

# COMMONWEALTH OF PENNSYLVANIA

## LEGISLATIVE JOURNAL

THURSDAY, SEPTEMBER 17, 2009

SESSION OF 2009

193D OF THE GENERAL ASSEMBLY

No. 95

### HOUSE OF REPRESENTATIVES

The House convened at 11 a.m., e.d.t.  
THE SPEAKER (KEITH R. McCALL)  
PRESIDING

#### PRAYER

HON. JERRY STERN, member of the House of Representatives, offered the following prayer:

Let us bow our heads.

Dear Father, as we come before Your throne of grace today, God, let us thank You for the rain You provided the land. Also, thank You for those assembled here today; be with each and every member. We are in a very difficult time and we commit our leadership in the House and Senate, along with the Governor's Office and staff, to continue seeking Your wisdom. We continue to pray for our troops serving our nation; be with their families also, and continue to heal those that have been impacted by the casualties of war. We also ask that You will be with all of those that are impacted by what we do in this chamber.

When we grow weary, Lord, let us remember one of David's Psalms as he sang to You, "Hear my cry, O God; attend to my prayer. From the end of the earth I will cry to You, when my heart is overwhelmed; lead me to the Rock that is higher than I.

"For You have been a shelter for me, and a strong tower from the enemy. I will abide in Your tabernacle forever; I will trust in the shelter of Your wings."

As we reflect upon this today, let us put our trust and problems under Your care, and allow us to set an example in civility among ourselves as we debate the contentious issues of this day.

I pray all these things in Your Son's name. Amen.

#### PLEDGE OF ALLEGIANCE

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

#### DEMOCRATIC CAUCUS

##### APPROPRIATIONS COMMITTEE MEETING

The SPEAKER. The Chair recognizes the gentleman from Westmoreland County, Representative Casorio.

Mr. CASORIO. Thank you, Mr. Speaker.

I have a series of announcements to make this morning, Mr. Speaker. Mr. Speaker, the Democrats will caucus

immediately at the break. The Appropriations Committee meeting will be held at 12:30 in the majority caucus room, and we hope to return to the floor at 12:45. Repeating, Mr. Speaker, the Democrats will caucus immediately at the break. Appropriations will meet in the majority caucus room at 12:30, and we are anticipating returning to the floor at 12:45.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

There will be an Appropriations Committee meeting at 12:30 in the majority caucus room.

#### REPUBLICAN CAUCUS

The SPEAKER. The Chair recognizes the gentlelady from Susquehanna County, Representative Major.

Ms. MAJOR. Thank you, Mr. Speaker.

I would like to announce a Republican caucus immediately at the call of the recess. I would ask Republicans to please report to our caucus room. Thank you.

The SPEAKER. The Chair thanks the lady.

#### AGRICULTURE AND RURAL AFFAIRS COMMITTEE MEETING

The SPEAKER. For what purpose does the gentleman from Clinton, Representative Hanna, rise?

Mr. HANNA. To call a committee meeting.

The SPEAKER. The gentleman is in order and may proceed.

Mr. HANNA. Thank you, Mr. Speaker.

The Agriculture Committee will meet immediately upon the call of the recess in room 60, East Wing. We have one bill to consider with a couple amendments. I hope we can be finished quickly so that we can get to caucus. Ag Committee will meet immediately upon the call of the recess in 60 East Wing.

The SPEAKER. The Chair thanks the gentleman.

The Agriculture and Rural Affairs Committee will meet at the call of recess in room 60, East Wing.

Are there any further announcements?

#### ANNOUNCEMENT BY SPEAKER

The SPEAKER. The Democrats and the Republicans are to report immediately to their caucus rooms.

#### RECESS

The SPEAKER. This House stands in recess until 12:45 p.m., unless sooner recalled by the Speaker.

**AFTER RECESS**

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

**JOURNAL APPROVAL POSTPONED**

The SPEAKER. Without objection, approval of the Journal of Wednesday, September 16, 2009, will be postponed until printed. The Chair hears no objection.

**LEAVES OF ABSENCE**

The SPEAKER. Turning to leaves of absence, the Chair recognizes the gentleman from Greene County, Representative DeWeese, the majority whip, who requests the following leaves of absence for: Representative BRADFORD from Montgomery County for the day; Representative DRUCKER from Chester County for the day; Representative PARKER from Philadelphia County for the day; Representative LENTZ from Delaware County for the day; Representative JOHNSON from Philadelphia County for the day. Without objection, the leaves will be granted.

The Chair recognizes the gentleman from Allegheny County, Representative Turzai, the minority whip, who requests a leave of absence for Representative MUSTIO from Allegheny County for the day. Without objection, that leave will be granted.

**LEAVE OF ABSENCE CANCELED**

The SPEAKER. The Chair notes the presence of the gentleman from Delaware County, Representative Lentz, on the House floor. His name will be added to the master roll.

**MASTER ROLL CALL**

The SPEAKER. The Chair is about to take the master roll. The members will proceed to vote.

The following roll call was recorded:

**PRESENT—196**

Adolph	Everett	Longiotti	Reichley
Baker	Fabrizio	Maher	Roae
Barbin	Fairchild	Mahoney	Rock
Barrar	Farry	Major	Roebuck
Bear	Fleck	Manderino	Rohrer
Belfanti	Frankel	Mann	Ross
Benninghoff	Freeman	Markosek	Sabatina
Beyer	Gabig	Marshall	Sainato
Bishop	Gabler	Marsico	Samuelson
Boback	Galloway	Matzie	Santarsiero
Boyd	Geist	McGeehan	Santoni
Boyle	George	McI. Smith	Saylor
Brennan	Gerber	Melio	Scavello
Briggs	Gergely	Mensch	Schroder
Brooks	Gibbons	Metcalfe	Seip
Brown	Gillespie	Metzgar	Shapiro
Burns	Gingrich	Micozzie	Siptroth

Buxton	Godshall	Millard	Smith, K.
Caltagirone	Goodman	Miller	Smith, M.
Carroll	Grell	Milne	Smith, S.
Casorio	Grove	Mirabito	Solobay
Causer	Grucela	Moul	Sonney
Christiana	Haluska	Mundy	Staback
Civera	Hanna	Murphy	Stern
Clymer	Harhai	Murt	Stevenson
Cohen	Harhart	Myers	Sturla
Conklin	Harkins	O'Brien, D.	Swanger
Costa, D.	Harper	O'Brien, M.	Tallman
Costa, P.	Harris	O'Neill	Taylor, J.
Cox	Helm	Oberlander	Taylor, R.
Creighton	Hennessey	Oliver	Thomas
Cruz	Hess	Pallone	True
Curry	Hickernell	Pashinski	Turzai
Cutler	Hornaman	Payne	Vereb
Daley	Houghton	Payton	Vitali
Dally	Hutchinson	Peifer	Vulakovich
Day	Josephs	Perzel	Wagner
Deasy	Kauffman	Petrarca	Walko
Delozier	Keller, M.K.	Petri	Wansacz
DeLuca	Keller, W.	Phillips	Waters
Denlinger	Kessler	Pickett	Watson
DePasquale	Killion	Preston	Wheatley
Dermody	Kirkland	Pyle	White
DeWeese	Knowles	Quigley	Williams
DiGirolamo	Kortz	Quinn	Youngblood
Donatucci	Kotik	Rapp	Yudichak
Eachus	Krieger	Readshaw	
Ellis	Kula	Reed	McCall,
Evans, D.	Lentz	Reese	Speaker
Evans, J.	Levdansky		

**ADDITIONS—0**

**NOT VOTING—0**

**EXCUSED—7**

Bradford	Johnson	Mustio	Perry
Drucker	Miccarelli	Parker	

**LEAVES ADDED—2**

Boyle	Grucela
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**LEAVES CANCELED—2**

Bradford	Drucker
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The SPEAKER. A quorum being present, the House will proceed to conduct business.

**HOUSE RESOLUTION  
INTRODUCED AND REFERRED**

**No. 105** By Representatives SIPTROTH, BROWN, BELFANTI, BEYER, BISHOP, BRENNAN, BROOKS, CALTAGIRONE, CLYMER, CONKLIN, D. COSTA, CREIGHTON, CRUZ, CUTLER, DELOZIER, DeLUCA, DePASQUALE, DONATUCCI, EVERETT, FABRIZIO, GEIST, GRELL, GROVE, HELM, HENNESSEY, HESS, HUTCHINSON, KOTIK, KULA, LONGIETTI, MAJOR, MANDERINO, MANN, McCALL, MELIO, MILLARD,

MOUL, MUNDY, MURT, M. O'BRIEN, O'NEILL, PAYNE, PEIFER, PICKETT, QUINN, READSHAW, REICHLEY, ROHRER, ROSS, SANTONI, SCAVELLO, SOLOBAY, SWANGER, THOMAS, VEREB, VULAKOVICH, WALKO, WATSON, YOUNGBLOOD, FREEMAN, MATZIE, DALLY, DENLINGER, BRADFORD, BOYD, MENSCH, and BRIGGS

A Resolution recognizing the month of October 2009 as "Domestic Violence Awareness Month" in Pennsylvania.

Referred to Committee on RULES, September 16, 2009.

**HOUSE BILLS  
INTRODUCED AND REFERRED**

**No. 1984** By Representatives COHEN, BELFANTI, CALTAGIRONE, DONATUCCI, JOSEPHS, MELIO, PASHINSKI, READSHAW, SIPTROTH, WHITE and YOUNGBLOOD

An Act providing for a public health access program beneficiary employer report; and imposing duties on the Secretary of Health.

Referred to Committee on HEALTH AND HUMAN SERVICES, September 17, 2009.

**No. 1985** By Representatives FAIRCHILD, PERZEL, ADOLPH, BELFANTI, BEYER, CASORIO, CAUSER, CLYMER, CREIGHTON, EVERETT, FARRY, FLECK, GEIST, GEORGE, GIBBONS, GILLESPIE, GINGRICH, GROVE, GRUCELA, HARHAI, HARHART, HESS, HORNAMAN, HUTCHINSON, KNOWLES, KOTIK, LONGIETTI, MAJOR, MANN, MARSICO, METZGAR, MICOZZIE, MILLER, MILNE, MOUL, MURT, O'NEILL, PETRARCA, PHILLIPS, PYLE, QUINN, RAPP, READSHAW, REICHLEY, ROHRER, SEIP, SIPTROTH, K. SMITH, SOLOBAY, STABACK, STERN, SWANGER, TALLMAN, THOMAS, VEREB, VULAKOVICH, WATSON and YOUNGBLOOD

An Act amending the act of June 24, 1976 (P.L.424, No.101), referred to as the Emergency and Law Enforcement Personnel Death Benefits Act, further providing for the payment of death benefits to members of the Pennsylvania Civil Air Patrol.

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, September 17, 2009.

**BILL REREPORTED FROM COMMITTEE**

**HB 1531, PN 1898** By Rep. D. EVANS

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, further providing for continuation of the Military Family Relief Assistance Program.

**APPROPRIATIONS.**

The SPEAKER. That bill will go to the House supplemental calendar.

**BILL REPORTED FROM COMMITTEE,  
CONSIDERED FIRST TIME, AND Tabled**

**SB 901, PN 1400** (Amended) By Rep. HANNA

An Act amending the act of July 10, 2008 (P.L.1109, No.78), known as the Biofuel Development and In-State Production Incentive Act, further providing for definitions, for biodiesel content in diesel fuel sold for on-road use and for agency responsibilities; and imposing penalties.

AGRICULTURE AND RURAL AFFAIRS.

**CALENDAR**

**RESOLUTION PURSUANT TO RULE 35**

Mr. JOHNSON called up **HR 119, PN 1601**, entitled:

A Resolution honoring Robert W. Bogle for his numerous achievements and for his dedication and commitment to the Philadelphia region.

On the question,  
Will the House adopt the resolution?

(Members proceeded to vote.)

**LEAVE OF ABSENCE CANCELED**

The SPEAKER. The Chair notes the presence of the gentleman from Chester County, Representative Drucker, on the House floor. His name will be added to the master roll.

**CONSIDERATION OF HR 119 CONTINUED**

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

The following roll call was recorded:

YEAS—197

Adolph	Evans, J.	Levdansky	Reichley
Baker	Everett	Longietti	Roae
Barbin	Fabrizio	Maher	Rock
Barrar	Fairchild	Mahoney	Roebuck
Bear	Farry	Major	Rohrer
Belfanti	Fleck	Manderino	Ross
Benninghoff	Frankel	Mann	Sabatina
Beyer	Freeman	Markosek	Sainato
Bishop	Gabig	Marshall	Samuelson
Boback	Gabler	Marsico	Santarsiero
Boyd	Galloway	Matzie	Santoni
Boyle	Geist	McGeehan	Saylor
Brennan	George	McI. Smith	Scavello
Briggs	Gerber	Melio	Schroder
Brooks	Gergely	Mensch	Seip
Brown	Gibbons	Metcalfe	Shapiro
Burns	Gillespie	Metzgar	Siptroth
Buxton	Gingrich	Micozzie	Smith, K.
Caltagirone	Godshall	Millard	Smith, M.
Carroll	Goodman	Miller	Smith, S.
Casorio	Grell	Milne	Solobay

Causar	Grove	Mirabito	Sonney
Christiana	Grucela	Moul	Staback
Civera	Haluska	Mundy	Stern
Clymer	Hanna	Murphy	Stevenson
Cohen	Harhai	Murt	Sturla
Conklin	Harhart	Myers	Swanger
Costa, D.	Harkins	O'Brien, D.	Tallman
Costa, P.	Harper	O'Brien, M.	Taylor, J.
Cox	Harris	O'Neill	Taylor, R.
Creighton	Helm	Oberlander	Thomas
Cruz	Hennessey	Oliver	True
Curry	Hess	Pallone	Turzai
Cutler	Hickernell	Pashinski	Vereb
Daley	Hornaman	Payne	Vitali
Dally	Houghton	Payton	Vulakovich
Day	Hutchinson	Peifer	Wagner
Deasy	Josephs	Perzel	Walko
Delozier	Kauffman	Petrarca	Wansacz
DeLuca	Keller, M.K.	Petri	Waters
Denlinger	Keller, W.	Phillips	Watson
DePasquale	Kessler	Pickett	Wheatley
Dermody	Killion	Preston	White
DeWeese	Kirkland	Pyle	Williams
DiGirolamo	Knowles	Quigley	Youngblood
Donatucci	Kortz	Quinn	Yudichak
Drucker	Kotik	Rapp	
Eachus	Krieger	Readshaw	McCall,
Ellis	Kula	Reed	Speaker
Evans, D.	Lentz	Reese	

NAYS-0

NOT VOTING-0

EXCUSED-6

Bradford	Miccarelli	Parker	Perry
Johnson	Mustio		

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

**LEAVE OF ABSENCE**

The SPEAKER. The Chair recognizes the gentleman from Greene County, the majority whip, Representative DeWeese, who requests the following leave of absence for the gentleman from Northampton County, Representative GRUCELA, for the day. Without objection, the leave will be granted.

**RESOLUTIONS PURSUANT TO RULE 35**

Mr. KAUFFMAN called up **HR 450, PN 2624**, entitled:

A Resolution designating September 17 through 23, 2009, as "Constitution Week" in Pennsylvania.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-196

Adolph	Evans, J.	Longiotti	Reichley
Baker	Everett	Maher	Roae
Barbin	Fabrizio	Mahoney	Rock

Barrar	Fairchild	Major	Roebuck
Bear	Farry	Manderino	Rohrer
Belfanti	Fleck	Mann	Ross
Benninghoff	Frankel	Markosek	Sabatina
Beyer	Freeman	Marshall	Sainato
Bishop	Gabig	Marsico	Samuelson
Boback	Gabler	Matzie	Santarsiero
Boyd	Galloway	McGeehan	Santoni
Boyle	Geist	McI. Smith	Saylor
Brennan	George	Melio	Scavello
Briggs	Gerber	Mensch	Schroder
Brooks	Gergely	Metcalfe	Seip
Brown	Gibbons	Metzgar	Shapiro
Burns	Gillespie	Micozzie	Sipthroth
Buxton	Gingrich	Millard	Smith, K.
Caltagirone	Godshall	Miller	Smith, M.
Carroll	Goodman	Milne	Smith, S.
Casorio	Grell	Mirabito	Solobay
Causar	Grove	Moul	Sonney
Christiana	Haluska	Mundy	Staback
Civera	Hanna	Murphy	Stern
Clymer	Harhai	Murt	Stevenson
Cohen	Harhart	Myers	Sturla
Conklin	Harkins	O'Brien, D.	Swanger
Costa, D.	Harper	O'Brien, M.	Tallman
Costa, P.	Harris	O'Neill	Taylor, J.
Cox	Helm	Oberlander	Taylor, R.
Creighton	Hennessey	Oliver	Thomas
Cruz	Hess	Pallone	True
Curry	Hickernell	Pashinski	Turzai
Cutler	Hornaman	Payne	Vereb
Daley	Houghton	Payton	Vitali
Dally	Hutchinson	Peifer	Vulakovich
Day	Josephs	Perzel	Wagner
Deasy	Kauffman	Petrarca	Walko
Delozier	Keller, M.K.	Petri	Wansacz
DeLuca	Keller, W.	Phillips	Waters
Denlinger	Kessler	Pickett	Watson
DePasquale	Killion	Preston	Wheatley
Dermody	Kirkland	Pyle	White
DeWeese	Knowles	Quigley	Williams
DiGirolamo	Kortz	Quinn	Youngblood
Donatucci	Kotik	Rapp	Yudichak
Drucker	Krieger	Readshaw	
Eachus	Kula	Reed	McCall,
Ellis	Lentz	Reese	Speaker
Evans, D.	Levdansky		

NAYS-0

NOT VOTING-0

EXCUSED-7

Bradford	Johnson	Mustio	Perry
Grucela	Miccarelli	Parker	

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

\* \* \*

Mr. DAY called up **HR 451, PN 2625**, entitled:

A Resolution designating the month of September 2009 as "Alcohol and Drug Addiction Recovery Month" in Pennsylvania, and recognizing the 20th anniversary of "National Alcohol and Drug Addiction Recovery Month."

On the question,  
Will the House adopt the resolution?

The SPEAKER. On that question, the Chair recognizes the gentleman from Lehigh County, Representative Day.

Mr. DAY. Thank you, Mr. Speaker.

Mr. Speaker, today I rise to offer brief comments in support of this resolution. Mr. Speaker, many people in this body have a desire to be their brother's keeper, to not turn a blind eye towards our neighbors that have been caught in a downward spiral, this downward spiraling darkness of drug addiction and alcohol addiction. The despair of drug and alcohol addiction continues to erode the individual physical and mental well-being. Such an erosion of the individual contributes to the erosion of our community, our society, and therefore, each one of us and our families.

Mr. Speaker, many of us know, these addictions show no regard for geographic or social boundaries. Once this disease captures the mind and body, this darkness can turn a drug-dependent person's heart to stone. It can close their minds to rational thought and cause these people to repel support from loved ones – loved ones whose only concern is their safety. This is why I am asking this House to mark this month for awareness of this issue. With this resolution, we stand together with one voice and say, there is hope. We understand how hard it is for you; do not give up, do not give in. No matter how hard it is to see the light, keep focused on the light. Move forward, one day at a time.

Thank you, Mr. Speaker. I appreciate this resolution being brought today before the House for a vote.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—196

Adolph	Evans, J.	Longietti	Reichley
Baker	Everett	Maher	Roae
Barbin	Fabrizio	Mahoney	Rock
Barrar	Fairchild	Major	Roebuck
Bear	Farry	Manderino	Rohrer
Belfanti	Fleck	Mann	Ross
Benninghoff	Frankel	Markosek	Sabatina
Beyer	Freeman	Marshall	Sainato
Bishop	Gabig	Marsico	Samuelson
Boback	Gabler	Matzie	Santarsiero
Boyd	Galloway	McGeehan	Santoni
Boyle	Geist	McI. Smith	Saylor
Brennan	George	Melio	Scavello
Briggs	Gerber	Mensch	Schroder
Brooks	Gergely	Metcalfe	Seip
Brown	Gibbons	Metzgar	Shapiro
Burns	Gillespie	Micozzie	Siptroth
Buxton	Gingrich	Millard	Smith, K.
Caltagirone	Godshall	Miller	Smith, M.
Carroll	Goodman	Milne	Smith, S.
Casorio	Grell	Mirabito	Solobay
Causar	Grove	Moul	Sonney
Christiana	Haluska	Mundy	Staback
Civera	Hanna	Murphy	Stern
Clymer	Harhai	Murt	Stevenson
Cohen	Harhart	Myers	Sturla
Conklin	Harkins	O'Brien, D.	Swanger
Costa, D.	Harper	O'Brien, M.	Tallman

Costa, P.	Harris	O'Neill	Taylor, J.
Cox	Helm	Oberlander	Taylor, R.
Creighton	Hennessey	Oliver	Thomas
Cruz	Hess	Pallone	True
Curry	Hickernell	Pashinski	Turzai
Cutler	Hornaman	Payne	Vereb
Daley	Houghton	Payton	Vitali
Dally	Hutchinson	Peifer	Vulakovich
Day	Josephs	Perzel	Wagner
Deasy	Kauffman	Petrarca	Walko
Delozier	Keller, M.K.	Petri	Wansacz
DeLuca	Keller, W.	Phillips	Waters
Denlinger	Kessler	Pickett	Watson
DePasquale	Killion	Preston	Wheatley
Dermody	Kirkland	Pyle	White
DeWeese	Knowles	Quigley	Williams
DiGirolamo	Kortz	Quinn	Youngblood
Donatucci	Kotik	Rapp	Yudichak
Drucker	Krieger	Readshaw	
Eachus	Kula	Reed	McCall,
Ellis	Lentz	Reese	Speaker
Evans, D.	Levdansky		

NAYS—0

NOT VOTING—0

EXCUSED—7

Bradford	Johnson	Mustio	Perry
Grucela	Miccarelli	Parker	

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

\* \* \*

Mr. SANTONI called up **HR 466, PN 2665**, entitled:

A Resolution designating the month of September 2009 as "Recovery Month" in Pennsylvania.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—196

Adolph	Evans, J.	Longietti	Reichley
Baker	Everett	Maher	Roae
Barbin	Fabrizio	Mahoney	Rock
Barrar	Fairchild	Major	Roebuck
Bear	Farry	Manderino	Rohrer
Belfanti	Fleck	Mann	Ross
Benninghoff	Frankel	Markosek	Sabatina
Beyer	Freeman	Marshall	Sainato
Bishop	Gabig	Marsico	Samuelson
Boback	Gabler	Matzie	Santarsiero
Boyd	Galloway	McGeehan	Santoni
Boyle	Geist	McI. Smith	Saylor
Brennan	George	Melio	Scavello
Briggs	Gerber	Mensch	Schroder
Brooks	Gergely	Metcalfe	Seip
Brown	Gibbons	Metzgar	Shapiro
Burns	Gillespie	Micozzie	Siptroth
Buxton	Gingrich	Millard	Smith, K.
Caltagirone	Godshall	Miller	Smith, M.
Carroll	Goodman	Milne	Smith, S.

Casorio	Grell	Mirabito	Solobay
Causar	Grove	Moul	Sonney
Christiana	Haluska	Mundy	Staback
Civera	Hanna	Murphy	Stern
Clymer	Harhai	Murt	Stevenson
Cohen	Harhart	Myers	Sturla
Conklin	Harkins	O'Brien, D.	Swanger
Costa, D.	Harper	O'Brien, M.	Tallman
Costa, P.	Harris	O'Neill	Taylor, J.
Cox	Helm	Oberlander	Taylor, R.
Creighton	Hennessey	Oliver	Thomas
Cruz	Hess	Pallone	True
Curry	Hickernell	Pashinski	Turzai
Cutler	Hornaman	Payne	Vereb
Daley	Houghton	Payton	Vitali
Dally	Hutchinson	Peifer	Vulakovich
Day	Josephs	Perzel	Wagner
Deasy	Kauffman	Petrarca	Walko
Delozier	Keller, M.K.	Petri	Wansacz
DeLuca	Keller, W.	Phillips	Waters
Denlinger	Kessler	Pickett	Watson
DePasquale	Killion	Preston	Wheatley
Dermody	Kirkland	Pyle	White
DeWeese	Knowles	Quigley	Williams
DiGirolamo	Kortz	Quinn	Youngblood
Donatucci	Kotik	Rapp	Yudichak
Drucker	Krieger	Readshaw	
Eachus	Kula	Reed	McCall,
Ellis	Lentz	Reese	Speaker
Evans, D.	Levdansky		

NAYS—0

NOT VOTING—0

EXCUSED—7

Bradford	Johnson	Mustio	Perry
Grucela	Miccarelli	Parker	

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

## SUPPLEMENTAL CALENDAR A

### RESOLUTION PURSUANT TO RULE 35

Mr. WHEATLEY called up **HR 469, PN 2671**, entitled:

A Resolution memorializing Harvey Adams, Jr., civil rights leader, retired director of the Pittsburgh Housing Authority Police Department and former president of the Pittsburgh branch of the National Association for the Advancement of Colored People.

On the question,  
Will the House adopt the resolution?

The SPEAKER. On that question, the Chair recognizes the gentleman from Allegheny County, Representative Preston.

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

The SPEAKER. The gentleman will yield. The House will come to order.

The Chair recognizes the gentleman from Allegheny County, Representative Preston.

Mr. PRESTON. Thank you.

Very seldom do I even attempt to offer comments during a resolution, but this was a gentleman whom I had the pleasure to

know for many, many, many years, who I think exuded what life is all about – about helping the other person. There is always a saying that you never get too big to do a little person's job, but you are never too little to do a big person's job. To be a good leader, you also have to be a good follower. Harvey Adams was all of what I have just spoken about. When it came to a very tough situation that I personally had to go through dealing with police discipline and dealing with trial board legislation and him being a police officer, he stood by my side when only two members of the House of Representatives, what I would say, had the fortitude to stand up at that time to the F.O.P. (Fraternal Order of Police) to be able to deal with a piece of legislation now that is history and has changed the whole format of where police themselves can stand in front of a disciplinary action, and it has continued to work and set history in the Commonwealth.

Not just his family but the time that he spent standing up for all people of all colors. This gentleman just continues to exude, even after he has passed on into another life, he has set a tone that people should be treated equally, respectfully, and should be looked at for every way and every walk of life, that they are entitled to be heard, to be able to be represented as we do here in the House of Representatives. My personal tribute on behalf of Jake Wheatley, who offered this amendment in my delegation of Allegheny County, we do salute the life of Harvey Adams, and I look forward to sending a copy of this resolution to his family.

Thank you very much, and I would ask for a unanimous vote.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—196

Adolph	Evans, J.	Longiatti	Reichley
Baker	Everett	Maher	Roae
Barbin	Fabrizio	Mahoney	Rock
Barrar	Fairchild	Major	Roebuck
Bear	Farry	Manderino	Rohrer
Belfanti	Fleck	Mann	Ross
Benninghoff	Frankel	Markosek	Sabatina
Beyer	Freeman	Marshall	Sainato
Bishop	Gabig	Marsico	Samuelson
Boback	Gabler	Matzie	Santarsiero
Boyd	Galloway	McGeehan	Santoni
Boyle	Geist	McI. Smith	Saylor
Brennan	George	Melio	Scavello
Briggs	Gerber	Mensch	Schroder
Brooks	Gergely	Metcalfe	Seip
Brown	Gibbons	Metzgar	Shapiro
Burns	Gillespie	Micozzie	Sipthroth
Buxton	Gingrich	Millard	Smith, K.
Caltagirone	Godshall	Miller	Smith, M.
Carroll	Goodman	Milne	Smith, S.
Casorio	Grell	Mirabito	Solobay
Causar	Grove	Moul	Sonney
Christiana	Haluska	Mundy	Staback
Civera	Hanna	Murphy	Stern
Clymer	Harhai	Murt	Stevenson
Cohen	Harhart	Myers	Sturla
Conklin	Harkins	O'Brien, D.	Swanger
Costa, D.	Harper	O'Brien, M.	Tallman
Costa, P.	Harris	O'Neill	Taylor, J.
Cox	Helm	Oberlander	Taylor, R.

Creighton	Hennessey	Oliver	Thomas
Cruz	Hess	Pallone	True
Curry	Hickernell	Pashinski	Turzai
Cutler	Hornaman	Payne	Vereb
Daley	Houghton	Payton	Vitali
Dally	Hutchinson	Peifer	Vulakovich
Day	Josephs	Perzel	Wagner
Deasy	Kauffman	Petrarca	Walko
Delozier	Keller, M.K.	Petri	Wansacz
DeLuca	Keller, W.	Phillips	Waters
Denlinger	Kessler	Pickett	Watson
DePasquale	Killion	Preston	Wheatley
Dermody	Kirkland	Pyle	White
DeWeese	Knowles	Quigley	Williams
DiGirolamo	Kortz	Quinn	Youngblood
Donatucci	Kotik	Rapp	Yudichak
Drucker	Krieger	Readshaw	
Eachus	Kula	Reed	McCall,
Ellis	Lentz	Reese	Speaker
Evans, D.	Levdansky		

NAYS—0

NOT VOTING—0

EXCUSED—7

Bradford	Johnson	Mustio	Perry
Grucela	Miccarelli	Parker	

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

**CALENDAR CONTINUED**

**BILLS ON SECOND CONSIDERATION**

The House proceeded to second consideration of **HB 1593, PN 2545**, entitled:

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, providing for the regulation of health insurance practices concerning parity and nondiscrimination.

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

The SPEAKER. On that question, the Chair recognizes the gentleman from Delaware County, Representative Barrar. The gentleman indicates he is withdrawing the amendment. The Chair thanks the gentleman.

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

\* \* \*

The House proceeded to second consideration of **SB 607, PN 657**, entitled:

An Act amending the act of June 30, 1987 (P.L.163, No.16), known as the Rural Pennsylvania Revitalization Act, in Center for Rural Pennsylvania, further providing for board of directors and for grants.

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 692, PN 2071**, entitled:

An Act designating the bridge on U.S. Route 6 over Potato Creek at Smethport, McKean County, as the POW/MIA Memorial Bridge; designating State Route 120 in the Borough of Emporium as General Joseph T. McNarney Memorial Boulevard; and designating U.S. Route 6 over Allegheny River at Liberty Township, McKean County, as the Lt. Colonel Richard J. Berrettini Memorial Bridge.

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

Mr. CAUSER offered the following amendment No. **A01725**:

Amend Bill, page 1, line 4, by striking out "and"  
Amend Bill, page 1, line 7, by inserting after "Bridge"  
; and designating the Main Street Bridge carrying U.S. Route 6 at Segment 260, offset 0711, over the Allegheny River in Coudersport Borough, Potter County, as the Potter County World War II Veterans Memorial Bridge

Amend Bill, page 2, by inserting between lines 18 and 19 Section 4. Potter County World War II Veterans Memorial Bridge.

(a) Designation.—The Main Street Bridge carrying U.S. Route 6 at Segment 260, offset 0711, over the Allegheny River in Coudersport Borough, Potter County, is hereby designated the Potter County World War II Veterans Memorial Bridge.

(b) Signs.—The Department of Transportation shall erect and maintain appropriate signs to indicate the designation under subsection (a) in both directions.

Amend Bill, page 2, line 19, by striking out "4" and inserting  
5

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

The SPEAKER. On that question, the Chair recognizes the gentleman from McKean County, Representative Causer.

Mr. CAUSER. Thank you, Mr. Speaker.

Mr. Speaker, amendment A01725 would add a project naming a bridge in Coudersport Borough of Potter County on Route 6 as the Potter County World War II Veterans Memorial Bridge, and I would ask for affirmative consideration.

Thank you, Mr. Speaker.  
The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—196

Adolph	Evans, J.	Longiotti	Reichley
Baker	Everett	Maher	Roae
Barbin	Fabrizio	Mahoney	Rock
Barrar	Fairchild	Major	Roebuck
Bear	Farry	Manderino	Rohrer
Belfanti	Fleck	Mann	Ross
Benninghoff	Frankel	Markosek	Sabatina
Beyer	Freeman	Marshall	Sainato
Bishop	Gabig	Marsico	Samuelson
Boback	Gabler	Matzie	Santarsiero
Boyd	Galloway	McGeehan	Santoni
Boyle	Geist	McI. Smith	Saylor
Brennan	George	Melio	Scavello
Briggs	Gerber	Mensch	Schroder
Brooks	Gergely	Metcalfe	Seip
Brown	Gibbons	Metzgar	Shapiro
Burns	Gillespie	Micozzie	Siptroth
Buxton	Gingrich	Millard	Smith, K.
Caltagirone	Godshall	Miller	Smith, M.
Carroll	Goodman	Milne	Smith, S.
Casorio	Grell	Mirabito	Solobay
Causer	Grove	Moul	Sonney
Christiana	Haluska	Mundy	Staback
Civera	Hanna	Murphy	Stern
Clymer	Harhai	Murt	Stevenson
Cohen	Harhart	Myers	Sturla
Conklin	Harkins	O'Brien, D.	Swanger
Costa, D.	Harper	O'Brien, M.	Tallman
Costa, P.	Harris	O'Neill	Taylor, J.
Cox	Helm	Oberlander	Taylor, R.
Creighton	Hennessey	Oliver	Thomas
Cruz	Hess	Pallone	True
Curry	Hickernell	Pashinski	Turzai
Cutler	Hornaman	Payne	Verbe
Daley	Houghton	Payton	Vitali
Dally	Hutchinson	Peifer	Vulakovich
Day	Josephs	Perzel	Wagner
Deasy	Kauffman	Petrarca	Walko
DeLozier	Keller, M.K.	Petri	Wansacz
DeLuca	Keller, W.	Phillips	Waters
Denlinger	Kessler	Pickett	Watson
DePasquale	Killion	Preston	Wheatley
Dermody	Kirkland	Pyle	White
DeWeese	Knowles	Quigley	Williams
DiGiolamo	Kortz	Quinn	Youngblood
Donatucci	Kotik	Rapp	Yudichak
Drucker	Krieger	Readshaw	
Eachus	Kula	Reed	McCall,
Ellis	Lentz	Reese	Speaker
Evans, D.	Levdansky		

NAYS—0

NOT VOTING—0

EXCUSED—7

Bradford	Johnson	Mustio	Perry
Grucela	Miccarelli	Parker	

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

LEAVE OF ABSENCE

The SPEAKER. Turning to leaves of absence, the Chair recognizes the majority whip, Representative DeWeese, who requests the following leave for: Representative BOYLE from Philadelphia County for the day. Without objection, the leave will be granted.

CONSIDERATION OF HB 692 CONTINUED

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

Mr. CAUSER offered the following amendment No. A02186:

Amend Bill, page 1, line 5, by inserting after "designating" the bridge on

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

The SPEAKER. On that question, the Chair recognizes the gentleman from McKean County, Representative Causer.

Mr. CAUSER. Thank you, Mr. Speaker.

Mr. Speaker, this amendment is technical in nature. It corrects a drafting error in the bill, and I would ask for affirmative consideration.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—195

Adolph	Everett	Longiotti	Reichley
Baker	Fabrizio	Maher	Roae
Barbin	Fairchild	Mahoney	Rock
Barrar	Farry	Major	Roebuck
Bear	Fleck	Manderino	Rohrer
Belfanti	Frankel	Mann	Ross
Benninghoff	Freeman	Markosek	Sabatina
Beyer	Gabig	Marshall	Sainato
Bishop	Gabler	Marsico	Samuelson
Boback	Galloway	Matzie	Santarsiero
Boyd	Geist	McGeehan	Santoni
Brennan	George	McI. Smith	Saylor
Briggs	Gerber	Melio	Scavello
Brooks	Gergely	Mensch	Schroder
Brown	Gibbons	Metcalfe	Seip
Burns	Gillespie	Metzgar	Shapiro
Buxton	Gingrich	Micozzie	Siptroth
Caltagirone	Godshall	Millard	Smith, K.
Carroll	Goodman	Miller	Smith, M.
Casorio	Grell	Milne	Smith, S.
Causer	Grove	Mirabito	Solobay
Christiana	Haluska	Moul	Sonney
Civera	Hanna	Mundy	Staback



Clymer	Harhai	Murphy	Stern
Cohen	Harhart	Murt	Stevenson
Conklin	Harkins	Myers	Sturla
Costa, D.	Harper	O'Brien, D.	Swanger
Costa, P.	Harris	O'Brien, M.	Tallman
Cox	Helm	O'Neill	Taylor, J.
Creighton	Hennessey	Oberlander	Taylor, R.
Cruz	Hess	Oliver	Thomas
Curry	Hickernell	Pallone	True
Cutler	Hornaman	Pashinski	Turzai
Daley	Houghton	Payne	Vereb
Dally	Hutchinson	Payton	Vitali
Day	Josephs	Peifer	Vulakovich
Deasy	Kauffman	Perzel	Wagner
Delozier	Keller, M.K.	Petrarca	Walko
DeLuca	Keller, W.	Petri	Wansacz
Denlinger	Kessler	Phillips	Waters
DePasquale	Killion	Pickett	Watson
Dermody	Kirkland	Preston	Wheatley
DeWeese	Knowles	Pyle	White
DiGirolamo	Kortz	Quigley	Williams
Donatucci	Kotik	Quinn	Youngblood
Drucker	Krieger	Rapp	Yudichak
Eachus	Kula	Readshaw	
Ellis	Lentz	Reed	McCall,
Evans, D.	Levdansky	Reese	Speaker
Evans, J.			

NAYS—0

NOT VOTING—0

EXCUSED—8

Boyle	Grucela	Miccarelli	Parker
Bradford	Johnson	Mustio	Perry

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

On the question recurring,

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

The SPEAKER. It is the Chair's understanding that the gentleman, Representative Drucker, is withdrawing his amendment? The Chair thanks the gentleman.

There is a late-filed amendment by the gentleman from Northampton County, Representative Dally. Does he intend to make a motion to suspend the rules to offer the amendment? The gentleman is waiving off. The Chair thanks the gentleman.

On the question recurring,

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

Bill as amended was agreed to.

(Bill as amended will be reprinted.)

**BILLS ON THIRD CONSIDERATION**

The House proceeded to third consideration of **SB 925, PN 1309**, entitled:

An Act amending the act of October 9, 2008 (P.L.1438, No.118), known as the Massage Therapy Law, further providing for qualification for licensure and for other professions.

On the question,

Will the House agree to the bill on third consideration?

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

(Bill analysis was read.)

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

The following roll call was recorded:

YEAS—195

Adolph	Everett	Longiatti	Reichley
Baker	Fabrizio	Maher	Roae
Barbin	Fairchild	Mahoney	Rock
Barrar	Farry	Major	Roebuck
Bear	Fleck	Manderino	Rohrer
Belfanti	Frankel	Mann	Ross
Benninghoff	Freeman	Markosek	Sabatina
Beyer	Gabig	Marshall	Sainato
Bishop	Gabler	Marsico	Samuelson
Boback	Galloway	Matzie	Santarsiero
Boyd	Geist	McGeehan	Santoni
Brennan	George	McI. Smith	Saylor
Briggs	Gerber	Melio	Scavello
Brooks	Gergely	Mensch	Schroder
Brown	Gibbons	Metcalfe	Seip
Burns	Gillespie	Metzgar	Shapiro
Buxton	Gingrich	Micozzie	Siptroth
Caltagirone	Godshall	Millard	Smith, K.
Carroll	Goodman	Miller	Smith, M.
Casorio	Grell	Milne	Smith, S.
Causer	Grove	Mirabito	Solobay
Christiana	Haluska	Moul	Sonney
Civera	Hanna	Mundy	Staback
Clymer	Harhai	Murphy	Stern
Cohen	Harhart	Murt	Stevenson
Conklin	Harkins	Myers	Sturla
Costa, D.	Harper	O'Brien, D.	Swanger
Costa, P.	Harris	O'Brien, M.	Tallman
Cox	Helm	O'Neill	Taylor, J.
Creighton	Hennessey	Oberlander	Taylor, R.
Cruz	Hess	Oliver	Thomas
Curry	Hickernell	Pallone	True
Cutler	Hornaman	Pashinski	Turzai
Daley	Houghton	Payne	Vereb
Dally	Hutchinson	Payton	Vitali
Day	Josephs	Peifer	Vulakovich
Deasy	Kauffman	Perzel	Wagner
Delozier	Keller, M.K.	Petrarca	Walko
DeLuca	Keller, W.	Petri	Wansacz
Denlinger	Kessler	Phillips	Waters
DePasquale	Killion	Pickett	Watson
Dermody	Kirkland	Preston	Wheatley
DeWeese	Knowles	Pyle	White
DiGirolamo	Kortz	Quigley	Williams
Donatucci	Kotik	Quinn	Youngblood
Drucker	Krieger	Rapp	Yudichak
Eachus	Kula	Readshaw	
Ellis	Lentz	Reed	McCall,
Evans, D.	Levdansky	Reese	Speaker
Evans, J.			

NAYS—0

NOT VOTING—0

EXCUSED—8

Boyle	Grucela	Miccarelli	Parker
Bradford	Johnson	Mustio	Perry

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 without amendment.

\* \* \*

The House proceeded to third consideration of **HB 1847, PN 2428**, entitled:

An Act amending the act of September 24, 1968 (P.L.1040, No.318), known as the Coal Refuse Disposal Control Act, further providing for site selection.

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

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

(Bill analysis was read.)

The SPEAKER. The question is, shall the bill pass finally?

There are two amendments filed to this bill that are substantive and would require rules suspension by the gentleman, Mr. Levdansky. Is the gentleman withdrawing the amendments? The Chair thanks the gentleman.

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—183

Adolph	Evans, D.	Longiotti	Reese
Baker	Evans, J.	Maher	Reichley
Barbin	Everett	Mahoney	Roae
Barrar	Fabrizio	Major	Rock
Bear	Fairchild	Manderino	Roebuck
Belfanti	Farry	Mann	Rohrer
Benninghoff	Fleck	Markosek	Ross
Beyer	Frankel	Marshall	Sabatina
Bishop	Gabig	Marsico	Sainato
Boback	Gabler	Matzie	Saylor
Boyd	Galloway	McGeehan	Scavello
Brennan	Geist	Mensch	Schroder
Brooks	George	Metcalfe	Seip
Brown	Gerber	Metzgar	Shapiro
Burns	Gergely	Micozzie	Siptroth

Buxton	Gibbons	Millard	Smith, K.
Caltagirone	Gillespie	Miller	Smith, M.
Carroll	Gingrich	Milne	Smith, S.
Casorio	Godshall	Mirabito	Solobay
Causar	Goodman	Moul	Sonney
Christiana	Grell	Mundy	Staback
Civera	Grove	Murphy	Stern
Clymer	Haluska	Murt	Stevenson
Cohen	Hanna	Myers	Sturla
Conklin	Harhai	O'Brien, D.	Swanger
Costa, D.	Harhart	O'Brien, M.	Tallman
Costa, P.	Harkins	O'Neill	Taylor, J.
Cox	Harris	Oberlander	Taylor, R.
Creighton	Helm	Oliver	Thomas
Cruz	Hennessey	Pallone	True
Curry	Hess	Pashinski	Turzai
Cutler	Hickernell	Payne	Vereb
Daley	Hutchinson	Payton	Vulakovich
Dally	Josephs	Peifer	Wagner
Day	Kauffman	Perzel	Walko
Deasy	Keller, M.K.	Petrarca	Wansacz
Delozier	Keller, W.	Petri	Waters
DeLuca	Kessler	Phillips	Watson
Denlinger	Killion	Pickett	Wheatley
DePasquale	Kirkland	Preston	White
Dermody	Knowles	Pyle	Williams
DeWeese	Kortz	Quigley	Youngblood
DiGirolamo	Kotik	Quinn	Yudichak
Donatucci	Krieger	Rapp	
Drucker	Kula	Readshaw	McCall,
Eachus	Levdansky	Reed	Speaker
Ellis			

NAYS—12

Briggs	Hornaman	McI. Smith	Santarsiero
Freeman	Houghton	Melio	Santoni
Harper	Lentz	Samuelson	Vitali

NOT VOTING—0

EXCUSED—8

Boyle	Grucela	Miccarelli	Parker
Bradford	Johnson	Mustio	Perry

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.

**SUPPLEMENTAL CALENDAR B**

**BILL ON THIRD CONSIDERATION**

The House proceeded to third consideration of **HB 1531, PN 1898**, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, further providing for continuation of the Military Family Relief Assistance Program.

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

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

(Bill analysis was read.)

The SPEAKER. The question is, shall the bill pass finally?

There are a number of amendments filed. The gentleman, Representative Turzai, is he withdrawing his amendment? The Chair thanks the gentleman.

The gentleman, Representative Denlinger? The gentleman is withdrawing his amendment. The Chair thanks the gentleman.

The gentleman from Erie, Representative Sonney, is withdrawing his amendment. The Chair thanks the gentleman.

The gentleman from York, Representative Saylor, is withdrawing his amendment. The Chair thanks the gentleman.

The gentleman from Washington County, Representative Solobay, is withdrawing his amendment. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Lancaster County, Representative Bear, who is withdrawing amendments A01630 and A01631, but is offering amendment A02556. Is that correct? The Chair thanks the gentleman.

#### DECISION OF CHAIR RESCINDED

The SPEAKER. Without objection, the Chair rescinds its announcement that the bill has been agreed to on third consideration.

On the question recurring,

Will the House agree to the bill on third consideration?

#### RULES SUSPENDED

The SPEAKER. The Chair recognizes the gentleman from Lancaster County, Representative Bear, who makes a motion to suspend the rules for the purpose of offering amendment A02556, which the clerk will read.

The clerk read the following amendment No. **A02556**:

Amend Bill, page 1, line 11, by inserting after "Program"  
; and providing for a limited tax amnesty program  
Amend Bill, page 2, by inserting between lines 11 and 12  
Section 2. The act is amended by adding an article to read:

##### ARTICLE XXIX-D

##### TAX AMNESTY PROGRAM FOR FISCAL YEAR 2009-2010

##### Section 2901-D. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

"Amnesty period." The time period of 90 consecutive days established by the Governor during the fiscal year beginning July 1, 2009, and ending June 30, 2010.

"Department." The Department of Revenue of the Commonwealth.

"Eligible tax." Any tax imposed by the Commonwealth for deposit in the General Fund, the Motor License Fund or the Liquid Fuels Tax Fund for taxes delinquent as of December 31, 2006. The term includes any interest or penalty on an eligible tax. The term excludes any tax imposed by a political subdivision.

"Program." The tax amnesty program as provided for in this article.

"Taxpayer." Any person, association, fiduciary, partnership, corporation or other entity required to pay or collect any of the eligible taxes. The term shall not include a taxpayer who, prior to the amnesty period, has received notice that the taxpayer is the subject of a criminal investigation for an alleged violation of any law imposing an eligible tax or who, prior to the amnesty period, has been named as a defendant in a criminal complaint alleging a violation of any law imposing an eligible tax or is a defendant in a pending criminal action for an alleged violation of any law imposing an eligible tax.

##### Section 2902-D. Establishment of program.

(a) Program established.—There is established a tax amnesty program which shall be administered by the department.

(b) Applicability.—The program shall apply to a taxpayer who is delinquent on payment of a liability for an eligible tax as of June 1, 2009, including a liability for returns not filed, liabilities according to records of the department as of June 1, 2009, liabilities not reported, underreported or not established, but delinquent as of June 1, 2009.

(c) Prior amnesty program participation.—The program shall not apply to taxpayers who participated in the tax amnesty program outlined in Article XXIX-A.

(d) Future amnesty program participation.—A taxpayer who participates in the program shall not be eligible to participate in a future tax amnesty program.

##### Section 2903-D. Required payment.

(a) Taxpayer requirements.—Subject to section 2904-D, all taxpayers who participate in the program shall comply with all of the following:

(1) During the amnesty period, file a tax amnesty return in such form and containing such information as the department shall require. A tax amnesty return shall be considered to be timely filed if it is postmarked during the amnesty period.

(2) During the amnesty period, make payment of all taxes and 50% of all interest due to the Commonwealth in accordance with the tax amnesty return that is filed.

(3) File complete tax returns for all years for which the taxpayer previously has not filed a tax return and file complete amended returns for all years for which the taxpayer underreported eligible tax liability.

(b) Prohibitions.—The department shall not collect 50% of all interest due to the Commonwealth or the penalties owed by a taxpayer who participates in the program under subsection (a). The department shall not pursue any administrative or judicial proceeding against a taxpayer with respect to any eligible tax that is disclosed on a tax amnesty return.

##### Section 2904-D. Amnesty contingent on continued.

Notwithstanding any other provision of this article, the department may assess and collect from a taxpayer all penalties and interest forgone through the tax amnesty program established in this article if, within two years after the end of the program, either of the following occurs:

(1) the taxpayer granted amnesty under this article becomes delinquent for three consecutive periods in payment of taxes due or filing of returns required on a semimonthly, monthly, quarterly or other basis and the taxpayer has not contested the tax liability through a timely valid administrative or judicial appeal; or

(2) the taxpayer granted amnesty under this article becomes delinquent and is eight or more months late in payment of taxes due or filing of returns on an annual basis and the taxpayer has not contested the liability through a timely valid administrative or judicial appeal.

##### Section 2905-D. Limitation of deficiency assessment.

If, subsequent to the amnesty period, the department issues a deficiency assessment with respect to a tax amnesty return, the department shall have the authority to impose penalties and interest and

to pursue a criminal action only with respect to the difference between the amount shown on that tax amnesty return and the current amount of tax.

Section 2906-D. Overpayment of tax.

Notwithstanding any other provisions of this article or any other act, if an overpayment of eligible tax is refunded or credited within 180 days after the tax amnesty return is filed, no interest shall be allowed on the overpayment.

Section 2907-D. Previously paid interest and penalties.

No refund or credit shall be allowed for any interest or penalty on eligible taxes paid to the department prior to the amnesty period.

Section 2908-D. Proceedings relating to tax amnesty return barred.

Participation in the program is conditioned upon the taxpayer's agreement that the right to protest or pursue an administrative or judicial proceeding with regard to tax amnesty returns filed under the program or to claim any refund of money paid under the program is barred.

Section 2909-D. Undisclosed liabilities.

Nothing in this article shall be construed to prohibit the department from instituting civil or criminal proceedings against any taxpayer with respect to any amount of tax that is not disclosed on the tax amnesty return.

Section 2910-D. Duties of department.

(a) Regulations.—The department shall develop regulations to implement the provisions of this article. The regulations must be published in the Pennsylvania Bulletin within 90 days of the effective date of this article and shall contain, but not be limited to, the following information:

(1) An explanation of the program and the requirements for eligibility for the program.

(2) The dates during which a tax amnesty return may be filed.

(3) A specimen copy of the tax amnesty return.

(b) Publicity.—The department shall publicize the program to maximize public awareness of and participation in the program. The department shall coordinate to the highest degree possible its publicity efforts and other actions taken to implement this article.

(c) Report.—The department shall issue a report to the General Assembly within 180 days after the end of the amnesty period detailing the implementation of the program. The report shall contain, but not be limited to, the following information:

(1) A detailed breakdown of the department's administrative costs in implementing the program.

(2) The number of tax amnesty returns filed and a breakdown of the number and dollar amount of revenue raised for each tax by calendar year during which the tax period ended. In addition, the gross revenues shall be broken down into the following categories:

(i) Amounts represented by assessments receivable established by the department on or before the first day of the amnesty period.

(ii) All other amounts.

(3) The total dollar amount of revenue collected by the program.

(4) The total dollar amount of penalties forgiven under the program.

(5) The demographic characteristics of tax amnesty participants, including North American Industry Classification System codes of participants, type of taxpayer, consisting of individual, partnership, corporation or other entity, size of tax liability and geographical location.

(d) Notification.—The department shall notify in writing all known tax delinquents at the taxpayers' last known address of the existence of the tax amnesty program. The sole purpose of the letter sent by the department to taxpayers must be notification of the program.

Section 2911-D. Method of payment.

All tax payments under the program shall be made by certified check, money order, cash or its equivalent.

Section 2912-D. Exemption from review process.

Notwithstanding any law to the contrary, the regulations issued by the department for the program shall be exempt from the regulatory review process provided in the act of June 25, 1982 (P.L.633, No.181), known as the Regulatory Review Act.

Section 2913-D. Use of revenue.

All revenue generated by this article shall be deposited into a restricted revenue account in the General Fund. Revenue from the restricted revenue account shall be distributed as follows:

(1) All money from General Fund sources shall be deposited in the General Fund no later than June 30, 2010, less repayment of any costs for administration of the program to the department.

(2) All revenue from Motor License Fund sources shall be deposited in the Motor License Fund no later than June 30, 2010.

(3) All revenue from Liquid Fuels Tax Fund sources shall be deposited in the Liquid Fuels Tax Fund no later than June 30, 2010.

Section 2914-D. Penalties for certain corporate officers.

If an officer or officers of a corporation or association intentionally neglect or refuse to make reports to the Auditor General, or to the department, or successively to the Auditor General and to the department, as required by law, for any two successive tax years, the officer or officers commit a misdemeanor and shall, upon conviction, be sentenced to pay a fine of not less than \$2,500 nor more than \$5,000. This fine shall be in addition to any fine or prison sentence under section 1704 of the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code.

Section 2915-D. Further examination of books and records.

(a) Authority.—The department or any of its authorized agents is authorized to examine the books, papers and records of any taxpayer or other persons in order to verify the accuracy and completeness of any return or report made or, if no return or report was made, to ascertain and assess any tax or other liability owed to the Commonwealth.

(b) Audit.—The department may determine, by desk, field or other audit, the amount of tax or other liability required to be paid to the Commonwealth. The department may determine the liability based upon the facts contained in the return or report being audited or other information in the department's possession. The department may determine the liability based upon a reasonable statistical sample or test audit performed in accordance with the regulations of the department when the individual being audited does not have complete records of transactions or when the review of each transaction or invoice would place an undue burden on the department to conduct an audit in a timely and efficient manner.

(c) Challenge by taxpayer.—The taxpayer may challenge the accuracy of a statistical sample or test audit by providing clear and convincing evidence that the method used for a statistical sample or test audit is erroneous, lacks a rational basis or produces a different result when the complete records are considered.

Section 2916-D. Additional penalty.

(a) Penalty.—Subject to the limitations provided under subsection (b), a penalty of 5% of the unpaid tax liability and penalties and interest shall be levied against a taxpayer subject to an eligible tax if the taxpayer had failed to remit an eligible tax due or had an unreported or underreported liability for an eligible tax on or after the first day following the end of the amnesty period.

(b) Nonapplicability.—The penalty provided in this section shall not apply to a taxpayer who:

(1) has paid the liability in full or entered into a duly approved and executed deferred payment plan on or before the last day of the amnesty period; or

(2) has filed a timely and valid administrative or judicial appeal contesting the liability on or before the last day of the amnesty period.

(c) Penalty in addition.—The penalty provided by this section shall be in addition to all other penalties provided by law.

Section 2917-D. Application of penalty and powers.

Sections 2914-D and 2915-D shall apply to all taxes collected by the department.

Section 2918-D. Construction.

Except as expressly provided in this article, this article shall not:

(1) be construed to relieve any person, corporation or other entity from the filing of returns or from any taxes, penalties or interest imposed by the provisions of any laws;

(2) affect or terminate any petitions, investigations, prosecutions, legal or otherwise, or other proceedings pending under the provisions of any such laws; or

(3) prevent the commencement or further prosecution of any proceedings by the proper authorities of the Commonwealth for violation of any such laws or for the assessment, settlement, collection or recovery of taxes, penalties or interest due to the Commonwealth under any such laws.

Section 2919-D. Suspension of inconsistent acts.

All acts or parts of acts inconsistent with the provisions of this article are suspended to the extent necessary to carry out the provisions of this article.

Amend Bill, page 2, line 12, by striking out "2" and inserting  
3

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

The SPEAKER. On the question of suspension of rules, the Chair recognizes the gentleman from Lancaster County, Representative Bear.

Mr. BEAR. Thank you, Mr. Speaker.  
Amendment A—

The SPEAKER. The gentleman will yield. The House will come to order.

Mr. BEAR. Thank you, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. BEAR. Amendment A02556 simply provides the Department of Revenue with the ability to establish a tax amnesty program in Pennsylvania.

The SPEAKER. On the question of suspension of the rules, the Chair recognizes the majority leader, Representative Eachus.

Mr. EACHUS. Thank you, Mr. Speaker.

I would like to support the gentleman's motion to suspend the rules. Thank you. I would like to support this rules suspension.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—189

Adolph	Evans, J.	Longiotti	Reichley
Baker	Everett	Maher	Roae
Barbin	Fabrizio	Mahoney	Rock
Barrar	Fairchild	Major	Roebuck
Bear	Farry	Manderino	Rohrer
Belfanti	Fleck	Mann	Ross
Benninghoff	Frankel	Markosek	Sabatina
Beyer	Freeman	Marshall	Sainato

Bishop	Gabig	Marsico	Santoni
Boback	Gabler	Matzie	Saylor
Boyd	Galloway	McGeehan	Scavello
Brennan	Geist	McI. Smith	Schroder
Briggs	George	Melio	Seip
Brooks	Gerber	Mensch	Shapiro
Brown	Gergely	Metcalfe	Siptrath
Burns	Gibbons	Metzgar	Smith, K.
Buxton	Gillespie	Micozzie	Smith, M.
Caltagirone	Gingrich	Millard	Smith, S.
Carroll	Godshall	Miller	Solobay
Casorio	Goodman	Milne	Sonney
Causer	Grove	Mirabito	Staback
Christiana	Haluska	Moul	Stern
Civera	Hanna	Mundy	Stevenson
Clymer	Harhai	Murphy	Sturla
Cohen	Harhart	Murt	Swanger
Conklin	Harkins	Myers	Tallman
Costa, D.	Harper	O'Brien, D.	Taylor, J.
Costa, P.	Harris	O'Brien, M.	Taylor, R.
Cox	Helm	O'Neill	Thomas
Creighton	Hennessey	Oberlander	True
Cruz	Hess	Oliver	Turzai
Curry	Hickernell	Pashinski	Vereb
Daley	Hornaman	Payne	Vitali
Dally	Houghton	Payton	Vulakovich
Day	Hutchinson	Peifer	Wagner
Deasy	Josephs	Perzel	Walko
DeLozier	Kauffman	Petrarca	Wansacz
DeLuca	Keller, M.K.	Petri	Waters
Denlinger	Keller, W.	Phillips	Watson
DePasquale	Killion	Pickett	Wheatley
Dermody	Kirkland	Preston	White
DeWeese	Knowles	Pyle	Williams
DiGirolamo	Kortz	Quigley	Youngblood
Donatucci	Kotik	Quinn	Yudichak
Drucker	Krieger	Rapp	
Eachus	Kula	Readshaw	McCall,
Ellis	Lentz	Reed	Speaker
Evans, D.	Levdansky	Reese	

NAYS—6

Cutler	Kessler	Samuelson	Santarsiero
Grell	Pallone		

NOT VOTING—0

EXCUSED—8

Boyle	Grucela	Miccarelli	Parker
Bradford	Johnson	Mustio	Perry

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

The SPEAKER. The House has immediately before it amendment A02556.

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

Mr. BEAR offered the following amendment No. A02556:

Amend Bill, page 1, line 11, by inserting after "Program"  
; and providing for a limited tax amnesty program  
Amend Bill, page 2, by inserting between lines 11 and 12  
Section 2. The act is amended by adding an article to read:

## ARTICLE XXIX-D

## TAX AMNESTY PROGRAM FOR FISCAL YEAR 2009-2010

Section 2901-D. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

"Amnesty period." The time period of 90 consecutive days established by the Governor during the fiscal year beginning July 1, 2009, and ending June 30, 2010.

"Department." The Department of Revenue of the Commonwealth.

"Eligible tax." Any tax imposed by the Commonwealth for deposit in the General Fund, the Motor License Fund or the Liquid Fuels Tax Fund for taxes delinquent as of December 31, 2006. The term includes any interest or penalty on an eligible tax. The term excludes any tax imposed by a political subdivision.

"Program." The tax amnesty program as provided for in this article.

"Taxpayer." Any person, association, fiduciary, partnership, corporation or other entity required to pay or collect any of the eligible taxes. The term shall not include a taxpayer who, prior to the amnesty period, has received notice that the taxpayer is the subject of a criminal investigation for an alleged violation of any law imposing an eligible tax or who, prior to the amnesty period, has been named as a defendant in a criminal complaint alleging a violation of any law imposing an eligible tax or is a defendant in a pending criminal action for an alleged violation of any law imposing an eligible tax.

Section 2902-D. Establishment of program.

(a) Program established.—There is established a tax amnesty program which shall be administered by the department.

(b) Applicability.—The program shall apply to a taxpayer who is delinquent on payment of a liability for an eligible tax as of June 1, 2009, including a liability for returns not filed, liabilities according to records of the department as of June 1, 2009, liabilities not reported, underreported or not established, but delinquent as of June 1, 2009.

(c) Prior amnesty program participation.—The program shall not apply to taxpayers who participated in the tax amnesty program outlined in Article XXIX-A.

(d) Future amnesty program participation.—A taxpayer who participates in the program shall not be eligible to participate in a future tax amnesty program.

Section 2903-D. Required payment.

(a) Taxpayer requirements.—Subject to section 2904-D, all taxpayers who participate in the program shall comply with all of the following:

(1) During the amnesty period, file a tax amnesty return in such form and containing such information as the department shall require. A tax amnesty return shall be considered to be timely filed if it is postmarked during the amnesty period.

(2) During the amnesty period, make payment of all taxes and 50% of all interest due to the Commonwealth in accordance with the tax amnesty return that is filed.

(3) File complete tax returns for all years for which the taxpayer previously has not filed a tax return and file complete amended returns for all years for which the taxpayer underreported eligible tax liability.

(b) Prohibitions.—The department shall not collect 50% of all interest due to the Commonwealth or the penalties owed by a taxpayer who participates in the program under subsection (a). The department shall not pursue any administrative or judicial proceeding against a taxpayer with respect to any eligible tax that is disclosed on a tax amnesty return.

Section 2904-D. Amnesty contingent on continued.

Notwithstanding any other provision of this article, the department may assess and collect from a taxpayer all penalties and interest forgone through the tax amnesty program established in this article if, within two years after the end of the program, either of the following occurs:

(1) the taxpayer granted amnesty under this article becomes delinquent for three consecutive periods in payment of taxes due or filing of returns required on a semimonthly, monthly, quarterly or other basis and the taxpayer has not contested the tax liability through a timely valid administrative or judicial appeal; or

(2) the taxpayer granted amnesty under this article becomes delinquent and is eight or more months late in payment of taxes due or filing of returns on an annual basis and the taxpayer has not contested the liability through a timely valid administrative or judicial appeal.

Section 2905-D. Limitation of deficiency assessment.

If, subsequent to the amnesty period, the department issues a deficiency assessment with respect to a tax amnesty return, the department shall have the authority to impose penalties and interest and to pursue a criminal action only with respect to the difference between the amount shown on that tax amnesty return and the current amount of tax.

Section 2906-D. Overpayment of tax.

Notwithstanding any other provisions of this article or any other act, if an overpayment of eligible tax is refunded or credited within 180 days after the tax amnesty return is filed, no interest shall be allowed on the overpayment.

Section 2907-D. Previously paid interest and penalties.

No refund or credit shall be allowed for any interest or penalty on eligible taxes paid to the department prior to the amnesty period.

Section 2908-D. Proceedings relating to tax amnesty return barred.

Participation in the program is conditioned upon the taxpayer's agreement that the right to protest or pursue an administrative or judicial proceeding with regard to tax amnesty returns filed under the program or to claim any refund of money paid under the program is barred.

Section 2909-D. Undisclosed liabilities.

Nothing in this article shall be construed to prohibit the department from instituting civil or criminal proceedings against any taxpayer with respect to any amount of tax that is not disclosed on the tax amnesty return.

Section 2910-D. Duties of department.

(a) Regulations.—The department shall develop regulations to implement the provisions of this article. The regulations must be published in the Pennsylvania Bulletin within 90 days of the effective date of this article and shall contain, but not be limited to, the following information:

(1) An explanation of the program and the requirements for eligibility for the program.

(2) The dates during which a tax amnesty return may be filed.

(3) A specimen copy of the tax amnesty return.

(b) Publicity.—The department shall publicize the program to maximize public awareness of and participation in the program. The department shall coordinate to the highest degree possible its publicity efforts and other actions taken to implement this article.

(c) Report.—The department shall issue a report to the General Assembly within 180 days after the end of the amnesty period detailing the implementation of the program. The report shall contain, but not be limited to, the following information:

(1) A detailed breakdown of the department's administrative costs in implementing the program.

(2) The number of tax amnesty returns filed and a breakdown of the number and dollar amount of revenue raised for each tax by calendar year during which the tax period ended. In addition, the gross revenues shall be broken down into the following categories:

(i) Amounts represented by assessments receivable established by the department on or before the first day of the amnesty period.

(ii) All other amounts.

(3) The total dollar amount of revenue collected by the program.

(4) The total dollar amount of penalties forgiven under the program.

(5) The demographic characteristics of tax amnesty participants, including North American Industry Classification System codes of participants, type of taxpayer, consisting of individual, partnership, corporation or other entity, size of tax liability and geographical location.

(d) Notification.—The department shall notify in writing all known tax delinquents at the taxpayers' last known address of the existence of the tax amnesty program. The sole purpose of the letter sent by the department to taxpayers must be notification of the program.

#### Section 2911-D. Method of payment.

All tax payments under the program shall be made by certified check, money order, cash or its equivalent.

#### Section 2912-D. Exemption from review process.

Notwithstanding any law to the contrary, the regulations issued by the department for the program shall be exempt from the regulatory review process provided in the act of June 25, 1982 (P.L.633, No.181), known as the Regulatory Review Act.

#### Section 2913-D. Use of revenue.

All revenue generated by this article shall be deposited into a restricted revenue account in the General Fund. Revenue from the restricted revenue account shall be distributed as follows:

(1) All money from General Fund sources shall be deposited in the General Fund no later than June 30, 2010, less repayment of any costs for administration of the program to the department.

(2) All revenue from Motor License Fund sources shall be deposited in the Motor License Fund no later than June 30, 2010.

(3) All revenue from Liquid Fuels Tax Fund sources shall be deposited in the Liquid Fuels Tax Fund no later than June 30, 2010.

#### Section 2914-D. Penalties for certain corporate officers.

If an officer or officers of a corporation or association intentionally neglect or refuse to make reports to the Auditor General, or to the department, or successively to the Auditor General and to the department, as required by law, for any two successive tax years, the officer or officers commit a misdemeanor and shall, upon conviction, be sentenced to pay a fine of not less than \$2,500 nor more than \$5,000. This fine shall be in addition to any fine or prison sentence under section 1704 of the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code.

#### Section 2915-D. Further examination of books and records.

(a) Authority.—The department or any of its authorized agents is authorized to examine the books, papers and records of any taxpayer or other persons in order to verify the accuracy and completeness of any return or report made or, if no return or report was made, to ascertain and assess any tax or other liability owed to the Commonwealth.

(b) Audit.—The department may determine, by desk, field or other audit, the amount of tax or other liability required to be paid to the Commonwealth. The department may determine the liability based upon the facts contained in the return or report being audited or other information in the department's possession. The department may determine the liability based upon a reasonable statistical sample or test audit performed in accordance with the regulations of the department when the individual being audited does not have complete records of transactions or when the review of each transaction or invoice would place an undue burden on the department to conduct an audit in a timely and efficient manner.

(c) Challenge by taxpayer.—The taxpayer may challenge the accuracy of a statistical sample or test audit by providing clear and convincing evidence that the method used for a statistical sample or test audit is erroneous, lacks a rational basis or produces a different result when the complete records are considered.

#### Section 2916-D. Additional penalty.

(a) Penalty.—Subject to the limitations provided under subsection (b), a penalty of 5% of the unpaid tax liability and penalties and interest shall be levied against a taxpayer subject to an eligible tax if the taxpayer had failed to remit an eligible tax due or had an unreported or underreported liability for an eligible tax on or after the first day following the end of the amnesty period.

(b) Nonapplicability.—The penalty provided in this section shall not apply to a taxpayer who:

(1) has paid the liability in full or entered into a duly approved and executed deferred payment plan on or before the last day of the amnesty period; or

(2) has filed a timely and valid administrative or judicial appeal contesting the liability on or before the last day of the amnesty period.

(c) Penalty in addition.—The penalty provided by this section shall be in addition to all other penalties provided by law.

#### Section 2917-D. Application of penalty and powers.

Sections 2914-D and 2915-D shall apply to all taxes collected by the department.

#### Section 2918-D. Construction.

Except as expressly provided in this article, this article shall not:

(1) be construed to relieve any person, corporation or other entity from the filing of returns or from any taxes, penalties or interest imposed by the provisions of any laws;

(2) affect or terminate any petitions, investigations, prosecutions, legal or otherwise, or other proceedings pending under the provisions of any such laws; or

(3) prevent the commencement or further prosecution of any proceedings by the proper authorities of the Commonwealth for violation of any such laws or for the assessment, settlement, collection or recovery of taxes, penalties or interest due to the Commonwealth under any such laws.

#### Section 2919-D. Suspension of inconsistent acts.

All acts or parts of acts inconsistent with the provisions of this article are suspended to the extent necessary to carry out the provisions of this article.

Amend Bill, page 2, line 12, by striking out "2" and inserting

3

On the question,

Will the House agree to the amendment?

The SPEAKER. The Chair recognizes the gentleman.

Mr. BEAR. Thank you, Mr. Speaker.

This amendment simply establishes a tax amnesty program in Pennsylvania for the second time in our history, and essentially what it does is gives a 90-day period in which the Department of Revenue can offer this for folks that are delinquent in their taxes, and it waives half the interest and the penalties.

The SPEAKER. The Chair thanks the gentleman.

On the question, the Chair recognizes the gentleman from Clearfield County, Representative George.

Mr. GEORGE. Mr. Speaker, I think once all the members are aware, they will unanimously support this bill. This bill would extend the sunset date on the tax checkoff for the Military Family Relief Assistance Program. We owe these families this program. Many of them have benefitted from this program and they deserve— Oh; I beg your pardon, Mr. Speaker.

I am in favor of the amendment for the simple reason that it simply provides the 50-percent checkoff.

Will you see that the Chief Clerk can get me a new hearing aid, Mr. Speaker?

The SPEAKER. Not a problem.  
Mr. Barbush, I guess you will take care of that.

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

The following roll call was recorded:

YEAS—191

Adolph	Evans, J.	Levdansky	Roae
Baker	Everett	Longietti	Rock
Barbin	Fabrizio	Maher	Roebuck
Barrar	Fairchild	Mahoney	Rohrer
Bear	Farry	Major	Ross
Belfanti	Fleck	Mann	Sabatina
Benninghoff	Frankel	Markosek	Sainato
Beyer	Freeman	Marshall	Samuelson
Bishop	Gabig	Marsico	Santarsiero
Boback	Gabler	Matzie	Santoni
Boyd	Galloway	McGeehan	Saylor
Brennan	Geist	Melio	Scavello
Briggs	George	Mensch	Schroder
Brooks	Gerber	Metcalfe	Seip
Brown	Gergely	Metzgar	Shapiro
Burns	Gibbons	Micozzie	Siptroth
Buxton	Gillespie	Millard	Smith, K.
Caltagirone	Gingrich	Miller	Smith, M.
Carroll	Godshall	Milne	Smith, S.
Casorio	Goodman	Mirabito	Solobay
Causar	Grell	Moul	Sonney
Christiana	Grove	Mundy	Staback
Civera	Haluska	Murphy	Stern
Clymer	Hanna	Murt	Stevenson
Cohen	Harhai	Myers	Sturla
Conklin	Harhart	O'Brien, D.	Swanger
Costa, D.	Harkins	O'Brien, M.	Tallman
Costa, P.	Harper	O'Neill	Taylor, J.
Cox	Harris	Oberlander	Taylor, R.
Creighton	Helm	Oliver	Thomas
Cruz	Hennessey	Pashinski	True
Curry	Hess	Payne	Turzai
Cutler	Hickernell	Payton	Vereb
Daley	Houghton	Peifer	Vitali
Dally	Hutchinson	Perzel	Vulakovich
Day	Josephs	Petrarca	Wagner
Deasy	Kauffman	Petri	Walko
DeLozier	Keller, M.K.	Phillips	Wansacz
DeLuca	Keller, W.	Pickett	Waters
Denlinger	Kessler	Preston	Watson
DePasquale	Killion	Pyle	Wheatley
Dermody	Kirkland	Quigley	White
DeWeese	Knowles	Quinn	Williams
DiGirolamo	Kortz	Rapp	Youngblood
Donatucci	Kotik	Readshaw	Yudichak
Drucker	Krieger	Reed	
Eachus	Kula	Reese	McCall,
Ellis	Lentz	Reichley	Speaker
Evans, D.			

NAYS—4

Hornaman	Manderino	McI. Smith	Pallone
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NOT VOTING—0

EXCUSED—8

Boyle	Grucela	Miccarelli	Parker
Bradford	Johnson	Mustio	Perry

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

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

The SPEAKER. The House will be at ease.

The House will come to order.

In order for us to consider HB 1531 on final passage, we need a motion to proceed. There are also two other bills, HB 1614 and HB 1768, that would also need a motion to proceed. They are about an hour short of the 24-hour rule.

**MOTION TO PROCEED TO CONSIDERATION UNDER RULE 24**

The SPEAKER. The Chair recognizes the majority leader, who moves that the House do proceed with the immediate consideration of HB 1531, HB 1614, and HB 1768.

The vote requires an affirmative vote of two-thirds of the House of Representatives.

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

The following roll call was recorded:

YEAS—168

Adolph	Fabrizio	Longietti	Reed
Baker	Fairchild	Maher	Reese
Barbin	Farry	Mahoney	Reichley
Bear	Fleck	Major	Roebuck
Belfanti	Frankel	Manderino	Ross
Beyer	Freeman	Mann	Sabatina
Bishop	Gabig	Markosek	Santarsiero
Boback	Galloway	Marshall	Santoni
Boyd	Geist	Marsico	Saylor
Brennan	George	Matzie	Scavello
Briggs	Gerber	McGeehan	Seip
Brown	Gergely	McI. Smith	Shapiro
Burns	Gibbons	Melio	Siptroth
Buxton	Gillespie	Mensch	Smith, K.
Caltagirone	Gingrich	Micozzie	Smith, M.
Carroll	Godshall	Millard	Smith, S.
Casorio	Goodman	Miller	Solobay
Causar	Grove	Mirabito	Sonney
Christiana	Haluska	Moul	Staback
Civera	Hanna	Mundy	Sturla
Clymer	Harhai	Murphy	Swanger
Cohen	Harhart	Murt	Taylor, J.
Conklin	Harkins	Myers	Taylor, R.
Costa, D.	Harper	O'Brien, D.	Thomas
Costa, P.	Harris	O'Brien, M.	True
Cruz	Helm	O'Neill	Turzai
Curry	Hennessey	Oberlander	Vereb
Daley	Hess	Oliver	Vitali
Dally	Hickernell	Pashinski	Vulakovich
Day	Hornaman	Payne	Wagner
Deasy	Houghton	Payton	Walko
DeLuca	Josephs	Peifer	Wansacz
DePasquale	Keller, W.	Perzel	Waters
Dermody	Kessler	Petrarca	Watson



DeWeese	Killion	Petri	Wheatley
DiGirolamo	Kirkland	Phillips	White
Donatucci	Knowles	Pickett	Williams
Drucker	Kortz	Preston	Youngblood
Eachus	Kotik	Pyle	Yudichak
Ellis	Krieger	Quigley	
Evans, D.	Kula	Quinn	McCall,
Evans, J.	Lentz	Readshaw	Speaker
Everett	Levdansky		

**NAYS—27**

Barrar	Denlinger	Metzgar	Sainato
Benninghoff	Gabler	Milne	Samuelson
Brooks	Grell	Pallone	Schroder
Cox	Hutchinson	Rapp	Stern
Creighton	Kauffman	Roae	Stevenson
Cutler	Keller, M.K.	Rock	Tallman
Delozier	Metcalfe	Rohrer	

**NOT VOTING—0**

**EXCUSED—8**

Boyle	Grucela	Miccarelli	Parker
Bradford	Johnson	Mustio	Perry

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

The SPEAKER. The House has immediately before it HB 1531 on third consideration.

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

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

(Bill analysis was read.)

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

(Members proceeded to vote.)

**LEAVE OF ABSENCE CANCELED**

The SPEAKER. The Chair notes the presence of the gentleman from Montgomery County, Representative Bradford, on the House floor. His name will be added to the master roll.

**CONSIDERATION OF HB 1531 CONTINUED**

On the question recurring,  
Shall the bill pass finally?

The following roll call was recorded:

**YEAS—196**

Adolph	Evans, J.	Longietti	Reichley
Baker	Everett	Maher	Roae
Barbin	Fabrizio	Mahoney	Rock
Barrar	Fairchild	Major	Roebuck
Bear	Farry	Manderino	Rohrer
Belfanti	Fleck	Mann	Ross
Benninghoff	Frankel	Markosek	Sabatina
Beyer	Freeman	Marshall	Sainato
Bishop	Gabig	Marsico	Samuelson
Boback	Gabler	Matzie	Santarsiero
Boyd	Galloway	McGeehan	Santoni
Bradford	Geist	McI. Smith	Saylor
Brennan	George	Melio	Scavello
Briggs	Gerber	Mensch	Schroder
Brooks	Gergely	Metcalfe	Seip
Brown	Gibbons	Metzgar	Shapiro
Burns	Gillespie	Micozzie	Siptroth
Buxton	Gingrich	Millard	Smith, K.
Caltagirone	Godshall	Miller	Smith, M.
Carroll	Goodman	Milne	Smith, S.
Casorio	Grell	Mirabito	Solobay
Causer	Grove	Moul	Sonney
Christiana	Haluska	Mundy	Staback
Civera	Hanna	Murphy	Stern
Clymer	Harhai	Murt	Stevenson
Cohen	Harhart	Myers	Sturla
Conklin	Harkins	O'Brien, D.	Swanger
Costa, D.	Harper	O'Brien, M.	Tallman
Costa, P.	Harris	O'Neill	Taylor, J.
Cox	Helm	Oberlander	Taylor, R.
Creighton	Hennessey	Oliver	Thomas
Cruz	Hess	Pallone	True
Curry	Hickernell	Pashinski	Turzai
Cutler	Hornaman	Payne	Vereb
Daley	Houghton	Payton	Vitali
Dally	Hutchinson	Peifer	Vulakovich
Day	Josephs	Perzel	Wagner
Deasy	Kauffman	Petrarca	Walko
Delozier	Keller, M.K.	Petri	Wansacz
DeLuca	Keller, W.	Phillips	Waters
Denlinger	Kessler	Pickett	Watson
DePasquale	Killion	Preston	Wheatley
Dermody	Kirkland	Pyle	White
DeWeese	Knowles	Quigley	Williams
DiGirolamo	Kortz	Quinn	Youngblood
Donatucci	Kotik	Rapp	Yudichak
Drucker	Krieger	Readshaw	
Eachus	Kula	Reed	McCall,
Ellis	Lentz	Reese	Speaker
Evans, D.	Levdansky		

**NAYS—0**

**NOT VOTING—0**

**EXCUSED—7**

Boyle	Johnson	Mustio	Perry
Grucela	Miccarelli	Parker	

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.

**CALENDAR CONTINUED**

**BILLS ON THIRD CONSIDERATION**

The House proceeded to third consideration of **HB 1614, PN 2666**, entitled:

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, further providing for the State Workers' Insurance Board and for sunset provisions relating to State Workers' Insurance Fund investment authority.

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

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

(Bill analysis was read.)

The SPEAKER. The question is, shall the bill pass finally?

On that question, the Chair recognizes the gentleman from Delaware County, Representative Barrar.

Mr. BARRAR. Thank you, Mr. Speaker.

I was wondering if we could go over this maybe for just 5 minutes? I have an amendment being drafted to this, and I will need to suspend the rules.

The SPEAKER. If the gentleman would like to describe his amendment to the House and ask for a motion to suspend the rules, we will proceed, and if you get the suspension of the rules, we will go over the bill.

Mr. BARRAR. Thank you, Mr. Speaker.

I have an amendment drafted to this bill that would prevent funding going to any charitable organization that participates in any type of political activity.

**DECISION OF CHAIR RESCINDED**

The SPEAKER. Without objection, the Chair rescinds its announcement that the bill has been agreed to on third consideration.

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

**MOTION TO SUSPEND RULES**

The SPEAKER. Did the gentleman make a motion to suspend the rules?

Mr. BARRAR. That motion is to suspend the rules. Thank you, Mr. Speaker.

The SPEAKER. The gentleman from Delaware County, Representative Barrar, rises to suspend the rules.

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

The SPEAKER. On that question, the Chair recognizes the majority leader, the gentleman from Luzerne County, Representative Eachus.

Mr. EACHUS. Thank you, Mr. Speaker.

Mr. Speaker, I rise to respectfully oppose the gentleman's motion to suspend. He knows that I have the utmost respect for him. We were classmates in our freshman year together, but I do oppose the suspension motion. Thanks.

The SPEAKER. On the question, will the House suspend the rules? The motion is debatable by the leaders, the maker of the motion, and the prime sponsor.

On the question of suspension of the rules, the Chair recognizes the gentleman from York County in the stead of the majority leader. The gentleman from York, Representative Saylor.

Mr. SAYLOR. Mr. Speaker, we support the suspension of the rules for the Barrar amendment to this bill. We think it makes the situation a lot better. The gentleman's amendment I think is something that is being discussed nationwide as well as it affects this State's budget as well. I think it would serve this body well to accept his amendment, and so we should suspend the rules.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

**YEAS—94**

Adolph	Farry	Marshall	Rapp
Baker	Fleck	Marsico	Reed
Barrar	Gabig	Mensch	Reese
Bear	Gabler	Metcalfe	Reichley
Benninghoff	Geist	Metzgar	Roae
Beyer	Gillespie	Micozzie	Rock
Boback	Gingrich	Millard	Rohrer
Boyd	Godshall	Miller	Ross
Brooks	Grove	Milne	Saylor
Causer	Harhart	Moul	Scavello
Christiana	Harper	Murt	Schroder
Civera	Harris	O'Brien, D.	Smith, S.
Clymer	Helm	O'Neill	Sonney
Cox	Hennessey	Oberlander	Stern
Creighton	Hess	Payne	Stevenson
Dally	Hickernell	Peifer	Swanger
Day	Hutchinson	Perzel	Tallman
Delozier	Kauffman	Petri	Taylor, J.
Denlinger	Keller, M.K.	Phillips	True
DiGirolamo	Killion	Pickett	Turzai
Ellis	Knowles	Pyle	Vereb
Evans, J.	Krieger	Quigley	Vulakovich
Everett	Maher	Quinn	Watson
Fairchild	Major		

**NAYS—102**

Barbin	Drucker	Lentz	Samuelson
Belfanti	Eachus	Levdansky	Santarsiero
Bishop	Evans, D.	Longiatti	Santoni
Bradford	Fabrizio	Mahoney	Seip
Brennan	Frankel	Manderino	Shapiro
Briggs	Freeman	Mann	Sipthroth
Brown	Galloway	Markosek	Smith, K.
Burns	George	Matzie	Smith, M.
Buxton	Gerber	McGeehan	Solobay
Caltagirone	Gergely	McI. Smith	Staback
Carroll	Gibbons	Melio	Sturla
Casorio	Goodman	Mirabito	Taylor, R.
Cohen	Grell	Mundy	Thomas
Conklin	Haluska	Murphy	Vitali
Costa, D.	Hanna	Myers	Wagner

Costa, P.	Harhai	O'Brien, M.	Walko
Cruz	Harkins	Oliver	Wansacz
Curry	Hornaman	Pallone	Waters
Cutler	Houghton	Pashinski	Wheatley
Daley	Josephs	Payton	White
Deasy	Keller, W.	Petrarca	Williams
DeLuca	Kessler	Preston	Youngblood
DePasquale	Kirkland	Readshaw	Yudichak
Dermody	Kortz	Roebuck	
DeWeese	Kotik	Sabatina	McCall,
Donatucci	Kula	Sainato	Speaker

NOT VOTING—0

EXCUSED—7

Boyle	Johnson	Mustio	Perry
Grucela	Miccarelli	Parker	

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

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

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

(Bill analysis was read.)

The SPEAKER. The question is, shall the bill pass finally?

On final passage, the Chair recognizes the gentleman from Lancaster County, Representative Boyd.

Mr. BOYD. Thank you, Mr. Speaker.

I was wondering if somebody might stand just for a brief question or two on this bill? I was thinking perhaps maybe Representative Gergely or Representative Belfanti.

The SPEAKER. The gentleman, Representative Belfanti, indicates he will stand for interrogation. The gentleman, Mr. Boyd, is in order and may proceed.

Mr. BOYD. Thank you, Mr. Speaker.

Mr. Speaker, I just wanted to clarify for legislative intent, the amendment that we inserted into this bill yesterday would allow SWIF (State Workers' Insurance Fund) to have, I believe, approximately 7 1/2 percent of their reserves or their assets invested in equities. My only concern with that is – and I understand why the department wanted that and I understand why we did that yesterday. I just want to confirm that this will not have any effect, in the event of a substantive downturn in the market, it will not have any effect on the rates that are required to be paid by the businesses who have their workers' comp through SWIF. I just want to clarify that for legislative intent.

Mr. BELFANTI. Thank you, Mr. Speaker.

First of all, the amendment to the legislation simply eliminated the sunset provision and extended it by 5 years.

And secondly, prior to that legislation being adopted some 5 years ago and a few months, it was asked for by the SWIF board of directors and the Governor's Office because they were limited to a 7 1/2-percent investment of their surplus. So if there is no surplus, they cannot make any investment. This would

allow them, in times of a bull market or bullish market, to invest up to 20 percent, provided those investments are not in other countries. They would have to be American companies that are situated in America, not an American company where they have moved to China, let us say.

So the board and their actuaries, they have the final say month by month, I would assume, as to which stock commodity to put the SWIF surplus in, because as you know, SWIF is the insurer of last resort. After an individual or a corporation has gone to the private sector and has been turned down by three major insurance companies, rather than them going out of business, they are guaranteed the ability to buy workers' comp insurance through SWIF. So we just want to make it fair for them. We would like to see the surpluses and only the surpluses invested as wisely as possible.

And in fact, this was one of the bills that I had adopted 5 years ago that organized labor was not really on board with. They were neutral.

Mr. BOYD. Thank you, Mr. Speaker.

I really appreciate you answering that question for me.

As I said, my only concern would be that this piece of legislation would not have any impact on the rates paid by workers' comp ratepayers that have their policies through SWIF, and I believe that your answer to my question tells me that it would not, and I thank you very, very much for that.

Thank you, Mr. Speaker.

Mr. BELFANTI. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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—192

Adolph	Evans, J.	Longietti	Roae
Baker	Everett	Maher	Rock
Barbin	Fabrizio	Mahoney	Roebuck
Barrar	Fairchild	Major	Rohrer
Bear	Farry	Manderino	Ross
Belfanti	Fleck	Mann	Sabatina
Benninghoff	Frankel	Markosek	Sainato
Beyer	Freeman	Marshall	Samuelson
Bishop	Gabig	Marsico	Santarsiero
Boback	Gabler	Matzie	Santoni
Boyd	Galloway	McGeehan	Saylor
Bradford	Geist	McI. Smith	Scavello
Brennan	George	Melio	Schroder
Briggs	Gerber	Mensch	Seip
Brooks	Gergely	Metzgar	Shapiro
Brown	Gibbons	Micozzie	Siptroth
Burns	Gillespie	Millard	Smith, K.
Buxton	Gingrich	Miller	Smith, M.
Caltagirone	Godshall	Milne	Smith, S.
Carroll	Goodman	Mirabito	Solobay
Casorio	Grell	Moul	Sonney
Causer	Grove	Mundy	Staback
Christiana	Haluska	Murphy	Stern
Civera	Hanna	Murt	Stevenson
Clymer	Harhai	Myers	Sturla
Cohen	Harhart	O'Brien, D.	Swanger
Conklin	Harkins	O'Brien, M.	Tallman
Costa, D.	Harper	O'Neill	Taylor, J.
Costa, P.	Harris	Oberlander	Taylor, R.
Cox	Helm	Oliver	Thomas

Cruz	Hennessey	Pallone	True
Curry	Hess	Pashinski	Turzai
Cutler	Hickernell	Payne	Vereb
Daley	Hornaman	Payton	Vitali
Dally	Houghton	Peifer	Vulakovich
Day	Hutchinson	Perzel	Wagner
Deasy	Josephs	Petrarca	Walko
Delozier	Kauffman	Petri	Wansacz
DeLuca	Keller, M.K.	Phillips	Waters
Denlinger	Keller, W.	Pickett	Watson
DePasquale	Kessler	Preston	Wheatley
Dermody	Killion	Pyle	White
DeWeese	Kirkland	Quigley	Williams
DiGirolamo	Knowles	Quinn	Youngblood
Donatucci	Kortz	Rapp	Yudichak
Drucker	Kotik	Readshaw	
Eachus	Kula	Reed	McCall,
Ellis	Lentz	Reichley	Speaker
Evans, D.	Levdansky		

NAYS—4

Creighton	Krieger	Metcalfe	Reese
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NOT VOTING—0

EXCUSED—7

Boyle	Johnson	Mustio	Perry
Grucela	Miccarelli	Parker	

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 1768, PN 2667**, entitled:

An Act amending the act of July 28, 1988 (P.L.556, No.101), known as the Municipal Waste Planning, Recycling and Waste Reduction Act, further providing for definitions; and further providing for powers and duties of municipalities other than counties, for site limitation, for records, for information provided to host municipalities, for joint inspections with host municipalities, for claims resulting from pollution occurrences, for independent evaluation of permit applications, for host municipality benefit fee and for records.

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

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

(Bill analysis was read.)

The SPEAKER. The question is, shall the bill pass finally?

On the question of final passage, the Chair recognizes the gentleman from Montgomery County, Representative Godshall.  
Mr. GODSHALL. Thank you, Mr. Speaker.  
May I please interrogate the maker of the bill?

The SPEAKER. The gentleman from Lackawanna County, Representative Wansacz, indicates he will stand for interrogation. The gentleman is in order and may proceed.

Mr. GODSHALL. Thank you, Mr. Speaker.

There are a couple of things that I would like to have clarity on. Number one, does this bill – at some places it talks about new facilities; other places it is also about expansion of existing facilities, waste facilities. Does this bill totally pertain to new waste facilities or also existing facilities?

Mr. WANSACZ. The bill pertains to new facilities and facilities that are applying for expansion. So if there is no expansion, it does not apply to them.

Mr. GODSHALL. But any existing facility that wants to expand would be held under the provisions of this bill?

Mr. WANSACZ. Yes.

Mr. GODSHALL. Okay. There is another section here I would like to have clarity on. What is the definition of a "reservoir"?

Mr. WANSACZ. The definition of a reservoir is "A natural or artificial basin, which contains or will contain the water or other fluid or semifluid impounded by a dam."

Mr. GODSHALL. So it has to be impounded by a dam?

Mr. WANSACZ. Correct.

Mr. GODSHALL. Like the Schuylkill River which supplies water to a whole host of municipalities until it empties in the Delaware Bay, even though there are dams on the river, that would not fall under the restrictions here?

Mr. WANSACZ. Correct. If it is not within 1 mile of a footprint of a landfill.

Mr. GODSHALL. As far as the 1 mile for adjacent municipalities, one operator of a facility that I am aware of, the way he calculated it, it could be four or five municipalities that are adjacent by definition of the 1 mile. Would all of these municipalities at that point, because they are within 1 mile, be entitled to a host fee?

Mr. WANSACZ. No.

Mr. GODSHALL. You say no?

Mr. WANSACZ. Yes.

Mr. GODSHALL. But it says specifically in here that if you are within 1 mile, you are entitled to a host fee as far as adjacent municipalities.

Mr. WANSACZ. No, it does not. Point out that language where it says that.

Mr. GODSHALL. Correct to the point that it says they may negotiate for a host fee.

Mr. WANSACZ. It says you are allowed to negotiate; it does not say that you are entitled to get a fee.

Mr. GODSHALL. Mr. Speaker, it is really difficult to try to hear.

The SPEAKER. The gentleman is correct.

The House will come to order. The members will take their seats.

Mr. GODSHALL. On page 11 of the bill—

The SPEAKER. Will the gentleman yield.

Mr. GODSHALL. —it says, "Nothing in this act may..."—

The SPEAKER. Will the gentleman yield. Will the gentleman yield.

The House will come to order.

The gentleman from Montgomery County, Representative Godshall, may continue.

Mr. GODSHALL. Thank you, Mr. Speaker.

The way I read this, I guess, is what we are giving here, and we are giving here the adjacent municipalities the power, p-o-w-e-r, power to negotiate host fees, which is something I do not believe they had before.

Mr. WANSACZ. Yes; they do now.

Mr. GODSHALL. I am sorry?

Mr. WANSACZ. An adjacent municipality has the power right now to negotiate a fee if they wanted to. Nothing in this act will prevent that.

Mr. GODSHALL. If that is the case, then why do we have it in the legislation as an additional—

Mr. WANSACZ. Because there was a question about whether or not somebody would be entitled to it, and we clarified it saying that they are not entitled to it. There was nothing to stop them. If they wanted to negotiate that, they could, just as they could right now under current law.

Mr. GODSHALL. Okay. Another part of the bill pertaining to the regulating of travel hours, the regulating of travel hours by adjacent municipalities—

The SPEAKER. The House will come to order.

There is entirely too much banter on the floor of the House. The gentlemen have the right to debate and be heard. The conversations, take them off the floor of the House.

The gentleman may proceed.

Mr. GODSHALL. Thank you, Mr. Speaker.

The question pertains to the regulation of travel hours for vehicles from adjacent municipalities. In the case I originally gave where a landfill has probably four or five adjacent municipalities to the host municipality, if four or five municipalities regulate the travel hours of trucks going through their facilities, it can become an impossible situation. And why are we giving adjacent municipalities any and all the right to regulate travel hours into the landfill? The host municipality, in most cases, sets the hours that the landfill can operate, which in itself regulates the travel hours, but if that is established, and it has been established for a number of years, all of a sudden we have an adjacent municipality that instead of, say, 6 to 4 in operation, they are going to say, we cannot have trash trucks go through except from 9 to 5. Who preempts whom?

Mr. WANSACZ. Well, what the legislation says is that "AN ADJACENT MUNICIPALITY SHALL HAVE THE AUTHORITY TO ADOPT REASONABLE ORDINANCES CONCERNING THE HOURS AND DAYS DURING WHICH VEHICLES DELIVERING WASTE TO THE FACILITY MAY TRAVEL ON PUBLIC ROADS WITHIN THE ADJACENT MUNICIPALITY AND CONCERNING THE ROUTING OF TRAFFIC WITHIN THE ADJACENT MUNICIPALITY."

If you want to argue that a municipality should not have the right of what comes through, that is fine with me. I believe they should have the right. But it is reasonable; that is the question – reasonable. Now it would have to go to the courts. Like, for example, they could not say you are only allowed to come in 1 hour a day. It has to be a reasonable ordinance.

Mr. GODSHALL. But at the same time, with all due respect, the host municipality determines what is reasonable in their eyes and in the operating hours in which itself regulates the travel time of the trucks. I do not understand how you can have adjacent municipalities preempt – preempt, no matter if their hours could be reasonable in their mind – but how can they preempt the original host municipality?

Mr. WANSACZ. Well, what you have right now is you have weight restrictions. If it is a local road, they already have that ability to set a bond, weight restrictions, on it. If it is a State road, as you know – and I have dealt with this issue many times being along 81, where people will use a State road, trucks will cut through four towns to get to the other side of 81, and really, we are left powerless there. So they would not have any of those restrictions if it is a State road, but a local road has that ability right now to set weight restrictions on the road, as we all know throughout Pennsylvania.

Mr. GODSHALL. I really was not talking about the weight restriction; I was talking about the travel hours, but I see where you are going.

Another concern is reimbursement, I guess, for inspectors by, again, adjacent municipalities. And again, if you have four or five adjacent municipalities, does that give you four or five new inspectors that somebody has got to pay for?

Mr. WANSACZ. Well, first off, what happens is the adjacent municipality has to apply. They are not just automatically granted. It is their choice to apply to DEP (Department of Environmental Protection) in writing to participate in an adjacent municipality. Do they have the ability to go in and be inspectors? Yes, but at their cost – at the local adjacent municipality's cost.

Mr. GODSHALL. The way it looks, the way I read it, and I may be wrong, but I thought it said the inspection and the inspectors are to be reimbursed.

Mr. WANSACZ. No. They are going to be trained, but that cost is very minimal. In fact, it is almost nothing, because how that works with the training is you have to train the host inspectors anyway. So a few sheets of paper is all you are talking about.

Mr. GODSHALL. Okay. Thank you, Mr. Speaker. Thank you.

The SPEAKER. The Chair thanks the gentleman.

On the question, the Chair recognizes the gentleman from Chester County, Representative Ross.

Mr. ROSS. Thank you, Mr. Speaker.

I urge a "no" vote on this bill. There are serious problems with it. First of all, despite what the previous speaker said, the definition of the water source does not apply the 1 mile to the impoundment; it applies it to the water source. The water source could be an entire watershed, and that could be very far away from the actual place where the landfill would be involved.

Second of all, just merely putting a distance restriction like this is environmentally unjustified. There may well be a situation where a landfill is downgradient with substantial geological barriers between the water source and the landfill. In that situation, there would be no logical reason for a 1-mile separation from the landfill. So that is not justified, and I think it would probably render this legislation capable of being struck down by the courts.

Finally, there is the problem of adjacent municipalities, in giving them additional rights that they do not currently have, and in particular, I am concerned about the idea of conflicts between municipalities. This legislation would allow municipalities, neighboring municipalities, to set reasonable hours. That in and of itself would be fine, but if multiple municipalities set conflicting reasonable hours, there is no provision here to sort those out. We would force the municipalities to go to court or find some new mechanism that is not presented in the legislation.

In short, the legislation is flawed, will create problems, does not have the necessary environmental justifications, and I urge a "no" vote.

The SPEAKER. On the question, the Chair recognizes the gentleman from Venango County, Representative Hutchinson.

Mr. HUTCHINSON. Thank you, Mr. Speaker.

I am not going to belabor the point, but I do rise in opposition to HB 1768 for many reasons. Mr. Speaker, I think one of the main reasons is that adjacent municipalities, although I believe they are impacted by landfills in their neighboring communities, I think the language in this bill is extremely loosely written and leaves a lot to be desired in pinpointing the problems that are caused in adjacent municipalities. It leaves a lot to be desired in tightening up what the actual definition of a "municipal water supply" is. And most important of all, Mr. Speaker, I believe that this language in the bill leaves the possibility that, once again, the residents of Pennsylvania, the businesses of Pennsylvania will be paying more money to have their waste deposited at landfills because the host municipality fee, I believe by this language, will be greatly increased, and that just means that the folks that you and I represent will be paying more money to have their waste disposed of.

So, Mr. Speaker, I rise in opposition, and I ask my colleagues to join me in that opposition. Thank you.

The SPEAKER. The Chair thanks the gentleman and recognizes the gentleman from Luzerne County, Representative Carroll.

Mr. CARROLL. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of this legislation.

Mr. Speaker, we all have adjacent communities to something and we always are asked to stand up for those adjacent communities. I am familiar with the landfills that we have in northeastern Pennsylvania, and I believe it is important that we provide some level of protection for those adjacent communities so that they have a say in what happens in their community. It is not enough just to rely on the host community to get it right. We have to make sure that the entire population of people who will be affected by the landfills gets this right, and the inclusion and the involvement of elected officials from neighboring communities is the smart way to go.

I applaud the sponsor of the bill, and I urge a positive vote on this bill. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

### MOTION TO TABLE

The SPEAKER. The Chair recognizes the gentleman from Allegheny County, Representative Turzai.

Mr. TURZAI. Thank you, Mr. Speaker.

Mr. Speaker, I would move to table the bill and would like to articulate very briefly why.

Look, I do not disagree that there needs to be taken into account, with respect to landfills, what the impact is on adjacent communities. I think that needs some serious inquiry and—

The SPEAKER. Will the gentleman yield.

The Speaker would like to place the question before the House.

The gentleman from Allegheny County—

Mr. TURZAI. Sorry about that.

The SPEAKER. —the minority whip, has made a motion to table HB 1768.

On the question,

Will the House agree to the motion?

The SPEAKER. On that question, the Chair recognizes the gentleman from Allegheny County, Representative Turzai.

Mr. TURZAI. Thank you, Mr. Speaker.

I apologize for the — I am just making sure that I get the procedure correct.

In support of the motion to table, as I said, there is certainly an objective here with respect to HB 1768 that when landfills are put in, that we want to take a look at what the impact is with respect to surrounding communities. But on the other hand, this particular bill, I believe, has not been vetted appropriately, and in particular, I think that the issues that have been raised by so many folks are that the definitions are not well drafted and the consequences not well thought through.

In opposing this particular bill, many people have real concerns with how it is written and that it is overreaching without really maybe even being desirous of overreaching because of the inadequately drafted definitions contained in the bill. The best way we think — and I think that there are a lot of people that would be willing to look at this in more detail and to work on both sides of the aisle to get a bill that everybody could support — would be to table it and to give interested parties like those who have spoken and others the chance to have further input and perhaps even a public hearing.

But at this point, I would like to have a motion to table so that we can get a better bill with respect to the objectives at hand.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

For the information of the members, the motion to table is debatable by the leaders, the maker of the motion, and the prime sponsor of the legislation and requires a simple majority vote of the House.

On the question to table, the Chair recognizes the majority leader, the gentleman from Luzerne County, Representative Eachus.

Mr. EACHUS. Thank you, Mr. Speaker.

I rise to oppose the gentleman from Allegheny's motion to table.

You know, we have heard for years that these large landfill developers come into places and put up landfills all throughout the Commonwealth, because we have been the depository of regional waste for generations.

But we have continued to hear arguments from the other side of the aisle, on the Republican side, that our legislation is too restrictive. That has been their consistent argument over the course of years, that we should not be restrictive from a regulatory standpoint, should not allow for tight regulation at the local level. The amendment today that the gentleman offers gives a very focused opportunity for local municipalities to have a say right next door to these landfills. And some of them, some of these landfills are so close to municipal boundaries that you actually can smell them in the distance. This does not meet the smell test.

My point in this is that the gentleman's argument, that we now have too loose a regulation, runs counter to years of argument relating to this policy. It really is a fallacious red herring to try and draw attention away from a well-drafted, well-thought-out policy that is supported by the Pennsylvania State Association of Boroughs.

So I just want to say I oppose the motion to table. This is a good policy; its day has come.

The SPEAKER. On the motion to table, the Chair recognizes the gentleman from Lackawanna County, Representative Wansacz.

Mr. WANSACZ. Thank you, Mr. Speaker.

I just rise to ask my colleagues to reject tabling. This is a bill that I have been working on for 9 years. I have reached across and worked on both sides of the aisle with this. I have reached out to the township supervisors and boroughs. I have reached out to DEP. So I have worked with a lot of people, and we have come to an agreement that this is the best language to go forward to protect adjacent municipalities. Thank you.

The SPEAKER. On the motion to table, those in favor of tabling HB 1768 will vote "aye"; those opposed to tabling HB 1768 will vote "nay."

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

The following roll call was recorded:

YEAS—93

Adolph	Farry	Maher	Rapp
Baker	Fleck	Major	Reed
Barrar	Gabig	Marshall	Reese
Bear	Gabler	Marsico	Reichley
Benninghoff	Geist	Mensch	Roae
Beyer	Gillespie	Metcalfe	Rock
Boback	Gingrich	Micozzie	Rohrer
Boyd	Godshall	Millard	Ross
Brooks	Grell	Miller	Saylor
Causar	Grove	Milne	Scavello
Christiana	Harhart	Moul	Schroder
Civera	Harper	Murt	Smith, S.
Clymer	Harris	O'Brien, D.	Sonney
Cox	Helm	O'Neill	Stern
Creighton	Hennessey	Oberlander	Stevenson
Cutler	Hess	Payne	Swanger
Dally	Hickernell	Peifer	Tallman
Day	Hutchinson	Perzel	Taylor, J.
Delozier	Kauffman	Petri	True
Denlinger	Keller, M.K.	Pickett	Turzai
DiGirolamo	Killion	Pyle	Vereb
Ellis	Knowles	Quigley	Vulakovich
Evans, J.	Krieger	Quinn	Watson
Everett			

NAYS—103

Barbin	Evans, D.	Longiotti	Samuelson
Belfanti	Fabrizio	Mahoney	Santarsiero
Bishop	Fairchild	Manderino	Santoni
Bradford	Frankel	Mann	Seip
Brennan	Freeman	Markosek	Shapiro
Briggs	Galloway	Matzie	Siptroth
Brown	George	McGeehan	Smith, K.
Burns	Gerber	McI. Smith	Smith, M.
Buxton	Gergely	Melio	Solobay
Caltagirone	Gibbons	Metzgar	Staback
Carroll	Goodman	Mirabito	Sturla
Casorio	Haluska	Mundy	Taylor, R.
Cohen	Hanna	Murphy	Thomas
Conklin	Harhai	Myers	Vitali
Costa, D.	Harkins	O'Brien, M.	Wagner
Costa, P.	Hornaman	Oliver	Walko
Cruz	Houghton	Pallone	Wansacz
Curry	Josephs	Pashinski	Waters

Daley	Keller, W.	Payton	Wheatley
Deasy	Kessler	Petrarca	White
DeLuca	Kirkland	Phillips	Williams
DePasquale	Kortz	Preston	Youngblood
Dermody	Kotik	Readshaw	Yudichak
DeWeese	Kula	Roebuck	
Donatucci	Lentz	Sabatina	McCall,
Drucker	Levdansky	Sainato	Speaker
Eachus			

NOT VOTING—0

EXCUSED—7

Boyle	Johnson	Mustio	Perry
Grucela	Miccarelli	Parker	

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. The Chair recognizes the gentleman from Cumberland County, Representative Gabig.

Mr. GABIG. Thank you, Mr. Speaker.

I want to thank the gentleman for the hard work that he delineated to the House earlier during the motion to table. He said he has been working on it for many years.

I note on our caucus sheet, though, that the DEP, the Pennsylvania Department of Environmental Protection, the County Commissioners Association, have not given their support to this. It is described as being neutral, that PennFuture, a statewide environmental group, the PA State Association of Township Supervisors, and the PA Municipal Authorities Association, which represent sewers and water authorities, et cetera, have been contacted and also have not lent their support to this particular piece of legislation as drafted. And I think it is not because they are Republicans, as we heard the majority leader say; it is because they still have some questions about the drafting of the legislation.

I agree with the maker's basic idea that he is trying to solve. I have a landfill in my district, in the western part of my district. Many of you from the western part of the State drive very nearby when you come on the turnpike. It is the Blue Mountain exit, and that is in Hopewell Township in Cumberland County. If all the trucks that come off that turnpike that go to the landfill, go through Hopewell Township, obviously, when they get off the turnpike, and then they drive through a little borough called Newburg. I think it has 200, 300 people who live there in Newburg. It is a great little town, a great little part of my district. Newburg gets pounded with all these trucks that go through there. It affects their infrastructure and roads, their side roads that they have to get in there, their State road, their sidewalks, all that stuff, storm water, rainwater, and all those things they need to comply with, but it might not be considered to be an adjacent municipality under the current definition as I heard discussed earlier. It might be; it might not be.

There are adjacent municipality townships that really are not impacted in a way. It is in the middle of Hopewell. There are two: There is Hopewell and North Newton border. They are in

it, but Newburg has been included in an agreement, an existing agreement, and I do not want that to be negatively impacted. I want sort of a grandfather clause to protect existing agreements that the impacted municipalities are okay with.

And another thing I would like to see is I have 81 – I am a crossroads between 81 and 76. I have a lot of truck traffic, but a lot of that traffic, I heard the one gentleman on my side of the aisle from the great northwest, Franklin, PA, he said, you know, it is going to cost too much money. Well, I have a lot of trucks come up from Maryland. They come up 81 and they go to that landfill, and so to me, I agree with the gentleman. I know what he is trying to do, but they go through municipalities in my district when they get off 81 that, again, are not adjacent, and they are getting pounded with these trucks all different times – going through in the middle of the night; waking neighbors up through these little towns in Newville, where my parents used to live; going down Main— I get so many complaints I cannot tell you about that, but they are several townships away. You have to get from 81 up to Newburg.

So I cannot support it because it is impacting an existing thing which we have worked on since I have been up here since 2001 to get them to agree to, and I do not want to jeopardize that. And then I want to include people that are impacted directly, whether they are necessarily adjacent, because some of the adjacent ones are not impacted, but if they are going through the truck route, that is where they are getting hammered, and that is what I would like to work on.

So my "no" vote is probably not going to be consequential because I am in the minority here, but it is not because I am a Republican. I agree with the gentleman. I just would like to continue working on drafting yet a better piece of legislation, and I wanted to put that on the record because it directly impacts my district. So I thank my colleagues in the House for that. Thanks.

The SPEAKER. The Chair thanks the gentleman and recognizes the gentleman from Schuylkill County, Representative Goodman.

Mr. GOODMAN. Thank you, Mr. Speaker.

Mr. Speaker, I rise today in support of HB 1768. I believe that this legislation will empower municipalities that are impacted by landfills being asked to be permitted in their legislative district, and that is the thrust of Representative Wansacz's bill.

But as many of the members know, I also share a large piece of this legislation with an amendment that I introduced. As most of you know, about 6 years ago I had a landfill proposed in my legislative district within 1400 feet of the Wolf Creek Reservoir. This reservoir is the chief supplier of residential drinking water to all of southern Schuylkill County. And when I first heard of this permit, I told the local officials that there should be no problem in convincing DEP not to permit this landfill. This battle went on for 6 years, multiple public hearings, and if it was not for the help of Congressman Holden, the late Senator Rhoades, a grassroots group called SC FORCE (Saint Clair Families Organized to Retain a Clean Environment), and the local officials, this landfill probably would have gone through, because many of the investors were deep-pocket individuals coming in from the State of New Jersey with no concern whatsoever for the water source that supplies my county.

What this legislation simply says, or at least my amendment, is that you cannot have a landfill within 1 mile of a municipal drinking water reservoir. The definition of a reservoir is "A natural or artificial basin, which contains or will contain the water or other fluid...impounded by a dam."

Now, there are many members of this chamber who are sitting back right now thinking, this legislation does not affect me. I live in an urban area. They will never put one of these things in the suburbs. Well, let me tell you, life is changing when it comes to municipal waste. Because of the ever-increasing cost of transportation, these companies are now looking to put these things as close as they can to the metropolitan areas, and you would be surprised how small of a footprint you need in order to qualify right now under DEP regulations to put in a landfill.

So to me, the question is, quite simply, how comfortable are you with putting a landfill within the drinking water that both you and your neighbors rely on? We in the Commonwealth have spent millions of dollars, we have made many adjustments to the Pennsylvania Safe Drinking Water Act to ensure that the residents of this great Commonwealth will not lose one of its great natural resources. To me, this bill comes down to a simple thing: How comfortable are you with having a landfill within the drinking water that your communities count on?

I urge the members to vote in favor of HB 1768. This has been a long and arduous process. It is not a perfect bill; I will be the first to admit that. But throughout the 6 years that I have fought for this, I have heard that the bill was too restrictive and that we need to loosen it up, and now I am being told today that the bill is a little too loose. There is no such thing as perfect legislation, but we made it as simple as we could. You cannot put a landfill within a mile of a residential drinking water resource. Trust me. This is legislation that all of you will someday come to count on.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question of final passage, the Chair recognizes the gentleman from Berks County, Representative Kessler.

Mr. KESSLER. Thank you, Mr. Speaker.

I have a landfill in my district, and it just so happens to be in the township beside the township that I live in. We have truck traffic go through our township to get to the landfill, and also, the leachate fallout pipe is in a stream that is located in our township.

About 20 years ago we formed an advisory council, and who sits on that advisory council are the owner of the landfill, the host municipality, as well as two people representing the township that I live in. In those 20 years a lot of good things have come out of that because of the communication between the host municipality as well as Oley Township, which borders that township.

So I would urge my colleagues to vote "yes" for this bill to give representation to townships that border townships that have landfills and have a say. 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—120

Barbin	Eachus	Mahoney	Santarsiero
Belfanti	Evans, D.	Major	Santoni
Beyer	Fabrizio	Manderino	Scavello
Bishop	Fairchild	Mann	Schroder
Boback	Frankel	Markosek	Seip
Bradford	Freeman	Marsico	Shapiro
Brennan	Gabler	Matzie	Siptroth
Briggs	Galloway	McGeehan	Smith, K.
Brooks	Geist	McI. Smith	Smith, M.
Brown	George	Melio	Solobay
Burns	Gerber	Metzgar	Staback
Buxton	Gergely	Micozzie	Stevenson
Caltagirone	Gibbons	Milne	Sturla
Carroll	Goodman	Mirabito	Taylor, J.
Casorio	Grove	Mundy	Taylor, R.
Cohen	Haluska	Murphy	Thomas
Conklin	Harkins	Myers	True
Costa, D.	Hennessey	O'Brien, M.	Vitali
Costa, P.	Hess	Oliver	Wagner
Cruz	Houghton	Pashinski	Walko
Curry	Josephs	Payton	Wansacz
Daley	Keller, W.	Peifer	Waters
Dally	Kessler	Perzel	Wheatley
Day	Kirkland	Phillips	White
Deasy	Knowles	Preston	Williams
DeLuca	Kortz	Readshaw	Youngblood
DePasquale	Kotik	Roebuck	Yudichak
Dermody	Kula	Sabatina	
DeWeese	Lentz	Sainato	McCall,
Donatucci	Levdansky	Samuelson	Speaker
Drucker	Longiatti		

## NAYS—76

Adolph	Farry	Krieger	Quinn
Baker	Fleck	Maher	Rapp
Barrar	Gabig	Marshall	Reed
Bear	Gillespie	Mensch	Reese
Benninghoff	Gingrich	Metcalfe	Reichley
Boyd	Godshall	Millard	Roae
Causar	Grell	Miller	Rock
Christiana	Hanna	Moul	Rohrer
Civera	Harhai	Murt	Ross
Clymer	Harhart	O'Brien, D.	Saylor
Cox	Harper	O'Neill	Smith, S.
Creighton	Harris	Oberlander	Sonney
Cutler	Helm	Pallone	Stern
Delozier	Hickernell	Payne	Swanger
Denlinger	Hornaman	Petrarca	Tallman
DiGirolamo	Hutchinson	Petri	Turzai
Ellis	Kauffman	Pickett	Vereb
Evans, J.	Keller, M.K.	Pyle	Vulakovich
Everett	Killion	Quigley	Watson

## NOT VOTING—0

## EXCUSED—7

Boyle	Johnson	Mustio	Perry
Grucela	Miccarelli	Parker	

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.

## CONSIDERATION OF HB 692 CONTINUED

## DECISION OF CHAIR RESCINDED

The SPEAKER. Without objection, the Chair rescinds its decision that HB 692 was agreed to on second consideration.

On the question recurring,

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

Mr. **DRUCKER** offered the following amendment No. **A03780**:

Amend Bill, page 1, line 4, by striking out "and"

Amend Bill, page 1, line 7, by inserting after "Bridge"

; and designating the Gay Street Bridge on State Route 113, which crosses French Creek in the Borough of Phoenixville, Chester County, as the Veterans Memorial Gay Street Bridge

Amend Bill, page 2, by inserting between lines 18 and 19

Section 4. Veterans Memorial Gay Street Bridge.

(a) Designation.—The Gay Street Bridge, which crosses French Creek on State Route 113 in Phoenixville Borough, Chester County, is hereby designated as the Veterans Memorial Gay Street Bridge.

(b) Signs.—The Department of Transportation shall erect and maintain appropriate signs to indicate the designation under subsection (a) in both directions.

Amend Bill, page 2, line 19, by striking out "4" and inserting

5

On the question,

Will the House agree to the amendment?

The following roll call was recorded:

## YEAS—196

Adolph	Evans, J.	Longiatti	Reichley
Baker	Everett	Maher	Roae
Barbin	Fabrizio	Mahoney	Rock
Barrar	Fairchild	Major	Roebuck
Bear	Farry	Manderino	Rohrer
Belfanti	Fleck	Mann	Ross
Benninghoff	Frankel	Markosek	Sabatina
Beyer	Freeman	Marshall	Sainato
Bishop	Gabig	Marsico	Samuelson
Boback	Gabler	Matzie	Santarsiero
Boyd	Galloway	McGeehan	Santoni
Bradford	Geist	McI. Smith	Saylor
Brennan	George	Melio	Scavello
Briggs	Gerber	Mensch	Schroder
Brooks	Gergely	Metcalfe	Seip
Brown	Gibbons	Metzgar	Shapiro
Burns	Gillespie	Micozzie	Siptroth
Buxton	Gingrich	Millard	Smith, K.
Caltagirone	Godshall	Miller	Smith, M.
Carroll	Goodman	Milne	Smith, S.
Casorio	Grell	Mirabito	Solobay
Causar	Grove	Moul	Sonney
Christiana	Haluska	Mundy	Staback
Civera	Hanna	Murphy	Stern
Clymer	Harhai	Murt	Stevenson
Cohen	Harhart	Myers	Sturla
Conklin	Harkins	O'Brien, D.	Swanger
Costa, D.	Harper	O'Brien, M.	Tallman
Costa, P.	Harris	O'Neill	Taylor, J.
Cox	Helm	Oberlander	Taylor, R.
Creighton	Hennessey	Oliver	Thomas

Cruz	Hess	Pallone	True
Curry	Hickernell	Pashinski	Turzai
Cutler	Hornaman	Payne	Vereb
Daley	Houghton	Payton	Vitali
Dally	Hutchinson	Peifer	Vulakovich
Day	Josephs	Perzel	Wagner
Deasy	Kauffman	Petrarca	Walko
Delozier	Keller, M.K.	Petri	Wansacz
DeLuca	Keller, W.	Phillips	Waters
Denlinger	Kessler	Pickett	Watson
DePasquale	Killion	Preston	Wheatley
Dermody	Kirkland	Pyle	White
DeWeese	Knowles	Quigley	Williams
DiGirolamo	Kortz	Quinn	Youngblood
Donatucci	Kotik	Rapp	Yudichak
Drucker	Krieger	Readshaw	
Eachus	Kula	Reed	McCall,
Ellis	Lentz	Reese	Speaker
Evans, D.	Levdansky		

NAYS—0

NOT VOTING—0

EXCUSED—7

Boyle	Johnson	Mustio	Perry
Grucela	Miccarelli	Parker	

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

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

(Bill as amended will be reprinted.)

**BILLS REMOVED FROM TABLE**

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

- HB 1508;
- HB 1524;
- HB 1787;
- HB 1800; and
- HB 1897.

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

**BILLS RECOMMITTED**

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

- HB 1508;
- HB 1524;
- HB 1787;

HB 1800; and  
HB 1897.

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

**VOTE CORRECTION**

The SPEAKER. The Chair recognizes the gentleman from Berks County, Representative Kessler, for the purpose of correcting the record.

Mr. KESSLER. Thank you, Mr. Speaker.

On HB 1847 I was a "yes" vote. I would like that to be a "no" vote, please.

The SPEAKER. The gentleman's remarks will be spread upon the record.

Mr. KESSLER. Thank you.

The SPEAKER. There will be no further votes.

The House will be in nonvoting session tomorrow; nonvoting session tomorrow.

Are there any further announcements?

**RECESS**

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

**AFTER RECESS**

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

**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 1828, PN 2638**.

**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 1828, PN 2638**

An Act amending the act of December 18, 1984 (P.L.1005, No.205), known as the Municipal Pension Plan Funding Standard and Recovery Act, amending the title of the act; in preliminary provisions, further providing for definitions; in preliminary provisions, providing for methodology; in municipal pension plan actuarial reporting, further providing for contents of actuarial valuation report and providing for actuarial asset valuation and for revised actuarial valuation report; in minimum funding standard for municipal pension plans, further

providing for minimum funding standard and defined benefit plans self-insured in whole or in part; in revisions applicable to municipal pension fund financing, further providing for revision of financing from State revenue sources and General Municipal Pension System State Aid Program; in financially distressed municipal pension plan determination procedure, further providing for initiation of distress determination, for pension plans to be included in determination and for determination procedure; in financially distressed municipal pension system recovery program, further providing for application, for election determination procedures, for recovery program level I, for recovery program level II, for recovery program level III, for remedies, for supplemental State assistance program and fund and for regulations; providing for standards for municipal pension systems; in alternative funding mechanisms, making an editorial change, further providing for alternative funding mechanism and providing for cities of the first class and for special taxing authority; providing for deferred retirement option plans; and making a related repeal.

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

### **BILLS AND RESOLUTIONS PASSED OVER**

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

### **RECESS**

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