

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

WEDNESDAY, APRIL 17, 2013

SESSION OF 2013

197TH OF THE GENERAL ASSEMBLY

No. 26

HOUSE OF REPRESENTATIVES

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

THE SPEAKER (SAMUEL H. SMITH) PRESIDING

PRAYER

The SPEAKER. This morning the prayer will be offered by Rev. Stephen E. Hollinger, Salem Evangelical and Reformed Church, Reamstown.

REV. STEPHEN E. HOLLINGER, Guest Chaplain of the House of Representatives, offered the following prayer:

In the presence of the living God, I invite you to bow before Him with me:

Father God, thank You for the blessing of being able to call this magnificent nation and this wonderful Commonwealth home. Those who have gone before us in the elected offices of public service have often turned to You for Your divine counsel, and we are, I believe, the beneficiaries of the wisdom of their having done so.

This morning these women and men before whom I have the privilege of standing are ones who have been chosen to continue the honorable work now entrusted to them as members of this House of Representatives. But, Father, the world in which we live is so different. It is changing so rapidly. The issues that must be addressed have become increasingly complex, and addressing them can be exceedingly demanding and depleting and even divisive.

As a citizen of this Commonwealth, I am most grateful that these Representatives and those who partner with them are willing to confront the challenges. But I pray that they would be attentive to Your often still, small voice through which You deliver Your wisdom, reminding each one that You are always faithful and will provide the inspiration for what at times may seem to be remarkable, even unifying resolutions.

Our God, it appears to me, a servant myself, that the satisfaction and effectiveness of our service to others is directly proportional to our devotion to those we serve. However, I know from my own experience that devotion can and does, at least at times, become displaced by something much more impersonal – a sense of duty. So I pray that these Representatives would be reminded this morning of the gracious availability of Your abundant strength and compassion, lean heavily on You throughout this day and every day.

Father, people who are as committed to their call to serve as these women and men in this Assembly have and are willing to make more significant sacrifices to do what they do. Those they love and who love them may sometimes find those sacrifices difficult to understand or accept. I pray as one who knows this personally. So I pray for careful prioritization, patience, and realistic expectations for each Representative of themselves, of one another, and those around them both here and at home.

Finally, Father, remembering those who may be absent today for whatever reason and quite aware that in a gathering of this size there are a myriad of personal issues which at least at times may be frustratingly distracting, I entrust those needs to You with complete confidence that there is no issue too difficult for You. May Your blessing, Father God, be on every member of this House of Representatives and all who serve with them, for as recipients of that gift, their service will be honoring both to You and the citizens of the Commonwealth of Pennsylvania. It is in the holy and blessed name of Your son, Jesus, that I offer You this invocation. 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 Tuesday, April 16, 2013, will be postponed until printed.

BILLS REPORTED FROM COMMITTEES, CONSIDERED FIRST TIME, AND TABLED

HB 85, PN 63

By Rep. HESS

An Act designating State Bridge No. 53-0054-0290-0143 carrying S.R. 54 in Mahanoy Township, Schuylkill County, over the Reading and Northern Railroad, as the Cornelius McElhenny Memorial Bridge.

TRANSPORTATION.

HB 304, PN 1533 (Amended)

By Rep. HESS

An Act requiring certain large mass transit agencies to purchase buses that meet certain criteria within a specific implementation schedule; and providing for the powers and duties of the Department of Transportation.

TRANSPORTATION.

HB 925, PN 1064

By Rep. HESS

An Act designating each of the bridges that carry Lincoln Highway over Electric Avenue, in North Braddock Borough, Allegheny County, State Bridge No. 02 0030 0230 0001 and State Bridge No. 02 0030 0231 0000, as the AMVETS Memorial Bridge.

TRANSPORTATION.

HB 968, PN 1109

By Rep. GODSHALL

An Act providing standards for carbon monoxide alarms; and imposing penalties.

CONSUMER AFFAIRS.

HB 987, PN 1151

By Rep. HESS

An Act designating the bridge that carries State Route 973 over Loyalsock Creek in Upper Fairfield Township and Eldred Township, Lycoming County, as the George E. Logue, Sr. Memorial Bridge.

TRANSPORTATION.

SB 808, PN 837

By Rep. HARPER

An Act amending the act of August 9, 1955 (P.L.323, No.130), known as The County Code, further providing for applicability and for the abolishment of the office of jury commissioner.

LOCAL GOVERNMENT.

HOUSE BILLS INTRODUCED AND REFERRED

No. 1172 By Representatives CHRISTIANA, KORTZ, GINGRICH and CALTAGIRONE

An Act amending the act of December 31, 1965 (P.L.1257, No.511), known as The Local Tax Enabling Act, further providing for limitations on rates of specific taxes.

Referred to Committee on APPROPRIATIONS, April 17, 2013.

No. 1210 By Representatives FREEMAN, SIMMONS, SCHLOSSBERG, BROWNEE, CALTAGIRONE, COHEN, D. COSTA, DeLUCA, FRANKEL, GIBBONS, GILLEN, GINGRICH, C. HARRIS, HESS, KINSEY, KORTZ, MAHONEY, McGEEHAN, MILLARD, MURT, O'BRIEN, PARKER, READSHAW, ROEBUCK, ROZZI, SANTARSIERO, THOMAS, WHITE and YOUNGBLOOD

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in school health services, providing for school access to emergency epinephrine.

Referred to Committee on EDUCATION, April 17, 2013.

No. 1211 By Representatives AUMENT, CLYMER, BARRAR, BIZZARRO, V. BROWN, CHRISTIANA, DEASY, FARINA, GINGRICH, C. HARRIS, HICKERNELL, KILLION, MICOZZIE, READSHAW, TAYLOR and TOOHL

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in safe schools, further providing for reporting and for policy relating to bullying; and

providing for Department of Education requirements and responsibilities.

Referred to Committee on EDUCATION, April 17, 2013.

No. 1212 By Representatives MALONEY, MAJOR, HEFFLEY, PICKETT, MILLARD, ROCK, SCAVELLO, R. BROWN, TOOHL, MOUL, EVERETT, SIMMONS, PEIFER and MACKENZIE

An Act amending the act of June 22, 1937 (P.L.1987, No.394), known as The Clean Streams Law, further providing for powers and duties of department.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, April 17, 2013.

No. 1214 By Representatives BAKER, SONNEY, J. HARRIS, DiGIROLAMO, PICKETT, HICKERNELL, BROOKS, HELM, HENNESSEY, MILLARD, KORTZ, TALLMAN, CALTAGIRONE, TOEPEL, RAPP, MUSTIO, O'NEILL, GRELL, O'BRIEN, HAHN, MICOZZIE, KNOWLES, HESS, C. HARRIS, CLYMER, AUMENT, EVERETT, VEREB, KAUFFMAN, CAUSER, MARSICO, GOODMAN, D. COSTA, WATSON, MAHONEY, PEIFER, GINGRICH, COHEN, MAJOR, OBERLANDER, FARINA, QUINN and GILLEN

An Act designating a bridge on that portion of S.R. 58001, known as Elk Run Road, over the Pine Creek, Gaines Township, Tioga County as the SFC William Boyle Memorial Bridge.

Referred to Committee on TRANSPORTATION, April 17, 2013.

No. 1215 By Representatives STERN, COHEN, PICKETT, HICKERNELL, DiGIROLAMO, GODSHALL, KORTZ, HARKINS, MOUL, HESS, FLECK, O'BRIEN, MACKENZIE, KAUFFMAN, HALUSKA, V. BROWN, MILLARD, MILLER, HAHN, D. COSTA, GINGRICH, CLYMER, DeLUCA, MURT, DENLINGER, FABRIZIO and EVERETT

An Act establishing the Pennsylvania Tourism Commission; providing for powers and duties of the Pennsylvania Tourism Commission; establishing the Tourism Promotion Trust Fund; and repealing the Travel and Tourism Act.

Referred to Committee on TOURISM AND RECREATIONAL DEVELOPMENT, April 17, 2013.

No. 1216 By Representatives STERN, HESS, BOBACK, CAUSER, LONGIETTI, KORTZ, MOUL, FLECK, O'BRIEN, READSHAW, KAUFFMAN, HALUSKA, GROVE, SWANGER, MILLARD, HARKINS, SAINATO, GINGRICH, CLYMER, MURT, DENLINGER, FABRIZIO, GIBBONS and FREEMAN

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, providing for the tourism marketing and promotion tax credit.

Referred to Committee on TOURISM AND RECREATIONAL DEVELOPMENT, April 17, 2013.

No. 1217 By Representatives STERN, MILLARD, PICKETT, SCHLOSSBERG, R. BROWN, HEFFLEY, GRELL, V. BROWN, D. COSTA, BAKER, MARSHALL, HICKERNELL, MAJOR, MOUL, GODSHALL, OBERLANDER, CLYMER, SWANGER, MILLER, KORTZ, MARSICO, GINGRICH, KAUFFMAN, CALTAGIRONE, ROCK, WATSON, QUINN and LAWRENCE

An Act amending the act of April 14, 1972 (P.L.233, No.64), known as The Controlled Substance, Drug, Device and Cosmetic Act, further providing for schedules of controlled substances.

Referred to Committee on JUDICIARY, April 17, 2013.

No. 1219 By Representatives AUMENT, CLYMER, BOBACK, CARROLL, COHEN, COX, SCHLEGEL CULVER, CUTLER, EVERETT, GINGRICH, GRELL, GROVE, HESS, HICKERNELL, KORTZ, MILLARD, MILLER, MOUL, MUNDY, QUINN, ROCK, THOMAS and TOOHL

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for evaluation of educators; and further providing for applicability.

Referred to Committee on EDUCATION, April 17, 2013.

SENATE BILL FOR CONCURRENCE

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

SB 381, PN 814

Referred to Committee on JUDICIARY, April 17, 2013.

LEAVES OF ABSENCE

The SPEAKER. The Speaker turns to leaves of absence and recognizes the majority whip, who requests a leave of absence for the lady, Mrs. WATSON, from Bucks County for the day; the gentleman, Mr. EVERETT, from Lycoming County for the day; and the lady, Ms. TOOHL, from Luzerne County for the day. Without objection, the leaves will be granted.

The Speaker recognizes the minority whip, who requests a leave of absence for the gentleman, Mr. WHEATLEY from Allegheny County for the day; the gentleman, Mr. COHEN, from Philadelphia County for the day; the gentleman, Mr. THOMAS, from Philadelphia County for the day. Without objection, the leaves will be granted.

MASTER ROLL CALL

The SPEAKER. The Speaker is about to take the master roll call. Members will proceed to vote.

The following roll call was recorded:

PRESENT—194

Adolph	Emrick	Kim	Payne
Aument	English	Kinsey	Peifer
Baker	Evankovich	Kirkland	Petrarca

Barbin	Evans	Knowles	Petri
Barrar	Fabrizio	Kortz	Pickett
Benninghoff	Farina	Kotik	Pyle
Bishop	Farry	Krieger	Quinn
Bizzarro	Fee	Kula	Rapp
Bloom	Fleck	Lawrence	Ravenstahl
Boback	Flynn	Longietti	Readshaw
Boyle, B.	Frankel	Lucas	Reed
Boyle, K.	Freeman	Mackenzie	Reese
Bradford	Gabler	Maher	Regan
Briggs	Gainey	Mahoney	Roae
Brooks	Galloway	Major	Rock
Brown, R.	Gergely	Maloney	Roebuck
Brown, V.	Gibbons	Markosek	Ross
Brownlee	Gillen	Marshall	Rozzi
Burns	Gillespie	Masser	Sabatina
Caltagirone	Gingrich	Matzie	Saccone
Carroll	Godshall	McCarter	Sainato
Causer	Goodman	McGeehan	Samuelson
Christiana	Greiner	McGinnis	Sankey
Cly	Grell	McNeill	Santarsiero
Clymer	Grove	Mentzer	Saylor
Conklin	Hackett	Metcalfe	Scavello
Corbin	Haggerty	Metzgar	Schlossberg
Costa, D.	Hahn	Miccarelli	Simmons
Costa, P.	Haluska	Micozzie	Sims
Cox	Hanna	Millard	Smith
Cruz	Harhai	Miller	Snyder
Culver	Harhart	Milne	Sonney
Cutler	Harkins	Mirabito	Stephens
Daley, M.	Harper	Miranda	Stern
Daley, P.	Harris, A.	Molchany	Stevenson
Davidson	Harris, J.	Moul	Sturla
Davis	Heffley	McNeill	Swanger
Day	Helm	Mullery	Tallman
Dean	Hennessey	Mundy	Taylor
Deasy	Hess	Murt	Tobash
DeLissio	Hickernell	Mustio	Toepel
Delozier	James	Neilson	Truitt
DeLuca	Kampf	Neuman	Turzai
Denlinger	Kauffman	O'Brien	Vereb
Dermody	Kavulich	O'Neill	Vitali
DiGirolamo	Keller, F.	Oberlander	Waters
Donatucci	Keller, M.K.	Painter	White
Dunbar	Keller, W.	Parker	Youngblood
Ellis	Killion	Pashinski	

ADDITIONS—0

NOT VOTING—0

EXCUSED—7

Cohen	Marsico	Toohil	Wheatley
Everett	Thomas	Watson	

LEAVES ADDED—10

Davidson	Haggerty	McGeehan	Metcalfe
Dermody	Harper	McNeill	Miranda
Evans	Killion		

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

The House will come to order.

I would appreciate the members' attention. If members would hold the conversations down. Take them to the rear of the House if necessary. I appreciate your courtesy, attention.

GUESTS INTRODUCED

The SPEAKER. I would like to introduce some of the guests that are with us today.

Located to the left of the rostrum, I would like to welcome the wife and daughter of our Guest Chaplain, Jacque and Lydia Hollinger. They are the guests of Representative Denlinger. Welcome to the hall of the House. Please rise.

And we have some very special guests from the Maryland House of Delegates also seated to the left of the rostrum. We would like to welcome Delegate Kathy Szeliga, Delegate Susan Aumann, Delegate Gail Bates, Delegate and former Ambassador Ellen Sauerbrey, Delegate Kathy Afzali, and Delegate Cathy Vitale. Obviously they are legislators that are touring our Capitol. They are guests of Representative Gingrich and Representative Major. They wanted to come up here to see how to get things done, I guess. We find that pretty rich. Welcome to the hall of the House, and hope you enjoy your visit.

Located in the rear of the House, we would like to welcome the winners of Representative Farina's "There Ought To Be a Law" contest. Over here to the right, we have Sophia Parola from North Pocono High School, Isabella Esposito from Western Wayne High School, Jamie Wojciechowski from the Valley View High School, Marissa Dzanis from Mid Valley High School, John Lynady from Carbondale Area High School, and Avianna Carilli from Lakeside High School. Congratulations to each of you. Stand please, and welcome to the hall of the House. I apologize for any mispronunciations.

As guests of Representative Lawrence, we would like to welcome the Chester County Youth Leadership Group. They are in the rear of the House. Will our guests please rise; right pretty much back the center. Welcome to the hall of the House.

And as guests of Representative Flynn, we would like to welcome members of the Leadership Lackawanna group. This is a leadership and professional development organization. It is celebrating its 30th anniversary. Will our guests please rise. Welcome to the hall of the House.

And we have a couple of guest pages with us today. Located in the well of the House, as guests of Representative Regan, we would like to welcome first, Shea Regan, who is Representative Regan's daughter, and her friend, Katherine Talley. Welcome to the hall of the House.

I would appreciate the members taking their seats. I have one other special guest that I want to bring up to the rostrum this morning. I would appreciate it if the members would clear the aisles, take your seats. Take the conversations off the floor if necessary. Could I have the members' attention, please.

NATIONAL GUARD DAY

REMARKS BY MAJ. GEN. WESLEY E. CRAIG

The SPEAKER. Today is Pennsylvania Guard Day in the Commonwealth, and located to the left of the rostrum, I am pleased to welcome Maj. Gen. Wesley Craig, the Adjutant General of Pennsylvania, and I would like to invite the major to the rostrum to address this House in honor of this annual event.

MAJOR GENERAL CRAIG. Mr. Speaker, members of the House, thank you all for inviting me here today.

I bring you greetings from the 19,400 members of the Pennsylvania National Guard here on National Guard Day at our Capitol. Pennsylvania has the third largest Guard in the nation, and we are the most busy of all National Guards in any State with our deployments overseas. I am asked many times why that is the case, and with all due respect to our friends from Maryland that I just met, it is because we are not only one of the biggest, we are the best when it comes to being the National Guard.

I thank this body and the Senate for your continuing support of our soldiers and airmen. Legislation like the Educational Assistance Program that has been funded here for a number of years, where we can pay college tuition at a State university in turn for honorable service in the Pennsylvania National Guard, is a tremendous recruiting incentive. The bill that you are going to debate I believe today, the sale of armories, we have a large number of excess armories, old decrepit facilities, that we are going to be able to sell with your approval. That will allow us to take that money and turn it back into maintenance of our existing facilities, ensuring that our soldiers and airmen have a good home base to work from, to train from, and use for an emergency operation center in the state of State active duty.

Our history has been around for a long time. It goes back to 7 December 1747, when we were founded by Benjamin Franklin. The Society of Friends who had the reins of political leadership back in those days would not allow a compulsory militia service that existed in all other colonies. Franklin, realizing there were threats coming up the Delaware in terms of pirate raiders, and on the frontier, the far western frontier from the Iroquois Indians, organized a voluntary association of militia that was funded by a lottery. We have served then in every war since that our nation has fought, and I am sure Ben Franklin could never have conceived that what started out as 600 men in a voluntary militia association would grow into the large and powerful combat force that we have today.

September 11, 2001, is a day that saw the Pennsylvania National Guard, like all other National Guards, emerge from a strategic reserve to an operational force. Now, what did that mean for all of us in the National Guard?

Well, if you were in the Maryland or Virginia National Guard, that day you reported to duty with no time to train up, grabbing what equipment you had as Virginia and Maryland poured into our nation's capital to secure the national capital region. If you were in the New York National Guard, thousands of you were mobilized that day at a moment's notice as thousands of guardsmen poured into lower Manhattan for the response and recovery and rescue operations that incurred there for many months after. And finally, if you were in the Pennsylvania National Guard, in C Company, 103d Armor, in sleepy little Friedens, Pennsylvania, you became operational that day because your armory became a morgue for the victims of Flight 93.

Since that terrible day, we in Pennsylvania have deployed 34,000 soldiers and airmen for the Pennsylvania National Guard for all kinds of operations overseas: peacekeeping, counterinsurgency, combat operations, training missions, you name it, we have done it. In addition, as this House is well aware, we have received many no-notice deployment operations for emergencies here at home. In 2005 it was Hurricane Katrina, where we sent an entire brigade to Louisiana for 5 weeks. In 2011 it was Hurricane Irene and Tropical Storm Lee here in the Commonwealth. In 2012 it was Hurricane Sandy, first into

Pennsylvania, and then we sent hundreds of troops to help out in New Jersey and New York. And finally, in 2013, just several months ago, we sent 100, close to 100 airmen and Army soldiers into Connecticut to help out with the 3 and 4 feet of snow that got dumped on that State.

This selfless service overseas has come at a great price. Now there are 53 soldiers of the Pennsylvania National Guard that have given their lives in the defense of freedom as part of the Global War on Terror. The two most recent ones were on 9 April 2013, just 8 days ago. They were the crewmen of an Apache attack helicopter that crashed in Afghanistan. CWO3 Matt Ruffner of Dauphin County and CWO2 Jarett Yoder of Berks County were the crewmen that were killed. We mourn their loss. However, we celebrate their lives. We celebrate their dedication to a cause that they felt was greater than themselves; that was the cause of freedom. These men epitomize the best that make up the Pennsylvania National Guard.

Much is demanded of us in uniform because we live by the U.S. Army Soldier's Creed, whether we are in the Army or the Air Force Guard. The words of the Army Soldier's Creed tell it all, and it says: "I will always place the mission first. I will never accept defeat. I will never leave a fallen comrade," and "I will never quit." We accept these challenges as part of this creed, as part of our duty.

In spite of these high demands, or some of us say, because of these high demands, our numbers continue to grow. I am proud to tell this body that as of today, after 10 years of war, 53 combat killed in action, 275 wounded in action, the Pennsylvania National Guard, an all-volunteer organization, has been at over 100 percent strength for the past 3 years. This says a tremendous amount about young Pennsylvanians who are willing to step forward, place their life on the line if necessary to help out here in the Commonwealth, help out here in the common defense of our country.

So with your continued support here, from the House here today, I am certain we will always be able to remain true to our motto, which is: "Always Ready, and Always There."

Thank you very much for your attention, and thank you very much for your support.

The SPEAKER. I thank the general very much for taking time to come and share with us the accomplishments, the history, and the proud nature of the National Guard here in Pennsylvania. You exude the confidence and pride in that organization, and we share that. Thank you for your service to our country.

God bless you.

UNCONTESTED CALENDAR

RESOLUTIONS PURSUANT TO RULE 35

Mr. HARKINS called up **HR 196, PN 1287**, entitled:

A Resolution designating the week of April 21 through 27, 2013, as "Crime Victims' Rights Week" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—194

Adolph	Emrick	Kim	Payne
Aument	English	Kinsey	Peifer
Baker	Evankovich	Kirkland	Petrarca
Barbin	Evans	Knowles	Petri
Barrar	Fabrizio	Kortz	Pickett
Benninghoff	Farina	Kotik	Pyle
Bishop	Farry	Krieger	Quinn
Bizzarro	Fee	Kula	Rapp
Bloom	Fleck	Lawrence	Ravenstahl
Boback	Flynn	Longietti	Readshaw
Boyle, B.	Frankel	Lucas	Reed
Boyle, K.	Freeman	Mackenzie	Reese
Bradford	Gabler	Maher	Regan
Briggs	Gainey	Mahoney	Roae
Brooks	Galloway	Major	Rock
Brown, R.	Gergely	Maloney	Roebuck
Brown, V.	Gibbons	Markosek	Ross
Brownlee	Gillen	Marshall	Rozzi
Burns	Gillespie	Masser	Sabatina
Caltagirone	Gingrich	Matzie	Saccone
Carroll	Godshall	McCarter	Sainato
Causer	Goodman	McGeehan	Samuelson
Christiana	Greiner	McGinnis	Sankey
Clay	Grell	McNeill	Santarsiero
Clymer	Grove	Mentzer	Saylor
Conklin	Hackett	Metcalfe	Scavello
Corbin	Haggerty	Metzgar	Schlossberg
Costa, D.	Hahn	Miccarelli	Simmons
Costa, P.	Haluska	Micozzie	Sims
Cox	Hanna	Millard	Smith
Cruz	Harhai	Miller	Snyder
Culver	Harhart	Milne	Sonney
Cutler	Harkins	Mirabito	Stephens
Daley, M.	Harper	Miranda	Stern
Daley, P.	Harris, A.	Molchany	Stevenson
Davidson	Harris, J.	Moul	Sturla
Davis	Heffley	Mullery	Swanger
Day	Helm	Mundy	Tallman
Dean	Hennessey	Murt	Taylor
Deasy	Hess	Mustio	Tobash
DeLissio	Hickernell	Neilson	Toepel
Delozier	James	Neuman	Truitt
DeLuca	Kampf	O'Brien	Turzai
Denlinger	Kauffman	O'Neill	Vereb
Dermody	Kavulich	Oberlander	Vitali
DiGirolamo	Keller, F.	Painter	Waters
Donatucci	Keller, M.K.	Parker	White
Dunbar	Keller, W.	Pashinski	Youngblood
Ellis	Killion		

NAYS—0

NOT VOTING—0

EXCUSED—7

Cohen	Marsico	Toohil	Wheatley
Everett	Thomas	Watson	

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

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Mr. TURZAI called up **HR 199, PN 1321**, entitled:

A Resolution declaring the week of April 14 through 20, 2013, as "Bat Protection and Awareness Week" in Pennsylvania.

On the question,
Will the House adopt the resolution?

RESOLUTION RECOMMITTED

The SPEAKER. The Speaker recognizes the majority leader, who moves that HR 199 be recommitted to the Environmental Resources and Energy Committee.

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

CALENDAR

RESOLUTIONS PURSUANT TO RULE 35

Mr. KINSEY called up **HR 90, PN 748**, entitled:

A Resolution extending condolences on the death of Dr. Arlene C. Ackerman, former Philadelphia School District superintendent, on February 2, 2013, in Albuquerque, New Mexico, at 66 years of age.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—194

- | | | | |
|-------------|------------|------------|-------------|
| Adolph | Emrick | Kim | Payne |
| Aument | English | Kinsey | Peifer |
| Baker | Evankovich | Kirkland | Petrarca |
| Barbin | Evans | Knowles | Petri |
| Barrar | Fabrizio | Kortz | Pickett |
| Benninghoff | Farina | Kotik | Pyle |
| Bishop | Farry | Krieger | Quinn |
| Bizzarro | Fee | Kula | Rapp |
| Bloom | Fleck | Lawrence | Ravenstahl |
| Boback | Flynn | Longietti | Readshaw |
| Boyle, B. | Frankel | Lucas | Reed |
| Boyle, K. | Freeman | Mackenzie | Reese |
| Bradford | Gabler | Maher | Regan |
| Briggs | Gainey | Mahoney | Roae |
| Brooks | Galloway | Major | Rock |
| Brown, R. | Gergely | Maloney | Roebuck |
| Brown, V. | Gibbons | Markosek | Ross |
| Brownlee | Gillen | Marshall | Rozzi |
| Burns | Gillespie | Masser | Sabatina |
| Caltagirone | Gingrich | Matzie | Saccone |
| Carroll | Godshall | McCarter | Sainato |
| Causar | Goodman | McGeehan | Samuelson |
| Christiana | Greiner | McGinnis | Sankey |
| Clay | Grell | McNeill | Santarsiero |
| Clymer | Grove | Mentzer | Saylor |
| Conklin | Hackett | Metcalfe | Scavello |
| Corbin | Haggerty | Metzgar | Schlossberg |
| Costa, D. | Hahn | Miccarelli | Simmons |
| Costa, P. | Haluska | Micozzie | Sims |
| Cox | Hanna | Millard | Smith |
| Cruz | Harhai | Miller | Snyder |
| Culver | Harhart | Milne | Sonney |
| Cutler | Harkins | Mirabito | Stephens |
| Daley, M. | Harper | Miranda | Stern |

- | | | | |
|------------|--------------|------------|------------|
| Daley, P. | Harris, A. | Molchany | Stevenson |
| Davidson | Harris, J. | Moul | Sturla |
| Davis | Heffley | Mullery | Swanger |
| Day | Helm | Mundy | Tallman |
| Dean | Hennessey | Murt | Taylor |
| Deasy | Hess | Mustio | Tobash |
| DeLissio | Hickernell | Neilson | Toepel |
| Delozier | James | Neuman | Truitt |
| DeLuca | Kampf | O'Brien | Turzai |
| Denlinger | Kauffman | O'Neill | Vereb |
| Dermody | Kavulich | Oberlander | Vitali |
| DiGirolamo | Keller, F. | Painter | Waters |
| Donatucci | Keller, M.K. | Parker | White |
| Dunbar | Keller, W. | Pashinski | Youngblood |
| Ellis | Killion | | |

NAYS—0

NOT VOTING—0

EXCUSED—7

- | | | | |
|---------|---------|--------|----------|
| Cohen | Marsico | Toohil | Wheatley |
| Everett | Thomas | Watson | |

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

* * *

Ms. DONATUCCI called up **HR 197, PN 1288**, entitled:

A Resolution designating April 20, 2013, as "Take It All Back Day" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The SPEAKER. On that question, the Speaker recognizes the lady from Philadelphia County, Ms. Donatucci.

Ms. DONATUCCI. Thank you, Mr. Speaker.

Today in the United States, one-third of all adult women have been sexually assaulted at some point in their life, and one-quarter of these women would have had the assault occur before their 18th birthday.

As I look across the great chamber today, I see a multitude of female faces, and these statistics, which have been shown to be accurate through a number of studies, bring a sobering feeling to the pit of my stomach. Violence against women is in no way, shape, or form a new phenomenon, nor is it something that is unique only to the United States. Women have been subject to acts of violence for centuries in civilizations and countries all around the globe, but it is equally important for us to remember that women have long been resistant to these acts.

With that in mind, I am pleased to offer up HR 197 today, which designates and recognizes April 20, 2013, as "Take It All Back Day" in Pennsylvania. The resolution also recognizes groups such as Women Organized Against Rape in Philadelphia and the Pennsylvania Coalition Against Rape for their work to inform the public about the problem of sexual assault and abuse in all forms. Such groups do so much to assist survivors of sexual assault and to inform the public that sexual violence is widespread and has public health implications.

On April 20 there will be a "Take It All Back" walk, where men and women will mobilize to show their support for the protection of women. With the passing of the Federal Violence Against Women Act, there is hope that there will be a newfound commitment to providing a deterrence and punitive actions as it relates to perpetrators of crimes against women. Take It All Back Day in Pennsylvania is just one way that this chamber and this Commonwealth can help to spread awareness of crimes against women and support steps towards a future where these crimes cease to exist. Thank you.

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

The following roll call was recorded:

YEAS—194

Adolph	Emrick	Kim	Payne
Aument	English	Kinsey	Peifer
Baker	Evankovich	Kirkland	Petrarca
Barbin	Evans	Knowles	Petri
Barrar	Fabrizio	Kortz	Pickett
Benninghoff	Farina	Kotik	Pyle
Bishop	Farry	Krieger	Quinn
Bizzarro	Fee	Kula	Rapp
Bloom	Fleck	Lawrence	Ravenstahl
Boback	Flynn	Longietti	Readshaw
Boyle, B.	Frankel	Lucas	Reed
Boyle, K.	Freeman	Mackenzie	Reese
Bradford	Gabler	Maher	Regan
Briggs	Gainey	Mahoney	Roae
Brooks	Galloway	Major	Rock
Brown, R.	Gergely	Maloney	Roebuck
Brown, V.	Gibbons	Markosek	Ross
Brownlee	Gillen	Marshall	Rozzi
Burns	Gillespie	Masser	Sabatina
Caltagirone	Gingrich	Matzie	Saccone
Carroll	Godshall	McCarter	Sainato
Causar	Goodman	McGeehan	Samuelson
Christiana	Greiner	McGinnis	Sankey
Clay	Grell	McNeill	Santarsiero
Clymer	Grove	Mentzer	Saylor
Conklin	Hackett	Metcalfe	Scavello
Corbin	Haggerty	Metzgar	Schlossberg
Costa, D.	Hahn	Miccarelli	Simmons
Costa, P.	Haluska	Micozzie	Sims
Cox	Hanna	Millard	Smith
Cruz	Harhai	Miller	Snyder
Culver	Harhart	Milne	Sonney
Cutler	Harkins	Mirabito	Stephens
Daley, M.	Harper	Miranda	Stern
Daley, P.	Harris, A.	Molchany	Stevenson
Davidson	Harris, J.	Moul	Sturla
Davis	Heffley	Mullery	Swanger
Day	Helm	Mundy	Tallman
Dean	Hennessey	Murt	Taylor
Deasy	Hess	Mustio	Tobash
DeLissio	Hickernell	Neilson	Toepel
DeLozier	James	Neuman	Truitt
DeLuca	Kampf	O'Brien	Turzai
Denlinger	Kauffman	O'Neill	Vereb
Dermody	Kavulich	Oberlander	Vitali
DiGirolo	Keller, F.	Painter	Waters
Donatucci	Keller, M.K.	Parker	White
Dunbar	Keller, W.	Pashinski	Youngblood
Ellis	Killion		

NAYS—0

NOT VOTING—0

EXCUSED—7

Cohen	Marsico	Toohil	Wheatley
Everett	Thomas	Watson	

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

* * *

Ms. BISHOP called up **HR 236, PN 1459**, entitled:

A Resolution honoring the legacy of the late Dr. Cynthia Delores Tucker, former Secretary of the Commonwealth, who attained distinction as the highest-ranking African-American woman in State Government and a longtime civil rights leader.

On the question,
Will the House adopt the resolution?

The SPEAKER. If I could have the members' attention, just getting a little loud. I would appreciate it if you would hold the conversations down. If we could kindly hold the conversations down, it would be appreciated.

The question is, will the House adopt the resolution?

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

Ms. BISHOP. Thank you very much, Mr. Speaker.

It is with great pleasure that I rise in this chamber today to support resolution No. 236, along with many others who have known her, honoring civil rights champion C. Delores Tucker, former Pennsylvania Secretary of the Commonwealth. Throughout her career, Delores Tucker was an advocate, an innovator, a negotiator, a unifier, and one who believed in women's rights.

She was the first African-American woman in the United States to serve as Secretary of State and the first woman to serve in that capacity in the Commonwealth of Pennsylvania. She participated in the historical Selma, Alabama, march with Dr. Martin Luther King and founded the National Congress of Black Women. Among her many notable accomplishments, Delores was chief of elections in Pennsylvania. She was a leader in instituting voter registration by mail and reducing the voting age from 21 to 18 years of age. One of her greatest honors was in 1995. Dr. C. Delores Tucker was named one of People Magazine's "25 of the World's Most Intriguing People," and that she was, and we can understand why.

More importantly, she cared about our youth and aggressively protested offensive language and lobbied everyone she knew to change the language so that it became not filth but good. She felt those lyrics were demeaning to all races. Her husband, William, once said that she was one of the most fearless individuals he had ever known. Delores, he said, would take on anyone, anything, if she thought that she was right. He once told her there were times when she would have to compromise—

The SPEAKER. Will the lady suspend. I apologize.

POINT OF ORDER

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

Mr. WATERS. Mr. Speaker, I rise because the House is not in order, and I believe that the resolution that is being addressed today deserves respect.

Thank you, Mr. Speaker.

The SPEAKER. The Speaker thanks the gentleman.

The Speaker did ask the members to kindly hold their conversations down before the lady was recognized. I would appreciate your attention. Please hold the conversations down. If the members would clear the aisles.

Thank you. The lady may proceed. I apologize for the interruption.

Ms. BISHOP. Thank you, Mr. Speaker.

Upon being told by her husband she would have to compromise, Delores said, absolutely not. She was not ready to entertain the idea of compromising about anything. Ms. Tucker was a maverick whenever it came to her achievements in public service. Her compassionate legacy will remain in our hearts here in Pennsylvania and in the United States of America.

And in closing, I simply want to remind each and every woman that is in this House, many of us have the opportunity to serve today because of the doors that Delores Tucker opened. She was like a quiet storm. Sometimes one would not recognize that she was there until she had passed through and blown open the doors of opportunities for someone else. God bless you, Delores. Live on up yonder.

Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—194

Adolph	Emrick	Kim	Payne
Aument	English	Kinsey	Peifer
Baker	Evankovich	Kirkland	Petrarca
Barbin	Evans	Knowles	Petri
Barrar	Fabrizio	Kortz	Pickett
Benninghoff	Farina	Kotik	Pyle
Bishop	Farry	Krieger	Quinn
Bizzarro	Fee	Kula	Rapp
Bloom	Fleck	Lawrence	Ravenstahl
Boback	Flynn	Longietti	Readshaw
Boyle, B.	Frankel	Lucas	Reed
Boyle, K.	Freeman	Mackenzie	Reese
Bradford	Gabler	Maher	Regan
Briggs	Gainey	Mahoney	Roae
Brooks	Galloway	Major	Rock
Brown, R.	Gergely	Maloney	Roebuck
Brown, V.	Gibbons	Markosek	Ross
Brownlee	Gillen	Marshall	Rozzi
Burns	Gillespie	Masser	Sabatina
Caltagirone	Gingrich	Matzie	Saccone
Carroll	Godshall	McCarter	Sainato
Causar	Goodman	McGeehan	Samuelson
Christiana	Greiner	McGinnis	Sankey
Clay	Grell	McNeill	Santarsiero
Clymer	Grove	Mentzer	Saylor
Conklin	Hackett	Metcalfe	Scavello
Corbin	Haggerty	Metzgar	Schlossberg
Costa, D.	Hahn	Miccarelli	Simmons
Costa, P.	Haluska	Micozzie	Sims
Cox	Hanna	Millard	Smith

Cruz	Harhai	Miller	Snyder
Culver	Harhart	Milne	Sonney
Cutler	Harkins	Mirabito	Stephens
Daley, M.	Harper	Miranda	Stern
Daley, P.	Harris, A.	Molchany	Stevenson
Davidson	Harris, J.	Moul	Sturla
Davis	Heffley	Mullery	Swanger
Day	Helm	Mundy	Tallman
Dean	Hennessey	Murt	Taylor
Deasy	Hess	Mustio	Tobash
DeLissio	Hickernell	Neilson	Toepel
Delozier	James	Neuman	Truitt
DeLuca	Kampf	O'Brien	Turzai
Denlinger	Kauffman	O'Neill	Vereb
Dermody	Kavulich	Oberlander	Vitali
DiGirolamo	Keller, F.	Painter	Waters
Donatucci	Keller, M.K.	Parker	White
Dunbar	Keller, W.	Pashinski	Youngblood
Ellis	Killion		

NAYS—0

NOT VOTING—0

EXCUSED—7

Cohen	Marsico	Toohil	Wheatley
Everett	Thomas	Watson	

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

* * *

Mr. GILLEN called up **HR 246, PN 1468**, entitled:

A Resolution memorializing Margaret Thatcher as a great American friend and British patriot.

On the question,
Will the House adopt the resolution?

The SPEAKER. On that question, the Speaker recognizes the gentleman from Berks County, Mr. Gillen.

Mr. GILLEN. Thank you, Mr. Speaker.

While I was at my seat just a few moments ago, I pulled up what I thought was a noteworthy quote from Margaret Thatcher. She said that "Any woman who understands the problems of running a home will be nearer to understanding the problems of running a country." I think she was exactly right.

This colossus on the world scene left this life April 8, not many days ago. She not only was a colossus of free enterprise, but she was a giant of freedom worldwide. She had humble roots. She lived in a flat above her family's grocery store in England. She raised the family herself. She had two children that happened to be twins, Mark and Carol. She married Denis. She went on politically to be elected to Parliament. In the Prime Ministership of Edward Heath, she was a Cabinet Secretary, and eventually she went on to become the Prime Minister from 1979 until 1990. Not only that, she was a chemist by trade, and she also had a law degree.

What I find remarkable about her is she stood shoulder to shoulder with President Ronald Reagan as they jointly stared down the Soviet Union during the cold war, and if that was not enough, Margaret Thatcher led her country in a battle to retake

the Falkland Islands. So she was a Prime Minister who led on the cold war and who led in the hot war. She was strong, she was resolute, and she was unshakable. Not only was she a voice of liberty, but she was a friend of America.

Finally, Mr. Speaker, derisively, those in the Soviet Union called her the Iron Lady. She took it as a compliment, for she was a full-fledged woman. She indeed was a lady, and she had an iron will, which is just what the United Kingdom needed and the world needed during her reign as Prime Minister.

Thank you, Mr. Speaker.

The SPEAKER. The question is, will the House adopt the resolution?

On that question, the Speaker recognizes the gentleman from Allegheny County, Mr. Turzai.

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

Margaret Thatcher, who lived from 1925 to 2013 and served for over 11 years as the British Prime Minister, wrote the following article, in which it stated:

"All too often the state is tempted into activities to which it is either ill-suited or which are beyond its capabilities.

"Perhaps the greatest of these temptations is government's desire to concentrate economic power in its own hands. It begins to believe that it knows how to manage business. But let me tell you, it doesn't as we discovered in Britain in the 1970s when nationalisation and prices and incomes policy together deprived management of the ability to manage. And when we came to privatise and deregulate in the 1980s it took some time before these skills returned.

"A system of state control can't be made good merely because it is run by 'clever' people who make the...assertion that they 'know best' and that they are serving the 'public interest' which of course is determined by them. State control is fundamentally bad because it denies people the power to choose and the opportunity to bear responsibility for their own actions.

"...Free enterprise enlarges the power of the people.

"...We understood that a system of free enterprise has a universal truth at its heart: to create a genuine market in a state you have to take the state out of the market."

Thank you very much, Mr. Speaker.

The SPEAKER. The question is, will the House adopt the resolution?

On that question, the Speaker recognizes the gentleman from Philadelphia, Mr. Brendan Boyle.

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

Mr. Speaker, in good conscience, I cannot support this resolution, and I want to briefly explain why. I know that there are those, there are those who question on the outside, whether or not we should even do these resolutions. I think they are wrong. I think these resolutions are an important part of the work of this House. I have had the sad honor on a few occasions to stand in the well of the House and honor a few Philadelphia police officers from my district who were killed in the line of duty. I know these resolutions meant a great deal to those families and also to those who are family members of others who have been honored in the past. Because this resolution matters, I cannot support a resolution that would honor Margaret Thatcher.

Mr. Speaker, this is someone who once called Nelson Mandela a terrorist. This is someone who refused to join a worldwide boycott of the apartheid regime in South Africa. This is someone who brought unwanted and unnecessary bloodshed to Northern Ireland and caused a great deal of pain that was

completely unnecessary. This is someone who even supported the Khmer Rouge and continued to support a murderous dictator like Augusto Pinochet.

Now, just to be clear, my opposition to this resolution is by no means anticongervative. If this resolution was honoring her successor, John Major, I would be happy to support it, an honorable and fine person. I am also someone who is very proud of the close relationship the United States has with the U.K. Just last session I introduced a resolution praising the words of Tony Blair when he came to America's defense after 9/11.

So my opposition to this resolution is not anticongervative. It is not anti-British. It is entirely anti-Thatcher. And in good conscience, I ask you to vote "no." Thank you.

The SPEAKER. The question is, will the House adopt the resolution?

On that question, the Speaker recognizes the gentleman from Berks County, Mr. Gillen, for the second time.

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

I opened with my acknowledgement of her as a woman, as a strong leader. At no point did I indicate perfection. I have sat on the floor of this House repeatedly and deferred on resolutions, and I voted in the affirmative not because I believe that that vote was an assertion of flawlessness or impeccable character. I recognize in Margaret Thatcher redeeming traits. She stood shoulder to shoulder with the United States of America in a time of great need. She stood with President Reagan when there were few takers when it came to standing down the Soviet Union. I did not refer to any of her internal social policies or other aspects of foreign policy.

I will defer to others and to history as to what her ultimate legacy here will be. I merely asserted she was a friend of the United States of America. She was willing to go to war to defend the United States of America. And on this very sacred day in the Capitol when we honor our Guard, she was willing to send British soldiers to die for the United States of America.

The United Kingdom has stood with the United States of America in innumerable conflicts. We have fought alongside of British soldiers, and Margaret Thatcher embodies everything that is excellent about the United Kingdom. And I trust that that relationship will outlive and outlast the people in this great hall.

I assert to you, there is no other conscionable decision but to affirm the legacy of Margaret Thatcher when it comes to her relationship and her steadfastness with the United States, when it comes to the defense of our homelands.

Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—146

Adolph	Evankovich	Kim	Petri
Aument	Fabrizio	Knowles	Pickett
Baker	Farry	Kortz	Pyle
Barbin	Fee	Krieger	Quinn
Barrar	Fleck	Lawrence	Rapp
Benninghoff	Frankel	Longietti	Ravenstahl
Bishop	Gabler	Lucas	Readshaw
Bizzarro	Gergely	Mackenzie	Reed
Bloom	Gibbons	Maher	Reese
Boback	Gillen	Mahoney	Regan

Bradford	Gillespie	Major	Roae
Brooks	Gingrich	Maloney	Rock
Brown, R.	Godshall	Marshall	Ross
Burns	Greiner	Masser	Sacone
Caltagirone	Grell	Matzie	Sainato
Carroll	Grove	McGeehan	Samuelson
Causer	Hackett	McGinnis	Sankey
Christiana	Haggerty	Mentzer	Saylor
Clymer	Hahn	Metcalfe	Scavello
Conklin	Haluska	Metzgar	Simmons
Corbin	Harhai	Miccarelli	Smith
Costa, D.	Harhart	Micozzie	Snyder
Costa, P.	Harper	Millard	Sonney
Cox	Harris, A.	Miller	Stephens
Culver	Heffley	Milne	Stern
Cutler	Helm	Mirabito	Stevenson
Daley, P.	Hennessey	Moul	Sturla
Day	Hess	Murt	Swanger
Dean	Hickernell	Mustio	Tallman
Deasy	James	Neuman	Taylor
DeLozier	Kampf	O'Neill	Tobash
Denlinger	Kauffman	Oberlander	Toepel
DiGirolamo	Kavulich	Painter	Truitt
Dunbar	Keller, F.	Payne	Turzai
Ellis	Keller, M.K.	Peifer	Vereb
Emrick	Keller, W.	Petrarca	Vitali
English	Killion		

NAYS-48

Boyle, B.	Dermody	Kinsey	O'Brien
Boyle, K.	Donatucci	Kirkland	Parker
Briggs	Evans	Kotik	Pashinski
Brown, V.	Farina	Kula	Roebuck
Brownlee	Flynn	Markosek	Rozzi
Clay	Freeman	McCarter	Sabatina
Cruz	Gainey	McNeill	Santarsiero
Daley, M.	Galloway	Miranda	Schlossberg
Davidson	Goodman	Molchany	Sims
Davis	Hanna	Mullery	Waters
DeLissio	Harkins	Mundy	White
DeLuca	Harris, J.	Neilson	Youngblood

NOT VOTING-0

EXCUSED-7

Cohen	Marsico	Toohil	Wheatley
Everett	Thomas	Watson	

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

* * *

Mr. FLYNN called up **HR 247, PN 1469**, entitled:

A Resolution recognizing Leadership Lackawanna for more than 30 years of outstanding service and effort to improve the Lackawanna County area and designating June 22, 2013, as "Leadership Lackawanna Day" in this Commonwealth.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-194

Adolph	Emrick	Kim	Payne
Aument	English	Kinsey	Peifer
Baker	Evankovich	Kirkland	Petrarca
Barbin	Evans	Knowles	Petri
Barrar	Fabrizio	Kortz	Pickett
Benninghoff	Farina	Kotik	Pyle
Bishop	Farry	Krieger	Quinn
Bizzarro	Fee	Kula	Rapp
Bloom	Fleck	Lawrence	Ravenstahl
Boback	Flynn	Longietti	Readshaw
Boyle, B.	Frankel	Lucas	Reed
Boyle, K.	Freeman	Mackenzie	Reese
Bradford	Gabler	Maher	Regan
Briggs	Gainey	Mahoney	Roae
Brooks	Galloway	Major	Rock
Brown, R.	Gergely	Maloney	Roebuck
Brown, V.	Gibbons	Markosek	Ross
Brownlee	Gillen	Marshall	Rozzi
Burns	Gillespie	Masser	Sabatina
Caltagirone	Gingrich	Matzie	Sacone
Carroll	Godshall	McCarter	Sainato
Causer	Goodman	McGeehan	Samuelson
Christiana	Greiner	McGinnis	Sankey
Clay	Grell	McNeill	Santarsiero
Clymer	Grove	Mentzer	Saylor
Conklin	Hackett	Metcalfe	Scavello
Corbin	Haggerty	Metzgar	Schlossberg
Costa, D.	Hahn	Miccarelli	Simmons
Costa, P.	Haluska	Micozzie	Sims
Cox	Hanna	Millard	Smith
Cruz	Harhai	Miller	Snyder
Culver	Harhart	Milne	Sonney
Cutler	Harkins	Mirabito	Stephens
Daley, M.	Harper	Miranda	Stern
Daley, P.	Harris, A.	Molchany	Stevenson
Davidson	Harris, J.	Moul	Sturla
Davis	Heffley	Mullery	Swanger
Day	Helm	Mundy	Tallman
Dean	Hennessey	Murt	Taylor
Deasy	Hess	Mustio	Tobash
DeLissio	Hickernell	Neilson	Toepel
DeLozier	James	Neuman	Truitt
DeLuca	Kampf	O'Brien	Turzai
Denlinger	Kauffman	O'Neill	Vereb
Dermody	Kavulich	Oberlander	Vitali
DiGirolamo	Keller, F.	Painter	Waters
Donatucci	Keller, M.K.	Parker	White
Dunbar	Keller, W.	Pashinski	Youngblood
Ellis	Killion		

NAYS-0

NOT VOTING-0

EXCUSED-7

Cohen	Marsico	Toohil	Wheatley
Everett	Thomas	Watson	

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

UNCONTESTED SUPPLEMENTAL CALENDAR B

RESOLUTION PURSUANT TO RULE 35

Mr. ELLIS called up **HR 258, PN 1520**, entitled:

A Resolution designating April 19, 2013, as "Pennsylvania YMCA Youth and Government Day" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—194

Adolph	Emrick	Kim	Payne
Aument	English	Kinsey	Peifer
Baker	Evankovich	Kirkland	Petrarca
Barbin	Evans	Knowles	Petri
Barrar	Fabrizio	Kortz	Pickett
Benninghoff	Farina	Kotik	Pyle
Bishop	Farry	Krieger	Quinn
Bizzarro	Fee	Kula	Rapp
Bloom	Fleck	Lawrence	Ravenstahl
Boback	Flynn	Longiatti	Readshaw
Boyle, B.	Frankel	Lucas	Reed
Boyle, K.	Freeman	Mackenzie	Reese
Bradford	Gabler	Maher	Regan
Briggs	Gainey	Mahoney	Roae
Brooks	Galloway	Major	Rock
Brown, R.	Gergely	Maloney	Roebuck
Brown, V.	Gibbons	Markosek	Ross
Brownlee	Gillen	Marshall	Rozzi
Burns	Gillespie	Masser	Sabatina
Caltagirone	Gingrich	Matzie	Saccone
Carroll	Godshall	McCarter	Sainato
Causar	Goodman	McGeehan	Samuelson
Christiana	Greiner	McGinnis	Sankey
Clay	Grell	McNeill	Santarsiero
Clymer	Grove	Mentzer	Saylor
Conklin	Hackett	Metcalfe	Scavello
Corbin	Haggerty	Metzgar	Schlossberg
Costa, D.	Hahn	Miccarelli	Simmons
Costa, P.	Haluska	Micozzie	Sims
Cox	Hanna	Millard	Smith
Cruz	Harhai	Miller	Snyder
Culver	Harhart	Milne	Sonney
Cutler	Harkins	Mirabito	Stephens
Daley, M.	Harper	Miranda	Stern
Daley, P.	Harris, A.	Molchany	Stevenson
Davidson	Harris, J.	Moul	Sturla
Davis	Heffley	Mullery	Swanger
Day	Helm	Mundy	Tallman
Dean	Hennessey	Murt	Taylor
Deasy	Hess	Mustio	Tobash
DeLissio	Hickernell	Neilson	Toepel
Delozier	James	Neuman	Truitt
DeLuca	Kampf	O'Brien	Turzai
Denlinger	Kauffman	O'Neill	Vereb
Dermody	Kavulich	Oberlander	Vitali
DiGirolamo	Keller, F.	Painter	Waters
Donatucci	Keller, M.K.	Parker	White
Dunbar	Keller, W.	Pashinski	Youngblood
Ellis	Killion		

NAYS—0

NOT VOTING—0

EXCUSED—7

Cohen	Marsico	Toohil	Wheatley
Everett	Thomas	Watson	

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

STATEMENT BY MR. ELLIS

The SPEAKER. The Speaker recognizes the gentleman from Butler County, Mr. Ellis, under unanimous consent relative to the resolution just adopted.

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

I would like to just real quick thank my colleagues for the unanimous support of making Friday this week Pennsylvania Youth and Government Day. For those of you who are not familiar with it, the YMCA and schools across the State have a program called Youth and Government, where they teach civic engagement through the principles of democracy, and once a year the students from across the State come out and they, in 3 days' time, will do what we do in a whole term. They will pass hundreds of bills into law. There will be a Governor. There are Senators, Representatives, lobbyists, everything that we do. And, Mr. Speaker, it is very special for me this year because my son will be here as a Representative.

And for those of you who have the clubs, you know what I am talking about. Those of you who do not, take time to come and watch these kids debate because it really is a joy to see this chamber lit up with the youthful exuberance that they bring to the table.

So thanks again, Mr. Speaker.

The SPEAKER. The Speaker thanks the gentleman for those remarks and will resist the temptation to have some fun with them.

GUEST INTRODUCED

The SPEAKER. I would like to welcome an additional guest that is with us. As the guest of Representative Culver, located to the left of the rostrum, we welcome Taylor Fazzini. Please rise. Welcome to the hall of the House.

BILLS REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

HB 135, PN 1534 (Amended) By Rep. CLYMER

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in preliminary provisions, providing for mandate waiver program.

EDUCATION.

HB 324, PN 1535 (Amended) By Rep. CLYMER

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in grounds and buildings, further providing for work to be done under contract let on bids and exceptions; in charter schools, further providing for charter school

requirements; in Thaddeus Stevens College of Technology, further providing for contracts for construction, repair, renovation or maintenance; in State System of Higher Education, further providing for project contracts; and making a related repeal.

EDUCATION.

ANNOUNCEMENT BY MR. CONKLIN

The SPEAKER. For what purpose does the gentleman from Centre County, Mr. Conklin, rise?

Mr. CONKLIN. I want to thank the Speaker.

I would like to, and prudent to rule 53, I rise to announce—

The SPEAKER. The gentleman will suspend.

Is the gentleman seeking recognition for the purpose of making an announcement relative to the discharge resolutions?

Mr. CONKLIN. Thank you, Mr. Speaker. Yes.

The SPEAKER. The gentleman is recognized for the purpose of making that announcement.

Mr. CONKLIN. I want to thank the Speaker.

Prudent to rule 53, I rise to announce my intentions to call up Discharge Resolutions 1, 2, 3, and 4 on April 23, 2013, or any time thereafter, Mr. Speaker.

The SPEAKER. The Speaker thanks the gentleman, and the announcement is noted in the record.

LEAVE OF ABSENCE

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

APPROPRIATIONS COMMITTEE MEETING

The SPEAKER. The Speaker recognizes the gentleman from Delaware County, Mr. Adolph, for the purpose of a committee announcement.

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

Mr. Speaker, there will be a House Appropriations Committee meeting immediately in the majority caucus room. Thank you.

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

REPUBLICAN CAUCUS

The SPEAKER. The Speaker recognizes the lady from Susquehanna County, Ms. Major, for the purpose of a caucus announcement.

Ms. MAJOR. Thank you, Mr. Speaker.

I would like to announce Republicans will caucus today at 12:45. I would ask our Republican members to report to our caucus room at 12:45. We would be prepared to come back on the floor at 1:45.

Thank you, Mr. Speaker.

DEMOCRATIC CAUCUS

The SPEAKER. The Speaker recognizes the gentleman from Allegheny County, Mr. Frankel, for a caucus announcement.

Mr. FRANKEL. Thank you, Mr. Speaker.

Democrats will also caucus at 12:45. Democrats will caucus at 12:45. Thank you.

RECESS

The SPEAKER. This House stands in recess until 1:45, unless sooner recalled by the Speaker.

RECESS EXTENDED

The time of recess was extended until 2 p.m.; further extended until 2:34 p.m.

AFTER RECESS

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

CALENDAR CONTINUED

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 663, PN 751**, entitled:

An Act amending Titles 18 (Crimes and Offenses) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for the definition of "commercial sex"; further providing for trafficking of persons; and providing for the offense of selling or buying of minors into commercial sex and for action for coercion into prostitution.

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 1000, PN 1174**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for the offense of retail theft.

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 302, PN 892**, entitled:

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, providing for county directors of veterans' affairs.

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 1029, PN 1220**, entitled:

An Act amending the act of May 11, 1889 (P.L.188, No.210), entitled "A further supplement to an act, entitled 'An act to establish a board of wardens for the Port of Philadelphia, and for the regulation of pilots and pilotage, and for other purposes,' approved March twenty-ninth, one thousand eight hundred and three, and for regulating the rates of pilotage and number of pilots," further providing for certain charges.

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

BILLS REREPORTED FROM COMMITTEE

HB 301, PN 1517 By Rep. ADOLPH

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, providing for a natural gas fleet vehicle tax credit; and imposing penalties.

APPROPRIATIONS.

HB 305, PN 1518 By Rep. ADOLPH

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, providing for a natural gas corridor tax credit.

APPROPRIATIONS.

HB 309, PN 1519 By Rep. ADOLPH

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, providing for a natural gas vehicle tax credit.

APPROPRIATIONS.

HB 431, PN 1515 By Rep. ADOLPH

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, in child protective services, further providing for education and training.

APPROPRIATIONS.

HB 432, PN 1516 By Rep. ADOLPH

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, in departmental powers and duties as to supervision and licensing, further providing for definitions; and providing for child abuse recognition and reporting training.

APPROPRIATIONS.

HB 515, PN 1452 By Rep. ADOLPH

An Act amending the act of July 31, 1968 (P.L.805, No.247), known as the Pennsylvania Municipalities Planning Code, further

providing for definitions; and providing for mailed notice in certain proceedings.

APPROPRIATIONS.

HB 668, PN 756 By Rep. ADOLPH

An Act amending the act of May 1, 1933 (P.L.103, No.69), known as The Second Class Township Code, in contracts, further providing for letting contracts.

APPROPRIATIONS.

HB 669, PN 757 By Rep. ADOLPH

An Act amending the act of June 24, 1931 (P.L.1206, No.331), known as The First Class Township Code, in contracts, further providing for general regulations concerning contracts.

APPROPRIATIONS.

HB 1056, PN 1284 By Rep. ADOLPH

An Act amending the act of May 1, 1933 (P.L.216, No.76), known as The Dental Law, providing for temporary volunteer dental licenses.

APPROPRIATIONS.

SB 436, PN 884 By Rep. ADOLPH

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, further providing for Voting Standards Development Board.

APPROPRIATIONS.

BILL REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

HB 770, PN 1536 (Amended) By Rep. HESS

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for special registration plates generally and for personal registration plates; providing for personal organization registration plates and for Appalachian Trail organization registration plates; and making editorial changes.

TRANSPORTATION.

LEAVE OF ABSENCE

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

The House will come to order.

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1112, PN 1426**, entitled:

An Act authorizing the Department of General Services, with the approval of the Department of Military and Veterans Affairs and the

Governor, to grant and convey, at a price to be determined through a competitive bid process, certain lands, buildings and improvements used as State armories throughout this Commonwealth.

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—192

Adolph	Ellis	Keller, W.	Payne
Aument	Emrick	Kim	Peifer
Baker	English	Kinsey	Petrarca
Barbin	Evankovich	Kirkland	Petri
Barrar	Evans	Knowles	Pickett
Benninghoff	Fabrizio	Kortz	Pyle
Bishop	Farina	Kotik	Quinn
Bizzarro	Farry	Krieger	Rapp
Bloom	Fee	Kula	Ravenstahl
Boback	Fleck	Lawrence	Readshaw
Boyle, B.	Flynn	Longietti	Reed
Boyle, K.	Frankel	Lucas	Reese
Bradford	Freeman	Mackenzie	Regan
Briggs	Gabler	Maher	Roae
Brooks	Gainey	Mahoney	Rock
Brown, R.	Galloway	Major	Roebuck
Brown, V.	Gergely	Maloney	Ross
Brownlee	Gibbons	Markosek	Rozzi
Burns	Gillen	Marshall	Sabatina
Caltagirone	Gillespie	Masser	Saccone
Carroll	Gingrich	Matzie	Sainato
Causer	Godshall	McCarter	Samuelson
Christiana	Goodman	McGeehan	Sankey
Clay	Greiner	McGinnis	Santarsiero
Clymer	Grell	McNeill	Saylor
Conklin	Grove	Mentzer	Scavello
Corbin	Hackett	Metcalfe	Schlossberg
Costa, D.	Haggerty	Metzgar	Simmons
Costa, P.	Hahn	Miccarelli	Sims
Cox	Haluska	Micozzie	Smith
Cruz	Hanna	Millard	Snyder
Culver	Harhai	Miller	Sonney
Cutler	Harhart	Milne	Stephens
Daley, M.	Harkins	Mirabito	Stern
Daley, P.	Harper	Molchany	Stevenson
Davidson	Harris, A.	Moul	Sturla
Davis	Harris, J.	Mullery	Swanger
Day	Heffley	Mundy	Tallman
Dean	Helm	Murt	Taylor
Deasy	Hennessey	Mustio	Tobash
DeLissio	Hess	Neilson	Toepel
Delozier	Hickernell	Neuman	Truitt
DeLuca	James	O'Brien	Turzai
Denlinger	Kampf	O'Neill	Verab
Dermody	Kauffman	Oberlander	Vitali
DiGirolamo	Kavulich	Painter	Waters
Donatucci	Keller, F.	Parker	White
Dunbar	Keller, M.K.	Pashinski	Youngblood

NAYS—0

NOT VOTING—0

EXCUSED—9

Cohen	Marsico	Thomas	Watson
Everett	Miranda	Toohil	Wheatley
Killion			

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 1115, PN 1352**, entitled:

An Act authorizing the Department of General Services, with the approval of the Department of Military and Veterans Affairs and the Governor, to dedicate, grant and convey a right-of-way for a roadway situate in East Hanover Township, Lebanon County.

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.

(Members proceeded to vote.)

LEAVE OF ABSENCE

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

CONSIDERATION OF HB 1115 CONTINUED

On the question recurring,
Shall the bill pass finally?

The following roll call was recorded:

YEAS—191

Adolph	Ellis	Kim	Peifer
Aument	Emrick	Kinsey	Petrarca
Baker	English	Kirkland	Petri
Barbin	Evankovich	Knowles	Pickett
Barrar	Evans	Kortz	Pyle
Benninghoff	Fabrizio	Kotik	Quinn
Bishop	Farina	Krieger	Rapp
Bizzarro	Farry	Kula	Ravenstahl
Bloom	Fee	Lawrence	Readshaw
Boback	Fleck	Longietti	Reed
Boyle, B.	Flynn	Lucas	Reese

Boyle, K.	Frankel	Mackenzie	Regan
Bradford	Freeman	Maher	Roae
Briggs	Gabler	Mahoney	Rock
Brooks	Gainey	Major	Roebuck
Brown, R.	Galloway	Maloney	Ross
Brown, V.	Gergely	Markosek	Rozzi
Brownlee	Gibbons	Marshall	Sabatina
Burns	Gillen	Masser	Saccone
Caltagirone	Gillespie	Matzie	Sainato
Carroll	Gingrich	McCarter	Samuelson
Causer	Godshall	McGeehan	Sankey
Christiana	Goodman	McGinnis	Santarsiero
Clay	Greiner	McNeill	Saylor
Clymer	Grell	Mentzer	Scavello
Conklin	Grove	Metcalfe	Schlossberg
Corbin	Hackett	Metzgar	Simmons
Costa, D.	Hahn	Miccarelli	Sims
Costa, P.	Haluska	Micozzie	Smith
Cox	Hanna	Millard	Snyder
Cruz	Harhai	Miller	Sonney
Culver	Harhart	Milne	Stephens
Cutler	Harkins	Mirabito	Stern
Daley, M.	Harper	Molchany	Stevenson
Daley, P.	Harris, A.	Moul	Sturla
Davidson	Harris, J.	Mullery	Swanger
Davis	Heffley	Mundy	Tallman
Day	Helm	Murt	Taylor
Dean	Hennessey	Mustio	Tobash
Deasy	Hess	Neilson	Toepel
DeLissio	Hickernell	Neuman	Truitt
Delozier	James	O'Brien	Turzai
DeLuca	Kampf	O'Neill	Verb
Denlinger	Kauffman	Oberlander	Vitali
Dermody	Kavulich	Painter	Waters
DiGirolamo	Keller, F.	Parker	White
Donatucci	Keller, M.K.	Pashinski	Youngblood
Dunbar	Keller, W.	Payne	

NAYS-0

NOT VOTING-0

EXCUSED-10

Cohen	Killion	Thomas	Watson
Everett	Marsico	Toohil	Wheatley
Haggerty	Miranda		

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 1116, PN 1427**, entitled:

An Act authorizing the Department of General Services, with the approval of the Department of Military and Veterans Affairs and the Governor, to grant and convey to First Capital Equities, Inc., certain land of the Commonwealth of Pennsylvania situate in East Hanover Township, Lebanon County, being a portion of Fort Indiantown Gap lands.

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-191

Adolph	Ellis	Kim	Peifer
Aument	Emrick	Kinsey	Petrarca
Baker	English	Kirkland	Petri
Barbin	Evankovich	Knowles	Pickett
Barrar	Evans	Kortz	Pyle
Benninghoff	Fabrizio	Kotik	Quinn
Bishop	Farina	Krieger	Rapp
Bizzarro	Farry	Kula	Ravenstahl
Bloom	Fee	Lawrence	Readshaw
Boback	Fleck	Longietti	Reed
Boyle, B.	Flynn	Lucas	Reese
Boyle, K.	Frankel	Mackenzie	Regan
Bradford	Freeman	Maher	Roae
Briggs	Gabler	Mahoney	Rock
Brooks	Gainey	Major	Roebuck
Brown, R.	Galloway	Maloney	Ross
Brown, V.	Gergely	Markosek	Rozzi
Brownlee	Gibbons	Marshall	Sabatina
Burns	Gillen	Masser	Saccone
Caltagirone	Gillespie	Matzie	Sainato
Carroll	Gingrich	McCarter	Samuelson
Causer	Godshall	McGeehan	Sankey
Christiana	Goodman	McGinnis	Santarsiero
Clay	Greiner	McNeill	Saylor
Clymer	Grell	Mentzer	Scavello
Conklin	Grove	Metcalfe	Schlossberg
Corbin	Hackett	Metzgar	Simmons
Costa, D.	Hahn	Miccarelli	Sims
Costa, P.	Haluska	Micozzie	Smith
Cox	Hanna	Millard	Snyder
Cruz	Harhai	Miller	Sonney
Culver	Harhart	Milne	Stephens
Cutler	Harkins	Mirabito	Stern
Daley, M.	Harper	Molchany	Stevenson
Daley, P.	Harris, A.	Moul	Sturla
Davidson	Harris, J.	Mullery	Swanger
Davis	Heffley	Mundy	Tallman
Day	Helm	Murt	Taylor
Dean	Hennessey	Mustio	Tobash
Deasy	Hess	Neilson	Toepel
DeLissio	Hickernell	Neuman	Truitt
Delozier	James	O'Brien	Turzai
DeLuca	Kampf	O'Neill	Verb
Denlinger	Kauffman	Oberlander	Vitali
Dermody	Kavulich	Painter	Waters
DiGirolamo	Keller, F.	Parker	White
Donatucci	Keller, M.K.	Pashinski	Youngblood
Dunbar	Keller, W.	Payne	

NAYS-0

NOT VOTING-0

EXCUSED-10

Cohen	Killion	Thomas	Watson
Everett	Marsico	Toohil	Wheatley
Haggerty	Miranda		

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 1119, PN 1356**, entitled:

An Act authorizing the Department of General Services, with the approval of the Department of Military and Veterans Affairs and the Governor, to grant and convey to Uptown Entertainment Alliance, or its successors or assigns, certain lands, buildings and improvements situate in the Borough of West Chester, Chester County.

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—191

Adolph	Ellis	Kim	Peifer
Aument	Emrick	Kinsey	Petrarca
Baker	English	Kirkland	Petri
Barbin	Evankovich	Knowles	Pickett
Barrar	Evans	Kortz	Pyle
Benninghoff	Fabrizio	Kotik	Quinn
Bishop	Farina	Krieger	Rapp
Bizzarro	Farry	Kula	Ravenstahl
Bloom	Fee	Lawrence	Readshaw
Boback	Fleck	Longietti	Reed
Boyle, B.	Flynn	Lucas	Reese
Boyle, K.	Frankel	Mackenzie	Regan
Bradford	Freeman	Maher	Roae
Briggs	Gabler	Mahoney	Rock
Brooks	Gainey	Major	Roebuck
Brown, R.	Galloway	Maloney	Ross
Brown, V.	Gergely	Markosek	Rozzi
Brownlee	Gibbons	Marshall	Sabatina
Burns	Gillen	Masser	Saccone
Caltagirone	Gillespie	Matzie	Sainato
Carroll	Gingrich	McCarter	Samuelson
Causer	Godshall	McGeehan	Sankey
Christiana	Goodman	McGinnis	Santarsiero
Clay	Greiner	McNeill	Saylor
Clymer	Grell	Mentzer	Scavello
Conklin	Grove	Metcalfe	Schlossberg
Corbin	Hackett	Metzgar	Simmons
Costa, D.	Hahn	Miccarelli	Sims
Costa, P.	Haluska	Micozzie	Smith
Cox	Hanna	Millard	Snyder
Cruz	Harhai	Miller	Sonney
Culver	Harhart	Milne	Stephens
Cutler	Harkins	Mirabito	Stern
Daley, M.	Harper	Molchany	Stevenson
Daley, P.	Harris, A.	Moul	Sturla
Davidson	Harris, J.	Mullery	Swanger
Davis	Heffley	Mundy	Tallman
Day	Helm	Murt	Taylor
Dean	Hennessey	Mustio	Tobash
Deasy	Hess	Neilson	Toepel
DeLissio	Hickernell	Neuman	Truitt

DeLozier	James	O'Brien	Turzai
DeLuca	Kampf	O'Neill	Vereb
Denlinger	Kauffman	Oberlander	Vitali
Dermody	Kavulich	Painter	Waters
DiGirolamo	Keller, F.	Parker	White
Donatucci	Keller, M.K.	Pashinski	Youngblood
Dunbar	Keller, W.	Payne	

NAYS—0

NOT VOTING—0

EXCUSED—10

Cohen	Killion	Thomas	Watson
Everett	Marsico	Toohil	Wheatley
Haggerty	Miranda		

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 A

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 431, PN 1515**, entitled:

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, in child protective services, further providing for education and training.

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—191

Adolph	Ellis	Kim	Peifer
Aument	Emrick	Kinsey	Petrarca
Baker	English	Kirkland	Petri
Barbin	Evankovich	Knowles	Pickett
Barrar	Evans	Kortz	Pyle
Benninghoff	Fabrizio	Kotik	Quinn
Bishop	Farina	Krieger	Rapp
Bizzarro	Farry	Kula	Ravenstahl
Bloom	Fee	Lawrence	Readshaw
Boback	Fleck	Longietti	Reed
Boyle, B.	Flynn	Lucas	Reese
Boyle, K.	Frankel	Mackenzie	Regan
Bradford	Freeman	Maher	Roae
Briggs	Gabler	Mahoney	Rock
Brooks	Gainey	Major	Roebuck
Brown, R.	Galloway	Maloney	Ross

Brown, V.	Gergely	Markosek	Rozzi
Brownlee	Gibbons	Marshall	Sabatina
Burns	Gillen	Masser	Saccone
Caltagirone	Gillespie	Matzie	Sainato
Carroll	Gingrich	McCarter	Samuelson
Causer	Godshall	McGeehan	Sankey
Christiana	Goodman	McGinnis	Santarsiero
Clay	Greiner	McNeill	Saylor
Clymer	Grell	Mentzer	Scavello
Conklin	Grove	Metcalfe	Schlossberg
Corbin	Hackett	Metzgar	Simmons
Costa, D.	Hahn	Miccarelli	Sims
Costa, P.	Haluska	Micozzie	Smith
Cox	Hanna	Millard	Snyder
Cruz	Harhai	Miller	Sonney
Culver	Harhart	Milne	Stephens
Cutler	Harkins	Mirabito	Stern
Daley, M.	Harper	Molchany	Stevenson
Daley, P.	Harris, A.	Moul	Sturla
Davidson	Harris, J.	Mullery	Swanger
Davis	Heffley	Mundy	Tallman
Day	Helm	Murt	Taylor
Dean	Hennessey	Mustio	Tobash
Deasy	Hess	Neilson	Toepel
DeLissio	Hickernell	Neuman	Truitt
Delozier	James	O'Brien	Turzai
DeLuca	Kampf	O'Neill	Vereb
Denlinger	Kauffman	Oberlander	Vitali
Dermody	Kavulich	Painter	Waters
DiGirolamo	Keller, F.	Parker	White
Donatucci	Keller, M.K.	Pashinski	Youngblood
Dunbar	Keller, W.	Payne	

NAYS-0

NOT VOTING-0

EXCUSED-10

Cohen	Killion	Thomas	Watson
Everett	Marsico	Toohil	Wheatley
Haggerty	Miranda		

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

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

The SPEAKER. For what purpose does the lady from Lebanon County rise?

* * *

The House proceeded to third consideration of **HB 432, PN 1516**, entitled:

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, in departmental powers and duties as to supervision and licensing, further providing for definitions; and providing for child abuse recognition and reporting training.

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-191

Adolph	Ellis	Kim	Peifer
Aument	Emrick	Kinsey	Petrarca
Baker	English	Kirkland	Petri
Barbin	Evankovich	Knowles	Pickett
Barrar	Evans	Kortz	Pyle
Benninghoff	Fabrizio	Kotik	Quinn
Bishop	Farina	Krieger	Rapp
Bizzarro	Farry	Kula	Ravenstahl
Bloom	Fee	Lawrence	Readshaw
Boback	Fleck	Longietti	Reed
Boyle, B.	Flynn	Lucas	Reese
Boyle, K.	Frankel	Mackenzie	Regan
Bradford	Freeman	Maher	Roae
Briggs	Gabler	Mahoney	Rock
Brooks	Gainey	Major	Roebuck
Brown, R.	Galloway	Maloney	Ross
Brown, V.	Gergely	Markosek	Rozzi
Brownlee	Gibbons	Marshall	Sabatina
Burns	Gillen	Masser	Saccone
Caltagirone	Gillespie	Matzie	Sainato
Carroll	Gingrich	McCarter	Samuelson
Causer	Godshall	McGeehan	Sankey
Christiana	Goodman	McGinnis	Santarsiero
Clay	Greiner	McNeill	Saylor
Clymer	Grell	Mentzer	Scavello
Conklin	Grove	Metcalfe	Schlossberg
Corbin	Hackett	Metzgar	Simmons
Costa, D.	Hahn	Miccarelli	Sims
Costa, P.	Haluska	Micozzie	Smith
Cox	Hanna	Millard	Snyder
Cruz	Harhai	Miller	Sonney
Culver	Harhart	Milne	Stephens
Cutler	Harkins	Mirabito	Stern
Daley, M.	Harper	Molchany	Stevenson
Daley, P.	Harris, A.	Moul	Sturla
Davidson	Harris, J.	Mullery	Swanger
Davis	Heffley	Mundy	Tallman
Day	Helm	Murt	Taylor
Dean	Hennessey	Mustio	Tobash
Deasy	Hess	Neilson	Toepel
DeLissio	Hickernell	Neuman	Truitt
Delozier	James	O'Brien	Turzai
DeLuca	Kampf	O'Neill	Vereb
Denlinger	Kauffman	Oberlander	Vitali
Dermody	Kavulich	Painter	Waters
DiGirolamo	Keller, F.	Parker	White
Donatucci	Keller, M.K.	Pashinski	Youngblood
Dunbar	Keller, W.	Payne	

NAYS-0

NOT VOTING-0

EXCUSED-10

Cohen	Killion	Thomas	Watson
Everett	Marsico	Toohil	Wheatley
Haggerty	Miranda		

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

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

STATEMENT BY MRS. GINGRICH

The SPEAKER. For what purpose does the lady, Mrs. Gingrich, from Lebanon County rise?

Mrs. GINGRICH. Point of personal privilege, Mr. Speaker, to express a thank-you.

The SPEAKER. Procedurally, that is probably under unanimous consent.

Mrs. GINGRICH. All right. I will do it that way.

The SPEAKER. The Speaker recognizes the lady under unanimous consent.

Mrs. GINGRICH. Either way, Mr. Speaker, thank you very much for this moment.

I want to thank my partners on both sides of the aisle for the hard work that went into these two particular bills, and they are dedicated exclusively to the protection of children and the training aspect for mandatory reporters, and if the reporting and the training for reporting is not done adequately to begin with, we will have defeated our purpose. So this is a great effort toward that improvement. Thank you to all.

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of HB 515, PN 1452, entitled:

An Act amending the act of July 31, 1968 (P.L.805, No.247), known as the Pennsylvania Municipalities Planning Code, further providing for definitions; and providing for mailed notice in certain proceedings.

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS-190

Table listing names of members who voted 'YEAS' (190 total): Adolph, Aument, Baker, Barbin, Barrar, Benninghoff, Bishop, Bizarro, Bloom, Boback, Boyle, B., Boyle, K., Bradford, Briggs, Brooks, Ellis, Emrick, English, Evankovich, Evans, Fabrizio, Farina, Farry, Fee, Fleck, Flynn, Frankel, Freeman, Gabler, Gainey, Kim, Kinsey, Kirkland, Knowles, Kortz, Kotik, Krieger, Kula, Lawrence, Longiotti, Lucas, Mackenzie, Maher, Mahoney, Major, Payne, Peifer, Petrarca, Petri, Pickett, Pyle, Quinn, Rapp, Ravenstahl, Readshaw, Reed, Reese, Regan, Roae, Rock.

Table listing names of members who were present or voted: Brown, R., Brown, V., Brownlee, Burns, Caltagirone, Carroll, Causer, Christiana, Clay, Clymer, Conklin, Corbin, Costa, D., Costa, P., Cox, Cruz, Culver, Cutler, Daley, M., Daley, P., Davidson, Davis, Day, Dean, Deasy, DeLissio, Delozier, DeLuca, Denlinger, Dermody, DiGirolamo, Donatucci, Dunbar, Galloway, Gergely, Gibbons, Gillen, Gillespie, Gingrich, Godshall, Goodman, Greiner, Grell, Grove, Hackett, Hahn, Haluska, Hanna, Harhai, Harhart, Harkins, Harper, Harris, A., Harris, J., Heffley, Helm, Hennessey, Hess, Hickernell, James, Kampf, Kauffman, Kavulich, Keller, F., Keller, M.K., Keller, W., Maloney, Markosek, Marshall, Masser, Matzie, McCarter, McGeehan, McGinnis, McNeill, Mentzer, Metcalfe, Metzgar, Miccarelli, Micozzie, Millard, Miller, Milne, Mirabito, Molchany, Moul, Mullery, Mundy, Murt, Mustio, Neilson, Neuman, O'Brien, O'Neill, Oberlander, Painter, Parker, Pashinski, Roebuck, Ross, Rozzi, Sabatina, Saccone, Sainato, Samuelson, Sankey, Santarsiero, Saylor, Scavello, Schlossberg, Simmons, Sims, Smith, Snyder, Sonney, Stephens, Stern, Stevenson, Sturla, Swanger, Tallman, Taylor, Tobash, Toepel, Truitt, Turzai, Vereb, Waters, White, Youngblood.

NAYS-0

NOT VOTING-1

Vitali

EXCUSED-10

Table listing names of members who were excused: Cohen, Everett, Haggerty, Killion, Marsico, Miranda, Thomas, Toohil, Watson, Wheatley.

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 668, PN 756, entitled:

An Act amending the act of May 1, 1933 (P.L.103, No.69), known as The Second Class Township Code, in contracts, further providing for letting contracts.

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—191

Adolph	Ellis	Kim	Peifer
Aument	Emrick	Kinsey	Petrarca
Baker	English	Kirkland	Petri
Barbin	Evankovich	Knowles	Pickett
Barrar	Evans	Kortz	Pyle
Benninghoff	Fabrizio	Kotik	Quinn
Bishop	Farina	Krieger	Rapp
Bizzarro	Farry	Kula	Ravenstahl
Bloom	Fee	Lawrence	Readshaw
Boback	Fleck	Longietti	Reed
Boyle, B.	Flynn	Lucas	Reese
Boyle, K.	Frankel	Mackenzie	Regan
Bradford	Freeman	Maher	Roae
Briggs	Gabler	Mahoney	Rock
Brooks	Gainey	Major	Roebuck
Brown, R.	Galloway	Maloney	Ross
Brown, V.	Gergely	Markosek	Rozzi
Brownlee	Gibbons	Marshall	Sabatina
Burns	Gillen	Masser	Saccone
Caltagirone	Gillespie	Matzie	Sainato
Carroll	Gingrich	McCarter	Samuelson
Causar	Godshall	McGeehan	Sankey
Christiana	Goodman	McGinnis	Santarsiero
Clay	Greiner	McNeill	Saylor
Clymer	Grell	Mentzer	Scavello
Conklin	Grove	Metcalfe	Schlossberg
Corbin	Hackett	Metzgar	Simmons
Costa, D.	Hahn	Miccarelli	Sims
Costa, P.	Haluska	Micozzie	Smith
Cox	Hanna	Millard	Snyder
Cruz	Harhai	Miller	Sonney
Culver	Harhart	Milne	Stephens
Cutler	Harkins	Mirabito	Stern
Daley, M.	Harper	Molchany	Stevenson
Daley, P.	Harris, A.	Moul	Sturla
Davidson	Harris, J.	Mullery	Swanger
Davis	Heffley	Mundy	Tallman
Day	Helm	Murt	Taylor
Dean	Hennessey	Mustio	Tobash
Deasy	Hess	Neilson	Toepel
DeLissio	Hickernell	Neuman	Truitt
Delozier	James	O'Brien	Turzai
DeLuca	Kampf	O'Neill	Verab
Denlinger	Kauffman	Oberlander	Vitali
Dermody	Kavulich	Painter	Waters
DiGirolamo	Keller, F.	Parker	White
Donatucci	Keller, M.K.	Pashinski	Youngblood
Dunbar	Keller, W.	Payne	

NAYS—0

NOT VOTING—0

EXCUSED—10

Cohen	Killion	Thomas	Watson
Everett	Marsico	Toohil	Wheatley
Haggerty	Miranda		

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 669, PN 757**, entitled:

An Act amending the act of June 24, 1931 (P.L.1206, No.331), known as The First Class Township Code, in contracts, further providing for general regulations concerning contracts.

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—191

Adolph	Ellis	Kim	Peifer
Aument	Emrick	Kinsey	Petrarca
Baker	English	Kirkland	Petri
Barbin	Evankovich	Knowles	Pickett
Barrar	Evans	Kortz	Pyle
Benninghoff	Fabrizio	Kotik	Quinn
Bishop	Farina	Krieger	Rapp
Bizzarro	Farry	Kula	Ravenstahl
Bloom	Fee	Lawrence	Readshaw
Boback	Fleck	Longietti	Reed
Boyle, B.	Flynn	Lucas	Reese
Boyle, K.	Frankel	Mackenzie	Regan
Bradford	Freeman	Maher	Roae
Briggs	Gabler	Mahoney	Rock
Brooks	Gainey	Major	Roebuck
Brown, R.	Galloway	Maloney	Ross
Brown, V.	Gergely	Markosek	Rozzi
Brownlee	Gibbons	Marshall	Sabatina
Burns	Gillen	Masser	Saccone
Caltagirone	Gillespie	Matzie	Sainato
Carroll	Gingrich	McCarter	Samuelson
Causar	Godshall	McGeehan	Sankey
Christiana	Goodman	McGinnis	Santarsiero
Clay	Greiner	McNeill	Saylor
Clymer	Grell	Mentzer	Scavello
Conklin	Grove	Metcalfe	Schlossberg
Corbin	Hackett	Metzgar	Simmons
Costa, D.	Hahn	Miccarelli	Sims
Costa, P.	Haluska	Micozzie	Smith
Cox	Hanna	Millard	Snyder
Cruz	Harhai	Miller	Sonney
Culver	Harhart	Milne	Stephens
Cutler	Harkins	Mirabito	Stern
Daley, M.	Harper	Molchany	Stevenson
Daley, P.	Harris, A.	Moul	Sturla
Davidson	Harris, J.	Mullery	Swanger
Davis	Heffley	Mundy	Tallman
Day	Helm	Murt	Taylor
Dean	Hennessey	Mustio	Tobash
Deasy	Hess	Neilson	Toepel
DeLissio	Hickernell	Neuman	Truitt
Delozier	James	O'Brien	Turzai
DeLuca	Kampf	O'Neill	Verab
Denlinger	Kauffman	Oberlander	Vitali
Dermody	Kavulich	Painter	Waters
DiGirolamo	Keller, F.	Parker	White

Donatucci	Keller, M.K.	Pashinski	Youngblood
Dunbar	Keller, W.	Payne	

NAYS—0

NOT VOTING—0

EXCUSED—10

Cohen	Killion	Thomas	Watson
Everett	Marsico	Toohil	Wheatley
Haggerty	Miranda		

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 1056, PN 1284**, entitled:

An Act amending the act of May 1, 1933 (P.L.216, No.76), known as The Dental Law, providing for temporary volunteer dental licenses.

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—191

Adolph	Ellis	Kim	Peifer
Aument	Emrick	Kinsey	Petrarca
Baker	English	Kirkland	Petri
Barbin	Evankovich	Knowles	Pickett
Barrar	Evans	Kortz	Pyle
Benninghoff	Fabrizio	Kotik	Quinn
Bishop	Farina	Krieger	Rapp
Bizzarro	Farry	Kula	Ravenstahl
Bloom	Fee	Lawrence	Readshaw
Boback	Fleck	Longietti	Reed
Boyle, B.	Flynn	Lucas	Reese
Boyle, K.	Frankel	Mackenzie	Regan
Bradford	Freeman	Maher	Roae
Briggs	Gabler	Mahoney	Rock
Brooks	Gainey	Major	Roebuck
Brown, R.	Galloway	Maloney	Ross
Brown, V.	Gergely	Markosek	Rozzi
Brownlee	Gibbons	Marshall	Sabatina
Burns	Gillen	Masser	Saccone
Caltagirone	Gillespie	Matzie	Sainato
Carroll	Gingrich	McCarter	Samuelson
Causar	Godshall	McGeehan	Sankey
Christiana	Goodman	McGinnis	Santarsiero

Clay	Greiner	McNeill	Saylor
Clymer	Grell	Mentzer	Scavello
Conklin	Grove	Metcalfe	Schlossberg
Corbin	Hackett	Metzgar	Simmons
Costa, D.	Hahn	Miccarelli	Sims
Costa, P.	Haluska	Micozzie	Smith
Cox	Hanna	Millard	Snyder
Cruz	Harhai	Miller	Sonney
Culver	Harhart	Milne	Stephens
Cutler	Harkins	Mirabito	Stern
Daley, M.	Harper	Molchany	Stevenson
Daley, P.	Harris, A.	Moul	Sturla
Davidson	Harris, J.	Mullery	Swanger
Davis	Heffley	Mundy	Tallman
Day	Helm	Murt	Taylor
Dean	Hennessey	Mustio	Tobash
Deasy	Hess	Neilson	Toepel
DeLissio	Hickernell	Neuman	Truitt
Delozier	James	O'Brien	Turzai
DeLuca	Kampf	O'Neill	Vereb
Denlinger	Kauffman	Oberlander	Vitali
Dermody	Kavulich	Painter	Waters
DiGirolamo	Keller, F.	Parker	White
Donatucci	Keller, M.K.	Pashinski	Youngblood
Dunbar	Keller, W.	Payne	

NAYS—0

NOT VOTING—0

EXCUSED—10

Cohen	Killion	Thomas	Watson
Everett	Marsico	Toohil	Wheatley
Haggerty	Miranda		

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

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

CALENDAR CONTINUED

BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 818, PN 928**, entitled:

An Act amending Title 40 (Insurance) of the Pennsylvania Consolidated Statutes, providing for compliance with Federal health care legislation.

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

Mr. **SANTARSIERO** offered the following amendment
No. **A0986**:

Amend Bill, page 2, lines 27 through 30, by striking out "one for" in line 27, all of lines 28 and 29 and "public officials and public funds" in line 30 and inserting
in the case of pregnancy caused by rape, in which case the requirements of 18 Pa.C.S. § 3215(c) (relating to publicly owned facilities; public officials and public funds) shall not apply

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

PARLIAMENTARY INQUIRY

The SPEAKER. On that question, the Speaker recognizes the gentleman from Bucks County, Mr. Santarsiero.

Mr. SANTARSIERO. Thank you, Mr. Speaker.

Mr. Speaker, may I begin with a parliamentary inquiry?

The SPEAKER. The gentleman may state his parliamentary inquiry.

Mr. SANTARSIERO. Is it the Chair's opinion that this amendment is in order?

The SPEAKER. I could reconsider it.

AMENDMENT WITHDRAWN

The SPEAKER. Does the gentleman seek recognition on the amendment?

Mr. SANTARSIERO. I will be withdrawing the amendment, Mr. Speaker.

The SPEAKER. The Speaker thanks the gentleman.

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

Mr. **SANTARSIERO** offered the following amendment No. **A00987**:

Amend Bill, page 2, lines 27 through 30, by striking out "one for" in line 27, all of lines 28 and 29 and "public officials and public funds" in line 30 and inserting in the case of pregnancy caused by incest, in which case the requirements of 18 Pa.C.S. § 3215(c) (relating to publicly owned facilities; public officials and public funds) shall not apply

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

AMENDMENT WITHDRAWN

The SPEAKER. On that question, the Speaker recognizes the gentleman from Bucks County, Mr. Santarsiero.

Mr. SANTARSIERO. Thank you, Mr. Speaker.

I will be withdrawing amendment A00987.

The SPEAKER. The Speaker thanks the gentleman.

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

Mr. **SANTARSIERO** offered the following amendment **A00989**:

Amend Bill, page 2, lines 27 through 30, by striking out "one for" in line 27, all of lines 28 and 29 and "public officials and public funds" in line 30 and inserting to avert the death of the mother, in which case the requirements of 18 Pa.C.S. § 3215(c) (relating to publicly owned facilities; public officials and public funds) shall not apply

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

AMENDMENT WITHDRAWN

The SPEAKER. On that question, the Speaker recognizes the gentleman from Bucks County, Mr. Santarsiero.

Mr. SANTARSIERO. Thank you, Mr. Speaker.

I will be withdrawing amendment A00989.

The SPEAKER. The Speaker thanks the gentleman.

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

Mr. **SANTARSIERO** offered the following amendment No. **A00990**:

Amend Bill, page 2, lines 27 through 30, by striking out "one for" in line 27, all of lines 28 and 29 and "public officials and public funds" in line 30 and inserting to avert the death of the mother or in the case of pregnancy caused by rape or incest, in which case the requirements of 18 Pa.C.S. § 3215(c) (relating to publicly owned facilities; public officials and public funds) shall not apply

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

The SPEAKER. On that question, the Speaker recognizes the gentleman from Bucks County, Mr. Santarsiero.

Mr. SANTARSIERO. Thank you, Mr. Speaker.

Mr. Speaker, this amendment is relatively straightforward. Under the bill as written, an exception for insurance coverage is carved out for abortions that are allowed under the Abortion Control Act in Title 18, and what this amendment merely does is removes the reference, the specific reference by incorporation of the provision, the relevant provision in Title 18, and replaces it with a simple statement that the exception under this bill would be for abortion services in the cases of where the life of the mother is in jeopardy, incest, and rape.

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

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

Mr. CUTLER. Thank you, Mr. Speaker.

I was wondering if the gentleman might stand for a brief interrogation.

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

Mr. CUTLER. Thank you, Mr. Speaker.

Mr. Speaker, in reading the text of your amendment, it certainly starts out being consistent with the prior case law. My question is this: Would an individual that would qualify for one of these exceptions have to still comply with the section of our law that is referenced 3215(c)? Would that individual in the insurance exchange be required to comply with that in regard to the physician certifications and the other items that are required under our public Medicaid law?

Mr. SANTARSIERO. No.

Mr. CUTLER. They would not be. Thank you, Mr. Speaker.

Briefly on the amendment, if I could.

The SPEAKER. The gentleman is in order on the amendment.

Mr. CUTLER. Mr. Speaker, I certainly understand the gentleman's intent regarding this amendment. He is attempting to categorize the three exceptions that were clearly outlined in *Planned Parenthood v. Casey*, which was a challenge of our own abortion control statute that went up to the United States Supreme Court. The gentleman listed those individually, which are rape, incest, and life of the mother.

Unfortunately, Mr. Speaker, since the individuals under this requirement, under the gentleman's proposed amendment, would not have to be consistent with our law that was upheld in that Supreme Court case, I would offer the following points.

First, Mr. Speaker, you could potentially have an individual who is on Medicaid coverage that will have to go through certain hoops. They will have to get physician certification; they will have to go through in order to have the public expenditure of funds.

Mr. Speaker, furthermore, by removing this reference and then creating a separate class of individuals, you will have individuals that would not have to overcome those very same barriers.

CONSTITUTIONAL POINT OF ORDER

Mr. CUTLER. Mr. Speaker, for that reason I would move that this amendment is unconstitutional under the 14th Amendment of the Constitution by creating two separate classes that are treated unequally under the law.

The SPEAKER. The gentleman, Mr. Cutler, raises the point of order that amendment No. A0990 is unconstitutional. The Speaker, under rule 4, is required to submit questions affecting the constitutionality of an amendment to the House for decision, which the Chair now does.

On the question,

Will the House sustain the constitutionality of the amendment?

PARLIAMENTARY INQUIRY

The SPEAKER. The Speaker recognizes the gentleman from Lancaster, Mr. Cutler.

Mr. CUTLER. Parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman may state his inquiry.

Mr. CUTLER. Would it be appropriate if I deferred to the last speaker on this motion since I have already outlined the arguments?

The SPEAKER. If the gentleman is not seeking recognition at this point in time, that is his prerogative.

The Speaker has generally, as a matter of action, gone to the maker of the motion, but there is nothing that requires that. If you are not seeking recognition, then I will not recognize you.

Mr. CUTLER. Not seeking recognition at this time. Thank you, Mr. Speaker.

The SPEAKER. On the question of constitutionality, is the gentleman from Bucks County seeking recognition on the question?

Mr. SANTARSIERO. Yes, Mr. Speaker.

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

Mr. SANTARSIERO. Thank you, Mr. Speaker.

Mr. Speaker, this argument, this motion attacking my amendment on the grounds that it does not comport with the

equal protection clause of the 14th Amendment is absolutely baseless.

The fact of the matter is that our law already treats women in a disparate way. Under Medicaid, they are not allowed to avail themselves of abortion coverage. The existing law right now – I mean, this very bill seeks to treat women differently, and under this logic, the underlying bill itself would be found unconstitutional under the 14th Amendment.

I think it was telling, Mr. Speaker, the gentleman from Lancaster used the word "hoops." That is exactly what we are talking about here, putting women through hoops. The reason why, Mr. Speaker, this amendment was put in was to remove those hoops and to recognize the difference that we are talking about here, which is the ability of women to avail themselves of insurance coverage under the health exchanges as opposed to the funding of services, which is what the Abortion Control Act deals with.

There is absolutely no basis under the 14th Amendment, 14th Amendment case law, to support this motion, and I urge my colleagues to reject the Cutler motion.

The SPEAKER. On the question of constitutionality, those voting— The gentleman from Tioga County, Mr. Baker, is seeking recognition. The gentleman is in order on the question.

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

I rise to support the motion that the amendment is unconstitutional. The amendment is in fact unconstitutional as written because it would violate the equal protection clause in the 14th Amendment. Under this structure, women who need an abortion due to a life-threatening condition would require a physician's certification when using public funds from Medicaid, but not when using public funds through the insurance exchange. For this reason and others, I rise to support the gentleman's motion.

The SPEAKER. On the question of constitutionality, the Speaker recognizes the gentleman from Montgomery County, Mr. Bradford.

Mr. BRADFORD. Like my colleague from Bucks, I also rise in opposition to the motion.

The Representative from Lancaster, I know, would like to have a discussion centered on the 14th Amendment of the Constitution, but I think what this body knows today is what we are seeing is another incremental attack on a woman's right to choose. And when we hide behind procedural motions, motions that are really about, as the gentleman concedes, creating hoops, creating hoops for women who are in need of abortion services for the life of a woman, a woman who is a victim of rape and incest, is that what this has come down to, creating artificial—

The SPEAKER. The gentleman will suspend.

You are bordering close on impugning the motives. The question before the House is the constitutionality, and I would ask you to focus your comments toward the constitutionality or unconstitutionality of the amendment before us.

Mr. BRADFORD. Respectfully, I would never question the motives. I would question the impact of this bill as it impacts women in Pennsylvania. We all know that the 14th Amendment is about protecting classes of people, and I rise to say that the class of people, in this case Pennsylvania's women, are most adversely affected, and it is a class within that class. It is those affected by rape and incest and where a woman's life, a woman's life is threatened. That is what this is about; make no doubt about it.

This is a very simple amendment, and when we talk about constitutional issues, let us talk about the Constitution. Let us talk about the *Casey* case that the gentleman raises. It talks about undue burden. What we do now is create more burdens on women. I would argue that the underlying bill is every bit as unconstitutional, but that is not in front of us right now. What is in front of us is an opportunity to do what is right, to protect women who have been victims of rape and incest, and if we cannot do that here today, and if we would prefer to make some unbelievable fig leaf of a claim about constitutionality, we do a disservice to the women of Pennsylvania.

This is a clear issue. This is not about public money as the gentleman from Tioga states. The Federal law is clear. Abortion services cannot be provided, reproductive health care cannot be provided with Federal funds. Nothing in the Affordable Care Act or State law can change that. This is about those hoops again, Mr. Speaker. It is about creating those hoops, about creating further impediments.

The case law is clear. The Constitution has been settled. What we have today is an unfounded and cynical attempt to attack women who have been a victim of rape and incest and whose life is in the balance. Do the right thing. Defeat this motion.

PARLIAMENTARY INQUIRY

The SPEAKER. On the question of constitutionality, the gentleman from Allegheny County, Mr. Dermody, is seeking recognition on the issue before us?

Mr. DERMODY. I am, Mr. Speaker.

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

Mr. DERMODY. Thank you, Mr. Speaker.

Mr. Speaker, first of all, a little point of parliamentary inquiry, I think.

The SPEAKER. The gentleman may state his inquiry.

Mr. DERMODY. I wonder if I could defer my right to speak right now to the sponsor of the amendment.

The SPEAKER. Quite frankly, the rules are fairly clear in terms of how many times a member may speak on certain issues. Sometimes it is once; sometimes it is two times. The practice of the House has been to allow floor leaders to be exempt from that rule, if you will.

The information that I am privy to suggests that the past practice of the House has been, on a motion in which only the floor leader and the maker of the motion are allowed to speak, when it is limited to those two or three people, then the floor leader is entitled to defer their speaking role to another member. However, not in the case where each individual member is afforded an opportunity to speak.

Further inquiry?

Mr. DERMODY. On the motion.

The SPEAKER. The gentleman is in order on the question.

Mr. DERMODY. Thank you, Mr. Speaker.

Mr. Speaker, here we are once again with another procedural ploy to prevent a debate on a most important issue, to stifle the minority, keep from the people an argument and a debate and a vote on one of the most important issues we will face. We ought to stop the shenanigans that are going on here with these procedural motions, have a debate, and vote the amendment.

If this amendment is unconstitutional, this bill is unconstitutional, and we will make that motion and we will

make that argument. So let us stop this nonsense of shutting us up and trying to stop us from debating at every turn, and let us debate an important amendment and have a vote.

Thank you, Mr. Speaker.

The SPEAKER. On the question of constitutionality, the gentleman from Allegheny County, Mr. Turzai, is recognized on the motion of constitutionality.

Mr. TURZAI. Thank you, Mr. Speaker.

One point of clarification. The underlying bill, HB 818, does in fact provide the exceptions for life of the mother—

Mr. DERMODY. Mr. Speaker?

Mr. TURZAI. —rape, and incest.

Mr. DERMODY. Mr. Speaker?

Are we arguing the underlying bill, or are we arguing the constitutionality of this amendment?

Mr. TURZAI. Mr. Speaker, once again—

The SPEAKER. Both gentlemen will please suspend.

I was affording him a little latitude as a leader to get there to tie that together. I will try to do my best to monitor that. I am somewhat in agreement that the bill is not before us right now. The slightly expanded latitude that we try to afford the leaders in debate is the practice, and I will watch closely, listen closely to what is being said.

The gentleman, Mr. Turzai, may proceed.

Mr. TURZAI. Thank you, sir.

It is a very short point, and it needs to add clarity after the good gentleman from Montgomery County's remarks.

The underlying bill makes clear that there are exceptions for incest, rape, and life of the mother. I would ask everybody to please vote that the amendment is not constitutional.

The SPEAKER. On the question of constitutionality, the Speaker recognizes the gentleman from Lancaster County, Mr. Sturla.

Mr. STURLA. Thank you, Mr. Speaker.

Will the maker of the motion rise for brief interrogation?

The SPEAKER. The gentleman, Mr. Cutler, indicates he will stand for interrogation.

Mr. STURLA. Thank you, Mr. Speaker.

As I understand it, and correct me if I am wrong, your basis for this is that two different persons who had different insurance coverage, one getting it under the insurance exchange and one getting it through Medicaid, would have different procedures by which they needed to qualify for having an abortion. Is that correct?

Mr. CUTLER. Thank you, Mr. Speaker.

I believe the gentleman missed an important piece, though, in this connection between the two groups. The issue is this: It is the expenditure of the public funds. You would have an individual who would, say, qualify for Medicaid coverage; would thereby qualify for the three expenditures found in our statute, being the rape, incest, life of the mother; and then you would also have a group of individuals where we have an exchange that has State and Federal funds in it that specifically prohibit the coverage of abortion. There have been multiple Federal amendments and State amendments, long-standing policy that was recognized by the Affordable Care Act in that, and that, Mr. Speaker, is the distinction. You are creating two separate classes through the expenditure of public funds, not just two separate classes of insurance coverage.

Mr. STURLA. Mr. Speaker, under current insurance policies that people have, are there different qualifications that they need to meet to get the same services?

Mr. CUTLER. Mr. Speaker, respectfully, I believe that would be outside the bounds of the current debate on constitutionality and the expenditure of public funds.

Mr. STURLA. If there are public funds expended in any of those insurance policies, whether they are subsidized through a tax credit or whether they are subsidized in some other way, are there not different requirements for the people to get the same services in insurance policies?

Mr. CUTLER. Mr. Speaker, does the gentleman have a specific example that he would like to share so that we could delve into the facts of the situation as opposed to supposition?

Mr. STURLA. Well, Mr. Speaker, in one case somebody needs to get prior approval from their family physician and in another case they can go directly to a specialist.

The SPEAKER. Will the gentleman suspend.

Would you kindly preface this with why that makes it constitutional or unconstitutional? I am struggling—

Mr. STURLA. Mr. Speaker, what I am—

The SPEAKER. The gentleman will suspend.

I am trying to give you some latitude; all right. I am having trouble seeing where the line of questioning relates back to the Constitution. Maybe that is just my own lack of understanding. If you would be so kind as to preface the question with what the constitutional or unconstitutional aspect is, then I might be a little more comfortable with the line of questioning.

Mr. STURLA. Thank you. Thank you.

Mr. Speaker, if I understand the gentleman correctly in his motion, his motion is that the reason that this would create two different classes of people would be because they would be treated differently under two different forms of insurance. The reality is that there are government funds involved in all sorts of insurance policies today. We regulate the insurance industry. We give tax credits for certain insurances. We do all sorts of things with government funds on all sorts of insurance in the State of Pennsylvania, and those different insurances require different things for the same procedure. They require different preexisting procedures – I need to get the approval of a family physician; I can go straight to the emergency room; I need to have prior approval for something; I can get 90 days' worth of something or I can only get 60 days' worth of something. Those are all things that are within the purview of what we allow under the insurance law.

If the gentleman's premise is correct that this is unconstitutional, then all insurance in the State of Pennsylvania is unconstitutional by my right or by my understanding or by my understanding of what he is trying to claim is unconstitutional about this.

The SPEAKER. The gentleman will suspend.

Now, would you clarify whether you are asking a question or have you decided to cease interrogation and—

Mr. STURLA. I will cease—

The SPEAKER. —speak to the constitutionality?

Mr. STURLA. —interrogation at this point in time.

The SPEAKER. The gentleman is in order and may continue on his debate on the constitutionality.

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, the notion that because there are different requirements under different forms of insurance creates two separate classes means that if that is unconstitutional, then all insurance in the State of Pennsylvania is unconstitutional because all insurance policies have different requirements for the same procedure in the end, and so you cannot hang your hat

on the fact that that is unconstitutional, unless you want to overturn all insurance law in the State of Pennsylvania.

Mr. Speaker, beyond that, this legislature in recent years has not had a very good track record of determining what is constitutional and what is not. The courts in probably more cases in the last couple years than in the 20-some years I have been here have said what you all determined was not constitutional. And so here is a case where if you are ever going to err on the side of women that are facing rape and incest, here is a time to err in their favor and let the courts decide that maybe you were wrong rather than saying no, I am going to determine beforehand that the courts do not know what they are talking about. We are just going to determine it for them here on the floor of the House, and that way I do not have to make a vote.

Mr. Speaker, this is an issue that is of utmost importance to women in this State. If there is to be a constitutional challenge on this, let it happen in the courts, let it happen where it belongs, but do not deny women coverage because you are hanging your hat on the fact that there is a difference in the procedures that go on beforehand, because there is a difference in the procedures that go on beforehand in every insurance policy in this State.

Thank you, Mr. Speaker.

The SPEAKER. On the question of constitutionality, the Speaker recognizes the lady from Montgomery County, Mrs. Dean.

Mrs. DEAN. Thank you, Mr. Speaker.

On the underlying motion of constitutionality, I would like to echo some of the thoughts of some of the speakers before me, which is the bill that underlies this that we are debating here today, HB 818, should be seen as unconstitutional in its differential treatment of women in Pennsylvania.

I wonder, I ask if the maker of this motion would stand for interrogation, Mr. Speaker.

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

Mrs. DEAN. Thank you, Mr. Speaker.

Mr. Speaker, who is the protected class according to your analysis?

Mr. CUTLER. Mr. Speaker, I think we have to start a little broader than an initial class. While we may disagree with the holdings that are found in the *Roe v. Wade* and the progeny in the resulting court cases, the hole after the *Carhart* decision, it is not so much a protected class to start with but rather that of a protected constitutional right as exercised by a certain class, and in this case it would be those women who are seeking this constitutionally protected procedure under existing law with State funds.

Mrs. DEAN. Mr. Speaker, I would ask, do you believe there is a constitutionally protected right to privacy?

Mr. CUTLER. Mr. Speaker, I think that is somewhat far afield of the current motion, which is specific to this amendment and whether or not this is constitutional.

Mr. Speaker, it is important to note the constitutional test that has been articulated time and time again by the United States Supreme Court is you view individuals that are similarly situated and if they are being treated differently. In this case we are discussing individuals utilizing public funds for insurance and whether or not that would cover certain kinds of procedures, in this case abortion. Mr. Speaker, in that case those individuals, I believe, should have to follow the same

procedural requirements that are laid out in the statute. The statute, Mr. Speaker, that I might point out was also upheld in *Planned Parenthood v. Casey*. So that is the class, those individuals who would qualify to exercise that right, and then how that would be effectuated with the expenditure of public funds. That is the common link.

Mrs. DEAN. I think my question was fundamental, and I think you have answered it to identify that you do agree there is a constitutionally protected right to privacy, which includes abortion rights.

POINT OF ORDER

Mr. CUTLER. Point of order, Mr. Speaker.

The SPEAKER. The lady will suspend.

The gentleman may state his point of order.

Mr. CUTLER. Mr. Speaker, I believe—

The SPEAKER. You may state a question. You asked for a point of order. State your point of order.

Mr. CUTLER. Yes, Mr. Speaker.

Is it appropriate for the gentlelady to surmise what I did or did not say?

Mrs. DEAN. May I rephrase my question, Mr. Speaker?

The SPEAKER. Will the lady suspend.

Let me put it this way. I have heard members, either in response to interrogation or in general response of debate, try to say what they think another member said. The response that I have heard that best retorts to that is, those are your words, not mine.

Mr. CUTLER. And I would agree with that, Mr. Speaker.

The SPEAKER. So, you know, I guess to answer it a slightly different way, I do not know that it is improper for someone to say what they think they heard you say and then it is up to you to clarify or agree.

Mr. CUTLER. Thank you, Mr. Speaker.

The SPEAKER. Is the lady seeking to continue under interrogation?

Mrs. DEAN. Yes.

The SPEAKER. You may proceed.

Mrs. DEAN. Thank you very much for that clarification, Mr. Speaker.

Maybe I could try it this way. Mr. Speaker, do you believe there is a constitutionally protected right to abortion procedures in the United States?

Mr. CUTLER. Mr. Speaker, I believe that that is settled case law and does not really fall into the purview of this particular motion because we are dealing with disparate treatment under this proposed amendment.

Mrs. DEAN. But I do ask, can you answer the question, please.

The SPEAKER. Will the lady and gentleman please suspend.

I am certainly trying to give latitude to a member to ask a question as they see fit and the responder is entitled to answer a question as they see fit.

Mrs. DEAN. Well, I guess I would just point out that you cannot have an unconstitutional amendment if you do not agree that there is an underlying constitutional right.

If I may make a comment on the motion.

The SPEAKER. The lady is in order on the question before the House.

Mrs. DEAN. Thank you, Mr. Speaker.

Over and over we have heard this clouded debate that it is about the expenditure of public funds, and I am pretty certain that the people who are saying this are well aware that the exchanges are not about the expenditure of public funds. These are going to be private funds. It is to make things more affordable—

POINT OF ORDER

Mr. TURZAI. Point of order, Mr. Speaker.

The SPEAKER. The gentleman may state his point of order.

Mr. TURZAI. Yes, sir. This is not on the constitutional issue that has been raised.

The SPEAKER. The Speaker understands the gentleman, Mr. Turzai's concern. I am trying to maintain some balance. I understand the nature of the specific debate before us. I also understand the charge that comes with the issue overall that is before this House. We will continue to ask members to phrase their remarks as clearly in relationship to the question of constitutionality and not so much on the underlying amendment and bill.

The lady may proceed.

Mrs. DEAN. Thank you very much for that clarification, Mr. Speaker.

The maker of the motion used that analogy in his argument in favor of his motion on unconstitutionality. I think we owe it to the public to be very precise and very clear on this very thing. I am certain many of you are receiving the same kinds of e-mails that I am receiving that say, please, be sure to vote for this without any of the amendments because I do not want to see any of my public dollars support abortion services. That is not the case here, and we are doing a disservice if we allow the discourse to go on.

I support the other speakers who have said this is not an unconstitutional amendment. More than that, I think we really ought to be circumspect of the underlying bill in its unconstitutionality. Thank you, Mr. Speaker.

The SPEAKER. On the question of constitutionality, the Speaker recognizes the lady from Philadelphia County, Ms. DeLissio.

Ms. DeLISSIO. Thank you, Mr. Speaker.

Mr. Speaker, let me thank you in advance for your latitude.

The SPEAKER. Well, just in case—

Ms. DeLISSIO. For the consideration of your—

The SPEAKER. Understand this: My latitude might be getting a little low.

Ms. DeLISSIO. Understood, Mr. Speaker.

I promise to sign up for, at the very least, an online constitutional law course at my earliest possible opportunity. I feel it is never a good thing to feel inadequate, Mr. Speaker, and I feel inadequate because I believe everybody who has spoken before me indeed has a law degree. I do not, and I think a citizen legislature should embrace all of its members to feel comfortable in discussing anything that comes before it. So that is why I thank you for your indulgence.

I believe here we are talking about— This affects a different class for a specific reason. We are talking about citizens who are going to use their private funds. This has nothing to do with public dollars, Federal and/or State, funding an abortion procedure. This has to do with a class of citizens who are taking

money out of their pocket to pay for insurance, and this group of people is being disaffected by a situation that affects those other individuals who are using public dollars.

And I can relate to the gentleman who has introduced the original amendment to try to get rid of these "hoops," as they have been defined. We have an example right here in our own House. One of our own colleagues took over 60 years to admit that she was a victim of incest. So to say so, to say so simply, oh, by the way, you have to try to identify your perpetrator and report it, that is sort of revictimizing the victim.

So the opportunity to debate this amendment seems like a good opportunity, and I maintain that this is affecting a second class of people who are paying with their own private dollars. So I have heard the argument made that this ties back to a constitutional event whereby this has been argued before the U.S. Supreme Court and this is Federal dollars. This is not, Mr. Speaker. These are private dollars from citizens who have a right to purchase something in the marketplace.

So having said that and thanking you, I would say that this is not unconstitutional and hope we are able to proceed with the debate on the amendment.

The SPEAKER. On the question of constitutionality, the Speaker recognizes the gentleman from Allegheny County, Mr. Frankel.

Mr. FRANKEL. Thank you, Mr. Speaker.

On this question of constitutionality, it is extremely disappointing to be thwarted in having a debate about this very reasonable, sensible amendment.

And referring back to my colleague's comment, using this question of constitutionality is really extraordinarily cynical. It is essentially using the question of constitutionality on a sensible constitutional amendment to limit the rights of Pennsylvania women to access a legal and constitutional right to make choices about their health care. This motion should be defeated, and we should be allowed to have the debate on the substance of this reasonable amendment.

Thank you, Mr. Speaker.

The SPEAKER. On the question of constitutionality, the Speaker recognizes the gentleman from Centre County, Mr. Conklin.

Mr. CONKLIN. I want to thank the Speaker.

I would like to speak on the motion.

The SPEAKER. The gentleman is seeking recognition on the question of constitutionality that is before the House?

Mr. CONKLIN. Yes, sir.

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

Mr. CONKLIN. You know, when I sit here today, I think about some people in history when we are talking about constitutionality. I think about Margaret Thatcher, Margaret Thatcher, who embraced national health care because she believed instances like this were constitutional.

Mr. TURZAI. Point of order, Mr. Speaker.

The SPEAKER. The gentleman will suspend.

POINT OF ORDER

The SPEAKER. The gentleman, Mr. Turzai, may state his point of order.

Mr. TURZAI. Off the subject of constitutionality.

The SPEAKER. The Speaker appreciates the gentleman's comments and would urge the gentleman from Centre County to focus his remarks on the constitutionality of amendment A0990.

Mr. CONKLIN. I thank you, Mr. Speaker.

I will try to get some remarks out before I get shut off again.

But as we go down this road on unconstitutionality – and I will not bring up Margaret Thatcher again who liked to raise taxes to stop deficits – but when I look at the constitutionality, Mr. Speaker, I may not be as learned as many of my colleagues here. I have to admit, I do not have a law degree on constitutionality because it has worked well over many of the bills that we have been found unconstitutional by the courts over the last year or two, but I think this comes down to a very simplistic thing: Do we allow an amendment to run if it is constitutional?

Now, it has been questioned whether a woman who under the rights of the law for rape, incest, and her life it is constitutional for us to look at an amendment to give her that right. I think it is quite simple. We can look at acts that absolutely have almost nothing to do with constitutionality in this simple subject or we can look at what is right and wrong, and I think the right thing to do is to understand that this amendment is constitutional, that the maker of this amendment is a learned man that understands the constitutional rights of Pennsylvania. He understands that trying to hide behind a motion of constitutionality is not what the Constitution was put in place for, but better yet, it was put in place to protect its citizens of Pennsylvania. And I believe one of those protections would be to find this amendment constitutional, give the members of this august body the opportunity to decide whether they want to find a constitutional amendment constitutional and vote constitutionally for it, and follow the footprints of that great leader, Margaret Thatcher, who embraced things such as national health care in these types of circumstances.

The SPEAKER. The gentleman will suspend.

Mr. CONKLIN. Thank you, Mr. Speaker.

The SPEAKER. On the question of constitutionality, the Speaker recognizes the lady from Montgomery County, Ms. Mary Ann Daley.

Ms. DALEY. Thank you, Mr. Speaker.

So I am not an attorney and constitutionality is not my specialty, but if you think about this logically, if you vote for this amendment, you are doing so because you believe that this is a constitutional right being violated. What is that right? The right to an abortion. If you vote for this motion, you are upholding the fundamental right that a woman has to have an abortion. Thank you.

The SPEAKER. The Speaker apologizes to the lady. There was a former member Mary Ann Dailey. I believe I misspoke; I apologize.

MOTION TO TABLE

The SPEAKER. For what purpose does the gentleman from Bucks County, Mr. Santarsiero, rise?

Mr. SANTARSIERO. Thank you, Mr. Speaker.

I rise to make a privileged motion.

The SPEAKER. The gentleman may state the motion.

Mr. SANTARSIERO. Mr. Speaker, I rise to move to table the underlying amendment, amendment A00990.

The SPEAKER. Well, maybe. We would like to do that, would we not? That would be a nice precedent-setting event. Let me check the rules.

The House will come to order.

Rule 59 that speaks to "Lay on the Table," the latter part of it states that "the passage of a motion to lay an amendment on the table shall cause the subject bill or resolution and all other amendments to be laid on the table."

Therefore, my interpretation of that is that technically the gentleman's motion to table the amendment is in order. However, the net effect of that is to table the bill and all other amendments that are associated with that bill. So in effect, a motion to table an amendment is the same as a motion to table the bill under rule 59.

Mr. SANTARSIERO. Mr. Speaker, that may well be. Nonetheless, if the motion is in order and it is a privileged motion and therefore takes precedence, I have made the motion.

The SPEAKER. The Speaker said that the motion is in order. We are just clarifying the effect of that motion as per the rule.

Mr. SANTARSIERO. Thank you, Mr. Speaker. I appreciate that.

PARLIAMENTARY INQUIRY

Mr. SANTARSIERO. Mr. Speaker, just as a point of order, as the maker of the motion, am I entitled to speak twice on the motion?

The SPEAKER. I believe – and I will have to state your motion to bring it to a question – I will take that as an intervening parliamentary inquiry.

On a motion to table, the two floor leaders are entitled to speak, the maker of the motion is entitled to speak, and generally we have said that the maker of the bill would be entitled to speak. I am probably not going to get into a long protracted argument over that, but it would be you as the maker of this motion, the two floor leaders, and probably the maker of the bill, if they were really inclined.

Mr. SANTARSIERO. Thank you, Mr. Speaker.

The SPEAKER. Is that it? Do you have any further inquiries?

Mr. SANTARSIERO. I do. Just in a follow-up to that so I completely understand, Mr. Speaker, I would be entitled to speak twice on the motion?

The SPEAKER. On the motion to table?

Mr. SANTARSIERO. Yes.

The SPEAKER. Yes.

Mr. SANTARSIERO. Thank you, Mr. Speaker.

The SPEAKER. The gentleman from Bucks County, Mr. Santarsiero, has moved to table amendment A0990.

On the question,

Will the House agree to the motion?

The SPEAKER. On that question, the Speaker recognizes the gentleman from Bucks County, Mr. Santarsiero.

Mr. SANTARSIERO. Thank you, Mr. Speaker.

Mr. Speaker, I have made a motion to table the amendment for the simple reason that a question of constitutionality has been raised. Now, Mr. Speaker, when a question of

constitutionality is raised, it assumes that there is a constitutional right that is being violated, and thus far, Mr. Speaker, we have not heard with any clarity exactly what that right is, but we must therefore assume that that right is the right to an abortion pursuant to the Supreme Court of the United States' decision in *Roe v. Wade*.

Now, if in fact there is such a right to vote that the underlying amendment is unconstitutional, it is essentially to acknowledge that there is that underlying right; in other words, to uphold the right to an abortion. That is what the body would be voting for if they voted on that motion in favor of finding that the amendment is unconstitutional.

So given the fact that there is this question, what I am offering is a motion to table the amendment so that this issue of constitutionality can be examined in greater detail and so that those members of the House are not asked to publicly decide whether they believe that there is a right to an abortion, which is what the motion that the gentleman from Lancaster County made will require the members to do.

So, Mr. Speaker, for that reason I present the motion and I respectfully request that the House vote in favor of it. Thank you.

The SPEAKER. On the motion to table, on that question, the Speaker recognizes the gentleman from Allegheny County, Mr. Dermody.

Mr. DERMODY. Thank you, Mr. Speaker.

Mr. Speaker, the gentleman from Bucks County is correct and we should table this amendment and this bill.

We have an important constitutional question before us, obviously. It has caused significant controversy, and there have been great arguments on both sides. We need to find out what the answer is because it is one of the most important issues to women across this State, and we do them a grave disservice by moving ahead here today on the basis of the knowledge we have right now to rule whether or not this is constitutional, whether we should move forward.

The one thing we do know is we should have this debate. We should table the bill, figure out where we are on the constitutionality, bring it back because we will find that it is constitutional, debate it, and vote it. Please, everybody vote to table this bill and this amendment. Thank you, Mr. Speaker.

The SPEAKER. On the motion to table, the Speaker recognizes the gentleman from Allegheny County, Mr. Turzai.

Mr. TURZAI. I rise in opposition to the motion to table.

Rule 59 of our rules indicates, "The passage of a motion to lay an amendment on the table shall cause the subject bill or resolution and all other amendments to be laid on the table." One way that the maker could move debate on the underlying bill forward is to withdraw the motion, his amendment, and we would not have any need for the motion to table. So if he does not want to have a discussion of the amendment, he could withdraw it.

With respect to the constitutionality, this way we can get to the underlying vote on the bill that has the exceptions, appropriate exceptions for incest, rape, and life of the mother, which many of us support those exceptions, which is in the underlying bill. The constitutional issue of equal protection is whether or not it is not in reliance on any recognized right; it is equal protection, which is in the 14th Amendment, and it says that those that use Medicaid or private insurance need a certification of a physician. With this amendment you would not need a certification of a physician if you got it through the

exchange. So you would be treating those who want to save – to have the procedure for the saving of the life of the mother—

Mr. DERMODY. Mr. Speaker?

Mr. TURZAI. —those who are on Medicaid or private insurance—

Mr. DERMODY. Mr. Speaker?

Mr. TURZAI. —would need a certification, and those through the amendment in the exchange would not.

The SPEAKER. Will the gentleman suspend.

POINT OF ORDER

The SPEAKER. Does the gentleman, Mr. Dermody, have a point of order?

Mr. DERMODY. I do have a point of order.

Mr. Speaker, I believe we are debating here a motion to table, and I believe we have gone a long way into the substance of the bill, and we should be talking about a motion to table.

Mr. TURZAI. Mr. Speaker, point of order.

The SPEAKER. The gentleman will suspend.

Let me respond to the gentleman, Mr. Dermody's point of order first.

The gentleman, Mr. Dermody, is correct in the fact that the gentleman, Mr. Turzai, has struck into the underlying bill. However, because the motion carries with it the bill, I believe it allows some substance of the bill to be discussed as to why or why not someone should table. It is all-encompassing. If our rules said that tabling an amendment singularly was okay, then I would agree with your fundamental point of order. However, since the motion to table an amendment encompasses the bill and all other amendments, I think it would allow, especially given that little extra latitude afforded the leaders.

I appreciate your point of order. I believe that he is within his rights to proceed in the vein he is. I would clearly, as I would say to everybody else, focus on the motion that is before us, and that is whether or not to table.

The gentleman, Mr. Turzai, may proceed.

On the motion to table, the gentleman, Mr. Turzai, indicated he has concluded.

Mr. DERMODY. Mr. Speaker?

The SPEAKER. Is the gentleman, Mr. Dermody, seeking recognition again?

Mr. DERMODY. I am, Mr. Speaker.

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

Mr. DERMODY. Briefly, briefly. Mr. Speaker, we will make you a deal. We will withdraw the motion to table, you withdraw the motion that it is unconstitutional, and we can debate the amendment, vote it, and move forward. We will move forward. We will move forward and debate this bill.

The SPEAKER. Will the gentleman suspend.

Mr. DERMODY. All the amendments; all the amendments. We will talk about all of them.

The SPEAKER. The gentleman is free to suggest that. I suspect it is not in the Speaker's purview to make that decision.

Mr. DERMODY. The majority leader can make that decision.

The SPEAKER. The question before the House is tabling amendment A0990 and the underlying bill and amendments associated with it.

On that question, the Speaker recognizes the gentleman from Bucks County, Mr. Santarsiero, for the second time.

Mr. SANTARSIERO. Thank you, Mr. Speaker.

Mr. Speaker, I would ask my colleagues to think very carefully before they cast the vote on this motion, because the vote on this motion is filled with many pitfalls.

The fact of the matter is this, Mr. Speaker: If you vote to table, if you vote to table, then you do not have to address the issue of constitutionality. If you do not vote to table and the amendment moves forward and we revert to the prior motion on constitutionality, you are going to be asked to render an opinion as to whether or not the underlying amendment is constitutional, and to do that, you are going to have to pass on the question as to whether or not the right to an abortion is a constitutionally protected right in the United States of America. And if you vote, if you vote in that subsequent motion to find that the amendment is unconstitutional, you are expressly finding that there is a constitutionally protected right to an abortion in the United States of America. There are no two ways around it.

Now, the other point that is worth noting here, if you go ahead and you vote against tabling this, then you think that we should proceed – it goes without saying; it is implicit – you think we should proceed on the underlying amendment, and if you think we should proceed on the underlying amendment, you cannot possibly, in that case, vote that it is unconstitutional.

So yes, there is a conundrum here, and I tell you this: The best way to proceed, if you have questions about this, is to vote in favor of the motion to table; vote in favor of the motion to table.

The SPEAKER. Will the gentleman suspend.

For what purpose does the gentleman from Allegheny County, Mr. Maher, rise?

Mr. MAHER. For a point of order, but I do not want to interrupt our colleague. So if you could recognize me afterwards?

The SPEAKER. Certainly.

The gentleman, Mr. Santarsiero, may continue.

Mr. SANTARSIERO. Mr. Speaker, I am more than happy to allow the gentleman to present his point of order, provided, of course, that I still have my opportunity to speak.

The SPEAKER. The gentleman deferred.

Does the gentleman, Mr. Santarsiero, want to continue? You are recognized.

Mr. SANTARSIERO. I certainly want to continue my floor speech, Mr. Speaker.

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

Mr. SANTARSIERO. Then I shall do so.

Mr. Speaker, the bottom line is that if you do not want to pass on the constitutionality of the right to an abortion, then you should vote to table, and if you do not vote to table, you are presented with that question, and if you do not vote to table, you are implicitly saying that the amendment should be debated and voted on. And if you are saying that, then you cannot support the motion to find that the amendment is unconstitutional.

Mr. Speaker, the best course here is to simply support the motion to table, and that is what I ask all of my colleagues to do. Thank you.

PARLIAMENTARY INQUIRY

The SPEAKER. Is the gentleman from Allegheny County, Mr. Maher, seeking recognition to make a point of order? The gentleman may state his point.

Mr. MAHER. Thank you, Mr. Speaker, and it may be a parliamentary inquiry.

I am just trying to actually understand where we are in the proceeding, and as I understand it, the gentleman who just spoke has offered an amendment and is now asking that we table his amendment. Am I understanding that correctly?

The SPEAKER. That is correct. Well, yes, although there was an intervening motion of questioning the constitutionality—

Mr. MAHER. Right.

The SPEAKER. —but fundamentally, that is correct.

Mr. MAHER. So if the gentleman does not want us to consider his amendment, he has an easy way to deal with that, I think, Mr. Speaker. He could just withdraw his amendment.

Thank you, Mr. Speaker.

The SPEAKER. As a point of parliamentary inquiry, yes, that would be an option available to the gentleman.

POINT OF ORDER

The SPEAKER. On the question to table, the gentleman from Montgomery County, Mr. Bradford, will state his point of order.

Mr. BRADFORD. A point of order.

In a same vein as the gentleman from Allegheny, for clarity, between the gentleman from Bucks' bringing up his amendment, was there not a superseding act? I believe there was a constitutional, a constitutional equal protection—

The SPEAKER. Yes, and I believe the Speaker pointed that out in responding to the last point of order. I made note of the fact that, yes, in fact, the gentleman from Bucks has introduced an amendment, that there was an intervening question of constitutionality called, and I answered his subsequent point of order, which essentially to paraphrase was, would not the gentleman who moved to table his own amendment also have the ability to withdraw that amendment? And the answer to that, obviously, is yes. So there was an intervening motion, but that would not preclude the gentleman, Mr. Santarsiero, from withdrawing his amendment at any time in this process if he so chose.

Mr. BRADFORD. And I guess on that point of order, again to the gentleman from Allegheny's point, because of that intervening motion of constitutionality claiming an equal protection violation of the constitutional right to an abortion, the gentleman subsequently made a motion to table. That motion to table will now bring down not just the gentleman from Bucks County's amendment, but will bring down the whole bill so that we are not faced with answering the gentleman from Lancaster's question of whether there is an equal protection violation of a constitutional right to abortion for women in Pennsylvania and the United States.

The SPEAKER. The gentleman may phrase that, characterize it as he chooses. The pure parliamentary position that we are in is, first, HB 818 is before the House. Second, amendment A0990 is before the House before we get to HB 818, the bill.

The following question that has intervened is a question of constitutionality on the amendment, and subsequent to that, the gentleman made a motion to table the amendment. We would deal with each of those in that receding order, and yet the previous point of order was simply whether or not the maker of the amendment, he has the parliamentary authority to seek to table the amendment or would he also have the parliamentary procedure and availability to withdraw the amendment, to which I believe the obvious answer is yes.

Mr. BRADFORD. Thank you, Mr. Speaker, for bringing clarity to the issue and how it all plays out.

The SPEAKER. On the motion to table, the Speaker recognizes the gentleman from Allegheny County, Mr. Turzai.

Mr. TURZAI. I would ask the members to rise in opposition to the motion to lay on the table, because the motion to lay on the table also lays the underlying bill on the table as well. There is no conundrum. The fact of the matter is, we should be opposing the motion to table so that we can get to the underlying bill.

Let us be honest, there is an attempt through circularity to prevent getting to the underlying bill. Vote against the motion to table. Thank you.

The SPEAKER. On the motion to table, those in favor of the motion to table will vote "yes"; those opposed to the motion to table will vote "no."

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

(Members proceeded to vote.)

LEAVE OF ABSENCE

The SPEAKER. The Speaker returns to leaves of absence and recognizes the minority whip, who requests a leave of absence for the lady from Delaware County, Mrs. DAVIDSON, for the remainder of the day. Without objection, the leave will be granted.

CONSIDERATION OF HB 818 CONTINUED

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

The following roll call was recorded:

YEAS—72

Bishop	Deasy	Kim	Painter
Boyle, B.	DeLissio	Kinsey	Parker
Boyle, K.	DeLuca	Kirkland	Pashinski
Bradford	Dermody	Kortz	Ravenstahl
Briggs	Donatucci	Kotik	Readshaw
Brown, V.	Evans	Mahoney	Roebuck
Brownlee	Fabrizio	Markosek	Ross
Caltagirone	Frankel	Matzie	Rozzi
Carroll	Freeman	McCarter	Sabatina
Clay	Gainey	McGeehan	Samuelson
Conklin	Gergely	McNeill	Santarsiero
Costa, D.	Goodman	Mirabito	Schlossberg
Costa, P.	Haluska	Molchany	Sims
Cruz	Hanna	Mullery	Sturla
Daley, M.	Harhai	Mundy	Vitali

Daley, P.	Harkins	Neilson	Waters
Davis	Harris, J.	Neuman	White
Dean	Keller, W.	O'Brien	Youngblood

NAYS—118

Adolph	Fee	Krieger	Pickett
Aument	Fleck	Kula	Pyle
Baker	Flynn	Lawrence	Quinn
Barbin	Gabler	Longietti	Rapp
Barrar	Galloway	Lucas	Reed
Benninghoff	Gibbons	Mackenzie	Reese
Bizzarro	Gillen	Maher	Regan
Bloom	Gillespie	Major	Roae
Boback	Gingrich	Maloney	Rock
Brooks	Godshall	Marshall	Saccone
Brown, R.	Greiner	Masser	Sainato
Burns	Grell	McGinnis	Sankey
Causar	Grove	Mentzer	Saylor
Christiana	Hackett	Metcalfe	Scavello
Clymer	Hahn	Metzgar	Simmons
Corbin	Harhart	Miccarelli	Smith
Cox	Harper	Micozzie	Snyder
Culver	Harris, A.	Millard	Sonney
Cutler	Heffley	Miller	Stephens
Day	Helm	Milne	Stern
Delozier	Hennessey	Moul	Stevenson
Denlinger	Hess	Murt	Swanger
DiGirolamo	Hickernell	Mustio	Tallman
Dunbar	James	O'Neill	Taylor
Ellis	Kampf	Oberlander	Tobash
Emrick	Kauffman	Payne	Toepel
English	Kavulich	Peifer	Truitt
Evankovich	Keller, F.	Petrarca	Turzai
Farina	Keller, M.K.	Petri	Vereb
Farry	Knowles		

NOT VOTING—0

EXCUSED—11

Cohen	Haggerty	Miranda	Watson
Davidson	Killion	Thomas	Wheatley
Everett	Marsico	Toohil	

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

On the question recurring,

Will the House sustain the constitutionality of the amendment?

The SPEAKER. The question before the House is the question of constitutionality of amendment A0990. Those voting "aye" will vote to declare the amendment to be constitutional; those voting "no" will vote to declare the amendment to be unconstitutional.

On the question recurring,

Will the House sustain the constitutionality of the amendment?

The following roll call was recorded:

YEAS—86

Barbin	DeLissio	Keller, W.	Painter
Bishop	DeLuca	Kim	Parker
Bizzarro	Dermody	Kinsey	Pashinski

Boyle, B.	Donatucci	Kirkland	Petrarca
Boyle, K.	Evans	Kortz	Ravenstahl
Bradford	Fabrizio	Kotik	Readshaw
Briggs	Farina	Kula	Roebuck
Brown, V.	Flynn	Longietti	Ross
Brownlee	Frankel	Mahoney	Rozzi
Burns	Freeman	Markosek	Sabatina
Caltagirone	Gainey	Matzie	Sainato
Carroll	Galloway	McCarter	Samuelson
Clay	Gergely	McGeehan	Santarsiero
Conklin	Gibbons	McNeill	Schlossberg
Costa, D.	Goodman	Mirabito	Sims
Costa, P.	Haluska	Molchany	Snyder
Cruz	Hanna	Mullery	Sturla
Daley, M.	Harhai	Mundy	Vitali
Daley, P.	Harkins	Neilson	Waters
Davis	Harper	Neuman	White
Dean	Harris, J.	O'Brien	Youngblood
Deasy	Kavulich		

NAYS—104

Adolph	Fee	Lawrence	Pyle
Aument	Fleck	Lucas	Quinn
Baker	Gabler	Mackenzie	Rapp
Barrar	Gillen	Maher	Reed
Benninghoff	Gillespie	Major	Reese
Bloom	Gingrich	Maloney	Regan
Boback	Godshall	Marshall	Roae
Brooks	Greiner	Masser	Rock
Brown, R.	Grell	McGinnis	Saccone
Causar	Grove	Mentzer	Sankey
Christiana	Hackett	Metcalfe	Saylor
Clymer	Hahn	Metzgar	Scavello
Corbin	Harhart	Miccarelli	Simmons
Cox	Harris, A.	Micozzie	Smith
Culver	Heffley	Millard	Sonney
Cutler	Helm	Miller	Stephens
Day	Hennessey	Milne	Stern
Delozier	Hess	Moul	Stevenson
Denlinger	Hickernell	Murt	Swanger
DiGirolamo	James	Mustio	Tallman
Dunbar	Kampf	O'Neill	Taylor
Ellis	Kauffman	Oberlander	Tobash
Emrick	Keller, F.	Payne	Toepel
English	Keller, M.K.	Peifer	Truitt
Evankovich	Knowles	Petri	Turzai
Farry	Krieger	Pickett	Vereb

NOT VOTING—0

EXCUSED—11

Cohen	Haggerty	Miranda	Watson
Davidson	Killion	Thomas	Wheatley
Everett	Marsico	Toohil	

Less than the majority having voted in the affirmative, the question was determined in the negative and the constitutionality of the amendment was not sustained.

On the question recurring,

Will the House agree to the bill on second consideration?

Mr. **PAINTER** offered the following amendment No. **A00991**:

Amend Bill, page 2, by inserting between lines 12 and 13 "Erectile dysfunction." The persistent inability to achieve or maintain penile erection sufficient for satisfactory sexual performance.
Amend Bill, page 2, line 26, by striking out "the performance of any" and inserting

the following:

(1) The performance of any

Amend Bill, page 2, by inserting after line 30

(2) Any treatment for erectile dysfunction in unmarried males.

(3) Any treatment for erectile dysfunction in married males without the written consent of their spouses.

On the question,

Will the House agree to the amendment?

AMENDMENT WITHDRAWN

The SPEAKER. On that question, the Speaker recognizes the gentleman from Montgomery County, Mr. Painter.

Mr. PAINTER. Thank you, Mr. Speaker.

I have had some interesting conversations with my colleagues today.

Amendment 991 would prohibit insurance plans offered through the exchange from covering erectile dysfunction treatment unless the patient is, A, married, and, B, has written spousal consent.

Mr. Speaker, as I understand the underlying bill, the issue is there is concern with taxpayer money being spent on medical procedures that some taxpayers find morally objectionable. There is an argument to be made that no taxpayer money is spent on the procedures in the underlying bill, and I would make that argument, but I know there are some members here who would disagree with me. So I do not want to have that debate at this time. I just want to make note that it exists. In this case, however, there is no debate. Taxpayer money would be spent on medical procedures that would facilitate behavior that many upstanding Pennsylvania taxpayers would find immoral.

St. Paul in his first letter to the Corinthians speaks of fornication as a sin and he condemns it passionately, and of course there is the seventh commandment, or the sixth commandment if you are Catholic or Lutheran, "Thou shalt not commit adultery."

As I said, Mr. Speaker, I had some interesting conversations with some of the other members today. There is a lot of laughter, and I understand that because this is a difficult subject and laughter is often the way we respond to a difficult subject, but I mean this seriously.

And I cannot help but note how difficult it is for some of us to talk about government intervention in the private health-care decisions of men while at the same time finding it easy to discuss the private health-care decisions of women. Nonetheless, some of the members have advised me that because of the provocative nature of the amendment and some of the discussion it is likely to provoke, it is too distracting from the important issues in the underlying bill, so therefore, with regret, I will withdraw the amendment. Thank you, Mr. Speaker.

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

The Speaker thanks the gentleman.

On the question recurring,

Will the House agree to the bill on second consideration?

Mr. PAINTER offered the following amendment
No. **A00992**:

Amend Bill, page 2, by inserting between lines 12 and 13
"Erectile dysfunction." The persistent inability to achieve or maintain penile erection sufficient for satisfactory sexual performance.

Amend Bill, page 2, line 26, by inserting after "the"
following:

(1) The

Amend Bill, page 2, by inserting after line 30

(2) Any treatment for erectile dysfunction in unmarried males.

On the question,

Will the House agree to the amendment?

AMENDMENT WITHDRAWN

The SPEAKER. On that question, the Speaker recognizes the gentleman from Montgomery County, Mr. Painter.

Mr. PAINTER. Thank you, Mr. Speaker.

For the reasons I previously articulated, I withdraw this amendment as well. Thank you.

The SPEAKER. The Speaker thanks the gentleman.

On the question recurring,

Will the House agree to the bill on second consideration?

Mr. PAINTER offered the following amendment
No. **A00993**:

Amend Bill, page 2, by inserting between lines 12 and 13
"Erectile dysfunction." The persistent inability to achieve or maintain penile erection sufficient for satisfactory sexual performance.

Amend Bill, page 2, line 26, by striking out all of said line and inserting

exchange shall include coverage for the following:

(1) The performance of any

Amend Bill, page 2, by inserting after line 30

(2) Any treatment for erectile dysfunction in married males without the written consent of their spouse.

On the question,

Will the House agree to the amendment?

AMENDMENT WITHDRAWN

The SPEAKER. On that question, the Speaker recognizes the gentleman from Montgomery County, Mr. Painter.

Mr. PAINTER. Thank you, Mr. Speaker.

Once again, I withdraw the amendment.

The SPEAKER. The Speaker thanks the gentleman.

The House will come to order.

On the question recurring,

Will the House agree to the bill on second consideration?

Ms. BROWNLEE offered the following amendment
No. **A01041**:

Amend Bill, page 3, by inserting between lines 11 and 12
(e) Construction.—Based on opt-out for certain abortions in qualified health plans offered through the health insurance exchange, it is the purpose of the opt-out for abortion mandate under this section to

affirmatively require qualified health insurance plans to provide coverage for preventative reproduction health services, including, but not limited to, contraception.

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

AMENDMENT WITHDRAWN

The SPEAKER. On that question, the Speaker recognizes the lady from Philadelphia County, Ms. Brownlee.

Ms. BROWNLEE. Thank you, Mr. Speaker.

My amendment A01041 simply states that the purpose of the opt-out provision is to require that qualified health insurance plans provide coverage for preventive reproductive health services, which includes contraception, Mr. Speaker.

This is a serious issue. If the plan is to prohibit abortion coverage under the health insurance exchange, then all female reproductive health services should be covered, especially contraception, Mr. Speaker.

However, after the lengthy debate that we have had with constitutionality and unconstitutionality, Mr. Speaker, I withdraw this amendment.

The SPEAKER. The Speaker thanks the lady.

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

Ms. **BROWNLEE** offered the following amendment No. **A01044**:

Amend Bill, page 3, by inserting between lines 11 and 12

(e) Certification of coverage.—Notwithstanding any other provision of this act, this chapter shall not become effective until the Insurance Commissioner certifies to the Governor, the President of the Senate, the Minority Leader of the Senate, the Speaker of the House of Representatives and the Majority and Minority Leaders of the House of Representatives that at least three different insurance companies in this Commonwealth, subject to the supervision of the department, are currently offering supplemental abortion coverage outside of the health insurance exchange.

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

AMENDMENT WITHDRAWN

The SPEAKER. On that question, the Speaker recognizes the lady from Philadelphia County, Ms. Brownlee.

Ms. BROWNLEE. Thank you again, Mr. Speaker.

This amendment A01044, along with the other amendment, is aimed at providing women with some degree of certainty that they will have insurance coverage for some reproductive health services and that providers of abortion coverage outside of the exchange are available to women in this State with their own funds.

Mr. Speaker, this is a serious issue. These ongoing attacks on women's health and reproductive health I believe, Mr. Speaker, must stop. These attacks on women and a woman's ability to choose what she does or does not do with her body is nothing but the 21st-century approach to a 19th-century treatment, Mr. Speaker, and the view of women that they are not smart

enough to make their own decisions and pay for whatever insurance that they want to pay for, Mr. Speaker.

It is time for this chamber and chambers around the country, Mr. Speaker, to realize that women should be able to decide, will continue to decide what we, and I emphasize we, do with our bodies, and we are quite capable of making our own decisions because we are not in the kitchen anymore, Mr. Speaker. We are CEOs (chief executive officers), we are politicians, we are doctors and lawyers, wives and mothers.

So even with that, Mr. Speaker, I believe that these hypocritical attacks on women's health care must stop. However, Mr. Speaker, regretfully, I withdraw this amendment because of the previous debate.

Thank you, Mr. Speaker.

The SPEAKER. The Speaker thanks the lady.

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

The SPEAKER. On that question, the Speaker recognizes the gentleman from Montgomery County, Mr. Bradford, who calls up amendment A01134, which is a corrective reprint of amendment A1071.

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

Mr. **BRADFORD** offered the following amendment No. **A01134**:

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

(d) Ultrasounds.—No qualified health plan offered in this Commonwealth through a health insurance exchange may require an individual to undergo a medically unnecessary ultrasound as a precondition of coverage for an abortion. For the purpose of this section only, medically unnecessary means any ultrasound performed without the consent of the patient, or if unable to consent, the patient's medical professional.

Amend Bill, page 3, line 7, by striking out "(d)" and inserting

(e)

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

The SPEAKER. On that question, the Speaker recognizes the gentleman from Montgomery County, Mr. Bradford.

Mr. BRADFORD. Thank you, Mr. Speaker.

This amendment, much like the underlying bill, the underlying bill concerns a concern, I would say a misguided concern, but a concern that exists in some quarters that the right of women to purchase private insurance with private money in the State exchange somehow offends the right of all Pennsylvanians. Well, conversely, there has been another movement in Pennsylvania to require women as a matter of State law or State action to undergo a medically unnecessary ultrasound as a prerequisite to an abortion. What a woman selects is her right. It is not the right of this legislature or any governing body or any insurance company to require a woman to undergo an ultrasound of any kind, invasive or otherwise, and as the Governor said, to avert his eyes and look down or close their eyes and view such an ultrasound, it is a woman's right, as was affirmed by this body today.

So what I would say is that we need this protection. If we are going to protect those who are concerned about what I would argue is the false argument of public funds, let us make sure that we secure the sovereignty of every woman's body that she will not face the very real possibility in Pennsylvania that some legislature, some politician would play doctor, would practice medicine, and require that woman to undergo an invasive ultrasound. This amendment attempts to make sure that that never happens in Pennsylvania.

Thank you, Mr. Speaker.

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

On that question, the Speaker recognizes the lady from Clarion County, Ms. Oberlander.

Ms. OBERLANDER. Thank you, Mr. Speaker.

The underlying bill is to address the opt-out provision in the Affordable Care Act, which states that we are provided the opportunity to act on. Imaging services and whether they can or cannot be preconditioned prior to insurance coverage does not fall within the narrow single subject contained in the underlying bill.

I respectfully request a "no" vote on this amendment.

Thank you, Mr. Speaker.

The SPEAKER. On the amendment, the Speaker recognizes the gentleman, Mr. Bradford.

There was no motion. The question before the House is the amendment.

For what purpose does the gentleman from Allegheny County, Mr. Frankel, rise?

On the amendment? The gentleman is in order. The gentleman, Mr. Frankel, is in order and may proceed on the amendment.

Mr. FRANKEL. Just very briefly, Mr. Speaker.

This amendment seeks to treat Pennsylvania women as adults and their health-care professionals as professionals, that they can make their own choices between the two of them. So to mandate a procedure and take away the discretion of adult women and their health-care providers is insulting.

This makes a lot of sense. This is also something that will help keep health-care costs down. With respect to doing unnecessary medical procedures in this State, it is an epidemic.

On that basis alone, we are going to mandate an unnecessary medical procedure, and we say in this chamber we are concerned about holding down the cost of health care.

On those two reasons alone, we ought to support this amendment. Thank you, Mr. Speaker.

The SPEAKER. On the amendment, the Speaker recognizes the gentleman from Bucks County, Mr. Santarsiero.

Mr. SANTARSIERO. Thank you, Mr. Speaker.

Mr. Speaker, even if you support the underlying bill, there is absolutely no reason to vote against this amendment. All this amendment does is says that under Pennsylvania law, a woman cannot be forced to have a medically unnecessary ultrasound. That is all. It is pretty simple. It is not inconsistent with anything else in the bill. It does not overturn the intent of the bill. So if you are in favor of this bill, there is absolutely no reason to vote against this amendment, unless, unless you think the right to have a medically unnecessary ultrasound by the State foisted upon women is something you would like to see. I would submit to you that the public does not support that,

because I remember just about a year ago, maybe it was a little bit more than a year ago, a certain chief executive of a certain State in the Union—

Mr. TURZAI. Point of order, Mr. Speaker.

The SPEAKER. The gentleman will suspend.

POINT OF ORDER

The SPEAKER. The gentleman, Mr. Turzai, may state his point of order.

Mr. TURZAI. The underlying bill mandates nothing. This is off discussion with respect to the amendment and the underlying bill.

The SPEAKER. The Speaker thanks the gentleman and appreciates his point of order and encourages the gentleman to focus his debate on the amendment before us and may proceed.

Mr. SANTARSIERO. Thank you, Mr. Speaker.

If the gentleman from Allegheny County would allow me to finish the sentence, he might be able then to determine whether or not I was going off the subject.

But the fact of the matter is that at the end of the day, at the end of the day if you support this bill, there is absolutely no reason to vote against this amendment, and in fact, there are a lot of reasons to vote for it, because if you do not support this amendment, then you are saying, effectively, that women should be required to have medically unnecessary ultrasounds, and that is quite a leap from the underlying bill. And I would imagine that even some of the strongest advocates of this bill would be uncomfortable going there, just as they were uncomfortable with the previous piece of legislation that was in front of this House in the last session. Thank you, Mr. Speaker.

The SPEAKER. On the amendment, is the lady, Mrs. Dean, seeking recognition on the amendment?

Mrs. DEAN. On the amendment.

The SPEAKER. The lady from Montgomery, Mrs. Dean, is recognized on the amendment.

Mrs. DEAN. Thank you, Mr. Speaker.

I rise in support of this amendment, and I think it really strengthens the underlying bill. So if you are in support of this bill, vote for this amendment. All it says is that health insurance providers will not require women to go through unnecessary medical procedures such as ultrasound or transvaginal ultrasound, invasive procedures that are medically unnecessary.

This is a very simple and very wise clarifying amendment, and I am certain if there was something that was in the law or in the underlying law that would be an invasive procedure that was medically unnecessary for men, you might be standing up against it.

I ask that everybody support this commonsense amendment.

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

On that question, the Speaker recognizes the gentleman from Allegheny County, Mr. Maher.

Mr. MAHER. Mr. Speaker, I would like to interrogate the maker of the amendment.

The SPEAKER. Will the lady, Ms. Oberlander, stand for interrogation from the gentleman, Mr. Maher?

Mr. MAHER. No, no. The maker of the amendment, Mr. Speaker, Mr. Bradford.

The SPEAKER. I apologize; I got the bill and the amendment mixed up. That is the first that has ever happened.

The gentleman, Mr. Bradford, indicates he will stand for interrogation. You may proceed.

Mr. MAHER. Thank you, Mr. Speaker.

As I read your amendment, it defines "medically unnecessary" as a procedure performed without the consent of the patient, or if the patient is unable to consent, a health professional. Am I understanding that?

Mr. BRADFORD. That is correct. I believe you are reading from the amendment.

Mr. MAHER. Thank you.

Mr. Speaker, I am curious, in Pennsylvania are there any medical procedures that can be performed on any patient without the consent of the patient, or if the patient is unable to consent, a health professional?

Mr. BRADFORD. I am not a doctor and I do not play one on TV, but I do not think it is a good idea for us to—

Mr. MAHER. So you do not know; okay.

Mr. BRADFORD. I would assume there are—

Mr. MAHER. I will accept that.

Mr. Speaker, if I could speak on the amendment?

Mr. BRADFORD. Hypothetical, I guess is what my answer—

The SPEAKER. Will the gentleman suspend.

Mr. MAHER. I have concluded my interrogation.

The SPEAKER. Is the gentleman, Mr. Maher, done with interrogation?

Mr. MAHER. Yes, Mr. Speaker. If I could speak on the amendment.

The SPEAKER. The gentleman is in order on the amendment.

Mr. MAHER. Once again, we have before us an amendment that is characterized as being plain vanilla, simple to understand, but thanks to the miracles of bad drafting, has complications that are unimaginable. Under the concept of statutory construction, once you start listing something as being included, you are determined to have excluded those things which are not listed.

Currently in Pennsylvania medical professionals cannot perform medical procedures on patients without their consent, or if they are unable to consent, someone is acting in their interest. It just cannot be done.

Now, this amendment, by singling out a single procedure under the rules of statutory construction, could be determined to say that it would be okay in Pennsylvania for medical procedures to be performed on patients without their consent except for in this case, and that is a very, very, very bad policy. Talk about removing control of patients over their own destiny.

Now, if the gentleman who offered this amendment wishes to go back and redraft it so it actually is the plain vanilla that he describes it as, I might be persuaded, but I am not going to open this Pandora's box of setting a standard whereby Pennsylvanians can be compelled to undertake medical procedures without their own consent or the consent of the health professionals who are treating them.

Thank you, Mr. Speaker.

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

Is the lady from Clarion County seeking recognition for the second time? The lady is in order and may proceed.

Ms. OBERLANDER. Thank you, Mr. Speaker.

I just want to reiterate that the underlying bill does not mandate anything. It simply addresses the opt-out provision afforded States by the Affordable Care Act, and I again respectfully request a "no" vote on this amendment.

Thank you, Mr. Speaker.

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

The gentleman from Luzerne County, Mr. Carroll, is recognized on the amendment.

Mr. CARROLL. Thank you, Mr. Speaker.

You know, Mr. Speaker, it seems to me that we have a bill before us that speaks prospectively to a program that does not yet exist in our State and in our nation, and so we are going to cast a vote relative to a program that will occur sometime after January 1.

Similarly, the gentleman from Montgomery County's amendment speaks prospectively to a procedure that may be mandated by the Commonwealth by some future action of the General Assembly. So from my perspective, Mr. Speaker, his amendment is completely consistent with the overwhelming question of the day with respect to future actions that affect the citizens of this State, and for that reason, Mr. Speaker, I support the gentleman's amendment.

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

On that question, the Speaker recognizes the gentleman, Mr. Bradford, for the second time.

Mr. BRADFORD. Mr. Speaker, if I could, if there are no further speakers, I would prefer to go last, if there are no further.

The SPEAKER. The Speaker generally tries to afford the member that. I have scanned the floor. I do not see anyone else standing to speak. However, I cannot promise you that you are the last person.

Mr. BRADFORD. Thank you, Mr. Speaker, for that.

I would rise to speak, if only briefly, to the gentleman from Allegheny County, who I think puts forward a slightly absurd idea of statutory construction. I think there are such things as advanced medical directives, and I think there is such a thing as the sovereignty of every woman, and that is what drives this underlying amendment.

It is simply a very vanilla amendment, as the fine lady points out. It is vanilla in that it says, no matter whatever happens, let us be clear, if the woman's right to know act never becomes law, if the gentlelady from Warren has such a bill, the Excellency, Tom Corbett, our Governor, has said he would sign such a bill. There is a concern on the other aisle that public funds would somehow go for abortion. Well, I have got to tell you, there is a real concern in every woman in Pennsylvania that that legislation and this Governor would pass legislation under the Affordable Care Act. We are, frankly, under State law to cover every single woman, that they would have to undergo an invasive ultrasound. This bill makes clear—

POINT OF ORDER

Mr. TURZAI. Point of order, Mr. Speaker.

This is far afield.

The SPEAKER. Does the gentleman, Mr. Turzai, make a point of order?

Mr. TURZAI. Point of order, Mr. Speaker.

This is far afield. This is not the legislation that is in front of us. This is far afield.

Mr. BRADFORD. Mr. Speaker, I would—

The SPEAKER. The gentleman will suspend.

It is a fine line as to when the debate draws beyond the actual substance of the bill, recognizing the nature of the overall legislation before us. As I have said earlier, I am trying to give a little latitude. I would ask the gentleman to focus as closely on the actual amendment, not on other legislation that may have been proposed in the past. I would ask the gentleman to focus on the amendment that is before us.

You may proceed.

Mr. BRADFORD. And I respect the admonition of the Speaker, and I would say to the fine majority leader that this is very much afield. This is the issue of what happens when legislatures put in their judgment over that of doctors and women. If we are going to be prospective in terms of what the Affordable Care Act does, then let us do that to protect women as well in terms of their constitutionally protected reproductive rights.

Some time ago another bill was passed that was said was also – the Abortion Facilities Act. It was told to us then that it was not pro-life legislation. Subsequently, we heard first pro-life legislation—

Mr. TURZAI. Point of order, Mr. Speaker.

Mr. BRADFORD. —in a generation. Done.

The SPEAKER. Has the gentleman concluded his debate on the amendment?

Mr. BRADFORD. Yes. If I can have one sentence, I will let it go with this.

The SPEAKER. Was that a yes, you have concluded, or no, you have not concluded?

Mr. BRADFORD. No, I have not concluded, but I am very close.

The SPEAKER. Okay. Yes, you are very close all right.

Mr. BRADFORD. Thank you, Mr. Speaker.

I know it has been a long day, so let me just leave it with this: This legislation is important. If this issue never comes to pass, all the better for Pennsylvania's women. If this legislation never comes up, let it be said that when we had the chance to be heard on the ultrasound bill, we voted—

Mr. TURZAI. Point of order, Mr. Speaker.

The SPEAKER. The gentleman is correct. That is not the legislation before us. Your amendment is before us.

Mr. BRADFORD. And my amendment will prevent women from ever having to deal with that just like Ms. Oberlander's legislation prevents public funding allegedly of abortion in Pennsylvania.

I must say, Mr. Speaker, we have to have some fairness in terms of how this is dealt with. If that is prospective legislation, mine is prospective legislation. If that deals with public funding of abortion, mine deals with the rights of women not to have to undergo an invasive ultrasound.

POINT OF ORDER

Mr. TURZAI. Point of order, Mr. Speaker.

The SPEAKER. The gentleman, Mr. Turzai, will state his point of order.

Mr. TURZAI. It is far afield. It is speaking to the legislation. Let us get to a vote and be done.

Mr. BRADFORD. Vote on the amendment. Thank you, Mr. Speaker.

The SPEAKER. Are we both done?

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—68

Bishop	Deasy	Kim	Parker
Boyle, B.	DeLissio	Kinsey	Pashinski
Boyle, K.	DeLuca	Kirkland	Ravenstahl
Bradford	Dermody	Kortz	Readshaw
Briggs	Donatucci	Markosek	Roebuck
Brown, V.	Evans	Matzie	Rozzi
Brownlee	Fabrizio	McCarter	Sabatina
Caltagirone	Frankel	McGeehan	Samuelson
Carroll	Freeman	McNeill	Santarsiero
Clay	Gainey	Mirabito	Schlossberg
Conklin	Galloway	Molchany	Sims
Costa, D.	Gergely	Mullery	Snyder
Costa, P.	Goodman	Mundy	Sturla
Cruz	Hanna	Neilson	Vitali
Daley, M.	Harkins	Neuman	Waters
Davis	Harris, J.	O'Brien	White
Dean	Keller, W.	Painter	Youngblood

NAYS—122

Adolph	Fee	Kotik	Petri
Aument	Fleck	Krieger	Pickett
Baker	Flynn	Kula	Pyle
Barbin	Gabler	Lawrence	Quinn
Barrar	Gibbons	Longietti	Rapp
Benninghoff	Gillen	Lucas	Reed
Bizzarro	Gillespie	Mackenzie	Reese
Bloom	Gingrich	Maher	Regan
Boback	Godshall	Mahoney	Roae
Brooks	Greiner	Major	Rock
Brown, R.	Grell	Maloney	Ross
Burns	Grove	Marshall	Saccone
Causer	Hackett	Masser	Sainato
Christiana	Hahn	McGinnis	Sankey
Clymer	Haluska	Mentzer	Saylor
Corbin	Harhai	Metcalfe	Scavello
Cox	Harhart	Metzgar	Simmons
Culver	Harper	Miccarelli	Smith
Cutler	Harris, A.	Micozzie	Sonney
Daley, P.	Heffley	Millard	Stephens
Day	Helm	Miller	Stern
Delozier	Hennessey	Milne	Stevenson
Denlinger	Hess	Moul	Swanger
DiGirolamo	Hickernell	Murt	Tallman
Dunbar	James	Mustio	Taylor
Ellis	Kampf	O'Neill	Tobash
Emrick	Kauffman	Oberlander	Toepel
English	Kavulich	Payne	Truitt
Evankovich	Keller, F.	Peifer	Turzai
Farina	Keller, M.K.	Petrarca	Vereb
Farry	Knowles		

NOT VOTING—0

EXCUSED—11

Cohen	Haggerty	Miranda	Watson
Davidson	Killion	Thomas	Wheatley
Everett	Marsico	Toohil	

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. **PASHINSKI** offered the following amendment No. **A01072**:

Amend Bill, page 2, by inserting between lines 16 and 17 "Medical emergency." As defined in 18 Pa.C.S. § 3203 (relating to definitions).

Amend Bill, page 2, line 21, by inserting after "prohibit" , except for a medical emergency.

Amend Bill, page 2, line 24, by striking out "No" and inserting Except for a medical emergency, no

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

AMENDMENT WITHDRAWN

The SPEAKER. On that question, the Speaker recognizes the gentleman from Luzerne County, Mr. Pashinski.

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

I have a critical amendment that actually will bring this legislature into the 21st century.

There was a time when many women, when many women during childbirth did not make it. There was a child that was unborn because the mother did not make it. As we go back in history, we have discovered, and most likely in many of our families, there were many complications that occurred during childbirth and we have lost family members, but medical science and technology began to improve, and as a result, the success of childbirth and the protection and the life of the mother was also enhanced.

It was no more than about 30 years ago when we had no exceptions to a thing called abortion, and then people began to realize that in our society and within the system that we live and the medical system that we have, special exceptions were needed. Those exceptions were rape, incest, and to protect the life of the mother. I do not think anyone in this room would say they are unreasonable. I would think that everybody in this room understands that the life of that mother and the condition of that woman after experiencing a rape through incest or otherwise, the only humane thing to do, the only right thing to do was to protect those women.

Mr. Speaker, we have now come into the 21st century, and in this century we are blessed with countless medical abilities, with countless inventions that have saved countless lives, with countless medical protocol that can discover the condition of the child before birth and the condition of the mother. Today we have vast amounts of evidence, vast amounts of evidence, and once again, maybe in this hallowed hall some of you have experienced what I am going to say. You may know a family, a woman who experienced immeasurable harm because of childbirth. We have discovered now that there are conditions that a woman must endure in the process of delivering that child that truly, truly will affect her continued health, even to the point that she may not be able to have children, but will not take her life at that point.

Mr. Speaker, today in the 21st century we have incredible inventions to save that child, to save that mother, to in advance prevent the sufferings and the loss.

Regrettably, Mr. Speaker, I stand to withdraw my amendment. Thank you, sir.

The SPEAKER. The Speaker thanks the gentleman.

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

Mr. **PASHINSKI** offered the following amendment No. **A01073**:

Amend Bill, page 2, by inserting between lines 16 and 17 "Medical emergency." As defined in 18 Pa.C.S. § 3203 (relating to definitions).

Amend Bill, page 2, line 21, by inserting after "prohibit" , except for a medical emergency that is certified by two physicians.

Amend Bill, page 2, line 24, by striking out "No" and inserting Except for a medical emergency that is certified by two physicians, no

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

AMENDMENT WITHDRAWN

The SPEAKER. On that question, the Speaker recognizes the gentleman from Luzerne County, Mr. Pashinski.

Mr. PASHINSKI. Mr. Speaker, thank you very much.

I regrettably withdraw that amendment as well.

The SPEAKER. The Speaker thanks the gentleman.

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

Mr. **FRANKEL** offered the following amendment No. **A01086**:

Amend Bill, page 2, line 14, by inserting after "established" by the Commonwealth

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

AMENDMENT WITHDRAWN

The SPEAKER. On that question, the Speaker recognizes the gentleman from Allegheny County, Mr. Frankel.

Mr. FRANKEL. Mr. Speaker, I have got three amendments here. I will be withdrawing amendment 1086 and I think it is 1109 and be offering amendment 1140.

The SPEAKER. The Speaker thanks the gentleman. That is the way to do it.

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

The SPEAKER. On that question, the Speaker recognizes the gentleman, Mr. Frankel, from Allegheny County, who offers up amendment A1140, which is a replacement, corrective reprint of amendment A1088, for the information of the members.

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

Mr. **FRANKEL** offered the following amendment
No. **A01140**:

Amend Bill, page 2, line 24, by striking out all of said line and inserting

(b) Included coverage prohibition—

(1) No qualified health plan

Amend Bill, page 2, lines 27 and 28, by striking out "unless the reason the abortion is performed is one for which the" and inserting
unless:

(i) the reason the abortion is performed is one for which the

Amend Bill, page 2, line 30, by striking out the period after "funds)" and inserting

; or

(ii) the plan is purchased solely with private funds.

(2) Nothing in this chapter shall preclude an individual using private funds from purchasing an insurance plan that includes abortion coverage so long as the department is reimbursed administrative costs in a separate payment.

(3) The department shall determine the administrative costs per policy sold under the exchange and set up a procedure for separate payments of administrative costs when necessary.

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

The **SPEAKER**. On that question, the Speaker recognizes the gentleman from Allegheny County, Mr. Frankel.

Mr. **FRANKEL**. Thank you, Mr. Speaker.

Supporters of HB 818 argue that taxpayer money should not fund abortion. That is the way it works now in Pennsylvania, that is the way it works in the Affordable Care Act, and that is the way it will be once the exchanges are implemented regardless of the passage of HB 818.

Additionally, this amendment clarifies that in the exchange, no taxpayer money will go to fund abortion without infringing on the basic rights of women to spend their own money, their own money, money that they earn themselves the way they want to spend it. My amendment says that a woman can purchase insurance coverage for an abortion procedure within the exchange so long as she pays for the coverage out of pocket.

In an effort to come to an agreement with both sides of this issue, my amendment also has a provision that would require the Insurance Department to determine the administrative costs of each abortion rider sold within the exchange and then set up a reimbursement procedure for separate nontaxpayer payments for those administrative costs.

Let me explain. The other side has argued that regardless of whether or not abortion coverage is paid for separately out of pocket and will not count toward the government tax credit, the fact that the plans are being sold within the exchange means that some small amount of money is going to be paid to administer the plans that provide the coverage. This administrative cost, they argue, is paid with taxpayer dollars. So among the hundreds of thousands of doctors' visits, mammograms, cancer treatments, hip replacements, flu shots, childhood immunizations, strep throat tests, antibiotic prescriptions, MRIs (magnetic resonance imaging), casts for broken legs and arms, organ transplants, physical therapy visits, and the

thousands and thousands more of medical interventions that take place every year, the small number of abortion procedures do somehow get paid for by companies offering plans on the exchange and therefore benefit from some small portion of the funds used to set up the exchange. Fine. I suspect it is a number measured in cents or fractions of cents, not dollars, but I accept that some number exists and can be found. My amendment says, let us find it, let us calculate it, and let us charge the people paying for this insurance out of pocket the additional administrative fee. Have them pay it out of pocket with their own money that they earned themselves and which belongs to them to spend as they see fit.

Let us satisfy people who are opposed to abortion access by making sure that not one cent of taxpayer dollars goes to insurance coverage for elective abortions, but let us not deny people the ability to obtain insurance coverage that they select and pay for themselves. Remember, this is money that women earn themselves in their jobs, in our Commonwealth. This is not what people used to call pin money handed to them by their fathers or their husbands, who could tell them what they can and cannot spend it on, and how, how dare we, a roomful of mostly men, tell women how best to use their paychecks.

This is a commonsense improvement to this piece of legislation that makes sense for Pennsylvania's women. I urge your support. Thank you.

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

On that question, the Speaker recognizes the lady from Clarion County, Ms. Oberlander.

Ms. **OBERLANDER**. The gentlelady thanks the Speaker.

And while I thank the maker of the amendment for this admission that insurance coverage of abortion services in the insurance exchange will result in the expenditure of Commonwealth funds to provide abortion services, I state that the Abortion Control Act in section 3215 says that no Commonwealth funds can be expended. Expending them and seeking reimbursement does not mitigate the fact that they were expended in the first place.

I respectfully request a "no" vote on this amendment. Thank you, Mr. Speaker.

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

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

Ms. **DELISSIO**. Thank you, Mr. Speaker.

Mr. Speaker, I want to relay a scenario by which the current bill as laid out, a situation it will create. We have lots of constituents in our districts. Some of them are women business owners – a local dry cleaner, day-care center, deli owner. This small businessperson chooses to use the health exchanges that will be open as of October of 2013 and be active as of January 2014 to purchase insurance for herself, perhaps for employees as well. So she is a fairly successful business owner. She goes to the health exchange. She is making this insurance purchase with her own money. There is no tax credit that she is getting. This is 100 percent her own money, and this is the way the bill is currently laid out. She subsequently gets married. Subsequently, she and her husband are expecting. She, part way through the pregnancy, finds out that something is terribly wrong, perhaps the situation whereby she has cancer, and her physician, her obstetrician, advises her that she needs treatment now and that it is in her best interest to terminate the pregnancy. Mr. Speaker,

the way this bill is currently written, that woman would have been precluded from buying any health insurance plan that included abortion coverage. So this individual, this couple is now faced with having to pay privately for that procedure, and if her situation is medically complicated, this procedure needs to be done not as an outpatient but perhaps in a hospital setting, and we are talking about a procedure that is going to cost thousands of dollars.

So, Mr. Speaker, I am confused as to why this bill chooses to take what has been an accepted practice for federally funded — the use of Federal dollars and wants to transfer that to citizens using their own private money.

And with that example on the table, Mr. Speaker, I would like to know if the maker of the bill will stand or the maker—I would just like to share that experience, and at an appropriate time, I have a few questions for the maker of the bill.

And it was interesting that an earlier speaker talked about compelling people to not have access to procedures that they did or did not want. The bill the way it is currently written also is compelling people to not have access to a service that they want.

So I support the Representative from Allegheny's amendment, because it restores and puts back this bill the way it should be written, the way it is currently conducted in Pennsylvania, and in fact, I am very disheartened with the confusion out there that talks about taxpayer dollars for this service. These are not dollars that the Commonwealth of Pennsylvania, Federal or State, is directing to these exchanges, and I believe that is what the law currently states. These are tax credits that will be issued to citizens if they go into the health exchange. So the basic premise from which this is built on, this bill, is flawed.

So I support the Representative from Allegheny's amendment and ask everybody for their most thoughtful consideration for their support as well.

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

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

Mr. ROSS. Thank you, Mr. Speaker.

This amendment has been criticized because it was alluded to the fact that abortion services would be paid for by the provisions in the amendment, and in fact, that is not the case. Insurance would be paid for. Insurance is always purchased before the time of the event, whatever it is, a medical procedure or any other event that might happen. So reimbursing for administrative costs before an abortion actually would happen would not be, I think, under any reasonable interpretation actually paying for an abortion. So I believe that it does not violate Pennsylvania law for that purpose, and I believe it is a reasonable effort and a reasonable compromise to find a way to respect the sensitivities of those who do not want to use their tax dollars for abortion services while still providing a broad range of medical services for women, and I urge a favorable vote on the amendment.

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

On that question, the Speaker recognizes the gentleman, Mr. Frankel, for the second time.

Mr. FRANKEL. Mr. Speaker, I just would like to be the last. If there is any other—

The SPEAKER. As I have noted, I have scanned the floor. I do not see anybody else seeking recognition. I try to recognize the maker of the amendment last. I cannot promise you that someone would not rise—

Mr. FRANKEL. Thank you.

The SPEAKER. —in response to something you might say.

Mr. FRANKEL. I want to thank the gentleman from Chester County for his accurate correction of the maker of the bill's remarks.

I just really want to emphasize the fact that I am not, under any circumstances, accepting the idea that taxpayer dollars are being used to pay for abortions. They are just, just being used, theoretically, to pay for some of the administrative costs, and arguably, that has got to be some infinitesimal number, some fraction of a cent being expended here.

So this really is a ruse to undermine women's access, ultimately, which I think is the purpose of the underlying bill, unless this amendment at least gives people, women the opportunity to purchase coverage that they are entitled to constitutionally.

I also want to point out that at this point and based on our Governor's position that there will not be a Pennsylvania exchange, there are no Commonwealth funds being expended to support an exchange, only Federal funds, and we have no authority here in the Commonwealth, in this chamber, to appropriate Federal funds. So this argument is totally erroneous.

And I would accept that we ought to take this opportunity to make a change that allows women to make decisions on their health care that they pay for, that are not supported by taxpayer dollars. That is really fair. They have a constitutional right to these procedures, to this health-care decision. We cannot take that away from them, but if we must, as we have under the Hyde amendment at the Federal level and here in Pennsylvania, say that we cannot use taxpayer dollars, fine. We have a mechanism here within the exchange to allow them to get the coverage that they are entitled to by right, and my bill proposes a way to do that, to basically address every single concern about taxpayer dollars being expended here.

If you believe women should be treated as adults, be allowed to make their decisions, be allowed to spend their money the way they see fit, support this amendment. Thank you, Mr. Speaker.

On the question recurring,

Will the House agree to the amendment?

(Members proceeded to vote.)

LEAVE OF ABSENCE

The SPEAKER. The Speaker returns to leaves of absence and recognizes the majority whip, who requests a leave of absence for the gentleman from Butler County, Mr. METCALFE, for the remainder of the day. Without objection, the leave is granted.

CONSIDERATION OF HB 818 CONTINUED

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—87

Bishop	Dermody	Kinsey	Pashinski
Boyle, B.	Donatucci	Kirkland	Petri
Boyle, K.	Evans	Kortz	Quinn
Bradford	Fabrizio	Kotik	Ravenstahl
Briggs	Farina	Longietti	Readshaw
Brown, V.	Farry	Maher	Roebuck
Brownlee	Flynn	Markosek	Ross
Burns	Frankel	Matzie	Rozzi
Caltagirone	Freeman	McCarter	Sabatina
Carroll	Gainey	McGeehan	Sainato
Clay	Gergely	McNeill	Samuelson
Conklin	Godshall	Milne	Santarsiero
Costa, D.	Goodman	Mirabito	Schlossberg
Costa, P.	Haluska	Molchany	Sims
Cruz	Hanna	Mullery	Snyder
Daley, M.	Harhai	Mundy	Stephens
Davis	Harhart	Neilson	Sturla
Dean	Harkins	Neuman	Vitali
Deasy	Harris, J.	O'Brien	Waters
DeLissio	Kavulich	O'Neill	White
DeLozier	Keller, W.	Painter	Youngblood
DeLuca	Kim	Parker	

NAYS—102

Adolph	Evankovich	Knowles	Pickett
Aument	Fee	Krieger	Pyle
Baker	Fleck	Kula	Rapp
Barbin	Gabler	Lawrence	Reed
Barrar	Galloway	Lucas	Reese
Benninghoff	Gibbons	Mackenzie	Regan
Bizzarro	Gillen	Mahoney	Roae
Bloom	Gillespie	Major	Rock
Boback	Gingrich	Maloney	Saccone
Brooks	Greiner	Marshall	Sankey
Brown, R.	Grell	Masser	Saylor
Causser	Grove	McGinnis	Scavello
Christiana	Hackett	Mentzer	Simmons
Clymer	Hahn	Metzgar	Smith
Corbin	Harper	Miccarelli	Sonney
Cox	Harris, A.	Micozzie	Stern
Culver	Heffley	Millard	Stevenson
Cutler	Helm	Miller	Swanger
Daley, P.	Hennessey	Moul	Tallman
Day	Hess	Murt	Taylor
Denlinger	Hickernell	Mustio	Tobash
DiGirolamo	James	Oberlander	Toepel
Dunbar	Kampf	Payne	Truitt
Ellis	Kauffman	Peifer	Turzai
Emrick	Keller, F.	Petrarca	Vereb
English	Keller, M.K.		

NOT VOTING—0

EXCUSED—12

Cohen	Haggerty	Metcalfe	Toohil
Davidson	Killion	Miranda	Watson
Everett	Marsico	Thomas	Wheatley

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

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

SUPPLEMENTAL CALENDAR A CONTINUED

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 301, PN 1517**, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, providing for a natural gas fleet vehicle tax credit; and imposing penalties.

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

(Bill analysis was read.)

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

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

Mr. HANNA. Thank you, Mr. Speaker.

Mr. Speaker, I rise in opposition to HB 301.

Mr. Speaker, this bill, this proposal, is fiscally irresponsible. HB 301 is yet another corporate giveaway, at the expense of working and middle-class Pennsylvanians. The proposal takes \$25 million out of the State budget every year, forcing even more painful cuts to our schools, seniors, and our most vulnerable.

Mr. Speaker, although this bill is well intended, by taking the money from the General Fund, the majority party is admitting they do not know how to pay for this legislation. Pennsylvania needs to be fiscally prudent, and we cannot afford to spend millions of dollars for these unfunded tax credits. Doing so would ask our schools and most vulnerable citizens to sacrifice for the benefit of corporate interests.

In December 2011 I stated here on the House floor a fair and reasonable severance tax is the best and fairest way to approach and ensure that every Pennsylvanian can benefit from the development of the Marcellus Shale. Unfortunately, the impact fee passed by the majority party, while it recognized that the fee was the best way to pay for incentives, it only provided \$20 million over 3 years.

Had we been given the opportunity on second consideration to improve this bill, then I may have been able to support this bill. However, HB 301 is clearly lacking. It lacks a 3-percent severance tax that would have paid for these tax credits without impacting the General Fund. It does not allow for retrofitting current vehicles as part of a conversion plan and thereby excludes most small businesses that could never afford to buy an all new fleet as is required by this bill. It lacks vital job creation requirements and a method to enforce them. In fact, under this legislation, Mr. Speaker, any of the corporations whom Auditor General DePasquale found over \$35 million in uncollected taxes could qualify to receive this tax credit. Let me repeat that. Under this legislation, any of the corporations whom Auditor General DePasquale found to owe over \$35 million in uncollected taxes, those very same corporations could qualify to receive this tax credit. All of this could have and would have

been corrected by the amendments we attempted to offer yesterday.

Mr. Speaker, in the words of the Commonwealth Foundation, "The gas industry has the ability through private ventures to produce economical energy and billions of dollars in wealth without government aid. In contrast, corporate welfare schemes squander capital and destroy jobs." That is the Commonwealth Foundation speaking, Mr. Speaker, not me, but I would agree with them. And if our amendments were adopted, natural gas would be paying for these natural gas incentives, and that is the route we should have taken.

Mr. Speaker, the Corbett economy has proven that tax cuts and huge corporate giveaways are not a path to economic prosperity. In fact, PA's unemployment continues to rate well above the national average. Statistics show that since Governor Corbett took office—

Mr. TURZAI. Point of order, Mr. Speaker.

Mr. HANNA. —PA has tumbled nine—

Mr. TURZAI. Point of order, Mr. Speaker.

Mr. HANNA. —places in the ranking of State unemployment.

Mr. TURZAI. Point of order.

The SPEAKER. Will the gentleman suspend.

POINT OF ORDER

The SPEAKER. Will the gentleman, Mr. Turzai, state his point of order.

Mr. TURZAI. Yes, sir. This is far afield from the underlying bill, HB 301.

Mr. HANNA. Mr. Speaker, this is labeled a job creation—

The SPEAKER. Will the gentleman suspend.

The gentleman, Mr. Turzai, is making a point of order, and I am contemplating how I might address that.

Mr. HANNA. Thank you, Mr. Speaker.

The SPEAKER. I certainly understand the gentleman's point of order. I do believe that to some degree if a member is debating a bill and they are referencing the amendments that they had offered or that were offered that maybe were defeated, which was my interpretation of where the gentleman, Mr. Hanna, was going, that that is kind of inclusive of the debate on the bill, and we will pay attention closely to the gentleman, Mr. Hanna.

He may proceed.

Mr. HANNA. Thank you, Mr. Speaker.

Mr. Speaker, as I was saying, this bill and this package of bills have been labeled a job creation package. Yet we have seen this same type of action in the past 2 years and it has not led to job creations. In fact, statistics show that since Governor Corbett took office, PA has tumbled nine places in the ranking of State unemployment, tumbled nine places.

These unfunded corporate giveaways help the few at the expense of the many, and Pennsylvania simply cannot afford it any longer.

I ask that my colleagues join me in opposing HB 301.

Thank you, Mr. Speaker.

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

On that question, the Speaker recognizes the gentleman from Delaware County, Mr. Vitali.

Mr. VITALI. Thank you, Mr. Speaker.

I first would like to compliment the maker of the bill on the intent of incentivizing natural gas vehicles. I believe it is a good intent. I believe good environmental, economic, national security arguments can be made for incentivizing not only natural gas but other renewable fuels such as hybrid vehicles, biodiesel vehicles, electric vehicles, and so forth. So I think the intent of this legislation is a good one.

But I think the fact of the matter is, details do matter. How you approach solving a problem does matter, and I think, regrettably, I do not think this is the right approach. If we lived in a perfect world where we had unlimited tax dollars to spend and we could throw dollar after dollar in incentivizing natural gas and other renewable fuel vehicles, perhaps, but the reality is, we have limited tax dollars, and this expenditure, this expenditure of \$25 million a year to incentivize these medium-sized vehicles, it is just not a good use of tax dollars.

Mr. Speaker, we in the Commonwealth are cutting many important things. We have cut environmental protection funding over almost \$100 million since 2006. We should not be spending \$25 million to incentivize about a thousand natural gas vehicles when we cannot even afford to fund basic environmental protection in this Commonwealth.

Mr. Speaker, this legislation also picks winners. Mr. Speaker, instead of taking an approach where we attempt to incentivize all type vehicles, we simply stick to compressed natural gas vehicles, and I think that is the wrong approach.

With certain work and modification, this is a bill that could have been supported, but in its current form, Mr. Speaker, I would urge a "no" vote. Thank you.

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

On that question, the Speaker recognizes the lady from Luzerne County, Ms. Mundy.

Ms. MUNDY. Thank you, Mr. Speaker.

Mr. Speaker, if you believe that trickle-down, supply-side economic policies are the way to job creation, I have got a package of bills for you.

Mr. Speaker, an editorial in the Citizens' Voice that appeared on Friday, April 12, really says it best, and I would like to offer that into the record today. "Say no to gas industry subsidies" is the heading.

"Gov. Tom Corbett and like-minded members of the state Legislature scoff at the notion that taxpayers should subsidize the development of an alternative energy industry. They have killed a once-promising solar manufacturing industry in the state and have slowed wind development.

"Meanwhile, they treat some of the wealthiest companies on the planet as if they will be swallowed by the earth without assistance from the commonwealth's taxpayers.

"Tuesday, the state House passed a bill to provide tens of millions of dollars in tax credits to help develop or expand in-state markets for natural gas, directly benefiting the wealthy energy companies now drilling and fracking across the Marcellus Shale.

"Lawmakers have yet to explain why subsidizing market development for Exxon-Mobil, Chevron, Chesapeake or others is a good idea, while doing so on a much more modest scale for solar energy companies is a bad idea.

"According to the supposed free marketeers behind these subsidy proposals, the market rules. Yet it apparently doesn't do so sufficiently to sustain their favored industry.

"One bill would provide \$25 million in credits to help businesses convert vehicle fleets to natural gas. But if doing so is in those businesses' interest in the marketplace, why do they need state help?"

"Another bill would provide \$5 million a year in credits to help service centers along interstates install natural gas fueling equipment. Yet if the market demands it, wouldn't they just do so?"

"Who knows what other potential tax credits state taxpayers could give to wealthy energy companies? Well, the energy companies know and they'll be happy to advise compliant legislators. Both bills would provide industry representatives with seats on advisory committees that would recommend future tax credits to legislators – a giveaway not just of tax credits, but of policy itself."

"Corbett and lawmakers already have subsidized the industry heavily, at public expense, by failing to establish a fair severance tax on gas extraction, comparable to what the energy companies pay in other states."

"Free market advocates in the Senate should reject the House-approved subsidies, knowing full well that demand itself will bring about gas-market expansion – right?"

I would suggest that the House should suggest or should advocate and reject this corporate welfare for the wealthiest multistate, multinational companies on the planet.

And I, too, agree with the Commonwealth Foundation. The Commonwealth Foundation says, "Pennsylvanians are smart enough to make their own decisions. Yes, the lack of fueling stations may discourage some at first, but if natural gas is such a cost-effective fuel with environmental benefits, then companies will make the investment. Likewise, if transportation authorities or businesses with large vehicle fleets can save money by switching to natural gas powered vehicles (as proponents claim), they should do so without state subsidies. No one needs to be paid to save money."

Mr. Speaker, given the restraints that we have had to face with our State budgets – the pushdown of expenditures to the local and school district level, higher property taxes, higher tuition for higher education, cuts in early childhood education, I could go on and on based on the lack of revenue in our State General Fund budget – \$60 million a year, \$250 million over the next 5 years to subsidize what the oil and gas industry should be doing to market their own product.

Mr. Speaker, it has been enough of a slap in the face to Pennsylvania citizens that we do not tax the Marcellus Shale like every other – Marcellus Shale extraction like every other gas-producing State, but now we are going to subsidize them with taxpayer dollars? Outrageous.

I urge rejection of this entire package of bills and HB 301 right now.

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

On that question, the Speaker recognizes the gentleman from Cambria County, Mr. Barbin.

Mr. BARBIN. Thank you, Mr. Speaker.

I rise in opposition to HB 301, HB 305, and HB 309. All three bills have been prepared for the benefit of a particular winner in a segment of the natural gas grouping. There is \$25 million for the people that would decide to have natural gas fleets. No more than \$1 million in any particular year can go to any single taxpayer. HB 309 gives you \$30 million a year for 4 years, and that goes to another winner in the category. HB 305 gives you \$5 million for a corridor for natural gas. Now, I think

all of the incentives at some time in the future would probably be a good idea since we have just found not only the Marcellus Shale but also the Utica Shale, and I am in favor of developing both.

The problem with this bill is that it decides that it is going to put money in a single 25 people's pockets a million dollars at a time for 4 years, \$100 million; and 309 puts \$30 million a year in people's pockets when you are only putting \$5 million in the natural gas compression pumping stations throughout the Commonwealth. Now, that does not make any sense, and the Commonwealth Foundation has given us the best reason why it does not make any sense.

Government should not be in the business of picking winners and losers for a whole industry. What they are supposed to be doing is building the infrastructure that is necessary for those industries to succeed. If we took the same \$60 million and put it into the corridor program of HB 305, we would have the ability for people to go out and make a decision. Yes, I am going to get a natural gas car because that car is going to be half as expensive to drive as the current car that we are driving now. That would create the market that would allow tax revenues to come in.

The other problem with this bill is, if you put the money into these fleets and you do not put them into the pumping stations, we do not have any of these stations on the turnpike. We could do that if we rerouted the money. If people could move from one side of the State to the other, they would be more likely to go out and buy those cars. Those cars exist.

There are four nations in the world that have 2 million vehicles running on natural gas. We are not one of them, even though we have the largest deposits of natural gas. That is because we are making a mistake in not building the infrastructure first. We need to build the infrastructure first. That means a pumping station that allows anybody to make up their mind to go out and buy a car. Then you let the car companies build the cars, and you let the fleet companies build the fleets. But we are doing it backwards, and we are doing it backwards in a way that we do not even get any job development out of it.

If we build a bridge, we get people employed. If we build pumping stations throughout the Commonwealth, we are going to be putting people to work. Our unemployment rate is going to go down. If we do these tax credits this way, there is not going to be any change in unemployment. All we are going to do is have handed out \$60 million a year to a couple winners; that is not the business of the legislature.

I ask for a "no" vote.

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

On that question, the Speaker recognizes the gentleman from Allegheny County, Mr. Dermody.

Mr. DERMODY. Thank you, Mr. Speaker.

Mr. Speaker, as we spoke yesterday, we are doing the amendments on these three bills, this so-called package of jobs bills. When you total it all up as we have just heard from the previous speakers, you have got \$60 million out of our General Fund; \$60 million that could go to education, could go to our children, could go to human services. Our school districts are raising property taxes because of the cuts we have implemented over the last 2 years, and here we are giving another \$60 million away in a corporate giveaway.

Now, you put that in conjunction with the \$2 billion worth of tax breaks and tax cuts and tax incentives we have given the

richest corporations over the last 2 years, and look where we are. Our unemployment rate is the highest it has been in 8 years, there are no jobs out there, and we have laid off 17,000 teachers and staff from our public schools.

Mr. Speaker, here we are today talking about a package of three bills giving \$60 million back. We are talking about giving the richest corporations – ExxonMobil, Royal Dutch Shell – we are now going to build gas stations for them. They need us to take \$60 million these next 5 years, \$2 billion overall, and we are going to pay and have the taxpayers of Pennsylvania build gas stations for ExxonMobil and Royal Dutch Shell.

We have had the opportunity yesterday to vote for a severance tax to pay for these tax credits. We voted them all down, and we need to vote this down. There are no jobs that will be created. Your track record is horrible. The unemployment rate is going up. We need to be about putting people to work in Pennsylvania, not taking their jobs away from them. We need to be helping folks who can help themselves. We need to be making the gas companies who cannot afford to pay to pay, and then we can do some incentivization, and then we can make sure that our schools are funded and the most vulnerable among us are taken care of.

Mr. Speaker, for all those reasons, everyone should vote "no" on this whole package of so-called jobs bills.

Thank you, Mr. Speaker.

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

On that question, the Speaker recognizes the gentleman from York County, Mr. Saylor.

Mr. SAYLOR. Thank you, Mr. Speaker.

Constantly I have heard today speakers on the other side of the aisle refer to how this benefits big corporations like ExxonMobil and others, and it is just absurd. These companies do not get any of these tax credits. These go to the small business men and women of this Commonwealth who have been asking when are they going to benefit from the drilling of natural gas in Pennsylvania.

Let me just quote the President of the United States, President Obama, in his comments that he made in Las Vegas not that long ago. In doing so, the President said he plans, his commitment, in investing in the research and development of natural gas as a vehicle fuel. This President that represents all of us as Americans is doing something a lot of politicians have talked about in their campaign fliers for a long time, and that is getting off the dependence of foreign oil.

I find it interesting that a lot of politicians like to send out how they want to fight and create new energy alternatives to gasoline and diesel and quit sending money overseas, but when it comes to putting their vote where they need to put it to help the American public and put money back in the pockets of American companies and personal incomes they are not spending at the gas station, they tend to shrivel away. None of this money goes to big corporations as a whole. This is absurd.

Businesses, in the definition of this particular bill, it says a fleet of five vehicles. I would say ExxonMobil has a lot more than five vehicles, and more importantly, they are not interested in the conversion of their fleet, because if they are going to do it, they are going to do it anyway.

But, Mr. Speaker, I also want to make a comment and talk about what a letter most of you should have received, a letter from PennFuture. PennFuture says this: "PennFuture believes it is environmentally and economically critical for our state and" our "nation to reduce our dependence on dirty, imported oil.

Promoting domestic sources of cleaner alternative fuels is critical to achieving this goal. Pennsylvania has an opportunity to become a national leader in the development of alternative-fueled vehicles powered by a range of technologies including natural gas, and we think" that "there is a critical role for government to play in assisting the private sector..." in creating "...refueling and recharging" of "infrastructure...." They go on to say that the bill, and they commend it for being introduced as "...targeting public sector resources" and "reducing...up-front, incremental costs..." air pollution, by "...cleaning" up "our air, reducing Pennsylvania's...dependence on foreign oil, and" for "creating jobs...." PennFuture says this legislation creates jobs, from one of the top environmental organizations in the State of Pennsylvania who supports this kind of legislation.

Mr. Speaker, as we move on, the companies in this State who have created jobs and continue to create jobs in every one of our 67 counties, there is not one county who has not benefited from natural gas drilling here in Pennsylvania. We have Mack Volvo, who makes the natural gas engines for diesel trucks, now makes those engines for natural gas tractor-trailers here in Pennsylvania, in Allentown, with about 3,000 employees. In Greensburg, Pennsylvania, they make the fuel tanks for natural gas vehicles. And I could go on and on in listing the companies across this State who are getting job creations from this particular industry.

But more important than anything else, if today you do not believe this is a good piece of legislation and you want to continue to support the Arab community overseas, go ahead and vote against this, because the States of California and Wisconsin – and I do not give California a whole lot of credit usually; let us be honest – but California has moved forward on the exact things that we are trying to do here today, and that is to get off the foreign dependence of oil. They are moving forward. They have a lot of business and jobs that they have created through this particular industry. So has Wisconsin.

It is time for this State and this Commonwealth to move forward into the 21st century and use Pennsylvania resources to benefit Pennsylvania taxpayers and citizens. It is time for us to understand that if this State is to grow and prosper, we have got to get out of the 20th century and get into the 21st.

Mr. Speaker, I ask for a positive vote on HB 301 because not only does it create jobs, it cleans up air, and gets us off that foreign dependence of oil that every politician talks about.

Thank you, Mr. Speaker.

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

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

Mr. STURLA. Thank you, Mr. Speaker.

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

The SPEAKER. The gentleman indicates he is not standing for interrogation.

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, I will then just state what I believe to be true about this bill, but I cannot get it verified by the maker of the bill.

Mr. Speaker, as I read through the bill, I see nothing in the bill that says that the vehicles that are purchased actually have to be built in Pennsylvania or even the United States. I believe under this legislation, you can purchase trucks from China and that would qualify to get a tax credit. As I read the bill, there is

nothing in the bill that says that the natural gas that is going to be used in these vehicles, or in the future bills where it talks about filling stations and things like that, actually needs to come from Pennsylvania. It comes off the pipeline, could be from Texas or Oklahoma or Louisiana, could be coming from a foreign national corporation that owns a well, could be coming from someplace else. Mr. Speaker, as I read this bill, there is nothing in it that prohibits a natural gas company from converting their own vehicles and getting a tax credit to convert their own vehicles.

Mr. Speaker, from an environmental standpoint, I embrace the concept of converting fleets to natural gas, but the free market is already moving in that direction.

Mr. Speaker, here again, we are giving away tax dollars that the people of Pennsylvania paid and we are not guaranteeing any jobs. We are not guaranteeing that the vehicles be built in Pennsylvania. We are not requiring that the gas come from Pennsylvania. We are not requiring that the companies that get these tax credits hire anyone new, just that they convert their fleet. They could actually convert their fleet and lay people off and get these tax credits.

Mr. Speaker, this is part of a continuation of the failed tax policy that has been going on for the last 2 1/2 years in this State. You just give tax breaks and then hope that somebody hires somebody.

Now, I get it. There is a press conference coming up next week and we have got to rush legislation through so that people can beat their chests at the press conference, but that is not how we should be doing business in the State of Pennsylvania.

Mr. Speaker, the unemployment rate in this State has gone up in the last 2 1/2 years – not down, up – and this administration and those people that support the agenda of this administration have continued to give tax cuts, tax breaks, tax credits to businesses in Pennsylvania regardless of whether or not they create jobs, and it is about time that stops.

I urge a "no" vote on this legislation.

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

On that question, the Speaker recognizes the gentleman from Centre County, Mr. Benninghoff.

Mr. BENNINGHOFF. Thank you, Mr. Speaker.

I think it is important to rise to support this, but I also want to point out that I find it somewhat disingenuous to be trying to use scare tactics to tell people that we are taking money out of the budget and we are just giving it away. The natural gas industry is here. They have been doing a lot of work in our communities. They have created a lot of jobs in our communities. They have put hundreds of millions of dollars in our State budget which has helped buoy us up through these tough economic times. Some of you that live in the areas where this production is occurring have probably better road repairs than your communities have seen in 20 years and they have better road repairs than what we have been able to do as a Commonwealth.

This industry wants to be partners, and HB 301 provides that opportunity for a lot of our small businesses, our small trucking companies, our waste haulers, those people who provide transportation to take our kids to school, whether they own small busing organizations, to convert their fleets over and make our environment cleaner, provide transportation in a cleaner, smarter manner. It is very disingenuous to try to use scare tactics to try to say that this is all bad.

And frankly, I am impressed with what the industry has done, and more importantly, I am impressed that a lot of our communities have told us on some of our tours, help them help us to grow. Some of these small townships have seen growth that they did not have before, had road repairs that they did not have before as well. More importantly, throughout the tours that we did trying to learn a little bit more about this industry before the impact fee was done, in which we kept the money in the communities where the impacts occurred, many of our community members say, when are we going to see the benefit to us individually? Well, they are. Your natural gas prices have gone down significantly. Your electric rates have gone down significantly.

Do you remember a couple of years ago when we were all very concerned about the skyrocketing cost of electricity? That did not happen to the magnitude that we anticipated because natural gas and the oil finds that we have done in this Commonwealth, our own domestic product here in our own communities, not something that we are buying from countries who hate us, have allowed us to reduce those costs. HB 301 is another step in utilizing our own natural commodities here in the Commonwealth to make our communities stronger.

But more importantly, here is an opportunity for some of our residents, our small businesses that have worked and continue to work through this recession to keep people employed to be able to do it in a better, smarter, more economically and more environmentally friendly manner. Why would we not want to help those small businesses?

So if you are about jobs, HB 301 is about jobs. It is about helping keep those small companies in your communities vibrant; giving them the option to make those choices; taking advantage of technology as Mack truck company has done and said, hey, we are going to produce an engine right here in the United States, right here in Pennsylvania, that you can use that is smarter, better, and cleaner.

I have got a friend of mine who converts vehicles over. He has a '96 pickup truck that still has the original exhaust pipe on it because natural gas does not have as many of the impurities. Why would we not want to do that? It is smarter, better economics. It is smarter and better for our environment. It is better for our workers. So if you are about the workers, you are about the environment, you are about good jobs in Pennsylvania, and not wanting to subsidize countries that do not like us, this is a no-brainer; vote for HB 301. Thank you.

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

On that question, the Speaker recognizes the gentleman from Montgomery County, Mr. McCarter.

Mr. McCARTER. Thank you, Mr. Speaker.

I rise today to ask each of the members here in the House to think carefully about this bill in relation to what our greater needs are in Pennsylvania. We face an enormous challenge of resources around the issue of infrastructure. This bill is well intended – these three bills are well intentioned in one sense: They use a toothpick to go after the problem instead of using shovels or steam shovels or things that we can use in terms of resources to make Pennsylvania, as someone just said a minute ago, a leader in the 21st century.

These bills do not provide the resources necessary to accomplish that goal. They may be well intentioned, but we have an industry, a gas industry that has been described as equal to that of the oil industry of Saudi Arabia, but where are the benefits that we are seeing from that industry at the present

moment? We are not seeing the revenue coming from that industry to allow the development that these bills suggest we should be doing; that is where we need to be focused. We need to be focused on the greater issue of infrastructure that takes care of our thousands of bridges that need repair; our roads, our sewer systems, our storm water systems that need replenishment and repair. If we had the revenue that came from the benefit of the gas industry, and not seeing that money leave the State of Pennsylvania in great quantities of profit but were used here in Pennsylvania, we would be able not only to make conversion of gas vehicles that is not part of this bill, unfortunately, as the previous speaker said, but we could do it to make all of our fleets, all of our school buses, all of our vehicles to move in that direction along with incentivizing all of the other alternative energy sources that are available in using electric and moving toward cleaner energy so that by the end of this century our children and grandchildren would have the benefit of this industry and not just picking up the scraps that happen to be thrown at us at the present moment.

I ask a "no" vote on these three bills.

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

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

Ms. DeLISSIO. Thank you, Mr. Speaker.

Mr. Speaker, I just wanted to share that it is a rare opportunity that I agree with some of the things put out by the Commonwealth Foundation, but on this particular matter, I do agree with them. They have published a number of pieces where this type of subsidy, these types of tax credits from Marcellus Shale Works, is not in the best interest in the Commonwealth. That happens to align very closely with my own thoughts on these bills, and I want to thank them for their publications and urge everybody's thoughtful consideration of their publications and be a "no" vote. Thank you.

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

On that question, the Speaker recognizes the gentleman from Allegheny County, Mr. Turzai.

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

I rise in support of HB 301, but also, I rise to refute the array of remarks covering quite a bit of territory, and I do think that we need to get the other side of the picture with respect to some of those remarks.

In the first instance, this legislative body during the last session brought to the State of Pennsylvania through an impact fee \$200 million annually to protect the environment on a local and State level. In addition, we provided the toughest environmental regulations with the development of natural gas in the country. Next, we want to make sure that there is a flourishing private sector to get the cleanest fossil fuel to meet the energy needs of our citizens. We did so by creating thousands of private-sector jobs and doing it in an environmentally safe manner.

As the good gentleman from Delaware County on the other side of the aisle said, this particular initiative promotes national security and energy independence, it provides for the development of a clean fossil fuel source to meet the energy needs of Pennsylvania's citizens, and it does it in an environmentally friendly way.

The fact of the matter is also, we can do this because private-sector, family-sustaining jobs are at the centerpiece, at the centerpiece of what we want to see in Pennsylvania's economy, and it in no way has inhibited us, given Governor

Corbett's proposed 2013-14 budget, from meeting the needs of the citizens of Pennsylvania. Keep in mind, the Governor has proposed \$5 1/2 billion for basic education funding alone, which is an increase over last year's budget. And Pre-K Counts is increased—

Mr. HANNA. Mr. Speaker?

Mr. TURZAI. —by 4.5 million—

Mr. HANNA. Mr. Speaker?

Mr. TURZAI. —or 5.4 percent.

Mr. HANNA. Mr. Speaker?

Mr. TURZAI. Head Start funding is increased by 5.1 percent—

Mr. HANNA. Mr. Speaker?

Mr. TURZAI. —and let us talk about—

Mr. HANNA. Mr. Speaker?

Mr. TURZAI. —intellectual disabilities.

The SPEAKER. Will the gentleman suspend.

Mr. TURZAI. There is an increase—

The SPEAKER. Will the gentleman suspend.

Mr. TURZAI. —in expenditures—

The SPEAKER. Will the gentleman suspend.

Mr. TURZAI. —for intellectual disabilities.

The SPEAKER. Will the gentleman suspend.

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

Mr. HANNA. Mr. Speaker, I thought I was hearing a recitation about this year's Governor's proposed budget rather than this bill, and I just wanted to inquire as to whether that was appropriate.

Mr. TURZAI. I certainly did not bring up the issue of the budget.

The SPEAKER. If you were hearing that, that probably would not be under the realm of the debate that is currently before us. However, as I state over and over, I do give the two floor leaders a little leeway. I will ask the gentleman, Mr. Turzai, to focus on the legislation that is before us as every other member to some degree.

The gentleman—

Mr. HANNA. Thank you, Mr. Speaker.

The SPEAKER. —Mr. Turzai, may continue.

Mr. TURZAI. Yes, certainly, Mr. Speaker.

Many of the other speakers from the other side of the aisle focused on Governor Corbett's budget, and I am responding to their remarks.

Intellectual disabilities under that proposed budget have increased for State centers, intermediate care facilities, community-based programs, and community waiver programs, and autism intervention and services. You can be for developing an industry that provides private-sector jobs, environmentally sound policies, energy independence, national security, and still be for taking care of the most vulnerable and for our basic education funding.

This legislature has continued to lead, and I ask everybody to please support HB 301. Thank you.

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

On that question, the Speaker recognizes the gentleman from Delaware County, Mr. Vitali, for the second time.

Mr. VITALI. Thank you, Mr. Speaker.

I just wanted to respond to a couple of the points that have been made, and I just do not want to get so caught up in being in an adversarial mode that, not to concede the good points of this legislation. And I do freely admit, it is a good thing, in my view, to have more natural gas vehicles on the road for the reasons

that the gentleman just stated – more natural gas vehicles, more electric vehicles, more biofuel vehicles, and so forth. That is a good thing.

I do want to point out because the maker of the bill was quick to point out the support of one environmental group, PennFuture, the opposition of many other environmental groups. Mr. Speaker, it is fair now to point out this bill is specifically opposed by PennEnvironment. This bill is opposed by the Sierra Club. This bill is opposed by Clean Air Council. This bill is opposed by Clean Water Action. This bill is opposed by Conservation Voters of PA. This bill is opposed by the Delaware Riverkeeper Network, and another seven or eight environmental groups whose names I will not mention. This bill does have its environmental detractors.

A second point – and I think my opposition, even though I think compressed natural gas incentivization is good, is I think the approach is simply wrong here. I do not think the correct approach is using tax dollars to make vehicles cheaper. I think a better approach, as mentioned by a previous speaker, is infrastructure expansion. I think one of the things this legislature needs to consider is, there are market forces, financial incentives already in play to incentivize natural gas vehicles. Right now the cost of liquid natural gas per gallon is cheaper, about a dollar cheaper per gallon, than diesel fuel. There is that incentive. Companies right now have good incentives to switch to natural gas. They do need charger stations to do that. This bill I think is taking the wrong approach; that is why I oppose it.

I also want to point out that this is not a bill for your mom-and-pop person. This bill allows tax credits of up to \$1 million per company, \$1 million per company. They are not mom-and-pop companies who need that sort of tax credit. You are dealing with fairly large vehicles, 14,000 pound vehicles. You are dealing with the heavier grades of delivery vehicles, not your mom-and-pop vehicles.

I also want to point out, Mr. Speaker, that compressed natural vehicles are not as environmentally good as other renewable vehicles; that is why you have those environmental groups oppose it. Natural gas vehicles are inferior environmentally to electric vehicles and hybrid vehicles on the basis of CO2 emissions and other conventional air pollutants.

Mr. Speaker, I do not want to get into a huge battle with the maker of the bill. I think compressed natural gas incentivization is good, but details matter, and when you get into the details of this bill, it is not a bill that is worthy of our support. So I would ask for a "no" vote.

LEAVES OF ABSENCE

The SPEAKER. The Speaker returns to leaves of absence and recognizes the majority whip, who requests a leave of absence for the lady from Montgomery County, Ms. HARPER, for the remainder of the day. Without objection, the leave will be granted.

Additionally, the Speaker recognizes the minority whip, who requests a leave of absence for the gentleman from Lehigh County, Mr. McNEILL, for the remainder of the day. Without objection, the leave will be granted.

CONSIDERATION OF HB 301 CONTINUED

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

On that question, the Speaker recognizes the gentleman from Lancaster County, Mr. Sturla, for a brief second time?

Mr. STURLA. Yes, Mr. Speaker.

The SPEAKER. Is that what you indicated, it would be a brief one?

Mr. STURLA. Very brief, Mr. Speaker.

The SPEAKER. All right. The gentleman is in order.

Mr. STURLA. Mr. Speaker, it was stated several different times that this bill was about small businesses, mom-and-pop little shops in the State of Pennsylvania. I just want to point out that under this bill, on page 2, it says that the definition of a "Dedicated compressed natural gas vehicle," which would qualify under this bill, is "A vehicle that OPERATES ON 100% NATURAL GAS FUEL AND is manufactured by an original equipment manufacturer or original and third party equipment manufacturers provided that the third party manufacturers provide the parts or services prior to the original sale of the vehicle to a purchaser and the vehicle components, including the alternative fuel system, are covered by the original equipment manufacturer or under separate warranties." This is not "you do conversions in your garage" kind of deal. This is only companies that are original manufacturers of these vehicles, Mr. Speaker.

I just, you know, if there was anything in this bill that said it actually created a job, I might understand all the hubbub about how many jobs it is going to create. But there is nothing in this bill that requires that a single job be created as a result of this legislation.

Thank you, Mr. Speaker.

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

Is the gentleman from York County, Mr. Saylor, seeking recognition for the second time? We are at the end, as much as I can predict.

The gentleman, Mr. Saylor, is recognized for the second time.

Mr. SAYLOR. Thank you, Mr. Speaker.

Again, I want to remind everyone, I heard a lot of speakers stand up on the other side of the aisle and talk about fueling stations, the need for that. That will be a bill we take up next to provide those fueling stations that a lot of people on that side of the aisle talked about. It is critical to build the infrastructure to support the industry.

Like I said, we have people like Giant Foods across the State who are converting their tractor-trailers to natural gas. And I represent the small borough of Red Lion. It is actually the second largest borough in York County, and it has about 7,000 people in it. And constantly I hear in my borough from the residents about the fact that they have to buy a sticker every time their car is inspected that has to do with emissions, and they want to know why we continue to let black smoke come out of our tractor-trailers and our transit buses and everything else as they go through our borough. This is one of those things and the benefits that we have. We have an opportunity to clean up greenhouse gases in Pennsylvania by 30 percent by passing this kind of legislation. Cleaning up the air is something everybody seems to like to talk about.

Again, not only that, this is a jobs bill. The President has been very clear. President Obama has been very clear. He believes it is time for us to move to the next system of energy

used. He also has advocated very strongly to the Ford Motors and the General Motors and to Honda and to Toyota and to everybody else how they need to clean up air emissions in the cars. This is an opportunity for us as Pennsylvania to do our own thing here to clean up our air in Pennsylvania.

But more importantly, this industry has paid billions of dollars in taxes to Pennsylvania, no denying that. The industry and gas industry here in Pennsylvania not only has paid taxes, they created jobs, and more importantly, that is not even really important today when we discuss HB 301. What is important is what the other companies in this State have done to create jobs in the industry that we will see an additional creation because of the passage of HB 301 and the passage of 305 and HB 309.

Mr. Speaker, I ask for a positive vote for jobs, for cleaning up our air, and for getting off the foreign dependence of oil. This is an opportunity for us as Pennsylvania legislators to put our vote up where we keep telling voters of Pennsylvania we want to do. So let us put that vote up today and vote "yes" on 301.

Thank you, Mr. Speaker.

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—110

Adolph	Evankovich	Keller, M.K.	Petrarca
Aument	Farina	Knowles	Petri
Baker	Farry	Kortz	Pickett
Barrar	Fee	Kotik	Pyle
Benninghoff	Fleck	Krieger	Quinn
Bloom	Flynn	Lawrence	Rapp
Boback	Gabler	Lucas	Reese
Brooks	Gergely	Mackenzie	Regan
Brown, R.	Gibbons	Maher	Roae
Burns	Gillen	Major	Rock
Carroll	Gillespie	Maloney	Ross
Causser	Gingrich	Marshall	Saccone
Christiana	Godshall	Matzie	Sankey
Clymer	Greiner	Mentzer	Saylor
Corbin	Grove	Miccarelli	Scavello
Cox	Hackett	Micozzie	Simmons
Culver	Hahn	Millard	Smith
Cutler	Harhart	Miller	Snyder
Davis	Harris, A.	Milne	Sonney
Day	Heffley	Moul	Stern
Delozier	Helm	Murt	Stevenson
DeLuca	Hennessey	Mustio	Swanger
Denlinger	Hess	Neuman	Tallman
DiGirolo	Hickernell	O'Neill	Taylor
Dunbar	James	Oberlander	Turzai
Ellis	Kampf	Payne	Verb
Emrick	Kauffman	Peifer	White
English	Keller, F.		

NAYS—77

Barbin	Dermoddy	Kirkland	Ravenstahl
Bishop	Donatucci	Kula	Readshaw
Bizzarro	Evans	Longietti	Reed
Boyle, B.	Fabrizio	Mahoney	Roebuck
Boyle, K.	Frankel	Markosek	Rozzi
Bradford	Freeman	Masser	Sabatina
Briggs	Gainey	McCarter	Sainato
Brown, V.	Galloway	McGeehan	Samuelson
Brownlee	Goodman	McGinnis	Santarsiero

Caltagirone	Grell	Metzgar	Schlossberg
Clay	Haluska	Mirabito	Sims
Conklin	Hanna	Molchany	Stephens
Costa, D.	Harhai	Mullery	Sturla
Costa, P.	Harkins	Mundy	Tobash
Cruz	Harris, J.	Neilson	Toepel
Daley, M.	Kavulich	O'Brien	Truitt
Daley, P.	Keller, W.	Painter	Vitali
Dean	Kim	Parker	Waters
Deasy	Kinsey	Pashinski	Youngblood
DeLissio			

NOT VOTING—0

EXCUSED—14

Cohen	Harper	Metcalfe	Toohil
Davidson	Killion	Miranda	Watson
Everett	Marsico	Thomas	Wheatley
Haggerty	McNeill		

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 305, PN 1518**, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, providing for a natural gas corridor tax credit.

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

(Bill analysis was read.)

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

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

Mr. DENLINGER. Thank you, Mr. Speaker.

Mr. Speaker, it has been a long afternoon, but I would like to speak to you briefly about HB 305, and I would ask you to envision a time when personal natural gas vehicles are a part of your options and the options for the citizens of all of Pennsylvania as they go out to make their next vehicle purchase. Those options can be added if we build an infrastructure of fueling stations all across our Commonwealth. HB 305 really is about access, access to clean-burning, domestically sourced fuel that is priced well below current options like gasoline. The time is coming and I am asking you to think about embracing that future of Pennsylvania.

On the environmental benefits, quite frankly I have appreciated the discussion here today. The environmental benefits are staggering. When you compare a Honda Civic NG, natural gas model, currently being produced, with a Honda Civic gasoline version, what is the comparative? An up to

90 percent reduction in carbon monoxide, an up to 75 percent reduction in nonmethane organic gas, an up to 95 percent reduction in nitrogen oxides, and an up to 30 percent reduction in carbon dioxide. Quite frankly, the system of vehicle emission testing that we have in our State will become obsolete when we embrace the future with natural gas vehicles.

But there is somewhat of a chicken-and-egg scenario here: Which comes first? Well, we have to get to a point where people can know if they purchase that vehicle that there is a fueling station within a reasonable distance that they can connect with as a part of their daily lives.

Thinking about the environmental aspects, of course, are significant, but also on the domestic sourcing. Obviously, what is the goal here? The goal is to develop the natural gas marketplace for Pennsylvania and see continued economic growth, and we have only begun to see the benefits here, jobs growth and infrastructure development all across our State.

And on price, quite frankly, to fill up a car with natural gas compared with currently the price of gasoline, you are talking about a 50-percent savings, about half the price. Is that not something that each of us would like, and is that not something that citizens, those folks that are struggling to pay the bills day in and day out, that they would like to see us support and us move forward for Pennsylvania?

Some will assert that this is unnecessary because the major oil producers have deep pockets and lots of reserves. Well, that might be true in a certain sense, but constructing a station, a natural gas filling station, has to make sense economically whether you are a mom-and-pop operator or whether you are ExxonMobil. If the numbers do not add up – the payback, the return on investment, crunching the numbers – if it does not make sense, the majors are not going to do it and mom and pop are not going to do it.

So for that reason I believe we need this legislation to give a kick-start to bring us over that tipping point where we start to see the development of these fueling stations all across Pennsylvania. And we have lifted the specific definitions on corridors and we have opened up every interstate, the turnpike, U.S. highways, every State road in Pennsylvania to the option here. So there really is very little in the way of limitations as to who can participate.

Thus far, the numbers do not work to develop these filling stations, but, Mr. Speaker, I would put forward to my colleagues that with HB 305, we can move Pennsylvania forward to a time when the numbers do work, when we will see these filling stations developed and we will move Pennsylvania into the 21st century, a much cleaner time for our State and our future.

Thank you, Mr. Speaker.

REMARKS SUBMITTED FOR THE RECORD

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

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

Mr. HANNA. Thank you, Mr. Speaker.

Mr. Speaker, the arguments against HB 301, HB 305, and HB 309 are largely the same, so I am going to submit the majority of my comments for the record.

The SPEAKER. The gentleman may continue; I apologize.

Mr. HANNA. However, Mr. Speaker, I would like to make one particular point.

Mr. Speaker, with respect to this legislation, there is absolutely nothing in this bill that will target these funds to small operators. In fact, all \$5 million each and every year could go to the Exxons of the world or the largest corporations in the world. There is nothing that will target the funds to small, local operators. In my district, we have the Clinton County Solid Waste Authority that wants to put in one of these filling stations. Under this bill, they are not entitled to any help whatsoever to do that.

Mr. Speaker, I will just end with saying that the words of the Commonwealth Foundation are most accurate when we look at this particular piece of legislation. The gas industry, those big corporate people – those were my words, not the Commonwealth Foundation – the gas industry has "...the ability..." through "...private ventures to produce...economical energy and billions of dollars in wealth without government aid.... In contrast, corporate welfare schemes...squander capital and destroy jobs."

So, Mr. Speaker, I would urge a "no" vote on HB 305, and I will submit the balance of my comments for the record.

Thank you, Mr. Speaker.

The SPEAKER. The gentleman will hand his remarks to the clerk and they will be noted in the record.

Mr. HANNA submitted the following remarks for the Legislative Journal:

Thank you, Mr. Speaker.

I rise in opposition to HB 305.

This proposal is fiscally irresponsible. HB 305 is yet another corporate giveaway, at the expense of working, middle-class Pennsylvanians. This proposal takes \$5 million out of the State budget every year, forcing even more painful cuts to our schools, seniors, and our most vulnerable.

Although this bill is well intended, by taking the money from the General Fund, the majority party is admitting they do not know how to pay for it. Pennsylvania needs to be fiscally prudent, and we cannot afford to spend millions of dollars for these unfunded tax credits. Doing so would ask our schools and most vulnerable citizens to sacrifice for the benefit of corporate interests.

In December 2011, I stated here on the House floor a fair and reasonable severance tax is the best, fairest, and most equitable approach to ensure that every Pennsylvanian can benefit from development of the Marcellus Shale. Unfortunately, the impact fee passed by the majority party, while it recognized that the fee was the way to pay for incentives, it only provided \$20 million over 3 years. Had we been given the opportunity on second consideration to improve the bill, then I may have been able to support this bill.

However, HB 305 is clearly lacking. It lacks a 3-percent severance tax that would have paid for these tax credits without impacting the General Fund. It does not allow for retrofitting current vehicles as part of a conversion plan, and thereby excludes most small businesses that could never afford buying an all new fleet. It lacks vital job creation requirements and a method to enforce them. In fact, under this legislation, any of the corporations whom Auditor General DePasquale found to owe over \$35 million in taxes could qualify to receive this tax credit. All of which would have been corrected by amendments we offered yesterday.

In the words of the Commonwealth Foundation, the gas industry has "...the ability..." through "...private ventures to produce...economical energy and billions of dollars in wealth without government aid.... In contrast, corporate welfare schemes...squander capital and destroy jobs." I would agree. And if our amendments were adopted, natural gas would be paying for the natural gas incentives.

The Corbett economy has proven that tax cuts and huge corporate

giveaways are not a path to economic prosperity. In fact, Pennsylvania unemployment continues to rate well above the national average. Statistics show, since Governor Corbett took office, Pennsylvania has tumbled nine places in the ranking of State unemployment.

These unfunded corporate giveaways help the few at the expense of the many, and Pennsylvania simply cannot afford it.

I ask that my colleagues join me in opposing HB 305.

Thank you, Mr. Speaker.

The SPEAKER. The Speaker would note, just a matter of procedure. Many of the members that were actually on debate on HB 301 did reference the three bills that are before us, and I chose to allow the members to kind of talk about it as a package because they were presented as a package, partially in hopes that we might not have to have a repeated debate on each of the bills over and over, and I appreciate the gentleman's acknowledgment of that and hope that we can focus the debate as much as possible.

I thank the gentleman.

The question is, shall the bill pass finally?

On that question, the Speaker recognizes the gentleman from Delaware County, Mr. Vitali.

Mr. VITALI. Thank you, Mr. Speaker.

Again, I would like to compliment the maker of the bill because I think his intentions are very good, and I think incenting renewable gas vehicles, natural gas vehicles, is a good idea. And I also think, frankly, that incentivizing charger stations is a better approach than trying to reduce the cost of the vehicles to the buyers. So I do want to compliment him on this bill he has put forward.

I do want to again assert, details matter, and unfortunately, I do not think this bill in its present form is worthy of support for a number of reasons. The bill itself, if you work out the details, the entire Commonwealth of Pennsylvania in all of the highways that it now includes would only fund 10 charging stations, 10 charging stations. That really, I believe in no meaningful way, is really going to help move incentivization of natural gas vehicles. It is just simply too little.

I do want to point out again that this legislation, like the legislation we previously cited, is opposed by many groups. Although it is supported by PennFuture, it is opposed by a whole host of environmental groups such as PennEnvironment and the Clean Air Council and Delaware Riverkeeper, and all the others, Sierra Club, and all the other groups we have mentioned in the previous debate.

And I do think, I do want to make the point that although when you compare natural gas vehicles to gasoline or diesel vehicles, yes, there are environmental benefits, but when you compare natural gas vehicles to electric vehicles and hybrid vehicles, they are inferior, compressed natural gas is inferior. Compressed natural gas and liquefied natural gas vehicles still have a very significant CO2 impact, along with other particulates. One of the problems with this legislation is it fails to include these other cleaner vehicles. These other vehicles like pure electric vehicles, hybrid vehicles, and also other vehicles like biofuel vehicles.

Mr. Speaker, I understand the intention of this package in incentivizing a homegrown Pennsylvania product, natural gas, but I would hope that the body would remember that electric vehicles are fueled by natural gas too. Natural gas that powers

our utility plants that produce electricity goes to fuel these vehicles. So electric vehicles also expand the use of natural gas.

I also want those in farming districts to be aware of the fact that biodiesel vehicles, which also should be part of this package, biodiesel vehicles are fueled by homegrown Pennsylvania soybean farmers who grow the soybeans for the biofuels that run those alternative vehicles. So when we are picking winners as we are in this case, we are really not picking Pennsylvania farmers.

And, Mr. Speaker, I think the final point I want to make here is how this is being funded. This infrastructure system is being funded by tax credits. The better approach I think, and it has been suggested by some experts in the energy sector, is setting up a system where utility companies, gas companies fund gas charging stations, electric companies like PECO fund electric charging stations, allowing these utility companies to create their own networks, their own corridors, and allow them through their rate structure to pay for these. This I believe is a better approach. This I believe is an approach that will achieve a much better outcome than the 10 natural gas charging stations that this legislation would incent.

So although I commend the maker of the bill on his efforts and his intent, I think the details really need more work, and I would ask for a "no" vote.

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

On that question, the Speaker recognizes the gentleman from Cambria County, Mr. Barbin.

Mr. BARBIN. Thank you, Mr. Speaker.

I rise in support of this bill. The only weakness in this bill is that instead of spending \$60 million of the taxpayers' money, we are spending 5. The \$5 million will provide approximately 10 pumping stations across the Commonwealth, so there will be a few people that can use this that are real people. Unfortunately, \$55 million will be spent on people that decide to do it for their own particular benefit. So this bill I will support because this bill makes sense for the Commonwealth. This bill makes sense for middle-class workers that would like to have a lower cost way of getting to work. A natural gas vehicle is that type of way. But if we only have 10 pumping stations for our 1500 municipalities, we are not going to have many people that can use this.

So I am hopeful that the Senate will see the error of our current ways and how we are allocating hard-earned taxpayer money and increase the amount of money so that more people can take advantage of our really great natural gas resource which we should be developing. But until we put the cart before the horse, we do not have a chance in making this accessible to middle class.

Despite those objections, I will be voting for the bill and hope the Senate corrects the priorities.

LEAVE OF ABSENCE

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

CONSIDERATION OF HB 305 CONTINUED

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

On that question, the Speaker recognizes the gentleman from Armstrong County, Mr. Pyle.

Mr. PYLE. Thank you, Mr. Speaker.

Mr. Speaker, I rise to join my good friend from Cambria County in support of HB 305. With that very long afternoon going through the strengths and weaknesses of natural gas and I am here to give you my district's story. What we are prescribing, or trying to propose right now, is already being done on a private basis.

Now, as a member of Transportation and Energy for the last 8 years, I can tell you we have been mired in a catch-22. Nobody wanted to build the fueling stations, which meant nobody wanted to build the cars, and nobody wanted to build the cars because we did not have the fueling stations. We are trying to break that catch-22. And right now Detroit has already led the way, Mr. Speaker. Dodge is putting out their 1500 pickup already from the factory in CNG (compressed natural gas); GMC, the Safari van; Chevy, whatever they call their full-sized van. Ford is going to a whole other direction, not doing it at the factory in CNG vehicles, but instead, offering it as an option to any Ford vehicle sold. A person can make this decision to have a vehicle that is solely dedicated to compressed natural gas.

Mr. Speaker, back home I have a friend named Bill. Bill has to, he kind of owns the bus line, the school bus line that services Freeport Area School District. He also has a nice little patch of ground that had a shallow well on it. This is before Marcellus ever came around. Bill figured out a long time ago that if he got his own compressor, which cost him six or seven thousand dollars out in the State of Illinois, and he brought it back and he stuck it onto his shallow well, he could produce his own compressed natural gas, which he has been doing successfully now for 2 years. Here is the cool part, Mr. Speaker. Out of pocket, Bill has retrofitted a third of his school bus fleet; roughly 30 school buses are now taking kids to school in Freeport area with zero fuel cost. Mr. Speaker, that is the good stuff.

Mr. Speaker, we have heard reference to biofuels, and I am sure they have their place, but to that I would only offer four words: Clearfield plant gates locked. Sorry, that does not work. Now, Mr. Speaker, last time I looked, CNG for about a gallon is selling at just a touch over \$2, which compared to liquid petroleum costs, now we are going off anywhere from \$3.90 to \$4.10 depending where you live. Mr. Speaker, I support vehicular fuel at under \$2 a gallon.

I think HB 305 has the potential to fulfill the promise that was pounded into us before the first Desert Storm. We have to rid ourselves of dependence on foreign energy. And, Mr. Speaker, not only can we do it, we can be the supplier for the entire east coast. That is also good stuff, Mr. Speaker.

I would encourage the members to look at HB 305 very diligently. We are on the front edge of the future curve, Mr. Speaker. Please vote for HB 305. Thank you.

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

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

Mr. STURLA. Thank you, Mr. Sturla – or Mr. Speaker.

It is getting late, Mr. Speaker.

The SPEAKER. Pay attention to that a little bit. What does that indicate to you? Maybe—

Mr. STURLA. Freud would probably have a great time with that.

The SPEAKER. Are you sure you want to continue?

Mr. STURLA. Yes, Mr. Speaker.

Mr. Speaker, will the maker of the bill rise for a brief interrogation?

The SPEAKER. The gentleman indicates he is not standing for interrogation.

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, and I am hoping I am interpreting this correctly, although I do not know. As I understand it, this is a \$5 million grant program of which \$500,000 would be used for each filling station, so we would get a total of 10 filling stations in the State of Pennsylvania. Now, I guess if that were concentrated on one corridor, you know, the turnpike or I-80 or something like that, I could say now I have got a situation where it makes sense on that corridor. But if it is just one station on I-80 and one station on I-79 and one station on I-76 and one station on 476 and one station on one of the State routes or U.S. highway routes that is eligible under this legislation, then it does not make a whole lot of sense, but we will have spent \$5 million. And my guess is that there will be people that will apply for it knowing that one way or the other, the rest of the stations are going in. But once they have the 10 in that do not make a whole lot of sense, someone will come back and say, you know what you really need to do? You really need to not do \$5 million; you need to do \$500 million so we actually have enough to incentivize all the stations that are necessary in the State of Pennsylvania. And if we were going to do that and we would actually get something that could be used tomorrow, I believe it might be worthwhile. But there is nothing in this legislation that even says we are going to concentrate it in one area so it makes sense in one area. And the way I see it, it is just \$5 million that we are giving away with no apparent plan as to exactly how it will benefit anyone, but it is \$5 million we are giving away.

So in that sense, Mr. Speaker, I will oppose this legislation. Thank you.

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

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

Mrs. DEAN. Thank you, Mr. Speaker.

I rise in opposition to HB 305. My first point is that it is another unneeded \$5 million grant program and, importantly, without supporting evidence of where we are going to recoup that \$5 million or what are we going to raise taxes on or what are we going to cut. Yet again, we are piecemeal giving away millions and millions and millions of dollars.

But I think there is something even more interesting and troubling about this legislation, and it is what I assume is an unintended anti-free-market ramification. According to HB 305 on page 4, "An application received during the application period shall be reviewed by the committee and ranked based on the total number of...gas stations and gasoline stations adding natural gas fueling capacity proposed to be built along a single eligible corridor or a continuous travel route utilizing only the eligible corridors, with a spacing of at least 50 miles and no more than 100 miles from another natural gas station" and "within two miles of the eligible corridor."

What happens here is, this will promote monopolies and price gouging as competing fueling stations will try to keep their distance from one another in order to get that higher ranking that is built into this legislation application process in order to receive this tax credit. This opens the door to a single station charging whatever price it wants for natural gas, possibly binding companies that have already converted their fleets based on some other tax bonuses and credits we have offered, but they will have only one place to fuel. That fueling station is going to have the ability to increase their price to almost whatever they want. There is going to be an unintended monopoly. There is going to be an unintended domino effect harming the very companies that we are trying to encourage to convert their fleets.

This is going to be increased cost. This is an unnecessary tax credit, tax grant program. I urge a "no" vote.

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—128

Adolph	Evankovich	Kauffman	Petrarca
Aument	Fabrizio	Kavulich	Petri
Baker	Farina	Keller, F.	Pickett
Barbin	Farry	Keller, M.K.	Pyle
Barrar	Fee	Knowles	Quinn
Benninghoff	Fleck	Kortz	Rapp
Bizzarro	Flynn	Kotik	Readshaw
Bloom	Gabler	Krieger	Reed
Boback	Gergely	Lawrence	Reese
Brooks	Gibbons	Longiatti	Regan
Brown, R.	Gillen	Lucas	Roae
Burns	Gillespie	Mackenzie	Rock
Carroll	Gingrich	Maher	Ross
Causar	Godshall	Major	Saccone
Christiana	Greiner	Maloney	Sainato
Clymer	Grell	Marshall	Sankey
Corbin	Grove	Matzie	Saylor
Costa, D.	Hackett	Mentzer	Scavello
Costa, P.	Hahn	Metzgar	Schlossberg
Cox	Haluska	Miccarelli	Simmons
Culver	Harhai	Micozzie	Smith
Cutler	Harhart	Millard	Snyder
Davis	Harkins	Miller	Sonney
Day	Harris, A.	Milne	Stern
Delozier	Harris, J.	Moul	Stevenson
DeLuca	Heffley	Murt	Swanger
Denlinger	Helm	Mustio	Tallman
DiGirolo	Hennessey	Neuman	Taylor
Dunbar	Hess	O'Neill	Tobash
Ellis	Hickernell	Oberlander	Turzai
Emrick	James	Payne	Verb
English	Kampf	Peifer	White

NAYS—58

Bishop	DeLissio	Markosek	Ravenstahl
Boyle, B.	Donatucci	Masser	Roebuck
Boyle, K.	Evans	McCarter	Rozzi
Bradford	Frankel	McGeehan	Sabatina
Briggs	Freeman	McGinnis	Samuelson
Brown, V.	Gainey	Mirabito	Santarsiero
Brownlee	Galloway	Molchany	Sims

Caltagirone	Goodman	Mullery	Stephens
Clay	Hanna	Mundy	Sturla
Conklin	Keller, W.	Neilson	Toepel
Cruz	Kim	O'Brien	Truitt
Daley, M.	Kinsey	Painter	Vitali
Daley, P.	Kirkland	Parker	Waters
Dean	Kula	Pashinski	Youngblood
Deasy	Mahoney		

NOT VOTING—0

EXCUSED—15

Cohen	Haggerty	McNeill	Toohil
Davidson	Harper	Metcalfe	Watson
Dermody	Killion	Miranda	Wheatley
Everett	Marsico	Thomas	

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

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

VOTE CORRECTION

The SPEAKER. For what purpose does the gentleman from Indiana County, Mr. Reed, rise?

Mr. REED. Mr. Speaker, to correct the record.

The SPEAKER. The gentleman may state his correction.

Mr. REED. On HB 301 I was recorded in the negative and I would like to be recorded in the positive.

The SPEAKER. The gentleman's remarks will be noted for the record.

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 309, PN 1519**, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, providing for a natural gas vehicle tax credit.

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?

LEAVES OF ABSENCE

The SPEAKER. The Speaker returns to leaves of absence and recognizes the minority whip, who requests a leave of absence for the gentleman from Philadelphia County, Mr. EVANS, for the remainder of the day; the gentleman, Mr. MCGEEHAN, from Philadelphia County for the remainder of the day. Without objection, the leaves will be granted.

CONSIDERATION OF HB 309 CONTINUED

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

Agreeable to the provisions of the Constitution—

Mr. HANNA. Mr. Speaker?

The SPEAKER. Thought I would take a chance at it.

The question is, shall the bill pass finally?

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

Mr. HANNA. Mr. Speaker, as I indicated on the last bill, the arguments against 301 and 305 are equally applicable to HB 309, so I will not go through all those same arguments again. However, Mr. Speaker, there is one particular point I would like to make about 309. The size of the vehicles that are required in HB 309, those vehicles are not manufactured in Pennsylvania. So, Mr. Speaker, the argument that this somehow creates jobs in Pennsylvania is just false, patently false.

So as I said before, all the arguments that apply to the other bills apply to this one as well. But on top of that, the size of these vehicles, they are not manufactured in PA.

Thank you, Mr. Speaker. I urge a "no" vote on HB 309.

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—107

Adolph	Farry	Keller, F.	Petri
Aument	Fee	Keller, M.K.	Pickett
Baker	Fleck	Knowles	Pyle
Barrar	Flynn	Kortz	Quinn
Benninghoff	Gabler	Krieger	Rapp
Bloom	Gergely	Lawrence	Reed
Boback	Gibbons	Lucas	Reese
Brooks	Gillen	Mackenzie	Regan
Brown, R.	Gillespie	Maher	Roae
Burns	Gingrich	Major	Rock
Causar	Godshall	Maloney	Ross
Christiana	Greiner	Marshall	Saccone
Clymer	Grove	Matzie	Sainato
Corbin	Hackett	Mentzer	Sankey
Cox	Hahn	Miccarelli	Saylor
Culver	Haluska	Micozzie	Scavello
Cutler	Harhai	Millard	Simmons
Day	Harhart	Miller	Smith
Delozier	Harris, A.	Milne	Sonney
Denlinger	Heffley	Moul	Stern
DiGirolamo	Helm	Murt	Stevenson
Dunbar	Hennessey	Mustio	Swanger
Ellis	Hess	O'Neill	Tallman
Emrick	Hickernell	Oberlander	Taylor
English	James	Payne	Turzai
Evankovich	Kampf	Peifer	Vereb
Farina	Kauffman	Petrarca	

NAYS—77

Barbin	Deasy	Kotik	Ravenstahl
Bishop	DeLissio	Kula	Readshaw
Bizzarro	DeLuca	Longietti	Roebuck
Boyle, B.	Donatucci	Mahoney	Rozzi
Boyle, K.	Fabrizio	Markosek	Sabatina
Bradford	Frankel	Masser	Samuelson
Briggs	Freeman	McCarter	Santarsiero
Brown, V.	Gainey	McGinnis	Schlossberg

Brownlee	Galloway	Metzgar	Sims
Caltagirone	Goodman	Mirabito	Snyder
Carroll	Grell	Molchany	Stephens
Clay	Hanna	Mullery	Sturla
Conklin	Harkins	Mundy	Tobash
Costa, D.	Harris, J.	Neilson	Toepel
Costa, P.	Kavulich	Neuman	Truitt
Cruz	Keller, W.	O'Brien	Vitali
Daley, M.	Kim	Painter	Waters
Daley, P.	Kinsey	Parker	White
Davis	Kirkland	Pashinski	Youngblood
Dean			

NOT VOTING—0

EXCUSED—17

Cohen	Haggerty	McGeehan	Thomas
Davidson	Harper	McNeill	Toohil
Dermody	Killion	Metcalfe	Watson
Evans	Marsico	Miranda	Wheatley
Everett			

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

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

The SPEAKER. There will be no further recorded votes.

**HOUSE RESOLUTIONS
INTRODUCED AND REFERRED**

No. 253 By Representatives PARKER, BROWNLEE, SCHLOSSBERG, K. BOYLE, FLECK, P. DALEY, BISHOP, YOUNGBLOOD, COHEN, V. BROWN, SWANGER, KINSEY, MOLCHANY, O'BRIEN, CRUZ, CALTAGIRONE, FREEMAN, MCGEEHAN, THOMAS, ROEBUCK, FRANKEL, CLYMER, DeLUCA, SANTARSIERO, GOODMAN, D. COSTA and GINGRICH

A Resolution urging all groups in Pennsylvania involved in the effort to stop domestic violence to implement the Violence Against Women Act's inclusion mandate.

Referred to Committee on JUDICIARY, April 17, 2013.

No. 255 By Representatives BROOKS, HENNESSEY, GILLEN, GINGRICH, QUINN, SWANGER, BIZZARRO, PASHINSKI, MAJOR, SAYLOR, CALTAGIRONE, CLYMER, COHEN, D. COSTA, DAY, DeLUCA, DENLINGER, FABRIZIO, HAGGERTY, MILLARD, MILLER, MILNE, MUNDY, PICKETT, ROCK, SONNEY, TALLMAN, THOMAS, TOEPEL, WATSON, LONGIETTI, BAKER, PARKER and BOBACK

A Resolution directing the Joint State Government Commission to study the Commonwealth's delivery system of long-term care services and supports for care-dependent older adults, including: a review of the current infrastructure that exists for providing services and supports; consumer access to the system, including an identification of barriers that exist; and financing issues; and to report its findings and recommendations to the General Assembly.

Referred to Committee on AGING AND OLDER ADULT SERVICES, April 17, 2013.

**HOUSE BILLS
INTRODUCED AND REFERRED**

No. 883 By Representatives DENLINGER, LAWRENCE, TURZAI, SAYLOR, REED, STERN, BLOOM, TALLMAN, KAUFFMAN, DUNBAR, BAKER, BARRAR, AUMENT, MILLARD, C. HARRIS, ROSS, MOUL, M. K. KELLER, MILLER, GINGRICH, EVERETT, GROVE, CUTLER, ROCK, MILNE, BENNINGHOFF, GILLEN, SANKEY, MACKENZIE, CLYMER and GABLER

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, in sales tax, further providing for local receivers of use tax; in personal income tax, further providing for definitions and for taxability of partners; providing for tax treatment determined at partnership level and for tax imposed at partnership level; further providing for income of a Pennsylvania S corporation, for income taxes imposed by other states, for general rule, for return of Pennsylvania S corporation and for requirements concerning returns, notices, records and statements; in corporate net income tax, further providing for definitions, for imposition of tax and for reports and payment of tax; and, in inheritance tax, further providing for exemption for poverty.

Referred to Committee on FINANCE, April 17, 2013.

No. 884 By Representatives LAWRENCE, DENLINGER, TURZAI, SAYLOR, REED, STERN, BLOOM, TALLMAN, KAUFFMAN, DUNBAR, BAKER, BARRAR, AUMENT, MILLARD, C. HARRIS, ROSS, MOUL, M. K. KELLER, MILLER, GINGRICH, EVERETT, GROVE, CUTLER, ROCK, MILNE, BENNINGHOFF, GILLEN, SANKEY, MACKENZIE, CLYMER and GABLER

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, in sales tax, further providing for definitions and for credit against tax; in personal income tax, further providing for classes of income; in corporate net income tax, further providing for definitions; in realty transfer tax, further providing for definitions, for imposition and for acquired company; and further providing for coal waste removal and ultraclean fuels tax credit.

Referred to Committee on FINANCE, April 17, 2013.

No. 1213 By Representatives QUINN, ADOLPH, CLYMER, PEIFER, AUMENT, BARRAR, BISHOP, BIZZARRO, BRIGGS, V. BROWN, CALTAGIRONE, D. COSTA, CUTLER, DAVIDSON, DeLUCA, EVERETT, FABRIZIO, FLECK, GINGRICH, GOODMAN, HARKINS, HARPER, HELM, LONGIETTI, MACKENZIE, MURT, NEUMAN, READSHAW, REED, ROCK, ROEBUCK, SCHLOSSBERG, STEPHENS, STERN, STEVENSON, THOMAS, VEREB, WATSON, SIMMONS, KAUFFMAN and HAGGERTY

An Act providing for middle income student debt reduction; and imposing powers and duties on the Pennsylvania Higher Education Assistance Agency.

Referred to Committee on EDUCATION, April 17, 2013.

No. 1218 By Representatives SAYLOR, AUMENT, V. BROWN, CALTAGIRONE, COHEN, D. COSTA, DAVIS, FLECK, FREEMAN, GINGRICH, C. HARRIS, HELM,

HENNESSEY, JAMES, KIRKLAND, KORTZ, LONGIETTI, MARSHALL, MILLARD, MILLER, MUNDY, PASHINSKI, PICKETT, QUINN, ROCK, SCHLOSSBERG, SWANGER, TOOHL and WATSON

An Act amending the act of April 6, 1951 (P.L.69, No.20), known as The Landlord and Tenant Act of 1951, providing for death of a tenant.

Referred to Committee on URBAN AFFAIRS, April 17, 2013.

SENATE BILL FOR CONCURRENCE

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

SB 351, PN 273

Referred to Committee on LOCAL GOVERNMENT, April 17, 2013.

BILLS RECOMMENDED

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

HB 663;
HB 818;
HB 1000;
HB 1029; and
SB 302.

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

BILLS REMOVED FROM TABLE

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

HB 798;
HB 807;
HB 828;
HB 891; and
HB 1124.

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

BILLS REMOVED FROM TABLE

The SPEAKER. The Speaker recognizes the majority leader, who moves that HB 179 and HB 500 be removed from the tabled calendar and placed on the active calendar.

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

BILLS TABLED

The SPEAKER. The Speaker recognizes the majority leader, who moves that HB 179 and HB 500 be removed from the active calendar and placed on the tabled calendar.

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

BILLS AND RESOLUTIONS PASSED OVER

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

ADJOURNMENT

The SPEAKER. Seeing no further business before this House, the Speaker recognizes the gentleman, Mr. Painter, from Montgomery County, who moves that this House do now adjourn until Monday, April 22, 2013, at 1 p.m., e.d.t., unless sooner recalled by the Speaker.

On the question,
Will the House agree to the motion?
Motion was agreed to, and at 6:17 p.m., e.d.t., the House adjourned.