 million, for a total of \$146.7 million. I urge a concurrence.

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—160

Table listing names of members who voted 'YEAS' (160 total). Includes names like Acosta, Adolph, Artis, Baker, Barbin, Barrar, Benninghoff, Bizzarro, Boback, Boyle, Bradford, Briggs, Brown, R., Brown, V., Bullock, Burns, Caltagirone, Carroll, Causer, Cohen, Conklin, Corbin, Emrick, English, Evankovich, Evans, Everett, Fabrizio, Farina, Fee, Flynn, Frankel, Freeman, Gabler, Gainey, Galloway, Gergely, Gibbons, Gillespie, Godshall, Goodman, Greiner, Hahn, Hanna, Kotik, Krueger, Lawrence, Lewis, Longietti, Mackenzie, Maher, Mahoney, Major, Markosek, Marshall, Marsico, Masser, McCarter, McClinton, McNeill, Mentzer, Miccarelli, Millard, Miller, D., Milne, Moul, Quinn, Rader, Ravenstahl, Readshaw, Reed, Reese, Regan, Roebuck, Ross, Rozzi, Sainato, Samuelson, Sankey, Santora, Savage, Saylor, Schreiber, Schweyer, Simmons, Sims, Staats, Stephens.

Costa, D.	Harhai	Mullery	Sturla
Costa, P.	Harhart	Murt	Taylor
Cruz	Harkins	Mustio	Thomas
Culver	Harper	Neilson	Toepel
Cutler	Harris, A.	Nesbit	Toohil
Daley, M.	Harris, J.	Neuman	Vereb
Davidson	Heffley	O'Brien	Vitali
Davis	Helm	O'Neill	Ward
Dawkins	Hennessey	Oberlander	Warner
Day	Hickernell	Parker, D.	Wentling
Dean	James	Pashinski	Wheatley
Deasy	Kampf	Payne	Wheeland
DeLissio	Kaufer	Peifer	White
Dermody	Kavulich	Petrarca	Youngblood
DiGirolamo	Keller, W.	Petri	Zimmerman
Donatucci	Kim	Pickett	
Driscoll	Kinsey	Pyle	Turzai,
Dunbar	Kirkland	Quigley	Speaker
Ellis	Kortz		

NAYS-30

Bloom	Hill	Maloney	Rothman
Christiana	Irvin	Metcalfe	Saccone
Cox	Jozwiak	Metzgar	Schemel
DeLozier	Kauffman	Miller, B.	Tallman
Diamond	Keller, F.	Ortitay	Tobash
Dush	Keller, M.K.	Rapp	Topper
Gillen	Klunk	Roae	Truitt
Grove	Knowles		

NOT VOTING-0

EXCUSED-12

Daley, P.	Gingrich	Nelson	Snyder
DeLuca	Matzie	Santarsiero	Sonney
Farry	McGinnis	Schlossberg	Watson

The two-thirds 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 consideration of concurrence in Senate amendments to **HB 2139, PN 3672**, entitled:

A Supplement to the act of November 30, 1965 (P.L.843, No.355), entitled "An act providing for the establishment and operation of Temple University as an instrumentality of the Commonwealth to serve as a State-related university in the higher education system of the Commonwealth; providing for change of name; providing for the composition of the board of trustees; terms of trustees, and the power and duties of such trustees; providing for preference to Pennsylvania residents in tuition; providing for public support and capital improvements; authorizing appropriations in amounts to be fixed annually by the General Assembly; providing for the auditing of accounts of expenditures from said appropriations; authorizing the issuance of bonds exempt from taxation within the Commonwealth; requiring the President to make an annual report of the operations of Temple University," making an appropriation for carrying the same into effect; providing for a basis for payments of such appropriation; and providing a method of accounting for the funds appropriated and for certain fiscal information disclosure.

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

The SPEAKER. Moved by Chairman Adolph that the House concur in the amendments inserted by the Senate.

The Chair recognizes Representative Adolph for a brief description of Senate amendments.

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

Mr. Speaker, HB 2139 is a nonpreferred appropriation to Temple University, increasing it by \$3.6 million, for a total of \$150.5 million. I urge a concurrence vote. Thank you.

On the question recurring,

Will the House concur in Senate amendments?

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

The following roll call was recorded:

YEAS-160

Acosta	Emrick	Kortz	Quinn
Adolph	English	Kotik	Rader
Artis	Evankovich	Krueger	Ravenstahl
Baker	Evans	Lawrence	Readshaw
Barbin	Everett	Lewis	Reed
Barrar	Fabrizio	Longietti	Reese
Benninghoff	Farina	Mackenzie	Regan
Bizzarro	Fee	Maher	Roebuck
Boback	Flynn	Mahoney	Ross
Boyle	Frankel	Major	Rozzi
Bradford	Freeman	Markosek	Sainato
Briggs	Gabler	Marshall	Samuelson
Brown, R.	Gainey	Marsico	Sankey
Brown, V.	Galloway	Masser	Santora
Bullock	Gergely	McCarter	Savage
Burns	Gibbons	McClinton	Saylor
Caltagirone	Gillespie	McNeill	Schreiber
Carroll	Godshall	Mentzer	Schweyer
Causar	Goodman	Miccarelli	Simmons
Cohen	Greiner	Millard	Sims
Conklin	Hahn	Miller, D.	Staats
Corbin	Hanna	Milne	Stephens
Costa, D.	Harhai	Moul	Sturla
Costa, P.	Harhart	Mullery	Taylor
Cruz	Harkins	Murt	Thomas
Culver	Harper	Mustio	Toepel
Cutler	Harris, A.	Neilson	Toohil
Daley, M.	Harris, J.	Nesbit	Vereb
Davidson	Heffley	Neuman	Vitali
Davis	Helm	O'Brien	Ward
Dawkins	Hennessey	O'Neill	Warner
Day	Hickernell	Oberlander	Wentling
Dean	James	Parker, D.	Wheatley
Deasy	Kampf	Pashinski	Wheeland
DeLissio	Kaufer	Payne	White
Dermody	Kavulich	Peifer	Youngblood
DiGirolamo	Keller, M.K.	Petri	Zimmerman
Donatucci	Keller, W.	Pickett	
Driscoll	Kim	Pyle	Turzai,
Dunbar	Kinsey	Quigley	Speaker
Ellis	Kirkland		

NAYS-30

Bloom	Hill	Metcalfe	Rothman
Christiana	Irvin	Metzgar	Saccone
Cox	Jozwiak	Miller, B.	Schemel
DeLozier	Kauffman	Ortitay	Tallman
Diamond	Keller, F.	Petrarca	Tobash
Dush	Klunk	Rapp	Topper
Gillen	Knowles	Roae	Truitt
Grove	Maloney		

NOT VOTING—0

EXCUSED—12

Daley, P.	Gingrich	Nelson	Snyder
DeLuca	Matzie	Santarsiero	Sonney
Farry	McGinnis	Schlossberg	Watson

The two-thirds 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 consideration of concurrence in Senate amendments to **HB 2140, PN 3673**, entitled:

A Supplement to the act of July 7, 1972 (P.L.743, No.176), known as the Lincoln University-Commonwealth Act, making an appropriation for carrying the same into effect; providing for a basis for payments of the appropriation; and providing a method of accounting for the funds appropriated and for certain fiscal information disclosure.

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

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

The Chair recognizes Representative Adolph for a brief description of Senate amendments.

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

HB 2140 is a nonpreferred appropriation to Lincoln University. It gives the university a \$352,000 increase, bringing their total appropriation to \$14.4 million. I urge a concurrence vote. Thank you.

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

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

The following roll call was recorded:

YEAS—160

Acosta	Emrick	Kotik	Quinn
Adolph	English	Krueger	Rader
Artis	Evankovich	Lawrence	Ravenstahl
Baker	Evans	Lewis	Readshaw
Barbin	Everett	Longietti	Reed
Barrar	Fabrizio	Mackenzie	Reese
Benninghoff	Farina	Maher	Regan
Bizzarro	Fee	Mahoney	Roebuck
Boback	Flynn	Major	Ross
Boyle	Frankel	Markosek	Rozzi
Bradford	Freeman	Marshall	Sainato
Briggs	Gabler	Marsico	Samuelson
Brown, R.	Gainey	Masser	Sankey
Brown, V.	Galloway	McCarter	Santora
Bullock	Gergely	McClinton	Savage
Burns	Gibbons	McNeill	Saylor
Caltagirone	Gillespie	Mentzer	Schreiber

Carroll	Godshall	Miccarelli	Schweyer
Causer	Goodman	Millard	Simmons
Cohen	Greiner	Miller, D.	Sims
Conklin	Hahn	Milne	Staats
Corbin	Hanna	Moul	Stephens
Costa, D.	Harhai	Mullery	Sturla
Costa, P.	Harhart	Murt	Taylor
Cruz	Harkins	Mustio	Thomas
Culver	Harper	Neilson	Toepel
Cutler	Harris, A.	Nesbit	Toohil
Daley, M.	Harris, J.	Neuman	Vereb
Davidson	Heffley	O'Brien	Vitali
Davis	Helm	O'Neill	Ward
Dawkins	Hennessey	Oberlander	Warner
Day	Hickernell	Parker, D.	Wentling
Dean	James	Pashinski	Wheatley
Deasy	Kampf	Payne	Wheeland
DeLissio	Kaufer	Peifer	White
Dermody	Kavulich	Petrarca	Youngblood
DiGirolamo	Keller, W.	Petri	Zimmerman
Donatucci	Kim	Pickett	
Driscoll	Kinsey	Pyle	Turzai,
Dunbar	Kirkland	Quigley	Speaker
Ellis	Kortz		

NAYS—30

Bloom	Hill	Maloney	Rothman
Christiana	Irvin	Metcalfe	Saccone
Cox	Jozwiak	Metzgar	Schemel
Delozier	Kauffman	Miller, B.	Tallman
Diamond	Keller, F.	Ortitay	Tobash
Dush	Keller, M.K.	Rapp	Topper
Gillen	Klunk	Roae	Truitt
Grove	Knowles		

NOT VOTING—0

EXCUSED—12

Daley, P.	Gingrich	Nelson	Snyder
DeLuca	Matzie	Santarsiero	Sonney
Farry	McGinnis	Schlossberg	Watson

The two-thirds 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 consideration of concurrence in Senate amendments to **HB 2141, PN 3674**, entitled:

An Act making appropriations to the Trustees of the University of Pennsylvania.

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

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

The Chair recognizes Representative Adolph for a brief description of the Senate amendments.

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

Mr. Speaker, HB 2141 is a nonpreferred appropriation to the University of Pennsylvania for veterinary activities and the

Center for Infectious Diseases as well. The total increase is \$742,000, bringing their total nonpreferred appropriation to \$30.4 million. I urge a concurrence vote. Thank you very much.

On the question recurring,

Will the House concur in Senate amendments?

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

The following roll call was recorded:

YEAS—163

Acosta	Emrick	Kinsey	Quigley
Adolph	English	Kirkland	Quinn
Artis	Evankovich	Kortz	Rader
Baker	Evans	Kotik	Ravenstahl
Barbin	Everett	Krueger	Readshaw
Barrar	Fabrizio	Lawrence	Reed
Benninghoff	Farina	Lewis	Reese
Bizzarro	Fee	Longietti	Regan
Boback	Flynn	Mackenzie	Roebuck
Boyle	Frankel	Maher	Ross
Bradford	Freeman	Mahoney	Rozzi
Briggs	Gabler	Major	Sainato
Brown, R.	Gainey	Markosek	Samuelson
Brown, V.	Galloway	Marshall	Sankey
Bullock	Gergely	Marsico	Santora
Caltagirone	Gibbons	Masser	Savage
Carroll	Gillen	McCarter	Saylor
Causar	Gillespie	McClinton	Schreiber
Christiana	Godshall	McNeill	Schweyer
Cohen	Goodman	Mentzer	Simmons
Conklin	Greiner	Miccarelli	Sims
Corbin	Hahn	Millard	Staats
Costa, D.	Hanna	Miller, D.	Stephens
Costa, P.	Harhai	Milne	Sturla
Cox	Harhart	Moul	Taylor
Cruz	Harkins	Mullery	Thomas
Culver	Harper	Murt	Toepel
Cutler	Harris, A.	Mustio	Toohil
Daley, M.	Harris, J.	Neilson	Verb
Davidson	Heffley	Nesbit	Vitali
Davis	Helm	Neuman	Ward
Dawkins	Hennessey	O'Brien	Warner
Day	Hickernell	O'Neill	Wentling
Dean	James	Oberlander	Wheatley
Deasy	Jozwiak	Parker, D.	Wheeland
DeLissio	Kampf	Pashinski	White
Dermody	Kaufner	Payne	Youngblood
DiGiroalamo	Kavulich	Peifer	Zimmerman
Donatucci	Keller, M.K.	Petri	
Driscoll	Keller, W.	Pickett	Turzai,
Dunbar	Kim	Pyle	Speaker
Ellis			

NAYS—27

Bloom	Irvin	Metzgar	Saccone
Burns	Kauffman	Miller, B.	Schemel
Delozier	Keller, F.	Ortitay	Tallman
Diamond	Klunk	Petrarca	Tobash
Dush	Knowles	Rapp	Topper
Grove	Maloney	Roae	Truitt
Hill	Metcalfe	Rothman	

NOT VOTING—0

EXCUSED—12

Daley, P.	Gingrich	Nelson	Snyder
DeLuca	Matzie	Santarsiero	Sonney
Farry	McGinnis	Schlossberg	Watson

The two-thirds 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.

ANNOUNCEMENT BY SPEAKER

The SPEAKER. Members, there are no further votes. Thank you very much.

We will be back in session – we are going to do some housekeeping at this time – but we will be back in session September 19. There will be a formal motion at the end of some housekeeping, but we are looking to return September 19.

At this time we are going to proceed with housekeeping.

SENATE MESSAGE

REPORT OF COMMITTEE OF CONFERENCE ADOPTED BY SENATE

The clerk of the Senate, being introduced, informed that the Senate has adopted the report of the committee of conference on the subject of the differences existing between the two Houses on **HB 1198, PN 3731**.

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 1198, PN 3731

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

HB 1605, PN 3730

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, in cigarette sales and licensing, further providing for definitions, for retention of records and for violations and penalties and providing for preemption and for compliance checks; providing for cancer control, prevention and research; in disposition of abandoned and unclaimed property, further providing for definitions and for property held by fiduciaries, providing for notice given by holder and for United States savings bonds and further providing for certificate of finder registration and for notice and publication of lists of property subject to Commonwealth custody and control; providing for capital facilities; in oil and gas wells, further providing for Environmental Stewardship Fund and providing for oil and gas conservation; in heritage areas, further providing for program and providing for declaration of policy and for Heritage Area Program; providing for Business in Our Sites Program account; providing for transportation network companies and motor carrier companies; in special funds, further providing for funding and for State Workers' Insurance Board; in additional special funds, further providing for use of fund, providing for hospital uncompensated care payments and reimbursements for extraordinary expense report and further providing for definitions, for Pennsylvania Race Horse Development Fund, for distributions from Pennsylvania Race Horse Development Fund, for drug and alcohol programs and for Natural Gas Infrastructure Development Fund; repealing provisions relating to 2011-2012 budget implementation and 2011-2012 restrictions on appropriations for funds and accounts; providing for 2016-2017 budget implementation and for

2016-2017 restrictions on appropriations for funds and accounts; in general budget implementation, further providing for executive offices and for Gaming Control Board and providing for Commonwealth Financing Authority restricted revenue account, for Federal and Commonwealth use of forest land, for Motor License Fund, for Pennsylvania Liquor Control Board procedure, for restaurant liquor license auction and for Liquor Code term; providing for general budget restrictions on appropriations for funds and accounts; providing for school district intercepts for the payment of debt service during budget impasse; in 2015-2016 budget implementation, further providing for Department of Human Services; and making related repeals.

HB 1606, PN 3723

An Act amending the act of March 10, 1949 (P.L. 30, No. 14), known as the Public School Code of 1949, in preliminary provisions, providing for duties of Public School Building Construction and Reconstruction Advisory Committee; in school districts, providing for data collection reduction; in duties and powers of boards of school directors, providing for publication of rules, regulations and policies; in school finances, providing for payroll tax; in school district financial recovery, providing for additional criteria; providing for the posting of annual financial information for public school entities; in professional employees, further providing for payment of salaries in cases of sickness, injury or death; in certification of teachers, providing for substitute teaching permit for prospective teachers, further providing for granting provisional college certificates, providing for provisional vocational education certificate and further providing for program of continuing professional education; in pupils and attendance, providing for assignment of students to school districts of the first class A and further providing for exceptional children and education and training and for cost of tuition and maintenance of certain exceptional children in approved institutions; in school health services, further providing for definitions and providing for education of school employees in diabetes care and management, for diabetes care in schools, for possession and use of diabetes medication and monitoring equipment, for liability, for coordinating, supervising or educating not considered delegation and for diabetes care in nonpublic schools; providing for Drug and Alcohol Recovery High School Pilot Program; providing for administrative partnerships between school entities and for the E-chievement Program; in high schools, further providing for courses of study; in charter schools, further providing for definitions, for school staff and for funding for charter schools; in vocational education, further providing for vocational education equipment grants; in community colleges, further providing for election or appointment and term and organization of board of trustees and for financial program and reimbursement of payments; in disruptive student programs, further providing for applications and establishing the Alternative Education Program Account; in private alternative education institutions for disruptive students, further providing for contracts with private alternative education institutions; providing for rural regional college for underserved counties and for educational tax credits; in funding for public libraries, providing for State aid for fiscal year 2016-2017; in reimbursements by Commonwealth and between school districts, further providing for payments to intermediate units, for special education payments to school districts, for extraordinary special education program expenses and for assistance to school districts declared to be in financial recovery status or identified for financial watch status and providing for Ready-to-Learn Block Grant and for payment of required contribution for public school employees' Social Security; saving an appropriation from lapsing; allocating an appropriation; making related repeals; and making editorial changes.

HB 2137, PN 3670

A Supplement to the act of April 1, 1863 (P.L.213, No.227), entitled "An act to accept the grant of Public Lands, by the United States, to the several states, for the endowment of Agricultural Colleges," making appropriations for carrying the same into effect; providing for a basis for payments of such appropriations, for a method of accounting for the funds appropriated and for certain fiscal information disclosure; and making an appropriation from a restricted account within the Agricultural College Land Scrip Fund.

HB 2138, PN 3671

A Supplement to the act of July 28, 1966 (3rd Sp.Sess., P.L.87, No.3), known as the University of Pittsburgh-Commonwealth Act, making appropriations for carrying the same into effect; and providing for a basis for payments of such appropriations, for a method of accounting for the funds appropriated and for certain fiscal information disclosure.

HB 2139, PN 3672

A Supplement to the act of November 30, 1965 (P.L.843, No.355), entitled "An act providing for the establishment and operation of Temple University as an instrumentality of the Commonwealth to serve as a State-related university in the higher education system of the Commonwealth; providing for change of name; providing for the composition of the board of trustees; terms of trustees, and the power and duties of such trustees; providing for preference to Pennsylvania residents in tuition; providing for public support and capital improvements; authorizing appropriations in amounts to be fixed annually by the General Assembly; providing for the auditing of accounts of expenditures from said appropriations; authorizing the issuance of bonds exempt from taxation within the Commonwealth; requiring the President to make an annual report of the operations of Temple University," making an appropriation for carrying the same into effect; providing for a basis for payments of such appropriation; and providing a method of accounting for the funds appropriated and for certain fiscal information disclosure.

HB 2140, PN 3673

A Supplement to the act of July 7, 1972 (P.L.743, No.176), known as the Lincoln University-Commonwealth Act, making an appropriation for carrying the same into effect; providing for a basis for payments of the appropriation; and providing a method of accounting for the funds appropriated and for certain fiscal information disclosure.

HB 2141, PN 3674

An Act making appropriations to the Trustees of the University of Pennsylvania.

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

SENATE MESSAGE

RECESS RESOLUTION FOR CONCURRENCE

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

In the Senate,
July 13, 2016

RESOLVED, (the House of Representatives concurring), Pursuant to Article II, Section 14 of the Pennsylvania Constitution, that when the Senate recesses this week, it reconvene on Monday, September 26, 2016, unless sooner recalled by the President Pro Tempore of the Senate; and be it further

RESOLVED, Pursuant to Article II, Section 14 of the Pennsylvania Constitution, that when the House of Representatives recesses this week, it reconvene on Monday, September 19, 2016, unless sooner recalled by the Speaker of the House of Representatives; and be it further

RESOLVED, Pursuant to Article II, Section 14 of the Pennsylvania Constitution, that when the House of Representatives recesses the week of September 19, 2016, it reconvene on Monday, September 26, 2016, unless sooner recalled by the Speaker of the House of Representatives.

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

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

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 316, PN 1524**, entitled:

An Act amending Title 62 (Procurement) of the Pennsylvania Consolidated Statutes, in general provisions, providing for public access to procurement records; and, in source selection and contract formation, further providing for sole source procurement and for emergency procurement and providing for legal services contracts.

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

BILL TABLED

The SPEAKER. The Chair recognizes the majority leader, who moves that SB 316 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 316 be removed from the tabled calendar and placed on the active calendar.

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

BILLS AND RESOLUTIONS PASSED OVER

The SPEAKER. Without objection, all remaining bills and resolutions on today's calendar will be passed over. The Chair hears no objection.

ADJOURNMENT

The SPEAKER. Representative Mike Tobash moves that the House be adjourned until Monday, September 19, 2016, at 1 p.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 5:31 p.m., e.d.t., the House adjourned.