

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

WEDNESDAY, JUNE 6, 2012

SESSION OF 2012

196TH OF THE GENERAL ASSEMBLY

No. 37

HOUSE OF REPRESENTATIVES

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

THE SPEAKER PRO TEMPORE (MATTHEW E. BAKER) PRESIDING

PRAYER

The SPEAKER pro tempore. The prayer will be offered by Rev. Brenda Ritterpusch, Advent Lutheran Church of York.

REV. BRENDA M. RITTERPUSCH, Guest Chaplain of the House of Representatives, offered the following prayer:

Let us pray:

Holy and loving Lord, You are the giver of every good gift, and we thank You for the gift of our Commonwealth of Pennsylvania. With a sense of wonder and awe, we abidingly appreciate our varied and beautiful landscapes, our wealth of history and contributions, our abundance of resources, and the diversity of our people, faiths, and cultures.

We humbly ask Your joy and blessings to rest upon each and every citizen of this State. Fill all people with an ever-present sense of the dignity and worth with which You have created them. Endow them with both the desire and the opportunities to make a positive difference for the greater good. Give them passion to act with good will and good motives as well as with an appropriate sense of responsibility and accountability as they exercise the gift and responsibility of their citizenship. Help our citizens to see themselves as active partners with their elected leaders in the exercise of this government.

As we remember this anniversary day of the D-day invasion, we give thanks for the courage and sacrifice of soldiers and veterans everywhere. Bring healing and wholeness to their lives and to the lives of their families. Use this day to inspire all of us to give our last full measure of devotion in the ways in which we serve in this world and rededicate us to the cause of peace.

We give You thanks, God, for each and every elected Representative here and for his or her staff. Bless them all richly in the office and responsibilities that You have entrusted to them. Surround them and uplift them constantly with Your wisdom which exceeds all, and we ask this especially as these House members must consider many hard issues that have no easy answers. Guide their deliberations as they wrestle with multilayered, multidimensional problems that often involve competing demands and multisystem cooperations.

Give these Representatives joy in their service, encouragement in their disappointments, and peace in the midst of their enormous pressures. Inspire them to be the very best that they can be and lovingly shape their leadership and character so that they will strive to seek the truth, be honest and fair and respectful in their interactions, display courage and kindness in making important stands and decisions, and find the needed consideration and perspectives that differ from their own. Help them to fulfill their office graciously and generously as they seek to serve You by serving the people of Pennsylvania. Thank You for the sacrifices they do make on our behalf and cause us to give them due honor and appreciation for their life's work.

Nurture, protect, and bless our State, its leaders, and its citizens so that we thrive and value the interdependence we all share. And in being so blessed, we ask that we might be a source of great blessing and joy to our neighbors, to our nation, and to the world. Amen.

PLEDGE OF ALLEGIANCE

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

JOURNAL APPROVAL POSTPONED

The SPEAKER pro tempore. Without objection, the approval of the Journal of Tuesday, June 5, 2012, will be postponed until printed.

BILLS REPORTED FROM COMMITTEES, CONSIDERED FIRST TIME, AND RECOMMITTED TO COMMITTEE ON RULES

HB 273, PN 3668 (Amended) By Rep. HENNESSEY

An Act authorizing public school districts to implement senior local tax reduction incentive volunteer exchange programs.

AGING AND OLDER ADULT SERVICES.

HB 528, PN 3669 (Amended) By Rep. HENNESSEY

An Act requiring certain long-term care facilities to coordinate with licensing agencies and local area agencies on aging to provide assistance to consumers in circumstances involving relocation of consumers; and providing for powers and duties of the Department of Aging.

AGING AND OLDER ADULT SERVICES.

HB 1570, PN 3671 (Amended) By Rep. BAKER

An Act amending the act of July 19, 1979 (P.L.130, No.48), known as the Health Care Facilities Act, in licensing of health care facilities, further providing for definitions and for licensure, providing for medical staff requirements for hospital licensure, further providing for term and content of license and for reliance on accrediting agencies and Federal Government; and providing for reliance on national accreditation organizations for hospitals.

HEALTH.

HB 1991, PN 3672 (Amended) By Rep. BAKER

An Act amending the act of July 10, 1986 (P.L.1398, No.122), known as the Energy Conservation and Assistance Act, further providing for legislative findings and for definitions; providing for verification of eligibility, for fraud reporting to Inspector General and for conflict of interest policy; further providing for weatherization and energy conservation; providing for performance audits by the Auditor General; and making editorial changes.

HEALTH.

HB 2196, PN 3101 By Rep. HENNESSEY

An Act amending the act of November 6, 1987 (P.L.381, No.79), known as the Older Adults Protective Services Act, further defining "facility"; defining "chronic dementia" and "cognitive impairment"; and providing for certain disclosures to facility residents.

AGING AND OLDER ADULT SERVICES.

HB 2407, PN 3670 (Amended) By Rep. HENNESSEY

An Act amending the act of November 6, 1987 (P.L.381, No.79), known as the Older Adults Protective Services Act, in criminal history for employees, further providing for information relating to prospective facility personnel.

AGING AND OLDER ADULT SERVICES.

HB 2421, PN 3622 By Rep. HESS

An Act amending Title 15 (Corporations and Unincorporated Associations) of the Pennsylvania Consolidated Statutes, in officers, directors and members, further providing for manner of giving notice.

COMMERCE.

BILLS REPORTED FROM COMMITTEES, CONSIDERED FIRST TIME, AND TABLED

SB 449, PN 2248 (Amended) By Rep. HARPER

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for child abuse recognition and reporting training.

CHILDREN AND YOUTH.

SB 1386, PN 2247 (Amended) By Rep. HUTCHINSON

An Act amending the act of January 8, 1960 (1959 P.L.2119, No.787), known as the Air Pollution Control Act, further providing for the Department of Environmental Protection; and repealing control of volatile organic compounds from gasoline-dispensing facilities.

ENVIRONMENTAL RESOURCES AND ENERGY.

SB 1398, PN 2163 By Rep. HUTCHINSON

An Act amending the act of July 6, 1989 (P.L.169, No.32), known as the Storage Tank and Spill Prevention Act, further providing for Underground Storage Tank Environmental Cleanup Program and for Underground Storage Tank Pollution Prevention Program.

ENVIRONMENTAL RESOURCES AND ENERGY.

BILL REPORTED AND REREFERRED TO COMMITTEE ON VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS

HB 2411, PN 3613 By Rep. HUTCHINSON

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.

Reported from Committee on ENVIRONMENTAL RESOURCES AND ENERGY with request that it be rereferred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS.

The SPEAKER pro tempore. Without objection, the bill will be so rereferred.

LEAVES OF ABSENCE

The SPEAKER pro tempore. Are there requests for leaves of absence?

The Chair recognizes the minority leader, who requests a leave of absence for Representative Dwight EVANS from Philadelphia County. Without objection, the leave of absence will be so granted.

The Chair recognizes the majority whip, who requests leaves of absence for the gentleman, Mr. STEVENSON, from Mercer County for the day, and Representative PETRI from Bucks County for the day. Without objection, the leaves will be so granted.

MASTER ROLL CALL

The SPEAKER pro tempore. The Chair is about to take the master roll call. Members will proceed to vote.

The following roll call was recorded:

PRESENT—197

Adolph	Dunbar	Kirkland	Quigley
Aument	Ellis	Knowles	Quinn
Baker	Emrick	Kortz	Rapp
Barbin	Evankovich	Kotik	Ravenstahl
Barrar	Evans, J.	Krieger	Readshaw
Bear	Everett	Kula	Reed
Benninghoff	Fabrizio	Lawrence	Reese
Bishop	Farry	Longietti	Roae
Bloom	Fleck	Mackenzie	Rock
Boback	Frankel	Maher	Roebuck
Boyd	Freeman	Mahoney	Ross
Boyle, B.	Gabler	Major	Sabatina
Boyle, K.	Galloway	Maloney	Saccone
Bradford	Geist	Mann	Sainato

Brennan	George	Markosek	Samuelson
Briggs	Gerber	Marshall	Santarsiero
Brooks	Gergely	Marsico	Santoni
Brown, R.	Gibbons	Masser	Saylor
Brown, V.	Gillen	Matzie	Scavello
Brownlee	Gillespie	McGeehan	Schmotzer
Burns	Gingrich	Metcalfe	Simmons
Buxton	Godshall	Metzgar	Smith, K.
Caltagirone	Goodman	Miccarelli	Smith, M.
Carroll	Grell	Micozzie	Sonney
Causar	Grove	Millard	Staback
Christiana	Hackett	Miller	Stephens
Clymer	Hahn	Milne	Stern
Cohen	Haluska	Mirabito	Sturla
Conklin	Hanna	Moul	Swanger
Costa, D.	Harhai	Mullery	Tallman
Costa, P.	Harhart	Mundy	Taylor
Cox	Harkins	Murphy	Thomas
Cruz	Harper	Murt	Tobash
Culver	Harris	Mustio	Toepel
Curry	Heffley	Myers	Toohil
Cutler	Helm	Neilson	Truitt
Daley	Hennessey	Neuman	Turzai
Davidson	Hess	O'Brien, M.	Verb
Davis	Hickernell	O'Neill	Vitali
Day	Hornaman	Oberlander	Vulakovich
Dean	Hutchinson	Parker	Waters
Deasy	James	Pashinski	Watson
DeLissio	Josephs	Payne	Wheatley
DeLozier	Kampf	Payton	White
DeLuca	Kauffman	Peifer	Williams
Denlinger	Kavulich	Perry	Youngblood
DePasquale	Keller, F.	Petrarca	
Dermody	Keller, M.K.	Pickett	Smith, S.,
DiGirolamo	Keller, W.	Preston	Speaker
Donatucci	Killion	Pyle	

ADDITIONS—0

NOT VOTING—0

EXCUSED—4

Creighton	Evans, D.	Petri	Stevenson
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LEAVES ADDED—5

Hanna	Krieger	Truitt	Wheatley
Harper			

LEAVES CANCELED—2

Petri	Wheatley
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The SPEAKER pro tempore. One hundred and ninety-seven members having voted on the master roll, a quorum is present.

For what purpose does the gentledady, Ms. Rapp, rise?

Ms. RAPP. Thank you, Mr. Speaker.

I just have an inquiry of the Speaker. I am not sure, Mr. Speaker, if it is a parliamentary inquiry.

The SPEAKER pro tempore. Will the gentledady please defer. If you are referring to the handouts, we are trying to ascertain the nature and source of that handout.

Ms. RAPP. Thank you, Mr. Speaker. That is exactly my inquiry. I would like to know who was the distributor of the information.

The SPEAKER pro tempore. So would we. We thank the gentledady.

Ms. RAPP. Thank you, Mr. Speaker.
The SPEAKER pro tempore. Thank you.

GUESTS INTRODUCED

The SPEAKER pro tempore. Located to the left of the rostrum, the Chair welcomes three fifth grade students who are winners of the "One Vote Can Make a Difference" poster contest. They are Ciera Zacek from Representative Fred Keller's district, Karrie Bower from Representative Lynda Culver's district, and Melissa Nyuyen from Representative Kurt Masser's district. Their winning posters are on display in the main rotunda. Please rise and be recognized.

Located to the left of the rostrum, the Chair welcomes Herb Jones, acting director of governmental relations for Canadian Pacific Railway's northeast U.S. operations. He is the guest of Representative Sandy Major. Please rise and be recognized.

Also located to the left of the rostrum, the Chair welcomes Kyle Troyer, who is here today to shadow Representative Perry. His father, Kacey, is seated with him. Please rise and be recognized.

Also located to the left of the rostrum, the Chair welcomes Julia Consentino. She is a student at the University of Bologna, Italy, studying art history. She is the guest of Representative Metcalfe. Please rise and be recognized.

Located up in the gallery, the Chair welcomes students from the Monroe Career and Technical Institute. They are celebrating their first-place victory at the International Lodging Management Program competition. They are the guests of Representative Scavello. Please rise and be recognized.

Located in the well of the House, the Chair welcomes guest page Lisa Kong. She will be a sophomore at Manheim Township High School in the fall. She is the guest of Representative Bear. Please rise and be recognized.

Located in the well of the House, the Chair welcomes guest pages Nick Gemmel and Alex Marsico, the nephew of Representative Ron Marsico, who are guests of Representative Marsico. Please rise and be recognized.

UNCONTESTED CALENDAR

RESOLUTION PURSUANT TO RULE 35

Mrs. BROOKS called up **HR 747, PN 3629**, entitled:

A Resolution recognizing the Pennsylvania Association of Agricultural Educators for its significant accomplishment during the 2011-2012 legislative session and celebrating the association's 65th anniversary.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—197

Adolph	Dunbar	Kirkland	Quigley
Aument	Ellis	Knowles	Quinn
Baker	Emrick	Kortz	Rapp
Barbin	Evankovich	Kotik	Ravenstahl
Barrar	Evans, J.	Krieger	Readshaw

Bear	Everett	Kula	Reed
Benninghoff	Fabrizio	Lawrence	Reese
Bishop	Farry	Longietti	Roae
Bloom	Fleck	Mackenzie	Rock
Boback	Frankel	Maher	Roebuck
Boyd	Freeman	Mahoney	Ross
Boyle, B.	Gabler	Major	Sabatina
Boyle, K.	Galloway	Maloney	Saccone
Bradford	Geist	Mann	Sainato
Brennan	George	Markosek	Samuelson
Briggs	Gerber	Marshall	Santarsiero
Brooks	Gergely	Marsico	Santoni
Brown, R.	Gibbons	Masser	Saylor
Brown, V.	Gillen	Matzie	Scavello
Brownlee	Gillespie	McGeehan	Schmotzer
Burns	Gingrich	Metcalfe	Simmons
Buxton	Godshall	Metzgar	Smith, K.
Caltagirone	Goodman	Miccarelli	Smith, M.
Carroll	Grell	Micozzie	Sonney
Causar	Grove	Millard	Staback
Christiana	Hackett	Miller	Stephens
Clymer	Hahn	Milne	Stern
Cohen	Haluska	Mirabito	Sturla
Conklin	Hanna	Moul	Swanger
Costa, D.	Harhai	Mullery	Tallman
Costa, P.	Harhart	Mundy	Taylor
Cox	Harkins	Murphy	Thomas
Cruz	Harper	Murt	Tobash
Culver	Harris	Mustio	Toepel
Curry	Heffley	Myers	Toohil
Cutler	Helm	Neilson	Truitt
Daley	Hennessey	Neuman	Turzai
Davidson	Hess	O'Brien, M.	Vereb
Davis	Hickernell	O'Neill	Vitali
Day	Hornaman	Oberlander	Vulakovich
Dean	Hutchinson	Parker	Waters
Deasy	James	Pashinski	Watson
DeLissio	Josephs	Payne	Wheatley
DeLozier	Kampf	Payton	White
DeLuca	Kauffman	Peifer	Williams
Denlinger	Kavulich	Perry	Youngblood
DePasquale	Keller, F.	Petrarca	
Dermody	Keller, M.K.	Pickett	Smith, S.,
DiGirolamo	Keller, W.	Preston	Speaker
Donatucci	Killion	Pyle	

NAYS-0

NOT VOTING-0

EXCUSED-4

Creighton	Evans, D.	Petri	Stevenson
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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

Ms. BOBACK called up **HR 756, PN 3667**, entitled:

A Resolution designating June 15, 2012, as "Elder Abuse Awareness Day" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-197

Adolph	Dunbar	Kirkland	Quigley
Aument	Ellis	Knowles	Quinn
Baker	Emrick	Kortz	Rapp
Barbin	Evankovich	Kotik	Ravenstahl
Barrar	Evans, J.	Krieger	Readshaw
Bear	Everett	Kula	Reed
Benninghoff	Fabrizio	Lawrence	Reese
Bishop	Farry	Longietti	Roae
Bloom	Fleck	Mackenzie	Rock
Boback	Frankel	Maher	Roebuck
Boyd	Freeman	Mahoney	Ross
Boyle, B.	Gabler	Major	Sabatina
Boyle, K.	Galloway	Maloney	Saccone
Bradford	Geist	Mann	Sainato
Brennan	George	Markosek	Samuelson
Briggs	Gerber	Marshall	Santarsiero
Brooks	Gergely	Marsico	Santoni
Brown, R.	Gibbons	Masser	Saylor
Brown, V.	Gillen	Matzie	Scavello
Brownlee	Gillespie	McGeehan	Schmotzer
Burns	Gingrich	Metcalfe	Simmons
Buxton	Godshall	Metzgar	Smith, K.
Caltagirone	Goodman	Miccarelli	Smith, M.
Carroll	Grell	Micozzie	Sonney
Causar	Grove	Millard	Staback
Christiana	Hackett	Miller	Stephens
Clymer	Hahn	Milne	Stern
Cohen	Haluska	Mirabito	Sturla
Conklin	Hanna	Moul	Swanger
Costa, D.	Harhai	Mullery	Tallman
Costa, P.	Harhart	Mundy	Taylor
Cox	Harkins	Murphy	Thomas
Cruz	Harper	Murt	Tobash
Culver	Harris	Mustio	Toepel
Curry	Heffley	Myers	Toohil
Cutler	Helm	Neilson	Truitt
Daley	Hennessey	Neuman	Turzai
Davidson	Hess	O'Brien, M.	Vereb
Davis	Hickernell	O'Neill	Vitali
Day	Hornaman	Oberlander	Vulakovich
Dean	Hutchinson	Parker	Waters
Deasy	James	Pashinski	Watson
DeLissio	Josephs	Payne	Wheatley
DeLozier	Kampf	Payton	White
DeLuca	Kauffman	Peifer	Williams
Denlinger	Kavulich	Perry	Youngblood
DePasquale	Keller, F.	Petrarca	
Dermody	Keller, M.K.	Pickett	Smith, S.,
DiGirolamo	Keller, W.	Preston	Speaker
Donatucci	Killion	Pyle	

NAYS-0

NOT VOTING-0

EXCUSED-4

Creighton	Evans, D.	Petri	Stevenson
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The majority having voted in the affirmative, the question was determined in the affirmative and the resolution was adopted.

RULES AND APPROPRIATIONS COMMITTEE MEETINGS

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Adolph, for an announcement.

Mr. ADOLPH. Thank you, Mr. Speaker.

Mr. Speaker, I would like to announce a Rules Committee meeting in the Republican Appropriations conference room. That is immediately. And then following that meeting will be a House Appropriations Committee meeting in the House majority caucus room. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

There will be an immediate Rules Committee meeting in the Appropriations conference room and following that an Appropriations Committee meeting in the majority caucus room.

VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS COMMITTEE MEETING

The SPEAKER pro tempore. Mr. Barrar, do you have an announcement?

Mr. BARRAR. Yes, I do, Mr. Speaker.

The SPEAKER pro tempore. You are so recognized.

Mr. BARRAR. Mr. Speaker, I wanted to announce an immediate meeting of the House Veterans Affairs and Emergency Preparedness Committee in room B-31, the Main Capitol.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

There will be an immediate meeting of the Veterans Affairs and Emergency Preparedness Committee in room B-31 of the Main Capitol.

REPUBLICAN CAUCUS

The SPEAKER pro tempore. The Chair recognizes the gentelady, Ms. Major, for a caucus announcement.

Ms. MAJOR. Thank you, Mr. Speaker.

I would like to announce that Republicans will caucus today at 12:30. I would ask our Republican members to please report to our caucus room at 12:30. We would be prepared to come back on the floor at 2.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the lady.

DEMOCRATIC CAUCUS

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Frankel, for an announcement.

Mr. FRANKEL. Thank you, Mr. Speaker.

Democrats will caucus at 12:30; Democrats will caucus at 12:30. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

RECESS

The SPEAKER pro tempore. This House now stands in recess until 2 o'clock, unless sooner recalled by the Speaker.

RECESS EXTENDED

The time of recess was extended until 2:30 p.m.; further extended until 3 p.m.; further extended until 3:15 p.m.

AFTER RECESS

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

THE SPEAKER (SAMUEL H. SMITH) PRESIDING

BILLS REREPORTED FROM COMMITTEE

HB 645, PN 3663

By Rep. ADOLPH

An Act amending Titles 42 (Judiciary and Judicial Procedure) and 61 (Prisons and Parole) of the Pennsylvania Consolidated Statutes, further providing for sentences for second and subsequent offenses, for prerelease plan for inmates and for general criteria for parole.

APPROPRIATIONS.

HB 2135, PN 3603

By Rep. ADOLPH

An Act providing for licensure of vendors, for requirements for sale of portable electronics insurance, for authority of vendors of portable electronics, for termination of portable electronics insurance, for licensing, for renewal of license, for injunctions and for appeals.

APPROPRIATIONS.

HB 2366, PN 3531

By Rep. ADOLPH

An Act amending Title 3 (Agriculture) of the Pennsylvania Consolidated Statutes, adding the definitions of "certified parking meter inspector" and "local government unit"; and providing for certified parking meter inspectors and for general testing and inspections.

APPROPRIATIONS.

HB 2371, PN 3664

By Rep. ADOLPH

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for width of vehicles.

APPROPRIATIONS.

HB 2372, PN 3665

By Rep. ADOLPH

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for width of vehicles.

APPROPRIATIONS.

HB 2373, PN 3534

By Rep. ADOLPH

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

APPROPRIATIONS.

HB 2374, PN 3579

By Rep. ADOLPH

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in general provisions, further providing for definitions; in registration of vehicles, further providing for vehicles exempt from registration; in fees, further providing for farm vehicles; and, in inspection of vehicles, further providing for requirement for periodic inspection of vehicles and for operation of vehicle without official certificate of inspection.

APPROPRIATIONS.

HB 2375, PN 3666

By Rep. ADOLPH

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for vehicles exempt from registration and for persons exempt from licensing.

APPROPRIATIONS.

SB 388, PN 1388

By Rep. ADOLPH

An Act amending the act of May 1, 1933 (P.L.216, No.76), known as The Dental Law, adding definitions; and providing for professional liability insurance.

APPROPRIATIONS.

SB 1049, PN 1717

By Rep. ADOLPH

An Act amending Title 30 (Fish) of the Pennsylvania Consolidated Statutes, in fishing licenses, further providing for form and expiration of licenses; providing for license and permit packaging options; and further providing for expiration of licenses and permits.

APPROPRIATIONS.

SB 1351, PN 2140

By Rep. ADOLPH

An Act amending the act of June 29, 1953 (P.L.304, No.66), known as the Vital Statistics Law of 1953, further providing for death and fetal death registration information for certificates, for coroner referrals and for pronouncement of death by a professional nurse.

APPROPRIATIONS.

SB 1406, PN 1934

By Rep. ADOLPH

An Act amending Title 24 (Education) of the Pennsylvania Consolidated Statutes, in private colleges, universities and seminaries, further providing for certification of institutions.

APPROPRIATIONS.

**BILL ON CONCURRENCE
REREPORTED FROM COMMITTEE**

SB 1310, PN 2234

By Rep. TURZAI

An Act amending the act of December 5, 1936 (2nd Sp.Sess., 1937 P.L.2897, No.1), known as the Unemployment Compensation Law,

further providing for definitions, for determination of contribution rate and experience rating and for contributions by employees; providing for additional contribution for debt service; further providing for trigger determination, for trigger rate redeterminations, for reports by employers and assessments, for contributions to be liens and entry and enforcement thereof, for collection of contributions and interest and injunctions, for dishonored checks, for qualifications required to secure compensation, for rate and amount of compensation and for Unemployment Compensation Fund; providing for Debt Service Fund and for Reemployment Fund; further providing for State Treasurer as custodian and for recovery and recoupment of compensation; providing for unemployment compensation bonds and for unemployment compensation amnesty program; and making a related repeal.

RULES.

**BILL REPORTED FROM COMMITTEE,
CONSIDERED FIRST TIME, AND
RECOMMITTED TO COMMITTEE ON RULES**

HB 2411, PN 3613

By Rep. BARRAR

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.

VETERANS AFFAIRS AND EMERGENCY
PREPAREDNESS.

**HOUSE BILLS
INTRODUCED AND REFERRED**

No. 2434 By Representatives GERBER and GODSHALL

An Act amending Title 64 (Public Authorities and Quasi-Public Corporations) of the Pennsylvania Consolidated Statutes, providing for Pennsylvania Venture Capital Fund and imposing duties on the Treasury Department.

Referred to Committee on FINANCE, June 6, 2012.

No. 2439 By Representatives PERRY, AUMENT, CARROLL, CUTLER, DEASY, EVANKOVICH, EVERETT, GEORGE, GINGRICH, GODSHALL, GOODMAN, JAMES, KILLION, MARSHALL, MILLARD, MOUL, MURPHY, MURT, PARKER, READSHAW, ROCK, SAYLOR, SCAVELLO, STEVENSON, SWANGER, TALLMAN, VULAKOVICH, WATERS and RAPP

An Act providing for matriculating veteran students to receive a course scheduling preference at public institutions of higher education.

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, June 6, 2012.

No. 2440 By Representatives BARBIN, FABRIZIO, GIBBONS and PRESTON

An Act amending Title 61 (Prisons and Parole) of the Pennsylvania Consolidated Statutes, further providing for parole power.

Referred to Committee on JUDICIARY, June 6, 2012.

No. 2441 By Representatives BROWNLEE, THOMAS, M. O'BRIEN, PAYTON, SWANGER, YOUNGBLOOD, PRESTON, JOSEPHS, PARKER, WATERS, MYERS, BARBIN, V. BROWN, HORNAMAN and JAMES

An Act amending Titles 18 (Crimes and Offenses), 42 (Judiciary and Judicial Procedure) and 61 (Prisons and Parole) of the Pennsylvania Consolidated Statutes, in burglary and other criminal intrusion, further providing for the offense of burglary; in Pennsylvania Commission on Sentencing, further providing for powers and duties and for publication of guidelines; in sentencing, further providing for sentences for second and subsequent offenses, for sentencing generally and for sentence of county intermediate punishment; providing for court-imposed sanctions for offenders violating probation; further providing for county intermediate punishment programs; in visitation, further providing for general provisions; in inmate prerelease plans, providing for time eligibility for prerelease; in motivational boot camp, further providing for definitions and for selection of inmate participants; in State intermediate punishment, further providing for definitions and for referral to State intermediate punishment program; in recidivism risk reduction incentive, further providing for definitions; establishing the Safe Community Reentry Program; and providing for the powers and duties of the Pennsylvania Board of Probation and Parole and the Department of Corrections.

Referred to Committee on JUDICIARY, June 6, 2012.

No. 2442 By Representatives ROAE, TALLMAN, LAWRENCE and MOUL

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in State System of Higher Education, further providing for power and duties of institution presidents.

Referred to Committee on STATE GOVERNMENT, June 6, 2012.

No. 2443 By Representatives ROAE, LAWRENCE and MOUL

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in State System of Higher Education, prohibiting free or reduced tuition for family members of employees.

Referred to Committee on STATE GOVERNMENT, June 6, 2012.

No. 2444 By Representatives ROAE, LAWRENCE, TRUITT and MOUL

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in State System of Higher Education, further providing for project contracts.

Referred to Committee on STATE GOVERNMENT, June 6, 2012.

No. 2445 By Representatives ROAE, TALLMAN, LAWRENCE, KAUFFMAN and MOUL

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in State System of Higher Education, further providing for chancellor and for powers and duties of the Board of Governors.

Referred to Committee on LABOR AND INDUSTRY, June 6, 2012.

No. 2446 By Representatives ROAE, KAUFFMAN and MOUL

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in State System of Higher Education, prohibiting paid sabbaticals.

Referred to Committee on STATE GOVERNMENT, June 6, 2012.

No. 2447 By Representatives ROAE, KAUFFMAN and MOUL

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in State System of Higher Education, further providing for chancellor and for powers and duties of the Board of Governors.

Referred to Committee on LABOR AND INDUSTRY, June 6, 2012.

No. 2449 By Representatives ROAE, TALLMAN, LAWRENCE, TRUITT, KAUFFMAN and MOUL

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in State System of Higher Education, further providing for chancellor and for powers and duties of the Board of Governors.

Referred to Committee on LABOR AND INDUSTRY, June 6, 2012.

No. 2450 By Representatives ROAE and MOUL

An Act providing for payment to certain students at State system universities; establishing the Responsible Students First Grant Fund; providing for the powers and duties of the Department of Education and the Secretary of Education; establishing the Job-ready Major Evaluation Advisory Committee; and providing for the powers and duties of the committee.

Referred to Committee on EDUCATION, June 6, 2012.

SENATE BILLS FOR CONCURRENCE

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

SB 1321, PN 2237

Referred to Committee on URBAN AFFAIRS, June 6, 2012.

SB 1464, PN 2238

Referred to Committee on INSURANCE, June 6, 2012.

LEAVE OF ABSENCE

The SPEAKER. The Speaker returns to leaves of absence and recognizes the majority whip, who requests a leave of absence for the gentleman, Mr. KRIEGER, from Westmoreland County for the day. Without objection, the leave will be granted.

CALENDAR

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of SB 1478, PN 2244, entitled:

An Act making appropriations from the Workmen's Compensation Administration Fund to the Department of Labor and Industry and the Department of Community and Economic Development to provide for the expenses of administering the Workers' Compensation Act, The Pennsylvania Occupational Disease Act and the Office of Small Business Advocate for the fiscal year July 1, 2012, to June 30, 2013, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2012.

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 2167, PN 3236, entitled:

An Act amending the act of January 19, 1968 (1967 P.L.992, No.442), entitled, as amended, "An act authorizing the Commonwealth of Pennsylvania and the local government units thereof to preserve, acquire or hold land for open space uses," further providing for local taxing options.

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

Mrs. TOEPEL offered the following amendment No. A11073:

Amend Bill, page 2, line 17, by inserting after "costs"

[.]

Amend Bill, page 2, line 21, by striking out the period after "plan" and inserting

In no event, however, shall any revenue in a particular year be used to improve and develop the property acquired unless the annual debt service or acquisition fees will be satisfied. The acquisition fees shall be paid in their entirety at the time of acquisition.

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

The SPEAKER. On that question, the Speaker recognizes the lady from Montgomery County, Mrs. Toepel.

Mrs. TOEPEL. Thank you, Mr. Speaker.

This amendment requires that a local government unit, if they choose to use an annual revenue from the local tax option to improve and develop acquired open-space property, that it may only do so if the annual debt service or acquisition fees are satisfied.

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

The following roll call was recorded:

YEAS—196

Table with 4 columns of names: Adolph, Baker, Barbin, Barrar, Bear, Benninghoff, Bishop, Bloom, Bockack, Boyd, Boyle, B., Boyle, K., Bradford, Brennan, Briggs, Brooks, Brown, R., Brown, V., Brownlee, Burns, Buxton, Caltagirone, Carroll, Causer, Christiana, Clymer, Cohen, Conklin, Costa, D., Costa, P., Cox, Cruz, Culver, Curry, Cutler, Daley, Davidson, Davis, Day, Dean, Deasy, DeLissio, Delozier, DeLuca, Denlinger, DePasquale, Dermody, DiGirolamo, Donatucci, Dunbar, Ellis, Emrick, Evankovich, Evans, J., Everett, Fabrizio, Farry, Fleck, Frankel, Freeman, Gabler, Galloway, Geist, George, Gerber, Gergely, Gibbons, Gillen, Gillespie, Gingrich, Godshall, Goodman, Grell, Grove, Hackett, Hahn, Haluska, Hanna, Harhai, Harhart, Harkins, Harper, Harris, Heffley, Helm, Hennessey, Hess, Hickernell, Hornaman, Hutchinson, James, Josephs, Kampf, Kauffman, Kavulich, Keller, F., Keller, M.K., Keller, W., Killion, Kirkland, Knowles, Kortz, Kotik, Kula, Lawrence, Longietti, Mackenzie, Maher, Mahoney, Major, Maloney, Mann, Markosek, Marshall, Marsico, Masser, Matzie, McGeehan, Metcalfe, Metzgar, Miccarelli, Micozzie, Millard, Miller, Milne, Mirabito, Moul, Mullery, Mundy, Murphy, Murt, Mustio, Myers, Neilson, Neuman, O'Brien, M., O'Neill, Oberlander, Parker, Pashinski, Payne, Payton, Peifer, Perry, Petrarca, Pickett, Preston, Pyle, Quigley, Quinn, Rapp, Ravenstahl, Readshaw, Reed, Reese, Roae, Rock, Rockbuck, Ross, Sabatina, Saccone, Sainato, Samuelson, Santarsiero, Santoni, Saylor, Scavello, Schmotzer, Simmons, Smith, K., Smith, M., Sonney, Staback, Stephens, Stern, Sturla, Swanger, Tallman, Taylor, Thomas, Tobash, Toepel, Toohil, Truitt, Turzai, Vereb, Vitali, Vulakovich, Waters, Watson, Wheatley, White, Williams, Youngblood, Smith, S., Speaker

NAYS—0

NOT VOTING—0

EXCUSED—5

Table with 4 columns of names: Creighton, Evans, D., Krieger, Petri, Stevenson

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

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

Bill as amended was agreed to.

(Bill as amended will be reprinted.)

* * *

The House proceeded to second consideration of **SB 1433, PN 2212**, entitled:

An Act providing for the Homeowner Assistance Settlement Act; establishing a fund for the purpose of funding the Homeowner's Emergency Mortgage Assistance Program; and providing for the effect of noncompliance with the notice requirements of the homeowner's emergency mortgage assistance program and for allocations from the fund.

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

Mr. **ROSS** offered the following amendment No. **A10981**:

Amend Bill, page 3, line 26, by inserting after "ACTION"
, impose a stay on any action

Amend Bill, page 4, lines 2 and 3, by striking out "ENTRY OF FINAL JUDGMENT IN AN ACTION IN " in line 2 and "FORECLOSURE OR" in line 3

Amend Bill, page 4, line 3, by inserting after "A"
sheriff's or marshal's deed in the foreclosure action or delivery of a

Amend Bill, page 4, line 22, by striking out "RETROACTIVE"
and inserting
retroactively

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

The **SPEAKER**. On that question, the Speaker recognizes the gentleman from Chester County, Mr. Ross.

Mr. **ROSS**. Thank you, Mr. Speaker.

This amendment is an important amendment because it corrects a problem that was created through a court case that literally clouds title for all the transactions that have happened as a result of a foreclosure. All the properties that have been properly sold through a foreclosure are now being challenged because of a discussion about the amount of notice and the type of notice that was held. So this amendment will clarify the fact those transactions should still stand and clear up the issue of what correct notice should be to adequately protect those that are going through foreclosure but also create a level of certainty in the process.

The amendment is supported by the realtors, the Land Title Association, the bankers, Pennsylvania Housing and Finance Agency, and is a critical element that needs to be added to this legislation. I urge a positive vote.

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

The following roll call was recorded:

YEAS—196

Adolph	Dunbar	Kirkland	Quigley
Aument	Ellis	Knowles	Quinn
Baker	Emrick	Kortz	Rapp
Barbin	Evankovich	Kotik	Ravenstahl
Barrar	Evans, J.	Kula	Readshaw
Bear	Everett	Lawrence	Reed
Benninghoff	Fabrizio	Longietti	Reese
Bishop	Farry	Mackenzie	Roae
Bloom	Fleck	Maher	Rock
Boback	Frankel	Mahoney	Roebuck
Boyd	Freeman	Major	Ross
Boyle, B.	Gabler	Maloney	Sabatina
Boyle, K.	Galloway	Mann	Saccone
Bradford	Geist	Markosek	Sainato
Brennan	George	Marshall	Samuelson
Briggs	Gerber	Marsico	Santarsiero
Brooks	Gergely	Masser	Santoni
Brown, R.	Gibbons	Matzie	Saylor
Brown, V.	Gillen	McGeehan	Scavello
Brownlee	Gillespie	Metcalfe	Schmotzer
Burns	Gingrich	Metzgar	Simmons
Buxton	Godshall	Miccarelli	Smith, K.
Caltagirone	Goodman	Micozzie	Smith, M.
Carroll	Grell	Millard	Sonney
Causar	Grove	Miller	Staback
Christiana	Hackett	Milne	Stephens
Clymer	Hahn	Mirabito	Stern
Cohen	Haluska	Moul	Sturla
Conklin	Hanna	Mullery	Swanger
Costa, D.	Harhai	Mundy	Tallman
Costa, P.	Harhart	Murphy	Taylor
Cox	Harkins	Murt	Thomas
Cruz	Harper	Mustio	Tobash
Culver	Harris	Myers	Toepel
Curry	Heffley	Neilson	Toohil
Cutler	Helm	Neuman	Truitt
Daley	Hennessey	O'Brien, M.	Turzai
Davidson	Hess	O'Neill	Vereb
Davis	Hickernell	Oberlander	Vitali
Day	Hornaman	Parker	Vulakovich
Dean	Hutchinson	Pashinski	Waters
Deasy	James	Payne	Watson
DeLissio	Josephs	Payton	Wheatley
Delozier	Kampf	Peifer	White
DeLuca	Kauffman	Perry	Williams
Denlinger	Kavulich	Petrarca	Youngblood
DePasquale	Keller, F.	Pickett	
Dermody	Keller, M.K.	Preston	Smith, S.,
DiGirolamo	Keller, W.	Pyle	Speaker
Donatucci	Killion		

NAYS—0

NOT VOTING—0

EXCUSED—5

Creighton	Krieger	Petri	Stevenson
Evans, D.			

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

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

Bill as amended was agreed to.

(Bill as amended will be reprinted.)

* * *

The House proceeded to second consideration of **HB 1820, PN 2879**, entitled:

An Act amending the act of January 17, 1968 (P.L.11, No.5), known as The Minimum Wage Act of 1968, further providing for minimum wages and for exemptions.

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

Mr. **W. KELLER** offered the following amendment No. **A10502**:

Amend Bill, page 5, line 4, by inserting after "when"

:

(i)

Amend Bill, page 5, line 10, by inserting after "**REASSIGNMENT**"

: or

(ii) the required hours of work, wages and overtime compensation have been agreed to either in a collective bargaining agreement between the employer and labor organization representing employes for purposes of collective bargaining or pursuant to a voluntary agreement or understanding arrived at between the employer and employe

Amend Bill, page 5, line 13, by striking out "IMMEDIATELY." and inserting as follows:

(1) The addition of section 5(b)(8) of the act shall take effect in 90 days.

(2) The remainder of this act shall take effect immediately.

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

The **SPEAKER**. On that question, the Speaker recognizes the gentleman from Philadelphia, Mr. Keller.

Mr. **W. KELLER**. Thank you, Mr. Speaker.

This is an agreed-to amendment. We got together with the affiliated unions – the Communications Workers of America, Aerospace and Machinists, and the airlines involved, Delta and USAir – and we worked on tweaking the language, and this amendment is a product of it. I believe this is agreed to, and we should all be for it.

Thank you, Mr. Speaker.

LEAVE OF ABSENCE CANCELED

The **SPEAKER**. The Speaker returns to leaves of absence and recognizes the presence on the floor of the gentleman from Bucks County, Mr. Petri. His name will be added back to the master roll call.

CONSIDERATION OF HB 1820 CONTINUED

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

The following roll call was recorded:

YEAS—197

Adolph	Dunbar	Kirkland	Quigley
Aument	Ellis	Knowles	Quinn
Baker	Emrick	Kortz	Rapp
Barbin	Evankovich	Kotik	Ravenstahl
Barrar	Evans, J.	Kula	Readshaw
Bear	Everett	Lawrence	Reed
Benninghoff	Fabrizio	Longietti	Reese
Bishop	Farry	Mackenzie	Roae
Bloom	Fleck	Maher	Rock
Boback	Frankel	Mahoney	Roebuck
Boyd	Freeman	Major	Ross
Boyle, B.	Gabler	Maloney	Sabatina
Boyle, K.	Galloway	Mann	Saccone
Bradford	Geist	Markosek	Sainato
Brennan	George	Marshall	Samuelson
Briggs	Gerber	Marsico	Santarsiero
Brooks	Gergely	Masser	Santoni
Brown, R.	Gibbons	Matzie	Saylor
Brown, V.	Gillen	McGeehan	Scavello
Brownlee	Gillespie	Metcalfe	Schmotzer
Burns	Gingrich	Metzgar	Simmons
Buxton	Godshall	Miccarelli	Smith, K.
Caltagirone	Goodman	Micozzie	Smith, M.
Carroll	Grell	Millard	Sonney
Causer	Grove	Miller	Staback
Christiana	Hackett	Milne	Stephens
Clymer	Hahn	Mirabito	Stern
Cohen	Haluska	Moul	Sturla
Conklin	Hanna	Mullery	Swanger
Costa, D.	Harhai	Mundy	Tallman
Costa, P.	Harhart	Murphy	Taylor
Cox	Harkins	Murt	Thomas
Cruz	Harper	Mustio	Tobash
Culver	Harris	Myers	Toepel
Curry	Heffley	Neilson	Toohil
Cutler	Helm	Neuman	Truitt
Daley	Hennessey	O'Brien, M.	Turzai
Davidson	Hess	O'Neill	Vereb
Davis	Hickernell	Oberlander	Vitali
Day	Hornaman	Parker	Vulakovich
Dean	Hutchinson	Pashinski	Waters
Deasy	James	Payne	Watson
DeLissio	Josephs	Payton	Wheatley
Delozier	Kampf	Peifer	White
DeLuca	Kauffman	Perry	Williams
Denlinger	Kavulich	Petrarca	Youngblood
DePasquale	Keller, F.	Petri	
Dermody	Keller, M.K.	Pickett	Smith, S.,
DiGirolamo	Keller, W.	Preston	Speaker
Donatucci	Killion	Pyle	

NAYS—0

NOT VOTING—0

EXCUSED—4

Creighton	Evans, D.	Krieger	Stevenson
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The majority having voted in the affirmative, the question was determined in the affirmative and the amendment was agreed to.

On the question,

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

The SPEAKER. It is the understanding of the Speaker that the other three amendments that had been filed have been withdrawn.

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.)

SUPPLEMENTAL CALENDAR B

BILL ON CONCURRENCE IN SENATE AMENDMENTS TO HOUSE AMENDMENTS

The House proceeded to consideration of concurrence in Senate amendments to House amendments to **SB 1310, PN 2234**, entitled:

An Act amending the act of December 5, 1936 (2nd Sp.Sess., 1937 P.L.2897, No.1), known as the Unemployment Compensation Law, further providing for definitions, for determination of contribution rate and experience rating and for contributions by employees; providing for additional contribution for debt service; further providing for trigger determination, for trigger rate redeterminations, for reports by employers and assessments, for contributions to be liens and entry and enforcement thereof, for collection of contributions and interest and injunctions, for dishonored checks, for qualifications required to secure compensation, for rate and amount of compensation and for Unemployment Compensation Fund; providing for Debt Service Fund and for Reemployment Fund; further providing for State Treasurer as custodian and for recovery and recoupment of compensation; providing for unemployment compensation bonds and for unemployment compensation amnesty program; and making a related repeal.

On the question,

Will the House concur in Senate amendments to House amendments?

The SPEAKER. Moved by the gentleman, Mr. Turzai, that the House concur in the amendments.

The Speaker recognizes the gentleman, Mr. Turzai, for a description of the Senate amendments.

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

Unemployment benefits have outpaced taxes collected since 2008. In order to meet obligations, Pennsylvania has borrowed and continues to borrow from the Federal government. As of May 2012, we are \$3.8 billion in debt with respect to our Unemployment Compensation Fund. As a result of the debt, employers are currently paying two additional taxes.

An interest factor. Employers are now assessed an interest factor tax to pay for the interest that accrues on the outstanding Federal debt. This factor is included in each employer's total

State unemployment compensation rate. The interest charged by the Federal government is a variable rate with the maximum rate capped at 10 percent. Interest factor also varies depending on the amount of interest owed to the Federal government. Interest payments began in 2011 with a Federal interest rate of 4.1 percent. In 2012 the Federal interest rate is 2.9 percent.

There is also a FUTA, F-U-T-A (Federal Unemployment Tax Act), Federal unemployment tax credit reduction. All employers are losing part of their FUTA credit, resulting in additional FUTA taxes. This tax will continue to increase by .3 percent each year until the debt is repaid. Accordingly, in 2011 the FUTA tax increased an additional .3 percent, in 2012 it will increase an additional .6 percent, and in 2013 it will increase an additional .9 percent and so on until the debt is fully repaid.

Over the next 7 years, employers will pay an additional \$4.125 billion in FUTA taxes and interest. None of this revenue remains in Pennsylvania, but rather flows directly to Washington, DC. Additionally, because this is a per-employee tax, the more employees an employer hires, the more taxes the employer will pay, which is a disincentive to hiring employees.

Even without the burden of this debt, the Pennsylvania Unemployment Compensation Fund is structurally insolvent and the amount of unemployment benefits paid exceeds the amount of taxes collected. This is a serious problem that must be fixed now, and it is done under the current version that was amended by the Senate and sent over here to the House.

It does essentially these items: It refinances the outstanding debt. It allows us to go to a lower rate, which in fact will help employers who then do not have to pay as much on interest and can get a better credit.

There are employer tax changes. The taxable wage base will increase from \$8,000 to \$10,000 over 6 years, and the cap on the State adjustment factor will decrease from 1.5 to .75 over 6 years. This is a revenue-neutral realignment of how taxes are calculated. It adjusts the solvency triggers to 250 percent, and the interest factor will be capped at 1.1 percent and rededicated to payment of the bonds.

Employee tax changes. The employee tax rate varies as a percentage and is only assessed when the UC (Unemployment Compensation) Trust Fund faces solvency issues; adjusts solvency triggers to 250 percent.

There are significant benefit changes, but they are fair and they are designed to make sure that we keep people attached to the workforce.

The significant reform is in the eligibility changes.

Base-year wage requirement. It requires at least 49 1/2 percent of base-year wages to be outside the high quarter, up from an average of 37 percent. And increasing the base-year wage requirement does not disproportionately affect any one industry. Less than 10 percent of unemployed claimants will be impacted and 90 percent will be completely unaffected. The savings will result in almost \$300 million annually a year. And we eliminate third step-downs, and we make changes to covered employment.

There are long-term solvency changes.

There are employment programs. Five percent of the employee tax will be used for employment programs—

The SPEAKER. Will the gentleman suspend for a minute.

POINT OF ORDER

The SPEAKER. For what purpose does the gentleman, Mr. Waters, rise?

Mr. WATERS. Thank you, Mr. Speaker.

Mr. Speaker, this legislation that is being discussed on the floor right now is very important, in my opinion, and I would just ask if we could have, just give some— I would like to have some order so I can hear what is being said.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

Will the members kindly take their seats. I apologize; it was pretty loud.

Mr. TURZAI. Thank you to my good friend—

The SPEAKER. The gentleman, just let me get them calmed down here yet.

Will the members break up the conversations along the aisles and take them to the rear of the House, if necessary. Kindly take your seats.

Will the members please clear the aisles and take the conversations to the rear, if necessary. Will members kindly hold the conversations down and clear the aisles.

Mr. TURZAI. I want to thank the good gentleman from Philadelphia County.

The bill on Senate amendments also provides for employment programs – 5 percent of the employee tax used for employment programs to assist affected claimants. It will be going into important job-training programs.

There are fraud provisions. There is an amnesty program. And in addition, there is an increase in the statute of limitations for fault overpayments.

And there are good government reforms as well – refiling of liens, and assessments by regular mail or by electronic means.

The summary of the financial impact is this. From 2013 to 2019, claimants and employers will see the following impact: Total additional payments by employer and total savings on eligibility and benefit changes will be to the tune of \$2.4 billion.

I applaud the Secretary of Labor and Industry, who has spent considerable time in moving into a very, very detailed area that must be addressed. This solvency proposal is designed to eliminate our debt to the Federal government, to incent employers to hire employees, to root out waste and fraud, and to make sure that we have job-training programs with respect to our unemployed so that they can get back to a private-sector job.

This is a comprehensive package. It has been worked on by many individuals. And once again I would like to thank the Secretary of Labor and Industry for her fine work in this very, very detailed piece of legislation.

Thank you, Mr. Speaker.

The SPEAKER. The question is, will the House concur in the amendments inserted by the Senate to the House amendments?

On that question, the Speaker recognizes the gentleman from Philadelphia County, Mr. Cohen.

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, the best thing that could be said about this proposal is it could have been worse. I commend Mr. Keller on the Democratic side, Mr. Turzai on the Republican side, and

members of both sides for looking at the proposal by the Department of Labor and Industry and recognizing it had faults and seeking to make it a better proposal.

But while this proposal could have been worse and while members on both sides deserve credit for seeing that it is not worse, it also could have been better. The fact is that over the long haul, Pennsylvania's unemployment compensation has consistently slipped.

Today we are told we are in a major crisis because Pennsylvania's unemployment benefits are the ninth highest in the country. Thirty years ago we were told that we were in a major unemployment crisis because our benefits were the second highest in the country. We are told that too many people are eligible for unemployment compensation, even though the number of people on unemployment compensation in Pennsylvania has steadily fallen. We have cut eligibility for unemployment compensation in 1983, we cut it again in 1989, we cut it again in 2010, and now we are cutting it again.

Now, the unemployment compensation crisis is \$3.9 billion in debt now. It has been worse. Thirty years ago the debt was \$3 billion at a time in which \$3 billion was roughly equivalent to \$10 or \$11 billion in today's money. It has not, the problem has not been solved because the taxes have simply not kept up with the wages. The benefits are based on the wages. The taxes are only based on the wages to a limited degree.

I would submit that we would have had fiscal problems in Pennsylvania far greater than we do today if the State income tax was only based on the first \$8,000 of wages. And if we were trying to balance the State budget with income taxes, and the State income tax was only based on \$8,000 of wages and somebody said, let us raise it up to \$10,000 of wages, we would still have a major problem.

That is in part what this bill does, the wage base, which has long been, for over 30 years now, at \$8,000 while wages have skyrocketed. About 30 years ago the average wage was about \$20,000 and now the average family income is about \$50,000. You know, as income has gone up and the benefits based on income have gone up, the wage base has stayed stationary. This bill takes only a small step forward of raising it from \$8,000 to \$10,000. Even that very modest increase in what the wage base is, is phased in over a number of years.

This bill reduces the number of people who are eligible for unemployment compensation by about 48,000. If it were not for the efforts of Mr. Keller and Mr. Turzai, it would be over 62,000. Over 62,000 people would have been ineligible. So the eligibility of 14,000 people has, in a sense, been saved, but we still have an additional 48,000 people ineligible. We have people, we have the maximum unemployment compensation benefit frozen until 2019, so gradually, until 2019, the percentage of salary that is covered by unemployment compensation benefits will go down. Gradually the number of people covered as a result of a series of very complex technical changes the bill makes, gradually the percentage of people covered will go down.

This bill wisely sets up a bond system to borrow money. That is a very positive and constructive innovation, but I think that the positive and constructive parts of this bill are outweighed by the negative parts of this bill.

I commend the people who worked to make this proposal better, but I do not think the job is as good as it should have been in an ideal— We need a system of unemployment

compensation that meets the needs of the unemployed. Without unemployment compensation, more emphasis is placed on the welfare system. The taxpayers as a whole pay for the welfare system. The business community disproportionately pays for the unemployment compensation system. Taking burdens away from the business community puts it on the taxpayers as a whole as well as cutting the amount of benefits that unemployed people get and the amounts of their needs that unemployed people will be able to meet.

My vote on this legislation will be a "no" vote.

The SPEAKER. The question is, will the House concur in the amendments inserted by the Senate to House amendments?

On that question, the Speaker recognizes the gentleman from Lehigh County, Mr. Mackenzie.

Mr. MACKENZIE. Thank you, Mr. Speaker.

I rise today to support SB 1310. The Senate bill that is under consideration now is going to address a three-pronged problem that our Unemployment Compensation Trust Fund faces.

Right now the trust fund is in debt to the tune of \$3.8 billion. We all know that. Also, there is structural insolvency in the fund. In spite of the fact that employers will be paying \$300 million in additional taxes next year, the fund will still go further in debt. That problem needs to be addressed, and this bill does that.

The last thing is that this bill also addresses the jobs crisis that is created by our unemployment compensation debt. Let me read for you just a short excerpt from a Times-Tribune story. It is about a staffing firm based in Kingston: "After 17 years of helping put people into jobs, husband and wife Norm and Angela Gavlick are now looking for jobs themselves." The reason cited by the owner is because unemployment compensation taxes were too high. They had to close their business. They lost the jobs for themselves and six other employees because they could not keep pace with increases in unemployment compensation taxes. This problem is a jobs problem, and it needs to be addressed.

Throughout the process we have met with stakeholders across the aisle. Chairmen Gordner and Tartaglione in the Senate, Chairmen Keller and Miller here in the House, have all helped address this problem. We have also met with leaders from the business community, the labor community, and also community leaders. All of them came to the table with a sincere appreciation for the problem that we faced and they wanted to fix the problem.

The solutions have been discussed. We will refinance the existing debt at a lower rate in the private sector. We will increase the taxable wage base, which was something that was asked for by my colleagues across the aisle, and we support it. We will also reform the benefits and bring them in line with the revenues that are brought in by the current system. We will also put in place much-needed fraud provisions, solvency provisions, by increasing the trigger mechanisms that will increase the surplus in the fund in the good times so that we do not go into debt in the bad times.

Lastly, we will also implement job-training measures for those individuals affected by this proposal. It is a small group of individuals, but we have put in place much-needed protections for them so that they will not suffer undue hardships. At the end of the day, this is a bipartisan solution to a critical jobs crisis here in Pennsylvania.

I would like to also thank the Secretary of Labor and Industry for her incredible work that she has done throughout this process. Without her leadership, we would not have gotten to a conclusion that is going to be brought about today. Again, if you want to support Pennsylvania jobs and Pennsylvania workers, you need to pass SB 1310.

Thank you, Mr. Speaker.

The SPEAKER. The question is, will the House concur in the amendments inserted by the Senate to the House amendments?

On that question, the Speaker recognizes the gentleman from Philadelphia County, Mr. Keller.

Mr. W. KELLER. Thank you, Mr. Speaker.

A wise man once said – and I forget who it was; I think it was Senator John Yudichak; I am not sure – that the way you get legislation passed is to practice the art of the possible. This bill, this concurrence vote, is the art of the possible.

We have two big problems in Pennsylvania: We owe the Federal government \$3.9 billion – it has to be paid by October 10 – and we have a trust fund that is insolvent. We have to make sure it is solvent so we are not on a continuous wheel of borrowing, and we have to make the trust fund available for the people who unfortunately become unemployed.

I believe we have practiced the art of the possible, and I ask for a "yes" vote on concurrence. Thank you, Mr. Speaker.

The SPEAKER. The question is, will the House concur in the amendments inserted by the Senate to House amendments?

On that question, the Speaker recognizes the gentleman from Clinton County, Mr. Hanna.

Mr. HANNA. Thank you, Mr. Speaker.

Mr. Speaker, Governor Corbett and the Republican leaders proclaim that SB 1310 will bring solvency to the Unemployment Compensation Trust Fund. In fact, this measure amounts to nothing more than a bailout for big business on the backs of Pennsylvania's underemployed and unemployed workers while they are struggling to feed their families during the worst recession of our lifetime.

Over the last decade or more, Federal and State law allowed employers to underpay, and now they want Pennsylvania workers to not only pay their bills but erase their debt as well. SB 1310 is nothing more than an opportunistic punishment of workers and an opportunity to refinance employers' accumulated debt.

Mr. Speaker, in 1984 the employer contribution rate was roughly 45 percent of the statewide annual wage. Today that number is less than 19 percent. Had the taxable wage base maintained 45 percent of the State annual wages, there would be no long-term borrowing and there would be no debt. The taxable wage base would be more than \$20,000 rather than the paltry \$8,000 that it is today or the pathetically low \$10,000 proposed in SB 1310.

Mr. Speaker, this bill does not significantly change the taxable wage base enough to ensure fairness in UC solvency. It merely bails out employers and punishes Pennsylvania workers.

Pennsylvania has the lowest taxable wage base of any northern industrial or high-tech State and the lowest among all our surrounding States. Employers are thriving in neighboring States with a higher taxable wage base. Not even Chris Christie's New Jersey has a rate as pitifully low as ours.

An increase to the taxable wage base is needed to bring fairness to the UC solvency. Pennsylvania is one of only three States where workers make a contribution to the UC Trust Fund on every single penny they earn. Pennsylvania workers do not have the luxury of an artificial cap on their contributions like Pennsylvania employers.

Today we will hear a lot about interest payments. The system has intentionally been underfunded and, due to the Federal law, has been interest-free until January of this year. This means employers will be losing partial tax credits, but not for workers. There are no tax credits and there are no deductions. To put it simply, SB 1310 is unfair.

This legislation only has a significant negative impact on claimants and workers. It would not fairly increase taxes or other requirements for employers. That is not fair.

It cuts the \$331 million in benefits and eligibility every year for Pennsylvania's unemployed workers. That is not fair.

It will drop more than 48,000 unemployed workers annually from being able to receive UC benefits. That is not fair. Let me repeat that: It will drop more than 48,000 unemployed workers annually from being able to receive UC benefits. That is not fair.

Under SB 1310, Pennsylvania's unemployed and underemployed are the ones making real contributions to help ensure UC solvency. That is not fair.

It cuts taxes for employers who pay into the fund by \$22 million and preserves employer tax credits all on the backs of Pennsylvania workers. Mr. Speaker, that simply is not fair. We must find a fair and reasonable solution that does not disproportionately impact claimants and underemployed workers.

Mr. Speaker, from the very moment the first dollar was borrowed to keep the UC Fund solvent, everyone knew the terms and conditions of the loan. Everyone knew. But now that the payments are due, Governor Corbett wants to change the terms and skew the conditions. They want to change the deal so that the people borrowing can bypass their commitments and saddle their debt on workers, workers who are supposed to be the beneficiaries of this valuable financial safeguard. We must hold them accountable to their commitments.

Mr. Speaker, SB 1310 is bad for this economy. It cuts \$331 million in benefits and eligibility. That is money taken out of our local economy every year, year after year. That money is money unemployed workers use to pay for rent, electricity bills, medicine, car payments, bus fare, and shoes for their children. The removal of this revenue from Pennsylvania's economy will force small businesses to lay off employees. These layoffs will increase the number of claimants and skew the projected 5.1-percent unemployment that is anticipated in this bill, perpetuating the problem and inhibiting economic growth.

Mr. Speaker, this legislation unfairly targets seasonal workers who lost their jobs due to no fault of their own. Many of these high-skilled, high-wage workers who are deeply attached to the workforce will be victimized simply by the seasonal nature of their work. Under this language, such a worker could be removed from the UC system for one single high-earning quarter. We should not penalize successful seasonal employment, yet SB 1310 seeks to toss seasonal workers into the cold and deny them access to unemployment compensation, even though they paid into the system like everyone else.

Unfortunately, Governor Corbett and his Republican allies are more concerned with protecting their friends than the plight of the Pennsylvania workers. They are asking us to make our most vulnerable bail out our most comfortable. We should be making our most comfortable and well-off meet their longstanding and long-accumulated obligation to the Commonwealth and its citizens.

Show Pennsylvania's underemployed and unemployed workers that you are committed to providing them a fair chance to pursue the American dream. Vote "no" on SB 1310.

Thank you, Mr. Speaker.

THE SPEAKER PRO TEMPORE (MATTHEW E. BAKER) PRESIDING

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the minority leader, Mr. Dermody.

Mr. DERMODY. Mr. Speaker, thank you.

Mr. Speaker, we all know we have a problem with our Unemployment Compensation Fund and we have to make some steps to cure that problem, and I was hoping we could use it and change it and fix it with a shared sacrifice, that everybody who has some skin in the game, everybody has to participate – employers and employees. Mr. Speaker, this bill does not do that.

There is no sacrifice from the employers here while employees are having their benefits slashed. Forty-eight thousand Pennsylvania workers will no longer be eligible for unemployment compensation. Mr. Speaker, this bill is a giveaway to the largest employers at the expense of workers. It is taking money out of their pockets, money out of the pockets of the unemployed, to solve a problem they did not create. These are unemployed Pennsylvanians who are unemployed through no fault of their own, who use what unemployment compensation they have not to save the money but to pay their bills – to pay the electric bill, their mortgage, buy food, take care of their families.

Mr. Speaker, solving this problem on the backs of unemployed workers is plain wrong, and I urge all the members to vote "no" on 1310. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Miller.

Mr. MILLER. Thank you, Mr. Speaker.

My colleague, the Democratic chairman of the House Labor and Industry Committee, phrased this well. This work in progress that we have gone through over the past year is the art of the possible. It is the art of what we can get done. The chairs, the four chairs of the Labor Committee, with the guidance and help of the Secretary of Labor and Industry, Secretary Hearthway, have worked hard to get this to this point. I believe it is the best thing that we can do to help Pennsylvania workers.

This is a jobs bill. We help employers; we help workers. We need to get people back to work in this economy, and anything we can do to spur that, we need to do now.

Mr. Speaker, I ask for a "yes" vote on SB 1310.

The SPEAKER pro tempore. The Chair thanks the gentleman.

LEAVE OF ABSENCE

The SPEAKER pro tempore. The Chair recognizes the minority leader, Mr. Dermody, who requests a leave of absence for the gentleman, Mr. WHEATLEY, from Allegheny County. Without objection, the leave will be so granted.

CONSIDERATION OF SB 1310 CONTINUED

On the question recurring,

Will the House concur in Senate amendments to House amendments?

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

The following roll call was recorded:

YEAS—129

Table listing names of members who voted 'YEAS' (129 total). Includes names like Adolph, Aument, Baker, Barrar, Bear, Benninghoff, Bishop, Bloom, Boback, Boyd, Boyle, B., Boyle, K., Brooks, Brown, R., Brownlee, Carroll, Causer, Christiana, Clymer, Cox, Cruz, Culver, Cutler, Day, DeLissio, Delozier, Denlinger, DiGirolamo, Donatucci, Dunbar, Ellis, Emrick, Evankovich, Evans, J., Everett, Farry, Fleck, Gabler, Galloway, Geist, Gillen, Gillespie, Gingrich, Godshall, Grell, Grove, Hackett, Hahn, Harhart, Harper, Harris, Heffley, Helm, Hennessey, Hess, Hickernell, Hutchinson, Kampf, Kauffman, Keller, F., Keller, M.K., Keller, W., Killion, Knowles, Lawrence, Mackenzie, Maher, Major, Maloney, Mann, Marshall, Marsico, Masser, McGeehan, Metcalfe, Metzgar, Miccarelli, Micozzie, Millard, Miller, Milne, Moul, Murphy, Murt, Mustio, Myers, Neilson, O'Brien, M., O'Neill, Oberlander, Payne, Peifer, Perry, Petri, Pickett, Pyle, Quigley, Quinn, Rapp, Reed, Reese, Roae, Rock, Roebuck, Ross, Sabatina, Saccone, Saylor, Scavello, Simmons, Smith, K., Sonney, Stephens, Stern, Swanger, Tallman, Taylor, Tobash, Toepel, Toohil, Truitt, Turzai, Vereb, Vulakovich, Waters, Watson, Williams, Youngblood, Smith, S., Speaker.

NAYS—67

Table listing names of members who voted 'NAYS' (67 total). Includes names like Barbin, Bradford, Brennan, Briggs, Brown, V., Burns, Buxton, Caltagirone, Cohen, Conklin, Costa, D., Costa, P., Curry, Daley, Davidson, Davis, Dean, Deasy, DeLuca, DePasquale, Dermody, Fabrizio, Frankel, Freeman, George, Gerber, Gergely, Gibbons, Goodman, Haluska, Hanna, Harhai, Harkins, Hornaman, James, Josephs, Kavulich, Kirkland, Kortz, Kotik, Kula, Longiotti, Mahoney, Markosek, Matzie, Mirabito, Mullery, Mundy, Neuman, Parker, Payton, Petrarca, Preston, Ravenstahl, Readshaw, Sainato, Samuelson, Santarsiero, Santoni, Schmotzer, Smith, M., Staback, Sturla, Thomas, Vitali, White.

NOT VOTING—0

EXCUSED—5

Creighton Evans, D. Krieger Stevenson Wheatley

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments to House amendments were concurred in. Ordered, That the clerk inform the Senate accordingly.

STATEMENT BY MR. DALEY

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Daley, from Washington County on unanimous consent. Mr. Daley.

Mr. DALEY. Thank you, Mr. Speaker.

I want to take a moment to point out that the minority whip, Michael Hanna, is back after a minor surgery. It is good to see him back. I know he always fights to lose a little bit of weight. He looks like he lost a few pounds since he had that surgery, and I am just happy to see him back on the floor of the House, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and wishes our good friend, Mr. Hanna, the very best.

CALENDAR CONTINUED

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of HB 1803, PN 2310, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for specific powers of department and local authorities.

On the question,

Will the House agree to the bill on second consideration?

Mr. GEIST offered the following amendment No. A10784:

Amend Bill, page 1, line 2, by inserting after "Statutes," further providing for automated red light enforcement systems in first class cities; and

Amend Bill, page 1, lines 6 and 7, by striking out all of said lines and inserting

Section 1. Section 3116(e)(3), (f), (i)(3), (l) and (q) of Title 75 of the Pennsylvania Consolidated Statutes, amended December 22, 2011 (P.L.596, No.129), are amended to read:

§ 3116. Automated red light enforcement systems in first class cities.

(e) Limitations.—

(3) Notwithstanding any other provision of law, information prepared under this section and information relating to violations under this section which is kept by the city of the first class, its authorized agents or its employees, including recorded images, written records, reports or facsimiles, names, addresses and the number of violations under this section, shall be for the exclusive use of the city, its authorized agents, its

employees and law enforcement officials for the purpose of discharging their duties under this section and under any ordinances and resolutions of the city. The information shall not be deemed a public record under the act of [June 21, 1957 (P.L.390, No.212), referred to] February 14, 2008 (P.L.6, No.3), known as the Right-to-Know Law. The information shall not be discoverable by court order or otherwise, nor shall it be offered in evidence in any action or proceeding which is not directly related to a violation of this section or any ordinance or resolution of the city. The restrictions set forth in this paragraph shall not be deemed to preclude a court of competent jurisdiction from issuing an order directing that the information be provided to law enforcement officials if the information is reasonably described and is requested solely in connection with a criminal law enforcement action.

* * *

(f) Defenses.—

(1) It shall be a defense to a violation under this section that the person named in the notice of the violation was not operating the vehicle at the time of the violation. The owner may be required to submit evidence that the owner was not the driver at the time of the alleged violation. The city of the first class may not require the owner of the vehicle to disclose the identity of the operator of the vehicle at the time of the violation.

(2) If an owner receives a notice of violation pursuant to this section of a time period during which the vehicle was reported to a police department of any state or municipality as having been stolen, it shall be a defense to a violation pursuant to this section that the vehicle has been reported to a police department as stolen prior to the time the violation occurred and had not been recovered prior to that time.

(3) It shall be a defense to a violation under this section that the person receiving the notice of violation was not the owner of the vehicle at the time of the offense.

(4) It shall be a defense to a violation under this section that the person receiving the notice of violation was driving a bus with passengers on board at the time of the violation and that a sudden stop could have injured those passengers.

* * *

(i) System administrator.—

* * *

(3) The system administrator shall submit an annual report to the chairman and the minority chairman of the Transportation Committee of the Senate and the chairman and minority chairman of the Transportation Committee of the House of Representatives. The report shall be considered a public record under the Right-to-Know Law and include for the prior year:

(i) The number of violations and fines issued.

(ii) A compilation of fines paid and outstanding.

(iii) The amount of money paid to a vendor or manufacturer under this section.

* * *

(l) Payment of fine.—

(1) An owner to whom a notice of violation has been issued may admit responsibility for the violation and pay the fine provided in the notice.

(2) Payment must be made personally, through an authorized agent or by mailing both payment and the notice of violation to the system administrator. Payment by mail must be made only by money order, credit card or check made payable to the system administrator. The system administrator shall remit the fine, less the system administrator's operation and maintenance costs necessitated by this section, to the department for deposit into the Motor License Fund. Fines deposited in the fund under this paragraph shall be used by the department to develop, by regulation, a Transportation Enhancements Grant

Program. The department shall award transportation enhancement grants on a competitive basis. The department may pay any actual administrative costs arising from its administration of this section. The department may not reserve, designate or set aside any specific level of funds or percentage of funds to an applicant prior to the completion of the application process, nor may the department designate a set percentage of funds to an applicant. Grants shall be awarded by the department on recommendation of a selection committee consisting of four representatives of the department appointed by the secretary and four members appointed by the mayor of the city of the first class.

(3) Payment of the established fine and applicable penalties shall operate as a final disposition of the case.

* * *

(q) Expiration.—This section shall expire [June 30, 2012] December 31, 2016.

Section 2. Section 6109(h) of Title 75 is amended to read:

Amend Bill, page 3, line 27, by striking out "2" and inserting

3

On the question,

Will the House agree to the amendment?

The SPEAKER pro tempore. On that question, the Chair recognizes the gentleman, Mr. Geist.

Would the gentleman, Mr. Geist, please give a very brief description of his amendment.

Mr. GEIST. The amendment is an agreed-to amendment. It extends the life of the Philadelphia red light safety program.

The SPEAKER pro tempore. The Chair thanks the gentleman.

For what purpose does the gentleman, Mr. Vitali, rise?

Mr. VITALI. To speak on the amendment.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. VITALI. Thank you, Mr. Speaker.

I do not want to rehash the whole red light camera debate. I think my opposition to this is fairly well known. I think that in general, this is just a moneymaker, and I think that its track record of reducing accidents has yet to be established.

I just want to add a couple of facts that have occurred since the last debate. There was an article in the Inquirer last week that talked about New Jersey's efforts and legislation introduced to eliminate, eliminate New Jersey's red light camera program. It did mention in passing the Pennsylvania program, and it basically said that the Pennsylvania program raised \$50 million in fines since 2005 – \$50 million in fines. That is a lot of money out of our taxpayers' pockets.

The article also referred to a Virginia Transportation Research Council study which concluded that the argument that cameras reduced injury accidents, it was too close to call. So a Virginia study indicates whether this reduces accidents or not is too close to call.

It also talked about the New Jersey red light camera system, and it made the point that most of the camera violations in New Jersey were for right-on-red infractions – right-on-red infractions, which are not the type of injury-causing infractions that we think of.

As I mentioned before, New Jersey State Senator Michael Doherty introduced a bill to ban red light cameras, saying there was very little evidence that they had reduced the number or severity of accidents in New Jersey. Identical legislation was introduced also by a New Jersey Assemblyman.

I just think in general, Mr. Speaker, you know, I believe this is— I believe our laws should be enforced, but I do not think government should be our Big Brother. I believe there comes a point where government is simply too intrusive. What is next, you know, government on our cars that when we go a mile above 65 miles an hour, we automatically get a speeding ticket?

Mr. Speaker, I think there is a point where government is too intrusive, and I think that red light cameras fall into that category, and I would vote against extending the program.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—147

Adolph	Everett	Kula	Quinn
Baker	Fabrizio	Lawrence	Ravenstahl
Barbin	Farry	Longiatti	Readshaw
Bishop	Fleck	Mackenzie	Reed
Boback	Frankel	Maher	Roebuck
Boyle, B.	Galloway	Mahoney	Ross
Boyle, K.	Geist	Major	Sabatina
Bradford	George	Markosek	Sainato
Briggs	Gerber	Marshall	Santarsiero
Brown, R.	Gergely	Masser	Santoni
Brown, V.	Gibbons	Matzie	Saylor
Brownlee	Gingrich	McGeehan	Scavello
Burns	Godshall	Miccarelli	Schmotzer
Buxton	Goodman	Micozzie	Smith, K.
Caltagirone	Grove	Millard	Smith, M.
Carroll	Hackett	Miller	Sonney
Christiana	Haluska	Milne	Staback
Clymer	Hanna	Mirabito	Stephens
Conklin	Harhai	Mundy	Stern
Costa, D.	Harhart	Murphy	Sturla
Costa, P.	Harkins	Murt	Swanger
Cruz	Harper	Mustio	Taylor
Culver	Harris	Myers	Thomas
Curry	Heffley	Neilson	Tobash
Daley	Hennessey	O'Brien, M.	Toepel
Davidson	Hess	O'Neill	Toohil
Davis	James	Oberlander	Turzai
Dean	Josephs	Parker	Vereb
Deasy	Kampf	Pashinski	Vulakovich
DeLissio	Kavulich	Payne	Waters
DeLuca	Keller, M.K.	Payton	Watson
DePasquale	Keller, W.	Peifer	White
Dermody	Killion	Petri	Williams
DiGirolamo	Kirkland	Pickett	Youngblood
Donatucci	Knowles	Preston	
Ellis	Kortz	Pyle	Smith, S., Speaker
Emrick	Kotik	Quigley	
Evans, J.			

NAYS—49

Aument	Delozier	Hornaman	Perry
Barrar	Denlinger	Hutchinson	Petrarca
Bear	Dunbar	Kauffman	Rapp
Benninghoff	Evankovich	Keller, F.	Reese
Bloom	Freeman	Maloney	Roae
Boyd	Gabler	Mann	Rock
Brennan	Gillen	Marsico	Saccone
Brooks	Gillespie	Metcalfe	Samuelson
Causar	Grell	Metzgar	Simmons

Cohen	Hahn	Moul	Tallman
Cox	Helm	Mullery	Truitt
Cutler	Hickernell	Neuman	Vitali
Day			

NOT VOTING—0

EXCUSED—5

Creighton Evans, D.	Krieger	Stevenson	Wheatley
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The majority having voted in the affirmative, the question was determined in the affirmative and the amendment was agreed to.

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

Mr. **TAYLOR** offered the following amendment
No. **A10729**:

Amend Bill, page 1, lines 6 and 7, by striking out all of said lines and inserting

Section 1. Section 6109(a)(1), (f) and (h) of Title 75 of the Pennsylvania Consolidated Statutes are amended and the section is amended by adding a subsection to read:

Amend Bill, page 1, line 9, by striking out all of said line and inserting

(a) Enumeration of police powers.—The provisions of this title shall not be deemed to prevent the department on State-designated highways and local authorities on streets or highways within their physical boundaries from the reasonable exercise of their police powers. The following are presumed to be reasonable exercises of police power:

(1) Except as limited by [subsection] subsections (g) and (h), regulating or prohibiting stopping, standing or parking.

* * *

(f) Delegation of powers authorized.—Except as set forth in [subsection] subsections (g) and (h), nothing contained in this section shall be deemed to prevent local authorities by ordinance or resolution of the local governing body from delegating their powers under subsection (a)(1) or (22) to a parking authority established pursuant to 53 Pa.C.S. Ch. 55 (relating to parking authorities).

(g) Delegation of powers in cities of the first class.—

(1) Notwithstanding any contrary provision of 53 Pa.C.S. Ch. 55 or this title, beginning on March 31, 2014, the parking authority of a city of the first class shall enforce and administer the system of on-street parking regulation in a city of the first class on behalf of the city. The system of on-street parking regulation shall include all ordinances and resolutions enacted or adopted by the city of the first class pursuant to the powers specified under subsection (a)(1) and those certain stopping, standing and parking provisions provided in sections 3351 (relating to stopping, standing and parking outside business and residence districts), 3353 (relating to prohibitions in specified places) and 3354 (relating to additional parking regulations).

(2) Any revenues generated pursuant to the system of on-street parking regulation authorized by this subsection shall be collected by the authority on behalf of the city of the first class and disbursed as provided in this paragraph, subject to adjustment under paragraph (3). Beginning with its fiscal year

ending in 2015, upon the conclusion of each of its fiscal years, the authority shall transfer the revenues of the system of on-street parking regulation net of the operating and administrative expenses of the system of on-street parking regulation as follows:

(i) Up to \$35,000,000 in the aggregate after taking into account any monthly remittances to the city in which it is located.

(ii) In the event the net annual revenue of the system of on-street parking regulation exceeds \$35,000,000, the authority shall transfer all of the excess to the general fund of a school district of the first class coterminous with the city.

(3) The amount set forth in paragraph (2)(i) shall be adjusted each fiscal year beginning with the fiscal year ending in 2014 by increasing the \$35,000,000 aggregate amount by an amount equal to \$35,000,000 multiplied by the percentage increase, if any, in the gross revenue generated by the system of on-street parking regulation. No adjustment shall be made if the gross revenue generated by the system of on-street parking regulation did not increase over the prior fiscal year.

(4) The provisions of section 696(h)(1) of the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, shall not apply to amounts transferred to a school district of the first class under this subsection. Any portion of the excess net revenue of the system of on-street parking regulation not transferred to a school district of the first class must be transferred to the city of the first class in which the authority is located.

(5) As used in this subsection, the following words and phrases shall have the meanings given to them in this paragraph:

"Administer." To provide any services or materials necessary to enforce any ordinance or resolution enacted in order to regulate or prohibit the stopping, standing or parking of motor vehicles in a city of the first class or those certain stopping, standing and parking provisions provided in sections 3351, 3353 and 3354, including, but not limited to:

(i) The installation and maintenance of all equipment, including parking meters, on and along highways, streets and roadways.

(ii) The installation and maintenance of all signage, including signage for handicapped parking, residential permit parking and loading areas, on and along highways, streets and roadways.

(iii) The operation and management of any handicapped parking, residential parking and loading area permit programs.

"Enforce." The issuance of parking violation notices or citations, the immobilization, towing and impoundment of motor vehicles and the collection of fines, penalties, costs and fees, including independent collection agency fees, for violations of any ordinance or resolution enacted in order to regulate or prohibit the stopping, standing or parking of motor vehicles in a city of the first class and those certain stopping, standing and parking provisions provided in this section and sections 3351, 3353 and 3354.

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

The SPEAKER pro tempore. On that question, the gentleman, Mr. Taylor, will offer a brief description of the amendment.

Mr. TAYLOR. Thank you, Mr. Speaker.

Mr. Speaker, this bill, 1803, deals with third-class cities and how they administer the oversight of parking in their city. This amendment deals with that very same thing as it pertains to the

cities of the first class and puts that into statute. That which is going on in Philadelphia now and has been for 29 years will be confirmed in statute by this amendment.

I would appreciate your support.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—188

Adolph	Dunbar	Kirkland	Quigley
Aument	Ellis	Knowles	Quinn
Baker	Emrick	Kortz	Rapp
Barbin	Evankovich	Kotik	Ravenstahl
Bear	Evans, J.	Kula	Readshaw
Benninghoff	Everett	Lawrence	Reed
Bishop	Fabrizio	Longietti	Reese
Bloom	Farry	Mackenzie	Roae
Boback	Fleck	Maher	Rock
Boyd	Frankel	Mahoney	Roebuck
Boyle, B.	Freeman	Major	Ross
Boyle, K.	Galloway	Maloney	Sabatina
Bradford	Geist	Mann	Saccone
Brennan	George	Markosek	Sainato
Briggs	Gerber	Marshall	Samuelson
Brown, R.	Gergely	Marsico	Santarsiero
Brown, V.	Gibbons	Masser	Santoni
Brownlee	Gillen	Matzie	Saylor
Burns	Gillespie	McGeehan	Scavello
Buxton	Gingrich	Metzgar	Schmotzer
Caltagirone	Godshall	Miccarelli	Simmons
Carroll	Goodman	Micozzie	Smith, K.
Causar	Grell	Millard	Smith, M.
Christiana	Grove	Miller	Sonney
Clymer	Hackett	Milne	Staback
Cohen	Hahn	Mirabito	Stephens
Conklin	Haluska	Moul	Stern
Costa, D.	Hanna	Mullery	Sturla
Costa, P.	Harhai	Mundy	Tallman
Cox	Harhart	Murphy	Taylor
Cruz	Harkins	Murt	Thomas
Culver	Harper	Mustio	Tobash
Curry	Harris	Myers	Toepel
Cutler	Heffley	Neilson	Toohil
Daley	Helm	Neuman	Truitt
Davidson	Hennessey	O'Brien, M.	Turzai
Davis	Hess	O'Neill	Vereb
Day	Hickernell	Oberlander	Vitali
Dean	Hornaman	Parker	Vulakovich
Deasy	Hutchinson	Pashinski	Waters
DeLissio	James	Payne	Watson
Delozier	Josephs	Peifer	White
DeLuca	Kampf	Petrarca	Williams
Denlinger	Kauffman	Petri	Youngblood
DePasquale	Kavulich	Pickett	
Dermody	Keller, M.K.	Preston	Smith, S.,
DiGirolamo	Keller, W.	Pyle	Speaker
Donatucci	Killion		

NAYS—7

Barrar	Gabler	Metcalfe	Swanger
Brooks	Keller, F.	Perry	

NOT VOTING—1

Payton

EXCUSED-5

Creighton Krieger Stevenson Wheatley
Evans, D.

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?

Mr. **McGEEHAN** offered the following amendment No. **A10802**:

Amend Bill, page 3, by inserting after line 16 (A10729)
(6) This subsection shall expire March 31, 2019.

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

The SPEAKER pro tempore. On the amendment, the Chair recognizes Mr. McGeehan.

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

Mr. Speaker, I did not stand to oppose the Taylor amendment that would extend the on-street parking enforcement by the Philadelphia Parking Authority indefinitely because this amendment speaks to that particular amendment.

I think it is a bad idea, Mr. Speaker, to grant any agency free rein in perpetuity to continue without the consultation and further approval of this body. I think when we extend authorities indefinitely, we really make ourselves eunuchs. We take ourselves out of the game and out of the ability to police these agencies effectively.

What this amendment essentially would do would sunset the on-street parking enforcement by the Philadelphia Parking Authority, give them authority, and would expire on March 31 of 2019. Thereafter, they would have to come back to this House for further approval.

I just think it is fair and prudent to exercise our oversight and our authority, and I would ask for an affirmative vote.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Taylor.

Mr. TAYLOR. Thank you, Mr. Speaker.

I would ask our members to oppose the McGeehan amendment.

If you heard what I had talked about in my amendment, this is a situation where the Philadelphia Parking Authority has been doing this job for 29 years. It has been done, as in other counties, other types of counties, by agreement. Those agreements, often feelings were frayed. In the course of that, political problems get worked out in these agreements or threats are used, as happened in the past. And this will not at all limit our ability for oversight. We have the same oversight at any point in time that we want to go in and undo something that we have done, and if it is good for 5 years, it should be good until we decide that we are going to change it.

So I would appreciate a negative vote on this amendment.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS-111

Barbin	DeLissio	Keller, F.	Payton
Barrar	DeLuca	Keller, M.K.	Perry
Benninghoff	DePasquale	Keller, W.	Petrarca
Bishop	Dermody	Kirkland	Preston
Boyle, B.	Donatucci	Kortz	Ravenstahl
Boyle, K.	Emrick	Kotik	Readshaw
Bradford	Fabrizio	Kula	Roae
Brennan	Frankel	Longietti	Rock
Briggs	Freeman	Mackenzie	Roebuck
Brown, V.	Gabler	Mahoney	Sabatina
Brownlee	Galloway	Maloney	Saccone
Burns	George	Mann	Sainato
Buxton	Gerber	Markosek	Samuelson
Caltagirone	Gergely	Marsico	Santarsiero
Carroll	Gibbons	Matzie	Santoni
Causar	Gillen	McGeehan	Schmotzer
Cohen	Gillespie	Metcalfe	Smith, K.
Conklin	Goodman	Mirabito	Smith, M.
Costa, D.	Haluska	Mullery	Staback
Costa, P.	Hanna	Mundy	Sturla
Cox	Harhai	Murphy	Thomas
Cruz	Harhart	Myers	Truitt
Curry	Harkins	Neilson	Vitali
Daley	Hornaman	Neuman	Waters
Davidson	Hutchinson	O'Brien, M.	White
Davis	James	Oberlander	Williams
Dean	Josephs	Parker	Youngblood
Deasy	Kavulich	Pashinski	

NAYS-85

Adolph	Farry	Major	Reese
Aument	Fleck	Marshall	Ross
Baker	Geist	Masser	Saylor
Bear	Gingrich	Metzgar	Scavello
Bloom	Godshall	Miccarelli	Simmons
Boback	Grell	Micozzie	Sonney
Boyd	Grove	Millard	Stephens
Brooks	Hackett	Miller	Stern
Brown, R.	Hahn	Milne	Swanger
Christiana	Harper	Moul	Tallman
Clymer	Harris	Murt	Taylor
Culver	Heffley	Mustio	Tobash
Cutler	Helm	O'Neill	Toepel
Day	Hennessey	Payne	Toohil
Delozier	Hess	Peifer	Turzai
Denlinger	Hickernell	Petri	Vereb
DiGirolamo	Kampf	Pickett	Vulakovich
Dunbar	Kauffman	Pyle	Watson
Ellis	Killion	Quigley	
Evankovich	Knowles	Quinn	Smith, S.,
Evans, J.	Lawrence	Rapp	Speaker
Everett	Maher	Reed	

NOT VOTING-0

EXCUSED-5

Creighton Krieger Stevenson Wheatley
Evans, D.

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?

Mr. **McGEEHAN** offered the following amendment No. **A10803**:

Amend Bill, page 1, lines 6 and 7, by striking out all of said lines and inserting

Section 1. Section 6109(a)(1), (f) and (h) of Title 75 of the Pennsylvania Consolidated Statutes are amended and the section is amended by adding a subsection to read:

Amend Bill, page 1, line 9, by striking out all of said line and inserting

(a) Enumeration of police powers.—The provisions of this title shall not be deemed to prevent the department on State-designated highways and local authorities on streets or highways within their physical boundaries from the reasonable exercise of their police powers. The following are presumed to be reasonable exercises of police power:

- (1) Except as limited by [subsection] subsections (g) and (h), regulating or prohibiting stopping, standing or parking.

* * *

(f) Delegation of powers authorized.—Except as set forth in [subsection] subsections (g) and (h), nothing contained in this section shall be deemed to prevent local authorities by ordinance or resolution of the local governing body from delegating their powers under subsection (a)(1) or (22) to a parking authority established pursuant to 53 Pa.C.S. Ch. 55 (relating to parking authorities).

(g) Delegation of powers in cities of the first class.—

(1) Notwithstanding any contrary provision of 53 Pa.C.S. Ch. 55 or this title, beginning on March 31, 2014, the parking authority of a city of the first class shall enforce and administer the system of on-street parking regulation in a city of the first class on behalf of the city. The system of on-street parking regulation shall include all ordinances and resolutions enacted or adopted by the city of the first class pursuant to the powers specified under subsection (a)(1) and those certain stopping, standing and parking provisions provided in sections 3351 (relating to stopping, standing and parking outside business and residence districts), 3353 (relating to prohibitions in specified places) and 3354 (relating to additional parking regulations).

(2) Any revenues generated pursuant to the system of on-street parking regulation authorized by this subsection shall be collected by the authority on behalf of the city of the first class and disbursed as provided in this paragraph, subject to adjustment under paragraph (3). Beginning with its fiscal year ending in 2015, upon the conclusion of each of its fiscal years, the authority shall transfer the revenues of the system of on-street parking regulation net of the operating and administrative expenses of the system of on-street parking regulation as follows:

(i) Up to \$35,000,000 in the aggregate after taking into account any monthly remittances to the city in which it is located.

(ii) In the event the net annual revenue of the system of on-street parking regulation exceeds \$35,000,000, the authority shall transfer all of the excess to the general fund of a school district of the first class coterminous with the city.

(3) The amount set forth in paragraph (2)(i) shall be adjusted each fiscal year beginning with the fiscal year ending in 2014 by increasing the \$35,000,000 aggregate amount by an amount equal to \$35,000,000 multiplied by the percentage

increase, if any, in the gross revenue generated by the system of on-street parking regulation. No adjustment shall be made if the gross revenue generated by the system of on-street parking regulation did not increase over the prior fiscal year.

(4) The provisions of section 696(h)(1) of the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, shall not apply to amounts transferred to a school district of the first class under this subsection. Any portion of the excess net revenue of the system of on-street parking regulation not transferred to a school district of the first class must be transferred to the city of the first class in which the authority is located.

(5) As used in this subsection, the following words and phrases shall have the meanings given to them in this paragraph:

"Administer." To provide any services or materials necessary to enforce any ordinance or resolution enacted in order to regulate or prohibit the stopping, standing or parking of motor vehicles in a city of the first class or those certain stopping, standing and parking provisions provided in sections 3351, 3353 and 3354, including, but not limited to:

(i) The installation and maintenance of all equipment, including parking meters, on and along highways, streets and roadways.

(ii) The installation and maintenance of all signage, including signage for handicapped parking, residential permit parking and loading areas, on and along highways, streets and roadways.

(iii) The operation and management of any handicapped parking, residential parking and loading area permit programs.

"Enforce." The issuance of parking violation notices or citations, the immobilization, towing and impoundment of motor vehicles and the collection of fines, penalties, costs and fees, including independent collection agency fees, for violations of any ordinance or resolution enacted in order to regulate or prohibit the stopping, standing or parking of motor vehicles in a city of the first class and those certain stopping, standing and parking provisions provided in this section and sections 3351, 3353 and 3354.

(6) This subsection shall expire March 31, 2019.

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

AMENDMENT WITHDRAWN

The SPEAKER pro tempore. Are you withdrawing that, Mr. McGeehan? Thank you very much.
Are you withdrawing your other amendment, too, Mr. McGeehan, 808? Withdrawn. Thank you very much.

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

AMENDMENT A10802 RECONSIDERED

The SPEAKER pro tempore. The Chair is in receipt of a reconsideration motion filed by Representatives Turzai and Geist, who move that the vote by which amendment 10802 to HB 1803, PN 2310, was passed on this 6th day of June be reconsidered.

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

The following roll call was recorded:

YEAS—183

Adolph	Emrick	Kirkland	Pyle
Aument	Evankovich	Knowles	Quigley
Baker	Evans, J.	Kortz	Quinn
Barbin	Everett	Kula	Rapp
Barrar	Fabrizio	Lawrence	Ravenstahl
Bear	Farry	Longiotti	Readshaw
Bishop	Fleck	Mackenzie	Reed
Bloom	Frankel	Maher	Reese
Boback	Freeman	Mahoney	Roae
Boyd	Gabler	Major	Rock
Boyle, B.	Galloway	Maloney	Roebuck
Boyle, K.	Geist	Mann	Ross
Brennan	George	Marshall	Sabatina
Briggs	Gergely	Marsico	Saccone
Brooks	Gibbons	Masser	Sainato
Brown, R.	Gillen	Matzie	Samuelson
Brown, V.	Gillespie	McGeehan	Santoni
Brownlee	Gingrich	Metcalfe	Saylor
Burns	Godshall	Metzgar	Scavello
Buxton	Goodman	Miccarelli	Schmotzer
Caltagirone	Grell	Micozzie	Simmons
Carroll	Grove	Millard	Smith, K.
Causser	Hackett	Miller	Smith, M.
Christiana	Hahn	Milne	Sonney
Clymer	Haluska	Mirabito	Staback
Conklin	Hanna	Moul	Stephens
Costa, D.	Harhart	Mullery	Stern
Costa, P.	Harkins	Murphy	Swanger
Cox	Harper	Murt	Tallman
Cruz	Harris	Mustio	Taylor
Culver	Heffley	Myers	Thomas
Curry	Helm	Neilson	Tobash
Cutler	Hennessey	Neuman	Toepel
Daley	Hess	O'Brien, M.	Toohil
Davidson	Hickernell	O'Neill	Truitt
Davis	Hornaman	Oberlander	Turzai
Day	Hutchinson	Parker	Verbe
Deasy	James	Pashinski	Vulakovich
DeLissio	Josephs	Payne	Waters
Delozier	Kampf	Payton	Watson
DeLuca	Kauffman	Peifer	White
Denlinger	Kavulich	Perry	Williams
Dermody	Keller, F.	Petrarca	Youngblood
DiGirolamo	Keller, M.K.	Petri	
Donatucci	Keller, W.	Pickett	Smith, S.,
Dunbar	Killion	Preston	Speaker
Ellis			

NAYS—13

Benninghoff	DePasquale	Kotik	Santarsiero
Bradford	Gerber	Markosek	Sturla
Cohen	Harhai	Mundy	Vitali
Dean			

NOT VOTING—0

EXCUSED—5

Creighton	Krieger	Stevenson	Wheatley
Evans, D.			

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

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

The clerk read the following amendment No. **A10802**:

Amend Bill, page 3, by inserting after line 16 (A10729)
(6) This subsection shall expire March 31, 2019.

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

The SPEAKER pro tempore. On the amendment, the Chair recognizes the gentleman, Mr. McGeehan.

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

As I said, literally a minute ago, this would provide a sunset date. I think it is important for this body to retain some type of authority, some type of oversight, some type of power over agencies, whether it is the parking authority in Philadelphia or whether it is an agency that has authority statewide.

I think it is important for us, for our own legitimacy, for our own fiduciary duties of oversight and the protection of the taxpayers, that we not allow these types of contracts and oversight to go in perpetuity. I think we have to have a date, and I think this date, March 31 of 2019, is more than ample time for this agency to conduct their business, then come back to the legislature where the ultimate authority of whether this agency is living up to its duties is decided.

We take ourselves out of the decisionmaking process. We no longer have the authority to make change. And I think that this is a sensible timeline, and I would ask for an affirmative vote.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Taylor, on the amendment.

Mr. TAYLOR. Thank you, Mr. Speaker. Let us try this again.

I would appreciate a "no" vote on this amendment. This General Assembly has the power to oversee this particular area of law at any point it wants. The 5 years is merely an arbitrary date. We could change it back in 2 years or 8 years or whatever we want when the time comes.

This current bill now is silent on all that, and I would appreciate a "no" vote.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the majority leader, Mr. Turzai, on the amendment.

Mr. TURZAI. This body just passed amendment 10729 sponsored by the good gentleman from Philadelphia County on our side of the aisle, which made it clear that on-street parking would be covered by the Philadelphia Parking Authority. Under Act 53, it is designed to curtail. But it is clear that on-street parking should be covered by the Philadelphia Parking Authority. That should be their authority. That experiment has already taken place. It has been concluded that it should happen. We passed the Taylor amendment to make it clear that the on-street parking should go to the Philadelphia Parking Authority, that enforcement power, and it should therefore not be amended again by this particular amendment, the McGeehan amendment 10802, which would actually put a new sunset date on policy that we just passed separately in the Taylor amendment.

I would ask everybody to please vote against amendment 10802. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—95

Barbin	Davis	Josephs	Payton
Barrar	Dean	Kavulich	Perry
Benninghoff	Deasy	Keller, W.	Petrarca
Bishop	DeLissio	Kirkland	Preston
Boyle, B.	DeLuca	Kortz	Ravenstahl
Boyle, K.	DePasquale	Kotik	Readshaw
Bradford	Dermody	Kula	Roebuck
Brennan	Donatucci	Longietti	Sabatina
Briggs	Fabrizio	Mahoney	Sainato
Brown, V.	Frankel	Maloney	Samuelson
Brownlee	Freeman	Mann	Santarsiero
Burns	Galloway	Markosek	Santoni
Buxton	George	Matzje	Schmotzer
Caltagirone	Gerber	McGeehan	Smith, K.
Carroll	Gergely	Mirabito	Smith, M.
Cohen	Gibbons	Mullery	Staback
Conklin	Gillen	Mundy	Sturla
Costa, D.	Goodman	Murphy	Thomas
Costa, P.	Haluska	Myers	Vitali
Cox	Hanna	Neilson	Waters
Cruz	Harhai	Neuman	White
Curry	Harkins	O'Brien, M.	Williams
Daley	Hornaman	Parker	Youngblood
Davidson	James	Pashinski	

NAYS—101

Adolph	Gabler	Maher	Reese
Aument	Geist	Major	Roae
Baker	Gillespie	Marshall	Rock
Bear	Gingrich	Marsico	Ross
Bloom	Godshall	Masser	Saccone
Boback	Grell	Metcalfe	Saylor
Boyd	Grove	Metzgar	Scavello
Brooks	Hackett	Miccarelli	Simmons
Brown, R.	Hahn	Micozzie	Sonney
Causer	Harhart	Millard	Stephens
Christiana	Harper	Miller	Stern
Clymer	Harris	Milne	Swanger
Culver	Heffley	Moul	Tallman
Cutler	Helm	Murt	Taylor
Day	Hennessey	Mustio	Tobash
Delozier	Hess	O'Neill	Toepel
Denlinger	Hickernell	Oberlander	Toohil
DiGirolamo	Hutchinson	Payne	Truitt
Dunbar	Kampf	Peifer	Turzai
Ellis	Kauffman	Petri	Vereb
Emrick	Keller, F.	Pickett	Vulakovich
Evankovich	Keller, M.K.	Pyle	Watson
Evans, J.	Killion	Quigley	
Everett	Knowles	Quinn	Smith, S., Speaker
Farry	Lawrence	Rapp	
Fleck	Mackenzie	Reed	

NOT VOTING—0

EXCUSED—5

Creighton	Krieger	Stevenson	Wheatley
Evans, D.			

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

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

Bill as amended was agreed to.

(Bill as amended will be reprinted.)

* * *

The House proceeded to second consideration of **SB 1150, PN 2200**, entitled:

An Act providing tax credits for the rehabilitation of historic structures.

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

Mr. **FREEMAN** offered the following amendment
No. **A10963**:

Amend Bill, page 4, lines 13 and 14, by striking out "the prior " in line 13 and "calendar year" in line 14 and inserting connection with the completed project

Amend Bill, page 9, line 10, by striking out "use" and inserting apply for

Amend Bill, page 9, line 11, by striking out "for more than seven taxable years" and inserting after the seventh taxable year

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

The SPEAKER pro tempore. On that question, the gentleman, Mr. Freeman, is recognized.

Mr. FREEMAN. Thank you, Mr. Speaker.

This amendment is an agreed-to amendment by the prime sponsor, by both majority chairmen, and all the parties involved.

Basically what it does is clarify the language pertaining to the sunset provision to clean up some misunderstandings in that regard, and it cleans up aspects regarding projects in multiple years.

Again, this is an agreed-to amendment. I would urge a "yes" vote by the body.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Benninghoff.

Mr. BENNINGHOFF. I just want to say as the majority chairman, this is an agreed-upon amendment. Thank you.

The SPEAKER pro tempore. 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	Dunbar	Kirkland	Pyle
Aument	Ellis	Knowles	Quigley
Baker	Emrick	Kortz	Quinn
Barbin	Evankovich	Kotik	Rapp
Barrar	Evans, J.	Kula	Ravenstahl
Bear	Everett	Lawrence	Readshaw
Benninghoff	Fabrizio	Longietti	Reed
Bishop	Farry	Mackenzie	Reese
Bloom	Fleck	Maher	Roe
Boback	Frankel	Mahoney	Rock
Boyd	Freeman	Major	Roebuck
Boyle, B.	Gabler	Maloney	Ross
Boyle, K.	Galloway	Mann	Sabatina
Bradford	Geist	Markosek	Saccone
Brennan	George	Marshall	Sainato
Briggs	Gerber	Marsico	Samuelson
Brooks	Gergely	Masser	Santarsiero
Brown, R.	Gibbons	Matzie	Santoni
Brown, V.	Gillen	McGeehan	Saylor
Brownlee	Gillespie	Metcalfe	Scavello
Burns	Gingrich	Metzgar	Schmotzer
Buxton	Godshall	Miccarelli	Simmons
Caltagirone	Goodman	Micozzie	Smith, K.
Carroll	Grell	Millard	Smith, M.
Causar	Grove	Miller	Sonney
Christiana	Hackett	Milne	Staback
Clymer	Hahn	Mirabito	Stephens
Cohen	Haluska	Moul	Stern
Conklin	Hanna	Mullery	Sturla
Costa, D.	Harhai	Mundy	Swanger
Costa, P.	Harhart	Murphy	Tallman
Cox	Harkins	Murt	Taylor
Cruz	Harper	Mustio	Thomas
Culver	Harris	Myers	Tobash
Curry	Heffley	Neilson	Toepel
Cutler	Helm	Neuman	Toohil
Daley	Hennessey	O'Brien, M.	Truitt
Davidson	Hess	O'Neill	Turzai
Davis	Hickernell	Oberlander	Vereb
Day	Hornaman	Parker	Vitali
Dean	Hutchinson	Pashinski	Vulakovich
Deasy	James	Payne	Waters
DeLissio	Josephs	Payton	Watson
Delozier	Kampf	Peifer	White
DeLuca	Kauffman	Perry	Williams
Denlinger	Kavulich	Petrarca	Youngblood
DePasquale	Keller, F.	Petri	
Dermody	Keller, M.K.	Pickett	Smith, S.,
DiGirolamo	Keller, W.	Preston	Speaker
Donatucci	Killion		

NAYS—0

NOT VOTING—0

EXCUSED—5

Creighton	Krieger	Stevenson	Wheatley
Evans, D.			

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

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

The SPEAKER pro tempore. For what purpose does the gentleman, Mr. Barbin, from Cambria County rise?

Mr. BARBIN. Thank you, Mr. Speaker.

I have two amendments to this bill. I will be withdrawing the amendments to this bill on the basis that an agreement was reached to have the veterans tax credit bill brought before the Finance Committee on Monday for a vote.

In withdrawing these amendments, though, I think it is appropriate to note that veterans have the highest unemployment rates in our recent history, with Cambria having a 10-percent rate and Crawford having a 20-percent rate, which are double the rates of normal unemployment in the city. And if this bill were to provide a \$10 million tax credit, the bill that will be voted on Monday would provide a \$50 million credit to try to hire veterans. We need to prioritize these, but for purposes today, I will be withdrawing my amendment.

The SPEAKER pro tempore. 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.)

VOTE CORRECTION

The SPEAKER pro tempore. The Chair recognizes the gentledady, Mrs. Parker, for the purpose of correcting the record.

Mrs. PARKER. Thank you, Mr. Speaker. I appreciate your indulgence.

On the issue of SB 1310, I was recorded in the negative, and I wish to be recorded in the affirmative, Mr. Speaker. Thank you for your patience.

The SPEAKER pro tempore. The Chair thanks the lady, and her comments will be spread upon the record.

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 1539, PN 3550**, entitled:

An Act amending the act of December 18, 2001 (P.L.949, No.114), known as the Workforce Development Act, amending the title of the act; and establishing the Keystone Works Program.

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

Mr. **HARKINS** offered the following amendment
No. **A10764**:

Amend Bill, page 5, line 3, by striking out "30" and inserting

35

Amend Bill, page 9, line 27, by striking out "30" and inserting

35

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

The SPEAKER pro tempore. On that question, the gentleman, Mr. Harkins, is recognized.

Mr. HARKINS. Thank you, Mr. Speaker.

Mr. Speaker, amendment 10764. This amendment would increase the minimum number of hours that a newly hired claimant must be employed in a week in order for a business to receive an incentive payment from 30 to 35 hours.

I believe this is an agreed-to amendment, and I wish to thank the majority chairman, his staff, and the department for working with us to arrive at an agreeable number of hours to be worked.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Saylor.

Mr. SAYLOR. Mr. Speaker, we agree and accept the amendment offered by Representative Harkins.

The SPEAKER pro tempore. 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	Dunbar	Kirkland	Pyle
Aument	Ellis	Knowles	Quigley
Baker	Emrick	Kortz	Quinn
Barbin	Evankovich	Kotik	Rapp
Barrar	Evans, J.	Kula	Ravenstahl
Bear	Everett	Lawrence	Readshaw
Benninghoff	Fabrizio	Longiotti	Reed
Bishop	Farry	Mackenzie	Reese
Bloom	Fleck	Maher	Roae
Boback	Frankel	Mahoney	Rock
Boyd	Freeman	Major	Roebuck
Boyle, B.	Gabler	Maloney	Ross
Boyle, K.	Galloway	Mann	Sabatina
Bradford	Geist	Markosek	Saccone
Brennan	George	Marshall	Sainato
Briggs	Gerber	Marsico	Samuelson
Brooks	Gergely	Masser	Santarsiero
Brown, R.	Gibbons	Matzie	Santoni
Brown, V.	Gillen	McGeehan	Saylor
Brownlee	Gillespie	Metcalfe	Scavello
Burns	Gingrich	Metzgar	Schmotzer
Buxton	Godshall	Miccarelli	Simmons
Caltagirone	Goodman	Micozzie	Smith, K.
Carroll	Grell	Millard	Smith, M.
Causar	Grove	Miller	Sonney
Christiana	Hackett	Milne	Staback
Clymer	Hahn	Mirabito	Stephens
Cohen	Haluska	Moul	Stern
Conklin	Hanna	Mullery	Sturla
Costa, D.	Harhai	Mundy	Swanger
Costa, P.	Harhart	Murphy	Tallman
Cox	Harkins	Murt	Taylor
Cruz	Harper	Mustio	Thomas
Culver	Harris	Myers	Tobash
Curry	Heffley	Neilson	Toepel
Cutler	Helm	Neuman	Toohil
Daley	Hennessey	O'Brien, M.	Truitt
Davidson	Hess	O'Neill	Turzai
Davis	Hickernell	Oberlander	Vereb
Day	Hornaman	Parker	Vitali
Dean	Hutchinson	Pashinski	Vulakovich
Deasy	James	Payne	Waters
DeLissio	Josephs	Payton	Watson
Delozier	Kampf	Peifer	White

DeLuca	Kauffman	Perry	Williams
Denlinger	Kavulich	Petrarca	Youngblood
DePasquale	Keller, F.	Petri	
Dermody	Keller, M.K.	Pickett	Smith, S.,
DiGirolamo	Keller, W.	Preston	Speaker
Donatucci	Killion		

NAYS—0

NOT VOTING—0

EXCUSED—5

Creighton	Krieger	Stevenson	Wheatley
Evans, D.			

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

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

Ms. DONATUCCI offered the following amendment No. A10765:

- Amend Bill, page 6, by inserting between lines 16 and 17
(ii) The business will register with the Pennsylvania CareerLink system.
- Amend Bill, page 6, line 17, by striking out "(II)" and inserting (iii)
- Amend Bill, page 6, line 19, by striking out "(III)" and inserting (iv)
- Amend Bill, page 6, line 22, by striking out "(IV)" and inserting (v)
- Amend Bill, page 6, line 27, by striking out "(V)" and inserting (vi)
- Amend Bill, page 6, line 29, by striking out "(VI)" and inserting (vii)
- Amend Bill, page 7, line 4, by striking out "(VII)" and inserting (viii)
- Amend Bill, page 7, line 7, by striking out "(VIII)" and inserting (ix)
- Amend Bill, page 7, line 10, by striking out "(IX)" and inserting (x)
- Amend Bill, page 7, line 13, by striking out "(X)" and inserting (xi)
- Amend Bill, page 7, line 16, by striking out "(XI)" and inserting (xii)

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

The SPEAKER pro tempore. On that question, the Chair recognizes Ms. Donatucci.

Ms. DONATUCCI. Thank you, Mr. Speaker.

This amendment would require businesses participating in the Keystone Works Program to maintain a current registration with the Pennsylvania CareerLink system.

I believe this is an agreed-to amendment and wish to thank the majority chairman, his staff, and the department for working with us to achieve agreeable language.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentlelady and recognizes the gentleman, Mr. Saylor.

Mr. SAYLOR. Thank you, Mr. Speaker.

It is an agreed-to amendment, and I thank the lady for her input.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—193

Adolph	Donatucci	Killion	Quigley
Aument	Dunbar	Kirkland	Quinn
Baker	Ellis	Knowles	Rapp
Barbin	Emrick	Kortz	Ravenstahl
Barrar	Evankovich	Kotik	Readshaw
Bear	Evans, J.	Kula	Reed
Benninghoff	Everett	Lawrence	Reese
Bishop	Fabrizio	Longietti	Roae
Bloom	Farry	Mackenzie	Rock
Boback	Fleck	Maher	Roebuck
Boyd	Frankel	Mahoney	Ross
Boyle, B.	Freeman	Major	Sabatina
Boyle, K.	Gabler	Maloney	Saccone
Bradford	Galloway	Mann	Sainato
Brennan	Geist	Markosek	Samuelson
Briggs	George	Marshall	Santarsiero
Brooks	Gerber	Marsico	Santoni
Brown, R.	Gergely	Masser	Saylor
Brown, V.	Gibbons	Matzie	Scavello
Brownlee	Gillespie	McGeehan	Schmotzer
Burns	Gingrich	Miccarelli	Simmons
Buxton	Godshall	Micozzie	Smith, K.
Caltagirone	Goodman	Millard	Smith, M.
Carroll	Grell	Miller	Sonney
Causser	Grove	Milne	Staback
Christiana	Hackett	Mirabito	Stephens
Clymer	Hahn	Moul	Stern
Cohen	Haluska	Mullery	Sturla
Conklin	Hanna	Mundy	Swanger
Costa, D.	Harhai	Murphy	Tallman
Costa, P.	Harhart	Murt	Taylor
Cox	Harkins	Mustio	Thomas
Cruz	Harper	Myers	Tobash
Culver	Harris	Neilson	Toepel
Curry	Heffley	Neuman	Toohil
Cutler	Helm	O'Brien, M.	Truitt
Daley	Hennessey	O'Neill	Turzai
Davidson	Hess	Oberlander	Vereb
Davis	Hickernell	Parker	Vitali
Day	Hornaman	Pashinski	Vulakovich
Dean	Hutchinson	Payne	Waters
Deasy	James	Payton	Watson
DeLissio	Josephs	Peifer	White
Delozier	Kampf	Perry	Williams
DeLuca	Kauffman	Petrarca	Youngblood
Denlinger	Kavulich	Petri	
DePasquale	Keller, F.	Pickett	Smith, S.,
Dermody	Keller, M.K.	Preston	Speaker
DiGirolamo	Keller, W.	Pyle	

NAYS—3

Gillen	Metcalfe	Metzgar
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NOT VOTING—0

EXCUSED—5

Creighton Evans, D.	Krieger	Stevenson	Wheatley
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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?

Mr. **B. BOYLE** offered the following amendment No. **A10766**:

Amend Bill, page 7, line 20, by inserting after "PROGRAM." This paragraph includes imposing conditions on participating businesses to ensure that an appropriate number of claimants participating in the program receive offers of suitable long- term employment.

Amend Bill, page 7, by inserting between lines 23 and 24 (4) The business must not be disqualified under subsection (d)(2)(iii).

Amend Bill, page 8, lines 1 through 3, by striking out "BUSINESS SHALL CONSIDER" in line 1, all of line 2 and "REQUIRED TO HIRE THE CLAIMANT." in line 3 and inserting following apply:

- (i) The business shall consider the claimant for employment in the job opening.
- (ii) The business is not required to hire the claimant.
- (iii) The department shall disqualify from participation in the program any employer showing a pattern of acting in bad faith regarding job offers.

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

The SPEAKER pro tempore. On that question, the gentleman, Mr. Boyle, is recognized.

Mr. B. BOYLE. Thank you, Mr. Speaker.

Mr. Speaker, I believe this is an agreed-to amendment, an amendment that is necessary to ensure the integrity of the program's intent. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Saylor.

Mr. SAYLOR. Mr. Speaker, again, this is an agreed-to amendment and we support it. Thank you very much.

The SPEAKER pro tempore. 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	Dunbar	Kirkland	Pyle
Aument	Ellis	Knowles	Quigley
Baker	Emrick	Kortz	Quinn
Barbin	Evankovich	Kotik	Rapp

Barrar	Evans, J.	Kula	Ravenstahl
Bear	Everett	Lawrence	Readshaw
Benninghoff	Fabrizio	Longietti	Reed
Bishop	Farry	Mackenzie	Reese
Bloom	Fleck	Maher	Roae
Boback	Frankel	Mahoney	Rock
Boyd	Freeman	Major	Roebuck
Boyle, B.	Gabler	Maloney	Ross
Boyle, K.	Galloway	Mann	Sabatina
Bradford	Geist	Markosek	Saccone
Brennan	George	Marshall	Sainato
Briggs	Gerber	Marsico	Samuelson
Brooks	Gergely	Masser	Santarsiero
Brown, R.	Gibbons	Matzie	Santoni
Brown, V.	Gillen	McGeehan	Saylor
Brownlee	Gillespie	Metcalfe	Scavello
Burns	Gingrich	Metzgar	Schmotzer
Buxton	Godshall	Miccarelli	Simmons
Caltagirone	Goodman	Micozzie	Smith, K.
Carroll	Grell	Millard	Smith, M.
Causar	Grove	Miller	Sonney
Christiana	Hackett	Milne	Staback
Clymer	Hahn	Mirabito	Stephens
Cohen	Haluska	Moul	Stern
Conklin	Hanna	Mullery	Sturla
Costa, D.	Harhai	Mundy	Swanger
Costa, P.	Harhart	Murphy	Tallman
Cox	Harkins	Murt	Taylor
Cruz	Harper	Mustio	Thomas
Culver	Harris	Myers	Tobash
Curry	Heffley	Neilson	Toepel
Cutler	Helm	Neuman	Toohil
Daley	Hennessey	O'Brien, M.	Truitt
Davidson	Hess	O'Neill	Turzai
Davis	Hickernell	Oberlander	Vereb
Day	Hornaman	Parker	Vitali
Dean	Hutchinson	Pashinski	Vulakovich
Deasy	James	Payne	Waters
DeLissio	Josephs	Payton	Watson
Delozier	Kampf	Peifer	White
DeLuca	Kauffman	Perry	Williams
Denlinger	Kavulich	Petrarca	Youngblood
DePasquale	Keller, F.	Petri	
Dermody	Keller, M.K.	Pickett	Smith, S.,
DiGirolamo	Keller, W.	Preston	Speaker
Donatucci	Killion		

NAYS-0

NOT VOTING-0

EXCUSED-5

Creighton	Krieger	Stevenson	Wheatley
Evans, D.			

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?

Mr. W. KELLER offered the following amendment No. A11103:

Amend Bill, page 7, by inserting between lines 23 and 24

(c.1) Business program.-

(1) To be eligible to participate in the program, a business, its owner or authorized agent must certify that:

(i) It has no tax liabilities or other obligations under the laws of the United States or the Commonwealth, or has filed a timely administrative or judicial appeal if such liabilities or obligations exist, or is subject to a duly approved deferred payment plan if such liabilities exist.

(ii) Neither the business nor any subcontractors are under suspension or debarment by the Commonwealth or other government entity.

(2) The Secretary of Labor and Industry may through guidelines provide for additional eligibility requirements or restrictions deemed necessary for a business to participate in the program.

On the question,

Will the House agree to the amendment?

The SPEAKER pro tempore. On that question, the gentleman, Mr. Keller, is recognized.

Mr. W. KELLER. Thank you, Mr. Speaker.

This is also an agreed-to amendment. This amendment provides that in order for a business, its owner, or authorized agent to be eligible to participate in the program, it must certify that it does not have any tax liabilities or any other obligations under the laws of the United States or the Commonwealth of Pennsylvania.

As I said, it is agreed to, Mr. Speaker. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Saylor.

Mr. SAYLOR. Mr. Speaker, it is an agreed-to recommendation, and I appreciate the good friend of mine from Philadelphia's recommendations.

The SPEAKER pro tempore. The Chair thanks the gentleman.

LEAVE OF ABSENCE CANCELED

The SPEAKER pro tempore. The Chair recognizes the presence on the floor of the House of the gentleman, Mr. Wheatley, and he will be added to the master roll.

CONSIDERATION OF HB 1539 CONTINUED

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS-197

Adolph	Dunbar	Kirkland	Quigley
Aument	Ellis	Knowles	Quinn
Baker	Emrick	Kortz	Rapp
Barbin	Evankovich	Kotik	Ravenstahl
Barrar	Evans, J.	Kula	Readshaw
Bear	Everett	Lawrence	Reed
Benninghoff	Fabrizio	Longietti	Reese
Bishop	Farry	Mackenzie	Roae
Bloom	Fleck	Maher	Rock
Boback	Frankel	Mahoney	Roebuck
Boyd	Freeman	Major	Ross
Boyle, B.	Gabler	Maloney	Sabatina
Boyle, K.	Galloway	Mann	Saccone
Bradford	Geist	Markosek	Sainato
Brennan	George	Marshall	Samuelson

Briggs	Gerber	Marsico	Santarsiero
Brooks	Gergely	Masser	Santoni
Brown, R.	Gibbons	Matzie	Saylor
Brown, V.	Gillen	McGeehan	Scavella
Brownlee	Gillespie	Metcalfe	Schmotzer
Burns	Gingrich	Metzgar	Simmons
Buxton	Godshall	Miccarelli	Smith, K.
Caltagirone	Goodman	Micozzie	Smith, M.
Carroll	Grell	Millard	Sonney
Causser	Grove	Miller	Staback
Christiana	Hackett	Milne	Stephens
Clymer	Hahn	Mirabito	Stern
Cohen	Haluska	Moul	Sturla
Conklin	Hanna	Mullery	Swanger
Costa, D.	Harhai	Mundy	Tallman
Costa, P.	Harhart	Murphy	Taylor
Cox	Harkins	Murt	Thomas
Cruz	Harper	Mustio	Tobash
Culver	Harris	Myers	Toepel
Curry	Heffley	Neilson	Toohil
Cutler	Helm	Neuman	Truitt
Daley	Hennessey	O'Brien, M.	Turzai
Davidson	Hess	O'Neill	Vereb
Davis	Hickernell	Oberlander	Vitali
Day	Hornaman	Parker	Vulakovich
Dean	Hutchinson	Pashinski	Waters
Deasy	James	Payne	Watson
DeLissio	Josephs	Payton	Wheatley
Delozier	Kampf	Peifer	White
DeLuca	Kauffman	Perry	Williams
Denlinger	Kavulich	Petrarca	Youngblood
DePasquale	Keller, F.	Petri	
Dermody	Keller, M.K.	Pickett	Smith, S.,
DiGirolamo	Keller, W.	Preston	Speaker
Donatucci	Killion	Pyle	

NAYS—0

NOT VOTING—0

EXCUSED—4

Creighton	Evans, D.	Krieger	Stevenson
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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?

Mr. **GEORGE** offered the following amendment No. **A10809**:

Amend Bill, page 5, line 18, by inserting after "**PROGRAM**" and allowance

Amend Bill, page 9, by inserting between lines 20 and 21 Section 1405.1. Allowance for veterans, guard members, and military spouses.

Notwithstanding the unemployment compensation benefits paid to qualified claimants under this act, each participating claimant in the program must be paid a weekly allowance of no less than \$45 for supportive services, including, but not limited to, transportation, child care and dependent care, that would enable claimants to participate in the program. The following apply:

(1) Payment of the allowance must be paid out of the General Fund appropriation for the program or Federal funds that may be available for the purposes of this section.

(2) Unless otherwise provided for by Federal law,

payment of the allowance under this section may not be considered as income for the purposes of determining eligibility for and the amount of aid furnished under a federally-assisted program based on need.

(3) The allowance under this section is limited to:

(i) a veteran of the United States Armed Forces who:

(A) has been discharged; and

(B) has not been dishonorably discharged;

(ii) a current or former member of the Pennsylvania National Guard;

(iii) a spouse of a veteran who has at least a 10% service-connected disability; or

(iv) a spouse of a veteran who died while in service or from a service-connected disability that has not remarried since the veteran's death.

On the question,

Will the House agree to the amendment?

AMENDMENT WITHDRAWN

The SPEAKER pro tempore. On that question, the gentleman, Mr. George, is recognized.

Mr. GEORGE. Mr. Speaker, if I may, I would like to withdraw 10809 and run 11079.

The SPEAKER pro tempore. The Chair thanks the gentleman very much.

Mr. GEORGE. Thank you, Mr. Speaker.

Mr. Speaker—

The SPEAKER pro tempore. Will the gentleman please suspend.

On the question recurring,

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

Mr. **GEORGE** offered the following amendment No. **A11079**:

Amend Bill, page 5, line 18, by inserting after "**PROGRAM**" and allowance

Amend Bill, page 9, by inserting between lines 20 and 21 Section 1405.1. Allowance for veterans, guard members and military spouses.

Notwithstanding the unemployment compensation benefits paid to qualified claimants under this act, each participating claimant in the program must be paid a weekly allowance of no less than \$50 for supportive services, including, but not limited to, transportation, child care and dependent care, that would enable claimants to participate in the program. The following apply:

(1) Payment of the allowance must be paid out of the General Fund appropriation for the program or Federal funds that may be available for the purposes of this section.

(2) Unless otherwise provided for by Federal law, payment of the allowance under this section may not be considered as income for the purposes of determining eligibility for and the amount of aid furnished under a federally-assisted program based on need.

(3) The allowance under this section is limited to:

(i) a veteran of the United States Armed Forces who:

(A) has been discharged; and

(B) has not been dishonorably discharged;

(ii) a current or former member of the Pennsylvania National Guard who has not been dishonorably discharged;

(iii) a spouse of a veteran who has at least a 10% service-connected disability; or

(iv) a spouse of a veteran who died while in service or from a service-connected disability that has not remarried since the veteran's death.

(4) The allowance provided under this section is not available to individuals eligible for the Veterans Retraining Assistance Program established in section 211 of the VOW to Hire Heroes Act of 2011 (Public Law 112-56, 125 Stat. 713).

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

The SPEAKER pro tempore. On that question, the gentleman, Mr. George, is recognized.

Mr. GEORGE. Thank you, Mr. Speaker.

Mr. Speaker, amendment 11079 is important to me for a number of reasons. As the last remaining World War II veteran in this House, it pains me to hear about veterans returning home from duty today who cannot find employment. The numbers are staggering.

Mr. Speaker, across the Commonwealth, veterans who have returned home from Iraq and Afghanistan are struggling to find jobs and take care of their families. The numbers vary from an average of 7.3-percent unemployment for all veterans across the Commonwealth to figures as high as 26.9 percent for post-9/11 male veterans between the ages of 18 and 24. In my own county of Clearfield, total veteran unemployment is a staggering 15.5.

Mr. Speaker, this is unacceptable under any circumstances. We owe it to the men and women who have served us honorably that we take care of them when they return home from service. The most vulnerable and the highest chronically unemployed are those under the age of 35 and still ineligible for the Federal Veterans Retraining Assistance Program. Mr. Speaker, my amendment seeks to provide those veterans and spouses of disabled veterans in the program with a weekly stipend of \$50 – money that can be used for child care, dependent care, and transportation.

Do we not owe it to our veterans and the families of those veterans, Mr. Speaker, to help them defeat this chronic plague of unemployment? I ask every member here to stand tall and stand with me and vote for our brave soldiers. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Perry, on the amendment.

Mr. PERRY. Thank you, Mr. Speaker.

I am wondering if the maker of the amendment will stand for interrogation?

The SPEAKER pro tempore. Mr. George has agreed, and you may proceed, Mr. Perry.

Mr. PERRY. Thank you, Mr. Speaker.

Is the maker of the amendment aware of other forms of discharge other than dishonorable or just a regular discharge? Familiar with the other forms of discharge?

Mr. GEORGE. It is open, sir, for all of those who have been honorably discharged.

Mr. PERRY. I am sorry, Mr. Speaker. I cannot understand what the maker— If you could repeat it, sir?

Mr. GEORGE. Mr. Speaker, it does not apply to dishonorably discharged.

Mr. PERRY. I understand that, but are you aware of the other forms of discharge other than dishonorable? There are other forms of discharge. Is the maker of the amendment familiar with the other forms?

Mr. GEORGE. Yes, Mr. Speaker.

Mr. PERRY. Okay. So are you familiar with, under the form of general discharge, someone could still receive a general discharge. So that is not dishonorable discharge. Someone can receive a general discharge for having deserted, having failed to meet physical standards, general ineptitude, can be discharged under this occurrence for drug offenses, financial irresponsibility and character disorders, and I just want to make sure you are familiar with that, because under these terms, that same individual discharged under a general discharge will be able to receive this benefit, and is that your intention?

Mr. GEORGE. Mr. Speaker, I am sure you would, as well as myself, want to give one or two of those individuals that could be there the benefit of the doubt in that they too have served and possibly could have given their lives, as you well know, you are a veteran, and rather than exclude one or two, that is the reason it was drafted this way.

Mr. PERRY. I understand. I just want to remind everybody that under those conditions, those individuals would be ineligible for benefits under the VA (Veterans' Administration).

And I would like to further clarify that you could be discharged under other than honorable conditions, and under those circumstances, you would be discharged for security violations and the use of violence. So under those conditions, someone would receive a discharge and, under this amendment, still be able to receive the benefit, and I just want to make sure the maker is familiar with that and aware of that and supports that. Okay, and he is nodding his head, so I am assuming that is an affirmative.

And then also there is the bad conduct discharge, which is for enlisted service members who receive a court-martial—

The SPEAKER pro tempore. Will the gentleman please suspend.

Have you concluded your interrogation, Mr. Perry?

Mr. PERRY. I am just about to, Mr. Speaker. If you will just indulge me for a moment.

The SPEAKER pro tempore. Okay. You may proceed.

Mr. PERRY. And I just want to make sure that the maker of the amendment is aware that those individuals that would have been discharged under those provisions would still be eligible for this benefit. I just want to make sure that the maker is fine with that, and he is nodding his head.

All right. Mr. Speaker, on the bill, please?

Mr. GEORGE. May I say something to you, Mr. Speaker? Would you allow me?

Those individuals you are talking about still have families, still have children, and you and I are concerned about those families and children. Thank you very much.

The SPEAKER pro tempore. The gentleman concludes his interrogation and is prepared to speak on the amendment.

Mr. PERRY. Thank you, Mr. Speaker.

And I would like to read to the membership right out of what we call the AR, which is the Army Regulation: *"The characterization of service upon separation is of great significance to the Soldier. It must accurately reflect the nature of service performed. Eligibility for veterans' benefits provided by law, eligibility for reentry into the military service, and acceptability for employment in the civilian community may be*

affected by the service characterization." Right there what they are telling that person who would be discharging an individual is that this is very important and that characterization of that service is important. And so it makes sure that if he or she deserves something other than an honorable discharge, that person deserves it, deserves the other than honorable discharge, the bad conduct discharge that he has gotten, it does not deserve benefits.

Benefits are earned, Mr. Speaker, and while I certainly appreciate the individual, the maker of the amendment's service, and I mean that wholeheartedly, having served myself, but those benefits are earned. And these folks that would have served and been discharged under these conditions, that are not necessarily dishonorable but could be other than honorable conditions or on a bad conduct discharge or even under a general discharge, do not deserve the benefits. And I would contend that for all service members who have earned them, who have earned them, that it is a kick in the face. And for those folks who have not, and I want to give you a couple of examples, the individual that blew hot on three drug tests, one after the other; or robbed the family support fund; or showed up drunk on three occasions to formation and then brought a gun to duty with the intent to shoot members of the command that tried to discharge him – and yes, these are actual cases – under these provisions, every one of those individuals would receive this benefit.

Mr. Speaker, presently the armed services are backlogged, the administrative services, making sure that every benefit for every eligible service member is there, and there is no reason that we should make them further backlogged by providing benefits to those who absolutely, absolutely do not deserve it. And with your consideration, for all those who have served honorably, who have served honorably, I ask that you vote "no" to this amendment.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Cambria County, Mr. Barbin.

Mr. BARBIN. I rise in support of this amendment. The question that we are being asked is, should veterans be included in this workforce development program? There has been a question raised as to whether that inclusion should depend on whether or not you are honorably discharged or there is any other discharge that is not dishonorable.

Right now we have 1 percent of the country willing to provide service to the nation. Some of those people come into our offices every day with problems that relate to less than honorable discharges, but they are not dishonorable. Those people have an incredibly hard time finding work, as well as honorably discharged veterans. We have anywhere between twice as many unemployed veterans, or even higher in some counties. The idea of restricting this workforce development to only those who have honorable service forgets the fact that most people do not serve.

So I believe that if we are going to err on the side of caution, if we are going to protect veterans' families, if we are going to protect people that may have made a mistake but still need a job, we need this amendment to be added to the bill.

I ask for your support.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Hornaman.

Mr. HORNAMAN. Thank you, Mr. Speaker.

The VRAP program, the Veterans Retraining Assistance Program, has benefits which offers up to 12 months of training assistance to unemployed veterans and has the exact same definition for those who are eligible for that benefit, which would be anyone with other than a dishonorable discharge. So it is the same definition that would be applied to these benefits, and I will be supporting this amendment. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentelady, Ms. Mundy.

Ms. MUNDY. Thank you, Mr. Speaker.

I want to point out that the language in this amendment is the exact same language that recently passed in the Veterans Retraining Assistance Program regarding dishonorable discharge. The 2011 Help our Heroes bill, the Federal legislation that was passed, uses the exact same language, passed by a Republican Congress.

And, I mean, I was shocked to hear what the gentleman had to say about people who obviously committed egregious and inappropriate actions while serving in the military. I want to know why those individuals were not dishonorably discharged. Certainly the individual who threatened to shoot other fellow officers, you know, I just have to ask the question, why would not that individual have been dishonorably discharged?

But regardless, this language is the exact same language that is found in the 2011 Help our Heroes bill passed by the U.S. Congress, and it deserves our support.

The SPEAKER pro tempore. The Chair thanks the lady and recognizes the gentleman, Mr. Perry, for the second time.

Mr. PERRY. Thank you, Mr. Speaker.

I would certainly be amenable if the maker of the amendment is interested in making some changes to it. This is not trying to play gotcha. I do not know if he did not know that these other forms of discharge included these certain punishments or certain provisions. I do not know that, so certainly I think that the body is receptive to the concept.

But I will tell you that, first of all, as a person that served in the enlisted and officer ranks and as a worker and a manager, nobody wants to throw anybody out of the military service for their good service. That is not the intent. We want everybody to stay in it and help pull the wagon. These are for folks that have perpetrated multiple, multiple infractions against their fellow soldiers and have not, have not sacrificed just like the other individuals next to them, and to give them the same benefit as someone else that has sacrificed honorably for numerous years, 20, 30 years or more, is just – it is incorrect. It is saying that the F student receives the same grade as the A student.

So if the maker of the motion would want to recommit it or something like that, I would certainly be willing to talk to him about it, and that is why I asked the questions under interrogation, if he knew all these infractions could be committed and still receive the discharges that he is talking about. But again I want to remind everybody that under these other discharges by the Federal government, participation in the GI bill is not allowed. Service in veterans' commissions is not allowed. A bar to reenlistment: You are no longer allowed to reenlist in any other branch of the service, of the Armed Forces. And assorted other veterans' benefits are taken away from you. That is not done capriciously. That is done for egregious infractions, multiple egregious infractions, and we are saying,

well, forget those multiple egregious infractions; we will just go ahead and give you the same benefit as everyone else that served honorably and for the sake of all those who have sacrificed everything. I do not think that is appropriate.

And as far as the family members go, for those who served dishonorably, that have received a dishonorable discharge, those family members are just as put out as these. So there is no difference in that regard. This is about honorable service and honoring that and the benefits in accordance with that, Mr. Speaker.

And so again, unless the maker of the amendment wants to entertain a motion to recommit so that the language can address these other forms of discharge, I, with all due respect, have to vote "no" and continue to beseech you to vote "no" on behalf of all those who serve honorably.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. George, for the second time.

Mr. GEORGE. Thank you, Mr. Speaker.

Mr. Speaker, I have tried to listen intently, and I understand that for each and all of us, we have personal views, but there is not anybody here that does not worry about our constituency, especially our veterans, and the gentleman, the speaker, is an honorable veteran. But let me say this, and it is somewhat repetitious: This Veterans Retraining Assistance Program, the VRAP, Congress passed and the President signed into law the VOW (Veterans Opportunity to Work) to Hire Heroes. Included in this new law is the Veterans Retraining Assistance Program act for 12 months of training assistance to unemployed veterans. The department, VA, and the Department of Labor, the DOL, are working together to roll out this by July 1, 2012.

I know we would like to have a whole bill, but it is imperative that we follow this up right now. The VRAP offers 12 months of training assistance to veterans who are at least 35 and no more than 60, are unemployed on the date of application, received other than a dishonorable discharge, are not eligible for any other VA educational benefit program such as are not in receipt of VA compensation due to unemployment ability, are not enrolled in a Federal or State training program. Should those of you want to accept the fact that there are children and wives out there not in any way responsible for any action that was taken by the parent or such, that that parent or such is still a veteran, and parents and children need help.

So I am saying to you, if you dare to, suit your own pleasure, but I intend to be a veteran who is proud to be a veteran, and I am going to do all I can to take care of anybody who was a veteran or their families. I am asking you to vote "yes." Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Lycoming County, Mr. Everett.

Mr. EVERETT. Thank you, Mr. Speaker.

As a veteran of 20 years in the United States Air Force, I rise reluctantly to oppose this amendment. I cannot in good conscience vote for a provision that would provide benefits to individuals who have committed domestic violence, who have sold drugs, who have hurt their fellow soldiers. These individuals are not eligible for benefits under any other veterans programs, and for us to reward these individuals who have served maybe not dishonorably but who have not served their country fully and honorably like the rest of the veterans who so

fully deserve those benefits, in my mind, would be very wrong-minded on our part. We need to reward our veterans who have served honorably.

And to explain a question that was asked by an earlier speaker, these other administrative discharges are a way to get people who do not serve well in the military, have committed crimes, and are unfit to be in the military out without having to go through a long court process in the military and have them dishonorably discharged, but that does not mean that they have served well and served honorably.

So I would ask the members here to vote down this amendment and make sure that we are not rewarding those who have served their country but have served their country badly and do not deserve the benefits and the classification as a veteran.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Metcalfe, from Butler County.

Mr. METCALFE. Thank you. Thank you, Mr. Speaker.

Mr. Speaker, I rise in opposition to the amendment that is before us, the George amendment.

Mr. Speaker, I thought with the way that the gentleman from York County, one of our colleagues here who served for many years now and is still an officer in the military service, I thought the way he laid it out that surely this amendment would have been withdrawn, that no one could want to give benefits to an individual who went in, raised their hand to uphold and defend the Constitution with the intention to serve our nation, and then did so in a way that was not honorable, in a way that they were discharged, in a way that this would allow them to still receive some benefit. I thought what the gentleman from York said, it is like a kick in the face to those veterans like myself and the others here that have served and others outside of this chamber that served. It is like a kick in the face to say that someone wants an individual to receive benefits that only a veteran deserves who served in an honorable way, Mr. Speaker. It is outrageous, Mr. Speaker, for this debate to even be taking place.

I mean, I would encourage the gentleman to withdraw this and fix the language so that only a veteran who served in an honorable fashion, that served his nation well or has served her nation well, would benefit from this, Mr. Speaker. I mean, when the gentleman said it is a kick in the face, that is exactly what it is for anybody to vote for this. It is a kick in the face to every veteran who has served honorably, Mr. Speaker, and this amendment needs to be defeated as drafted.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentelady, Ms. Mundy, for the second time.

Ms. MUNDY. Mr. Speaker, I repeat, the Republican chairman of the House Veterans Affairs Committee in Congress wrote this language into the 2011 Help our Heroes Act. He used this language. Representative George used the exact same language. Every single Republican in the House of Representatives voted for this exact same language.

These arguments are red herrings and very facetious, and I would urge a "yes" vote, a "yes" vote on the benefit that Representative George wants to provide to our veterans.

The SPEAKER pro tempore. The Chair thanks the lady and recognizes the gentleman, Mr. Hornaman, for the second time.

Mr. HORNAMAN. Thank you, Mr. Speaker.

To the gentleman from Butler, I, too, am a veteran, and I do not feel like anyone is kicking me in the face on this amendment. This helps the families of those who have other than a dishonorable discharge.

I will be voting for this amendment, and I will be honored to do so. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Delaware County, Mr. Barrar.

Mr. BARRAR. Thank you, Mr. Speaker.

Mr. Speaker, I think it is obvious that a lot of the members feel that this is a benefit that should be reserved to members of the veterans community who are honorably discharged. We are giving them a benefit, and they would be eligible. Someone with less than an honorable discharge would not be eligible for any other benefit under the VA, and I cannot understand why we would want to give this benefit to people who have come out of the service with anything less than an honorable discharge.

So I want to add my name to the list of people who are opposed to this, to giving this benefit to people with less than an honorable discharge. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

LEAVE OF ABSENCE

The SPEAKER pro tempore. The Chair recognizes the majority leader, who requests a leave of absence for Mr. TRUITT from Chester County. Without objection, the leave of absence will be so granted.

CONSIDERATION OF HB 1539 CONTINUED

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Saylor.

Mr. SAYLOR. Thank you, Mr. Speaker.

While our caucus and our members and myself are aware and sympathetic to the challenges faced by veterans who are reentering our workforce, the agreement that we have had and we have offered to the Representative from Clearfield County was that we would be glad to take his amendment and reshape it that it fits for the honorably discharged members of the general forces and make it a bill. We do not oppose helping those who have helped our nation and our citizens and who enjoy the freedoms we have, but to recognize and give benefits to somebody who has committed acts of domestic violence I think is a slap in the face to the women of our country and our State. I believe those who have betrayed violence on their fellow soldiers, again, where do we cut the line into the benefits that we offer to people? When is it important to be able to respect the men and women who serve us and not reward those who have not served us well?

This amendment as it is currently drafted would grant veterans a variety of discharges for \$50 a week. There are veterans in our country and in this State who deserve that \$50, and probably even more if we could afford it, but for those who have not served honorably, it is not something we should be doing.

So, Mr. Speaker, I ask the maker of the amendment to please reconsider, introduce it as a bill for those who are honorably discharged, and let us bring it forward. I think the chairman of Labor and Industry has agreed that he would conduct a hearing and move the bill out of committee, but if it stays as an amendment, I must oppose the amendment because it is a slap in the face to our men and women who have been honorably discharged.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Barbin, for the second time.

Mr. BARBIN. Thank you, Mr. Speaker.

Again, I rise in support of this amendment. I have looked at the amendments that are cast and there is not a single amendment that has been offered by the other side or our side that says this should only go to an honorable discharge.

So where are we? Today is second consideration. Any one of the people that are in this hall could have suggested an amendment that says that we should limit this to honorable discharge, but no one did. So today our choice is really simple: Do we want to try to protect the honorable discharge, pass this amendment, and ask the Senate to correct it, or do we want to have no benefit? I am for the benefit.

If you want to change it, change it in the Senate. If you did not change it today, you cannot tell the rest of us that we cannot have a benefit for veterans. This is just wrong. There is plenty of time to change this. Take it back into Rules and change it, but do not take the benefit away that we only have the right to vote on today.

This is a mistake. There are people that have less than honorable discharges. Some of those people entered into agreements without knowing what it meant. They have families, they have obligations, and they had served. I know one of them. He came into my office. He had a chestful of medals, but he went out on leave one weekend, and when he was out, he got drunk. He got pushed out, or they pushed him out because they said do not argue with us or we are going to give you a dishonorable discharge. He agrees to be discharged less than honorable; he is now in a problem. Those people need help. That is why the House Republicans in Congress said this language was good enough.

This is wrong, and I urge support of the amendment.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Lancaster County, Mr. Sturla.

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, it was pointed out that this amendment helps the families of those veterans, so while I do not condone somebody committing domestic violence or while I do not condone someone who goes out and gets drunk and gets less than an honorable discharge the night before they are ready to be discharged, and while I do not condone someone doing any of the other things that might get them something less than an honorable discharge, to then say you are going to take that act, in the particular case of domestic violence, and punish the family again by not allowing the family to have any benefits just adds insult to injury.

You can have people that had multiple tours of duty that would have had an honorable discharge and one incident prevents that. This is a case where this language is equal to or the same as what was passed by a Republican Congress. This is about helping families.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from York County, Mr. Miller.

Mr. MILLER. Thank you, Mr. Speaker.

We just pulled off of the U.S. Department of Labor Web site "SUBCHAPTER I – GENERAL § 4304. Character of service," and this deals with, Chapter 43 deals with employment and reemployment rights of members of the uniformed services: "§ 4304. Character of service. A person's entitlement to the benefits of this chapter by reason of the service of such person in one of the uniformed services terminates upon the occurrence of any of the following events:...A separation of such person from such uniformed service with a dishonorable or bad conduct discharge," and I think that is the key in this. It is not just a dishonorable discharge; it is "or bad conduct discharge," which I believe the Representative from York County has stated what some of those are. And this is why I believe that we should take a new look at this amendment and would also ask and have asked the sponsor of this amendment to withdraw it and let us take a look at it and see if there is a way to accommodate his wishes for veterans. Otherwise, Mr. Speaker, I would request a "no" vote on this amendment. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS-83

Barbin	DeLissio	Kotik	Petrarca
Bishop	DePasquale	Kula	Petri
Boyle, B.	Dermody	Longiotti	Preston
Boyle, K.	Donatucci	Maher	Ravenstahl
Bradford	Fabrizio	Mahoney	Roebuck
Brennan	Frankel	Mann	Sabatina
Briggs	Freeman	Markosek	Samuelson
Brown, V.	George	Matzie	Santarsiero
Brownlee	Gerber	McGeehan	Santoni
Burns	Gergely	Metzgar	Schmotzer
Buxton	Gibbons	Micozzie	Smith, M.
Caltagirone	Haluska	Mirabito	Staback
Cohen	Hanna	Mundy	Sturla
Conklin	Harhai	Murphy	Thomas
Costa, P.	Harkins	Myers	Vitali
Cruz	Hornaman	Neilson	Waters
Curry	James	Neuman	Wheatley
Daley	Josephs	O'Brien, M.	White
Davis	Keller, W.	Parker	Williams
Dean	Kirkland	Pashinski	Youngblood
Deasy	Kortz	Payton	

NAYS-113

Adolph	Evans, J.	Keller, M.K.	Readshaw
Aument	Everett	Killion	Reed
Baker	Farry	Knowles	Reese
Barrar	Fleck	Lawrence	Roae
Bear	Gabler	Mackenzie	Rock
Benninghoff	Galloway	Major	Ross

Bloom	Geist	Maloney	Saccone
Boback	Gillen	Marshall	Sainato
Boyd	Gillespie	Marsico	Saylor
Brooks	Gingrich	Masser	Scavello
Brown, R.	Godshall	Metcalfe	Simmons
Carroll	Goodman	Miccarelli	Smith, K.
Causer	Grell	Millard	Sonney
Christiana	Grove	Miller	Stephens
Clymer	Hackett	Milne	Stern
Costa, D.	Hahn	Moul	Swanger
Cox	Harhart	Mullery	Tallman
Culver	Harper	Murt	Taylor
Cutler	Harris	Mustio	Tobash
Davidson	Heffley	O'Neill	Toepel
Day	Helm	Oberlander	Toohil
Delozier	Hennessey	Payne	Turzai
DeLuca	Hess	Peifer	Vereb
Denlinger	Hickernell	Perry	Vulakovich
DiGirolamo	Hutchinson	Pickett	Watson
Dunbar	Kampf	Pyle	
Ellis	Kauffman	Quigley	Smith, S., Speaker
Emrick	Kavulich	Quinn	
Evankovich	Keller, F.	Rapp	

NOT VOTING-0

EXCUSED-5

Creighton	Krieger	Stevenson	Truitt
Evans, D.			

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

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

Bill as amended was agreed to.

(Bill as amended will be reprinted.)

* * *

The House proceeded to second consideration of **HB 2359, PN 3507**, entitled:

An Act amending the act of November 26, 1978 (P.L.1375, No.325), known as the Dam Safety and Encroachments Act, further providing for definitions and for regulations and standards.

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

Mr. **STURLA** offered the following amendment
No. **A11165**:

Amend Bill, page 2, lines 16 and 17, by striking out "except as otherwise provided in" in line 16 and "paragraph (4)." in line 17

Amend Bill, page 2, line 20, by striking out "Not require" and inserting

Require

Amend Bill, page 2, line 23, by striking out "Not require" and inserting

Require

Amend Bill, page 2, lines 27 through 30; page 3, line 1, by striking out all of said lines on said pages and inserting

(4) Ensure all guidelines promulgated under this

subsection shall comply with applicable Federal and State laws and regulations.

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

The SPEAKER pro tempore. On that question, the gentleman, Mr. Sturla, is recognized.

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, this amendment ensures that actions taken pursuant to this act comply with State and Federal laws and regulations.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the amendment, Mr. Causer is recognized.

Mr. CAUSER. Thank you, Mr. Speaker.

Mr. Speaker, I rise in opposition to the Sturla amendment. The Sturla amendment is completely unnecessary. It seeks to undermine the intent of the bill, and I ask for opposition to the amendment.

The SPEAKER pro tempore. The Chair thanks the gentleman.

Mr. Sturla, are you seeking recognition for the second time? You may proceed.

Mr. STURLA. Mr. Speaker, if I understand the gentleman's opposition, he basically says that the purpose of this bill then is so that you do not have to comply with State and Federal laws and regulations related to the Clean Water Act.

DEP (Department of Environmental Protection) opposes this bill as it causes conflicts for the Commonwealth pursuant to its obligations to the Clean Water Act. Allowing local, county, or State authorities to declare routine maintenance as an emergency undermines well-founded State and Federal regulations while placing downstream communities at risk of flooding by the actions of those upstream.

I understand if this gentleman has a specific case in a specific town that he wants to do something about. Then he should draft legislation that specifically addresses a specific issue. This gives carte blanche to any community to supersede State and Federal regulations by declaring an emergency that they declare themselves.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Causer, for the second time.

Mr. CAUSER. Mr. Speaker, the gentleman is completely false. The intent of this legislation is to provide a streamlined process for local communities and local property owners to fix a problem that is prevalent across the entire Commonwealth. There are many, many instances in this Commonwealth where there are stream obstructions that are a risk to public safety. This legislation creates a well-defined process for people to be able to remove these stream obstructions.

There is no trying to circumvent State or Federal law. It is eliminating a cumbersome, expensive permitting process that is preventing us from protecting the public, and it is important for us to pass this legislation to give our local communities the tools they need to take care of these obstructions.

So the gentleman is obviously confused on what the intent of the legislation is trying to accomplish, and we need to defeat the Sturla amendment.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Saylor.

Mr. SAYLOR. Mr. Speaker, I rise today to ask for a "no" vote on the Sturla amendment. We believe that Representative Causer has introduced a very good bill and not in need of this amendment. It is important for the property owners to be able to take care of their property and protect themselves, and I ask for a negative vote on the Sturla amendment, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—78

Barbin	Davis	Josephs	Payton
Bishop	Dean	Keller, W.	Preston
Boyle, B.	Deasy	Kirkland	Ravenstahl
Boyle, K.	DeLissio	Kortz	Readshaw
Bradford	DeLuca	Kotik	Roebuck
Brennan	DePasquale	Kula	Sabatina
Briggs	Dermody	Mahoney	Samuelson
Brown, V.	Donatucci	Mann	Santarsiero
Brownlee	Fabrizio	Markosek	Santoni
Burns	Frankel	Matzie	Schmotzer
Buxton	Freeman	McGeehan	Smith, M.
Caltagirone	Galloway	Mundy	Sturla
Cohen	George	Murphy	Thomas
Conklin	Gerber	Myers	Vitali
Costa, D.	Gergely	Neilson	Waters
Costa, P.	Goodman	Neuman	Wheatley
Cruz	Hanna	O'Brien, M.	White
Curry	Harkins	Parker	Williams
Daley	Hornaman	Pashinski	Youngblood
Davidson	James		

NAYS—118

Adolph	Gabler	Longietti	Quinn
Aument	Geist	Mackenzie	Rapp
Baker	Gibbons	Maher	Reed
Barrar	Gillen	Major	Reese
Bear	Gillespie	Maloney	Roae
Benninghoff	Gingrich	Marshall	Rock
Bloom	Godshall	Marsico	Ross
Boback	Grell	Masser	Saccone
Boyd	Grove	Metcalfe	Sainato
Brooks	Hackett	Metzgar	Saylor
Brown, R.	Hahn	Miccarelli	Scavello
Carroll	Haluska	Micozzie	Simmons
Causer	Harhai	Millard	Smith, K.
Christiana	Harhart	Miller	Sonney
Clymer	Harper	Milne	Staback
Cox	Harris	Mirabito	Stephens
Culver	Heffley	Moul	Stern
Cutler	Helm	Mullery	Swanger
Day	Hennessey	Murt	Tallman
Delozier	Hess	Mustio	Taylor
Denlinger	Hickernell	O'Neill	Tobash
DiGirolo	Hutchinson	Oberlander	Toepel
Dunbar	Kampf	Payne	Toohil
Ellis	Kauffman	Peifer	Turzai
Emrick	Kavulich	Perry	Vereb
Evankovich	Keller, F.	Petrarca	Vulakovich
Evans, J.	Keller, M.K.	Petri	Watson
Everett	Killion	Pickett	
Farry	Knowles	Pyle	Smith, S., Speaker
Fleck	Lawrence	Quigley	

NOT VOTING—0

EXCUSED—5

Creighton Krieger Stevenson Truitt
Evans, D.

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

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

Mr. **STURLA** offered the following amendment
No. **A11167**:

Amend Bill, page 2, lines 15 through 30; page 3, line 1, by striking out the colon after "shall" in line 15, all of lines 16 through 30 on page 2 and all of line 1 on page 3 and inserting
establish criteria to expedite the permitting and approval process for the removal of flood-related hazards or related stream clearing activities.

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

The SPEAKER pro tempore. On the amendment, on that question, the gentleman, Mr. Sturla, is recognized.

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, this amendment would remove the provisions of the bill that conflict with the Commonwealth's obligation under section 404(e) of the Clean Water Act by requiring the Environmental Quality Board to establish guidelines for the expedited removal of flood-related hazards that fall entirely under the Commonwealth's purview.

Again, I understand that the gentleman does not want lengthy permitting processes to go on. This eliminates that lengthy permitting process but does say that you still need to comply with the Clean Water Act and that you cannot affect other people downstream. The waters in this State belong to all Pennsylvanians.

DEP opposes this bill in its current form as does the Chesapeake Bay Commission and the Pennsylvania Fish and Boat Commission. The bill as it stands gives carte blanche to anyone to go in and alter a stream. That is not what is intended with the Clean Water Act or the protections that we have for people that get and use clean water from our streams every day.

This amendment, 11167, would allow for an expedited process so that true hazards can be removed but does not give carte blanche to anyone to go in and do anything simply because someone declared it an emergency.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Causer.

Mr. CAUSER. Thank you, Mr. Speaker.

Mr. Speaker, this amendment simply strikes the language in the bill that we are trying to amend that would create this process. So once again, the gentleman is trying to undermine the intent of the legislation. We are not trying to go against any Clean Water Act. We are trying to create a very clear process. We are trying to give local communities the tools that they need to clean out these stream obstructions and to be able to protect public safety, and simply, simply striking all the language and

giving the Environmental Quality Board the approval to move forward with regulations to create a process is not the right answer.

So I would ask for opposition once again to this amendment.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Saylor.

Mr. SAYLOR. Thank you, Mr. Speaker.

Again, the Sturla amendment does gut the bill as a whole, and while it does do expediting of the removal of flood hazards from the streams and clearing activities, the problem is, it still does not exclude permitting and engineering studies that are required to expedite the process.

So it is still a delay for those who need to clean up their properties, and so, Mr. Speaker, I would rise to oppose the Sturla amendment.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes Mr. Sturla for the second time.

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, I would just caution you that while it may seem appealing for your local township or your particular property owner to be able to get their backhoe out and go running into the stream to do things, my guess is that there is going to be more property owners and more fishermen and more boaters downstream from these projects that are calling you and going, why is the guy in the stream with the backhoe trying to do something without any permit from DEP or the Fish and Boat Commission or any of those other things going on?

I would just encourage a "yes" vote. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Lycoming County, Mr. Everett.

Mr. EVERETT. Thank you, Mr. Speaker.

I rise to oppose the Sturla amendment. This amendment would totally reverse the point of this bill. And I would point out to the members that this bill does task the EQB, the Environmental Quality Board, to come up with a process to allow people to get into streams and clean them out after high-water events. It does not just allow people to get a bulldozer and drive into the stream. It will set up a process, but it will be a simple and streamlined process to allow folks to do the kind of work that we need to do to fix banks and to get trees out of the way after high-water events. And I am confident that the EQB will come up with a reasonable process that will allow people to do that and will protect the environment at the same time and those downstream.

So I would encourage the members to vote "no" on the Sturla amendment, and thank you very much, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Causer, for the second time.

Mr. CAUSER. Thank you, Mr. Speaker.

Mr. Speaker, again, I oppose the Sturla amendment. It undermines what we are trying to do with the legislation. The legislation creates a clear process to protect public safety, to clean out stream obstructions. As the previous speaker said, it does task the Environmental Quality Board with creating guidelines for cleaning out these obstructions and creates, as I said, a very clear process to protect public safety.

So I ask for a negative vote on the Sturla amendment. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentlelady from Luzerne County, Ms. Mundy.

Ms. MUNDY. Thank you, Mr. Speaker.

As a Representative whose district has been badly impacted by flood events, streams and the river, I can attest to the fact that many times people are a bit frustrated at how slow the process can be to remediate any hazards that exist. However, I have also faced situations where individual homeowners wanted to do things with their property, with the stream behind their property, that would have badly impacted those both upstream and downstream of their properties.

So I support the Sturla amendment as a compromise really to the Causer bill because it does streamline the process but it does it in a more responsible method. Just because you own a piece of property and just because that property was damaged or impacted by an obstruction in a stream does not mean that you have the right to do whatever you want in that stream, because we all live downstream of someone else, and what those people do with their properties impacts all of us in many ways. My district is a perfect example of that.

So I strongly support the Sturla amendment as a way to streamline the process but yet leave the process in responsible hands. We should expedite, although I must say that my DEP does a very good job of issuing emergency permits very quickly. So I support the Sturla amendment as a compromise to the Causer bill.

The SPEAKER pro tempore. The Chair thanks the lady.

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

(Members proceeded to vote.)

LEAVE OF ABSENCE

The SPEAKER pro tempore. The Speaker returns to leaves of absence at the request of the majority leader, for a leave of absence for the gentlelady, Ms. HARPER. Without objection, the leave will be so granted.

CONSIDERATION OF HB 2359 CONTINUED

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

The following roll call was recorded:

YEAS—71

Bishop	Davidson	Kavulich	Preston
Boyle, B.	Davis	Keller, W.	Ravenstahl
Boyle, K.	Dean	Kirkland	Readshaw
Bradford	Deasy	Kortz	Roebuck
Brennan	DeLissio	Kula	Sabatina
Briggs	DeLuca	Mahoney	Samuelson
Brown, V.	DePasquale	Mann	Santarsiero
Brownlee	Dermody	Markosek	Santoni
Burns	Donatucci	Matzie	Schmotzer
Buxton	Fabrizio	McGeehan	Smith, M.
Caltagirone	Frankel	Mundy	Sturla
Cohen	Freeman	Murphy	Thomas
Conklin	George	Myers	Vitali
Costa, D.	Gerber	Neilson	Waters

Costa, P.	Harkins	O'Brien, M.	Wheatley
Cruz	Hornaman	Parker	Williams
Curry	James	Pashinski	Youngblood
Daley	Josephs	Payton	

NAYS—124

Adolph	Galloway	Longietti	Quinn
Aument	Geist	Mackenzie	Rapp
Baker	Gergely	Maher	Reed
Barbin	Gibbons	Major	Reese
Barrar	Gillen	Maloney	Roae
Bear	Gillespie	Marshall	Rock
Benninghoff	Gingrich	Marsico	Ross
Bloom	Godshall	Masser	Saccone
Boback	Goodman	Metcalfe	Sainato
Boyd	Grell	Metzgar	Saylor
Brooks	Grove	Miccarelli	Scavello
Brown, R.	Hackett	Micozzie	Simmons
Carroll	Hahn	Millard	Smith, K.
Causer	Haluska	Miller	Sonney
Christiana	Hanna	Milne	Staback
Clymer	Harhai	Mirabito	Stephens
Cox	Harhart	Moul	Stern
Culver	Harris	Mullery	Swanger
Cutler	Heffley	Murt	Tallman
Day	Helm	Mustio	Taylor
Delozier	Hennessey	Neuman	Tobash
Denlinger	Hess	O'Neill	Toepel
DiGirolamo	Hickernell	Oberlander	Toohil
Dunbar	Hutchinson	Payne	Turzai
Ellis	Kampf	Peifer	Vereb
Emrick	Kauffman	Perry	Vulakovich
Evankovich	Keller, F.	Petrarca	Watson
Evans, J.	Keller, M.K.	Petri	White
Everett	Killion	Pickett	
Farry	Knowles	Pyle	Smith, S., Speaker
Fleck	Kotik	Quigley	
Gabler	Lawrence		

NOT VOTING—0

EXCUSED—6

Creighton	Harper	Stevenson	Truitt
Evans, D.	Krieger		

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

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

**THE SPEAKER (SAMUEL H. SMITH)
PRESIDING**

LEAVE OF ABSENCE

The SPEAKER. The Speaker returns to leaves of absence and recognizes the majority caucus chairman, who requests a leave of absence for the gentleman from Clinton County, Mr. HANNA, for the remainder of the day. Without objection, the leave will be granted.

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 2191, PN 3645**, entitled:

An Act amending Titles 7 (Banks and Banking) and 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in Title 7, providing for short-term loan protection; and, in Title 18, further providing for deceptive or fraudulent business practices and providing for unlicensed short-term lending.

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

(Bill analysis was read.)

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

On that question, the Speaker recognizes the gentleman from Chester County, Mr. Ross.

Mr. ROSS. Thank you, Mr. Speaker.

I would like to just briefly explain this bill, and I think the best way I can do it is by answering three questions. First, what is short-term lending? Second, why do we need to change Pennsylvania's law with this bill? And third, how does the bill help our constituents who borrow short term?

First of all, lending as we know it more commonly has to do with long-term loans, 30-year mortgages or 3-year car loans, things that are secured with objects that can be repossessed, your house or your car, and the cost to set these loans up is spread out over many years. Short-term loans are quite different. They are typically under a year, usually only a few weeks or a month or so, and the costs must be recovered quickly over that short term of loan. There is usually no security offered on these loans, too, so they are typically more expensive.

In former days, when you were short and did not have the money to meet your bills, you could go down to the corner grocery store, get the groceries, and the grocer knew you and he would typically carry you until payday Friday, because he knew where you worked, he knew where you lived, and those were the ways that people in the good old days were able to cover their shortages. But with the loss of the corner grocery store, with people moving around, we lost that opportunity.

And let me explain to you how this system arose originally, and I will give you an example. It is the easiest way to describe it. Let us assume John Smith has \$100 in the bank, he is going to get paid in a week, and on his way to work one day, his car breaks down. He takes it into the garage. The garage tells him, I can fix it, but you have got to pay me; you have got to give me a check, and it is going to cost you \$200. So John writes him a check, and that really is a short-term loan, that check. It is basically a promise to pay a little bit in the future, a few days in the future. So when that check bounces, John's bank charges him \$35 for the extra hundred dollars or the hundred-dollar loan that he wound up borrowing from the bank without their agreement. Now, that hurt his credit rating, and basically what happened was people in the payday loan industry suddenly came upon the concept that they could lend that money to John

at less than \$35, maybe \$15, and John would be better off because he had not damaged his credit, and that was how the payday lending industry was born.

Now, why do we need this bill? We have rules and regulations in banking, like the usury laws and the Truth in Lending Act, that are designed for long-term lends, and they are very sensible for long-term loans because what they do is they tell you what it costs in total for your loan over a year. So you can look at that cost in your annual budget and compare it to other things that you have over a year.

In short-term loans, there is a problem, because how do you calculate an annual percentage rate loan on a 2-week loan? The way they do it is they extend the loan as if it were being carried over the course of a year, and to do that, they assume that the charge is charged again, over and over and over again, throughout the entire year. For a 2-week loan, that would be 26 times.

Now, if you do that for the \$35 bounced-check fee, which is the other type of short-term loan that we were talking about that John was going to use before, and you consider how much that APR (annual percentage rate) would be if it were calculated out in the same way, that annual percentage rate number would be 3,640 percent. But that is really not what John actually paid, because this distorts what an APR is meant to show. It does not make things clearer; it makes them less clear and more confusing.

In fact, Kenneth Clayton of the American Bankers Association put it very simply: "Any time an annual percentage rate is calculated for a term less than a year, the inclusion of a fixed fee, even a modest one, will distort and overstate the APR. The shorter the repayment period, the greater the APR will appear in instances where there is a fixed fee. This means that the sooner the consumer repays, the greater the calculated APR – a difficult concept to explain to consumers, as it appears that paying earlier actually increases the cost of credit." We want people to get out of debt. We do not want them to think that by staying in debt for a longer period of time they are actually reducing their costs.

Now, existing Pennsylvania law does allow short-term lending, but it only allows it at a 24-percent annual percentage rate. Now, that is fine for a mortgage. We are typically getting them in at 4 percent and people are doing business like that, or a car loan that can, again, be covered at an annual percentage rate that is acceptable and people can do business for it. But if you are going to ratchet that 24-percent annual percentage rate down to a 2-week loan, that means on that \$100 unsecured loan for 2 weeks, the lender can only charge 92 cents.

Now, I went and took some money out of the ATM machine (automatic teller machine) here in the Capitol earlier today, and it cost me a dollar fifty to get my own money out of the bank. They are proposing, under the usury laws, to actually let lenders lend unsecured at no more than 92 cents. Nobody can do business like that, and in fact, when that was the insistence of the Secretary of Banking 6 years ago, the lenders left Pennsylvania.

But lending did not stop. In fact, although it is illegal to charge more than that – and in fact, a Supreme Court decision here in Pennsylvania made it plain that it was illegal – lending has not stopped in Pennsylvania. In fact, I have in front of me a printout of an article in the Lancaster newspaper of about May

21, and I downloaded this because I thought it was particularly interesting. It is about my bill, and it explains why you should not pass my bill and why we really do not have a problem with short-term lending in Pennsylvania. But when I look at this sheet of paper and look at what was surrounding this article in the Lancaster paper, I see the following advertisements, and let me read you some of these advertisements: "Cash Advance \$200-\$1500. Decision in 2 Minutes(!). 'Bad Credit OK & No References.' www.FlashPayday.com." Right underneath that: "Personal Loans Online. Easy & Secure. 1 Minute Approvals Bad Credit OK – Apply Now! www.eLoanPersonal.com." Down along the side, I will just pick out another one: "\$850-\$10,000 Cash Advance. Apply for \$1500, \$2600, \$5K, or \$10K. Response in minutes 888"— And I will not read the whole phone number. Underneath that, "www.westernsky.com." This is in a Lancaster newspaper that was attacking my bill, and these are ads that I am assuming are being taken out and paid ad revenue to the paper.

It is not just in the newspapers and online like that. Many of you have seen ads with Montel Williams. I saw one the other night when I was watching the Phillies game. Montel has been on TV for at least 6 months that I am aware of here in Pennsylvania encouraging people to give him a call because he can connect you with easy online money from out of State. He is a dragger, I think they call it, where he is actually connecting somebody who would call that 800 number and then put them in touch with a number of Internet lenders from who knows where. So this is going on right now in Pennsylvania.

Now, some say, oh, well, we do not know much is going on with it, but would somebody actually pay to put Montel Williams on TV for 6 months if there was no business here in Pennsylvania being taken out? I think those ads would have been gone a long time ago.

So we have Internet lending here. We have it happening in a way that the Secretary of Banking cannot control and cannot reach and admits as much, because they are using sovereign Native-American nations; they are using offshore locations such as Costa Rica; they are using phony P.O. boxes where we cannot find them and we cannot prosecute them. So we have the lending and our constituents are allowing them into their bank accounts, and there is no protection for them.

So let me get to the third question: What does this bill do? It limits the cost that the lender can charge to 12 1/2 cents per dollar plus a \$5 fee. It maxes out the amount that a borrower can borrow at 25 percent of their gross paycheck. The biggest issue is cycle of debt, borrowers who take repetitive loans and get in deeper and deeper and deeper without ever paying those loans off, and it breaks the cycle of debt. It forbids a borrower from borrowing again until he pays off the first loan, including the fee, and allows 24 hours for the check to clear.

If you are, as a borrower in Pennsylvania, starting to worry that you are using this too often and you begin to feel that you are losing control, it gives another benefit, which is not available right now, an extended payment plan, and in this case the lender is required to offer you, at no additional cost, four 2-week additional pay periods. And during that period of time, you can pay them, the lender, off a little bit at a time. You also get access to free credit counseling.

Now remember, you cannot borrow any more than 25 percent of your pay, so this would be essentially the first pay period plus four or five pay periods. So the maximum that you

would have to pay back would be only 5 percent of your paycheck in each of those five pay periods.

You also are required to give, the lender is required to give a clear disclosure of the terms and also a 24-hour right to rescind the loan at no cost.

We have added a number of other protections in here, both at the committee level and on the floor when we were here on second earlier, keeping the lenders away from slot machines and racetracks, military bases. So all in all I think we have done what we can to try and provide a safe and reasonable alternative for those that are caught short. Will this solve everyone's problems? Absolutely not, but at least it is half the price of what is currently being offered on the Internet. It is half the price without the impairment of credit, of bouncing checks or check-bouncing privileges, and it is a much better alternative for those that need it.

Now, I have heard all the negative comments out there and the anxiety and some of the negatives that have been spread around about this legislation, but we as legislators know that sometimes we have to actually look at the details of the legislation in front of us, look at it honestly, and determine whether or not we are going to do what we think is in the best interest of the people of Pennsylvania, regardless of the noise outside.

So, Mr. Speaker, I urge the members to vote favorably on HB 2191. Thank you.

The SPEAKER. The question is, will the House agree to the bill?

On that question, the Speaker recognizes the gentleman from Philadelphia County, Mr. Thomas.

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, I rise in opposition to HB 2191 for a number of reasons.

Number one, payday lending was declared illegal in the Commonwealth of Pennsylvania. Payday lenders that are currently in the Commonwealth of Pennsylvania are using out-of-State banks to move their money. There are no payday lenders doing business with State-chartered or FDIC (Federal Deposit Insurance Corporation)-chartered banks. So payday lending is illegal in the Commonwealth of Pennsylvania.

Secondly, Mr. Speaker, no matter how you interpret it, anytime you can borrow a certain amount of money, no more than \$300, for a 2-week period with the interest rate as contained in HB 2191 is going to equal a 369-percent interest rate. No matter what math you use, it is going to come out the same way. And the fact that you limit the number of months, the fact that you limit how many you can do in a particular period of time, no matter whether you go to one payday lender as opposed to another payday lender, at the end of the day, it is the same thing; it is a debt trap designed, designed specifically for people who are already struggling.

Anybody that will go to somebody to borrow \$100 to pay a bill, they are doing bad. Anybody that enters into a transactional arrangement, knowing that you cannot borrow any more than \$300, that should say something to you. And so, yes, there is payday lending going on, but our efforts today, if it is not successful, will only aggravate an already troubling situation in Pennsylvania.

Have you visited Ohio recently? Have you visited the State of Florida recently? The State of Ohio and the State of Florida are moving aggressively to put down payday lenders in those

two States. Why? Because there are people sleeping in the street, living in the street, unemployed, suffering, because they have gotten caught in this debt trap that is now trying to carry the cover of a legislative body.

So, Mr. Speaker, number one, it is illegal, and number two, it is a debt trap, and no matter what people tell you, it is a debt trap. And I challenge, I challenge whether anybody in this august body will go somewhere and borrow \$300 for 2 weeks and turn over your paycheck. Nobody in here would do that. Even the people who might be smoking stuff that they should not be smoking would not enter into a transaction like that. Stevie Wonder could see the debt trap associated with this transaction. Do not let people fool you. Do not let people fool you. So no matter which way you cut this, it is a debt trap.

Thirdly, there is no redeeming value to the availability of these kinds of loans in the Commonwealth of Pennsylvania. There is no redeeming value. Once we legalize this, and these lenders, and I should really call them loan sharks, gamblers, but I do not want to hear my friend on the other side hear anything about gaming, but it is important that we understand that there is no redeeming value associated with these kinds of transactions in the Commonwealth of Pennsylvania.

And, Mr. Speaker, if you look at HB 2191, in all the other situations that we have created, we have allowed local communities to have some input in where these types of businesses will be located. HB 2191 is devoid of any community or local ordinance regulation regarding where these businesses can go.

So, Mr. Speaker, and I know that the architect of this bill, he means well, but unless something is done, he could wake up tomorrow with five payday lenders on his block, yet he might only have one person on the block that might be interested in this kind of madness. So, Mr. Speaker, there are no restrictions in the bill regarding the location of these bad business activities, and we cannot support this bill without providing some local zoning oversight.

Mr. Speaker, we want \$3,000 from these payday lenders. Mr. Speaker, where will that \$3,000 be going? Where is the \$3,000 coming from for these licenses? These licenses are devoid of any oversight on the part of this body, the next body, or definitely our local municipalities. So if we authorize HB 2191, we will say to these lenders that it is time to go into our communities and do whatever they want to do.

Many of my colleagues have talked about the need of reforming welfare as we know it, reform medical assistance as we know it, and the underlying, the underlying notion is that reform is needed to prevent fraud. Well, what is in this bill to prevent fraud? What in this bill will check the behavior of a payday lender who uses false names, uses false circumstances, to open these businesses? At least in the check licensing law we said that if we caught you overcharging people, we would charge you treble damages, damages three times for your bad behavior. There is no bad punishment for bad behavior articulated in HB 2191.

And now that we have a Banking Secretary, now— For the last 20 years, the Banking Secretary of the Commonwealth of Pennsylvania has aggressively shut down these payday lenders. Now all of a sudden we go find a Secretary – I do not know where he came from – all of a sudden, he supports payday lending. But even with that, without the tools necessary to restrain bad behavior, and, Mr. Speaker, with the way this bill is articulated, it is almost like an attractive nuisance. You have got

to, if we legalize it, folks are going to take advantage of it, and they are not going to take advantage of it in a way that is going to improve the quality of life for people in Pennsylvania.

Mr. Speaker, we have made some changes in banking; we have empowered community credit unions; we have a statewide good credit union operation. We need to encourage people to do business with institutions that can provide them with some stability. You cannot count on any stability associated with this payday lending.

So, Mr. Speaker, for those 5 reasons and 500 more, I would just like to kind of share with you a letter that I received from a coalition of folk: AARP Pennsylvania; Community Action Association of Pennsylvania; Habitat for Humanity; Housing Alliance of Pennsylvania; Keystone Research Center; Lutheran Advocacy Ministry in Pennsylvania; Military Officers Association of America, Pennsylvania Council of Chapters; National Council of Jewish Women; Navy Marine Corps Relief Society; Pathways PA; Penn Action; Pennsylvania Chapter of NACA, the National Association of Consumer Advocates; Pennsylvania Council of Churches; Community Action Committee of the Lehigh Valley; Community Justice Project; Esperanza; Fair Housing Partnership of Greater Pittsburgh; Hill District Consensus Group; Homeownership Counseling Association of the Delaware Valley; Housing Opportunities of Beaver County; Just Harvest; Mon Valley Unemployed Committee; Philadelphia Debt Clinic and Consumer Law Center; Philadelphia Unemployment Project; Public Citizens for Children and Youth; Labor Union Women Pittsburgh; St. Martin Center; Tabor Community Services; Transportation Workers Union Local 234; the Society of St. Vincent de Paul – Council of Pittsburgh; the Women and Girls Foundation of Southwest PA, and I can go on and on and on.

But what is really relevant about this letter, and that is, this coalition is saying that for any member who legalizes this loan sharking in Pennsylvania is not fit to serve in the Pennsylvania General Assembly. That is what this coalition is saying. This coalition is saying that there is no rational basis, no rational basis for why any member of this House, especially this House, because people refer to this House as the People's House, and the Senate is referred to as the upper chamber, but for the People's House, there is no rational basis for why this body should support this proposal or any other proposal that would legalize loan sharking or legalize anything that even Stevie Wonder can see it better than you and I.

Mr. Speaker, let us move on, move on and deal with the issues of jobs, health care, education. With the economic climate in Pennsylvania, given the challenges that this Governor and this General Assembly are facing, let us not aggravate – let us not aggravate. HB 2191, no matter what you do with it, it will not fit, and if it does not fit, it is not legit, and if it is not legit, it cannot fit.

Vote "no" on HB 2191.

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

On that question, the Speaker recognizes the gentleman from Lancaster County, Mr. Sturla.

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, I found it interesting that the author of the bill used the example of kiting checks as an alternative to payday lending. I do not know whether that means that payday lending is a form of legalized check kiting, but it certainly holds about the same place in my heart.

The gentleman then cited ads in a newspaper advertising Internet lenders that would perhaps do these payday loans, these predatory loans to people, coming from out of State. I am not sure whether he has checked many publications, but there are also ads for escort services and bath salts in some publications also. Now, that does not mean we should legalize either one of those.

The gentleman then made the argument that APR is not a way to look at this in the short term, because it is not a good or an accurate way to think about this, because it is a one-time fee. And if in the amendment process the other day we had limited the number of one-time fees to six times a year, I would have said, well, at least it is only six times a year that there is that one-time fee, but we did not. We basically said you can go make these loans 20 or more times over a year. So that one-time fee really becomes a twenty-time fee for a lot of people trapped in the cycle of debt, and that is the purpose of these predatory payday lenders, is to get people trapped in a cycle of repeated payday debt.

Mr. Speaker, if in fact there is rampant Internet payday predatory lending going on in the State of Pennsylvania, then I suggest we charge the Attorney General with going and doing something about it, because in 2010 the Supreme Court of the State of Pennsylvania said that predatory Internet lending in the State is illegal. In fact, in that decision, and I will read from that decision, it says, "Appellant Cash America Net of Nevada, LLC (Cash America), is a Delaware limited liability company qualified to do business in Nevada and licensed by the Nevada Division of Financial Institutions, with no offices or employees in Pennsylvania, engaged in the business of making short-term 'pay-day' loans to Pennsylvania residents over the Internet. Payday lending is a consumer lending practice in which a lender offers consumers high-rate, short-term loans secured by either a post-dated check or a debit authorization from a bank. These post-dated checks or debit authorizations become payable to the lender at the end of the loan term, usually set at two weeks to coincide with the borrower's payday. Pa. Dep't...v. NCAS of Del., LLC.... The Department characterizes such loans as a predatory lending practice." The department of Pennsylvania characterizes these loans as a "predatory lending practice."

The court further found, in their decision they said, "We therefore reject Cash America's attempt to avoid licensure, regulation, and limits on the rates it may charge simply by operating over the Internet rather than by being physically present in the Commonwealth. If an out-of-state lender is engaging in business in Pennsylvania of making loans within the ambit of the..." Consumer Discount Company Act, "then it is subject to the licensing requirements and regulatory restrictions of the..." Consumer Discount Company Act, "regardless of whether it has personnel in the state." It is illegal for Internet payday predatory lenders to do business in Pennsylvania. If that is going on, it should be reported and prosecuted. We should not pass a law that legalizes it. We should be prosecuting it. It is, as is characterized by the Department of Banking, predatory lending.

These companies base their profits on repeat customers that do continued debt-cycle lending. You know, it was pointed out by the prime sponsor of the bill that these are just short-term loans and, you know, the one-time example I get. But if somebody does not have the \$200 to fix their car, then they do not have it next week either, and what they do is they borrow the \$200 from a payday lender, and come paycheck day, they

pay back the \$200, and then a day later they walk in and they get a loan for \$150 with all the fees and interest rates, because they can only pay it off at \$50 a week. And then 2 weeks later on payday, they pay off the \$150, and they walk back in a day later and get a payday loan for \$100, and 2 weeks later they get their paycheck and they pay off another \$50, and that goes on and on and on. And by that time, 2 months later, something else happened to their car, and they get trapped in a cycle of debt where they are paying these fees and interest at 369 percent all the time. It is not a one-time occurrence.

By your votes the other day, you said it should not be a one-time occurrence, it should not even be a six-time occurrence; it should be multiple times, because you did not place any limits on it. Mr. Speaker, if anyone that votes for this legislation needs a \$300 loan today and wants to pay me back \$342 on Monday, I will be glad to lend you some money. My guess is, none of you will take me up on that offer, because it is horrendous. It is horrible. It is taking advantage of the people that borrow that money. You would not do it. You would not allow your children to do it. You would not allow your mother to do it. Why would you allow this to be perpetrated on the citizens of Pennsylvania?

I urge a "no" vote.

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

On that question, the Speaker recognizes the gentleman from Philadelphia County, Mr. Cohen.

Mr. COHEN. Mr. Speaker, Mr. Thomas and Mr. Sturla have given very detailed reasons why people ought to oppose this bill. I would add that the whole question of whether or not people spend discretionary income depends on how much discretionary income they have and how much they are at ease with borrowing. Remember after 9/11 George Bush urged American citizens to go out and go shopping? He did that because he was worried that the economy would stall if people stopped spending money.

Since then, people have spent a lot less money. We have generally gone from a credit card economy in which the vast majority of people own credit cards and use them regularly to a debit card economy in which the vast majority of people now no longer have credit cards or do not use the credit cards. People use debit cards, and that is because the interest rates and fees of credit cards got so high that people stopped using them, because they realized that they were losing money and that the extra convenience that the credit cards were offering was leading them to spend money that they really did not have.

Now, payday lending is aggressive credit card solicitation on steroids. It is dangerous. Now, it is true, as the gentleman from Chester says, that if the State regulates payday lending, we could have slightly better payday lending than we would if the State does not regulate it and it just proceeds illegally. But that is true with everything. If the State regulated prostitution, we could have slightly better prostitution. If the State regulated heroin sales, we could have slightly better heroin sales. Whatever the State regulates, we can come up with a system that at least slightly improves the illegal activity that is taking place. But the question we have to ask is, is the illegal activity of enough merit that making slight improvements in it creates something that is worthwhile and should no longer be illegal?

The opportunity to pay over 300 percent in interest does not seem to be an activity that is so worthwhile that the State ought to figure out ways to improve it. It would seem to me and to many others throughout Pennsylvania that the far better practice

is to discourage it. Now, does that mean there is going to be no payday lending in Pennsylvania if we do not pass this bill? No, some people are going to engage in payday lending, just like some people run red lights, some people run prostitution rings or patronize them, some people sell heroin and some people buy heroin. But we have an opportunity not to make things worse for people. Anything that encourages people to engage in payday lending is bad for the people. All they are doing is they are giving away money that they urgently need.

Just as it is unlikely that anyone here is going to take up the gentleman from Lancaster's offer of paying him \$340 on Monday in order to get \$300 today, and just as it is safe to predict his phone is not going to be ringing off the hook from television viewers of this debate pleading with him to give them \$300 now and pay him \$340 on Monday, so it is not in the interest of the people of Pennsylvania to make it easier or more respectable to engage in payday lending.

Whether we believe it or not, the people of Pennsylvania assume that when we legalize something, we are saying that it is either helpful or at least minimally harmful to buy the products or services that we are legalizing. It is not helpful or even minimally harmful to purchase the services of payday lending. It is not in our interest as a State to encourage people to do things that seriously hurts them. It is not in the interest of our State to encourage large financial institutions to take advantage of low-income people.

Payday lending is not some wonderful thing that our constituents are flooding our offices demanding we legalize. Yes, there is a market for it, but that market indicates the depth of poverty and lack of funds in Pennsylvania. We ought to be fighting the poverty; we ought to be fighting the conditions and the circumstances that lead to a lot of low-income workers. We ought not to be encouraging payday lending. We ought not to be making the people who may believe they are so desperate that they need payday lending, we should not make it easier for them to engage in practices that are essentially self-destructive for them.

I would strongly urge a "no" vote on this amendment.

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

On that question, the Speaker recognizes the lady from Philadelphia, Mrs. Parker.

Mrs. PARKER. Thank you. Thank you, Mr. Speaker.

Mr. Speaker, will the maker of the bill stand for very brief interrogation?

The SPEAKER. The gentleman indicates he will stand for interrogation. You may proceed.

Mrs. PARKER. Thank you, Mr. Speaker.

Mr. Speaker, as a member of the Consumer Affairs Committee and during brief discussions that you and I have had off the floor about this issue, I know how long you have been working to address this issue, Mr. Speaker, and I will in no way, shape, or form question your intent and do believe that you believe this effort is in the best interest of people in the Commonwealth. But, Mr. Speaker, I wanted to know if you could just clarify for me for the record a question that I asked during the committee meeting and also during the public hearing about this bill, and that was, I had a list that Chairman Thomas from Philadelphia began to read earlier about the number of consumer-based organizations, consumer protection organizations in the Commonwealth of Pennsylvania who were opposed to HB 2191, and during this same public hearing, Mr. Speaker, along with the committee meeting, I also asked

were there any organizations who were in support, those who were advocating passage of HB 2191, and I want to know if anything had changed, Mr. Speaker, from the hearing or the voting meeting and today.

Mr. ROSS. Mr. Speaker, I quite frankly have not kept track of those that are advocating one way or another on this legislation. I really focused on making sure that I was doing the best possible job I could for those that are availing themselves of the loan, so I cannot answer the good lady's question.

Mrs. PARKER. Okay. Thank you, Mr. Speaker.

The next question, Mr. Speaker, is that obviously, as was noted earlier by two of our previous speakers, that under HB 2191 as amended—

The SPEAKER. Would the lady suspend just for a minute. We have a technical problem involving all the mikes. They all went on, and I was afraid it would pick up other conversations.

I think we got it squared away. The lady may proceed. I apologize.

Mrs. PARKER. Thank you, Mr. Speaker.

Mr. Speaker, my next question is in regard to the companies that are interested in relocating in the Commonwealth of Pennsylvania to offer payday loans. Under HB 2191 as amended, the 369-percent annual percentage rate would be legalized for payday loans in the Commonwealth of Pennsylvania, and my question to you, Mr. Speaker, is, of the companies that testified during our committee hearing on this bill and/or any that expressed interest in relocating here, are they offering payday loans of this type at a lower rate in any other States that we are familiar with?

Mr. ROSS. Well, first of all, I do not recognize the 369-percent interest rate. I recognize a 12 1/2-percent interest rate plus a \$5-per-loan fee. And I do not have information nor have I sought information about which companies might or might not locate here. I will note that the 12 1/2 percent plus \$5 is in line or on the low end of those States that currently allow short-term lending of this sort, and there are, I think, about 33 other States that do that.

Mrs. PARKER. Thank you.

And, Mr. Speaker, my last and final question as it relates to HB 2191 is whether or not, when this bill is passed, if it is passed in the Senate and signed by the Governor, will members, active-duty members of our military, our active-duty service men and women, will they be able to receive a payday loan as defined in HB 2191?

Mr. ROSS. It is my understanding that the Federal government has placed a restriction relating to lending to servicemen and their immediate families. That is a Federal law, and of course Federal law continues to apply. I happen to think that those members of the active service military are probably, unfortunately, also availing themselves of the Internet lending that Pennsylvania residents are doing without sufficient protections. But it is true that the Federal government has passed legislation specifically relating to active-duty service members.

Mrs. PARKER. Okay. Thank you, Mr. Speaker.

Mr. Speaker, that ends my interrogation. On the bill, Mr. Speaker?

The SPEAKER. The lady may proceed.

Mrs. PARKER. Thank you, Mr. Speaker.

Mr. Speaker, I appreciate the maker of this bill's willingness to respond to my questions on the record regarding passage of HB 2191. I am just a little baffled, Mr. Speaker, and I am going

back to the gentleman from Philadelphia's comments about this measure that we heard earlier, and that is, there has been a constant theme that we have heard in this House, in the General Assembly, and in government in the Commonwealth about the importance of warding out waste, fraud, and abuse wherever we find it in government. And I agree with that, Mr. Speaker. I just do not think that our message regarding the importance of eroding the Commonwealth of waste, fraud, and abuse should be a duplicitous one. We should not want to ensure that government departments are functioning without waste, fraud, and abuse but actively give a green light to companies that are interested in doing business and gouging citizens of the Commonwealth of Pennsylvania through this extreme predatory lending.

Mr. Speaker, I was very grateful that the gentleman responded to me as it related to active-duty service men and women, and the fact of the matter is that they are protected, Mr. Speaker, under Federal law from receiving the kinds of loans that are offered under HB 2191, and they are eligible because, Mr. Speaker, it is true that in 2006 President George Bush signed into law a rate cap of 36 percent annually for payday loans made to military members and their families. The one thing that we also do not talk about, Mr. Speaker, is that payday lenders are also prohibited from gaining access to a soldier's bank account as a condition of the loan. Why, Mr. Speaker, we would allow our active-duty service men and women to be protected from the kinds of financial predatory practices contained in HB 2191 but we would not do it for our veterans, for those men and women who have served our great country and put their lives on the line, we did not think enough, Mr. Speaker, to ensure that they were protected.

In addition to that, I want to note for the record that in a letter received from the Military Officers Association of America – it is the Pennsylvania Council of Chapters – they strongly urge this legislative body to not support HB 2191. They state, "We urge our legislators to stand with Pennsylvania's military veterans and vote no on HB 2191."

In addition to that, Mr. Speaker, in a letter from the Navy-Marine Corps Relief Society that we received, it also makes note of the fact that they encourage our legislative body to vote "no" for this bill. They are against it. And if we vote against this measure, from the perspective of the Navy-Marine Corps Relief Society, they thank members of this body for our continued support of their military personnel and families that they serve via their organization.

In addition to that, Mr. Speaker, along with a slew of over 50 community-based organizations across the Commonwealth of Pennsylvania that our chairman was reading earlier, there are two of them that stand out to me, Mr. Speaker. And the first group that has extreme credibility in the Commonwealth, and I think we should really pay attention to what they have to say on this issue, that is the AARP, Mr. Speaker. It is the largest organization comprised of senior citizens in the Commonwealth of Pennsylvania and even the nation, Mr. Speaker. And they have asked that we vote "no" on this measure because of the impact that they believe it will have on its constituency functioning on a stable, Mr. Speaker, stable but fixed income. In addition to that, the Pennsylvania AFL-CIO, Mr. Speaker, they have spoken in unison on this issue and they, too, have strongly encouraged us to vote "no" on final passage for HB 2191.

Now, Mr. Speaker, we have heard the gentleman from Lancaster and the first gentleman who spoke from Philadelphia give a truly detailed analysis about why. They talked to us about the technicalities associated with the cycle of debt caused when members of our Commonwealth who decide that they are facing difficult times and they could actually use some quick cash, what could possibly happen if they took advantage of the payday loans that would be allowed and offered under HB 2191? But, Mr. Speaker, I will daresay to you that it is true; I have to agree with the maker of this bill on one issue, and that was, in committee it was stated that the reason why this bill was being introduced is because there is a demand, and if there was one thing that I agreed with the maker on, it was the fact that there is a demand.

Pennsylvanians are in need of having access to some extra cash. I cannot think of a family in my legislative district, if I sent out a press release and asked them, could you use an extra \$300 today if you had access to it to buy groceries, to help with something you need for the children, to pay a utility bill during these very tough and difficult times, anyone can find a reason to need extra cash. But we should not be providing a green light that says go – go and gouge the residents of the Commonwealth of Pennsylvania; go and take much-needed resources from those who are living in working-class, urban, and rural communities, those communities that are facing a higher unemployment rate than the rest of the Commonwealth. Go and gouge them, Mr. Speaker, because during desperate times, people will turn to desperate measures, and the loans that will be allowed under HB 2191, Mr. Speaker, they are sexy. They really are. They are seductive, the marketing plans that we watch on television, the online lending that we see, Mr. Speaker, for those who are famous.

And actually during the hearing, I heard about a gentleman. He was often referred to, a former, very popular talk-show host, that he was promoting this type of lending, and if he was doing it, it should give some credibility to it. Well, Mr. Speaker, I would dare venture to say that I am sure that gentleman gets paid millions of dollars to go on television and advocate for this kind of lending. But I am not trying to promote and fatten the pockets of that gentleman and the billion-dollar companies, the payday lending companies that are paying him to go and promote this product. I am not thinking about lining his pockets. I want to think about shoring up dollars in the accounts of struggling families in the Commonwealth of Pennsylvania who will need access to every single dollar that they have, Mr. Speaker, to try to make ends meet the best way that they possibly can.

In my opinion, Mr. Speaker, and it is a shame that this is actually occurring, I want the people of Pennsylvania—

The SPEAKER. Will the lady just suspend a minute.

For what purpose does the gentleman, Mr. Thomas, rise?

Mr. THOMAS. Mr. Speaker, I have sat here for a few minutes now and I think we should show the gentlelady a little bit more respect.

The SPEAKER. The members will kindly hold the conversations down. I would appreciate if you take the conversations to the rear of the House if they are necessary.

Mrs. PARKER. Mr. Speaker, if I may.

The SPEAKER. The lady may continue.

Mrs. PARKER. Thank you, Mr. Speaker.

And I definitely want to thank the gentleman from Philadelphia for his courtesy, but it is true that the noise level in the chamber has been the same since I have listened to the other three prior speakers, so I have gotten accustomed to the tone. So it really did not bother me at all, but thank you for your courtesy, sir.

Again, Mr. Speaker, I want to note for the record that although this type of lending is being offered in other States in the U.S., I want to note that there are a handful of States, Mr. Speaker, with a uniform rate cap that is now in place and is used to allow— They used to allow payday lending on the terms that we have included actually in 2191, but they rolled back that authority after experiencing tough economic devastation. They understood that although they had allowed it, it was not something that they wanted to see prosper in their respective communities.

In addition, Mr. Speaker, let me also note to you that I find it very interesting that during our hearings on this bill, and I want to note that the first hearing was truly a public hearing. It was held in a room that allowed the public hearing on the bill to be televised. But when we finally voted on this measure, the vote was not taken in what I would consider to be a public meeting because it was not televised, and residents of the Commonwealth of Pennsylvania who are accustomed to viewing many of our committee meetings via television, via PCN (Pennsylvania Cable Network), did not have the opportunity to do so.

But there was a company, Mr. Speaker, who on the record acknowledged that they issue payday loans in other States in the U.S., and, Mr. Speaker, when asked whether or not they issued loans at a rate lower than the 369 percent that would be allowed under HB 2191, Mr. Speaker, the gentleman representing that company was honest. He answered me on the record, and he said, yes, we do. And I said, what would that interest rate be like, that APR? And I said in Rhode Island in particular, because I was familiar with the company doing business there. He said that they do offer loans at a 260-percent APR in Rhode Island. And I asked the gentleman on the record, if you can issue this type of loan in Rhode Island for 260-percent APR, why should we allow you to come into our Commonwealth and charge our constituency, our residents, with a 369-percent APR? Why do you do it cheaper there? Mr. Speaker, he said, because it is the law.

In closing, I want to thank my colleagues, Mr. Speaker, who spoke fervently and passionately against this measure, encouraging this chamber to not pass and vote "no" on HB 2191. I understand what the gentleman's intent was on this measure. He has described that he has talked about how long and how passionately he is attempting to work on this issue. I just do not think that HB 2191 is the way. Online payday lending is illegal in Pennsylvania. Anyone conducting online payday lending to Pennsylvanians, it is a fraud, Mr. Speaker. It is illegal.

And if we have that information, as it was stated earlier, we should report it to the Department of Banking. And it may take them some time, Mr. Speaker, but they will prosecute. HB 2191 is not the way and it is not the angle we should be turning to help our residents. And we do not need to give a green light that says go, go gouge our citizenry to the billion-dollar payday lending industry that has lobbied hard and spent lots and lots of money to convince legislators and others in the Commonwealth

of Pennsylvania that passage of HB 2191 is truly in the best interest of our citizens.

I thank you very much for your patience, Mr. Speaker, and encourage my colleagues to vote "no." Thank you.

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

On that question, the Speaker recognizes the lady from Philadelphia County, Ms. DeLissio.

Ms. DeLISSIO. Mr. Speaker, will the gentleman stand for interrogation?

The SPEAKER. The gentleman indicates he will stand for interrogation. You may proceed.

Ms. DeLISSIO. Thank you.

Mr. Speaker, I was poking around here and found on the Pennsylvania State Treasury's Web site a program called Better Choice, and I am curious as to how this program, if the speaker knows, how this program may or may not compare or compete with the existing legislation. I will just read one or two sentences. "If you have a payday or cash advance loan, you're probably paying extremely high interest rates and fees. And if you have to roll over your loan and pay even higher fees for that privilege, you may be caught in a never-ending cycle that's digging you deeper into debt. Developed by the Pennsylvania Credit Union Association and the Pennsylvania Treasury, the Credit Union Better Choice Loan is a smart alternative to payday lending...."

So my question, Mr. Speaker, is, do we have a vehicle perhaps in the Commonwealth – I was not aware of this until I printed this out – that may assist? I agree that there is a lending gap that is out there and that many of our citizens are being monetarily abused by both Internet lending opportunities and they do not have enough information to understand how dangerous what they are doing is. And I can appreciate, truly appreciate the effort to try to bring some regulation to these issues, but then when I come across this and it talks about payday lending, it talks about fees and interest, I am just curious about how this compares.

Mr. ROSS. Thank you, Mr. Speaker.

And in fact, the Better Choice program was initiated by a prior Secretary of Banking, and it is a little bit misleading because in fact there was a line item in previous budgets that provided a subsidy for the loans so that they could do these loans at a lower rate of interest, and there were tax dollars essentially used in that subsidy to help bring the interest rate down for these loans. Unfortunately, the line item has since disappeared, and there were some policy questions about whether or not we should as taxpayers and as the Commonwealth of Pennsylvania be subsidizing commercial lending in this way.

And so since the – it is my understanding that the credit unions have asked that we sort of downplay that program, because they really are not able to offer the same instrument. Many of them are not able to offer the same instrument without the subsidy, because it is operating otherwise at a loss for them. So I think that program is unfortunately, although it may still be up on the Web site, is less available now and is something that the credit unions are unfortunately having to back away from.

Ms. DeLISSIO. Well, I think, Mr. Speaker, that speaks to some of the problem here. These are obviously folks who are at least perceived as a credit risk of a certain degree, and usually interest rate is driven by the degree of risk that has been evaluated to be a part of this. So I find it interesting that our own program to try to alleviate this is – and I will get in touch

with the Department of Treasury to see if this is at all alive and well; I just printed it off – you know, if this is an alternative. If it is not, you know, why is it still up?

And I am not sure exactly what the correct answer is. This is a very troubling situation. We never want to jeopardize – and I know that is not the intent – or to get our citizens caught in any type of debt cycle, do anything but educate them in terms of financial literacy. I know credit counseling is part of the legislation. I am just not sure that the legislation before us is the appropriate answer for this situation, and I appreciate your answer as it pertains to the Better Choice program.

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

On that question, the Speaker recognizes the lady from Montgomery County, Mrs. Dean.

Mrs. DEAN. Thank you, Mr. Speaker, for the chance to rise and to speak against HB 2191.

It is legislation that purports to be about helping the working poor, but it is really about profits and perpetuating poverty. It is legislation that purports to regulate short-term lenders through licensing and documentation requirements, but that is a mask. What this legislation really does is makes legal steep and grievous interest rates on the very people who can least afford it. In fact, I do not really know anybody who could afford this.

Let us be clear, payday loans that we are talking about perpetuate a dangerous cycle of debt. Sadly, they perpetuate poverty.

The people who use payday lending. We are not talking about people who are living paycheck to paycheck; we are talking about people who are living day to day. They do not know where they are going to get the money for rent, for groceries, for basic living, or for that one-time car repair, which actually will be many-time car repairs. And if you do not know what that desperation feels like, be thankful. Many people who never thought they would be in that boat got a reality check when the economy crashed a few years ago.

Our crushing economy, Wall Street fiascos, massive job losses, the housing market collapse, are all responsible for putting more people from the middle class in the bottom class. And notice how lenders make money in these transactions. It is not the one-time transaction where a lender makes money; it is the multiple, repetitive transactions. Payday lenders make money when the financially weakest among us use their services again and again. And more importantly, when their family members and their local community and their kids learn this false borrowing process, they become trapped in the system.

Paradoxically to me, this proposal originates from those who, while well intentioned, also embody fiscal conservatism. They compel self-sufficiency. And while other States are making it harder to take out payday loans, this bill is opening up Pennsylvania to a new low predatory lending. It is irresponsible. It is an irresponsible use of our time and of legislation.

In the end, what this bill does is it pushes desperate people into a more desperate place. It keeps them in poverty. It exploits the working poor, allowing triple-digit interest. There is no camouflaging this bill as a consumer protection measure. It is a heartless, bad piece of legislation. Do not be fooled by the masquerade.

Please, I urge you respectfully to vote "no" on this bill. Thank you, Mr. Speaker.

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

On that question, the Speaker recognizes the gentleman from Northampton County, Mr. Samuelson.

Mr. SAMUELSON. Thank you, Mr. Speaker.

I rise for an interrogation of the gentleman from Chester.

The SPEAKER. The gentleman indicates he will stand for interrogation. You may proceed.

Mr. SAMUELSON. Okay. My question is about the corrective reprint that is listed on our screens. We had a debate on Monday on this bill and there were many amendments debated, and all day long on Monday we were debating PN 3644. Sometime between Monday and Tuesday, it switched to PN 3645 and it was called a corrective reprint. Now, I took a look at these two pieces of legislation on page 9, and actually, there is quite a significant change.

In Monday's version, the finance charge is an eighth of a penny per dollar, and Tuesday it is an eighth of a dollar per dollar. So you go from .125 cents per dollar to .125 dollars. It is an increase of a hundredfold, and I want to know what came about there and how that was determined to be a corrective reprint.

Mr. ROSS. Well, Mr. Speaker, if I may.

Actually, we were debating PN 3511 previously, not 3644 when we were on second. Printer's number 3644 did encompass the amendments that were adopted, but it became evident to the Legislative Reference Bureau and they agreed that they made a mistake in typing and they put a cent sign at the end of the .125 instead of the dollar sign in front.

Now, I have been very consistent in describing this legislation as 12 1/2 percent or \$12.50 per \$100 throughout the debate, throughout the committee meetings, and through all of my communications, and that is in fact what I think everyone has been discussing here. In fact, those that are calculating an APR could not get to the number I do not agree with—

Mr. SAMUELSON. Right.

Mr. ROSS. —if they were using the other number.

So it was a mistake in the Reference Bureau, which they admit to, and so we wanted to get the accurate information in front of you for final passage.

Mr. SAMUELSON. Would the gentleman agree that going from .125 cents to .125 dollars is an increase of a hundredfold?

Mr. ROSS. Well, I would agree that the printed version that is being corrected was incorrect—

Mr. SAMUELSON. Okay.

Mr. ROSS. —and did not represent the debate, did not represent the representations we have made about the bill.

Mr. SAMUELSON. Okay. That ends my interrogation, but I would like to speak on the bill.

The SPEAKER. The gentleman may proceed, on the bill.

Mr. SAMUELSON. I urge a "no" vote on this bill. My first concern is over this notion of a corrective reprint, changing something, increasing something by a hundred times and calling it a corrective reprint. I realize there are other ways this could have been done. There could have been an amendment to have the House decide whether an interest rate of an eighth of a percent or an interest rate of 12 1/2 percent is most appropriate.

And the gentleman is correct. If you had an interest rate of an eighth of a percent, as was before us on Monday, in the printed version that was before us on Monday, an eighth of a percent on a payday loan, you pay it back in 2 weeks, so you can take that

eighth of a percent, multiply it by 26 paydays, and you have got an interest rate of about 3 1/4 percent on an annual basis. And many people would say, well, 3 1/4 percent on an annual basis is reasonable, but if you increase that by a hundred times to 12 1/2 percent and you multiply that by 26 paydays, that is where you get 325 percent. Somebody who takes out one of these payday loans and has to pay an upfront finance charge of 12 1/2 percent, they pay the money back in 2 weeks, that is where you get 325 percent. That is a straight mathematical equation; 12 1/2 percent times 26, we can all come to that conclusion.

I think I really am concerned. By allowing the Legislative Reference Bureau to call this a corrective reprint, what if they did this in other legislation? What if you had a bill about the size of the legislature and it changed from 203 to 20,300 and they called it a corrective reprint? I think you would say the Legislative Reference Bureau was out of their mind if they tried to claim that was a corrective reprint. What if you had a bill that required one form of photo identification to vote and all of a sudden it was a hundred forms of photo identification to vote and they called it a corrective reprint?

I mean, in our own situations, we would recognize this. I mean, my wife and I have a mortgage at 4 1/2 percent, but if our mortgage company tried to change that from 4 1/2 percent to 450 percent and called it a corrective reprint, I think I would find a different mortgage company.

So I am concerned about the Legislative Reference Bureau being allowed to make such a significant change to legislation – no discussion in the Appropriations Committee; no discussion on the House floor until we have had this inquiry because the bill that was before us earlier did have the lower figure.

PARLIAMENTARY INQUIRY

Mr. SAMUELSON. I guess I should ask for the record – maybe this is a parliamentary inquiry – whether the Legislative Reference Bureau had a certification that they did in fact determine that this was a corrective reprint. Could I ask that in the form of a parliamentary inquiry?

The SPEAKER. The Reference Bureau did contact the Speaker's Office through the Parliamentarian requesting doing the corrective reprint. While I am not personally aware of all the tracking of paperwork, it is clear to me that the prime sponsor of the legislation had always presented it, intended it, to be as it is, and that would be the main basis for it being allowed as a corrective reprint. But the Reference Bureau did contact us about that, and therefore, in the opinion of the Chair – I realize you are not really asking my opinion per se, but you are asking about the process for corrective reprints – it is not way out of the norm or something that was completely fabricated. It was well within the range of, this was what the prime sponsor had always said, presented, intended, and there was no deception or trickery that somebody was trying to change it after the fact.

Mr. SAMUELSON. Okay.

The SPEAKER. So on that basis, the Reference Bureau was allowed to correct this through that corrective reprint process.

Mr. SAMUELSON. And a quick follow-up. Is it the practice of the Reference Bureau, when they make a corrective reprint, to certify in fact that this is a corrective reprint? Do they have to file any kind of certification with the House?

The SPEAKER. By virtue of the fact that you are obviously aware that it was a corrective reprint, in that essence or in that sense, they are notifying everybody that something has changed in this print from what was previously in print and that it was a corrective reprint, not an amendment, it was not changed by amendment, and that there was some basis, historically speaking, that would establish that it was in fact a mistake and not an amendment by the Reference Bureau, if you will.

Mr. SAMUELSON. Okay.

The SPEAKER. And so certification, we do not have a certification process per se, but the fact that you are notified of it, that it is identified as a corrective reprint, at least makes it aware, and you at least then had the opportunity to do what you did, to look through the bill and see what was the correction and then put yourself in the position you are right now where you can at least be aware of it, that there is no deception taking place.

Mr. SAMUELSON. Okay. Thank you, Mr. Speaker.

I would like to continue speaking on the bill.

The SPEAKER. The gentleman may proceed on the bill.

Mr. SAMUELSON. Okay. And I do have concerns about this bill, and I would like to quote Noah Webster and Emma Lazarus, and Noah Webster, of course, father of the Webster's Dictionary. There is a definition there of "the lending of money with an interest charge for its use; *especially*: the lending of money at exorbitant interest rates." And that is listed in Webster's Dictionary under the definition of "usury." And when I think of an interest rate that could be over 300 percent, we can all figure it out: 12 1/2 percent for a 2-week loan times 26 paydays, that comes to 325 percent. If you factor in the \$5 fee, that is how some folks are getting higher interest rates. That seems like an exorbitant interest rate.

Emma Lazarus, of course, wrote the poem that is on the Statue of Liberty, "The New Colossus," where she says:

Give me your tired, your poor,
Your huddled masses yearning to breathe free,
The wretched refuse of your teeming shore.
Send these, the homeless, tempest-tost to me,
I lift my lamp beside the golden door!

Now, when I think of the impact of this legislation on low-income individuals who are going to be taking out loans against their own paychecks, their own money, and paying interest rates that, on an annualized basis, are over 100 percent, over 200 percent, over 300 percent, that seems like we are placing a significant burden on those who can least afford it. So when I read this conclusion of the poem, "I lift my lamp beside the golden door!" I know that Emma Lazarus was not writing about the golden door to a payday lending shop, and I know she was not encouraging us to allow people to be charged 300 percent interest to have access to their own money.

So I urge a "no" vote on HB 2191. Thank you, Mr. Speaker.

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

On that question, the Speaker recognizes the gentleman from Philadelphia County, Mr. Brendan Boyle.

Mr. B. BOYLE. Thank you, Mr. Speaker.

Mr. Speaker, briefly on this bill on final passage, I understand, as I think all of us do in this chamber, the necessity of liquidity for our markets to work. Whether it was 2008 or the 1930s, we saw what happens to the economy when liquidity dries up. We saw that at the macro level, the

devastating effect it can have. Well, this is also true at the micro level when it comes to consumers. Our ability to borrow money is critical for us to get by day by day. So proponents of this sort of legislation use that liquidity argument to justify payday lending. However, that is a false analogy. Let us call this bill what it actually is. It is legalized loan sharking. It is not the sort of responsible economic practice that we as a body should endorse or in any way encourage.

Now, some who support this legislation have said that, well, this is needed so that folks can get by day by day and so that they can avoid a debt trap, a debt spiral. But, Mr. Speaker, the fact of the matter is that if consumers are turning to this sort of business practice, they are already in a debt spiral, and turning to this sort of payday lending would not improve their situation; it would only make it worse.

The last few years have been difficult for our economy here in Pennsylvania and throughout the country, but why in the world are we, at this stage, debating payday lending? We should be talking about ways that we can get people back to work. We should be talking about ways we can help the 14,000 people who are laid off from the budget that this legislature passed last year. Payday lending of this sort will do absolutely nothing to help our most vulnerable citizens, and it will only keep them in the sort of debt spiral that they have fallen into.

Mr. Speaker, we can do better. We should be talking about the sort of things that will help most ordinary Pennsylvanians, not turning them into professionalized and legalized loan sharking. Say "no" to this bill. Thank you.

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

On that question, the Speaker recognizes the gentleman from Chester County, Mr. Ross, for the second time.

Mr. ROSS. Thank you, Mr. Speaker. I will be brief.

Payday lending is here. If people think that a loan costs 369 percent, I cannot help them. The loan costs 12 1/2 percent. You have to pay it back. So therefore, you have a choice every time you borrow: Do you want to pay 12 1/2 percent for a loan? Again, you have to pay it back so the cycle of debt is broken.

One other thing that did come in since the gentelady questioned me, I was given an e-mail that came in to the chairman of the committee from an organization called the Consumer Rights Coalition, and this is dated June 4. It says, "Dear Representative Godshall, I am writing to you today on behalf of more than 210,000 consumers of short-term financial services from across the nation who have joined together to protect, improve and expand their access to realistic and reliable credit options.

"House Bill 2191 would provide a safe and regulated short-term loan option that our members prefer, and we encourage a 'yes' vote for consumers."

So there is in fact a group out there that advocates for the bill.

And I would finally point out that if these lenders were so easy to find, the Attorney General would have found them. The one that they did find was in Delaware, across the border and quite evident. But when you try and reach out to Costa Rica or to a Post Office box with nobody there, the Attorney General recognizes, the Secretary of Banking recognizes, and we all should recognize that you are not going to trap those people. They are going to continue to lend in Pennsylvania in an unregulated and dangerous way.

Please pass HB 2191 for the benefit of the people that want a safer alternative. 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—102

Adolph	Gabler	Knowles	Pyle
Aument	Galloway	Lawrence	Quigley
Baker	Geist	Mackenzie	Rapp
Bear	Gerber	Maher	Reed
Bloom	Gergely	Major	Reese
Boback	Gibbons	Mann	Ross
Boyd	Gillespie	Marshall	Sabatina
Brown, R.	Gingrich	Marsico	Saccone
Burns	Godshall	Masser	Sainato
Carroll	Grell	Matzie	Saylor
Causer	Grove	Metcalfe	Simmons
Christiana	Hackett	Metzgar	Smith, K.
Clymer	Harhart	Miccarelli	Sonney
Costa, P.	Harris	Micozzie	Staback
Culver	Heffley	Millard	Stephens
Cutler	Helm	Miller	Swanger
Day	Hennessey	Milne	Tallman
DeLozier	Hickernell	Moul	Taylor
Denlinger	Kampf	Mullery	Tobash
Dunbar	Kauffman	Mustio	Toepel
Ellis	Kavulich	Oberlander	Toohil
Evankovich	Keller, F.	Payne	Turzai
Evans, J.	Keller, M.K.	Peifer	Vereb
Everett	Keller, W.	Perry	
Farry	Killion	Petri	Smith, S.,
Fleck	Kirkland	Pickett	Speaker

NAYS—90

Barbin	Dean	Josephs	Preston
Barrar	Deasy	Kortz	Quinn
Benninghoff	DeLissio	Kotik	Ravenstahl
Bishop	DeLuca	Kula	Readshaw
Boyle, B.	DePasquale	Longietti	Roae
Boyle, K.	Dermody	Mahoney	Roebuck
Bradford	DiGirolo	Maloney	Samuelson
Brennan	Donatucci	Markosek	Santarsiero
Briggs	Emrick	McGeehan	Santoni
Brooks	Fabrizio	Mirabito	Schmotzer
Brown, V.	Frankel	Mundy	Smith, M.
Brownlee	Freeman	Murphy	Stern
Buxton	George	Murt	Sturla
Caltagirone	Gillen	Myers	Thomas
Cohen	Goodman	Neilson	Vitali
Conklin	Hahn	Neuman	Vulakovich
Costa, D.	Haluska	O'Brien, M.	Waters
Cox	Harhai	O'Neill	Watson
Cruz	Harkins	Parker	Wheatley
Curry	Hess	Pashinski	White
Daley	Hornaman	Payton	Williams
Davidson	Hutchinson	Petrarca	Youngblood
Davis	James		

NOT VOTING—2

Rock	Scavello
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EXCUSED—7

Creighton	Hanna	Krieger	Truitt
Evans, D.	Harper	Stevenson	

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.

VOTE CORRECTIONS

The SPEAKER. For what purpose does the gentleman, Mr. Scavello, rise?

Mr. SCAVELLO. Mr. Speaker, I did not get an opportunity to put my vote in. I would like to be in the negative on that last bill.

The SPEAKER. The gentleman's remarks will be noted for the record.

Mr. SCAVELLO. Thank you.

The SPEAKER. For what purpose does the gentleman, Mr. Rock, rise?

Mr. ROCK. Mr. Speaker, my button malfunctioned. I would like to be recorded in the positive.

The SPEAKER. The gentleman's remarks will be noted for the record.

REMARKS SUBMITTED FOR THE RECORD

The SPEAKER. For what purpose does the gentleman, Mr. Heffley, rise?

Mr. HEFFLEY. I would like to submit my remarks for the record.

The SPEAKER. The gentleman may present them to the clerk, and they will be noted for the record.

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

Thank you, Mr. Speaker.

Mr. Speaker and fellow members of the House, I support this legislation because short-term lending has become a substantial business in Pennsylvania and has helped many of our hardworking citizens.

While I managed a trucking company, many of my drivers would come to me and ask for cash advances if they needed money to fix their cars, pay for groceries, or to provide for their families when money was tight.

I recall one of my employees came to me with a medical concern and needed an advance of \$300 to help pay for his prescriptions.

These are hardworking, employed individuals who were short on cash and needed extra cash to make ends meet between paydays.

Nothing is worse than needing cash to support your family and not having the means to do so.

In my district, without a working vehicle, individuals would not be able to get to work because we do not have means of public transportation.

While I lent some of my employees advances when they were in a bind, many employers do not – and many of these people needing cash do not have family or church organizations they can turn to for help.

Like credit cards and mortgages, I understand these types of services are at risk for being abused.

However, this legislation has safeguards in place to help protect short-term lending abuse including prohibiting these short-term lending businesses from being located closely to casinos, racetracks, and military bases.

In fact, violations of this law would include both civil and criminal penalties, including hefty fines and possible jail time.

I urge my colleagues to vote in favor of HB 2191. Thank you.

BILLS SIGNED BY SPEAKER

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

SB 1310, PN 2234

An Act amending the act of December 5, 1936 (2nd Sp.Sess., 1937 P.L.2897, No.1), known as the Unemployment Compensation Law, further providing for definitions, for determination of contribution rate and experience rating and for contributions by employees; providing for additional contribution for debt service; further providing for trigger determination, for trigger rate redeterminations, for reports by employers and assessments, for contributions to be liens and entry and enforcement thereof, for collection of contributions and interest and injunctions, for dishonored checks, for qualifications required to secure compensation, for rate and amount of compensation and for Unemployment Compensation Fund; providing for Debt Service Fund and for Reemployment Fund; further providing for State Treasurer as custodian and for recovery and recoupment of compensation; providing for unemployment compensation bonds and for unemployment compensation amnesty program; and making a related repeal.

SB 1472, PN 2066

An Act making an appropriation from the State Employees' Retirement Fund to provide for expenses of the State Employees' Retirement Board for the fiscal year July 1, 2012, to June 30, 2013, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2012.

SB 1473, PN 2067

An Act making an appropriation from the Public School Employees' Retirement Fund to provide for expenses of the Public School Employees' Retirement Board for the fiscal year July 1, 2012, to June 30, 2013, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2012.

SB 1474, PN 2068

An Act making appropriations from the Professional Licensure Augmentation Account and from restricted revenue accounts within the General Fund to the Department of State for use by the Bureau of Professional and Occupational Affairs in support of the professional licensure boards assigned thereto.

SB 1475, PN 2069

An Act making appropriations from a restricted revenue account within the General Fund and from Federal augmentation funds to the Pennsylvania Public Utility Commission for the fiscal year July 1, 2012, to June 30, 2013.

SB 1476, PN 2070

An Act making an appropriation from a restricted revenue account within the General Fund to the Office of Small Business Advocate in the Department of Community and Economic Development.

SB 1477, PN 2071

An Act making appropriations from the restricted revenue accounts within the State Gaming Fund and from the State Gaming Fund to the Pennsylvania Gaming Control Board, the Department of

Revenue, the Pennsylvania State Police and the Attorney General for the fiscal year beginning July 1, 2012, to June 30, 2013, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2012.

SB 1479, PN 2073

An Act making an appropriation from a restricted revenue account within the General Fund to the Office of Consumer Advocate in the Office of Attorney General.

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

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 2223, PN 3642**, entitled:

An Act amending the act of January 19, 1967 (1968 P.L.992, No.442), as amended, "An act authorizing the Commonwealth of Pennsylvania and the local government units thereof to preserve, acquire or hold land for open space uses," further providing for local taxing options.

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—183

Adolph	Donatucci	Kortz	Pyle
Aument	Ellis	Kotik	Quigley
Baker	Emrick	Kula	Quinn
Barbin	Evans, J.	Lawrence	Ravenstahl
Barrar	Everett	Longiotti	Readshaw
Bear	Fabrizio	Mackenzie	Reed
Benninghoff	Farry	Maher	Rock
Bishop	Fleck	Mahoney	Roebuck
Bloom	Freeman	Major	Ross
Boback	Galloway	Maloney	Sabatina
Boyd	Geist	Mann	Saccone
Boyle, B.	George	Markosek	Sainato
Boyle, K.	Gerber	Marshall	Samuelson
Bradford	Gergely	Marsico	Santarsiero
Brennan	Gibbons	Masser	Santoni
Briggs	Gillen	Matzie	Saylor
Brown, R.	Gillespie	McGeehan	Scavello
Brown, V.	Gingrich	Metzgar	Schmotzer
Brownlee	Godshall	Miccarelli	Simmons
Burns	Goodman	Micozzie	Smith, K.
Buxton	Grell	Millard	Smith, M.
Caltagirone	Grove	Miller	Sonney
Carroll	Hackett	Milne	Staback
Christiana	Hahn	Mirabito	Stephens
Clymer	Haluska	Moul	Stern
Cohen	Harhai	Mullery	Sturla

Conklin	Harhart	Mundy	Swanger
Costa, D.	Harkins	Murphy	Tallman
Costa, P.	Harris	Murt	Taylor
Cox	Heffley	Mustio	Thomas
Cruz	Helm	Myers	Tobash
Culver	Hennessey	Neilson	Toepel
Curry	Hess	Neuman	Toohil
Cutler	Hickernell	O'Brien, M.	Turzai
Daley	Hornaman	O'Neill	Vereb
Davidson	James	Oberlander	Vitali
Davis	Josephs	Parker	Vulakovich
Day	Kampf	Pashinski	Waters
Dean	Kauffman	Payne	Watson
Deasy	Kavulich	Payton	Wheatley
DeLissio	Keller, F.	Peifer	White
DeLozier	Keller, M.K.	Perry	Williams
DeLuca	Keller, W.	Petrarca	Youngblood
Denlinger	Killion	Petri	
DePasquale	Kirkland	Pickett	Smith, S., Speaker
Dermody	Knowles	Preston	
DiGirolamo			

NAYS—11

Brooks	Evankovich	Hutchinson	Reese
Causer	Frankel	Metcalfe	Roae
Dunbar	Gabler	Rapp	

NOT VOTING—0

EXCUSED—7

Creighton	Hanna	Krieger	Truitt
Evans, D.	Harper	Stevenson	

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 C

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 2366, PN 3531**, entitled:

An Act amending Title 3 (Agriculture) of the Pennsylvania Consolidated Statutes, adding the definitions of "certified parking meter inspector" and "local government unit"; and providing for certified parking meter inspectors and for general testing and inspections.

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—193

Adolph	Donatucci	Knowles	Quigley
Aument	Dunbar	Kortz	Quinn
Baker	Ellis	Kotik	Rapp
Barbin	Emrick	Kula	Ravenstahl
Barrar	Evankovich	Lawrence	Readshaw
Bear	Evans, J.	Longietti	Reed
Benninghoff	Everett	Mackenzie	Reese
Bishop	Fabrizio	Maher	Roae
Bloom	Farry	Mahoney	Rock
Boback	Fleck	Major	Roebuck
Boyd	Frankel	Maloney	Ross
Boyle, B.	Freeman	Mann	Sabatina
Boyle, K.	Gabler	Markosek	Saccone
Bradford	Galloway	Marshall	Sainato
Brennan	Geist	Marsico	Samuelson
Briggs	George	Masser	Santarsiero
Brooks	Gerber	Matzie	Santoni
Brown, R.	Gergely	McGeehan	Saylor
Brown, V.	Gibbons	Metcalfe	Scavello
Brownlee	Gillen	Metzgar	Schmotzer
Burns	Gillespie	Miccarelli	Simmons
Buxton	Gingrich	Micozzie	Smith, K.
Caltagirone	Godshall	Millard	Smith, M.
Carroll	Goodman	Miller	Sonney
Causar	Grell	Milne	Staback
Christiana	Grove	Mirabito	Stephens
Clymer	Hackett	Moul	Stern
Cohen	Hahn	Mullery	Sturla
Conklin	Haluska	Mundy	Swanger
Costa, D.	Harhai	Murphy	Tallman
Costa, P.	Harhart	Murt	Taylor
Cox	Harkins	Mustio	Thomas
Cruz	Harris	Myers	Tobash
Culver	Heffley	Neilson	Toepel
Curry	Helm	Neuman	Toohil
Cutler	Hennessey	O'Brien, M.	Turzai
Daley	Hess	O'Neill	Vereb
Davidson	Hickernell	Oberlander	Vitali
Davis	Hornaman	Parker	Vulakovich
Day	James	Pashinski	Waters
Dean	Josephs	Payne	Watson
Deasy	Kampf	Payton	Wheatley
DeLissio	Kauffman	Peifer	White
Delozier	Kavulich	Perry	Williams
DeLuca	Keller, F.	Petrarca	Youngblood
Denlinger	Keller, M.K.	Petri	
DePasquale	Keller, W.	Pickett	Smith, S., Speaker
Dermody	Killion	Preston	
DiGiroloamo	Kirkland	Pyle	

NAYS—1

Hutchinson

NOT VOTING—0

EXCUSED—7

Creighton	Hanna	Krieger	Truitt
Evans, D.	Harper	Stevenson	

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.

STATEMENT BY MR. MACKENZIE

The SPEAKER. The gentleman from Lehigh, Mr. Mackenzie, seeks recognition under unanimous consent relative to the legislation just adopted. The gentleman may proceed.

Mr. MACKENZIE. Thank you, Mr. Speaker.

HB 2366 is a reform bill. It streamlines government and takes the responsibility of enforcement and inspection of parking meters away from the Department of Agriculture, a place where it does not belong, and places that responsibility with the local municipalities who already receive all of the revenue from the parking meters. To protect consumers, we have put in place protections whereby parking meter inspectors will have to go through a certification that will be promulgated through regulation by the Department of Agriculture.

The bill has been endorsed by the Department of Agriculture, the State Association of Boroughs, and the administration. I thank the members for their affirmative vote on this bill, and I look forward to finally passing this in the Senate.

Thank you again, Mr. Speaker.

The SPEAKER. The Speaker thanks the gentleman.

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 2371, PN 3664**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for width of vehicles.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

On that question, the Speaker recognizes the gentleman from Allegheny County, Mr. Maher.

Mr. MAHER. Thank you, Mr. Speaker.

The age-old question "Why does the chicken cross the road?" we know the answer to, but "How does the chicken cross the road?" we do not often think about. This series of bills, 2371 through 2374, has been worked together on a bipartisan basis over some period of time, and it is going to help our agricultural community. I want to thank all those involved, with a special note of someone who, as an unpaid intern, Leda Lipton, actually drafted this legislation, which is not something I ordinarily entrust to others. But Leda Lipton, thank you very much, and I hope the members will join us in unanimously embracing it.

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—194

Adolph	Donatucci	Kirkland	Pyle
Aument	Dunbar	Knowles	Quigley
Baker	Ellis	Kortz	Quinn
Barbin	Emrick	Kotik	Rapp
Barrar	Evankovich	Kula	Ravenstahl
Bear	Evans, J.	Lawrence	Readshaw
Benninghoff	Everett	Longietti	Reed
Bishop	Fabrizio	Mackenzie	Reese
Bloom	Farry	Maher	Roae
Boback	Fleck	Mahoney	Rock
Boyd	Frankel	Major	Roebuck
Boyle, B.	Freeman	Maloney	Ross
Boyle, K.	Gabler	Mann	Sabatina
Bradford	Galloway	Markosek	Saccone
Brennan	Geist	Marshall	Sainato
Briggs	George	Marsico	Samuelson
Brooks	Gerber	Masser	Santarsiero
Brown, R.	Gergely	Matzie	Santoni
Brown, V.	Gibbons	McGeehan	Saylor
Brownlee	Gillen	Metcalfe	Scavello
Burns	Gillespie	Metzgar	Schmotzer
Buxton	Gingrich	Miccarelli	Simmons
Caltagirone	Godshall	Micozzie	Smith, K.
Carroll	Goodman	Millard	Smith, M.
Causer	Grell	Miller	Sonney
Christiana	Grove	Milne	Staback
Clymer	Hackett	Mirabito	Stephens
Cohen	Hahn	Moul	Stern
Conklin	Haluska	Mullery	Sturla
Costa, D.	Harhai	Mundy	Swanger
Costa, P.	Harhart	Murphy	Tallman
Cox	Harkins	Murt	Taylor
Cruz	Harris	Mustio	Thomas
Culver	Heffley	Myers	Tobash
Curry	Helm	Neilson	Toepel
Cutler	Hennessey	Neuman	Toohil
Daley	Hess	O'Brien, M.	Turzai
Davidson	Hickernell	O'Neill	Vereb
Davis	Hornaman	Oberlander	Vitali
Day	Hutchinson	Parker	Vulakovich
Dean	James	Pashinski	Waters
Deasy	Josephs	Payne	Watson
DeLissio	Kampf	Payton	Wheatley
Delozier	Kauffman	Peifer	White
DeLuca	Kavulich	Perry	Williams
Denlinger	Keller, F.	Petrarca	Youngblood
DePasquale	Keller, M.K.	Petri	
Dermody	Keller, W.	Pickett	Smith, S.,
DiGirolamo	Killion	Preston	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—7

Creighton	Hanna	Krieger	Truitt
Evans, D.	Harper	Stevenson	

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.

VOTE CORRECTION

The SPEAKER. For what purpose does the gentleman, Mr. Frankel, rise?

Mr. FRANKEL. Mr. Speaker, to correct the record.

The SPEAKER. The gentleman may state his correction.

Mr. FRANKEL. On HB 2223 I was recorded in the negative.

I would like to be recorded in the positive.

The SPEAKER. The gentleman's remarks will be noted for the record.

Mr. FRANKEL. Thank you.

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 2372, PN 3665**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for width of vehicles.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—194

Adolph	Donatucci	Kirkland	Pyle
Aument	Dunbar	Knowles	Quigley
Baker	Ellis	Kortz	Quinn
Barbin	Emrick	Kotik	Rapp
Barrar	Evankovich	Kula	Ravenstahl
Bear	Evans, J.	Lawrence	Readshaw
Benninghoff	Everett	Longietti	Reed
Bishop	Fabrizio	Mackenzie	Reese
Bloom	Farry	Maher	Roae
Boback	Fleck	Mahoney	Rock
Boyd	Frankel	Major	Roebuck
Boyle, B.	Freeman	Maloney	Ross
Boyle, K.	Gabler	Mann	Sabatina
Bradford	Galloway	Markosek	Saccone
Brennan	Geist	Marshall	Sainato
Briggs	George	Marsico	Samuelson
Brooks	Gerber	Masser	Santarsiero
Brown, R.	Gergely	Matzie	Santoni
Brown, V.	Gibbons	McGeehan	Saylor
Brownlee	Gillen	Metcalfe	Scavello
Burns	Gillespie	Metzgar	Schmotzer
Buxton	Gingrich	Miccarelli	Simmons
Caltagirone	Godshall	Micozzie	Smith, K.
Carroll	Goodman	Millard	Smith, M.
Causer	Grell	Miller	Sonney
Christiana	Grove	Milne	Staback
Clymer	Hackett	Mirabito	Stephens
Cohen	Hahn	Moul	Stern

Conklin	Haluska	Mullery	Sturla
Costa, D.	Harhai	Mundy	Swanger
Costa, P.	Harhart	Murphy	Tallman
Cox	Harkins	Murt	Taylor
Cruz	Harris	Mustio	Thomas
Culver	Heffley	Myers	Tobash
Curry	Helm	Neilson	Toepel
Cutler	Hennessey	Neuman	Toohil
Daley	Hess	O'Brien, M.	Turzai
Davidson	Hickernell	O'Neill	Vereb
Davis	Hornaman	Oberlander	Vitali
Day	Hutchinson	Parker	Vulakovich
Dean	James	Pashinski	Waters
Deasy	Josephs	Payne	Watson
DeLissio	Kampf	Payton	Wheatley
Delozier	Kauffman	Peifer	White
DeLuca	Kavulich	Perry	Williams
Denlinger	Keller, F.	Petrarca	Youngblood
DePasquale	Keller, M.K.	Petri	
Dermody	Keller, W.	Pickett	Smith, S.,
DiGirolamo	Killion	Preston	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-7

Creighton	Hanna	Krieger	Truitt
Evans, D.	Harper	Stevenson	

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 2373, PN 3534**, entitled:

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

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS-194

Adolph	Donatucci	Kirkland	Pyle
Aument	Dunbar	Knowles	Quigley
Baker	Ellis	Kortz	Quinn
Barbin	Emrick	Kotik	Rapp
Barrar	Evankovich	Kula	Ravenstahl

Bear	Evans, J.	Lawrence	Readshaw
Benninghoff	Everett	Longietti	Reed
Bishop	Fabrizio	Mackenzie	Reese
Bloom	Farry	Maher	Roae
Boback	Fleck	Mahoney	Rock
Boyd	Frankel	Major	Roebuck
Boyle, B.	Freeman	Maloney	Ross
Boyle, K.	Gabler	Mann	Sabatina
Bradford	Galloway	Markosek	Saccone
Brennan	Geist	Marshall	Sainato
Briggs	George	Marsico	Samuelson
Brooks	Gerber	Masser	Santarsiero
Brown, R.	Gergely	Matzie	Santoni
Brown, V.	Gibbons	McGeehan	Saylor
Brownlee	Gillen	Metcalfe	Scavello
Burns	Gillespie	Metzgar	Schmotzer
Buxton	Gingrich	Miccarelli	Simmons
Caltagirone	Godshall	Micozzie	Smith, K.
Carroll	Goodman	Millard	Smith, M.
Causser	Grell	Miller	Sonney
Christiana	Grove	Milne	Staback
Clymer	Hackett	Mirabito	Stephens
Cohen	Hahn	Moul	Stern
Conklin	Haluska	Mullery	Sturla
Costa, D.	Harhai	Mundy	Swanger
Costa, P.	Harhart	Murphy	Tallman
Cox	Harkins	Murt	Taylor
Cruz	Harris	Mustio	Thomas
Culver	Heffley	Myers	Tobash
Curry	Helm	Neilson	Toepel
Cutler	Hennessey	Neuman	Toohil
Daley	Hess	O'Brien, M.	Turzai
Davidson	Hickernell	O'Neill	Vereb
Davis	Hornaman	Oberlander	Vitali
Day	Hutchinson	Parker	Vulakovich
Dean	James	Pashinski	Waters
Deasy	Josephs	Payne	Watson
DeLissio	Kampf	Payton	Wheatley
Delozier	Kauffman	Peifer	White
DeLuca	Kavulich	Perry	Williams
Denlinger	Keller, F.	Petrarca	Youngblood
DePasquale	Keller, M.K.	Petri	
Dermody	Keller, W.	Pickett	Smith, S.,
DiGirolamo	Killion	Preston	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-7

Creighton	Hanna	Krieger	Truitt
Evans, D.	Harper	Stevenson	

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 2374, PN 3579**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in general provisions, further providing for definitions; in registration of vehicles, further providing for vehicles exempt from registration; in fees, further providing for farm vehicles; and, in inspection of vehicles, further providing for requirement for periodic inspection of vehicles and for operation of vehicle without official certificate of inspection.

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—194

Adolph	Donatucci	Kirkland	Pyle
Aument	Dunbar	Knowles	Quigley
Baker	Ellis	Kortz	Quinn
Barbin	Emrick	Kotik	Rapp
Barrar	Evankovich	Kula	Ravenstahl
Bear	Evans, J.	Lawrence	Readshaw
Benninghoff	Everett	Longietti	Reed
Bishop	Fabrizio	Mackenzie	Reese
Bloom	Farry	Maher	Roae
Boback	Fleck	Mahoney	Rock
Boyd	Frankel	Major	Roebuck
Boyle, B.	Freeman	Maloney	Ross
Boyle, K.	Gabler	Mann	Sabatina
Bradford	Galloway	Markosek	Saccone
Brennan	Geist	Marshall	Sainato
Briggs	George	Marsico	Samuelson
Brooks	Gerber	Masser	Santarsiero
Brown, R.	Gergely	Matzie	Santoni
Brown, V.	Gibbons	McGeehan	Saylor
Brownlee	Gillen	Metcalfe	Scavello
Burns	Gillespie	Metzgar	Schmotzer
Buxton	Gingrich	Miccarelli	Simmons
Caltagirone	Godshall	Micozzie	Smith, K.
Carroll	Goodman	Millard	Smith, M.
Causer	Grell	Miller	Sonney
Christiana	Grove	Milne	Staback
Clymer	Hackett	Mirabito	Stephens
Cohen	Hahn	Moul	Stern
Conklin	Haluska	Mullery	Sturla
Costa, D.	Harhai	Mundy	Swanger
Costa, P.	Harhart	Murphy	Tallman
Cox	Harkins	Murt	Taylor
Cruz	Harris	Mustio	Thomas
Culver	Heffley	Myers	Tobash
Curry	Helm	Neilson	Toepel
Cutler	Hennessey	Neuman	Toohil
Daley	Hess	O'Brien, M.	Turzai
Davidson	Hickernell	O'Neill	Vereb
Davis	Hornaman	Oberlander	Vitali
Day	Hutchinson	Parker	Vulakovich
Dean	James	Pashinski	Waters
Deasy	Josephs	Payne	Watson
DeLissio	Kampf	Payton	Wheatley
Delozier	Kauffman	Peifer	White
DeLuca	Kavulich	Perry	Williams
Denlinger	Keller, F.	Petrarca	Youngblood
DePasquale	Keller, M.K.	Petri	
Dermody	Keller, W.	Pickett	Smith, S.,
DiGirolamo	Killion	Preston	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—7

Creighton	Hanna	Krieger	Truitt
Evans, D.	Harper	Stevenson	

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 2375, PN 3666**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for vehicles exempt from registration and for persons exempt from licensing.

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—194

Adolph	Donatucci	Kirkland	Pyle
Aument	Dunbar	Knowles	Quigley
Baker	Ellis	Kortz	Quinn
Barbin	Emrick	Kotik	Rapp
Barrar	Evankovich	Kula	Ravenstahl
Bear	Evans, J.	Lawrence	Readshaw
Benninghoff	Everett	Longietti	Reed
Bishop	Fabrizio	Mackenzie	Reese
Bloom	Farry	Maher	Roae
Boback	Fleck	Mahoney	Rock
Boyd	Frankel	Major	Roebuck
Boyle, B.	Freeman	Maloney	Ross
Boyle, K.	Gabler	Mann	Sabatina
Bradford	Galloway	Markosek	Saccone
Brennan	Geist	Marshall	Sainato
Briggs	George	Marsico	Samuelson
Brooks	Gerber	Masser	Santarsiero
Brown, R.	Gergely	Matzie	Santoni
Brown, V.	Gibbons	McGeehan	Saylor
Brownlee	Gillen	Metcalfe	Scavello
Burns	Gillespie	Metzgar	Schmotzer
Buxton	Gingrich	Miccarelli	Simmons
Caltagirone	Godshall	Micozzie	Smith, K.
Carroll	Goodman	Millard	Smith, M.
Causer	Grell	Miller	Sonney
Christiana	Grove	Milne	Staback
Clymer	Hackett	Mirabito	Stephens
Cohen	Hahn	Moul	Stern
Conklin	Haluska	Mullery	Sturla

Costa, D.	Harhai	Mundy	Swanger
Costa, P.	Harhart	Murphy	Tallman
Cox	Harkins	Murt	Taylor
Cruz	Harris	Mustio	Thomas
Culver	Heffley	Myers	Tobash
Curry	Helm	Neilson	Toepel
Cutler	Hennessey	Neuman	Toohil
Daley	Hess	O'Brien, M.	Turzai
Davidson	Hickernell	O'Neill	Vereb
Davis	Hornaman	Oberlander	Vitali
Day	Hutchinson	Parker	Vulakovich
Dean	James	Pashinski	Waters
Deasy	Josephs	Payne	Watson
DeLissio	Kampf	Payton	Wheatley
Delozier	Kauffman	Peifer	White
DeLuca	Kavulich	Perry	Williams
Denlinger	Keller, F.	Petrarca	Youngblood
DePasquale	Keller, M.K.	Petri	
Dermody	Keller, W.	Pickett	Smith, S.,
DiGirolamo	Killion	Preston	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-7

Creighton	Hanna	Krieger	Truitt
Evans, D.	Harper	Stevenson	

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

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

* * *

The House proceeded to third consideration of **SB 1406, PN 1934**, entitled:

An Act amending Title 24 (Education) of the Pennsylvania Consolidated Statutes, in private colleges, universities and seminaries, further providing for certification of institutions.

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS-194

Adolph	Donatucci	Kirkland	Pyle
Aument	Dunbar	Knowles	Quigley
Baker	Ellis	Kortz	Quinn
Barbin	Emrick	Kotik	Rapp
Barrar	Evankovich	Kula	Ravenstahl
Bear	Evans, J.	Lawrence	Readshaw

Benninghoff	Everett	Longietti	Reed
Bishop	Fabrizio	Mackenzie	Reese
Bloom	Farry	Maher	Roac
Boback	Fleck	Mahoney	Rock
Boyd	Frankel	Major	Roebuck
Boyle, B.	Freeman	Maloney	Ross
Boyle, K.	Gabler	Mann	Sabatina
Bradford	Galloway	Markosek	Saccone
Brennan	Geist	Marshall	Sainato
Briggs	George	Marsico	Samuelson
Brooks	Gerber	Masser	Santarsiero
Brown, R.	Gergely	Matzie	Santoni
Brown, V.	Gibbons	McGeehan	Saylor
Brownlee	Gillen	Metcalfe	Scavello
Burns	Gillespie	Metzgar	Schmotzer
Buxton	Gingrich	Miccarelli	Simmons
Caltagirone	Godshall	Micozzie	Smith, K.
Carroll	Goodman	Millard	Smith, M.
Causer	Grell	Miller	Sonney
Christiana	Grove	Milne	Staback
Clymer	Hackett	Mirabito	Stephens
Cohen	Hahn	Moul	Stern
Conklin	Haluska	Mullery	Sturla
Costa, D.	Harhai	Mundy	Swanger
Costa, P.	Harhart	Murphy	Tallman
Cox	Harkins	Murt	Taylor
Cruz	Harris	Mustio	Thomas
Culver	Heffley	Myers	Tobash
Curry	Helm	Neilson	Toepel
Cutler	Hennessey	Neuman	Toohil
Daley	Hess	O'Brien, M.	Turzai
Davidson	Hickernell	O'Neill	Vereb
Davis	Hornaman	Oberlander	Vitali
Day	Hutchinson	Parker	Vulakovich
Dean	James	Pashinski	Waters
Deasy	Josephs	Payne	Watson
DeLissio	Kampf	Payton	Wheatley
Delozier	Kauffman	Peifer	White
DeLuca	Kavulich	Perry	Williams
Denlinger	Keller, F.	Petrarca	Youngblood
DePasquale	Keller, M.K.	Petri	
Dermody	Keller, W.	Pickett	Smith, S.,
DiGirolamo	Killion	Preston	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-7

Creighton	Hanna	Krieger	Truitt
Evans, D.	Harper	Stevenson	

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 **SB 1049, PN 1717**, entitled:

An Act amending Title 30 (Fish) of the Pennsylvania Consolidated Statutes, in fishing licenses, further providing for form and expiration of licenses; providing for license and permit packaging options; and further providing for expiration of licenses and permits.

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—194

Adolph	Donatucci	Kirkland	Pyle
Aument	Dunbar	Knowles	Quigley
Baker	Ellis	Kortz	Quinn
Barbin	Emrick	Kotik	Rapp
Barrar	Evankovich	Kula	Ravenstahl
Bear	Evans, J.	Lawrence	Readshaw
Benninghoff	Everett	Longietti	Reed
Bishop	Fabrizio	Mackenzie	Reese
Bloom	Farry	Maher	Roae
Boback	Fleck	Mahoney	Rock
Boyd	Frankel	Major	Roebuck
Boyle, B.	Freeman	Maloney	Ross
Boyle, K.	Gabler	Mann	Sabatina
Bradford	Galloway	Markosek	Saccone
Brennan	Geist	Marshall	Sainato
Briggs	George	Marsico	Samuelson
Brooks	Gerber	Masser	Santarsiero
Brown, R.	Gergely	Matzie	Santoni
Brown, V.	Gibbons	McGeehan	Saylor
Brownlee	Gillen	Metcalfe	Scavello
Burns	Gillespie	Metzgar	Schmotzer
Buxton	Gingrich	Miccarelli	Simmons
Caltagirone	Godshall	Micozzie	Smith, K.
Carroll	Goodman	Millard	Smith, M.
Causar	Grell	Miller	Sonney
Christiana	Grove	Milne	Staback
Clymer	Hackett	Mirabito	Stephens
Cohen	Hahn	Moul	Stern
Conklin	Haluska	Mullery	Sturla
Costa, D.	Harhai	Mundy	Swanger
Costa, P.	Harhart	Murphy	Tallman
Cox	Harkins	Murt	Taylor
Cruz	Harris	Mustio	Thomas
Culver	Heffley	Myers	Tobash
Curry	Helm	Neilson	Toepel
Cutler	Hennessey	Neuman	Toohil
Daley	Hess	O'Brien, M.	Turzai
Davidson	Hickernell	O'Neill	Verbe
Davis	Hornaman	Oberlander	Vitali
Day	Hutchinson	Parker	Vulakovich
Dean	James	Pashinski	Waters
Deasy	Josephs	Payne	Watson
DeLissio	Kampf	Payton	Wheatley
Delozier	Kauffman	Peifer	White
DeLuca	Kavulich	Perry	Williams
Denlinger	Keller, F.	Petrarca	Youngblood
DePasquale	Keller, M.K.	Petri	
Dermody	Keller, W.	Pickett	Smith, S.,
DiGirolamo	Killion	Preston	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—7

Creighton	Hanna	Krieger	Truitt
Evans, D.	Harper	Stevenson	

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 2135, PN 3603**, entitled:

An Act providing for licensure of vendors, for requirements for sale of portable electronics insurance, for authority of vendors of portable electronics, for termination of portable electronics insurance, for licensing, for renewal of license, for injunctions and for appeals.

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—194

Adolph	Donatucci	Kirkland	Pyle
Aument	Dunbar	Knowles	Quigley
Baker	Ellis	Kortz	Quinn
Barbin	Emrick	Kotik	Rapp
Barrar	Evankovich	Kula	Ravenstahl
Bear	Evans, J.	Lawrence	Readshaw
Benninghoff	Everett	Longietti	Reed
Bishop	Fabrizio	Mackenzie	Reese
Bloom	Farry	Maher	Roae
Boback	Fleck	Mahoney	Rock
Boyd	Frankel	Major	Roebuck
Boyle, B.	Freeman	Maloney	Ross
Boyle, K.	Gabler	Mann	Sabatina
Bradford	Galloway	Markosek	Saccone
Brennan	Geist	Marshall	Sainato
Briggs	George	Marsico	Samuelson
Brooks	Gerber	Masser	Santarsiero
Brown, R.	Gergely	Matzie	Santoni
Brown, V.	Gibbons	McGeehan	Saylor
Brownlee	Gillen	Metcalfe	Scavello
Burns	Gillespie	Metzgar	Schmotzer
Buxton	Gingrich	Miccarelli	Simmons
Caltagirone	Godshall	Micozzie	Smith, K.
Carroll	Goodman	Millard	Smith, M.
Causar	Grell	Miller	Sonney
Christiana	Grove	Milne	Staback
Clymer	Hackett	Mirabito	Stephens

Cohen	Hahn	Moul	Stern
Conklin	Haluska	Mullery	Sturla
Costa, D.	Harhai	Mundy	Swanger
Costa, P.	Harhart	Murphy	Tallman
Cox	Harkins	Murt	Taylor
Cruz	Harris	Mustio	Thomas
Culver	Heffley	Myers	Tobash
Curry	Helm	Neilson	Toepel
Cutler	Hennessey	Neuman	Toohil
Daley	Hess	O'Brien, M.	Turzai
Davidson	Hickernell	O'Neill	Vereb
Davis	Hornaman	Oberlander	Vitali
Day	Hutchinson	Parker	Vulakovich
Dean	James	Pashinski	Waters
Deasy	Josephs	Payne	Watson
DeLissio	Kampf	Payton	Wheatley
DeLozier	Kauffman	Peifer	White
DeLuca	Kavulich	Perry	Williams
Denlinger	Keller, F.	Petrarca	Youngblood
DePasquale	Keller, M.K.	Petri	
Dermody	Keller, W.	Pickett	Smith, S.,
DiGirolamo	Killion	Preston	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-7

Creighton	Hanna	Krieger	Truitt
Evans, D.	Harper	Stevenson	

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 645, PN 3663**, entitled:

An Act amending Titles 42 (Judiciary and Judicial Procedure) and 61 (Prisons and Parole) of the Pennsylvania Consolidated Statutes, further providing for sentences for second and subsequent offenses, for prerelease plan for inmates and for general criteria for parole.

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

(Bill analysis was read.)

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

On that question, the Speaker recognizes the gentleman from Allegheny County, Mr. DeLuca.

Mr. DeLUCA. Thank you, Mr. Speaker.

Mr. Speaker, first of all, I would like to thank the majority chairman of the Judiciary Committee and also the minority chairman and the majority leader over there for permitting this bill to come up. And I would be remiss if I did not make comments on this piece of legislation, and I do this on behalf of the Crawshaw family. Two and a half years ago, we stood here

– myself, Representative Randy Vulakovich, Representative Costa, and a few other police officers. It was a solemn occasion because we lost a 32-year-old police officer in the line of duty.

Mr. Speaker, this bill is a simple piece of commonsense legislation that strengthens the current parole restrictions for repeat violent offenders. Now, I like to call this bill the Michael James Crawshaw bill. This legislation creates additional parole restrictions for repeat offenders of violent crimes. HB 645 provides that a person convicted of a second and subsequent violent crime will not be eligible for parole until he has served at least 85 percent of the maximum sentence.

This is an issue that is not only personal to me, it is personal to a lot of families out there. Mr. Speaker, in December 2009, a Penn Hills police officer was shot and killed. Officer Crawshaw was allegedly murdered by a parolee who had previously been convicted of numerous drug and other violent crimes, assaults, and charges, and I say, Mr. Speaker, "allegedly" because the trial is still pending. Mr. Speaker, had that parolee served out the majority of his previous sentence in incarceration, he would still have been in prison the day Officer Crawshaw was killed.

The fact of the matter is that only one-third of the repeat violent offenders are incarcerated for more than their mandatory minimum sentence, and on an average, Mr. Speaker, repeat violent offenders only serve 54 percent of their maximum sentence behind bars. Personally, I find it disturbing that the current system allows more than 75 percent of all repeat violent offenders to be released on parole. This is especially disturbing when you consider that the recidivism rate with violent offenders is 54 percent. This means that the current system paroles repeat violent offenders knowing that more than half of them will commit another violent crime.

While I do not necessarily agree with some of the members, and I recognize a lot of members here are against mandatory minimum sentencing, I agree that generally individuals that commit crimes, even certain violent crimes, deserve a second chance after their first offense. However, I believe we can all agree that when criminals show that they are incapable of reforming themselves and repeatedly commit violent crimes, it becomes necessary, Mr. Speaker, for them to be placed in prison and separated from society for as long as possible.

Mr. Speaker, I see this legislation as a necessary measure to ensure that our constituents are protected from violent career criminals who either refuse or are incapable of reforming themselves. Mr. Speaker, I am going to submit the rest of the remarks, but I would like to just quote a little paragraph from the Crawshaw family, if I may, and I ask the members to be patient.

This is from Mr. and Mrs. Crawshaw: "The parole system failed Officer Michael Crawshaw and continues to fail many others. There are enough random acts of violence committed by individuals without criminal records that career criminals should not be added to the equation.

"You..." and your fellow Representatives "have been asked to craft a system that will not only protect the citizens of the Commonwealth of Pennsylvania but also the brave men and women who make a career of protecting and serving the..." people of Pennsylvania.

"We petition the policymakers, who were elected to be our voice and create laws to protect us, to pass...legislation as an effective..." piece of legislation that will protect and safeguard the citizens of Pennsylvania.

"Michael James Crawshaw was our son, brother, uncle, nephew, cousin, colleague and friend. We, whom he leaves behind, are now permanently scarred by his senseless murder. The survivors of every police officer who is killed in the line of duty, as well as those of...victims of violence, bear these extensive scars. Too often the perpetrators of these crimes are violent repeat offenders who should not be permitted to enjoy the freedoms provided by an open society. Police officers and their families realize that law enforcement is a dangerous profession and that there are risks involved; we willingly accept those risks. In return, we expect the Legislature to act responsibly by enacting meaningful legislation and imposing real penalties for violation of those laws."

To Mr. and Mrs. Crawshaw, this legislature has acted today on your request, and I thank every member here for voting for this legislation. Thank you, and God bless you.

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

On the question, the Speaker recognizes the gentleman from Delaware County, Mr. Vitali.

Mr. VITALI. Thank you, Mr. Speaker.

First, I would like to salute the maker of the bill for attacking an issue that obviously has great emotion to him, and it is great to see that he has taken the concerns of this one family, the Crawshaw family, who suffered a very tragic incident and is responding like all we legislators should do when constituents bring to us a very heart-wrenching story.

Having said that, though, I think this bill, it is poor public policy from a criminal justice perspective. I think that with regard to the issue of parole, parole is the province of the parole board. The parole board has the authority to examine many factors in determining parole. They look at the individual circumstances of the actor, the accused. They look at the attempts he has made in prison to rehabilitate himself. They examine the facts and circumstances to make some assessment of the probabilities of recidivism. And based on all these factors, they make parole decisions.

And the law in Pennsylvania – I am not an expert – is that you are eligible for parole when you have served your minimum, which typically is half your maximum, and I think that rather than us sort of focusing in on the anguish of one family with one type crime, be the homicide of a police officer, we have to understand that this issue is much broader than that. This is not a cop-killing piece of legislation. This covers a whole host of different type crimes, something as simple as an aggravated assault. So the issue really here, these compelling circumstances aside, is, should we be tying the hands of the parole board in saying, in certain circumstances, you have to make a person serve 85 percent of the maximum; you cannot look at the facts and circumstances and choose differently.

Now, I also want to point out another fact, because I think you may be confusing the length of parole with the length of the original sentence. Now, if you commit a serious offense multiple times, you are going to go away for a long time. In fact, I think in some of these crimes here, you are dealing with 25-year mandatory minimums. So these people will go away for a long time regardless, and someone who commits repeated violent offenses will be going away for a long time. So do not confuse the length of the sentence issue – and I do support long sentences for violent repeat offenders – that is a whole different issue. That is a whole different issue, the length of the sentence, than looking at parole and the fraction of the parole you can serve.

I think we should not be tying the hands of the parole board. I think that what we need to do, and I have been in this legislature for 20 years, and prior to that I have tried criminal cases – I have been before juries; I have tried criminal cases – and I think that you cannot make laws based on anecdotal evidence. I think I see this too many times in this legislature where we try to promote a bill based on one horrific heartrending situation. You have to understand that someone can kill a cop who was let off early on parole, who maxed out and never got parole, or who has never had a prior offense. That happens. It happens. So to say this one person got out early on parole and killed Officer Crawshaw, therefore, we have to do something, is losing sight of the big picture. This is a State of 12 million people, and when we pass a law, we cannot be passing a law for the benefit of the Crawshaw family, as deep as their anguish is. We have to be passing laws understanding that they apply to 12 1/2 million people and we have to try to do justice to everyone.

So please, the facts of this personal family's situation are compelling, but we have to be dispassionate. We have to be dispassionate and be professional and not get caught up in the emotionalism of one particular case. Look at what makes good public policy. Look at what good public policy is when you apply it to all people and all crimes, not just the killing of the cop but all of the crimes that are included in this.

And I would suggest, in closing, that the policy of mandating that a person is not eligible for parole until he has served 85 percent of the maximum is taking away the authority of the parole board, and they are in a better position to make that than you and I are, who are about to get on the turnpike and go home. They are in a better position to think about what the penalty should be and how long the parole should be as opposed to me and you, who are just kind of sitting here chatting, not knowing anything about what these circumstances will be as time progresses.

So my sympathies to the Crawshaw family, but this is bad public policy, and do what you need to do.

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

On that question, the Speaker recognizes the gentleman, Mr. DeLuca, for a second time.

Mr. DeLUCA. Thank you, Mr. Speaker.

The gentleman from Delaware County, I understand, does not like minimum sentences, or maximum sentences, and let me just say this: The Crawshaw family is not just speaking for their son. Officer Crawshaw is not the only one who has been killed out there by these repeat violent offenders. This is a good bill for all Pennsylvanians, not just for this one family. It is not a knee-jerk reaction for any one family. This is about our citizens whom we represent.

When these guys go in there twice, three times, how many times do we want them to come out? Do you know what these families have to go through the rest of their lives? And we talk about the cost. The cost is a psychological thing – never getting their children back. Not just Officer Crawshaw; they are fighting for everyone in this Commonwealth of Pennsylvania, and that is why I give them credit. It is time that we start looking at this kind of stuff. Fifty-four percent go back in. This is the second offense, not the first offense.

We have an ARD (accelerated rehabilitative disposition) program. If you violate that, you do not get another chance in ARD for drunk driving. You cannot do that with a person's life,

a child's life. We had a repeat rapist out in Allegheny County who should have never been let out. The devastation to those families, to those women, you cannot even justify that.

This is a good piece of legislation, and I ask for an affirmative vote from the whole House.

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—191

Adolph	Donatucci	Kirkland	Pyle
Aument	Dunbar	Knowles	Quigley
Baker	Ellis	Kortz	Quinn
Barbin	Emrick	Kotik	Rapp
Barrar	Evankovich	Kula	Ravenstahl
Bear	Evans, J.	Lawrence	Readshaw
Benninghoff	Everett	Longiotti	Reed
Bishop	Fabrizio	Mackenzie	Reese
Bloom	Farry	Maher	Roae
Boback	Fleck	Mahoney	Rock
Boyd	Frankel	Major	Roebuck
Boyle, B.	Freeman	Maloney	Ross
Boyle, K.	Gabler	Mann	Sabatina
Bradford	Galloway	Markosek	Saccone
Brennan	Geist	Marshall	Sainato
Briggs	George	Marsico	Samuelson
Brooks	Gerber	Masser	Santarsiero
Brown, R.	Gergely	Matzie	Santoni
Brown, V.	Gibbons	McGeehan	Saylor
Brownlee	Gillen	Metcalfe	Scavello
Burns	Gillespie	Metzgar	Schmotzer
Buxton	Gingrich	Miccarelli	Simmons
Caltagirone	Godshall	Micozzie	Smith, K.
Carroll	Goodman	Millard	Smith, M.
Causer	Grell	Miller	Sonney
Christiana	Grove	Milne	Staback
Clymer	Hackett	Mirabito	Stephens
Cohen	Hahn	Moul	Stern
Conklin	Haluska	Mullery	Sturla
Costa, D.	Harhai	Mundy	Swanger
Costa, P.	Harhart	Murphy	Tallman
Cox	Harkins	Murt	Taylor
Cruz	Harris	Mustio	Thomas
Culver	Heffley	Myers	Tobash
Curry	Helm	Neilson	Toepel
Cutler	Hennessey	Neuman	Toohil
Daley	Hess	O'Brien, M.	Turzai
Davidson	Hickernell	O'Neill	Vereb
Davis	Hornaman	Oberlander	Vulakovich
Day	Hutchinson	Parker	Waters
Dean	Josephs	Pashinski	Watson
Deasy	Kampf	Payne	Wheatley
DeLissio	Kauffman	Peifer	White
Delozier	Kavulich	Perry	Williams
DeLuca	Keller, F.	Petrarca	Youngblood
Denlinger	Keller, M.K.	Petri	
DePasquale	Keller, W.	Pickett	Smith, S., Speaker
Dermody	Killion	Preston	
DiGirolamo			

NAYS—3

James	Payton	Vitali
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NOT VOTING—0

EXCUSED—7

Creighton Evans, D.	Hanna Harper	Krieger Stevenson	Truitt
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the bill passed finally.

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

The SPEAKER. There will be no further votes.

BILLS RECOMMITTED

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

- HB 1539;
- HB 1803;
- HB 1820;
- HB 2167;
- HB 2359;
- SB 1150;
- SB 1433; and
- SB 1478.

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

BILLS REMOVED FROM TABLE

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

- HB 11;
- HB 532;
- SB 100;
- SB 273; and
- SB 1067.

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

BILL REMOVED FROM TABLE

The SPEAKER. The Speaker recognizes the majority leader, who moves that HB 2230 be removed from the tabled calendar and placed on the active calendar.

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

BILL TABLED

The SPEAKER. The Speaker recognizes the majority leader, who moves that HB 2230 be removed from the active calendar and placed on the tabled calendar.

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

CALENDAR CONTINUED**RESOLUTIONS**

Mr. TURZAI called up **HR 225, PN 1566**, entitled:

A Resolution urging Pennsylvanians to use the term "intellectually disabled" to describe individuals with a mental impairment.

On the question,
Will the House adopt the resolution?

RESOLUTION TABLED

The SPEAKER. The Speaker recognizes the majority leader, who moves that HR 225 be removed from the active calendar and placed on the tabled calendar.

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

RESOLUTION REMOVED FROM TABLE

The SPEAKER. The Speaker recognizes the majority leader, who moves that HR 225 be removed from the tabled calendar and placed on the active calendar.

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

* * *

Mr. TURZAI called up **HR 315, PN 2831**, entitled:

A Resolution directing the Legislative Budget and Finance Committee and the Joint State Government Commission to study the financial and administrative effectiveness of the emergency medical services system.

On the question,
Will the House adopt the resolution?

RESOLUTION TABLED

The SPEAKER. The Speaker recognizes the majority leader, who moves that HR 315 be removed from the active calendar and placed on the tabled calendar.

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

RESOLUTION REMOVED FROM TABLE

The SPEAKER. The Speaker recognizes the majority leader, who moves that HR 315 be removed from the tabled calendar and placed on the active calendar.

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

BILLS AND RESOLUTIONS PASSED OVER

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

ADJOURNMENT

The SPEAKER. Seeing no further business, the Speaker recognizes the gentleman, Mr. Truitt, from Chester County, who moves that this House do adjourn until Thursday, June 7, 2012, at 9:30 a.m., e.d.t., unless sooner recalled by the Speaker.

On the question,
Will the House agree to the motion?
Motion was agreed to, and at 7:51 p.m., e.d.t., the House adjourned.