

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

TUESDAY, JUNE 18, 2013

SESSION OF 2013

197TH OF THE GENERAL ASSEMBLY

No. 43

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 the Reverend Kelly Wiant, Market Square Presbyterian Church, Harrisburg.

REV. KELLY WIANT, Guest Chaplain of the House of Representatives, offered the following prayer:

Let us pray:

O God, on this day and every day, fill our hearts with gratitude. Make us grateful for the love in our lives, the love of friends and family. We are grateful for the opportunity to serve You and all Your people and the opportunity to use our gifts to do so. Make us mindful, O God, of all of those in need.

As we labor this day, remind us of those who are unemployed. As we sit at table today, remind us of those who are hungry. As we drive toward our homes, remind us of all of those who do not have a place to call home.

On this day and every day, O God, make us grateful that we might serve You and all Your people with joy.

In Christ's name we pray, Amen.

PLEDGE OF ALLEGIANCE

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

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, the approval of the Journal of Monday, June 17, 2013, will be postponed until printed.

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

HB 27, PN 2064 (Amended) By Rep. MARSICO

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

JUDICIARY.

HB 28, PN 2065 (Amended) By Rep. MARSICO

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

JUDICIARY.

HB 80, PN 2066 (Amended) By Rep. MARSICO

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, defining the offense of theft of secondary metal; and prescribing penalties.

JUDICIARY.

HB 112, PN 103 By Rep. MARSICO

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for the offense of sexual assault by sports official, volunteer or employee of nonprofit association.

JUDICIARY.

HB 438, PN 449 By Rep. MARSICO

An Act providing for the Pennsylvania Officer Down Advisory; authorizing and directing the Pennsylvania State Police to establish and maintain the Pennsylvania Officer Down Advisory; assessing costs; and providing for immunity and penalties.

JUDICIARY.

HB 822, PN 932

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, further providing for granting of provisional college certificates; and providing for provisional vocational education certificates.

EDUCATION.

HB 945, PN 2067 (Amended)

By Rep. MARSICO

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, in child custody, further providing for consideration of criminal conviction.

JUDICIARY.

HB 1504, PN 2068 (Amended)

By Rep. MARSICO

An Act amending Titles 42 (Judiciary and Judicial Procedure) and 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in selection and retention of judicial officers, further providing for content of course of instruction and examination; and, in municipal police education and training, further providing for powers and duties of Municipal Police Officers' Education and Training Commission.

JUDICIARY.

**BILLS REPORTED FROM COMMITTEES,
CONSIDERED FIRST TIME, AND TABLED**

SB 10, PN 1247 (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 safe schools, further providing for Office for Safe Schools and providing for allocation of certain appropriated funds.

EDUCATION.

SB 381, PN 314

By Rep. MARSICO

An Act amending Titles 13 (Commercial Code), 30 (Fish) and 75 (Vehicles) of the Pennsylvania Consolidated Statutes, revising secured transaction provisions relating to definitions, to control of electronic chattel paper, to location of debtor, to perfection of security interests in property subject to certain statutes, regulations and treaties, to continued perfection of security interest following change in governing law, to interests which take priority over or take free of security interest or agricultural lien, to priority of security interests created by new debtor, to discharge of account debtor, notification of assignment, identification and proof of assignment, restrictions on assignment of accounts, chattel paper, payment intangibles and promissory notes ineffective, to restrictions on assignment of promissory notes, health-care-insurance receivables and certain general intangibles ineffective, to contents of financing statement, record of mortgage as financing statement, time of filing financing statement, to name of debtor and secured party, to effect of certain events on effectiveness of financing statement, to duration and effectiveness of financing statement, effect of lapsed financing statement, to what constitutes filing, effectiveness of filing, to claim concerning inaccurate or wrongfully filed record and to collection and enforcement by secured party; providing for transition provisions for 2013 amendments; imposing duties upon the Department of State and the Department of Transportation; and making editorial changes.

JUDICIARY.

SB 492, PN 456

By Rep. BENNINGHOFF

An Act amending the act of June 1, 1956 (1955 P.L.1944, No.655), referred to as the Liquid Fuels Tax Municipal Allocation Law, further providing for allocated money.

FINANCE.

SB 797, PN 1148

By Rep. BENNINGHOFF

An Act amending Titles 24 (Education) and 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, further providing for the calculation of military members' Public School Employees Retirement System benefits.

FINANCE.

SB 798, PN 818

By Rep. BENNINGHOFF

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for rights preserved during leave of absence.

FINANCE.

**COMMUNICATION FROM
INDEPENDENT FISCAL OFFICE**

The SPEAKER. The Speaker acknowledges receipt of the Official Revenue Estimate for FY 2013-2014 submitted by the Independent Fiscal Office, in accordance with 71 Pa.C.S. § 4105.

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

The SPEAKER. The House will be at ease for a minute or two.

The House will come to order.

SENATE MESSAGE

**HOUSE BILLS
CONCURRED IN BY SENATE**

The clerk of the Senate, being introduced, returned **HB 84, PN 62, and HB 987, PN 1151**, with information that the Senate has passed the same without amendment.

SENATE MESSAGE

**RECESS RESOLUTION
FOR CONCURRENCE**

The clerk of the Senate, being introduced, presented the following extract from the Journal of the Senate, which was read as follows:

In the Senate,
June 17, 2013

RESOLVED, (the House of Representatives concurring), Pursuant to Article II, Section 14 of the Pennsylvania Constitution, that when the Senate recesses this week, it reconvene on Monday, June 24, 2013,

unless sooner recalled by the President Pro Tempore of the Senate; and be it further

RESOLVED, Pursuant to Article II, Section 14 of the Pennsylvania Constitution, that when the House of Representatives recesses this week, it reconvene on Monday, June 24, 2013, unless sooner recalled by the Speaker of the House of Representatives.

Ordered, That the clerk present the same to the House of Representatives for its concurrence.

On the question,
Will the House concur in the resolution of the Senate?
Resolution was concurred in.
Ordered, That the clerk inform the Senate accordingly.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HB 84, PN 62

An Act amending the act of June 30, 1981 (P.L.128, No.43), known as the Agricultural Area Security Law, further providing for the purchase of agricultural conservation easements; and abrogating regulations.

HB 987, PN 1151

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.

Whereupon, the Speaker, in the presence of the House, signed the same.

LEAVES OF ABSENCE

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

The Speaker recognizes the minority whip, who requests a leave of absence for the gentleman, Mr. Kevin BOYLE, from Philadelphia County for the day; the gentleman, Mr. GALLOWAY, from Bucks County for the day; and the gentleman, Mr. SANTARSIERO, from Bucks 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. The members will proceed to vote.

The following roll call was recorded:

PRESENT—198

Adolph	English	Kirkland	Petri
Aument	Evankovich	Knowles	Pickett
Baker	Evans	Kortz	Pyle

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

ADDITIONS—0

NOT VOTING—0

EXCUSED—5

Boyle, K. Galloway	Miccarelli	Mustio	Santarsiero
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LEAVES ADDED—3

Boyle, B.	Costa, P.	Cruz
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LEAVES CANCELED—2

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

GUESTS INTRODUCED

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

To the left of the rostrum, as guests of Representative DiGirolamo, we would like to welcome the Honorable Joseph DiGirolamo, mayor of Bensalem; Supervisor Don Duvall of West Rockhill Township; Supervisor George Komelasky, Northampton Township; Supervisor Daniel Rattigan, Upper Makefield Township; and Township Manager Richard Manfredi from Warminster Township. Will our guests please rise. Welcome to the hall of the House.

Also to the left of the Speaker, as guests of Representative Mike Turzai, we would like to welcome Ryan Thornton, who is an intern in Representative Turzai's Pittsburgh office. Ryan will be a sophomore at George Mason University and studying political science and economics. As well as Gesue Staltari, also an intern in Representative Turzai's office, and Gesue will be a senior at Duquesne University, studying political science and history. Will our guests please rise. Welcome to the hall of the House.

Also to the left of the rostrum, we would like to welcome Mr. and Mrs. DiPuppo, and their grandson, Bryan Trainor, and they are here today as guests of Representative Milne. Will our guests please rise.

Located in the rear of the House, we would like to welcome the Waksmunski family – Eric and his wife, Mary, and their sons, Jesse, Shane, and Wyatt. And they are today as guests of Representative Heffley. Will our guests please rise, located by the door on the left.

Also located in the rear of the House, we would like to welcome Rebecca Rose, who is Representative Marshall's summer intern, and she is a first-year law student at Duquesne University, in the rear of the House. Please rise. Welcome to the hall of the House, under the flag on the right.

And a summer intern for Representative Tallman, we would like to welcome Kyle Ott. He is a student at Mount St. Mary's University in Maryland, and he is working on a double major in history and English. Also in the rear of the House, welcome to the hall of the House. Please rise, over here on the far left.

And as guests of Representative Rosemary Brown, serving as summer interns are Larry Cassar, Taylor Mielnicki, Colby Sherbafi, and Shradha Chhabria. Sorry about the name pronunciations. Please rise. Welcome to the hall of the House, located straight back the middle aisle.

And Representative Vereb's summer interns are also in the rear of the House: Joshua Arnold, who attends West Chester University, and Scott Burger attends Lock Haven University. Will our guests please rise. Welcome to the hall of the House.

Also as a guest of Representative Vereb, located in the rear of the House, we would like to welcome Gary Gregory, brother to the late Ellen Gregory Robb, who was the inspiration for HB 492. Please rise.

STATEMENT BY MR. VEREB

The SPEAKER. The Speaker recognizes the gentleman, Mr. Vereb, under unanimous consent.

Mr. VEREB. Thank you, Mr. Speaker.

Gary Gregory is not just an inspiration for HB 492. One cold day in December in the year 2006, Gary Gregory went to help

get his sister out of a very significant domestic violence situation, only to pull up and be greeted by the coroner and county detectives, at which his sister had been murdered at the hands of Rafael Robb, who is now serving a guilty plea sentence of 5 to 10 years in Mercer prison. There was a snafu in the parole system where this man almost got out on his fifth year served, his minimum sentence. And Gary Gregory, who does not even live in the area, commuted back and forth to the Philadelphia region to fight for all the victims in Pennsylvania, working with Senator Baker in the Senate and both our Judiciary chairs here in the House. Mr. Speaker, from March to June we were able to get the bill through the process, and it will be signed into law today.

So, Gary, thank you for coming from Boston. Welcome to the Philadelphia region, anyway. Thank you.

GUESTS INTRODUCED

The SPEAKER. Also located in the rear of the House, we would like to welcome the Odyssey of the Mind Team from Palisades School District, and they are here today as guests of Representative Quinn. Will our guests please rise. Welcome to the hall of the House.

STATEMENT BY MS. QUINN

The SPEAKER. The Speaker recognizes the lady from Bucks County, Ms. Quinn, under unanimous consent.

Ms. QUINN. Thank you, Mr. Speaker.

I am pleased to welcome the Odyssey of the Mind teams from the Palisades School District. The high school team placed first in the State competition and third in the world finals. The middle school team placed first in the State and seventh in the world finals. Odyssey of the Mind is an international program that provides challenging problem-solving opportunities for students from kindergarten through college.

The high school team is coached by Rod Wieder. The team members are Andy and Joe Farese, Sam Zaner, Alison Wieder, Emily Wieder, Carly Wieder, and Katie French. The middle school team is coached by Tara Huber and consists of team members Devon Huber, Morgan McQueen, Torridon Yearwood, Lukas Meyer, Alexa Parks, Liliana Daly, and Trey Adams.

Students, I encourage you to never lose your desire to continue learning and to think outside of the box while solving problems. Congratulations and thank you for joining us today.

Thank you, Mr. Speaker.

GUESTS INTRODUCED

The SPEAKER. Also seated over to the right side of the Speaker, we would like to welcome Brandon Markosek, who is an intern for the Democratic Caucus and a junior at Duquesne University, guest of his father, Joe Markosek. Welcome to the hall of the House. Please rise.

And in the well of the House, we have some guest pages. We would like to welcome guest page Marshall Grove, who will be entering sixth grade this fall. He is a member of the York County 4-H Lamb Club and the 4-H Community Club. And Marshall's mother, Michele, is sitting in the gallery, and they are

here today as the guests of Representative Saylor. Welcome to the hall of the House. Welcome to mom in the gallery.

Representative Dunbar's daughters, Alex Joy and Samantha, are serving as guest pages today, along with their friends, Taylor Martucci and Emily Grills. And Representative Dunbar's wife, Sandy, is also seated to the left of the rostrum. Will all of our guests please rise. Welcome to the hall of the House.

And Jeffrey Stanford, a senior at Hershey High School, is a guest page today as a guest of Representative Payne. Welcome to the hall of the House.

And finally, Representative Hahn is hosting guest page Colby Heald. His mother, Jean, is also seated in the gallery. Welcome to both of our guests.

FILMING PERMISSION

The SPEAKER. The Speaker grants permission for media access to the floor to Sean Simmers of Patriot-News and PennLive for still photos.

Media access is granted to David Tristan of ABC-27 WHTM-TV for videotaping with audio.

Media access is granted to Scott Wilson of WGAL-TV for videotaping with audio.

And media access is granted to James Roxbury of Roxbury News for videotaping with audio for the Lincoln program.

If I could have the members' attention. I would appreciate if the members would be seated, clear the aisles. Members and all guests, please be seated.

150TH ANNIVERSARY OF THE BATTLE OF GETTYSBURG

REMARKS BY SPEAKER

The SPEAKER. We have all been hearing quite a bit about the 150th anniversary of the Battle of Gettysburg, and certainly, this is a momentous period in our nation's history and it is fitting that the year be filled with celebration and reflections on these significant events. I think it is appropriate for us to pause today to reflect upon the impact that the events of Gettysburg had on our nation and the life of one of our most esteemed Presidents, Abraham Lincoln.

Because we are on the heels of the battle's anniversary, we will no doubt have access to a great deal of information about that event, and that is why I thought it would be interesting and educational to learn something about an incident in President Lincoln's life that took place a little closer to home, to our Capitol, that may not be familiar to us.

This morning we will listen to a speech that President Lincoln actually delivered on the floor of the House of Representatives in February of 1861 during his preinaugural tour of Pennsylvania. Parenthetically, if you remember, when Presidents were elected in that era, they were not inaugurated until March, so there was quite a gap as opposed to what it is today. And Presidents did not campaign in every community across the nation like they do today, so there was this kind of introduction to the nation of the new President prior to the inauguration. Prior to his arrival in Harrisburg, Lincoln had been at Independence Hall in Philadelphia to participate in

raising of the United States flag bearing the 34th star, honoring Kansas as the newest State.

What you may not know is that just prior to giving the speech, he became aware of an assassination plot on his life, later forcing him to take a, quote, "secret train" out of the city, and we will learn more about that following the presentation.

JAMES GETTY PRESENTED

The SPEAKER. The speech today will be delivered by Lincoln impersonator James Getty, who has given speeches here before but he has never given this speech. Many people know Jim Getty as a nationally renowned Lincoln actor, historian, and scholar. For over 30 years, Mr. Getty has studied and portrayed the 16th President, and he brings vast knowledge and expertise to each of his unique presentations. A native of Illinois, Mr. Getty now resides in Gettysburg where he portrays President Lincoln in a one-man show during the tourist season, and his voice is that of the President in two A&E programs, as well as visitors to the Lincoln Memorial hear his voice delivering the Gettysburg Address and Lincoln's second inaugural.

ADDRESS BY ABRAHAM LINCOLN TO PENNSYLVANIA GENERAL ASSEMBLY FEBRUARY 22, 1861

The SPEAKER. It is now my pleasure to introduce President-elect Abraham Lincoln, who is visiting our fair city via the inaugural train that just pulled into Harrisburg. The Speaker recognizes the Sergeant at Arms.

The SERGEANT AT ARMS. Mr. Speaker, President-elect Abraham Lincoln.

The SPEAKER. The Speaker invites President-elect Lincoln to the rostrum to address the members of the House. It is my high honor to present President-elect Abraham Lincoln.

Mr. LINCOLN. "Mr. Speaker of the Senate and...Mr. Speaker of the House of Representatives, and Gentlemen of the General Assembly of the State of Pennsylvania, I appear before you only for a very few brief remarks in response to what has been said to me. I thank you most sincerely for this reception, and the generous words in which support has been promised me upon this occasion. I thank your great Commonwealth for the overwhelming support it recently gave – not me personally – but the cause which I think a just one, in the late election.

"Allusion has been made to the fact – the" very "interesting fact..." indeed – "...that I for the first time appear at the Capitol of the great Commonwealth of Pennsylvania, upon the birthday of the Father of his Country. In connection with..." the "...beloved anniversary..." established "...with the history of this country, I have already gone through one exceedingly interesting scene this morning in the ceremonies..." in "...Philadelphia. Under the kind conduct of gentlemen there, I was for the first time allowed the privilege of standing in old Independence Hall, to have a few words addressed to me there and opening up to me an opportunity of expressing with much regret that I had not..." much "...time to express something of my own feelings excited by the occasion – somewhat to harmonize and give shape to the feelings that had been really the feelings of my whole life.

"Besides this, our friends there had provided a magnificent flag of the country. They had arranged it so that I was given the honor of raising it to the head of its staff; and when it went up, I was pleased that it went to..." the "...place by the strength of my own feeble arm. When, according to the arrangement, the cord was pulled and it flaunted gloriously to the wind without..." any "...accident, in the bright glowing" summer "sun-shine of the morning, I could not help hoping that there was in..." the "entire success of..." the "...beautiful ceremony, at least something of..." the "...omen of what is to come. Nor could I help, feeling then as I often have felt, that in the whole of that proceeding I was a very humble instrument. I had not provided the flag; I had not made the arrangement..." of "...elevating it to its place; I had applied but a very small portion of even my feeble strength in raising it. In the whole transaction, I was in the hands of the people who had arranged it, and if I can have the same generous co-operation of the people of this nation, I think the flag of our country may yet be kept flaunting gloriously.

"I recur for a moment but to repeat some words..." attended to me "...at the hotel in regard to what has been said about the military support which the general government may expect from the Commonwealth of Pennsylvania, in a proper emergency. To guard against any possible mistake do I recur to this. It is not with any pleasure that I contemplate the possibility that a necessity may arise in..." the "...country for the use of the military arm. While I am exceedingly..." grateful "...to see the manifestation upon your streets of your military force here, and exceedingly gratified at..." the "...promise here to use that force upon a proper emergency, while I make these acknowledgments, I desire to repeat, in order to preclude any possible misconstruction, that I do most sincerely hope that we...have no use for them – that it will never become their duty to shed blood, and most especially never to shed fraternal blood. I promise that, (in so far as I may have wisdom to direct,) if so painful a result shall in any..." way "...be brought about, it shall be through no fault of mine.

"Allusion has also been made, by one of your honored Speakers," here "to some remarks recently made by myself..." over in "...Pittsburgh, in regard to what is supposed to be the especial interest of..." the "...great Commonwealth of Pennsylvania. I now wish only to say, in regard to that matter, that the few remarks which I uttered on that occasion were rather carefully..." thought out, worked. "I took..." praise, I took time, and "...that they should be..." to you. "I have seen no occasion since to add to them or subtract from them. I leave them precisely as they stand; adding only now that I am pleased to have an expression from you, gentlemen of Pennsylvania, significant that they are satisfactory to you.

"And now, gentlemen of the..." great "...Assembly of the Commonwealth of Pennsylvania, allow me again to return to...my most sincere thanks..." to you.

The SPEAKER. Thank you, Mr. Getty.

DR. MATTHEW PINSKER PRESENTED

The SPEAKER. As I mentioned earlier, the President's visit to Harrisburg was cut short by an assassination plot on his life, and we have invited Dr. Matthew Pinsker, a Lincoln scholar, here today as well to tell us what happened after Mr. Lincoln delivered this speech.

Dr. Pinsker holds the Brian Pohanka Chair of Civil War History at Dickinson College in Carlisle. He also serves as director of the House Divided Project, an innovative effort to build digital resources on the Civil War era. He is currently a visiting research professor at the Strategic Studies Institute of the U.S. Army War College. He is also a Bernard L. Schwartz fellow at the New America Foundation in Washington, DC.

Dr. Pinsker graduated from Harvard University and received a degree in modern history from the University of Oxford. He is the author of two books, "Abraham Lincoln," a volume in the "American Presidents Reference Series"; and "Lincoln's Sanctuary: Abraham Lincoln and the Soldiers' Home." His next book is forthcoming from W.W. Norton & Co., tentatively entitled "Boss Lincoln: Understanding Abraham Lincoln's Partisan Leadership."

Dr. Pinsker sits on the advisory boards of several historic organizations, such as Ford's Theatre National Historic Site, Gettysburg Foundation, National Civil War Museum in Harrisburg, and President Lincoln's Cottage at the Soldiers' Home.

It is now my pleasure to present Dr. Matthew Pinsker. Welcome to the hall of the House.

Dr. PINSKER. Well, thank you, Mr. Speaker, and members. It is obviously an honor to be here.

February 22, 1861, was a Friday. It was a good February day. We actually have a diary entry written by a local Harrisburg attorney that paints a vivid scene that helps us appreciate what it was like that day. His name was Charles Rawn, and he was an attorney who happened to live right near the hotel where Lincoln was staying. And in his diary that day, he says it was a clear day; fine beyond expectation and calm, not cold, though dampish and chilly. And then he noted with a kind of surprise that I think some people will appreciate, that the streets in Harrisburg that day were, quote, "in reasonably good walking order." He seemed happy to see all of the crowds in town. He said that when Mr. Lincoln arrived that day, which was at about 1:30 in the afternoon, that the enthusiasm of the people was perfectly and literally wild and unrestrainable.

He also noted something about Lincoln's appearance, which is kind of vivid from somebody who was there when he spoke on that day. He said, "Mr. L's appearance is younger considerably than was generally expected" – he was 52 years old at the time – "and he is not so tall nor so rawboned as we had been given to believe from his pictures and from what we had read." This may have been a reference to the fact that when they saw Lincoln that day in Harrisburg, he had a newly grown beard. Until that point in his life, Lincoln had never had a beard. During the campaign in 1860, a number of people had suggested that he might grow whiskers because his face was so thin, and one of them was a little girl from New York who wrote him a letter that he responded to, and during his inaugural train ride from Springfield to Washington and along the way through New York and Pennsylvania, he actually met her, and he was sporting those whiskers during this trip. And I think that is what made him not look so rawboned to Attorney Charles Rawn.

When Lincoln spoke at the State Capitol that day, he was speaking with the weight of the burden of knowledge that there was apparently an assassination plot against him in the works around Baltimore. He had found out about this the day before when he was in Philadelphia; it was in the evening of Thursday, February 21. And he had two separate reports that warned him

about what was to come. One was from a detective named Allan Pinkerton, who had been hired by the railroads. They had expected problems in Baltimore. It was a contested city with a lot of people favoring secession. And they had investigated the plots around the railroad lines using undercover detectives organized by Pinkerton. But he also received a separate report from Frederick Seward, who was the son of William Seward, the Senator from New York who was about to become the next Secretary of State.

They both arrived and met privately with Lincoln in his hotel in Philadelphia, along with Norman Judd, who is an important figure in this story, although his name is not well-known anymore, although I think the people in this chamber will appreciate this. Norman Judd was the Republican Party boss of Illinois, and he went with Lincoln everywhere during this period. He was, you know, from Cook County, Illinois. He was a cigar-chomping, hard-nosed political figure who organized and coordinated everything for the President during this trip.

Lincoln was reluctant to cancel his train ride, which was what the detectives wanted him to do. He insisted that he had to attend the flag-raising ceremony at Independence Hall in Philadelphia, and they agreed that he would do that, he would come to Harrisburg, and then they would arrange for a secret train ride home or into Washington, his new home, afterwards.

So Lincoln attended the flag-raising ceremony in Philadelphia early in the morning. He clearly was thinking about the reports that he had received when he said the following, he said, "I have never had a feeling politically that did not spring from the sentiments embodied in the Declaration of Independence." There was "...something in that Declaration giving liberty, not alone to the people of this country, but hope to the world for all...time." And then he added in what was a kind of stirring sentiment, "...I would rather be assassinated on this spot than to surrender it."

He left Philadelphia later that morning. It was a 4-hour train ride to Harrisburg at that time. Along the way, he passed through Lancaster, Pennsylvania, where I was born and raised, so I have to note that he did not speak long when he was in Lancaster at the train station, but he did make a joke about the looks of the men from the county. He said, "I come before you to see and be seen and, as regards the ladies, I have the best of the bargain; but, as to the gentlemen, I cannot say as much."

He then arrived in Harrisburg, like I said, around 1:30. He went to the Jones Hotel, which was at Second and Market Streets. He met Gov. Andrew Curtin, who was a fellow Republican recently elected; other guests; and then he came to the State House at 2:30. There he was greeted by the leader of the Senate, Robert Palmer, and the Speaker of the House at the time, Elisha Davis, who was from Mercer and Venango Counties; and then he spoke, as Jim Getty just re-created for us. And afterwards, he went back to the hotel, it was about 4 o'clock, and there he told Governor Curtin about the plot on his life and about their plans to arrange for a secret, evening train ride for the President alone to go to Washington, ahead of any trouble in Baltimore planned for the next day. They had a dinner at the hotel, and then Governor Curtin took Lincoln from the dinner, allegedly taking him back to his house, but in fact, he took him to the train station.

There it had all been prearranged by the detectives. They had stopped all other trains on the tracks between Harrisburg and Philadelphia. They had arranged for one bodyguard to travel

with Lincoln; it was a lawyer named Ward Hill Lamon. He was soon to be the Provost Marshal of Washington. He would travel with Lincoln throughout the war. He was the man who came with him to Gettysburg in 1863. At the time Governor Curtin noted that he was extremely well-armed. He said Lamon had a pair of revolvers, brass knuckles, and a huge knife, all within his coat, and he was traveling with the President.

Lincoln got on a special train car – one locomotive and one passenger car. They left at night. There were no interior lights on. They did not want him dressed in a conspicuous way, so he left the stovepipe hat behind with his wife and children. He took a soft, brown hat and a large overcoat and sat in the train. They also cut the telegraph wires into Harrisburg; there was only one line open at the time. They did not want anyone to report on what was happening. They had a code system as it were. This is before the days of the Secret Service, so you will have to forgive the informality of this, but Lincoln's code name was "Nuts." And the report that they sent to Philadelphia was that "Nuts left at six – everything as...directed – all is right."

Lincoln arrives in Philadelphia, the Pinkerton detectives meet him, and they prepare to put him on a different train to go to Baltimore and then to Washington, but he was too early. So he drove around in a carriage in the city with Allan Pinkerton, and according to Pinkerton, Lincoln talked to him. He said that Lincoln was cool, calm, and self-possessed, and he did not seem worried at all.

There was a female detective who was working the train station. She actually was securing the sleeping cars for the President. She had to give the conductor of the train an extra 50 cents to make sure they reserved the end cars for the President. He finally got on about midnight, slept in the cars. They arrived in Baltimore at 3:30 in the morning, they switched trains, and he arrived in Washington the next morning at 6 a.m. About 10 days later, he was inaugurated President of the United States. His first day in office he received a report saying that the supplies at Fort Sumter were running out, and the chain of events that would lead to the outbreak of the war began.

It was, you know, a tense time in our nation's history and Lincoln knew it very well. When he was here, you remember from the presentation we just heard, he said to the members of the State House that he thought there was an omen of what is to come from his experience at Philadelphia that morning, and I want to focus on that just in closing. The omen of what is to come, according to Abraham Lincoln, was that he had been a very humble instrument at the flag-raising ceremony. He said all he did was show up and use his feeble strength to raise that flag. He said, and this is a quotation, "In the whole transaction, I was in the hands of the people who had arranged it..." That was Lincoln's favorite expression – "the people." He invoked it time and time again.

As a political leader, he said, public opinion is everything; he who molds the sentiments of the people is greater than he who enacts statutes. As a politician, his cause was to shape public opinion, to address the people, not just to believe in them, but to convince them to do what was right; and that was what made him a great statesman and leader. And in fact, the very next time he would speak in Pennsylvania and give that great address at Gettysburg on November 19, that was the primary message of the address. The one that ends with that stirring climax that "...government of the people, by the people, for the people, shall not perish from the earth."

Lincoln was a great believer in the people. He treated them seriously and he asked them to make great sacrifices. It is something we all aspire to do in our lives as citizens and in your lives as legislators.

So I thank the Speaker again for bringing me here, and I wish you all the best in this year of the 150th anniversary of the Gettysburg Address.

The SPEAKER. Thank you, Dr. Pinsker.

GUESTS INTRODUCED

The SPEAKER. I want to introduce a couple of other people that are with us, some Civil War reenactors who have graciously volunteered their time to make the program a little more authentic.

We would like to introduce Dennis Shirk from Myerstown, Bill Leonard from Middletown, Josh Behrendt from Cleona, Bob and Ross Fisher from Lebanon, and Bob Shaffer from Hummelstown. I appreciate you folks being here with us as well today.

But especially, we want to thank Mr. Getty and Dr. Pinsker for taking time to give us a little bit of history, and while granted, President Lincoln's visit to the State Capitol was not as momentous as the Battle of Gettysburg, which is the primary celebration this year, and of course, the Gettysburg Address, but I think it is helpful and informational to us as members of the legislature and the general public that will view this to kind of get a flavor of some of the more subtle elements of history that built up to those momentous events.

So thank you very much for taking time to share your day with us. I believe if anybody wants to get pictures with President-elect Abraham Lincoln, he will be available here for that as well.

So thank you again. Thank you all for joining us today. We appreciate it.

The Parliamentarian informs me that if anybody wants a picture, they are going to take them back outside the Lieutenant Governor's Office, out in the hall.

UNCONTESTED CALENDAR

RESOLUTIONS PURSUANT TO RULE 35

Mr. CAUSER called up **HR 365, PN 2034**, entitled:

A Resolution recognizing "Wear It Pennsylvania!" as the campaign to increase life jacket wear while boating in Pennsylvania.

* * *

Mr. MAHER called up **HR 366, PN 2041**, entitled:

A Resolution recognizing the 100th anniversary of Ben Avon Heights Borough in Allegheny County.

* * *

Mr. DIGIROLAMO called up **HR 367, PN 2042**, entitled:

A Resolution recognizing the 50 years of service by the Pennsylvania Catholic Health Association to the Commonwealth.

On the question,
Will the House adopt the resolutions?

(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 Philadelphia County, Mr. CRUZ. Without objection, the leave will be granted.

CONSIDERATION OF
RESOLUTIONS PURSUANT TO RULE 35
CONTINUED

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

The following roll call was recorded:

YEAS—197

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

Emrick Kinsey Petrarca Youngblood
English

NAYS—0

NOT VOTING—0

EXCUSED—6

Boyle, K. Galloway Mustio Santarsiero
Cruz Miccarelli

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

HEALTH COMMITTEE MEETING

The SPEAKER. Is the gentleman from Tioga, Mr. Baker, seeking recognition for the purpose of a committee announcement?

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

The Health Committee will meet immediately upon the break in room 205, Ryan Office Building, for consideration of one bill.

Thank you, Mr. Speaker.

The SPEAKER. The Health Committee will meet immediately upon the break in room 205, Ryan Office Building.

RULES AND APPROPRIATIONS COMMITTEE MEETINGS

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

Mr. ADOLPH. Thank you, Mr. Speaker.

Mr. Speaker, there will be an immediate Rules Committee meeting in the House Appropriations conference room. And then at 12:15, there will be an Appropriations Committee meeting in the majority caucus room. Thank you.

The SPEAKER. There will be an immediate Rules Committee meeting in the House Appropriations conference room. And then at 12:15, there will be an Appropriations Committee in the majority caucus room.

REPUBLICAN CAUCUS

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

Ms. MAJOR. Thank you, Mr. Speaker.

Republicans will caucus at 12:30. I would ask our Republican members to please report to our caucus room at 12:30. We would be prepared to come back on the floor at 1:30.

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

RECESS

The SPEAKER. This House stands in recess until 1:30 p.m., unless sooner recalled by the Speaker.

RECESS EXTENDED

The time of recess was extended until 1:45 p.m.; further extended until 2 p.m.

AFTER RECESS

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

LEAVE OF ABSENCE CANCELED

The SPEAKER. The Speaker recognizes the presence of the gentleman, Mr. Santarsiero, on the floor of the House. His name will be added back to the master roll call without objection.

BILLS REREPORTED FROM COMMITTEE

HB 128, PN 126

By Rep. ADOLPH

An Act amending the act of September 23, 1959 (P.L.970, No.400), referred to as the Second Class A City Employee Pension Law, further providing for credit for military service.

APPROPRIATIONS.

HB 131, PN 128

By Rep. ADOLPH

An Act amending the act of July 3, 1947 (P.L.1242, No.507), entitled "An act relating to police and firemen's pension funds in cities of the second class A, and directing such cities to appropriate certain moneys thereto, and requiring reports and audits," further providing for credit for military service.

APPROPRIATIONS.

HB 1177, PN 2063

By Rep. ADOLPH

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, further providing for initiative of electors seeking consolidation or merger with new home rule charter.

APPROPRIATIONS.

HB 1481, PN 2062

By Rep. ADOLPH

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, providing for risk management and own risk solvency assessment.

APPROPRIATIONS.

HB 1482, PN 2002

By Rep. ADOLPH

An Act authorizing the Department of General Services, with the approval of the Governor and the Department of Military and Veterans Affairs, to grant and convey to Gettysburg Foundation, or its successors or assigns, certain land situate in Gettysburg Borough, Adams County; to grant and convey to the Scranton School District, or its successors or assigns, certain lands situate in the City of Scranton, Lackawanna County; to grant and convey to Redevelopment Authority

of the City of Bethlehem, or its successors or assigns, certain land situate in the City of Bethlehem, Lehigh County; and to grant and convey to La Salle University, or its successors or assigns, certain land and improvements situate in the 17th Ward (formerly 49th Ward), City of Philadelphia, Philadelphia County, known as the Ogontz Armory; and authorizing the Department of General Services, with the approval of the Governor and the Department of Transportation, to grant and convey to the City of Lock Haven certain lands situate in the City of Lock Haven, Clinton County.

APPROPRIATIONS.

HB 1483, PN 1934

By Rep. ADOLPH

An Act amending the act of July 5, 2012 (P.L.995, No.112), known as the Portable Electronics Insurance Act, further providing for authority of vendors of portable electronics and for termination of portable electronics insurance.

APPROPRIATIONS.

SB 194, PN 135

By Rep. ADOLPH

An Act amending the act of March 20, 2002 (P.L.154, No.13), known as the Medical Care Availability and Reduction of Error (Mcare) Act, in regulation of medical professional liability insurance, repealing provisions relating to reports to commissioner and claims information.

APPROPRIATIONS.

SB 419, PN 1158

By Rep. ADOLPH

An Act amending the act of August 11, 1967 (P.L.205, No.69), entitled "An act to validate conveyances and other instruments which have been defectively acknowledged," extending the date for validation of certain conveyances and other instruments.

APPROPRIATIONS.

SB 644, PN 1173

By Rep. ADOLPH

An Act amending Titles 3 (Agriculture) and 34 (Game) of the Pennsylvania Consolidated Statutes, providing for swine hunting preserves; and further providing for the definition of "wild animals."

APPROPRIATIONS.

SB 865, PN 976

By Rep. ADOLPH

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 penalties involving liquefied ammonia gas, precursors and chemicals.

APPROPRIATIONS.

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

HB 1522, PN 2029

By Rep. BAKER

An Act regulating navigators, assisters and insurance producers in the education and promotion of health insurance exchanges.

HEALTH.

**HOUSE RESOLUTION
INTRODUCED AND REFERRED**

No. 375 By Representative MCCARTER

A Resolution directing the Legislative Budget and Finance Committee to conduct a study of jobs in the natural gas industry in Pennsylvania to determine the number of core and ancillary jobs created, the salary ranges of these jobs, whether health care benefits and workers' compensation benefits are provided, the number of Pennsylvania residents employed in this industry and ways to increase the percentage of Pennsylvania residents employed in this industry.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, June 18, 2013.

**HOUSE BILLS
INTRODUCED AND REFERRED**

No. 1543 By Representatives KILLION, MILLARD, SWANGER, COHEN, ELLIS, HACKETT, MALONEY, KAUFFMAN, KORTZ, GINGRICH, REESE and PYLE

An Act amending the act of October 17, 2008 (P.L.1645, No.132), known as the Home Improvement Consumer Protection Act, providing for the definition of "time and materials"; and further providing for home improvement contracts.

Referred to Committee on CONSUMER AFFAIRS, June 18, 2013.

No. 1544 By Representatives BAKER, MILLARD, SCHLEGEL CULVER, PICKETT, CUTLER, BIZZARRO, HELM, TALLMAN, CLYMER, COHEN and C. HARRIS

An Act establishing the Health Insurance Exchange Task Force; setting limits on the expansion of Medicaid coverage; and imposing powers and duties on the Insurance Commissioner and the Secretary of Public Welfare.

Referred to Committee on HEALTH, June 18, 2013.

No. 1545 By Representatives BOBACK, SACCONI, STERN, WATSON, JAMES, MAJOR, KORTZ, MACKENZIE, GROVE, MULLERY, BARRAR, SWANGER, MILNE, BENNINGHOFF, TOEPEL, LAWRENCE, GOODMAN, GILLEN, MURT and MOUL

An Act amending the act of July 8, 1978 (P.L.752, No.140), known as the Public Employee Pension Forfeiture Act, further providing for definitions, for disqualification and forfeiture of benefits and for restitution.

Referred to Committee on JUDICIARY, June 18, 2013.

No. 1546 By Representatives BOBACK, MUNDY, WHITE, FREEMAN, HESS, BARRAR, COHEN, HELM, MULLERY and ROSS

An Act amending Title 58 (Oil and Gas) of the Pennsylvania Consolidated Statutes, in development, further providing for definitions; providing for impoundments; and further providing for relationship to solid waste and surface mining.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, June 18, 2013.

No. 1547 By Representative ADOLPH

An Act providing for the capital budget for the fiscal year 2013-2014.

Referred to Committee on APPROPRIATIONS, June 18, 2013.

No. 1548 By Representatives SANTARSIERO, COHEN, CARROLL, DAVIS, SABATINA and STURLA

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 commuter and commerce toll tax credit.

Referred to Committee on FINANCE, June 18, 2013.

No. 1549 By Representatives ROZZI, SCHLOSSBERG, V. BROWN, MAHONEY, FRANKEL, COHEN, MIRANDA, SIMS and DAVIS

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, prohibiting use of tobacco in recreational areas; and imposing a penalty.

Referred to Committee on JUDICIARY, June 18, 2013.

SENATE BILLS FOR CONCURRENCE

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

SB 963, PN 1007

Referred to Committee on STATE GOVERNMENT, June 18, 2013.

SB 964, PN 1008

Referred to Committee on STATE GOVERNMENT, June 18, 2013.

BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

SB 371, PN 427

An Act repealing the act of December 14, 1967 (P.L.746, No.345), known as the Savings Association Code of 1967, eliminating provisions for incorporation and organization, for names, for offices, for directors, officers, employees and attorneys, for members, for corporate powers, for savings operations, earnings, account insurance and reserves, for investment operations, for amendment of articles, for mergers, consolidations, conversions and reorganizations, for voluntary and involuntary dissolution and distribution of assets upon insolvency, for foreign and Federal associations, for provisions applicable to Department of Banking and Securities and for penalties and criminal provisions.

Whereupon, the Speaker, in the presence of the House, signed the same.

BILLS REREPORTED FROM COMMITTEE**HB 1274, PN 1637**

By Rep. TURZAI

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for criminal laboratory user fee.

RULES.

HB 1429, PN 2006

By Rep. TURZAI

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, in powers of attorney, further providing for general provisions and for special rules for gifts; providing for agent's duties and for principles of law and equity; further providing for form of power of attorney, for implementation of power of attorney and for liability; providing for liability for refusal to accept power of attorney and for activities through employees; and further providing for validity.

RULES.

HB 1438, PN 1949

By Rep. TURZAI

An Act amending the act of May 22, 1933 (P.L.853, No.155), known as The General County Assessment Law, further providing for subjects of taxation enumerated.

RULES.

HB 1439, PN 1950

By Rep. TURZAI

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, further providing for subjects of local taxation.

RULES.

HB 1440, PN 1951

By Rep. TURZAI

An Act amending the act of November 10, 1999 (P.L.491, No.45), known as the Pennsylvania Construction Code Act, further providing for definitions.

RULES.

HB 1462, PN 1903

By Rep. TURZAI

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, in Pennsylvania Uniform Transfers to Minors Act, further providing for court authorization of a transfer.

RULES.

SUPPLEMENTAL CALENDAR A**BILLS ON SECOND CONSIDERATION**

The House proceeded to second consideration of **HB 1438, PN 1949**, entitled:

An Act amending the act of May 22, 1933 (P.L.853, No.155), known as The General County Assessment Law, further providing for subjects of taxation enumerated.

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 1274, PN 1637**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for criminal laboratory user fee.

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 1429, PN 2006**, entitled:

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, in powers of attorney, further providing for general provisions and for special rules for gifts; providing for agent's duties and for principles of law and equity; further providing for form of power of attorney, for implementation of power of attorney and for liability; providing for liability for refusal to accept power of attorney and for activities through employees; and further providing for validity.

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 1462, PN 1903**, entitled:

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, in Pennsylvania Uniform Transfers to Minors Act, further providing for court authorization of a transfer.

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

The SPEAKER. The House will come to order.

GUESTS INTRODUCED

The SPEAKER. I would just like to introduce some other guests that are with us.

Up in the gallery, as the guests of Representative Kirkland, we would like to welcome members of the Little Miss Chester Pageant, and they are here with the pageant founder, Ms. Desiree Potts, and some of the parent volunteers. So, our guests, give us a wave or stand. Welcome to the hall of the House.

CALENDAR

RESOLUTION

Mr. ENGLISH called up **HR 338, PN 1886**, entitled:

A Resolution urging the Secretary of Education and the State Board of Education to ensure that Pennsylvania's academic standards are thoroughly rigorous for all Pennsylvania students.

On the question,
Will the House adopt the resolution?

Mr. **TALLMAN** offered the following amendment No. **A01953**:

Amend Resolution, page 2, line 26, by inserting after "rigorous" and effective

Amend Resolution, page 2, line 30, by inserting after "rigor" and effectiveness

Amend Resolution, page 4, by inserting between lines 3 and 4 RESOLVED, That the Secretary of Education and the State Board of Education be urged to commit to close consultations with the Education Committee of the House of Representatives before taking any further action resulting in the development and implementation of new academic standards; and be it further

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

The SPEAKER. On that question, the Speaker recognizes the gentleman from Adams County, Mr. Tallman.

Mr. TALLMAN. Thank you, Mr. Speaker.

Basically, this just adds a few more criteria to the resolution for the Department of Education to look at, and I would appreciate your support for the amendment. Thank you.

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

The following roll call was recorded:

YEAS—198

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

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

NAYS-0

NOT VOTING-0

EXCUSED-5

Boyle, K.	Galloway	Miccarelli	Mustio
Cruz			

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

On the question,
Will the House adopt the resolution as amended?

The following roll call was recorded:

YEAS-198

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

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

NAYS-0

NOT VOTING-0

EXCUSED-5

Boyle, K.	Galloway	Miccarelli	Mustio
Cruz			

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

RULES SUSPENDED

The SPEAKER. The Speaker recognizes the gentleman from Lawrence County, Mr. Sainato, who moves to suspend the rules for the immediate consideration of HR 360, PN 1998, on page 9 of today's House calendar.

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

The SPEAKER. On the motion to suspend the rules, the Speaker recognizes the gentleman from Lawrence County, Mr. Sainato.

Mr. SAINATO. Thank you, Mr. Speaker.

My resolution urges Congress to pass – oh, thank you, Mr. Speaker.

I rise to make a motion to suspend the rules for immediate consideration of HR 360.

The SPEAKER. The Speaker thanks the gentleman.

I actually already recognized you and was aware that you were moving to suspend the rules, so the question before the House is the suspension of the rules, and I would recognize you on that question, whether or not to suspend the rules.

Mr. SAINATO. Thank you very much, Mr. Speaker.
 My resolution urges Congress to pass H.R. 1014, which exempts National Guard military technicians from being furloughed as a result of the Federal sequestration.

Military technicians are the only uniform military personnel who face the threat of furlough. They perform day-to-day maintenance on equipment used by our service members. The loss of work hours for these dedicated and integral members of the Guard will impact the efficiency and effectiveness of our military support, especially as we approach summer, the Guard's busiest season.

I understand that this motion is agreed to and ask that members support this motion to suspend so we can get this very important resolution before Congress in a very timely fashion.

Thank you, Mr. Speaker.

The SPEAKER. On the motion to suspend, the Speaker recognizes the gentleman from Delaware County, Mr. Barrar.

Mr. BARRAR. Thank you, Mr. Speaker.

I also rise to support the gentleman's motion to suspend the rules. This resolution came out of Veterans Affairs and Emergency Preparedness Committee yesterday. It is an important resolution that we hope to get in front of our State delegation as soon as possible.

And I would ask all the members to support the motion.

Thank you, Mr. Speaker.

The SPEAKER. The question is, will the House suspend the rules for the immediate consideration of HR 360?

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 gentleman from Philadelphia, Mr. Brendan BOYLE, for the remainder of the day. Without objection, the leave will be granted.

SUSPENSION OF RULES CONTINUED

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

The following roll call was recorded:

YEAS—193

Adolph	Evans	Knowles	Pyle
Aument	Everett	Kortz	Quinn
Baker	Fabrizio	Kotik	Rapp
Barbin	Farina	Krieger	Ravenstahl
Barrar	Farry	Kula	Readshaw
Benninghoff	Fee	Longietti	Reed
Bishop	Fleck	Lucas	Reese
Bizzarro	Flynn	Mackenzie	Regan
Bloom	Frankel	Maher	Roae
Boback	Freeman	Mahoney	Rock
Bradford	Gabler	Major	Roebuck
Briggs	Gainey	Maloney	Ross
Brooks	Gergely	Markosek	Rozzi
Brown, R.	Gibbons	Marshall	Sabatina

Brown, V.	Gillen	Marsico	Saccone
Brownlee	Gillespie	Masser	Sainato
Burns	Gingrich	Matzie	Samuelson
Caltagirone	Godshall	McCarter	Sankey
Carroll	Goodman	McGeehan	Santarsiero
Causser	Greiner	McGinnis	Saylor
Christiana	Grove	McNeill	Scavello
Clay	Hackett	Mentzer	Schlossberg
Clymer	Haggerty	Metcalfe	Schreiber
Cohen	Hahn	Metzgar	Simmons
Conklin	Haluska	Micozzie	Sims
Corbin	Hanna	Millard	Smith
Costa, D.	Harhai	Miller, D.	Snyder
Costa, P.	Harhart	Miller, R.	Sonney
Cox	Harkins	Milne	Stephens
Culver	Harper	Mirabito	Stern
Daley, M.	Harris, A.	Miranda	Stevenson
Daley, P.	Harris, J.	Molchany	Sturla
Davidson	Heffley	Moul	Swanger
Davis	Helm	Mundy	Tallman
Day	Hennessey	Murt	Taylor
Dean	Hess	Neilson	Thomas
Deasy	Hickernell	Neuman	Tobash
DeLissio	James	O'Brien	Toepel
Delozier	Kampf	O'Neill	Toohil
DeLuca	Kauffman	Oberlander	Truitt
Denlinger	Kavulich	Painter	Turzai
Dermody	Keller, F.	Parker	Vereb
DiGirolamo	Keller, M.K.	Pashinski	Vitali
Donatucci	Keller, W.	Payne	Waters
Dunbar	Killion	Peifer	Watson
Ellis	Kim	Petrarca	Wheatley
Emrick	Kinsey	Petri	White
English	Kirkland	Pickett	Youngblood
Evankovich			

NAYS—4

Cutler	Grell	Lawrence	Mullery
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NOT VOTING—0

EXCUSED—6

Boyle, B.	Cruz	Miccarelli	Mustio
Boyle, K.	Galloway		

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

RESOLUTION

Mr. SAINATO called up **HR 360, PN 1998**, entitled:

A Resolution urging the President of the United States and Congress to support the adoption of H.R. 1014.

On the question,
 Will the House adopt the resolution?

The following roll call was recorded:

YEAS—197

Adolph	Evans	Knowles	Pickett
Aument	Everett	Kortz	Pyle
Baker	Fabrizio	Kotik	Quinn
Barbin	Farina	Krieger	Rapp
Barrar	Farry	Kula	Ravenstahl
Benninghoff	Fee	Lawrence	Readshaw

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

NAYS—0

NOT VOTING—0

EXCUSED—6

Boyle, B.	Cruz	Miccarelli	Mustio
Boyle, K.	Galloway		

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

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 304, PN 1210**, entitled:

An Act amending Titles 15 (Corporations and Unincorporated Associations) and 54 (Names) of the Pennsylvania Consolidated Statutes, in Title 15, making extensive revisions, additions and deletions to preliminary material on general provisions; to corporation material on general provisions, on incorporation, on corporate powers, duties and safeguards, on officers, directors and shareholders, on fundamental changes, on registered corporations, on insurance corporations, on benefit corporations, on foreign business corporations, on incorporation and on foreign nonprofit corporations; to material on

limited liability companies; to material on unincorporated associations; and to material on business trusts; in Title 54, further providing for general provisions and for corporate and other association names; and making related repeals.

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—197

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

NAYS—0

NOT VOTING—0

EXCUSED—6

Boyle, B. Cruz Miccarelli Mustio
Boyle, K. Galloway

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

Ordered, That the clerk return the same to the Senate with the information that the House has passed the same with amendment in which the concurrence of the Senate is requested.

SUPPLEMENTAL CALENDAR A CONTINUED

BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 1439, PN 1950**, entitled:

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, further providing for subjects of local taxation.

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

Mr. **PASHINSKI** offered the following amendment No. **A02246**:

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

Section 1. Section 8811(a) of Title 53 of the Pennsylvania Consolidated Statutes is amended and subsection (b) is amended by adding a paragraph to read:

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

(a) Subjects of taxation enumerated.—Except as provided in subsection (b), all subjects and property made taxable by the laws of this Commonwealth for county, city, borough, town, township and school district purposes shall, as provided in this chapter, be valued and assessed at the annual rates, including all:

- (1) Real estate, namely:
 - (i) houses;
 - (ii) house trailers and mobile homes permanently attached to land or connected with water, gas, electric or sewage facilities;
 - (iii) buildings permanently attached to land or connected with water, gas, electric or sewage facilities;
 - (iv) lands, lots of ground and ground rents, trailer parks and parking lots;
 - (v) mills and manufactories of all kinds, furnaces, forges, bloomeries, distilleries, sugar houses, malt houses, breweries, tan yards, fisheries, ferries and wharves;
 - (vi) all office buildings;
 - (vii) that portion of a steel, lead, aluminum or like melting and continuous casting structure which encloses or provides shelter or protection from the elements for the various machinery, tools, appliances, equipment, materials or products involved in the mill, mine, manufactory or industrial process; and

(viii) telecommunication towers that have become affixed to land.

(1.1) Rights held pursuant to a lease or other agreement subject to the act of July 20, 1979 (P.L.183, No.60), entitled "An act regulating the terms and conditions of certain leases regarding natural gas and oil," to extract, remove or recover gas, including natural gas, or oil shall be subject to taxation as real estate for all county, city, borough, town, township and school district purposes. The rights shall be assessed and taxed separately from the surface property assessment, in the name of the holder of such rights, and valued in accordance with section 8842(d) (relating to valuation of property). The following apply:

(i) A political subdivision shall retain 10% of the revenues collected under this paragraph and shall remit the remainder of the revenues to the State Treasurer who shall allocate the moneys received as follows:

(A) Forty percent shall be distributed to the Department of Education for the purpose of providing basic education funding to school districts.

(B) Twenty-five percent shall be deposited in the Motor License Fund for costs of public highway and bridge construction.

(C) Twenty-five percent shall be deposited in the Public Transportation Trust Fund for mass transit programs.

(ii) The provisions of this paragraph are not intended, nor shall they be construed, to affect any other determination, including, but not limited to, the determination of royalty due under mineral leases. Notwithstanding any other provision of law, any tax imposed by this chapter shall not reduce any royalty payments due under mineral leases, and the producer under a mineral lease may not recover any portion of the tax paid from the royalty owner through other means of deduction or reallocation, notwithstanding any provision in the lease, contract or agreement.

(2) All other things now taxable by the laws of this Commonwealth for taxing districts.

Amend Bill, page 2, by inserting between lines 3 and 4 Section 2. Section 8842 of Title 53 is amended by adding a subsection to read:

§ 8842. Valuation of property.

* * *

(d) Gas and oil leases.—The valuation of rights held pursuant to a lease or other agreement subject to the act of July 20, 1979 (P.L.183, No.60), entitled "An act regulating the terms and conditions of certain leases regarding natural gas and oil," to extract, remove or recover gas, including natural gas, or oil shall be developed by the county assessor utilizing the income approach to value based upon the discounted value of the rights, supplemented by the sales comparison data approach as deemed necessary by the county assessor. The lessee or operator, or lessor on behalf of the lessee or operator, shall annually, no later than July 1, provide the county assessor with such nonproprietary lease and lease income information as the assessor determines is reasonably needed to determine value. The board may change the assessed valuation of the rights in the event information becomes available that would significantly affect the valuation, including, but not limited to, commencement of production on or near the property and the depletion of the hydrocarbon gas subject to the lease and related production.

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

3

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

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

Mr. PASHINSKI. Thank you, Mr. Speaker.

Mr. Speaker, I introduced this amendment due to the fact that there is a great source of new income available to us for the concerns that we have relative to our needs. It is a source that is stable; it is long-lasting. It is a source that will prove a huge sum of money for decades to come and at a time when we are searching for the funds. These critical issues that we concern ourselves with – our constitutional obligations like education, transportation, human services, pensions, and many more – my amendment will indeed help to fund these critical areas. This can be a solution for, whether it is the education cuts or whether it is the transportation needs or even the pension costs, I think it is really important that we strongly consider this amendment.

This amendment was based upon a practice in Pennsylvania that we had for time immemorial where the mineral rights below the property level always were taxed here in Pennsylvania, and these mineral rights, at times in history, really did not amount to a great deal until, of course, Marcellus Shale. Because of the fact that we have this very rich deposit of natural gas, the taxing of these mineral rights becomes extremely important.

The property value based on common criteria include the active production of mineral rights. And what occurred in 2002, there was a case between IOGA (Independent Oil and Gas Association) and Fayette County, and in that litigation, the court found that because, because we do not specifically identify natural gas as a mineral, in 2002 the courts ruled that they could not allow the property tax for minerals to continue. Therefore, this amendment that I am presenting to you today would provide the vehicle by which we could then continue to legally tax the mineral rights throughout Pennsylvania. What is most important for all of us to recognize is, number one, Pennsylvania always did that; number two, Pennsylvania, at this point, is the only State that does not tax these mineral rights.

The amount of money that we are talking about here is literally hundreds of millions of dollars. There is a group called the Resource Technologies Corporation that found that Pennsylvania is leaving hundreds of millions of dollars on the table for unassessed mineral taxes from drilling companies. These same drilling companies – and this is very important – pay other States their mineral property taxes as a common cost of doing their business. So in every other State, these drilling companies pay the tax that we are not getting here in Pennsylvania. This tax would not be on the royalties of the individuals that have leased out their property; it would be on the drillers themselves.

As we strive to be fair about our taxing abilities, we want to make sure that we reduce the tax obligation on any Pennsylvanian to the fairest and most productive level. Inadequate management of taxing mechanisms only hurts the people of Pennsylvania, and when we fail to appropriately tax the big business, the average working class, the middle-class citizens end up paying for those inadequacies.

When we are talking about \$100 million, when we are talking about \$500 million, or when you are talking about hundreds of millions of dollars, close to a billion, I would think the responsible thing to do would be to utilize this source. We could use it to fund the education, whether it be pre-K or all-day kindergarten, whether it be the dual enrollments, tutoring, or

advanced classes, or we could choose to help subsidize our transportation needs. If we have a source of sufficient dollars to fund the transportation bonds, we should do it. This money can finance the bonds and we can put fifty to sixty thousand people to work.

When you are talking about hundreds of millions of dollars, well beyond the \$28.3 or \$28.4 billion budget that we have put forth, you begin to realize that some of the shortfalls within our system can adequately be funded. We talked about the cycle of growth and prosperity where government invests, we create jobs, we make the improvements, those jobs help our economy to thrive, and government gets the return on their investment. They get it from the money paid back through their individual workers' taxes and purchases.

This amendment is a win-win not only for the local people but also for all of Pennsylvania. I would encourage a "yes" vote for my amendment which will incorporate a great deal of newfound dollars into our system so we can help the folks of Pennsylvania without having to pass the cost on to our local taxpayers.

I thank you. I encourage a favored vote. Thank you.

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

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

Mr. MAHER. Thank you, Mr. Speaker.

I listened with considerable interest to the gentleman's remarks. Now, this amendment is to a bill that is about growing vegetables. I did not hear the word "vegetable" mentioned once, because his amendment has nothing to do with the bill.

Now, I thought about coming up with a good Mr. Potato Head joke, but I could not. But I would like to deal with the substance of this amendment, if the gentleman would stand for interrogation.

The SPEAKER. The gentleman indicates he will stand for interrogation. Mr. Maher may continue.

Mr. MAHER. Thank you, Mr. Speaker.

This amendment is to HB 1439, which deals with counties other than first- and second-class counties. So is there anything that I am missing in your amendment that would actually apply this new property tax uniformly across Pennsylvania, or you would only be applying it in counties other than Allegheny, Philadelphia, and so forth?

Mr. PASHINSKI. The intent of the amendment was to apply it only to the areas – actually, it is applied throughout the State of Pennsylvania, but due to the fact that we now have an incredible mineral, which we identify as natural gas, the value of that mineral tax has been increased exponentially and that hundreds of millions of dollars could then be used for any variety of purposes that I suggested.

Mr. MAHER. Maybe I have to rephrase the question for you.

Why did you approach this in a way that lets first- and second-class counties off the hook and goes after the other property in Pennsylvania?

Mr. PASHINSKI. I am not going after anybody, sir. What I am trying to do is simply identify a source of vast amounts of income that this State, prior to 2002, did indeed process as a mineral property tax, and I am suggesting that if this amendment passes, the State will once again be able to initiate this reasonable tax on mineral rights.

Mr. MAHER. Why is this not drafted to apply to first- and second-class counties?

Mr. PASHINSKI. I do not believe they have any mining or any natural resources that this mineral tax would apply.

Mr. MAHER. All right. Thank you.

Now, with this new real estate tax, you would have a State appropriation of locally levied real estate taxes. Am I understanding that correctly?

Mr. PASHINSKI. I am sorry, sir; I was distracted.

Mr. MAHER. Your amendment, as I understand it, provides for the State to be appropriating locally levied real estate taxes. Is that correct?

Mr. PASHINSKI. The idea was to have— I have two amendments, one that would deal with the local to receive a portion of it, but you are correct, that is a duty of the locals.

Mr. MAHER. So for the first time in Pennsylvania history, property taxes would be actually appropriated by the State?

Mr. PASHINSKI. The tax would be levied by the local or the county, but the State would help in the distribution.

Mr. MAHER. And given that most existing royalty contracts provide that any new taxes levied would be the responsibility of the landowner, how do you— I notice you have some language that says that that would not happen. So your amendment would serve to shred all these existing contracts by simply saying, no matter what people have agreed to, Pennsylvania is going to intercept and not going to apply their contract?

Mr. PASHINSKI. The purpose of some of those provisions was to prevent the property owner from having to pay the mineral rights tax. The mineral rights tax would come directly from the drillers.

Mr. MAHER. Now, you said mineral rights tax but you did not say property tax, and you have this known as taxation on real estate and— Are you aware of what a typical royalty contract looks like and that it provides that real estate taxes are the obligation of the landowner?

Mr. PASHINSKI. I understand that they have their contract. The purpose and intent of my bill was to make sure that the drillers pay the property tax on the minerals, which are below the ground. The property owner continues to pay their own property tax, but the driller, who is extracting the minerals from that property and also reaping great profit, is the one that should pay the property tax for mineral rights below the ground.

Mr. MAHER. One final question. Your amendment deals with mineral rights that are leased, so if I am reading your amendment correctly, if someone simply owns the mineral rights outright, they are exempt, but if they have leased them, they would be subject to this new tax. How did you decide—

Mr. PASHINSKI. No.

Mr. MAHER. —that people who own these outright should be exempt, whereas those who lease them should have to pay a property tax?

Mr. PASHINSKI. The tax is determined upon the value beneath the ground, and as I said, prior to the Marcellus Shale and the natural gas reservoir that we have, the property tax for mineral rights in many areas would be minimal to nothing. But now that we have this large resource, which brings in tremendous amount of money toward Pennsylvania and certainly for the people of Pennsylvania, now this is a valuable asset and now those taxes would be very valuable.

Mr. MAHER. Okay. Mr. Speaker, maybe you can help me, because I am reading your amendment and it says, "Rights held pursuant to a lease or other agreement..." It does not talk about rights that are simply owned. Can you explain to me what I am missing here in terms of how this is drafted?

Mr. PASHINSKI. Some of the businesses and property owners do not lease their properties. That is fine. They still end up paying taxes.

Mr. MAHER. Where is that in your amendment? Because this amendment I see about those who have rights subject to a lease, I do not see mineral rights that are owned.

Mr. PASHINSKI. Okay. It only applies for the ones with the lease.

Mr. MAHER. Thank you.

That concludes the interrogation, Mr. Speaker. If I might speak on the amendment?

The SPEAKER. The gentleman is order on the amendment.

Mr. MAHER. To remind my friends again, the underlying bill is about growing vegetables. Nothing in this amendment pertains to that. What this amendment does is seek to create a new property tax, a property tax that is going to violate the Constitution in a whole number of ways. First, this property tax only applies to those who lease their property, not to those who simply own it. It is not uniform. It would not satisfy the uniformity rule. Second, it violates existing contracts, that someone who owns mineral rights and has leased them will have a burden in their agreement that they are responsible for changes in the property taxes, real estate taxes, and that is what this amendment is. So this is going to put a new tax burden on all sorts of people who have leased. Now, it is all well and good to say, well, we do not mean to do that, but that is what this amendment would do, because to do otherwise would violate the Constitution.

This also sets a very bad precedent that the General Assembly is getting into the business of appropriating local property taxes, and once that starts, that will never end. And you ask your local school districts, you ask your local counties, you ask your local municipalities, would they like your help in appropriating their taxes? I think you will find some uniformity. I think this is a subject that could bring people of all political persuasions together on a local level. So I do congratulate the gentleman on finding something that would be embraced so well by Republicans and Democrats in opposition to his idea that the General Assembly should be appropriating local property taxes.

And I would also point out that if somebody has undeveloped mineral rights, that under this proposal, as it is written, they would be subject to tax. They have no revenue coming in, but the minerals are down there, and this would create a property tax, a property tax that I observe would be at the same rate as if you were taxing somebody's home or somebody's business premises. It is going to turn out to be a really, really unfortunate condition to be a Pennsylvanian who has minerals on your property. You will not be able to afford to live on your own property anymore.

So for this variety of reasons, I would ask you to oppose this amendment and let us get back to the business of helping Pennsylvania agriculture grow more vegetables. Thank you, Mr. Speaker.

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

The Speaker recognizes the gentleman, Mr. Pashinski, for the second time.

Mr. PASHINSKI. Thank you, Mr. Speaker.

I, too, love vegetables, and I certainly want to support our Pennsylvania's leading industry, agriculture.

The one thing that I would like to make sure that everyone listening recognizes, right now we have an incredible natural resource, and we have a legal avenue by which we can garner a fair minerals extraction tax, a fair tax that we have done for decades, that will then be able to help pay for the schools within those systems. Right now our school districts get absolutely nothing from it. This is not an intrusion upon the people that own this valuable mineral. It is a matter of fairness. Every State in the United States that has valuable minerals places this property tax on minerals. They garner tens of millions, hundreds of millions of dollars, which in turn pay for the things that they are constitutionally obligated to pay for.

I brought up education because property taxes are the main source. Here is a legal and honest way to do the same thing as so many other States to garner those valuable dollars from the sale of the valuable minerals that we have here in Pennsylvania by private companies. All I am asking for is for them to pay their fair share so that we can provide the education to the kids here in Pennsylvania. When you are talking about hundreds of millions of dollars – we are not talking a few thousand; we are talking about hundreds of millions of dollars, in excess of \$500 million – Mr. Speaker, that money can be leveraged through the use of bonds to help pay for those roads. We know we have a pension problem. You could use that money leveraged against those debts with pension bonds.

All of this can ease the burden. All of this can ease the burden on our own constituents, the taxpayers of Pennsylvania. I humbly request you strongly consider, number one, this is a tax that was in our history for decades, and if this amendment does pass, you will again be allowed to levy this property tax on minerals. It will garner hundreds of millions of dollars that we can use for the things necessary for our kids, for our roads, for our obligations. And keep in mind that if we do not do this, we are the only State in the country that does not tax the minerals, the valuable assets underneath our property line.

I humbly request a strong consideration for a "yes" vote on this amendment for the betterment, for the betterment of the people of Pennsylvania. Thank you.

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

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

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of the Pashinski amendment. This is an issue that whether you like the way this amendment is worded or not, it is going to have to be dealt with at some point in time here in this State. If you look at properties in the State, particularly as it relates to the Marcellus Shale gas and the rulings that occurred in the courts where gas was not defined as a mineral, you can have a situation where someone has 100 acres with a run-down farmhouse on it, and they may have paid \$1,000 an acre for that land with the mineral rights when nobody knew there was gas underneath there, and they could currently lease that land for about \$4,000 an acre and collect \$400,000, and when the wells are drilled, they could get mineral

rights, or they could get the royalties off the gas that is there and collect another \$ 1 1/2 million.

And if they were to sell that land for 100 acres along with mineral rights, they could probably sell it for \$2 million. But under current Pennsylvania law, the county where that exists, when they go out and assess the value of that property, can only assess what is above the ground. And so they look at 100 pretty nonproductive acres and a run-down old farmhouse, and they say, yeah, it is probably worth about \$100,000. Now, the owner of that land can go to the bank, borrow half a million or \$1 million on the value of that property, but the county assessor can only say it is worth \$100,000. In every other State, they assess the value of what is under the ground as well as what is above the ground. Texas does not have a personal income tax, partly because they assess the value of those properties, what is above the ground and what is under the ground.

So whether we address it in this amendment or whether we address it later, at some point in time it needs to be addressed, because the person that is really getting hurt in this right now is the person that does not own the mineral rights under their property or that will never get it drilled under their property who also lives in that area where it is rich in Marcellus Shale gas, because they owned a modest house and it might have been worth fifty or seventy-five or a hundred thousand dollars. Now that the gas boom has occurred and rents have increased, the county assessor comes around and says, now your house is worth one hundred fifty or two hundred thousand dollars. But they did not get the royalties, and they did not get the gas leases, and they are not multimillionaires at this point in time, but the person who is still assessed at \$100,000 is. And at some point in time, those folks are the ones that are going to be up in arms saying, why are you not doing something about this, because my taxes on my little rancher that has no gas underneath it went up, and the guy who just became the multimillionaire, his property taxes stayed the same.

I suggest that we address it in the Pashinski amendment. Thank you, Mr. Speaker.

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

On that question, the Speaker recognizes the gentleman from Somerset County, Mr. Metzgar.

Mr. METZGAR. Robin Hood. Robin Hood. You are all Robin Hood. We are going to take from the rich oil companies and give to the poor. We are Robin Hood. That is what this is, right? It is Robin Hood.

The funny thing is that most of these gas leases, those oil companies did, they came, and they said for 50 years we have been giving you \$5 an acre, Mr. Farmer; \$5 an acre for 50 years we have been giving you. We will give you \$50 an acre, Mr. Farmer; and they all signed. They all signed. They said, oh my gosh, 10 times more than we ever got before; this is the best thing I have ever seen. So they signed. And when they signed that, they got that \$50 an acre, not \$4,000 an acre. They did not sell for \$1 million. They did not do that. They got \$50 an acre. And in that lease that they signed, it said that every dollar that comes out for postproduction costs and for taxes, that would come out of your meager, less than an eighth of a royalty. That is what it would come out of.

So now we are going to go and we are going to take and tax those people that got pushed around by a big gas company. We are going to take their money, and they are going to get no dollars from their lease, zero dollars from their \$50-an-acre

lease, because we are going to take it from them. And that is the theory that we are going to work on today, Robin Hood. We are no Robin Hood. We are taking from the poor. We are taking from the guy that is trying to milk 60 cows a day after he gets home from his other job and make ends meet, and this is the only thing that is keeping him alive right now. And then we are going to break two fundamental constitutional provisions to do it – the contracts clause of the Constitution, because we have it in here that says, oh, no, no, the gas company will pay. I am sorry. There is a constitutional provision for that that says that is not the case. You cannot do that. You cannot mess with a private contract.

And then we are only going to do it for those country folks, not the first and second class, the country folks. So if you live in one county, it is like saying you get taxed for your car, but now Somerset County, they have to pay a tax, but in Allegheny County they do not. So how does this work? We are going to violate two constitutional provisions to take from the poor and give to somebody else, and then we are going to call it Robin Hood.

Vote "no." Thank you.

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

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

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, I had not planned on speaking a second time, but I just heard that the big, bad gas companies came in and stole from the poor people of Pennsylvania. Those big, bad gas companies came in and hoodwinked the people of Pennsylvania. Those big, bad gas companies that you all refuse to tax came in and took advantage of your constituents.

Now, if you do not want your constituents to be taken advantage of, then tax the big, bad gas companies. If you are concerned about your constituents that got hoodwinked, then tax the big, bad gas companies. But do not defend the big, bad gas companies that hoodwinked your constituents and say, we cannot tax them. Oh, we cannot tax my people that good hoodwinked. We cannot tax anybody. We just have to let somebody take this natural resource from this State and ship it to China because we cannot figure out how to—

The SPEAKER. The gentleman will suspend.

Mr. STURLA. —get anyone—

The SPEAKER. The gentleman will suspend.

Try to stay a little closer to the subject in the amendment and not the broad rhetorical commentary, please.

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, at some point in time, somewhere, somehow, in this State, whether we are taxing the value of the minerals under the ground, whether we are taxing their value when they come out of the ground, whether we are taxing them somewhere, if we do not tax them, the people of this State will get up in arms and demand that something be changed. This is one attempt to try and figure out a way to make sure that the minerals in this State do not keep leaving this State for free.

The SPEAKER. On the amendment, the Speaker recognizes the gentleman from Allegheny County, Mr. Maher, for the second time.

Mr. MAHER. You know, the passions are impressive, and the bit about at some point in time, somewhere, somehow is perhaps correct, but the fact of the matter is, this amendment does not do what the gentleman says he wants. I would suggest

that you save your passions for legislation that actually coincides with what you say you want because this does not do it. This is nowhere close to it.

Thank you, Mr. Speaker.

The SPEAKER. On the amendment, the Speaker recognizes the lady from Luzerne County, Ms. Mundy.

Ms. MUNDY. Mr. Speaker, I rise to correct the misinformation that I just heard from the gentleman from Somerset. This amendment corrects what we are currently doing in Pennsylvania, and that is reverse Robin Hood. We are taking from local citizens who pay their property taxes, who support our schools, who support our municipal services, and we are letting the big gas companies get away with murder.

This amendment is very specific. It taxes the gas companies, the drillers. It does not tax the people who are collecting royalties on the leases that they have on their properties. Very specific, any tax imposed by this chapter shall not reduce any royalty payments due under mineral leases. So we are not taxing the people who own the mineral, who own the property. We are taxing the drillers who are drilling on the property, and that should be taken into consideration when you cast your vote.

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 minority whip, who requests a leave of absence for the gentleman, Mr. Paul COSTA, from Allegheny County for the remainder of the day. Without objection, the leave will be granted.

CONSIDERATION OF HB 1439 CONTINUED

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—70

Bishop	DeLuca	Kinsey	Pashinski
Bradford	Dermody	Kirkland	Ravenstahl
Briggs	Donatucci	Kortz	Readshaw
Brown, V.	Evans	Kotik	Roebuck
Brownlee	Fabrizio	Markosek	Rozzi
Caltagirone	Farina	Matzie	Sabatina
Carroll	Flynn	McCarter	Samuelson
Clay	Frankel	McGeehan	Santarsiero
Cohen	Freeman	McNeill	Schlossberg
Conklin	Gainey	Miller, D.	Schreiber
Costa, D.	Goodman	Miranda	Sims
Daley, M.	Haggerty	Molchany	Sturla
Daley, P.	Hanna	Mundy	Thomas
Davidson	Harkins	Neilson	Vitali
Davis	Harris, J.	O'Brien	Waters
Dean	Kavulich	Painter	Wheatley
Deasy	Keller, W.	Parker	Youngblood
DeLissio	Kim		

NAYS—126

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

NOT VOTING—0

EXCUSED—7

Boyle, B.	Costa, P.	Galloway	Mustio
Boyle, K.	Cruz	Miccarelli	

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. **A02248**:

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

Section 1. Section 8811(a) of Title 53 of the Pennsylvania Consolidated Statutes is amended and subsection (b) is amended by adding a paragraph to read:

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

(a) Subjects of taxation enumerated.—Except as provided in subsection (b), all subjects and property made taxable by the laws of this Commonwealth for county, city, borough, town, township and school district purposes shall, as provided in this chapter, be valued and assessed at the annual rates, including all:

- (1) Real estate, namely:
 - (i) houses;
 - (ii) house trailers and mobile homes permanently attached to land or connected with water, gas, electric or sewage facilities;
 - (iii) buildings permanently attached to land or

- connected with water, gas, electric or sewage facilities;
- (iv) lands, lots of ground and ground rents, trailer parks and parking lots;
- (v) mills and manufactories of all kinds, furnaces, forges, bloomeries, distilleries, sugar houses, malt houses, breweries, tan yards, fisheries, ferries and wharves;
- (vi) all office buildings;
- (vii) that portion of a steel, lead, aluminum or like melting and continuous casting structure which encloses or provides shelter or protection from the elements for the various machinery, tools, appliances, equipment, materials or products involved in the mill, mine, manufactory or industrial process; and
- (viii) telecommunication towers that have become affixed to land.

(1.1) Rights held pursuant to a lease or other agreement subject to the act of July 20, 1979 (P.L.183, No.60), entitled "An act regulating the terms and conditions of certain leases regarding natural gas and oil," to extract, remove or recover gas, including natural gas, or oil shall be subject to taxation as real estate for all county, city, borough, town, township and school district purposes. The rights shall be assessed and taxed separately from the surface property assessment, in the name of the holder of such rights, and valued in accordance with section 8842(d) (relating to valuation of property). The following apply:

(i) A political subdivision shall retain one-half of the revenues collected under this paragraph and shall remit the remainder of the revenues to the State Treasurer who shall allocate the moneys received as follows:

(A) Twenty-five percent shall be deposited in the Motor License Fund for costs of public highway and bridge construction.

(B) Twenty-five percent shall be deposited in the Public Transportation Trust Fund for mass transit programs.

(ii) The provisions of this paragraph are not intended, nor shall they be construed, to affect any other determination, including, but not limited to, the determination of royalty due under mineral leases. Notwithstanding any other provision of law, any tax imposed by this chapter shall not reduce any royalty payments due under mineral leases, and the producer under a mineral lease may not recover any portion of the tax paid from the royalty owner through other means of deduction or reallocation, notwithstanding any provision in the lease, contract or agreement.

(2) All other things now taxable by the laws of this Commonwealth for taxing districts.

Amend Bill, page 2, by inserting between lines 3 and 4

Section 2. Section 8842 of Title 53 is amended by adding a subsection to read:

§ 8842. Valuation of property.

(d) Gas and oil leases.—The valuation of rights held pursuant to a lease or other agreement subject to the act of July 20, 1979 (P.L.183, No.60), entitled "An act regulating the terms and conditions of certain leases regarding natural gas and oil," to extract, remove or recover gas, including natural gas, or oil shall be developed by the county assessor utilizing the income approach to value based upon the discounted value of the rights, supplemented by the sales comparison data approach as deemed necessary by the county assessor. The lessee or operator, or lessor on behalf of the lessee or operator, shall annually, no later than July 1, provide the county assessor with such nonproprietary lease and lease income information as the assessor determines is reasonably needed to determine value. The board may change the assessed valuation of the rights in the event information becomes available that would significantly affect the valuation, including, but not limited to,

commencement of production on or near the property and the depletion of the hydrocarbon gas subject to the lease and related production.

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

3

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

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

I would note that the amendment is substantially different, the same with one exception, and would encourage the gentleman to focus on that difference just for the sake of time.

Mr. PASHINSKI. Thank you, Mr. Speaker. You are very kind.

The Speaker is correct. It is essentially the same amendment. The distribution of the funds is different. The last one, it was 10 percent to the local, to the host; 40 percent for State education; and 50 percent for transportation. This particular amendment is a 50-50 split. Fifty percent of the dollars will stay within the host community, the host county, and 50 percent of the dollars would then come into the Pennsylvania Department of Transportation. Twenty-five percent of it shall be deposited in the Motor License Fund for the cost of public highways and bridge construction, and 25 percent shall be deposited in the Public Transportation Trust Fund for mass transit programs.

Now, once again, I do appreciate everybody's concern over these two amendments. The purpose of these amendments is simply to recognize a source of, a very large source of money that is available to us, that if the amendment passes, we can provide this money for any number of needs within the Commonwealth. We all are working hard trying to figure out a transportation budget. This particular amendment would allow a large sum of money, a large source of dollars, to help pay for the transportation bonds without having to pass on the costs to our constituents. That is the whole point here. These are legitimate amendments that address a legitimate God-given resource that people in all sectors of Pennsylvania are extracting and making money from. And the folks back home are going to be the ones holding the bag until we can come up with sources of dollars to fix the roads without passing it on to our local constituents.

Once again, this is worth hundreds of millions of dollars that can help do that. If we want to keep it just for education, that is our prerogative. This gives 50 percent back to the local communities, that is hundreds of millions of dollars, and 50 percent for our transportation funding needs. I would recommend a strong "yea." Thank you, Mr. Speaker.

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

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

Mr. MAHER. This amendment is indeed very similar to the one which was just defeated. It is unconstitutional. It discriminates one county against another, discriminates between those that own rights versus those who have leased rights. And most remarkably, you are being given another opportunity to vote to take local property taxes and insist that they come up to Harrisburg to be spent. I am sure your local communities are going to really, really be interested that you are voting to take local property taxes and send them to Harrisburg. That is one heck of a vote. I am voting "no."

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

The Speaker recognizes the gentleman, Mr. Pashinski, for the second time.

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

And again, I do appreciate my colleague's comments, but it is sort of like a circle. We tax the people of Pennsylvania. The people of Pennsylvania pay the money to us, the State, and then the State distributes the money in a variety of ways back to the people of Pennsylvania. I want to repeat that. So the gentleman said that this money is going to be coming back to the State, and I am saying, that is what we do here in order to survive. We place taxes on the local people. The local people pay the taxes back to the State. The State takes those taxes and then prioritizes it and redistributes it. It distributes it to places that it is needed.

My amendment simply points out that we have a valuable resource that we are not getting the profit from, and because we as a State are not getting that profit, we then cannot help the constituents of our State. As a result, they are the ones that hold the burden. What is the difference if we pass a fee, what is the difference if we pass a fee increase on a gallon of gas for the people back home to buy and that money comes back here or if we impose a property tax on the minerals below the surface of the earth and that money is used to subsidize the things back home which is preventing a tax burden, it is lessening the tax burden? We have an opportunity right now to do what Pennsylvania has done for decades, and that is reasonably tax the resources that we have.

Remember, to clarify, if you own property and you are not developing that property, there are no taxes. This does not apply. If you own property and you have valuable resources, valuable minerals, and you then in turn lease it to a gas drilling company, they are the ones that are paying you the royalty, they would be the ones paying this tax, not you, not you, the landowner. This is a reasonable opportunity for us to garner the valuable money needed that we must have for transportation, education, pensions, human services. Do not let this opportunity go by. This is a reasonable way to get remuneration for our own natural resources.

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

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

On that question, the Speaker recognizes the gentleman from Armstrong County, Mr. Pyle.

Mr. PYLE. Thanks, Mr. Speaker.

Will the maker of the amendment please rise for a question or two?

The SPEAKER. The gentleman, Mr. Pashinski, says he will stand for interrogation. You may proceed.

Mr. PYLE. Thank you, Mr. Speaker.

Mr. Speaker, let me wrap my head around this. You are saying you want to go back into an already existing tax structure, reopen it, and reassess things that we can tax upon an extraction?

Mr. PASHINSKI. Mr. Speaker, could you speak up a little bit? I am having a little difficulty hearing.

Mr. PYLE. This is not a real strong mike. I could probably yell louder.

Here is my question. Your proposal in this amendment is to go back into existing law, reopen it, and assess an additional surcharge on extraction of natural gas or minerals. Am I following you?

Mr. PASHINSKI. I am asking that my amendment would reestablish the long history of this particular tax. It is on the minerals below the surface of the earth, property tax on the minerals below the surface.

Mr. PYLE. Okay.

Mr. Speaker, another question. I would probably assert – not being a lawyer, I do not know how to phrase this properly – but how do you assess the value of minerals underneath our urban centers? Let us say for fun we decided to sell Hershey Arena or the Constitution Center or Independence Hall, to use a really extreme example. How do we know the value of the minerals and the gas underneath those facilities?

Mr. PASHINSKI. Remember, this only is initiated when the property is being developed. As the property is being developed, you determine what the value of the minerals is below.

Mr. PYLE. So it is—

Mr. PASHINSKI. We could have great mineral value below Independence Hall, but since it is not being developed, there is no tax, there is no charge.

Mr. PYLE. Mr. Speaker, I would be real curious as to how this passes constitutional muster. That is my parliamentary inquiry.

This is a nonuniform applied tax to areas that do develop for natural resource recovery and does not apply to those that do not.

I would ask for a "no" vote, Mr. Speaker. I do not know that I am willing to go far enough to challenge the constitutionality of this, but I think that this is a targeted tax on areas—

The SPEAKER. Is the gentleman done with interrogation?

Mr. PYLE. Yes, I am, Mr. Speaker.

The SPEAKER. The gentleman is in order on— He can continue on the amendment. I just wanted to clarify you had concluded interrogation.

Mr. PYLE. May I speak on the bill?

The SPEAKER. You are in order on the amendment.

Mr. PYLE. Thank you.

Mr. Speaker, the word I hear most describing this State is "diverse," the whole way from Erie, where they have different concerns, down to the great city that has its own concerns. I happen to live in one of those other corners, the lower left corner, where we do an awful lot of gas drilling, coal mining, lumbering. I like to tell people, we are Pennsylvania's treasure chest.

Now, what do we get out of that? Today in the lobby we had people going off about fracking kills babies and blah, blah, blah; all this, that, and the next thing. Here is the truth of it, Mr. Speaker. The fact is, in our history of fracking, which we have been doing for more than 50 years to shallow wells, there have been no great degradations of water sources. In all those years of coal mining, similarly, none.

Mr. Speaker, I do not know how this tax applies fairly to every one of the 67 counties if there are counties that have moratoriums, official council-passed moratoriums on drilling and mining. How would this tax apply fairly across all 67 counties? And hence my constitutional inquiry.

I would urge the members to vote against this amendment. We are way out on the limb of pointing at do not tax you, do not tax me, tax the guy behind the tree. And, Mr. Speaker, right now I am the guy behind the tree. We do not like it. Please vote "no."

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

The gentleman has already been recognized twice. He is not in order.

I apologize. Did the gentleman, Mr. Pyle, formally challenge the constitutionality or just talk about it? You simply were making that point, but you did not formally challenge constitutionality, correct?

Mr. PYLE. As always, the Speaker is entirely correct.

The SPEAKER. The Speaker thanks the gentleman.

The gentleman, Mr. Pashinski, has already been recognized twice and is not in order again. I apologize.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—68

Bishop	DeLuca	Kinsey	Pashinski
Bradford	Dermody	Kirkland	Ravenstahl
Briggs	Donatucci	Kortz	Readshaw
Brown, V.	Evans	Kotik	Roebuck
Brownlee	Fabrizio	Markosek	Rozzi
Caltagirone	Farina	Matzie	Sabatina
Carroll	Flynn	McCarter	Samuelson
Clay	Frankel	McGeehan	Santarsiero
Cohen	Freeman	McNeill	Schlossberg
Conklin	Gainey	Miller, D.	Schreiber
Costa, D.	Haggerty	Miranda	Sims
Daley, M.	Hanna	Molchany	Sturla
Daley, P.	Harkins	Mundy	Thomas
Davis	Harris, J.	Neilson	Vitali
Dean	Kavulich	O'Brien	Waters
Deasy	Keller, W.	Painter	Wheatley
DeLissio	Kim	Parker	Youngblood

NAYS—128

Adolph	Fleck	Kula	Pyle
Aument	Gabler	Lawrence	Quinn
Baker	Gergely	Longietti	Rapp
Barbin	Gibbons	Lucas	Reed
Barrar	Gillen	Mackenzie	Reese
Benninghoff	Gillespie	Maher	Regan
Bizzarro	Gingrich	Mahoney	Roae
Bloom	Godshall	Major	Rock
Boback	Goodman	Maloney	Ross
Brooks	Greiner	Marshall	Saccone
Brown, R.	Grell	Marsico	Sainato
Burns	Grove	Masser	Sankey
Causer	Hackett	McGinnis	Saylor
Christiana	Hahn	Mentzer	Scavello
Clymer	Haluska	Metcalfe	Simmons
Corbin	Harhai	Metzgar	Smith
Cox	Harhart	Micozzie	Snyder
Culver	Harper	Millard	Sonney
Cutler	Harris, A.	Miller, R.	Stephens
Davidson	Heffley	Milne	Stern
Day	Helm	Mirabito	Stevenson
Delozier	Hennessey	Moul	Swanger
Denlinger	Hess	Mullery	Tallman
DiGirolamo	Hickernell	Murt	Taylor

Dunbar	James	Neuman	Tobash
Ellis	Kampf	O'Neill	Toepel
Emrick	Kauffman	Oberlander	Toohil
English	Keller, F.	Payne	Truitt
Evankovich	Keller, M.K.	Peifer	Turzai
Everett	Killion	Petrarca	Vereb
Farry	Knowles	Petri	Watson
Fee	Krieger	Pickett	White

NOT VOTING—0

EXCUSED—7

Boyle, B.	Costa, P.	Galloway	Mustio
Boyle, K.	Cruz	Miccarelli	

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

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

Bill was agreed to.

* * *

The House proceeded to second consideration of **HB 1440, PN 1951**, entitled:

An Act amending the act of November 10, 1999 (P.L.491, No.45), known as the Pennsylvania Construction Code Act, further providing for definitions.

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

Mr. **W. KELLER** offered the following amendment No. **A02262**:

Amend Bill, page 1, line 6, by inserting after "definitions" , for application of act, for powers and duties of the Department of Labor and Industry, for consideration of applications and inspections and for changes in Uniform Construction Code; and providing for training and enforcement programs for cities for the first class and for applicability to certain municipalities

Amend Bill, page 1, line 12, by inserting after "amended" and the section is amended by adding a definition

Amend Bill, page 2, by inserting between lines 11 and 12 "Commercial building." A building, structure or facility that is not a residential building as defined by this act.

* * *

Section 2. Section 104(a) of the act is amended to read:
Section 104. Application.

(a) General rule.—This act shall apply to the construction, alteration, repair [and], occupancy and demolition of all buildings in this Commonwealth.

* * *

Section 3. Sections 105 and 502 of the act are amended by adding a subsection to read:

Section 105. Department of Labor and Industry.

* * *

(a.1) Additional review for cities of the first class.—

(1) The department shall annually, or when reasonable cause exists, review construction code officials, code administrators and third party agencies concerning the enforcement and administration of this act and qualification of

officials under section 701.

(2) The department shall make a report to the city of the first class providing the findings of the review. The report shall include required actions or recommendations to address any deficiency observed by the department.

(3) The department may require compliance with this act through proceedings in Commonwealth Court.

* * *

Section 502. Consideration of applications and inspections.

* * *

(d) Demolition permits in cities of the first class.—

(1) No permit may be granted in a city of the first class for the demolition of a commercial building or multiple single-family dwelling unless the applicant does all of the following:

(i) Submits construction documents, including building and demolition plans and a demolition plan schedule, prepared by a licensed architect or professional engineer.

(ii) Provides a site-safety plan that meets or exceeds Occupational Safety and Health Administration regulations.

(iii) Maintains liability insurance of at least \$1,000,000.

(iv) Provides a cash deposit or bond by a surety company authorized to do business in this Commonwealth in the amount of \$2 per square foot of the property.

(v) Provides notice by certified mail of the application for a demolition permit and demolition plan schedule to adjacent property owners and occupants.

(vi) Complies with any other requirements set forth by the city of the first class or the department.

(2) Upon review of compliance with paragraph (1) and completion of plans review and a site inspection, a construction code official may authorize a demolition permit to be issued.

(3) The code administrator shall preserve records demonstrating compliance with paragraphs (1) and (2) for no less than four years after the completion of the project.

Section 4. Section 503(c) of the act, amended November 29, 2006 (P.L.1440, No.157), is amended and the section is amended by adding a subsection to read:

Section 503. Changes in Uniform Construction Code.

* * *

(c) Modification of minimum requirement.—Subject to the provisions of this act, the municipal governing body may propose and enact an ordinance to equal or exceed the minimum requirements of the Uniform Construction Code under the law governing the adoption of ordinances in that jurisdiction. [An] Except as provided in subsection (c.1), an ordinance under this subsection shall not be effective nor enforceable unless subsections (d), (e), (f), (g), (h) and (i) have been satisfied. Municipalities may enact ordinances pursuant to this section which adopt additional code requirements for alterations or repairs to residential buildings. Municipalities may enact ordinances pursuant to this section which adopt stricter code requirements than required by this act for the regulation of utility and miscellaneous use structures.

(c.1) Cities of the first class.—A city of the first class may approve and enact an ordinance adopting standards for demolition of commercial buildings or multiple single-family dwellings that equal or exceed the minimum requirements of the Uniform Construction Code.

* * *

Section 5. The act is amended by adding sections to read:
Section 704. Training and enforcement programs for cities of the first class.

(a) Additional fee in cities of the first class.—A city of the first class shall assess an additional fee of \$100 on each construction or building permit or demolition permit issued under the authority of this act.

(b) Training and enforcement account.—There is hereby

established within the State Treasury a restricted account which shall be known as the First Class City Construction Code Training and Enforcement Account.

(c) Deposit.—Moneys collected as authorized under subsection (a) shall be transmitted quarterly to the State Treasurer and deposited in the account established in subsection (b). Moneys so deposited are appropriated on approval of the Governor to the Department of Community and Economic Development and the department for the following purposes:

(1) To support additional training activities for code officials and contractors in cities of the first class.

(2) For grants to cities of the first class for enhanced enforcement, including for increased staffing of code administrators, officials and inspectors and associated administrative costs.

(3) For costs related to reviews by the department under section 105(a.1).

(4) For costs of administering the account established in subsection (b).

Section 902.1. Applicability to certain municipalities.

Notwithstanding any other provision of this act, a municipality may approve and enact an ordinance under the law governing the adoption of ordinances in that jurisdiction to adopt the requirements for cities of the first class set forth in sections 105(a.1), 502(d) and 503(c.1).

Amend Bill, page 2, line 12, by striking out "2" and inserting
6

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

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

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

On Wednesday, June 5, there was a tragedy in the city of Philadelphia. A building collapsed, killing six people who were in the Salvation Army store next door of a building that was being demolished. This was the first bill available to amend, to address some of the problems that occurred that day. But I spoke to the chairman, and he is willing to have a hearing on this subject early July in Philadelphia on the problems we are having with the demolition.

AMENDMENT WITHDRAWN

Mr. W. KELLER. So because of the cooperation with Chairman Scavello, I will be pulling this bill today, but we will be having a hearing, and hopefully we will have a better bill that we could address, so this – we are always reactionary, but we hope this tragedy never happens again.

Thank you, Mr. Speaker.

The SPEAKER. The Speaker thanks the gentleman.

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

GUESTS INTRODUCED

The SPEAKER. I want to introduce a couple other guests that are with us. To the left of the Speaker, as the guests of Representative Knowles, Tobash, and Goodman, I would like to welcome Dr. Couch from PSU Schuylkill, along with his granddaughter, Stephanie Hartz, and Damian Munroz, who is a

senior at Tamaqua High School. Will our guests please rise. Welcome to the hall of the House.

SUPPLEMENTAL CALENDAR B

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 644, PN 1173**, entitled:

An Act amending Titles 3 (Agriculture) and 34 (Game) of the Pennsylvania Consolidated Statutes, providing for swine hunting preserves; and further providing for the definition of "wild animals."

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—172

Adolph	Farry	Krieger	Petri
Aument	Fee	Kula	Pickett
Baker	Fleck	Lawrence	Pyle
Barbin	Flynn	Longietti	Quinn
Barrar	Gabler	Lucas	Rapp
Benninghoff	Gainey	Mackenzie	Ravenstahl
Bizzarro	Gergely	Maher	Readshaw
Bloom	Gibbons	Mahoney	Reed
Boback	Gillen	Major	Reese
Brooks	Gillespie	Maloney	Regan
Brown, R.	Gingrich	Markosek	Roae
Brown, V.	Godshall	Marshall	Rock
Burns	Goodman	Marsico	Ross
Caltagirone	Greiner	Masser	Rozzi
Causar	Grell	Matzie	Sabatina
Christiana	Grove	McGeehan	Saccone
Clay	Hackett	McGinnis	Sainato
Clymer	Haggerty	McNeill	Sankey
Cohen	Hahn	Mentzer	Saylor
Conklin	Haluska	Metcalfe	Scavello
Corbin	Hanna	Metzgar	Simmons
Costa, D.	Harhai	Micozzie	Smith
Cox	Harhart	Millard	Snyder
Culver	Harkins	Miller, D.	Sonney
Cutler	Harper	Miller, R.	Stephens
Daley, M.	Harris, A.	Milne	Stern
Daley, P.	Heffley	Mirabito	Stevenson
Day	Helm	Miranda	Sturla
Deasy	Hennessey	Molchany	Swanger
Delozier	Hess	Moul	Tallman
DeLuca	Hickernell	Mullery	Taylor
Denlinger	James	Mundy	Thomas
Dermody	Kampf	Murt	Tobash
DiGirolamo	Kauffman	Neuman	Toepel
Dunbar	Keller, F.	O'Brien	Toohil
Ellis	Keller, M.K.	O'Neill	Truitt
Emrick	Keller, W.	Oberlander	Turzai
English	Killion	Painter	Vereb
Evankovich	Kinsey	Parker	Waters
Evans	Kirkland	Pashinski	Watson

Everett	Knowles	Payne	Wheatley
Fabrizio	Kortz	Peifer	White
Farina	Kotik	Petrarca	Youngblood

NAYS—24

Bishop	Davis	Harris, J.	Samuelson
Bradford	Dean	Kavulich	Santarsiero
Briggs	DeLissio	Kim	Schlossberg
Brownlee	Donatucci	McCarter	Schreiber
Carroll	Frankel	Neilson	Sims
Davidson	Freeman	Roebuck	Vitali

NOT VOTING—0

EXCUSED—7

Boyle, B.	Costa, P.	Galloway	Mustio
Boyle, K.	Cruz	Miccarelli	

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

Ordered, That the clerk return the same to the Senate with the information that the House has passed the same with amendment in which the concurrence of the Senate is requested.

* * *

The House proceeded to third consideration of **HB 1483, PN 1934**, entitled:

An Act amending the act of July 5, 2012 (P.L.995, No.112), known as the Portable Electronics Insurance Act, further providing for authority of vendors of portable electronics and for termination of portable electronics insurance.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

Mr. DeLUCA. Mr. Speaker, I want to commend the maker of this bill, mainly because of the fact that she had passed this last session, she realized there was a flaw in it, and the fact that she came back, corrected the bill, and corrected the flaw. I want to wholeheartedly congratulate her and commend her for the fine job she did on this piece of legislation, that is a consumer piece of legislation. So I want to congratulate her and ask my members to vote "yes" on it.

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—196

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

NAYS—0

NOT VOTING—0

EXCUSED—7

Boyle, B.	Costa, P.	Galloway	Mustio
Boyle, K.	Cruz	Miccarelli	

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

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

* * *

The House proceeded to third consideration of **SB 194, PN 135**, entitled:

An Act amending the act of March 20, 2002 (P.L.154, No.13), known as the Medical Care Availability and Reduction of Error (Mcare) Act, in regulation of medical professional liability insurance, repealing provisions relating to reports to commissioner and claims information.

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 Delaware County, Mr. Micozzie.

Mr. MICOZZIE. Thank you, Mr. Speaker.

We passed a similar House bill with the same information. The bill promotes government efficiency by eliminating the requirement that the Insurance Department comprise any unnecessary report on medical malpractice-related claims data. I ask a "yes" vote on this.

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

LETTER SUBMITTED FOR THE RECORD

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

Mr. DeLUCA. Thank you, Mr. Speaker.

Mr. Speaker, before we pass this, I would like to submit a letter to the Insurance Commissioner for the record to make sure that he continues, even though we are cutting the mandate for him to submit it all the time, that he consider sending the chairmen, the four chairmen, a report once a year, and I want to submit this letter, instead of reading it into the record, into the record. I want to submit it.

The SPEAKER. Will the gentleman suspend one second. Is that a letter from you to the—

Mr. DeLUCA. From me.

The SPEAKER. —Insurance Commissioner—

Mr. DeLUCA. From me.

The SPEAKER. —that you would like on the record?

Mr. DeLUCA. From myself and Chairman Micozzie.

The SPEAKER. Thank you.

Mr. DeLUCA. It is a joint letter from the chairmen to the Insurance Commissioner, asking him to make sure that in the record he knows that he has to submit this once a year to the Insurance chairmen.

The SPEAKER. Provide it to the clerk, and the letter will be noted in the record.

Mr. DeLUCA. And I support wholeheartedly this piece of legislation. Thank you.

(For letter, see Appendix.)

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—196

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

NAYS—0

NOT VOTING—0

EXCUSED—7

Boyle, B.	Costa, P.	Galloway	Mustio
Boyle, K.	Cruz	Miccarelli	

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

Ordered, That the clerk return the same to the Senate with the information that the House has passed the same without amendment.

* * *

The House proceeded to third consideration of **SB 419, PN 1158**, entitled:

An Act amending the act of August 11, 1967 (P.L.205, No.69), entitled "An act to validate conveyances and other instruments which have been defectively acknowledged," extending the date for validation of certain conveyances and other instruments.

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—196

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

Dermody	Kavulich	Oberlander	Turzai
DiGirolamo	Keller, F.	Painter	Vereb
Donatucci	Keller, M.K.	Parker	Vitali
Dunbar	Keller, W.	Pashinski	Waters
Ellis	Killion	Payne	Watson
Emrick	Kim	Peifer	Wheatley
English	Kinsey	Petrarca	White
Evankovich	Kirkland	Petri	Youngblood

NAYS—0

NOT VOTING—0

EXCUSED—7

Boyle, B.	Costa, P.	Galloway	Mustio
Boyle, K.	Cruz	Miccarelli	

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

Ordered, That the clerk return the same to the Senate with the information that the House has passed the same with amendment in which the concurrence of the Senate is requested.

* * *

The House proceeded to third consideration of **SB 865, PN 976**, entitled:

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 penalties involving liquefied ammonia gas, precursors and chemicals.

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—196

Adolph	Evans	Knowles	Pickett
Aument	Everett	Kortz	Pyle
Baker	Fabrizio	Kotik	Quinn
Barbin	Farina	Krieger	Rapp
Barrar	Farry	Kula	Ravenstahl
Benninghoff	Fee	Lawrence	Readshaw
Bishop	Fleck	Longiatti	Reed
Bizzarro	Flynn	Lucas	Reese
Bloom	Frankel	Mackenzie	Regan
Boback	Freeman	Maher	Roae
Bradford	Gabler	Mahoney	Rock
Briggs	Gainey	Major	Roebuck
Brooks	Gergely	Maloney	Ross
Brown, R.	Gibbons	Markosek	Rozzi
Brown, V.	Gillen	Marshall	Sabatina
Brownlee	Gillespie	Marsico	Saccone

Burns	Gingrich	Masser	Sainato
Caltagirone	Godshall	Matzie	Samuelson
Carroll	Goodman	McCarter	Sankey
Causer	Greiner	McGeehan	Santarsiero
Christiana	Grell	McGinnis	Saylor
Clay	Grove	McNeill	Scavello
Clymer	Hackett	Mentzer	Schlossberg
Cohen	Haggerty	Metcalfe	Schreiber
Conklin	Hahn	Metzgar	Simmons
Corbin	Haluska	Micozzie	Sims
Costa, D.	Hanna	Millard	Smith
Cox	Harhai	Miller, D.	Snyder
Culver	Harhart	Miller, R.	Sonney
Cutler	Harkins	Milne	Stephens
Daley, M.	Harper	Mirabito	Stern
Daley, P.	Harris, A.	Miranda	Stevenson
Davidson	Harris, J.	Molchany	Sturla
Davis	Heffley	Moul	Swanger
Day	Helm	Mullery	Tallman
Dean	Hennessey	Mundy	Taylor
Deasy	Hess	Murt	Thomas
DeLissio	Hickernell	Neilson	Tobash
Delozier	James	Neuman	Toepel
DeLuca	Kampf	O'Brien	Toohil
Denlinger	Kauffman	O'Neill	Truitt
Dermody	Kavulich	Oberlander	Turzai
DiGirolamo	Keller, F.	Painter	Vereb
Donatucci	Keller, M.K.	Parker	Vitali
Dunbar	Keller, W.	Pashinski	Waters
Ellis	Killion	Payne	Watson
Emrick	Kim	Peifer	Wheatley
English	Kinsey	Petrarca	White
Evankovich	Kirkland	Petri	Youngblood

NAYS—0

NOT VOTING—0

EXCUSED—7

Boyle, B.	Costa, P.	Galloway	Mustio
Boyle, K.	Cruz	Miccarelli	

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

Ordered, That the clerk return the same to the Senate with the information that the House has passed the same without amendment.

* * *

The House proceeded to third consideration of **HB 1482, PN 2002**, entitled:

An Act authorizing the Department of General Services, with the approval of the Governor and the Department of Military and Veterans Affairs, to grant and convey to Gettysburg Foundation, or its successors or assigns, certain land situate in Gettysburg Borough, Adams County; to grant and convey to the Scranton School District, or its successors or assigns, certain lands situate in the City of Scranton, Lackawanna County; to grant and convey to Redevelopment Authority of the City of Bethlehem, or its successors or assigns, certain land situate in the City of Bethlehem, Lehigh County; and to grant and convey to La Salle University, or its successors or assigns, certain land and improvements situate in the 17th Ward (formerly 49th Ward), City of Philadelphia, Philadelphia County, known as the Ogontz Armory; and authorizing the Department of General Services, with the approval of the Governor and the Department of Transportation, to grant and convey to the City of Lock Haven certain lands situate in the City of Lock Haven, Clinton 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?

Is the gentleman seeking recognition on this?

On the question recurring,
Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—196

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

NAYS-0

NOT VOTING-0

EXCUSED-7

Boyle, B.	Costa, P.	Galloway	Mustio
Boyle, K.	Cruz	Miccarelli	

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 128, PN 126**, entitled:

An Act amending the act of September 23, 1959 (P.L.970, No.400), referred to as the Second Class A City Employee Pension Law, further providing for credit for military service.

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 Lackawanna County, Mr. Haggerty.

Mr. HAGGERTY. Thank you, Mr. Speaker.

Mr. Speaker, we have a firefighter from Scranton down here today who served in the United States Navy from 1977 to 1982, and unlike every other place in the Commonwealth, when he came home to the city he was born and raised in and became a firefighter, he could not buy back his military time. Now, every day in this Assembly I listen to testimony from the Representatives talking about their veterans and their stories of courage and commitment, but if you are born in the city of Scranton and you serve in the United States military, when you come home, you are not recognized and you are unable to buy back your military time.

We cannot change the past. Families have served our country, come home, and served as police and firefighters and then retired, never, ever collecting their military time. We can change the future. So I would ask, although this is a bill for the city of Scranton, a bill for the firefighters and employees and police, it is also a bill for the city of Scranton that really needs a little spark right now. I humbly ask for your support of this bill.

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-196

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

NAYS-0

NOT VOTING-0

EXCUSED-7

Boyle, B.	Costa, P.	Galloway	Mustio
Boyle, K.	Cruz	Miccarelli	

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 131, PN 128**, entitled:

An Act amending the act of July 3, 1947 (P.L.1242, No.507), entitled "An act relating to police and firemen's pension funds in cities of the second class A, and directing such cities to appropriate certain moneys thereto, and requiring reports and audits," further providing for credit for military service.

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 Lackawanna County, Mr. Haggerty.

Mr. Haggerty. Thank you, Mr. Speaker.

This is a package bill. When this bill came out of the Urban Affairs Committee with a unanimous vote, I approached Chairman Gillespie and Chairman Harhai and I thanked them for their support. Not only do they support this bill, they knew the names of the Scranton firefighters. They are not the Representatives from my hometown, but they knew their names. They know the importance. They know the history of our veterans in this country, and it is about time that we corrected this wrong for the citizens of Scranton, Pennsylvania.

Again, I humbly ask for your support of this bill.

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—196

Adolph	Evans	Knowles	Pickett
Aument	Everett	Kortz	Pyle
Baker	Fabrizio	Kotik	Quinn
Barbin	Farina	Krieger	Rapp
Barrar	Farry	Kula	Ravenstahl
Benninghoff	Fee	Lawrence	Readshaw
Bishop	Fleck	Longietti	Reed
Bizzarro	Flynn	Lucas	Reese
Bloom	Frankel	Mackenzie	Regan
Boback	Freeman	Maher	Roae
Bradford	Gabler	Mahoney	Rock
Briggs	Gainey	Major	Roebuck
Brooks	Gergely	Maloney	Ross
Brown, R.	Gibbons	Markosek	Rozzi
Brown, V.	Gillen	Marshall	Sabatina
Brownlee	Gillespie	Marsico	Saccone
Burns	Gingrich	Masser	Sainato
Caltagirone	Godshall	Matzie	Samuelson
Carroll	Goodman	McCarter	Sankey
Causar	Greiner	McGeehan	Santarsiero
Christiana	Grell	McGinnis	Saylor
Clay	Grove	McNeill	Scavello
Clymer	Hackett	Mentzer	Schlossberg
Cohen	Haggerty	Metcalfe	Schreiber
Conklin	Hahn	Metzgar	Simmons
Corbin	Haluska	Micozzie	Sims

Costa, D.	Hanna	Millard	Smith
Cox	Harhai	Miller, D.	Snyder
Culver	Harhart	Miller, R.	Sonney
Cutler	Harkins	Milne	Stephens
Daley, M.	Harper	Mirabito	Stern
Daley, P.	Harris, A.	Miranda	Stevenson
Davidson	Harris, J.	Molchany	Sturla
Davis	Heffley	Moul	Swanger
Day	Helm	Mullery	Tallman
Dean	Hennessey	Mundy	Taylor
Deasy	Hess	Murt	Thomas
DeLissio	Hickernell	Neilson	Tobash
DeLozier	James	Neuman	Toepel
DeLuca	Kampf	O'Brien	Toohil
Denlinger	Kauffman	O'Neill	Truitt
Dermody	Kavulich	Oberlander	Turzai
DiGirolamo	Keller, F.	Painter	Vereb
Donatucci	Keller, M.K.	Parker	Vitali
Dunbar	Keller, W.	Pashinski	Waters
Ellis	Killion	Payne	Watson
Emrick	Kim	Peifer	Wheatley
English	Kinsey	Petrarca	White
Evankovich	Kirkland	Petri	Youngblood

NAYS—0

NOT VOTING—0

EXCUSED—7

Boyle, B.	Costa, P.	Galloway	Mustio
Boyle, K.	Cruz	Miccarelli	

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 **SB 4, PN 347**, entitled:

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, providing for criteria for institutions of purely public charity.

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

The **SPEAKER**. The gentleman from Allegheny County, Mr. Frankel, did you want recognized prior to calling up the amendments, or are you—

Mr. FRANKEL. Mr. Speaker, I would like to make a motion, a motion on the bill.

The **SPEAKER**. You would like to be recognized on the bill then as it is, right? Thank you.

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

MOTION TO RECOMMIT

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

Mr. FRANKEL. Thank you, Mr. Speaker.

Mr. Speaker, I rise to make a motion to recommit SB 4 to the Finance Committee in order to hold public hearings on this important legislation.

The SPEAKER. The gentleman from Allegheny County, Mr. Frankel, moves that SB 4 be recommitted to the Finance Committee.

On the question,

Will the House agree to the motion?

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

Mr. FRANKEL. Thank you, Mr. Speaker.

Mr. Speaker, I am making this motion to recommit SB 4 out of a genuine interest in handling this important issue deliberatively and with great care. Unfortunately, we are revisiting this almost 12 months after the first time this bill came to the floor, and we really did not have a clue what had happened. It had passed the Senate. I do not think there was much understanding of what was included because there had been no hearings, and there have been no hearings this session either in either chamber, while there are many concerns, and you will hear some. If we do not vote to recommit, you are going to hear some of the concerns in the form of amendments that I think should have been dealt with during substantive hearings about the implications of this bill. This is not about mucking up the process or being an obstructionist. This is about getting this bill right.

SB 4 passed our House Finance Committee after a few minutes of questions and debate from both sides. However, as the members of that committee can tell you, there were no hearings, public or otherwise, held on SB 4. Despite repeated requests from our members on the Finance Committee, the bill was rushed through the process and is now before us on the House floor. Mr. Speaker, we cannot in good conscience move this bill any further without proper hearings to determine the real effects of this legislation if it is enacted.

I believe it boils down to two simple issues. First, this bill would cement in place the misguided idea that all purely public charities should be judged by the same standards and criteria. That is simply not good public policy. I have an amendment that would call for us to look at large hospital organizations differently. We may have an opportunity to talk about that, but we should really be talking about that issue during a hearing so that everybody has an opportunity, all the stakeholders, to weigh in. Pennsylvania is home to some of the best hospitals and organizations in the world, but some of these organizations generate hundreds of millions of dollars in revenue and own hundreds of acres of tax-exempt property. Meanwhile, the local boys and girls club down the street has to hold a bake sale every other weekend just to keep up with their expenses. So how can these two completely different entities still be held to the same criteria and standard? It does not make sense. We need to refer this bill back to the Finance Committee so that we can take a serious look at why we are using a one-size-fits-all approach to defining purely public charities.

Secondly, Mr. Speaker, we need to refer this bill back to the committee, because once this train has left the station, we will not have a chance to make changes to this language again, and the reason I say that is because we are dealing with an amendment to the State Constitution. There is no more sacred document than our Constitution, and the process for amending that document is meant to be rigorous and thorough and it is meant to be difficult. The legislature would have to pass SB 4 in two consecutive sessions, and then the language would have to be placed on a referendum and voted affirmatively by a majority of voting Pennsylvanians. Here is the catch: The language cannot be changed at all between passage in the first session and passage in the second session.

So those out there who have argued that passing SB 4 is just the first step in the process while hiding behind the pretense that we will somehow be able to substantively revisit the bill next session are being disingenuous. If SB 4 passes the House this week, there will be an enormous amount of pressure not to tamper with the bill in the next session. If we were to change even one word, one apostrophe in the next bill in the next session, the process would be stopped in its tracks and supporters of SB 4 would be forced to start over.

Let us be clear, passing SB 4 now ties our hands tomorrow. We need to rerefer this bill to the House Finance Committee so we can hold at least one legitimate public hearing to talk about the ramifications of its passage. And I understand that the chairman of the Finance Committee is going to hold a relevant hearing in August. Why not wait till we have that hearing and then reconsider this bill when we have an opportunity to hear from the stakeholders who feel so strongly about this on both sides of the issue? This is not a Republican or Democratic issue. We are not trying to be obstructionists. We are doing our job.

I ask all my colleagues to consider the plight of your constituents and your local municipalities. SB 4 presents a genuine threat to cement in place a misguided law that handcuffs our local municipalities and prevents them from successfully challenging the tax-exempt status of some who purport to be purely public charities providing tax relief to our constituents.

I ask my colleagues to support this motion so that we can fulfill our obligation to do our job, to give thoughtful due diligence in consideration to a bill that will change our Constitution. We need to do that. I think it is a responsible approach, and I ask for bipartisan support for this motion. Thank you.

The SPEAKER. On the motion to recommit, the Speaker recognizes the gentleman from Centre County, Mr. Benninghoff.

Mr. BENNINGHOFF. Thank you, Mr. Speaker.

As chairman of the House Finance Committee, I respectfully disagree with the previous gentleman speaking for multiple reasons. Number one, this issue is not new to the legislature, as he eloquently said. This was on the table last year, 1 year ago. Subsequently, we ran HB 74 – pardon me – 724, which was my version of this, identical to SB 4. It came through the House Finance Committee after some long discussion in a bipartisan manner with no amendments. Subsequently, we recently discussed and debated this bill, SB 4, on the same premises with no amendments.

Three hundred sixty-five days, roughly, of time that amendments could have been drafted, and now the bill is before you and we are being asked to delay it. Yes, it is true that

I made an offer as a response to the committee members to host a hearing, but the hearing is on not this bill but on the issue that they are concerned with, and that is Act 55 of 1997. Some of you were present when that was drafted. That talks about the qualifications of who is eligible under the Purely Public Charity Act. The Senate bill does not do that. SB 4 is very straightforward, and I would ask you to oppose this motion. And if you would like, you can attend the hearing that we have planned in August at the request of the minority party to address their concerns which are specific to Act 55, and not SB 4.

Thank you, Mr. Speaker.

The SPEAKER. On the motion to recommit, the Speaker recognizes the lady from Luzerne County, Ms. Mundy.

Ms. MUNDY. Thank you, Mr. Speaker.

I rise in support of the motion to recommit. We need a public hearing on this bill. We need to hear from the stakeholders. We are hearing via letter from our school districts, from our local municipalities and counties. Clearly, we did not consider enough Act 55 when we passed it and now is the time, not in August, but now is the time to be fully informed on what SB 4's implications will be for local property tax payers and others. There has been a proliferation of nonprofits since Act 55 passed. And it is very clear by way of the letters that we are hearing from or we are getting from our municipalities, our school districts, and our counties that we need to revisit this issue. Once we pass this constitutional amendment as it is currently drafted, it cannot be changed next session or it would be another session before we could take it up. I frankly do not believe that I have enough information about the implications of this bill to vote for it today.

We asked for a public hearing on SB 4. We need a public hearing on SB 4, and it needs to be held by the Finance Committee. So until I have enough information from all the stakeholders and we have hashed out the implications of SB 4—And it is not as simple as who has the power, the courts or the legislature. If that were the only issue, I would not be standing here asking for a hearing.

On an issue as important as amending the State Constitution, we need to be thoroughly informed about the implications, and we are not today. I support the motion to recommit.

The SPEAKER. On the motion to recommit, the Speaker recognizes the gentleman from Lancaster County, Mr. Sturla.

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, I support the motion to recommit, and as someone who was here when Act 55 was passed, I voted against that then also because we did not, I believe, properly vet that either. But going back and vetting it after we have already locked in the language on SB 4 does not make a whole lot of sense.

Mr. Speaker, I understand if you have a district where the majority of the not-for-profits do not own property. You know, you can have a thousand Little League baseball teams and, you know, organizations that do good in your community, and as long as they do not own any property, everything they do is a positive for the community. But when you start getting into communities, and there are many of them in this State, where the purely public charity also owns substantial property—

The SPEAKER. The gentleman, I believe, needs to focus on whether or not the bill needs to be recommitted or not, not the substance of the bill, please.

Mr. STURLA. Mr. Speaker, the reason that we need to recommit is to be able to talk about those municipalities that have in many cases 25 going on 30 percent of their property as tax-exempt.

Should SB 4 be put on the ballot and approved in its current form, those municipalities, as it stands by this legislation, would have no recourse in the event that more not-for-profit, charitable organizations that may serve a wide range of constituents outside that municipality could end up having 50 or 60 or 70 percent of their property be tax-exempt. That becomes beyond unsustainable. In many communities, 25 percent is unsustainable right now. We need to take this legislation, put it back in committee, and talk about those things.

Look, I support every one of the not-for-profit, charitable organizations in my district. I want them there, I want them to thrive, but I also do not want to kill my municipality in the process. That is all we are asking for, is time for people to understand the ramifications of this before we put it in stone so that it has to go on the ballot in the exact form set forth right now.

Mr. Speaker, I encourage a vote to recommit.

The SPEAKER. On the motion to recommit, the Speaker recognizes the lady from Montgomery County, Mrs. Dean.

Mrs. DEAN. Thank you, Mr. Speaker.

I, too, rise in support of my colleague's motion to recommit to the Finance Committee. As a member of the Finance Committee, I was in the hearing, in the meeting where we held discussion on this SB 4, which would amend our Pennsylvania Constitution, for only several minutes. I, too, with other colleagues, asked for hearings on SB 4, and I commend the good chairman for calling for hearings on this, which we just got notice of today.

So I ask that we not work in reverse, not pass a bill that we are going to have to then try to revisit, which of course we cannot if we are going to try to do a constitutional amendment. So I think that we should not be working in reverse. We should work in a much more logical way and honor the fact that we are now going to have hearings on this.

So I urge a "yes" vote on the motion to recommit. Thank you, Mr. Speaker.

The SPEAKER. On the motion to recommit, the Speaker recognizes the gentleman from Cambria County, Mr. Barbin.

Mr. BARBIN. Thank you, Mr. Speaker.

I also rise to ask the House to recommit this bill for the following reason: I represent the city of Johnstown, and the city of Johnstown is a distressed municipality. Over 50 percent of the value of the real estate in the city is either owned by nonprofits or by the Federal government. We have gotten to the point now where we are almost at an unsustainable level of tax for residential homeowners.

This bill is a result of a Supreme Court decision that came out in the fall of 2012 that said basically the Constitution requires the court to define purely public charity before Act 55 can be applied. This bill's purpose is to say that the Supreme Court no longer has the right to make that judgment call before applying Act 55. No hearings have been held on that issue, which has many constitutional issues and it has many practical issues. Both the Pennsylvania School Boards Association and the Pennsylvania Township Supervisors are against this bill because they have not had a chance to put language in it that would make sure that their concerns are met.

What I am asking the House to do today is to recommit the bill, allow at least one hearing so that if we are going to change the language of our Constitution that is going to forever say that nonprofits and every property that they ever purchase is tax-exempt, we at least do it after a full hearing, because if we do not, we will be in the same position that the Federal government is in with nonprofits now. In the sixties, nonprofits represented about 2 percent of the exempt entities on the Federal level. Now nonprofits are over 16 percent.

So what you have done is, on the Federal level, you have allowed the 501(c)(3) to become almost the standard operating business model, and if we do this, if we pass a constitutional amendment that says that the legislature will say all nonprofits' property is forever exempt, we are going to do the same thing for our real estate tax basis, and anybody who is in Act 47 or anywhere near it is going to be pushed into bankruptcy.

I ask that this matter be recommitted so that we can make sure we do not make a bad situation already worse for the Act 47 or those close to it.

The SPEAKER. On the motion to recommit, the Speaker recognizes the majority leader, Mr. Turzai.

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

I would ask the members to please oppose the motion to recommit. Thank you.

The SPEAKER. On the motion to recommit, the gentleman from Philadelphia County, Mr. Cohen.

Mr. COHEN. Thank you, Mr. Speaker.

Some years ago Will Rogers urged everybody to invest in land because, he said, they are not making any more of it. That is the essential problem that many areas of Pennsylvania face. There just simply is not enough land, and the land that goes for worthwhile nonprofit purposes simply cannot be going for private-sector, tax-generating purposes.

During the Rendell administration, the city of Philadelphia was able, when Ed Rendell was mayor of Philadelphia, to negotiate voluntary agreements with many institutions of purely private charity. They signed a 5-year agreement to get the city over a rough spot in which they contributed roughly \$30 million a year. Only one institution still follows that agreement today, and it is an institution in my district, Albert Einstein Medical Center. It is a worthwhile thing to have nonprofits pay some money to the city. It helps to provide money for city services. It reduces tension between the nonprofits and the taxpayers.

This proposal is not well crafted. It was rushed through too speedily. More thorough consideration would be in our interest and the interests of many Pennsylvanians. I urge a vote to recommit this to the Finance Committee.

The SPEAKER. On the motion to recommit, the Speaker recognizes the lady from Philadelphia County, Ms. DeLissio.

Ms. DeLISSIO. Thank you, Mr. Speaker.

Mr. Speaker, I rise to give my support to this motion to recommit.

I was here last year when this was brought up literally at 10 or 10:30 at night. It was the first we had heard of this. One might say this is a year later in the light of day. However, from the mail that I have received, it is clear that the very special interest groups have gotten this bill this far without any type of public input, and I am here to represent my constituents who individually and collectively have a major concern that their own lives will be adversely affected and want the opportunity to weigh into this before SB 4 is put up for a vote today.

So for that reason I support this recommittal back to the Finance Committee for very public hearings to be very inclusive of all the citizens of the Commonwealth to make sure all their needs are represented.

Thank you, Mr. Speaker.

LEAVE OF ABSENCE CANCELED

The SPEAKER. The Speaker returns to leaves of absence and recognizes the presence on the floor of the gentleman, Mr. Paul Costa, from Allegheny County. Without objection, his name will be added back to the master roll call.

CONSIDERATION OF SB 4 CONTINUED

The SPEAKER. On the motion to recommit, those in favor of the motion— Excuse me; I apologize.

The Speaker recognizes the gentleman from Allegheny County, Mr. Frankel, for the second time.

Mr. FRANKEL. Thank you, Mr. Speaker.

I just really would appeal to the better angels, because when you are talking about something as important, as sacred as amending the Constitution of our State, to handle it in such a cavalier manner, not one single hearing; yes, a discussion in committee is just not the way we ought to be comporting ourselves in the way we fulfill our duties.

This is serious business. There is a great deal at stake. Many of us believe that Act 55, that is really the subject matter of this, is a property tax relief program for the largest nonprofits in our State that are some of the largest corporations in our State, and we ought to have some input. There is a world of difference between a Catholic charity's institution, a church, a synagogue, and a large health-care system, and we ought to take the opportunity to carefully consider that here, and it is not about nonprofits. This is about defining not just a nonprofit but a purely public charity.

We need to be very careful about this. We really need to take a deliberative process here. That is what our constituents really expect from us. And we get a lot of criticism, but today to talk about moving this forward, a constitutional amendment, without doing the due diligence that really is required of us is irresponsible.

So I ask you all – again, I am not trying to be an obstructionist here – let us refer this back, recommit it back to the committee. Let us do this in a responsible way, come back in September and consider the bill on its merits that have been vetted by stakeholders and each of us individually.

So thank you so much. I hope that we can get bipartisan support to do our job in the appropriate manner on a constitutional issue. Thank you.

The SPEAKER. On the motion to recommit, the Speaker recognizes the gentleman, Mr. Benninghoff, for the second time.

Mr. BENNINGHOFF. Very briefly, Mr. Speaker, I would again ask the members to vote "no" to recommittal.

There have been a lot of smoke screens being put up here. The reality is, all we are in the Senate bill is trying to reiterate what is in current law that you, the House of Representatives, elected by the people in your area, should determine what are purely public charities and not the courts, period. What they want to do and what they want to have debates and hearings on

is in Act 55, which I have already acknowledged I will have hearings this summer on.

Very simple, vote "no." Thank you.

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

The following roll call was recorded:

YEAS—86

Barbin	DeLuca	Kirkland	Parker
Bishop	Dermody	Kortz	Pashinski
Bizzarro	Donatucci	Kotik	Peifer
Bradford	Evans	Kula	Ravenstahl
Briggs	Fabrizio	Mahoney	Readshaw
Brown, V.	Farina	Markosek	Roebuck
Brownlee	Flynn	Masser	Rozzi
Burns	Frankel	Matzie	Sabatina
Caltagirone	Freeman	McCarter	Samuelson
Carroll	Gainey	McGeehan	Santarsiero
Clay	Gergely	McNeill	Schlossberg
Cohen	Gibbons	Miller, D.	Schreiber
Conklin	Goodman	Mirabito	Sims
Costa, D.	Haggerty	Miranda	Snyder
Costa, P.	Haluska	Molchany	Sturla
Daley, M.	Hanna	Mullery	Thomas
Daley, P.	Harkins	Mundy	Vitali
Davidson	Harris, J.	Neilson	Waters
Davis	Kavulich	Neuman	Wheatley
Dean	Keller, W.	O'Brien	White
Deasy	Kim	Painter	Youngblood
DeLissio	Kinsey		

NAYS—111

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

NOT VOTING—0

EXCUSED—6

Boyle, B.	Cruz	Miccarelli	Mustio
Boyle, K.	Galloway		

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 agree to the bill on second consideration?

Mr. **FRANKEL** offered the following amendment
No. **A01516**:

Amend Bill, page 1, line 17, by striking out the period after "section" and inserting
, including additional uniform standards and qualifications for hospital organizations seeking designation as institutions of purely public charity.

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.

Well, I hope that we have an opportunity, at least through this amendment process, to consider some of the things that we would have at least thought about in hearings.

And I rise to offer amendment 01516, which recognizes that the one-size-fits-all approach to determining tax-exempt purely public charities is not in the best interest of the Commonwealth.

The amendment simply says that if the legislature grants itself the power to find a purely public charity, we should create additional separate standards for health-care organizations apart from the standards that already exist under Act 55. My amendment acknowledges the legislature's ability to grant itself the power to determine purely public charities and it even acknowledges that in some cases Act 55 enables worthy charities to serve their communities without an undue tax burden, but if we are going to change our Constitution regarding who sets the standards for purely public charities, we should take this opportunity to differentiate from the too-big-to-fail nonprofit hospital systems and the local boys clubs and girls clubs. My amendment separates the health-care industry from other nonprofits by saying that health-care organizations, large ones, should have to meet a separate set of standards. Health care and hospital organizations are fundamentally different than a local community center, the Catholic Charities, Refugee Resettlement Program, Big Brothers Big Sisters, or the public radio station, or the universities across our Commonwealth. How different.

Health care makes up close to 20 percent of the gross domestic product. That is big business. Last year the top 260 hospitals and health-care-related nonprofits in Pennsylvania generated more than \$40 billion in revenue. That is enough to fund almost two entire State budgets, and it is more revenue than the rest, the entire rest of the State's 25,000 nonprofits made last year combined. This is big business. In fact, an industry survey released this month found that hospital executives are the highest paid executives of any industry, more than financial services, technology, or industrial goods. This is big business. When we look at large hospital organizations compared to our smaller food pantries or religiously affiliated charities, it is hard to make a direct comparison based simply on

the numbers. It is hard to figure out why Pennsylvania law treats all not-for-profits the same when determining the criteria for a purely public charity.

In the absence of hearings on this important issue, I stand to offer an amendment that simply calls for common sense. Let us take size, dollar amounts, community impact, and all other factors into consideration when we determine purely public charities and how they are defined, and if we do that, it is easy to see that we should not be using the same standards and criteria for large health-care organizations with footprints in multiple counties as we do for a small charity that just wants to hold a golf tournament to raise a few dollars.

Let us pass an amendment that our constituents know will protect the nonprofit status of their local church, synagogue, day-care center, but not at the expense of asking real questions about the tax-exempt status of huge health-care systems. I ask my colleagues to support amendment A01516. Thank you.

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

On that question, the Speaker recognizes the gentleman from Centre County, Mr. Benninghoff.

Mr. BENNINGHOFF. Thank you, Mr. Speaker.

I again would ask our members to oppose this. While a well-intended amendment, this is really unnecessary. The General Assembly, meaning you, already has the ability to do that, but you need to do it in the right place, in Act 55, not in SB 4.

I would also remind the members, both sides of the aisle, that a lot of these institutions are providing great relief to our communities, providing a lot of in-kind services, and saving our communities a lot of tax dollars by those in-kind services. SB 4, specifically, is to ensure the uniform standards of qualifications set by you, the General Assembly.

Please vote "no" on this amendment.

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

The following roll call was recorded:

YEAS-81

Bishop	Donatucci	Kirkland	Parker
Bizzarro	English	Kortz	Pashinski
Bradford	Evans	Kotik	Ravenstahl
Briggs	Fabrizio	Krieger	Readshaw
Brown, V.	Farina	Kula	Roebuck
Brownlee	Flynn	Mahoney	Rozzi
Caltagirone	Frankel	Markosek	Sabatina
Carroll	Freeman	Matzie	Samuelson
Clay	Gainey	McCarter	Santarsiero
Cohen	Gergely	McGeehan	Schlossberg
Conklin	Goodman	McNeill	Schreiber
Costa, D.	Haggerty	Miller, D.	Sims
Costa, P.	Haluska	Miranda	Snyder
Daley, M.	Hanna	Molchany	Sturla
Daley, P.	Harkins	Mullery	Thomas
Davis	Harris, J.	Mundy	Vitali
Dean	Kavulich	Neilson	Waters
Deasy	Keller, W.	Neuman	Wheatley
DeLissio	Kim	O'Brien	White
DeLuca	Kinsey	Painter	Youngblood
Dermody			

NAYS-116

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

NOT VOTING-0

EXCUSED-6

Boyle, B.	Cruz	Miccarelli	Mustio
Boyle, K.	Galloway		

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. **FRANKEL** offered the following amendment No. **A02141**:

Amend Bill, page 1, line 17, by inserting after "section"
, including a reasonable limitation on compensation for officers, directors, trustees and board members

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.

This amendment is a commonsense amendment. It simply requires that when the legislature establishes standards and qualifications for purely public charities in the future, they should include a reasonable limit on the amount of compensation for officers, directors, trustees, board members of purely public charities. It does not necessarily define what "reasonable" is, and that decision will be left to us in the future.

Recently we read many stories about egregious salaries and benefits being paid to top executives at some tax-exempt institutions that currently qualify as purely public charities. In States like California, referendums have gone to the ballot to limit the amount of compensation for top executives in these institutions.

So it is a balance here. I mean, one of the criteria that we surely should have is that there are reasonable competitive salaries that should be part of any compensation package, but we know that many of these organizations far exceed what anybody's standard of reasonable would be for a purely private charity.

So I think this amendment makes enormous sense. I hope that we can include this within the guidelines for this bill as an amendment so that the constitutional amendment reflects this priority as well.

Thank you, Mr. Speaker.

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

On that question, the Speaker recognizes the gentleman from Centre County, Mr. Benninghoff.

Mr. BENNINGHOFF. Very briefly to the members, I would ask you to vote "no" to amendment 2141. Again, we are trying to amend Act 55 in SB 4 with this amendment, and that is not the proper place. Please vote "no."

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

The following roll call was recorded:

YEAS—78

Bishop	Dermody	Kirkland	Parker
Bizzarro	Donatucci	Kortz	Pashinski
Bradford	English	Kotik	Ravenstahl
Briggs	Evans	Kula	Readshaw
Brown, V.	Fabrizio	Mahoney	Roebuck
Brownlee	Flynn	Markosek	Rozzi
Caltagirone	Frankel	Matzie	Sabatina
Clay	Freeman	McCarter	Samuelson
Cohen	Gainey	McGeehan	Santarsiero
Conklin	Gibbons	McNeill	Schlossberg
Costa, D.	Goodman	Miller, D.	Sims
Costa, P.	Haggerty	Mirabito	Snyder
Daley, M.	Haluska	Miranda	Sturla
Daley, P.	Hanna	Molchany	Thomas
Davidson	Harkins	Mundy	Vitali
Davis	Harris, J.	Neilson	Waters
Dean	Kavulich	Neuman	Wheatley
Deasy	Keller, W.	O'Brien	White
DeLissio	Kim	Painter	Youngblood
DeLuca	Kinsey		

NAYS—119

Adolph	Fee	Lawrence	Rapp
Aument	Fleck	Longietti	Reed
Baker	Gabler	Lucas	Reese
Barbin	Gergely	Mackenzie	Regan
Barrar	Gillen	Maher	Roae
Benninghoff	Gillespie	Major	Rock
Bloom	Gingrich	Maloney	Ross
Boback	Godshall	Marshall	Saccone
Brooks	Greiner	Marsico	Sainato
Brown, R.	Grell	Masser	Sankey
Burns	Grove	McGinnis	Saylor
Carroll	Hackett	Mentzer	Scavello
Causar	Hahn	Metcalfe	Schreiber

Christiana	Harhai	Metzgar	Simmons
Clymer	Harhart	Micozzie	Smith
Corbin	Harper	Millard	Sonney
Cox	Harris, A.	Miller, R.	Stephens
Culver	Heffley	Milne	Stern
Cutler	Helm	Moul	Stevenson
Day	Hennessey	Mullery	Swanger
Delozier	Hess	Murt	Tallman
Denlinger	Hickernell	O'Neill	Taylor
DiGirolamo	James	Oberlander	Tobash
Dunbar	Kampf	Payne	Toepel
Ellis	Kauffman	Peifer	Toohil
Emrick	Keller, F.	Petrarca	Truitt
Evankovich	Keller, M.K.	Petri	Turzai
Everett	Killion	Pickett	Vereb
Farina	Knowles	Pyle	Watson
Farry	Krieger	Quinn	

NOT VOTING—0

EXCUSED—6

Boyle, B.	Cruz	Miccarelli	Mustio
Boyle, K.	Galloway		

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

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

Ms. **MOLCHANY** offered the following amendment
No. **A01728**:

Amend Bill, page 1, line 14, by inserting after "Establish"
new

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

The SPEAKER. On that question, the Speaker recognizes the lady from Allegheny County, Ms. Molchany.

Ms. MOLCHANY. Thank you, Mr. Speaker.

This amendment simply adds one word and that word is "new," recognizing that 2013 is not 1997, that the circumstances have changed.

Our colleagues have repeatedly said that we should deal with the question defining "purely public charities" in statute. This ensures that we will do that.

When Act 55 was put into place in 1997, we did not have the concept of mega charities. The regulations at the time simply could not have foreseen the massive health-care aggregations we have today.

Thank you, Mr. Speaker.

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

On that question, the Speaker recognizes the gentleman from Centre County, Mr. Benninghoff.

Mr. BENNINGHOFF. Thank you, Mr. Speaker.

Respectfully, I am a little confused on this, because frankly, the General Assembly can make changes anytime they want to add new uniform standards, but again, it should be done in the Purely Public Charity Act and not here, and we do not need additional constitutional authority to do so. Please vote "no."

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

The following roll call was recorded:

YEAS—77

Bishop	Dermody	Kirkland	Pashinski
Bizzarro	Donatucci	Kortz	Ravenstahl
Bradford	Evans	Kotik	Readshaw
Briggs	Fabrizio	Kula	Roebuck
Brown, V.	Farina	Mahoney	Rozzi
Brownlee	Flynn	Markosek	Sabatina
Caltagirone	Frankel	Matzie	Samuelson
Carroll	Freeman	McCarter	Santarsiero
Clay	Gainey	McGeehan	Schlossberg
Cohen	Goodman	McNeill	Schreiber
Conklin	Haggerty	Miller, D.	Sims
Costa, D.	Haluska	Miranda	Snyder
Costa, P.	Hanna	Molchany	Sturla
Daley, M.	Harkins	Mullery	Thomas
Daley, P.	Harris, J.	Mundy	Vitali
Davidson	Kavulich	Neilson	Waters
Dean	Keller, W.	Neuman	Wheatley
Deasy	Kim	O'Brien	White
DeLissio	Kinsey	Parker	Youngblood
DeLuca			

NAYS—119

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

NOT VOTING—1

Davis

EXCUSED—6

Boyle, B.	Cruz	Miccarelli	Mustio
Boyle, K.	Galloway		

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

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

Mr. **STURLA** offered the following amendment
No. **A01943**:

Amend Bill, page 1, line 17, by striking out the period after "section" and inserting
. provided that such standards and qualifications shall require any and all State tax revenue generated by an institution that qualifies as a purely public charity, including the personal income tax paid by employees, be deposited into a fund in the State Treasury and reallocated on an annual basis to the municipal corporation in which the purely public charity is located. If a purely public charity is located in more than one municipal corporation, the revenue shall be prorated based on land area.

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

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

Mr. **STURLA**. Thank you, Mr. Speaker.

Mr. Speaker, this amendment provides that any standards and qualifications established by the General Assembly shall include a requirement that "...any and all State tax revenue generated by an institution that qualifies as a purely public charity, including the personal income tax paid by employees, be deposited into a fund in the State Treasury and reallocated on an annual basis to the municipal corporation in which the purely public charity is located. If a purely public charity is located in more than one municipal corporation, the revenue shall be prorated based on land area."

Mr. Speaker, what it is essentially saying is that these institutions of purely public charity that own land cost municipalities, they also generate some taxes for the State, and that if the State is going to be the ones that declare them the purely public charity, that the State has an obligation to then fund that mandate. Otherwise, it is an unfunded mandate.

Now, interestingly enough, back in 1997 – and I imagine that more than half of the members of this chamber were not here in 1997 – but in 1997 a gentleman from Jefferson County introduced an amendment to Act 55, the debate that was going on at the time, and that amendment – and I will read from the Journal – was for the compensation to political subdivisions. "It is the intent of the General Assembly that political subdivisions shall be held financially harmless by the enactment of this act, and that this act shall not result in the imposition of any additional unfunded costs on any political subdivision.

"Required payment.—In accordance with subsection...the Commonwealth shall make compensatory payments if an institution owning real property first attains tax-exempt status as an institution of purely public charity after the effective date of this act."

Essentially what it was doing was saying that if the State declared an institution of purely public charity, that the State would then send money to those municipalities.

I was here at that time, as was the gentleman from Jefferson County, and I supported his amendment to have that occur. And at the time I asked the gentleman what effect this would have, and I will read from the Journal. He said, "Well, clearly,...in my district where we have small communities and very rural townships that surround those small communities, the

tax-exempt organizations tend to be in the small boroughs, and to that degree, I would suggest that they serve the entire region, you know, perhaps an entire school district area or an entire county region. As a rule, I would not say that is exclusive, but generally speaking, I would say they serve a broader area...than the singular municipality in which they are located." To which I replied, "So then your amendment would help spread that burden over that region that is served by that tax exempt and not...just one small group of taxpayers..." footing the bill. "Is that correct?" And the gentleman replied, "Yes, it would have that effect." To which I said, "Then one final point. If this does not pass as an amendment, would you agree that the effect of this bill would be a result in higher local property taxes?" And the gentleman from Jefferson said, "That is the reason... I introduced the amendment, because of my concern that it would result in higher local real estate taxes upon the existing taxable base or what would be the newly formed taxable base."

Mr. Speaker, that still applies today. Act 55, unfortunately, passed without that amendment, and SB 4, if passed forward without this amendment, will continue to cause local taxes to go up.

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

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

On that question, the Speaker recognizes the gentleman from Centre County, Mr. Benninghoff.

Mr. BENNINGHOFF. I know you are expecting me to disagree with the gentleman, but ironically, I actually agree with him, partially.

The interesting thing is, what the previous speaker just said is exactly what I am asking you to do, and the gentleman from Jefferson County in 1997 did the right thing. He made an amendment and addressed it to Act 55, the Purely Public Charity Act. Maybe that is why he went on to become Speaker. He knew then and knows now the proper parliamentary procedures. That is what I have been asking you to do in the previous amendments, I am asking you to do in this amendment, and the subsequent 11, all of which need to be addressed in the Purely Public Charity Act, 55 of 1997, not here in SB 4.

The Speaker was correct then, the Speaker is correct now, and I would ask you to vote "no" to this amendment. Thank you.

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

The following roll call was recorded:

YEAS—77

Bishop	Dermody	Kirkland	Painter
Bizzarro	Donatucci	Kortz	Parker
Bradford	Evans	Kotik	Pashinski
Briggs	Fabrizio	Kula	Ravenstahl
Brown, V.	Farina	Mahoney	Readshaw
Brownlee	Flynn	Markosek	Roebuck
Caltagirone	Frankel	Matzie	Rozzi
Carroll	Freeman	McCarter	Sabatina
Clay	Gainey	McGeehan	Samuelson
Cohen	Goodman	McNeill	Santarsiero
Conklin	Haggerty	Miller, D.	Schreiber
Costa, D.	Haluska	Mirabito	Sims
Costa, P.	Hanna	Miranda	Snyder
Daley, M.	Harkins	Molchany	Sturla
Daley, P.	Harris, J.	Mullery	Vitali

Davis	Kavulich	Mundy	Waters
Dean	Keller, W.	Neilson	Wheatley
Deasy	Kim	Neuman	White
DeLissio	Kinsey	O'Brien	Youngblood
DeLuca			

NAYS—120

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

NOT VOTING—0

EXCUSED—6

Boyle, B.	Cruz	Miccarelli	Mustio
Boyle, K.	Galloway		

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

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

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

Mr. STURLA. Mr. Speaker, in anticipation of my other amendments being ruled out of order, I will withdraw those amendments.

The SPEAKER. The Speaker thanks the gentleman.

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

Mr. COHEN offered the following amendment No. A01966:

Amend Bill, page 1, line 17, by striking out the period after "section" and inserting
provided such standards and qualifications shall require any institution that qualifies as a purely public charity to make an annual

payment in lieu of taxes, to the school district and to the municipality in which it is located, that is no less than 67% of the tax liability the institution would have if it did not qualify as an institution of purely public charity.

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

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

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, this amendment provides that it shall be required that any institution that qualifies as a purely public charity to make an annual payment in lieu of taxes, to the school district and municipality in which it is located, no less than 67 percent of the tax liability the institution would have if it did not qualify as an institution of purely public charity. That is, the institutions of purely public charity would, under this amendment, pay two-thirds of the tax bill that they would ordinarily pay. This will generate a significant amount of additional money for hard-pressed local governments across the State.

I urge support of this amendment.

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

On that question, the Speaker recognizes the gentleman from Centre County, Mr. Benninghoff.

Mr. BENNINGHOFF. Thank you, Mr. Speaker.

While I commend the maker of this amendment for thinking outside the box, I think it contradicts the whole purpose of giving people the status of purely public charities if we are going to then indirectly require them to pay in lieu of taxes. They get that status by giving reduced obligations to the Commonwealth by the charitable services they provide in our communities. I think we want to encourage these organizations to continue those charitable contributions to our communities.

Please vote "no."

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

The following roll call was recorded:

YEAS—59

Bishop	Deasy	Kinsey	O'Brien
Bradford	DeLissio	Kirkland	Parker
Brown, V.	DeLuca	Kortz	Ravenstahl
Brownlee	Dermody	Kotik	Readshaw
Caltagirone	Donatucci	Kula	Roebuck
Clay	Evans	Mahoney	Rozzi
Cohen	Fabrizio	Markosek	Sabatina
Conklin	Gainey	Matzie	Sims
Costa, D.	Goodman	McCarter	Thomas
Costa, P.	Haggerty	McGeehan	Vitali
Daley, M.	Haluska	McNeill	Waters
Daley, P.	Hanna	Miller, D.	Wheatley
Davidson	Harkins	Miranda	White
Davis	Harris, J.	Molchany	Youngblood
Dean	Keller, W.	Neilson	

NAYS—138

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

NOT VOTING—0

EXCUSED—6

Boyle, B.	Cruz	Miccarelli	Mustio
Boyle, K.	Galloway		

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. COHEN offered the following amendment No. **A01967**:

Amend Bill, page 1, line 17, by inserting after "section."
No exemption from any tax upon real property shall be granted by the General Assembly under clause (v) of subsection (a) unless the General Assembly shall provide for the reimbursement of local taxing authorities by or through the Commonwealth for revenue losses occasioned by such exemption.

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

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

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, this amendment could be called the Smith amendment, because this amendment, giving credit where credit is due, came from the gentleman from Jefferson County, who introduced a very similar amendment to it in 1997. It was amendment 401 in 1997.

What this amendment does is it says that "No exemption from any tax upon real property shall be granted by the General Assembly under" this "clause...unless the General Assembly shall provide for the reimbursement of local taxing authorities by or through the Commonwealth for revenue losses occasioned by such exemption." In other words, the Commonwealth of Pennsylvania will reimburse local governments for the money lost to those local governments as a result of tax exemptions through purely public charities.

This amendment was good in 1997. It is good today. I urge support of it.

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

On that question, the Speaker recognizes the gentleman from Centre County, Mr. Benninghoff.

Mr. BENNINGHOFF. I would encourage the members to vote "no."

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

The following roll call was recorded:

YEAS—85

Barbin	DeLuca	Kinsey	Parker
Bishop	Dermody	Kirkland	Pashinski
Bizzarro	Donatucci	Kortz	Petri
Bradford	Evans	Kotik	Ravenstahl
Briggs	Fabrizio	Kula	Readshaw
Brown, V.	Farina	Mahoney	Roebuck
Brownlee	Flynn	Markosek	Rozzi
Burns	Frankel	Matzie	Sabatina
Caltagirone	Freeman	McCarter	Samuelson
Carroll	Gainey	McGeehan	Santarsiero
Clay	Gergely	McNeill	Schlossberg
Cohen	Gibbons	Miller, D.	Schreiber
Conklin	Goodman	Mirabito	Sims
Costa, D.	Haggerty	Miranda	Snyder
Costa, P.	Haluska	Molchany	Sturla
Daley, M.	Hanna	Mullery	Thomas
Daley, P.	Harkins	Mundy	Vitali
Davidson	Harris, J.	Neilson	Waters
Davis	Kavulich	Neuman	Wheatley
Dean	Keller, W.	O'Brien	White
Deasy	Kim	Painter	Youngblood
DeLissio			

NAYS—112

Adolph	Fleck	Lawrence	Rapp
Aument	Gabler	Longiatti	Reed
Baker	Gillen	Lucas	Reese
Barrar	Gillespie	Mackenzie	Regan
Benninghoff	Gingrich	Maher	Roae
Bloom	Godshall	Major	Rock
Boback	Greiner	Maloney	Ross
Brooks	Grell	Marshall	Saccone
Brown, R.	Grove	Marsico	Sainato
Causar	Hackett	Masser	Sankey
Christiana	Hahn	McGinnis	Saylor
Clymer	Harhai	Mentzer	Scavello

Corbin	Harhart	Metcalfe	Simmons
Cox	Harper	Metzgar	Smith
Culver	Harris, A.	Micozzie	Sonney
Cutler	Heffley	Millard	Stephens
Day	Helm	Miller, R.	Stern
Delozier	Hennessey	Milne	Stevenson
Denlinger	Hess	Moul	Swanger
DiGirolamo	Hickernell	Murt	Tallman
Dunbar	James	O'Neill	Taylor
Ellis	Kampf	Oberlander	Tobash
Emrick	Kauffman	Payne	Toepel
English	Keller, F.	Peifer	Toohil
Evankovich	Keller, M.K.	Petrarca	Truitt
Everett	Killion	Pickett	Turzai
Farry	Knowles	Pyle	Vereb
Fee	Krieger	Quinn	Watson

NOT VOTING—0

EXCUSED—6

Boyle, B.	Cruz	Miccarelli	Mustio
Boyle, K.	Galloway		

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. COHEN offered the following amendment No. **A01968**:

Amend Bill, page 1, line 17, by inserting after "section."
The uniform standards and qualifications shall include a mandatory payment in lieu of taxes to be assessed against any building or real estate parcel that is used by an institution of purely public charity, or that is included among its holdings, when the value of each building or parcel equals \$1,000,000 or more.

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

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

Mr. COHEN. Mr. Speaker, if the institutions of purely public charity do not pay any taxes at all, that means our constituents have to pay more taxes. That is why we are introducing this legislation. There is a great amount, as we have discussed before, of areas where taxes could be raised and could provide tax relief to hard-pressed private property owners where we are not choosing to enact taxes.

What this amendment does is it provides that "The uniform standards and qualifications shall include a mandatory payment in lieu of taxes to be assessed against any building or real estate parcel that is used by an institution of purely public charity, or that is included among its holdings, when the value of each building or parcel equals \$1,000,000" a year "or more." I think that is reasonable.

If organizations with properties worth \$1 million or more cannot pay taxes, an awful lot of property holders with houses worth \$50,000, \$100,000, \$150,000, \$200,000, \$250,000 are going to be paying more taxes. This reduces local property taxes.

I would urge support of this amendment.

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

On that question, the Speaker recognizes the gentleman from Centre County, Mr. Benninghoff.

Mr. BENNINGHOFF. Thank you, Mr. Speaker.

Again, I respect the gentleman's creativity in looking outside the box for other opportunities to find new tax dollars, but the reality is, I think this flies in the face of the whole Purely Public Charity Act if you are asking them to then, in lieu of paying taxes, change the name and try to say we just need in-lieu-of payments. I think this is wrong and this is, obviously, not the right place to be addressing it. If they have concerns, they need to address this in Act 55.

Please vote "no."

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

The following roll call was recorded:

YEAS-73

Barbin	Deasy	Kim	O'Brien
Bishop	DeLissio	Kinsey	Parker
Bradford	DeLuca	Kirkland	Pashinski
Briggs	Dermodoy	Kortz	Ravenstahl
Brown, V.	Donatucci	Kotik	Readshaw
Brownlee	Evans	Kula	Roebuck
Burns	Fabrizio	Mahoney	Rozzi
Caltagirone	Frankel	Markosek	Sabatina
Carroll	Gainey	Matzie	Santarsiero
Clay	Gergely	McCarter	Schreiber
Cohen	Goodman	McGeehan	Sims
Conklin	Haggerty	McNeill	Sturla
Costa, D.	Haluska	Miller, D.	Thomas
Costa, P.	Hanna	Miranda	Vitali
Daley, M.	Harkins	Molchany	Waters
Daley, P.	Harris, J.	Mullery	Wheatley
Davidson	Kavulich	Mundy	White
Davis	Keller, W.	Neilson	Youngblood
Dean			

NAYS-124

Adolph	Flynn	Longiotti	Rapp
Aument	Freeman	Lucas	Reed
Baker	Gabler	Mackenzie	Reese
Barrar	Gibbons	Maher	Regan
Benninghoff	Gillen	Major	Roae
Bizzarro	Gillespie	Maloney	Rock
Bloom	Gingrich	Marshall	Ross
Boback	Godshall	Marsico	Saccone
Brooks	Greiner	Masser	Sainato
Brown, R.	Grell	McGinnis	Samuelson
Causer	Grove	Mentzer	Sankey
Christiana	Hackett	Metcalfe	Saylor
Clymer	Hahn	Metzgar	Scavello
Corbin	Harhai	Micozzie	Schlossberg
Cox	Harhart	Millard	Simmons
Culver	Harper	Miller, R.	Smith
Cutler	Harris, A.	Milne	Snyder
Day	Heffley	Mirabito	Sonney
Delozier	Helm	Moul	Stephens
Denlinger	Hennessey	Murt	Stern
DiGirolamo	Hess	Neuman	Stevenson
Dunbar	Hickernell	O'Neill	Swanger
Ellis	James	Oberlander	Tallman
Emrick	Kampf	Painter	Taylor
English	Kauffman	Payne	Tobash
Evankovich	Keller, F.	Peifer	Toepel
Everett	Keller, M.K.	Petrarca	Toohil
Farina	Killion	Petri	Truitt

Farry	Knowles	Pickett	Turzai
Fee	Krieger	Pyle	Vereb
Fleck	Lawrence	Quinn	Watson

NOT VOTING-0

EXCUSED-6

Boyle, B.	Cruz	Miccarelli	Mustio
Boyle, K.	Galloway		

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?

Mrs. DEAN offered the following amendment No. A02140:

Amend Bill, page 1, line 17, by inserting after "section." The uniform standards and qualifications shall require an institution that qualifies as a purely public charity to devote a reasonable amount of its annual revenues to charity care in its defined core services. The amount shall be valued in good faith and be a reasonable estimate of the cost of providing the services. If an institution that qualifies as a purely public charity is owned by another entity, the entity's annual revenues, including from its for-profit subsidiaries, shall be taken into consideration when calculating the required charity care for the institution that qualifies as a purely public charity.

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

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

Mrs. DEAN. Thank you, Mr. Speaker.

Well, here is one I think everybody will like, Mr. Speaker. I offer amendment 2140. This is a commonsense amendment that would require that if and when the legislature establishes standards and qualifications for purely public charities, that they must require that the charity devote a reasonable amount of time in its annual revenue to charity care.

The amendment further clarifies that if a purely public charity is owned by a for-profit entity, that entity's annual revenues must be taken into consideration when calculating how much charity care is owed to the community.

This amendment does not define "reasonable"; it does not define "charity care," because I believe these definitions should be defined by a future legislature that will ultimately be tasked with establishing the standards and criteria for purely public charities if SB 4 becomes law.

The amendment speaks directly to the intentions of the two requirements for purely public charities that were established in the judicial HUP (Hospital Utilization Project) test. As you know, under the HUP test, created in 1985, an institution must, quote, "advance a charitable purpose" and, quote, "donate or render gratuitously a substantial portion of its services" in order to qualify as a purely public charity.

The legislature's Act 55 provided further criteria based on how institutions can meet the charity care requirements. Nevertheless, it remains unclear whether or not Act 55 will become the primary test if SB 4 passes or if this legislature will

need to start all over with new standards and qualifications.

My amendment, 2140, simply ensures that wherever this important conversation goes in the future, reasonable donation of charity care should always remain at the center of the discussion.

I ask my colleagues to support amendment 2140. Thank you, Mr. Speaker.

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

On that question, the Speaker recognizes the gentleman from Centre County, Mr. Benninghoff.

Mr. BENNINGHOFF. Thank you, Mr. Speaker.

Very briefly, while I agree with some of the content of what the young lady was talking about, I do so because it is already in the Purely Public Charity Act. Under section (d)(1) of the Purely Public Charity Act, an institution must donate or render gratuitously a substantial portion of their services. That does not need to be reamended into SB 4. It is already in the public charities act, and I would ask you to respectfully defeat amendment 2140. Thank you.

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

The following roll call was recorded:

YEAS—86

Barbin	DeLuca	Kirkland	Pashinski
Bishop	Dermody	Kortz	Peifer
Bizzarro	DiGirolamo	Kotik	Quinn
Bradford	Donatucci	Krieger	Ravenstahl
Briggs	Evans	Kula	Readshaw
Brown, V.	Fabrizio	Mahoney	Roebuck
Brownlee	Farina	Markosek	Rozzi
Burns	Flynn	Matzie	Sabatina
Caltagirone	Frankel	McCarter	Samuelson
Carroll	Freeman	McGeehan	Santarsiero
Clay	Gainey	McNeill	Schlossberg
Cohen	Gergely	Miller, D.	Schreiber
Conklin	Goodman	Mirabito	Sims
Costa, D.	Haggerty	Miranda	Snyder
Costa, P.	Haluska	Molchany	Sturla
Daley, M.	Hanna	Mundy	Thomas
Daley, P.	Harkins	Neilson	Vitali
Davidson	Harris, J.	Neuman	Waters
Davis	Kavulich	O'Brien	Wheatley
Dean	Keller, W.	Painter	White
Deasy	Kim	Parker	Youngblood
DeLissio	Kinsey		

NAYS—111

Adolph	Gabler	Longiotti	Reed
Aument	Gibbons	Lucas	Reese
Baker	Gillen	Mackenzie	Regan
Barrar	Gillespie	Maher	Roe
Benninghoff	Gingrich	Major	Rock
Bloom	Godshall	Maloney	Ross
Boback	Greiner	Marshall	Saccone
Brooks	Grell	Marsico	Sainato
Brown, R.	Grove	Masser	Sankey
Causar	Hackett	McGinnis	Saylor
Christiana	Hahn	Mentzer	Scavello
Clymer	Harhai	Metcalfe	Simmons
Corbin	Harhart	Metzgar	Smith
Cox	Harper	Micozzie	Sonney
Culver	Harris, A.	Millard	Stephens
Cutler	Heffley	Miller, R.	Stern
Day	Helm	Milne	Stevenson

Delozier	Hennessey	Moul	Swanger
Denlinger	Hess	Mullery	Tallman
Dunbar	Hickernell	Murt	Taylor
Ellis	James	O'Neill	Tobash
Emrick	Kampf	Oberlander	Toepel
English	Kauffman	Payne	Toohil
Evankovich	Keller, F.	Petrarca	Truitt
Everett	Keller, M.K.	Petri	Turzai
Farry	Killion	Pickett	Vereb
Fee	Knowles	Pyle	Watson
Fleck	Lawrence	Rapp	

NOT VOTING—0

EXCUSED—6

Boyle, B.	Cruz	Miccarelli	Mustio
Boyle, K.	Galloway		

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

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

Ms. DALEY offered the following amendment No. **A02146**:

Amend Bill, page 1, line 17, by inserting after "section" including a reasonable limit on the fee charged by a purely public charity for a product or a service as compared to a good faith estimate of the cost of providing the product or service

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

The SPEAKER. On that question, the Speaker recognizes the lady from Montgomery County, Ms. Daley.

Ms. DALEY. Thank you, Mr. Speaker.

This commonsense amendment seeks to ensure that institutions of purely public charity do not overcharge the members of the community for the services it provides. By its very name, a purely public charity should be looking out for the best interests of the community, and as outlined in the judicial HUP test and portions of Act 55, these institutions should be working without a private profit motive.

And let us be clear, in most instances our purely public charities are doing everything in their power to enhance the lives of the community without focusing on financial gain. These institutions are often operating on shoestring budgets with minimal staff and yet still manage to make an impact on people's lives every day.

My amendment simply seeks to ensure that when the legislature establishes standards and qualifications for purely public charities, we should include safeguards that will prevent community members for being overcharged for the services or products they need.

The amendment does not define "reasonable," as that decision is best left to the future legislature that will have to debate this issue if SB 4 is ultimately added to the State Constitution.

However, the passage of amendment A02146 would make clear that if the legislature is going to grant itself the authority to determine the qualifications of purely public charities, we

should always keep the best interests of our communities in mind. Our constituents expect public charities to act in their best interest, and my amendment seeks to ensure that.

I ask my colleagues to support amendment A02146. Thank you.

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

On that question, the Speaker recognizes the gentleman from Centre County, Mr. Benninghoff.

Mr. BENNINGHOFF. Thank you, Mr. Speaker.

In reference to amendment 2146, it, too, is in the similar section I quoted earlier. Under the section of (d)(1) of the Purely Public Charity Act, an institution must donate or render gratuitously a substantial portion of their services. The Purely Public Charity Act then goes on to state how this criterion is to be met if fees are charged to the recipient of the goods and services. In that act it also elaborates that they are required to not have a private-sector motive.

This is already in Act 55. This is not going to be changed when you put it into SB 4, and I would ask the members to respectfully defeat this amendment.

Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—77

Bishop	Dermoddy	Kirkland	Pashinski
Bizzarro	Donatucci	Kortz	Ravenstahl
Bradford	Evans	Kotik	Readshaw
Briggs	Fabrizio	Kula	Roebuck
Brown, V.	Farina	Mahoney	Rozzi
Brownlee	Flynn	Markosek	Sabatina
Caltagirone	Frankel	Matzie	Samuelson
Carroll	Freeman	McCarter	Santarsiero
Clay	Gainey	McGeehan	Schlossberg
Cohen	Goodman	McNeill	Schreiber
Conklin	Haggerty	Miranda	Sims
Costa, D.	Haluska	Molchany	Snyder
Costa, P.	Hanna	Mullery	Sturla
Daley, M.	Harkins	Mundy	Thomas
Daley, P.	Harris, J.	Neilson	Vitali
Davis	Kavulich	Neuman	Waters
Dean	Keller, W.	O'Brien	Wheatley
Deasy	Kim	Painter	White
DeLissio	Kinsey	Parker	Youngblood
DeLuca			

NAYS—120

Adolph	Fee	Krieger	Pyle
Aument	Fleck	Lawrence	Quinn
Baker	Gabler	Longiotti	Rapp
Barbin	Gergely	Lucas	Reed
Barrar	Gibbons	Mackenzie	Reese
Benninghoff	Gillen	Maher	Regan
Bloom	Gillespie	Major	Roae
Boback	Gingrich	Maloney	Rock
Brooks	Godshall	Marshall	Ross
Brown, R.	Greiner	Marsico	Saccone
Burns	Grell	Masser	Sainato
Causar	Grove	McGinnis	Sankey
Christiana	Hackett	Mentzer	Saylor
Clymer	Hahn	Metcalfe	Scavello
Corbin	Harhai	Metzgar	Simmons
Cox	Harhart	Micozzie	Smith
Culver	Harper	Millard	Sonney

Cutler	Harris, A.	Miller, D.	Stephens
Davidson	Heffley	Miller, R.	Stern
Day	Helm	Milne	Stevenson
Delozier	Hennessey	Mirabito	Swanger
Denlinger	Hess	Moul	Tallman
DiGirolamo	Hickernell	Murt	Taylor
Dunbar	James	O'Neill	Tobash
Ellis	Kampf	Oberlander	Toepel
Emrick	Kauffman	Payne	Toohil
English	Keller, F.	Peifer	Truitt
Evanovich	Keller, M.K.	Petrarca	Turzai
Everett	Killion	Petri	Vereb
Farry	Knowles	Pickett	Watson

NOT VOTING—0

EXCUSED—6

Boyle, B.	Cruz	Miccarelli	Mustio
Boyle, K.	Galloway		

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

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

Ms. MUNDY offered the following amendment No. A02147:

Amend Bill, page 1, line 17, by inserting after "section" , including a reasonable limit on administrative costs

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

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

Ms. MUNDY. Thank you, Mr. Speaker.

Mr. Speaker, this amendment allows the General Assembly and makes it clear in this constitutional amendment that there should be a reasonable limit on administrative costs when establishing uniform standards and qualifications to qualify as an institution of purely public charity.

It was not long ago that the Legislative Budget and Finance Committee took up the issue of charities and salaries and other expenses, lobbying expenses, as examples—

The SPEAKER. Will the lady suspend.

POINT OF ORDER

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

Mr. MAHER. A point of order, Mr. Speaker.

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

Mr. MAHER. According to the system, this amendment does not exist and the request was withdrawn. So I am unable to—

The SPEAKER. Let us check it. You are saying you cannot bring the amendment up on the—

Mr. MAHER. In fact, it says that the request for drafting the amendment was withdrawn.

The SPEAKER. Let me check on this.

AMENDMENT WITHDRAWN

The SPEAKER. In response to the gentleman from Allegheny County's point of order, it is correct. The amendment has been withdrawn.

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

Mr. FREEMAN offered the following amendment No. A02157:

Amend Bill, page 1, lines 8 and 9, by striking out all of said lines and inserting

That section 2(a)(v) of Article VIII be amended to read:

Amend Bill, page 1, lines 11 through 17, by striking out all of said lines and inserting

(a) The General Assembly may by law exempt from taxation:
* * *

(v) Institutions of purely public charity, but in the case of any real property tax exemptions only that portion of real property of such institution which is actually and regularly used for the purposes of the institution. To qualify as an institution of purely public charity under this clause, the institution must:

(A) Advance a charitable purpose.

(B) Donate or render gratuitously a substantial portion of its services.

(C) Benefit a substantial and indefinite class of persons who are legitimate subjects of charity.

(D) Relieve the government of some of its burden.

(E) Operate entirely free from private profit motive.

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

The SPEAKER. On that question, the Speaker recognizes the gentleman from Northampton, Mr. Freeman.

Mr. FREEMAN. Thank you, Mr. Speaker.

Mr. Speaker, my amendment A2157 would strike the current language in SB 4 which grants the authority to the legislature to set the standards for what is a purely public charity. In its place it would substitute the five points that constitute the so-called Supreme Court HUP test. That test set forth five standards, very important standards, which have served as a framework in which to determine what truly constitutes a purely public charity. Those five points are as follows, as stated in my amendment. In order to be classified as a purely public charity, the institution would have to advance a charitable purpose, it would have to donate or render gratuitously a substantial portion of its services, benefit a substantial and indefinite class of persons who are legitimate subjects of charity, relieve the government of some of its burden, and operate entirely free from the profit motive, private profit motive.

The HUP test has served us well. The HUP test emerged from the Supreme Court case that was decided in 1985 of *Hospital Utilization Project v. Commonwealth*, and this five-point test really has served as the framework. Even Act 55 of 1997 takes its authority from the framework and standards laid down by the HUP test.

This is a much more preferable route for us to go in terms of trying to define the parameters of what a purely public charity is. My concern is that if we allow the current language in SB 4 to advance, it would grant a tremendous broad scope of power

to the legislature, and there is no telling how future legislative bodies would act in defining the parameters of what constitutes a purely public charity. It could lead to arbitrary standards; classifications that are put forth simply to appease an interest group, a special interest group; and distort out of all shape what a truly public charity is.

We have seen the negative impacts that existing high levels of tax-exempt property can cause in communities. The gentleman from Cambria County cited the high percentage of tax-exempt properties that are in the city of Johnstown. The case is the same here in Harrisburg, where it approaches 50 percent of the total property being tax-exempt, and it is true of many of our smaller communities across the Commonwealth.

Mr. Speaker, if the current language in SB 4 were to become law, it could conceivably weaken the ability of local governments to challenge the tax-exempt status of current institutions, even though they would have a legitimate case to make that that institution does not adhere to what we know to be a purely public charity.

There is another factor to be considered, too, if SB 4 were to become part of the Constitution, and I speak to a concern that has been raised by many of my colleagues on the other side of the aisle. If we allow the standard for purely public charities to be distorted to end up granting this status of protection from taxation, we could see a scenario emerge where institutions that hide behind the title of a purely public charity but actually function very much like a private entity will be in competition with legitimate businesses, businesses that depend on their survival to have a fair playing field in which to compete in the rendering of their services. This could give an unfair advantage to those institutions that hide behind the status of a purely public charity but because of an act of the legislature – will be granted that because of an act of the legislature but in reality do not operate as a purely public charity. It would most definitely place many small businesses throughout this Commonwealth at a decided disadvantage.

As I mentioned, the HUP test has provided us with a fair and reasonable standard by which to operate. The courts have ruled that that must be satisfied before we move on to the provisions of Act 55, and that is the right approach that we should be taking when it comes to the status of purely public charities.

This amendment is supported by the Pennsylvania State Association of Township Supervisors, the Pennsylvania Municipal League, and the Pennsylvania State Association of Township Commissioners. It would, in essence, provide a firewall, a protection to ensure that only purely public charities gain that status. It would ensure that only those institutions that can make that claim would be granted the status and that we do not give protections to those that should not.

I urge the members of this House to stand by a set of principles the court handed down to us 28 years ago, which serves us well, makes a great deal of sense, and will avoid the possibility of our power being used arbitrarily to aid certain special interests against what a truly public charity should be. I ask for a "yes" vote.

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

On that question, the Speaker recognizes the gentleman from Centre County, Mr. Benninghoff.

Mr. BENNINGHOFF. Thank you, Mr. Speaker.

Two quick points. The HUP test is part of the Purely Public Charity Act, so those provisions are in there.

But more importantly, I want to raise the awareness to the members that this amendment seems to almost conflict or contradict what some of the previous speakers said was why we needed to amend SB 4. They are talking about wanting to disenfranchise you, the elected officials, in the future from being able to have a say in those people that elected you to be representing them. I do not think that is what we want to be doing. That is not what we are elected to do. We are here to make decisions, write the law, and the courts are to interpret it.

This flies directly in the face of the whole intent of SB 4, and I would ask the members to vote "no." Thank you.

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

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 amendment for the following reasons: The Constitution of our Commonwealth as well as the Constitution of the United States is a limitation on the power of the legislature to take away rights from the public. The right that is being taken away from the public today is the right to have property taxed under Article VIII, section 1, of the Constitution. It says, "All taxes shall be uniform, upon the same class of subjects, within the territorial limits of the authority levying the tax, and shall be levied and collected under general laws." The township supervisors, the school districts are those local entities that are objecting to an all-purpose clause that eliminates real estate taxation on a class of subjects.

Article VIII, section 2, spells out the exemptions. Specifically, subparagraph (v) states as follows: "Institutions of...public charity" are exempt, "but in the case of any real property tax exemptions only that portion of real property of such institution which is actually and regularly used for the purposes of the institution." What this provision does is it allows any large nonprofit entity to say not only is my hospital or my college or my church exempt on the actual places of use, but it also allows them to say, every property that I buy, because I am a purely public charity, is now exempt.

Now, what the amendment says, the amendment says that we are going to stay with the rule or the interpretation of the Constitution since the 1890s and the *Hill School* case that says the court will at least review what a purely public charity is so that the legislature does not say, nope, we have changed our mind today; anything that a large nonprofit buys is exempt. Now, if you do that, you are going to do what we cannot afford to do. You are going to tell the school district and the township supervisors that there is not anything they can do to make sure that all real estate taxes are paid by all properties as opposed to just senior citizens that happen to live in areas where 50 percent of the property is owned by nonprofit entities. We have let it get out of control.

This bill completely opens the floodgates. There will be no properties taxable in urban areas with the exception of residential housing. We cannot do this unless we are going to make up money for it like they do under the utility law. PURTA (Public Utility Realty Tax Act) pays the locality additional moneys because they exempted the real estate. This law does not do it. This law just says we are going to give another tax break.

I ask everyone to support this amendment.

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

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

Mr. FREEMAN. Thank you, Mr. Speaker.

Mr. Speaker, I just want to set the record straight from a statement made by the gentleman from Centre County. He posed the point that if my amendment comes in, it takes away the power of legislators to be able to define in this. I say that is not the actual story. What this would do would enshrine within our Constitution the key five points of the HUP test that the court has handed down to us. We still have the power to work within those parameters. That is the basis of Act 55 of 1997. It reflects the HUP test. It expands in terms of some of the definitions, but basically, it adheres to the HUP test. It is an important safeguard, it is an important firewall to make sure that no act of the legislature would end up being an arbitrary attempt to grant tax-exempt status to an institution which really is not a purely public charity. We should not allow that issue to become a political football, to become a matter of politics.

One of the reasons you would want to have these five key points enshrined in the Constitution is to prevent the battle over what a purely public charity is from becoming a matter of politics. This is a standard that we have lived by for over 28 years. It has served us well. Let us not turn our backs on it. Let us not open the floodgates to the kind of politics which will distort what a purely public charity is. Let us ensure that it actually reflects a purely public charity and that we do not grant tax exemption from real property to any institution that has the power and the influence to gain that status.

I urge a "yes" vote.

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

The following roll call was recorded:

YEAS—87

Barbin	DeLissio	Kortz	Peifer
Bishop	DeLuca	Kotik	Quinn
Bizzarro	Dermody	Krieger	Ravenstahl
Bradford	Donatucci	Kula	Readshaw
Briggs	Evans	Mahoney	Roebuck
Brown, V.	Fabrizio	Markosek	Rozzi
Brownlee	Farina	Matzie	Sabatina
Burns	Flynn	McCarter	Samuelson
Caltagirone	Frankel	McGeehan	Santarsiero
Carroll	Freeman	McNeill	Scavello
Clay	Gainey	Miller, D.	Schlossberg
Cohen	Goodman	Mirabito	Schreiber
Conklin	Haggerty	Miranda	Sims
Costa, D.	Haluska	Molchany	Snyder
Costa, P.	Hanna	Mullery	Sturla
Daley, M.	Harkins	Mundy	Thomas
Daley, P.	Harris, J.	Neilson	Vitali
Davidson	Kavulich	Neuman	Waters
Davis	Keller, W.	O'Brien	Wheatley
Day	Kim	Painter	White
Dean	Kinsey	Parker	Youngblood
Deasy	Kirkland	Pashinski	

NAYS—110

Adolph	Gabler	Lawrence	Rapp
Aument	Gergely	Longietti	Reed
Baker	Gibbons	Lucas	Reese

Barrar	Gillen	Mackenzie	Regan
Benninghoff	Gillespie	Maher	Roae
Bloom	Gingrich	Major	Rock
Boback	Godshall	Maloney	Ross
Brooks	Greiner	Marshall	Saccone
Brown, R.	Grell	Marsico	Sainato
Causar	Grove	Masser	Sankey
Christiana	Hackett	McGinnis	Saylor
Clymer	Hahn	Mentzer	Simmons
Corbin	Harhai	Metcalfe	Smith
Cox	Harhart	Metzgar	Sonney
Culver	Harper	Micozzie	Stephens
Cutler	Harris, A.	Millard	Stern
Delozier	Heffley	Miller, R.	Stevenson
Denlinger	Helm	Milne	Swanger
DiGirolando	Hennessey	Moul	Tallman
Dunbar	Hess	Murt	Taylor
Ellis	Hickernell	O'Neill	Tobash
Emrick	James	Oberlander	Toepel
English	Kampf	Payne	Toohil
Evankovich	Kauffman	Petrarca	Truitt
Everett	Keller, F.	Petri	Turzai
Farry	Keller, M.K.	Pickett	Vereb
Fee	Killion	Pyle	Watson
Fleck	Knowles		

NOT VOTING—0

EXCUSED—6

Boyle, B.	Cruz	Miccarelli	Mustio
Boyle, K.	Galloway		

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. **FREEMAN** offered the following amendment
No. **A02152**:

- Amend Bill, page 1, line 17, by inserting after "section."
At a minimum, to qualify as an institution of purely public charity, the institution must:
- (A) Advance a charitable purpose.
 - (B) Donate or render gratuitously a substantial portion of its services.
 - (C) Benefit a substantial and indefinite class of persons who are legitimate subjects of charity.
 - (D) Relieve the government of some of its burden.
 - (E) Operate entirely free from private profit motive.

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

The **SPEAKER**. On that question, the Speaker recognizes the gentleman from Northampton County, Mr. Freeman.

Mr. **FREEMAN**. Thank you, Mr. Speaker.

This amendment is somewhat similar to my last amendment, but it does retain the current language that is in SB 4. In essence, we would acknowledge that under SB 4 if it becomes part of the Constitution, that the legislature would have the authority to set the standards, the only difference being that as a minimum they would have to adhere to the five points of the HUP test. That is the floor. You do not drop below that.

This is another safeguard. If we cannot enshrine this as the only basis, at the very least we should be enshrining these five important points as to what constitutes a purely public charity within the minimum standard that any legislature in the future would come up with.

I urge the members to endorse this amendment, to vote for this amendment. It will prevent us from letting the test of a purely public charity become a political football, from becoming subject to special interest pressure, and at least allow us, as a minimum, to keep the good points that have been handed down to us by the court in the 1985 decision of the *HUP* case. I urge a "yes" vote.

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

On that question, the Speaker recognizes the gentleman from Centre County, Mr. Benninghoff.

Mr. **BENNINGHOFF**. Thank you, Mr. Speaker.

This is an inappropriate place to put this language. It belongs in Act 55. Please vote "no."

The **SPEAKER**. I did not hear you.

Mr. **BENNINGHOFF**. Mr. Speaker, from Jefferson, please vote "no" and all the members please join him. Thank you.

The **SPEAKER**. The Speaker thanks the gentleman.

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

The following roll call was recorded:

YEAS—89

Barbin	DeLuca	Kirkland	Pashinski
Bishop	Dermody	Kortz	Peifer
Bizzarro	Donatucci	Kotik	Quinn
Bradford	Evans	Krieger	Ravenstahl
Briggs	Fabrizio	Kula	Readshaw
Brown, V.	Farina	Mahoney	Roebuck
Brownlee	Flynn	Markosek	Rozzi
Burns	Frankel	Matzie	Sabatina
Caltagirone	Freeman	McCarter	Samuelson
Carroll	Gainey	McGeehan	Santarsiero
Clay	Gergely	McNeill	Scavello
Cohen	Gibbons	Miller, D.	Schlossberg
Conklin	Goodman	Mirabito	Schreiber
Costa, D.	Haggerty	Miranda	Sims
Costa, P.	Haluska	Molchany	Snyder
Daley, M.	Hanna	Mullery	Sturla
Daley, P.	Harkins	Mundy	Thomas
Davidson	Harris, J.	Neilson	Vitali
Davis	Kavulich	Neuman	Waters
Day	Keller, W.	O'Brien	Wheatley
Dean	Kim	Painter	White
Deasy	Kinsey	Parker	Youngblood
DeLissio			

NAYS—108

Adolph	Fleck	Lawrence	Rapp
Aument	Gabler	Longietti	Reed
Baker	Gillen	Lucas	Reese
Barrar	Gillespie	Mackenzie	Regan
Benninghoff	Gingrich	Maher	Roae
Bloom	Godshall	Major	Rock
Boback	Greiner	Maloney	Ross
Brooks	Grell	Marshall	Saccone
Brown, R.	Grove	Marsico	Sainato
Causar	Hackett	Masser	Sankey
Christiana	Hahn	McGinnis	Saylor
Clymer	Harhai	Mentzer	Simmons

Corbin	Harhart	Metcalfe	Smith
Cox	Harper	Metzgar	Sonney
Culver	Harris, A.	Micozzie	Stephens
Cutler	Heffley	Millard	Stern
Delozier	Helm	Miller, R.	Stevenson
Denlinger	Hennessey	Milne	Swanger
DiGirolamo	Hess	Moul	Tallman
Dunbar	Hickernell	Murt	Taylor
Ellis	James	O'Neill	Tobash
Emrick	Kampf	Oberlander	Toepel
English	Kauffman	Payne	Toohil
Evankovich	Keller, F.	Petrarca	Truitt
Everett	Keller, M.K.	Petri	Turzai
Farry	Killion	Pickett	Vereb
Fee	Knowles	Pyle	Watson

NOT VOTING—0

EXCUSED—6

Boyle, B.	Cruz	Miccarelli	Mustio
Boyle, K.	Galloway		

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

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

Ms. **DeLISSIO** offered the following amendment
No. **A02144**:

Amend Bill, page 1, line 17, by inserting after "section."
The uniform standards and qualifications shall provide that no institution may qualify as a purely public charity if it has a for-profit subsidiary.

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

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

Ms. DeLISSIO. Thank you, Mr. Speaker.

Mr. Speaker, at the risk of causing the gentleman from Centre County to sound like a broken record, I offer the following amendment.

This amendment would provide that the standards and qualifications to be developed would prohibit an institution from qualifying as a purely public charity if it has a for-profit subsidiary. Mr. Speaker, a for-profit company is in business to make money and has a profit motive. For a not-for-profit to have a subsidiary that is a for-profit sets up an unfair market situation.

And having had the privilege of heading a number of not-for-profits, sat on the board of a not-for-profit, and also owning for-profit companies, I think this amendment makes a lot of sense and want to ensure that, at a minimum, a purely public charity is not presenting an unfair situation to the many citizens of the Commonwealth who are in business for themselves. Thank you.

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

On that question, the Speaker recognizes the gentleman from Centre County, Mr. Benninghoff.

Mr. BENNINGHOFF. Thank you, Mr. Speaker.

In order to help the gentlelady, I would ask her to help support SB 4 unamended so that the will of the General Assembly can actually matter, and then if she needs to, we can address a purely public charity at a later date.

I respectfully ask for a "no" vote on amendment 2144. Thank you.

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

The following roll call was recorded:

YEAS—71

Bishop	DeLuca	Kinsey	Ravenstahl
Bizzarro	Dermody	Kirkland	Readshaw
Bradford	DiGirolamo	Kortz	Roebuck
Briggs	Donatucci	Kotik	Rozzi
Brown, V.	Evans	Kula	Sabatina
Brownlee	Fabrizio	Mahoney	Santarsiero
Caltagirone	Farina	Markosek	Schlossberg
Clay	Flynn	Matzie	Schreiber
Cohen	Frankel	McCarter	Sims
Conklin	Gainey	McGeehan	Snyder
Costa, D.	Haggerty	McNeill	Sturla
Costa, P.	Haluska	Miller, D.	Thomas
Daley, M.	Hanna	Molchany	Vitali
Daley, P.	Harkins	Mundy	Waters
Davis	Harris, J.	O'Brien	Wheatley
Dean	Kavulich	Painter	White
Deasy	Keller, W.	Parker	Youngblood
DeLissio	Kim	Pashinski	

NAYS—126

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

NOT VOTING—0

EXCUSED—6

Boyle, B. Cruz Miccarelli Mustio
Boyle, K. Galloway

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 B CONTINUED

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1481, PN 2062**, entitled:

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, providing for risk management and own risk solvency assessment.

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—197

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

Costa, P.	Harhai	Miller, D.	Snyder
Cox	Harhart	Miller, R.	Sonney
Culver	Harkins	Milne	Stephens
Cutler	Harper	Mirabito	Stern
Daley, M.	Harris, A.	Miranda	Stevenson
Daley, P.	Harris, J.	Molchany	Sturla
Davidson	Heffley	Moul	Swanger
Davis	Helm	Mullery	Tallman
Day	Hennessey	Mundy	Taylor
Dean	Hess	Murt	Thomas
Deasy	Hickernell	Neilson	Tobash
DeLissio	James	Neuman	Toepel
DeLozier	Kampf	O'Brien	Toohil
DeLuca	Kauffman	O'Neill	Truitt
Denlinger	Kavulich	Oberlander	Turzai
Dermody	Keller, F.	Painter	Vereb
DiGirolamo	Keller, M.K.	Parker	Vitali
Donatucci	Keller, W.	Pashinski	Waters
Dunbar	Killion	Payne	Watson
Ellis	Kim	Peifer	Wheatley
Emrick	Kinsey	Petrarca	White
English	Kirkland	Petri	Youngblood
Evankovich			

NAYS—0

NOT VOTING—0

EXCUSED—6

Boyle, B. Cruz Miccarelli Mustio
Boyle, K. Galloway

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 1177, PN 2063**, entitled:

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, further providing for initiative of electors seeking consolidation or merger with new home rule charter.

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—195

Adolph	Evankovich	Kirkland	Pickett
Aument	Evans	Knowles	Pyle
Baker	Everett	Kortz	Quinn
Barbin	Fabrizio	Kotik	Rapp

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

NAYS—2

Neuman Snyder

NOT VOTING—0

EXCUSED—6

Boyle, B. Cruz Miccarelli Mustio
Boyle, K. Galloway

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.

BILLS RECOMMITTED

The SPEAKER. The Speaker recognizes the majority leader, who moves that the following bills be recommitted to the Committee on Appropriations:

HB 1274;
HB 1429;
HB 1438;
HB 1439;
HB 1440;
HB 1462; and
SB 4.

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 1259 and SB 579 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.

CALENDAR CONTINUED

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 23, PN 743**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, extensively revising the Uniform Arbitration Act; and making editorial changes.

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

BILL TABLED

The SPEAKER. The Speaker recognizes the majority leader, who moves that HB 23 be removed from the active calendar and placed on the tabled calendar.

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

BILL REMOVED FROM TABLE

The SPEAKER. The Speaker recognizes the majority leader, who moves that HB 23 be removed from the tabled calendar and placed on the active calendar.

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

* * *

The House proceeded to second consideration of **HB 342, PN 349**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in depositions and witnesses, further providing for declaration of policy, for definitions and for victims of sexual or physical abuse.

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

BILL TABLED

The SPEAKER. The Speaker recognizes the majority leader, who moves that HB 342 be removed from the active calendar and placed on the tabled calendar.

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

BILL REMOVED FROM TABLE

The SPEAKER. The Speaker recognizes the majority leader, who moves that HB 342 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.

VOTE CORRECTION

The SPEAKER. The Speaker recognizes the gentleman, Mr. Schlossberg, from Lehigh County for a correction of the record.

Mr. SCHLOSSBERG. Thank you, Mr. Speaker.

On HB 4, amendment 2141, my vote was recorded in the affirmative. I wish for it to be recorded in the negative.

The SPEAKER. The gentleman's remarks will be noted for the record.

FINANCE COMMITTEE MEETING

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

Mr. BENNINGHOFF. Well, I wanted to say hello to the Speaker again, but in addition to that, I just wanted to remind the members—

The SPEAKER. For what purpose does the gentleman rise?

Mr. BENNINGHOFF. Announce a meeting, sir, with your permission.

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

Mr. BENNINGHOFF. Thank you, Mr. Speaker, for that permission. I feel blessed.

I just want to remind the House Finance Committee members that we will be holding a voting meeting on Thursday, June 20, at the call of the Chair in room 60, East Wing. We will

be addressing HB 1541 and any other business that may come before the committee.

I thank you, Mr. Speaker.

The SPEAKER. There will be a Finance Committee meeting on Thursday, June 20, at the call of the Chair in room 60, East Wing.

BILLS AND RESOLUTIONS PASSED OVER

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

ADJOURNMENT

The SPEAKER. Seeing no further business, the Speaker recognizes the gentleman, Mr. Gainey, from Allegheny County, who moves that this House do adjourn until Wednesday, June 19, 2013, at 11 a.m., e.d.t., unless sooner recalled by the Speaker.

On the question,
Will the House agree to the motion?
Motion was agreed to, and at 4:59 p.m., e.d.t., the House adjourned.