

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

TUESDAY, DECEMBER 5, 2017

SESSION OF 2017

201ST OF THE GENERAL ASSEMBLY

No. 72

HOUSE OF REPRESENTATIVES

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

**THE SPEAKER (MIKE TURZAI)
PRESIDING**

PRAYER

The SPEAKER. Our prayer today will be offered by Rev. Rashad Grove of the First Baptist Church in Wayne, Pennsylvania. He is the guest of Representative Kirkland, our friend and colleague.

Reverend Grove.

REV. RASHAD GROVE, Guest Chaplain of the House of Representatives, offered the following prayer:

Shall we pray:

God of all creation, the God who is known by many names, we take this time in this sacred moment to offer You our gratitude for another day. We thank You that You love us; You welcome us as Your children, no matter what our religion, racial ethnicity, or any other deciding factor may be. We are all beautiful in Your eyes. Help us to embody this truth in our words and in our deeds.

We thank You for being a God of justice, righteousness, mercy, grace, and inclusivity. May all the proceedings that take place within the hallowed halls of the Pennsylvania House of Representatives reflect these attributes of Your divine character. May our elected leaders govern with the same compassion that You display towards us. In these times of uncertainty and turbulence, we pray Your blessings upon our State, our nation, and upon our world.

We ask all of these in Your 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 Monday, December 4, 2017, will be postponed until printed.

BILLS REPORTED FROM COMMITTEES, CONSIDERED FIRST TIME, AND TABLED

HB 1821, PN 2777 (Amended) By Rep. MARSICO

An Act amending the act of November 29, 2006 (P.L.1471, No.165), known as the Sexual Assault Testing and Evidence Collection Act, further providing for sexual assault evidence collection program; and requiring the Pennsylvania State Police to complete and submit a report.

JUDICIARY.

HB 1936, PN 2753 By Rep. MILLARD

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in snowmobiles and all-terrain vehicles, further providing for operation by persons under age sixteen and for mufflers and sound controls.

TOURISM AND RECREATIONAL DEVELOPMENT.

HB 1951, PN 2762 By Rep. MARSICO

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in minors, providing for the offense of access of minors to dextromethorphan and imposing a penalty.

JUDICIARY.

HB 1952, PN 2770 By Rep. MARSICO

An Act amending Titles 18 (Crimes and Offenses), 23 (Domestic Relations) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in sexual offenses, further providing for conduct relating to sex offenders and for general rule; in falsification and intimidation, further providing for the offense of failure to comply with registration requirements, defining the offense of failure to comply with 42 Pa.C.S. Ch. 97 Subch. I registration requirements and imposing penalties; in proceedings prior to petition to adopt, further providing for grounds for involuntary termination and for definitions; in domestic and sexual violence victim address confidentiality, further providing for agency use of designated address; in sentencing, extensively revising registration of sexual offenders provisions; and making editorial changes.

JUDICIARY.

SB 629, PN 709 By Rep. ELLIS

An Act amending Titles 12 (Commerce and Trade) and 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, in fraudulent transfers, further providing for short title of chapter and definitions, for insolvency, for value, for transfers fraudulent as to

present and future creditors, for transfers fraudulent as to present creditors, for when transfer is made or obligation is incurred, for remedies of creditors, for defenses, liability and protection of transferee and for extinguishment of cause of action, providing for governing law and for application to series organization, further providing for supplementary provisions and providing for uniformity of application and construction and for relation to Electronic Signatures in Global and National Commerce Act; and, in support matters generally, further providing for continuing jurisdiction over support orders.

COMMERCE.

SB 751, PN 925

By Rep. ELLIS

An Act amending Title 7 (Banks and Banking) of the Pennsylvania Consolidated Statutes, in mortgage loan industry licensing and consumer protection, further providing for definitions, for license requirements, for exceptions to license requirements, for general requirements, for powers conferred on certain licensees engaged in the mortgage loan business, for mortgage loan business prohibitions, for application for license, for license fees and for licensee requirements and providing for the promulgation of regulations to effectively incorporate Federal regulations.

COMMERCE.

SB 921, PN 1250

By Rep. METCALFE

An Act authorizing and directing the Department of General Services, with the approval of the Governor, to grant and convey to TCA Properties, L.P., certain lands and improvements situate in the City of Allentown and the City of Bethlehem, Lehigh County.

STATE GOVERNMENT.

**HOUSE BILLS
INTRODUCED AND REFERRED**

No. 1954 By Representatives JOZWIAK, BOBACK, M. K. KELLER, BAKER, COX, GODSHALL, GOODMAN, D. COSTA, WHEELAND, WATSON, RADER, PYLE, ZIMMERMAN, EVERETT, HELM and SCHLEGEL CULVER

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in burglary and other criminal intrusion, further providing for the offense of criminal trespass.

Referred to Committee on JUDICIARY, December 5, 2017.

No. 1955 By Representatives GABLER, BENNINGHOFF, BRADFORD, BURNS, CAUSER, CONKLIN, D. COSTA, COX, DiGIROLAMO, DONATUCCI, DUSH, HENNESSEY, JOZWIAK, MARSICO, MILLARD, MURT, READSHAW, RYAN, SANKEY, SONNEY, WARD, WARNER, WATSON and WHEELAND

An Act designating a bridge on that portion of State Route 219 over Powers Run, Johnsonburg Borough, Elk County, as the Michael Trunzo Memorial Bridge.

Referred to Committee on TRANSPORTATION, December 5, 2017.

LEAVES OF ABSENCE

The SPEAKER. The majority whip requests a leave of absence for the following member: Representative John TAYLOR of Philadelphia County for the day. Without objection, that will be granted.

The minority whip requests leaves of absence for these individuals, members: Representative Kevin HAGGERTY of Lackawanna County for the day, Representative Steve McCARTER of Montgomery County for the day, Representative Jordan HARRIS of Philadelphia County for the day, Representative Tony DeLUCA of Allegheny County for the day, Representative Flo FABRIZIO of Erie County for the day, Representative Joanna McClINTON of Philadelphia County for the day, Representative Jared SOLOMON of Philadelphia County for the day, and Representative John GALLOWAY of Bucks County for the day. Without objection, that will be granted.

MASTER ROLL CALL

The SPEAKER. Members, we are going to proceed to the master roll. Please proceed to vote.

The following roll call was recorded:

PRESENT—189

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

Dean	Kauffman	Petrarca	Watson
Deasy	Kavulich	Petri	Wentling
DeLissio	Keefer	Pickett	Wheatley
Delozier	Keller, F.	Pyle	Wheeland
Dermody	Keller, M.K.	Quigley	White
Diamond	Keller, W.	Quinn, C.	Youngblood
DiGirolamo	Kim	Quinn, M.	Zimmerman
Donatucci	Kinsey	Rabb	
Dowling	Kirkland	Rader	Turzai,
Driscoll	Klunk	Rapp	Speaker
Dunbar	Knowles	Ravenstahl	

ADDITIONS—0

NOT VOTING—0

EXCUSED—12

DeLuca	Haggerty	McCarter	Ortitay
Fabrizio	Harris, J.	McClinton	Solomon
Galloway	Maher	McGinnis	Taylor

LEAVES ADDED—7

Bullock	Evankovich	Keller, W.	Thomas
Davidson	Kaufar	Milne	

LEAVES CANCELED—5

Bullock	Galloway	Milne	Solomon
Evankovich			

The SPEAKER. There are 189 members voting on the master roll. We have a quorum.

Members, if I could ask you, we have quite a few guests here today. They have traveled significant distances to come to the Capitol. Members, please take your seats.

Right now we are going to the uncontested House calendar.

UNCONTESTED CALENDAR

RESOLUTIONS PURSUANT TO RULE 35

Mr. WARREN called up **HR 613, PN 2729**, entitled:

A Resolution recognizing December 10, 2017, as "Worldwide Candle Lighting Day" in Pennsylvania and commemorating the work of The Compassionate Friends.

* * *

Mr. GILLEN called up **HR 615, PN 2742**, entitled:

A Resolution recognizing Crime Alert Berks County as the number one crime stopper program in Pennsylvania for the past 18 years.

On the question,
Will the House adopt the resolutions?

The following roll call was recorded:

YEAS—189

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

NAYS—0

NOT VOTING—0

EXCUSED—12

DeLuca	Haggerty	McCarter	Ortitay
Fabrizio	Harris, J.	McClinton	Solomon
Galloway	Maher	McGinnis	Taylor

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

The SPEAKER. Representative Gillen, if you will come up to the rostrum. I will call on you in just a moment. Thank you.

Members, please take your seats. Representatives, please take your seats. I am going to call on our colleague, Representative Mark Gillen, at this time. I would like everybody to give him their attention. Members, please take your seats.

Please close the doors of the House. Any members who wish to have a discussion, please take it off the floor. If you need to have a discussion, please take it off the floor. We will keep the doors open here for a minute. If you have a discussion, please take it off the floor.

STATEMENT BY MR. GILLEN

The SPEAKER. Representative Gillen, you may proceed, sir. Mr. GILLEN. Thank you very much, Mr. Speaker.

We collectively hold our law enforcement in high esteem, as we rightfully ought to do. It is part of our duty to provide financially, and occasionally in this very chamber, in prayer, in greeting. I am very fortunate today to have some good friends in attendance from the community.

Eighteen years ago, Barry Rohrbach, in an act of faith, decided that he was going to start an organization in Berks County to augment the good work that goes on every day in our law enforcement community. His career began in 1949. I was talking to Barry earlier in the day. I said, "What was that, a .38 or .32 revolver?" He recalls it being a .38 revolver and no bulletproof vest. And as he got to thinking about the needs of law enforcement, Barry was busy raising money so that every law enforcement officer in the early days could have a bulletproof vest. And for 18 years he has headed up Crime Alert Berks County, and for the last 14 years Crime Alert Berks County has been number one in the Commonwealth of Pennsylvania – all 67 counties – number one in an unbroken period of 14 years.

Not only has my good friend, Barry Rohrbach, served his community in law enforcement; in Crime Alert Berks County; he is the president of a local bank, which came later to be Santander Bank; but he is also a veteran, a Korean air veteran of the United States Air Force.

Joining him today – in just a moment I will have the group stand – are his wife, Ginny, and then we also have Ron Dunkelberger, who has been a central figure in Crime Alert Berks for a number of years and also served on Shillington Borough Council, and Ron is a Vietnam air veteran. And then also joining us today is the chief of the Wyomissing Police Department, Chief Jeff Biehl.

I would ask if you would join me in acknowledging our good friends from Berks County this morning.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, Representative Gillen.

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

SUPPLEMENTAL CALENDAR A

RESOLUTION PURSUANT TO RULE 35

Mr. DeLUCA called up **HR 622, PN 2772**, entitled:

A Resolution recognizing the 25th anniversary of the Children's Health Insurance Program and the important physical and behavioral health benefits the program provides to children of this Commonwealth.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—189

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

NAYS—0

NOT VOTING—0

EXCUSED—12

DeLuca	Haggerty	McCarter	Ortitay
Fabrizio	Harris, J.	McClinton	Solomon
Galloway	Maher	McGinnis	Taylor

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

STATEMENT BY MR. FRANKEL

The SPEAKER. Representative Frankel, on the resolution, sir.

Mr. FRANKEL. Thank you, Mr. Speaker.

On behalf of my friend and our colleague, Tony DeLuca, who cannot be with us here today, I want to speak on Resolution 622.

It is a wonderful time to recognize the 25th anniversary of the Children's Health Insurance Program, which we all know affectionately as CHIP. Through the combination of Medicaid, which serves our sickest children and our low-income children, and CHIP, which offers coverage to all families that do not qualify for Medicaid, Pennsylvania can proudly state that we have the lowest percentage of uninsured children in the Commonwealth's history. Currently only a little more than 4 percent of Pennsylvania's children lack health insurance, and while there is still more work to do, that is something we can be proud of.

While we are celebrating, it is good to remember that it has taken us 25 years to get here. Out in western Pennsylvania, we are proud to talk about the origin of the CHIP program as a creative response by our community members during desperate times. The program was born in the 1980s when the congregation of Fox Chapel Presbyterian Church invited steelworkers who were losing their jobs to come speak about their needs and concerns. One of their main worries, it turns out, was health care for their children. When the steel mills closed, workers lost their jobs, and that meant they also lost their family's health insurance. The congregation took action, partnering with Blue Cross Blue Shield to create the caring program for children, which offered subsidized, low-cost, basic health insurance for kids. It was such a good idea that State leaders, led by then State Representative Allen Kukovich, promoted it in Pennsylvania, and 25 years ago we were able to offer children in our State health insurance coverage, regardless of family income. That is how we tell the story in western Pennsylvania.

For the past 25 years, it has been a bipartisan success, promoted and championed by legislators from both sides of the aisle. Pennsylvania legislators do not always agree on all things, but when it comes to children's health insurance, we have always understood the urgency and made sure that coverage was available. One hundred and seventy-eight thousand children and families all across the Commonwealth, from Philadelphia to Erie, Tioga County and Allegheny County, benefit from CHIP, and the evidence is clear: investing in children early by making sure they have the health care they need is a long-term investment for our community.

But we are at a critical time. We understand the benefits of this program. People rely on it. We cannot go backwards. Currently we still need to pass legislation in Pennsylvania to ensure the continuance of the CHIP program, and it is all predicated on Congress doing its part to provide the necessary funding. So let us celebrate our success, and then do our job as elected officials to protect our investment in the children of Pennsylvania.

Thank you, Mr. Speaker.

GUESTS INTRODUCED

The SPEAKER. Located to the left of the Speaker, we are going to welcome Lucas Cunningham, who is a guest of Representative Dawn Keefer. He is a student at Red Land High School and a member of the United States Legislature Club. Please stand. Lucas, great to have you here today. Thanks for joining us.

We have with us, to my left, Brian Fritsch. Brian is here as a guest of Representative Bud Cook, and he is recognized for his contributions to Representative Cook's Student Involvement Initiative. Thanks so much for being with us here, Brian. Great to have you. Brian, where do you go to school? Cal U. Okay. Thank you.

In the rear of the House – Representative Kaufer might want to speak on this. Representative Kaufer, do you want to just come to the front podium? I know he has some guests here.

Mr. KAUFER. Thank you, Mr. Speaker.

I am just very pleased to announce my alma mater being here. We have the Spartan Singers, led by Mr. Coates, and our superintendent, Irv DeRemer, here as well. Can you please rise so we can recognize you?

The SPEAKER. Representative Kaufer, how far did they travel today?

Mr. KAUFER. It took them about 2 hours to get here today, Mr. Speaker, and for anybody that is looking forward to hearing a nice tune today, they will be singing at the rotunda at noon today. And I can tell you, they are a fantastic group. As somebody who used to sing in this chorus, I am really looking forward to singing a tune with them, and thank you, Mr. Speaker, and thanks to them for coming down here today. We are so honored to have you here today. Thank you.

The SPEAKER. Thanks, everybody. It is great to have you here. Thank you. We will be down to hear you sing, okay? Thank you so much.

We have some guest pages with us today, and we always so appreciate their work. Representative Karen Boback has with us today guest page Sabine Moran. Sabine, where are you at school? From Tunkhannock. Oh, that is great. I think her parents are in the gallery, Mark and Melissa. Thanks for bringing this young lady here to help us today with Representative Boback.

Representative Toohil has brought us another guest page, Ethan Ferdinand. Ethan. To my left are his mom and dad, Susan and Pete, and his brother, P.J. Could you please stand too? Thanks so much for being with us. Ethan, where are you at school? At Hazleton. Great. Thanks for coming and for driving down to be with us today.

JOSHUA BOOTH PRESENTED

The SPEAKER. Okay, we have got a champion here today. I am referring to the guest; actually, I think our member was a champion too, if I am not mistaken.

Representative Jesse Topper, if you could please come up and do a citation for one of our champions in our Commonwealth.

Representative Topper, it is all yours.

Mr. TOPPER. Thank you, Mr. Speaker. I am not sure which championship you are referring to, but I will take whichever one you want to give me. I appreciate that.

It is my pleasure to have, from Fulton County, Josh Booth, State champion in the 300-meter hurdles. We are so excited when we get the opportunity to recognize these student athletes for their accomplishment and the work ethic that they demonstrate, especially in a little town like McConnellsburg. This is a pretty big deal, and Josh himself is a pretty big deal in McConnellsburg, and we are so excited that we have the opportunity to bring him down to recognize him for his accomplishment, as well as his leadership that he shows at his local high school. We are very proud of him.

We are very thankful for the opportunity that these young men have to be able to compete in these events, and women as well, in the PIAA, and so it is my honor to present him this citation for winning the State championship in track and field. Congratulations, Josh.

His family also is with us. We know that for any athlete, the family is always behind him, running him to all the events, being at all the events and attending, so we are very grateful to have his parents as well here with us, and his sister.

Thank you very much, Mr. Speaker.

The SPEAKER. Thank you, Representative Topper, and congratulations, Josh.

We are going to move to committee announcements and caucus announcements at this time.

We are not doing announcements at this time. We are going to go into some votes.

CALENDAR**BILL ON SECOND CONSIDERATION**

The House proceeded to second consideration of **SB 166, PN 1344**, entitled:

An Act providing for protection of paychecks of certain workers and for the collection of political contributions.

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

The SPEAKER. We have a number of amendments that are filed. There are 36 amendments filed.

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

Mr. **BRADFORD** offered the following amendment No. **A04862**:

Amend Bill, page 2, by inserting between lines 18 and 19 "Garnish the wages" or "wage garnishment." The process of deducting money from an employee's monetary compensation to satisfy a debt owed for alimony, child support, State or local taxes or a student or automobile loan, or a debt owed to any other creditor, or a debt owed as a result of bankruptcy.

Amend Bill, page 3, line 19, by inserting after "CONTRIBUTION"
or garnish the wages of a public employee
Amend Bill, page 3, line 24, by inserting after "from"
or garnish

Amend Bill, page 3, line 28, by inserting after "contributions"
or wage garnishment

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

The SPEAKER. On the question, the Chair recognizes Representative Bradford.

Members, I would ask everybody to please take their seats. Please take your seats, staff, please. Any conversations – I realize some staff has to be with both the maker of the amendment and the maker of the bill, the committee chair in this instance; it is a Senate bill. But I would ask others if you could take your seats.

Representative Bradford, the floor is yours, sir.

Mr. BRADFORD. Thank you, Mr. Speaker.

I stand to introduce amendment 4862.

The SPEAKER. Members, please. Sir, I apologize for interrupting. Members, please take your seats.

Representative Bradford, you may proceed, sir.

Mr. BRADFORD. Thank you again, Mr. Speaker.

Amendment 4862, as I mentioned, is a simple amendment that would continue to allow the deduction for wage garnishments. Obviously, wage garnishments are often necessary for things like alimony, child support, State or local taxes, sometimes for automobile loans, and different such uses in the private sector. This is quite common and this amendment would continue to preserve that right.

The SPEAKER. Representative Metcalfe, on the amendment, sir. The amendment is 4862.

Mr. METCALFE. Thank you, Mr. Speaker.

Mr. Speaker, I think there is some confusion on this amendment because the bill does not prohibit what is allowed currently for the garnishment of wages to ensure that these funds, these moneys, are getting to the mothers, to the wives, for the children. Our understanding, the way the amendment is drafted, is it would actually prohibit those deductions. It is drafted to prohibit those deductions, not to allow for, so what was stated by the prime sponsor of the amendment was not correct in that it allows for it. It would prohibit it. So I would ask for opposition to the amendment.

And once again, the bill would not address this issue at all. This deals with stopping private political organizations from collecting their political action committee money that is collected to influence the outcome of elections, from using taxpayer resources to collect that money. So it is to stop private

political organizations from utilizing taxpayer resources to collect their money for their political action committees. It is directed to influencing elections. This has nothing to do with alimony or anything like that. So the sponsor's amendment does not seem to do what he is proffering that it does. At the same time, it would not be needed even if it did, and I believe it does the exact opposite of what he was advocating for.

So I would ask for opposition to the amendment. Thank you, Mr. Speaker.

The SPEAKER. Representative Vitali, I am sorry; I did not see you, sir.

Representative Vitali.

Mr. VITALI. Will the maker of the amendment stand for brief interrogation?

The SPEAKER. It is a Senate bill, so we do not have the maker in front of us.

Mr. VITALI. The maker of the amendment.

The SPEAKER. Oh, the amendment; my apology.

AMENDMENT WITHDRAWN

The SPEAKER. That amendment, 4862, has been withdrawn; 4862 is withdrawn.

On the question recurring,

Will the House agree to the bill on second consideration?

AMENDMENT RULED OUT OF ORDER

The SPEAKER. Amendment 4836 is out of order; 4836 is out of order.

The Chair calls now amendment 4850; 4850.

Yes.

Mr. BRADFORD. Mr. Speaker, if I could, I would like to object to the ruling of the Chair on amendment 4836.

The SPEAKER. The clerk will read a summary of amendment 4836.

The clerk read the following amendment No. **A04836**:

Amend Bill, page 1, line 2, by inserting after "contributions" ; and prohibiting certain per diems, salary and reimbursements for members of the General Assembly

Amend Bill, page 4, by inserting between lines 15 and 16 Section 5. Per diems, salary and reimbursements for members of the General Assembly.

If a member of the General Assembly attends, hosts, contributes to or participates in a political event or fundraiser held for the purpose of soliciting contributions to a political action committee, political party or candidate for elected office, the member shall not be eligible for or entitled to receive, for the day on which the political event or fundraiser occurs, the day prior to the day on which the political event or fundraiser occurs or the day subsequent to the day on which the political event or fundraiser occurs, any of the following:

- (1) A voucher or voucher per diem.
- (2) Mileage.
- (3) Salary.
- (4) Reimbursement for meals.
- (5) Reimbursement for, payment of or support for any expenditure funded by the taxpayers of this Commonwealth.

Amend Bill, page 4, line 16, by striking out "5" and inserting

The SPEAKER. Rule 20, "BILLS CONFINED TO ONE SUBJECT." This amendment is in violation of that rule.

The gentleman has put an objection on the record. Do you want to have a vote on the – do you want to appeal the Speaker's ruling on that?

Mr. BRADFORD. So I am clear, Mr. Speaker, that is your ruling, that it does not fit within the single subject?

The SPEAKER. Yes; it is in violation of rule 20, and it is being ruled out of order.

If you wish to appeal that, you may.

RULING OF CHAIR APPEALED

Mr. BRADFORD. Yes, I do, Mr. Speaker, and if I could explain the basis for that.

The SPEAKER. You may.

Members, what we have in front of us is a decision by the Speaker, the Chair, that rules that amendment 4836 is in violation of rule 20 of the House rules.

The maker of that amendment is saying that the Speaker is wrong, and that gets submitted to the floor of the House, and he is appealing the ruling of the Speaker.

On the question,

Shall the decision of the Chair stand as the judgment of the House?

The SPEAKER. Now, before folks can speak on this, if you believe that the Speaker, the Chair has ruled correctly – this is a procedural vote – if you believe that the Speaker has ruled correctly, you will vote "aye." If you believe that the Speaker has ruled incorrectly, you will vote "nay."

The bill, as you know, prohibits certain deductions from public employees' paychecks. This amendment deals with prohibiting members from receiving expense reimbursements, per diems, or salary under particular circumstances.

Sir, you may state your basis for the appeal.

PARLIAMENTARY INQUIRY

The SPEAKER. Do you have a parliamentary inquiry, Representative Metcalfe?

Mr. METCALFE. Yes, Mr. Speaker. Point of order.

The SPEAKER. Yes.

Mr. METCALFE. As the gentleman who is appealing the Speaker's ruling makes his case, would he have to specifically stick to the rule and why something with a different subject actually is not in violation of the rules?

The SPEAKER. Correct. Yes, you are absolutely correct.

Mr. METCALFE. So he would not be able to get off on some tangent argument about the substance of his amendment.

The SPEAKER. No, it has to be connected to rule 20 of the House rules.

Mr. METCALFE. Thank you, Mr. Speaker.

The SPEAKER. That is correct.

Representative Bradford, on the appeal, you may proceed.

LEAVE OF ABSENCE

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

CONSIDERATION OF SB 166 CONTINUED

Mr. BRADFORD. Thank you, Mr. Speaker.

Mr. Speaker, as you know, the underlying bill is about prohibiting Commonwealth resources from going to political activity. In particular, I believe it is the intent of the maker of the bill to attack those nurses and schoolteachers who engage in concerted political activity through their collective-bargaining agreement in their union.

My contention is, that is 100 percent in keeping with the use of Commonwealth resources for political activity, when members of this very body may put in for an expense reimbursement on a day in which they engage in political activity. While that may be de minimis, I think there is an amount of cynicism in our public about hypocrisy in this building, and if we are going to begin by showing that we lead with our own activity, and if what is good for the goose is good for the gander, and if we want to prove that we are not targeting just unions that we may not disagree with for their political viewpoint, then we should say that we will not use any resources on a day in which a member of this body applies for an expense, a per diem, that they will not engage in such political activity on that same day.

Because, see, if we are going to fight that cynicism—

The SPEAKER. Sir.

Mr. BRADFORD. —if we are going to fight that hypocrisy—

POINT OF ORDER

The SPEAKER. Representative Christiana is recognized.

Point of order, sir.

Mr. CHRISTIANA. Thank you, Mr. Speaker.

Could you just keep the gentleman to the motion on—

The SPEAKER. The gentleman has indicated—

Mr. CHRISTIANA. His remarks thus far, Mr. Speaker, have been exclusively on the merits of the underlying bill.

Thank you, Mr. Speaker.

The SPEAKER. The question in front of us, and I do believe that the gentleman has raised a legitimate point, it is rule 20, "BILLS CONFINED TO ONE SUBJECT. No bill shall be passed containing more than one subject, which shall be clearly expressed in its title, except a general appropriation bill or a bill codifying or compiling the law or a part thereof," meaning the appropriation bill. This is the Constitution, Article III, section 3, but it is in our rules, rule 20.

If you win on the appeal – if – you will then be able to speak on the amendment and the substance of the amendment, but we are not at that point.

So the issue here is, how is this one subject? And then we will take Representative Conklin after Representative Bradford, and Representative Neilson, you will be after Representative Conklin.

Representative Bradford.

Mr. BRADFORD. Thank you again, Mr. Speaker.

And to the good gentleman from Beaver, I would just say, obviously we—

The SPEAKER. Okay. Representative Neilson wishes to interrupt you.

Please proceed, Representative Neilson.

Mr. NEILSON. That I do. Thank you, Mr. Speaker.

The SPEAKER. For what purpose do you stand?

Mr. NEILSON. Parliamentary inquiry.

The SPEAKER. You may proceed.

Mr. NEILSON. Mr. Speaker, you just stated that the person that presented this argument cannot actually make an argument. I believe he was stating his case, and to make that case on this floor, he should be able to say what he wants so we, as a member, can make an educated vote and say, "I see how it's relating." So he should be able to talk about the amendment, the bill, and how this amendment relates to it, not just under that rule—

The SPEAKER. Sir, you have to— Please hold off.

You are not making a parliamentary inquiry.

Mr. NEILSON. What is it?

The SPEAKER. The Speaker has made a decision.

Mr. NEILSON. Okay. I would like to—

The SPEAKER. That decision is being appealed and it has to be confined, the debate— Look—

Mr. NEILSON. I understand confining the debate, Mr. Speaker.

The SPEAKER. Please, if you will just permit me. Thank you.

There are various questions that come before the House. If the notion is that anybody can speak on any topic at any time under any vote in the House, there would be no point of having rules.

Mr. NEILSON. Thank you, Mr. Speaker.

The SPEAKER. There would be no point of ever having a rule to limit the discussion on the House floor. Any person in this chamber, Republican or Democrat or any other member of any other party, can take their free speech arguments to the rotunda and have a precedent any single day that they want to have it. The reason you have House rules is because you have a specific question in front of you and it limits debate to that particular question.

As I indicated, if the good gentleman succeeds on his appeal, he will be able to talk at length on the substance of the amendment, but that is not what we have in front of us. And the reason we have rules is to confine debate to the procedural issue in front of us. And it is going to be so limited.

PARLIAMENTARY INQUIRY

Mr. DERMODY. Mr. Speaker?

The SPEAKER. For what purpose does the minority leader rise?

Mr. DERMODY. For a point of parliamentary inquiry, Mr. Speaker.

The SPEAKER. Yes, sir. You may proceed.

Mr. DERMODY. Mr. Speaker, all the gentleman is saying is if you are going to make an argument about the subject of the amendment, you have to make an argument about the subject of the bill. You cannot do it. They are related. The gentleman is

making that argument and he ought to be allowed to make the argument in order to appeal the ruling of the Chair. That is the only way it can be done, Mr. Speaker.

The SPEAKER. You can state – and the good leader has been here for many, many years – you can state the actions that are being changed, what is being changed in the bill, what is being changed in the amendment, and not a speech on the amendment or its merits but the relationship between the two or the nonrelationship between the two.

Mr. DERMODY. I believe that is what the gentleman was doing, Mr. Speaker.

The SPEAKER. That is not what was occurring.

Representative Bradford, you may proceed.

Mr. BRADFORD. Thank you again, Mr. Speaker.

As I was saying, this bill portends to target those employees who are members of a collective-bargaining agreement for engaging in political activity, and therefore, using Commonwealth resources. What my amendment proposes we do, in the interest of fairness and avoiding even the appearance of hypocrisy, is to expand those same preclusions to this body that says that our Commonwealth employees, that happen to be the 203 members of the House and the 50 members of the Senate, that they are not hypocrites, but if they are going to require such a standard for teachers and nurses and other State employees, that we should begin with ourselves and lead by showing we are not hypocrites, that if it is good for those covered by a collective-bargaining agreement, that somehow the whole system is sullied if there is a deduction for any political activity, that if a member of this body or our colleagues in the Senate engage in any political activity on the same day, whether how de minimis, no matter how small, that they are basically the same.

And I realize that some will say that this is a different topic. I would argue nothing could be more on topic. If the argument of those is good government and their argument is that we are all sullied to allow those members of AFSCME (American Federation of State, County, and Municipal Employees) to engage in collective political activity that in any way touches upon State resources, then why in God's name would the 203 members of this august body be able to engage in such activity subsidized by State funding?

Again, my point is simple and I will wrap up with such. We do not want to be hypocrites. We do not want to add to the cynicism of our Commonwealth. We do not want to hide behind procedural motions. If we are for good government, and that is what those who propose to support such bills do, then let us begin by not hiding behind a procedural motion, but let us say that we will begin with those of us in this body.

It is absolutely germane. It is absolutely the same subject. If reform is on the agenda, then let us begin with this body, let us not be hypocrites, and let us not add to the cynicism of our Commonwealth. Let us show we are going to lead with ourselves.

Thank you, Mr. Speaker.

The SPEAKER. Representative Conklin.

Mr. CONKLIN. Thank you, Mr. Speaker.

Mr. Speaker, would it be in order for me just to— I am trying to get some clarification from the maker of the amendment to see whether I believe it falls under Act 20? Would it be—

The SPEAKER. No. Interrogation would not be appropriate, but you may speak on the motion.

Mr. CONKLIN. Thank you, Mr. Speaker.

One of the things I am trying to get my hands around is that I understand the single-subject matter, and I am just wondering – and the reason I wanted to ask them, since we are having a fundraiser as a member of this body and accepting PAC money from an organization which would be outlawed to collect PAC money – would that not be the same single-subject matter? I mean, is it not the same that if somebody is double-dipping, that there should be some type of laws put against that?

So what I am trying to get my arms around and what I think what the maker of the bill is trying to say to everybody is that, listen, you are down here paid by taxpayers' money. You are getting money from a PAC who some makers believe should not be allowed to give money, but then you are double-dipping and you are getting paid for taking the money from the PAC.

And I think I agree with the maker that it is in order. I believe it is germane, because if you are willing to take money from a PAC and you are willing to get paid for taking money from the PAC and you are willing to spend money from taking money from the PAC, to quote my colleague next in Clearfield, I think that is pretty awesome. But at the same time I think the maker is correct. I think this is germane, Mr. Speaker. I think that this is all about whether political moneys, political activities are being able to benefit a member above and beyond what is initiated by.

So I am asking folks to override the ruling of the Chair and give this fine amendment a chance to show that we are ethical, that we do understand that if we are going to be taking PAC money, that we should not be paid to take PAC money at the same time we are getting paid to take PAC money.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, sir.

Representative Tarah Toohil, on the issue of the appeal of the Chair's ruling.

Ms. TOOHIL. Thank you, Mr. Speaker.

I wanted to point out that the two previous speakers have spoken on germaneness and they have evaded speaking on the single-subject clause and that they are supposed to strictly adhere to talking about the multiple subjects that are in this amendment.

And this amendment, to be clear, has nothing to do with payroll deduction. While it could be an excellent piece of stand-alone legislation dealing with per diems and taking money and campaign finance law, it has absolutely nothing to do with what they are supposed to be arguing, which is the single-subject rule and not germaneness.

Thank you, Mr. Speaker.

LEAVES OF ABSENCE

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

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

CONSIDERATION OF SB 166 CONTINUED

The SPEAKER. The Chair recognizes the majority whip, on the issue of the appeal of the Chair.

Mr. CUTLER. Thank you, Mr. Speaker.

Mr. Speaker, we should support the ruling of the Chair, and quite simply, the maker of the amendment, the underlying amendment, and several of the speakers have gone far afield of the underlying bill. The bill contained to one single subject is that of political contributions. It deals with the public labor law. It does not deal with the areas that the gentleman is wishing to tackle in regards to per diems, employee expense reimbursements, or any other portion of the Tax Code that would be impacted. While the gentleman's drafting is very clever, the truth is, they are separate and distinct items. As the gentledady pointed out previously, it might be an excellent bill for a prior or an alternate piece of legislation, but it does not belong in this one.

The good gentleman and I have argued at length on a variety of single-subject issues and the court has spoken somewhat definitively and clearly on this. In regards to the case in the *City of Philadelphia*, the court adopted a practical germaneness test for the single subject, which is the rule 20 that we are looking at, "...is satisfied so long as the legislation at issue possesses some 'single unifying subject to which all of the provisions of the act' are relevant..." the key being, all the provisions of the act are relevant.

The gentleman is attempting to shoehorn a separate piece into this bill to confuse the underlying issue, which is, should public assets be used to collect political money? That is the only underlying subject that is contained in the bill.

This amendment is not appropriate for the bill, and therefore, the ruling of the Chair should be upheld.

The SPEAKER. The question is, shall the decision of the Chair stand as the judgment of the House? Those in favor of sustaining the Chair's decision will vote "aye"; those opposed to the Chair's decision will vote "nay."

On the question recurring,

Shall the decision of the Chair stand as the judgment of the House?

The following roll call was recorded:

YEAS—117

Baker	Gabler	Marshall	Roe
Barrar	Gillen	Marsico	Rothman
Benninghoff	Gillespie	Masser	Ryan
Bernstine	Godshall	Mehaffie	Saccone
Bloom	Greiner	Mentzer	Sainato
Boback	Grove	Metcalfe	Sankey
Brown, R.	Hahn	Metzgar	Santora
Causar	Harper	Miccarelli	Saylor
Charlton	Harris, A.	Millard	Schemel
Christiana	Heffley	Miller, B.	Simmons
Cook	Helm	Moul	Sonney
Corbin	Hennessey	Murt	Staats
Corr	Hickernell	Mustio	Stephens
Cox	Hill	Nelson	Tallman
Culver	Irvin	Nesbit	Tobash
Cutler	James	O'Neill	Toepel
Day	Jozwiak	Oberlander	Toohil
Delozier	Kampf	Peifer	Topper
Diamond	Kaufer	Petri	Walsh
DiGirolamo	Kauffman	Pickett	Ward

Dowling	Keefer	Pyle	Warner
Dunbar	Keller, F.	Quigley	Watson
Dush	Keller, M.K.	Quinn, C.	Wentling
Ellis	Klunk	Quinn, M.	Wheeland
Emrick	Knowles	Rader	White
English	Lawrence	Rapp	Zimmerman
Everett	Lewis	Readshaw	
Farry	Mackenzie	Reed	Turzai,
Fee	Mako	Reese	Speaker
Fritz	Maloney	Roae	

NAYS—68

Barbin	Davidson	Kavulich	Petrarca
Bizzarro	Davis	Kim	Rabb
Boyle	Dawkins	Kinsey	Ravenstahl
Bradford	Dean	Kirkland	Roebuck
Briggs	Deasy	Kortz	Rozzi
Brown, V.	DeLissio	Krueger	Samuelson
Bullock	Dermody	Kulik	Schlossberg
Burns	Driscoll	Longietti	Schweyer
Caltagirone	Evans	Madden	Sims
Carroll	Fitzgerald	Markosek	Snyder
Cephas	Flynn	Matzie	Sturla
Comitta	Frankel	Miller, D.	Thomas
Conklin	Freeman	Mullery	Vazquez
Costa, D.	Gainey	Neilson	Vitali
Costa, P.	Goodman	Neuman	Warren
Cruz	Hanna	O'Brien	Wheatley
Daley	Harkins	Pashinski	Youngblood

NOT VOTING—1

Donatucci

EXCUSED—15

DeLuca	Haggerty	McCarter	Ortitay
Evankovich	Harris, J.	McClinton	Solomon
Fabrizio	Keller, W.	McGinnis	Taylor
Galloway	Maher	Milne	

Less than a majority of the members elected to the House having voted in the negative, the decision of the Chair stood as the judgment of the House.

The SPEAKER. The ruling of the Chair stands.

On the question recurring,

Will the House agree to the bill on second consideration?

The SPEAKER. My understanding is that Representative Bradford has withdrawn 4850. Is that correct, sir? If not, I will call it up.

Mr. BRADFORD. No, no; correct. It is withdrawn.

The SPEAKER. Okay. Thank you.

AMENDMENT RULED OUT OF ORDER

The SPEAKER. Amendment 4851 is being ruled out of order by the Speaker. And we will get a summary of that amendment that is being ruled out of order, 4851.

The clerk read the following amendment No. **A04851**:

Amend Bill, page 1, line 2, by inserting after "contributions" ; and prohibiting the reimbursement for per diem expenses
Amend Bill, page 1, line 11, by inserting after "between" the General Assembly and taxpayers and

Amend Bill, page 4, by inserting between lines 15 and 16 Section 5. Reimbursement for per diem expenses prohibited.

(a) Event or fundraiser.—If a member of the General Assembly attends, hosts, contributes to or participates in a political event or fundraiser held for the purpose of soliciting political contributions for a political action committee, political party or candidate for elected office, the member may not receive a reimbursement for per diem expenses on the day when the political event or fundraiser occurs.

(b) Gifts.—If a member of the General Assembly accepts, receives or is otherwise enriched by a gift from any person, political party or corporation valued at more than \$1, the member may not receive a reimbursement for per diem expenses on the day when the member accepts, receives or is otherwise enriched by the gift.

Amend Bill, page 4, line 16, by striking out "5" and inserting
6

RULING OF CHAIR APPEALED

The SPEAKER. That amendment is being ruled out of order on the basis of rule 20. It is akin to, the same as amendment 4836.

And, sir, do you wish to appeal?

Mr. BRADFORD. Yes, I wish to appeal the ruling of the Speaker.

The SPEAKER. Okay. So what we will have in front of us is what we just had in front of us on amendment 4836. This one is 4851. So please put up there that it is an appeal of the Speaker's ruling.

On the basis of House rule 20, we believe that amendment 4851 is out of order. That is in consultation with the Parliamentarian, as was the prior decision.

The question before us is, shall the decision of the Chair stand as the judgment of the House? This is a procedural issue that is in front of us.

Those that believe that the Chair's decision is correct and wish to sustain the Chair's decision will vote "yes"; those that believe that the decision is wrong will be voting "nay."

On the question,

Shall the decision of the Chair stand as the judgment of the House?

POINT OF ORDER

The SPEAKER. Representative Gary Day, for what purpose do you stand?

Mr. DAY. Point of order, Mr. Speaker.

The SPEAKER. Yes, sir. You may proceed.

Mr. DAY. Mr. Speaker, is it your ruling that this is ruled out of order because it is a similar bill to what we just did, or is it because it is out of order for the same reason as the previous bill?

The SPEAKER. Well, it is similar, but the rationale behind each decision is the same. It is in violation of rule 20, which says that bills are confined to one subject.

Mr. DAY. Thank you, Mr. Speaker.

The SPEAKER. On the appeal, the maker of the appeal will go first. The maker of the appeal goes first, and then he will be followed by the State Government chair.

POINT OF ORDER

The SPEAKER. Do you have a point of order? Representative Metcalfe, a point of order?

Mr. METCALFE. Thank you, Mr. Speaker.

Mr. Speaker, I know this is very similar to the previous motion, or previous motion to appeal the ruling of the Speaker that the majority sustained the Speaker's ruling on, and I know we had some lengthy debate. As one of my colleagues rose, she mentioned how many of the speakers did not actually make an argument for why it was in line with the rule that you have ruled on.

Mr. Speaker, would it be appropriate for me to ask the Speaker to make sure that we do not give this gentleman any further latitude to make substantive arguments and that he strictly stick to the rule, Mr. Speaker? Would that be appropriate to ask for that?

The SPEAKER. Representative Thomas, please, let me speak first as the Chair, okay? Let me speak first.

Members, please take your seats. There is a balance. For all of us to be able to move forward, which this body does with a show of dignity and respect to each and every colleague, Republican or Democrat or any other party affiliation, there has to be some sense of understanding what the rules require, what is actually in front of us, and some self-policing.

I, too, like all of you, was on the House floor, rose to speak on occasion with respect to debate on motions and/or amendments or underlying bills, and I was always exceptionally cognizant of what the issue was in front of us. Rules are meant to provide an orderly debate with respect to issues. It is not the Speaker's job to be calling out everybody. There has to be some level of respect for the institution and for the rules, and to recognize what is in front of him or her.

The issue of free speech can be made in any political context in the rotunda or any public square. On the House floor, we have in front of us particular procedural issues, and the debates should be so limited. I am not in the business of trying to cut people off from speaking and I am not going to be asked or called upon to do so. I am going to try to constrain it in the most appropriate manner possible, but that requires dignity and respect amongst members on both sides of the aisle.

I would ask everybody to put the acrimony aside, address the procedural issues when the procedural issues are in front of us and the substance of the debate when the substance of the debate is in front of us.

Representative Thomas, for what purpose do you rise?

Mr. THOMAS. Mr. Speaker, to clarify the record.

Number one, the speaker has been here as long as anybody else. He understands the rules. The leader is supporting the speaker in his appeal.

And, Mr. Speaker, I think time has run out on you using the rules as though it is a gag order. We all represent our district and represent this Commonwealth. So if Thomas is standing up, stop using the rules to make your point but then want to use the rules to put a gag on me. It is time for that to stop. He knows the rules.

Thank you, Mr. Speaker.

The SPEAKER. Rule 20 specifically confines our votes to a single subject. There is a purpose to the rule. The Parliamentarian has served at the request of Speakers elected from both parties for 39 years. He has been rehired by Republican and Democratic Speakers. The first Speaker to enlist the services of the good gentleman to my left, in looking at whether or not amendments are in violation of rule 20, was K. Leroy Irvis, the last Speaker from Allegheny County, and he was a Democrat.

The notion that anybody is using the rules as a gag order is wrong. The Parliamentarian comes in every day at 7 a.m. and reviews each and every amendment and goes over with me as Speaker with respect to the rules. We give him great deference. The Speaker does make the decisions.

This body has a history, and the good gentleman to my left as Parliamentarian has shared in that history and the reason we have a position that is elected by the members in the role of Parliamentarian. We are blessed to have this 39 years of experience for an individual who has served both Democratic and Republican Speakers, beginning with Speaker K. Leroy Irvis.

Now, you can appeal my ruling, and so be it, but the debate needs to be limited to the violation under rule 20, as I have ruled it.

And I am asking members on both sides of the aisle to quit the catcalling, confine your remarks on the motions, and wait until the amendment or bill is in front of you to go further.

Representative Bradford, you may speak.

LEAVE OF ABSENCE CANCELED

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

CONSIDERATION OF SB 166 CONTINUED

POINT OF ORDER

Mr. DERMODY. Mr. Speaker? Mr. Speaker?

The SPEAKER. Yes.

Mr. DERMODY. The gentleman from Montgomery—

The SPEAKER. Sir, you may. You may speak, sir.

Mr. DERMODY. —has not even had an opportunity to speak yet. So while it was the gentleman from Butler who was trying to engage in prior restraint—

The SPEAKER. My remarks were directed to both; directed to both.

Mr. DERMODY. All right. I just wanted to point out that the United States Supreme Court—

The SPEAKER. And I said please eliminate the personal acrimony, take it off the House floor. Everybody knows some of the background, and I am asking all of the members to eliminate the personal acrimony and to please be professional in our approach. That is to each and every member, all 203.

Mr. DERMODY. I agree with that, but I just wanted to point out that the gentleman from Butler twice now has tried to engage in prior restraint, which the Supreme Court declared is unconstitutional in 1931. In this case, the gentleman from Montgomery has not even made a statement on the bill yet, so I cannot imagine why he would engage that there would be a ruling on anything he has to say.

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

Mr. BRADFORD. Thank you, Mr. Speaker.

I stand to offer amendment 4851 and actually to appeal the decision of the Speaker for one simple reason. And I know that rule 20 again has been invoked, and I have heard the good lady from Hazleton, and I wanted to quote verbatim the majority whip. I believe his exact quote was, should public resources be used to collect political money. I would like to say that is an exact quote, but I am going to say it is a paraphrase because I cannot be 100 percent sure. Well, if that was the basis for applying rule 20 on the last amendment, then this clearly makes clear what we all know, that if we are engaging in political activity, i.e., having a fundraiser on a day in which we are collecting a per diem, how can that not be within the lines of rule 20? This amendment – and it is just serendipity that that is exactly the next amendment to be offered – it does exactly what the gentlelady and what the majority whip presupposed we would need to do in order to have an amendment that would bring real reform to this institution within the confines of rule 20. So I would say we are complying with rule 20.

And I know reform is hard for the majority, but reform is what folks want, not just reform for those that are covered by a collective-bargaining agreement, but those who have a trust with the citizens of Pennsylvania. Mr. Speaker, I want to be succinct: should public resources be used to collect political money? If it is true for those that are covered by a collective-bargaining agreement, should it not be true for the elected Representatives of Pennsylvania?

Thank you, Mr. Speaker.

The SPEAKER. The majority whip, Representative Bryan Cutler, on the appeal of the Chair's decision.

Mr. CUTLER. Thank you, Mr. Speaker.

Mr. Speaker, the argument is quite simple. It is the same as the last ruling of the Chair that was upheld. It does deal with the public use of resources to collect political money, specifically the payroll system.

Mr. Speaker, it is important to recognize, this is the only time that the payroll system can be used to collect political contributions, direct money that is given directly to candidates. That is what this bill is about. This amendment is far afield of that, and I would encourage the members to uphold the ruling of the Chair.

The SPEAKER. Representative Curtis Thomas, on the appeal of the Chair.

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, I would like to stand with the Speaker on the ruling, but, Mr. Speaker, when you read the plain rule, if you read the plain rule and apply the rule, you cannot conclude that this violates the single-subject rule. And I know the speaker gave an academic answer as to the impact of why his amendment is so important and why the rule is not being violated. Let me put it another way: what is good for the gander is good for the goose. If the rule is applicable to labor and other organizations, then it should also apply, probably more importantly, to elected officials.

So, Mr. Speaker, there is no violation of the rule. I stand strongly in support of appealing the rule, and you are not going to get that a whole lot from me, because I know you gave some thought to this, but, Mr. Speaker, we have to also give some thought to what is in front of us. And when you look at the gentleman's amendment from all four corners, applying the

totality of circumstances, this does not violate the single rule. And the Parliamentarian, I know you have been around here for a long time. He probably knows these rules like he knows the back of his hand, but the application of it on this, in this case, is wrong.

Thank you, Mr. Speaker.

The SPEAKER. The majority leader, Representative Reed.

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

I appreciate the fact that oftentimes when we get into difficult subjects or what can be polarizing topics, that folks want to go to the extremes to advocate for their particular position. I would just remind folks, first off, from a single-subject perspective, the courts have severely narrowed the meaning of "single subject" in recent years. It is not the same definition that this same body operated under 10, 15, 50 years ago. They have been fairly clear about their definition of "single subject" and how narrow that scope is in today's world.

And number two, as we proceed through these amendments, I would just remind folks that the Parliamentarian and the Speaker's job during a policy debate is to call balls and strikes. It is not to influence the policy arguments on the floor, but to call balls and strikes as to what is in bounds and what is not in bounds. The Parliamentarian has been doing this job for almost four decades and the Speaker has been doing this job for several years.

I would encourage the members, number one, to uphold the ruling of the Chair, but number two, as we proceed, let us argue the merits of the legislation, let us argue the merits of the amendments that are actually in order per rule 20 and the court's definition of a "single subject," and see where the day takes us.

So on this particular motion, I would encourage the members to uphold the ruling of the Chair, and as we proceed, let us make sure that we keep the policy debate down here and allow the Speaker and the Parliamentarian to continue to navigate the discussion for this subject and many other subjects yet to come. Thank you.

The SPEAKER. Thank you, sir.

Representative Mark Mustio, on the motion to appeal the Chair's ruling.

Mr. MUSTIO. Thank you, Mr. Speaker.

I am not sure where this applies, and you can tell me to stop talking, but I guess the question would be, if a caucus had a potential candidate come in to be introduced to their entire caucus, would that mean the entire caucus would not get per diems that day? Is that something we would answer now, or that question would be answered if this was defeated?

The SPEAKER. Representative Reed.

Mr. REED. Mr. Speaker, although I certainly appreciate the gentleman's point, I think we should probably stick to the topic that we are talking about today and move to the vote. Thank you.

The SPEAKER. Thank you.

Representative Carroll, you may speak on the motion to appeal the ruling of the Chair.

Mr. CARROLL. Thank you, Mr. Speaker.

Mr. Speaker, one observation over the course of the last few days, we have had discussions relative to 300 amendments filed to the severance tax bill. It seems to me, many of those amendments probably were violative of rule 20 as well with respect to a single subject, yet I did not see, you know, an

objection relative to the ruling of those amendments being out of order. And I think probably in light of the latitude provided in the severance tax bill, it seems to make perfect sense that the gentleman from Montgomery County would have offered these amendments, considering the pattern that was established with the severance tax bill.

The SPEAKER. Sir, your argument at this point is not appropriate, but I am going to answer it. There were over 200 amendments ruled out of order on HB 1401; 200 amendments.

No; that is it. We are going to the vote.

And when we spoke to the Parliamentarian, who had gone through all of the amendments, we went through them diligently one by one. The fact of the matter is, we are not as strict as prior Speakers in terms of ruling amendments out of order. We actually let more, in consultation with the Parliamentarian, onto the floor, some that others have questioned us; they wish that we would rule them out of order.

And secondly, you can always take an appeal of the Chair, which you are doing now. I am not offended. No Speaker is offended. It is part of the rules. And there will be a vote on the appeal of the Chair, and that can happen with respect to every ruling on every amendment or bill. So there is nothing untoward or inappropriate, as implied by the good gentleman's remarks.

We will proceed to a vote.

Those in favor of sustaining the Chair's decision will vote "aye"; those opposed will vote "nay."

On the question recurring,

Shall the decision of the Chair stand as the judgment of the House?

The following roll call was recorded:

YEAS—116

Baker	Gabler	Marshall	Roe
Barrar	Gillen	Marsico	Rothman
Benninghoff	Gillespie	Masser	Ryan
Bernstine	Godshall	Mehaffie	Saccone
Bloom	Greiner	Mentzer	Sainato
Boback	Grove	Metcalfe	Sankey
Brown, R.	Hahn	Metzgar	Santora
Causar	Harper	Miccarelli	Saylor
Charlton	Harris, A.	Millard	Schemel
Christiana	Heffley	Miller, B.	Simmons
Cook	Helm	Moul	Sonney
Corbin	Hennessey	Murt	Staats
Corr	Hickernell	Mustio	Stephens
Cox	Hill	Nelson	Tallman
Culver	Irvin	Nesbit	Tobash
Cutler	James	O'Neill	Toepel
Day	Jozwiak	Oberlander	Toohil
Delozier	Kampf	Peifer	Topper
Diamond	Kaufer	Petri	Walsh
DiGirolamo	Kauffman	Pickett	Ward
Dowling	Keefer	Pyle	Warner
Dunbar	Keller, F.	Quigley	Watson
Dush	Keller, M.K.	Quinn, C.	Wentling
Ellis	Klunk	Quinn, M.	Wheeland
Emrick	Knowles	Rader	White
English	Lawrence	Rapp	Zimmerman
Everett	Lewis	Reed	
Farry	Mackenzie	Reese	Turzai,
Fee	Mako	Roae	Speaker
Fritz	Maloney		

NAYS—71

Barbin	Davis	Kim	Ravenstahl
Bizzarro	Dawkins	Kinsey	Readshaw
Boyle	Dean	Kirkland	Roebuck
Bradford	Deasy	Kortz	Rozzi
Briggs	DeLissio	Krueger	Samuelson
Brown, V.	Dermody	Kulik	Schlossberg
Bullock	Donatucci	Longietti	Schweyer
Burns	Driscoll	Madden	Sims
Caltagirone	Evans	Markosek	Snyder
Carroll	Fitzgerald	Matzie	Solomon
Cephas	Flynn	Miller, D.	Sturla
Comitta	Frankel	Mullery	Thomas
Conklin	Freeman	Neilson	Vazquez
Costa, D.	Gainey	Neuman	Vitali
Costa, P.	Goodman	O'Brien	Warren
Cruz	Hanna	Pashinski	Wheatley
Daley	Harkins	Petrarca	Youngblood
Davidson	Kavulich	Rabb	

NOT VOTING—0

EXCUSED—14

DeLuca	Haggerty	McCarter	Milne
Evankovich	Harris, J.	McClinton	Ortitay
Fabrizio	Keller, W.	McGinnis	Taylor
Galloway	Maher		

Less than a majority of the members elected to the House having voted in the negative, the decision of the Chair stood as the judgment of the House.

The SPEAKER. The ruling of the Chair is upheld.

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

Mr. **STURLA** offered the following amendment No. **A04852**:

Amend Bill, page 1, line 2, by striking out "political contributions" and inserting
payments or fees to a private service provider
Amend Bill, page 1, lines 14 and 15, by striking out "money intended for political or other inappropriate purposes" and inserting
payments or fees to a private service provider
Amend Bill, page 2, lines 19 through 30; page 3, lines 1 through 6; by striking out all of said lines on said pages
Amend Bill, page 3, lines 19 through 28, by striking out "A POLITICAL CONTRIBUTION, except as" in line 19, all of lines 20 through 27 and "contributions" in line 28 and inserting
payments or fees to a private service provider

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

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

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, as I understand the main bill and how this relates to it, the main bill says they do not want any deductions done that can be used for political purposes. There are many deductions that get done – and the premise being that you may not agree with the political deductions and you do not want

taxpayer dollars being used to advance something you may not believe in.

This amendment says you cannot deduct for anything else either. If I happen to work for a government entity, and I decide that I do not need the insurance benefits but my other colleagues decide they want insurance benefits, there is a cost to doing the deduction for the insurance benefits. And that insurance company may lobby heavily and get politically involved with trying to make sure that there is not a single-payer system. That insurance company may make political contributions to members of a party that I do not agree with. There may be deductions on the paychecks for the United Way, and I may be able to pick and choose which charities I would like to have donated to, but nonetheless, taxpayer dollars are being used to make deductions for the United Way to go to other charities that I may disagree with.

The point being that if we want to strictly adhere to what I believe the bill in chief attempts to do, it is to say you should not be able to deduct if there is going to be anything that is politically inherent about what the deduction is, and almost any deduction has political inherency in that it gets used for politics in one way, shape, or form.

I would simply ask for broadening this to make sure that we are not just eliminating a payroll deduction where there is a collective-bargaining agreement and allowing for political deductions everywhere else.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, Representative Sturla.

Chairman Daryl Metcalfe, on the amendment.

Mr. METCALFE. Thank you, Mr. Speaker.

Mr. Speaker, I ask for the members to oppose this amendment.

First of all, the underlying bill that they are attempting to amend with this language is being offered to stop private political organizations from utilizing taxpayer resources to collect their political action committee money. It is pure and simple. What this amendment would do is to confuse what the bill would ultimately even do by adding in this "private service provider" language, which there is no definition for. There is no definition for "private service provider." It would do nothing but create a confusing piece of legislation that nobody would know what it even meant, which I think was ultimately the objective, because this legislation is pretty straightforward. It is to ensure that we want to stop the use of taxpayer resources to be utilized for some private political organization to collect their political money that is used to influence the outcome of elections.

And when members of the General Assembly had done that, they went to jail. We need to stop this practice by any political organization, and this is currently allowed under current law. We need to stop it. This is an issue of integrity, just an issue of integrity. Let us all stand for integrity.

Let us shoot down this amendment and let us move forward with the bill. Thank you, Mr. Speaker.

The SPEAKER. Representative Gene DiGirolamo, on the amendment, sir.

Mr. DiGIROLAMO. Thank you, Mr. Speaker.

While I have an awful lot of questions on why the underlying bill is necessary, I think the gentleman's amendment that he is talking about is fair and reasonable, and I am going to ask the members to vote "yes" on the amendment. Thank you.

The SPEAKER. Thank you, sir.

LEAVE OF ABSENCE CANCELED

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

CONSIDERATION OF SB 166 CONTINUED

The SPEAKER. Representative Bryan Cutler, the majority whip, on the amendment.

Mr. CUTLER. Thank you, Mr. Speaker.

Mr. Speaker, I appreciate the gentleman's efforts regarding this amendment; however, it does contain a drafting flaw that I would like to point out for the benefit of the members as we consider it.

While he attempts to restrict what is known as a "private service provider," that term is not defined in the amendment or elsewhere in the bill. That is the first flaw.

The second flaw is one of logic, where the gentleman attempts to equate that paying your insurance premiums is the same as collecting campaign contributions. That is not an apples-to-apples comparison. It is simply an attempt, I believe, to further complicate the issue, muddy the waters, and move into an area of questions regarding the bill. The issue really is as simple as this: We should not use the State payroll system to collect political money.

Mr. Speaker, when you look at this amendment as drafted, it is also worth noting that insurance companies that the gentleman used as an example are already federally restricted to use the majority of their premiums for the care of their patients under the Affordable Care Act. Only a portion of it can go to overhead, and it is not spent in the matter that the gentleman is describing. That private company may engage in that behavior. They may, as a private company, choose to collect or not collect money from their employees, but to equate it to being the same as using the State payroll system to collect campaign contributions is simply flawed.

I would urge a "no" vote.

The SPEAKER. Representative Sturla, you may proceed.

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, I think it is pretty clear. This is an attempt to try and make sure that everyone plays by the same rules. The only things that would be allowed to be deducted on your paycheck would be Federal and State and local taxes – end of discussion. If we want to say, well, some things are okay to deduct but other things are not okay to deduct because we like what one deduction is and we do not like what the other deduction is – this puts everybody on a level playing field.

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

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—75

Barbin	Dawkins	Kinsey	Readshaw
Bizzarro	Dean	Kirkland	Roebuck
Boyle	Deasy	Kortz	Rozzi
Bradford	DeLissio	Krueger	Sainato
Briggs	Dermody	Kulik	Samuelson
Brown, V.	DiGirolamo	Longietti	Schlossberg
Bullock	Donatucci	Madden	Schweyer

Burns	Driscoll	Markosek	Sims
Caltagirone	Evans	Matzie	Snyder
Carroll	Fitzgerald	Miller, D.	Solomon
Cephas	Flynn	Mullery	Sturla
Comitta	Frankel	Murt	Thomas
Conklin	Freeman	Neilson	Vazquez
Costa, D.	Gainey	Neuman	Vitali
Costa, P.	Goodman	O'Brien	Warren
Cruz	Hanna	Pashinski	Wheatley
Daley	Harkins	Petrarca	White
Davidson	Kavulich	Rabb	Youngblood
Davis	Kim	Ravenstahl	

NAYS—112

Baker	Fritz	Mako	Roae
Barrar	Gabler	Maloney	Roe
Benninghoff	Gillen	Marshall	Rothman
Bernstine	Gillespie	Marsico	Ryan
Bloom	Godshall	Masser	Saccone
Boback	Greiner	Mehaffie	Sankey
Brown, R.	Grove	Mentzer	Santora
Causer	Hahn	Metcalfe	Saylor
Charlton	Harper	Metzgar	Schemel
Christiana	Harris, A.	Miccarelli	Simmons
Cook	Heffley	Millard	Sonney
Corbin	Helm	Miller, B.	Staats
Corr	Hennessey	Moul	Stephens
Cox	Hickernell	Mustio	Tallman
Culver	Hill	Nelson	Tobash
Cutler	Irvin	O'Neill	Toepel
Day	James	Oberlander	Toohil
DeLozier	Jozwiak	Peifer	Topper
Diamond	Kampf	Petri	Walsh
Dowling	Kaufner	Pickett	Ward
Dunbar	Kauffman	Pyle	Warner
Dush	Keefe	Quigley	Watson
Ellis	Keller, F.	Quinn, C.	Wentling
Emrick	Keller, M.K.	Quinn, M.	Wheeland
English	Klunk	Rader	Zimmerman
Evankovich	Knowles	Rapp	
Everett	Lawrence	Reed	Turzai,
Farry	Lewis	Reese	Speaker
Fee	Mackenzie		

NOT VOTING—1

Nesbit

EXCUSED—13

DeLuca	Harris, J.	McCarter	Milne
Fabrizio	Keller, W.	McClinton	Ortiz
Galloway	Maher	McGinnis	Taylor
Haggerty			

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

VOTE CORRECTION

The SPEAKER. Before I proceed to the next amendment, Representative Donatucci, I believe, wishes to be recognized to correct the record. Representative Donatucci, the floor is yours.

Ms. DONATUCCI. Thank you, Mr. Speaker.

On the vote on the appeal of the ruling of the Chair for amendment 04836, my button malfunctioned without a vote being cast, so I would like to go on record as a vote in the negative. Thank you.

The SPEAKER. Yes. Thank you, Representative Donatucci.

CONSIDERATION OF SB 166 CONTINUED

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

Mr. **CONKLIN** offered the following amendment
No. **A04854**:

Amend Bill, page 2, by inserting between lines 18 and 19
"Corporation." An organization formed with State governmental approval to act as an artificial person to carry on business or other activities, which can sue or be sued, and, unless it is a nonprofit corporation, can issue shares of stock to raise funds with which to start a business or increase its capital.

"Political activities." An expenditure of funds for the purpose of lobbying, electoral activities or independent expenditures on behalf of, or contributions to, any candidate, political party, voter registration campaign or any other political or legislative cause.

Amend Bill, page 3, line 19, by inserting after
"CONTRIBUTION"
or payments to corporations that participate in political activities
Amend Bill, page 3, line 23, by inserting after "contribution "
or payments to corporations that participate in political activities
Amend Bill, page 3, line 28, by inserting after "contributions"
or payments to corporations that participate in political activities

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

The **SPEAKER**. Representative Conklin, the question in front of us is, will the House agree to the amendment?

On the amendment, sir, you may proceed.

Mr. **CONKLIN**. I want to thank you, Mr. Speaker.

I want to thank the folks participating in this great debate today. It shows what a great august body we are that we are so open to each other. It is very nice of you. Thank you.

But, Mr. Speaker, what this amendment does, it takes away – because I am sure people watching this could believe there may be a prejudice against certain types of unions or certain types of deductions, and the last thing I would want is for anybody outside this august body to believe that a member of this body could be prejudiced against anything or be discriminatory against anything.

So what this amendment does, it helps to save those employees as well that work in the corporate or private sector from having to give those deductions that will go to a political activity, because I think that is what this comes down to: should an employee be able to give, whether they want to or not, to a political activity? And I believe, if I am hearing those folks who would never want to be discriminatory against anybody saying, no, they should not, I believe this should save those individuals in the public sector as well, that what this amendment would do would help pull back and say, no, you cannot be taking and giving money for those political contributions, that you cannot be made, that you may be forced to. You may say it is okay, but there is always that person, you know, that single mother or that single father or that individual who is barely making ends meet believe they have to give to a political PAC.

So what this amendment does, it makes a clean, fair playing field. And again, we do not want anybody outside of this chamber to think we would actually be discriminating against any one type of organization, Mr. Speaker. Thank you.

The **SPEAKER**. Thank you, sir.

On the amendment, Chairman Daryl Metcalfe, on the amendment, followed by the majority whip, Representative Cutler, on the amendment.

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

Mr. Speaker, I ask for opposition to the amendment.

The amendment is not even consistent with what the bill is doing to the organizations that we are going to currently prohibit from using taxpayer resources to collect their political action money that they then use to influence elections. So the organizations that we are prohibiting from doing that are still being allowed to use payroll deduction to collect their dues, to collect the fair share fees from individuals who do not want to be associated with them but have to be based on current law. So we are not prohibiting the organizations that create those private political PACs, we are not prohibiting them from collecting their money for their dues. We are just saying they should not be able to create a PAC and then use the payroll deduction to collect their money for that private political organization that is then going to turn around and be used to influence the outcome of elections. That is just not right. Nobody is allowed to do that. Legislators have gone to jail for using taxpayer resources. Judges have gone to jail, been convicted for doing the same. We need to stop these private political organizations from utilizing taxpayer resources to collect their political action committee money.

So what the amendment would attempt to do is to try and say that other organizations that create a PAC, that do not currently use a payroll deduction to fund that PAC, should not be allowed to even collect the money from a payroll deduction for something that might be provided, such as life insurance or health insurance. I think it is a ridiculous type of nexus that they are trying to create in their argument, and it is totally void of any integrity even in the argument, because the current organizations that we are trying to prohibit we are not restricting from using payroll deductions, as has seemingly been the argument by the maker.

So I would ask for opposition to the amendment because it is a totally flawed argument that is being offered, totally incorrect, and I would ask that it be defeated. Thank you.

The **SPEAKER**. Representative Cutler, are you standing for a point of order, or are you— Okay, that is fine.

Representative Cutler, on the amendment, please.

Mr. **CUTLER**. Thank you, Mr. Speaker.

Mr. Speaker, I think it is important to read the body and the context of the amendment. It does in fact target corporations that issue shares of stock and are formed under our State laws, and while it attempts to limit political involvement, I think for those who are interested in campaign finance reform, that perhaps they should read a little deeper. It only prohibits the political activities relating to "lobbying, electoral activities or independent expenditures on behalf of..." any other candidates.

As the chairman previously pointed out, the bill as currently written prohibits the payroll deduction for campaign contributions, direct money that is given directly to candidates. The bill as drafted does not impact dues, fair share, or some of the other areas as well.

I think that the gentleman's amendment as drafted actually has a fatal flaw in it regarding the independent expenditures, the lobbying, the voter registration drives, and other electoral

activities. That actually was a topic of conversation in HB 1174, which also moved from the committee on the same day, and while I have concerns about those areas, I think it is much easier to solely focus on campaign contributions. That is something I would hope the entire body can agree on and understand and the fact that collecting campaign money with the State payroll system is wrong. They can still choose to do so through direct deposit on their own, like many of us do for any of the causes that we care about, but this amendment as drafted is overly broad and goes far afield of the targeted attempt to limit it to campaign contributions, because that is something I hope that we can all agree on. That is what we are going after.

This amendment is poorly drafted and should be opposed. Thank you.

The SPEAKER. Representative Conklin, on the amendment, sir, for the second time.

Mr. CONKLIN. Thank you, Mr. Speaker.

Just to give everybody ease of mind, for the one chairman that stood up and said it was flawed, it is not going after your insurance payments. And for others who might think it is flawed, no, see, it is right in line of what we are doing. Again, the flaw would be is if we went after one particular group, and I am afraid that that is what the initial bill does and this is what this corrects. It stops those flaws. It can make this a flawless bill. I mean, let us flaw this away awhile, that this particular amendment stops that discrimination, takes away that flaw that only goes after one certain sector and makes it fair across the board.

Please vote "yes" so we can get rid of the flaws, Mr. Speaker. Thank you.

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

The following roll call was recorded:

YEAS—76

Barbin	Dawkins	Kinsey	Ravenstahl
Bizzarro	Dean	Kirkland	Readshaw
Boyle	Deasy	Kortz	Roebuck
Bradford	DeLissio	Krueger	Rozzi
Briggs	Dermody	Kulik	Sainato
Brown, V.	DiGirolamo	Longietti	Samuelson
Bullock	Donatucci	Madden	Santora
Burns	Driscoll	Markosek	Schlossberg
Caltagirone	Evans	Matzie	Schweyer
Carroll	Fitzgerald	Miccarelli	Sims
Cephas	Flynn	Miller, D.	Snyder
Comitta	Frankel	Mullery	Solomon
Conklin	Freeman	Murt	Sturla
Costa, D.	Gainey	Neilson	Thomas
Costa, P.	Goodman	Neuman	Vitali
Cruz	Hanna	O'Brien	Warren
Daley	Harkins	Pashinski	Wheatley
Davidson	Kavulich	Petrarca	White
Davis	Kim	Rabb	Youngblood

NAYS—110

Baker	Fritz	Mackenzie	Reese
Barrar	Gabler	Mako	Roae
Benninghoff	Gillen	Maloney	Roe
Bernstine	Gillespie	Marshall	Rothman
Bloom	Godshall	Marsico	Ryan
Boback	Greiner	Masser	Saccone
Brown, R.	Grove	Mehaffie	Sankey
Causer	Hahn	Mentzer	Saylor

Charlton	Harper	Metcalf	Schemel
Christiana	Harris, A.	Metzgar	Simmons
Cook	Heffley	Millard	Sonney
Corbin	Helm	Miller, B.	Staats
Corr	Hennessey	Moul	Stephens
Cox	Hickernell	Mustio	Tallman
Culver	Hill	Nelson	Tobash
Cutler	Irvin	Nesbit	Toepel
Day	James	O'Neill	Toohil
Delozier	Jozwiak	Oberlander	Topper
Diamond	Kampf	Peifer	Walsh
Dowling	Kaufner	Petri	Ward
Dunbar	Kauffman	Pickett	Warner
Dush	Keefer	Pyle	Watson
Ellis	Keller, F.	Quigley	Wentling
Emrick	Keller, M.K.	Quinn, C.	Wheland
English	Klunk	Quinn, M.	Zimmerman
Everett	Knowles	Rader	
Farry	Lawrence	Rapp	Turzai,
Fee	Lewis	Reed	Speaker

NOT VOTING—2

Evankovich	Vazquez
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EXCUSED—13

DeLuca	Harris, J.	McCarter	Milne
Fabrizio	Keller, W.	McClinton	Ortity
Galloway	Maher	McGinnis	Taylor
Haggerty			

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?

The SPEAKER. Okay. Now, members, these amendments have been withdrawn, as I understand it, and I just want to make sure that I am correct on these.

Amendment 4855, Representative Dean, that is withdrawn? That is withdrawn.

Amendment 4856, filed by Representative Dean, is withdrawn? That is correct.

Amendment 4859 by Representative Bradford, that is withdrawn, sir? That is correct.

Amendment 4860 by Representative Bradford is withdrawn? Mr. BRADFORD. Correct.

The SPEAKER. And amendment 4862 is withdrawn, Representative Bradford?

Mr. BRADFORD. Correct.
The SPEAKER. Okay.

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

Mr. BRADFORD offered the following amendment No. **A04863**:

Amend Bill, page 1, line 1, by inserting after "for" where it occurs the first time

sexual and reproductive health organizations, for

Amend Bill, page 3, by inserting between lines 13 and 14

"Sexual and reproductive health organizations." Any organization which directly provides, or advocates for or against, issues

related to the sexual and reproductive health of women within this Commonwealth, including organizations which provide pregnancy and parenting support services.

Amend Bill, page 4, line 2, by inserting after "employee"
, with the exception of a charitable contribution to a
sexual or reproductive health organization, which is expressly
prohibited

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

The SPEAKER. On the amendment, Representative Bradford.

Mr. BRADFORD. Thank you, Mr. Speaker.

Again, and I will paraphrase some of what has been said, but I think I heard the majority whip say we should not use public money in the State payroll system to support political activity. Well, some of us who contribute through the State Employee Combined Appeal may be surprised to hear what the current deductions are that we all make as part of our payroll system. It does not matter what your politics are. There are options to contribute to Catholics United for Life – I am Catholic – Planned Parenthood International, or Real Alternatives. Now, I do not know what those names mean to you, but one might say that SECA, our State payroll system, I do not want to say has engaged in some de minimis political activity, but regardless of your opinion about any of those organizations, I have heard a lot about no, no; this is about the use of the State payroll system. This is about activity for a certain group, and I have heard that we are not going to be hypocrites. Here it is, Mr. Speaker, as clear as can be.

SECA, for all the great work they do – and I think we can all admit we support them – if we are honest, SECA has checkoffs that go to different organizations that some of us, based on our own politics, may or may not agree with. For those who do not like unions or those who decide to engage in collective action – our teachers, our firefighters, our policemen – maybe it is okay for you to support paycheck protection or right to work or whatever it is, but maybe your agenda happens to be socially conservative. Maybe you have a position on reproductive health, maybe you believe in a woman's right to choose, maybe you would like to end that right. Whatever your choice is, you should know that SECA, i.e., our State payroll system that has those deductions, is in play.

So again, prove we are not hypocrites, prove that purity is the standard and that is where we want to get. Then why do we not support this amendment, because if your politics line up with Planned Parenthood or Catholics United for Life or Real Alternatives or whatever your stand on the political spectrum – far left, far right, dead center, pro-labor, antilabor, pro-right to work – this is your chance to say, hey, we do not want to see the State Employee Combined Appeal or our State payroll system bastardized by such activity.

Again I would quote the majority whip, or paraphrase: we should not use public money in the State payroll system to support political activity.

So I say support amendment 4863 and let us know what your position is on Catholics United for Life, Planned Parenthood International, and Real Alternatives, because that is what is in front of us.

Thank you, Mr. Speaker. I look forward to your support for amendment 4863.

The SPEAKER. Chairman Daryl Metcalfe, on the amendment.

Mr. METCALFE. Thank you, Mr. Speaker.

Mr. Speaker, I rise in opposition to this amendment.

Once again, as the argument that I previously made, all of those organizations that the author of the amendment mentioned, they are not allowed to utilize payroll deduction to collect money that is sent to their political action committee that is designed to influence the outcome of elections. That is the difference. Those organizations might get contributions for those charitable organizations. Whether you agree with them or not, they might get contributions to the organization, the charitable organization, but not to their political action committee, which is what the focus of this bill is.

This bill would stop private political organizations that have created political action committees from utilizing payroll deduction to fill the coffers of their political action committee that is specifically used to give money to candidates and influence the outcome of elections. There is a clear contrast here in what the author is trying to do and what the bill does. This bill is about restoring integrity to ensure that the taxpayer resources are not used to collect political action committee money. The author of this amendment is trying to stop you from giving money to charitable organizations, not stop money from going to their PACs, because they do not currently get payroll deductions to their PACs.

It is just a flaw, a failure, a total collapse of the ability of one to think critically if they would support this. This is, as the author of the amendment said, an exercise of hypocrisy if you support this amendment.

Thank you, Mr. Speaker.

The SPEAKER. Representative Bradford, for the second time.

Mr. BRADFORD. Thank you, Mr. Speaker.

And let us be clear, I would never want to stop the gentleman from supporting the political activities of Planned Parenthood, but here is what I will remind the gentleman – a simple term, something I heard loud and clear when we debated insurance coverage for elective abortion under the Affordable Care Act – I was told many times that with Planned Parenthood, all funds are "fungible." I was told by the majority, many of whom are here today, that if we support any activity of Planned Parenthood, we support all the activity of Planned Parenthood. Let us be clear—

The SPEAKER. Sir, will you please suspend.

You may proceed. I apologize.

Mr. BRADFORD. Thank you.

I believe where I was was, if the gentleman wants to support Planned Parenthood, those funds are fungible, because during the ACA debate, it was made unbelievably clear for all of us that we had, we had to, we had an obligation to prohibit women from exercising—

POINT OF ORDER

The SPEAKER. Representative Metcalfe, what is your purpose in seeking recognition?

Mr. METCALFE. Point of order, Mr. Speaker.

The SPEAKER. Yes. You may proceed.

Mr. METCALFE. Mr. Speaker, to claim or to make a statement that is being made with sarcasm that is in fact not true – the gentleman knows that I am strongly pro-life and that to claim that I would support Planned Parenthood is an insult to me and is an attack on my reputation.

The SPEAKER. Please suspend. Both members, please suspend. Both members, please suspend.

The underlying bill prohibits certain public employee payroll deductions for political purposes. The amendment here prohibits payroll deductions for public employees if they should be made for charitable contributions to what has been identified as "sexual and reproductive health organizations." My understanding of the amendment is that the maker of the amendment would say you cannot deduct from any public employee's paycheck a contribution to sexual and reproductive health organizations, and I believe he is citing the example of Planned Parenthood. You could not contribute to – you could not deduct that from a paycheck.

It is not for any of us to decide whether it is tongue in cheek or not. Everybody takes the amendments on their merit. I would ask everybody not to reference a fellow member, which has happened here by both gentlemen in just the last— Please speak to the issues at hand. Both members, speak to the issues at hand.

At this time I am going to let Representative Bradford— Representative Bradford is going to be allowed to continue.

Representative Metcalfe, please approach the bench.

(Conference held at Speaker's podium.)

RECESS

The SPEAKER. The House will stand in recess. We will reconvene at 1:30. We will reconvene at 1:30.

RECESS EXTENDED

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

AFTER RECESS

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

CALENDAR CONTINUED

CONSIDERATION OF SB 166 CONTINUED

The SPEAKER. We are on amendment 4863. All members are called to the floor. We will be running the amendment here in short fashion. We were to be back at 2; it is 2:04.

All members, please report to the floor.

VOTE CORRECTIONS

The SPEAKER. Representative Vazquez is recognized on unanimous consent.

Mr. VAZQUEZ. Thank you, Mr. Speaker.

I missed the amendment, SB 166. I am sorry; SB 166, amendment 4854, I would like to, for the record, put it in the affirmative.

The SPEAKER. Thank you, sir.

Mr. VAZQUEZ. Thank you, Mr. Speaker.

The SPEAKER. Representative Nesbit, I apologize. You are recognized on unanimous consent.

Mr. NESBIT. Thank you, Mr. Speaker.

On SB 166, amendment 4852, my vote was not counted. I wish it to be in the negative.

The SPEAKER. Yes, sir. That will be so reflected.

CONSIDERATION OF SB 166 CONTINUED

The SPEAKER. Amendment 4863 – Representative Bradford, you wish to speak on the amendment?

LEAVE OF ABSENCE CANCELED

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

CONSIDERATION OF SB 166 CONTINUED

The SPEAKER. Representative Vitali, you are recognized.

Mr. VITALI. I just want interrogation, please. Would the maker stand for interrogation?

The SPEAKER. The maker of the amendment?

Mr. VITALI. Could the maker just give a brief explanation of the amendment?

The SPEAKER. Yes, the gentleman has indicated he will stand for interrogation and you may proceed with your questions.

Mr. VITALI. Could you give a brief explanation of the amendment?

Mr. BRADFORD. Thank you.

So as you know, the State Employees Combined Appeal is an opportunity using our State payroll system for any employee of the Commonwealth to check off and have that portion of their salary that they determine go to any one of a number of charitable and civic community groups that they choose. It is kind of like giving, in the private sector, through your United Way checkoff, very similar. So we use our payroll system to support those causes in the Commonwealth.

Mr. VITALI. And that is existing law?

Mr. BRADFORD. Yes. SECA, the State Employee Combined Appeal.

Mr. VITALI. And how would your amendment change existing law?

Mr. BRADFORD. So what it would do in particular is it would prohibit funds from going to any sexual or reproductive health advocacy organization. In particular, SECA currently funds organizations from a broad variety within the spectrum, everything from Catholics United for Life, Planned Parenthood International, and Real Alternatives. So it would prohibit funds going to those organizations that advocate on behalf of the issues of sexual and reproductive health.

Mr. VITALI. It would prohibit that?

Mr. BRADFORD. It would prohibit them, correct.

Mr. VITALI. What are good policy reasons in support of your amendment? What would be the reasons? Mr.

BRADFORD. Consistency, sir. I think what you would see, with all due, the argument that is being advanced by those of the underlying bill is that any use of the State payroll system that goes for deductions, in particular, this bill, the underlying bill targets those who choose to be represented by a collective-bargaining agreement. It would prohibit them from engaging in advocacy, and the argument – which I believe is spurious – but the argument underlying that is the belief that any use, no matter how de minimis, of the State payroll system, any deduction, any payroll deduction, somehow – and I think the gentleman from Butler, his view was it was tantamount to legislators stealing money to build a campaign based, similar to the Bonusgate fiasco, that basically any use of that type of payroll system was a criminal enterprise, and he was making that analogy.

What I have tried to do in the interest of consistency is say, look, we allow, through SECA currently, very understandably, these types of appeals to go forward. These individual groups engage in advocacy related to issues of reproductive health, many of them like Planned Parenthood I support; you may well support, some of them, Catholics United for Life. We may have different opinions about them, but regardless of what your position is, if the underlying gentleman in his position is consistent, then clearly he would want to prohibit these such uses as well.

And again, I think it goes down to my point earlier about hypocrisy and about targeting. If this is really what I believe it is, which is about targeting schoolteachers and those who are covered by a collective-bargaining agreement, well then prove me wrong and also target these other groups.

But what I fear is that this is part of a larger group, a larger movement to take away the rights of those who seek, through collective bargaining, the ability to fight for the little guy, and I think that is shameful. This amendment I believe puts a spotlight on that hypocrisy.

Mr. VITALI. Thank you. That ends my interrogation. I do not wish to speak on the amendment.

The SPEAKER. Representative Bradford, I believe— Okay, it is a continuation of your second time. No, it is second.

Mr. BRADFORD. Thank you, Mr. Speaker.

As you know, I have offered this amendment, which I think has drawn more scrutiny than it may otherwise deserve. Again, in response to the interrogation that just finished, I think a clear light was shined on this issue. The majority whip stated very succinctly, and again I paraphrase, that we should not use public money in the State payroll system to support political activity. If you believe that, and I believe that the gentleman is sincere, then SECA, which uses our State payroll system to make deductions, supports organizations that range from the most benign to those who engage in advocacy, in the issues of sexual and reproductive health advocacy. SECA provides options to contribute to Catholics United for Life, Planned Parenthood International, and Real Alternatives.

And I believe the gentleman went on further, and the good gentleman from Butler in particular, and said that, well, this is totally different. This is more like the gentleman from Lancaster's amendment, which proposed to cut off funding to private organizations. And the point I was trying to make before I was cut off, and the point I make now is, let us be clear: the arguments going back to the debate on this floor a few months

ago underlying the reason why those who wanted to prohibit elective abortion coverage under the ACA were, if one dime, if one penny went to an organization, an abortion service provider – maybe Planned Parenthood, maybe some other – but if one dime went to such an organization, because funding is fungible and the argument was made very clearly that if we supported any endeavor of Planned Parenthood – whether it is advocacy, health care, whether it is cancer screenings – it was tantamount to support of abortion.

Now, most of us, and I believe I was one who said that is an absurd extension of where we want to go, but as you have seen in these other amendments that have been offered by the minority party, when the absurdity and the de minimis exceptions are shown to the majority, they have been unwilling or unable to admit the hypocrisy that underlies these choices. So what I would say is, if you believe that funding even one penny to Planned Parenthood or one penny to an organization like Real Alternatives is therefore supporting their underlying services, then you should have no problem supporting this amendment. If it is your right to use the State payroll system to check off and to support these organizations, then the gentleman's point who I believe – from Butler – was trying to make, that you are not supporting the whole umbrella. You know, we are just using SECA to support Aflac; that does not mean we support the entire insurance company's agenda. Well, again, if you are just supporting Planned Parenthood or alternatively the Real Alternatives Program, you are not supporting their whole agenda. Again I would say I think such arguments show the hypocrisy underlying this whole issue.

We see us targeting those working-class individuals who want to advocate through a collective-bargaining agreement. We make arguments that it is really about the use, no matter how de minimis, no matter how small, about our State payroll system. The argument they try to make is therefore, we are all dirtied by that, but again, they carve out big corporations. You can have a checkoff for Aflac or Nationwide or you name the insurer; that is fine, despite the fact that they may advocate for political causes that many in this room find abhorrent. I am sure a lot of them may not have been big fans of the Affordable Care Act and their advocacy may not line up with the progressive ideals that I hold in my heart, but for those who believe that through SECA, who support an organization like Planned Parenthood, and because those funds are fungible, if you support one dime to Planned Parenthood, the point was made many times during the ACA debate that you supported all of it.

So this amendment is your chance to prove that you are sincere about your desire. So let us see the amendment and let us see the vote and let us see whether we will be hypocrites once again.

Thank you, Mr. Speaker.

The SPEAKER. Representative Cutler.

Mr. CUTLER. Thank you, Mr. Speaker.

Mr. Speaker, again the gentleman has tried to artfully draft an amendment claiming to go after one thing while performing the bait-and-switch right in front of us. The bill as it is currently drafted only deals with payroll deductions for State and Federal campaign contributions; again, that hard money that goes directly to candidates. What the gentleman is attempting to do is conflate the two issues and say that money given to a company for any purpose is somehow funneled for political advocacy or direct campaign contributions, and that is not what is happening.

Mr. Speaker, despite the gentleman's assertion that funding is fungible, that is actually illegal. Corporations cannot give direct donations to candidates. They cannot do it in the Commonwealth, and yet the gentleman is trying to confuse the two issues and upset the debate and pull it off of its main focus, which was what I opened with.

This bill is solely about direct campaign contributions to political individuals. This amendment does not do that. Additionally, despite the gentleman's claim that this is consistent, I would like to point out that it only deals with the sexual and reproductive health organizations that he listed, no other charitable donation. A charity that might go after and pursue to eradicate homelessness or any other charitable organization that we might willfully support, he does not target those. I do not understand the policy decision to pursue solely this route, particularly when the gentleman is inaccurate in how this would be applied.

I would urge a "no" vote.

The SPEAKER. Representative Sturla.

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of the Bradford amendment. You know, what we heard was, do not go for the Bradford amendment, because after all, corporations cannot donate directly to candidates. *Citizens United* says corporations are people and they can do those sorts of things. Now, it may be in State law that we say we cannot, but beyond that, corporations contribute to 527 PACs all the time. That money goes directly to candidates. And what has been said is that if you can hide it, if you put it through a pass-through entity where it is not where the public can see it, that is okay; that you are going to say yes to, but if there is a direct line between where those funds are going, then that you are going to try to make illegal.

Mr. Speaker, the Bradford amendment makes eminent sense in trying to correct what the other proponents of this bill say they are trying to do. Without it, it is simply an assault on working men and women in the State of Pennsylvania.

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

On the question recurring,

Will the House agree to the amendment?

(Members proceeded to vote.)

LEAVE OF ABSENCE CANCELED

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

CONSIDERATION OF SB 166 CONTINUED

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS-71

Barbin	Dawkins	Kim	Ravenstahl
Bizzarro	Dean	Kinsey	Readshaw
Boyle	Deasy	Kirkland	Roebuck
Bradford	DeLissio	Kortz	Rozzi
Briggs	Dermody	Krueger	Sainato

Brown, V.	Donatucci	Kulik	Samuelson
Bullock	Driscoll	Longietti	Schlossberg
Burns	Evans	Madden	Schwayer
Carroll	Fitzgerald	Markosek	Sims
Cephas	Flynn	Matzie	Snyder
Comitta	Frankel	Miller, D.	Solomon
Conklin	Freeman	Mullery	Sturla
Costa, D.	Gainey	Neilson	Thomas
Costa, P.	Galloway	Neuman	Vazquez
Cruz	Goodman	O'Brien	Warren
Daley	Hanna	Pashinski	Wheatley
Davidson	Harkins	Petrarca	Youngblood
Davis	Kavulich	Rabb	

NAYS-119

Baker	Fritz	Maloney	Roae
Barrar	Gabler	Marshall	Roe
Benninghoff	Gillen	Marsico	Rothman
Bernstine	Gillespie	Masser	Ryan
Bloom	Godshall	Mehaffie	Saccone
Boback	Greiner	Mentzer	Sankey
Brown, R.	Grove	Metcalfe	Santora
Caltagirone	Hahn	Metzgar	Saylor
Causer	Harper	Miccarelli	Schemel
Charlton	Harris, A.	Millard	Simmons
Christiana	Heffley	Miller, B.	Sonney
Cook	Helm	Milne	Staats
Corbin	Hennessey	Moul	Stephens
Corr	Hickernell	Murt	Tallman
Cox	Hill	Mustio	Tobash
Culver	Irvin	Nelson	Toepel
Cutler	James	Nesbit	Toohil
Day	Jozwiak	O'Neill	Topper
Delozier	Kampf	Oberlander	Vitali
Diamond	Kaufer	Peifer	Walsh
DiGirolamo	Kauffman	Petri	Ward
Dowling	Keefer	Pickett	Warner
Dunbar	Keller, F.	Pyle	Watson
Dush	Keller, M.K.	Quigley	Wentling
Ellis	Klunk	Quinn, C.	Wheeland
Emrick	Knowles	Quinn, M.	White
English	Lawrence	Rader	Zimmerman
Evankovich	Lewis	Rapp	
Everett	Mackenzie	Reed	Turzai,
Farry	Mako	Reese	Speaker
Fee			

NOT VOTING-0

EXCUSED-11

DeLuca	Harris, J.	McCarter	Ortitay
Fabrizio	Keller, W.	McClinton	Taylor
Haggerty	Maher	McGinnis	

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?

The SPEAKER. Amendment 4864; Representative Bradford, are you withdrawing that amendment? Yes. It is withdrawn.

Amendment 4866, I believe it is; Representative Bradford, is that withdrawn? It is withdrawn.

Amendment 4867, Representative Bradford, that is withdrawn, 4867? It is withdrawn.

Amendment 4868, Representative Bradford, is that withdrawn? 4868 is withdrawn.

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

Mrs. **DEAN** offered the following amendment No. **A04869**:

Amend Bill, page 1, lines 8 through 15, by striking out all of said lines

2 Amend Bill, page 1, line 16, by striking out "3" and inserting

Amend Bill, page 2, by inserting between lines 18 and 19 "Employee organization." An employee organization as defined under the act of July 23, 1970 (P.L.563, No.195), known as the Public Employe Relations Act.

3 Amend Bill, page 3, line 16, by striking out "4" and inserting

Amend Bill, page 3, line 17, by striking out "may not" and inserting shall

Amend Bill, page 3, lines 19 through 28, by striking out ", except as" in line 19 and all of lines 20 through 28 and inserting

. A collective bargaining agreement entered into, renewed or extended on or after the effective date of this subsection shall contain provisions requiring the employee organization to reimburse the public employer for the reasonable administrative costs incurred in the collection and transmission of the political contributions.

4 Amend Bill, page 4, line 16, by striking out "5" and inserting

Amend Bill, page 4, line 18, by striking out "4" and inserting 3

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

The **SPEAKER**. Representative Dean, you may proceed.

Mrs. **DEAN**. Thank you, Mr. Speaker.

Amendment 4869 I offer in the spirit of this bill. What it would do is it would require that any collective- bargaining agreement entered into, renewed, or extended would be required to have a provision in it requiring the employee organization to reimburse the public employee for any reasonable administrative costs incurred in the collection or transmission of a political contribution. So this is protecting the employer, the State, in the expense of administrative costs.

It is within the spirit of this bill, and let me point out to you what we are really talking about. We have asked the Treasurer, what is it? What does it cost to administer some sort of contribution in this way? And I think you will be pleased to know the answer. The Treasurer estimates that it is \$100 statewide. The cost to administer these contributions: approximately \$100. So what this amendment would do is logically follow this bill and say that those costs, that \$100 would be reimbursed to the State. I think that is a wise way to go if we are talking about the spirit of this bill.

Thank you, Mr. Speaker.

The **SPEAKER**. On the amendment, Chairman Daryl Metcalfe, on the amendment.

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

Mr. Speaker, I rise to ask for opposition to this amendment. I would ask for a "no" vote.

Ultimately, amendment A04869, as written, we believe would actually require that employees provide money to the political action committees, all of these organizations, not that it would allow them to choose so willfully but that it would actually require that they do so, and that the State would then,

government would then deduct that money, give that to that political action committee, and then be reimbursed for the cost of the collection. But I believe, as drafted, this amendment actually mandates that someone would have to give to that union when they otherwise might not choose to.

But once again this is just totally going an opposite direction from what the intent of the bill has been drafted. The intent of the bill is to ensure that it is not allowed legally for a private political organization to utilize taxpayer resources to collect money that is then going directly to political action committees to be utilized for candidates and influencing the outcomes of elections, Mr. Speaker.

I would ask for a "no" vote.

The **SPEAKER**. Okay, I have, having risen, Representative Barbin first, Representative Dush second, Representative DiGirolamo third. It was in that order that everybody requested to be recognized.

Representative Barbin, followed by Representative Dush, followed by Representative DiGirolamo.

Mr. **BARBIN**. Thank you, Mr. Speaker.

I rise in support of this amendment for fairness. The stated purpose of the bill is that it is unfair for those who decide to work in a public-sector union to be able to use the deduction process or process of the government to deduct those fees necessary for them to have the right to bargain collectively. That is what it says. The amendment says that if we are going to be fair, we really should be looking at if that is what your stated reason is, that is fine. What is the cost? Let us have those public-sector unions carry the cost.

This amendment cuts through all the rest of the amendments. This is the one that says what the argument is really about. The argument is really about, are ironworkers allowed to collectively bargain? Are electricians allowed to collectively bargain? How do we weaken those unions so that they no longer have the same rights as everybody else in the Commonwealth to represent themselves?

I do not believe that is what "We the people" means; I think "We the people" means government is allowed to provide laws that are neutral or fair to whatever your positions are. This amendment puts the stated reason of the bill into question, a vote for the amendment allows a fairness to be imposed by charging for any costs the State might have, and considering all the other amendments that are for other political activities that have all been voted down, this one amendment could at least say, here in the General Assembly, representing all of the people of the Commonwealth, we are going to be fair about how this deduction process works for people who choose to be represented and they choose to enter into collective bargaining. This is not a requirement that says you have to allow for political contributions to be made. It says that if you are part of a union and you agree to that and you want the deduction because you want it to be there so that you can stand up and say, "I want to be represented by a collective-bargaining agent" then you have the right to do that. Any cost to do that would be covered by this amendment.

Again I ask for support for this amendment because it is fair.

The **SPEAKER**. Representative Dush.

Mr. **DUSH**. Thank you, Mr. Speaker.

Would the maker of the amendment rise for brief interrogation?

The **SPEAKER**. She has indicated she will so stand.

Mr. DUSH. Thank you, Mr. Speaker.

Mr. Speaker, are you aware that if I as a member of the House were to be standing outside and talking with a constituent and he asked for some campaign literature and I only had one piece of it and I wanted to go back into my office and make a quick photocopy of that and bring it back out, that would be illegal as a member of the House for me to do that? Now, it is no more ethical for me to be able to go back for a piece of paper that is costing less than a fraction of a penny, even if I were to drop a penny back into the Commonwealth's budget to reimburse for it. It is no more ethical. It is no more proper for the Commonwealth to provide that initial copy than it would be – as speaking as a longtime retired union member – it is no more ethical for the State to collect money on the behalf of a political action committee—

Mrs. DEAN. Mr. Speaker? I believe this was interrogation.

POINT OF ORDER

The SPEAKER. Representative Barbin, for what purpose do you rise?

Mr. BARBIN. Per House rules, interrogation is very specific. It is, ask a question for which you do not know the answer. The argument that has been made so far is really intended to be made on the bill, or on the amendment. I would ask the Speaker to direct the—

The SPEAKER. Okay. Is there a specific question for the—

Mr. DUSH. Mr. Speaker, actually, I got into this— The gentleman is correct; I did, I strayed off. I will just make this a comment, rather, on the bill, or the amendment, if I may.

The SPEAKER. Okay. Please. So we are no longer proceeding with interrogation, and on the bill?

Mr. DUSH. That is correct.

The SPEAKER. On the amendment, I mean.

Mr. DUSH. It is improper for any use of State resources to be collected for the express purpose of a political campaign or a political action committee, just like it would be for me, as I said, with a piece of paper, making a copy for a fraction of a penny. It is also, again, I have been on the union side of this thing, so this is not against the unions; this is a matter of ethics. This is a matter of what is right and what is wrong. Collecting money for the express purpose of a political campaign, you cannot reimburse the State for that, not in any ethical sense, because you are forcing employees who actually work in the personnel office to actually process that even though they may have objections.

So for this reason, this is a strictly ethical issue. We do not have any good ethical reason for us to actually be— The reimbursement does not make it right.

Thank you, Mr. Speaker.

The SPEAKER. Representative DiGirolamo.

Mr. DiGIROLAMO. Thank you, Mr. Speaker.

I rise in support of the gentlelady's amendment. If you are against what is in the underlying bill as I am, and I know many of you on both sides of the aisle are, this amendment makes all the sense in the world to include. This allows the collective bargaining that goes on throughout the State to work like it was intended to do, and if there is any cost that is associated with the deductions from the entity or the unions, that allows that entity to reimburse the Commonwealth.

It makes all the sense in the world. I ask for an affirmative vote. Thank you.

The SPEAKER. Representative Cutler.

Mr. CUTLER. Thank you, Mr. Speaker.

Mr. Speaker, I understand why many members might want to support the bill that is found on page 4 because it talks about the reimbursement, which is existing law in our existing labor contracts. And while I have had the privilege of working with the gentlelady on some other issues where we do agree, this is one where we disagree. And I do not believe this was the gentlelady's intent, however, if you read the bill, page 3, starting at line 20. The bill, with the amendment engrossed, would read: "A public employer shall deduct from the wages of a public employee A POLITICAL CONTRIBUTION." They "shall" deduct a political contribution. It is not modified by if the worker signs up. It is not modified by should they elect to do so. It simply says, they "shall" collect, which would imply that each and every worker shall have a political contribution excised from their check. I do not believe that that was the original intent, but for that reason I believe that this amendment should be opposed.

Mr. Speaker, one of the prior speakers talked about having the same rights, and I agree. I agree that everybody should have the same rights. Every other political organization, every other PAC in the Commonwealth utilizes their own fundraising structure.

Mr. Speaker, it is time that we bring this section of the law into compliance with what everybody else is doing. Please oppose the amendment.

The SPEAKER. Representative Dean, for the second time.

Mrs. DEAN. Thank you, Mr. Speaker.

Make no mistake, I want to be clear: I firmly believe that SB 166 is a thinly veiled attempt by some special interest groups to silence the voices of working people. Let us be clear what we are doing here today. We are trying to hurt working people. So what I am trying to do is to modify a bill that has that at its heart to say, if you really care about the use of State dollars, I want to get those State dollars reimbursed to you while being fair to employees, while protecting their wages. We can do both. We can protect the State's resources. As I say, we can make sure that that \$100 statewide is reimbursed, at the same time that we are fair to workers, that we are fair and protective of their collective-bargaining rights.

We have serious problems here and think of the time we have spent on this, time spent trying to hurt working people and their right to bargain. We have serious problems. We have wasted far more resources than the \$100 I am trying to help you protect.

Please support this amendment and support working Pennsylvanians.

On the question recurring,

Will the House agree to the amendment?

(Members proceeded to vote.)

LEAVE OF ABSENCE

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

CONSIDERATION OF SB 166 CONTINUED

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

The following roll call was recorded:

YEAS—83

Barbin	Dawkins	Kinsey	Readshaw
Barrar	Dean	Kirkland	Roebuck
Bizzarro	Deasy	Kortz	Rozzi
Boback	DeLissio	Krueger	Sainato
Boyle	Dermody	Kulik	Samuelson
Bradford	DiGirolamo	Longietti	Santora
Briggs	Donatucci	Madden	Schlossberg
Brown, V.	Driscoll	Markosek	Schweyer
Burns	Evans	Matzie	Sims
Caltagirone	Fitzgerald	Miccarelli	Snyder
Carroll	Flynn	Millard	Solomon
Cephas	Frankel	Miller, D.	Stephens
Charlton	Freeman	Mullery	Sturla
Comitta	Gainey	Murt	Thomas
Conklin	Galloway	Neilson	Vazquez
Costa, D.	Goodman	Neuman	Vitali
Costa, P.	Hanna	O'Brien	Warren
Cruz	Harkins	Pashinski	Wheatley
Daley	Kaufer	Petrarca	White
Davidson	Kavulich	Rabb	Youngblood
Davis	Kim	Ravenstahl	

NAYS—105

Baker	Gabler	Mako	Roae
Benninghoff	Gillen	Maloney	Roe
Bernstine	Gillespie	Marshall	Rothman
Bloom	Godshall	Marsico	Ryan
Brown, R.	Greiner	Masser	Saccone
Causar	Grove	Mehaffie	Sankey
Christiana	Hahn	Mentzer	Saylor
Cook	Harper	Metcalfe	Schemel
Corbin	Harris, A.	Metzgar	Simmons
Corr	Heffley	Miller, B.	Sonney
Cox	Helm	Milne	Staats
Culver	Hennessey	Moul	Tallman
Cutler	Hickernell	Mustio	Tobash
Day	Hill	Nelson	Toepel
Delozier	Irvin	Nesbit	Toohil
Diamond	James	O'Neill	Topper
Dowling	Jozwiak	Oberlander	Walsh
Dunbar	Kampf	Peifer	Ward
Dush	Kauffman	Pickett	Warner
Ellis	Keefer	Pyle	Watson
Emrick	Keller, F.	Quigley	Wentling
English	Keller, M.K.	Quinn, C.	Wheeland
Evankovich	Klunk	Quinn, M.	Zimmerman
Everett	Knowles	Rader	
Farry	Lawrence	Rapp	Turzai,
Fee	Lewis	Reed	Speaker
Fritz	Mackenzie	Reese	

NOT VOTING—1

Petri

EXCUSED—12

Bullock	Haggerty	Maher	McGinnis
DeLuca	Harris, J.	McCarter	Ortity
Fabrizio	Keller, W.	McClinton	Taylor

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?

The SPEAKER. Mr. Bradford calls up amendment 4871. That is withdrawn.

Mr. Bradford calls up amendment 4874. We are going to call them up as we see fit. Yes, we are on amendment 4874. That is withdrawn.

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

Ms. **KRUEGER** offered the following amendment No. **A04875**:

Amend Bill, page 3, lines 24 through 28, by striking out "A collective" in line 24 and all of lines 25 through 28

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

The SPEAKER. On the amendment, Representative Krueger-Braneky.

Ms. KRUEGER. Thank you, Mr. Speaker.

I have offered this amendment because this bill, SB 166, infringes on local control and the bargaining process. I believe that this chamber should not be in the business of legislating what can and cannot be included in a collective-bargaining agreement. School board directors are an important part of local government. They are elected by their communities and empowered by their voters to bargain in good faith. This chamber should not be getting in their way and superseding our power onto theirs. We already burden our local schools with too many unfunded mandates from this building.

I hope my colleagues will join me in voting "yes" to support our local school board directors and voting "yes" on this amendment.

The SPEAKER. On the amendment, Representative Daryl Metcalfe.

Mr. METCALFE. Thank you, Mr. Speaker.

Mr. Speaker, I ask for opposition to this amendment and ask for a "no" vote. This amendment just does not pertain to negotiations that would be had by school boards and school districts, but also any public employer. Ultimately, the amendment, by removing the prohibition against future collective-bargaining agreements to allow political contribution wage deductions, ultimately, that would be in conflict, as it is removed with the intent of the bill and ultimately the language of the bill that would still be in play which would still not allow for government to utilize taxpayer resources to collect money out of a worker's paycheck to then deliver it to a union's political action committee to then be given to candidates or to try to influence the outcome of an election.

So the amendment would really have no effect, because ultimately, it would still be illegal under the language of the law that remains that they could not take those out. And this is not a matter of allowing people to do what they choose at the local level. This is ensuring that we have integrity across the State,

that no one in government is allowed to utilize taxpayer resources to collect money that is specifically designated to go to a political action committee of a political organization to be utilized to elect candidates and influence elections. It is not allowed for legislators to try and use taxpayer resources; we have seen them go to jail. It is not allowed for judges; we have seen the same types of convictions.

Mr. Speaker, this should not be allowed for the unions either, and that is why, to make the law consistent with the way all policy should be in the State of Pennsylvania, we need to make sure that these political contributions are not being collected at taxpayer expense.

Thank you, Mr. Speaker.

The SPEAKER. Does anybody wish to speak on this amendment?

Representative Cutler and then Representative Krueger-Braneky.

Mr. CUTLER. Thank you, Mr. Speaker.

Mr. Speaker, I think this is an unfortunate amendment because it is once again trying to confuse the underlying issue. I will bring us back to what the underlying issue is, and that is dealing with direct campaign contributions collected for one group of individuals through State government resources. That is what this is about. That is what the underlying bill is about. And this amendment as drafted simply attempts to further confuse the issue as to how it would be applied.

But on top of that, Mr. Speaker, the amendment is not drafted correctly. When you look at page 3, lines 24 through 28 being struck out from the bill, it eliminates the language in the bill that prohibits the future collective-bargaining agreements, but it does not – and this important – it does not get rid of the bill's general prohibition on wage deductions by public employers.

Mr. Speaker, as a matter of basic law, the statute cannot be overridden by future collective-bargaining agreements. Mr. Speaker, if it is illegal and it is out of bounds as drafted in this current bill, very simply, you cannot enter into a contract to engage in a prohibited activity; therefore, the amendment as drafted is confusing, and I urge a "no" vote.

The SPEAKER. Representative Krueger-Braneky.

Ms. KRUEGER. Thank you, Mr. Speaker.

With all due respect to my colleagues on the other side of the aisle, I respectfully disagree. And it is convenient to say that an amendment is drafted in a confusing way when you disagree with it.

My amendment is four simple lines that prohibit this chamber from meddling in future collective-bargaining agreements, and I ask my colleagues to support the amendment and vote "yes."

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

The following roll call was recorded:

YEAS—75

Barbin	Dean	Kinsey	Readshaw
Bizzarro	Deasy	Kirkland	Roebuck
Boyle	DeLissio	Kortz	Rozzi
Bradford	Dermody	Krueger	Sainato
Briggs	DiGirolamo	Kulik	Samuelson

Brown, V.	Donatucci	Longietti	Schlossberg
Burns	Driscoll	Madden	Schweyer
Caltagirone	Evans	Markosek	Sims
Carroll	Fitzgerald	Matzie	Snyder
Cephas	Flynn	Miller, D.	Solomon
Comitta	Frankel	Mullery	Sturla
Conklin	Freeman	Murt	Thomas
Costa, D.	Gainey	Neilson	Vazquez
Costa, P.	Galloway	Neuman	Vitali
Cruz	Goodman	O'Brien	Warren
Daley	Hanna	Pashinski	Wheatley
Davidson	Harkins	Petrarca	White
Davis	Kavulich	Rabb	Youngblood
Dawkins	Kim	Ravenstahl	

NAYS—114

Baker	Fritz	Mako	Reese
Barrar	Gabler	Maloney	Roae
Benninghoff	Gillen	Marshall	Roe
Bernstine	Gillespie	Marsico	Rothman
Bloom	Godshall	Masser	Ryan
Boback	Greiner	Mehaffie	Saccone
Brown, R.	Grove	Mentzer	Sankey
Causer	Hahn	Metcalfe	Santora
Charlton	Harper	Metzgar	Saylor
Christiana	Harris, A.	Miccarelli	Schemel
Cook	Heffley	Millard	Simmons
Corbin	Helm	Miller, B.	Sonney
Corr	Hennessey	Milne	Staats
Cox	Hickernell	Moul	Stephens
Culver	Hill	Mustio	Tallman
Cutler	Irvin	Nelson	Tobash
Day	James	Nesbit	Toepel
DeLozier	Jozwiak	O'Neill	Toohil
Diamond	Kampf	Oberlander	Topper
Dowling	Kaufman	Peifer	Walsh
Dunbar	Kauffman	Petri	Ward
Dush	Keefer	Pickett	Warner
Ellis	Keller, F.	Pyle	Watson
Emrick	Keller, M.K.	Quigley	Wentling
English	Klunk	Quinn, C.	Wheeland
Evankovich	Knowles	Quinn, M.	Zimmerman
Everett	Lawrence	Rader	
Farry	Lewis	Rapp	Turzai,
Fee	Mackenzie	Reed	Speaker

NOT VOTING—0

EXCUSED—12

Bullock	Haggerty	Maher	McGinnis
DeLuca	Harris, J.	McCarter	Ortitay
Fabrizio	Keller, W.	McClinton	Taylor

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

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

Mr. **BRADFORD** offered the following amendment
No. **A04876**:

Amend Bill, page 4, line 18, by striking out "in 60 days" and inserting

January 1, 2019

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

The SPEAKER. On the amendment, Representative Bradford.

Mr. BRADFORD. Thank you, Mr. Speaker.

This amendment is, again, just a few words, and instead of having the effective date going into effect in 60 days, it goes into effect January 1, 2019.

In keeping with the debate of the last several days where this body seemed to go out of its way to want to make sure that multinational gas companies were given time to deal with the ramifications of a shale tax, it seems only fair that we would extend the same to our teachers and our nurses and our State employees. If we are concerned about creating disruption in the market, maybe we should be as concerned for those who work here in Pennsylvania as those corporations who make profits here in Pennsylvania.

Thank you, Mr. Speaker.

The SPEAKER. Chairman Daryl Metcalfe, on the amendment, please.

Mr. METCALFE. Thank you, Mr. Speaker.

Mr. Speaker, I rise to ask for opposition to this amendment. Ultimately, Mr. Speaker, I think an understanding of the bill would help you to realize that this amendment is truly not needed because this legislation does not affect current collective-bargaining agreements. It only will affect them when they are up for renegotiation. So all this provision would do would be to extend the status quo for another period of time, until January 1, 2019, to allow more collective-bargaining agreements to go into place that would continue this corrupt practice of having the government collect the money that goes directly to the political action committees of unions that is used to support candidates or try and influence elections.

So ultimately, this just continues the current policy instead of helping anybody that is in a current contract. Current contracts would not be impacted. It would happen as those contracts came up for renewal, and that is when the law would be imposed that they would not be allowed to negotiate, that they would not be allowed to use taxpayer resources any longer, regardless of the amount, because of the issue of integrity. It is just not right. People went to jail for using taxpayer resources out of this General Assembly, and rightly so, and we should not allow for unions to use taxpayer resources to collect their political contributions either, Mr. Speaker.

The SPEAKER. Representative Bradford, on the amendment for the second time, I believe.

Mr. BRADFORD. Thank you, Mr. Speaker.

I believe the gentleman stated that this amendment was not needed, but then his explanation really was why he was opposed to it. There is a difference, I believe, between an amendment not being needed and being opposed to it.

I would simply state, if you are opposed to this, that is your absolute right, and I believe he has that right. But again, to continue to conflate crooked politicians – which we are unable to do any reform regarding the political activity of the legislature – with those of schoolteachers and, you know, my kids' sixth grade teacher as somehow akin to those who brought shame upon themselves in this institution I think is wholly inappropriate, and frankly, misses the point. This is the right of individuals to make voluntary PAC contributions.

Now, again, we can argue about our campaign finance system here in Pennsylvania, and I think we would be right to have a discussion about *Citizens United* and the impact of big

corporate money in our system, but again, to just take out those whom you disagree with, and again, I think your explanation proved you do not agree with these types of amendments because there is an agenda to attack working people; again conflating working people with crooked politicians and not giving the same advantages to those who work here in Pennsylvania that you would give to multinational corporations strikes me as the very heart of hypocrisy.

So I would ask for support of this amendment.

The SPEAKER. Do any other members – before I call on Chairman Metcalfe or Majority Whip Cutler – do any other members wish to speak?

Okay. Chairman Metcalfe.

Majority Whip Cutler.

Mr. CUTLER. Thank you, Mr. Speaker.

Mr. Speaker, in regards to this extension, I think it is important to note the impact, as the chairman pointed out previously. This does not impact existing contracts because that would be a constitutional issue. What it does allow is for the expiration of those contracts over their natural course going forward. However, the effective date only impacts those contracts that are negotiated 60 days after the enactment of this legislation, as opposed to the gentleman's amendment which seeks to push it out a little over 2 years.

And while I appreciate the gentleman's appeal to the freedom of speech and the constitutional rights associated with the freedom of association, it is yet again an attempt to confuse the issue. When you look at the underlying bill, all it says is that State assets will not be used to collect campaign contributions that are given directly to candidates. That is it; nothing more, nothing less. And I agree that everybody has a constitutional right to engage in that activity; however, the *Pocatello Education Association* that was decided by the United States Supreme Court in 2009 clearly says the State is under no obligation to act as the collection agent for that freedom of speech.

It is important to recognize that pushing out this enactment date will simply further enshrine a corrupt practice. If it is wrong today or it is wrong in 60 days, then it is also wrong in 2 years. We should stop it now. Please oppose the amendment.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—80

Barbin	Dawkins	Kim	Ravenstahl
Bizzarro	Dean	Kinsey	Readshaw
Boback	Deasy	Kirkland	Roebuck
Boyle	DeLissio	Kortz	Rozzi
Bradford	Dermody	Krueger	Sainato
Briggs	DiGirolamo	Kulik	Samuelson
Brown, V.	Donatucci	Longietti	Santora
Burns	Driscoll	Madden	Schlossberg
Caltagirone	Evans	Markosek	Schweyer
Carroll	Fitzgerald	Matzie	Sims
Cephas	Flynn	Miccarelli	Snyder
Charlton	Frankel	Miller, D.	Solomon
Comitta	Freeman	Mullery	Sturla
Conklin	Gainey	Murt	Thomas
Costa, D.	Galloway	Neilson	Vazquez
Costa, P.	Goodman	Neuman	Vitali

Cruz	Hanna	O'Brien	Warren
Daley	Harkins	Pashinski	Wheatley
Davidson	Hill	Petrarca	White
Davis	Kavulich	Rabb	Youngblood

NAYS—108

Baker	Gabler	Marshall	Roae
Barrar	Gillen	Marsico	Roe
Benninghoff	Gillespie	Masser	Rothman
Bernstine	Godshall	Mehaffie	Ryan
Bloom	Greiner	Mentzer	Saccone
Brown, R.	Grove	Metcalfe	Sankey
Causar	Hahn	Metzgar	Saylor
Christiana	Harper	Millard	Schemel
Cook	Heffley	Miller, B.	Simmons
Corbin	Helm	Milne	Sonney
Corr	Hennessey	Moul	Staats
Cox	Hickernell	Mustio	Stephens
Culver	Irvin	Nelson	Tallman
Cutler	James	Nesbit	Tobash
Day	Jozwiak	O'Neill	Toepel
Delozier	Kampf	Oberlander	Toohil
Diamond	Kaufer	Peifer	Topper
Dowling	Kauffman	Petri	Walsh
Dunbar	Keefer	Pickett	Ward
Dush	Keller, F.	Pyle	Warner
Ellis	Keller, M.K.	Quigley	Watson
Emrick	Klunk	Quinn, C.	Wentling
English	Knowles	Quinn, M.	Wheeland
Evankovich	Lawrence	Rader	Zimmerman
Everett	Lewis	Rapp	
Farry	Mackenzie	Reed	Turzai,
Fee	Mako	Reese	Speaker
Fritz	Maloney		

NOT VOTING—1

Harris, A.

EXCUSED—12

Bullock	Haggerty	Maher	McGinnis
DeLuca	Harris, J.	McCarter	Ortitay
Fabrizio	Keller, W.	McClinton	Taylor

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?

The SPEAKER. My understanding is, Representative Bradford – tell me, please, if this is correct – you have withdrawn amendment 4904? Yes, that is withdrawn.

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

Mr. **JOZWIAK** offered the following amendment No. **A04907**:

Amend Bill, page 3, line 10, by inserting after "1949."
The term does not include:

(1) An employee of a public employer who is subject to the act of June 24, 1968 (P.L.237, No.111), referred to as the Policemen and Firemen Collective Bargaining Act.

(2) An employee of a public employer who is not permitted to strike under section 1001 of the act of July 23, 1970 (P.L.563, No.195), known as the Public Employe Relations Act.

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

AMENDMENT WITHDRAWN

The SPEAKER. Representative Jozwiak, on the amendment.
Mr. JOZWIAK. Thank you, Mr. Speaker.

This amendment exempts law enforcement, corrections officers, and firefighters from this bill. It exempts them from this PAC money. Now, yesterday when we put the amendment in it – well, the amendment that has been in for a while – that was the attitude of the police officers. So this morning I spoke to the State Troopers Association and I also spoke to the State F.O.P. (Fraternal Order of Police), and both of them request that I withdraw this amendment.

So my amendment is being withdrawn.

The SPEAKER. The amendment is withdrawn.

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

The SPEAKER. Representative Corbin, I understand your amendment is withdrawn? Correct. Okay; thank you.

VOTE CORRECTION

The SPEAKER. Representative Kristin Phillips-Hill is recognized; for what purpose do you rise?

Mrs. HILL. Mr. Speaker, on the last vote, on amendment 04876, I was recorded in the affirmative and would like to be recorded in the negative.

The SPEAKER. Yes; you will be so recorded.

Mrs. HILL. Thank you, Mr. Speaker.

CONSIDERATION OF SB 166 CONTINUED

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

Ms. **DALEY** offered the following amendment No. **A04912**:

Amend Bill, page 2, by inserting between lines 18 and 19
"Charitable contribution." A contribution to a benevolent, educational, philanthropic, humane, scientific, patriotic, social welfare or advocacy, public health, environmental conservation, civic or other eleemosynary organization.

Amend Bill, page 3, line 19, by inserting after
"CONTRIBUTION"

or charitable contribution

Amend Bill, page 3, line 23, by inserting after "contribution"

or charitable contribution

Amend Bill, page 3, line 28, by inserting after "contributions"

or charitable contributions

Amend Bill, page 4, lines 1 and 2, by striking out all of said lines

Amend Bill, page 4, line 8, by striking out "(2)" and inserting

(1)

Amend Bill, page 4, line 13, by striking out "(3)" and inserting

(2)

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

The SPEAKER. Representative Daley, on the amendment. You may proceed.

Ms. DALEY. Thank you, Mr. Speaker.

I rise to offer amendment A04912, which would prohibit the ability of public employees to make contributions to charitable organizations via payroll deduction. While SB 166 expressly permits payroll deductions for contributions to a charitable organization, I have concern that this does not address the intent or purpose of the bill as stated by its supporters.

The State Employee Combined Appeal, SECA, is the Commonwealth's annual combined charitable giving campaign for public employees. Commonwealth employees have the option to support charitable organizations through recurring or one-time payroll deductions. In reviewing the list of organizations that receive charitable contributions through SECA, dozens of them are identified in Pennsylvania's lobbying disclosure directory and are engaged in some form of political activity. I support many of these SECA organizations and my intent with A04912 is not to impede their charitable mission or their fundraising efforts, but if the will of this body is to not allow a public employee to choose to utilize the convenience of deducting moneys from his or her payroll for their collective political voice, then the same should apply to using payroll deductions for charitable contributions to organizations that engage in political activity.

Thank you, Mr. Speaker.

The SPEAKER. Representative Vitali, on the amendment.

Mr. VITALI. Would the maker stand for brief interrogation?

The SPEAKER. She did give a brief summary.

Mr. VITALI. I know. It was not sinking in, though.

The SPEAKER. Well, if you have a specific question about the amendment, that is fine. If you do not, then that would not be interrogation. If you are looking for a brief summary, you might be able to get that from staff.

Mr. VITALI. Would the lady stand for brief interrogation?

The SPEAKER. Yes, she will.

Mr. VITALI. Give me an example again of how this would play out. I am just trying to understand how this would play out. Could you give me an example?

Ms. DALEY. An example?

Mr. VITALI. Yeah, yeah.

Ms. DALEY. Okay. There is a recent example of a Pennsylvania-based charitable organization called Gateway to Re-Entry in Philly, and it has accepted moneys from a candidate for Governor and State Senator seeking to benefit his campaign, and we know this because there are vans that he has given to this nonprofit organization that are currently carrying his campaign advertising on the sides of them, and so that seems in direct conflict with nonprofits being able to accept this kind of a contribution.

Mr. VITALI. Right. So your amendment would prohibit charitable organizations from— Who would be doing the deducting under this scenario?

Ms. DALEY. The State employee payroll system.

Mr. VITALI. And they do it right now?

Ms. DALEY. They do; the same as they do the political contributions that are at the heart of this bill.

Mr. VITALI. Okay. Thank you.

Ms. DALEY. Thank you.

The SPEAKER. Representative Metcalfe, on the amendment.

Mr. METCALFE. Thank you, Mr. Speaker.

I rise in opposition to amendment A04912 that is seeking to prohibit payroll deductions for charitable contributions. And this is similar to what we saw earlier to an earlier amendment that was very limited for specific charitable contributions, but once again the intent of this bill is to stop payroll deductions, not from going to an organization, but from going to an organization's political action committee that is then utilized to support candidates or influence the outcome of an election. So to try and shut down all payroll deductions to all charitable contributions would be a great disservice, of course, to those charities that are doing a lot of good in the lives of Pennsylvanians.

I oppose this amendment. Once again, it is just seeking to try and distract from what the real issue here is. These charitable organizations are not allowed to receive money into their PACs from payroll deductions, as currently unions are. We just want to stop the unions from collecting, through payroll deduction, the money that is specifically used for them to support candidates and try to influence elections, Mr. Speaker.

Legislators have gone to jail for that. Judges have been convicted of that. It is time to stop it for the unions too. Vote "no" on the amendment.

The SPEAKER. Do any other members wish to speak on the amendment other than the maker of the amendment, Representative Daley; the chair, Representative Metcalfe; and the majority whip, Representative Cutler? Do any other members wish to speak on the amendment?

Representative Daley, the floor is yours.

Ms. DALEY. Thank you, Mr. Speaker.

You can take a look at an article that was on WHYY recently under "Philly re-entry group's vans bear ads for Pa. gubernatorial candidate." Philly Re-Entry is a nonprofit, and yet they have vans going around the city with their name on it, "Gateway to Re-Entry" and their Web site, and then on the back of it is a political advertisement that reads, "Scott Wagner for Governor." I think that this is a clear example of the potential that charitable organizations have for mixing themselves up with a political campaign. It is not really clear why this would be permitted, but the picture of it, if you go and google that, is very clear.

And so we know that some of the nonprofits are lobbying and are political, and I understand that that is not towards the PAC, but the example that I just gave you is a clear incidence of a van showing a political candidate for Governor and the name of the nonprofit. So that this is the kind of thing that does happen, and maybe it is a post-*Citizens United* world we are living in, but there certainly is not any transparency in how that happened.

So I would ask for a positive vote on this amendment. Thank you, Mr. Speaker.

The SPEAKER. Representative Metcalfe or Representative Cutler, the majority whip.

Mr. CUTLER. Thank you, Mr. Speaker.

Mr. Speaker, I think it is important to note what this amendment actually does in the manner that it is drafted. A section of the labor law currently allows people who have a religious objection to designate another entity or charity, potentially, as the recipient of their fair share dollars. I had a constituent back home who was my former 10th grade math

teacher who chose to do such a thing. The amendment as drafted would prohibit her from selecting that charity. It would violate the Public Employee Fair Share Fee Law of 1993 that is in the Administrative Code.

Additionally, Mr. Speaker, as we discussed before – and I understand the gentlelady's concerns that she brought up regarding advertising – but the truth is, any group can advertise in that setting. We see billboards by both corporations and unions along the highway. We see other advertisements; that is outside the scope of the money that is collected through the Commonwealth's payroll system.

That is what this bill is about, that is what it should stay focused on, and this amendment should be defeated. Please vote "no."

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

The following roll call was recorded:

YEAS—70

Barbin	Dawkins	Kim	Petrarca
Bizzarro	Dean	Kinsey	Rabb
Boyle	Deasy	Kirkland	Ravenstahl
Bradford	DeLissio	Kortz	Readshaw
Briggs	Dermody	Krueger	Roebuck
Brown, V.	DiGirolamo	Kulik	Rozzi
Burns	Donatucci	Longietti	Sainato
Caltagirone	Driscoll	Madden	Schlossberg
Carroll	Evans	Markosek	Sims
Cephas	Fitzgerald	Matzie	Snyder
Comitta	Flynn	Miller, D.	Solomon
Conklin	Frankel	Mullery	Sturla
Costa, D.	Gainey	Murt	Thomas
Costa, P.	Galloway	Neilson	Vazquez
Cruz	Goodman	Neuman	Warren
Daley	Hanna	O'Brien	Wheatley
Davidson	Harkins	Pashinski	Youngblood
Davis	Kavulich		

NAYS—119

Baker	Gabler	Marshall	Rothman
Barrar	Gillen	Marsico	Ryan
Benninghoff	Gillespie	Masser	Saccone
Bernstine	Godshall	Mehaffie	Samuelson
Bloom	Greiner	Mentzer	Sankey
Boback	Grove	Metcalfe	Santora
Brown, R.	Hahn	Metzgar	Saylor
Causar	Harper	Miccarelli	Schemel
Charlton	Harris, A.	Millard	Schweyer
Christiana	Heffley	Miller, B.	Simmons
Cook	Helm	Milne	Sonney
Corbin	Hennessey	Moul	Staats
Corr	Hickernell	Mustio	Stephens
Cox	Hill	Nelson	Tallman
Culver	Irvin	Nesbit	Tobash
Cutler	James	O'Neill	Toepel
Day	Jozwiak	Oberlander	Toohil
Delozier	Kampf	Peifer	Topper
Diamond	Kaufner	Petri	Vitali
Dowling	Kauffman	Pickett	Walsh
Dunbar	Keefer	Pyle	Ward
Dush	Keller, F.	Quigley	Warner
Ellis	Keller, M.K.	Quinn, C.	Watson
Emrick	Klunk	Quinn, M.	Wentling
English	Knowles	Rader	Wheeland
Evankovich	Lawrence	Rapp	White
Everett	Lewis	Reed	Zimmerman

Farry	Mackenzie	Reese	
Fee	Mako	Roae	Turzai,
Freeman	Maloney	Roe	Speaker
Fritz			

NOT VOTING—0

EXCUSED—12

Bullock	Haggerty	Maher	McGinnis
DeLuca	Harris, J.	McCarter	Ortity
Fabrizio	Keller, W.	McClinton	Taylor

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

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

Mr. **ENGLISH** offered the following amendment
No. **A04991**:

Amend Bill, page 3, line 17, by striking out "A" and inserting
Except as provided under subsection (b), a
Amend Bill, page 3, line 19, by striking out "except as" and
inserting
unless
Amend Bill, page 3, line 24, by inserting after "employee"
except as provided under subsection (b)
Amend Bill, page 3, line 28, by inserting after "contributions"
except as provided under subsection (b)
Amend Bill, page 3, by inserting between lines 28 and 29
(b) Applicability.—The provisions under subsection (a) shall not
apply if the employee agrees to have \$1 deducted from the employee's
wages per paycheck to cover costs associated with making the
deduction.
Amend Bill, page 3, line 29, by striking out "(b) Applicability"
and inserting
(c) Construction

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

The **SPEAKER**. Representative Hal English.
Mr. **ENGLISH**. Thank you, Mr. Speaker.

This is one of four proposals that I have drafted for consideration. It is not meant to be political, but practical. And looking at, for the convenience of the employee and looking at revenue for the Commonwealth, but I also— I hope my intent is at this point – I am going to withdraw these amendments – but – hold on – I come from a district, as the chairman referenced, that the previous member of this House and the previous member of the Senate, well, that is how I got to office, because that House member went to jail and another Senator became Representative, and then when the Senator departed to go to jail, that Representative moved up there, so I am keenly aware and I do not wish to conflict all the members of this body with these amendments in that it might send a mixed signal, so I do not want to confuse the actual underlying issue.

But what I do hope is, because it is discretionary by the administration to seek to do a charge for the employee to withdraw a paycheck, my stubby-pencil calculations would be, with all the **SERS** (State Employees' Retirement System) and

PSERS (Public School Employees' Retirement System) members, this particular amendment was \$1 a paycheck. I also had other versions to be \$1 a month and \$1 quarterly, or just the price of a postage stamp. So there are various variations there, but it could be as low as \$1.9 million and it could be as high as \$12.4 million, and I think in the days that we are looking for some revenue, that would be a good option for the executive branch to make that decision. This executive branch and the previous one have chosen not to do that, but I think that is food for thought.

AMENDMENTS WITHDRAWN

Mr. ENGLISH. So respectfully, Mr. Speaker, I withdraw amendments A04991, A04992, A04993, and A04994. Thank you very much.

The SPEAKER. So amendments 4991, 4992, 4993, and 4994 are all withdrawn.

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

The SPEAKER. We are on amendment 4924. Representative Bradford? That is withdrawn.

Amendment 4925, I understand, is withdrawn.

Amendment 4927? That is withdrawn.

Amendment 4928? Withdrawn.

Amendment 4934? Withdrawn.

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

Mrs. **SNYDER** offered the following amendment No. **A04938**:

Amend Bill, page 1, line 1, by striking out "for protection of paychecks of certain workers and"

Amend Bill, page 1, lines 6 and 7, by striking out "Protection of Public Employee Wages" and inserting

Public and Private Political Contributions

Amend Bill, page 1, line 13, by striking out "public"

Amend Bill, page 1, line 15, by striking out "public"

Amend Bill, page 3, by inserting between lines 6 and 7

"Private employee." An individual employed by a private employer. The term includes individuals with ownership rights in the entity.

"Private employer." All for-profit and nonprofit entities conducting business in this Commonwealth that have previously or are currently receiving taxpayer funds in the form of loans, grants, tax incentives, State appropriations, contracts or any other financial support provided in whole or in part by the Commonwealth or its political subdivisions.

Amend Bill, page 3, line 12, by inserting after "district"
, charter school or cyber charter school

Amend Bill, page 3, line 14, by inserting after "salary"
, bonuses

Amend Bill, page 3, line 16, by striking out "Protection of public employee wages" and inserting

Payroll deduction for political contributions

Amend Bill, page 3, line 17, by striking out "A public" and inserting

An

Amend Bill, page 3, line 18, by striking out "a public" and inserting

an

Amend Bill, page 3, line 22, by inserting after "section" or a contract or employment agreement between a private employer and a private employee

Amend Bill, page 3, line 24, by striking out "a public" and inserting

an

Amend Bill, page 3, line 25, by inserting after "agreement", contract or employment agreement

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

an

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

The SPEAKER. On the amendment, Representative Pam Snyder, the maker of the amendment, is recognized.

Mrs. SNYDER. Thank you, Mr. Speaker.

This amendment is quite simple. It does two things that we should be concerned about in everything we do in this body: being consistent and being fair. If we are going to prevent political deductions for public employees in our public schools, it should apply to cyber and charter schools and private employers receiving public funds.

I would ask for an affirmative vote.

The SPEAKER. On the amendment, Chairman Metcalfe.

Mr. METCALFE. Thank you, Mr. Speaker.

I would ask for a "no" vote on the amendment. Once again it is kind of taking us off track from what the underlying issue of the legislation is that we are trying to address. We are trying to ensure that we have consistent policy across the State, but just as we have seen government officials in the judiciary and in the legislature prosecuted for using taxpayer resources for campaign purposes, that we should not be utilizing or allowing to be used taxpayer resources to collect the political action committee contributions that unions receive to directly try and influence elections. I mean, this seeks to go after companies that are ultimately receiving some type of grant or some type of funding from the government. This is not about those companies and what they are getting through deductions for trying to influence elections. This has nothing to do with PACs that those companies have created as a result of that money. This is totally a separate issue. This is dealing with – our underlying issue is trying to stop unions from utilizing taxpayer resources to directly collect money that is going into their political action committee.

This is a totally different issue. It is off track from legislation. I ask for a "no" vote.

The SPEAKER. Does anybody else wish to be recognized, on the floor, on this amendment? Representative Pam Snyder, for the second time.

Mrs. SNYDER. Thank you, Mr. Speaker.

Here again, I think if we are truly looking to be good public stewards of public funds, then we should be concerned with all public entities that receive those public funds and where those political contributions are going.

So I would ask for an affirmative vote. Thank you very much.

The SPEAKER. The majority whip, Representative Cutler, is recognized on the amendment.

Mr. CUTLER. Thank you, Mr. Speaker.

Mr. Speaker, the bill as currently written seeks to only prohibit the payroll deduction of State and Federal campaign

contributions from public employees utilizing the public payroll. I understand the gentlelady's amendment and I certainly appreciate her efforts; however, I think that it is drafted overly broad by including loans, grants, tax incentives, State appropriations, contracts, or any other financial support provided. And when you start looking at all of those, Mr. Speaker, I believe that that creates a scenario, for example, where if U.S. Steel were to accept any of those items, they would not be allowed to deduct from their private payroll system those same items.

That is well afield of the goal of this bill, which is to stop the use of public assets. Perhaps that is a debate that is best left for another day, and I do not believe the gentlelady meant to include all of those employers who could potentially be ensnared with the broad language.

For that reason I urge focus on the bill and I urge a "no" vote on the amendment.

The SPEAKER. Representative Neuman.

Mr. NEUMAN. Thank you, Mr. Speaker.

The argument that this should wait for another day is an argument that I heard years ago on an amendment that is similar to this when you are dealing with pay-to-play politics, private sectors receiving government funds and then in turn giving them back to elected officials. Those bills have never seen the light of day. We have not had a fruitful discussion about those serious, serious problems. You want to talk about individuals going to prison? There are plenty of individuals that have been in trouble for taking taxpayer dollars and then giving it back as campaign contributions, and they are making millions and millions of dollars off of our taxpayers in road projects and other projects.

So this is an example where we can tell the private sector and people that are receiving government funds that they should not be meddling in politics in order to influence, to get their friends here so then they can receive more government funding. So I believe that this amendment is worthy of our consideration. We should vote "yes" and we should not believe the rhetoric that we are going to come back to this one day, because I have been waiting probably 4 or 5 years to have this discussion and it has never happened.

So I would request a "yes" vote. Thank you.

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

The following roll call was recorded:

YEAS—72

Barbin	Dawkins	Kavulich	Petrarca
Bizzarro	Dean	Kim	Rabb
Boyle	Deasy	Kinsey	Ravenstahl
Bradford	DeLissio	Kirkland	Readshaw
Briggs	Dermodly	Kortz	Roebuck
Brown, V.	DiGirolamo	Krueger	Rozzi
Burns	Donatucci	Kulik	Sainato
Caltagirone	Driscoll	Longietti	Samuelson
Carroll	Evans	Madden	Schlossberg
Cephas	Fitzgerald	Markosek	Schweyer
Comitta	Flynn	Matzie	Sims
Conklin	Frankel	Miller, D.	Snyder
Costa, D.	Freeman	Mullery	Solomon
Costa, P.	Gainey	Murt	Sturla

Cruz	Galloway	Neilson	Thomas
Daley	Goodman	Neuman	Vazquez
Davidson	Hanna	O'Brien	Warren
Davis	Harkins	Pashinski	Youngblood

NAYS—117

Baker	Gabler	Marshall	Rothman
Barrar	Gillen	Marsico	Ryan
Benninghoff	Gillespie	Masser	Saccone
Bernstine	Godshall	Mehaffie	Sankey
Bloom	Greiner	Mentzer	Santora
Boback	Grove	Metcalfe	Saylor
Brown, R.	Hahn	Metzgar	Schemel
Causer	Harper	Miccarelli	Simmons
Charlton	Harris, A.	Millard	Sonney
Christiana	Heffley	Miller, B.	Staats
Cook	Helm	Milne	Stephens
Corbin	Hennessey	Moul	Tallman
Corr	Hickernell	Mustio	Tobash
Cox	Hill	Nelson	Toepel
Culver	Irvin	Nesbit	Toohil
Cutler	James	O'Neill	Topper
Day	Jozwiak	Oberlander	Vitali
Delozier	Kampf	Peifer	Walsh
Diamond	Kaufner	Petri	Ward
Dowling	Kauffman	Pickett	Warner
Dunbar	Keefer	Pyle	Watson
Dush	Keller, F.	Quigley	Wentling
Ellis	Keller, M.K.	Quinn, C.	Wheatley
Emrick	Klunk	Quinn, M.	Wheeland
English	Knowles	Rader	White
Evankovich	Lawrence	Rapp	Zimmerman
Everett	Lewis	Reed	
Farry	Mackenzie	Reese	Turzai,
Fee	Mako	Roae	Speaker
Fritz	Maloney	Roe	

NOT VOTING—0

EXCUSED—12

Bullock	Haggerty	Maher	McGinnis
DeLuca	Harris, J.	McCarter	Ortitay
Fabrizio	Keller, W.	McClinton	Taylor

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?

Ms. **KRUEGER** offered the following amendment
No. **A04870**:

Amend Bill, page 3, line 7, by striking out all of said line and inserting

"Public employee." The following:

(1) An individual employed by a public

Amend Bill, page 3, by inserting between lines 10 and 11

(2) A public official as defined under 65 Pa.C.S. § 1102

(relating to definitions).

Amend Bill, page 3, line 11, by inserting after "Commonwealth," the General Assembly of the Commonwealth,

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

The SPEAKER. Representative Krueger-Braneky is recognized on the amendment.

Ms. KRUEGER. Thank you, Mr. Speaker.

Simply put, this amendment would ensure that members of this chamber and our colleagues in the Senate are subject to the same provisions as those we seek to impose upon our fellow public employees. In the 2 1/2 years that I have been here, Mr. Speaker, I have noticed that sometimes in this chamber we like to exempt ourselves from the same provisions that we seek to inflict on other workers. This happened during the pension debate last year, for example, when some members wanted one pension system for themselves and another system for State workers.

Currently SB 166 does not clearly capture a public official; for example, those of us who are elected to serve and represent the interests of our constituents here in the General Assembly. It is important that whatever limitations are imposed upon the collective political voice of public servants we must also impose upon ourselves if we are to be fair.

I oppose SB 166 and I will not be supporting the bill upon final passage, but I do believe that if the will of this body is to adopt such legislation that it must apply to all public employees and not exempt those of us currently elected to serve the people of this great Commonwealth. Fundamentally, I believe that it is just not fair for this legislature to unfairly target hardworking teachers or nurses or firefighters or police officers, while we are not willing to put the same restrictions on ourselves.

Please join me in voting "yes" for this amendment. Thank you, Mr. Speaker.

PARLIAMENTARY INQUIRY

AMENDMENT DIVIDED

The SPEAKER. Representative Metcalfe is recognized on the amendment.

Mr. METCALFE. Thank you, Mr. Speaker.

Mr. Speaker, before I speak on the amendment, may I make a parliamentary inquiry?

The SPEAKER. Yes, you certainly may.

Mr. METCALFE. Mr. Speaker, I am inquiring as to whether amendment A04870 can be divided between lines 7 and 8.

The SPEAKER. Yes. In consultation with the Parliamentarian, it can be so divided.

Mr. METCALFE. Thank you, Mr. Speaker.

I request that amendment A04870 be divided between lines 7 and 8 so that the first part of the amendment, lines 1 through 7, can be considered as a separate question from the second part, lines 8 through 10. This division will result in distinct and separate provisions.

Mr. Speaker, I would support the adoption of the first part of the amendment, lines 1 through 7, because this would add into coverage of the bill public officials, and thus, ensure that elected officials could not utilize public resources to deduct political contributions from their paychecks. I believe current law, current rules already would not allow that. I believe that, based on past prosecutions, that would be evidence to that fact. But I also believe that this language, as adopted in those first seven lines, as we divide that, that that language would strengthen and ensure that everyone knows – including every township official, every borough official, every county commissioner across the

State – that it would be very clear that they are not allowed to use taxpayer resources for campaign purposes.

The SPEAKER. Yes, sir. Thank you.

The motion in front of us then is this: it is a motion to divide the amendment into two parts. The first part that would remain in the amendment is lines 1 through 7 of the amendment as drafted. Lines 8 and 9 and 10 would not be in this amendment but would become a separate amendment.

So right now we have a motion to divide, and the motion says that lines 1 through 7 would remain in this particular amendment, whereas lines 8 through 10 would have to be encompassed in a separate amendment to be voted upon.

So the first motion will be, should we divide the amendment? It is divisible, but it can only be divided by a vote of this House.

My error. We are making the decision that that is divisible, so the first vote will be – I apologize – the first vote will be on part 1, lines 1 through 7 of the amendment. Then we will take a second vote on the second part of the amendment. And it is divisible; the Speaker's ruling is that it is divisible.

On the question,

Will the House agree to part 1 of the amendment?

PARLIAMENTARY INQUIRY

The SPEAKER. So the Chair now calls on Representative Krueger-Braneky.

Ms. KRUEGER. Mr. Speaker, parliamentary inquiry, please.

The SPEAKER. Yes. You certainly may proceed.

Ms. KRUEGER. So I have not yet witnessed us dividing amendments on the floor. Can you clarify for me, as a new member, what process are we engaging in right now?

The SPEAKER. Yes. I will be honest, I think this will be the first time that I am ruling on a division of an amendment, so let me make sure that I check with the Parliamentarian. I have seen it as a member, but I have not ruled on it myself as the Speaker.

Please turn to rule 63. In consultation with the Parliamentarian, "Any member may call for a division of a question by the House, if it comprehends propositions so distinct and separate that one being taken away, the other will stand as a complete proposition for the decision of the House."

Now, it does not happen on its own. A member has to ask for that, because sometimes we do have amendments that contain more than one area of the law.

So again, "Any member may call for a division of a question by the House, if it comprehends propositions so distinct and separate that one being taken away, the other will stand as a complete proposition for the decision of the House." It does not mean that we are not going to vote on the second part, because we will. You will have a vote on both. You just will not be voting on them together.

PARLIAMENTARY INQUIRY

The SPEAKER. Representative Santora, for what purpose do you rise, sir?

Mr. SANTORA. Just a further point of clarification.

The SPEAKER. Yes, sir.

Mr. SANTORA. If this goes through, the first vote that we are going to do is to divide and take lines 1 through 7?

The SPEAKER. No. I misstated that and then I corrected myself.

I have made the decision to divide, based on the request. It had to be requested. The Speaker makes the decision if it is divisible. We have so decided that it is divisible under rule 63, so when we vote, we will be voting on lines 1 through 7, as this amendment. We will take a separate vote on lines 8 through 10.

Mr. SANTORA. May I interrogate the chairman briefly?

The SPEAKER. Yes, you certainly may, and the good gentleman has indicated he will so stand.

Mr. SANTORA. I just want to be clear: lines 1 through 7 are the public employee or the public elected official piece?

Mr. METCALFE. Lines 1 through 7 would add additional language to ensure that everyone across the State knows that elected officials are also covered by this legislation.

As I mentioned, I do believe that the current Ethics Law, the current rules of our House, and I believe that the past prosecutions speak to that as evidence, that in fact current law does not allow this, but I think it is good language to add in to ensure that every local elected official, along with everybody here, knows you are not allowed to do this.

So I support the first vote on lines 1 through 7 being added to the bill.

Mr. SANTORA. And then the second piece will be—

Mr. METCALFE. The second piece is not needed, because currently the Commonwealth is addressed there, which would include the judiciary branch, the legislature, and the executive branch. So by just spelling out the General Assembly in the second portion could confuse the issue that the judiciary will be exempted, say? So the second portion is not needed because it is already covered, but the first portion will, I think, strengthen the bill and strengthen the message that we are trying to stop this type of behavior across the State.

Mr. SANTORA. Thank you, Mr. Speaker.

Mr. METCALFE. Thank you, Mr. Speaker.

The SPEAKER. Okay. There are members, Representative Sturla and Representative DeLissio, but Representative Krueger-Braneky, I believe, has a parliamentary inquiry, which should go first.

PARLIAMENTARY INQUIRY

The SPEAKER. Representative Krueger-Braneky, you should proceed.

Ms. KRUEGER. So, Mr. Speaker, given that my amendment has been divided on the floor without my permission, would it be in order for me to withdraw the first part of the amendment?

The SPEAKER. Yes, it is in your— First of all, nobody needs permission to divide. The rules provide for division, and then the Speaker does so based on the rule. But yes, you may withdraw that amendment.

PART 1 OF AMENDMENT WITHDRAWN

Ms. KRUEGER. Okay. Thank you, Mr. Speaker.

This is a new rule that I have learned today that I plan to use in the future, so thank you for educating me.

I want to go ahead and withdraw the first part of my amendment.

The SPEAKER. Okay. So amendment 4870-1, which is lines 1 through 7, has been – and this is in consultation with the Parliamentarian – has been withdrawn. Yes.

So the next amendment would be— I apologize to Representatives Sturla and DeLissio, but I just presume that, given that the amendment was withdrawn, that you did not have anything to raise.

PARLIAMENTARY INQUIRY

The SPEAKER. Representative Sturla, parliamentary inquiry?

Mr. STURLA. Parliamentary inquiry, Mr. Speaker.

The SPEAKER. Yes. You may proceed.

Mr. STURLA. Mr. Speaker, given that the portion was withdrawn, I understand this may be moot, but in the event that a member who has an amendment does not seek to divide it but another member does, is permission always given for the division, or is that simply up to the ruling of the Chair—

The SPEAKER. Ruling of the Chair.

Mr. STURLA. —and then that ruling could be challenged as to whether—

The SPEAKER. Yes, absolutely.

Representative Sturla, you are completely correct on that.

Mr. STURLA. Thank you, Mr. Speaker.

The SPEAKER. Representative Sturla, first of all, so you are right, there could be three steps. The first step would be, it has to be raised by a member, and they ask for, under that rule, division of that. In looking at that, we have to, the Speaker and the Parliamentarian have to look at, can each of those sections stand on their own? Can they stand on their own? We make a ruling. You are right; the mere request of that does not grant that. The Speaker has to make a ruling, and that is subject to an appeal of the Chair. You are correct.

Mr. STURLA. Just as a point of clarification, even if you rule that it could be divisible, do you have the right to rule whether or not you will allow it to be divided on the floor of the House?

The SPEAKER. Like say I made the decision that it was not divisible.

Mr. STURLA. Well, or let us say—

The SPEAKER. That could be appealed too.

Mr. STURLA. Okay.

The SPEAKER. Either decision, once raised by a member seeking a ruling, as Speaker, I said, yes, this is divisible under the rule or, no, this is not divisible under the rule. Either of those rulings can be appealed as a ruling of the Chair.

Mr. STURLA. But if you make the decision that it is divisible, then you have to proceed with a divided amendment. Is that correct?

The SPEAKER. Correct, unless the body votes on an appeal of the Chair.

Mr. STURLA. Okay. Thank you, Mr. Speaker.

The SPEAKER. Yes.

Representative DeLissio, you may proceed.

Ms. DeLISSIO. Thank you, Mr. Speaker.

I just want to point out that during that whole discussion, for whatever reason, the amendment was not available on the screen so it was even more difficult to follow along.

The SPEAKER. Representative DeLissio, the only thing I would say, our staff has done a very good job of making sure everything is on the screen. Nobody stood up and said that the amendment was not on the screen.

Ms. DeLISSIO. That is why I was looking to be recognized, Mr. Speaker. Thank you.

The SPEAKER. And as you know, our members, the vast majority of the members are tracking, if not everybody, tracking the language on the screen. Our staff had it on the screen, and when I say "our staff," I mean your staff, not the Speaker's staff, but the staff for the House of Representatives had it on the screen.

Representative DeLissio, the entire amendment was definitely on the screen. It was; in fact, I just checked with everybody and that amendment was on the screen.

Ms. DeLISSIO. Correct, Mr. Speaker, and then I believe it was taken down. So then when we talked about the splitting, with it not in front, it became difficult to follow.

The SPEAKER. Yes, I understand. Thank you.

We have before us now amendment – and I will make sure; is it back on the screen? Everybody, is the amendment back on the screen? The amendment should be on the screen, the full amendment should be on the screen, because people could just reference the lines. The full amendment should be on the screen.

Do you want us to wait until— Okay. Are we dividing the amendment right now?

The entire amendment was on the screen, and then once it was – the entire amendment. So you could look at 1 through 7 and 8 through 10. You could do that.

It is now on. Is it on?

So then it was taken down by staff so that they could divide it. They took it down so they could divide it, but that was after the ruling on the divisibility. So now it should be back on.

The amendment right now will be 8 through 10. It will be 4870, part 2. It will be 4870, part 2, because part 1 has been withdrawn, and it is lines 8 through 10; 8 through 10 only.

On the question,

Will the House agree to part 2 of the amendment?

The SPEAKER. Representative Krueger-Braneky, on that amendment. I know you spoke overall, but you can start again with that part.

Ms. KRUEGER. Thank you, Mr. Speaker, and it has been interesting to watch the floor today with all of these legislative gymnastics happening.

Again, I have introduced this legislative amendment to SB 166 because I do not think that it is fair that we are treating ourselves, as members of this chamber and our colleagues in the other body, differently from the way we are treating our hardworking nurses and teachers and firefighters and police officers.

So I am asking my colleagues to join me in voting for this amendment so that we are treating ourselves the same way as every other public employee.

Thank you, Mr. Speaker.

The SPEAKER. Chairman Metcalfe, on amendment 4870-2.

Mr. METCALFE. Thank you, Mr. Speaker.

This has been a day of a lot of confusing information coming from the other side of the aisle. I oppose this amendment. You should vote "no," because this drafted language already covers

the General Assembly. This in fact would confuse it to make some think that the judiciary and the executive branch might actually be able to get away with this kind of behavior now.

Under the current language in the bill, "General Assembly" is already in the definition of "Commonwealth." "Commonwealth" is used in the current definition for "public employer." As used in the current definition, it includes General Assembly and it is also the prime sponsor's stated legislative intent from the LRB (Legislative Reference Bureau) opinion letter; we can reference that. So the current language, where we see that the Commonwealth is already covered, we do not need to insert the General Assembly after it, because the General Assembly is part of the Commonwealth, as described in the definition of "public employer," because we are included in that as public employer. We cannot do it under the language of this law. So adding this language in actually would confuse it to make some think and argue that the judiciary or the executive might still be allowed to.

So we have to ensure that we do not create confusion. Once again, the intent of the bill is to stop private political organizations, unions, from utilizing taxpayer resources to collect their money that goes directly to their PACs to influence elections to be given to candidates. The General Assembly cannot do that. We have seen prosecutions of anybody using taxpayer resources already. Current law, Ethics Law, the rules of this House – we are already not able to do this.

This bill includes the General Assembly in this. As I said earlier, lines 1 through 7 actually would have sent a very clear message to back up what is already the current practice, the current law, as evidenced by past prosecutions, but since the author did not seek to work together to actually adopt part of her language, I seek to oppose lines 8 through 10, which will just confuse the matter instead of keeping the intent of the legislation consistent with stopping any branch of government from doing this.

Thank you, Mr. Speaker.

The SPEAKER. Representative Conklin, then Representative Lawrence.

Representative Conklin waives off.

PARLIAMENTARY INQUIRY

The SPEAKER. Representative Lawrence, on the amendment.

Mr. LAWRENCE. Thank you, Mr. Speaker.

Parliamentary inquiry.

The SPEAKER. Yes, sir. You may proceed.

Mr. LAWRENCE. Thank you, Mr. Speaker.

I see on the board, and I have been trying to pay close attention to the debate to make sure I am following this properly, but I see on the board that the amendment A04870 is listed, and I am seeking clarification from the Chair. Has the full amendment been – I thought the first part had been withdrawn—

The SPEAKER. Yes, that is a fair inquiry.

Mr. LAWRENCE. —so are we currently considering the full amendment, or simply—

The SPEAKER. It should be listed to our staff as 4870-2.

It is technical in nature, and I apologize, Representative Lawrence. Let me just make it clear, because what you see on the board, I guess, is tied to what appears on the screens.

Amendment 4870 was divided. There is a 4870 part 1 and a 4870 part 2. But if they list "dash 2," unfortunately the amendment falls from the screens and we do not have time to change that.

So by leaving up A4870, although it is dash 2, it is dash 2, and I would let everybody know, if you are looking at the amendment, what remains of the amendment under dash 2 are lines 8 through 10.

You are not going to be voting on dash 1, which was withdrawn, which would be lines 1 through 7.

One other point of clarification. The reason, at least in part, that you do not see this very often, most amendments cannot really be divided because they cannot stand on their own. This one clearly could stand on its own. This one was not a close call. Both of these provisions could absolutely stand on their own. So that does not happen very often with amendments. If they do, of course, people have not had reason to bring it up. But it is 4870-2; as you are looking on your screens, it is lines 8 through 10.

You may proceed.

Mr. LAWRENCE. Thank you, Mr. Speaker.

I appreciate that clarification.

In light of that, it would be my view that had the dash 1 amendment not been withdrawn, then the dash 2 amendment could have been relevant in that it might have added additional clarification or might have given additional information. But in light of the fact that the dash 1 amendment has been withdrawn, I believe at this point the dash 2 amendment really would not make any sense if it was inserted into the bill.

So I would encourage my colleagues to vote "no" on the amendment, A04870-2.

Thank you, Mr. Speaker.

The SPEAKER. Okay, before I recognize the maker of the amendment and the majority whip, does anybody else wish to speak on the amendment?

Representative Krueger-Braneky, on the amendment.

Ms. KRUEGER. Yes, Mr. Speaker, I have been pretty clear on this. I am sorry that the floor has been confusing today. I withdrew the first part of my amendment because it was divided without my permission, but I think the second part of the amendment still stands strong if we do not want a double standard. If we believe that every public employee should be treated the same, then we will vote "yes" on this amendment.

The SPEAKER. The majority whip, Representative Bryan Cutler, on 4870-2.

Mr. CUTLER. Thank you, Mr. Speaker.

Mr. Speaker, like the gentleman from Chester County spoke, I could have supported lines 1 through 7 because I believe it added clarity to the existing law, even though it is quite clear that the term "Commonwealth" used in the current definition for "public employer" already includes the General Assembly, and I will be submitting and reading from an LRB legal opinion to that effect.

Additionally, I think it is important for the purposes of legislative intent, it is the prime sponsor's stated intent to include all public employees. Reading from the opinion, Mr. Speaker, it says, "In the absence of qualifying language, the use of the term 'Commonwealth' means all of Commonwealth government, and it is unnecessary to specifically state that the General Assembly is included within the meaning of 'Commonwealth.'"

Mr. Speaker, for legal reasons, this actually would raise a greater concern. By saying Commonwealth and following with General Assembly, it would imply that the public employees and the statute that are located in the judiciary and the executive were specifically excluded, because they were not mentioned on the underlying list. That is basic statutory construction.

Therefore, the second part of the amendment simply adds confusion to a term that already includes the General Assembly, and I would like to officially move the LRB legal opinion dated December 4, 2017, into the legislative record to demonstrate our legislative intent to include the "General Assembly" within the existing law and the existing terms.

Please vote "no" on the underlying amendment. Thank you, Mr. Speaker.

LEGAL OPINION SUBMITTED FOR THE RECORD

Mr. CUTLER submitted a legal opinion for the Legislative Journal.

(For legal opinion, see Appendix.)

On the question recurring,
Will the House agree to part 2 of the amendment?

The following roll call was recorded:

YEAS—71

Bizzarro	Dean	Kinsey	Readshaw
Boyle	Deasy	Kirkland	Roebuck
Bradford	DeLissio	Kortz	Rozzi
Briggs	Dermody	Krueger	Sainato
Brown, V.	Donatucci	Kulik	Samuelson
Burns	Driscoll	Longietti	Schlossberg
Caltagirone	Evans	Madden	Schweyer
Carroll	Fitzgerald	Markosek	Sims
Cephas	Flynn	Matzie	Snyder
Comitta	Frankel	Miller, D.	Solomon
Conklin	Freeman	Mullery	Sturla
Costa, D.	Gainey	Neilson	Thomas
Costa, P.	Galloway	Neuman	Vazquez
Cruz	Goodman	O'Brien	Vitali
Daley	Hanna	Pashinski	Warren
Davidson	Harkins	Petrarca	Wheatley
Davis	Kavulich	Rabb	Youngblood
Dawkins	Kim	Ravenstahl	

NAYS—118

Baker	Fee	Mako	Reese
Barbin	Fritz	Maloney	Roae
Barrar	Gabler	Marshall	Roe
Benninghoff	Gillen	Marsico	Rothman
Bernstine	Gillespie	Masser	Ryan
Bloom	Godshall	Mehaffie	Saccone
Boback	Greiner	Mentzer	Sankey
Brown, R.	Grove	Metcalfe	Santora
Causar	Hahn	Metzgar	Saylor
Charlton	Harper	Miccarelli	Schemel
Christiana	Harris, A.	Millard	Simmons
Cook	Heffley	Miller, B.	Sonney
Corbin	Helm	Milne	Staats
Corr	Hennessey	Moul	Stephens
Cox	Hickernell	Murt	Tallman
Culver	Hill	Mustio	Tobash
Cutler	Irvin	Nelson	Toepel
Day	James	Nesbit	Toohil

Delozier	Jozwiak	O'Neill	Topper
Diamond	Kampf	Oberlander	Walsh
DiGirolamo	Kaufer	Peifer	Ward
Dowling	Kauffman	Petri	Warner
Dunbar	Keefer	Pickett	Watson
Dush	Keller, F.	Pyle	Wentling
Ellis	Keller, M.K.	Quigley	Wheeland
Emrick	Klunk	Quinn, C.	White
English	Knowles	Quinn, M.	Zimmerman
Evankovich	Lawrence	Rader	
Everett	Lewis	Rapp	Turzai,
Farry	Mackenzie	Reed	Speaker

NOT VOTING—0

EXCUSED—12

Bullock	Haggerty	Maher	McGinnis
DeLuca	Harris, J.	McCarter	Ortitay
Fabrizio	Keller, W.	McClinton	Taylor

Less than the majority having voted in the affirmative, the question was determined in the negative and part 2 of the amendment was not agreed to.

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

The SPEAKER. My understanding is that there are no other amendments that have been filed. If I am mistaken on that, please, this is the time to raise it, because there were a number of amendments on this and I want to make sure that I have covered all the amendments that have been filed.

In consultation with the Parliamentarian and the leader's office, this is my understanding that these were all the amendments that have been filed.

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

RULES COMMITTEE MEETING

The SPEAKER. Representative Reed is recognized for an announcement.

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

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

The SPEAKER. Thank you, sir.

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

APPROPRIATIONS COMMITTEE MEETING

The SPEAKER. Representative Saylor, for a committee announcement, I believe. Thank you, sir, the Appropriations chair.

Mr. SAYLOR. Mr. Speaker, there will be an Appropriations meeting in the majority caucus room at 3:55 p.m.

The SPEAKER. Thank you, sir.

There will be an Appropriations meeting in the majority caucus room at 3:55 p.m.

REPUBLICAN CAUCUS

The SPEAKER. The majority caucus chair, for an announcement.

Mrs. TOEPEL. Thank you, Mr. Speaker.

Republicans will caucus at 4:15 p.m. We would be prepared to return to the floor at 5:15 p.m.

The SPEAKER. Thank you.

DEMOCRATIC CAUCUS

The SPEAKER. Representative Dan Frankel, the minority caucus chair, for an announcement, sir.

Mr. FRANKEL. Thank you, Mr. Speaker.

Democrats will caucus at 4:15 p.m. Democrats will caucus at 4:15 p.m.

ANNOUNCEMENT BY MR. METCALFE

The SPEAKER. Representative Metcalfe, for a committee announcement, sir, or maybe it is on unanimous consent.

Mr. METCALFE. Thank you, Mr. Speaker.

Mr. Speaker, when we left our meeting this morning, we had had plans to call a meeting from the floor to continue consideration of Representative Gabler's bill that we had brought before us this morning and asked for some time to go over it, based on a recent memo that was received from PennDOT through the Democratic chair and his staff and their members. Ultimately, we need more time to continue working with PennDOT and our legal counsel and the prime sponsor.

So at this time we are not going to be calling that meeting today, for the information of the members, but keep your ears open for a possible meeting tomorrow.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, sir.

VOTE CORRECTION

The SPEAKER. Representative Karen Boback, for what purpose do you rise?

Ms. BOBACK. To correct the record, Mr. Speaker.

The SPEAKER. Yes, you may proceed.

Ms. BOBACK. On amendment 4876, I was recorded "yes." It should have been a "no."

The SPEAKER. Thank you. On amendment 4876?

Ms. BOBACK. Yes.

The SPEAKER. Your remarks will be reflected in the record.

Ms. BOBACK. Thank you, Mr. Speaker.

HUMAN SERVICES COMMITTEE MEETING

The SPEAKER. Representative Gene DiGirolamo.

Mr. DiGIROLAMO. An announcement, Mr. Speaker.

The SPEAKER. Yes, sir. You may proceed.

Mr. DiGIROLAMO. To the members of the Human Services Committee, tomorrow we have a public hearing at 9 o'clock in room 60, East Wing. Before the public hearing, we are going to hold a voting meeting of the Human Services Committee, and we will be voting out SB 728.

Again, that is tomorrow, a voting meeting of the Human Services Committee, at 9 o'clock in room 60, East Wing. Thank you.

The SPEAKER. Thank you, sir.

There will be a voting meeting of the Human Services Committee tomorrow at 9 'clock in room 60, East Wing.

RECESS

The SPEAKER. I do not see anybody else, so at this time the House will stand in recess until 5:15 p.m.

RECESS EXTENDED

The time of recess was extended until 5:30 p.m.; further extended until 5:45 p.m.; further extended until 6 p.m.

AFTER RECESS

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

BILLS REREPORTED FROM COMMITTEE

HB 110, PN 2778 (Amended) By Rep. SAYLOR

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, in taxation and finance, providing for spending limitations on the Commonwealth.

APPROPRIATIONS.

HB 544, PN 2193 By Rep. SAYLOR

An Act amending the act of February 2, 1966 (1965 P.L.1860, No.586), entitled "An act encouraging landowners to make land and water areas available to the public for recreational purposes by limiting liability in connection therewith, and repealing certain acts," further providing for liability for landowners to recreational users.

APPROPRIATIONS.

HB 1915, PN 2735 By Rep. SAYLOR

An Act amending the act of December 5, 1936 (2nd Sp.Sess., 1937 P.L.2897, No.1), known as the Unemployment Compensation Law, in contributions by employers and employees, further providing for contributions by employees and for Service and Infrastructure Improvement Fund.

APPROPRIATIONS.

BILLS REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

HB 1940, PN 2779 (Amended) By Rep. SAYLOR

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, in Commonwealth budget procedures, further providing for revenue estimates.

APPROPRIATIONS.

HB 1941, PN 2780 (Amended) By Rep. SAYLOR

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, in Commonwealth budget procedures, further providing for lapsing of funds.

APPROPRIATIONS.

HB 1942, PN 2781 (Amended) By Rep. SAYLOR

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, in Commonwealth budget procedures, further providing for transmission of budget information to the General Assembly.

APPROPRIATIONS.

HB 1943, PN 2766 By Rep. SAYLOR

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, in Commonwealth budget procedures, providing for definitions and further providing for budget implementation data, for electronic access of information and for lapsing of funds.

APPROPRIATIONS.

HB 1944, PN 2782 (Amended) By Rep. SAYLOR

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, in Commonwealth budget procedures, further providing for submission of budget to General Assembly and for transmission of budget information to the General Assembly.

APPROPRIATIONS.

HB 1945, PN 2783 (Amended) By Rep. SAYLOR

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, in Commonwealth budget procedures, further providing for submission of budget to General Assembly.

APPROPRIATIONS.

BILL ON CONCURRENCE REPORTED FROM COMMITTEE

HB 1009, PN 2697 By Rep. REED

An Act authorizing the release of Project 70 restrictions on certain land owned by the Borough of West Newton, Westmoreland County, in return for the development of park and open space lands within the Borough of West Newton, Westmoreland County; and authorizing the release of Project 70 restrictions on certain lands owned by Upper Uwchlan Township, Chester County, in exchange for the provision of money for the purchase and installation of recreational equipment and the implementation of a multiuse trail.

RULES.

LEAVES OF ABSENCE

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

Representative Margo DAVIDSON and Representative Curtis THOMAS have requested to be placed on leave. Without objection, that will be granted.

LEAVE OF ABSENCE CANCELED

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

VOTE CORRECTION

The SPEAKER. Representative Adam Harris is recognized.

Mr. A. HARRIS. Thank you, Mr. Speaker. If I could, to correct the record.

When we were debating SB 166, specifically amendment A04876, my button malfunctioned and my vote was not recorded. I wish to be recorded in the negative.

The SPEAKER. Thank you, sir. Your remarks have been submitted for the record.

CALENDAR CONTINUED

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 983, PN 2743**, entitled:

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, in alimony and support, further providing for alimony pendente lite, counsel fees and expenses.

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

The SPEAKER. There are no amendments to this bill.

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 1644, PN 2199**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for collaborative law process.

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

* * *

The House proceeded to second consideration of **HB 1738, PN 2335**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in commencement of proceedings, further providing for definitions and providing for nonmunicipal police extraterritorial jurisdiction for purposes of municipal police jurisdiction.

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

Mr. **CARROLL** offered the following amendment
No. **A04889**:

Amend Bill, page 1, line 1, by striking out "Title" and inserting
Titles

Amend Bill, page 1, line 1, by inserting after "Procedure)"
and 53 (Municipalities Generally)

Amend Bill, page 1, line 5, by striking out the period after
"jurisdiction" and inserting
; and, in municipal police education and training, further providing for
establishment of program and scope of subchapter and for
definitions.

Amend Bill, page 1, line 16, by inserting after "(2),"
(2.1).

Amend Bill, page 3, by inserting between lines 7 and 8
Section 3. Section 2161(b) of Title 53 is amended to read:
§ 2161. Establishment of program and scope of subchapter.

* * *

(b) Scope of subchapter.—This subchapter applies to all
municipalities, colleges and universities.

Section 4. The definitions of "college," "police department,"
"police officer" and "university" of Title 53 are amended to read:
§ 2162. Definitions.

The following words and phrases when used in this subchapter
shall have the meanings given to them in this section unless the context
clearly indicates otherwise:

* * *

"College." A college which has a campus police department, as
used in section 2416 of the act of April 9, 1929 (P.L.177, No.175),
known as The Administrative Code of 1929, certified by the Office of
Attorney General as a criminal justice agency under the definition of
"criminal justice agency" in 18 Pa.C.S. § 9102 (relating to definitions).
The term [does not include] includes the State System of Higher
Education and its member institutions.

* * *

"Police department." Any of the following:

(1) A public agency of a political subdivision having
general police powers and charged with making arrests in
connection with the enforcement of the criminal or traffic laws.
This paragraph includes the sheriff's office in a county of the
second class.

(2) A campus police or university police department, as
used in section 2416 of the act of April 9, 1929 (P.L.177,
No.175), known as The Administrative Code of 1929, certified
by the Office of Attorney General as a criminal justice agency
under the definition of "criminal justice agency" in 18 Pa.C.S. §
9102 (relating to definitions). [This paragraph does not include a
campus police or university police department of the State
System of Higher Education and its member institutions.]

(2.1) A college or university police department of the
State System of Higher Education and its member institutions.

(3) A railroad or street railway police department formed
with officers commissioned under 22 Pa.C.S. Ch. 33 (relating to
railroad and street railway police) or any prior statute providing
for such commissioning.

(4) The Capitol Police.

(5) The Harrisburg International Airport Police.

(6) An airport authority police department.

(7) A county park police force under section 2511(b) of
the act of August 9, 1955 (P.L.323, No.130), known as The
County Code.

"Police officer." Any of the following:

(1) A full-time or part-time employee assigned to
criminal or traffic law enforcement duties of any of the
following:

- (i) A police department of a county, city, borough, town or township.
- (ii) Any railroad or street railway police.
- (iii) Any campus or university police department.
- (iv) The Capitol Police.
- (v) The Harrisburg International Airport Police.
- (vi) An airport authority police department.

(2) A deputy sheriff of a county of the second class.

(3) A security officer of a first class city housing authority or a police officer of a second class city housing authority.

(4) A county park police officer.

(5) A full-time or part-time employee assigned to enforcement duties of a college or university police department of the State System of Higher Education and its member institutions.

The term excludes persons employed to check parking meters or to perform only administrative duties and auxiliary and fire police.

* * *

"University." A university which has a campus police department, as used in section 2416 of the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, certified by the Office of Attorney General as a criminal justice agency under the definition of "criminal justice agency" in 18 Pa.C.S. § 9102 (relating to definitions). The term [does not include] includes the State System of Higher Education and its member institutions.

Amend Bill, page 3, line 8, by striking out "3" and inserting
5

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

AMENDMENT WITHDRAWN

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

Mr. CARROLL. Thank you, Mr. Speaker.

Mr. Speaker, this amendment speaks to a colossal deficiency in the training that is provided for the campus police at the PASSHE (Pennsylvania State System of Higher Education) schools. The amendment sought to require those who write citations on our PASSHE campuses to have Act 120 training. I am encouraged by the commitment from the chair of the committee to advance a separate piece of legislation to solve this problem, and I look forward to working with him in the future, and therefore, Mr. Speaker, I withdraw the amendment.

The SPEAKER. All right. The amendment is withdrawn.

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 1918, PN 2709**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in forgery and fraudulent practices, providing for the offense of possession and use of unlawful devices.

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

* * *

The House proceeded to second consideration of **HB 1929, PN 2722**, entitled:

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, in First Chance Trust Fund, further providing for use of fund.

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

* * *

The House proceeded to second consideration of **SB 458, PN 711**, entitled:

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

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

The SPEAKER. There are two amendments filed to this bill.

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

Mr. **METZGAR** offered the following amendment
No. **A04608**:

Amend Bill, page 2, line 16, by striking out "who provides or furnishes" and inserting

or corporation who or which holds out, offers or undertakes, directly or indirectly, service for compensation to the public for the

Amend Bill, page 2, lines 18 and 19, by striking out "for compensation"

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

AMENDMENT WITHDRAWN

The SPEAKER. Representative Metzgar, do you wish to be recognized on 4608, sir?

Mr. METZGAR. Yes, Mr. Speaker. I plan to withdraw that amendment.

The SPEAKER. Okay. Thank you, sir.

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

The SPEAKER. Representative Metzgar also has amendment 4618.

Sir, do you intend to proceed with that amendment?

Mr. METZGAR. I do, Mr. Speaker.

On the question recurring,

Will the House agree to the bill on second consideration?

Mr. METZGAR offered the following amendment No. **A04618**:

Amend Bill, page 2, line 16, by striking out "who provides or furnishes" and inserting

that holds itself out to provide or furnish

Amend Bill, page 6, lines 4 and 5, by striking out "provides or furnishes" and inserting

holds itself out to provide or furnish

On the question,

Will the House agree to the amendment?

The SPEAKER. On the amendment, the Chair recognizes Representative Carl Metzgar.

Mr. METZGAR. Mr. Speaker, this amendment simply clarifies that someone who is not in the business of moving and simply accepts, for instance, money for reimbursement for gas for helping their friend out is not subject to the bill.

It is an agreed-to amendment by both the prime sponsor in the Senate and also the chairman of the committee to which it came out of here in the House, the majority chairman. Thank you.

The SPEAKER. Thank you, sir.

Representative Tom Caltagirone.

Mr. CALTAGIRONE. Thank you, Mr. Speaker.

I would urge the members to support this. This is a good amendment. It has been agreed to. Thank you.

The SPEAKER. Thank you, sir.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—187

Baker	Ellis	Krueger	Readshaw
Barbin	Emrick	Kulik	Reed
Barrar	English	Lawrence	Reese
Benninghoff	Evankovich	Lewis	Roae
Bernstine	Evans	Longietti	Roe
Bizzarro	Everett	Mackenzie	Roebuck
Bloom	Farry	Madden	Rothman
Boback	Fee	Mako	Rozzi
Boyle	Fitzgerald	Maloney	Ryan
Bradford	Flynn	Markosek	Saccone
Briggs	Frankel	Marshall	Sainato
Brown, R.	Freeman	Marsico	Samuelson
Brown, V.	Fritz	Masser	Sankey
Bullock	Gabler	Matzie	Santora
Burns	Gainey	Mehaffie	Saylor
Caltagirone	Galloway	Mentzer	Schemel
Carroll	Gillen	Metcalfe	Schlossberg
Causser	Gillespie	Metzgar	Schweyer
Cephas	Godshall	Miccarelli	Simmons
Charlton	Goodman	Millard	Sims
Christiana	Greiner	Miller, B.	Snyder
Comitta	Grove	Miller, D.	Solomon

Conklin	Hahn	Milne	Sonney
Cook	Hanna	Moul	Staats
Corbin	Harkins	Mullery	Stephens
Corr	Harper	Murt	Sturla
Costa, D.	Harris, A.	Mustio	Tallman
Costa, P.	Heffley	Neilson	Tobash
Cox	Helm	Nelson	Toepel
Cruz	Hennessey	Nesbit	Toohil
Culver	Hickernell	Neuman	Topper
Cutler	Hill	O'Brien	Vazquez
Daley	Irvin	O'Neill	Vitali
Davis	James	Oberlander	Walsh
Dawkins	Jozwiak	Pashinski	Ward
Day	Kampf	Peifer	Warner
Dean	Kauffman	Petrarca	Warren
Deasy	Kavulich	Petri	Watson
DeLissio	Keefer	Pickett	Wentling
Delozier	Keller, F.	Pyle	Wheatley
Dermody	Keller, M.K.	Quigley	Wheeland
Diamond	Kim	Quinn, C.	White
DiGirolamo	Kinsey	Quinn, M.	Youngblood
Donatucci	Kirkland	Rabb	Zimmerman
Dowling	Klunk	Rader	
Driscoll	Knowles	Rapp	Turzai,
Dunbar	Kortz	Ravenstahl	Speaker
Dush			

NAYS—0

NOT VOTING—0

EXCUSED—14

Davidson	Harris, J.	McCarter	Ortitay
DeLuca	Kaufner	McClinton	Taylor
Fabrizio	Keller, W.	McGinnis	Thomas
Haggerty	Maher		

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

On the question,

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

Bill as amended was agreed to.

The SPEAKER. The bill as amended will be reprinted. Thank you.

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 122, PN 2744**, entitled:

An Act amending the act of April 14, 1972 (P.L.221, No.63), known as the Pennsylvania Drug and Alcohol Abuse Control Act, establishing the Project Lazarus Commission.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—187

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

NAYS—0

NOT VOTING—0

EXCUSED—14

Davidson	Harris, J.	McCarter	Ortitay
DeLuca	Kaufer	McClinton	Taylor
Fabrizio	Keller, W.	McGinnis	Thomas
Haggerty	Maher		

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

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

SUPPLEMENTAL CALENDAR B

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 544, PN 2193**, entitled:

An Act amending the act of February 2, 1966 (1965 P.L.1860, No.586), entitled "An act encouraging landowners to make land and water areas available to the public for recreational purposes by limiting liability in connection therewith, and repealing certain acts," further providing for liability for landowners to recreational users.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—187

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

DiGirolamo	Kinsey	Quinn, M.	Youngblood
Donatucci	Kirkland	Rabb	Zimmerman
Dowling	Klunk	Rader	
Driscoll	Knowles	Rapp	Turzai,
Dunbar	Kortz	Ravenstahl	Speaker
Dush			

NAYS-0

NOT VOTING-0

EXCUSED-14

Davidson	Harris, J.	McCarter	Ortitay
DeLuca	Kaufers	McClinton	Taylor
Fabrizio	Keller, W.	McGinnis	Thomas
Haggerty	Maher		

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

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

* * *

The House proceeded to third consideration of **HB 1915, PN 2735**, entitled:

An Act amending the act of December 5, 1936 (2nd Sp.Sess., 1937 P.L.2897, No.1), known as the Unemployment Compensation Law, in contributions by employers and employees, further providing for contributions by employees and for Service and Infrastructure Improvement Fund.

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

Representative Pete Schweyer. Representative Schweyer, please.

Mr. SCHWEYER. Thank you, Mr. Speaker.

I rise in opposition to HB 1915, and I rise in opposition to HB 1915 for an experience that I had as recently as a year ago. Last year in the city of Allentown, 84 blue-collar workers, who were all employees of the Commonwealth of Pennsylvania, people who get up and go to work every day and whose sole function it was, Mr. Speaker, to process the claims of other folks in the Commonwealth of Pennsylvania who, through no fault of their own, lost their jobs. Eighty-four State workers, who worked extremely hard on a day-to-day basis to make sure that other folks do not lose their homes and are able to send their kids to school, if they are paying tuition for college – people who are just trying to live day-to-day. These 84 workers are out of work because of inaction by the Commonwealth of Pennsylvania.

Mr. Speaker, when I met with the employees, management and blue-collar workers alike, these folks told me stories about how they worked extremely hard just to take care of our fellow Pennsylvanians. Mr. Speaker, this bill, although HB 1915, I understand, is a product of negotiation, in conversation with the administration today, I am told that under no circumstances will this be enough money to reopen the call center that was located in the Lehigh Valley. So those 84 workers are not going to be recalled to work, Mr. Speaker, and our unemployment compensation system is going to have less people than, in my opinion, we genuinely need to be able to operate. Mr. Speaker, this is the wrong way to govern, in my opinion. We should be protecting those State workers who get up and go to work every day in order to provide a decent service to the rest of the people of the Commonwealth of Pennsylvania.

Now, just in the last week and a half, on two separate occasions, all of our district offices have received phone calls from disgruntled constituents who have had phone lines going down when they are just trying to make their unemployment compensation claims. Perhaps, just perhaps, if we had one extra call center open in the Lehigh Valley or in any of our districts where we are looking for more folks to get up and go to work, we would have less people getting busy signals and we would have more folks to process these claims.

For these reasons, Mr. Speaker, I do not think that HB 1915 goes far enough, and whereas I appreciate the work of staff and members on both sides, this is simply not good enough for the people of Allentown and the people of the Lehigh Valley, and I would argue, the people throughout the Commonwealth of Pennsylvania.

Thank you, Mr. Speaker.

The SPEAKER. Representative Krueger-Braneky.

Ms. KRUEGER. Thank you, Mr. Speaker.

I understand the comments of my colleague from the Lehigh Valley, but I rise in support of this piece of legislation. It was just a year ago where those of us in the House voted in an overwhelming bipartisan fashion to keep our unemployment compensation call centers open. But when we sent that bill over to the Senate, because of pure politics, almost 500 State employees were laid off right before Christmas. What was the result of that? People who called in to get the unemployment compensation benefits that they had earned, who were on the phone for hours and in some cases days, people who were waiting weeks and weeks and weeks to get the benefits that they had earned.

Mr. Speaker, I wish this bill went further. I wish there was even more funding in this bill. I wish there were more years of funding to guarantee that our unemployment compensation centers would keep operating. But as a member of the Labor and Industry Committee, I worked in a bipartisan fashion with the chairman, the majority chairman, and I believe that this is the best that we can do right now.

So I ask my colleagues to make sure we are not again laying off State workers before Christmas and vote in support of this bill.

Thank you, Mr. Speaker.

The SPEAKER. Representative Galloway, on the bill, please.

Mr. GALLOWAY. Thank you, Mr. Speaker.

This bill is not the bill I wanted. This is not the bill that I would have crafted myself; however, this is an issue that has been going on for years. I want to congratulate the majority chairman of Labor for bringing this up, for taking the lead on this, the majority Labor leader in the Senate, the members of the Labor Committee. We have held hearing after hearing after hearing. Again, this is not a permanent fix. This is not the bill we wanted, but a lot of work has gone into this. This is a compromise that keeps people in the seats throughout the holidays until we can finally get this finished.

This is a fair compromise. It is a good deal. I urge the members to vote "yes" on this House bill. Thank you.

The SPEAKER. Representative Rob Kauffman.

Mr. KAUFFMAN. Thank you, Mr. Speaker.

Well, one thing we can agree on is that this is not the bill that I introduced. This was not the original idea of the folks on my committee, many of the majority members of my committee, but we have come together with this compromise plan. I appreciate working with the minority chairman, and especially the gentlelady from Delaware County for her diligence on this issue, as well as the majority chairman in the Senate. This is an agreed-to plan. This is something that can get done before Christmas and it can get done well, and I believe this will be a good process for the Department of Labor and Industry as they look to ramp down and get away from using State dollars for unemployment compensation administration here in the Commonwealth.

I want to thank, again, those who have worked with me in a bipartisan fashion, and I look forward to seeing this be accomplished here in the Pennsylvania House, as well as in the Senate, as we anticipate a swift passage over there and getting this done before Christmas so we can keep the unemployment compensation system operating effectively in the Commonwealth.

Thank you, Mr. Speaker.

The SPEAKER. Does anybody else wish to speak on this?

On the question recurring,

Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—183

Baker	Dush	Knowles	Ravenstahl
Barbin	Ellis	Kortz	Readshaw
Barrar	Emrick	Krueger	Reed
Benninghoff	English	Kulik	Reese
Bernstine	Evankovich	Lawrence	Roae
Bizzarro	Evans	Lewis	Roe
Bloom	Everett	Longietti	Roebuck
Boback	Farry	Mackenzie	Rothman
Boyle	Fee	Madden	Rozzi
Bradford	Fitzgerald	Mako	Ryan
Briggs	Flynn	Maloney	Saccone
Brown, R.	Frankel	Markosek	Sainato
Brown, V.	Freeman	Marshall	Samuelson
Bullock	Fritz	Marsico	Sankey
Burns	Gabler	Masser	Santora
Caltagirone	Gainey	Matzie	Saylor
Carroll	Galloway	Mehaffie	Schemel

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

NAYS—4

Miller, D.	Neilson	Schlossberg	Schweyer
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NOT VOTING—0

EXCUSED—14

Davidson	Harris, J.	McCarter	Ortity
DeLuca	Kaufner	McClinton	Taylor
Fabrizio	Keller, W.	McGinnis	Thomas
Haggerty	Maher		

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

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

SUPPLEMENTAL CALENDAR C

BILL ON CONCURRENCE
IN SENATE AMENDMENTS

The House proceeded to consideration of concurrence in Senate amendments to **HB 1009, PN 2697**, entitled:

An Act authorizing the release of Project 70 restrictions on certain land owned by the Borough of West Newton, Westmoreland County, in return for the development of park and open space lands within the Borough of West Newton, Westmoreland County; and authorizing the release of Project 70 restrictions on certain lands owned by Upper Uwchlan Township, Chester County, in exchange for the provision of money for the purchase and installation of recreational equipment and the implementation of a multiuse trail.

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

The SPEAKER. Moved by the gentleman, Mr. Walsh, that the House concur in the amendments inserted by the Senate, and we recognize him, first, to tell us about the underlying bill, and then also to tell us about the Senate amendments.

Representative Walsh.

Mr. WALSH. Thank you, Mr. Speaker.

This is an agreed-to amendment. What the Senate amendment does is include the release of "Project 70 restrictions on certain land owned by...Upper Uwchlan Township, Chester County, in exchange for..." monetary considerations to be used for "...the installation of recreational equipment and the implementation of a multiuse trail."

As you just stated, Mr. Speaker, it is an agreed-to amendment and I would ask for an affirmative vote from my colleagues on concurrence.

Thank you, Mr. Speaker.

On the question recurring,

Will the House concur in Senate amendments?

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

The following roll call was recorded:

YEAS—187

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

Driscoll	Knowles	Rapp	Turzai,
Dunbar	Kortz	Ravenstahl	Speaker
Dush			

NAYS—0

NOT VOTING—0

EXCUSED—14

Davidson	Harris, J.	McCarter	Ortitay
DeLuca	Kaufer	McClinton	Taylor
Fabrizio	Keller, W.	McGinnis	Thomas
Haggerty	Maier		

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

Ordered, That the clerk inform the Senate accordingly.

BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

HB 1009, PN 2697

An Act authorizing the release of Project 70 restrictions on certain land owned by the Borough of West Newton, Westmoreland County, in return for the development of park and open space lands within the Borough of West Newton, Westmoreland County; and authorizing the release of Project 70 restrictions on certain lands owned by Upper Uwchlan Township, Chester County, in exchange for the provision of money for the purchase and installation of recreational equipment and the implementation of a multiuse trail.

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

REMARKS SUBMITTED FOR THE RECORD

Mr. PETRI submitted the following remarks for the Legislative Journal:

Mr. Speaker, it is my privilege to bring to the attention of the Speaker and the members of the Pennsylvania House of Representatives the name of Austin Richard Gray, who has recently been awarded Scouting's highest honor – Eagle Scout.

Mr. Speaker, I would like to read to the members of the House of Representatives the following citation.

Whereas, Austin Richard Gray has earned the Eagle Award in Scouting. This is the highest award that Boy Scouts of America can bestow and as such represents great sacrifice and tremendous effort on the part of this young man. Austin is a member of Troop 147.

Now therefore, Mr. Speaker and members of the House of Representatives, it is my privilege to congratulate and place in the Legislative Journal the name of Austin Richard Gray.

REMARKS SUBMITTED FOR THE RECORD

Mr. FARRY submitted the following remarks for the Legislative Journal:

Mr. Speaker, it is my privilege to bring to the attention of the Speaker and the members of the Pennsylvania House of Representatives the name of Christopher Singleton, who has been awarded Scouting's highest honor – Eagle Scout.

Mr. Speaker, I would like to read to the members of the House of Representatives the following citation of merit honoring Christopher Singleton.

Whereas, Christopher Singleton earned the Eagle Award in Scouting. This is the highest award that Boy Scouts can bestow and as such represents great sacrifice and tremendous effort on the part of this young man. Christopher is a member of Troop 19.

Now therefore, Mr. Speaker and the members of the House of Representatives, it is my privilege to congratulate and place in the Legislative Journal the name of Christopher Singleton.

BILLS RECOMMITTED

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

HB 983;
 HB 1644;
 HB 1738;
 HB 1918;
 HB 1929;
 SB 166; and
 SB 458.

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 83;
 HB 1641;
 HB 1677;
 HB 1829;
 HB 1869; and
 SB 656.

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 Lee James moves that the House be adjourned until tomorrow, Wednesday, December 6, 2017, at 11 a.m., e.s.t., unless sooner recalled by the Speaker. So moved.

On the question,
 Will the House agree to the motion?
 Motion was agreed to, and at 6:48 p.m., e.s.t., the House adjourned.