

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

THURSDAY, OCTOBER 27, 2016

SESSION OF 2016

200TH OF THE GENERAL ASSEMBLY

No. 68

HOUSE OF REPRESENTATIVES

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

THE SPEAKER (MIKE TURZAI) PRESIDING

PRAYER

HON. STEPHEN BLOOM, member of the House of Representatives, offered the following prayer:

Let us pray:

Lord God, we have come to the last hours of a long and tumultuous 2-year session. Lord, patience is wearing thin, tensions are high, relationships are strained, the pressures of obligations pressing on us from all directions, things deferred, things we need to do that we have not been able to do as we have tried to do the work that is so important here in this chamber.

So, Lord God, today as we finish out our work, Lord, let there be a spirit of renewal amongst us; a spirit of grace; a spirit of mercy, tolerance, grace for each other, Lord, that we can get this work done effectively and efficiently today, and, Lord, in the process just serve the people well.

And we pray especially for the staff who have struggled with so many technical difficulties in these last few days and done a wonderful job making sure that we can still do the work we have to do here. I pray for all those who are leading us today. In Jesus' name I pray. Amen.

PLEDGE OF ALLEGIANCE

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

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, the approval of the Journal of Wednesday, October 26, 2016, will be postponed until printed.

SENATE MESSAGE

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

The clerk of the Senate, being introduced, returned **HB 192, PN 4120; HB 946, PN 4111; HB 1398, PN 4062; HB 1538, PN 4125; and HB 1683, PN 4128**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

SENATE MESSAGE

HOUSE BILLS
CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, returned **HB 1653, PN 2661; HB 1785, PN 3356; HB 2084, PN 3509; and HB 270, PN 4074**, with information that the Senate has passed the same without amendment.

SENATE MESSAGE

HOUSE AMENDMENTS
CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to **SB 486, PN 2065; SB 562, PN 1897; SB 881, PN 2198; SB 1202, PN 2199; and SB 1282, PN 2066**.

ANNOUNCEMENT BY SPEAKER

The SPEAKER. Members, it is my understanding that the leaders have asked members to go to their respective caucuses. I understand they are going to be having caucus meetings. So there are not going to be formal announcements here on the floor, but that is my understanding that both caucuses will be meeting on the bills that had come over from the Senate. We are going to continue to do some work here at the desk that we need to do, and then we will make an official announcement as to when we are going to return to the floor. But it is my understanding both leaders are asking members to come to their respective caucuses.

BILLS SIGNED BY SPEAKER

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

HB 1653, PN 2661

An Act amending Title 62 (Procurement) of the Pennsylvania Consolidated Statutes, providing for diverse and disadvantaged businesses.

HB 1785, PN 3356

An Act requiring the preparation and publication of information relating to the influenza vaccine for individuals residing in assisted living residences and personal care homes; and imposing duties on the Department of Health and the Department of Human Services.

HB 2084, PN 3509

An Act amending Title 61 (Prisons and Parole) of the Pennsylvania Consolidated Statutes, in miscellaneous provisions, providing for oleoresin capsicum spray.

HB 2370, PN 4074

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: 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; and imposing a duty on the Department of Revenue to refund certain realty transfer taxes paid.

SB 385, PN 2081

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

SB 486, PN 2065

An Act amending the act of April 8, 1982 (P.L.310, No.87), referred to as the Recorder of Deeds Fee Law, authorizing an additional fee to be imposed and used for demolition; and making an editorial change.

SB 562, PN 1897

An Act amending the act of June 25, 1982 (P.L.633, No.181), known as the Regulatory Review Act, further providing for definitions, for proposed regulations and procedures for review, for final-form regulations and final-omitted regulations and procedures for review and for procedures for subsequent review of disapproved final-form or final-omitted regulations by the commission.

SB 881, PN 2198

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, in general provisions, further providing for definitions.

SB 1062, PN 1679

An Act amending Titles 18 (Crimes and Offenses) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in burglary and other criminal intrusions, further providing for burglary; and in sentencing, providing for sentencing for burglary.

SB 1202, PN 2199

An Act amending the act of October 27, 2014 (P.L.2911, No.191), known as the Achieving Better Care by Monitoring All Prescriptions Program (ABC-MAP) Act, further providing for definitions, for powers and duties of board, for requirements for dispensers and pharmacies and for requirements for prescribers; and providing for licensing boards to require education in pain management, addiction and prescribing and dispensing practices for opioids.

SB 1282, PN 2066

An Act amending Title 68 (Real and Personal Property) of the Pennsylvania Consolidated Statutes, in creation, alteration and termination of condominiums, further providing for amendment of declaration; in creation, alteration and termination of cooperatives, further providing for amendment of declaration; and, in creation, alteration and termination of planned communities, further providing for amendment of declaration.

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

RECESS

The SPEAKER. At this time, members, we will recess until the call of the Chair. I do expect that that time will be approximately somewhere between 10 and 10:30 a.m., but at this time we are going to recess until the call of the Chair and an announcement will be made.

AFTER RECESS

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

RULES COMMITTEE MEETING

The SPEAKER. Representative Reed is recognized for an announcement. Representative Reed, for an announcement, sir.

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

There will be a meeting of the House Rules Committee at 10:30 this morning in the House Appropriations conference room. There will be a meeting of the House Rules Committee at 10:30 this morning in the House Appropriations conference room. Thank you.

The SPEAKER. The Rules Committee will meet at 10:30 in the House Appropriations conference room.

SENATE MESSAGE

HOUSE AMENDMENTS
TO SENATE AMENDMENTS
CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, informed that the Senate has concurred in the further amendments made by the House of Representatives to Senate amendments to House amendments to **HB 1196, PN 4132**.

BILL SIGNED BY SPEAKER

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

HB 1196, PN 4132

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

sales by liquor licensees and restrictions, for wine auction permits, for interlocking business prohibited, for public venue license, for wine expanded permits, for malt and brewed beverages manufacturers', distributors' and importing distributors' licenses, for brand registration and for breweries, providing for shipment of malt or brewed beverages and further providing for licenses not assignable and transfers, for local option and for unlawful acts relative to liquor, malt and brewed beverages and licensees; in distilleries, wineries, bonded warehouses, bailees for hire and transporters for hire, further providing for limited wineries and for distilleries; and, in disposition of moneys collected under provisions of act, further providing for moneys paid into the State Stores Fund for use of the Commonwealth.

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

LEAVES OF ABSENCE

The SPEAKER. The majority whip requests leaves of absence for the following members: Marcy TOEPEL of Montgomery County for the day, Nick MICCARELLI of Delaware County for the day, John McGINNIS of Blair County for the day, John LAWRENCE of Chester County for the day, Joe EMRICK of Northampton County for the day, Mike VEREB of Montgomery County for the day, Dan TRUITT of Chester County for the day, Kate HARPER of Montgomery County for the day, Greg ROTHMAN of Cumberland County for the day, and Bernie O'NEILL of Bucks County for the day. Without objection, those will be granted.

The minority whip requests leaves of absence for the following members: Leslie ACOSTA of Philadelphia County for the day, Mark COHEN of Philadelphia County for the day, Tony DeLUCA of Allegheny County for the day, Dan McNEILL of Lehigh County for the day, John GALLOWAY of Bucks County for the day, James ROEBUCK of Philadelphia County for the day, Angel CRUZ of Philadelphia County for the day, Tonyelle COOK-ARTIS of Philadelphia County for the day, Dwight EVANS of Philadelphia County for the day, and Pete DALEY of Washington County for the day. Without objection, those requests for leave will be granted.

MASTER ROLL CALL

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

The following roll call was recorded:

PRESENT—183

Adolph	Farina	Krueger	Ravenstahl
Baker	Farry	Lewis	Readshaw
Barbin	Fee	Longietti	Reed
Barrar	Flynn	Mackenzie	Reese
Benninghoff	Frankel	Maher	Regan
Bizzarro	Freeman	Mahoney	Roae
Bloom	Gabler	Major	Ross
Boback	Gainey	Maloney	Rozzi
Boyle	Gergely	Markosek	Saccone
Bradford	Gibbons	Marshall	Sainato
Briggs	Gillen	Marsico	Samuelson
Brown, R.	Gillespie	Masser	Sankey
Brown, V.	Gingrich	Matzie	Santarsiero
Bullock	Godshall	McCarter	Santora
Burns	Goodman	McClinton	Savage
Callagirone	Greiner	Mentzer	Saylor
Carroll	Grove	Metcalfe	Schemel

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

ADDITIONS—0

NOT VOTING—0

EXCUSED—20

Acosta	DeLuca	Lawrence	Roebuck
Artis	Emrick	McGinnis	Rothman
Cohen	Evans	McNeill	Toepel
Cruz	Galloway	Miccarelli	Truitt
Daley, P.	Harper	O'Neill	Vereb

LEAVES ADDED—8

Dean	James	Milne	Readshaw
Deasy	Miller, D.	Quinn, M.	Santarsiero

LEAVES CANCELED—6

Daley, P.	Emrick	Rothman	Toepel
Dean	Galloway		

The SPEAKER. One hundred and eighty-three members having voted on the master roll, a quorum is present.

**HOUSE BILL
INTRODUCED AND REFERRED**

No. 2432 By Representative TOBASH

An Act amending the act of May 17, 1921 (P.L.789, No.285), known as The Insurance Department Act of 1921, in insurance producers, further providing for imposition of additional fees.

Referred to Committee on INSURANCE, October 27, 2016.

UNCONTESTED SUPPLEMENTAL CALENDAR A

RESOLUTIONS PURSUANT TO RULE 35

Mrs. R. BROWN called up **HR 1111, PN 4141**, entitled:

A Resolution recognizing the month of November 2016 as "Carbon Monoxide Awareness Month" in Pennsylvania.

* * *

Mrs. BULLOCK called up **HR 1112, PN 4142**, entitled:

A Resolution designating the week of November 14 through 18, 2016, as "Pennsylvania Education for Youth Experiencing Homelessness Awareness Week" and November 18, 2016, as "Red Shirt Day" in Pennsylvania.

On the question,
Will the House adopt the resolutions?

(Members proceeded to vote.)

LEAVE OF ABSENCE CANCELED

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

**CONSIDERATION OF
RESOLUTIONS PURSUANT TO RULE 35
CONTINUED**

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

The following roll call was recorded:

YEAS—184

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

Cutler	Helm	Neilson	Stephens
Daley, M.	Hennessey	Nelson	Sturla
Davidson	Hickernell	Nesbit	Tallman
Davis	Hill	Neuman	Taylor
Dawkins	Irvin	O'Brien	Thomas
Day	James	Oberlander	Tobash
Dean	Jozwiak	Ortitay	Toohil
Deasy	Kampf	Parker, D.	Topper
DeLissio	Kaufner	Pashinski	Vitali
Delozier	Kauffman	Payne	Ward
Dermody	Kavulich	Peifer	Warner
Diamond	Keller, F.	Petrarca	Watson
DiGirolamo	Keller, M.K.	Petri	Wentling
Donatucci	Keller, W.	Pickett	Wheatley
Driscoll	Kim	Pyle	Wheeland
Dunbar	Kinsey	Quigley	White
Dush	Kirkland	Quinn, C.	Youngblood
Ellis	Klunk	Quinn, M.	Zimmerman
English	Knowles	Rader	
Evankovich	Kortz	Rapp	Turzai,
Everett	Kotik	Ravenstahl	Speaker
Fabrizio	Krueger		

NAYS-0

NOT VOTING-0

EXCUSED-19

Acosta	DeLuca	Lawrence	Roebuck
Artis	Emrick	McGinnis	Toepel
Cohen	Evans	McNeill	Truitt
Cruz	Galloway	Miccarelli	Vereb
Daley, P.	Harper	O'Neill	

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

The SPEAKER. Members, we are going to stand at ease for the Rules Committee meeting. We will stand at ease for the Rules Committee meeting. Once the Rules Committee has met and has returned to the chamber, we will continue with votes.

LEAVE OF ABSENCE CANCELED

The SPEAKER. Representative Marcy Toepel is on the House floor and should be placed on the master roll.

CALENDAR

RESOLUTION

Mr. PETRI called up **HR 1073, PN 4021**, entitled:

A Resolution directing the Legislative Budget and Finance Committee to conduct a comprehensive review of the scope of records maintained and fees collected by the county recorder of deeds offices in this Commonwealth and to make recommendations.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-184

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

NAYS-1

Gillen

NOT VOTING-0

EXCUSED-18

Acosta	DeLuca	Lawrence	O'Neill
Artis	Emrick	McGinnis	Roebuck
Cohen	Evans	McNeill	Truitt
Cruz	Galloway	Miccarelli	Vereb
Daley, P.	Harper		

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

**BILL ON CONCURRENCE
IN SENATE AMENDMENTS**

The House proceeded to consideration of concurrence in Senate amendments to **HB 263, PN 4122**, entitled:

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, in hunting and furtaking, further providing for unlawful devices and methods; and, in hunting and furtaking licenses, further providing for elk hunting licenses.

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

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

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

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

Before us is HB 263. The underlying bill passed from the House on April 22, 2015, by a unanimous vote. The underlying bill provides for air and gas powered weapons to be used during hunting to be regulated by the Pennsylvania Game Commission. The Senate made two amendments. One, it amended the bill to extend the sunset date of the elk license raffle that is conducted by the Keystone Elk Country Alliance. It also amended Senator Hutchinson's language into the bill, which also would remove the statutory prohibition on semiautomatic rifles for hunting.

I urge an affirmative vote. Thank you very much.

The SPEAKER. Those voting to— Oh, I apologize.

Representative Vitali, you are recognized.

Mr. VITALI. I just wanted to double-check with the maker of the bill. If he could stand for brief interrogation.

So I think you said this, but I just was scanning it quickly and I saw the words "hunting" and "automatic rifle." So it says you cannot, you cannot use automatic rifles in hunting, correct? That is what the bill does now.

Mr. GABLER. No, Mr. Speaker. Current law under Title 34 does not give the Game Commission the ability to decide whether or not to use or whether or not to permit semiautomatic rifles. Currently semiautomatic shotguns are already legal. What this would do is this would give the Game Commission the ability to choose under what seasons, under what types of hunting they may choose to allow semiautomatic rifles to be used. I would expect the Game Commission to be judicious in their decisions in what they would permit.

Mr. VITALI. Right. So right now you can – I am from the suburbs, so you will have to excuse me – so right now you can hunt with a semiautomatic rifle?

Mr. GABLER. Right now you can hunt with a semiautomatic shotgun. Rifles are currently forbidden by statute. This would give the Game Commission the ability to choose in what means they would permit the usage.

Mr. VITALI. So this would allow for the expansion in the use of semiautomatic – would potentially allow for the use of semiautomatic rifles in hunting? I am trying to get at, is this an expansion of the use of semiautomatic weapons in hunting or a contraction of the use of semiautomatic weapons in hunting?

Mr. GABLER. This would give the Game Commission the ability to permit these implements to be used, and this would bring us into line with the majority of other States.

Mr. VITALI. Okay. So then it sounds like an expansion of the permission of the use of semiautomatic weapons in hunting. Is that fair?

Mr. GABLER. This is a bill that is intended to give hunters and sportsmen more options in hunting.

Mr. VITALI. Have any groups whom you would expect to weigh in on this— Do you know if there are any groups opposing this, I will say?

Mr. GABLER. We have no known opposition, but there are a wide variety of sportsmen's and conservation groups who are supportive of the bill.

Mr. VITALI. Right. And just help me out here. Why does one need a semiautomatic weapon when they hunt?

Mr. GABLER. The question is whether or not a given implement would be more suitable and more humane. One of the principles that is important in considering what implements to use in hunting is, the objective is, to make sure that you do not have a wounded animal out there suffering. So the intent is to make sure that you have a successful hunt, minimizing suffering, and in certain applications having the opportunity to have a hunter have this option would result in a more humane hunt, which is what our objective would be.

Mr. VITALI. Okay. Thank you.

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

LEAVE OF ABSENCE CANCELED

The SPEAKER. Now, Representative Emrick is back on the floor and should be placed on the master roll.

LEAVES OF ABSENCE

The SPEAKER. Representative DEAN has requested to be placed on leave. Representative JAMES has requested to be placed on leave.

LEAVE OF ABSENCE CANCELED

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

CONSIDERATION OF HB 263 CONTINUED

On the question recurring,

Will the House concur in Senate amendments?

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

The following roll call was recorded:

YEAS—160

Adolph	Fee	Maher	Readshaw
Baker	Flynn	Mahoney	Reed
Barbin	Gabler	Major	Reese
Barrar	Gainey	Maloney	Regan

Benninghoff	Gergely	Markosek	Roae
Bizzarro	Gibbons	Marshall	Ross
Bloom	Gillen	Marsico	Rothman
Boback	Gillespie	Masser	Rozzi
Boyle	Gingrich	Matzie	Saccone
Brown, R.	Godshall	Mentzer	Sainato
Burns	Goodman	Metcalfe	Sankey
Caltagirone	Greiner	Metzgar	Santora
Carroll	Grove	Millard	Saylor
Causser	Hahn	Miller, B.	Schemel
Christiana	Hanna	Miller, D.	Schlossberg
Conklin	Harhai	Milne	Schreiber
Corbin	Harhart	Moul	Schweyer
Costa, D.	Harkins	Mullery	Simmons
Costa, P.	Harris, A.	Murt	Snyder
Cox	Heffley	Mustio	Sonney
Culver	Helm	Neilson	Staats
Cutler	Hennessey	Nelson	Stephens
Day	Hickernell	Nesbit	Sturla
Deasy	Hill	Neuman	Tallman
DeLissio	Irvin	Oberlander	Taylor
Delozier	Jozwiak	Ortitay	Tobash
Dermody	Kampf	Parker, D.	Toepel
Diamond	Kaufert	Pashinski	Toohil
DiGirolamo	Kauffman	Payne	Topper
Donatucci	Kavulich	Peifer	Ward
Driscoll	Keller, F.	Petrarca	Warner
Dunbar	Keller, M.K.	Petri	Watson
Dush	Keller, W.	Pickett	Wentling
Ellis	Klunk	Pyle	Wheatley
Emrick	Knowles	Quigley	Wheeland
English	Kortz	Quinn, C.	White
Evankovich	Kotik	Quinn, M.	Zimmerman
Everett	Krueger	Rader	
Fabrizio	Lewis	Rapp	Turzai,
Farina	Longietti	Ravenstahl	Speaker
Farry	Mackenzie		

NAYS—25

Bradford	Dawkins	Kinsey	Santarsiero
Briggs	Frankel	Kirkland	Savage
Brown, V.	Freeman	McCarter	Sims
Bullock	Galloway	McClinton	Thomas
Daley, M.	Harris, J.	O'Brien	Vitali
Davidson	Kim	Samuelson	Youngblood
Davis			

NOT VOTING—0

EXCUSED—18

Acosta	Dean	Lawrence	O'Neill
Artis	DeLuca	McGinnis	Roebuck
Cohen	Evans	McNeill	Truitt
Cruz	Harper	Miccarelli	Vereb
Daley, P.	James		

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

Ordered, That the clerk inform the Senate accordingly.

**BILLS ON CONCURRENCE
REPORTED FROM COMMITTEE**

HB 192, PN 4120

By Rep. REED

An Act amending the act of August 5, 1941 (P.L.752, No.286), known as the Civil Service Act, in Civil Service Commission and executive director and their powers, further providing for Civil Service Commission, for powers and duties of director and for service to State

departments, boards and commissions or agencies and political subdivisions and cooperation with other civil service agencies; and, in selection of employees for entrance to or promotion in the classified service, further providing for nature of examinations.

RULES.

HB 869, PN 4144 (Amended)

By Rep. REED

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in riot, disorderly conduct and related offenses, further providing for the offense of cruelty to animals.

RULES.

HB 946, PN 4111

By Rep. REED

An Act providing for pharmacy audit procedures, for registration of pharmacy benefits managers and auditing entities, for maximum allowable cost transparency and for prescription drugs reimbursed under the PACE and PACENET program; and making related repeals.

RULES.

HB 1398, PN 4062

By Rep. REED

An Act amending Titles 15 (Corporations and Unincorporated Associations) and 54 (Names) of the Pennsylvania Consolidated Statutes, modernizing the law on limited liability partnerships, general partnerships, limited partnerships and limited liability companies; and making conforming changes with respect to associations, corporations, unincorporated nonprofit associations and business trusts by doing the following: As to general provisions, making conforming changes by revising provisions on application of title, definitions, defense of usury, tax clearance of certain fundamental transactions and fee schedule. As to entities generally, making conforming changes by revising requirements for foreign association names. As to entity transactions, making conforming changes by revising provisions on regulatory conditions and required notices and approvals, nature of transactions, approval by limited partnership, effect of merger, statement of division and effectiveness, effect of division and effect of domestication. As to foreign associations, making conforming changes by revising provisions on governing law. As to corporations, making conforming changes by revising provisions on distributions by business corporations and by adding provisions on derivative actions and the use of special litigation committees by business corporations and nonprofit corporations. As to partnerships generally: extensively revising provisions on: interchangeability of partnership, limited liability company and corporate forms of organization; and ownership of certain professional partnerships; and adding a provision on failure to observe formalities. As to limited liability partnerships: extensively revising provisions on: scope; definitions; limitation on liability of partners; extraterritorial application of subchapter; foreign registered limited liability partnerships; and annual registration; and adding provisions on: distributions; and dissolution. As to general partnerships, repealing existing Chapter 83 and replacing it with a new Chapter 84 relating to: general provisions; nature of partnership; relations of partners to persons dealing with partnership; relations of partners to each other and to partnership; transferable interests and rights of transferees and creditors; dissociation; dissociation as partner if business not wound up; and dissolution and winding up. As to limited partnerships, repealing existing Chapter 85 and replacing it with a new Chapter 86 relating to: general provisions; formation and filings; limited partners; general partners; contributions and distributions; dissociation; transferable interests and rights of transferees and creditors; dissolution and winding up; and actions by partners. As to limited liability companies: repealing existing Subchapters A, B, C, D, E, F, I and K of Chapter 89 and replacing them with a new Chapter 88 relating to: general provisions; formation and filings; relations of members and managers to persons dealing with limited liability company; relations of members to each other and to limited liability company; transferable interests and rights of transferees and creditors; dissociation; dissolution and winding up; actions by members; and benefit companies; and revising provisions on

restricted professional companies. As to unincorporated nonprofit associations, making conforming amendments by revising provisions on ownership and transfer of property. As to business trusts, making conforming changes by revising provisions on application and effect of chapter and liability of trustees and beneficiaries. As to names, revising provisions on register established.

RULES.

HB 1538, PN 4125

By Rep. REED

An Act amending Title 44 (Law and Justice) of the Pennsylvania Consolidated Statutes, adding provisions for law enforcement activities by providing for release of law enforcement officer information when firearm discharged or use of force.

RULES.

HB 1683, PN 4128

By Rep. REED

An Act amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, providing for incentives for municipal volunteers of fire companies and nonprofit emergency medical services agencies.

RULES.

HB 1885, PN 4112

By Rep. REED

An Act amending Titles 42 (Judiciary and Judicial Procedure) and 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, providing for liability imposed on and eligibility for public benefits of a municipality of refuge.

RULES.

HB 1887, PN 4145 (Amended)

By Rep. REED

An Act amending Title 4 (Amusements) of the Pennsylvania Consolidated Statutes, providing for fantasy contests; in general provisions, further providing for legislative intent and for definitions; in Pennsylvania Gaming Control Board, further providing for general and specific powers, for licensed gaming entity application appeals from board, for board minutes and records, for regulatory authority of board, for slot machine license fee, for reports of board and for diversity goals of board; in licensees, further providing for Category 3 slot machine license, for slot machine license application, for supplier licenses and for manufacturer licenses, providing for nongaming service provider and further providing for slot machine testing and certification standards and for license renewals and providing for slot machine license operation fee; in table games, further providing for other financial transactions, for table game device and associated equipment testing and certification standards and for local share assessment; providing for interactive gaming; in revenues, further providing for establishment of State Gaming Fund and net slot machine revenue distribution; in administration and enforcement, further providing for responsibility and authority of the Department of Revenue and for compulsive and problem gambling program, for financial and employment interests, for political influence, for regulation requiring exclusion or ejection of certain persons, for repeat offenders excludable from licensed gaming facility, for list of persons self excluded from gaming activities, for investigations and enforcement and for prohibited acts and penalties; in miscellaneous provisions, further providing for appropriations; and making a related repeal.

RULES.

LEAVE OF ABSENCE

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

SUPPLEMENTAL CALENDAR B

**BILLS ON CONCURRENCE
IN SENATE AMENDMENTS**

The House proceeded to consideration of concurrence in Senate amendments to **HB 192, PN 4120**, entitled:

An Act amending the act of August 5, 1941 (P.L.752, No.286), known as the Civil Service Act, in Civil Service Commission and executive director and their powers, further providing for Civil Service Commission, for powers and duties of director and for service to State departments, boards and commissions or agencies and political subdivisions and cooperation with other civil service agencies; and, in selection of employees for entrance to or promotion in the classified service, further providing for nature of examinations.

On the question,

Will the House concur in Senate amendments?

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

The Chair recognizes him for a brief description of Senate amendments and any remarks on the underlying bill.

Mr. GILLEN. Thank you, Mr. Speaker.

I want to first thank the majority leader for his passion on veterans issues and his willingness to move this bill along at a late date. I also want to express my gratitude for the majority and minority chairs of the Veterans Affairs Committee.

This particular piece of legislation has the support of the War Veterans Council as well as the Pennsylvania Department of Military and Veterans Affairs. CCAP (County Commissioners Association of Pennsylvania) has also weighed in on it. And this was a collaborative effort between the legislature and the Office of Administration.

Specifically, the Senate changes would allow an appointing authority to select the type of examination that the Civil Service Commission would conduct; also allow for a uniform method of applying for both civil service and non-civil-service positions; and finally, prevent a civil service commissioner from being active in politics.

Thank you, Mr. Speaker.

On the question recurring,

Will the House concur in Senate amendments?

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

The following roll call was recorded:

YEAS—184

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

NAYS—0

NOT VOTING—0

EXCUSED—19

Acosta	Dean	Lawrence	Roebuck
Artis	DeLuca	McGinnis	Santarsiero
Cohen	Evans	McNeill	Truitt
Cruz	Harper	Miccarelli	Vereb
Daley, P.	James	O'Neill	

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

Ordered, That the clerk inform the Senate accordingly.

* * *

The House proceeded to consideration of concurrence in Senate amendments to **HB 946, PN 4111**, entitled:

An Act providing for pharmacy audit procedures, for registration of pharmacy benefits managers and auditing entities, for maximum allowable cost transparency and for prescription drugs reimbursed under the PACE and PACENET program; and making related repeals.

On the question,

Will the House concur in Senate amendments?

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

The Chair recognizes him for a brief description of the Senate amendments and any remarks on the underlying bill.

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

HB 946 was amended in the Senate to add HB 947, my good friend from Erie County and cochairman of the Health Committee, which was the pharmacy benefit manager registration and MAC (maximum allowable cost) list bill, as well as the pieces of HB 2069, the PACE (Pharmaceutical Assistance Contract for the Elderly) and PACENET (Pharmaceutical Assistance Contract for the Elderly Needs Enhancement Tier) program payment recalculation, which was part of my good friend from Bucks County's bill that was also inserted in this bill. The Senate combined these three pieces into one bill. All three bills passed the House unanimously.

I might add this has been a work in progress for about 5 years, and tremendous help by staff, by the Health Committee. We had hearings on this issue. And the Pharmacy Association of Pennsylvania; Retail Pharmacists Association; Pennsylvania Food Merchants; Insurance Federation of Pennsylvania; CVS Caremark; Express Scripts; PBM Coalition, Pharmacy Benefit Manager Coalition; Independence Blue Cross; PA Chamber; Gateway Health with respect to the PBM provisions, tremendous bipartisan support, and I ask the members to please support this legislation after 5 years of work.

Thank you, Mr. Speaker.

The SPEAKER. Representative Samuelson, on the bill, sir.

Mr. SAMUELSON. Thank you, Mr. Speaker.

And I appreciate the gentleman, Mr. Baker's comments that a lot of work has gone into the underlying bills – HB 946 and HB 947 that had gone through the Health Committee.

We also had another part of this bill, HB 2069, and while it is true that a portion of that bill is now incorporated in the Senate's work here, you have to understand what the Senate has left out. HB 2069, which passed this House unanimously on June 6, included a change in the language for pharmacists so that they would get reimbursements under new Federal rules that allow them only to charge actual costs instead of average wholesale price. In return, that bill raised their dispensing fee from \$4 to \$13. So that piece of HB 2069 took care of an issue for pharmacists and made sure that they would be reimbursed properly. This is legislation that Representative Frank Farry and I introduced and we appreciate your unanimous support.

But the other part of that bill, which is important to note for the record, is what the Senate left out today. As you remember, back on June 6 we took the savings from that change – a savings of about \$24 million – and used it to expand the

PACENET program for our senior citizens. The Senate has left out the senior citizens. I have no idea why the Senate is doing that. The \$24 million of savings in the HB 2069 would have paid to allow 32,000 additional senior citizens to qualify for PACENET.

As you remember, we talked about having the first increase in the PACENET income limits in 12 years. Those income limits were last adjusted on January 1, 2004. The bill we had in the House – unanimous – would have raised those limits to \$31,000 for a single person and \$41,000 for a married couple.

So I understand the underlying pieces of this legislation are the result of a lot of work on behalf of the pharmacists, but we have to remember whom the Senate is forgetting about today. They stripped our language that would have benefited 32,000 senior citizens. That is unacceptable. I have no idea who is running things over there in the State Senate that they would leave out our senior citizens.

I know that we can address that next year. We will come back with a bill to expand the PACENET program, but we should have done it today and the Senate's action is unacceptable. On the whole, we have unanimously supported all pieces of this bill, but we should also insist that the Senate not forget about our senior citizens.

Thank you, Mr. Speaker.

LEAVE OF ABSENCE CANCELED

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

CONSIDERATION OF HB 946 CONTINUED

The SPEAKER. Representative Fabrizio is recognized. You are recognized, sir. Sir, it is on.

Mr. FABRIZIO. Thank you, Mr. Speaker.

On behalf of everybody that worked on this bill, as Chairman Baker said, for a number of years, we would appreciate your support. It is a great bill. There are some things that we are going to look forward to, to probably correct in the future. But we want to thank everybody and ask for your support.

On the question recurring,

Will the House concur in Senate amendments?

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

The following roll call was recorded:

YEAS—185

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

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

NAYS—0

NOT VOTING—0

EXCUSED—18

Acosta	DeLuca	McGinnis	Roebuck
Artis	Evans	McNeill	Santarsiero
Cohen	Harper	Miccarelli	Truitt
Cruz	James	O'Neill	Vereb
Daley, P.	Lawrence		

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

Ordered, That the clerk inform the Senate accordingly.

* * *

The House proceeded to consideration of concurrence in Senate amendments to **HB 1398, PN 4062**, entitled:

An Act amending Titles 15 (Corporations and Unincorporated Associations) and 54 (Names) of the Pennsylvania Consolidated Statutes, modernizing the law on limited liability partnerships, general partnerships, limited partnerships and limited liability companies; and making conforming changes with respect to associations, corporations, unincorporated nonprofit associations and business trusts by doing the following: As to general provisions, making conforming changes by revising provisions on application of title, definitions, defense of usury, tax clearance of certain fundamental transactions and fee schedule. As to entities generally, making conforming changes by revising requirements for foreign association names. As to entity transactions, making conforming changes by revising provisions on regulatory conditions and required notices and approvals, nature of transactions, approval by limited partnership, effect of merger, statement of division and effectiveness, effect of division and effect of domestication. As to foreign associations, making conforming changes by revising

provisions on governing law. As to corporations, making conforming changes by revising provisions on distributions by business corporations and by adding provisions on derivative actions and the use of special litigation committees by business corporations and nonprofit corporations. As to partnerships generally: extensively revising provisions on: interchangeability of partnership, limited liability company and corporate forms of organization; and ownership of certain professional partnerships; and adding a provision on failure to observe formalities. As to limited liability partnerships: extensively revising provisions on: scope; definitions; limitation on liability of partners; extraterritorial application of subchapter; foreign registered limited liability partnerships; and annual registration; and adding provisions on: distributions; and dissolution. As to general partnerships, repealing existing Chapter 83 and replacing it with a new Chapter 84 relating to: general provisions; nature of partnership; relations of partners to persons dealing with partnership; relations of partners to each other and to partnership; transferable interests and rights of transferees and creditors; dissociation; dissociation as partner if business not wound up; and dissolution and winding up. As to limited partnerships, repealing existing Chapter 85 and replacing it with a new Chapter 86 relating to: general provisions; formation and filings; limited partners; general partners; contributions and distributions; dissociation; transferable interests and rights of transferees and creditors; dissolution and winding up; and actions by partners. As to limited liability companies: repealing existing Subchapters A, B, C, D, E, F, I and K of Chapter 89 and replacing them with a new Chapter 88 relating to: general provisions; formation and filings; relations of members and managers to persons dealing with limited liability company; relations of members to each other and to limited liability company; transferable interests and rights of transferees and creditors; dissociation; dissolution and winding up; actions by members; and benefit companies; and revising provisions on restricted professional companies. As to unincorporated nonprofit associations, making conforming amendments by revising provisions on ownership and transfer of property. As to business trusts, making conforming changes by revising provisions on application and effect of chapter and liability of trustees and beneficiaries. As to names, revising provisions on register established.

On the question,

Will the House concur in Senate amendments?

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

The Chair recognizes him for a brief description of Senate amendments and any underlying remarks on the bill.

Mr. A. HARRIS. Thank you, Mr. Speaker.

The Senate amended HB 1398 to add a provision requiring benefit corporations to deliver an annual report to each shareholder and a provision relating to the registration of entity names with the Department of State. The Senate also added clarifying language. They clarified existing law in regards to the Tax Reform Code. Changes have been made to the Tax Reform Code over the years which supersede how LLCs (limited liability companies) should be taxed. This bill now conforms with those acts.

I would like to just take a second to thank the Title 15 Committee of the PA Bar Association, as well as the executive director of the Commerce Committee, Jenn Weeter, for all her help.

I would appreciate a positive vote.

On the question recurring,

Will the House concur in Senate amendments?

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

The following roll call was recorded:

YEAS—185

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

NAYS—0

NOT VOTING—0

EXCUSED—18

Acosta	DeLuca	McGinnis	Roebuck
Artis	Evans	McNeill	Santarsiero
Cohen	Harper	Miccarelli	Truitt
Cruz	James	O'Neill	Vereb
Daley, P.	Lawrence		

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

Ordered, That the clerk inform the Senate accordingly.

* * *

The House proceeded to consideration of concurrence in Senate amendments to **HB 1538, PN 4125**, entitled:

An Act amending Title 44 (Law and Justice) of the Pennsylvania Consolidated Statutes, adding provisions for law enforcement activities by providing for release of law enforcement officer information when firearm discharged or use of force.

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

The SPEAKER. Moved by the gentelady, Representative White, that the House concur in the amendments inserted by the Senate.

The Chair recognizes her for a brief description of those amendments and for any comments with respect to the underlying bill.

Ms. WHITE. Thank you, Mr. Speaker.

Just some of the amendments that the Senate had sent over. Basically the bill has been amended to say that the prohibition only applies if the discharge of a firearm or use of force that is being investigated involved death or serious bodily injury to another. Also, unless there is substantial risk of harm to the person or property of an officer or a family member, the identity of the officer may be disclosed if 30 days has passed since the incident or the investigation is complete. Originally the legislation called for until the end of an investigation. This has reduced it to 30 days. Violation of the act will constitute a misdemeanor of the second degree. Thank you.

The SPEAKER. Representative Diamond.

Mr. DIAMOND. Thank you, Mr. Speaker.

Mr. Speaker, when this bill came through the House originally, I stood there and spoke for about 9 minutes on why we should not pass this bill. I do thank the gentelady, my friend, from Philadelphia. I understand that she has good intentions with this bill, and I do believe the Senate made some improvements to it.

However, it does not remove the basic problem with this bill in that it creates a blanket of secrecy in a one-size-fits-all fashion for every police department across the State. I think secrecy breeds contempt, and I believe we always ought to err on the side of transparency. These are public servants charged with carrying out public safety, using public resources paid for by public dollars.

I have faith in the heads of our police departments across the State. They are the heads of those police departments because they are judicious. They know their communities. They know the needs of their communities.

Mr. Speaker, I ask for a "no" vote. I will be voting "no" despite the improvements the Senate made because I believe our default in government always ought to be transparency, and I believe the people deserve to know if the chiefs of police in their best judgment believe the people should know. I urge a "no" vote.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, sir.

Representative Vanessa Brown.

Ms. V. BROWN. Thank you, Mr. Speaker.

Mr. Speaker, while I recognize that HB 1538 in its current version is significantly better than the original version that was passed out of this chamber in November of last year, the fact of the matter still remains that both I and the communities that

I serve have a great deal of concern regarding the scope of this measure.

I actually took time to personally meet with the prime sponsor of the measure in an attempt to get a clearer sense of why she felt this legislation was necessary. In addition, I actually took the time to convene a meeting with the folks that are the driving force behind the legislation, the Philadelphia Fraternal Order of Police, for the purpose of obtaining an answer to this very same question.

Specifically, the answer I received was that the potential exists for law enforcement officers and their families to be subject to threats and danger should their identities be disclosed. To be clear, I did not receive any quantifiable data or even any anecdotal information about the lives of our law enforcement officers actually being threatened or harmed. I was simply told that this was all based off the potential—

The SPEAKER. Representative Brown—

Ms. V. BROWN.—of what could happen.

The SPEAKER. Representative Brown, if you could please suspend.

Please, I understand the importance of placing your perspective into the public domain, but with respect to questioning the motives of another member or why they have introduced a bill or their perspective on that bill, our rules really shy away from that. I understand that you can certainly talk about what you perceive to be the weaknesses of the bill and why you do not think it is worthwhile. We do not really need to cast aspersion on the motives behind another member's support or introduction of a bill. Thank you.

You may proceed.

Ms. V. BROWN. Mr. Speaker, it is not a stretch to say that this very same potential has existed since 1838, which is the same year when America's first police force was established in the city of Boston.

Nevertheless, for all of the supposed merits of the current version of HB 1538, it is important to keep in mind that there is one provision within this bill that completely nullifies the entire scope of the bill. That provision is as follows: The identifying information of a law enforcement officer may be released "EXCEPT DURING ANY PERIOD IN WHICH THE RELEASE OF THE INFORMATION CAN REASONABLY BE EXPECTED TO CREATE A RISK OF HARM TO THE PERSON OR PROPERTY OF THE LAW ENFORCEMENT OFFICER OR AN IMMEDIATE FAMILY MEMBER OF THE LAW ENFORCEMENT OFFICER, A PUBLIC EMPLOYEE OF THE OFFICER'S EMPLOYING AGENCY, THE AGENCY CONDUCTING OR PARTICIPATING IN THE OFFICIAL INVESTIGATION OR A PERSON ACTING ON BEHALF OF THE PUBLIC EMPLOYEE OR AGENCY...."

Mr. Speaker, the provision that I cited sets a very low standard for what constitutes a risk of harm of a law enforcement officer. As such, this can be employed every single time in an effort to maintain a wall of secrecy, a lack of transparency that continues to permeate our Commonwealth's law enforcement agencies. This is the reason that I voice my opposition to the concurrence vote on HB 1538.

Thank you, Mr. Speaker.

The SPEAKER. Representative John Taylor, and then he will be followed by Representative Thomas, Representative Dom Costa, and Representative DeLissio.

Representative John Taylor.

Mr. TAYLOR. Thank you, Mr. Speaker.

One of the prior speakers mentioned that our default action should always be transparency. While I think transparency is very, very important, I think sometimes more importantly our default action should be protecting those who are out there every day risking their lives on behalf of the citizens of Pennsylvania.

This bill merely prevents a knee-jerk reaction to naming officers who are involved in a deadly incident when we really do not know what happened. To release those names as the first action and create a media frenzy in this situation is wrong, and there is going to be as much transparency as possible after an investigation takes place. We are just asking for the time to have the facts set out. If any officers are wrong in their action, it is going to be – that conclusion will be reached, but to subject them to danger in the meantime is wrong. This bill protects them from that, and I would ask for an affirmative vote.

The SPEAKER. Representative Curtis Thomas.

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, let me thank and applaud all of the speakers thus far.

Mr. Speaker, I stand here in support of the hardworking police, not only of my county but counties across the Commonwealth of Pennsylvania. And more importantly, Mr. Speaker, I have the utmost faith, the utmost faith in the police commissioner of Philadelphia County and commissioners across the Commonwealth. Richard Ross is a very prudent visionary, fair police commissioner. He works very well with the Fraternal Order of Police and has come up through the ranks.

So, Mr. Speaker, I think that it is presumptuous for us to sit here and to tell Commissioner Ross and other commissioners how they should protect the integrity of their officers. I think that the police commissioner has a good policy, I think other commissioners have good policies, and I think at the heart of their policies is the integrity, safety, and security of their officers.

So, Mr. Speaker, sometimes good intentions can end up aggravating a very volatile situation, and across this great nation we are faced with challenges that we will only be able to work through communication, cooperation, collaboration, and being able to reach a consensus.

Mr. Speaker, we are not going to legislate, legislate the kind of cooperation and collaboration that needs to take place between our communities and our police departments. And, Mr. Speaker, we cannot in good faith hire police commissioners and then want to legislate how they do their business. And in the absence of error or in the absence of problems, we do not need to legislate the conduct of our police commissioners, nor should we legislate the conduct of our chief executive officers, the mayors of many of our municipalities who hire police commissioners.

Mr. Speaker, so that I can continue my point, I will step back and let all the other people that want to talk to let them talk, and then I will talk, but I am not going to try to compete with everybody else talking. We can sing together, but we all cannot talk together. So would you bring about some order, Mr. Speaker?

The SPEAKER. Representative Thomas, you may proceed.

Mr. THOMAS. Once we get some order.

The SPEAKER. Sir, there is certainly order in the House at this time. You may proceed.

Mr. THOMAS. I know that he is the Speaker, and I will always under circumstances—

The SPEAKER. Sir, you may proceed.

Mr. THOMAS. But I am asking for respect.

The SPEAKER. There is order in the House. You may proceed.

Mr. THOMAS. Thank you, Mr. Speaker.

So, Mr. Speaker, again, I do not think that we should be legislating the conduct of our police commissioners and the chief executive officers of our municipalities, and I think the mayor in my county and municipality and the police commissioner have adopted and are implementing an appropriate policy. I do not think that we can achieve anything through this amendment other than to aggravate, aggravate an already tense situation.

I have run into young people on the street who are asking me about the author of this bill. Mr. Speaker, you would be surprised at the kind of conversation that is going on in communities, and, Mr. Speaker, the conversation unfairly is trying to conclude about the author's motives, and as you have stated, we should not be trying to conclude about a member's motives, but that is the conversation in the broader community.

So, Mr. Speaker, as I stated earlier, sometimes our good intentions will end up aggravating a very tense situation, and so I ask that we – I ask first the maker of the bill if she would table it until such time that she can measure the conversation out on the street, because I am confident that she wants to do what is right. Or in the alternative, if the member is unwilling to do that, then I ask my colleagues on both sides, on both sides, to vote "no" on this bill. Thank you, Mr. Speaker.

The SPEAKER. Representative Dom Costa.

Mr. D. COSTA. Thank you, Mr. Speaker.

I stand in support of this bill, and to my good colleagues from Philadelphia, the good lady from Philadelphia stated that through her investigation and her discussions, she had not heard of one case, documented case, of someone being threatened for doing their job, a police officer and their family. Here I stand. I was threatened; my family was threatened. I had to use lethal force on an occasion. Unfortunately, before I even got out of doing the paperwork, they had to put a police car at my family's home to protect them and we had to have an unmarked car on the street to protect my family and down at my child's school. So it does happen.

And I am going to give it to you on two levels. To my other colleague from Philadelphia, about the police commissioners, chiefs of police, and having their hands tied. I was a chief of police. Your mayor is your boss. I was fortunate. I had an excellent mayor. He let me do what I felt was right. Unfortunately, we do not have a lot of excellent mayors that do what they are supposed to do. They do what they think is right, without knowledge of what our officers go through.

I stand and I ask every one of my colleagues here, our protectors are out there. We are the protectors of our protectors. We have to protect them from things like this. I am asking you for an affirmative vote on this. Thank you, Mr. Speaker.

The SPEAKER. Representative Regan.

Mr. REGAN. Thank you, Mr. Speaker.

I would certainly echo the sentiments of my colleague, Representative Costa, but I would also add that this is just

common sense. I think it is very prudent. You know, in a day and age when we are having a difficult time recruiting qualified police officers because of all the perils of the job and all the things they face, this is just an added level of security.

We have all seen it time and time again where the media will take a situation and create hysteria surrounding it, which really puts not only the officer but his family in grave danger. This is, I think, a great step, a really commonsense step towards officer safety, family safety, and just let the investigators sort it out.

I can tell you from experience that when there is a shooting situation, typically there are so many variables that the media never gets it right, and many times the safety of our officers is being dictated by something that is completely false being perpetrated by the media.

So this is an important bill. This protects our police officers, our brave men in blue, and I would appreciate an affirmative vote. Thank you, Mr. Speaker.

The SPEAKER. Representative DeLissio.

Ms. DeLISSIO. Thank you, Mr. Speaker.

On the bill?

The SPEAKER. Yes; you may proceed.

Ms. DeLISSIO. When this bill came through a few months back, I was indeed a "no" vote, because I was very concerned that the legislature was dictating to every police department across this Commonwealth, and there are hundreds upon hundreds of them, a uniform way of responding to whatever situation happened within that jurisdiction, and that is never a good idea. We need to leave that discretion to local government, to where this happened. And in fact, at the time our colleague, the gentledady from Montgomery County, had offered, unfortunately, a late-filed amendment that would have permitted police chiefs to make that information public after 90 days. So this bill, as amended in the Senate, permits those police chiefs to make that decision after a 30-day period.

There is an organizational structure in any organization. Somebody knows what all of the facts are, and I think we need to have some confidence in that person to make that decision about releasing that. So this does not say they must release it after 30 days, but they can. That, in this circumstance, is satisfactory to me.

I think we can follow this, as time goes by, and if we find out that information is not being disseminated timely, that the needs of our constituents in the communities are not being met, we can revisit this and perhaps adjust the legislation accordingly, because that transparency is very important, and to have good community relations right now, particularly now, is vitally, vitally important.

So I will be a "yes" vote as a result of that amendment but would encourage all of us within our respective districts to find out if that is meeting the needs of our constituents, and if it is not, to take further action. Thank you, Mr. Speaker.

The SPEAKER. Representative Barry Jozwiak.

Mr. JOZWIAK. Thank you, Mr. Speaker.

I also stand with my law enforcement colleagues to vote in favor of this bill. This bill is important to law enforcement. I personally experienced threats in my career as a State trooper. I know exactly what this is about. And listening to Representative Costa, I did not experience what he did, but I know the feeling, and I have seen it with other police officers.

You know, there are times when the use of a firearm is necessary. Police have to make split-second decisions whether or not to use a firearm resulting in death or serious bodily

injury. They do it to protect themselves or protect other people. An officer's identification in this bill is released after 30 days or after the investigation is complete, and a lot of the investigations that I have seen, if there is wrongdoing, the investigations get done pretty quickly. Even most of them 30 days is a long time. I think most of them are done way before that.

You know, the police protect everyone. This is proper to protect them while an investigation is being conducted. As a matter of fact, all investigations, when police are doing investigations, nobody's name is released on any investigation until they are arrested. We need to give the police the same protection that everybody else receives. Release it when the investigation is done. And I commend the lady from Philadelphia, Representative Martina White, for bringing this out. It is a very important bill to law enforcement, and I ask for a positive vote on this. Thank you.

The SPEAKER. Representative Bill Kortz.

Mr. KORTZ. Thank you, Mr. Speaker.

I rise in support of HB 1538, and I want to thank the gentledady from Philadelphia for bringing it to the chamber. The exact scenario that Representative Costa talked about happened in my family, Mr. Speaker. My brother-in-law is a policeman and a number of years ago he was involved in a shooting in the performance of his duties. It was a justifiable shooting. Within a week the perpetrator's brother was caught within a block of my brother-in-law's house by other officers who were keeping an eye on what was going on and he had a gun on him and he was not coming to say hello.

So we definitely need this bill. There has to be some protection for the men and women in blue that protect us every day. I urge a "yes" vote.

Thank you, Mr. Speaker.

The SPEAKER. Representative Sheryl DeLozier.

Ms. DELOZIER. Thank you, Mr. Speaker.

I stand as a member of a police family, married to a police officer, and I rise in support of this bill. Many of those on the outside do not know all the facts when an incident happens. We need time to understand what happened. Our police officers make split-second decisions. They make them to protect us. They do their job. They are tasked with a job, they do their job, and I think it is only fair that we are fair with them. We need to protect both sides of an issue and we also need to defend the families of those that support law enforcement.

I thank the maker of the bill for doing this. I thank her for working to level that playing field and to give time for an adequate investigation and allow both sides to put all the facts on the table, decide what happened, and take the right actions afterwards. Thank you, Mr. Speaker.

The SPEAKER. Representative McClinton.

Ms. McCLINTON. Thank you, Mr. Speaker.

Mr. Speaker, I rise with an opposition to this bill, and I rise with that opposition, notwithstanding the efforts that I make in my community that I serve from Yeadon Borough to Darby Borough to southwest Philadelphia's 12th police district to west Philadelphia's 18th police district to foster good relationships between both my constituents and the police force. We do things like cops with kids; we have movie nights; we have back-to-school programs. We have things on an ongoing relationship so that there is not a barrier between law enforcement and the community.

However, there are occasions when police have to make that very difficult decision to end someone's life. Mr. Speaker, not more than 6 weeks ago there was a very dangerous individual in our community and we were so grateful that the law enforcement that serves our community showed up. However, 109 shots were fired against one person. How is it that 109 shots can be fired against one dangerous individual? There are certain circumstances where the public needs to know and understand where officers are serving and who those individuals are.

Now, if we were in the Commonwealth and there were not already protections for police, from county to county to county, that would be one issue. However, in this Commonwealth from police district to police district, there are already protections in place, both in Philadelphia County and Delaware County. Both the counties that I serve there are protections in place. Why not do what needs to be done in this type of atmosphere that we are currently serving, where some people think their lives do not matter because they do not wear a blue uniform, and other people do not think their lives matter because they have black skin. Why cannot we have a hearing on this bill and determine what is the best course of action? What is the need at this ninth hour on this extra session day to vote on a bill that is causing all sorts of controversy, not just here in this Commonwealth but across the United States of America?

Thank you, Mr. Speaker.

The SPEAKER. Representative Diamond, for the second time.

Mr. DIAMOND. Thank you, Mr. Speaker.

It is with great interest that I note that many of the speakers on this bill are from the city of the first class, Philadelphia, but I believe we also need to think about those law enforcement chiefs, the heads of agencies in our small towns, in Annville, in Cleona, in North Lebanon Township. We are not just making this law, this blanket policy, for the police commissioner of Philadelphia. We are doing this for every law enforcement agency in the State.

I am extremely sympathetic, extremely sympathetic, to those members, former members of law enforcement who are here in this body serving the people, like we all are. I am very sympathetic to their desire for safety, to protect the families of law enforcement. But I cannot see adopting a one-size-fits-all, muzzling every single law enforcement agency chief in the State. By law we muzzle them, when they can muzzle themselves now, as they see fit. Nothing prevents them from keeping this information to themselves right now on a case-by-case basis, based on their knowledge of their community, their knowledge of the situation at hand. Nothing prevents them from keeping this information secret. But this law will.

There may be times where the head of a law enforcement agency, not just in Philadelphia, not just in Pittsburgh, but in Annville or Cleona or North Lebanon Township, sees a need to actually identify who is involved. They do not have to identify the outcome of the investigation. We see that all the time with regular citizens. The investigation may not be over, but we know who the citizens are who are involved in the incident. We do not keep their names secret. We are not making a law about that.

Mr. Speaker, again, I trust our chiefs of law enforcement agencies. They are duly appointed or hired or rise up through the ranks. They are duly appointed by people who are elected by the people. I did hear a previous speaker, Mr. Speaker, refer to a

knee-jerk reaction. I would certainly hope that any head of a law enforcement agency in the Commonwealth of Pennsylvania has enough experience and the trust of the people that they are not going to react in a knee-jerk fashion.

Again, Mr. Speaker, I reiterate, our default policy – and this body has done a lot of work on behalf of transparency over the last few years – our default policy in all areas ought to be transparency, not secrecy. Secrecy breeds contempt. A previous speaker talked about the relationship between the people and law enforcement and building a good relationship, and she gave plenty of examples of how that relationship is being built in her own district. That is what this is about. This is about the relationship between the citizenry of the Commonwealth and the law enforcement agencies of the Commonwealth. Mr. Speaker, secrecy breeds contempt and ruins that relationship. Transparency and the good judgment of our heads of our law enforcement agencies continue along the path of a good relationship. We need to nurture that relationship. In some cases we need to improve that relationship. Transparency will do that.

Mr. Speaker, again, I urge a "no" vote. Secrecy breeds contempt. Thank you, Mr. Speaker.

THE SPEAKER PRO TEMPORE (MATTHEW E. BAKER) PRESIDING

The SPEAKER pro tempore. The Chair thanks the gentleman.

LEAVES OF ABSENCE

The SPEAKER pro tempore. The Chair is in receipt of a request for a leave of absence from the minority whip for the gentleman, Mr. Dan MILLER. Without objection, the leave will be so granted.

The Chair also has a request from the majority whip for a leave of absence for the gentleman, Mr. Duane MILNE. Without objection, the leave of absence will be so granted.

CONSIDERATION OF HB 1538 CONTINUED

The SPEAKER pro tempore. The Speaker recognizes the gentledady, Mrs. Davidson, on HB 1538 on concurrence.

Mrs. DAVIDSON. Thank you, Mr. Speaker.

I rise today from Delaware County, where I represent five municipalities. We have an excellent relationship with our law enforcement community. Four of those five municipalities have an unquestioned great and excellent relationship with law enforcement. Two of those municipalities, Mr. Speaker, are majority-minority municipalities. That means that the majority of the folks in those two municipalities are people of color, African-Americans, Latinos, people from all over the world, Asia and all over the world. When there is an incident, because those law enforcement officers and those police chiefs have an unquestionable relationship with its citizens, they are given the benefit of the doubt and there has never been a protest or a controversy, because there has been a relationship built upon trust.

This legislation would seek to diminish that trust. In one of my municipalities the relationship between the police chief and its citizens is questionable. There was a recent shooting. There

was a death in that shooting. But even in this instance, in this particular case, in the one municipality that has a questionable relationship with its minority community, disclosure was immediate and it was full: what happened in that shooting, who the shooter was, the police officer in that particular instance. And again, Mr. Speaker, there was no protest, there was no outrage, because there was full disclosure and the community understood that that police officer did what was in the best interest of his own life, his family's lives, and the lives of the citizens of our community. That is in the instance of the one municipality that has a questionable relationship with the minority community.

Mr. Speaker, I say to you today that this legislation will only undermine a very tentative relationship that law enforcement now has with particularly communities of color, and I ask you and I ask the members to not undermine the bridges that have been built between law enforcement and communities of color. This legislation, as the previous speaker mentioned, will do nothing but breed suspicion.

Mr. Speaker, when we are under investigation – when I say "we," I mean members of this House – our names are disclosed immediately, and there are a lot of us that have been under investigation. Some, a lot of members, a lot of members of the House, not anybody here today, a lot of members of the House have been under investigation. I mean, I do not know why we seem shocked. We find out almost immediately that someone in this House or a member of the legislature is under investigation. And why is that? Because we are held to a higher standard. Because we are in positions of public trust. We are in positions of public trust, and so are our law enforcement officers. And I do not believe that our law enforcement officers have anything to hide. I trust them, and so I trust that they can make sound decisions without an overreaching piece of legislation perpetrated upon them by this particular bill.

So I ask that we trust our law enforcement officers to make the right decision without impeding their relationship with communities that they serve.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the lady and recognizes the gentleman, Mr. Jordan Harris, on HB 1538 on concurrence in Senate amendments.

Mr. J. HARRIS. Thank you, Mr. Speaker.

Mr. Speaker, growing up in south Philadelphia, I had a lot of men who were part of the village that helped raise me. One in particular was my grandmother's brother. His name is Jack Wallace. I call him Pop-Pop. He is my great uncle, but he is also my godfather, so I call him Pop-Pop Jack.

Pop-Pop Jack was a Philadelphia police officer, and I remember growing up and having the opportunity to hang out with Pop-Pop and some of his buddies that served on the police force, and I always had a great respect for the fact that my great uncle and godfather was an officer who patrolled neighborhoods, but also that he lived in the neighborhoods that he patrolled. And it was from a child that I had a great respect for police officers because of my grandmother's brother. So I am not foreign to the idea of respecting police officers, because they are my family.

Just last week, Mr. Speaker, I had the pleasure of presenting citations to six police officers in one of the police districts in my district that are retiring, one retiring after 31 years of service to the Philadelphia Police Department. Three weeks ago,

Mr. Speaker, I stood with the mayor of my city and my city councilmen at a PAL center, Police Athletic League center, that is open now in my district, and I watched all of the police officers who will be working at that PAL interacting with young people on a day-to-day basis. I understand how valuable that experience is.

So, Mr. Speaker, for me today this is not about a dislike for police officers, but this is about the protection of police. Distrust in communities between police and community, it just does not work. The reason why we can have police officers is because we ask the citizens' consent to them having authority over us. Mr. Speaker, it is my opinion that this bill goes to the heart of an issue that we have in our community. If when an incident of such a magnitude as a person losing their life, if at that moment the community is now kept in the dark about what happened, about who did it, we are asking for communities to begin to distrust the police.

Mr. Speaker, a mother loses her child and we know the circumstances of what happened. We know who did it, and now we are going to bar chiefs of police across this Commonwealth from providing that mother with a name, providing that mother with the thought that the process will not be tainted, that the process will not be rigged against her and her child. We want to keep people in the dark at the time when they will need the most light.

Mr. Speaker, I had the pleasure of attending church and afterwards having brunch with the mother of Dontre Hamilton, a young man who lost his life in Milwaukee, and the mother of Sandra Bland. It changed my life to see the strength of these women who had lost their loved ones while interacting with law enforcement. I know, Mr. Speaker, it may be a foreign concept to many of my colleagues, but for me and my community, many times there is a distrust and this bill does nothing but exacerbates that distrust. Furthermore, Mr. Speaker, this bill does not put a timeframe on the investigation. So this investigation can go on for months and months and months and months, while communities are kept in the dark, in the dark, in the dark.

Mr. Speaker, I do not question the motives of the author or the supporters of this bill. I just ask this simple thing today: Let us step out of our own personal comfort zones and think about others and how this bill will affect them. Think about those communities who have a right to historically distrust law enforcement. They have a historical right to do so because of their past.

So if we want community and police relations to strengthen, we have to vote "no" on this bill, because it will do nothing but the opposite, Mr. Speaker. And here is the thing, here is the thing: you have police chiefs across this Commonwealth who do not want this legislation because they believe that the best disinfectant is sunlight. This closes the window. This pulls down the shade. This does not let the sunlight in. This keeps communities in darkness, and when communities are in darkness, you see unrest. You see unrest because of the unknown.

So if this is to strengthen community relations, we are going the wrong way, and I ask my colleagues to vote "no" on this legislation. And if we want to protect police officers, let us come to the collective table together and take all communities and their concerns at hand.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentelady, Ms. Vanessa Brown, for the second time on concurrence in Senate amendments to HB 1538.

Ms. V. BROWN. Thank you, Mr. Speaker.

Mr. Speaker, I just wanted to give some more information on organizations that are in opposition to HB 1538, and that would be our Philadelphia Police Commissioner Richard Ross, the NAACP (National Association for the Advancement of Colored People), the Guardian Civic League that represents police officers of color in the city of Philadelphia, the Black Clergy of Philadelphia, and many other organizations of color. And I would also like to add that I am a daughter of a Philadelphia police officer and he is also in opposition of this bill, Mr. Speaker.

This bill, if you polled right now, this bill would be polled straight down the color line, and that is not the way we should be legislating in this House. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the lady and recognizes the gentleman, Mr. Curtis Thomas, for the second time. He waives off. Thank you very much, sir.

On the question recurring,

Will the House concur in Senate amendments?

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

The following roll call was recorded:

YEAS—151

Adolph	Farry	Krueger	Rader
Baker	Fee	Lewis	Rapp
Barbin	Flynn	Longietti	Ravenstahl
Barrar	Gabler	Mackenzie	Readshaw
Benninghoff	Galloway	Mahoney	Reed
Bizzarro	Gergely	Major	Reese
Bloom	Gibbons	Maloney	Regan
Boback	Gillen	Markosek	Roae
Boyle	Gillespie	Marshall	Ross
Brown, R.	Gingrich	Marsico	Rothman
Burns	Godshall	Masser	Saccone
Caltagirone	Goodman	Matzie	Sainato
Carroll	Greiner	Mentzer	Sankey
Causer	Grove	Metcalfe	Santora
Christiana	Hahn	Metzgar	Saylor
Conklin	Hanna	Millard	Schemel
Corbin	Harhai	Miller, B.	Schweyer
Costa, D.	Harhart	Moul	Simmons
Costa, P.	Harkins	Mullery	Snyder
Cox	Harris, A.	Murt	Sonney
Culver	Heffley	Mustio	Staats
Cutler	Helm	Neilson	Stephens
Davis	Hennessey	Nelson	Tallman
Day	Hickemell	Nesbit	Taylor
Deasy	Hill	Neuman	Tobash
DeLissio	Irvin	Oberlander	Toepel
Delozier	Jozwiak	Ortitay	Toohil
DiGirolamo	Kampf	Parker, D.	Topper
Donatucci	Kaufer	Pashinski	Ward
Driscoll	Kauffman	Payne	Warner
Dunbar	Kavulich	Peifer	Watson
Dush	Keller, F.	Petrarca	Wentling
Ellis	Keller, M.K.	Petri	Wheeland
Emrick	Keller, W.	Pickett	White
English	Klunk	Pyle	Zimmerman
Evankovich	Knowles	Quigley	
Everett	Kortz	Quinn, C.	Turzai,
Fabrizio	Kotik	Quinn, M.	Speaker
Farina			

NAYS—32

Bradford	Dermody	Kirkland	Schlossberg
Briggs	Diamond	Maher	Schreiber
Brown, V.	Frankel	McCarter	Sims
Bullock	Freeman	McClinton	Sturla
Daley, M.	Gainey	O'Brien	Thomas
Davidson	Harris, J.	Rozzi	Vitali
Dawkins	Kim	Samuelson	Wheatley
Dean	Kinsey	Savage	Youngblood

NOT VOTING—0

EXCUSED—20

Acosta	DeLuca	McGinnis	O'Neill
Artis	Evans	McNeill	Roebuck
Cohen	Harper	Miccarelli	Santarsiero
Cruz	James	Miller, D.	Truitt
Daley, P.	Lawrence	Milne	Vereb

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

Ordered, That the clerk inform the Senate accordingly.

**THE SPEAKER (MIKE TURZAI)
PRESIDING**

* * *

The House proceeded to consideration of concurrence in Senate amendments to **HB 1683, PN 4128**, entitled:

An Act amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, providing for incentives for municipal volunteers of fire companies and nonprofit emergency medical services agencies.

On the question,

Will the House concur in Senate amendments?

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

The Chair recognizes him for a brief description of those amendments and any remarks on the underlying bill. Representative Warner, you may proceed.

Mr. WARNER. Thank you, Mr. Speaker.

Mr. Speaker, HB 1683 amends Title 35, authorizing local governing bodies to offer income and/or property tax credits for volunteer first responders. On concurrence, the Senate amended the bill by inserting provisions authorizing municipalities to enact a real property tax credit equaling not more than 20 percent of the taxpayer's property tax liability.

I ask the members to concur in the Senate changes. Thank you, Mr. Speaker.

On the question recurring,

Will the House concur in Senate amendments?

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

(Members proceeded to vote.)

LEAVE OF ABSENCE

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

CONSIDERATION OF HB 1683 CONTINUED

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

YEAS—182

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

NAYS—0**NOT VOTING—0****EXCUSED—21**

Acosta	Evans	McNeill	Readshaw
Artis	Harper	Miccarelli	Roebuck
Cohen	James	Miller, D.	Santarsiero
Cruz	Lawrence	Milne	Truitt
Daley, P.	McGinnis	O'Neill	Vereb
DeLuca			

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

Ordered, That the clerk inform the Senate accordingly.

BILLS SIGNED BY SPEAKER

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

HB 192, PN 4120

An Act amending the act of August 5, 1941 (P.L.752, No.286), known as the Civil Service Act, in Civil Service Commission and executive director and their powers, further providing for Civil Service Commission, for powers and duties of director and for service to State departments, boards and commissions or agencies and political subdivisions and cooperation with other civil service agencies; and, in selection of employees for entrance to or promotion in the classified service, further providing for nature of examinations.

HB 263, PN 4122

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, in hunting and furtaking, further providing for unlawful devices and methods; and, in hunting and furtaking licenses, further providing for elk hunting licenses.

HB 946, PN 4111

An Act providing for pharmacy audit procedures, for registration of pharmacy benefits managers and auditing entities, for maximum allowable cost transparency and for prescription drugs reimbursed under the PACE and PACENET program; and making related repeals.

HB 1398, PN 4062

An Act amending Titles 15 (Corporations and Unincorporated Associations) and 54 (Names) of the Pennsylvania Consolidated Statutes, modernizing the law on limited liability partnerships, general partnerships, limited partnerships and limited liability companies; and making conforming changes with respect to associations, corporations, unincorporated nonprofit associations and business trusts by doing the following: As to general provisions, making conforming changes by revising provisions on application of title, definitions, defense of usury, tax clearance of certain fundamental transactions and fee schedule. As to entities generally, making conforming changes by revising requirements for foreign association names. As to entity transactions, making conforming changes by revising provisions on regulatory conditions and required notices and approvals, nature of transactions, approval by limited partnership, effect of merger, statement of division and effectiveness, effect of division and effect of domestication. As to foreign associations, making conforming changes by revising provisions on governing law. As to corporations, making conforming changes by revising provisions on distributions by business corporations and by adding provisions on derivative actions and the use of special litigation committees by business corporations and nonprofit corporations. As to partnerships generally: extensively revising provisions on: interchangeability of partnership, limited liability company and corporate forms of organization; and ownership of certain professional partnerships; and adding a provision on failure to observe formalities. As to limited liability partnerships: extensively revising provisions on: scope; definitions; limitation on liability of partners; extraterritorial application of subchapter; foreign registered limited liability partnerships; and annual registration; and adding provisions on: distributions; and dissolution. As to general partnerships, repealing existing Chapter 83 and replacing it with a new Chapter 84 relating to: general provisions; nature of partnership; relations of partners to persons dealing with partnership; relations of partners to each other and to partnership; transferable interests and rights of transferees and creditors; dissociation; dissociation as partner

if business not wound up; and dissolution and winding up. As to limited partnerships, repealing existing Chapter 85 and replacing it with a new Chapter 86 relating to: general provisions; formation and filings; limited partners; general partners; contributions and distributions; dissociation; transferable interests and rights of transferees and creditors; dissolution and winding up; and actions by partners. As to limited liability companies: repealing existing Subchapters A, B, C, D, E, F, I and K of Chapter 89 and replacing them with a new Chapter 88 relating to: general provisions; formation and filings; relations of members and managers to persons dealing with limited liability company; relations of members to each other and to limited liability company; transferable interests and rights of transferees and creditors; dissociation; dissolution and winding up; actions by members; and benefit companies; and revising provisions on restricted professional companies. As to unincorporated nonprofit associations, making conforming amendments by revising provisions on ownership and transfer of property. As to business trusts, making conforming changes by revising provisions on application and effect of chapter and liability of trustees and beneficiaries. As to names, revising provisions on register established.

HB 1538, PN 4125

An Act amending Title 44 (Law and Justice) of the Pennsylvania Consolidated Statutes, adding provisions for law enforcement activities by providing for release of law enforcement officer information when firearm discharged or use of force.

HB 1683, PN 4128

An Act amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, providing for incentives for municipal volunteers of fire companies and nonprofit emergency medical services agencies.

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

REPUBLICAN CAUCUS

The SPEAKER. At this time the majority caucus chair is recognized for an announcement.

Ms. MAJOR. Thank you, Mr. Speaker.

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

DEMOCRATIC CAUCUS

The SPEAKER. The minority caucus chair is recognized for a caucus announcement.

Mr. FRANKEL. Thank you, Mr. Speaker.

There is no need for a Democratic caucus, but we will return to the floor at 12:30. Thank you.

The SPEAKER. Thank you, sir.

VOTE CORRECTION

The SPEAKER. Representative Freeman, for which purpose do you rise, sir?

Mr. FREEMAN. Thank you, Mr. Speaker.

To correct the record.

The SPEAKER. You may proceed, sir.

Mr. FREEMAN. Thank you.

Yesterday, Mr. Speaker, on HB 2107, I was recorded as voting "no" on concurrence in Senate amendments. I would like to be recorded as voting in favor of concurrence in Senate amendments, and to note for the record that, in fact, I did vote for HB 2107 on third consideration when it left the House on July 10, 2016.

The SPEAKER. Thank you, sir.

RECESS

The SPEAKER. Members, at this time the House will stand in recess until 12:30 p.m.

AFTER RECESS

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

VOTE CORRECTION

The SPEAKER. Representative Boyle is recognized on unanimous consent.

Mr. BOYLE. Mr. Speaker, yesterday on HB 2107, I was recorded in the negative. I would like to be recorded in the affirmative. Thank you.

The SPEAKER. Thank you, sir.

SUPPLEMENTAL CALENDAR C

BILL ON CONCURRENCE IN SENATE AMENDMENTS AS AMENDED

The House proceeded to consideration of concurrence in Senate amendments to the following **HB 1887, PN 4145**, as further amended by the House Rules Committee:

An Act amending Title 4 (Amusements) of the Pennsylvania Consolidated Statutes, providing for fantasy contests; in general provisions, further providing for legislative intent and for definitions; in Pennsylvania Gaming Control Board, further providing for general and specific powers, for licensed gaming entity application appeals from board, for board minutes and records, for regulatory authority of board, for slot machine license fee, for reports of board and for diversity goals of board; in licensees, further providing for Category 3 slot machine license, for slot machine license application, for supplier licenses and for manufacturer licenses, providing for nongaming service provider and further providing for slot machine testing and certification standards and for license renewals and providing for slot machine license operation fee; in table games, further providing for other financial transactions, for table game device and associated equipment testing and certification standards and for local share assessment; providing for interactive gaming; in revenues, further providing for establishment of State Gaming Fund and net slot machine revenue distribution; in administration and enforcement, further providing for responsibility and authority of the Department of Revenue and for compulsive and problem gambling program, for financial and employment interests, for political influence, for regulation requiring exclusion or ejection of certain persons, for repeat offenders excludable from licensed gaming facility, for list of persons self excluded from gaming activities, for investigations and enforcement and for prohibited acts and penalties; in miscellaneous provisions, further providing for appropriations; and making a related repeal.

On the question,

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

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

The Chair recognizes Representative Ortitay for a brief description of the Senate amendments as amended by the House and any remarks on the underlying legislation.

Mr. ORTITAY. Thank you, Mr. Speaker.

HB 1887 was amended in the Senate to add language to address the PA Supreme Court ruling regarding local share. The bill requires Category 1 in two casinos outside of Philadelphia to pay a fee of \$10 million instead of 2 percent or \$10 million to host municipalities. The bill also makes a few changes regarding the distribution of local share to counties. This fix is temporary and expires May 1, 2017.

Sorry; my apologies. The bill was amended in Rules to add the following: iGaming legislation including iGaming tablets in airports, fantasy sports regulation, removal of the entry fee for Category 3 casinos, some changes in Title 4 requested by the board, and some local share changes in Philadelphia and Montgomery Counties, and eliminates the May 1 expiration date for local share. All of the language added to the bill in Rules was contained in the House gaming expansion bill, HB 2150.

I would also like to take this opportunity to thank Chairman Payne for his extensive work on this bill.

Thank you, Mr. Speaker.

The SPEAKER. On the bill, Representative Bill Adolph.

Mr. ADOLPH. Thank you, Mr. Speaker.

Mr. Speaker, I ask my colleagues for an affirmative vote on this piece of legislation, as we all are aware of what our State Supreme Court ruled and gave us about 120 days to fix a uniformity clause regarding the casino tax for local communities.

Mr. Speaker, some of these municipalities where these casinos are located, a good portion of their city budgets are based upon this \$10 million income that they receive from the local casinos. These local councilmen, commissioners, supervisors, wherever it may be, have based their township and city budgets based upon the revenue that they receive from the casinos. The policemen, the firemen, public works, all these budgets, if we do not pass a local fix, will be in deep trouble.

I certainly appreciate what our colleagues in the Senate have done regarding this. I believe the changes will pass constitutionality, and these municipalities will be receiving no more or no less than what they have been receiving since the original casino bill was passed.

Also, I would like to remind the members of this House that when we passed the budget, part of the budget balancing was \$100 million proposed revenue from iGaming. That is also in this piece of legislation.

I think it is the right thing to do. It is something that, Mr. Speaker, you will not have to worry about starting in 2017, for the next fiscal year. It is part of this '16-'17 budget. Think of those communities that depend on this revenue from the casinos, a booming industry in the Commonwealth that employs thousands of Pennsylvania residents. I ask for an affirmative vote. Thank you.

The SPEAKER. Representative Vitali, do you waive off? Representative Vitali.

Mr. VITALI. Just a real quick question for the maker.

The SPEAKER. Representative Ortitay, will you stand for a brief question?

Mr. VITALI. I just want to confirm, this has the Internet gambling provisions in it, so if this goes into law, this will legalize – just explain to me how this affects the expansion of gambling. What things will be able to be done now with this bill that could not be done beforehand?

The SPEAKER. Representative, the good gentleman yields to Representative Dunbar. Representative Dunbar has indicated he will be glad to answer your question.

Mr. DUNBAR. For the members' edification, the reason I am taking the question, the language that we put in is HB 2150, which was my bill originally.

This is not – we do not view – I do not view HB 2150 as an expansion of gaming. This is essentially going on right now. Internet gaming is going on in this Commonwealth right now every day. This is a consumer protection bill, not an expansion of gaming.

Mr. VITALI. Okay. So from a legal perspective, right now you cannot legally gamble via the Internet in Pennsylvania, but if this bill passes, you can legally gamble?

Mr. DUNBAR. That is correct.

Mr. VITALI. Okay. And what about gambling in airports? How will this bill affect that?

Mr. DUNBAR. The same language that was in HB 2150 for tablets to be issued at airports – is that just Philadelphia's airport, I believe? – is in there. So all international airports in Pennsylvania.

Mr. VITALI. So right now you cannot legally gamble in the Philadelphia airport, but with this bill, you will be able to gamble in the Philadelphia airport?

Mr. DUNBAR. That is correct.

Mr. VITALI. Okay. In addition to those two things, are there any other ways someone can gamble in Pennsylvania with this bill that they cannot do right now?

Mr. DUNBAR. The daily fantasy sports legislation that we put in HB 2150 is also in. Although right now you can legally participate in daily fantasy sports in Pennsylvania, this will give it legal standing. There is some question as to the legality of DFS. Some States have challenged that. This will give it legal standing.

Mr. VITALI. Okay. In addition to those three, anything else besides airports, Internet, and fantasy sports?

Mr. DUNBAR. Mr. Speaker, not to my knowledge, no.

Mr. VITALI. Okay. Thank you.

The SPEAKER. Representative Russ Diamond.

Mr. DIAMOND. Thank you, Mr. Speaker.

I am very sympathetic to the needs of these communities who are getting the LSA, the local share. I am very sympathetic to the need to – and I favor the regulation of online gaming and bringing on board the fantasy sports. However, I am not in favor of retaining the local share distribution formula the way it was put into place when we first brought slots to Pennsylvania. I think it is unfair to Lebanon County and all those other counties in the State who are in the vicinity of a casino but on the other side of an imaginary line.

For that reason, Mr. Speaker, I will be voting "no." Thank you.

The SPEAKER. Representative Barbin, go ahead.

Representative Barbin.

Mr. BARBIN. I will be voting "no" on this bill as well. One item that was put in this bill that was not in before was the fact that the local share was only good through May of 2017. We have now made that permanent at a time where we cannot pay for our pensions and we cannot pay for property tax reform. We have just given up \$140 million.

LEAVE OF ABSENCE

The SPEAKER. Members, Representative Marguerite QUINN has requested to be placed on leave. Without objection, that will be granted.

LEAVE OF ABSENCE CANCELED

The SPEAKER. Representative Pete Daley is on the floor and should be marked on the master roll.

MOTION TO PROCEED TO CONSIDERATION UNDER RULE 21

The SPEAKER. I am going to need a motion to proceed, and at this time I call on the majority leader for a motion.

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

I would make a motion to proceed to the immediate consideration of HB 1887. Thank you.

On the question,

Will the House agree to the motion?

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

Mr. DERMODY. Thank you, Mr. Speaker.

I would urge all the members to support the motion to proceed.

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—133

Adolph	Fabrizio	Lewis	Rothman
Barbin	Farina	Longiotti	Rozzi
Barrar	Farry	Maher	Saccone
Benninghoff	Flynn	Mahoney	Sankey
Bizzarro	Frankel	Major	Santora
Bloom	Gabler	Markosek	Saylor
Boback	Gainey	Marshall	Schemel
Bradford	Gergely	Marsico	Schlossberg
Briggs	Gillespie	McCarter	Schreiber
Brown, R.	Gingrich	McClinton	Schweyer
Brown, V.	Godshall	Metcalfe	Sims
Caltagirone	Goodman	Millard	Snyder
Carroll	Grove	Moul	Sonney
Causar	Hanna	Murt	Stephens
Christiana	Harhai	Mustio	Sturla
Conklin	Harhart	Nelson	Tallman
Corbin	Harkins	Nesbit	Taylor
Costa, D.	Harris, A.	Neuman	Thomas
Costa, P.	Heffley	Oberlander	Tobash
Cox	Helm	Ortitay	Toepel
Culver	Hennessey	Parker, D.	Toohil
Cutler	Hill	Pashinski	Topper

Daley, M.	Irvin	Payne	Vitali
Daley, P.	Jozwiak	Peifer	Ward
Dawkins	Kampf	Petri	Warner
Deasy	Kaufner	Pyle	Watson
DeLissio	Kavulich	Quigley	Wentling
Delozier	Keller, F.	Quinn, C.	Wheeland
Dermody	Keller, M.K.	Rader	White
DiGirolamo	Kim	Rapp	Youngblood
Dunbar	Kirkland	Reed	
Ellis	Klunk	Reese	Turzai,
Emrick	Knowles	Regan	Speaker
Evankovich	Krueger	Ross	

NAYS—49

Baker	Everett	Kinsey	O'Brien
Boyle	Fee	Kortz	Petrarca
Bullock	Freeman	Kotik	Pickett
Burns	Galloway	Mackenzie	Ravenstahl
Davidson	Gibbons	Maloney	Roae
Davis	Gillen	Masser	Sainato
Day	Greiner	Matzie	Samuelson
Dean	Hahn	Mentzer	Savage
Diamond	Harris, J.	Metzgar	Simmons
Donatucci	Hickernell	Miller, B.	Staats
Driscoll	Kauffman	Mullery	Wheatley
Dush	Keller, W.	Neilson	Zimmerman
English			

NOT VOTING—0

EXCUSED—21

Acosta	Harper	Miccarelli	Readshaw
Artis	James	Miller, D.	Roebuck
Cohen	Lawrence	Milne	Santarsiero
Cruz	McGinnis	O'Neill	Truitt
DeLuca	McNeill	Quinn, M.	Vereb
Evans			

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

The SPEAKER. At this time the motion to proceed has failed. You need a two-thirds of all the members in the chamber, which is two-thirds of 203. One hundred and thirty-six has to be our number to proceed.

We will not be able to vote this bill until what time? Tomorrow? At what time? We will not be able to vote this bill until 10:40 tomorrow morning.

MOTION TO PROCEED TO CONSIDERATION UNDER RULE 21

The SPEAKER. Representative Reed.

Mr. REED. Thank you, Mr. Speaker.

I would once again make a motion to proceed to the immediate consideration of HB 1887. Thank you.

On the question,

Will the House agree to the motion?

The SPEAKER. Representative Dermody, on that motion.

Mr. DERMODY. Thank you, Mr. Speaker.

I would also urge the members to support the motion to proceed.

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

The following roll call was recorded:

YEAS—144

Adolph	Farina	Longiotti	Rothman
Baker	Farry	Mackenzie	Rozzi
Barbin	Flynn	Maher	Saccone
Barrar	Frankel	Mahoney	Sankey
Benninghoff	Freeman	Major	Santora
Bizzarro	Gabler	Maloney	Saylor
Bloom	Gainey	Markosek	Schemel
Boback	Galloway	Marshall	Schlossberg
Bradford	Gillespie	Marsico	Schreiber
Briggs	Gingrich	McCarter	Schweyer
Brown, R.	Godshall	Metcalfe	Simmons
Brown, V.	Goodman	Millard	Sims
Caltagirone	Grove	Moul	Snyder
Carroll	Hanna	Murt	Sonney
Causar	Harhai	Mustio	Staats
Christiana	Harhart	Nelson	Stephens
Conklin	Harkins	Nesbit	Sturla
Corbin	Harris, A.	Neuman	Tallman
Costa, D.	Harris, J.	Oberlander	Taylor
Costa, P.	Heffley	Ortitay	Thomas
Cox	Helm	Parker, D.	Tobash
Culver	Hennessey	Pashinski	Toepel
Cutler	Hill	Payne	Toohil
Daley, M.	Irvin	Peifer	Topper
Daley, P.	Jozwiak	Petri	Vitali
Deasy	Kampf	Pickett	Ward
DeLissio	Kaufman	Pyle	Warner
Delozier	Kauffman	Quigley	Watson
Dermody	Kavulich	Quinn, C.	Wentling
DiGirolamo	Keller, F.	Rader	Wheatley
Dunbar	Keller, M.K.	Rapp	Wheeland
Ellis	Kim	Reed	White
Emrick	Kirkland	Reese	Youngblood
English	Klunk	Regan	
Evankovich	Knowles	Roae	Turzai,
Everett	Krueger	Ross	Speaker
Fabrizio	Lewis		

NAYS—38

Boyle	Driscoll	Kinsey	Mullery
Bullock	Dush	Kortz	Neilson
Burns	Fee	Kotik	O'Brien
Davidson	Gergely	Masser	Petrarca
Davis	Gibbons	Matzie	Ravenstahl
Dawkins	Gillen	McClinton	Sainato
Day	Greiner	Mentzer	Samuelson
Dean	Hahn	Metzgar	Savage
Diamond	Hickernell	Miller, B.	Zimmerman
Donatucci	Keller, W.		

NOT VOTING—0

EXCUSED—21

Acosta	Harper	Miccarelli	Readshaw
Artis	James	Miller, D.	Roebuck
Cohen	Lawrence	Milne	Santarsiero
Cruz	McGinnis	O'Neill	Truitt
DeLuca	McNeill	Quinn, M.	Vereb
Evans			

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

The SPEAKER. We can proceed to the immediate vote on HB 1887, PN 4145, on concurrence in Senate amendments as amended.

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

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

The following roll call was recorded:

YEAS—108

Adolph	Gabler	Markosek	Rozzi
Barrar	Gainey	Marsico	Saccone
Benninghoff	Gergely	Matzie	Samuelson
Bizzarro	Gillespie	McClinton	Sankey
Briggs	Gingrich	Metzgar	Santora
Brown, R.	Goodman	Millard	Savage
Caltagirone	Hanna	Moul	Saylor
Carroll	Harkins	Mullery	Schlossberg
Causar	Harris, A.	Murt	Schreiber
Christiana	Harris, J.	Mustio	Schweyer
Corbin	Heffley	Nelson	Snyder
Costa, D.	Helm	Neuman	Sonney
Costa, P.	Hennessey	Oberlander	Stephens
Daley, M.	Hill	Ortitay	Taylor
Daley, P.	Irvin	Pashinski	Thomas
Davidson	Jozwiak	Payne	Tobash
Dawkins	Kampf	Peifer	Toepel
DeLissio	Kavulich	Pyle	Toohil
Dermody	Keller, M.K.	Quigley	Topper
Dunbar	Kim	Quinn, C.	Ward
Ellis	Kinsey	Rader	Warner
English	Kirkland	Reed	Watson
Fabrizio	Klunk	Reese	White
Farina	Krueger	Regan	Youngblood
Farry	Lewis	Roae	
Flynn	Maher	Ross	Turzai,
Frankel	Mahoney	Rothman	Speaker
Freeman	Major		

NAYS—71

Baker	Donatucci	Kauffman	Petrarca
Barbin	Driscoll	Keller, F.	Petri
Bloom	Dush	Keller, W.	Pickett
Boback	Emrick	Knowles	Rapp
Boyle	Evankovich	Kortz	Ravenstahl
Bradford	Everett	Kotik	Sainato
Bullock	Fee	Longiotti	Schemel
Burns	Galloway	Mackenzie	Simmons
Conklin	Gibbons	Maloney	Sims
Cox	Gillen	Marshall	Staats
Culver	Godshall	Masser	Sturla
Cutler	Greiner	Mentzer	Tallman
Davis	Grove	Metcalfe	Vitali
Day	Hahn	Miller, B.	Wentling
Dean	Harhai	Neilson	Wheatley
Delozier	Harhart	Nesbit	Wheeland
Diamond	Hickernell	O'Brien	Zimmerman
DiGirolamo	Kaufman	Parker, D.	

NOT VOTING—3

Brown, V.	Deasy	McCarter
-----------	-------	----------

EXCUSED—21

Acosta	Harper	Miccarelli	Readshaw
Artis	James	Miller, D.	Roebuck
Cohen	Lawrence	Milne	Santarsiero

Cruz	McGinnis	O'Neill	Truitt
DeLuca	McNeill	Quinn, M.	Vereb
Evans			

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

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

PARLIAMENTARY INQUIRY

The SPEAKER. Representative McCarter.
Mr. McCARTER. Thank you, Mr. Speaker.

A parliamentary inquiry?

The SPEAKER. Yes, sir, you may.

Mr. McCARTER. On the previous motion, was that a motion to reconsider on the vote that was to proceed?

The SPEAKER. No, it was not.

VOTE CORRECTIONS

Mr. McCARTER. All right. I was trying to wave to get your attention. I was not at my desk to be able to vote on that at the time. So I would ask that my vote be recorded in the positive, affirmative.

The SPEAKER. Yes, sir; it will be.

Representative Vanessa Brown is recognized.

Ms. V. BROWN. Thank you, Mr. Speaker.

My vote did not register. I would like to be recorded in the affirmative, please.

The SPEAKER. Yes.

Ms. V. BROWN. Thank you.

The SPEAKER. On the concurrence vote itself?

Ms. V. BROWN. Yes.

The SPEAKER. Yes.

CALENDAR CONTINUED

REPORT OF COMMITTEE OF CONFERENCE

Mr. REED called up for consideration the following report of the committee of conference on **SB 1071, PN 2202**, entitled:

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

On the question,
Will the House adopt the report of the committee of conference?

LEAVE OF ABSENCE

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

CONSIDERATION OF SB 1071 CONTINUED

REPORT OF COMMITTEE OF CONFERENCE RECOMMITTED

The SPEAKER. Representative Reed, you are so recognized.
Mr. REED. Thank you very much, Mr. Speaker.

I move that we recommit the Committee of Conference Report on SB 1071 back to the conference committee previously established on this bill. Thank you.

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

The SPEAKER. The minority leader, on that motion.

Mr. DERMODY. Yes, Mr. Speaker, I support the motion to rerefer.

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

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1906, PN 3198**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in school directors, providing for school director training programs.

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

BILL TABLED

The SPEAKER. The Chair recognizes the majority leader, who moves that HB 1906 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 1906 be removed from the tabled calendar and placed on the active calendar.

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

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 2128, PN 3479**, entitled:

An Act amending the act of April 14, 1972 (P.L.233, No.64), known as The Controlled Substance, Drug, Device and Cosmetic Act, further providing for drug overdose medication and providing for requirements.

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 2128 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 2128 be removed from the tabled calendar and placed on the active calendar.

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

* * *

The House proceeded to second consideration of **SB 874, PN 1334**, entitled:

An Act amending the act of August 14, 1963 (P.L.1059, No.459), referred to as the Cemetery and Funeral Merchandise Trust Fund Law, further providing for deposits into merchandise trust funds; providing for price and description reports; and further providing for funds held in trust, for payments from merchandise trust funds, for filing of financial reports and for penalty.

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

BILL TABLED

The SPEAKER. The Chair recognizes the majority leader, who moves that SB 874 be removed from the active calendar and placed on the tabled calendar.

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

BILL REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader, who moves that SB 874 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 Katharine Watson moves that the House be adjourned until Monday, November 14, 2016, at 1 p.m., e.s.t., unless sooner recalled by the Speaker.

On the question,
Will the House agree to the motion?
Motion was agreed to, and at 1:03 p.m., e.d.t., the House adjourned.