

# COMMONWEALTH OF PENNSYLVANIA

## LEGISLATIVE JOURNAL

MONDAY, SEPTEMBER 26, 2016

SESSION OF 2016

200TH OF THE GENERAL ASSEMBLY

No. 57

### HOUSE OF REPRESENTATIVES

The House convened at 1 p.m., e.d.t.

#### THE SPEAKER (MIKE TURZAI) PRESIDING

#### PRAYER

The SPEAKER. The prayer today will be offered by our good friend, Rabbi Isaacson, from the Congregation Beth Solomon in Philadelphia, Pennsylvania. That is located in Representative Tom Murt's district. Rabbi.

RABBI ISAACSON. I would like to thank Representative Murt for inviting me. I hope that after I speak you will all thank him also for inviting me, instead of, you know. Anyway, it was risky, you know. Do not worry. The papers are bigger than what I am going to be reading. Just at my age, you know, you have to have bigger letters.

RABBI SOLOMON ISAACSON, Guest Chaplain of the House of Representatives, offered the following prayer:

First, I would like to say a prayer for our men and women in the service, wherever they may be.

(Prayer in Hebrew.)

The United States Air Force, Marines, Army, Navy, and other parts of the United States forces – may the Almighty bless them, watch over them, and protect them from all their enemies and give them the ability to overcome all their problems and difficulties. May the Almighty watch over them and bless them with much health and success. Amen.

(Prayer in Hebrew.)

May He who grants salvation to kings and dominion to rulers, whose kingdom is a kingdom spanning all eternities; who releases David, His servant, from the evil sword; who places a road in the sea and a path in the mighty waters, may He bless, safeguard, preserve, help, exalt, make great, extol, and raise high our beloved President, Vice President, and all the officials of the land, and of course, the members of the House of Representatives from the great State of Pennsylvania.

The King who reigns over kings, in His mercy, may He sustain them and protect them from every trouble, woe, and injury; may He rescue them; may He gather peoples under their sway and cause their enemies to fall before them. Wherever they turn, may they succeed.

The King who reigns over kings, in His mercy, may He put into their heart and into the heart of all of their counselors and officials compassion to do good with all the great citizens of our great country.

In their days and in ours, may all of us – may the Redeemer come to Zion, so may it be His will. Now let us say, "Amen."

Because we are now standing before the Jewish high holidays, which welcomes in the new year, I would like to just add a very popular prayer that everybody says and that is particular to all of you that are sitting in this room.

(Prayer in Hebrew.)

And the Lord spoke unto Moses saying, "Speak to Aaron and his sons, saying this special blessing: 'May Hashem, the Lord, bless you and safeguard you; may Hashem illuminate His countenance for you and be gracious to you; may Hashem turn His countenance to you and establish peace for you. Let them place My name and I shall bless them.' " Amen.

I want to point out that in that blessing it says may they "place My name." So the blessing is based upon using God's name. And I say this to all of you because we take lightly many times when we use God's name, and we take lightly many times when we do not appreciate what happens to us.

When a person asks you, "Are you going to see me tomorrow?" your answer should be, "God willing," and God willing and with God's help, constantly reminding yourself that there is an Almighty above, and when you do that, the Almighty will also remind Himself that you are here.

May God bless all of you, and I wish all of you a happy and a healthy and a prosperous new year, and may all your laws be passed that will benefit the great people of the great State of Pennsylvania. Thank you very much, and again, God bless you.

#### PLEDGE OF ALLEGIANCE

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

#### JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, the approval of the Journal of Wednesday, September 21, 2016, will be postponed until printed.

#### JOURNAL APPROVED

The SPEAKER. The following Journal is in print and, without objection, will be approved: Wednesday, April 6, 2016.

**LEAVES OF ABSENCE**

The SPEAKER. Turning to leaves of absence, the majority whip requests leaves of absence for the following: Kathy WATSON of Bucks County for the day, Joe EMRICK of Northampton County for the day, Chris ROSS of Chester County for the week. Without objection, those will be granted.

The minority whip requests leaves of absence for Leslie ACOSTA of Philadelphia County for the day, Vanessa BROWN of Philadelphia County for the day, Donna BULLOCK of Philadelphia County for the day, Ed GAINEY of Allegheny County for the day, Marc GERGELY of Allegheny County for the day, Dan MILLER of Allegheny County for the day, Curtis THOMAS of Philadelphia County for the day, Tony DeLUCA of Allegheny County for the day, Steve SANTARSIERO of Bucks County for the day, Mark COHEN of Philadelphia County for the day, Lynwood SAVAGE of Philadelphia County for the day, and Jake WHEATLEY of Allegheny County for the day. Without objection, all these requests for leaves of absence will be granted.

**MASTER ROLL CALL**

The SPEAKER. The Chair turns to the master roll. All members will proceed to vote.

The following roll call was recorded:

**PRESENT—188**

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

Donatucci	Keller, W.	Peifer	Wentling
Driscoll	Kim	Petrarca	Wheeland
Dunbar	Kinsey	Petri	White
Dush	Kirkland	Pickett	Youngblood
Ellis	Klunk	Pyle	Zimmerman
English	Knowles	Quigley	
Evankovich	Kortz	Quinn, C.	Turzai,
Evans	Kotik	Quinn, M.	Speaker
Everett	Krueger		

**ADDITIONS—0****NOT VOTING—0****EXCUSED—15**

Acosta	DeLuca	Miller, D.	Thomas
Brown, V.	Emrick	Ross	Watson
Bullock	Gainey	Santarsiero	Wheatley
Cohen	Gergely	Savage	

**LEAVES ADDED—4**

Cox	Daley, P.	Farry	Rothman
-----	-----------	-------	---------

**LEAVES CANCELED—1**

Emrick

The SPEAKER. One hundred and eighty-eight members of the General Assembly having voted, a quorum is present.

**AVA TEROSKY PRESENTED**

The SPEAKER. Representative Mary Jo Daley is invited to the rostrum for the purpose of presenting a citation to Pennsylvania's winner for the 2016 Healthy Lunchtime Challenge.

All members, please take your seats. Representative Mary Jo Daley has the floor. I would ask all members to please take their seats. We will not proceed until we have decorum in the House. If there are any conversations that must occur, please take them outside of the august chamber here.

Representative Daley, you may proceed.

Ms. DALEY. Thank you, Mr. Speaker.

I am proud to introduce Ava Terosky and her family, who have joined us today on the floor of the House. I am really delighted to tell you about Ava's achievements which bring a really very special distinction among her peers, her community, and this Commonwealth.

Ava is being honored here in Harrisburg today as the Pennsylvania winner of the 2016 Healthy Lunchtime Challenge. Ava is a student at the Cynwyd Elementary School in Bala Cynwyd. As one of the 56 winners out of 1,200 entries from across the country, Ava was selected to meet with First Lady Michelle Obama at the White House as Pennsylvania's representative at the fifth annual Kids State Dinner this past July. Winners were selected based on healthfulness, taste, originality, and affordability. They even had to follow the U.S. Department of Agriculture's MyPlate nutrition guidance.

Ava's entries were Sunny's Omelet and Bo's Patriotic Parfait, which were in the shape of the Portuguese water dogs in recognition of the Obama family pets, Sunny and Bo. Ava and her dad even got to meet Sunny and Bo while they were at the White House.

Her original interest in cooking comes from cooking with her dad and coming up with tasty meals for her family, especially her younger sister, Caitlin.

So we have a citation to present to her, and I thank you for your attention. Let us give her a hand.

Thank you, Mr. Speaker.

### **GUESTS INTRODUCED**

The SPEAKER. Located to the left of the rostrum, the Chair welcomes Jerry and Mary Weiss from Phoenixville. If you will please rise. They are guests of Representatives Becky Corbin and Warren Kampf. Thank you for being with us today.

Located to the left of the rostrum, the Chair welcomes Stephen and Gwen Bryant from Blue Bell. Stephen and Gwen Bryant are the guests of Representative Kate Harper. Welcome, and thank you so much for being with us today.

Located to the left of the rostrum, the Chair welcomes Lindsey Weaver. Lindsey served as an intern in Majority Leader Reed's district office and is currently pursuing a master's degree at the Indiana University of Pennsylvania. Thank you so much for being with us today, Lindsey.

Located to the left of the rostrum, the Chair welcomes Dr. Donald Dockstader and his wife, Judith, from Exton, Pennsylvania. They are guests of Representative Becky Corbin. Welcome.

### **LEGISLATIVE FELLOWS INTRODUCED**

The SPEAKER. We have an outstanding group of 2016 Legislative Fellowship Program students, and they are here to my left: Cameron Allen, who is serving with Representative Pete Daley of Consumer Affairs; James Vesey, who is serving with Representative Barrar over at Veterans Affairs and Emergency Preparedness; Patrick McCann, who is serving with Representative Caltagirone of Urban Affairs; Daniel Rotella, who is serving with Representative Petri of Urban Affairs; Josie Bunton, who is serving with Representative Cruz at Human Services; Alexandra Mohn, who is serving with Representative Petrarca at Judiciary; and Christian Thompson, who is serving with Representatives O'Neill and Pickett, at both Finance and Insurance.

I hope you are having an outstanding service and that you are enjoying the work with the committee members. We, on behalf of the Commonwealth and on behalf of the chamber, thank you so much for your service. It is great to have you here today.

### **GUESTS INTRODUCED**

The SPEAKER. In the rear of the House, the Chair welcomes Kimberly Martin. Kimberly, please stand. She is a senior at Bloomsburg University and is a guest of Representative Sims. She recently won an award for her research paper on what influences women's voting habits. The national campaigns, I think, will be coming to you very shortly. Thank you so much for your great service and for being with us today.

Located in the rear of the House, we also have members of the Greater Hazleton Chamber of Commerce, and they are guests of both Representative Toohil and Representative

Mullery. Please stand. It is an honor to have you here today with us. Thank you.

### **COMMUNICATION FROM DEPARTMENT OF ENVIRONMENTAL PROTECTION**

The SPEAKER. The Chair acknowledges receipt of the Covered Device Recycling Act Report for 2015 from the Department of Environmental Protection.

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

### **HOUSE RESOLUTIONS INTRODUCED AND REFERRED**

**No. 1017** By Representatives M. DALEY, THOMAS, FRANKEL, COOK-ARTIS, DAVIS, PHILLIPS-HILL, O'BRIEN, KINSEY, D. MILLER, GAINEY, YOUNGBLOOD, GILLEN, BULLOCK, SCHWEYER, SCHLOSSBERG and BOYLE

A Resolution directing the Legislative Budget and Finance Committee to conduct a study on the use of restraints on pregnant women and girls in State correctional institutions, county jails and juvenile detention facilities within this Commonwealth.

Referred to Committee on JUDICIARY, September 22, 2016.

**No. 1026** By Representative TOOHL

A Resolution directing the Department of Education, the Pennsylvania Commission on Crime and Delinquency, the Department of Human Services and the Department of Corrections to collaborate and conduct a study on the education being provided to children, dependent children and youth 6 through 21 years of age in juvenile and adult correctional facilities throughout this Commonwealth.

Referred to Committee on JUDICIARY, September 26, 2016.

### **HOUSE BILLS INTRODUCED AND REFERRED**

**No. 2350** By Representatives MACKENZIE, BAKER, BOBACK, V. BROWN, CUTLER, GILLEN, GINGRICH, HAHN, HARHART, A. HARRIS, HELM, PHILLIPS-HILL, MILLARD, MILNE, READSHAW, ROTHMAN, ROZZI, SAYLOR, SIMMONS, WARD and WATSON

An Act amending the act of May 29, 2012 (P.L.549, No.54), known as the Primary Stroke Center Recognition Act, further providing for short title, for definitions, for recognition of centers, for emergency medical services and for biennial report.

Referred to Committee on HEALTH, September 22, 2016.

**No. 2357** By Representatives REESE, TURZAI, BENNINGHOFF, CHRISTIANA, DIAMOND, DUNBAR, EVERETT, GROVE, A. HARRIS, MILLARD, ORTITAY, REGAN, ROTHMAN, SACCONI, SAYLOR, TOPPER and WARD

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, in preliminary provisions, further providing for definitions; and, in licenses and regulations and liquor, alcohol and malt and brewed beverages, providing for spirit expanded permits.

Referred to Committee on LIQUOR CONTROL, September 22, 2016.

**No. 2358** By Representatives ENGLISH, FEE, MILLARD and D. COSTA

An Act amending the act of December 19, 1990 (P.L.1200, No.202), known as the Solicitation of Funds for Charitable Purposes Act, further providing for registration of professional solicitors, contract and disclosure requirements, bonds, records and books and for limitation on activities of charitable organizations and disclosure requirements.

Referred to Committee on FINANCE, September 22, 2016.

**No. 2359** By Representatives HAHN, McNEILL, MACKENZIE, STURLA, JAMES, PICKETT, SCHLOSSBERG, BOBACK, ENGLISH, DRISCOLL, ORTITAY, MILLARD, WARD, LONGIETTI, READSHAW, HARHAI, D. COSTA, MURT, GROVE, OBERLANDER, MARSICO, HELM, SAYLOR, DeLUCA and GILLEN

An Act amending the act of April 14, 1972 (P.L.221, No.63), known as the Pennsylvania Drug and Alcohol Abuse Control Act, further providing for consent of minor.

Referred to Committee on HEALTH, September 22, 2016.

**No. 2360** By Representatives HAHN, MILLARD, JAMES, REGAN, WARD, OBERLANDER, PICKETT, ZIMMERMAN, A. HARRIS, D. COSTA, GROVE and GILLEN

An Act amending the act of October 10, 1974 (P.L.705, No.235), known as the Lethal Weapons Training Act, further providing for definitions and providing for retired police officer from another jurisdiction.

Referred to Committee on JUDICIARY, September 22, 2016.

**No. 2361** By Representatives PETRI, BAKER, BARBIN, GIBBONS, GODSHALL, A. HARRIS, IRVIN, LAWRENCE, MILLARD, NEILSON, ROTHMAN and TAYLOR

An Act providing for rights-of-way through land and permits for use of land owned by the Pennsylvania Turnpike Commission and for additional keystone opportunity expansion zones.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, September 22, 2016.

**No. 2362** By Representatives WHEATLEY, CALTAGIRONE, KINSEY, BULLOCK, J. HARRIS, W. KELLER, ROZZI, GERGELY, YOUNGBLOOD and TAYLOR

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, establishing an amnesty program for traffic violations.

Referred to Committee on TRANSPORTATION, September 22, 2016.

**No. 2363** By Representative MAHONEY

An Act designating the interchange of State Route 43, the Mon-Fayette Expressway, with Rubles Mill Road, known as Exit 4, Fayette County, as the Master Sergeant Arthur L. Lilley Memorial Interchange.

Referred to Committee on TRANSPORTATION, September 22, 2016.

**No. 2364** By Representatives MICCARELLI, ROZZI, READSHAW, HEFFLEY, YOUNGBLOOD, BARRAR and MAHONEY

An Act providing a standard of care for the treatment of persons with bleeding disorders.

Referred to Committee on HEALTH, September 23, 2016.

**No. 2365** By Representatives MATZIE, GIBBONS, READSHAW, GERGELY, O'BRIEN, McCARTER, McNEILL, THOMAS, COHEN, ROZZI and BULLOCK

An Act providing for certain nonnatural earthquake insurance coverage; conferring powers and imposing duties on the Insurance Department; and providing for enforcement and penalties.

Referred to Committee on INSURANCE, September 23, 2016.

**No. 2366** By Representatives MATZIE, DERMODY, MARSHALL, VITALI and M. DALEY

An Act amending Title 58 (Oil and Gas) of the Pennsylvania Consolidated Statutes, in development, further providing for well location restrictions.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, September 23, 2016.

**No. 2367** By Representative THOMAS

An Act requiring outpatient drug and alcohol treatment facilities to provide certain therapies and services to patients.

Referred to Committee on HUMAN SERVICES, September 26, 2016.

**No. 2368** By Representative THOMAS

An Act amending Title 58 (Oil and Gas) of the Pennsylvania Consolidated Statutes, in unconventional gas well fee, further providing for distribution of fee and for Statewide initiatives.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, September 23, 2016.

**No. 2369** By Representative THOMAS

An Act amending the act of December 22, 2005 (P.L.474, No.94), known as the Breach of Personal Information Notification Act, providing for disposal of materials containing personal information.



Referred to Committee on JUDICIARY, September 26, 2016.

**No. 2370** By Representatives MOUL, PICKETT, PETRARCA, ZIMMERMAN, MAHONEY, GREINER, MILLARD, FEE, B. MILLER, CUTLER, BLOOM, LONGIETTI, SAYLOR, DIAMOND, MCGINNIS, CAUSER, GIBBONS, WARD, GILLEN, A. HARRIS, MENTZER and HICKERNELL

An Act amending the act of July 13, 2016 (P.L.526, No.84), entitled, "An act amending the act of March 4, 1971 (P.L.6, No.2), entitled 'An act relating to tax reform and State taxation by codifying and enumerating certain subjects of taxation and imposing taxes thereon; providing procedures for the payment, collection, administration and enforcement thereof; providing for tax credits in certain cases; conferring powers and imposing duties upon the Department of Revenue, certain employers, fiduciaries, individuals, persons, corporations and other entities; prescribing crimes, offenses and penalties,' as follows: In sales and use tax: further providing for definitions, for exclusions from tax, for discount and for crimes. In personal income tax: In personal income tax: further providing for definitions, for classes of income and for tax withheld; providing for contributions for tuition account programs; and further providing for requirement of withholding tax, for information statement, for time for filing employers' returns, for payment of taxes withheld, for employer's liability for withheld taxes, for employer's failure to withhold, for declarations of estimated tax and for citation authority. In corporate net income tax: further providing for reports and payment of tax; providing for amended reports; and further providing for enforcement, rules and regulations and inquisitorial powers of the department. In bank and trust company shares tax: further providing for imposition of tax, for ascertainment of taxable amount and exclusion of United States obligations, for apportionment and for definitions. In gross receipts tax: further providing for imposition of tax. In realty transfer tax: further providing for definitions, for exempt parties and for excluded transactions. In cigarette tax: further providing for incidence and rate of tax, for floor tax, for stamp to evidence the tax, for commissions on sales and for disposition of certain funds. Imposing a tobacco products tax. In research and development tax credit: further providing for time limitations. In film production tax credit: making editorial changes; further providing for scope of article, definitions and for limitations; providing for reissuance of film production tax credits, for concert rehearsal and tour and for video game production. Establishing the coal refuse energy and reclamation tax credit. Establishing the waterfront development tax credit. In tax credit for new jobs: further providing for definitions and for tax credits. In city revitalization and improvement zones: further providing for definitions and for establishment of contracting authority; providing for contracting authority duties; further providing for approval, for functions of contracting authorities, for qualified businesses, for funds, for reports, for calculation of baseline, for certification, for transfers, for restrictions, for transfer of property, for Commonwealth pledges and for guidelines; and providing for review. Establishing the Manufacturing and Investment Tax Credit. In neighborhood assistance tax credit: further providing for definitions, for tax credit and for grant of tax credit. In neighborhood improvement zones: further providing for definitions and for Neighborhood Improvement Zone Funds; and providing for taxes, for property assessment and for exceptions. In Keystone Special Development Zone Program: further providing for Keystone Special Development Zone tax credit. Providing for keystone opportunity zones, keystone opportunity expansion zones and keystone opportunity improvement zones. Providing for mixed-use development tax credit, the Mixed-use Development Program and Mixed-use Development Program Fund. Providing for Keystone Innovation Zones. In malt beverage tax: further providing for limited tax credits. In inheritance tax: further providing for definitions, for transfers not subject to tax and for deductions not allowed. Providing for table game taxes. In procedure and administration: further providing for petition procedure. Establishing the computer data center equipment incentive program. Providing for a tax amnesty program. Making related repeals. Further providing for preemption of local government tax. Directing the Office of Attorney General to attempt to obtain the consent of participating manufacturers under the Master Settlement Agreement for amendments. Providing for

applicability for imposed taxes," further providing for the applicability of realty transfer tax exclusion provisions.

Referred to Committee on FINANCE, September 23, 2016.

**No. 2371** By Representatives SCHLOSSBERG, HENNESSEY, BULLOCK, COOK-ARTIS, DRISCOLL, FREEMAN, KINSEY, MACKENZIE, McNEILL, O'BRIEN, SAVAGE, STURLA and YOUNGBLOOD

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, providing for caregiver tax credit.

Referred to Committee on FINANCE, September 23, 2016.

**No. 2372** By Representatives SCHLOSSBERG, HENNESSEY, BULLOCK, COOK-ARTIS, DRISCOLL, FREEMAN, KINSEY, MACKENZIE, O'BRIEN, SAVAGE, STURLA and YOUNGBLOOD

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, providing for livable home tax credit.

Referred to Committee on FINANCE, September 23, 2016.

**No. 2373** By Representatives PHILLIPS-HILL, BLOOM, DAVIS, DUSH, GROVE, HELM, KAUFFMAN, MAHONEY, MILLARD, MOUL, MUSTIO, SACCONI, TALLMAN and ZIMMERMAN

An Act amending the act of June 25, 1982 (P.L.633, No.181), known as the Regulatory Review Act, establishing the Office of the Repealer within the Independent Regulatory Review Commission and providing for its powers and duties; and imposing duties upon the Independent Regulatory Review Commission.

Referred to Committee on STATE GOVERNMENT, September 26, 2016.

**No. 2374** By Representatives PHILLIPS-HILL, BARRAR, BLOOM, CAUSER, DEASY, DIAMOND, GREINER, GROVE, KAUFFMAN, MILLARD, PICKETT, ROTHMAN, SACCONI, SAYLOR, SIMMONS, WARD, WATSON and ZIMMERMAN

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, in Commonwealth budget procedures, providing for budget implementation.

Referred to Committee on APPROPRIATIONS, September 26, 2016.

**No. 2375** By Representative GINGRICH

An Act amending the act of December 5, 1936 (2nd Sp.Sess., 1937 P.L.2897, No.1), known as the Unemployment Compensation Law, in contributions by employers and employees, further providing for contributions by employees and for Service and Infrastructure Improvement Fund.

Referred to Committee on LABOR AND INDUSTRY, September 26, 2016.

## UNCONTESTED CALENDAR

## RESOLUTIONS PURSUANT TO RULE 35

Ms. YOUNGBLOOD called up **HR 984, PN 3789**, entitled:

A Resolution designating the week of September 26 through October 2, 2016, as "Diaper Need Awareness Week" in Pennsylvania.

\* \* \*

Mr. MATZIE called up **HR 1010, PN 3883**, entitled:

A Resolution designating the month of October 2016 as "Wine, Wineries and Grapes Month" in Pennsylvania.

On the question,  
Will the House adopt the resolutions?

(Members proceeded to vote.)

## LEAVE OF ABSENCE CANCELED

The SPEAKER. Representative Joe Emrick is on the House floor and should be placed back on the master roll. Without objection, that will be granted.

CONSIDERATION OF  
RESOLUTIONS PURSUANT TO RULE 35  
CONTINUED

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

The following roll call was record:

## YEAS—188

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

Davidson	Hickernell	Neilson	Tallman
Davis	Hill	Nelson	Taylor
Dawkins	Irvin	Nesbit	Tobash
Day	James	Neuman	Toepel
Dean	Jozwiak	O'Brien	Toohil
Deasy	Kampf	O'Neill	Topper
DeLissio	Kaufert	Oberlander	Truitt
Delozier	Kauffman	Ortitay	Vereb
Dermody	Kavulich	Parker, D.	Vitali
Diamond	Keller, F.	Pashinski	Ward
DiGirolamo	Keller, M.K.	Payne	Warner
Donatucci	Keller, W.	Peifer	Wentling
Driscoll	Kim	Petrarca	Wheeland
Dunbar	Kinsey	Petri	White
Dush	Kirkland	Pickett	Youngblood
Ellis	Klunk	Pyle	Zimmerman
Emrick	Knowles	Quigley	
English	Kortz	Quinn, C.	Turzai,
Evankovich	Kotik	Quinn, M.	Speaker
Evans	Krueger		

## NAYS—1

Gillen

## NOT VOTING—0

## EXCUSED—14

Acosta	DeLuca	Ross	Thomas
Brown, V.	Gainey	Santarsiero	Watson
Bullock	Gergely	Savage	Wheatley
Cohen	Miller, D.		

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

## STATEMENT BY MS. YOUNGBLOOD

The SPEAKER. Representative Rosita Youngblood is recognized on HR 984.

Ms. YOUNGBLOOD. Thank you, Mr. Speaker.

I want to thank the members for supporting HR 984 and for recognizing the week of September 26 through October 2 as "Diaper Need Awareness Week" in Pennsylvania.

According to the National Diaper Bank, one in every three mothers cannot provide enough diapers for her children; nearly 5.3 million children under the age of 3 suffer from diaper need; and for incontinent seniors on fixed incomes, purchasing what they often view as their most important item of clothing can cost as much as \$1,000 a year. That is why diaper banks, along with many other community organizations across the State, are doing their part to help with this epidemic.

We can also take part to help reduce the diaper divide in Pennsylvania. Beginning today and for the next 2 weeks Senator Daylin Leach and myself will be hosting the third annual Capitol Diaper Drive. From 10 a.m. to 2 p.m. in the East Wing Rotunda, members of our staff and representatives from the diaper banks across the Commonwealth will be on hand to collect unopened diapers and other products. I encourage all members, staff, and State employees throughout all of our agencies to participate and donate to this important effort.

Also, tomorrow, Tuesday, September 27, there will be a press conference in the East Wing Rotunda starting at 10 a.m. to once again draw attention to this important issue.

I encourage all members to join us tomorrow. Help us raise awareness to the growing issue that impacts so many families across the Commonwealth. Thank you for your support, and I hope everyone participates. Thank you.

The SPEAKER. Thank you, Representative Youngblood.

### STATEMENT BY MR. GABLER

The SPEAKER. Members, a very, very important announcement on unanimous consent. Representative Gabler is recognized.

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

It is with great joy that my wife, Lisa, and I announce the arrival of our first child. Thank you very much. It is with great joy that we announce the arrival of Caroline Kelly Gabler. She was 7 pounds even, 21 1/2 inches tall. She is just amazing. And I want to especially thank my wonderful wife, the love of my life, who is the perfect mother of our beautiful little girl. Thank you so much. I appreciate it.

### STATEMENT BY MR. PETRARCA

The SPEAKER. Representative Petrarca is recognized on unanimous consent with respect to the passing of a golf legend and Pennsylvania native.

Representative Petrarca, you may proceed.

Mr. PETRARCA. Thank you, Mr. Speaker.

I just wanted to note the passing today, as the Speaker said, of Pennsylvania legend and Latrobe native Arnold Palmer.

I had the pleasure of getting to know Mr. Palmer over the years and working with him on a lot of community endeavors, and I can tell you, there was not a nicer person or a better person to work with. He always had a smile on his face or a little story that you could not believe you were hearing about his trials and tribulations and days on the golf course. Again, he was just a fabulous guy to work with. When you had Arnold Palmer involved in something you were doing in the community, it was not that you could just mention his name or maybe count on a contribution toward whatever the goal was; when Arnold Palmer was involved, you got him.

Again, a fantastic person. I remember a story that I heard about the unfortunate accountant that told him he could save money by declaring his residence in another State. All I will say is that conversation did not go too well for the accountant.

Again, a fantastic guy. He did a lot for Pennsylvania, certainly did a lot for the Latrobe area, and I just wanted to offer my condolences to his family and to his friends on the loss, again, of a great Pennsylvanian.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, Representative Petrarca.

### LEAVE OF ABSENCE

The SPEAKER. Representative Frank FARRY has requested to be placed on leave for the remainder of the day. That will be granted.

### TRANSPORTATION COMMITTEE MEETING

The SPEAKER. Right now Representative John Taylor is called upon for a committee announcement.

Mr. TAYLOR. Thank you, Mr. Speaker.

At the break there will be a meeting of the House Transportation Committee in room 60, East Wing, immediately upon the break.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, Mr. Chair.

There will be a meeting of the House Transportation Committee in room 60, East Wing, immediately upon the break.

### STATE GOVERNMENT COMMITTEE MEETING

The SPEAKER. Representative Metcalfe, for a committee announcement, I believe.

Mr. METCALFE. Thank you, Mr. Speaker.

Mr. Speaker, immediately at the break there will be a meeting of the House State Government Committee in room G-50 in the Irvis Office Building to consider HB 2083 as well as any other business that might come before the committee, Mr. Speaker.

So again, that is room G-50, Irvis Office Building, a voting meeting for the House State Government Committee to consider HB 2083 and any other business.

Mr. Speaker, thank you.

The SPEAKER. Immediately at the break there will be a meeting of the House State Government Committee in room G-50 in the Irvis Office Building to consider HB 2083 as well as any other business that might come before the committee.

### APPROPRIATIONS COMMITTEE MEETING

The SPEAKER. The Appropriations chair, Bill Adolph, is recognized.

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

Mr. Speaker, there will be a House Appropriations Committee meeting immediately in the majority caucus room. Thank you.

The SPEAKER. There will be a House Appropriations Committee meeting immediately in the majority caucus room.

### COMMITTEE MEETING POSTPONED

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

Mr. PAYNE. Thank you, Mr. Speaker.

Mr. Speaker, the Gaming Oversight Committee meeting for tomorrow has been postponed. Again, Gaming Oversight for tomorrow has been postponed.

Thank you, Mr. Speaker.

**REPUBLICAN CAUCUS**

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

Ms. MAJOR. Thank you, Mr. Speaker.

I would like to announce Republicans will caucus today at 2:15. I would ask our Republican members to please report to our caucus room at 2:15. We would be prepared to come back on the floor, Mr. Speaker, at 3 p.m. Thank you.

The SPEAKER. Thank you, Madam Chair.

**DEMOCRATIC CAUCUS**

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

Mr. FRANKEL. Thank you, Mr. Speaker.

Democrats will caucus at 2:15. Democrats will caucus at 2:15.

**RECESS**

The SPEAKER. With that, the House stands in recess until 3 p.m.

**RECESS EXTENDED**

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

**AFTER RECESS**

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

**BILLS REPORTED FROM COMMITTEES,  
CONSIDERED FIRST TIME, AND TABLED****HB 2083, PN 3593**

By Rep. METCALFE

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, in preliminary provisions, further providing for definitions; in Pennsylvania Game Commission, further providing for powers and duties of commission and for accountability; in hunting and furtaking, providing for senior hunting license holders; and, in special licenses and permits, further providing for authority to issue permits.

**STATE GOVERNMENT.****HB 2196, PN 3926 (Amended)**

By Rep. TAYLOR

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for automated license plate reader systems; and imposing a penalty.

**TRANSPORTATION.****HB 2293, PN 3777**

By Rep. TAYLOR

An Act designating a bridge on that portion of State Route 741 over the Conestoga River, between Pequea Township and Lancaster Township, Lancaster County, as the Corporal Eric M. Torbert, Jr., Memorial Bridge.

**TRANSPORTATION.****SB 1219, PN 2078 (Amended)**

By Rep. TAYLOR

An Act designating a portion of State Route 663 in Montgomery County as the Army Specialist Ray Ira Haas Memorial Highway; designating the portion of State Route 100 from Hereford Township at the Lehigh County line through Washington Township in Berks County as the First Lieutenant William R. Gendebien Memorial Highway; designating a portion of State Route 2026, also known as Blair Mill Road, in Montgomery County as the Private First Class Paul T. Wright Memorial Highway; designating a bridge on a portion of Sheep Bridge Road over I-83, Newberry Township, York County, as the Staff Sgt. Jason M. Faley Memorial Bridge; designating a bridge on that portion of State Route 879 over Trout Run in Goshen Township, Clearfield County, as the Private David Kyle McCracken Memorial Bridge; designating a portion of State Route 2034 in Montgomery County as the Cpl. Carl F. Hynek III Memorial Highway; designating a portion of State Route 145 in Salisbury Township, Lehigh County, as the Cpl. Joshua B. Smith Memorial Highway; designating a bridge on that portion of U.S. Route 15 over State Route 114, Upper Allen Township, Cumberland County, as the Cpl. Jonathan Dean Faircloth Memorial Bridge; designating a portion of Byberry Road between Warminster Road and Orangemen's Road in Montgomery County as the Major Jeffrey Toczykowski Memorial Highway; designating a portion of State Route 1010 in Berks County as the DeLight Breidegam, Jr., Memorial Highway; designating a portion of State Route 51 in Fayette County as the Officer Richard Champion Memorial Highway; designating a bridge on that portion of State Route 741 over the Conestoga River, between Pequea Township and Lancaster Township, Lancaster County, as the Cpl. Eric M. Torbert, Jr., Memorial Bridge; designating the interchange of State Route 43, the Mon-Fayette Expressway, with Rubles Mill Road, known as Exit 4, Fayette County, as the Master Sgt. Arthur L. Lilley Memorial Interchange; designating a bridge on that portion of State Route 770 over the Tunungwant Creek, Bradford Township, McKean County, as the Master Sgt. Thomas Maholic Memorial Bridge; designating a bridge to be constructed on that portion of State Route 6 over Dingman Run, Coudersport Borough, Potter County, as the PFC George Pesock Memorial Bridge; and making a related repeal.

**TRANSPORTATION.****BILLS REREPORTED FROM COMMITTEE****HB 365, PN 2634**

By Rep. ADOLPH

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

**APPROPRIATIONS.****HB 1996, PN 3191**

By Rep. ADOLPH

An Act designating a portion of State Route 1010 in Berks County as the DeLight Breidegam, Jr., Memorial Highway.

**APPROPRIATIONS.****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 1038, PN 1454**

An Act amending the act of May 17, 1921 (P.L.840, No.293), entitled "An act creating a board of managers to have exclusive jurisdiction over all houses of detention for the reception of untried juvenile offenders and neglected and dependent children who may be



under judicial investigation, in counties of the third class, and abolishing the boards of managers now in charge of such houses," further providing for board of managers.

### SB 1226, PN 1963

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, in State Veterans' Commission and Deputy Adjutant General for Veterans' Affairs, further providing for specific powers and duties and for Veterans' Trust Fund; and, in Veterans' Emergency Assistance, further providing for definitions, for purpose, for eligibility, for amounts of assistance and for appeals.

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

### LEAVES OF ABSENCE

The SPEAKER. Representative Jim COX of Berks County requests to be placed on leave for the remainder of the day. Without objection, that will be granted.

Representative Pete DALEY of Washington County requests to be placed on leave for the remainder of the day. Without objection, that will be granted.

Representative Greg ROTHMAN of Cumberland County requests to be placed on leave for the remainder of the day. Without objection, that will be granted.

### UNCONTESTED SUPPLEMENTAL CALENDAR A

#### RESOLUTION PURSUANT TO RULE 35

Ms. TOOHL called up **HR 1021, PN 3906**, entitled:

A Resolution designating the month of September 2016 as "Mesothelioma Awareness Month" in Pennsylvania.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

#### YEAS—185

Adolph	Fabrizio	Lawrence	Rader
Artis	Farina	Lewis	Rapp
Baker	Fee	Longietti	Ravenstahl
Barbin	Flynn	Mackenzie	Readshaw
Barrar	Frankel	Maher	Reed
Benninghoff	Freeman	Mahoney	Reese
Bizzarro	Gabler	Major	Regan
Bloom	Galloway	Maloney	Roae
Boback	Gibbons	Markosek	Roebuck
Boyle	Gillen	Marshall	Rozzi
Bradford	Gillespie	Marsico	Saccone
Briggs	Gingrich	Masser	Sainato
Brown, R.	Godshall	Matzie	Samuelson
Burns	Goodman	McCarter	Sankey
Caltagirone	Greiner	McClinton	Santora
Carroll	Grove	McGinnis	Saylor
Causar	Hahn	McNeill	Schemel
Christiana	Hanna	Mentzer	Schlossberg
Conklin	Harhai	Metcalfe	Schreiber
Corbin	Harhart	Metzgar	Schweyer
Costa, D.	Harkins	Miccarelli	Simmons
Costa, P.	Harper	Millard	Sims
Cruz	Harris, A.	Miller, B.	Snyder

Culver	Harris, J.	Milne	Sonney
Cutler	Heffley	Moul	Staats
Daley, M.	Helm	Mullery	Stephens
Davidson	Hennessey	Murt	Sturla
Davis	Hickernell	Mustio	Tallman
Dawkins	Hill	Neilson	Taylor
Day	Irvin	Nelson	Tobash
Dean	James	Nesbit	Toepel
Deasy	Jozwiak	Neuman	Toohil
DeLissio	Kampf	O'Brien	Topper
Delozier	Kaufer	O'Neill	Truitt
Dermody	Kauffman	Oberlander	Vereb
Diamond	Kavulich	Ortitay	Vitali
DiGirolamo	Keller, F.	Parker, D.	Ward
Donatucci	Keller, M.K.	Pashinski	Warner
Driscoll	Keller, W.	Payne	Wentling
Dunbar	Kim	Peifer	Wheeland
Dush	Kinsey	Petrarca	White
Ellis	Kirkland	Petri	Youngblood
Emrick	Klunk	Pickett	Zimmerman
English	Knowles	Pyle	
Evankovich	Kortz	Quigley	Turzai,
Evans	Kotik	Quinn, C.	Speaker
Everett	Krueger	Quinn, M.	

NAYS—0

NOT VOTING—0

EXCUSED—18

Acosta	Daley, P.	Miller, D.	Savage
Brown, V.	DeLuca	Ross	Thomas
Bullock	Farry	Rothman	Watson
Cohen	Gainey	Santarsiero	Wheatley
Cox	Gergely		

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

### CALENDAR

#### BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 2241, PN 3858**, entitled:

An Act amending Title 40 (Insurance) of the Pennsylvania Consolidated Statutes, in regulation of insurers and related persons generally, providing for retroactive denial of reimbursements.

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

\* \* \*

The House proceeded to second consideration of **HB 2291, PN 3769**, entitled:

An Act amending the act of May 11, 1889 (P.L.188, No.210), entitled "A further supplement to an act, entitled 'An act to establish a board of wardens for the Port of Philadelphia, and for the regulation of pilots and pilotage, and for other purposes,' approved March twenty-ninth, one thousand eight hundred and three, and for regulating the rates of pilotage and number of pilots," further providing for rates of pilotage and computation, for pilotage fees and unit charge and for charges for services.

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

\* \* \*

The House proceeded to second consideration of **HB 2290, PN 3893**, entitled:

An Act amending the act of March 29, 1803 (P.L.542, No.156), entitled "An act to establish a Board of Wardens for the port of Philadelphia, and for the regulation of pilots and pilotages, and for other purposes therein mentioned," further providing for fees.

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

\* \* \*

The House proceeded to second consideration of **HB 2308, PN 3798**, entitled:

An Act amending the act of December 10, 1974 (P.L.852, No.287), referred to as the Underground Utility Line Protection Law, further providing for expiration.

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

The SPEAKER. Representative Harper, could you please state your purpose in rising?

Ms. HARPER. Yes, Mr. Speaker. I have an amendment to this bill.

The SPEAKER. Yes; we are ready to address it.

Amendment 9805 has been ruled out of order, in consultation with the Parliamentarian, on the basis of single subject and original purpose.

### PARLIAMENTARY INQUIRY

The SPEAKER. You may proceed.

Ms. HARPER. Mr. Speaker, I guess this is in the nature of a parliamentary inquiry.

The SPEAKER. Yes. You may proceed.

Ms. HARPER. Thank you.

The bill deals with pipes underground. My amendment deals with standby or pipes underground for the purpose of providing fire protection to volunteer firefighters. I do not understand the Chair's ruling that it is out of order.

The SPEAKER. Yes. In consultation with the Parliamentarian just prior to coming up to the rostrum, the law that is proposed by Representative Godshall, in fact, it extends the Underground Utility Line Protection Law, which expires on December 31, 2016, and applies to all lines. Whereas, the amendment is specific to one type of a utility, and it is only with respect to residential customers and volunteer fire companies and with respect to standoff charges, not with respect to the utility line protection in and of itself. The fact that it is in the same title does not make it single subject or original purpose.

Ms. HARPER. Thank you, Mr. Speaker.

But if it is a germaneness argument, does that not go to the full House?

The SPEAKER. It is not a germaneness issue. It is single subject and original purpose.

Ms. HARPER. Pardon me, Mr. Speaker, but I understood that the amendment had been drafted to the same title that—

The SPEAKER. It is drafted to the same title, I believe. Is that not correct? That is true.

Ms. HARPER. So it is drafted to the same title, but it is still out of order?

The SPEAKER. Yes, based on single subject and based on original purpose.

Ms. HARPER. Is there an appeal of the Speaker's order in that regard?

The SPEAKER. You may.

Ms. HARPER. I choose not to.

Thank you, Mr. Speaker.

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

\* \* \*

The House proceeded to second consideration of **HB 1313, PN 3868**, entitled:

An Act amending the act of December 19, 1988 (P.L.1262, No.156), known as the Local Option Small Games of Chance Act, in preliminary provisions, further providing for legislative intent and for definitions; in games of chance, further providing for prize limits and for sales limited, providing for pull-tab deal, further providing for distributor licenses and for major league sports drawing, providing for airport 50/50 drawing, further providing for registration of manufacturers, for regulations of department, for licensing of eligible organizations and for special permits and providing for special location permits, for vertical wheel game permits and for poker run permits; in club licensees, further providing for club licensee, providing for definition and for club licensee, further providing for distribution of proceeds and providing for club licensee location permits; in enforcement, further providing for revocation of licenses and for enforcement; and, in tavern gaming, further providing for definitions, for licenses, for application, for approval, for tavern raffle, for distribution of net revenue, for tavern games tax, for host municipality tavern games tax and for enforcement.

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

Mr. PAYNE offered the following amendment No. **A09832**:

Amend Bill, page 4, by inserting between lines 18 and 19  
"Bingo." As defined in section 3 of the act of July 10, 1981 (P.L.214, No.67), known as the Bingo Law.

Amend Bill, page 4, line 26, by inserting after "PLAYED"  
simultaneously with bingo and

Amend Bill, page 4, line 28, by striking out "OR SOME OTHER APPROVED SPECIFIED EVENT"

Amend Bill, page 5, line 16, by inserting after "games"  
, event games

Amend Bill, page 5, line 18, by inserting after "games"  
and event games

Amend Bill, page 8, line 10, by striking out "AN EVENT GAME," and inserting

a  
Amend Bill, page 9, by inserting between lines 20 and 21  
Section 2.1. Section 301 of the act, amended November 27, 2013 (P.L.1045, No.90) and November 27, 2013 (P.L.1062, No.92), is amended to read:

Section 301. Games of chance permitted.

[Every] (a) General rule.—Except as otherwise provided in subsection (b), every eligible organization to which a license has been issued under the provisions of this chapter may conduct games of chance for the purpose of raising funds for public interest purposes. Except as provided in Chapter 5, all proceeds of a licensed eligible organization shall be used exclusively for public interest purposes, for the purchase of games of chance or for the payment of the license fee, as required by this act. An eligible organization whose primary purpose is the promotion of a public interest may utilize the proceeds from small games of chance to fulfill that purpose.

(b) Exception.—An event game may only be operated by a licensed eligible organization that:

(1) is an association as defined in section 3 of the act of July 10, 1981 (P.L.214, No.67), known as the Bingo Law; and

(2) holds a bingo license issued to the association under section 5 of the Bingo Law.

Amend Bill, page 9, line 25, by striking out all of said line and inserting

(a) Individual prize limit.—

(1) Except as provided under

Amend Bill, page 9, by inserting between lines 27 and 28

(2) For an event game, the maximum prize limit contained in paragraph (1) shall only apply to the prizes awarded through the play of the event game and shall not apply to the prizes awarded through the play of bingo that is simultaneously conducted with the event game.

Amend Bill, page 20, line 9, by inserting after "number"

, the first number or numbers of which shall be the uniform county code numbers used by the Department of Revenue for the filing of tax returns

Amend Bill, page 22, line 13, by inserting after "(b)"

, the first number or numbers of which shall be the uniform county code numbers used by the Department of Revenue for the filing of tax returns

On the question,

Will the House agree to the amendment?

The SPEAKER. On the question, the Chair recognizes Representative Payne for a brief description of the amendment.

Mr. PAYNE. Thank you, Mr. Speaker.

Amendment A09832 clarifies that event games can only be operated by an eligible organization that holds both a small games license and a bingo license, because event games are pull tabs that are played simultaneously with bingo. The amendment also clarifies that the unique small games license numbers must begin with the county's tax ID number, so we are able to track them.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, Representative Payne.

Does anybody else wish to be recognized on the amendment?

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

#### YEAS—153

Adolph	Evans	Kotik	Ravenstahl
Artis	Everett	Krueger	Readshaw
Barbin	Fabrizio	Lewis	Reed
Barrar	Farina	Longietti	Reese
Benninghoff	Flynn	Mackenzie	Regan

Bizzarro	Frankel	Maher	Roae
Bloom	Freeman	Mahoney	Roebuck
Boback	Galloway	Major	Rozzi
Boyle	Gibbons	Markosek	Saccone
Brown, R.	Gillespie	Marsico	Sainato
Burns	Gingrich	Masser	Sankey
Caltagirone	Godshall	Matzie	Santora
Carroll	Goodman	McClinton	Saylor
Causar	Grove	McNeill	Schemel
Christiana	Hahn	Miccarelli	Schlossberg
Conklin	Hanna	Moul	Schreiber
Corbin	Harhai	Mullery	Schweyer
Costa, D.	Harhart	Murt	Simmons
Costa, P.	Harkins	Mustio	Sims
Cruz	Harper	Neilson	Snyder
Culver	Harris, A.	Nelson	Sonney
Daley, M.	Harris, J.	Nesbit	Stephens
Davidson	Heffley	Neuman	Sturla
Davis	Helm	O'Brien	Taylor
Dawkins	Hennessey	O'Neill	Tobash
Deasy	Hill	Oberlander	Toepel
DeLissio	James	Ortitay	Toohil
Delozier	Jozwiak	Parker, D.	Topper
Dermody	Kampf	Pashinski	Truitt
Diamond	Kaufner	Payne	Vereb
DiGirolamo	Kauffman	Peifer	Ward
Donatucci	Kavulich	Petrarca	Warner
Driscoll	Keller, M.K.	Petri	Wheeland
Dunbar	Keller, W.	Pickett	White
Dush	Kim	Pyle	Youngblood
Ellis	Kinsey	Quigley	
Emrick	Kirkland	Quinn, C.	Turzai,
English	Klunk	Quinn, M.	Speaker
Evankovich	Kortz	Rader	

#### NAYS—32

Baker	Gillen	Marshall	Milne
Bradford	Greiner	McCarter	Rapp
Briggs	Hickernell	McGinnis	Samuelson
Cutler	Irvin	Mentzer	Staats
Day	Keller, F.	Metcalf	Tallman
Dean	Knowles	Metzgar	Vitali
Fee	Lawrence	Millard	Wentling
Gabler	Maloney	Miller, B.	Zimmerman

#### NOT VOTING—0

#### EXCUSED—18

Acosta	Daley, P.	Miller, D.	Savage
Brown, V.	DeLuca	Ross	Thomas
Bullock	Farry	Rothman	Watson
Cohen	Gainey	Santarsiero	Wheatley
Cox	Gergely		

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

On the question,

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

Ms. **DELOZIER** offered the following amendment  
No. **A09828**:

Amend Bill, page 1, line 24, by inserting after  
"ENFORCEMENT;"

providing for social card games;

Amend Bill, page 37, by inserting between lines 19 and 20

Section 19. The act is amended by adding a chapter to read:

CHAPTER 8  
SOCIAL CARD GAMES

Section 801. Definitions.

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

"Nonbanking card game." A card game where players play against one another rather than against the house. Nonbanking card games may include any of the following:

- (1) Poker games.
- (2) Hearts.
- (3) Rummy.
- (4) Pinochle.
- (5) Bid Whist.

"Nonbanking card game tournament" or "tournament." A series of card games held by a licensed eligible organization during a consecutive period of time of not more than 24 hours and not held as part of any other games of chance.

"Pyramid" or "build-up." A card game in which a prize must be returned in order to play another game or to be eligible for another bigger prize, or a game in which the prize must be forfeited if a later game is lost.

"Social card game" or "card game." A nonbanking card game that is played by members at the licensed premises of an eligible organization.

Section 802. Authorization to conduct social card games.

(a) Authorization.—Notwithstanding any provision of 18 Pa.C.S. (relating to crimes and offenses) or of this act or any other law or regulation to the contrary, social card games may be played at the licensed premises of an eligible organization in accordance with the requirements of this chapter.

(b) Conditions.—The following shall apply:

- (1) Card games may only be played by and between members of the eligible organization.
- (2) The eligible organization or any other person shall not have an interest, financial or otherwise, in the outcome of any card game.
- (3) Only nonbanking card games may be played with members playing against each other.
- (4) Wagering shall be entirely at the discretion of each player.
- (5) The maximum prize or payout for a card game shall be limited to \$100.
- (6) The eligible organization shall not charge a fee for play.
- (7) Not more than 10 members may play at any table in a card game.
- (8) Card games may only be played in a room set aside for those activities at the licensed premises of the eligible organization.
- (9) Not more than five gaming tables may be made available for the play of card games by the eligible organization.
- (10) No card games may be played between the hours of 1 a.m. and 1 p.m.
- (11) No eligible organization or any other person shall collect, obtain or charge any percentage of or shall collect or obtain any portion of any wager or winnings of any player in a card game, except a player may collect his winnings.
- (12) No eligible organization or any other person shall collect, or obtain any money from or charge or impose any fee upon, any person that either enables the person to play or results in or from the person playing a card game, except that this paragraph shall not preclude the collection of a membership fee by the eligible organization that is unrelated to participation in the play of a card game authorized under this chapter.
- (13) An eligible organization that allows the use of its premises for the play of card games by its members in

accordance with this chapter shall submit a schedule of the proposed dates of such card games and any card game tournament to the licensing authority.

(c) Required postings.—An eligible organization that permits the play of card games at its licensed premises shall prominently post the following in close proximity of card game tables in the room designated to play card games:

- (1) The wagering limits for each type of card game.
- (2) The rules of play.
- (3) Information on where a person can obtain help for problem gambling, including the telephone number for the Pennsylvania Compulsive Gambling Hotline.

(d) Prohibitions.—

- (1) It shall be unlawful for an eligible organization to:
  - (i) Obtain or collect any money or thing of value from the conduct of card games at its licensed premises.
  - (ii) Knowingly permit a card game to be played in violation of this chapter.
  - (iii) Fail to comply with the posting requirement in accordance with subsection (c).
  - (iv) Engage in any act, practice or course of conduct that would constitute fraud or deceit upon any player in a card game.
  - (v) Allow a person under 21 years of age to play a card game at its licensed premises.
  - (vi) Knowingly allow any person to employ or attempt to employ any device, scheme or artifice to cheat or defraud any player in a card game.
  - (vii) Advertise any card game in violation of section 704.

(2) A licensed organization that violates paragraph (1) shall be subject to the penalties imposed under section 702(d).

(e) Applicability.—The requirements of sections 502 and 503 shall not apply to social card games authorized under this chapter.  
Section 803. Card game tournaments.

(a) Authorization.—Notwithstanding any other provision of law or regulation to the contrary, an eligible organization may conduct nonbanking card game tournaments. A card game tournament conducted by an eligible organization shall comply with all of the following:

- (1) Only nonbanking card games shall be played in a card game tournament.
- (2) Each card game shall be conducted in a fair and honest manner and shall not be operated on a build-up or pyramid basis.
- (3) Every player in a tournament shall be given the same chance of winning the tournament. Second-chance entries or multiple entries shall be prohibited.
- (4) The eligible organization shall conduct each tournament and shall not contract with or permit another person to conduct the tournament or any card game during the tournament.
- (5) Only the eligible organization may receive or have any fixed or contingent right to receive, directly or indirectly, any profit, remuneration or compensation from or related to a card game in a card game tournament, except any amount that a person may win as a player on the same basis as the other players.
- (6) The eligible organization shall not hold more than five card game tournaments annually.
- (7) The eligible organization shall not hold a card game tournament within seven calendar days of another tournament conducted by the eligible organization.
- (8) The eligible organization may hold only one card game tournament during any period of 24 consecutive hours, starting from the time the tournament begins.
- (9) At the conclusion of each tournament, the eligible organization conducting the tournament shall announce the name



of the winning player and the amount of winnings.

(10) The eligible organization shall limit the number of tables used in the tournament to not more than five with not more than 10 players at each table.

(11) A card game tournament shall only be held in a room at the licensed premises designated by the eligible organization for the conduct of card games.

(12) Players in tournaments shall be limited to the members of the eligible organization.

(13) Players shall be 21 years of age or older.

(14) The card game tournament shall not provide any direct financial benefit to the eligible organization or any other person, except winning players in the tournament.

(15) The value of all prizes awarded for each tournament, except for a Texas Hold'em tournament, shall not exceed \$200.

(16) For a tournament involving Texas Hold'em, all of the following shall apply:

(i) The payment of an entry fee or other consideration for participating is prohibited.

(ii) The value of all prizes awarded to an individual winner of a tournament or contest at a single table shall not exceed \$200 each day.

(17) The eligible organization shall ensure that reasonable accommodations are made for players with disabilities.

(b) Required postings.—Notwithstanding subsection (a), the eligible organization shall prominently post the tournament rules on a sign in the tournament playing room at least 24 hours before the tournament begins. The sign shall be at least 30 inches by 30 inches, and the rules shall be easily readable. The sign shall include all of the following:

(1) In permanent letters three inches high, the words "Tournament Rules."

(2) Card game or games to be played in the tournament and the rules of each card game.

(3) The prize for each card game and tournament.

(4) How winners will be determined.

(5) Any other tournament rules.

(c) Prizes.—Cash or merchandise prizes may be awarded for each card game tournament. All of the following shall apply:

(1) The eligible organization shall distribute the prizes awarded on the day the prizes are won.

(2) Donated or merchandise prizes shall not be repurchased by the eligible organization.

(3) Only prizes that can be won shall be displayed in the room where the tournament will be held.

Amend Bill, page 37, line 20, by striking out "19" and inserting 20

Amend Bill, page 38, line 28, by striking out "20" and inserting 21

Amend Bill, page 48, line 12, by striking out "21" and inserting 22

Amend Bill, page 48, line 15, by striking out all of said line and inserting

Section 23. This act shall take effect as follows:

(1) The addition of Chapter 8 of the act shall take effect immediately.

(2) This section shall take effect immediately.

(3) The remainder of this act shall take effect in 60 days.

On the question,

Will the House agree to the amendment?

The SPEAKER. On the question, the Chair recognizes Representative Delozier for a brief description of the amendment.

Ms. DELOZIER. Thank you, Mr. Speaker.

This amendment simply will allow and it was asked by constituents to allow individuals that are members of clubs or to have in their home a small poker game. At this point in time I have constituents that are members of an Elks Club and it is illegal for them to host a poker game in that club. This simply would allow for them to hold a low-stakes, under-\$100 poker game in their local club or in their home.

Thank you, Mr. Speaker.

The SPEAKER. Thank you.

Representative Payne, on the amendment.

Mr. PAYNE. Mr. Speaker, unfortunately I have to ask for a "no" vote on this amendment. The committee, in fact, spent the last year taking all the input, putting stuff into this package and into the bill. It was agreed to. This amendment is not part of the agreed-to package, so I would ask for a "no" vote.

Thank you, Mr. Speaker.

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

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

#### YEAS—80

Adolph	Farina	Kortz	Reed
Barbin	Flynn	Kotik	Reese
Benninghoff	Gabler	Longietti	Regan
Bizzarro	Gibbons	Mahoney	Roae
Bradford	Goodman	Marshall	Rozzi
Briggs	Grove	Marsico	Sainato
Brown, R.	Hanna	Matzie	Sankey
Burns	Harhai	McGinnis	Schemel
Carroll	Harkins	Metzgar	Schlossberg
Causar	Harper	Millard	Schreiber
Christiana	Harris, A.	Mullery	Schweyer
Conklin	Harris, J.	Murt	Snyder
Costa, D.	Heffley	Nelson	Stephens
Daley, M.	Hennessey	Neuman	Tobash
Dawkins	Irvin	Pashinski	Toepel
Dean	James	Petrarca	Toohil
Deasy	Kampf	Pickett	Truitt
DeLissio	Keller, F.	Quigley	Vereb
Delozier	Keller, M.K.	Quinn, M.	Vitali
Evankovich	Knowles	Ravenstahl	Warner

#### NAYS—105

Artis	Fabrizio	Mackenzie	Quinn, C.
Baker	Fee	Maher	Rader
Barrar	Frankel	Major	Rapp
Bloom	Freeman	Maloney	Readshaw
Boback	Galloway	Markosek	Roebuck
Boyle	Gillen	Masser	Saccone
Caltagirone	Gillespie	McCarter	Samuelson
Corbin	Gingrich	McClinton	Santora
Costa, P.	Godshall	McNeill	Saylor
Cruz	Greiner	Mentzer	Simmons
Culver	Hahn	Metcalfe	Sims
Cutler	Harhart	Miccarelli	Sonney
Davidson	Helm	Miller, B.	Staats
Davis	Hickernell	Milne	Sturla
Day	Hill	Moul	Tallman
Dermody	Jozwiak	Mustio	Taylor
Diamond	Kaufer	Neilson	Topper
DiGirolamo	Kauffman	Nesbit	Ward
Donatucci	Kavulich	O'Brien	Wentling

Driscoll	Keller, W.	O'Neill	Wheeland
Dunbar	Kim	Oberlander	White
Dush	Kinsey	Ortitay	Youngblood
Ellis	Kirkland	Parker, D.	Zimmerman
Emrick	Klunk	Payne	
English	Krueger	Peifer	Turzai,
Evans	Lawrence	Petri	Speaker
Everett	Lewis	Pyle	

NOT VOTING—0

EXCUSED—18

Acosta	Daley, P.	Miller, D.	Savage
Brown, V.	DeLuca	Ross	Thomas
Bullock	Farry	Rothman	Watson
Cohen	Gainey	Santarsiero	Wheatley
Cox	Gergely		

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

On the question recurring,

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

Bill as amended was agreed to.

The SPEAKER. The bill as amended will be reprinted.

\* \* \*

The House proceeded to second consideration of **HB 782**, **PN 3530**, entitled:

An Act amending the act of November 10, 1999 (P.L.491, No.45), known as the Pennsylvania Construction Code Act, in preliminary provisions, in adoption and enforcement by municipalities, further providing for administration and enforcement.

On the question,

Will the House agree to the bill on second consideration?

The SPEAKER. The gentlelady, Representative Harper, has three amendments. I believe amendment 8468 is withdrawn, I believe, and the other two amendments will be called up accordingly, beginning with amendment 8538.

On the question recurring,

Will the House agree to the bill on second consideration?

Ms. **HARPER** offered the following amendment **No. A08538**:

Amend Bill, page 1, line 12, by inserting after "REPEALS," in preliminary provisions, further providing for definitions; and,

Amend Bill, page 5, lines 26 through 30, by striking out all of said lines and inserting

Section 1. The definition of "board of appeals" in section 103 of the act of November 10, 1999 (P.L.491, No.45), known as the Pennsylvania Construction Code Act, is amended to read:  
Section 103. Definitions.

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

\* \* \*

"Board of appeals." The body created by a municipality or more than one municipality to hear appeals from decisions of the code administrator as provided for by [Chapter 1 of the 1999 Building Officials and Code Administrators International, Inc., National Building Code, Fourteenth Edition] the department through regulation.

\* \* \*

Section 2. Section 501(b)(1), (2) and (3) and (c) of the act, amended November 29, 2006 (P.L.1440, No.157) and October 24, 2012 (P.L.1433, No.179), are amended and the section is amended by adding a subsection to read:

Amend Bill, page 9, by inserting between lines 18 and 19

(c) Board of appeals.—

(1) A municipality which has adopted an ordinance for the administration and enforcement of this act or municipalities which are parties to an agreement for the joint administration and enforcement of this act shall establish or designate a board of appeals as provided by [Chapter 1 of the 1999 BOCA National Building Code, Fourteenth Edition,] the department through regulation to hear appeals from decisions of the code administrator. Members of the municipality's governing body may not serve as members of the board of appeals. A municipality may establish a board of appeals or may establish or designate a joint board of appeals in accordance with 53 Pa.C.S. Ch. 23 Subch. A (relating to intergovernmental cooperation).

(2) An application for appeal shall be based on a claim that the true intent of this act or regulations legally adopted under this act have been incorrectly interpreted, the provisions of this act do not fully apply or an equivalent form of construction is to be used.

(3) When a municipality cannot find persons to serve on a board of appeals who meet the minimum qualifications [of Chapter 1 of the BOCA National Building Code] established by the department, the municipality may fill a position on the board with a qualified person who resides outside of the municipality.

(4) The fee for an appeal to the Board of Appeals for a municipality that is administering and enforcing this act shall not exceed actual costs of the public notice of the hearing, appearance fee for the court reporter and administrative fees as necessary.

(5) In the case of an appeal or request for variance or extension of time involving the construction of a one-family or two-family residential building, the board of appeals shall convene a hearing within 30 days of the appeal. The Board of Appeals shall render a written decision to the parties within five business days, or within ten business days in cities of the first class, of the last hearing. If the board of appeals fails to act within the time period under this paragraph, the appeal shall be deemed granted.

Amend Bill, page 9, line 20, by striking out "2" and inserting

3

Amend Bill, page 9, line 23, by striking out "3" and inserting

4

On the question,

Will the House agree to the amendment?

The SPEAKER. On that question, the Chair recognizes Representative Harper for a brief description of the amendment.

Ms. HARPER. Thank you, Mr. Speaker.

When we wrote the UCC (Uniform Construction Code) bill several years ago, we actually put in it what the UCC board should look like. Then regulations were passed changing that, so there is now a discrepancy between the regulations under this bill and the law as it currently exists. My amendment simply corrects that problem and says the regulations will determine who should be on the board.

The SPEAKER. Does anybody else wish to be recognized?

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

The following roll call was recorded:

#### YEAS—184

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

#### NAYS—1

Flynn

#### NOT VOTING—0

#### EXCUSED—18

Acosta	Daley, P.	Miller, D.	Savage
Brown, V.	DeLuca	Ross	Thomas
Bullock	Farry	Rothman	Watson
Cohen	Gainey	Santarsiero	Wheatley
Cox	Gergely		

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

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

Ms. **HARPER** offered the following amendment  
No. **A09833**:

Amend Bill, page 5, lines 26 through 30, by striking out all of said lines and inserting

Section 1. Section 501(b)(1) of the act of November 10, 1999 (P.L.491, No.45), known as the Pennsylvania Construction Code Act, amended November 29, 2006 (P.L.1440, No.157), is amended to read:

Amend Bill, page 6, lines 15 through 30; pages 7 and 8, lines 1 through 30; page 9, lines 1 through 19; by striking out all of said lines on said pages and inserting

\* \* \*

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

The **SPEAKER**. On the question, the Chair recognizes Representative Harper for a brief description of the amendment.

Ms. **HARPER**. Thank you.

The amendment that I am offering would remove from the bill the ability of a builder or developer to select his own inspection agency without the township's or borough's permission. I believe the purpose of code enforcement and inspections is to preserve the consumer's safety and the public's safety when they buy a home, a new home, or move into a new building.

Most boroughs, townships, and cities take the responsibility of code enforcement, if they have elected to do it locally, very seriously. They do not want buildings built in their municipality that are unsafe for the ultimate user. So they select a code enforcement agency and put that person in charge of permitting and inspections to make sure that the new structure complies with the Uniform Construction Code, which is the law of the land.

By allowing the builder or developer to pick his own inspection agency, we are putting the fox in charge of the henhouse, and worse yet, we are giving an incentive to that third-party agency selected by the builder to go easy on the requirements in the hopes of being hired again and again, not just in this municipality but in every municipality where that inspector and that builder/developer/constructor are working. At the end of the day, we are incentivizing unsafe new construction, unsafe new construction for the people we represent; for the new home owner, for the new office building owner, for the tenants in those buildings. We are incentivizing a lesser standard of inspection and permitting by allowing the builder to pick his own inspector. It flies in the face absolutely of the entire purpose of a Uniform Construction Code and the whole purpose of permitting and inspecting.

We do not want to be a State where new buildings are unsafe for the public that we represent. My amendment takes out this incentive and leaves it to the municipality who has elected to do the job to get the job done. Please vote with me for the safety of the consumers and the public on my amendment.

Thank you, Mr. Speaker.

The **SPEAKER**. Thank you, Representative.

Representative Heffley, on the amendment, sir.

Mr. HEFFLEY. Thank you, Mr. Speaker.

I would ask my colleagues to vote "no" on this amendment, A09833, as this amendment would remove the language in the bill that provides for options. This is the core of what this amendment would do, is it would take away the monopoly of certain third-party agencies. It does not at all lessen the UCC codes. Those codes are the codes. Whether inspector A or inspector B does the inspection, the code is still the code, and all the UCC code officials that are going to be doing any inspections in the State of Pennsylvania are licensed in the State of Pennsylvania.

Look at it the same way as your car inspection. Would we give the authority to a municipality, a township, or a borough to choose which garage you have to use or service station to have your automobile inspected? Say they choose Joe's garage, and you say, I do not like Joe's garage because every time I go there they overcharge and they are always asking me to do things that you do not feel is necessary to your vehicle, and you have to wait for a long time to get an appointment. So you go to Bob's garage. It is a licensed garage in the State of Pennsylvania, but yet you cannot use it because that municipality would not allow you. This would provide options and choices. It does not lessen the code at all.

And the reason for this legislation is because there have been abuses and people have felt that they did not have the option to get their building inspected on time. A lot of these municipalities contract with just one UCC official. They already have the option to contract with more than one. They can use two or three. So the argument that was made that this would somehow lessen the code, in 10 percent of the municipalities across the State, they already can – the residents and the contractors can contract with whomever they choose, as long as they are licensed by the State to do that UCC inspection.

So it is already working in large areas and a lot of areas in the State, so we are not looking to change that. What we are looking to do is add some – lift the burden off the homeowner and allow them to shop around for pricing, allow them to shop around for convenience, and making sure that the inspections are done properly and that the pricing is done right.

Thank you, Mr. Speaker, and I ask for a "no" vote on this amendment.

The SPEAKER. Representative Bob Freeman.

Mr. FREEMAN. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of Harper amendment 9833.

The points made by the good lady from Montgomery County are absolutely correct. If we allow the current language that exists in this bill to remain, it will be allowing the fox to watch the henhouse. We have inspectors in this State who are chosen by municipalities, either as an employee of the municipality or as a third party. Those are the people who should be making that decision, our local elected officials, to ensure that the code is being enforced properly and that the construction that goes on meets the proper standard.

When you start allowing the builder to pick the inspector of their projects, you are setting up the potential for sweetheart deals. As the good lady pointed out, if you find yourself being the one who is favored by that company, that builder, over and over again, you are setting up a situation where they are going to be more inclined to be much leaner in terms of their observations of the building permit process, because they know it means ready business from that one developer.

We need to ensure that there is no undue influence in the inspection process. If we allow the builder to make the choice of who reviews their plans, that will create undue influence. Let us leave it up to the municipalities, who are elected officials in their community, to make the decision as to whom they pick to do the inspecting. Do not leave it up to the fox to look out for the henhouse.

I urge a "yes" vote for the Harper amendment. And as one of my colleagues on this side of the aisle pointed out, if we allow the builder to choose who will inspect their plans and their projects, it is like allowing students to choose who is going to grade their tests. You do not want that in the hands of the person who is being tested. Let us leave it up to municipalities. Let us support the Harper amendment and protect the inspection process here in Pennsylvania. Thank you.

The SPEAKER. Representative Evankovich.

Mr. EVANKOVICH. Thank you, Mr. Speaker.

Mr. Speaker, I rise in opposition to amendment A09833.

Mr. Speaker, the maker of the underlying bill made an analogy that we can all relate to. He made the analogy that we will not allow someone to pick a licensed home inspector if they pay a convenience fee to do so, simply because it is the local government's jurisdiction to tell us whom we should use to inspect our home, even if that third-party home inspector might be an enemy of our family, even if that licensed third-party agency inspector might be somebody whom you have had personal disagreements with. But we allow every resident in this State to go to a licensed automobile inspection station. Mr. Speaker, he mentioned that we allow people to do this, and in fact, we encourage members of the public to get their vehicle inspected at whatever station is licensed to do so by licensing so many.

Well, I do not have the facts and figures for how many building-collapse deaths there have been in the last few years, but, Mr. Speaker, I looked up how many traffic deaths there have been in Pennsylvania, and in 2014 there were 1,195 deaths, 79,758 injuries, and we let people get their vehicles inspected wherever there is a licensed inspector. But yet amendment A09833 would prohibit you from being able to choose what licensed inspector you wanted to have come to your home to inspect a change to your home that might be something as simple as the building of a garage. It might be as simple as the building of a deck.

I urge the members to vote "no" on the amendment and "yes" on the underlying bill.

The SPEAKER. Representative Kate Harper, on the amendment.

Ms. HARPER. Thank you, Mr. Speaker.

It seems that most of the opposition to my amendment is because there are bad inspectors. Yes, every bunch of apples has a couple that do not work; that is true. The remedy is not to let the builder pick his own inspector. The remedy is to go to your local government and talk to them about why the inspector they selected is inappropriate or unworthy of having that job.

It is the local government's job to make sure that new construction is safe. They take that job seriously. We have 2,500 local governments in Pennsylvania. They are mostly run by volunteers, your neighbors, who really desire what is best for your communities. They select the inspectors to make sure that the new neighbors are going to get a safe house to move into.



Most people do not build their own houses. Most people go to a development of 20 or 50 or 300 houses, and they expect that their local government will have inspected the construction and made sure that the builder is following the rules. They are not going to have a profit motive to cut corners, and they are not going to have a profit motive to go easy, so they get more work out of this particular builder.

This amendment leaves the responsibility for selecting the inspector with the people who have the responsibility to protect the public. Please vote "yes" on my amendment.

Thank you, Mr. Speaker.

The SPEAKER. Representative Dan Moul, on the amendment.

Mr. MOUL. Thank you, Mr. Speaker.

I did not really prepare any notes for this, but from someone that was a builder for at least 25 years, I can tell you that there is really not a lot of difference between big government at this level or at the Federal level having a heavy hand on you and local government having that same heavy hand on you. From someone that was basically at the mercy of one inspector, whom I was told that I had to use to have my properties inspected, sometimes I waited quite a while because they were busy. Do you know what "quite a while" means to someone that has hundreds of thousands of dollars sitting there and for each inspection you are going to wait several days or maybe even a week or longer to get an inspection done? That adds up.

When you go to the bank to borrow money to build a property or to expand a property, the bank, by law, has to give you a list of appraisers to get an appraised value of what you are doing and you choose from that list of certified appraisers. I find it hard to believe that we want to say, "No. In this case you will use the one we tell you to, and by the way, you are going to pay for it." And if you have somebody that does have a rift or does not quite agree with an inspector, life can become awfully miserable for that builder, to the point where he does not want to build in that community anymore.

The idea of having less government with a heavy hand on you, giving you the option of getting certified people to do your inspections for you, is definitely in the right direction. That is coming from somebody that did this for about 25 years. Thank you, Mr. Speaker.

The SPEAKER. Representative Bill Kortz, on the amendment.

Mr. KORTZ. Thank you, Mr. Speaker.

I rise in support of amendment A09833, and I want to thank the gentlelady from Montgomery County for bringing this to the House floor.

Mr. Speaker, I have heard a lot of comments about this bill, but she is exactly right that if we allow the builder to pick the inspector, there can be a conflict of interest. You may get somebody that is more lenient on some of the codes.

And let us be clear about one thing, Mr. Speaker. Home inspectors are not licensed in this State. Representative Sue Helm and I have the bill, HB 1242, and we had a hearing just last week on this measure, last Monday, and we have heard war stories about people who were from real estate agents who recommended certain inspectors, and it turned out to be a total disaster.

So let us be clear, these home inspectors are not licensed yet in this State, and I hope we can get that measure through. To that end, we need to pass this amendment today. Thank you, Mr. Speaker.

The SPEAKER. Representative Doyle Heffley, for the second time on the amendment.

Mr. HEFFLEY. Mr. Speaker, I just wanted to clarify from the last speaker, who made the point about home inspections, this is not home inspectors. This is Uniform Code inspections, not home inspections, and they are licensed by the State. They are certified by the State to do these inspections, and that license that they get from the State allows them to practice and use their license anywhere in the State. What forbids them from using it is a current provision in the code right now that says that certain municipalities can select one and hold a monopoly of just one inspector. A lot of times these inspection agencies are one person, so if that person is on vacation for 3 weeks, no inspections get done.

Also, a point that was made earlier was about if somebody did not care for the monopoly code official in that area, they could, you know, go to the township and appeal it and vote those folks out. A lot of times you have businesses, a lot of these are small businesses, mom-and-pops. They just want to put a small addition on their business and a third-party agency will delay or hold up. Every time they come out to inspect, they may find another issue, and when they go back to the township or municipality to complain, they have no right to vote in that jurisdiction but yet they have to be subject to that monopoly.

Also, one other point to make is this provision only applies to those municipalities that contract with one third-party UCC agency. If a municipality or city has their own in-house person that they pay as an employee of that municipality to do the inspection, it does not apply to them. This is strictly about getting rid of a monopoly.

We have Burger King. We have McDonald's. We have Taco Bell. The American way is freedom of choice. We should be able to choose whom we want to do those inspections for our house. This allows that provision in the law to be changed and altered so that we can get about building and creating jobs in the Commonwealth of Pennsylvania and enough about delaying and dealing with rogue third-party agencies.

Thank you, Mr. Speaker, and I ask for a "no" vote on the Harper amendment.

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

The following roll call was recorded:

#### YEAS—88

Artis	Driscoll	Kirkland	Quigley
Barbin	English	Kortz	Quinn, M.
Bizzarro	Evans	Kotik	Rader
Boyle	Fabrizio	Krueger	Ravenstahl
Bradford	Farina	Maher	Readshaw
Briggs	Flynn	Mahoney	Roebuck
Brown, R.	Frankel	Markosek	Rozzi
Caltagirone	Freeman	Marshall	Samuelson
Carroll	Galloway	Matzie	Schemel
Conklin	Gibbons	McCarter	Schlossberg
Costa, D.	Hanna	McClinton	Schreiber
Costa, P.	Harhart	McNeill	Schweyer
Cruz	Harkins	Milne	Sims
Culver	Harper	Mullery	Snyder
Daley, M.	Harris, J.	Murt	Staats
Davis	Hennessey	Mustio	Sturla
Dawkins	Irvin	Neilson	Taylor
Dean	James	Neuman	Topper
Deasy	Kavulich	O'Brien	Vereb

DeLissio	Keller, F.	O'Neill	Vitali
Dermody	Keller, W.	Pashinski	White
Donatucci	Kim	Petri	Youngblood

## NAYS—97

Adolph	Gillespie	Major	Reese
Baker	Gingrich	Maloney	Regan
Barrar	Godshall	Marsico	Roae
Benninghoff	Goodman	Masser	Saccone
Bloom	Greiner	McGinnis	Sainato
Boback	Grove	Mentzer	Sankey
Burns	Hahn	Metcalfe	Santora
Causar	Harhai	Metzgar	Saylor
Christiana	Harris, A.	Miccarelli	Simmons
Corbin	Heffley	Millard	Sonney
Cutler	Helm	Miller, B.	Stephens
Davidson	Hickernell	Moul	Tallman
Day	Hill	Nelson	Tobash
Delozier	Jozwiak	Nesbit	Toepel
Diamond	Kampf	Oberlander	Toohil
DiGirolamo	Kaufer	Ortitay	Truitt
Dunbar	Kauffman	Parker, D.	Ward
Dush	Keller, M.K.	Payne	Warner
Ellis	Kinsey	Peifer	Wentling
Emrick	Klunk	Petrarca	Wheeland
Evankovich	Knowles	Pickett	Zimmerman
Everett	Lawrence	Pyle	
Fee	Lewis	Quinn, C.	Turzai,
Gabler	Longietti	Rapp	Speaker
Gillen	Mackenzie	Reed	

## NOT VOTING—0

## EXCUSED—18

Acosta	Daley, P.	Miller, D.	Savage
Brown, V.	DeLuca	Ross	Thomas
Bullock	Farry	Rothman	Watson
Cohen	Gainey	Santarsiero	Wheatley
Cox	Gergely		

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

On the question recurring,

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

Mr. **MAHER** offered the following amendment  
No. **A09847**:

Amend Bill, page 7, lines 3 through 20, by striking out "UTILIZE THE SERVICES OF ANOTHER THIRD-PARTY" in line 3 and all of lines 4 through 20 and inserting  
petition the court of common pleas to utilize the services of a third party agency of the applicant's choice and the following shall apply:

(i) If the applicant demonstrates that the contracted third party agency cannot provide fair and impartial administration and enforcement of this act, or has a history of not providing competent and timely service, the court shall enter an order granting the applicant's petition.

(ii) The court shall provide notice of the petition under subparagraph (i) to the municipality and the municipality's contracted third party agency within 10 days. The municipality or the municipality's contracted third party agency may file objections to the petition

within 120 days. If no timely objection is filed, the court shall grant the petition without further hearing.

Amend Bill, page 7, line 21, by striking out "(3)" and inserting  
(2)

Amend Bill, page 7, line 28, by striking out "(4)" and inserting  
(3)

Amend Bill, page 8, line 8, by striking out "(5)" and inserting  
(4)

Amend Bill, page 8, line 11, by striking out "(6)" and inserting  
(5)

Amend Bill, page 8, lines 17 through 21, by striking out all of lines 17 through 20 and "(IV)" in line 21 and inserting  
(ii)

Amend Bill, page 8, line 22, by striking out "(V)" and inserting  
(iii)

Amend Bill, page 8, line 24, by striking out "(7)" and inserting  
(6)

Amend Bill, page 8, line 30, by striking out "(8)" and inserting  
(7)

Amend Bill, page 9, line 3, by striking out "PARAGRAPH (6)" and inserting

this subsection

Amend Bill, page 9, line 4, by striking out "(9)" and inserting  
(8)

Amend Bill, page 9, line 6, by striking out "PARAGRAPH (6)" and inserting

this subsection

Amend Bill, page 9, line 9, by striking out "PARAGRAPH (6)" and inserting

this subsection

Amend Bill, page 9, lines 12 through 18, by striking out all of said lines

Amend Bill, page 9, lines 20 through 22, by striking out all of said lines

Amend Bill, page 9, line 23, by striking out "3" and inserting  
2

On the question,

Will the House agree to the amendment?

The **SPEAKER**. The Chair recognizes Representative Maher for a brief summary of the amendment.

Mr. **MAHER**. Thank you, Mr. Speaker.

I can accept the proposition that among the 1,000, perhaps 1,500 townships that use a single inspector, that there could be an occasion where that inspector is not the right match for the site to be inspected. I do not believe the remedy for that, though, is to disenfranchise the authority of those 1,000, 1,500 towns. I do believe the solution is introducing a bit of due process that if an individual believes that the inspector, a single inspector that is available either has a bias or is otherwise a bad fit for this particular job, they can petition the court of common pleas to appoint another because it should be exceptional, not ordinary.

So the amendment, very simply, creates due process, where someone who is aggrieved can go to the court of common pleas and present their case as to why they think the inspector, who would be their lone choice, either lacks impartiality or lacks the right skill set to do the job. So we can protect all those who are doing construction and building, yet we do not need to create this Wild Wild West, because if we do have 1,000 or 1,500 towns where any builder can come in and appoint their own inspector, it is a bit like asking Morris the Cat to guard your tuna sandwich. You should not expect a good outcome.

So I hope you will join me. I am very sympathetic to the concern that Representative Heffley is aiming to address, but I think the due process avenue is better than a wholesale disruption of the current system. Thank you, Mr. Speaker.

The SPEAKER. Representative Heffley, on the amendment.

Mr. HEFFLEY. Thank you, Mr. Speaker.

I would ask for a "no" vote on amendment A09847.

I would think that this would really drive up the cost of any project and really tie up the courts with something that can be handled without having to go through the court process.

I also think that— I mean, consider that if you had a small project, say you are putting a deck on the back of your house, it is maybe a \$5,000 project, and this third-party inspector starts delaying the project and holding up the project and you appeal the project, now you have to hire an attorney, you have to get a court date. It could tie up that little project that you want to put on the back of your house for 2 years to go through the process.

So I think that maybe this amendment would be a jobs bill. It would be a jobs bill if we wanted to hire more attorneys and tie up the courts and drive up the cost of every project.

I would ask for a "no" vote on this amendment as I do not see that it would help create jobs in the building sector or help our small businesses. Thank you, Mr. Speaker.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

#### YEAS—88

Adolph	Donatucci	Kirkland	Quinn, M.
Artis	Driscoll	Kortz	Rader
Bizzarro	English	Kotik	Ravenstahl
Boyle	Evans	Krueger	Readshaw
Bradford	Everett	Maher	Roebuck
Briggs	Fabrizio	Marshall	Rozzi
Brown, R.	Farina	Matzie	Samuelson
Caltagirone	Flynn	McCarter	Santora
Carroll	Frankel	McClinton	Schlossberg
Conklin	Freeman	McNeill	Schreiber
Costa, D.	Galloway	Mentzer	Schweyer
Costa, P.	Gibbons	Miccarelli	Sims
Cruz	Hanna	Mullery	Snyder
Culver	Harkins	Murt	Staats
Daley, M.	Harper	Neilson	Sturla
Davidson	Harris, J.	Neuman	Tallman
Davis	Hennessey	O'Brien	Taylor
Dawkins	James	O'Neill	Topper
Dean	Kavulich	Parker, D.	Vereb
Deasy	Keller, F.	Pashinski	Vitali
Dermody	Keller, W.	Peifer	White
DiGirolamo	Kim	Petri	Youngblood

#### NAYS—97

Baker	Godshall	Mahoney	Reed
Barbin	Goodman	Major	Reese
Barrar	Greiner	Maloney	Regan
Benninghoff	Grove	Markosek	Roae
Bloom	Hahn	Marsico	Saccone
Boback	Harhai	Masser	Sainato
Burns	Harhart	McGinnis	Sankey
Causar	Harris, A.	Metcalfe	Saylor
Christiana	Heffley	Metzgar	Schemel
Corbin	Helm	Millard	Simmons
Cutler	Hickernell	Miller, B.	Sonney
Day	Hill	Milne	Stephens
DeLissio	Irvin	Moul	Tobash

Delozier	Jozwiak	Mustio	Toepel
Diamond	Kampf	Nelson	Toohil
Dunbar	Kaufer	Nesbit	Truitt
Dush	Kauffman	Oberlander	Ward
Ellis	Keller, M.K.	Ortitay	Warner
Emrick	Kinsey	Payne	Wentling
Evankovich	Klunk	Petrarca	Wheeland
Fee	Knowles	Pickett	Zimmerman
Gabler	Lawrence	Pyle	
Gillen	Lewis	Quigley	Turzai,
Gillespie	Longietti	Quinn, C.	Speaker
Gingrich	Mackenzie	Rapp	

#### NOT VOTING—0

#### EXCUSED—18

Acosta	Daley, P.	Miller, D.	Savage
Brown, V.	DeLuca	Ross	Thomas
Bullock	Farry	Rothman	Watson
Cohen	Gainey	Santarsiero	Wheatley
Cox	Gergely		

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

On the question recurring,

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

Bill as amended was agreed to.

The SPEAKER. The bill as amended will be reprinted.

### SUPPLEMENTAL CALENDAR B

#### BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 365, PN 2634**, entitled:

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

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

#### YEAS—185

Adolph	Fabrizio	Lawrence	Rader
Artis	Farina	Lewis	Rapp
Baker	Fee	Longietti	Ravenstahl
Barbin	Flynn	Mackenzie	Readshaw
Barrar	Frankel	Maher	Reed

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

NAYS—0

NOT VOTING—0

EXCUSED—18

Acosta	Daley, P.	Miller, D.	Savage
Brown, V.	DeLuca	Ross	Thomas
Bullock	Farry	Rothman	Watson
Cohen	Gainey	Santarsiero	Wheatley
Cox	Gergely		

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

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

\* \* \*

The House proceeded to third consideration of **HB 1996, PN 3191**, entitled:

An Act designating a portion of State Route 1010 in Berks County as the DeLight Breidegam, Jr., Memorial Highway.

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

(Bill analysis was read.)

The SPEAKER. This bill has been considered on three different days and agreed to and is now on final passage.  
The question is, shall the bill pass finally?

On that question, the Chair recognizes Representative David Maloney, the prime sponsor.

Mr. MALONEY. Thank you, Mr. Speaker.

I would like to invite my Berks County colleagues up here.

The SPEAKER. Members, please take your seats.

Mr. MALONEY. Mr. Speaker, I appreciate the time.

I rise today in support of HB 1996. It is designating a portion of a Berks County highway in memorial to DeLight Breidegam, Jr.

DeLight was the founder of East Penn Manufacturing, died September 9 at the age of 88. He was widely respected not only for growing East Penn Manufacturing, which many folks know as Dekka Battery, into a manufacturing giant but also his commitment to his community, his employees, and the ethical business practices with suppliers and customers that he is so well known for.

Before he joined the Army Aviation Corps in 1943, he had worked doing shifts as a volunteer spotter looking for suspicious aircraft flying in Pennsylvania airspace. This man's commitment to his community and to his country has been exemplary.

After the war, the early days of East Penn Manufacturing was the stuff of American dreams, where sheer effort and enterprise overcame hardship.

DeLight was very generous in his community. I personally remember when a tornado ravaged the community there at East Penn, how he sent his workforce into the community on his nickel to help clean up, and I will never forget the support that he got from the community for how generous he was. He provided scholarships and infrastructure to Moravian College and assistance to the local health-care facilities.

His legacy not only resides in the remarkable organization he founded and built but also in the countless lives he touched and inspired to be just like what we would expect from people who are so committed to all of their family and community. His vision, dreams, and accomplishments will still live on in the people who follow in his footsteps as they grow the company and support the community and the country that he loved and served.

Mr. Speaker, I would like to welcome any of my colleagues from Berks County to say a few words.

This organization has, back and forth, been the number one employer in Berks County, and there probably is not a surrounding county or a community in Berks County that has not been affected by the positive accomplishments of this company.

Mr. MACKENZIE. Thank you, Representative Maloney.

And I would just like to add that DeLight Breidegam, Jr.'s life was really a testament to the American dream. When he started that business in 1946, he was a young Air Force veteran,



as we heard, and he started the battery business with his father, DeLight, Sr., and the location of their business at the time was a small one-room creamery in the village of Bowers. It is remarkable now that six decades later, East Penn has grown from that one-room shop with a product line of 5 automotive batteries to one of the world's leading battery manufacturers with over 8,000 employees, 450 product designs, and hundreds of awards for manufacturing and environmental excellence.

Today East Penn operates one of the world's largest single-site lead acid battery facilities, and those core values that DeLight laid out with his father back in 1946 still hold true today. As we heard from Representative Maloney, that community spirit that he brought to work every day is something that has lived on in our community and his workforce, and we are so grateful for him and his legacy that he leaves behind.

So again, I would like to thank you for your consideration of this bill that is before us today.

And also, please keep Mr. Breidegam, his family, and the company in your thoughts and prayers as we move forward on this momentous occasion. Thank you.

Mr. DAY. Thank you.

I am very pleased to be here today to recognize this individual in our community.

For many people here, you might not realize where this business is, where DeLight's business is, but it is halfway between – right between Allentown and Reading. It is basically what many people would say, "in the middle of nowhere."

But it is an incredible economic engine that through the years, started 50, 60 years ago, this family working together to build this company, became the largest employer in Berks County. The economic engine that they are for our community and all of our districts, that is why we are all standing here.

Many people in all of our districts work at East Penn Manufacturing, which its nickname is "Deka" for Deka batteries, if you hear them or see them anywhere. I have friends that work there in the sales department that sell these batteries all over the world, and they go around. Those same friends throughout the last 20 years have talked to me, bragged to me about the company that they work for, quiet demeanor but very strong demeanor in their industry, providing batteries to people in many different industries throughout the Commonwealth, throughout the country, and throughout the world.

DeLight in his later years after building this company became known as the best cheerleader in the company. So as he got on in age and brought in, you know, presidents and chief operating officers, DeLight made sure that he kept the workforce connected to the mission, and that humble upbringing and everything that he did for himself and his family, he did for all of the employees.

I stand today to say thank you for consideration of this bill and thank you to my friend, DeLight Breidegam.

Mr. MALONEY. Thank you, Mr. Speaker.

The SPEAKER. Thank you, members, and thank you, Representative Maloney.

On the question recurring,

Shall the bill pass finally?

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

The following roll call was recorded:

#### YEAS—185

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

#### NAYS—0

#### NOT VOTING—0

#### EXCUSED—18

Acosta	Daley, P.	Miller, D.	Savage
Brown, V.	DeLuca	Ross	Thomas
Bullock	Farry	Rothman	Watson
Cohen	Gainey	Santarsiero	Wheatley
Cox	Gergely		

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

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

The SPEAKER. We are going to turn to housekeeping.

### **BILLS RECOMMITTED**

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

HB 782;  
HB 1313;  
HB 2241;  
HB 2290;  
HB 2291; and  
HB 2308.

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

### **BILLS REMOVED FROM TABLE**

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

HB 1391;  
HB 1516;  
HB 1885;  
HB 2258;  
SB 1062;  
SB 1166;  
SB 1168; and  
SB 1311.

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

### **CALENDAR CONTINUED**

#### **BILL ON SECOND CONSIDERATION**

The House proceeded to second consideration of **HB 2051**, **PN 3574**, entitled:

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

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

### **BILL TABLED**

The SPEAKER. The Chair recognizes the majority leader, who moves that HB 2051 be removed from the active calendar and placed on the tabled calendar.

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

### **BILL REMOVED FROM TABLE**

The SPEAKER. The Chair recognizes the majority leader, who moves that HB 2051 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 Justin Simmons moves that the House be adjourned until Tuesday, September 27, 2016, at 11 a.m., e.d.t., unless sooner recalled by the Speaker.

On the question,  
Will the House agree to the motion?  
Motion was agreed to, and at 4:12 p.m., e.d.t., the House adjourned.