

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

THURSDAY, DECEMBER 17, 2015

SESSION OF 2015

199TH OF THE GENERAL ASSEMBLY

No. 104

HOUSE OF REPRESENTATIVES

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

THE SPEAKER (MIKE TURZAI) PRESIDING

PRAYER

The SPEAKER. The prayer will be offered by Representative Joanna McClinton, and immediately after, we will recite the Pledge of Allegiance.

We are very glad to have Representative McClinton offer today's prayer.

HON. JOANNA McCLINTON, member of the House of Representatives, offered the following prayer:

Heavenly Father, we thank You and praise You, for this is the day that You have made. We are rejoicing and we are glad.

We are grateful for life. We do not take today for granted because we know tomorrow is not promised, but while we are here today, we just pause and say thank You – thank You, Lord, for Your goodness, thank You for Your mercy, thank You for Your kindness, thank You for so many blessings that we could not even name them all, but most of all, we thank You for the honor and privilege to serve.

You told us in Your Word to love our neighbors as we love ourselves. So it is my prayer today, God, that You would send help and strength to this body, that You would look on each and every leader among us, and that You would empower us with the strength that we need to make sound decisions in this critical time.

You told us in Your Word that Your grace is sufficient for us and You would strengthen us in our weakness. So even in our weakest hour, we pray that You would send strength today, God; we pray that You would send deliverance; we pray that You would turn things around for this Commonwealth. We pray that among us, God, that we can come together like never before during the season that we celebrate joy, hope, and light that came into the world.

We pray for light to come into the Capitol. We pray that You would touch each and every one of us. Give us the wisdom that we need to compromise. Father, we ask that we not only think about our families that are missing us while we are sacrificing in service but that we think about the children who might not be able to go to school in the new year, that we think about those who suffer through these months. God, we pray that You would send a Christmas miracle to the Capitol. In Jesus' name, Amen.

PLEDGE OF ALLEGIANCE

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

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, the approval of the Journal of Wednesday, December 16, 2015, will be postponed until printed.

RESIGNATION OF MEMBER

The SPEAKER. The clerk will read the following communication.

The following communication was read:

House of Representatives
Commonwealth of Pennsylvania
Harrisburg

December 16, 2015

The Honorable Mike Turzai, Speaker
PA House of Representatives
139 Main Capitol
PO Box 202028
Harrisburg, PA 17120-2028

Dear Speaker Turzai:

Please accept this letter as my formal notice of resignation as state Representative of the 192nd Legislative District in Philadelphia. My resignation is effective today, December 16, 2015.

Sincerely,
Louise Williams Bishop

LEAVES OF ABSENCE

The SPEAKER. The majority whip requests leaves of absence for Representative JAMES of Venango County and Representative MASSER of Northumberland County for the day. Without objection, those leaves will be granted.

And the minority whip requests leaves of absence for Representative FARINA from Lackawanna for the day, Representative KIRKLAND of Delaware for the day, Representative DEAN of Montgomery for the day, Representative Daniel MILLER of Allegheny County for the

day, and Representative GAINNEY of Allegheny County for the day. Without objection, those leave requests will be granted.

MASTER ROLL CALL

The SPEAKER. At this time we will be prepared to take the master roll call. Members will proceed to vote.

The following roll call was recorded:

PRESENT—195

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

ADDITIONS—0

NOT VOTING—0

EXCUSED—7

Dean	Gainey	Kirkland	Miller, D.
Farina	James	Masser	

LEAVES ADDED—9

Delozier	Kaufner	Parker, D.	Saccone
Evans	Major	Quinn	Tobash
Farry			

LEAVES CANCELED—3

Farry	Quinn	Tobash
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The SPEAKER. One hundred and ninety-five members having voted on the master roll call, a quorum is present.

GUESTS INTRODUCED

The SPEAKER. Located in the rear of the House, the Chair welcomes Ruth O'Connor, Gina Costello, and Deborah Petraitis. They are the guests of Representative Hahn. Would you please stand. Thank you for being with us today.

LEAVE OF ABSENCE

The SPEAKER. It is my understanding that Representative Rick SACCONI wishes to be placed on leave. Without objection, that request will be granted.

APPROPRIATIONS COMMITTEE MEETING

The SPEAKER. The Chair recognizes the Appropriations chair, Bill Adolph, for a committee announcement.

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

Mr. Speaker, there will be an immediate Appropriations Committee meeting in the majority caucus room. Thank you.

The SPEAKER. Thank you.

There will be an immediate Appropriations Committee meeting in the majority caucus room.

REPUBLICAN CAUCUS

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

Ms. MAJOR. Thank you, Mr. Speaker.

I would like to announce Republicans will caucus today at 1 p.m. I would ask our Republican members to report to the caucus room at 1 p.m. We would be prepared to come back on the floor, Mr. Speaker, at 2 o'clock. Thank you.

The SPEAKER. Thank you.

DEMOCRATIC CAUCUS

The SPEAKER. Representative Frankel, for a caucus announcement.

Mr. FRANKEL. Thank you, Mr. Speaker.

Democrats will caucus at 1 o'clock. Democrats will caucus at 1 o'clock. Thank you.

RECESS

The SPEAKER. With that, we will be back at 2 o'clock on the floor. Thank you.

RECESS EXTENDED

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

AFTER RECESS

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

BILLS REREPORTED FROM COMMITTEE

HB 1625, PN 2677 By Rep. ADOLPH

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in school health services, further providing for definitions and providing for education of school employees in diabetes care and management, for diabetes care in schools, for possession and use of diabetes medication and monitoring equipment, for liability, for coordinating, supervising or educating not considered delegation and for diabetes care in nonpublic schools.

APPROPRIATIONS.

HB 1734, PN 2598 By Rep. ADOLPH

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in certification of teachers, further providing for continuing professional development, for program of continuing professional education and for charter schools.

APPROPRIATIONS.

LEAVES OF ABSENCE

The SPEAKER. Representative FARRY of Bucks County, Representative QUINN of Bucks County, Representative TOBASH of Schuylkill County, and Representative David PARKER of Monroe County have all requested leave for the day. Without objection, those requests will be granted.

SUPPLEMENTAL CALENDAR A

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1734, PN 2598**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in certification of teachers, further providing for continuing professional development, for program of continuing professional education and for charter schools.

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—190

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

NAYS—0

NOT VOTING—0

EXCUSED—12

Dean	Gainey	Masser	Quinn
Farina	James	Miller, D.	Saccone
Farry	Kirkland	Parker, D.	Tobash

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.

ANNOUNCEMENT BY MR. KORTZ

The SPEAKER. At this time on unanimous consent, the Chair recognizes Representative Kortz.

Mr. KORTZ. Thank you, Mr. Speaker.

It is with great pleasure that my beautiful daughter, Julie, and her loving husband, Justin, welcomed their first child into the world yesterday, Wednesday, December 16, a beautiful baby girl. Her name is Violette Grace, and I am pleased to report that mother and daughter are doing very well. The father is a little tired but smiling and the grandparents are extremely elated and very, very proud, and no better Christmas blessing could have come to our family this holiday season.

Thank you, Mr. Speaker.

The SPEAKER. Congratulations, Representative Kortz.

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1625, PN 2677**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in school health services, further providing for definitions and providing for education of school employees in diabetes care and management, for diabetes care in schools, for possession and use of diabetes medication and monitoring equipment, for liability, for coordinating, supervising or educating not considered delegation and for diabetes care in nonpublic schools.

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—129

Acosta	Fabrizio	Longietti	Roebuck
Adolph	Fee	Mackenzie	Ross
Baker	Freeman	Maher	Rothman
Barrar	Gabler	Major	Samuelson
Benninghoff	Galloway	Marshall	Sankey
Bizzarro	Gillespie	Marsico	Santarsiero
Bloom	Gingrich	Matzie	Saylor
Brown, R.	Greiner	McClinton	Schemel
Brown, V.	Grove	McGinnis	Schlossberg
Bullock	Hahn	Mentzer	Schweyer
Caltagirone	Harhart	Metcalfe	Simmons
Causar	Harkins	Metzgar	Sims
Christiana	Harper	Millard	Sonney
Corbin	Harris, A.	Miller, B.	Staats
Costa, P.	Heffley	Milne	Stephens
Cruz	Helm	Moul	Tallman
Culver	Hennessey	Mustio	Taylor
Cutler	Hickernell	Neilson	Toepel
Dawkins	Hill	Nesbit	Topper
Day	Irvin	O'Brien	Truitt
DeLissio	Jozwiak	O'Neill	Vereb

Delozier	Kampf	Oberlander	Ward
Diamond	Kaufner	Payne	Warner
DiGirolamo	Kauffman	Peifer	Watson
Donatucci	Keller, F.	Petri	Wentling
Driscoll	Keller, W.	Pickett	Wheatley
Dunbar	Killion	Pyle	Wheeland
Dush	Kim	Quigley	White
Ellis	Klunk	Rader	Zimmerman
Emrick	Knowles	Rapp	
English	Krieger	Reed	Turzai,
Evankovich	Lawrence	Regan	Speaker
Everett	Lewis	Roae	

NAYS—61

Barbin	DeLuca	Kinsey	Pashinski
Boback	Dermody	Kortz	Petrarca
Boyle	Evans	Kotik	Ravenstahl
Bradford	Flynn	Krueger	Readshaw
Briggs	Frankel	Mahoney	Reese
Burns	Gergely	Maloney	Rozzi
Carroll	Gibbons	Markosek	Sainato
Cohen	Gillen	McCarter	Santora
Conklin	Godshall	McNeill	Schreiber
Costa, D.	Goodman	Miccarelli	Snyder
Cox	Hanna	Mullery	Sturla
Daley, M.	Harhai	Murt	Thomas
Daley, P.	Harris, J.	Neuman	Toohil
Davidson	Kavulich	Ortity	Vitali
Davis	Keller, M.K.	Parker, C.	Youngblood
Deasy			

NOT VOTING—0

EXCUSED—12

Dean	Gainey	Masser	Quinn
Farina	James	Miller, D.	Saccone
Farry	Kirkland	Parker, D.	Tobash

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

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

CALENDAR

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 757, PN 893**, entitled:

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, in licenses and regulations, liquor, alcohol and malt and brewed beverages, further providing for unlawful acts relative to liquor, alcohol and liquor licensees.

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

Mr. ROSS offered the following amendment No. **A05281**:

Amend Bill, page 1, line 16, by inserting after "laws," in Pennsylvania Liquor Stores, further providing for sales by Pennsylvania Liquor Stores;

Amend Bill, page 1, lines 22 through 25; page 2, line 1; by striking out all of said lines on said pages and inserting

Section 1. Section 305(b) of the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, reenacted and amended June 29, 1987 (P.L.32, No.14) and amended July 6, 2005 (P.L.135, No.39), is amended to read:

Section 305. Sales by Pennsylvania Liquor Stores.—* * *

(b) Every Pennsylvania Liquor Store shall sell liquors at wholesale to hotels, restaurants, clubs, and railroad, pullman and steamship companies licensed under this act; and, under the regulations of the board, to pharmacists duly licensed and registered under the laws of the Commonwealth, and to manufacturing pharmacists, and to reputable hospitals approved by the board, or chemists. Sales to licensees shall be made at a price that includes a discount of [ten] twenty per centum from the retail price. The board may sell to registered pharmacists only such liquors as conform to the Pharmacopoeia of the United States, the National Formulary, or the American Homeopathic Pharmacopoeia. The board may sell at special prices under the regulations of the board, to United States Armed Forces facilities which are located on United States Armed Forces installations and are conducted pursuant to the authority and regulations of the United States Armed Forces. All other sales by such stores shall be at retail. A person entitled to purchase liquor at wholesale prices may purchase the liquor at any Pennsylvania Liquor Store upon tendering cash, check or credit card for the full amount of the purchase. For this purpose, the board shall issue a discount card to each licensee identifying such licensee as a person authorized to purchase liquor at wholesale prices. Such discount card shall be retained by the licensee. The board may contract through the Commonwealth bidding process for delivery to wholesale licensees at the expense of the licensee receiving the delivery.

* * *

Section 2. Section 491 introductory paragraph and (2) of the act, amended July 5, 2012 (P.L.1007, No.116), are amended and the section is amended by adding a subsection to read:

Amend Bill, page 5, line 8, by striking out "2" and inserting

3

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

AMENDMENT WITHDRAWN

The SPEAKER. On that question, the Chair recognizes Representative Ross.

Sir, just please suspend for a moment.

Members, please, if we could, Representative Ross has the floor. Please take your seats.

Representative Ross, the floor is yours.

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

This amendment is brought forward because of comments that we received during our informational meeting with the Restaurant Association this summer in which we learned that the very restricted discount of 10 percent for product, liquor products that the restaurants were selling was so small that it was creating the impression among their customers that the restaurants were actually gouging compared to the prices that were being offered in the Pennsylvania liquor stores, the fine wine and spirit stores, and because of certain odd pricing practices, in some cases they were actually buying product higher than those that were sold at the LCB (Liquor Control Board) store to the general public. So it is, I think, a valuable and important idea to work toward getting a reasonable discount for those outlets, particularly since they have to pick the product up, transport it, and developed additional costs in order to even have it into their restaurants in the first place.

Our restaurants are important to us. They are a very substantial portion of the economy in Pennsylvania. They are part of the hospitality industry, which is one of our major industries, and many of them are small businesses, mom-and-pop operations, that deserve our consideration and deserve to be treated reasonably by us here in the Commonwealth.

That having been said, because of the timing and the general pressure we are under right now to try and get to the budget, I have decided to withdraw this amendment at this time with the understanding that I intend to pursue this issue further in the future.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, Representative Ross.

On the question recurring,

Will the House agree to the bill on second consideration?

Mr. P. COSTA offered the following amendment No. **A05315**:

Amend Bill, page 4, line 30, by inserting after "Commonwealth." The amount of liquor purchased under this subsection may not exceed one gallon in volume.

Amend Bill, page 5, line 4, by striking out "from" and inserting for

Amend Bill, page 5, line 7, by inserting after "Commonwealth." No fee, commission or other form of remuneration shall be charged by any resident in excess of the reimbursement amount for the purchase of the liquor.

On the question,

Will the House agree to the amendment?

The SPEAKER. On that question, the Chair recognizes Representative Costa.

Mr. P. COSTA. Thank you, Mr. Speaker.

The underlying bill, HB 757, would allow the constituents of Pennsylvania to transport alcohol across State lines, providing they pay the applicable taxes, but nowhere in this bill states there is a limit of how much you can bring across the State line. What my amendment does is limit that to 1 gallon, keeping it consistent with the rest of the Liquor Code, keeping it consistent at 1 gallon. One gallon is roughly a little more than five-fifths of spirits or five bottles of wine, and I would hope that I could get members to support what I believe is a reasonable amendment.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, Representative Costa.

Representative Ross, on the amendment, sir.

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

The point of this amendment is, for those that are picking up a bottle or two bottles or three bottles of wine or perhaps even a case while they are away on vacation in another State and then they later are leaving their vacation home and then they travel back into Pennsylvania, right now we have no system under which that case of wine could be made legal and the law-abiding citizen could actually follow the law. They have a choice of either discarding the case or breaking the law. By providing this option to them, where they are simply able to pay the tax, they would wind up becoming law-abiding citizens. We would recapture taxes that are due to the Commonwealth, and it gives people an opportunity to stay within the law. I think it is

really appropriate for us to maintain that principle. The amendment as offered is actually unnecessary, and I would urge a "no" vote, because it actually, unfortunately, undercuts the purpose of this legislation.

I would add, in case this comes up later in debate, that there is no way that this provision would allow people to bring liquor into the Commonwealth and sell it for resale. That will still be illegal. And in fact, if they hand the property over, the bottles over to anybody else and charge anything other than the face value of the purchase price, including such things as transportation costs, handling costs, gasoline, cost of vehicles used to transport it, those all would still be illegal. So this is not an undercover way to create importation in competition with the current system in Pennsylvania. It is merely designed to provide an opportunity for those who would otherwise bring property they legally purchased in another State home with them in such a way that they are not in violation of Pennsylvania law.

The bill is good as it is. I urge a "no" vote on the amendment.

The SPEAKER. Does anybody else wish to be recognized?
Representative Sturla.

Mr. STURLA. Thank you.

The SPEAKER. Just suspend.

Members, please take your seats. All conversations should go to the anterooms.

Representative Sturla, the floor is yours.

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, I rise in favor of the Costa amendment and for this reason. As I understand the underlying bill, it would allow a resident of Pennsylvania to go across State lines and purchase alcohol and bring as much of that back as they wanted to, even a truckload, as long as they sold it for the exact price that they bought it for to someone else in the State of Pennsylvania.

I also understand that in current law there is a prohibition against liquor licensees from doing this in the State of Pennsylvania. But someone who owns a restaurant that does not have a liquor license is not a licensee in the State of Pennsylvania, and so if I do not have a liquor license, under the legislation as it is proposed, the underlying legislation, I could go and buy a truckload of liquor in a neighboring State, bring it back into this State, and as long as I offered it to my customers at the exact price that I paid for it, I could now have liquor available in my establishment that does not have a liquor license. The Costa amendment prevents this because no one in their right mind is going to go and buy a gallon of liquor at a time to do this in a restaurant. They might go and buy a truckload, which would be perfectly legal under the bill itself.

I think this is a prudent amendment, it is a necessary amendment, and it is something that without it opens the door for nonliquor licensees, people that own restaurants in the State of Pennsylvania that do not have a liquor license, to, in a sense, get a de facto liquor license for free in the State of Pennsylvania as long as they are willing to sell the alcohol at cost to attract customers into their restaurant.

Thank you, Mr. Speaker.

The SPEAKER. John Taylor, Chairman John Taylor.

Mr. TAYLOR. Thank you, Mr. Speaker.

As the chairman of the Liquor Committee said, this bill specifically prohibits the sale and getting in the business, and I do not know why anybody in business would buy a truckload of alcohol to sell it at the same cost they bought it for.

This amendment, while well-intentioned, undercuts the purpose of this bill, which is particularly important to any of us that represent constituents near any of our borders, and if they happen to buy alcohol across State lines and bring it into the State, they are criminals under existing law. I am trying to prevent that. It makes sense in terms of all the things we discussed about liquor in this chamber in the last few years, and I ask for a "no" vote on this amendment.

The SPEAKER. Thank you, Chairman Taylor.

Representative Costa, for the second time.

Mr. P. COSTA. Thank you, Mr. Speaker.

I just want to be clear, my amendment does nothing to adjust the intent of what Chairman Taylor is trying to do. People have the ability to transport alcohol across State lines. It also gives them the ability if they want to take care of their neighbors, "Hey, I'm running to Delaware. I'm running to New Jersey. Would you like a bottle of wine, a bottle of liquor?" whatever the case. This does not prevent that. It still gives them the ability.

My concern is – and our legal counsel has advised me that I am correct – that there are smarter people than me that are out there that are going to figure out a way how to circumvent the system and have the ability to maybe only charge for the wine, but I do not believe there is anything in this language that says you cannot charge a service charge, you cannot charge for the gasoline that you used, the tolls that you paid, the time that it took you to go and get this, and that is my concern. I am trying to take the profit motive out of this, and if really the intent is you are just casually getting a bottle of alcohol and you are carrying it across State lines, that is one thing, but if you are going to try and create a business and circumvent our licensed establishments, that is where I have the concern. That is why I am limiting it to 1 gallon, keeping it consistent with the rest of the language in our Liquor Code, and again, it keeps the intent of what the chairman is trying to do.

Again, please, I am asking you for a "yes" on this amendment.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—79

Acosta	Dawkins	Harris, J.	Pashinski
Barbin	Deasy	Kavulich	Petrarca
Bizzarro	DeLissio	Keller, W.	Ravenstahl
Boyle	DeLuca	Kim	Readshaw
Bradford	Dermody	Kinsey	Roebuck
Briggs	Donatucci	Kortz	Rozzi
Brown, V.	Driscoll	Kotik	Sainato
Bullock	English	Krueger	Samuelson
Burns	Evans	Longietti	Santarsiero
Caltagirone	Fabrizio	Mahoney	Schlossberg
Carroll	Flynn	Markosek	Schreiber
Cohen	Frankel	Matzie	Schweyer
Conklin	Freeman	McCarter	Sims
Costa, D.	Galloway	McClinton	Snyder
Costa, P.	Gergely	McNeill	Sturla
Cruz	Gibbons	Mullery	Thomas
Daley, M.	Goodman	Neilson	Vitali
Daley, P.	Hanna	Neuman	Wheatley
Davidson	Harhai	O'Brien	Youngblood
Davis	Harkins	Parker, C.	

NAYS—111

Adolph	Greiner	Marshall	Roae
Baker	Grove	Marsico	Ross
Barrar	Hahn	McGinnis	Rothman
Benninghoff	Harhart	Mentzer	Sankey
Bloom	Harper	Metcalfe	Santora
Boback	Harris, A.	Metzgar	Saylor
Brown, R.	Heffley	Miccarelli	Schemel
Causar	Helm	Millard	Simmons
Christiana	Hennessey	Miller, B.	Sonney
Corbin	Hickernell	Milne	Staats
Cox	Hill	Moul	Stephens
Culver	Irvin	Murt	Tallman
Cutler	Jozwiak	Mustio	Taylor
Day	Kampf	Nesbit	Toepel
DeLozier	Kaufer	O'Neill	Toohil
Diamond	Kauffman	Oberlander	Topper
DiGiolamo	Keller, F.	Ortitay	Truitt
Dunbar	Keller, M.K.	Payne	Vereb
Dush	Killion	Peifer	Ward
Ellis	Klunk	Petri	Warner
Emrick	Knowles	Pickett	Watson
Evankovich	Krieger	Pyle	Wentling
Everett	Lawrence	Quigley	Wheeland
Fee	Lewis	Rader	White
Gabler	Mackenzie	Rapp	Zimmerman
Gillen	Maher	Reed	
Gillespie	Major	Reese	Turzai,
Gingrich	Maloney	Regan	Speaker
Godshall			

NOT VOTING—0

EXCUSED—12

Dean	Gainey	Masser	Quinn
Farina	James	Miller, D.	Saccone
Farry	Kirkland	Parker, D.	Tobash

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 House proceeded to second consideration of **HB 824, PN 1565**, entitled:

An Act amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, in miscellaneous provisions, providing for confidentiality of personal information of public safety officials.

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

Mr. **PETRI** offered the following amendment No. **A05031**:

Amend Bill, page 3, lines 4 through 28, by striking out all of said lines and inserting
§ 7715. Confidentiality of personal information for public safety officials.

(a) General rule.—

(1) No person shall publicly post, publicly display or provide to a third party the home address or telephone number of

any public safety official or of any public safety official's spouse or child knowing that the person is a public safety official and that a third party is only seeking information because of the public safety official's occupation and intends to harm or threaten to harm the public safety official or the public safety official's spouse or child.

(2) No person, business or association shall solicit, sell or trade on the Internet the home address or telephone number of a public safety official with the intent to cause harm to the public safety official or to any person residing at the public safety official's home address.

(b) Penalty.—

(1) A violation of subsection (a) is a misdemeanor of the third degree, if there is no bodily injury of the public safety official or his spouse or child.

(2) A violation of subsection (a) that leads to the bodily injury of the public safety official or his spouse or child is a misdemeanor of the first degree.

(c) Right to action.—

(1) Notwithstanding any other law, a public safety official whose home address or telephone number is solicited, sold or traded in violation of this section may bring an action in a court of competent jurisdiction.

(2) If a jury or court finds that a violation has occurred, damages shall be awarded to the public safety official in an amount up to a maximum of three times the actual damages, but in no case less than two thousand dollars (\$2,000).

Amend Bill, page 4, by inserting between lines 9 and 10 "Publicly display" and "publicly post." To intentionally communicate or otherwise make available to the general public, including on the Internet.

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

The SPEAKER. On that question, the Chair recognizes Representative Petri.

Mr. PETRI. Thank you, Mr. Speaker, for considering this amendment in the bill.

Amendment 5031 is patterned after a provision under the confidentiality provisions and the right-to-know laws enacted in California. Their law was fashioned differently than ours and actually provided an exclusion for public safety officers and police officers from the inception. That has made drafting of this provision whose intent is to protect the extended law enforcement arena – police officers, caseworkers, folks that work in the forestry, anyone who could essentially prepare a report that someone else might not like – and unfortunately, in this day and age these folks are subject to harassment and they are subject to harassment both in their person, in their spouses, and even worse yet, in some cases, in their families.

And so what this amendment does is clarify that we are not talking about striking off existing information, but it makes it a criminal offense, a misdemeanor, for a person to intentionally and with the intent of harming that public safety officer, knowing that it will hurt that public safety officer from disseminating information. If the resulting injuries occur that are bodily in nature, it ends up being a misdemeanor of the first degree. If there are no bodily injuries to the person, spouse, or family, it is a misdemeanor of the third degree.

I urge the members to support this amendment. We are trying to demonstrate to our public safety officers, our police officers that we are trying to protect them to the greatest extent possible. Thank you.

The SPEAKER. Thank you, Representative.
Does anybody else wish to be recognized on this amendment?

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

The following roll call was recorded:

YEAS—190

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

NAYS—0

NOT VOTING—0

EXCUSED—12

Dean	Gainey	Masser	Quinn
Farina	James	Miller, D.	Saccone
Farry	Kirkland	Parker, D.	Tobash

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. HANNA offered the following amendment No. **A01917**:

Amend Bill, page 4, line 6, by striking out "(27)."

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

The SPEAKER. On that question, the Chair recognizes Representative Hanna.

Mr. HANNA. Thank you, Mr. Speaker.

I rise today in support of amendment A01917.

HB 824 would prohibit a Commonwealth agency or political subdivision from disclosing the home address, personal phone number, or e-mail address of a public safety official or his or her spouse, child, or parent.

The bill defines "public safety official" by referring to a list of individuals under Title 18, section 2702(c). There are 38 paragraphs provided under this section, and most of those individuals would receive the protections under this bill except for those under 10 specific paragraphs, including paragraph (27), our teachers. This bill takes its definition of "public safety official" from a section that has made it a second-degree felony for anyone who attempts to put any of those individuals under the 38 paragraphs in fear of serious bodily injury. So under current law, the punishment is exactly the same when you threaten the safety of a police officer or the safety of a teacher. If a threat to both of these individuals is treated equally under current law, why should we exclude one of them from the safety provisions under this bill?

Mr. Speaker, my amendment maintains consistency with current law by removing the specific exclusion of our teachers in the definition used under this bill. There have been numerous documented incidents of actual and threatened violence against teachers and school employees from both parents, the students, and others. Disclosing an educator's name, work address, salary, or benefits is one thing, but it is unsafe to allow the release of these individuals' addresses and personal contact information. Just yesterday a Massachusetts teenager was found guilty of killing his high school math teacher. A year ago this week a Lancaster County sixth grade teacher was sexually assaulted and killed while alone in her home. We should not make it easier for our teachers to be threatened or harmed while in the safety of their own homes.

Mr. Speaker, educators support my amendment because they believe the protections under HB 824 should extend to public school employees. I stand here advocating for the safety of our teachers and their families, and I urge all members to support my amendment. Thank you, Mr. Speaker.

The SPEAKER. Thank you, Representative Hanna.

Representative Petri, on the amendment, sir.

Mr. PETRI. Mr. Speaker, under the original crafted bill, I would have been against this amendment because it would have made that teacher's information not a public record, not available, but since the bill has changed dramatically so that

there is an intent provision and specifically requires that the information be used with the intent of harming an individual, I do not think we should be harming teachers, police officers, or for that matter, in the next amendment, the folks that are added back in. The maker of this amendment is correct that they were originally defined by this legislature to be a "public safety officer," which is a broad term, one that you would not normally think would include a teacher.

As I said though, I am supporting this amendment because the language of this bill requires that in order for there to be an exaction of a penalty, you have had to either had the intent to harm that teacher or you actually harmed them, in which case you should be subject to the same kind of punishment as if you went after a law enforcement officer. So I encourage the members to support this.

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

The following roll call was recorded:

YEAS—190

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

NAYS—0

NOT VOTING—0

EXCUSED—12

Dean	Gainey	Masser	Quinn
Farina	James	Miller, D.	Saccone
Farry	Kirkland	Parker, D.	Tobash

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. O'BRIEN offered the following amendment
No. A01916:

Amend Bill, page 4, line 6, by striking out "(28), (29), (30), (31), (32)."

Amend Bill, page 4, line 9, by inserting after "LAW."
The term excludes an individual who is a candidate for or holds an elective office.

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

The SPEAKER. On the question, the Chair recognizes Representative O'Brien.

Mr. O'BRIEN. Thank you, Mr. Speaker.

I rise today to offer amendment A01916, which is very, very simple. We as candidates are required to live in our districts, as a candidate for Governor to live in the State, for Congress to live in the State, and it is imperative that your address be available to confirm that you truly are a resident, and that is simply what this amendment does, and I would ask for an affirmative vote.

The SPEAKER. Representative Petri, on the amendment, sir.

Mr. PETRI. I would encourage the members to support this amendment, which adds back in to those protected – the Governor, Lieutenant Governor, Auditor General, State Treasurer, and the General Assembly – for the same reasons I said previously as did the previous amendment. Thank you.

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

The following roll call was recorded:

YEAS—174

Acosta	Ellis	Knowles	Ravenstahl
Adolph	Emrick	Kortz	Readshaw
Baker	English	Kotik	Reed
Barbin	Evans	Krieger	Reese
Barrar	Everett	Krueger	Regan
Benninghoff	Fabrizio	Lawrence	Roae
Bizzarro	Fee	Longietti	Roebuck
Boback	Flynn	Mackenzie	Ross
Boyle	Frankel	Mahoney	Rozzi
Bradford	Freeman	Major	Sainato
Briggs	Gabler		Samuelson

Brown, R.	Galloway	Maloney	Santarsiero
Brown, V.	Gergely	Markosek	Santora
Bullock	Gibbons	Marshall	Saylor
Burns	Gillen	Matzie	Schemel
Caltagirone	Gillespie	McCarter	Schlossberg
Carroll	Gingrich	McClinton	Schreiber
Causser	Godshall	McNeill	Schweyer
Christiana	Goodman	Mentzer	Simmons
Cohen	Greiner	Miccarelli	Sims
Conklin	Hahn	Millard	Snyder
Corbin	Hanna	Miller, B.	Sonney
Costa, D.	Harhai	Milne	Staats
Costa, P.	Harhart	Moul	Stephens
Cox	Harkins	Mullery	Sturla
Cruz	Harper	Murt	Taylor
Culver	Harris, A.	Mustio	Thomas
Cutler	Harris, J.	Neilson	Toepel
Daley, M.	Heffley	Nesbit	Toohil
Daley, P.	Helm	Neuman	Topper
Davidson	Hennessey	O'Brien	Truitt
Davis	Hickernell	O'Neill	Vereb
Dawkins	Hill	Oberlander	Vitali
Day	Irvin	Ortitay	Warner
Deasy	Jozwiak	Parker, C.	Watson
DeLissio	Kampf	Pashinski	Wentling
DeLuca	Kaufer	Payne	Wheatley
Dermody	Kauffman	Peifer	Wheeland
Diamond	Kavulich	Petrarca	White
DiGirolamo	Keller, W.	Petri	Youngblood
Donatucci	Killion	Pickett	Zimmerman
Driscoll	Kim	Pyle	
Dunbar	Kinsey	Quigley	Turzai,
Dush	Klunk	Rader	Speaker

NAYS—16

Bloom	Keller, F.	McGinnis	Rothman
Delozier	Keller, M.K.	Metcalfe	Sankey
Evankovich	Maher	Metzgar	Tallman
Grove	Marsico	Rapp	Ward

NOT VOTING—0**EXCUSED—12**

Dean	Gainey	Masser	Quinn
Farina	James	Miller, D.	Saccone
Farry	Kirkland	Parker, D.	Tobash

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

On the question recurring,

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

Bill as amended was agreed to.

The SPEAKER. The bill as amended will be reprinted.

RECESS

The SPEAKER. Members, SB 1071 is to be voted on today. There are quite a few amendments filed to that as well. Because that bill deals with public pension reform, PERC (Public Employee Retirement Commission) notes are required before we vote on the bill or the amendments. I know that they are

looking for the PERC notes to be provided by PERC, and they have not yet been provided. My understanding is that they will be here some time beginning at 5 p.m.

We are going to recess until 5:30 p.m., recess until 5:30 p.m., for the provision of the PERC notes with respect to SB 1071 and the amendments. So we are going to recess at this time until 5:30 p.m. Thank you.

RECESS EXTENDED

The time of recess was extended until 6 p.m.

AFTER RECESS

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

ENVIRONMENTAL RESOURCES AND ENERGY COMMITTEE MEETING

The SPEAKER. Chairman John Maher, for an announcement.

Mr. MAHER. Thank you, Mr. Speaker.

For the information of the members and the public, an announcement that the House Environmental Resources and Energy Committee will be meeting tomorrow at 10 a.m. in room 205 of the Ryan Office Building to consider HR 327, HB 1103, HB 1712, HB 1737, and any other business to come before the committee.

Thank you, Mr. Speaker.

The SPEAKER. The House Environmental Resources and Energy Committee will be meeting tomorrow at 10 a.m. in room 205 of the Ryan Office Building.

LEAVE OF ABSENCE

The SPEAKER. The minority whip has indicated that Representative EVANS wishes to be placed on leave. Without objection, that will be granted.

LEAVE OF ABSENCE CANCELED

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

LEAVES OF ABSENCE

The SPEAKER. The majority whip indicates that Representative Sandra MAJOR, Representative Sheryl DELOZIER, and Representative Aaron KAUFER all wish to be placed on leave for the rest of the day. Without objection, those leaves will be granted.

ACTUARIAL NOTES

The SPEAKER. The Speaker acknowledges receipt of an actuarial note for SB 1082, PN 1460; amendment No. 4826 to SB 1082, PN 1460; and amendment No. 05049 to SB 1082, PN 1460.

The Speaker acknowledges receipt of an actuarial note for SB 1071, PN 1475; amendment Nos. 5313, 5305, and 5322 to SB 1071, PN 1475.

(Copies of actuarial notes are on file with the Journal clerk.)

LEAVE OF ABSENCE CANCELED

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

CALENDAR CONTINUED

BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of **SB 1071, PN 1475**, entitled:

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

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

Mr. **TOBASH** offered the following amendment No. **A05313**:

Amend Bill, page 502, by inserting between lines 24 and 25
(r) Management fees.—

(1) At the beginning of the next fiscal year after the report in section 8538(b)(5) (relating to public pension management and asset investment review commission) is delivered to the Governor and the General Assembly, the board shall implement a strategy to reduce pension management fees to be within the 75% least expensive systems compared to other statewide public pension funds performing in the United States by the fifth fiscal year, based on benchmarking analysis provided by a consultant with data and expertise on pension funds.

(2) Subsequent to the five-year period described in paragraph (1), the board shall implement an additional strategy to reduce total pension management fees to be within the 60% least costly statewide public pension systems performing in the United States by the tenth fiscal year, based on benchmarking analysis provided by a consultant with data and expertise on pension funds.

(3) For the purposes of this section, pension management fees shall mean investment management fees expressed as a percentage of assets under management.

Amend Bill, page 675, by inserting between lines 19 and 20
(q) Management fees.—

(1) At the beginning of the next fiscal year after the report in section 5958(b)(5) (relating to public pension management and asset investment review commission) is delivered to the Governor and the General Assembly, the board shall implement a strategy to reduce total pension management fees to be within the 75% least expensive systems compared to other statewide public pension funds performing in the United States by the fifth fiscal year, based on benchmarking analysis provided by a consultant with data and expertise on pension funds.

(2) Subsequent to the five-year period described in paragraph (1), the board shall implement an additional strategy to reduce total pension management fees to be within the 60% least costly statewide public pension systems performing in the United States by the tenth fiscal year, based on benchmarking analysis provided by a consultant with data and expertise on pension funds.

(3) For the purposes of this section, pension management fees shall mean investment management fees expressed as a percentage of assets under management.

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

The SPEAKER. On that question, the Chair recognizes Representative Tobash.

Representative Tobash, yes, sir. Representative Tobash, on the amendment, sir.

AMENDMENT PASSED OVER

The SPEAKER. We are going to go over the amendment 5313.

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

LEAVE OF ABSENCE CANCELED

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

CONSIDERATION OF SB 1071 CONTINUED

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

Mr. **DERMODY** offered the following amendment No. **A05305**:

Amend Bill, page 489, lines 23 through 25, by striking out "**NO MEMBER OF THE BOARD WHO**" in line 23, all of line 24 and "**OF THE GENERAL ASSEMBLY CAN SERVE AS CHAIRMAN.**" in line 25

Amend Bill, page 663, lines 20 through 22, by striking out "**NO MEMBER OF**" in line 20 and all of lines 21 and 22

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

The SPEAKER. On that question, the Chair recognizes Representative Dermody.

Mr. DERMODY. Thank you, Mr. Speaker.

Mr. Speaker, currently I believe it is the PSERS (Public School Employees' Retirement System) Board and the SERS (State Employees' Retirement System) Board—

The SPEAKER. Mr. Dermody, please suspend for just a second.

PARLIAMENTARY INQUIRIES

The SPEAKER. Point of order, Representative Evankovich?

Mr. EVANKOVICH. Parliamentary inquiry, please.

The SPEAKER. Yes, sir.

Mr. EVANKOVICH. Is the chamber anticipating receiving any additional actuarial notes from PERC on this subject bill?

The SPEAKER. We have received what we have received. We are under the understanding that more PERC notes should be transmitted to the chamber, but we have not received any other PERC notes from the commission.

Mr. EVANKOVICH. Further inquiry.

The SPEAKER. Yes, sir.

Mr. EVANKOVICH. If we continue to consider the amendments that are before us that we have the notes for and we then move forward with those amendments, if any of them are voted on, would the Speaker then be able to make a subsequent ruling that all of the other amendments are out of order because they do not have a PERC note?

The SPEAKER. Sir, would you please, if you would not mind, approach the bench and we can discuss this with the Parliamentarian.

(Conference held at Speaker's podium.)

The SPEAKER. Representative Dermody, you may proceed, sir.

Mr. DERMODY. Thank you, Mr. Speaker.

Mr. Speaker, currently PSERS elects the chairman of PSERS, and SERS, the chairman is the Governor's appointment, and annuitants can serve as can members of the General Assembly. The bill, as it stands today, would not allow annuitants or members of the General Assembly to serve as chairmen.

Now, over the years, members of the General Assembly and annuitants have served on the boards, have served as chairmen, and have done a very, very good job. They have served well; they have served with distinction. As a matter of fact, the majority chairman of our Appropriations Committee is the chairman of PHEAA (Pennsylvania Higher Education Assistance Agency) and does an excellent job for all Pennsylvanians, doing a great job at PHEAA.

All this amendment would do is allow annuitants and members of the General Assembly to serve as chairmen of SERS and PSERS.

Thank you, Mr. Speaker.

The SPEAKER. Thank you.

Does anybody else wish to be recognized on the amendment?

On the question recurring,

Will the House agree to the amendment?

(Members proceeded to vote.)

VOTE STRICKEN

The SPEAKER. We are going to go over the vote.

Representative DiGirolamo wishes to speak on the amendment. My fault, so please pull the vote.

Representative DiGirolamo, on the amendment.

Mr. DiGIROLAMO. Thank you, Mr. Speaker.

You know, we have just got a PERC note on this bill. We just received a PERC note on this bill. We have not had the opportunity to study it and see what it does, especially in relation to the amendment.

MOTION TO RECOMMIT

Mr. DiGIROLAMO. I would like to be recognized to make a motion.

The SPEAKER. Representative DiGirolamo, would you please, if we could, we are going to just suspend. Could you please approach.

Mr. DiGIROLAMO. I move that we refer SB 1071 with all amendments to the Finance Committee.

The SPEAKER. The House will be at ease.

The House will come to order.

REPUBLICAN CAUCUS

The SPEAKER. The majority leader, Dave Reed.

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

There will be an immediate caucus of the House Republican members in the House majority caucus room, an immediate caucus.

PARLIAMENTARY INQUIRY

The SPEAKER. Representative DiGirolamo.

Mr. DiGIROLAMO. Point of parliamentary inquiry.

The SPEAKER. Yes.

Mr. DiGIROLAMO. Mr. Speaker, I had a motion on the floor and made that motion, Mr. Speaker. How can they have intervening business without addressing the motion?

BILL PASSED OVER

The SPEAKER. Sir, Representative DiGirolamo, we are going to go over the bill at this time. We are going to go over the bill at this time.

Does the Democratic leader have an announcement with respect to caucus? No.

RECESS

The SPEAKER. The House will stand in recess until 7:30 p.m.

AFTER RECESS

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

BILLS RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader, who moves that HB 757 and HB 824 be recommitted to the Committee on Appropriations.

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

BILLS REMOVED FROM TABLE

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

HB 1260;
HB 1371;
HB 1407;
HB 1413;
HB 1418;
HB 1713; and
SB 1064.

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

CALENDAR CONTINUED**BILLS ON SECOND CONSIDERATION**

The House proceeded to second consideration of **HB 48, PN 1884**, entitled:

An Act amending Title 27 (Environmental Resources) of the Pennsylvania Consolidated Statutes, in conservation and natural resources, providing for water well construction standards.

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

BILL TABLED

The SPEAKER. The Chair recognizes the majority leader, who moves that HB 48 be removed from the active calendar and placed on the tabled calendar.

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

BILL REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader, who moves that HB 48 be removed from the tabled calendar and placed on the active calendar.

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

* * *

The House proceeded to second consideration of **HB 283, PN 282**, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, in tax for education, further providing for exclusions from sales and use tax.

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

BILL TABLED

The SPEAKER. The Chair recognizes the majority leader, who moves that HB 283 be removed from the active calendar and placed on the tabled calendar.

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

BILL REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader, who moves that HB 283 be removed from the tabled calendar and placed on the active calendar.

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

* * *

The House proceeded to second consideration of **HB 421, PN 456**, entitled:

An Act amending the act of June 27, 2006 (1st Sp.Sess., P.L.1873, No.1), known as the Taxpayer Relief Act, in senior citizens property tax and rent rebate assistance, further providing for definitions.

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

BILL TABLED

The SPEAKER. The Chair recognizes the majority leader, who moves that HB 421 be removed from the active calendar and placed on the tabled calendar.

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

BILL REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader, who moves that HB 421 be removed from the tabled calendar and placed on the active calendar.

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

* * *

The House proceeded to second consideration of **HB 1098, PN 1414**, entitled:

An Act amending the act of March 28, 1984 (P.L.150, No.28), known as the Automobile Lemon Law, further providing for the definition of "new motor vehicle."

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

BILL TABLED

The SPEAKER. The Chair recognizes the majority leader, who moves that HB 1098 be removed from the active calendar and placed on the tabled calendar.

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

BILL REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader, who moves that HB 1098 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 ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 494, PN 442**, entitled:

An Act amending the act of July 11, 1996 (2nd Sp.Sess., P.L.1879, No.10), known as the Flood Insurance Education and Information Act, further providing for flood insurance education and information.

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

BILL TABLED

The SPEAKER. The Chair recognizes the majority leader, who moves that SB 494 be removed from the active calendar and placed on the tabled calendar.

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

BILL REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader, who moves that SB 494 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 ON SECOND CONSIDERATION

The House proceeded to second consideration of **SB 737, PN 1330**, entitled:

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

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

BILL TABLED

The SPEAKER. The Chair recognizes the majority leader, who moves that SB 737 be removed from the active calendar and placed on the tabled calendar.

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

BILL REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader, who moves that SB 737 be removed from the tabled calendar and placed on the active calendar.

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

BILLS AND RESOLUTIONS PASSED OVER

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

ADJOURNMENT

The SPEAKER. Representative Jamie Santora moves that we adjourn to Friday, December 18, 2015, at 10 a.m., e.s.t., unless sooner recalled by the Speaker.

Thank you.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 8:04 p.m., e.s.t., the House adjourned.