

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

TUESDAY, JANUARY 12, 2016

SESSION OF 2016

200TH OF THE GENERAL ASSEMBLY

No. 3

HOUSE OF REPRESENTATIVES

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

THE SPEAKER PRO TEMPORE (MATTHEW E. BAKER) PRESIDING

PRAYER

HON. RICK SACCONI, member of the House of Representatives, offered the following prayer:

I remind you all, once again, as we prepare ourselves to communicate with our creator, I ask you to remember that prayer is not getting God to do your will; prayer is getting you ready to do God's will. So I ask you to please join me as I pray in my faith tradition by bowing your heads.

Father God, we come to You in a spirit of thanksgiving for the many blessings You have bestowed on this great nation, our Commonwealth, and each one of us.

We ask You to make us worthy of the tasks You have set before us. Remind us that all here were chosen by You. As the prophet, Daniel, told us, You remove kings and You set up kings. Lord, give us the wisdom You gave Solomon; give us the patience You gave Job. Allow us to offer a smile and a kind word to all we meet.

Lord, we ask You to alter our hearts and change our course from selfishness to selflessness, from covetousness to generosity. Yes, Lord, make us cheerful givers to all we come in contact with, empower us to pursue virtue over vice, help us to purge our lives of that which displeases You, and help us to live out the meaning of our Constitution by invoking Your guidance in the laws we create here.

Bless our Armed Forces and their families and friends, bless those troops that are in harm's way, and bless those that have suffered as casualties in defense of our freedom.

We ask all this in the name of our savior, Jesus Christ. 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 Monday, January 11, 2016, will be postponed until printed.

HOUSE BILLS INTRODUCED AND REFERRED

No. 1499 By Representative TOBASH

An Act amending Titles 24 (Education), 51 (Military Affairs) and 71 (State Government) of the Pennsylvania Consolidated Statutes, extensively revising pension provisions: for the Public School Employees' Retirement System, in the areas of preliminary provisions, of membership, contributions and benefits, of School Employees' Defined Contribution Plan, of administration and miscellaneous provisions and of health insurance for retired school employees; for military pensions, in the area of military leave of absence; for the State Employees' Retirement System, 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, of administration, funds, accounts, general provisions; providing, as to the revisions, for reservation of legislative authority, for construction, for accrued liability, for construction related to Federal law, for immunity from personal liability, for restoration of service credit or a retirement benefit, for recertification of contribution rates, for transfer of assets and for severability; and making editorial changes.

Referred to Committee on STATE GOVERNMENT, January 12, 2016.

No. 1770 By Representatives SANTARSIERO, McCARTER, DEAN, FREEMAN, SCHLOSSBERG, D. COSTA, THOMAS, DAVIS, BULLOCK, ROZZI, KIM, MILNE, FRANKEL, O'BRIEN, McNEILL, COHEN, SIMS, GAINNEY, PASHINSKI, BOYLE, M. DALEY, ACOSTA and NEILSON

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in firearms and other dangerous articles, further providing for definitions, for persons not to possess, use, manufacture, control, sell or transfer firearms, for sale or transfer of firearms and for Pennsylvania State Police.

Referred to Committee on JUDICIARY, January 12, 2016.

No. 1782 By Representatives HARPER, LAWRENCE, MURT, COHEN, D. COSTA, CORBIN, DeLUCA, DUNBAR, ENGLISH, GIBBONS, A. HARRIS, MARSHALL, McNEILL, MILLARD, MILNE, NEILSON, O'NEILL, READSHAW and WARD

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in registration of vehicles, providing for suspension of registration upon unpaid tolls.

Referred to Committee on TRANSPORTATION, January 12, 2016.

COMMUNICATION FROM DEPARTMENT OF ENVIRONMENTAL PROTECTION

The SPEAKER pro tempore. The Chair acknowledges receipt of the Department of Environmental Protection's Report on Pennsylvania's Land Recycling Program and Environmental Remediation Standards Act.

(Copy of communication is on file with the Journal clerk.)

BILL REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

SB 479, PN 437 By Rep. METCALFE

An Act designating the Department of Conservation and Natural Resources' Resource Management Center, located in Conyngham Township, Columbia County, as the Edward W. Helfrick Resource Management Center.

STATE GOVERNMENT.

LEAVES OF ABSENCE

The SPEAKER pro tempore. The majority whip requests leaves of absence for Representative MASSER from Northumberland County for the day, and Representative LAWRENCE from Chester County for the day. Without objection, the leaves of absence will be so granted.

The minority whip requests a leave of absence for Representative READSHAW from Allegheny for the day, Representative RAVENSTAHL from Allegheny County for the day, Representative NEILSON from Philadelphia for the day, Representative DeLUCA from Allegheny for the day, Representative McNEILL from Lehigh County for the day, and Representative VITALI from Delaware County for the day. Without objection, the leaves will be so granted.

The Chair notes the presence of the gentleman, Mr. Lawrence, and he will be added to the master roll call.

MASTER ROLL CALL

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

The following roll call was recorded:

PRESENT—192

Acosta	Evankovich	Klunk	Rader
Adolph	Evans	Knowles	Rapp
Baker	Everett	Kortz	Reed
Barbin	Fabrizio	Kotik	Reese
Barrar	Farina	Krueger	Regan
Benninghoff	Farry	Lawrence	Roae
Bizzarro	Fee	Lewis	Roebuck
Bloom	Flynn	Longietti	Ross
Boback	Frankel	Mackenzie	Rothman
Boyle	Freeman	Maher	Rozzi
Bradford	Gabler	Mahoney	Saccone
Briggs	Gainey	Major	Sainato
Brown, R.	Galloway	Maloney	Samuelson

Brown, V.	Gergely	Markosek	Sankey
Bullock	Gibbons	Marshall	Santarsiero
Burns	Gillen	Marsico	Santora
Caltagirone	Gillespie	Matzie	Saylor
Carroll	Gingrich	McCarter	Schemel
Causer	Godshall	McClinton	Schlossberg
Christiana	Goodman	McGinnis	Schreiber
Cohen	Greiner	Mentzer	Schweyer
Conklin	Grove	Metcalfe	Sims
Corbin	Hahn	Metzgar	Snyder
Costa, D.	Hanna	Miccarelli	Sonney
Costa, P.	Harhai	Millard	Staats
Cox	Harhart	Miller, B.	Stephens
Cruz	Harkins	Miller, D.	Sturla
Culver	Harper	Milne	Tallman
Cutler	Harris, A.	Moul	Taylor
Daley, M.	Harris, J.	Mullery	Thomas
Daley, P.	Heffley	Murt	Tobash
Davidson	Helm	Mustio	Toepel
Davis	Hennessey	Neubit	Toohil
Dawkins	Hickernell	Neuman	Topper
Day	Hill	O'Brien	Truitt
Dean	Irvin	O'Neill	Vereb
Deasy	James	Oberlander	Ward
DeLissio	Jozwiak	Ortitay	Warner
Delozier	Kampf	Parker, D.	Watson
Dermody	Kaufert	Pashinski	Wentling
Diamond	Kauffman	Payne	Wheatley
DiGirolamo	Kavulich	Peifer	Wheeland
Donatucci	Keller, F.	Petrarca	White
Driscoll	Keller, M.K.	Petri	Youngblood
Dunbar	Keller, W.	Pickett	Zimmerman
Dush	Killion	Pyle	
Ellis	Kim	Quigley	Turzai,
Emrick	Kinsey	Quinn	Speaker
English	Kirkland		

ADDITIONS—0

NOT VOTING—0

EXCUSED—8

DeLuca	McNeill	Ravenstahl	Simmons
Masser	Neilson	Readshaw	Vitali

LEAVES ADDED—1

Saccone

LEAVES CANCELED—1

Saccone

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

GUESTS INTRODUCED

The SPEAKER pro tempore. Moving to visitor recognition. Located to the left of the rostrum, the Chair welcomes Representative Causer's son, Matthew. Please rise and be recognized.

Located to the left of the rostrum, the Chair welcomes Representative Lewis' cousin, Harvel Brown. Please rise and be recognized. Welcome.

UNCONTESTED CALENDAR

RESOLUTION PURSUANT TO RULE 35

Mrs. BULLOCK called up **HR 632, PN 2708**, entitled:

A Resolution recognizing the month of January 2016 as "Big Brothers Big Sisters Month and National Mentoring Month" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—192

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

NAYS—0

NOT VOTING—0

EXCUSED—8

DeLuca	McNeill	Ravenstahl	Simmons
Masser	Neilson	Readshaw	Vitali

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

The SPEAKER pro tempore. Members, kindly take your seats. We have a condolence-type resolution to come up for a vote here soon, so if you would please kindly take your seats, we would appreciate it.

CALENDAR

RESOLUTION PURSUANT TO RULE 35

Mr. DAWKINS called up **HR 631, PN 2704**, entitled:

A Resolution honoring Ke'Arre Stewart, Jennifer Markovsky and Garrett Swasey, who lost their lives during the shooting at the Planned Parenthood center in Colorado Springs, Colorado, on November 27, 2015, and extending condolences to the families and friends of the victims during their time of mourning.

On the question,
Will the House adopt the resolution?

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

Members, please take your seats.

Mr. DAWKINS. Thank you, Mr. Speaker.

I rise today to introduce this resolution to honor three individuals who lost their lives to senseless violence, three innocent victims in the shooting at the Planned Parenthood in Colorado Springs, November 27 of last year, roughly around 11:30 a.m. Ke'Arre Stewart was 29 years old. He was a U.S. Army veteran who served a year in Iraq for our country. He was a father of two girls, ages 6 and 11, and he was a patriot of this country.

Jennifer Markovsky was also a parent, of a young son and a daughter. She was 35 years old.

Officer Garrett Swasey was also on duty during this horrific act.

It saddens me that I stand here, and we have had several incidents since this particular one that just happened in November of last year. It speaks to a larger and louder cry in our country that we have a severe problem amongst humanity. We no longer respect individuals' lives. We now select what we believe, our personal beliefs, over the value of one's life.

So I stand here saddened that we have to continue down a road that I do not see that is getting any better, considering that this morning we had more news of more attacks across this world.

So I hope all my colleagues would vote in the affirmative for Planned Parenthood victims who have lost their lives to senseless violence.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—192

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

NAYS—0

NOT VOTING—0

EXCUSED—8

DeLuca	McNeill	Ravenstahl	Simmons
Masser	Neilson	Readshaw	Vitali

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

STATEMENT BY MR. DUSH

The SPEAKER pro tempore. The Chair recognizes the gentleman, Representative Dush, on unanimous consent.

Mr. DUSH. Thank you, Mr. Speaker.

The members have a mint on their desks, as well as the staff here. The intent was to get this out before Christmas, but with the events that happened, it did not quite happen. Those Christmas mints are from a company, Dan Smith's Candies, in my hometown of Brookville. And just by chance, our Senate pro tem just bought the company, and Senator Scarnati's company is the one that makes those things.

But this is a late Merry Christmas and a thank-you to all my colleagues for the first year.

The SPEAKER pro tempore. Thank you, Representative Dush. Very sweet of you.

THE SPEAKER (MIKE TURZAI)
PRESIDING

LEAVE OF ABSENCE

The SPEAKER. It is my understanding that the majority whip has indicated Representative Rick SACCONI would like to be placed on leave for the day. Without objection, that leave will be granted.

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

BILL ON CONCURRENCE
IN SENATE AMENDMENTS
AS AMENDED

The House proceeded to consideration of concurrence in Senate amendments to the following **HB 1327, PN 2711**, as further amended by the House Rules Committee:

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, in financially distressed municipalities, providing for financial recovery; in oil and gas wells, providing for the Environmental Stewardship Fund; in tax credits, providing for Department of Community and Economic Development; in special funds, further providing for funding, for State Workers' Insurance Board, for expiration and for other grants and providing for allocations from the Pennsylvania Racehorse Development Restricted Receipt Account; in additional special funds, further providing for use of the Tobacco Settlement Fund and for distributions from the Pennsylvania Race Horse Development Fund and providing for miscellaneous limitations and transfers and for the Natural Gas Infrastructure Development Fund; in general budget implementation, further providing for the Department of Community and Economic Development, for the Department of Environmental Protection, for the Department of General Services, for the Department of Human Services, for the Pennsylvania State Police and for the Environmental Quality Board and providing for the Commonwealth Financing Authority; providing for school district debt refinancing bonds; providing for 2015-2016 budget implementation; making related repeals; and making editorial changes.

On the question,

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

The SPEAKER. Moved by the gentleman, Representative Peifer, that the House concur in the amendments both from the Senate and from the House.

The Chair recognizes Representative Peifer for a brief description of the Senate amendments subsequently amended by the House, and for any remarks on HB 1327.

Representative Peifer, the floor is yours.

Members, please take your seats.

Mr. PEIFER. Thank you, Mr. Speaker.

HB 1327 is an amendment to the Fiscal Code. It provides implementation language for the general appropriations bill as enacted into law through HB 1460. This bill passed the House in November, and it included language to reauthorize the ability of the State Workers' Insurance Board's authority to invest funds in the State workers' insurance account.

Both the Senate Appropriations Committee and the House Rules Committee subsequently amended the bill. It now contains changes to special funds, and implements transfers and adjustments to statutory transfers to implement the budget, which includes halting the annual transfer into the Rainy Day Fund.

The SPEAKER. Sir, please, please suspend just for a moment. Mr. Peifer, Representative Peifer.

Members, please take your seats. Any conversations we would ask to please take outside the chamber.

Representative Peifer has the floor. Representative Peifer, please proceed.

Mr. PEIFER. Thank you, Mr. Speaker.

The bill now contains changes to the special funds, and implements transfers and adjustments to statutory transfers to implement the budget. This includes halting the annual transfer to the Rainy Day Fund and establishing the formula for the Tobacco Settlement Fund, as well as the Race Horse Development Fund for this year. It includes creating the Natural Gas Infrastructure Development Fund, which will be used to provide grants to hospitals, businesses, economic development organizations, municipalities, counties, and school districts to gain access to natural gas as a fuel source. There are several transfers and adjustments to statutory transfers: a transfer from the Workmen's Compensation Administration Fund to the Uninsured Employers Guarantee Fund, a transfer from the account established under the Dormitory Sprinkler System Act to the General Fund, a fix to a statutory transfer to ensure that funding for drug and alcohol programs will be available, and adjusting the transfer from the Oil and Gas Lease Fund to the Environmental Stewardship Fund to match the funds available.

There is language also to address an issue of applicability of the educational improvement tax credits for the 2015-2016 fiscal year. There are pieces necessary for school funding, including creating a program for PlanCon (Planning and Construction Workbook) bonding. In the distressed municipalities article, there is an extension of the authority of Scranton to levy a local shared services tax, which will be used to fund its distressed pension system there.

In general, there are other important changes to the Fiscal Code in the general budget implementation article and the annual budget article as well, including ensuring that in the event of a budget impasse, county child welfare payments for the previous fiscal year can be made; updating deadlines relating to the clean power plan after the EPA (Environmental Protection Agency) pushed back the deadline for submission of the State plan; ensuring that revisions to conventional oil and

gas regulations are made separately from the regulations for the unconventional industry; allowing Luzerne County, through local share account money, to be used as a State match for RCAP (Redevelopment Assistance Capital Program) and to allow the county redevelopment authority to be an applicant; and requiring the Office of the Budget to reconcile the spending that occurred during the budget impasse with the appropriations as enacted in Act 10A of the general appropriations bill.

Mr. Speaker, this summarizes some of the key details included in HB 1327 as amended.

Thank you, Mr. Speaker.

The SPEAKER. Representative Harper had amendment 5520 to HB 1327, and the Chair recognizes Representative Harper.

Ms. HARPER. Thank you, Mr. Speaker.

I had introduced amendment 5520 to impose a reasonable severance tax on top of the existing impact fee in keeping its distribution scheduled to the local communities and environmental programs intact. It would require a two-thirds vote for suspension of the rules, and I have been persuaded that it would be more appropriate to amend a tax bill than the Fiscal Code.

So I am withdrawing it and hope that we have this discussion later. Thank you.

The SPEAKER. Thank you, Representative Harper.

Representative Joe Markosek, on HB 1327, concurrence.

Mr. MARKOSEK. Thank you, Mr. Speaker.

Mr. Speaker, I rise to ask for a "no" on HB 1327, the Fiscal Code. You know, as we know, the Fiscal Code is analogous to the operating manual for the State budget, the operating manual for the State budget. And when we have a State budget that is broken, that is out of balance, what sense is it to have an operating manual for that? If we use the analogy of an appliance, if you bought a washing machine that would not hold water, what would you think of the operating manual for that? Would that be something that would be important to you? If you had a refrigerator that did not keep things cold, what good would the operating manual be? If you had a computer that back at the factory they forgot to put the keyboard onto it as part of it, what would you do? You would take it back. And that is what we should do with this budget and with this so-called Fiscal Code, or operating manual.

There is another issue with the Fiscal Code that I think needs to be addressed, and that is the implementation of the education distribution formula. The straight bipartisan committee formula rather than the— The Fiscal Code includes the funding formula, the funding commission formula rather than the agreed-to hybrid formula that would first begin to restore the severe, the severe cuts under the Corbett administration. And let me just say, first of all, that I applaud the Basic Education Funding Commission. They did a wonderful job. They did a very tough job. They had a very tough job to do and came up with a good plan, but that plan does not do any good if we do not first restore the cuts, the severe cuts to basic education.

Let me also just talk a little bit about where we are here, almost the middle of January. Are you not upset that we are here talking about a Fiscal Code for a budget that does not work when we really should be doing— The negotiations should be going on for a real budget. Do not all of us, when we go back home, hear from our constituents, all of us in both parties, "Why have you not done that budget?" And here we are yet again, yet again going through a legislative activity that will have no end in sight, that will have no conclusion that will solve any of our

budget problems. What we really should be doing right now today instead of this exercise, instead of this exercise that is on a road to nowhere, should we not be negotiating a real budget? Is it not time that we are going to have to come to the realization that we are all going to have to be involved with a situation where we are going to have to make some tough votes, where we are going to have to make some votes that take us out of our comfort level? But is that not what people send us down here to do? Is this not one of those rare occasions that we are called upon to do the right thing instead of wasting more and more time yet again?

Mr. Speaker, I would ask all members to please vote "no," to reject this operating manual for a budget that does not work, that is out of balance, that we should take back like we would an appliance that did not work and replace it with one that does work – one that is fair to the people of Pennsylvania and one that we can all go home and say we did our job as legislators.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, sir.

Representative Kristin Phillips-Hill.

Mrs. HILL. Thank you, Mr. Speaker.

Mr. Speaker, someone once said that a deception can travel halfway around the world while the truth is still putting on its shoes. I think one of the things that we need to do immediately is to dispel the myth, the deception, the legend, the fable of the Corbett education cuts, and I am probably the best suited person to get up here and speak to you about that today, because as you all very well know, I was a school board director. And so what I did was I went back and I found the original source documents that I think will help bring an end to the myth. On October 13, 2009, at 10:30 a.m., Secretary Zahorchak, Secretary of Education under then Governor Rendell, sent an e-mail to his education colleagues across the Commonwealth, in which he discussed—

The SPEAKER. Representative, please—

Mrs. HILL. Yes, sir.

The SPEAKER. —suspend for just a moment. Thank you.

Members, please, if you could, please take the conversations outside the chamber. Representative Hill has the floor. We have a number of other speakers. Please, give your respect to Representative Hill. She has the floor at this time.

Representative Hill, please proceed.

Mrs. HILL. Thank you, Mr. Speaker.

In which he discussed the fact that Governor Rendell had signed the education budget preserving Pennsylvania's academic progress, keeping prosperity and property taxes down for a second year of school funding – a formula that includes the largest-ever basic education funding increase.

And he referenced the fact that the reason he was able to do that was because of the American Recovery and Reinvestment Act, Federal money. Governor Rendell then went on to say "that funding from President Obama's American Recovery & Reinvestment Act...was critical to avoiding deep state and local education budget cuts...." He said that we would have had to cut education funding in 2009-2010 without this Federal money. He then went on to say that it is "the state's responsibility to make the best use of these temporary resources to continue increasing achievement in Pennsylvania schools."

He also—

Mr. DERMODY. Mr. Speaker?

Mrs. HILL. —said that we will invest—

The SPEAKER. Yes.

Mrs. HILL. —the stimulus funds—

The SPEAKER. Representative Hill, for just a moment—

Mr. DERMODY. Point of order.

I believe—

The SPEAKER. —please suspend.

POINT OF ORDER

The SPEAKER. Point of order, sir. Go right ahead.

Mr. DERMODY. Mr. Speaker, this is a debate or a discussion of the Fiscal Code. I have heard nothing about the Fiscal Code, and I think we ought to limit the debate to the Fiscal Code, the bill that is before us.

The SPEAKER. Members, in terms of speaking, the Fiscal Code I know does cover quite a few specific areas. As much as we can limit it to the discussion with respect to the language in the bill itself, that is the appropriate approach.

Representative Hill, you may proceed. I do know that there is a segment that deals with distribution of the dollars, and I know that you are hoping to address that. Please proceed.

Mrs. HILL. Yes, sir. Thank you.

I simply wanted to dispel the myth that there is a need for restoration of funds, because you do not need to restore funds that were not cut by the State, and that is what the Governor said, that we needed to prepare for the disappearance of that funding in just 2 short years.

You know, the elimination of the existing school funding formula is essential to providing fair and equitable funding to school districts across the Commonwealth, and that is what we are doing in this Fiscal Code. We are pushing money out to school districts based on student population and student factors – factors like poverty, factors like the ability of a school district to contribute to a child's education, factors like sparsity.

I was one of the first people— I have been at this since 2011. I drafted the language that the School Boards Association is using to lobby us on the elimination of the existing school funding formula because my school district was one of those school districts that has not received its fair share of school funding for over 23 years. Hundreds of millions of dollars have been lost in school districts across the Commonwealth because of the hold-harmless provision.

And so, you know, we have moved forward with a Basic Education Funding Commission to address those growing inequities. They have done a good job. They have engaged the Independent Fiscal Office. They have brought people together from both sides of the aisle from all across the Commonwealth. You know, they did such a good job that the Campaign for Fair Education Funding compiled quotes from editorial boards across the Commonwealth calling for fair funding for education.

Mr. Speaker, I urge my colleagues to support this Fiscal Code because it does the right thing. It uses a funding formula that is fair and equitable for the distribution of State education funding to the benefit of every child and every taxpayer across this Commonwealth. Thank you.

The SPEAKER. Representative Neuman. Representative Neuman waives off.

Representative McCarter.

Mr. McCARTER. Thank you, Mr. Speaker.

Mr. Speaker, I urge a nonconurrence vote of "no" on this particular measure of HB 1327. This particular code, as all of you know and all of us know, along with a budget sets the

priorities of where we are moving as a State. And when I look at this particular bill, you have already heard at least one of those particular priorities which is in question, that being education, but there is another major area, and that being the environment, that I think we do need to take note of.

The SPEAKER. Representative McCarter, please suspend for just a moment.

Members, we would appreciate if any conversations could be taken to the anterooms off the chamber floor. Representative McCarter is entitled to be heard. Please suspend conversations. Everybody please take their seats. Representative McCarter, the floor is yours, sir.

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

Under this code, the chapter 78 regulations for conventional drilling again would be pushed aside. This would be the third year in row that that would happen, this is after 24,000 public comments, 12 public hearings, and it is the same tactic that was really used in the last two Fiscal Codes to try to move past these regulations that have been developed by DEP (Department of Environmental Protection) and should be put into effect. As we all know, those regulations would incorporate stricter standards for spill reporting and cleanup. They would require predrilling investigation to ascertain existence of existing or abandoned wells. It would require monitoring while drilling to see if these wells are being drilled into, and would require cleanup if in fact those wells were in fact drilled into.

The second area that is important— And again going back to the other area for one second, that all of us know that in fact drilling into these wells could in fact make channels for contamination for both our groundwater and for water for existing wells, for water drinking, at the present time. The second area being the Clean Power Plan that is also noted in the code. EPA requires by August of 2016, coming up, that we submit a plan. Unfortunately, this legislation contains an extension of the time that this body would have to have approval of the plan put before us to 180 days from 100 days. This will again require a stalling, if you will, of the plan that will be put forward by the State and for our review, with the nexus of that being that the EPA plan coming from Washington is far more likely to be pushed upon us than our own plan developed in Pennsylvania after, again, 14 public hearings and thousands of pages of testimony.

The third area is the Alternative Energy Investment Act, where we see for not the first time, unfortunately, but a time again where we are seeing now the transfer of funds coming from alternative energy back at that Alternative Energy Investment Act being used for and transferred to a gas infrastructure plan. Now, we all know that we have a gas industry, a major industry, and one that is going to be with us for a long time. However, it is not the only energy source, and those remaining \$12 million would be much better used for all of the groups that were mentioned in there – hospitals, schools, businesses, etc. – to be able to have the choice at least of being able to use those funds for development. Fifty percent, fifty percent of all of the new generating capacity worldwide in the last year came from alternative energy sources. Pennsylvania should not be in the situation where it is looking to go backwards and not forwards.

Two hundred nations came together and worked on a Paris Agreement that resulted in a major breakthrough in moving forward on alternative energy to deal with climate change. Pennsylvania needs to heed that call as well and give those

chances and the people who are currently working in the fossil fuel industry a chance to move to these new industries. This code should be filled with incentives for that to take place instead of incentivizing people to remain in industries that are threatened.

Mr. Speaker, I would hope that again as we move forward on this issue and in this code that we can come up with new ways and better ways to make sure that we move forward in a way that is more responsible to help us in the future. Thank you.

The SPEAKER. Representative Tallman.

Representative, just give me a moment, please.

GUESTS INTRODUCED

The SPEAKER. Representative Jim Marshall has a large group of guests up in the gallery from Blackhawk High School. They are Future Farmers of America students, and they are with their adviser, Lyndsay Wilcox. Hello, and thank you very much for joining us here today.

We earlier had the opportunity to meet with FFA students from Greene County with Representative Pam Snyder. It is great to see them in the Capitol today.

CONSIDERATION OF HB 1327 CONTINUED

The SPEAKER. Representative Will Tallman.

Mr. TALLMAN. Thank you, Mr. Speaker.

Brief comments on HB 1327, in support of it. What HB 1327 does is puts into place the recommendations of the bipartisan Basic Ed Funding Commission which distributes education dollars in a fair, equitable, and adequate manner. Any other methodology does not do it that way.

And then the last thing I would like to say in favor of HB 1327 is it allows our businesses, because of what the Governor's actions were, allows those to take advantage of the EITC tax credits.

Thank you, Mr. Speaker.

The SPEAKER. Representative Krueger.

Ms. KRUEGER. Thank you, Mr. Speaker.

I rise today in opposition to HB 1327. The Fiscal Code bill before us today will harm Pennsylvania's citizens. It will slow our economic growth. It will violate the oath of office that each of us took to protect and defend the Constitution of this Commonwealth.

The SPEAKER. Representative, please just suspend.

Members, please take your seats, any conversations off the floor. Representative Krueger has the floor. Representative, you may proceed.

Ms. KRUEGER. Thank you, Mr. Speaker.

And so I urge my colleagues to vote against HB 1327.

I find it incredibly offensive that this Fiscal Code bill includes a new \$12 million handout to gas companies, diverting important resources away from energy efficiency programs, which have a real return on investments, and directing them instead to building the market so natural gas companies can profit even more. At a time when constituents from across the Commonwealth are calling on us again and again to pass a fair severance tax, this Fiscal Code bill is a slap in the face to citizens who ask us to tax the big energy companies before putting new taxes on working families. A severance tax must come first before any more handouts to the gas drillers. As

I speak, there are at least nine different severance tax bills that have been introduced in the House, with lead sponsors from both sides of the aisle, but none, none of these has been brought to the floor for debate. Let us pick one and bring it to the floor for a real debate.

I also call on my colleagues to carefully examine the provisions seeking to delay and impede the work of our Department of Environmental Protection on the Clean Power Plan. Federal law requires our Commonwealth to reduce the amount of carbon pollution in the air, slowing the pace and easing the disruption of a changing climate. The Department of Environmental Protection has the responsibility to prepare a plan that works for Pennsylvania. It is a massive job that will have lasting impacts on every region of our State and every sector of our economy. This Fiscal Code bill will reduce the time our scientists and experts will have to write a plan that meets the requirements of the EPA. And as my colleague said, if we fail to write a plan, then the Federal government will write one for us.

Mr. Speaker, before joining this legislative body, I spent the last decade of my life helping local businesses to become environmentally sustainable and economically viable. The Clean Power Plan is an opportunity to drive economic growth and protect the safety of our citizens, both now and for future generations. We should submit it this year to make Pennsylvania a leader in a growing field and to give our businesses the certainty they need to move forward. We can cut carbon and create jobs. We can be healthy and profitable. We can build a better future with cleaner energy and a healthier economy, but only if we act quickly and take the offensive. If we delay, if we obstruct, if we pass this bill, we only succeed in pushing better times further down the road.

Please join me in opposing HB 1327 and in actively planning for a better future.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, Representative.

LEAVE OF ABSENCE CANCELED

The SPEAKER. Members, Representative Rick Saccone is back on the House floor and wishes to be placed on the master roll.

CONSIDERATION OF HB 1327 CONTINUED

The SPEAKER. Representative Seth Grove.

Mr. GROVE. Thank you, Mr. Speaker.

MIT (Massachusetts Institute of Technology) education funding math: \$11 billion minus \$10.6 billion equals negative \$95 million – at least that is what some lead us to believe. Here is the actual math for this budget and this Fiscal Code: \$11 billion plus \$2.5 billion equals a product of \$13.5 billion. The adoption of this Fiscal Code, that is the total education funding for our school districts over this fiscal year, minus \$10.6 billion from last year's education fund, equals a total of \$2.9 billion of total increases for school districts in this Commonwealth. Negative \$95 million; \$2.9 billion – which math is right, MIT education funding math or real math?

Now, how does that occur? Because PlanCon (Planning and Construction Workbook) reimbursements were zero dollars in both the framework budget and with the budget that was passed,

and 87 percent of it was signed into law by the Governor, which is the same allocation as the framework. Why? Because we, Republicans and Democrats, Senators, Representatives, and Governors, agree to a plan to fully reimburse our school districts for billions in dollars which school districts are owed in school construction reimbursements. HB 1327 will mandate PDE to use undistributed funds not expended to continue payments for school districts through the PlanCon process. It will increase transparency by requiring PDE to post PlanCon information every 90 days, and have the department maintain a searchable and sortable database so school districts and taxpayers know where their school district reconstruction payments are in the PlanCon system.

It also requires the bipartisan advisory committee to establish a new PlanCon process moving forward. This is a huge win for our school districts, Mr. Speaker. Two point five billion dollars, more transparency. It is such a huge win for school districts.

Most importantly, HB 1327 requires the Budget Secretary to reconcile the administration's budget impasse spending for the past 6 months and reflect the reconciliation on the Commonwealth's accounting system. If you were not aware, the administration has spent over \$30.4 billion without accounting for its spending over the budget impasse; \$30.4 billion, and we have no idea where that money is being spent. We will finally be able to account for billions of taxpayer dollars, which the administration has taken great pause to hide it is spending to the point they had to take out a \$2 billion line of credit to manage their cash flow during a budget impasse with increased spending, and after the Governor unilaterally slashed \$6 billion in funding, including over \$3 billion from education alone.

HB 1327 is a huge win for education funding, transparency, and taxpayers. I urge my colleagues for a "yes" vote on HB 1327.

Thank you, Mr. Speaker.

The SPEAKER. Representative Bryan Barbin.

Mr. BARBIN. Thank you, Mr. Speaker.

I rise in opposition to HB 1327. I will be brief.

I would take exactly the opposite position of the last speaker. Today we have decided, under HB 1327, along with all the other goodies that could be provided, that we would provide PlanCon bonding. PlanCon bonding is authorized under this bill up to \$2 billion, even though we cannot put \$2.5 billion in the pension plan. So the question that I would raise under this bill is, why is this PlanCon spending included in a Fiscal Code bill and not in a School Code bill?

Our problem with the budget is that we have failed to rein in school spending. Because we have failed to rein in school spending for charters and cybers, now \$1.5 billion, we cannot pay reimbursements for PlanCon. Today's action, if you vote in favor of this bill, says, do not worry about it. We will just let the CFA (Commonwealth Financing Authority) come up with a \$2.5 billion bond program. I do not care how you spin it, it is \$2.5 billion of the Commonwealth's money. If you cannot put it into the pension plan to make sure that all the people that previously worked and paid into this system, how can you put \$2.5 billion in PlanCon?

This is not appropriate legislation; this is special legislation. How many things in this would I disagree with? Probably as many as I would agree with. But the bottom line is, this bill does not correct the school problem. This PlanCon spending ought to be debated, it ought to be amended, and it ought to be kept in a School Code bill. The Fiscal Code bill should not be

approved until we actually have a balanced budget. It can be said that we have \$23 billion of balanced budget, but that was out of balance by \$400 million. So going ahead with a Fiscal Code building is irresponsible, putting on top of that PlanCon bonds through the CFA is even more irresponsible.

I urge a "no" vote.

The SPEAKER. Representative Dave Parker.

Mr. PARKER. Thank you, Mr. Speaker.

Mr. Speaker, on June 30 I stood on this floor and talked about the School Code, which at this point we are putting in this bill, and the School Code is very important to me. I am from Monroe County, and my constituents pay the highest portion of their income to school property taxes in the entire State, and school funding is a huge part of that; because we have not been funded properly, we have raised our local taxes to educate our students, and as a result, our taxes are the highest in the Commonwealth.

So I spoke against that formula that was offered back in June, and I still disagree with the formula the way it is going out. With what came from the Basic Education Funding Commission, which was 12 months of study, a lot of input from all over the Commonwealth, and they came up with a new formula. When you apply that formula, it shows how underfunded many schools are, and we found out there are 180 school districts underfunded by \$937 million. And we do not want to take away \$937 from the 320 districts that this report says are relatively overfunded by that amount.

So I said, let us drive new money to the 180 underfunded districts, and I still think we should be trying to do that, and I do not like the way we are distributing it in this code. However, what the Department of Education just did last week is far worse. They are distributing money so unfairly that this is an improvement, and at least it is much more equitable. In fact, I will give you some numbers. Basically, the worst funded school district in the State, as outlined by the new formula, would be the Reading School District. They are underfunded by \$95 million. Now, my dad graduated from Reading High School. He grew up in Reading, and I visited Reading a lot when I was growing up, and it is not the same Reading it was back then. The schools need the funding, and this bill would give Reading School District \$4.8 million. What PDE just did was give them \$2.4 million. So they should be getting \$95 million, based on the new formula, and we are going to give them almost \$5 million in this bill. PDE has decided they only need \$2.4 million.

Another school district in the State was underfunded by \$53 million, according to the new formula, which took into account all the factors that the Basic Education Funding Commission considered. They are underfunded by \$53 million, and PDE just gave them \$57 million last week. I think that is very unfair. I think all our students should be funded fairly and we should work to get them to equity at the same rate. My schools are underfunded by \$50 million, and PDE was only giving them a little over \$2 million. My home school district, where my kids go, is getting \$240,000 under PDE. Under this bill, they will get over half a million dollars.

There is a school in Lancaster County underfunded by \$10 million who will be getting \$330,000 in this code bill right here. Last week PDE gave them \$26,000. You cannot even hire a teacher with \$26,000.

So, Mr. Speaker, although I do not like all aspects of this bill, I do not like the fact that we are giving more money to some districts that do not need it. The fact is, we are distributing more money to the districts that do need it under this program than the Department of Education currently is doing, and they need the guidelines to at least get closer to equity.

So as we work to take politics out of education funding and start to treat all PA students fairly, we should vote for this code so that the Department of Education can begin to do that.

Thank you, Mr. Speaker.

The SPEAKER. Thank you.

Representative Longietti.

Mr. LONGIETTI. Thank you, Mr. Speaker.

Mr. Speaker, as has been mentioned, one of the things that this Fiscal Code bill does is it puts in the Basic Ed Funding Commission's formula, and I want to make it clear because I was a member of that commission and it was a bipartisan commission. But that commission specifically did not recommend, did not recommend that we put this formula in place prior to restoring the cuts that came down during the last administration. We reserved that issue, and the reason that we reserved that issue is dealing with equity.

Pennsylvania has the dubious distinction, last year we were called the most inequitable State when it comes to school funding, and an example of that is that the poorest school districts in the State have one-third less money available to them than the wealthiest school districts. And to bring that home to my legislative district, when the cuts came down under the last administration, the Sharon City School District in my legislative district, one of the poorest in the State, had a cut of over \$1,000 a student, whereas one of the wealthiest districts in the State had a cut of only \$54 per student.

Now, if we adopt this Fiscal Code with the funding formula language in it without restoring the cuts first, it may take the Sharon City School District between 10 and 15 years to get to the funding level that they were at prior to the cuts. So we make funding more inequitable in the Commonwealth of Pennsylvania if we simply put the funding formula in without restoring the cuts, and that is why the Basic Ed Funding Commission did not recommend that we do this. That is why in the framework agreement there was a hybrid funding formula for this year, and that is why as recently as yesterday a spokeswoman for the Republican Caucus in the Senate said that this change is not agreed to by them. It is not agreed to by Senate Republicans. It was not part of the hybrid. It was not recommended by the Basic Ed Funding Commission, and it will lead to more inequitable funding for Pennsylvania. Do we want that? Do we want to continue to make worse the inequity in school funding? I do not think so.

And so I urge my colleagues to vote "no" on this Fiscal Code bill. Let us get back to the business of making Pennsylvania more equitable so the kids, young people in the most challenged school districts in the State – you know, one of the things the funding commission found was that there is a common thread to being challenged, and that is poverty. Poverty is that thread. We recognized that schools and students in poverty require more supports and need more resources, not less, and so when we vote on a Fiscal Code of this measure, that does the opposite of that. We are saying to kids in poor school districts that we are going to make it more difficult for you to succeed. We are going

to take 10 to 15 years to get to the funding level that you were at prior. That is not fair. That is not right for Pennsylvania. That is not what Pennsylvanians want or expect from us.

And so I urge my colleagues to vote "no." Thank you.

The SPEAKER. Representative Maher.

Mr. MAHER. Thank you, Mr. Speaker.

I am going to confine my remarks to the sections of this legislation pertaining to environmental concerns.

The SPEAKER. Representative Maher, please just suspend for a moment. Thank you.

Members, please take your seats. All members, please take your seats. I would ask members to take any conversations off the House floor.

Representative Maher, you have the floor, sir.

Mr. MAHER. Thank you, Mr. Speaker.

Four years ago this legislature enacted Act 13, which provided for many, many subjects within the overarching subject of unconventional drilling. Part of that was presupposing that there would be regulations to pursue the Act 13 statutory requirements. Somehow or another along the path to that, the Department of Environmental Protection seemed to be confused about the differences between conventional and unconventional and came forward with a singular proposal. This legislature thought that they had misunderstood the path they were supposed to be on, and a year and half ago adopted legislation directing what a commonsense reader would understand would be that regulations concerning the conventional gas drilling industry need to be started with a clean sheet of paper and move forward and separate and apart from the unconventional.

For reasons that I simply cannot fathom, the Department of Environmental Protection took this very specific legislative directive and almost, almost like a joke, basically photocopied the regulations and called one of them chapter 37 and one of them chapter, or 27 and chapter 72 – and I am sorry, 72 and 72A, and made some minor differences. What is in this legislation on this subject now is really a separation-of-powers issue, where we are putting highlighter on it for DEP to help them get past the confusion, which caused them to misunderstand the legislative intent in Act 13 and in the act adopted following that in 2014.

The second aspect that has been addressed by some of our colleagues deals with the so-called Clean Power Plan, and what I am hearing here is a Goldilocks sort of objection. On the one hand, I am hearing from those who are against what is presented in this legislation, that they want to move faster. Well, and now on the other hand, they are saying, but if we go too fast, we will make a mess of it. So they want to go faster and they want to go slower. It is difficult to accomplish both at the same time.

An overwhelming majority of this chamber voted in favor of Act 175 in 2014. It was sponsored by the good lady from Fayette County. It made an absolute imperative that the members of the legislature, together with the executive branch, would address the Clean Power Plan because of its impact not just on the environment, but on so many tens of thousands of families across this State. EPA changed the deadlines it was using for proceeding with the Clean Power Plan. What is in this bill simply adjusts the timelines so that the interaction required, demanded, insisted upon by this General Assembly will be in accord with the new EPA deadlines.

Now, some folks – and I have seen some of the spammy kinds of e-mails that we all get – have imagined that this is some nefarious action to slow down the Clean Power Plan, when in actuality, if you look at what is here, it is actually to speed up the Clean Power Plan. But then we come back to the Goldilocks problem, that people want it to go faster and they want it to go slower. Well, all I want to do is make sure that we have timelines that coincide with the Federal EPA's timelines, and so that Act 175, overwhelmingly adopted by this chamber, can be honored in its actual execution as much as it was celebrated in its adoption.

Thank you, Mr. Speaker.

The SPEAKER. Representative Saylor.

Mr. SAYLOR. Thank you, Mr. Speaker.

As a member of the Basic Education Funding Commission, I want to make it clear: Never on that commission's report or during discussions of that did we ever suggest that the basic education funding formula that has now been recommended would ever be delayed. It was brought up during those discussions of the Basic Education Funding Commission's meetings, and was turned down every time it was brought up. It was the feeling of the commission that that commission's report should be implemented immediately in all new budgets. Never did the committee ever, ever – repeat, ever – suggest that we should restore funds to school districts at any time.

The other thing I think I want to point out to members of this caucus here on the other side of the aisle is, today if you do not vote for this, if you are in Berks County, Beaver County, Fayette County, Greene County, Erie County, Cambria County, Bucks County, Lackawanna County, Lawrence, Mercer, Lehigh, Luzerne, Montgomery, and Washington Counties, you are voting to cut funding to your schools and let the Governor continue to drive funds to other school districts other than your own. If that is what you want to do today, I hope you can go back home and tell your school board members, your taxpayers that today you voted to go with the Governor and let him cut your school districts of funding.

Just to give you an example: Lancaster City, without this vote today on this bill, will lose \$350,000 in education funding; Reading City, the city of Reading, will lose \$600,000 in education dollars this year; Sharon School District will lose money as well.

So all I am saying to you today is this bill provides fair funding for education. This is your opportunity to make sure that your school districts in your county are getting them fair dollars. So today you get to cast your votes whether you support the taxpayers in your district or whether you are willing to support the taxpayers in another district.

Thank you, Mr. Speaker.

The SPEAKER. Representative Bill Adolph.

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

Mr. Speaker, I just want to remind everyone that we put a 12-month budget on the Governor's desk, and the Governor blue-lined, zeroed-out various items in the budget. That is the Governor's prerogative; however, it is very important for the State legislature, and the money that still remains in the budget, that we have a say and the taxpayers have a say of how that money is distributed.

And I know one line item in particular, the Ready to Learn block grant, we increased that line item by \$50 million. That line item and that money gives superintendents and school

boards a lot of flexibility, and that is why it has been very popular throughout the Commonwealth.

This administration took it upon themselves to come up with a brand-new formula, a brand-new formula to distribute that new \$50 million. Let me tell you how many school districts benefit out of the 500 school districts through that new formula: 52. Fifty-two school districts benefit out of the 500 school districts. I will read it another way: 447 school districts receive less money under the Governor's distribution of that \$50 million. In a very small geographic county like Delaware, 14 out of the 15 school districts take a substantial hit; 14 out of 15, as compared to what it should have been, the method that is described in this Fiscal Code. And I can go through this on every county, but 447 school districts will receive less money – and that money has already been sent out. We do have a say in the distribution of a \$30.3 billion budget that we put on the Governor's desk, and this tells you the way to do it.

I please ask everyone, let us start to get some things right around here. We are an equal branch of government, and I think the taxpayers of Pennsylvania will start seeing what is going on here.

Thank you very much. Please vote "yes" on HB 1327.

The SPEAKER. Representative Mike Hanna.

Mr. HANNA. Thank you, Mr. Speaker.

Mr. Speaker, I was not going to speak on this, but after the last several speakers, I feel a need to point out that there are a huge number of districts that lose money considerably under this bill. They include Erie, Pittsburgh, Wilkesburg, Penn Hills, Woodland Hills, Coatesville, Chester Upland, Upper Darby, Harrisburg, York, Lancaster, Lebanon, Reading, Bethlehem, Allentown, Scranton, Wilkes-Barre, Hazleton, Pocono Mountain, Philadelphia, just to name a few, Mr. Speaker.

And what I would like to remind everyone is that we spent the last 6 months trying to put together a budget, a complete budget, and that bill was SB 1073. That bill actually had a negotiated amount of money that was to go to our school districts and a negotiated funding formula that was agreed to by all four caucuses and the Governor, a negotiated hybrid funding formula. And guess what, Mr. Speaker? The last speaker asked that it be modified further in the final 10 days before December 22, and despite the fact that everyone had signed off on it, we agreed to modify the hybrid formula further at the insistence of the gentleman from Delaware County.

So, Mr. Speaker, we have bent over backwards to try and get to an agreed-to formula, a formula that was agreed to by everybody in this building, and we thought we had that on December 23, before, unfortunately, your caucus pulled the plug on those negotiations. Now we are being faced with, once again, your caucus putting forward a proposal that only has the agreement of your caucus; as has been pointed out already, it does not have the support of our caucus. It does not have the support of either the Democrats or the Republicans in the Senate. It does not have the support of the Governor. So, Mr. Speaker, there are good reasons to reject this, because your caucus is the only caucus that believes it is the only way to go. Everyone else has agreed time and time again to a compromise. We just cannot get your caucus to agree to compromise.

So, Mr. Speaker, we need to reject this and go back to the agreed-to framework compromise that everyone in this building agreed to, including your leaders who sat in those rooms and said they were for it.

Mr. Speaker, I urge a "no" vote on this bill.

The SPEAKER. Representative Peifer, the maker of the bill.

Mr. PEIFER. Thank you, Mr. Speaker.

Mr. Speaker, this budget bill and the budget bill that we have discussed throughout the day and the last several weeks, these bills are not broken. You know, we are using the word "broken" as it relates to appliances. So in fact, if I had an extension cord today, Mr. Speaker, and I could run it from here into the Governor's Office, down the hallway to the Governor's Office, and if he plugged it in, this budget would work. It would work for the people of Pennsylvania. It would work for our schools, our universities, our counties, and the children and people who need the money the most would start to receive it.

So please, I ask for a "yes" vote on HB 1327, and let us start the healing process. Let us get the money to the people that need it the most, and let us vote "yes" today.

Thank you, Mr. Speaker.

MOTION TO PROCEED TO CONSIDERATION UNDER RULE 21

The SPEAKER. The majority leader, Representative Reed.

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

I would make a motion to proceed to the immediate consideration of HB 1327. Thank you.

On the question,

Will the House agree to the motion?

The SPEAKER. Representative Dermody, on the motion.

Mr. DERMODY. Thank you, Mr. Speaker.

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

The SPEAKER. Members, as you may know, the bill as it would be under our rules is available to vote upon at 1:25 p.m. It is just about 1 p.m. at this time.

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—168

Acosta	Emrick	Killion	Rader
Adolph	English	Kinsey	Rapp
Baker	Evankovich	Kirkland	Reed
Barbin	Evans	Klunk	Reese
Barrar	Everett	Knowles	Regan
Benninghoff	Fabrizio	Krueger	Roebuck
Bizzarro	Farina	Lawrence	Ross
Bloom	Farry	Lewis	Rothman
Boback	Fee	Mackenzie	Rozzi
Boyle	Flynn	Maher	Saccone
Briggs	Frankel	Mahoney	Sankey
Brown, R.	Gabler	Major	Santora
Brown, V.	Gainey	Maloney	Saylor
Bullock	Gergely	Markosek	Schemel
Burns	Gibbons	Marshall	Schlossberg
Caltagirone	Gillespie	Marsico	Schreiber
Carroll	Gingrich	McClinton	Schweyer
Causar	Godshall	McGinnis	Sims
Christiana	Goodman	Mentzer	Snyder
Cohen	Greiner	Metcalfe	Sonney
Conklin	Grove	Metzgar	Staats
Corbin	Hahn	Miccarelli	Stephens
Costa, D.	Hanna	Millard	Sturla

Costa, P.	Harhart	Miller, B.	Taylor
Cox	Harkins	Moul	Thomas
Cruz	Harper	Murt	Tobash
Culver	Harris, A.	Mustio	Toepel
Cutler	Harris, J.	Nesbit	Toohil
Daley, M.	Heffley	O'Brien	Topper
Daley, P.	Helm	O'Neill	Verb
Davis	Hennessey	Oberlander	Ward
Dawkins	Hickernell	Ortitay	Warner
Day	Hill	Parker, D.	Watson
Deasy	Irvin	Pashinski	Wentling
DeLissio	James	Payne	Wheatley
Delozier	Jozwiak	Peifer	Wheeland
Dermody	Kampf	Petrarca	White
DiGirolamo	Kaufer	Petri	Youngblood
Donatucci	Kauffman	Pickett	Zimmerman
Driscoll	Kavulich	Pyle	
Dunbar	Keller, F.	Quigley	Turzai,
Dush	Keller, M.K.	Quinn	Speaker
Ellis	Keller, W.		

NAYS—24

Bradford	Gillen	Matzie	Roae
Davidson	Harhai	McCarter	Sainato
Dean	Kim	Miller, D.	Samuelson
Diamond	Kortz	Milne	Santarsiero
Freeman	Kotik	Mullery	Tallman
Galloway	Longietti	Neuman	Truitt

NOT VOTING—0

EXCUSED—8

DeLuca	McNeill	Ravenstahl	Simmons
Masser	Neilson	Readshaw	Vitali

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

On the question recurring,

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

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

The following roll call was recorded:

YEAS—111

Adolph	Godshall	Marsico	Regan
Baker	Greiner	Mentzer	Roae
Barrar	Grove	Metcalfe	Ross
Benninghoff	Hahn	Metzgar	Rothman
Bloom	Harhart	Miccarelli	Saccone
Brown, R.	Harper	Millard	Sankey
Causar	Harris, A.	Miller, B.	Santora
Christiana	Heffley	Milne	Saylor
Corbin	Helm	Moul	Snyder
Cox	Hennessey	Murt	Sonney
Culver	Hickernell	Mustio	Staats
Cutler	Hill	Nesbit	Stephens
Daley, P.	Irvin	Neuman	Tallman
Day	James	O'Neill	Tobash
Delozier	Jozwiak	Oberlander	Toepel
DiGirolamo	Kampf	Ortitay	Toohil
Dunbar	Kauffman	Parker, D.	Topper
Dush	Keller, F.	Payne	Verb
Ellis	Keller, M.K.	Peifer	Ward
Emrick	Killion	Petri	Warner
English	Klunk	Pickett	Watson

Evankovich	Lawrence	Pyle	Wentling
Everett	Lewis	Quigley	Wheeland
Farry	Mackenzie	Quinn	White
Fee	Maher	Rader	Zimmerman
Gabler	Major	Rapp	
Gibbons	Maloney	Reed	Turzai,
Gillespie	Marshall	Reese	Speaker
Gingrich			

NAYS—81

Acosta	Dean	Harkins	Mullery
Barbin	Deasy	Harris, J.	O'Brien
Bizzarro	DeLissio	Kaufer	Pashinski
Boback	Dermody	Kavulich	Petrarca
Boyle	Diamond	Keller, W.	Roebuck
Bradford	Donatucci	Kim	Rozzi
Briggs	Driscoll	Kinsey	Sainato
Brown, V.	Evans	Kirkland	Samuelson
Bullock	Fabrizio	Knowles	Santarsiero
Burns	Farina	Kortz	Schemel
Caltagirone	Flynn	Kotik	Schlossberg
Carroll	Frankel	Krueger	Schreiber
Cohen	Freeman	Longietti	Schweyer
Conklin	Gainey	Mahoney	Sims
Costa, D.	Galloway	Markosek	Sturla
Costa, P.	Gergely	Matzie	Taylor
Cruz	Gillen	McCarter	Thomas
Daley, M.	Goodman	McClinton	Truitt
Davidson	Hanna	McGinnis	Wheatley
Davis	Harhai	Miller, D.	Youngblood
Dawkins			

NOT VOTING—0

EXCUSED—8

DeLuca	McNeill	Ravenstahl	Simmons
Masser	Neilson	Readshaw	Vitali

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

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

BILL REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader, who moves that HB 1712 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 REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader, who moves that HB 1339 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 Chair recognizes the majority leader, who moves that HB 1339 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 ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 1551, PN 2636**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in other required equipment, further providing for restraint systems; and making an editorial change.

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 1551 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 that majority leader, who moves that HB 1551 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 Adam Harris moves that the House be adjourned until Monday, January 25, 2016, at 1 p.m., e.s.t., unless sooner recalled by the Speaker.

On the question,
Will the House agree to the motion?
Motion was agreed to, and at 12:56 p.m., e.s.t., the House adjourned.