

# COMMONWEALTH OF PENNSYLVANIA

## LEGISLATIVE JOURNAL

WEDNESDAY, OCTOBER 25, 2017

SESSION OF 2017

201ST OF THE GENERAL ASSEMBLY

No. 65

### HOUSE OF REPRESENTATIVES

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

**THE SPEAKER (MIKE TURZAI)  
PRESIDING**

#### PRAYER

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

Thank you, Mr. Speaker.

Would you bow your heads in prayer.

Lord, as we celebrate Your light brought to this continent 316 years ago by Your servant and our founder, William Penn, help us to follow his light of truth.

Bless all the assembled as they steward Your freedom for the benefit of others. For it is written, I John 2:28-29, "And now, little children, abide in Him, that when he appears, we may have confidence and not be ashamed before Him at His coming. If you know that He is righteous, you know that everyone who practices righteousness is born of Him."

Lord, help us abide in Your truth, that liberty is not license or vengeance. Bless all who serve this nation to preserve Your freedom, the choice to live in the light of righteousness. And all of God's children say, 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 Tuesday, October 24, 2017, will be postponed until printed.

#### HOUSE RESOLUTION INTRODUCED AND REFERRED

**No. 578** By Representatives ROEBUCK, THOMAS, RABB, MILLARD, DEAN, O'NEILL, GAINEY, LONGIETTI, SCHLOSSBERG, D. COSTA, V. BROWN, D. MILLER, PASHINSKI, DONATUCCI, MURT, NEILSON and ROZZI

A Resolution urging the State Board of Education to conduct a study and issue a report outlining the best academic and financial practices of high-performing charter schools and the unsuccessful academic and financial practices of low-performing charter schools.

Referred to Committee on EDUCATION, October 25, 2017.

#### HOUSE BILLS INTRODUCED AND REFERRED

**No. 98** By Representatives NEILSON, D. COSTA, HELM, DAVIS, BARRAR, DRISCOLL, PASHINSKI, MURT, McNEILL, KINSEY, DONATUCCI, WARREN, O'NEILL and D. MILLER

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in preliminary provisions, further providing for definitions; in certification of teachers, further providing for continuing professional development and for program of continuing professional education; and, in Dyslexia and Early Literacy Intervention Pilot Program, further providing for definitions.

Referred to Committee on EDUCATION, October 25, 2017.

**No. 198** By Representatives NEILSON, HAHN, O'NEILL, YOUNGBLOOD, PASHINSKI, HILL-EVANS, O'BRIEN, ROZZI, CALTAGIRONE, SCHLOSSBERG, W. KELLER, KINSEY, DRISCOLL, MURT, DiGIROLAMO, STURLA, BOYLE, V. BROWN, McNEILL, DONATUCCI, WARREN, D. COSTA and D. MILLER

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in preliminary provisions, further providing for definitions; and, in Dyslexia and Early Literacy Intervention Pilot Program, further providing for definitions and for establishment of program.

Referred to Committee on EDUCATION, October 25, 2017.

**No. 1883** By Representatives GABLER, COOK, HANNA, MILLARD, MOUL, O'NEILL, RADER, READSHAW, WARD, WATSON and WHEELAND

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in snowmobiles and all-terrain vehicles, further providing for short title of chapter, for definitions, for restricted accounts, for registration of dealers, for registration of snowmobile or ATV, for limited registration of snowmobile or ATV, for certificate of title for snowmobile or ATV, for transfer to or from dealer, for transfer of snowmobile or ATV by operation of law, for issuance of new certificate following transfer, for suspension and cancellation of certificate of title, for application for certificate of title by agent, for perfection of security interest in a snowmobile or ATV, for satisfaction of security interest, for release of security interest, for assignment by secured party of security interest, for exemptions, for snowmobile or

ATV purchased from dealer, for fees, for records, for Snowmobile and ATV Advisory Committee, for operation on streets and highways, for designation of snowmobile and ATV roads, for special snowmobile and ATV events, for operation on private or State property, for operation by persons under age sixteen, for operation in safe manner, for additional limitations on operation, for accidents and accident reports, for liability of owner for negligence, for liability insurance, for head lamps and tail lamps, for brakes, for mufflers and sound control, for enforcement personnel and procedures and for penalties for violation of chapter; and making editorial changes.

Referred to Committee on TOURISM AND RECREATIONAL DEVELOPMENT, October 25, 2017.

**No. 1884** By Representatives M. QUINN, TOEPEL, HICKERNELL, WATSON, MILLARD, PICKETT, PHILLIPS-HILL, GILLEN, SCHWEYER, DeLUCA, BAKER, BOBACK, EVERETT, O'NEILL, KAUFER, GROVE, KORTZ, ENGLISH, HARPER and TALLMAN

An Act providing for summaries or copies of patient test results to be sent directly to a patient or the patient's designee when there is a finding of a significant abnormality; and providing for duties of the Department of Health.

Referred to Committee on HEALTH, October 25, 2017.

**No. 1885** By Representatives RYAN, D. COSTA, DIAMOND, MEHAFFIE, MILLARD, STAATS and WARD

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, in personal representative and bond, further providing for requiring or changing amount of bond.

Referred to Committee on JUDICIARY, October 25, 2017.

**No. 1886** By Representatives RYAN, DIAMOND, MILLARD, STAATS and WATSON

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, in incapacitated persons, further providing for provisions concerning powers, duties and liabilities.

Referred to Committee on JUDICIARY, October 25, 2017.

**No. 1887** By Representatives JAMES, HARPER, KAMPF, FREEMAN and DALEY

An Act amending the act of June 24, 1931 (P.L.1206, No.331), known as The First Class Township Code, further providing for suits and property.

Referred to Committee on LOCAL GOVERNMENT, October 25, 2017.

**No. 1888** By Representatives JAMES, HARPER, KAMPF, FREEMAN and DALEY

An Act amending Titles 8 (Boroughs and Incorporated Towns) and 11 (Cities) of the Pennsylvania Consolidated Statutes, in corporate powers, further providing for personal property; and, in corporate powers, further providing for city property and affairs.

Referred to Committee on LOCAL GOVERNMENT, October 25, 2017.

**No. 1889** By Representatives JAMES, HARPER, KAMPF, FREEMAN and DALEY

An Act amending the act of May 27, 1953 (P.L.244, No.34), entitled "An act relating to and regulating the contracts of incorporated towns and providing penalties," further providing for power to convey.

Referred to Committee on LOCAL GOVERNMENT, October 25, 2017.

**No. 1890** By Representatives KAMPF, HARPER, FREEMAN and DALEY

An Act establishing a voluntary real estate sales verification form pilot program.

Referred to Committee on LOCAL GOVERNMENT, October 25, 2017.

**No. 1891** By Representatives EVANKOVICH, BLOOM, IRVIN, MACKENZIE, WARD, ORTITAY, LAWRENCE, ZIMMERMAN, FEE and SAYLOR

An Act amending Title 62 (Procurement) of the Pennsylvania Consolidated Statutes, establishing the Public-Private Partnership Pilot Program and the State Public-Private Partnership Board.

Referred to Committee on STATE GOVERNMENT, October 25, 2017.

## SENATE BILLS FOR CONCURRENCE

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

### SB 542, PN 1263

Referred to Committee on HEALTH, October 25, 2017.

### SB 900, PN 1201

Referred to Committee on STATE GOVERNMENT, October 25, 2017.

### SB 921, PN 1250

Referred to Committee on STATE GOVERNMENT, October 25, 2017.

The SPEAKER. Representative Mullery, would this be an okay time for you?

Members, can I ask you to please take your seats. Members, please take your seats. Anyone in the anterooms, if you could please come onto the House floor, and I am going to ask for the doors of the House to be closed. Members, please take your seats. The good gentleman, Representative Mullery, I know has some somber news and wants to relay some of that to us as a chamber and to the citizens in Pennsylvania.

**STATEMENT BY MR. MULLERY**

The SPEAKER. Representative Mullery, you may proceed.

Mr. MULLERY. Thank you, Mr. Speaker.

Yesterday in my legislative district, one of our Pennsylvania Fish and Boat Commission officers, in the course and scope of his employment, suffered a brutal assault and battery at the hands of an individual he encountered in West Nanticoke. The encounter caused our WCO (waterways conservation officer) to discharge his weapon, resulting in the death of the assailant. I reached out to Executive Director Arway this morning to get an update on the WCO and found out that he is recovering from his rather severe injuries in a local hospital, and I just wanted to take this time today to thank him for his service and send him our best wishes from the Pennsylvania House.

Thank you, Mr. Speaker.

The SPEAKER. Thank you very much, Representative Mullery.

The Sergeants at Arms will open the doors of the House.

**SENATE MESSAGE**

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

The clerk of the Senate, being introduced, returned **HB 203, PN 2519**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

**REPORT OF  
COMMITTEE ON COMMITTEES**

The SPEAKER. The clerk will read a supplemental report from Chairman Dan Deasy, Representative Dan Deasy, Committee on Committees. It is a supplemental report.

The following report was read:

**COMMITTEE ON COMMITTEES**

**SUPPLEMENTAL REPORT**

In the House of Representatives,  
October 24, 2017

Resolved that,

Representative Mullery, Luzerne County, is elected a member of the Labor and Industry Committee.

Respectfully submitted,  
Rep. Dan Deasy  
Chairman  
Committee on Committees

On the question,  
Will the House adopt the resolution?  
Resolution was adopted.

**LEAVES OF ABSENCE**

The SPEAKER. The majority whip requests leaves of absence for Representative Greg ROTHMAN of Cumberland County for the day, and Representative Jim CHRISTIANA of Beaver County for the day. Without objection, those will be granted.

The minority whip requests leaves of absence for Representative Angel CRUZ of Philadelphia County for the day, Representative Kevin HAGGERTY of Lackawanna County for the day, Representative Carol Hill EVANS of York County for the day, and Representative Rob MATZIE of Beaver County for the day. Without objection, those will be granted.

**MASTER ROLL CALL**

The SPEAKER. We are going to proceed to the master roll. Members, please vote.

The following roll call was recorded:

**PRESENT—192**

Baker	Emrick	Kulik	Rapp
Barbin	English	Lawrence	Ravenstahl
Barrar	Evankovich	Lewis	Readshaw
Benninghoff	Everett	Longiatti	Reed
Bernstine	Fabrizio	Mackenzie	Reese
Bizzarro	Farry	Madden	Roae
Bloom	Fee	Maher	Roe
Boback	Fitzgerald	Mako	Roebuck
Boyle	Flynn	Maloney	Rozzi
Bradford	Frankel	Markosek	Ryan
Briggs	Freeman	Marshall	Saccone
Brown, R.	Fritz	Marsico	Sainato
Brown, V.	Gainey	Masser	Samuelson
Bullock	Galloway	McCarter	Sankey
Burns	Gergely	McClinton	Saylor
Caltagirone	Gillen	McGinnis	Schemel
Carroll	Gillespie	Mehaffie	Schlossberg
Causar	Goodman	Mentzer	Schweyer
Cephas	Greiner	Metcalfe	Simmons
Charlton	Grove	Metzgar	Sims
Comitta	Hahn	Miccarelli	Snyder
Conklin	Hanna	Millard	Solomon
Cook	Harkins	Miller, B.	Sonney
Corbin	Harper	Miller, D.	Staats
Corr	Harris, A.	Milne	Stephens
Costa, D.	Harris, J.	Moul	Sturla
Costa, P.	Heffley	Mullery	Tallman
Cox	Helm	Murt	Taylor
Culver	Hennessey	Mustio	Thomas
Cutler	Hickernell	Neilson	Tobash
Daley	Hill	Nelson	Toepel
Davidson	Irvin	Nesbit	Toohil
Davis	James	Neuman	Topper
Dawkins	Jozwiak	O'Brien	Vazquez
Day	Kampf	O'Neill	Vitali
Dean	Kaufner	Oberlander	Ward
Deasy	Kauffman	Ortitay	Warner
DeLissio	Kavulich	Pashinski	Warren
DeLozier	Keefer	Peifer	Watson
DeLuca	Keller, F.	Petrarca	Wentling
Dermody	Keller, M.K.	Petri	Wheatley
Diamond	Keller, W.	Pickett	Wheeland
DiGirolamo	Kim	Pyle	White
Donatucci	Kinsey	Quigley	Youngblood

Dowling	Kirkland	Quinn, C.	Zimmerman
Driscoll	Klunk	Quinn, M.	
Dunbar	Knowles	Rabb	Turzai,
Dush	Kortz	Rader	Speaker
Ellis	Krueger		

ADDITIONS—0

NOT VOTING—0

EXCUSED—10

Christiana	Gabler	Matzie	Santora
Cruz	Godshall	Rothman	Walsh
Evans	Haggerty		

LEAVES ADDED—13

Corr	Maher	Mullery	Ryan
Evankovich	McGinnis	O'Brien	Saccone
Fabrizio	Milne	Pyle	Wheatley
Keefer			

LEAVES CANCELED—4

Christiana	Evankovich	Keefer	Santora
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The SPEAKER. There are 192 members on the House floor. We have a quorum.

**GUESTS INTRODUCED**

The SPEAKER. Located in the rear of the House, we welcome students from Elizabethtown College. Please stand, the students from Elizabethtown. It is great having you here. They are guests of Representative Dave Hickernell. It is great to have you. Let us give them a welcome. Professor Kyle Kopko – where is the professor? Thanks for bringing those students here today. If you stick around all day, there should be some action.

In the rear of the House, we have a group of interns, and they are part of the Harrisburg Internship Semester that is sponsored by the State System of Higher Education. As I announce your name – hopefully, I will have the pronunciations correct – please stand and just give us a wave and then remain standing. We welcome Jillian Deiley, Melanie Donnelly, Emily Haney, Jonathan Hoover, Koffi Kengbo, James Korman, Hunter Mengel, Tayler Moses, Wyatt Phoebe, Cheryl Vazquez, Malika Fields, and their adviser, Dr. Michael Greenberg. Dr. Greenberg, thank you for bringing these fine students here today and having them intern with us.

On a personal note, our Chief of Staff, Karen Coates, an attorney and a graduate of Dickinson School of Law, was also a State System grad, a Bloomsburg University grad, and my former Chief of Staff was a Lock Haven University grad. So we have many fine alums from the State System here in the chamber.

In the rear of the House, we welcome— Members, if you could please, take your seats. This is an important welcome. They have really traveled far so I am going to ask everybody to please take your seats, and certainly in the back right, if everybody could sit, because that is where our guests are. If we could have everybody seated, particularly to my back right. Members, please take your seats. You are going to want to give this group a resounding cheer; please.

Representative Paul Costa has brought as his guests students and teachers from the Western Pennsylvania School for the Deaf, out near Pittsburgh. We are so honored to have these wonderful students come here to our chamber to be with us today. Would you please stand and rise for us. We are so excited to have you here. Thank you so much. Great to see you. Great to see you.

If you get an opportunity with Representative Costa, please come up. We would love to have you on the rostrum, when you get an opportunity, okay? Feel free to come up now, if you would like. We would love to have you come up. The Sergeants at Arms, if you could help bring them up to the rostrum, the young men and women and their teacher, we would love it.

Members, in the rear of the House, they have traveled some distance and we are so excited to have them. Please, members in the back, if we could open up for our guests. Representative Kinsey and Representative Murt have brought us guests from the Valley Christian School. Please stand. We are so excited to have you. It is great to have you. And I know Representatives Kinsey and Murt are going to talk on unanimous consent about these fine students and we are going to bring them up to the front, so we can trade positions there with the kids from Western Pennsylvania School for the Deaf. Let us bring up the Valley Christian kids to the rostrum.

Representative Kinsey, if you will come to the rostrum, please. Representative Murt, come to the rostrum, where our clerk usually speaks.

Representative Kinsey, the floor is yours. Members, please take your seats. These fine individuals drove 2 hours to be with us today, so I am going to ask everybody to take their seats. Everybody, please take your seats. The Sergeants at Arms will close the doors of the House, because we are going to have everybody in their seats on the floor.

**STATEMENT BY MR. MURT**

The SPEAKER. Representative Murt first, please.

Mr. MURT. Thank you, Mr. Speaker.

Mr. Speaker, Representative Kinsey is going to introduce the students who are with us today from the Valley Christian School in Huntingdon Valley, Pennsylvania, in Montgomery County, but I just wanted to take a minute to welcome these youngsters to the House of Representatives. And I wanted to thank the parents that are with us today, and also to recognize the devotion of Mrs. Chrissy Mench, the fourth grade teacher at Valley Christian.

These students have been working very, very hard learning about civics and State government and the legislative process here in Harrisburg, and I applaud them for that, and we certainly encourage them to keep up the good work.

I will now turn it over to Representative Kinsey.

**STATEMENT BY MR. KINSEY**

Mr. KINSEY. Thank you, Mr. Speaker.

You know, as fourth grade students, these are students who have dreams and aspirations. These are students who go home and talk to their parents about the work that we do here in this State legislature, and, Mr. Speaker, I am very pleased to acknowledge the 10 students from Valley Christian School, which is nested right in the middle of Montgomery County,

Huntingdon Valley, right at Representative Tom Murt's district.

The students that we have with us today are Anna-Victoria Gbemiye-Etta. We are also joined by Jade Greenaway, Joel Kaceli, Christian Mazza, Domenico Mazza, Abby White, Michael Varghese, Paris Williams-Ricketts, Graham Wilson, and, Mr. Speaker, for me, this is really special because I have my youngest daughter, who is also a member, and her name is Myla Rose Pearl "Stevie" Kinsey, who is also with us here today.

Mr. Speaker, this is all made possible by the great lead teacher that they have, Mrs. Chryss Mench, who is a fourth grade teacher there. And I share with them that fourth grade was my best – well, from an elementary standpoint – was the best school year that I had, so I know that Mrs. Mench is making this very enjoyable for the students. We are also joined by three parents who also gave up their time to come up here to be with us here at the House of Representatives, and they are Ms. Rita Gbemiye-Etta, Ms. Christina Siciliano, and Ms. Dawn White.

So if we can, Mr. Speaker, I just want to have my colleagues join me in giving another warm welcome to the parents, the teacher, and the students from Valley Christian School.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, Representative Murt and Representative Kinsey. The Sergeants at Arms will open the doors of the House.

**UNCONTESTED CALENDAR**

**RESOLUTIONS PURSUANT TO RULE 35**

Mrs. R. BROWN called up **HR 480, PN 2380**, entitled:

A Resolution recognizing the month of November 2017 as "Carbon Monoxide Awareness Month" in Pennsylvania.

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Mrs. R. BROWN called up **HR 481, PN 2381**, entitled:

A Resolution designating the month of November 2017 as "American Music Month" in Pennsylvania.

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Mr. READSHAW called up **HR 549, PN 2527**, entitled:

A Resolution recognizing the week of November 11 through 19, 2017, as "Hunger and Homelessness Awareness Week" in Pennsylvania.

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Mr. READSHAW called up **HR 550, PN 2528**, entitled:

A Resolution recognizing the week of November 13 through 17, 2017, as "American Education Week" in Pennsylvania.

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Mr. NESBIT called up **HR 573, PN 2612**, entitled:

A Resolution designating the month of November 2017 as "Pulmonary Hypertension Awareness Month" in Pennsylvania and commending the work of the Pulmonary Hypertension Association.

\* \* \*

Mr. EVERETT called up **HR 577, PN 2627**, entitled:

A Resolution designating the month of November 2017 as "Infant Safe Sleep Month" in Pennsylvania.

On the question,  
Will the House adopt the resolutions?

The following roll call was recorded:

**YEAS—192**

Baker	Emrick	Kulik	Rapp
Barbin	English	Lawrence	Ravenstahl
Barrar	Evankovich	Lewis	Readshaw
Benninghoff	Everett	Longietti	Reed
Bernstine	Fabrizio	Mackenzie	Reese
Bizzarro	Farry	Madden	Roae
Bloom	Fee	Maher	Roe
Boback	Fitzgerald	Mako	Roebuck
Boyle	Flynn	Maloney	Rozzi
Bradford	Frankel	Markosek	Ryan
Briggs	Freeman	Marshall	Saccone
Brown, R.	Fritz	Marsico	Sainato
Brown, V.	Gainey	Masser	Samuelson
Bullock	Galloway	McCarter	Sankey
Burns	Gergely	McClinton	Saylor
Caltagirone	Gillen	McGinnis	Schemel
Carroll	Gillespie	Mehaffie	Schlossberg
Causer	Goodman	Mentzer	Schweyer
Cephas	Greiner	Metcalfe	Simmons
Charlton	Grove	Metzgar	Sims
Comitta	Hahn	Miccarelli	Snyder
Conklin	Hanna	Millard	Solomon
Cook	Harkins	Miller, B.	Sonney
Corbin	Harper	Miller, D.	Staats
Corr	Harris, A.	Milne	Stephens
Costa, D.	Harris, J.	Moul	Sturla
Costa, P.	Heffley	Mullery	Tallman
Cox	Helm	Murt	Taylor
Culver	Hennessey	Mustio	Thomas
Cutler	Hickernell	Neilson	Tobash
Daley	Hill	Nelson	Toepel
Davidson	Irvin	Nesbit	Toohil
Davis	James	Neuman	Topper
Dawkins	Jozwiak	O'Brien	Vazquez
Day	Kampf	O'Neill	Vitali
Dean	Kaufner	Oberlander	Ward
Deasy	Kauffman	Ortitay	Warner
DeLissio	Kavulich	Pashinski	Warren
Delozier	Keefer	Peifer	Watson
DeLuca	Keller, F.	Petrarca	Wentling
Dermody	Keller, M.K.	Petri	Wheatley
Diamond	Keller, W.	Pickett	Wheeland
DiGirolamo	Kim	Pyle	White
Donatucci	Kinsey	Quigley	Youngblood
Dowling	Kirkland	Quinn, C.	Zimmerman
Driscoll	Klunk	Quinn, M.	
Dunbar	Knowles	Rabb	Turzai,
Dush	Kortz	Rader	Speaker
Ellis	Krueger		

**NAYS—0**

**NOT VOTING—0**

**EXCUSED—10**

Christiana	Gabler	Matzie	Santora
Cruz	Godshall	Rothman	Walsh
Evans	Haggerty		

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

The SPEAKER. Representative Hickernell and the students from Elizabethtown, if you would like to come up to the rostrum, please feel free. Just come right down the aisle and we will take a photograph, if that is okay with you. Just come right down this side of the chamber up to the rostrum with Representative Hickernell.

If any of the other Lancaster delegation members wish to be a part of it, please come up. We are glad to have you.

### LEAVE OF ABSENCE

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

Our last group, we are going to just— We have a little time here. We are awaiting, believe it or not, the Stanley Cup is going to be coming. Oh; then I understand they are here. But the interns from the State System, if you will come on up. Just come down the side of the chamber.

We need Representative Warner. Where is Representative Warner? Representative Warner, just be prepared to speak on the resolution. We are going to take that vote right now.

Everybody, this resolution is on the regular House calendar, so we have to vote it first. It is not the uncontested. Please turn to page 13. Please turn to page 13. We are just going to wait until after the interns get a chance to step off and get an opportunity for everybody to be seated. Could everybody please take their seats.

Members, please take your seats. I understand that if we get everybody done today we get a trophy too. I am hoping.

Members, if you could please take your seats, and just as we get the guests off, I would like the Sergeants at Arms to close the doors of the House.

If anybody has to get off the floor at this time, we are going to let them get off, and then we are going to close the doors of the House.

All members, please take your seats so that we can proceed. Members, we are not going to be able to proceed until everybody, please, takes their seats.

Members, there are two resolutions congratulating the outstanding Pittsburgh Penguins, and we are going to begin with HR 405, sponsored by Representative Ryan Warner.

### CALENDAR

#### RESOLUTIONS PURSUANT TO RULE 35

Mr. WARNER called up **HR 405, PN 2027**, entitled:

A Resolution congratulating the Pittsburgh Penguins on winning the National Hockey League's 2017 Stanley Cup Finals.

On the question,  
Will the House adopt the resolution?

The SPEAKER. On that question, Representative Ryan Warner is recognized.

Mr. WARNER. Thank you, Mr. Speaker.

Before we begin, I believe that we upgraded, and I know that our colleague, Representative Pyle, is not with us here today but, Jeff, this has been a great stand-in and I just want to let you know that we finally got the real thing here.

Mr. Speaker, it is my privilege to welcome members of the Pittsburgh Penguins organization to the House today to celebrate their second consecutive Stanley Cup Championship. As a lifelong Penguins fan, it is an honor to introduce HR 405, which congratulates the team on its 2017 title. Mr. Speaker, I would like to thank the members of the Penguins organization and the Hockey Hall of Fame for the distinct honor of sharing with us today professional sports' oldest trophy, Lord Stanley's Cup.

Mr. Speaker, the Pittsburgh Penguins are among the most elite franchises of the National Hockey League, with five titles. Only five other franchises have earned more titles, and I believe it is important to note that all five of these franchises were members of the NHL's Original Six.

The players on this team reflect western Pennsylvanians: hardworking, dedicated, and gutsy. They displayed this attitude many times throughout the season, from overcoming the loss of one of the league's best defensemen, Kris Letang, to Chris Kunitz's thrilling game seven game-winning goal in double overtime in the conference finals, and cumulating in game six of the Stanley Cup finals, when, with less than 2 minutes remaining in the game, Patric Hornqvist grabbed a Justin Schultz slapshot that bounced off the boards behind the goal and fired the puck into the goal of Nashville goaltender Pekka Rinne for the win.

While many fantastic players helped keep the cup in Pittsburgh, Sidney Crosby again distinguished himself. For the second consecutive year he was awarded the NHL's Conn Smythe Trophy as MVP (most valuable player) of the Stanley Cup playoffs. He has now joined former Penguin Mario Lemieux as only the third person in NHL history to ever win back-to-back Conn Smythe Trophies. He finished the playoffs with 8 goals and 19 assists in 24 games.

In closing, Mr. Speaker, I again would like to congratulate your 2017 Stanley Cup Champion Pittsburgh Penguins, and, Mr. Speaker, I look very forward to having the Penguins organization back here next year as we celebrate the three-peat.

Thank you again, Mr. Speaker, and "Let's go, Pens."

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

(Members proceeded to vote.)

### LEAVE OF ABSENCE

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

### CONSIDERATION OF HR 405 CONTINUED

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

The following roll call was recorded:

#### YEAS—190

Baker	Ellis	Kortz	Rader
Barbin	Emrick	Krueger	Rapp
Barrar	English	Kulik	Ravenstahl
Benninghoff	Evankovich	Lawrence	Readshaw
Bernstine	Everett	Lewis	Reed
Bizzarro	Fabrizio	Longietti	Reese
Bloom	Farry	Mackenzie	Roae
Boback	Fee	Madden	Roe
Boyle	Fitzgerald	Maher	Roebuck
Bradford	Flynn	Mako	Rozzi
Briggs	Frankel	Maloney	Ryan
Brown, R.	Freeman	Markosek	Saccone
Brown, V.	Fritz	Marshall	Sainato
Bullock	Gainey	Marsico	Samuelson
Burns	Galloway	Masser	Sankey
Caltagirone	Gergely	McCarter	Saylor
Carroll	Gillen	McClinton	Schemel
Causer	Gillespie	McGinnis	Schlossberg
Cephas	Goodman	Mehaffie	Schweyer
Charlton	Greiner	Mentzer	Simmons
Comitta	Grove	Metcalfe	Sims
Conklin	Hahn	Metzgar	Snyder
Cook	Hanna	Miccarelli	Solomon
Corbin	Harkins	Millard	Sonney
Corr	Harper	Miller, B.	Staats
Costa, D.	Harris, A.	Miller, D.	Stephens
Costa, P.	Harris, J.	Milne	Sturla
Cox	Heffley	Moul	Tallman
Culver	Helm	Mullery	Taylor
Cutler	Hennessey	Murt	Thomas
Daley	Hickernell	Mustio	Tobash
Davidson	Hill	Neilson	Toepel
Davis	Irvin	Nelson	Toohil
Dawkins	James	Nesbit	Topper
Day	Jozwiak	Neuman	Vazquez
Dean	Kampf	O'Brien	Vitali
Deasy	Kaufner	O'Neill	Ward
DeLissio	Kauffman	Oberlander	Warner
Delozier	Kavulich	Ortitay	Warren
DeLuca	Keefer	Pashinski	Watson
Dermody	Keller, F.	Peifer	Wentling
Diamond	Keller, M.K.	Petrarca	Wheeland
DiGirolamo	Keller, W.	Petri	White
Donatucci	Kim	Pickett	Youngblood
Dowling	Kinsey	Quigley	Zimmerman
Driscoll	Kirkland	Quinn, C.	
Dunbar	Klunk	Quinn, M.	Turzai,
Dush	Knowles	Rabb	Speaker

#### NAYS—0

#### NOT VOTING—0

#### EXCUSED—12

Christiana	Gabler	Matzie	Santora
Cruz	Godshall	Pyle	Walsh
Evans	Haggerty	Rothman	Wheatley

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

The SPEAKER. That is a unanimous vote congratulating the Pittsburgh Penguins on the Stanley Cup Championship. Thank you very, very much.

\* \* \*

Mr. WHEATLEY called up **HR 407, PN 2029**, entitled:

A Resolution congratulating the National Hockey League champion Pittsburgh Penguins for winning the 2017 Stanley Cup.

On the question,  
Will the House adopt the resolution?

The SPEAKER. It is my understanding, I believe, that the PPG is actually in Representative Wheatley's district, if I am not mistaken.

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

The following roll call was recorded:

#### YEAS—190

Baker	Ellis	Kortz	Rader
Barbin	Emrick	Krueger	Rapp
Barrar	English	Kulik	Ravenstahl
Benninghoff	Evankovich	Lawrence	Readshaw
Bernstine	Everett	Lewis	Reed
Bizzarro	Fabrizio	Longietti	Reese
Bloom	Farry	Mackenzie	Roae
Boback	Fee	Madden	Roe
Boyle	Fitzgerald	Maher	Roebuck
Bradford	Flynn	Mako	Rozzi
Briggs	Frankel	Maloney	Ryan
Brown, R.	Freeman	Markosek	Saccone
Brown, V.	Fritz	Marshall	Sainato
Bullock	Gainey	Marsico	Samuelson
Burns	Galloway	Masser	Sankey
Caltagirone	Gergely	McCarter	Saylor
Carroll	Gillen	McClinton	Schemel
Causer	Gillespie	McGinnis	Schlossberg
Cephas	Goodman	Mehaffie	Schweyer
Charlton	Greiner	Mentzer	Simmons
Comitta	Grove	Metcalfe	Sims
Conklin	Hahn	Metzgar	Snyder
Cook	Hanna	Miccarelli	Solomon
Corbin	Harkins	Millard	Sonney
Corr	Harper	Miller, B.	Staats
Costa, D.	Harris, A.	Miller, D.	Stephens
Costa, P.	Harris, J.	Milne	Sturla
Cox	Heffley	Moul	Tallman
Culver	Helm	Mullery	Taylor
Cutler	Hennessey	Murt	Thomas
Daley	Hickernell	Mustio	Tobash
Davidson	Hill	Neilson	Toepel
Davis	Irvin	Nelson	Toohil
Dawkins	James	Nesbit	Topper
Day	Jozwiak	Neuman	Vazquez
Dean	Kampf	O'Brien	Vitali
Deasy	Kaufner	O'Neill	Ward
DeLissio	Kauffman	Oberlander	Warner
Delozier	Kavulich	Ortitay	Warren
DeLuca	Keefer	Pashinski	Watson
Dermody	Keller, F.	Peifer	Wentling
Diamond	Keller, M.K.	Petrarca	Wheeland
DiGirolamo	Keller, W.	Petri	White
Donatucci	Kim	Pickett	Youngblood

Dowling	Kinsey	Quigley	Zimmerman
Driscoll	Kirkland	Quinn, C.	
Dunbar	Klunk	Quinn, M.	Turzai,
Dush	Knowles	Rabb	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—12

Christiana	Gabler	Matzie	Santora
Cruz	Godshall	Pyle	Walsh
Evans	Haggerty	Rothman	Wheatley

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

### ANNOUNCEMENT BY SPEAKER

The SPEAKER. Members, the Stanley Cup will be on display in the Governor's reception room for any members or staff who would like a photo.

### GUESTS INTRODUCED

The SPEAKER. I would like to recognize, to my left, Travis Williams, who is the chief operating officer of the Pittsburgh Penguins. Travis, how long have you now been with the Penguins? As young as he is, he has been there almost 10 years. He has been over there 9 years.

And Kevin Kinross of the Carey Group; our former colleague, Greg Fajt, who served in the 42d District from 1991 to 1996; and Mike Bolt – are those individuals here?

There is Greg Fajt. First of all, our good friend, Greg Fajt, who was our former colleague, you know, and served so distinguished on the Gaming Commission. Greg, it is great to have you.

Kevin Kinross, whom many of us know, lives in my district and is a good friend. Kevin, thank you so much for being with us today, my good friend.

Is Mike Bolt here? Thank you so much, Mike. Mike is with the Hockey Hall of Fame, and I think he is the person that has to be with the Stanley Cup all the time, as I understand it.

So thanks to all three of these fine gentlemen, and we are just so honored that you would bring the Stanley Cup here to the House of Representatives in Pennsylvania. Thank you.

### UNCONTESTED SUPPLEMENTAL CALENDAR A

#### RESOLUTION PURSUANT TO RULE 35

Mr. BARBIN called up **HR 579, PN 2634**, entitled:

A Resolution designating October 28, 2017, as "Charter of Privileges Day" in Pennsylvania.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—190

Baker	Ellis	Kortz	Rader
Barbin	Emrick	Krueger	Rapp
Barrar	English	Kulik	Ravenstahl
Benninghoff	Evankovich	Lawrence	Readshaw
Bernstine	Everett	Lewis	Reed
Bizzarro	Fabrizio	Longietti	Reese
Bloom	Farry	Mackenzie	Roae
Boback	Fee	Madden	Roe
Boyle	Fitzgerald	Maher	Roebuck
Bradford	Flynn	Mako	Rozzi
Briggs	Frankel	Maloney	Ryan
Brown, R.	Freeman	Markosek	Saccone
Brown, V.	Fritz	Marshall	Sainato
Bullock	Gainey	Marsico	Samuelson
Burns	Galloway	Masser	Sankey
Caltagirone	Gergely	McCarter	Saylor
Carroll	Gillen	McClinton	Schemel
Causer	Gillespie	McGinnis	Schlossberg
Cephas	Goodman	Mehaffie	Schweyer
Charlton	Greiner	Mentzer	Simmons
Comitta	Grove	Metcalfe	Sims
Conklin	Hahn	Metzgar	Snyder
Cook	Hanna	Miccarelli	Solomon
Corbin	Harkins	Millard	Sonney
Corr	Harper	Miller, B.	Staats
Costa, D.	Harris, A.	Miller, D.	Stephens
Costa, P.	Harris, J.	Milne	Sturla
Cox	Heffley	Moul	Tallman
Culver	Helm	Mullery	Taylor
Cutler	Hennessey	Murt	Thomas
Daley	Hickernell	Mustio	Tobash
Davidson	Hill	Neilson	Toepel
Davis	Irvin	Nelson	Toohil
Dawkins	James	Nesbit	Topper
Day	Jozwiak	Neuman	Vazquez
Dean	Kampf	O'Brien	Vitali
Deasy	Kaufner	O'Neill	Ward
DeLissio	Kauffman	Oberlander	Warner
Delozier	Kavulich	Ortitay	Warren
DeLuca	Keefer	Pashinski	Watson
Dermody	Keller, F.	Peifer	Wentling
Diamond	Keller, M.K.	Petrarca	Wheeland
DiGirolamo	Keller, W.	Petri	White
Donatucci	Kim	Pickett	Youngblood
Dowling	Kinsey	Quigley	Zimmerman
Driscoll	Kirkland	Quinn, C.	
Dunbar	Klunk	Quinn, M.	Turzai,
Dush	Knowles	Rabb	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—12

Christiana	Gabler	Matzie	Santora
Cruz	Godshall	Pyle	Walsh
Evans	Haggerty	Rothman	Wheatley

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

**STATEMENT BY MR. BARBIN**

The SPEAKER. At this time, to the front podium, the Chair recognizes Representative Bryan Barbin on unanimous consent.

Mr. BARBIN. Thank you, Mr. Speaker.

I rise just to make a short remark about Charter of Privileges Day and why it is important to the House particularly.

Charter of Privileges was established in 1701 as the Constitution of Pennsylvania from 1701 through the American Revolution. It was the constitution of all the Colonies that was most admired because it had the religious liberty that Penn brought to Pennsylvania in it in the first article and also in the last.

In the first article it said that since God is the only judge of conscience, you cannot interfere with a man's conscience as it relates to religious profession or worship. In the last article what it said was that for myself as the proprietor of Pennsylvania, for all my heirs, for all my assigns, it is the only part of the Constitution that never can be changed. That is why to this day religious freedom is our first freedom in Pennsylvania.

I just want to point out one other thing that most people forget. We celebrate Penn's Charter in March, which is the date that Charles II repaid William Penn for his father's debt. It was 16,000 pounds. We celebrate it in March and we call that Penn Charter Day. The day that actually creates our privilege is the day in 1701 where he leaves Pennsylvania for the last time and says to the House of Representatives, not only do you get religious freedom, you also get to choose your own officers, you get to create your own law, you get to have a tripartite government, and you get to allow citizens, whether they have lots of money or not, if they profess to believe in God and they agree to be bound by civil government, they get to vote. Those things became founding principles for not only Pennsylvania, but also for the nation.

The last thing I want to point out, and this is not taught anymore but it is an important thing to remember, is the Speaker of the House, in 1751, said we should have a bell to remember Penn's Charter of Privileges, so on November 1 the Speaker of the House sent a message to London and said to prepare a bell for our State House that will commemorate the 50th anniversary of the Charter of Privileges. That bell became the State House bell. That bell rang out the Declaration of Independence. That bell rang out the Constitution, that bell rang for abolition of slavery and became known as the Liberty Bell. That all happened because of the Charter of Privileges, and the 50th anniversary of the Charter of Privileges created the Liberty Bell and the Liberty Bell is the symbol that is known throughout the world.

So if you want to know who that guy is, he fought a couple duels but spared some lives. He also set his three slaves free when he left Pennsylvania for the last time. He treated those Indians more fairly than any other Governor of the Colonies, and he created the idea of virtue which was necessary for the Declaration of Independence, for the Constitution of the United States. He wrote an article in 1693 that said we should have a parliament of nations and an international court, the Hague, and the international court at the Hague. It becomes the basis that creates a Federal Constitution with a United States Congress and a United States Supreme Court, because if you can have a court of nations, then you can have a court of Thirteen Colonies.

Mr. Speaker, thank you for the opportunity to speak on the Charter of Privileges.

The SPEAKER. Representative Barbin, thank you so much. Outstanding.

We are now going to turn to committee announcements and caucus announcements.

**CONSUMER AFFAIRS  
COMMITTEE MEETING**

The SPEAKER. Representative Brian Ellis, the chair of the Commerce Committee, for a committee announcement, sir.

Mr. ELLIS. Thank you, Mr. Speaker.

I would like to remind the members that there will be an immediate meeting of the Consumer Affairs Committee in B-31, immediately at the break. Thank you.

The SPEAKER. You are our Commerce chair, but I guess you are doing it for another committee, right? Okay. My apologies. That is Consumer Affairs. I know Representative Ellis is chair of Commerce, but he is calling this for Consumer Affairs.

There will be a meeting of the Consumer Affairs Committee in B-31 immediately at the break.

**APPROPRIATIONS COMMITTEE MEETING**

The SPEAKER. The majority Appropriations chair, Stan Saylor, for an announcement, a committee announcement, I believe.

Mr. SAYLOR. Thank you, Mr. Speaker.

At 12:15 the Appropriations Committee will meet in the majority caucus room.

The SPEAKER. At 12:15 the Appropriations Committee will meet in the majority caucus room.

**RULES COMMITTEE MEETING**

The SPEAKER. The majority leader, for a committee announcement, please.

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

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

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

**REPUBLICAN CAUCUS**

The SPEAKER. The majority caucus chair, Representative Marcy Toepel, for a caucus announcement.

Mrs. TOEPEL. Thank you, Mr. Speaker.

Republicans will caucus at 12:30. We would be prepared to return to the floor at 1:30. Thank you.

The SPEAKER. Thank you.

**DEMOCRATIC CAUCUS**

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

Mr. FRANKEL. Thank you, Mr. Speaker.  
Democrats will caucus at 12:30. Democrats will caucus at 12:30.

### RECESS

The SPEAKER. So, members, at this time the House will stand in recess until 1:30 p.m. Thank you.

### RECESS EXTENDED

The time of recess was extended until 2 p.m.

### AFTER RECESS

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

### LEAVE OF ABSENCE CANCELED

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

### BILLS REREPORTED FROM COMMITTEE

**HB 86, PN 2583** By Rep. SAYLOR

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in inspection of vehicles, further providing for prohibition on expenditures for emission inspection program.

APPROPRIATIONS.

**HB 1335, PN 1654** By Rep. SAYLOR

An Act amending Title 40 (Insurance) of the Pennsylvania Consolidated Statutes, in preliminary provisions, providing for Insurance Regulation and Oversight Fund; and making a related repeal.

APPROPRIATIONS.

**SB 785, PN 1239** By Rep. SAYLOR

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in general provisions, further providing for definitions; in registration of vehicles, further providing for vehicles exempt from registration; and providing for operation of golf carts.

APPROPRIATIONS.

### BILL ON CONCURRENCE REPORTED FROM COMMITTEE

**HB 203, PN 2519** By Rep. REED

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

RULES.

### BILL REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

**SB 458, PN 711** By Rep. KAMPF

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, in general provisions, further providing for definitions; in contract carrier by motor vehicle and broker, further providing for declaration of policy and definitions; and, in violations and penalties, further providing for unauthorized operation by carriers and brokers.

CONSUMER AFFAIRS.

### RESOLUTION REPORTED FROM COMMITTEE

**HR 576, PN 2651** (Amended) By Rep. KAMPF

A Resolution urging the Federal Energy Regulatory Commission to swiftly consider the United States Department of Energy's proposed Grid Resiliency Pricing Rule and implement policies to ensure fuel-secure baseload electricity generation resources receive proper compensation for the positive attributes they provide our nation's and our Commonwealth's electric system.

CONSUMER AFFAIRS.

### SUPPLEMENTAL CALENDAR B

### BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1335, PN 1654**, entitled:

An Act amending Title 40 (Insurance) of the Pennsylvania Consolidated Statutes, in preliminary provisions, providing for Insurance Regulation and Oversight Fund; and making a related repeal.

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—191

Baker	Ellis	Kortz	Rader
Barbin	Emrick	Krueger	Rapp
Barrar	English	Kulik	Ravenstahl
Benninghoff	Evankovich	Lawrence	Readshaw
Bernstine	Everett	Lewis	Reed
Bizzarro	Fabrizio	Longietti	Reese
Bloom	Farry	Mackenzie	Roae
Boback	Fee	Madden	Roe
Boyle	Fitzgerald	Maher	Roebuck
Bradford	Flynn	Mako	Rozzi

Briggs	Frankel	Maloney	Ryan
Brown, R.	Freeman	Markosek	Saccone
Brown, V.	Fritz	Marshall	Sainato
Bullock	Gainey	Marsico	Samuelson
Burns	Galloway	Masser	Sankey
Caltagirone	Gergely	McCarter	Saylor
Carroll	Gillen	McClinton	Schemel
Causser	Gillespie	McGinnis	Schlossberg
Cephas	Goodman	Mehaffie	Schweyer
Charlton	Greiner	Mentzer	Simmons
Christiana	Grove	Metcalfe	Sims
Comitta	Hahn	Metzgar	Snyder
Conklin	Hanna	Miccarelli	Solomon
Cook	Harkins	Millard	Sonney
Corbin	Harper	Miller, B.	Staats
Corr	Harris, A.	Miller, D.	Stephens
Costa, D.	Harris, J.	Milne	Sturla
Costa, P.	Heffley	Moul	Tallman
Cox	Helm	Mullery	Taylor
Culver	Hennessey	Murt	Thomas
Cutler	Hickernell	Mustio	Tobash
Daley	Hill	Neilson	Toepel
Davidson	Irvin	Nelson	Toohil
Davis	James	Nesbit	Topper
Dawkins	Jozwiak	Neuman	Vazquez
Day	Kampf	O'Brien	Vitali
Dean	Kaufner	O'Neill	Ward
Deasy	Kauffman	Oberlander	Warner
DeLissio	Kavulich	Ortitay	Warren
Delozier	Keefer	Pashinski	Watson
DeLuca	Keller, F.	Peifer	Wentling
Dermody	Keller, M.K.	Petrarca	Wheeland
Diamond	Keller, W.	Petri	White
DiGirolamo	Kim	Pickett	Youngblood
Donatucci	Kinsey	Quigley	Zimmerman
Dowling	Kirkland	Quinn, C.	
Driscoll	Klunk	Quinn, M.	Turzai,
Dunbar	Knowles	Rabb	Speaker
Dush			

NAYS-0

NOT VOTING-0

EXCUSED-11

Cruz	Godshall	Pyle	Walsh
Evans	Haggerty	Rothman	Wheatley
Gabler	Matzie	Santora	

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

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

\* \* \*

The House proceeded to third consideration of **HB 86, PN 2583**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in inspection of vehicles, further providing for prohibition on expenditures for emission inspection program.

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

(Bill analysis was read.)

The SPEAKER. This bill has been considered on three different days and agreed to and is now on final passage.  
The question is, shall the bill pass finally?  
Agreeable to the provisions of the Constitution, the yeas and nays will now be taken.

The following roll call was recorded:

YEAS-187

Baker	Ellis	Kortz	Rader
Barbin	Emrick	Krueger	Rapp
Barrar	English	Kulik	Ravenstahl
Benninghoff	Evankovich	Lawrence	Readshaw
Bernstine	Everett	Lewis	Reed
Bizzarro	Fabrizio	Longietti	Reese
Bloom	Farry	Mackenzie	Roae
Boback	Fee	Madden	Roe
Boyle	Fitzgerald	Maher	Roebuck
Bradford	Flynn	Mako	Rozzi
Briggs	Frankel	Maloney	Ryan
Brown, R.	Freeman	Markosek	Saccone
Brown, V.	Fritz	Marshall	Sainato
Bullock	Gainey	Marsico	Samuelson
Burns	Galloway	Masser	Sankey
Caltagirone	Gergely	McCarter	Saylor
Causser	Gillen	McClinton	Schemel
Cephas	Gillespie	McGinnis	Schlossberg
Charlton	Goodman	Mehaffie	Schweyer
Christiana	Greiner	Mentzer	Simmons
Comitta	Grove	Metcalfe	Sims
Conklin	Hahn	Metzgar	Snyder
Cook	Hanna	Miccarelli	Solomon
Corbin	Harkins	Millard	Sonney
Corr	Harper	Miller, B.	Staats
Costa, D.	Harris, A.	Miller, D.	Stephens
Costa, P.	Harris, J.	Milne	Sturla
Cox	Heffley	Moul	Tallman
Culver	Helm	Murt	Taylor
Cutler	Hennessey	Mustio	Thomas
Daley	Hickernell	Neilson	Tobash
Davidson	Hill	Nelson	Toepel
Davis	Irvin	Nesbit	Toohil
Dawkins	James	Neuman	Topper
Day	Jozwiak	O'Brien	Vazquez
Dean	Kampf	O'Neill	Ward
Deasy	Kaufner	Oberlander	Warner
DeLissio	Kauffman	Ortitay	Warren
Delozier	Keefer	Pashinski	Watson
DeLuca	Keller, F.	Peifer	Wentling
Dermody	Keller, M.K.	Petrarca	Wheeland
Diamond	Keller, W.	Petri	White
DiGirolamo	Kim	Pickett	Youngblood
Donatucci	Kinsey	Quigley	Zimmerman
Dowling	Kirkland	Quinn, C.	
Driscoll	Klunk	Quinn, M.	Turzai,
Dunbar	Knowles	Rabb	Speaker
Dush			

NAYS-4

Carroll	Kavulich	Mullery	Vitali
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NOT VOTING-0

EXCUSED-11

Cruz	Godshall	Pyle	Walsh
Evans	Haggerty	Rothman	Wheatley
Gabler	Matzie	Santora	

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

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

\* \* \*

The House proceeded to third consideration of **SB 785, PN 1239**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in general provisions, further providing for definitions; in registration of vehicles, further providing for vehicles exempt from registration; and providing for operation of golf carts.

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—191

Baker	Ellis	Kortz	Rader
Barbin	Emrick	Krueger	Rapp
Barrar	English	Kulik	Ravenstahl
Benninghoff	Evankovich	Lawrence	Readshaw
Bernstine	Everett	Lewis	Reed
Bizzarro	Fabrizio	Longietti	Reese
Bloom	Farry	Mackenzie	Roae
Boback	Fee	Madden	Roe
Boyle	Fitzgerald	Maher	Roebuck
Bradford	Flynn	Mako	Rozzi
Briggs	Frankel	Maloney	Ryan
Brown, R.	Freeman	Markosek	Saccone
Brown, V.	Fritz	Marshall	Sainato
Bullock	Gainey	Marsico	Samuelson
Burns	Galloway	Masser	Sankey
Caltagirone	Gergely	McCarter	Saylor
Carroll	Gillen	McClinton	Schemel
Causser	Gillespie	McGinnis	Schlossberg
Cephas	Goodman	Mehaffie	Schweyer
Charlton	Greiner	Mentzer	Simmons
Christiana	Grove	Metcalfe	Sims
Comitta	Hahn	Metzgar	Snyder
Conklin	Hanna	Miccarelli	Solomon
Cook	Harkins	Millard	Sonney
Corbin	Harper	Miller, B.	Staats
Corr	Harris, A.	Miller, D.	Stephens
Costa, D.	Harris, J.	Milne	Sturla
Costa, P.	Heffley	Moul	Tallman
Cox	Helm	Mullery	Taylor
Culver	Hennessey	Murt	Thomas
Cutler	Hickernell	Mustio	Tobash
Daley	Hill	Neilson	Toepel
Davidson	Irvin	Nelson	Toohil
Davis	James	Nesbit	Topper
Dawkins	Jozwiak	Neuman	Vazquez
Day	Kampf	O'Brien	Vitali
Dean	Kaufer	O'Neill	Ward
Deasy	Kauffman	Oberlander	Warner

DeLissio	Kavulich	Ortity	Warren
DeLozier	Keefer	Pashinski	Watson
DeLuca	Keller, F.	Peifer	Wentling
Dermody	Keller, M.K.	Petrarca	Wheeland
Diamond	Keller, W.	Petri	White
DiGirolamo	Kim	Pickett	Youngblood
Donatucci	Kinsey	Quigley	Zimmerman
Dowling	Kirkland	Quinn, C.	
Driscoll	Klunk	Quinn, M.	Turzai,
Dunbar	Knowles	Rabb	Speaker
Dush			

NAYS—0

NOT VOTING—0

EXCUSED—11

Cruz	Godshall	Pyle	Walsh
Evans	Haggerty	Rothman	Wheatley
Gabler	Matzie	Santora	

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

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

CALENDAR CONTINUED

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 1793, PN 2594**, entitled:

An Act establishing the Pennsylvania Commission for the United States Semiquincentennial; and providing for its powers and duties.

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

\* \* \*

The House proceeded to second consideration of **HB 558, PN 583**, entitled:

An Act amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, in volunteer firefighters, further providing for use of funds of a volunteer firefighters' relief association.

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

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 651, PN 1284**, entitled:

An Act providing for the capital budget for fiscal year 2017-2018; itemizing public improvement projects, furniture and equipment projects, transportation assistance projects, redevelopment assistance, flood control projects, Keystone Recreation, Park and Conservation Fund projects, Environmental Stewardship Fund projects, State forestry

bridge projects, park and forest management projects, State ATV/Snowmobile Fund projects, Pennsylvania Fish and Boat Commission projects, Oil and Gas Lease Fund projects and Motor License Fund projects to be constructed, acquired or assisted by the Department of General Services, the Department of Conservation and Natural Resources, the Department of Environmental Protection, the Department of Transportation or the Pennsylvania Fish and Boat Commission, together with their estimated financial costs; authorizing the incurring of debt without the approval of the electors for the purpose of financing the projects to be constructed, acquired or assisted by the Department of General Services, the Department of Environmental Protection, the Department of Transportation or the Pennsylvania Fish and Boat Commission; authorizing the use of current revenue for the purpose of financing the projects to be constructed, acquired or assisted by the Department of Conservation and Natural Resources or the Department of Transportation stating the estimated useful life of the projects; and making appropriations.

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

(Bill analysis was read.)

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

The majority Appropriations chair, on the bill.  
Mr. SAYLOR. Thank you, Mr. Speaker.

This bill is a bill that is a culmination of many projects that members of the General Assembly have put in. This bill passed the Senate 50 to nothing on May 23. Since then the House Appropriations Committee has amended it several times, put additional projects from both sides of the aisle in it. We have worked jointly with Chairman Markosek and Minority Leader Dermody to make sure everybody's projects are in this bill, so it is an inventory of different projects throughout our Commonwealth, for public projects as well as redevelopment and capital development.

I ask for an affirmative vote, Mr. Speaker.  
The SPEAKER. Chairman Markosek, on the bill, sir.  
Mr. MARKOSEK. Thank you, Mr. Speaker.

Yes, I echo the sentiments of the gentleman from York and would ask all members to please vote "yes" on SB 651.

On the question recurring,  
Shall the bill pass finally?  
The SPEAKER. Agreeable to the provisions of the Constitution, the yeas and nays will now be taken.

The following roll call was recorded:

YEAS—189

Baker	Dush	Kortz	Rapp
Barbin	Ellis	Krueger	Ravenstahl
Barrar	Emrick	Kulik	Readshaw
Benninghoff	English	Lewis	Reed
Bernstine	Evankovich	Longietti	Reese
Bizzarro	Everett	Mackenzie	Roae
Bloom	Fabrizio	Madden	Roe
Boback	Farry	Maher	Roebuck
Boyle	Fee	Mako	Rozzi
Bradford	Fitzgerald	Maloney	Ryan
Briggs	Flynn	Markosek	Saccone
Brown, R.	Frankel	Marshall	Sainato
Brown, V.	Freeman	Marsico	Samuelson

Bullock	Fritz	Masser	Sankey
Burns	Gainey	McCarter	Saylor
Caltagirone	Galloway	McClinton	Schemel
Carroll	Gergely	McGinnis	Schlossberg
Causer	Gillespie	Mehaffie	Schweyer
Cephas	Goodman	Mentzer	Simmons
Charlton	Greiner	Metcalfe	Sims
Christiana	Grove	Metzgar	Snyder
Comitta	Hahn	Miccarelli	Solomon
Conklin	Hanna	Millard	Sonney
Cook	Harkins	Miller, B.	Staats
Corbin	Harper	Miller, D.	Stephens
Corr	Harris, A.	Milne	Sturla
Costa, D.	Harris, J.	Moul	Tallman
Costa, P.	Heffley	Mullery	Taylor
Cox	Helm	Murt	Thomas
Culver	Hennessey	Mustio	Tobash
Cutler	Hickernell	Neilson	Toepel
Daley	Hill	Nelson	Toohil
Davidson	Irvin	Nesbit	Topper
Davis	James	Neuman	Vazquez
Dawkins	Jozwiak	O'Brien	Vitali
Day	Kampf	O'Neill	Ward
Dean	Kaufman	Oberlander	Warner
Deasy	Kauffman	Ortitay	Warren
DeLissio	Kavulich	Pashinski	Watson
Delozier	Keefer	Peifer	Wentling
DeLuca	Keller, F.	Petrarca	Wheeland
Dermody	Keller, M.K.	Petri	White
Diamond	Keller, W.	Pickett	Youngblood
DiGirolamo	Kim	Quigley	Zimmerman
Donatucci	Kinsey	Quinn, C.	
Dowling	Kirkland	Quinn, M.	Turzai,
Driscoll	Klunk	Rabb	Speaker
Dunbar	Knowles	Rader	

NAYS—2

Gillen	Lawrence
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NOT VOTING—0

EXCUSED—11

Cruz	Godshall	Pyle	Walsh
Evans	Haggerty	Rothman	Wheatley
Gabler	Matzie	Santora	

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

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

SUPPLEMENTAL CALENDAR C

BILL ON CONCURRENCE  
IN SENATE AMENDMENTS

The House proceeded to consideration of concurrence in Senate amendments to **HB 203, PN 2519**, entitled:

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

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

The SPEAKER. Moved by the gentleman, Representative Longietti, that we do concur in those amendments, and the Chair is going to recognize Representative Longietti for both a brief description of the Senate amendments as well as the underlying bill.

Sir, you may proceed.

Mr. LONGIETTI. Thank you, Mr. Speaker.

Mr. Speaker, the Senate merely added some clarifying language. The language states that in the absence of a specific contrary intent appearing in an instrument, which is a trust, the grant of a testamentary power that denies the right to appoint to the donee's creditors shall be construed as also denying the power to appoint the creditors of the donee's estate.

This is just cleanup language from an earlier rewrite of the Estate Code, and basically says that if the underlying trust states that the power of appointment granted to a donee shall be shielded from creditors, absent contrary language, then also that means that it is also shielded from the creditors of the donee's estate.

Now, the underlying bill deals with another section of the Estate Code and simply is an update. It has been 21 years since this amount has been changed, but currently when somebody passes away and they have a final paycheck, that paycheck can be issued to the next of kin without going through the time and expense of probate, as long as the paycheck is \$5,000 or less. This would increase the amount to \$10,000, which more and more because of the payout of accrued vacation and sick time, we are seeing those amounts, and it would put it at parity with the amount that a bank can pay out to the next of kin, which is also \$10,000.

So I encourage a "yes" vote.

**LEAVE OF ABSENCE**

The SPEAKER. Representative Michael O'BRIEN has requested to be placed on leave. Without objection, that will be granted.

**CONSIDERATION OF HB 203 CONTINUED**

The SPEAKER. Does anybody else wish to speak on this concurrence 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—190**

Baker	Dush	Knowles	Rader
Barbin	Ellis	Kortz	Rapp
Barrar	Emrick	Krueger	Ravenstahl
Benninghoff	English	Kulik	Readshaw
Bernstine	Evankovich	Lawrence	Reed
Bizzarro	Everett	Lewis	Reese
Bloom	Fabrizio	Longietti	Roae
Boback	Farry	Mackenzie	Roe

Boyle	Fee	Madden	Roebuck
Bradford	Fitzgerald	Maher	Rozzi
Briggs	Flynn	Mako	Ryan
Brown, R.	Frankel	Maloney	Sacone
Brown, V.	Freeman	Markosek	Sainato
Bullock	Fritz	Marshall	Samuelson
Burns	Gainey	Marsico	Sankey
Caltagirone	Galloway	Masser	Saylor
Carroll	Gergely	McCarter	Schemel
Causer	Gillen	McClinton	Schlossberg
Cephas	Gillespie	McGinnis	Schweyer
Charlton	Goodman	Mehaffie	Simmons
Christiana	Greiner	Mentzer	Sims
Comitta	Grove	Metcalfe	Snyder
Conklin	Hahn	Metzgar	Solomon
Cook	Hanna	Miccarelli	Sonney
Corbin	Harkins	Millard	Staats
Corr	Harper	Miller, B.	Stephens
Costa, D.	Harris, A.	Miller, D.	Sturla
Costa, P.	Harris, J.	Milne	Tallman
Cox	Heffley	Moul	Taylor
Culver	Helm	Mullery	Thomas
Cutler	Hennessey	Murt	Tobash
Daley	Hickernell	Mustio	Toepel
Davidson	Hill	Neilson	Toohil
Davis	Irvin	Nelson	Topper
Dawkins	James	Nesbit	Vazquez
Day	Jozwiak	Neuman	Vitali
Dean	Kampf	O'Neill	Ward
Deasy	Kaufner	Oberlander	Warner
DeLissio	Kauffman	Ortitay	Warren
Delozier	Kavulich	Pashinski	Watson
DeLuca	Keefer	Peifer	Wentling
Dermody	Keller, F.	Petrarca	Wheeland
Diamond	Keller, M.K.	Petri	White
DiGirolamo	Keller, W.	Pickett	Youngblood
Donatucci	Kim	Quigley	Zimmerman
Dowling	Kinsey	Quinn, C.	
Driscoll	Kirkland	Quinn, M.	Turzai,
Dunbar	Klunk	Rabb	Speaker

**NAYS—0**

**NOT VOTING—0**

**EXCUSED—12**

Cruz	Godshall	O'Brien	Santora
Evans	Haggerty	Pyle	Walsh
Gabler	Matzie	Rothman	Wheatley

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.

**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 203, PN 2519**

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

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

### REPUBLICAN CAUCUS

The SPEAKER. Representative Marcy Toepel, the majority caucus chair, for a caucus announcement.

Mrs. TOEPEL. Thank you, Mr. Speaker.

Republicans will caucus at 4:30. We will be back on the floor at 5:30.

### DEMOCRATIC CAUCUS

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

Mr. FRANKEL. Thank you, Mr. Speaker.

Democrats will caucus at 4:30. Democrats will caucus at 4:30.

### RECESS

The SPEAKER. Members, at this time the House will stand in recess until 5:30 p.m.; 5:30 p.m. – I heard the "what?" – but yes, 5:30 p.m.

The House will stand in recess until 5:30 p.m.

### AFTER RECESS

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

The SPEAKER. Would all members please report to the floor.

### SENATE MESSAGE

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

The clerk of the Senate, being introduced, returned **HB 1388, PN 2633**, 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 BILL CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, returned **HB 46, PN 1033**, with information that the Senate has passed the same without amendment.

### 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 amendments made by the House of Representatives to the Senate amendments to **HB 178, PN 2609; HB 542, PN 2598; and HB 785, PN 2623.**

### 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 651, PN 1284.**

### SENATE MESSAGE

#### RECESS RESOLUTION FOR CONCURRENCE

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

In the Senate,  
October 25, 2017

RESOLVED, (the House of Representatives concurring), Pursuant to Article II, Section 14 of the Pennsylvania Constitution, that when the Senate recesses this week, it reconvene on Monday, November 13, 2017, unless sooner recalled by the President Pro Tempore of the Senate; and be it further

RESOLVED, Pursuant to Article II, Section 14 of the Pennsylvania Constitution, that when the House of Representatives recesses this week, it reconvene on Monday, November 13, 2017, unless sooner recalled by the Speaker of the House of Representatives.

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

On the question,

Will the House concur in the resolution of the Senate?

Resolution was concurred in.

Ordered, That the clerk inform the Senate accordingly.

### 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 46, PN 1033**

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

**HB 178, PN 2609**

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in preliminary provisions, further providing for Keystone Exams and providing for Every Student Succeeds Act State Plan Review; in school directors, providing for school director training programs; in school district financial recovery, further providing for additional criteria and providing for financial administrator in financial watch school district; in grounds and buildings, further providing for limitation on new applications for Department of Education approval of public school building projects; in district superintendents and assistant district superintendents, further providing for reports, for manner of election or approval and for term and salary of assistants; in professional employees, further providing for causes for suspension, for persons to be suspended and for appeals to superintendent of public instruction; in certification of teachers, further providing for granting provisional college certificates and for evaluation of applications for certification; in pupils and attendance, further providing for nonprofit school food program; in drug and alcohol recovery high school pilot program, further providing for establishment of drug and alcohol recovery high school pilot program, for scope of program and selection of students, for establishment and payment of tuition, for term of drug and alcohol recovery high school pilot program and for reporting; in terms and courses of study, further providing for fire and emergency evacuation drills, for alcohol, chemical and tobacco abuse program and for agriculture education and providing for Commission for Agricultural Education Excellence; in charter schools, providing for multiple charter school organizations; in community colleges, further providing for financial program and reimbursement of payments and repealing provisions relating to annual report; in rural regional college for underserved counties, further providing for establishment; in educational tax credits, further providing for limitations; in transfers of credits between institutions of higher education, further providing for definitions, for duties of public institutions of higher education and for Transfer and Articulation Oversight Committee; in funding for public libraries, providing for State aid for fiscal year 2017-2018; in reimbursements by Commonwealth and between school districts, further providing for definitions, for student-weighted basic education funding, for payments to intermediate units, for assistance to school districts declared to be in financial recovery status or identified for financial watch status and for Ready-to-Learn Block Grant; in State Board of Education, further providing for powers and duties of the board; further providing for the applicability of Act 2016-138; and making editorial changes.

**HB 542, PN 2598**

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, in sales and use tax, further providing for definitions, for imposition of tax and for exclusions from tax, providing for marketplace providers and marketplace sellers and further providing for remote sales reports; in personal income tax, providing for the Pennsylvania ABLE Savings Program Tax Exemption, repealing provisions relating to contribution for Korea/Vietnam Memorial National Education Center, further providing for operational provisions, providing for definitions, further providing for requirement of withholding tax, providing for withholding tax requirement for non-employer payors, further providing for information statement, providing for information statement for non-employer payors and for information statement for payees, further providing for time for filing withholding returns, providing for time for filing payors' returns, further providing for payment of taxes withheld, providing for payment of taxes withheld for non-employer payors, further providing for liability for withheld taxes, providing for payor's liability for withheld taxes and for payor's failure to withhold, further providing for amount of withholding tax and for treatment of nonresident partners, members or shareholders, providing for

withholding on income and for annual withholding statement and further providing for requirements concerning returns, notices, records and statements and for additions, penalties and fees; in corporate net income tax, further providing for definitions and providing for qualified manufacturing innovation and reinvestment deduction; in realty transfer tax, further providing for definitions and for exempt parties; providing for tax credit eligibility; in entertainment production tax credit, further providing for definitions and for credit for qualified film production expenses, providing for film production tax credit districts and establishing the Entertainment Economic Enhancement Program; in city revitalization and improvement zones, further providing for certifications, for restrictions and for transfer of property; in neighborhood improvement zones, providing for transfer of property; in keystone opportunity zones, keystone opportunity expansion zones and keystone opportunity improvement zones, further providing for additional keystone opportunity zones; in inheritance tax, further providing for timely mailing treated as timely filing and payment; in Public Transportation Assistance Fund, further providing for fund; providing for fireworks; in procedure and administration, further providing for petition for reassessment and for review by board; providing for tobacco master settlement payment revenue bonds and sale of revenue; making related repeals; and making editorial changes.

**HB 785, PN 2623**

An Act amending the act of February 9, 1999 (P.L.1, No.1), known as the Capital Facilities Debt Enabling Act, in capital facilities, further providing for bonds, issue of bonds and notes, maturity, interest and for appropriation for and limitation on redevelopment assistance capital projects; and providing for capital budgets.

**SB 651, PN 1284**

An Act providing for the capital budget for fiscal year 2017-2018; itemizing public improvement projects, furniture and equipment projects, transportation assistance projects, redevelopment assistance, flood control projects, Keystone Recreation, Park and Conservation Fund projects, Environmental Stewardship Fund projects, State forestry bridge projects, park and forest management projects, State ATV/Snowmobile Fund projects, Pennsylvania Fish and Boat Commission projects, Oil and Gas Lease Fund projects and Motor License Fund projects to be constructed, acquired or assisted by the Department of General Services, the Department of Conservation and Natural Resources, the Department of Environmental Protection, the Department of Transportation or the Pennsylvania Fish and Boat Commission, together with their estimated financial costs; authorizing the incurring of debt without the approval of the electors for the purpose of financing the projects to be constructed, acquired or assisted by the Department of General Services, the Department of Environmental Protection, the Department of Transportation or the Pennsylvania Fish and Boat Commission; authorizing the use of current revenue for the purpose of financing the projects to be constructed, acquired or assisted by the Department of Conservation and Natural Resources or the Department of Transportation stating the estimated useful life of the projects; and making appropriations.

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

**LEAVE OF ABSENCE CANCELED**

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

**LEAVES OF ABSENCE**

The SPEAKER. Representative Frank RYAN, Representative Michael CORR, and Representative Rick SACCONI have all requested to be placed on leave. Without objection, those will be granted.

Will all members please report to the floor. All members, please report to the floor. All members, please report to the floor.

Will all members please take your seats so we can get an accurate count. We would like members to please take their seats. We want to make sure that everybody is here, everybody is seated, before the vote. Will all members please take their seats. If you could come onto the House floor, we want to make sure that everybody is in their seats for the votes, these budget votes.

I would ask both whips to please make sure that the members are here for the votes and in their seats. Both the majority and minority whip, if you could please check. If not, I am going to ask if they should be off the roll call, if they are not in their seats. All members, please come to the floor. Is there anybody else that should be placed on leave? I would ask the minority and the majority whips. Members need to be in their seats. Members need to be in their seats, please.

### LEAVE OF ABSENCE

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

There are still a number of seats to my right that are not filled. We are going to need to make sure that everybody is in their seats.

Members, please take your seats. Members, we are going to begin on what are called and often known as the nonpreferred appropriation bills on third consideration.

Just for the listening audience and also for members, I would call your attention to Article III, section 30, which talks about "Charitable and educational appropriations," in the State Constitution. It makes clear that "No appropriation shall be made to any charitable or educational institution not under the absolute control of the Commonwealth...." If they are not, the language is, they are not to be done "except by a vote of two-thirds of all the members elected to each House." That is the reason why these votes require 135 votes to pass. That is why they require 135 votes to pass, two-thirds vote.

### CALENDAR CONTINUED

#### BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 329**, **PN 523**, entitled:

A Supplement to the act of July 7, 1972 (P.L.743, No.176), entitled "An act providing for the establishment and operation of Lincoln University as an instrumentality of the Commonwealth to serve as a State-related institution in the higher education system of the Commonwealth; providing for change of name; providing for the composition of the board of trustees; terms of trustees, and the power and duties of such trustees; providing for preference to Pennsylvania residents in tuition; authorizing appropriations in amounts to be fixed annually by the General Assembly; providing for the auditing of accounts of expenditures from said appropriations; providing for public support and capital improvements; authorizing the issuance of bonds exempt from taxation within the Commonwealth; requiring the President to make an annual report of the operations of Lincoln University," making an appropriation for carrying the same into effect;

providing for a basis for payments of the appropriation; and providing a method of accounting for the funds appropriated and for certain fiscal information disclosure.

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

### LEAVE OF ABSENCE

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

### CONSIDERATION OF SB 329 CONTINUED

The SPEAKER. Representative Schemel, on the Lincoln University appropriation.

Mr. SCHEMEL. Thank you, Mr. Speaker.

Mr. Speaker, I want to vote for the appropriation for Lincoln and all of the other nonpreferred universities, but as we do not have the funding in place to fund these institutions, I am voting "no," and I am forced and compelled to vote "no" because I believe it is irresponsible for this body to vote to fund institutions when we do not have the revenue yet in place to fund them.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, Representative.

Representative Santora, and then followed by Representative Roae.

Representative Roae, do you have a parliamentary inquiry or do you just want to— Okay.

Representative Santora, the floor is yours.

Mr. SANTORA. Thank you, Mr. Speaker.

I am voting "yes" for the same reason. It is irresponsible of this House to hold these students liable for anything. They have been in school since September. They have been expecting these funds. It is time for them to get the money they deserve so that they can continue their education.

Thank you, Mr. Speaker.

The SPEAKER. Representative Brad Roae, followed by Representative Cris Dush. We are going to go with Representative Brad Roae first, please.

Representative Roae, the floor is yours, sir.

Mr. ROAE. Thank you, Mr. Speaker.

Mr. Speaker, many of us, including myself, made a terrible mistake back on June 30. We voted to spend money even though the revenue package had not been signed into law. Mr. Speaker, we already have \$31.4 billion of spending that is now law and we only have revenue that is about \$30 billion.

Mr. Speaker, the responsible thing to do would be to wait until the revenue bill is actually signed into law; make sure the gaming bill that has additional revenue from gambling expansion, after that is signed into law, then vote on these.

Mr. Speaker, in a few minutes here we very well may be voting to spend money that we do not have, just like we did on June 30, Mr. Speaker. Mr. Speaker, I would urge that we – I am not making an official motion here, but I would urge members to either vote "no" or ask the leadership team to wait until all the pieces of the budget are in place – the revenue bill, the gambling bill – make sure we actually have the revenue where we can actually pay for this, and I think the result of the vote might be a little bit different. Everybody in this chamber appreciates education and higher education, but, Mr. Speaker, we cannot spend money that we do not have. Thank you.

The SPEAKER. Representative Cris Dush.

Please hold, sir. Just one second.

Members, please take your seats. Members, please take your seats. Everybody is entitled to be heard. Representative Dush will go first and then we will have Representative Curtis Thomas. But I am asking everybody to please take your seats.

Representative Kathy Watson, Representative Will Tallman, and Representative Karen Boback will all be called in that order, but I would ask – Representative Conklin – but I would ask everybody to please give each and every one of our speakers the attention that they deserve. There is a 5-minute clock for these remarks.

Representative Dush, the floor is yours.

Mr. DUSH. Thank you, Mr. Speaker.

I will not take anywhere close to that.

Mr. Speaker, back on June 30 this House did vote to spend more money than we had revenue for. Now we have voted and the Senate has just approved a package to borrow \$1.5 billion that our children and our grandchildren are going to end up having to pay, and yet we are going to send, with these votes, over a half a billion dollars, \$600 million to private corporations. These nonpreferred universities are private institutions. They are not part of State government. That is the reason why they are called nonpreferred.

Mr. Speaker, we are borrowing \$1.5 billion and we have \$600 million we are going to authorize out of that. This is going to impact far more than a few thousand students that are in those schools. This is going to impact every single working family in the Commonwealth of Pennsylvania. It is going to impact children that have not even been born yet. This is taxation without representation by making this borrowing, and we are putting this on the backs not just— People are making the comments that we are putting it on the backs of the students that are in these universities, but we are actually putting this on the backs of kids that have not even been born yet.

Mr. Speaker, I agree that at the very least, this needs to be held until after we know we have the revenue.

The SPEAKER. Thank you, sir.

Representative Curtis Thomas.

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, I should be on my way to the hospital right now.

The SPEAKER. Members, please take your seats. The gentleman cannot be heard. The gentleman cannot be heard. Please take your seats.

Mr. THOMAS. Mr. Speaker, I should be in the hospital right now, but I came here, I came here because I recognize the importance of so many thousands of young people in Pennsylvania that are relying on those nonpreferreds. Those nonpreferreds were created to provide Pennsylvanian children, Pennsylvanian children with an opportunity to get a quality

education, and, Mr. Speaker, I think it is shameful to hold them hostage for a gaming bill. It is shameful to do that.

### PARLIAMENTARY INQUIRY

Mr. THOMAS. And, Mr. Speaker, in reference to this parliamentary inquiry, if we vote—

The SPEAKER. Yes; you may proceed, sir.

Mr. THOMAS. If we vote on these nonpreferreds and they do not pass, does that mean that they cannot be reconsidered after you have moved your gaming bill?

The SPEAKER. As with any other legislation, there could be motions to reconsider filed at any time.

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, I ask my colleagues on both—

The SPEAKER. My mistake. Let me consult with the Parliamentarian.

The motion to reconsider would have to be filed within 5 legislative days. That motion would not have to be taken up in those 5 legislative days, but a motion to reconsider on any bill has to be filed within 5 legislative days.

### MOTION TO TABLE

Mr. THOMAS. Mr. Speaker, I am not prepared to play with these kids tonight. I am not prepared to do that. So, Mr. Speaker, I rise to table this bill and let your gaming bill get out of the way so we can deal with these young people.

The SPEAKER. Members, in front of us is a motion—

### MOTION WITHDRAWN

Mr. THOMAS. Mr. Speaker?

The SPEAKER. Yes, sir.

Mr. THOMAS. I rise to move forward on SB 329, and I ask my colleagues on both sides of the aisle to vote "yes" in favor of these young people.

The SPEAKER. Okay. Sir, so you are withdrawing your motion?

Mr. THOMAS. The motion is withdrawn.

The SPEAKER. Okay. Thank you, sir.

Mr. THOMAS. And now that we resolved that parliamentary inquiry, I am rising to concur on SB 329. Let us not hold these young people hostage any longer, any longer. It was designed to help Pennsylvanian children get a quality education – Lincoln University, Temple University, University of Pittsburgh, Penn State University. Do not say no to them today. Move this forward.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, sir.

Representative Kathy Watson.

Mrs. WATSON. Thank you, Mr. Speaker, and thank you to my colleagues—

The SPEAKER. Good lady, if you would just give me a second.

Members, please take your seats. Each and every member is entitled to be heard. Members, please take your seats. Please, if we could, we need to give our fellow colleagues the opportunity to be heard.

Representative Watson.

Mrs. WATSON. Thank you, Mr. Speaker, and thank you to my colleagues.

Even though for those of you who have been here a long time, you are going to hear a speech that you heard in 2009 for the first time. Yes, Mr. Speaker, that is how long this controversy of do we fund the nonpreferreds, do we use them to hold them up? Yes. And it goes through – with all due respect – both sides of the aisle, if you are newer, have tried this. It is not a good procedure. I think that the previous speaker from Philadelphia was right on: young people are not hostages. Their families are not hostages. They are trying to get an education. How do I absolutely know that is true? Because long ago – I know, very long ago – I was one of those young people and that was my family. And if indeed you had come up with telling my family that the education I was getting, thanks to almost a full academic scholarship to the University of Pennsylvania, was going to change and they were going to have to come up with a couple thousand dollars, I would not have been able to continue – not because they did not value education, but we could not have done it. So I am grateful for the education I received. I would never hold children – young people; I am not to call them children, but young people – up. And please understand this, if you will: they do not make the decisions, Mr. Speaker. Their families do not make the decisions. If you are unhappy with administration, if you are unhappy with a particular college president, whatever it might be, we need to deal with that, but we never, never put young people in the middle.

Someone earlier mentioned about we would be irresponsible. I would suggest to you in closing, Mr. Speaker, it would be incredibly irresponsible not to fund the nonpreferreds, not to give these young people the education that they deserve and their families that peace of mind. Please remember, these are families that work two jobs, three jobs, whatever it takes to get that child through school. How do I know? Because I had a family like that and I have never forgotten it.

Thank you very much, Mr. Speaker.

The SPEAKER. Thank you, Representative.

### MOTION TO TABLE

The SPEAKER. Representative Will Tallman.

Members, please take your seats. Everyone is entitled to be heard.

Representative Tallman.

Mr. TALLMAN. Thank you, Mr. Speaker.

I believe if we do these bills now without knowing what the revenue is, we are not doing our fiduciary responsibility. I would like to make a motion.

The SPEAKER. Yes, sir. You may proceed.

Mr. TALLMAN. I would like to make a motion that we table SB 329 until November 13.

The SPEAKER. Yes, sir. The motion before us is a motion to table SB 329 until November 13, 2017.

On the question,

Will the House agree to the motion?

The SPEAKER. Now, on a motion to table, the only members that can speak, under our rules, are the majority leader, the minority leader, and the maker of the motion.

Representative Tallman, do you wish to say anything further on behalf of the motion? No; okay.

The majority leader first and then the minority leader.

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

I would ask the members to oppose the procedural motion to table SB 329. Thank you.

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

Mr. DERMODY. Thank you, Mr. Speaker.

I would also urge the members to oppose the motion to table SB 329.

The SPEAKER. Members, this is a simple majority vote. It is a majority of the members that are actually here, you know, that are on the roll call.

So all those in favor of the motion to table until November 13 will be voting "aye"; those opposed to the motion to table will be voting "nay."

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

#### YEAS—17

Dowling	Hill	Miller, B.	Schemel
Dush	Knowles	Moul	Tallman
Gillespie	McGinnis	Nelson	Tobash
Grove	Metcalf	Roae	Warner
Harris, J.			

#### NAYS—169

Baker	Donatucci	Klunk	Rader
Barbin	Driscoll	Kortz	Rapp
Barrar	Dunbar	Krueger	Ravenstahl
Benninghoff	Ellis	Kulik	Readshaw
Bernstine	Emrick	Lawrence	Reed
Bizzarro	English	Lewis	Reese
Bloom	Evankovich	Longietti	Roe
Boback	Everett	Mackenzie	Roebuck
Boyle	Farry	Madden	Rozzi
Bradford	Fee	Maher	Sainato
Briggs	Fitzgerald	Mako	Samuelson
Brown, R.	Flynn	Maloney	Sankey
Brown, V.	Frankel	Markosek	Santora
Bullock	Freeman	Marshall	Saylor
Burns	Fritz	Marsico	Schlossberg
Caltagirone	Gainey	Masser	Schweyer
Carroll	Galloway	McCarter	Simmons
Causar	Gergely	McClinton	Sims
Cephas	Gillen	Mehaffie	Snyder
Charlton	Goodman	Mentzer	Solomon
Christiana	Greiner	Metzgar	Sonney
Comitta	Hahn	Miccarelli	Staats
Conklin	Hanna	Millard	Stephens
Cook	Harkins	Miller, D.	Sturla
Corbin	Harper	Milne	Taylor
Costa, D.	Harris, A.	Mullery	Thomas
Costa, P.	Heffley	Murt	Toepel
Cox	Helm	Mustio	Toohil
Culver	Hennessey	Neilson	Topper
Cutler	Hickernell	Nesbit	Vazquez
Daley	Irvin	Neuman	Vitali
Davidson	James	O'Neill	Ward
Davis	Jozwiak	Oberlander	Warren
Dawkins	Kampf	Ortitay	Watson
Day	Kaufner	Pashinski	Wentling
Dean	Kauffman	Peifer	Wheeland
Deasy	Kavulich	Petrarca	White
DeLissio	Keller, F.	Petri	Youngblood
Delozier	Keller, M.K.	Pickett	Zimmerman

DeLuca	Keller, W.	Quigley	
Dermody	Kim	Quinn, C.	Turzai,
Diamond	Kinsey	Quinn, M.	Speaker
DiGirolamo	Kirkland	Rabb	

NOT VOTING—0

EXCUSED—16

Corr	Gabler	Matzie	Ryan
Cruz	Godshall	O'Brien	Saccone
Evans	Haggerty	Pyle	Walsh
Fabrizio	Keefer	Rothman	Wheatley

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

On the question recurring,  
Shall the bill pass finally?

The SPEAKER. Representative Karen Boback is recognized. Ms. BOBACK. Thank you, Mr. Speaker.

As an educator, a taxpayer, but most importantly, as a mother, I say it is unconscionable to hold up these bills. I say, let us vote these five bills now, support our Commonwealth students and these fine Commonwealth institutions.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, Representative.

**PARLIAMENTARY INQUIRY**

The SPEAKER. Representative Conklin.

Mr. CONKLIN. Thank you, Mr. Speaker.

Just very quickly, Mr. Speaker. Are we running all the nonpreferreds this evening?

The SPEAKER. Sir, the leader has called up all five of the nonpreferreds. I think there are five nonpreferred bills. Yes, they are all on the calendar.

Mr. CONKLIN. Thank you, Mr. Speaker.

On the bill?

The SPEAKER. You may proceed.

Mr. CONKLIN. I had a great, flowery speech ready to go, but in light of the reconsideration motion, Mr. Speaker, I would just say vote "yes" on all the nonpreferreds. Thank you.

The SPEAKER. Thank you, sir.

**PARLIAMENTARY INQUIRY**

The SPEAKER. Representative Harry Lewis, on the appropriation for Lincoln University. You may proceed, sir.

Mr. LEWIS. Thank you, Mr. Speaker.

Matter of parliamentary inquiry?

The SPEAKER. Yes, sir. You may proceed.

Mr. LEWIS. I am a member of the board of trustees at Lincoln University and I am questioning my eligibility to vote on this particular Senate bill.

The SPEAKER. Sir, in consultation with the Parliamentarian, you are a member of a class. You are not in conflict and you should vote. Thank you.

Representative Eli Evankovich.

Mr. EVANKOVICH. Thank you, Mr. Speaker.

Mr. Speaker, would the majority Appropriations chair rise for brief interrogation?

The SPEAKER. The good gentleman has indicated he will so stand, and you may proceed, sir.

Mr. EVANKOVICH. Thank you, Mr. Speaker.

Mr. Speaker, the amount of the appropriation for Lincoln University, would the gentleman please explain to the chamber what the money that is appropriated is used for?

Mr. SAYLOR. Mr. Speaker, the money used by all of these universities that we are talking about tonight is used to supplement instate tuition, to keep the tuition of students from Pennsylvania who are attending these universities to have a lower tuition than those who are out of State.

Mr. EVANKOVICH. Thank you, Mr. Speaker.

And the money that is given to offset tuition, are we aware of — for the particular bill in place, Lincoln University — are we aware of what the cost for the students will be increasing with the appropriation or without the appropriation? Are we aware of both of those numbers?

Mr. SAYLOR. For Lincoln University, I am not sure, Mr. Speaker. We have heard numbers anywhere from \$4,000 to \$8,000 for any number of these universities will be an increase effective January 1. The boards of trustees for these universities are planning to meet here in the next few weeks to make that decision.

Mr. EVANKOVICH. Thank you, Mr. Speaker.

If I can understand this, the university uses the appropriation to offset tuition, but what do they actually use the money for?

Mr. SAYLOR. Mr. Speaker, the money goes into the instructional costs for those students. It is to help pay, of course, the professors and those kind of situations.

Mr. EVANKOVICH. And would that also include facilities and things of that nature?

Mr. SAYLOR. Sure.

Mr. EVANKOVICH. On the bill, very briefly?

The SPEAKER. Yes, sir. You may proceed.

Mr. EVANKOVICH. This is a very difficult vote for our chamber. I think a lot of people are very frustrated because of the lack of revenue in our State, and I think a lot of people are frustrated because they view these nonpreferred appropriations as a tool for helping students pay for their college tuition.

I would just like to say that we have heard "helping kids." We have heard words like "hostage" being used, but I would just like every member of this chamber to take a step back and think about where the money ends up.

When I was a young accountant at U.S. Steel, I learned from a very young age that every dollar of spending ends up in someone's pocket. None of this money ends up in the student's pocket. Not one penny of this winds up in the student's pocket. It does go into the pockets of the faculty and the administrators and construction companies that build facilities for Lincoln University. I see some puzzled faces. Lincoln University pays their bills with this. Their bills include faculty costs. Their bills include construction for new dormitories and for cafeterias. The bottom line is, whether or not this appropriation goes into place or not, we have to fundamentally change how we fund our education systems, not just in higher education, but in K through 12 education, because this money does not end up in students' pockets.

I am a person who borrowed every penny to go to college. I borrowed every penny. I had no support from my family because they could not offer it because they did not have the financial means to, so I certainly understand the plight of a student that needs tuition offset. But time after time we have been told by our education systems that they are trying to do things better, yet we see tuition increase after tuition increase.

I simply rise to remind the members that this money does not go into students' pockets. It goes into the pockets of faculty and administrators and construction companies, not into the pockets of students. Thank you.

The SPEAKER. Representative Jordan Harris.

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

Mr. Speaker, I will admit that for me, voting for nonpreferreds is a hard vote, not because I do not believe the students need the money, but as a graduate of Millersville University and as a member of the Council of Trustees at Millersville University, I would be remiss to not stand up and talk about the fact that I think we need to rework how we fund higher education here in Pennsylvania. If you look at the dollars, the total of the nonpreferreds would be about \$600 million for 5 schools, I believe, while we have 14 universities that we wholesale own and we only give them \$450 million.

Mr. Speaker, I think there needs to be a time for us to have a conversation over why we give the nonpreferreds more money and we do not own them, and give only our State System schools like Cheyney University, Millersville, West Chester, Slippery Rock, Kutztown, Edinboro, and Mansfield, why we only give them \$450 million. For me, Mr. Speaker, I do have an issue with that. I have an issue also with that because what I know is that if Mansfield University fails and closes, that whole region will be devastated. If Lock Haven closes, that whole region will be devastated, and we own those 14 universities.

Now, with that being said, Mr. Speaker, I also believe that the young people that do go to these schools need these resources in order to fund their education. So yes, maybe the money does go to professors; yeah, the professors that stand up and teach those young people. Yes, that money may go to dormitories; yeah, the dormitories that those students will stay in so that they can get that quality education. So while the money may not go into the student's pocket, it is actually going into a university so that the students do not have to take more money out of their pocket to pay for their education.

So, Mr. Speaker, I am of course going to be in support of providing resources necessary to provide quality higher education for our young people in this Commonwealth, but I would ask that in the future, our Appropriations Committee looks at parity between our nonpreferreds and the State System schools that we actually own and are responsible for.

The last thing I will say is, if a school like Cheyney University was to close, it would be the State that owns the debt for that university. If Mansfield was to close, it would be the State that owns the debt from that university. So it makes sense for us to invest in those 14 schools as well to ensure that they stay around or we will own that debt, and beyond owning the debt, we will own the devastation that will happen to those regions, where in many of these places in Pennsylvania, these universities are the largest employers in that area.

So yes, Mr. Speaker, I will support these nonpreferreds because I believe in putting young people first and providing them with the quality education that they need, but I hope at some point in the future we can have a full, robust conversation about how we fund and have parity and equity with regards to the nonpreferreds and the 14 universities that we actually own and have a fiduciary responsibility to.

Thank you, Mr. Speaker.

The SPEAKER. Representative Tom Murt.

Mr. MURT. Thank you, Mr. Speaker.

Mr. Speaker, I always like to correct a discussion sometimes. When we are talking about education, we talk about an expense. What we should be talking about is an investment. Mr. Speaker, these State-affiliated institutions – Lincoln University, Penn State, University of Pittsburgh – Mr. Speaker, these institutions – and Temple University, Mr. Speaker – these institutions make higher education affordable and attainable to Pennsylvania's working-class and middle-class families. There is no question about it. Without these institutions, higher education would be a stretch for many families across our great Commonwealth.

Mr. Speaker, these institutions without this funding, without this investment that we are discerning right now, will be forced to make some very difficult, some very hard decisions, possibly including a midyear tuition increase; there is no discounting that possibility.

Mr. Speaker, it is acceptable, it is okay to be upset about the budget process this year, but it is not okay to hold this bill up, to hold this investment up, and to hold hostage our own college students who look to this system for the opportunity to be involved in higher education.

So I certainly encourage my colleagues to vote affirmative on SB 329. Thank you, Mr. Speaker.

The SPEAKER. Representative Madeleine Dean.

Mrs. DEAN. Thank you, Mr. Speaker.

I am really pleased that we are finally having the opportunity to free students and their families from the worry that we have burdened them with for the past many months. I am pleased that we are finally doing this, and I am confident we will support these students and their families and their futures. I am disappointed it has taken us this long. I am disappointed that those who voted in June to fully fund a \$32 billion budget now throw that vote up as though the students somehow got in the way. They did not. We voted to spend this money. We voted to support our schools and our students and our families, and yet we did not have the will to come up with the revenues. So you may not like the big borrowing – I surely do not – but it is not the students' fault. It is not the families' fault.

In my own district, we have Penn State Abington, and at a recent meeting at Penn State Abington, the board, the administration, and the chancellor assured me that they are eager and desperate for us to actually do our job here because the tuition increase that they must impose after the first of the year will mean the difference between students returning and not returning. Retention is a huge problem. Many of their students are first-time college-goers in their families. If we fail them yet again, the economic damage will be serious, but the future for these students is more serious.

So I am pretty confident tonight that this room will do the right thing by way of our families and free the students from the worry that we have unnecessarily imposed upon them.

Thank you, Mr. Speaker. I rise in support of all of the nonpreferreds' funding. Thank you, Mr. Speaker.

The SPEAKER. Representative Kristin Phillips-Hill.  
 Mrs. HILL. Thank you, Mr. Speaker.  
 Mr. Speaker, if I may request to interrogate the House majority appropriations chairman on the nonpreferred bill?

The SPEAKER. Yes; he is willing to stand for interrogation and you may proceed.

Mrs. HILL. Thank you, Mr. Speaker.  
 Mr. Speaker, can the House majority appropriations chairman confirm that the current revenue estimates support the funding levels in the nonpreferred appropriations bills?

Mr. SAYLOR. Mr. Speaker, the IFO (Independent Fiscal Office) estimates definitely support and fully fund these universities; in fact, we are currently fiscally \$25 million above fiscal estimates at this time.

Mrs. HILL. Thank you, Mr. Speaker.  
 The SPEAKER. Representative John Lawrence.

Mr. LAWRENCE. Thank you, Mr. Speaker.  
 I appreciate the opportunity to speak on behalf of Lincoln University. Mr. Speaker, I would like to point out for the members' benefit, the State appropriation to Lincoln University makes up approximately 22 percent of the university's budget. It is used to provide approximately \$6,000-per-student tuition discount. That is a significant percent of the university's budget on an annual basis. I would also like to advise the members if, perhaps, they are unaware, that Lincoln has committed to a tuition freeze model. When you come in as a freshman, the tuition that you pay as a freshman is the same your sophomore, your junior, and your senior year – all 4 years. That is something they have put in place, and I think that is a great model to emulate.

I would certainly appreciate the members' support on behalf of the nation's oldest historically Black college and university. Thank you, Mr. Speaker.

The SPEAKER. Representative Bill Kortz, on the Lincoln University appropriation.

Mr. KORTZ. Thank you, Mr. Speaker.  
 Mr. Speaker, I rise in support of the Senate bill and all the nonpreferreds. This truly is an investment in our children. It is an investment that we must do. Please vote "yes." Thank you.

On the question recurring,  
 Shall the bill pass finally?  
 The SPEAKER. Agreeable to the provisions of the Constitution, the yeas and nays will now be taken.

The following roll call was recorded:

YEAS—181

Baker	Dunbar	Knowles	Rader
Barbin	Ellis	Kortz	Rapp
Barrar	Emrick	Krueger	Ravenstahl
Benninghoff	English	Kulik	Readshaw
Bernstine	Evankovich	Lawrence	Reed
Bizzarro	Everett	Lewis	Reese
Bloom	Farry	Longietti	Roe
Boback	Fee	Mackenzie	Roebuck
Boyle	Fitzgerald	Madden	Rozzi
Bradford	Flynn	Maher	Sainato
Briggs	Frankel	Mako	Samuelson
Brown, R.	Freeman	Maloney	Sankey
Brown, V.	Fritz	Markosek	Santora
Bullock	Gainey	Marshall	Saylor
Burns	Galloway	Marsico	Schlossberg
Caltagirone	Gergely	Masser	Schweyer

Carroll	Gillen	McCarter	Simmons
Causer	Gillespie	McClinton	Sims
Cephas	Goodman	Mehaffie	Snyder
Charlton	Greiner	Mentzer	Solomon
Christiana	Grove	Metzgar	Sonney
Comitta	Hahn	Miccarelli	Staats
Conklin	Hanna	Millard	Stephens
Cook	Harkins	Miller, B.	Sturla
Corbin	Harper	Miller, D.	Tallman
Costa, D.	Harris, A.	Milne	Taylor
Costa, P.	Harris, J.	Moul	Thomas
Cox	Heffley	Mullery	Tobash
Culver	Helm	Murt	Toepel
Cutler	Hennessey	Mustio	Toohil
Daley	Hickernell	Neilson	Topper
Davidson	Hill	Nelson	Vazquez
Davis	Irvin	Nesbit	Vitali
Dawkins	James	Neuman	Ward
Day	Jozwiak	O'Neill	Warner
Dean	Kampf	Oberlander	Warren
Deasy	Kaufner	Ortitay	Watson
DeLissio	Kauffman	Pashinski	Wentling
Delozier	Kavulich	Peifer	Wheeland
DeLuca	Keller, F.	Petrarca	White
Dermody	Keller, M.K.	Petri	Youngblood
Diamond	Keller, W.	Pickett	Zimmerman
DiGirolamo	Kim	Quigley	
Donatucci	Kinsey	Quinn, C.	Turzai,
Dowling	Kirkland	Quinn, M.	Speaker
Driscoll	Klunk	Rabb	

NAYS—5

Dush	Metcalfe	Roae	Schemel
McGinnis			

NOT VOTING—0

EXCUSED—16

Corr	Gabler	Matzie	Ryan
Cruz	Godshall	O'Brien	Saccone
Evans	Haggerty	Pyle	Walsh
Fabrizio	Keefer	Rothman	Wheatley

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

Ordered, That the clerk return the same to the Senate with the information that the House has passed the same without amendment.

\* \* \*

The House proceeded to third consideration of **SB 328, PN 522**, entitled:

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

and providing a method of accounting for the funds appropriated and for certain fiscal information disclosure.

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—180

Baker	Dunbar	Knowles	Rader
Barbin	Ellis	Kortz	Rapp
Barrar	Emrick	Krueger	Ravenstahl
Benninghoff	English	Kulik	Readshaw
Bernstine	Evankovich	Lawrence	Reed
Bizzarro	Everett	Lewis	Reese
Bloom	Farry	Longietti	Roe
Boback	Fee	Mackenzie	Roebuck
Boyle	Fitzgerald	Madden	Rozzi
Bradford	Flynn	Maher	Sainato
Briggs	Frankel	Mako	Samuelson
Brown, R.	Freeman	Maloney	Sankey
Brown, V.	Fritz	Markosek	Santora
Bullock	Gainey	Marshall	Saylor
Burns	Galloway	Marsico	Schlossberg
Caltagirone	Gergely	Masser	Schweyer
Carroll	Gillen	McCarter	Simmons
Causer	Gillespie	McClinton	Sims
Cephas	Goodman	Mehaffie	Snyder
Charlton	Greiner	Mentzer	Solomon
Christiana	Grove	Metzgar	Sonney
Comitta	Hahn	Miccarelli	Staats
Conklin	Hanna	Millard	Stephens
Cook	Harkins	Miller, B.	Sturla
Corbin	Harper	Miller, D.	Tallman
Costa, D.	Harris, A.	Milne	Taylor
Costa, P.	Harris, J.	Moul	Thomas
Cox	Heffley	Mullery	Tobash
Culver	Helm	Murt	Toepel
Cutler	Hennessey	Mustio	Toohil
Daley	Hickernell	Neilson	Topper
Davidson	Hill	Nelson	Vazquez
Davis	Irvin	Nesbit	Vitali
Dawkins	James	Neuman	Ward
Day	Jozwiak	O'Neill	Warner
Dean	Kampf	Oberlander	Warren
Deasy	Kaufner	Ortitay	Watson
DeLissio	Kauffman	Pashinski	Wentling
Delozier	Kavulich	Peifer	Wheeland
DeLuca	Keller, F.	Petri	White
Dermody	Keller, M.K.	Pickett	Youngblood
Diamond	Keller, W.	Quigley	Zimmerman
DiGirolamo	Kim	Quinn, C.	
Donatucci	Kinsey	Quinn, M.	Turzai,
Dowling	Kirkland	Rabb	Speaker
Driscoll	Klunk		

NAYS—6

Dush	Metcalfe	Roae	Schemel
McGinnis	Petrarca		

NOT VOTING—0

EXCUSED—16

Corr	Gabler	Matzie	Ryan
Cruz	Godshall	O'Brien	Saccone
Evans	Haggerty	Pyle	Walsh
Fabrizio	Keefer	Rothman	Wheatley

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

Ordered, That the clerk return the same to the Senate with the information that the House has passed the same without amendment.

\* \* \*

The House proceeded to third consideration of **SB 327, PN 1060**, entitled:

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

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—181

Baker	Dunbar	Knowles	Rader
Barbin	Ellis	Kortz	Rapp
Barrar	Emrick	Krueger	Ravenstahl
Benninghoff	English	Kulik	Readshaw
Bernstine	Evankovich	Lawrence	Reed
Bizzarro	Everett	Lewis	Reese
Bloom	Farry	Longietti	Roe
Boback	Fee	Mackenzie	Roebuck
Boyle	Fitzgerald	Madden	Rozzi
Bradford	Flynn	Maher	Sainato
Briggs	Frankel	Mako	Samuelson
Brown, R.	Freeman	Maloney	Sankey
Brown, V.	Fritz	Markosek	Santora
Bullock	Gainey	Marshall	Saylor
Burns	Galloway	Marsico	Schlossberg
Caltagirone	Gergely	Masser	Schweyer
Carroll	Gillen	McCarter	Simmons
Causer	Gillespie	McClinton	Sims
Cephas	Goodman	Mehaffie	Snyder
Charlton	Greiner	Mentzer	Solomon
Christiana	Grove	Metzgar	Sonney
Comitta	Hahn	Miccarelli	Staats

Conklin	Hanna	Millard	Stephens
Cook	Harkins	Miller, B.	Sturla
Corbin	Harper	Miller, D.	Tallman
Costa, D.	Harris, A.	Milne	Taylor
Costa, P.	Harris, J.	Moul	Thomas
Cox	Heffley	Mullery	Tobash
Culver	Helm	Murt	Toepel
Cutler	Hennessey	Mustio	Toohil
Daley	Hickernell	Neilson	Topper
Davidson	Hill	Nelson	Vazquez
Davis	Irvin	Nesbit	Vitali
Dawkins	James	Neuman	Ward
Day	Jozwiak	O'Neill	Warner
Dean	Kampf	Oberlander	Warren
Deasy	Kaufer	Ortitay	Watson
DeLissio	Kauffman	Pashinski	Wentling
DeLozier	Kavulich	Peifer	Wheeland
DeLuca	Keller, F.	Petrarca	White
Dermody	Keller, M.K.	Petri	Youngblood
Diamond	Keller, W.	Pickett	Zimmerman
DiGirolamo	Kim	Quigley	
Donatucci	Kinsey	Quinn, C.	Turzai,
Dowling	Kirkland	Quinn, M.	Speaker
Driscoll	Klunk	Rabb	

NAYS-5

Dush	Metcalf	Roae	Schemel
McGinnis			

NOT VOTING-0

EXCUSED-16

Corr	Gabler	Matzie	Ryan
Cruz	Godshall	O'Brien	Saccone
Evans	Haggerty	Pyle	Walsh
Fabrizio	Keefer	Rothman	Wheatley

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

Ordered, That the clerk return the same to the Senate with the information that the House has passed the same without amendment.

\* \* \*

The House proceeded to third consideration of **SB 325, PN 1021**, entitled:

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

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

(Bill analysis was read.)

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

Representative Will Tallman is recognized.

Mr. TALLMAN. Thank you, Mr. Speaker.

I would like to ask somebody a question in regards to what happens at—

The SPEAKER. Right. The majority Appropriations chair I am sure is available to answer questions for interrogation.

You may proceed.

Mr. TALLMAN. It is my understanding that the University of Pennsylvania is a sanctuary campus?

Mr. SAYLOR. Mr. Speaker, I do not know what the campus is or is not.

Mr. TALLMAN. Mr. Speaker, is there someone here that could answer that question? I mean, it is my belief that it is. I am not sure of that.

The SPEAKER. The appropriation, just as an aside, is for the University of Pennsylvania veterinary school. It is for the veterinary school.

Sir, I cannot search out for somebody to interrogate. I do not mean to be disrespectful, but if the Appropriations chair does not know— Okay; Representative Knowles, will you stand for interrogation?

Mr. KNOWLES. With a great amount of joy, Mr. Speaker.

The SPEAKER. Okay. I think he has a singular question. Please ask the question.

Mr. TALLMAN. Thank you, Mr. Speaker.

It is my belief that— At least it is reported that the University of Pennsylvania is a sanctuary campus. Is that true or—

The SPEAKER. Is that a question?

Mr. TALLMAN. That is a question.

The SPEAKER. Okay. Representative Knowles, you are going to have to cite a source if you are going to answer this, but please proceed.

Mr. KNOWLES. That is correct. They are a sanctuary campus. That is correct.

The SPEAKER. I am not sure what the definition there is or the relevance, but, sir, you may speak now on the bill if you—

**PARLIAMENTARY INQUIRIES**

The SPEAKER. Representative Miccarelli rises; for what point, sir?

Mr. MICCARELLI. Parliamentary inquiry, Mr. Speaker.

The SPEAKER. Yes, sir. You may proceed.

Mr. MICCARELLI. He said, I believe "that the University of Pennsylvania is a sanctuary campus." How is that in fact a question?

The SPEAKER. I asked if it was a question and he indicated it was. He wanted to see if that was correct or not, but the relevance can be argued, and we are going to give people an opportunity to argue the relevance of that.

Mr. MICCARELLI. One other parliamentary inquiry, Mr. Speaker?

The SPEAKER. Yes, sir. You may proceed.

Mr. MICCARELLI. Is it now my understanding that at any time anyone can stand for interrogation on a particular piece of legislation, even if it is not theirs?

The SPEAKER. There is past precedent for that, yes. That is not new. That has happened in the past. I am not saying it is a frequent occurrence, but it has happened a number of times – at least during my 16-year career, I have seen it happen.

Mr. MICCARELLI. Is that a rule, Mr. Speaker? Is that a rule?

The SPEAKER. No, it is not a ruling. It has just been a past practice—

Mr. MICCARELLI. Okay. Thank you, Mr. Speaker.

The SPEAKER. —but it is not a ruling.

Mr. MICCARELLI. Thank you.

The SPEAKER. No; it is not.

I would also state this, though – but your point, the good gentleman from Delaware County, is well made – originally he stated it as a question. Representative, if you could just sit; Representative, the good gentleman from Bucks. Your point is well made. When he originally made it, he did frame it as a question then. When it was reasked, he did say it as a statement. That is accurate. Then I asked if it was a question. But your point is well made. Your point is well made.

Right now here is where we are going to go. Let us just refocus here. There are a number of individuals who want to speak on the bill. This is an appropriation for the University of Pennsylvania veterinary school. Right now where we are – just give me a second – Representative Tallman will be first. Representative Knowles wishes to be recognized.

### POINT OF ORDER

The SPEAKER. Representative Harris, you have a point of order. Go ahead, sir.

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

I mean, you let the good gentleman speak as a source on this. A part of the school—

The SPEAKER. No, I did not as a source. I said you should cite a source. That is what I said.

Mr. J. HARRIS. Well, Mr. Speaker, what I would say, seeing as though part of it they do, some part of training they do for the vet school is in my district, I would say that it is a sanctuary for dogs and cats and other animals, and that is it.

Thank you, Mr. Speaker.

The SPEAKER. All right. Okay. Right now we are going to have everybody get their opportunity to speak. We are going to begin with Representative Tallman. Representative Roebuck, do you rise to speak as well? So we are going to go Representative Tallman, Representative Knowles, Representative Roebuck. That is who we have speaking in that order at this time.

Representative Tallman, you may proceed to speak on the appropriation to the University of Pennsylvania veterinary school.

Mr. TALLMAN. Thank you, Mr. Speaker.

Just one clarification. You can look at the transcript; I did ask, is that correct?

So here is my point on the University of Pennsylvania. They are a sanctuary campus. We should not be appropriating money. They are in violation of Federal law. Thank you.

The SPEAKER. Representative Knowles.

Mr. KNOWLES. Thank you, Mr. Speaker.

Mr. Speaker, I have little doubt that this bill will pass today. These bills usually fly right through with no problem. Honestly, I never voted against any of them, but I would like to make a few brief remarks on why I will be voting "no" on SB 325.

Mr. Speaker, as many of you know, I have a House bill, HB 14, and this would stop any college or university that is a sanctuary campus from getting State dollars. Now, in spite of

the fact that this General Assembly has given millions and millions of dollars year after year, the University of Pennsylvania has declared itself a sanctuary campus. That particular statement was made by the esteemed president of that university.

Mr. Speaker, I would be a hypocrite if I voted "yes" on this bill, because my reasons for voting "no" are because of HB 14, and it is just totally ridiculous, in my opinion, that we are giving money to this university.

Mr. Speaker, I strongly support the veterinary activity and the infectious disease research programs at the U of P. The district that I represent is a farming area, so this is a very difficult "no" vote. My "no" vote has to do with the University of Pennsylvania picking and choosing which laws they will obey and which laws they will ignore. We are a nation of laws. We are a land of laws, Mr. Speaker. If you disagree with a law, there is a process to change it. That is what you do, you change it. I just cannot figure out why we would be giving a private Ivy League university money, especially under these circumstances.

Let us talk a little bit about the economics of the University of Pennsylvania. They have an endowment of over \$12 billion; that is billion with a "b." They have an operating budget of \$8.7 billion; again, that is with a "b." And their president makes an annual salary of \$3.5 million – and thank heavens, that is with an "m" – \$3.5 million a year. Now, I am not saying that she is not worth it, but the bottom line is, just to stress, how wealthy the University of Pennsylvania is. The University of Pennsylvania is defying Federal law, thumbing their noses at the taxpayers of Pennsylvania, the people who pay the bills.

Mr. Speaker, we cannot, we cannot reward this kind of behavior. I want to note, somebody was asking about the university. I met with representatives from the University of Pennsylvania back in January to try to iron this thing out. I have been in contact with them on several occasions and I have had no success. Listen, if this thing should fail, if the University of Pennsylvania would release a public statement or provide a letter that they indeed will comply with the immigration laws, I would be glad to personally submit a supplemental appropriations bill for them for their \$30 million.

Mr. Speaker, we are not talking about Pitt or Penn State or Lincoln. We are not talking about them. We are talking about an Ivy League college with lots of money. Mr. Speaker, students matter, animals matter, farmers matter, but laws and taxpayers matter too. Thank you, Mr. Speaker.

The SPEAKER. Thank you, sir.

Representative Roebuck.

Mr. ROEBUCK. Thank you, Mr. Speaker.

I am very proud to stand here and support the veterinary school of the University of Pennsylvania, the only veterinary school in the Commonwealth of Pennsylvania, a school which in fact is in my district, a school in fact which is in my neighborhood, a school which adds to the strength of the diversity of the intellectual quality of the general quality of life in that part of west Philadelphia. And understand, Mr. Speaker, we who are in Philadelphia are urban, but the veterinary school drives and services largely out to rural Pennsylvania. It is that which provides doctors on farms across the Commonwealth. No other school does that in this State.

So we question something about a sanctuary campus, and it strikes me, Mr. Speaker, that how often do we hear the President of the United States talk about being a graduate of the

Wharton School of the University of Pennsylvania? He does not say, "I'm not a graduate because that has taken the title of a sanctuary school." He constantly talks about Wharton School and his relationship to Wharton School, which is the University of Pennsylvania. If our President can be proud of Penn, why can we not support them with equal fervor? Why can we not support the only veterinary school in this State that does so much, not just for urban Philadelphians, but for every resident in the Commonwealth? To do anything less, Mr. Speaker, would be something that I think we all would be ashamed of, and I think we ought to be proud of the fact that we have a quality institution to which we lend support.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, sir.

Representative Mike Hanna, and then – if I might, just for a second – it will be Representative Mike Hanna followed by Representative Frank Farry, followed by Representative Eric Roe, followed by Representative McCarter, and followed by Representative Metcalfe. All these folks have been on the list and in that order. So it will be Representative Mike Hanna, Representative Farry, Representative McCarter, Representative Roe, Representative Metcalfe.

Right now Representative Mike Hanna has the floor.

Mr. HANNA. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of SB 325 on final passage. Mr. Speaker, I had the opportunity to serve 4 years as the Ag chairman, and while I was the Ag chairman, one of the things that I learned that the Penn veterinary school specialized in is large animals, and that of course supports our agricultural community. Mr. Speaker, for this reason alone we should be in support of this. As all of you know, agriculture is considered one of Pennsylvania's largest industries. The veterinarians that support our agriculture industry come from the Penn Vet School. It is the only veterinary school in Pennsylvania.

It is important for us to support our State's largest industry, and I am encouraging a "yes" vote on this bill.

Thank you, Mr. Speaker.

The SPEAKER. Representative Frank Farry.

Mr. FARRY. Mr. Speaker, I wonder if the kind gentleman from Schuylkill County that stood for interrogation earlier will stand for interrogation?

The SPEAKER. He has declined.

Mr. FARRY. Okay. Then, Mr. Speaker, I will go through the questions that I had for the fine gentleman, since he stated that the university is a sanctuary campus. He also stated for the record that Penn refused to deal with him on the issue. I believe that is to the contrary. I believe the University of Pennsylvania's Chief of Police actually met with him. The good gentleman had worked in law enforcement, is my understanding, and I am pretty confident he understands how law enforcement works when it comes to the powers of arrest.

On the bill itself, Mr. Speaker?

The SPEAKER. Representative Farry, do you mind just – please hold the time – please, if you could, just on the appropriation, please.

Mr. FARRY. Sure, Mr. Speaker.

The SPEAKER. Thank you.

Mr. FARRY. Mr. Speaker, there are some in this institution who want to legislate simply based upon remarks, things organizations say or individuals tied to organizations sometimes become the basis as to whether or not they are justified in

receiving public support. If this is the basis of support, then I think we can all comfortably and affirmatively support Penn Vet's funding. As we have heard from statements from the leading agricultural organizations, including the Farm Bureau and PennAg, they have made it very clear how critical Penn Vet is to their livelihoods. Now, my district is not a district that has a tremendous agricultural area; however, we can clearly recognize the benefits to the Commonwealth as a whole that Penn Vet delivers.

Mr. Speaker, PennAg stated specifically that my thoughts and the thoughts of many farmers and animal owners is this: "Penn Vet is our veterinary school.... We believe that protecting animal health is a core function of our government." Pennsylvania has been a "leader in that regard" and Penn Vet has been vitally important to achieving that status. Likewise, the Farm Bureau stated that the "Pennsylvania Farm Bureau and our 62,000 member families call on state lawmakers to support the restoration of funding in the state budget to the University of Pennsylvania School of Veterinary Medicine." Again, my district is not a very strong veterinary district; however, I can recognize the importance raised by these fine institutions.

Mr. Speaker, the gentleman that has been very critical of this institution's funding had stated previously, as recorded in the House Journal in April of this year – April 25, specifically, of this year – he stated, "It is bad for your constituents" and "It is bad for the farming community," and then he went on to advocate for an issue he thought was very important. Mr. Speaker, Ben Franklin was one of the founders of the University of Pennsylvania, and as we know, he was a leader in founding not just this Commonwealth, but he was an instrumental individual in helping our country. And Mr. Franklin stated, in one of his very wise sayings, "Any fool can criticize, condemn, and complain – and most fools do." Mr. Speaker, I am asking for this chamber not to be fools.

Mr. Speaker, over the last many months we have had repeated e-mails from individuals trying to attack this institution based on statements made by one individual tied to that institution. The operation at Penn Vet is significantly different than what this individual has spoken on. As a matter of fact, what that individual spoke on, I have actually voted against on this House floor. I have been supportive of legislation that ends sanctuary cities, but however, I am also a proud alum of Penn and I recognize the importance of what Penn Vet has done for this Commonwealth as a whole. There has been a lot of tweeting on this issue, and I do not mean through Twitter, and quite frankly, we need to stop tweeting about it and we need to fund this institution.

Mr. Franklin has raised several important points and statements over the course of his lifetime that are cited continually through the history of this country, and, Mr. Speaker, one other great quote that he had is, "Anger is never without a reason, but seldom with a good one." So to my colleagues I say this to you: We can be angry about the sanctuary city comment, and like I said, I have supported the good Representative from Philadelphia in her advocacy to end sanctuary cities, but this is a completely separate issue. This is an issue that the gentleman chose not to stand for interrogation so I could clarify some points, but I think we should completely separate the two issues between the sanctuary city comment— It will be clear that it was made by one individual of Penn and was not an action of their board of trustees. They have not

formally taken an action on that. I believe their law enforcement has tried to clear up this issue, and I believe it is vital in the interest of our agricultural communities that we vote "yes" in the interest of funding Penn Vet.

Thank you, Mr. Speaker.

The SPEAKER. Representative Eric Roe.

Mr. ROE. Thank you, Mr. Speaker.

I rise today in wholehearted support of the annual appropriation for the University of Pennsylvania's School of Veterinary Medicine. Since 1884 Penn Vet has served a critical role in protecting the Pennsylvanian agriculture of all parts of this Commonwealth.

Mr. Speaker, I am proud and fortunate to have Penn Vet's state-of-the-art big animal hospital, the New Bolton Center, located in the heart of my district. The New Bolton Center is a one-of-a-kind facility, and I have had the pleasure of touring it. Mr. Speaker, I invite every last member of this chamber to come to Kennett Square for a tour of the New Bolton Center. I promise that they will not be disappointed by what they see there.

Penn Vet's infectious disease research is unparalleled. It has no equal. And not just the diseases that affect our big animals, but also those that affect us humans too. But here is the catch, Mr. Speaker, they do it because we pay them to.

We as a State government require that certain standards be met when it comes to the health of our livestock. We demand healthy beef. We demand disease-free chicken. We demand that horses not be doped up when people race them. And who better to supply the necessary research and development than the University of Pennsylvania? They are in our backyard, Mr. Speaker, and they are the best ones at it. Surely we do not want Penn Vet to close down the laboratories that we pay them to keep open. And please remember, Penn Vet is under no obligation to keep doing this research and development. We have a need that they can and do supply.

But, Mr. Speaker, for those who have not yet paid a visit to the New Bolton Center but must cast a consequential vote momentarily, I urge them to consider this: a vote for Penn Vet is a vote for our families. It is a vote for our food security, and it is a vote for our farmers. It is a vote for our families because Penn Vet's extensive research and development on swine, poultry, and beef cattle eventually ends up on our dinner tables and in our school cafeterias. Mr. Speaker, when my wife and I introduce our new child into the world next spring, I want to make sure that he or she is eating the safest possible animal products. And I do not trust just anyone to keep my family's food safe; I trust Penn Vet.

Second, it is a vote for food security. Mr. Speaker, in my previous line of work, I served under Secretary Michael Chertoff, the former Secretary of the Department of Homeland Security. He had that job after Governor Tom Ridge did. And if there is one thing I know from working in the national security sector, it is this: weapons of mass disruption can often be worse than weapons of mass destruction, and much more costly. There are bad actors out there, both foreign and domestic, who would love nothing more than to see a small vile of infectious disease impact the feedstock for our swine and our cattle. There are enemies of the State who would love to cripple our beef industry and infect our cattle with something that they concocted in their own laboratories. Oh, but, Mr. Speaker, have no fear because the talented research scientists at the New

Bolton Center are already 10 steps ahead of it. They are already working to make sure that infectious disease does not spread.

And finally, Mr. Speaker, a vote for Penn Vet is a vote for our farmers. It is a vote for every big animal farmer and rancher across the State. For the family farmers, Mr. Speaker, their entire livelihoods depend on this appropriation in making sure that their livestock are healthy. They have had these farms in their families for generations, just like my great-grandfather did, and the Roe family farm is still in the family. It went to my grandfather and then to my uncles and then soon it will go to my cousin, Matt.

So, Mr. Speaker, in closing I too have a quote. I would like to quote the great late Paul Harvey, who once said the following: He said, "On the 8th day, God looked down on His planned paradise and said, I need a caretaker, so God made a farmer. I need somebody willing to get up before dawn, milk cows, work all day in the field, milk cows again, eat supper, and then go to town and stay past midnight for a meeting of the school board. So God made a farmer. Somebody who would bale a family together with the soft, strong bonds of sharing. Who would laugh, and then sigh, and then reply with smiling eyes when his son says that he wants to spend his life doing what dad does. So God made a farmer."

Mr. Speaker, our family farmers cannot afford infectious diseases—

The SPEAKER. Representative Roe, I apologize. You are going to have to conclude.

Mr. ROE. Thank you, Mr. Speaker.

The SPEAKER. You can state your final—

Mr. ROE. That was it.

The SPEAKER. Okay. Thank you.

Mr. ROE. Thank you, Mr. Speaker.

The SPEAKER. Okay. Representative McCarter waived off.

Representative Daryl Metcalfe, if you will just give me a minute.

Representative Metcalfe followed by Representative DiGirolamo, followed by Representative Schemel. So Representative Metcalfe has the floor.

Everybody, please take your seats. Members, please take your seats. Everybody is entitled to be heard. We have three more speakers. All members, please take your seats. We would ask everybody to be in their seats.

Representative Metcalfe, you may proceed.

Mr. METCALFE. Thank you, Mr. Speaker.

Mr. Speaker, this is a serious issue tonight, the objections that the gentleman from Berks County and that area there of the State raised earlier. It was made light of by one of the Democratic members saying that this university was a sanctuary for cats and dogs and other animals, but, Mr. Speaker, what is not to be taken lightly is officials thumbing their nose at the law, at the rule of law, at the taxpayers of this State that continue to give this university millions upon millions of dollars.

Just last month, in September, there was an article by a Jennifer Hansler from CNN that reported that this university that we are discussing here tonight actually declared itself a sanctuary campus in November of 2016, not a sanctuary campus for cats and dogs, a sanctuary campus for illegal aliens, a sanctuary status for individuals that should not be on our soil, Mr. Speaker. Taxpayer dollars are going to a university that has declared themselves a sanctuary campus for illegal aliens. They

are willing to aid and abet those lawbreaking individuals so that they can continue to be here and take advantage of our taxpayers, Mr. Speaker.

Mr. Speaker, illegal aliens violate our law from the first step across the border. Law after law they violate to remain in this country—

Mr. DERMODY. Mr. Speaker?

Mr. METCALFE. —and now we have individuals receiving—

Mr. DERMODY. Mr. Speaker?

Mr. METCALFE. —taxpayer money—

The SPEAKER. Yes. Hold on. Please suspend.

Mr. METCALFE. —that want to—

The SPEAKER. Please suspend. Sir, please suspend.

### POINT OF ORDER

The SPEAKER. Sir, the minority leader.

A point of order, I presume?

Mr. DERMODY. A point of order, Mr. Speaker.

The SPEAKER. Yes.

Mr. DERMODY. I believe that the discussion should be about the Penn Vet School, and I believe we have gone far afield from discussions of Penn Vet School's appropriation.

The SPEAKER. Yes, sir.

I would just caution every member who is speaking that the issue in front of us is the appropriation for the University of Pennsylvania veterinary school.

I would just say this, everybody has 5 minutes. Oftentimes, if you do not agree with someone, it is just best to give them an opportunity to speak, but the issue is right in front of us and everybody is entitled to be heard.

Representative Metcalfe, you may proceed.

Mr. METCALFE. Thank you, Mr. Speaker.

Mr. Speaker, it has been questioned as to whether or not this is relevant to the discussion tonight that this university has declared itself a sanctuary campus to aid and abet illegal aliens, Mr. Speaker. Well, Mr. Speaker, I would say this is very relevant to the majority of Pennsylvanians who want to make sure that the rule of law is upheld, that the laws of this Commonwealth and this country are upheld, and that we do not give taxpayer money as a reward to those who sit in ivory towers and think that they can thumb their nose at the law and at the people, that they can just expect millions of dollars to flow in from, regardless of the good work that they do for animals or for farmers.

We should stand with the people of this State. Members here tonight should be voting to support the rule of law, to not stand for delivering millions upon millions of tax dollars to a university that has declared that they will not cooperate with the Federal government's laws, that they will only cooperate under issue of a warrant.

Illegal aliens have a right. They have a right to go back to where they came from. They do not have a right to our tax dollars. They do not have a right to use our public services. They do not have a right to drive on our roads without insurance. They do not have a right to do the things that they are doing, committing crimes to stay here, and many of them committing crimes against our citizens, Mr. Speaker.

Mr. Speaker, a "yes" vote for this here tonight is a vote to support individuals who are telling our constituents that they do not care what they think about illegal aliens, they do not care what they think about them aiding and abetting illegal aliens by their policies. If they do not care, they should not care to take the money from our constituents, Mr. Speaker. They should have no objection to us shutting off this small amount of money compared to the billions that they have in their trust funds, in their foundation.

Mr. Speaker, this is an important issue to the majority of people around this State and nation. We saw it in last year's elections. People want our government to stand up for them, to put America first, to put Pennsylvanians first. Mr. Speaker, tonight we should put Pennsylvanians first. We should make sure that we stop this magnet for the illegal alien invasion, that we shut down this attraction in Pennsylvania to join illegal aliens into our State, to stop illegal aliens from thinking that they are going to find a sanctuary with the cats and dogs at this university, Mr. Speaker.

Mr. Speaker, it is outrageous that any member of this legislature would stand in support of the illegal alien population and support a university and support giving them money when they thumb their nose at our law, thumb their nose at our taxpayers, and thumb their nose at what decent people would do, Mr. Speaker, to support their country, to support Pennsylvania. Let us put Pennsylvania first. Let us stop this appropriation tonight. Let us send a message to this university and others, you cannot aid and abet illegal aliens to become a magnet to create a larger illegal alien invasion in this country and in this State. Stop the illegal alien support. Support Pennsylvanians.

The SPEAKER. Representative DiGirolamo.

Mr. DiGIROLAMO. Thank you, Mr. Speaker.

I stand up here to support the University of Pennsylvania, I stand up here to support the Penn Vet School, and I stand up here tonight to support SB 325 and support agriculture across the State of Pennsylvania.

Now, I do not know how many of you know this, Mr. Speaker, but before I came up here 24 years ago to the General Assembly, I was a farmer, a farmer in Bucks County. So I have firsthand knowledge of how important the Penn Vet School is to agriculture across the State of Pennsylvania. Now, to put it in practical terms, Mr. Speaker, if today you walked down to our cafeteria when it was opened and you purchased a cheese sandwich with bacon, recognize that the Penn Vet School had a significant role in making sure that food was safe and had a significant role in making sure that the farmers that produced it were productive.

As a result of Penn Vet School's role in creating an Egg Quality Assurance Program, 99.99 percent of the eggs produced in the State of Pennsylvania are free of salmonella. Penn Vet currently surveils 90 percent of the Pennsylvania pigs, or around 1.3 million hogs on 547 farms across the Commonwealth, through their partnership with the pork producers and the PA regional disease and control program. Pigs in the program saw a 30-percent decrease in swine disease prevalence through control and prevention. The program – and listen to this – covers 98 percent of the sows that are bred in Pennsylvania. In short, Mr. Speaker, Penn Vet plays a vital role in protecting the food supply.

And just for argument's sake, if you wanted to wash down that sandwich you purchased in the cafeteria with a glass of milk, critical research programs, such as the Penn Dairy Analyzer Program, increased the amount of milk produced on many Pennsylvania dairy farms from 23,000 to 32,000 pounds of milk among cows on farms advised by Penn Vet.

This appropriation, Mr. Speaker, is not about a subsidy to the University of Pennsylvania. It is about a service that is of great benefit to our farmers, to agriculture, and to each and every one of our constituents that eats the food that is produced in the State of Pennsylvania, Mr. Speaker.

I ask for an affirmative vote for the Penn Vet School on SB 325.

The SPEAKER. Representative Paul Schemel.

Members, please take your seats. Members, please take your seats. Everybody is entitled to be heard.

Representative Schemel, the floor is yours, sir.

Mr. SCHEMEL. Thank you, Mr. Speaker.

Mr. Speaker, I could care less whether UPenn is a sanctuary campus. It is an independent, private institution. They can make what policies that they choose.

However, I am compelled to vote against the appropriation tonight even though I believe that they are a worthy recipient, because I remind my colleagues that we have yet to pass a revenue and the Governor has yet to sign the revenue that is necessary to fund this. So I will vote against this appropriation tonight with great regret, because, once again, we do not yet have in hand the money needed to pay for it.

The SPEAKER. Representative Tim Hennessey.

Mr. HENNESSEY. Thank you, Mr. Speaker.

Mr. Speaker, the person or the people of Penn who have raised the ire of many in this legislature are located in southwestern Pennsylvania, and frankly, I do not know that they speak for the entire student body on that campus, but the students who would benefit from this bill, who would suffer financially should the bill fail, are studying, learning, healing, curing, and saving livestock for farmers all across the country at times but certainly in western Chester County. These students are far removed from the concept or the application of sanctuary.

What we are talking about here is the New Bolton Center, which is a world-class veterinary facility. New Bolton Center is not the problem and it should not be the target here. Please support the allocation for this world-class facility, the New Bolton Center. Thank you.

The SPEAKER. Representative Mike Sturla.

Representative Sturla will be followed by Representative Vazquez and followed by Representative Youngblood and Representative Causer.

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, I will be brief.

I rise in support of this nonpreferred appropriation for the University of Pennsylvania vet school. However, I must say I have been quite amused by some of the righteous indignation concerning the University of Pennsylvania's potential of being a sanctuary city. I look forward to that same righteous indignation when we appropriate dollars to businesses that do not participate in E-Verify. I look forward to that same righteous indignation when we provide dollars to farmers that rely on undocumented workers to pick mushrooms and apples and other products throughout the State of Pennsylvania. Mr. Speaker, I look forward to that righteous indignation to make sure that

there is not a single dollar that leaves this body and from this State to any business that in any way, shape, or form has an undocumented worker. I challenge you to make sure that does not happen.

Thank you, Mr. Speaker.

The SPEAKER. Representative Vazquez.

Mr. VAZQUEZ. Thank you, Mr. Speaker.

I am standing here before all my colleagues on both sides of the aisle to ask a "yes" vote in support of SB 325. Okay. This is not about immigration; this is about nothing else but getting funding for the university.

Thank you, Mr. Speaker.

The SPEAKER. Representative Youngblood.

Ms. YOUNGBLOOD. Mr. Speaker, I just want to do a point of interest for future for the record.

The University of Pennsylvania animal hospital was honored. It is currently, for over a decade has been called Speaker Matthew J. Ryan veterinary animal hospital of the University of Pennsylvania, and I think the members should know they honored a former Speaker for over a decade by changing the name for the work that he had done for Pennsylvanians.

The SPEAKER. Thank you, Representative Youngblood.

Representative Martin Causer.

Mr. CAUSER. Thank you, Mr. Speaker.

Mr. Speaker, I had not planned to speak, and you might say, "What is this guy from McKean County talking on this issue for," but, Mr. Speaker, I am glad to stand in support of SB 325 and the appropriations for the University of Pennsylvania. And as someone who is a strong supporter of Pennsylvania agriculture, I know how important it is that we continue to fund our veterinary medicine activities and continue to provide the service and train veterinarians throughout the Commonwealth. So I think this funding is very valuable. I think it is time to move past a lot of the rhetoric that we have heard tonight and support SB 325 and get this vital funding out to the university.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, sir.

Representative Sid Kavulich.

Mr. KAVULICH. Thank you, Mr. Speaker.

Mr. Speaker, I have been to the University of Pennsylvania hospital on the Penn campus. I have toured the extraordinary facilities at the veterinary school. I have been there several times, but not once did I see hordes of illegal aliens using the university as a hideout.

Penn has said it is a sanctuary campus and will not share student information with immigration enforcement officials and will deny those officials entry to the campus without warrants. Mr. Speaker, without warrants or probable cause, there is no university in this country that could willingly let immigration officials or any law enforcement onto the campus, into campus dorms, or grant them access to private student records without facing legal action. Technically, that means all colleges are sanctuary campuses.

Vote "yes" for this appropriation. Thank you.

## LEAVE OF ABSENCE

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

### CONSIDERATION OF SB 325 CONTINUED

On the question recurring,  
Shall the bill pass finally?

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

The following roll call was recorded:

#### YEAS—171

Baker	Dowling	Keller, W.	Rabb
Barbin	Driscoll	Kim	Rader
Barrar	Dunbar	Kinsey	Ravenstahl
Benninghoff	Dush	Kirkland	Readshaw
Bernstine	Ellis	Klunk	Reed
Bizzarro	Emrick	Kortz	Reese
Bloom	English	Krueger	Roe
Boback	Everett	Kulik	Roebuck
Boyle	Farry	Lawrence	Rozzi
Bradford	Fee	Lewis	Sainato
Briggs	Fitzgerald	Longietti	Samuelson
Brown, R.	Flynn	Madden	Santora
Brown, V.	Frankel	Mako	Saylor
Bullock	Freeman	Maloney	Schlossberg
Burns	Fritz	Markosek	Schweyer
Caltagirone	Gainey	Marshall	Simmons
Carroll	Galloway	Marsico	Sims
Causser	Gergely	Masser	Snyder
Cephas	Gillen	McCarter	Solomon
Charlton	Gillespie	McClinton	Sonney
Christiana	Goodman	Mehaffie	Staats
Comitta	Greiner	Mentzer	Stephens
Conklin	Grove	Metzgar	Sturla
Cook	Hahn	Miccarelli	Taylor
Corbin	Hanna	Millard	Thomas
Costa, D.	Harkins	Miller, D.	Tobash
Costa, P.	Harper	Milne	Toepel
Cox	Harris, A.	Mullery	Toohil
Culver	Harris, J.	Murt	Topper
Cutler	Heffley	Mustio	Vazquez
Daley	Helm	Neilson	Vitali
Davidson	Hennessey	Nesbit	Ward
Davis	Hickernell	Neuman	Warner
Dawkins	Hill	O'Neill	Warren
Day	Irvin	Oberlander	Watson
Dean	James	Ortitay	Wentling
Deasy	Jozwiak	Pashinski	Wheeland
DeLissio	Kampf	Peifer	White
Delozier	Kaufner	Petri	Youngblood
DeLuca	Kauffman	Pickett	Zimmerman
Dermody	Kavulich	Quigley	
Diamond	Keller, F.	Quinn, C.	Turzai,
DiGirolamo	Keller, M.K.	Quinn, M.	Speaker
Donatucci			

#### NAYS—14

Evankevich	Metcalfe	Petrarca	Sankey
Knowles	Miller, B.	Rapp	Schemel
Mackenzie	Moul	Roae	Tallman
McGinnis	Nelson		

#### NOT VOTING—0

#### EXCUSED—17

Corr	Godshall	Matzie	Ryan
Cruz	Haggerty	O'Brien	Saccone
Evans	Keefer	Pyle	Walsh
Fabrizio	Maher	Rothman	Wheatley
Gabler			

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

Ordered, That the clerk return the same to the Senate with the information that the House has passed the same without amendment.

### PARLIAMENTARY INQUIRY

The SPEAKER. Representative Rabb, you may proceed, sir.  
Mr. RABB. Thank you, Mr. Speaker.

A point of parliamentary inquiry.

The SPEAKER. Yes, sir. You may proceed.

Mr. RABB. Section 123 of Mason's Manual of Legislative Procedure states, "No person may indulge in personalities, impugn motives of members, or use indecent or profane language."

I am curious if the term "illegal aliens" would qualify as indecent, as something that is inherently, inherently dehumanizing in intent, and I would wonder if this would merit being stricken from the record?

The SPEAKER. Representative Rabb, first of all, let me cite the – are you referencing section 123 of Mason's?

Mr. RABB. Yes.

The SPEAKER. You are. Okay. It indicates in section 123, No. 1, "No person may indulge in personalities, impugn motives of members, or use indecent or profane language," as you stated.

Sir, so the term in and of itself – and there may be disagreement on the relevance and/or – but there is some room given a 5-minute clock, but I cannot say that the term – it is a term that is often used in everyday parlance. Its relevance is a different issue, but I do not think that the term in and of itself arises to the level of indecent, which is the term I think you are citing.

Mr. RABB. Mr. Speaker, I asked for that clarification because there are many terms that have been used by government that we would find very offensive today – "imbecile," "retarded" – all sorts of language that is baked into legislative language. It is a long list of things that we would find deeply offensive now in this cultural moment and because we have evolved, quite frankly. And while I understand that it is used in government, in this context in this body I feel it degrades this institution using words that do dehumanize. We are not talking about people – men, women, and children – who are undocumented Americans. We are talking about aliens as though they are not human beings, and I find a few things to be more indecent than to degrade individuals, particularly people who were brought here as children.

The SPEAKER. Sir, if I might, in citing a dictionary definition – and your point is made, but let me please proceed and provide your answer one more time – the definition I have secured of this noun, it is a term, it is a singular term, two words. "Illegal alien" is defined as "a foreign national who is living without authorization in a country of which they are not a citizen." It does not have a pejorative definition. It is "a foreign national who is living without authorization in a country of which they are not a citizen."

And a second definition is this: "a foreigner who enters the U.S. without an entry or immigrant visa, especially a person who crosses the border by avoiding inspection or who overstays

the period of time allowed as a visitor, tourist, or businessperson."

I am not intimating, again, on the relevance. With a 5-minute clock, everybody has an opportunity to speak on this appropriation. It does not rise to the level of indecent. I think that you are in fact making your point by making the parliamentary inquiry, but that is my answer and we need to move on.

Representative Rabb, you are complete with the parliamentary inquiry?

Mr. RABB. I just wanted to thank you for that clarification, Mr. Speaker.

I would just advise in light of decorum, that we are mindful of the language we use in this chamber. Thank you.

The SPEAKER. Yes. And your other examples are some that I think people have to take into account, all of us.

### LEAVE OF ABSENCE

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

### BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 326, PN 1059**, entitled:

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

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

Representative Aaron Bernstine.

Mr. BERNSTINE. Thank you, Mr. Speaker.

Mr. Speaker, today I rise in support for the funding of the Pennsylvania State University, and although I support this funding, I have serious reservations, about 409 of them to be exact, about the lack of transparency of Penn State. Penn State has rejected the recommendations for the reduction in the board of trustees' size, which reduced governance by one of the largest alumni networks in the world. Penn State fails to be transparent by refusing to be subject to the right-to-know laws, and Penn State needs to put Pennsylvania students first by adhering to standards that mandate Pennsylvania residency for a certain percentage of their student population. These issues need addressed, but that is for another day. And even though there are those troubles at Penn State, those troubles with transparency, it does not mean that students should be held

responsible for those problems, and that is exactly who would be penalized if we did not choose to move this forward.

I would encourage my colleagues to vote "yes" on this appropriation, but to work together to increase accountability to the taxpayers and for the alumni of this great university.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, sir.

Does anybody else wish the opportunity to speak on this?

Representative Russ Diamond, on the appropriation.

Mr. DIAMOND. Thank you, Mr. Speaker.

This has kind of been an entertaining evening listening to all the side issues connected to these nonpreferred appropriations. And I am going to vote in favor of this nonpreferred appropriation just like I voted in favor of all the other ones because I do not want students to get a midterm tuition increase.

I am concerned about a lot of things my colleagues have said on all these bills, and I think they are legitimate concerns.

Going forward, Mr. Speaker, I just hope and I implore our leadership in this chamber to actually make these appropriations directly to the students. Let us take it out of the critical category of nonpreferreds, where we need a two-thirds vote, and let us just create scholarship programs for those instate students for these universities and send the checks directly to them and their families so that they can reduce their tuitions.

I urge a "yes" vote on this bill. Thank you, Mr. Speaker.

The SPEAKER. Thank you, Representative.

On the question recurring,

Shall the bill pass finally?

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

The following roll call was recorded:

#### YEAS—178

Baker	Driscoll	Clunk	Rader
Barbin	Dunbar	Knowles	Rapp
Barrar	Ellis	Kortz	Ravenstahl
Benninghoff	Emrick	Krueger	Readshaw
Bernstine	English	Kulik	Reed
Bizzarro	Everett	Lawrence	Reese
Bloom	Farry	Lewis	Roe
Boback	Fee	Longietti	Roebuck
Boyle	Fitzgerald	Mackenzie	Rozzi
Bradford	Flynn	Madden	Sainato
Briggs	Frankel	Mako	Samuelson
Brown, R.	Freeman	Maloney	Sankey
Brown, V.	Fritz	Markosek	Santora
Bullock	Gainey	Marshall	Saylor
Burns	Galloway	Marsico	Schlossberg
Caltagirone	Gergely	Masser	Schweyer
Carroll	Gillen	McCarter	Simmons
Causer	Gillespie	McClinton	Sims
Cephas	Goodman	Mehaffie	Snyder
Charlton	Greiner	Mentzer	Solomon
Christiana	Grove	Metzgar	Sonney
Comitta	Hahn	Miccarelli	Staats
Conklin	Hanna	Millard	Stephens
Cook	Harkins	Miller, B.	Sturla
Corbin	Harper	Miller, D.	Tallman
Costa, D.	Harris, A.	Milne	Taylor
Costa, P.	Harris, J.	Moul	Thomas
Cox	Heffley	Mullery	Tobash
Culver	Helm	Murt	Toepel
Cutler	Hennessey	Mustio	Toohil
Daley	Hickernell	Neilson	Topper
Davidson	Hill	Nelson	Vazquez

Davis	Irvin	Nesbit	Vitali
Dawkins	James	Neuman	Ward
Day	Jozwiak	O'Neill	Warner
Dean	Kampf	Oberlander	Warren
Deasy	Kaufner	Ortitay	Watson
DeLissio	Kauffman	Pashinski	Wentling
Delozier	Kavulich	Peifer	Wheeland
DeLuca	Keller, F.	Petri	White
Dermody	Keller, M.K.	Pickett	Youngblood
Diamond	Keller, W.	Quigley	Zimmerman
DiGiroloamo	Kim	Quinn, C.	
Donatucci	Kinsey	Quinn, M.	Turzai,
Dowling	Kirkland	Rabb	Speaker

NAYS-6

Dush	Metcalfe	Roae	Schemel
McGinnis	Petrarca		

NOT VOTING-0

EXCUSED-18

Corr	Gabler	Matzie	Ryan
Cruz	Godshall	O'Brien	Saccone
Evankovich	Haggerty	Pyle	Walsh
Evans	Keefer	Rothman	Wheatley
Fabrizio	Maher		

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

Ordered, That the clerk return the same to the Senate with the information that the House has passed the same without amendment.

\* \* \*

The House proceeded to third consideration of **SB 181, PN 1086**, entitled:

An Act providing for performance-based budgeting and tax credit efficiency review; establishing the Performance-Based Budget Board and providing for its powers and duties; and conferring powers and imposing duties on the Independent Fiscal Office.

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS-180

Baker	Ellis	Kulik	Ravenstahl
Barbin	Emrick	Lawrence	Readshaw
Barrar	English	Lewis	Reed
Benninghoff	Everett	Longietti	Reese
Bernstine	Farry	Mackenzie	Roae
Bizzarro	Fee	Madden	Roe

Bloom	Fitzgerald	Mako	Roebuck
Boback	Flynn	Maloney	Rozzi
Boyle	Frankel	Markosek	Sainato
Bradford	Freeman	Marshall	Samuelson
Briggs	Fritz	Marsico	Sankey
Brown, R.	Gainey	Masser	Santora
Brown, V.	Galloway	McCarter	Saylor
Bullock	Gergely	McClinton	Schemel
Burns	Gillen	McGinnis	Schlossberg
Caltagirone	Gillespie	Mehaffie	Schweyer
Carroll	Goodman	Mentzer	Simmons
Causer	Greiner	Metcalfe	Sims
Charlton	Hahn	Metzgar	Snyder
Christiana	Hanna	Miccarelli	Solomon
Comitta	Harkins	Millard	Sonney
Conklin	Harper	Miller, B.	Staats
Cook	Harris, A.	Miller, D.	Stephens
Corbin	Harris, J.	Milne	Sturla
Costa, D.	Heffley	Moul	Tallman
Costa, P.	Helm	Mullery	Taylor
Cox	Hennessey	Murt	Thomas
Culver	Hickernell	Mustio	Tobash
Cutler	Hill	Nelson	Toepel
Daley	Irvin	Nesbit	Toohil
Davidson	James	Neuman	Topper
Davis	Jozwiak	O'Neill	Vazquez
Day	Kampf	Oberlander	Vitali
Dean	Kaufner	Ortitay	Ward
Deasy	Kauffman	Pashinski	Warner
DeLissio	Kavulich	Peifer	Warren
Delozier	Keller, F.	Petrarca	Watson
DeLuca	Keller, M.K.	Petri	Wentling
Dermody	Keller, W.	Pickett	Wheeland
Diamond	Kim	Quigley	White
DiGiroloamo	Kinsey	Quinn, C.	Youngblood
Donatucci	Kirkland	Quinn, M.	Zimmerman
Dowling	Klunk	Rabb	
Driscoll	Knowles	Rader	Turzai,
Dunbar	Kortz	Rapp	Speaker
Dush	Krueger		

NAYS-4

Cephas	Dawkins	Grove	Neilson
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NOT VOTING-0

EXCUSED-18

Corr	Gabler	Matzie	Ryan
Cruz	Godshall	O'Brien	Saccone
Evankovich	Haggerty	Pyle	Walsh
Evans	Keefer	Rothman	Wheatley
Fabrizio	Maher		

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

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

**SUPPLEMENTAL CALENDAR D**

**RULES SUSPENDED**

The SPEAKER. Members, please turn to supplemental D House calendar. Please turn to supplemental D. It is a House resolution. It is HR 576, PN 2651.

For us to move forward on this, we are going to need a motion to suspend, and the Chair calls upon Representative Ellis for the motion.

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

I would like to make a motion to consider HR 576, so I guess that is a motion to suspend the rules for immediate consideration.

The SPEAKER. Thank you, sir.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—162

Baker	Dunbar	Klunk	Readshaw
Barbin	Dush	Knowles	Reed
Barrar	Ellis	Kortz	Reese
Benninghoff	Emrick	Kulik	Roae
Bernstine	English	Lawrence	Roe
Bizzarro	Everett	Lewis	Roebuck
Bloom	Farry	Longietti	Rozzi
Boback	Fee	Mackenzie	Sainato
Boyle	Fitzgerald	Madden	Sankey
Briggs	Flynn	Mako	Santora
Brown, R.	Fritz	Maloney	Saylor
Brown, V.	Gainey	Markosek	Schemel
Bullock	Galloway	Marshall	Schlossberg
Burns	Gergely	Marsico	Schweyer
Caltagirone	Gillespie	Masser	Simmons
Carroll	Goodman	McClinton	Sims
Causser	Greiner	Mehaffie	Snyder
Cephas	Grove	Mentzer	Solomon
Charlton	Hahn	Metcalfe	Sonney
Christiana	Hanna	Miccarelli	Staats
Conklin	Harkins	Millard	Stephens
Cook	Harper	Moul	Sturla
Corbin	Harris, A.	Murt	Taylor
Costa, D.	Harris, J.	Mustio	Thomas
Costa, P.	Heffley	Neilson	Tobash
Cox	Helm	Nelson	Toepel
Culver	Hennessey	Nesbit	Toohil
Cutler	Hickernell	O'Neill	Topper
Daley	Hill	Oberlander	Vazquez
Davis	Irvin	Ortitay	Ward
Dawkins	James	Pashinski	Warner
Day	Jozwiak	Peifer	Warren
Deasy	Kampf	Petrarca	Watson
Delozier	Kaufer	Petri	Wentling
DeLuca	Kauffman	Pickett	Wheeland
Dermody	Kavulich	Quigley	White
Diamond	Keller, M.K.	Quinn, C.	Youngblood
DiGirolamo	Keller, W.	Quinn, M.	Zimmerman
Donatucci	Kim	Rader	
Dowling	Kinsey	Rapp	Turzai,
Driscoll	Kirkland	Ravenstahl	Speaker

NAYS—22

Bradford	Freeman	Metzgar	Neuman
Comitta	Gillen	Miller, B.	Rabb
Davidson	Keller, F.	Miller, D.	Samuelson
Dean	Krueger	Milne	Tallman
DeLissio	McCarter	Mullery	Vitali
Frankel	McGinnis		

NOT VOTING—0

EXCUSED—18

Corr	Gabler	Matzie	Ryan
Cruz	Godshall	O'Brien	Saccone
Evankovich	Haggerty	Pyle	Walsh
Evans	Keefer	Rothman	Wheatley
Fabrizio	Maher		

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.

RESOLUTION

Mrs. SNYDER called up **HR 576, PN 2651**, entitled:

A Resolution urging the Federal Energy Regulatory Commission to swiftly consider the United States Department of Energy's proposed Grid Resiliency Pricing Rule and implement policies to ensure fuel-secure baseload electricity generation resources receive proper compensation for the positive attributes they provide our nation's and our Commonwealth's electric system.

On the question,

Will the House adopt the resolution?

The SPEAKER. Representative Vitali.

Mr. VITALI. Thank you, Mr. Speaker.

I would rise in opposition to this resolution.

This essentially would urge FERC, the Federal Energy Regulatory Commission, to pass a resolution which would subsidize coal and subsidize nuclear. This is in fulfillment of Donald Trump's promise to help coal.

The problem with this, of subsidizing coal and nuclear – and frankly, I feel a little more strongly against subsidizing coal – the rationale behind the rule is you need to subsidize, according to Energy Secretary Perry, you need to subsidize these fuels because they on their physical plant have a 90-day supply of fuel and that adds to energy security and energy resilience. I think the problem is, if you look at the facts, there is not a resiliency or a security issue with regard to the production of electricity, and even if there was, this rule would not address this.

I find myself in the unusual position of being on the same side of an issue as the Marcellus Coalition, who also opposes this. The Marcellus Coalition opposes the resolution before you today. This is who else opposes this resolution, and I am just going to give you a partial listing. The Americans for Prosperity opposes this resolution, the National Federation of Independent Business opposes this resolution, the PA Independent Oil & Gas Association opposes this resolution, the PA Waste Industries Association opposes this resolution, the Pennsylvania Office of Consumer Advocate opposes this resolution.

Mr. Speaker, I think one of the problems here with regard to – and this is aimed specifically at the PJM (Pennsylvania-Jersey-Maryland) distribution area and the coal and nuclear plants in that area. And both the Department of Energy, PJM, and NERC (North American Electric Reliability Corporation) all have concluded there is not this resiliency and reliability problem that is the basis of this resolution. The Department of Energy proposal would not fix this because the power outages

we have experienced, 96 percent of the power outages we have experienced are not because we do not have a 90-day supply of coal on-site or we do not have a 90-day supply of nuclear power on site, but because of downed power lines. We lose power 96 percent of the time because the distribution lines are knocked down. This would not address that problem.

The maker of the resolution cites the polar vortex and why that underscores the need for this. During the polar vortex one of the problems was the coal piles on-site were frozen and not useable. So this would not solve that problem. With regard to the flooding with regard to Harvey, coal piles on-site were flooded. So there is really no emergency value of giving financial incentives to coal plants because they have a 90-day supply of coal on-site.

The PJM CEO (chief executive officer), Andy Ott, said this proposal, this rule, which we are being asked to endorse today is, quote, "not workable," not an appropriate response. It would undermine the competitive markets and increase utility bills.

This is in effect the Trump administration picking winners and losers with regard to energy. He is picking winners and losers. He is subsidizing coal and nuclear, and he criticized Obama for picking winners and losers with the clean power plants, and what he is doing with this proposed rule, forwarded by Secretary of Energy Perry, is picking losers.

Mr. Speaker, this rule is a bad idea. It is opposed by an enormous number of— In addition to the oil industry groups, it is also opposed by groups like the Sierra Club, PennFuture, National Resources Defense Council, and others. It is opposed by almost everyone except those receiving the money – the coal industry, the nuclear industry, and the unions who do work for them.

This is just a bad idea, and I ask for a negative vote.

The SPEAKER. Representative Carl Metzgar, please.

Mr. METZGAR. Thank you, Mr. Speaker.

I just wanted to stand up, and while I have a good friend from Delaware County and I always appreciate his remarks, I think he might be a bit misinformed, and I just wanted to correct a few things.

Number one, this bill really has nothing to do with our current President other than the current DOE has requested this decision from FERC, but it really started with the good Dr. Stockton from the Obama administration. He testified and he said that there is a security issue with our energy supply system, and that really is the crux of this particular resolution.

You know, there are two parts to it: there is economic security and there is national security. And the economic security, in this case, comes from the fact that 67 percent of our baseload right now comes from resources that are not gas, and we are not saying that gas is bad, and we want diversity with regard to our electric grid, and that is what this is really about, is diversity in the grid. We want to make sure that there is security. We do not want to have a situation where we have an 11 gigawatt supply gas line that is compromised for some particular reason, and then we lose what is the equivalent to 13.5 Three Mile Islands. That is our national security. And our economic security, well, that goes to the fact that right now we have \$4 Mcf (1,000 cubic feet) gas or roughly there around, but if you remember back in 2008, we had \$13 Mcf gas. And by PJM's own numbers, for every dollar that an Mcf goes up – so right now we are at \$4 – we could conceivably be at \$13 very easily. We did it before. For every dollar, our energy prices in Pennsylvania go up 15 percent.

So what you are doing by supporting this resolution is really supporting the diversity in our grid so that we have both national security and then we have that economic security and that your constituents will know that their gas prices are not going to continue to rise just because a particular element of their grid network is compromised in some way.

So that is really the gist of this, and we are very pleased that we now have one of our very own Pennsylvanians as a member of FERC and we know that he is going to help us with this and we are excited about that.

So I encourage the members to support this. It is a great resolution and it really helps in our constituents showing their support for a diverse grid that will support the economy of the Commonwealth for years in the future. Thank you.

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

(Members proceeded to vote.)

**LEAVE OF ABSENCE CANCELED**

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

**CONSIDERATION OF HR 576 CONTINUED**

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

The following roll call was recorded:

**YEAS—176**

Baker	Dunbar	Knowles	Rader
Barbin	Dush	Kortz	Rapp
Barrar	Ellis	Kulik	Ravenstahl
Benninghoff	Emrick	Lawrence	Readshaw
Bernstine	English	Lewis	Reed
Bizzarro	Everett	Longietti	Reese
Bloom	Farry	Mackenzie	Roae
Boback	Fee	Madden	Roe
Boyle	Fitzgerald	Mako	Rozzi
Bradford	Flynn	Maloney	Sainato
Briggs	Frankel	Markosek	Sankey
Brown, R.	Fritz	Marshall	Santora
Brown, V.	Gainey	Marsico	Saylor
Bullock	Galloway	Masser	Schemel
Burns	Gergely	McClinton	Schlossberg
Caltagirone	Gillen	McGinnis	Schweyer
Carroll	Gillespie	Mehaffie	Simmons
Causer	Goodman	Mentzer	Sims
Cephas	Greiner	Metcalfe	Snyder
Charlton	Grove	Seltzgar	Solomon
Christiana	Hahn	Miccarelli	Sonney
Comitta	Hanna	Millard	Staats
Conklin	Harkins	Miller, B.	Stephens
Cook	Harper	Miller, D.	Sturla
Corbin	Harris, A.	Milne	Tallman
Costa, D.	Harris, J.	Moul	Taylor
Costa, P.	Heffley	Mullery	Thomas
Cox	Helm	Murt	Tobash
Culver	Hennessey	Mustio	Toepel
Cutler	Hickernell	Neilson	Toohil
Daley	Hill	Nelson	Topper
Davidson	Irvin	Nesbit	Vazquez
Davis	James	Neuman	Ward
Dawkins	Jozwiak	O'Neill	Warner

Day	Kampf	Oberlander	Warren
Dean	Kaufer	Ortitay	Watson
Deasy	Kauffman	Pashinski	Wentling
Delozier	Kavulich	Peifer	Wheeland
DeLuca	Keefer	Petrarca	White
Dermody	Keller, F.	Petri	Youngblood
Diamond	Keller, M.K.	Pickett	Zimmerman
DiGirolamo	Keller, W.	Quigley	
Donatucci	Kinsey	Quinn, C.	Turzai,
Dowling	Kirkland	Quinn, M.	Speaker
Driscoll	Klunk		

**NAYS—9**

DeLissio	Krueger	Rabb	Samuelson
Freeman	McCarter	Roebuck	Vitali
Kim			

**NOT VOTING—0****EXCUSED—17**

Corr	Gabler	Matzie	Ryan
Cruz	Godshall	O'Brien	Saccone
Evankovich	Haggerty	Pyle	Walsh
Evans	Maher	Rothman	Wheatley
Fabrizio			

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

**ANNOUNCEMENT BY MR. TAYLOR**

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

Mr. TAYLOR. Thank you, Mr. Speaker.

I want to announce that the House Transportation Committee is conducting a hearing in Pittsburgh on Friday at 10 a.m. and the location has changed. We wanted to make everybody aware of it. The meeting now will be at the Trade Institute of Pittsburgh, which is 7800 Susquehanna Street in Pittsburgh. So I cannot wait, I cannot wait.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, sir.

**LEAVE OF ABSENCE**

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

**STATEMENT BY MR. BENNINGHOFF**

The SPEAKER. Representative Kerry Benninghoff is recognized on unanimous consent, on unanimous consent.

Mr. BENNINGHOFF. Thank you, Mr. Speaker.

This is just a brief follow-up.

I know we have had a lot of dialogues and I did not want to interrupt our vote, but I think it is important that we recognize that our nonpreferred institutions of education are not corporations, and specifically, Penn State University was designated by the Commonwealth itself as its sole land-grant

university in 1862 to provide education for our students, and our assistance through appropriations is to try to keep instate tuition down, almost to about 45 percent less than what an out-of-State student would be paying.

So I think it is important that we recognize it is an institution of teaching, research, public service, and we all know the good work that Hershey Medical Center makes.

So I want to thank everybody for their vote, and I just want to keep that in perspective. Thank you very much, Mr. Speaker.

The SPEAKER. Thank you, sir.

**ANNOUNCEMENT BY MR. TAYLOR**

The SPEAKER. Representative John Taylor, for an announcement.

Mr. TAYLOR. Mr. Speaker, I slightly misspoke in the last announcement. This is a meeting of both the House Transportation Committee and the House Judiciary Committee. It is a joint hearing. I failed to say that, and I want to make sure that Chairman Marsico is still fully on board. Chairman Keller does not want to go, but he has to now. Now that I have made this an announcement, he has to go.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, sir.

**REPUBLICAN CAUCUS**

The SPEAKER. The majority caucus chair, Representative Marcy Toepel, for a caucus announcement, please.

Mrs. TOEPEL. Thank you, Mr. Speaker.

Republicans will caucus immediately at the break. We would be prepared to return to the floor at 8:45.

The SPEAKER. Thank you.

**DEMOCRATIC CAUCUS**

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

Mr. FRANKEL. Thank you, Mr. Speaker.

Democrats will also caucus immediately. Democrats will caucus immediately.

**RULES COMMITTEE MEETING**

The SPEAKER. Representative Reed will be recognized for a Rules Committee announcement.

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

There will be a meeting of the House Rules Committee at 9 o'clock in the Appropriations conference room, a meeting of the Rules Committee at 9 o'clock in the Appropriations conference room. Thank you.

The SPEAKER. There will be a meeting of the Rules Committee at 9 o'clock in the Appropriations conference room.

**RECESS**

The SPEAKER. Members, the House will stand in recess until 8:45. We will break for the Rules Committee to meet at 9, but we will come back to the floor at 8:45, unless sooner recalled by the Speaker. The House will now stand in recess.

**RECESS EXTENDED**

The time of recess was extended until 9 p.m.

**AFTER RECESS**

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

**SENATE MESSAGE**

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

The clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives by amending said amendments to **HB 271, PN 2652**.

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

**SENATE MESSAGE**

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

The clerk of the Senate, being introduced, returned **HB 1490, PN 2650**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

**SENATE MESSAGE**

HOUSE AMENDMENTS  
CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to **SB 181, PN 1086**.

**BILLS SIGNED BY SPEAKER**

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

**SB 181, PN 1086**

An Act providing for performance-based budgeting and tax credit efficiency review; establishing the Performance-Based Budget Board and providing for its powers and duties; and conferring powers and imposing duties on the Independent Fiscal Office.

**SB 325, PN 1021**

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

**SB 326, PN 1059**

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

**SB 327, PN 1060**

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

**SB 328, PN 522**

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

**SB 329, PN 523**

A Supplement to the act of July 7, 1972 (P.L.743, No.176), entitled "An act providing for the establishment and operation of Lincoln University as an instrumentality of the Commonwealth to serve as a State-related institution in the higher education system of the Commonwealth; providing for change of name; providing for the composition of the board of trustees; terms of trustees, and the power and duties of such trustees; providing for preference to Pennsylvania residents in tuition; authorizing appropriations in amounts to be fixed annually by the General Assembly; providing for the auditing of accounts of expenditures from said appropriations; providing for public support and capital improvements; authorizing the issuance of bonds exempt from taxation within the Commonwealth; requiring the President to make an annual report of the operations of Lincoln University," making an appropriation for carrying the same into effect; providing for a basis for payments of the appropriation; and providing a method of accounting for the funds appropriated and for certain fiscal information disclosure.

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

**BILLS RECOMMITTED**

The SPEAKER. The Chair recognizes the majority leader, who moves that HB 558 and HB 1793 be recommitted to the Committee on Appropriations.

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

### BILLS REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader, who moves that HB 448 and HB 1588 be removed from the tabled calendar and placed on the active calendar.

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

### CALENDAR CONTINUED

### BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 1406, PN 1772**, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, in personal income tax, repealing provisions relating to contribution for Korea/Vietnam Memorial National Education Center and further providing for operational provisions.

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 1406 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 1406 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 **HB 1576, PN 2064**, entitled:

An Act amending the act of May 17, 1921 (P.L.789, No.285), known as The Insurance Department Act of 1921, providing for limited lines travel insurance.

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 1576 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 1576 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 THIRD CONSIDERATION

The House proceeded to third consideration of **HB 479, PN 503**, entitled:

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in intergovernmental cooperation, further providing for ordinance, for content of ordinance, for joint purchases with private educational establishments, for required review of specified agreements and for effect of joint cooperation agreements.

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 479 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 479 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 third consideration of **HB 480, PN 504**, entitled:

An Act amending the act of May 1, 1933 (P.L.103, No.69), known as The Second Class Township Code, in corporate powers, further providing for intergovernmental cooperation.

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 480 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 480 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 third consideration of **HB 481, PN 505**, entitled:

An Act amending Title 11 (Cities) of the Pennsylvania Consolidated Statutes, in corporate powers, further providing for municipal authorities and cooperation with other political subdivisions.

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 481 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 481 be removed from the tabled calendar and placed on the active calendar.

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

The SPEAKER. Members, please take your seats. At the present time the Rules Committee is meeting. The Rules Committee is meeting. Oh, they are back. Okay. Rules is back. Thank you. So, members, please take your seats. We are back into order. I know it is 9:40, but we are in order.

## BILL ON CONCURRENCE REPORTED FROM COMMITTEE

**HB 271, PN 2652**

By Rep. REED

An act amending Titles 3 (Agriculture) and 4 (Amusements) of the Pennsylvania Consolidated Statutes, extensively revising gaming provisions as follows: in Title 3: for horse racing, in the area of race horse industry reform. In Title 4: for amusements generally, in the areas of fantasy contests, of lottery and of iLottery; for gaming, in the areas of general provisions, of Pennsylvania Gaming Control Board, of licensees, of table games, of interactive gaming, of revenues, of administration and enforcement and of miscellaneous provisions; and providing for video gaming. Providing, as to the revisions: for related repeals. Repealing a provision related to keno in the State Lottery Law.

### RULES.

The SPEAKER. Members, that bill, as amended by the Senate, is up on your screens. The bill is up on your screens.

### LEAVE OF ABSENCE CANCELED

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

### SUPPLEMENTAL CALENDAR E

## BILL ON CONCURRENCE IN SENATE AMENDMENTS AS FURTHER AMENDED BY THE SENATE TO HOUSE AMENDMENTS

The House proceeded to consideration of concurrence in Senate amendments as further amended by the Senate to House amendments to **HB 271, PN 2652**, entitled:

An act amending Titles 3 (Agriculture) and 4 (Amusements) of the Pennsylvania Consolidated Statutes, extensively revising gaming provisions as follows: in Title 3: for horse racing, in the area of race horse industry reform. In Title 4: for amusements generally, in the areas of fantasy contests, of lottery and of iLottery; for gaming, in the areas of general provisions, of Pennsylvania Gaming Control Board, of licensees, of table games, of interactive gaming, of revenues, of administration and enforcement and of miscellaneous provisions; and providing for video gaming. Providing, as to the revisions: for related repeals. Repealing a provision related to keno in the State Lottery Law.

On the question,  
Will the House concur in Senate amendments as further amended by the Senate to House amendments?

### LEAVE OF ABSENCE

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

### CONSIDERATION OF HB 271 CONTINUED

The SPEAKER. So our question is, will the House concur in the various amendments in the Senate, House, and Senate to the original House bill? Again, I am going to say PN 2652.

Moved by the gentleman, Representative Ortitay, that we concur in these various amendments.

The Chair recognizes him for a brief description of amendments and the underlying bill and a recitation as to how the bill stands right now.

Thank you, Representative Ortitay.

Mr. ORTITAY. Thank you, Mr. Speaker.

HB 271 is the gaming expansion bill. The Senate adopted a gut-and-replace amendment that amends Title 4 to authorize iLottery, legalize iGaming, authorize the auction of 10 category 4 slot machine licenses, legalize VGTs (video gaming terminals) at truckstops, regulate fantasy sports, remove category 3 amenity requirements, make local share changes, and make other omnibus changes. The bill also makes changes to Title 3 related to online pari-mutuel wagering.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, Representative.

Representative Paul Schemel, on the bill.

Mr. SCHEMEL. Mr. Speaker, is this on the underlying bill with amendments?

The SPEAKER. It is. You may proceed, sir.

Mr. SCHEMEL. Thank you, Mr. Speaker.

Mr. Speaker, this is a 939-page bill that we have just received.

Now, earlier tonight in debate we were told by the majority Appropriations chair that we already have all of the revenue paths that we need to close this year's budget; that is the 2017-18 budget. So I am assuming this is revenue needed for the 2018-19 budget.

We have more than ample time to review this bill at length. We do not need to do it at 9, 9:30 at night. We have time to review this and make an educated decision as to what is on it. Mr. Speaker, I hope that we take that time and revisit this on another day.

Thank you, Mr. Speaker.

The SPEAKER. Members, just for edification, this bill was amended by the Senate I believe around 7:15 p.m. I believe it was on the screens shortly thereafter because the clock starts running when the Senate amends it on concurrence. It was amended at 7:15 p.m. As you know, our rules prohibit us from going past 11 p.m. This cannot be voted on until after 11, unless there is a motion to proceed at some point this evening, but otherwise, we cannot vote this because the voting will be after 11 p.m.

But two facts: We are going to begin the debate, as we have already started; we are going to begin the debate. And we are already scheduled for tomorrow at 8 a.m. A notice has gone out. We will be starting at 8 a.m. tomorrow, and that notice has gone out from the Chief Clerk's Office. I wanted to go earlier, but the rules prohibit it. So we are at 8 a.m.

Does anybody else wish to speak right now?

Representative Scott Petri.

Mr. PETRI. Thank you, Mr. Speaker.

I feel a lot like *déjà vu*; here we are again.

You know, there was a famous American who led a particular congressional body, who said, "Let's vote on a bill and then we'll read it later." Well, that is exactly where we are, because this 279-page amendment, even as chairman of the Gaming Oversight Committee, I have not had a chance to read the bill, but I did get to page 49 and I found a major issue in drafting. So I am going to start with what that major issue is. Under this bill—

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

Members, I know the hour is late. I know the hour is late, but I would ask everybody to please take their seats. Please take your seats. The good gentleman is entitled to be heard, and I would ask everybody to please take their seats.

Representative Petri, you may proceed, sir.

Mr. PETRI. Thank you, Mr. Speaker.

As I was saying, there has been a long debate among the committee and among our constituents about games of skill, what that is, what that is not, should it be legal, and should it not be legal. I started scanning the bill and I found some curious definitions with regard to games of skill. And I believe that most of us believe that a game of skill is not necessarily a slot machine and therefore is probably allowed to be in bars, restaurants, and clubs. Well, if you vote on this bill affirmatively, you will criminalize any coin-operated machine. So if you have a jukebox, you will have committed a crime subject to loss of your license. If you have a game of skill, your only argument is going to be to point to another section that it defines a game of skill as potentially legal. But make no mistake, this bill has a provision because of rush in drafting that defines a game of skill as an illegal game. If the State Police, after this bill is signed into law, would go out to an establishment and see such a game, that operator could lose their license and be subject to a crime under Title 18. But that is not the only reason not to vote for this bill.

I do not think there is any mistake that I have long been against video gaming terminals. Even if you are for video gaming terminals though, the definition of "truckstop" is so broad that I believe what you think of as a convenience store is essentially a truckstop. And why do I say that? In my little town where my office is, a town called Richboro, there is a little Sunoco station with a convenience store. Now, it does not have the required 3 acres, but there is a property for sale right behind it that, if it were added to that site, would serve and meet this definition, because the definition says that you have to sell 50,000 gallons of diesel per month. Now, you would think that is a lot. So I called up the store and I said, "In your service of landscapers and construction workers, how much diesel do you sell?" They are already at 22,000 without one tractor-trailer ever pulling in.

I am telling you that if you pass this bill, you will see an explosion of gambling in Pennsylvania. There will be mini casinos everywhere. You think you are voting for a truckstop, but look at the definition, read it. You literally could drive a truck through the definition and its ability to be misused.

Here is another problem that really offends me. If you have a casino in your home county, then your county commissioners may bar VGTs from your county. So we have in Bucks County a casino. Our county commissioners would have 60 days to put up a vote and they could decide that they would have no truckstops, but if you do not have a casino in your county, like my good friend from Chester County, you would have no ability, even though we believe in local control, to stop truckstops from coming in your community. Why should you be treated any differently? Why should my county get a preference? I believe in local control, and I believe your local elected officials should be able to say, "I don't want any gambling." In this bill, while a municipality may vote not to accept the 10 satellite locations that are proposed, they must do so within 60 days of passage of the bill. How are they going to

advertise, draft an ordinance and advertise it with only 60 days effectively even though no township will really be able to block a satellite or an additional casino coming into their townships? Even in Illinois where this bill, this concept originated, even in Illinois they allowed every community the opportunity to reject expanded gambling, but we are not.

Let us talk about revenue. I have not seen a Fiscal Code, but I can assure you that the revenue that will be derived from this will not come close to equaling the problems that will exist. This bill authorizes Internet gaming. Internet gaming is the idea that on your laptop or on this device, I can gamble. They do it in New Jersey. I am personally morally opposed to it. But more importantly, as an employer, we should all be opposed to it. At lunchtime your employee goes out and they start gambling. Perhaps they have some authority or discretion over someone else's money, such as an attorney. They decide, "I can cover that. I'll just borrow from that escrow fund. I'll just take some money and I'll cover my gambling loss, because I just lost \$3500 and I'll replace the client's money later." In talking to the State Police, the head of the State Police told me, "Be very, very concerned about this." They said that right now illegal games—Mr. Speaker, may I have some order?

The SPEAKER. Members, members, please take your seats. Members, please take your seats. Thank you. Please take your seats.

The good gentleman should proceed.

Mr. PETRI. Thank you. Thank you, Mr. Speaker.

I will be brief, Mr. Speaker.

The State Police are warning us about illegal games. In speaking to the State Police today, I have been informed that illegal games constitute, conservatively, a \$30 million business. He tells me they have videotape of 12-year-olds playing games of skill and winning six and seven hundred dollars.

Look, we have a major problem. We need to deal with it. I am not against expansion of all gaming, but to do so with no time to analyze the bill, a 279-page amendment that not one Senator has yet read and not one of you has read, including myself. I do not know about you, but I am never voting on a bill like this that has so much impact to Pennsylvania without knowing exactly what it says and having it vetted. This is not simple English language to understand. It is extremely complicated, and I am telling you that if you pass this bill, you will have an explosion of gambling in Pennsylvania like you have never seen before, and it will be at something they call truckstops but you and I think of as convenience stores.

Mr. Speaker, we ought to stop, reject this, take a pause. There is, as the previous speaker said, no rush to get this done. I would rather do something right than do something hastily. Thank you.

The SPEAKER. Representative Mike Sturla.

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, will the prime sponsor of the bill rise for brief interrogation?

The SPEAKER. Representative Ortitay. He will stand for interrogation. He is glad to do so.

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, the previous speaker said that he believes that the language in this bill will make illegal all games of skill in the State of Pennsylvania that currently exist, all the ones that exist currently at truckstops and convenience stores and social clubs and taverns throughout the State of Pennsylvania. Would you agree with that assessment?

Mr. ORTITAY. I do not believe so, Mr. Speaker.

Mr. STURLA. Okay. One further question, Mr. Speaker.

Mr. Speaker, the bill calls for a clawback of all moneys that have been diverted since 2009 from the casinos. Can you tell me what the State will owe the casinos as a result of that provision?

Mr. ORTITAY. I am sorry, Mr. Speaker; I could not hear you.

Mr. STURLA. Mr. Speaker, as I understand it, the bill calls for a clawback of gaming moneys diverted from the casinos since 2009. Can you tell me what the fiscal note is on how much the State will owe the casinos back from the Race Horse Development Fund?

Mr. ORTITAY. I do not have those numbers on me. Those are in relation to the horsemen's fund, if I am correct on that. If that is what you are—

Mr. STURLA. Yes, Mr. Speaker.

Thank you, Mr. Speaker.

If I could make comments?

The SPEAKER. Yes.

Representative Sturla, you may speak on the bill.

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, here we are and maybe someone can answer this question as the debate goes on, we do not even know what this is going to cost the State in terms of that one tiny little provision for the clawback. But beyond that, the previous speaker, who chairs the committee that has oversight of gaming issues in the State of Pennsylvania, said he believes that this legislation will make all games of skill illegal, because they will now be under the jurisdiction of the Gaming Board, because those games will be available in casinos, and therefore, all other games that exist in the State, whether they be in social clubs or taverns or convenience stores or truckstops, will be made illegal.

Now, there is a part of me that was heartened by that, because as an advocate for VGTs in the State, if we make everybody's VGTs that currently exist, all 40,000 machines, illegal, we will be in here next week doing legislation to make sure they are all restored. But there are two ways to restore them. One is to then license them and allow them to have VGTs, or we simply remove the provision that says all those games are illegal and we say they are not illegal, which then gets to the catch-22, because if they are not illegal, as the prime sponsor of the bill said, then the provision for truckstops and VGTs at truckstops is meaningless, because no one will apply for VGTs at truckstops if games of chance are not made illegal for everyone else.

Think about it. I have a truckstop operation, 3 acres, 50,000 gallons of diesel a year. I have got an ongoing operation. I will be allowed to take space in my operation and put in five VGTs and I will be able to keep 15 percent of the profit from those VGTs. Next door, someone on a tenth of an acre can put up a block building and put 50 VGTs in there that are games of skill, and all I need to do is walk across the parking lot and I will be able to sit in that facility that has 50 machines and play them all night long and that owner will collect 100 percent of the profit. So either way, unless we actually have this defined one way or the other and accommodate for that, the way this bill is written right now, it is a sham. We do not know what it is going to cost the State. If the games are illegal, then we know we are going to have to do follow-up legislation. If the games are not illegal, then the provision about VGTs is meaningless.

Mr. Speaker, this is a problem with trying to rush legislation like this through overnight without a single hearing on it, without an understanding of what it does, without any forethought except a couple of plums and perks put in for people to get a vote and say, "If I just put one thing in for you, will you vote for it?" That is what this bill is and I intend to be a "no."

Thank you, Mr. Speaker.

### MOTION TO POSTPONE

The SPEAKER. Representative Steve Samuelson.

Mr. SAMUELSON. Thank you, Mr. Speaker.

I rise to make a motion and also to speak on my motion.

The SPEAKER. Yes.

Representative Samuelson, you may, sir. Please proceed.

Mr. SAMUELSON. I will make the motion first and then I will have a chance to speak on it?

The SPEAKER. Yes.

Mr. SAMUELSON. My motion is to postpone consideration of this bill, HB 271, until tomorrow, Thursday, October 26, at 11 a.m.

The SPEAKER. Okay. You can make that motion. A motion to postpone until 11 a.m. tomorrow is the motion being made by the good gentleman.

On the question,

Will the House agree to the motion?

The SPEAKER. On the motion, Representative Samuelson.

Mr. SAMUELSON. Thank you, Mr. Speaker.

I rise to give the House some time to digest what is in this comprehensive amendment that came over from the Senate just a few hours ago. My understanding is that of the five parties – House Republicans, House Democrats, Senate Republicans, Senate Democrats, and the Governor – this language was crafted by just the Senate Republicans and has not been public until about 4:45 in the afternoon for anyone in this chamber, and I am talking about our very talented staffs on both sides of the aisle. Members of the House, many of us, have not had a chance to see the language until we arrived on the House floor about 15 minutes ago. There were no copies of this 939-page bill available until we got to the House floor.

Mr. Speaker, we are up against a rule in the House that we have no midnight sessions. We are up against a rule that says we are supposed to have 6 hours to digest any bill that comes over from the Senate on concurrence. This bill is going to generate a lot of debate. There are significant changes. There are changes to the local share in almost every single county that has a casino. There is a brand-new thing called category 4 casinos, mini casinos, which did not exist before a few hours ago. We have identified at least two drafting errors in the Senate's work. This provides for Internet lottery. This provides for Internet gambling. This provides for gambling at airports. It provides for gambling at truckstops, and it is not clear to anyone in the House how many truckstops we are talking about. Is it the 150 truckstops that might qualify today, or is it a moving target where the number of truckstops with video gaming terminals would expand dramatically? We are not sure about the impact on our casinos. We do not have enough information about the impact on our lottery, which funds senior citizen programs.

Mr. Speaker, we have heard the majority chair of the Gaming Committee give us some very wise advice, that we need to take time to analyze this bill. Mr. Speaker, all I am asking for is till 11 a.m. tomorrow, give us a chance to look through this bill. It is 939 pages, of which about 300 are brand-new language that just came to us in the last few minutes and last couple of hours. Mr. Speaker, I ask for a "yes" vote to postpone until 11 a.m. tomorrow.

The SPEAKER. Yes, sir.

As members do know, there is a notice to be on the floor tomorrow at 8 a.m., but the motion is to postpone until 11 a.m. tomorrow.

Representative Reed, on the motion, sir.

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

I would ask the members to oppose the procedural motion to postpone the vote until 11 a.m. tomorrow. Thank you.

The SPEAKER. The minority leader, on the motion. Waives off.

Representative Bob Freeman.

Mr. FREEMAN. Thank you, Mr. Speaker.

Mr. Speaker, I rise to support the gentleman, Mr. Samuelson's motion to postpone consideration on HB 271 until 11 o'clock tomorrow.

Ladies and gentlemen, we were elected to a deliberative body, a deliberative body. That is our responsibility as legislators. There is no way we can do that role that we are entrusted to any justice with a bill that was just amended by the Senate and just appeared on our screens minutes ago. We must live up to the requirements we have as legislators to be deliberative. That cannot be done tonight.

This is a major piece of legislation. Almost 300 pages were added just this evening. It is over 900 pages long. It is something that has not been in the public domain for our citizens, our constituents, to look at and to analyze and to consider, and there are so many different moving parts to this legislation that it is difficult, in the short span of time upon which we are being asked to consider this bill, to do justice to knowing how those implications of those moving parts will affect so many other aspects of the finances of this State and the impacts on our communities.

We owe it to the people of Pennsylvania. We owe it to our responsibility as legislators to postpone consideration on HB 271 until 11 o'clock tomorrow. Let us look at this in the clear light of day. Let us make an informed decision on this legislation. Let us support the Samuelson motion. Thank you.

The SPEAKER. Representative Sturla and then Representative Nesbit, on the motion.

### PARLIAMENTARY INQUIRY

The SPEAKER. Representative Sturla first.

Mr. STURLA. Thank you, Mr. Speaker.

Point of parliamentary inquiry.

The SPEAKER. Yes, sir, you may.

Mr. STURLA. Would the motion simply postpone the vote until 11? Would that preclude us from coming in at 8 and debating it from 8 until 11?

The SPEAKER. Very good question. Let me just consult.

Representative Samuelson, you may need to correct the Parliamentarian and myself, but our understanding is you were

moving to postpone the consideration until 11 a.m., which would include debate.

If you want to just clarify that for me and for the record – I am not trying to tell you – whatever it is it is, but that is our understanding of it.

Mr. SAMUELSON. Yes, my motion is to preclude consideration of this legislation until 11 a.m. tomorrow. Before 11 a.m., we could each take time to review the bill, we could have caucus meetings, we could have our staff have a chance to have additional time to analyze the bill. But my intention is to have this not come back to the floor until 11 a.m. to give us a chance to properly vet this piece of legislation.

The SPEAKER. Yes, sir.

Yes. Representative Sturla, yes.

Representative Tedd Nesbit, on the – he waives off. I am sorry. He waives off.

On the motion, all those in favor of postponing consideration of the bill in front of us until 11 a.m. will vote "aye"; those opposed will vote "nay."

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

The following roll call was recorded:

YEAS–91

Barbin	DeLuca	Kortz	Quinn, C.
Barrar	Dermody	Krueger	Rabb
Bizzarro	Diamond	Kulik	Ravenstahl
Boyle	DiGirolamo	Lawrence	Roae
Bradford	Donatucci	Lewis	Rozzi
Briggs	Driscoll	Longietti	Sainato
Brown, V.	Dush	Madden	Samuelson
Bullock	Farry	Markosek	Schemel
Burns	Fitzgerald	McCarter	Schlossberg
Carroll	Flynn	McClinton	Schweyer
Cephas	Frankel	Mehaffie	Simmons
Charlton	Freeman	Metcalfe	Sims
Comitta	Gainey	Miccarelli	Solomon
Conklin	Galloway	Miller, B.	Staats
Costa, D.	Goodman	Miller, D.	Sturla
Costa, P.	Hanna	Mullery	Thomas
Daley	Harkins	Murt	Vazquez
Davidson	Harper	Neilson	Vitali
Davis	Kavulich	Neuman	Warren
Dawkins	Keller, W.	O'Neill	Watson
Dean	Kim	Pashinski	Youngblood
Deasy	Kirkland	Petrarca	Zimmerman
DeLissio	klunk	Petri	

NAYS–92

Baker	Fritz	Knowles	Reed
Benninghoff	Gergely	Mackenzie	Reese
Bernstine	Gillen	Mako	Roe
Bloom	Gillespie	Maloney	Roebuck
Boback	Greiner	Marshall	Sankey
Brown, R.	Grove	Marsico	Saylor
Caltagirone	Hahn	Masser	Snyder
Causar	Harris, A.	Mentzer	Sonney
Christiana	Harris, J.	Metzgar	Stephens
Cook	Heffley	Millard	Tallman
Corbin	Helm	Moul	Taylor
Cox	Hennessey	Mustio	Tobash
Culver	Hickernell	Nelson	Toepel
Cutler	Hill	Nesbit	Toohil
Day	Irvin	Oberlander	Topper

Delozier	James	Ortity	Ward
Dowling	Jozwiak	Peifer	Warner
Dunbar	Kampf	Pickett	Wentling
Ellis	Kaufner	Quigley	Wheeland
Emrick	Kauffman	Quinn, M.	White
English	Keefe	Rader	
Evankovich	Keller, F.	Rapp	Turzai,
Everett	Keller, M.K.	Readshaw	Speaker
Fee	Kinsey		

NOT VOTING–1

Santora

EXCUSED–18

Corr	Godshall	Milne	Ryan
Cruz	Haggerty	O'Brien	Saccone
Evans	Maher	Pyle	Walsh
Fabrizio	Matzie	Rothman	Wheatley
Gabler	McGinnis		

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

On the question recurring,  
Will the House concur in Senate amendments as further amended by the Senate to House amendments?

The SPEAKER. As I have indicated, the House is scheduled to be in at 8 a.m. tomorrow. But does anybody else – Representative DiGirolamo. He will be followed by Representative Dush and then Representative Krueger-Braneky. Representative DiGirolamo.

Mr. DiGIROLAMO. Thank you, Mr. Speaker.

Mr. Speaker, I think the chairman of the Gaming Committee outlined the problems with this bill very, very well. Make no mistake about it, this is a major expansion of gaming here in Pennsylvania: a 279-page amendment that we barely had an hour to read and look at it. This is absolutely no way to legislate, Mr. Speaker, especially when we are talking about gambling and gaming, and for those reasons, Mr. Speaker, I would like to be recognized to make a motion.

The SPEAKER. I am sorry, good gentleman; I am sorry.

MOTION TO RECOMMIT

The SPEAKER. The motion that you wish to make?

Mr. DiGIROLAMO. Yes, Mr. Speaker.

I would like to be recognized to make a motion.

The SPEAKER. Yes.

Representative DiGirolamo, for a motion sir, please. Go right ahead.

Mr. DiGIROLAMO. Thank you, Mr. Speaker.

I move that we refer HB 271 to the Gaming Oversight Committee, Mr. Speaker, so that they can take their time with this bill, do their due diligence, and hold a public hearing. Thank you.

The SPEAKER. The gentleman, Representative DiGirolamo, is making a motion and he is moving that the bill be recommitted to the Gaming Oversight Committee. Am I stating that correctly? Okay.

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

The SPEAKER. Do any members wish to speak on this motion?

Representative Petri. Representative DiGirolamo, I will wait until the end for you, in case others want to speak on it.

Representative Petri, and I believe Representative Gillen wants to speak on it as well, correct? No.

Okay. Representative Petri.

Mr. PETRI. Mr. Speaker, I support the gentleman's motion to refer it to the committee for a number of reasons. This is the one committee that is absolutely nonpartisan in every sense of the word.

The chairman, my good gentleman, Chairman Harkins, and I have worked together closely and well. We keep each other well informed and we have not had any public hearings on the issue of truckstops, what they are, what they should be, what the role of the State Police would be in enforcing it, what the clawback would cost us, how much money would be developed from this amendment, what is good and what is bad, why we did not include bars and taverns, should we include bars and taverns. There are a whole host of issues and questions we all have, and I am telling you that this committee works well together, votes generally geographic, as we should, and we will make an informed presentation.

So I encourage the members to give Chairman Harkins and me an opportunity to examine this bill, seek testimony from stakeholders, so we know what is good and bad about this 279-page amendment that has circuitous language and I am telling you would outlaw at bars, taverns, and clubs – the way it is written – games of skill. Casinos could have them, but outlawed in other forms. Not fair. Thank you.

The SPEAKER. Representative Dom Costa, and then I believe Representative McCarter wishes to speak too.

Representative Dom Costa.

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

I stand to support the gentleman's motion to send it over to the Gaming Committee. I am a member of the Gaming Committee. I was a member of the Gaming Committee. I believe that that is the place it should be. I believe that it is in the best interest of the members here, because we are going to be responsible for this bill for years to come. Nine hundred and thirty-nine pages. That is about seven reams of paper to do by morning. We need time. We need time to vet it. The public needs time to look at it and I strongly support this. I do not think it is a good thing, nor do I think it is fair to us, as Representatives, to be held accountable to something that we are going to vote and it could be possibly voted. So I think we need to step back, get some time to vet it through the public, to vet it through the committee, and to be able to look at it in depth on what we have and make an intelligent decision on what we are going to do, and if nothing else, it will get us out of here until we get this done.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, Representative Costa.

Representative McCarter, and then just, if I might so that people know, Representative Kortz has requested to speak, Representative Harkins is requesting to speak, but, Representative McCarter, the floor is yours.

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

Again, I rise also to support the motion to refer. This particular bill has so many far-reaching elements that, again, we need the time to be able to have some analysis that we can look into this with some clarity.

I readily admit, Mr. Speaker, I am not a fan of gambling, but on the other hand, I also am open to trying to find ways to get this budget situation finalized. However, when I look at this bill in its form and the amount of pages that are involved and the detail that is in here, that we have already heard that have mistakes that have been identified, that we also have not seen one fiscal note. The Senate did not have one. We do not have one. We have not seen an analysis of how this plays out on the other elements of gambling that we already have in the State, specifically, in the case of the lottery, and those lottery funds, as we all know, are dedicated to the seniors of Pennsylvania. Without knowing or having some idea of what the impact is of this tremendous expansion of gambling on that particular area, I do not see how we can possibly vote on this and possibly jeopardize all of the programs that we have for seniors across the State of Pennsylvania.

So I support this and ask everyone else to as well. Thank you.

#### POINT OF ORDER

The SPEAKER. Representative Jordan Harris rises for a point of order, so I will come back to the other speakers, but it is for a point of order.

Mr. J. HARRIS. Mr. Speaker, my point of order is, it is clear that members need time to think over this.

#### MOTION TO ADJOURN

Mr. J. HARRIS. Mr. Speaker, I make a motion to adjourn until 8 o'clock tomorrow morning.

The SPEAKER. He always likes to complicate things for me – no, I am teasing. Representative Harris, I am teasing. Let me just look that up and I will find out.

The Parliamentarian has indicated that does take precedence over the motion in front of us; it does.

That motion does take precedence over the motion in front of us. So the motion to adjourn is now in front of us. It is a motion to adjourn to 8 a.m.

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

The SPEAKER. Does anybody wish to speak on the motion to adjourn to 8 a.m.?

Representative Kampf, on the motion to adjourn to 8 a.m. That is the motion in front of us.

Mr. KAMPF. Mr. Speaker, I oppose the gentleman from Philadelphia's motion. I was ready to vote on a gaming bill last year for, I think, \$100 million. We never got that. We have been talking about gaming and doing hearings for months and months. This has got about \$250 or \$300 million. We need it. Let us do it now and go back to our districts.

The SPEAKER. Representative Dean, could you please come to the rostrum just for a moment. I apologize. If you could come up.

(Conference held at Speaker's podium.)

The SPEAKER. Representative Madeleine Dean, on the motion to adjourn by Representative Harris.

Mrs. DEAN. Thank you, Mr. Speaker.

I want to thank my colleagues. I know it has been a very long night. But I did take the time to go down and print the bill that is under consideration for the last 20 minutes. I have not had a chance to read it, all 900-and-some pages, but I think we are serious people here and we take our jobs seriously and we want to balance budgets responsibly. So I do not know about you, but I do not think it is the right thing to do at 10:30 or 11 o'clock at night to be (a) debating a bill we have not read or (b) be voting on it. So I support my good colleague from Philadelphia's motion to adjourn. Let us all get some rest. Let us think and be deliberative and thoughtful. Let us vote "yes" on the motion to adjourn.

Thank you, Mr. Speaker.

The SPEAKER. On the motion to adjourn until 8 a.m., does anybody else wish to be recognized?

Representative DiGirolamo, on that motion.

### PARLIAMENTARY INQUIRY

Mr. DIGIROLAMO. Point of parliamentary inquiry, Mr. Speaker.

The SPEAKER. Yes, sir. You may proceed.

Mr. DIGIROLAMO. If this motion is successful and we reconvene at 8 a.m. tomorrow, is my motion to recommit, will that be the first order of business when we come back at 8 a.m.?

The SPEAKER. Fair question. Let me talk to the Parliamentarian.

That would be the first order of business, sir. Yes, it would be.

Mr. DIGIROLAMO. Thank you.

The SPEAKER. I apologize. Representative Mustio, my apologies.

Representative Mark Mustio, on the motion to adjourn to 8 a.m.

Mr. MUSTIO. I am having trouble understanding this right now. If we adjourn tonight and we come in tomorrow and do not vote to send it to committee, are we actually going to vote the bill tomorrow then?

The SPEAKER. Yes.

This is how the order would be: first of all, we are going to vote on the motion to adjourn until 8 a.m. If that should pass, obviously, we are here at 8 a.m.

Mr. MUSTIO. I mean, I feel like we are going to go into the four-corner offense anyway to get to 11 o'clock. It seems to me that—

The SPEAKER. Defense.

Mr. MUSTIO. Well, it depends. North Carolina used to do the four-corner offense.

The SPEAKER. I will get it right.

Mr. MUSTIO. I am just trying to get home to my district, Mr. Speaker.

The SPEAKER. On the motion to adjourn to 8 a.m., Representative Stephens and then Representative Reed.

### PARLIAMENTARY INQUIRY

The SPEAKER. Representative Todd Stephens.

Mr. STEPHENS. Thank you, Mr. Speaker.

Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER. Yes, sir.

Mr. STEPHENS. So in the order of priority, would a special order of business to immediately consider second consideration of HB 1401 be in order?

The SPEAKER. No.

Mr. STEPHENS. Thank you, Mr. Speaker.

The SPEAKER. Representative Reed and then Representative Harper.

Representative Reed first. I had said I would be calling the leader. Yes, sir.

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

It is 10:25. I think we all kind of know we are going to have debate for another 25 minutes and then we are going to come back in the morning and we are going to continue the debate. We might as well get some of that debate done tonight, and then we can come back tomorrow at 8 a.m. and we can start fresh. So for folks who are concerned that you are going to get to a final vote tonight, that is not going to happen.

So there is no need to adjourn. I would ask if the gentleman would potentially consider withdrawing his motion, we get some more debate tonight, we work up until the max of 11 o'clock, and then we come back tomorrow morning and then we can continue the debate until we are done and ready to vote on the bill.

Thank you, Mr. Speaker.

### MOTION WITHDRAWN

The SPEAKER. Representative Jordan Harris.

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

After consultation with the leader, I will withdraw the motion to adjourn.

The SPEAKER. Yes, sir. Okay.

The motion to recommit is back before the floor, before the chamber.

On the question recurring,

Will the House agree to the motion?

### PARLIAMENTARY INQUIRY

The SPEAKER. Representative Stephens, on the motion to recommit.

Mr. STEPHENS. Mr. Speaker, would that special order of business now be in order?

The SPEAKER. No.

Mr. STEPHENS. Thank you, Mr. Speaker.

The SPEAKER. On the motion to recommit – Representative Bill Kortz, I am sorry. I knew I had members over here. Representative Kortz and then Representative Harkins.

Mr. KORTZ. Thank you, Mr. Speaker.

Mr. Speaker, as a member of the Gaming Committee, I recommend that we support the motion to recommit. There are a lot of moving parts in this. We have heard about the VGTs at

the truckstops, the mini casinos; there are drafting errors. The majority leader of the committee has expounded on that, and I think we should do this, because the committee process is the right place to vet this bill. It is a massive bill. We need to do the right thing. It has to be deliberative. We are not doing that at 11 o'clock at night, Mr. Speaker. We have got to do the right thing here. This is a massive undertaking, and God bless him, Paul Clymer would have some choice words if he were still here.

Thank you, Mr. Speaker.

The SPEAKER. Representative Pat Harkins.

Mr. HARKINS. Thank you, Mr. Speaker.

Mr. Speaker, I rise to support my cochair, Representative Petri. I believe this is too important of an issue to rush through tonight, and I would prefer that we send it back to the Gaming Oversight Committee.

The SPEAKER. I am going to call on the majority leader last.

Representative Markosek, on the motion, sir, to recommit.

Minority Appropriations Chair Joe Markosek.

Mr. MARKOSEK. Thank you, Mr. Speaker.

Mr. Speaker, I agree with a number of my own members here who when they say this is a massive bill and needs a lot of work, of course, and a lot of this we have done already. We have debated a lot of what is already in this bill several times before. Our staff, as you know, is working on this as we speak and will have information here shortly. To send this bill back to committee now, in my opinion, would be very, very detrimental to the budget process this year, and I reluctantly say that, because I know a lot of our members, including my own, feel the opposite of this. But I would ask that all the members think about this and keep in mind that if we send this back to committee, this will be very, very, very detrimental to the budget process in Pennsylvania, and as you know, I have stood here many, many times and talked about doing the right thing relative to the budget. To the budget, that should be the most important thing that we are talking about here tonight.

So I would ask, reluctantly, that we have all of our members reject this motion. Let us go on with the debate. We will come back tomorrow. We will have a lot more debate. We will have a lot more information. We will repeat a lot of information that you already had repeated many times. I would ask all of the members to please vote "no" on this motion to recommit. Thank you.

The SPEAKER. Thank you, sir.

### LEAVE OF ABSENCE

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

### CONSIDERATION OF HB 271 CONTINUED

The SPEAKER. Representative Reed, on the motion to — well, let me hold off.

Representative DiGirolamo, on the motion to recommit, and then the leader.

Mr. DiGIROLAMO. Thank you, Mr. Speaker.

I think this is absolutely the right thing to do. There are so many unanswered questions about what is in this bill. Do we even have a fiscal note for the amendment and the bill? I am not

even sure that we do. You heard the majority chairman of the Gaming Committee talk about a definition of a truckstop. We are not sure what that definition is. Do you want these VGTs in your neighborhoods, all over the place, because somebody is going to be able to put a diesel gas pump somewhere and declare themselves a truckstop? Are we sure where these VGTs are going to go? I think the answer is no, and I think the right thing to do is to refer it to the Gaming Committee, let them do their due diligence, maybe hold a public hearing, bring the stakeholders together.

This is not going to upset the budget process, Mr. Speaker. We have been July, August, September, October, 5 months without a budget. A few more weeks, just on this one issue of gaming, is not going to make a bit of difference for the budget.

The gentlelady from Montgomery County held that bill up. Could she hold it up again, that bill? Look at that bill. Look at the size of that bill—

The SPEAKER. Members, I know that some have raised the issue of, quote, unquote, "props." We actually addressed that issue. It is the bill itself, and it does not fall into the definition of a, quote, unquote, "prop." It is the bill itself.

Mr. DiGIROLAMO. With that, Mr. Speaker, I ask for an affirmative vote on the motion to refer to the Gaming Committee, because I think it is the right thing to do. Thank you.

The SPEAKER. On the motion, Representative Reed.

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

I understand why the gentleman wants this bill to go back to the Gaming Committee, and I understand why the chair of the Gaming Committee wants this bill to go back to the Gaming Committee. I just want to make sure everybody else understands.

If this bill goes back to the Gaming Committee, we will never see a gaming bill again. This will not see the light of day. We will not complete this budget process. Gaming will be dead. We will be left with a couple hundred million dollar gap, particularly next year, when we are trying to make very difficult budgetary decisions to begin with. This bill is the product of almost 4 years' work. No gaming bill is ever going to be perfect, because there are just competing interests within any gaming proposal, particularly from a geographic perspective.

This revenue is needed. It is needed for the Lottery Fund. This enhances revenue to the Lottery Fund. It is needed to the Property Tax Relief Fund. This enhances revenue to the Property Tax Relief Fund. It is needed to the General Fund. By sending this bill back to committee on a procedural motion, let us be very clear, you are going to hurt those who rely upon the lottery, you are going to hurt those who benefit from the Property Tax Relief Fund, the homestead exclusion, the property tax/rent rebate program, the PACE (Pharmaceutical Assistance Contract for the Elderly) and the PACENET (Pharmaceutical Assistance Contract for the Elderly Needs Enhancement Tier) programs, and you are going to hurt the General Fund.

The gentleman who made this motion, I appreciate the fact that we agree to disagree on this particular issue. But this is not being sent back for further vetting. It is being sent back to die an untimely death. The time has come for this issue to move forward, and as I said earlier, members will have the night. We will begin the discussion again early in the morning. You know, a lot of people out there who work blue-collar jobs work late hours and get up early the next morning and get back to work.

We are going to do the same. I would respectfully ask the members: do not hurt those three funds tonight, do not kill gaming, let us continue this discussion tonight and into the morning, and let us get to a final vote tomorrow.

Thank you very much, Mr. Speaker.

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

The following roll call was recorded:

#### YEAS—55

Barbin	Farry	Kulik	Petri
Bizzarro	Fee	Lawrence	Rabb
Boyle	Fitzgerald	Lewis	Ravenstahl
Bradford	Freeman	Longietti	Rozzi
Brown, R.	Gainey	Mackenzie	Sainato
Burns	Galloway	Madden	Samuelson
Comitta	Greiner	McCarter	Sims
Conklin	Harkins	Mehaffie	Snyder
Costa, D.	Harper	Mentzer	Sturla
Davidson	Hickernell	Miller, D.	Vitali
Davis	Kaufner	Murt	Warren
Dean	Kim	Neilson	Watson
Deasy	Kortz	Neuman	Zimmerman
DiGirolamo	Krueger	Petrarca	

#### NAYS—128

Baker	Dush	Kirkland	Reese
Barrar	Ellis	Klunk	Roae
Benninghoff	Emrick	Knowles	Roe
Bernstine	English	Mako	Roebuck
Bloom	Evankovich	Maloney	Sankey
Boback	Everett	Markosek	Santora
Briggs	Flynn	Marshall	Saylor
Brown, V.	Frankel	Marsico	Schemel
Bullock	Fritz	Masser	Schlossberg
Caltagirone	Gergely	McClinton	Schweyer
Carroll	Gillen	Metcalfe	Simmons
Causar	Gillespie	Metzgar	Solomon
Cephas	Goodman	Miccarelli	Sonney
Charlton	Grove	Millard	Staats
Christiana	Hahn	Miller, B.	Stephens
Cook	Hanna	Moul	Tallman
Corbin	Harris, A.	Mustio	Taylor
Costa, P.	Harris, J.	Nelson	Thomas
Cox	Heffley	Nesbit	Tobash
Culver	Helm	O'Neill	Toepel
Cutler	Hennessey	Oberlander	Toohil
Daley	Hill	Ortitay	Topper
Dawkins	Irvin	Pashinski	Vazquez
Day	James	Peifer	Ward
DeLissio	Jozwiak	Pickett	Warner
Delozier	Kampf	Quigley	Wentling
DeLuca	Kauffman	Quinn, C.	Wheeland
Dermody	Kavulich	Quinn, M.	White
Diamond	Keefer	Rader	Youngblood
Donatucci	Keller, F.	Rapp	
Dowling	Keller, M.K.	Readshaw	Turzai,
Driscoll	Keller, W.	Reed	Speaker
Dunbar	Kinsey		

#### NOT VOTING—0

#### EXCUSED—19

Corr	Godshall	Milne	Ryan
Cruz	Haggerty	Mullery	Saccone
Evans	Maher	O'Brien	Walsh
Fabrizio	Matzie	Pyle	Wheatley
Gabler	McGinnis	Rothman	

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

On the question recurring,  
Will the House concur in Senate amendments as further amended by the Senate to House amendments?

The SPEAKER. Now, I know we have other members on the bill itself.

Representative Krueger-Braneky.

#### MOTION TO ADJOURN

The SPEAKER. Representative Vitali, do you rise for a point of order or just to speak on the bill?

Mr. VITALI. I move to adjourn until tomorrow at 11 a.m.

The SPEAKER. Okay. I mean, essentially, we have had this vote. Representative Samuelson moved to postpone till 11 a.m. tomorrow. To move to adjourn to 11 a.m. tomorrow is the same. I understand. I mean, we will take the vote, because I guess in semantics—

Mr. VITALI. If I could just explain the reasons. I mean, I wanted to wait until after the motion to postpone, but I think—

The SPEAKER. Representative Vitali, please hold. I am getting whistled at over here.

#### POINT OF ORDER

The SPEAKER. Sir, on the point of order, I presume. Please just give us a second. Go ahead.

Mr. EVANKOVICH. Mr. Speaker, is a motion under rule 61 in order at this time?

The SPEAKER. Let me look.

Representative, 61, right? Sixty-one?

Members, two things: first of all, when I called upon Representative Vitali — remember, Representative Krueger-Braneky had the floor — when I called on Representative Vitali, I asked if it was a point of order or parliamentary inquiry. It was not. So he cannot just jump in to make a motion at that time, because the good member had the floor.

Now, a different motion could — so here is what rule 11 says: "Interruption of a Member Who Has the Floor. A member who has the floor may not be interrupted, except for questions of order" — which is why I said "point of order"— "by a motion to extend session or by a motion for the previous question.

"A member may yield the floor for questions related to the subject before the House." That is not, in fact, here.

#### MOTION RULED OUT OF ORDER

The SPEAKER. So, Representative Vitali, it is not appropriate to take up your motion to adjourn, based on rule 11. Representative Krueger-Braneky has the floor. However, Representative Evankovich's motion for the previous question does take precedence over somebody's time on the floor, under rule 11.

So now we are going to turn to — so the question before us is not a motion for adjournment. Representative Krueger-Braneky, we have to move to the previous question, rule 61 — and just

give me a moment please – rule 61, "Previous Question," says, "A motion for the previous question, seconded by 20 members and sustained by a majority of the members present, shall put an end to all debate and bring the House to an immediate vote on the question then pending, or the questions on which it has been ordered."

Representative, just give me a moment here.

The gentleman who brought up the motion about the previous question has clarified: he was making the motion on the previous question with respect to the motion to adjourn, but the motion to adjourn is off. Representative Krueger-Braneky has the floor. The motion for the previous question is not on the table. That has been withdrawn, or at least as I understood it, it is withdrawn.

Representative Krueger-Braneky, you may proceed.

Ms. KRUEGER. Thank you, Mr. Speaker.

This is a 939-page bill and I notice on page 666, on line 6, the language says, "IF A HOST COUNTY OF THE INTERACTIVE GAMING CERTIFICATE HOLDER IS A HOME RULE COUNTY OF THE SECOND CLASS A WHERE A CATEGORY 1 SLOT MACHINE LICENSEE IS LOCATED AT A HARNESS RACETRACK, 50% SHALL BE DISTRIBUTED TO AN AUTHORITY CREATED BY THE HOST COUNTY...."

Mr. Speaker, as a member who represents a district that happens to be in the only home-rule county of the second class, I have got some questions of this. So would the maker of the bill rise for interrogation?

The SPEAKER. The good gentleman has indicated he will stand for interrogation. He is right here.

Representative Ortitay. Thank you, sir.

Ms. KRUEGER. Thank you.

So first question, would this be a new authority created in a home-rule county of the second class A?

Mr. ORTITAY. No. They have the option to form a new one, though, if they would like.

Ms. KRUEGER. They have an option to.

And if they proceeded with the option, who would actually be the decisionmaking body? Would it be the county council?

Mr. ORTITAY. Yes.

Ms. KRUEGER. Okay. So the county council would be the decisionmaking body.

Who would staff this authority?

Mr. ORTITAY. They would have to follow the provisions in the Authorities Act. I just wanted to make sure I have that correct. It was the Authorities Act, yes.

Ms. KRUEGER. Okay. How much in salaries would be paid to the staff of this new authority?

Mr. ORTITAY. In this case, the county would decide, when they are creating the authority, what the salaries and benefits would be.

Ms. KRUEGER. The county would decide.

Would they hire a solicitor for this new authority?

Mr. ORTITAY. That would also be up to the authority as well.

Ms. KRUEGER. So it would be up to the authority or up to the county?

Mr. ORTITAY. Up to the county.

Ms. KRUEGER. Up to the county. Okay.

Who would decide – it says in the bill, page 666, lines 11 through 15, that this money would be "...USED FOR GRANTS WITHIN THE INTERACTIVE GAMING CERTIFICATE

HOLDER'S HOST COUNTY." Who would decide the criteria for those grant awards?

Mr. ORTITAY. That would also be up to the county.

Ms. KRUEGER. That would be up to the county.

Who would stipulate whether that money was shared evenly between local municipalities or just given to certain municipalities?

Mr. ORTITAY. That would also be the county as well.

Ms. KRUEGER. Okay. Is there a fiscal note on the cost of this new authority?

Mr. ORTITAY. No, there is not, but that is up to the counties to decide how they would come to that and what they would do, and I would imagine that would vary across the board.

Ms. KRUEGER. Okay. Thank you.

Mr. Speaker, on the bill?

The SPEAKER. Yes.

Representative Krueger-Braneky, on the bill.

Ms. KRUEGER. So to be clear, in this new piece of gaming legislation, my county, Delaware County, is being singled out for the creation of a new authority that would be completely at the discretion of the county.

Over a decade ago the county of Erie created a similar authority to oversee gaming and it has been riddled with problems. The authority has become a place of gross mismanagement with very high administrative and overhead costs, and basically, it has been a place of political patronage, where power brokers have parked their political allies in high-paying positions. This authority is rife with waste, fraud, and abuse of taxpayer dollars. Without a fiscal note—

The SPEAKER. Representative Krueger-Braneky, please suspend.

## POINT OF ORDER

The SPEAKER. Representative Miccarelli, a point of order, sir.

Mr. MICCARELLI. Thank you, Mr. Speaker.

The gentlelady from Delaware is basically saying that our county organization is essentially corrupt. It is very, very nasty things that she is saying. I know we cannot impugn other members. How far will we allow somebody to go to impugn, you know, a fellow government agency?

The SPEAKER. Representative Krueger-Braneky, if you will just give me a moment.

Okay. Well, there is no rule specific to beyond members, but I do know, from my own experience, that when members have opined or in some way impugned individuals outside of the chamber or entities outside of the chamber, particularly if they were specifically named, that we have or previous Speakers have admonished to stay away from that – admonished might be a little tough – but to stay away from that.

If you could, Representative Krueger-Braneky, if you could just stick to just what you find in the bill itself that you do not think is appropriate or that you do not like or that you think is bad public policy, if you could stick to that, that would be best. Thank you.

The floor is yours.

Ms. KRUEGER. And to be clear, I am pointing to a precedent from the county of Erie that we appear to be poised to re-create in my own county of Delaware County, a system that would be completely at the control of the county government,

with no fiscal note and, by my read of this language, very little accountability. That raises a lot of questions for me, and I wanted to raise them for this body.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, Representative.

Representative Cris Dush. He waives off. I apologize.

Representative Sturla followed by Representative McCarter, and then Representative Jordan Harris. Representative, do you still wish to— Okay. We had you listed. I am sorry.

### MOTION TO POSTPONE

The SPEAKER. Representative Sturla.

Mr. STURLA. Thank you, Mr. Speaker.

Would it be appropriate to make a motion at this point in time?

The SPEAKER. Yes, sir. You may make a motion.

Mr. STURLA. Thank you, Mr. Speaker.

I would like to move to postpone consideration of this bill for – I am going to say 5 days or an agreed-to time by the Speaker and the majority leader. This is not about trying to kill this bill. Look, this is not about whether or not you believe this is a great bill or a bad bill and which side you are on on VGTs or casinos or any of this stuff. It has been pointed out already, we do not have a fiscal note on this, we do not know what the cost impacts are, and as was pointed out in the first few people that spoke, the gentleman that is the prime sponsor of this bill believes it does one thing and the chairman of the committee that has oversight of this believes it does the exact polar opposite of that. Give us 5 days. That would bring us back next Monday and allow those members to craft language changes that would be necessary. The bill could then get run in Rules with one amendment. It is not going to get loaded up with 50,000 amendments. We can actually do good governing here.

The SPEAKER. Representative Sturla, so let me just state that you are going to have to pick a date certain. So we can do Tuesday, October 31. Is that a date that—

Mr. STURLA. If I could say 5 days.

The SPEAKER. Okay. So you want to postpone until Monday, October 30?

Mr. STURLA. Yes.

The SPEAKER. Okay.

Mr. STURLA. At 1 p.m.

The SPEAKER. Okay. The motion is to postpone consideration of the bill to Monday, October 30, at 1 p.m. That is the motion in front of us.

On the question,

Will the House agree to the motion?

The SPEAKER. On the motion, Representative Reed.

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

We are continuing with the debate for another 10 minutes tonight. We will pick up the debate tomorrow morning. This is an important issue for us to close out the budget process this year and looking ahead to next year, as well as dealing with, you know, the ancillary issues of the Lottery Fund, the Property Tax Relief Fund, and of course, as I mentioned, the General Fund.

I would respectfully ask the members to vote "no" on the motion to postpone the consideration of HB 271. Let us continue with the debate throughout 11 o'clock tonight and pick it up again in the morning. Thank you.

The SPEAKER. Representative Petri, on the motion.

Mr. PETRI. Thank you, Mr. Speaker.

I support the gentleman's motion for the following reason: there is a major mistake, at least one, that will jeopardize the property rights of every restaurateur, every "R" license in this Commonwealth. The gentleman is correct. As chairman, we can have hearings. We can get input from the State Police. The gentleman has identified a date. A previous speaker indicated that the purpose of this previous motion was to bury the bill. I can assure you the purpose is to do the right and proper thing. I do not want to jeopardize the property rights of licensees because we did not take the time to fix the mistakes that are in this bill. Thank you.

The SPEAKER. The maker can speak again.

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, as has been pointed out, this is not an attempt to kill the bill. This is not an attempt to slow down the budget process. This is not an attempt to delay anything that we are trying to get accomplished here. It is simply an attempt to try and do it properly and correctly.

I may still be against this thing 5 days from now, but at least the language in it will not be wrong, it will not be bad, it will not be in conflict with itself. Mr. Speaker, this is just about us taking a slight pause to do it right.

I appreciate a "yes" vote.

Thank you, Mr. Speaker.

The SPEAKER. Representative McCarter, you may speak.

Mr. McCARTER. Thank you, Mr. Speaker.

Again, I support the motion to postpone as well. One of the things that is so – as I mentioned earlier in one of these motions – is the issue of really where our funds go in terms of programs that have already been in place, and I just want to read to you one particular sentence that came out as part of the concerns of various different groups concerning the VGTs: The legalization of VGTs will directly compete with the lottery, of which 100 percent of the proceeds go to senior programs. VGTs will take money away from meals, home care, and medical transportation programs that enable our older citizens to continue living independently and prevent expensive institutional care.

Mr. Speaker, give us the time to look at this to analyze whether, in fact, this particular bill fits the needs of all of us in this State and especially, again, our seniors. Thank you.

### LEAVE OF ABSENCE

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

### CONSIDERATION OF HB 271 CONTINUED

The SPEAKER. All those in favor of the motion to postpone to Monday, October 30, at 1 p.m. will vote "aye"; those opposed will vote "nay."

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

The following roll call was recorded:

## YEAS—52

Barbin	DeLissio	Kinsey	Petri
Bizzarro	DiGirolamo	Kortz	Rabb
Boyle	Emrick	Krueger	Ravenstahl
Bradford	Farry	Kulik	Readshaw
Briggs	Fitzgerald	Lawrence	Rozzi
Brown, R.	Flynn	Lewis	Sainato
Burns	Freeman	Longiotti	Samuelson
Comitta	Gainey	Madden	Snyder
Conklin	Galloway	McCarter	Sturla
Davidson	Harkins	Miller, D.	Thomas
Davis	Harper	Neuman	Ward
Dean	Kavulich	Pashinski	Warren
Deasy	Kim	Petrarca	Watson

## NAYS—129

Baker	Ellis	Knowles	Reese
Barrar	English	Mackenzie	Roe
Benninghoff	Everett	Mako	Roe
Bernstine	Fee	Maloney	Roebuck
Bloom	Frankel	Markosek	Sankey
Boback	Fritz	Marshall	Santora
Brown, V.	Gergely	Marsico	Saylor
Bullock	Gillen	Masser	Schemel
Caltagirone	Gillespie	McClinton	Schlossberg
Carroll	Goodman	Mehaffie	Schweyer
Causar	Greiner	Mentzer	Simmons
Cephas	Grove	Metcalfe	Sims
Charlton	Hahn	Metzgar	Solomon
Christiana	Hanna	Miccarelli	Sonney
Cook	Harris, A.	Millard	Staats
Corbin	Harris, J.	Miller, B.	Stephens
Costa, D.	Heffley	Moul	Tallman
Costa, P.	Helm	Murt	Taylor
Cox	Hennessey	Mustio	Tobash
Culver	Hickernell	Neilson	Toepel
Cutler	Hill	Nelson	Toohil
Daley	Irvin	Nesbit	Topper
Dawkins	James	O'Neill	Vazquez
Day	Jozwiak	Oberlander	Warner
DeLozier	Kampf	Ortitay	Wentling
DeLuca	Kaufer	Peifer	Wheeland
Dermody	Kauffman	Pickett	White
Diamond	Keefer	Quigley	Youngblood
Donatucci	Keller, F.	Quinn, C.	Zimmerman
Dowling	Keller, M.K.	Quinn, M.	
Driscoll	Keller, W.	Rader	Turzai,
Dunbar	Kirkland	Rapp	Speaker
Dush	Klunk	Reed	

## NOT VOTING—1

Vitali

## EXCUSED—20

Corr	Gabler	McGinnis	Rothman
Cruz	Godshall	Milne	Ryan
Evankovich	Haggerty	Mullery	Saccone
Evans	Maher	O'Brien	Walsh
Fabrizio	Matzie	Pyle	Wheatley

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

On the question recurring,  
Will the House concur in Senate amendments as further amended by the Senate to House amendments?

The SPEAKER. On the bill. We only have one more speaker that I have listed, Representative McCarter, on the bill. Waives off.

Does anybody else wish to speak on the bill?

All those in favor of the bill, the concurrence in the various — my fault. I was trying to rush things.

It happens when you get near 11 o'clock. Thank you, Representative Carroll.

Representative Eddie Day Pashinski. You are right. We cannot vote until tomorrow.

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

Inquiry with the maker of the bill for a moment, please?

The SPEAKER. An interrogation, sir?

Mr. PASHINSKI. Yes, sir.

The SPEAKER. Yes, Representative Ortitay has indicated he will so stand.

Mr. PASHINSKI. Thank you very much.

Mr. Speaker, could you give us an idea of the kind of dollars that the truckstop machines will provide?

Mr. ORTITAY. Mr. Speaker, could you be a little more descriptive in your question, as far as are you talking dollars in the machines, dollars paid out, revenue?

Mr. PASHINSKI. Well, I am looking to see exactly what the General Fund is going to be able to calculate in initiating those machines.

Mr. ORTITAY. If you would give me one second to grab the fiscal note, if we have it.

Mr. Speaker, I do not have the fiscal note on me, so I cannot give you that number at this time, but tomorrow morning we should have it.

Mr. PASHINSKI. Well, let me ask you this: when you were putting this 939-page bill together, and that was an awesome responsibility and I appreciate all your work, could you give us an idea of the kind of dollars that would then come from the VGT parlors? There are 12 of them, are there not? Are there 12?

Mr. ORTITAY. Mr. Speaker, as much as I would love to take credit for all 900 pages of this amendment, I cannot do that, but again, unfortunately, I do not have the fiscal note in front of me yet, but I am pretty sure we will have it by tomorrow.

Mr. PASHINSKI. Okay. And again, I do not mean to belabor this point. I am just trying to acquire some idea. I think all of us in this hall need to have some idea of what — in the process of putting this bill together, in an attempt to—

The SPEAKER. Representative, if you will just suspend for a moment.

We really have about 2 minutes, so if you could ask one last question and then we are going to wrap it up.

Yes. Go ahead, Representative Pashinski, one last question.

Mr. PASHINSKI. All right. So as I was moving along with that, I was trying to get some idea, and I think everybody in the hall would like to get some idea of what do you calculate would be the total number of dollars, rounding it off to millions, relative — if this bill were to pass, what kind of dollars would you estimate—

The SPEAKER. Representative Ortitay, you do not need to answer.

My understanding, from the Appropriations chair, is that the fiscal note will be available tomorrow, right? The fiscal note will be available tomorrow. That will be available for everybody to read from the Appropriations Committee.

Mr. PASHINSKI. So then there will be no votes tonight, Mr. Speaker?

The SPEAKER. No, because we cannot. It was amended at 7:15. and we would not be able to vote until after 11, and we are now done.

Mr. PASHINSKI. Will you allow me to—

The SPEAKER. No, Representative Pashinski; we are done.

Mr. PASHINSKI. —continue tomorrow?

The SPEAKER. I will be glad to call you tomorrow. You will not be prevented from having an opportunity to speak tomorrow.

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

I appreciate the time. Thank you.

### **BILLS AND RESOLUTIONS PASSED OVER**

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

### **ADJOURNMENT**

The SPEAKER. Members, we have reached the hour of 11. Our rules prohibit us from having further debate or votes. So we will be back in session tomorrow at 8 a.m.

In fact, Representative Kerry Benninghoff moves that the House be adjourned until Thursday, October 26, 2017, at 8 a.m., e.d.t., unless sooner recalled by the Speaker.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 11 p.m., e.d.t., the House adjourned.