

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

WEDNESDAY, JUNE 26, 2013

SESSION OF 2013

197TH OF THE GENERAL ASSEMBLY

No. 48

HOUSE OF REPRESENTATIVES

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

THE SPEAKER (SAMUEL H. SMITH) PRESIDING

PRAYER

HON. JERRY STERN, member of the House of Representatives, offered the following prayer:

Let us bow our heads:

Our dear Heavenly Father, we thank You this morning for this day. We praise Your holy name. As we begin another session day, let us be mindful of those who are serving our country and defending our freedoms. Be with our soldiers and their families as they are undergoing difficult and often stressful times being away from home.

As we continue to deliberate the issues of importance and the policy decisions we must determine, please grant discernment to the members and wisdom to our leaders. Be with our Speaker, Sam Smith. Continue to strengthen him and guide his steps as he leads this General Assembly. Grant us patience with those we may be in disagreement with and have us turn from wrath with a soft word of response.

Moses shared a prayer from Psalm 90, which stated that:

You, "Lord, thou hast been our dwelling place in all generations.

"Before the mountains were brought forth, or ever thou hadst formed the earth and the world, even from everlasting to everlasting, thou art God...."

"For a thousand years in thy sight are but as yesterday when it is past, and as a watch in the night."

We are reminded "The days of our years are threescore and ten; and if by reason of strength they be fourscore years, yet is their strength labour and sorrow; for it is soon cut off, and we fly away...."

"So teach us to number our days, that we may apply our hearts unto wisdom...."

"O satisfy us early with thy mercy; that we may rejoice and be glad all our days...."

"And let the beauty of the Lord our God be upon us: and establish thou the work of our hands upon us; yea, the work of our hands establish thou it."

As we are reminded by this prayer of Moses, let us continue to remember those who work here in this House of Representatives. Continue to be with the dedicated staff that give the length of their days to completing the details that we

will use to determine the direction of this Commonwealth and to those that attend to the smallest details that are before us, those dedicated staff members that record what we say and how our votes are tallied.

Bless our Governor. Be with our President of the United States, our Congress, and those dedicated servants serving our elected officials. Give them wisdom and perseverance to do the right things. Thank You for all things, dear Lord. Bless the remainder of this day. We pray all these things in the name of Jesus. Amen.

PLEDGE OF ALLEGIANCE

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

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, the approval of the Journal of Tuesday, June 25, 2013, will be postponed until printed.

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

HB 473, PN 2161 (Amended) By Rep. SCAVELLO

An Act amending the act of August 24, 1963 (P.L.1175, No.497), entitled "An act to codify, amend, revise and consolidate the laws relating to mechanics' liens," further providing for definitions; and providing for State Construction Notices Directory and for notice of commencement and furnishing requirements.

LABOR AND INDUSTRY.

HB 1477, PN 2162 (Amended) By Rep. TAYLOR

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, in liquor and alcohol, further providing for interlocking business prohibited; in malt and brewed beverages, further providing for number and kinds of licenses allowed same licensee and interlocking business prohibited; and, in distilleries, wineries, bonded warehouses, bailees for hire and transporters for hire, further providing for limited wineries.

LIQUOR CONTROL.

HB 1523, PN 2030 By Rep. HARPER

An Act amending the act of January 19, 1967 (1968 P.L.992, No.442), entitled, as amended, "An act authorizing the Commonwealth

of Pennsylvania and the local government units thereof to preserve, acquire or hold land for open space uses," further providing for local taxing options.

LOCAL GOVERNMENT.

HB 1527, PN 2037

By Rep. METCALFE

An Act amending Title 62 (Procurement) of the Pennsylvania Consolidated Statutes, in contract clauses and preference provisions, adding provisions relating to steel and blast furnace slag aggregates.

STATE GOVERNMENT.

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

SB 963, PN 1107

By Rep. METCALFE

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

STATE GOVERNMENT.

SB 964, PN 1108

By Rep. METCALFE

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

STATE GOVERNMENT.

**BILL REPORTED AND REREFERRED TO
COMMITTEE ON FINANCE**

HB 1513, PN 1994

By Rep. HARPER

An Act amending the act of December 31, 1965 (P.L.1257, No.511), known as The Local Tax Enabling Act, further providing for delegation of taxing powers and restrictions thereon.

Reported from Committee on LOCAL GOVERNMENT with request that it be rereferred to Committee on FINANCE.

The SPEAKER. Without objection, the bill will be so rereferred.

**HOUSE RESOLUTION
INTRODUCED AND REFERRED**

No. 393 By Representatives V. BROWN, CALTAGIRONE, YOUNGBLOOD, SCHLOSSBERG, KIRKLAND, PARKER, MIRANDA, MAHONEY, BROWNLEE, CRUZ, GINGRICH and FLYNN

A Resolution honoring the civic and social contributions of the Pennsylvania Voter ID Coalition.

Referred to Committee on STATE GOVERNMENT, June 26, 2013.

**HOUSE BILLS
INTRODUCED AND REFERRED**

No. 1584 By Representatives CAUSER, MILLARD, BAKER, RAPP, EMRICK, LUCAS, JAMES, KULA, TALLMAN, COHEN, MAJOR, FLECK, READSHAW, DENLINGER, LAWRENCE, QUINN, GILLEN, M. K. KELLER, ROCK, GINGRICH, GROVE, D. COSTA and HESS

An Act amending Titles 30 (Fish) and 34 (Game) of the Pennsylvania Consolidated Statutes, further providing for powers and duties of waterways conservation officers and deputies and for powers and duties of enforcement officers.

Referred to Committee on GAME AND FISHERIES, June 26, 2013.

No. 1587 By Representatives BOBACK, BISHOP, V. BROWN, DAVIS, MAJOR, O'BRIEN, CONKLIN, SCHLOSSBERG, D. COSTA, STERN, PICKETT, DONATUCCI, YOUNGBLOOD, HELM, SAYLOR, TRUITT, COHEN, MILLARD, EVERETT, CALTAGIRONE, GROVE, HESS, ROCK, WATSON, THOMAS, DAVIDSON, GIBBONS, HAHN, BROOKS, DeLUCA, MOLCHANY, MATZIE, BRADFORD and SNYDER

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, further providing for coverage for mammographic examinations.

Referred to Committee on INSURANCE, June 26, 2013.

No. 1588 By Representatives SAYLOR, BLOOM, TALLMAN, AUMENT, BAKER, CUTLER, DENLINGER, DiGIROLAMO, GABLER, GIBBONS, GINGRICH, C. HARRIS, HELM, KAUFFMAN, F. KELLER, KNOWLES, KRIEGER, LUCAS, MARSHALL, MILLARD, MILNE, MIRANDA, QUINN, REGAN, ROCK, SACCONI, SANKEY, STERN, SWANGER, MCGINNIS, MALONEY, LAWRENCE and CLYMER

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

Referred to Committee on EDUCATION, June 26, 2013.

SENATE BILL FOR CONCURRENCE

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

SB 601, PN 1266

Referred to Committee on JUDICIARY, June 26, 2013.

ACTUARIAL NOTES

The SPEAKER. The Speaker acknowledges receipt of the following actuarial notes: HB 1352, PN 1846, as amended by amendment Nos. 02189 and 02191.

Additionally, the actuarial report for HB 1353, PN 1847, as amended by amendment Nos. 02204 and 02259.

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

LEAVES OF ABSENCE

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

The minority whip indicates he has no requests for leaves of absence at this time.

MASTER ROLL CALL

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

The following roll call was recorded:

PRESENT—201

Adolph	English	Kinsey	Petrarca
Aument	Evankovich	Kirkland	Pickett
Baker	Evans	Knowles	Pyle
Barbin	Everett	Kortz	Quinn
Barrar	Fabrizio	Kotik	Rapp
Benninghoff	Farina	Krieger	Ravenstahl
Bishop	Farry	Kula	Readshaw
Bizzarro	Fee	Lawrence	Reed
Bloom	Fleck	Longietti	Reese
Boback	Flynn	Lucas	Regan
Boyle, B.	Frankel	Mackenzie	Roae
Boyle, K.	Freeman	Maher	Rock
Bradford	Gabler	Mahoney	Roebuck
Briggs	Gainey	Major	Ross
Brooks	Galloway	Maloney	Rozzi
Brown, R.	Gergely	Markosek	Sabatina
Brown, V.	Gibbons	Marshall	Saccone
Brownlee	Gillen	Marsico	Sainato
Burns	Gillespie	Masser	Samuelson
Caltagirone	Gingrich	Matzie	Sankey
Carroll	Godshall	McCarter	Santarsiero
Causser	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	Mustio	Toepel
Deasy	Hickernell	Neilson	Toohil
DeLissio	James	Neuman	Truitt
Delozier	Kampf	O'Brien	Turzai
DeLuca	Kauffman	O'Neill	Vereb
Denlinger	Kavulich	Oberlander	Vitali
Dermody	Keller, F.	Painter	Waters

DiGirolamo	Keller, M.K.	Parker	Watson
Donatucci	Keller, W.	Pashinski	Wheatley
Dunbar	Killion	Payne	White
Ellis	Kim	Peifer	Youngblood
Emrick			

ADDITIONS—0

NOT VOTING—0

EXCUSED—2

Miccarelli Petri

LEAVES ADDED—1

Boyle, B.

The SPEAKER. Two hundred and one members having voted on the master roll call, a quorum is present.

GUESTS INTRODUCED

The SPEAKER. If I could have the members' attention, I would appreciate if you hold the conversations down and would appreciate your courtesy while I introduce some of the guests that are with us today. Thank you.

Located to the left of the rostrum, the Chair welcomes the following summer interns: Alina Lam is interning in Representative Tallman's office; Jon Toner and Anja Hencken are working in Representative Kampf's office; Sarah Shanoudy is an intern for Representative Stern; and Jackie Lafferty and Josh Rudegear are working with Representative Hackett for the summer. As well, located in the rear of the House, Alex Camaerei is interning with Representative Carroll. Will all our guests please rise. Welcome to the hall of the House; in the rear, under the flag on the right.

Also located to the left of the rostrum, we would like to welcome Representative Cutler's son, Caleb. Please rise. Welcome to the hall of the House.

Also located to the left of the rostrum, we would like to welcome Dylan Furlano. She is a guest of Representative Corbin and Representative Ross. Please rise. Welcome to the hall of the House.

Also to the left of the rostrum, we would like to welcome Representative Dean's brother, Bob Dean. Please rise. Welcome to the hall of the House.

In the rear of the House, we would like to welcome guests of Representative Rosemary Brown and Representative Scavello. The guests are: Claudia, Kevin, and Edith Hess and Katavzyna Stach. Will our guests please rise. Welcome to the hall of the House.

Also in the rear of the House, we would like to welcome Representative Mackenzie's brother, Scott, and his girlfriend, Heddi Murphy. Will the guests please rise; straight back. Welcome to the hall of the House.

Located in the rear of the House, we would like to welcome guests of Representative Mundy and Representative Daley: Silvia Clonelli and Luca Alessandrini from Foligno, Italy. With them are Debbie Meighan from Swoyersville and Ellie and Jane Rosentel from Forty Fort. Will our guests please rise. Welcome to the hall of the House; under the flag on the left.

And as a guest page, as a guest of Representative Swanger, in the well of the House, we would like to welcome guest page Zach Merchant. Welcome to the hall of the House.

UNCONTESTED CALENDAR

RESOLUTIONS PURSUANT TO RULE 35

Mr. HAGGERTY called up HR 370, PN 2045, entitled:

A Resolution designating the day of July 26, 2013, as "Americans with Disabilities Act Awareness Day" in Pennsylvania.

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Mr. CAUSER called up HR 372, PN 2070, entitled:

A Resolution commemorating the 50th anniversary of the University of Pittsburgh at Bradford.

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Mr. GOODMAN called up HR 394, PN 2143, entitled:

A Resolution commemorating the 150th anniversary of the Borough of Mahanoy City, Schuylkill County.

* * *

Mr. BRIGGS called up HR 395, PN 2144, entitled:

A Resolution commemorating the 120th anniversary of the founding of Valley Forge State Park as Pennsylvania's first State park.

* * *

Mr. CLAY called up HR 396 PN 2145, entitled:

A Resolution designating the week of August 11 through 17, 2013, as "Child Safety Week" in Pennsylvania, to further the proliferation of knowledge regarding the risks to and preventative measures for the safety of children.

On the question, Will the House adopt the resolutions?

The following roll call was recorded:

YEAS—201

Table with 4 columns of names: Adolph, Aument, Baker, Barbin, Barrar, Benninghoff, Bishop, Bizzarro, Bloom, Boback, Boyle, B., Boyle, K., Bradford, Briggs, Brooks, Brown, R., English, Evankovich, Evans, Everett, Fabrizio, Farina, Farry, Fee, Fleck, Flynn, Frankel, Freeman, Gabler, Gaaney, Galloway, Gergely, Kinsey, Kirkland, Knowles, Kortz, Kotik, Krieger, Kula, Lawrence, Longiotti, Lucas, Mackenzie, Maher, Mahoney, Major, Maloney, Markosek, Petrarca, Pickett, Pyle, Quinn, Rapp, Ravenstahl, Readshaw, Reese, Regan, Roae, Rock, Roebuck, Ross, Rozzi, Sabatina

Table with 4 columns of names: Brown, V., Brownlee, Burns, Caltagirone, Carroll, Causer, Christiana, Clay, Clymer, Cohen, Conklin, Corbin, Costa, D., Costa, P., Cox, Cruz, Culver, Cutler, Daley, M., Daley, P., Davidson, Davis, Day, Dean, Deasy, DeLissio, Delozier, DeLuca, Denlinger, Dermody, DiGirolamo, Donatucci, Dunbar, Ellis, Emrick, Gibbons, Gillen, Gillespie, Gingrich, Godshall, Goodman, Greiner, Grell, Grove, Hackett, Haggerty, Hahn, Haluska, Hanna, Harhai, Harhart, Harkins, Harper, Harris, A., Harris, J., Heffley, Helm, Hennessey, Hess, Hickernell, James, Kampf, Kauffman, Kavulich, Keller, F., Keller, M.K., Keller, W., Killion, Kim, Marshall, Marsico, Masser, Matzie, McCarter, McGeehan, McGinnis, McNeill, Mentzer, Metcalfe, Metzgar, Micozzie, Millard, Miller, D., Miller, R., Milne, Mirabito, Miranda, Molchany, Moul, Mullery, Mundy, Murt, Mustio, Neilson, Neuman, O'Brien, O'Neill, Oberlander, Painter, Parker, Pashinski, Payne, Peifer, Saccone, Sainato, Samuelson, Sankey, Santarsiero, Saylor, Scavello, Schlossberg, Schreiber, Simmons, Sims, Smith, Snyder, Sonney, Stephens, Stern, Stevenson, Sturla, Swanger, Tallman, Taylor, Thomas, Tobash, Toepel, Toohil, Truitt, Turzai, Vereb, Vitali, Waters, Watson, Wheatley, White, Youngblood

NAYS—0

NOT VOTING—0

EXCUSED—2

Miccarelli Petri

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

REMARKS SUBMITTED FOR THE RECORD

The SPEAKER. The Speaker recognizes the gentleman from McKean County, Mr. Causer, under unanimous consent relative to one of the resolutions just adopted.

Mr. CAUSER. Thank you, Mr. Speaker.

Mr. Speaker, I would like to submit remarks for the record for HR 372.

The SPEAKER. I apologize. Would the gentleman repeat?

Mr. CAUSER. Mr. Speaker, I would like to submit remarks for the record on HR 372.

The SPEAKER. The Speaker thanks the gentleman. Deliver them to the clerk, and they will be noted in the record.

Mr. CAUSER. Thank you.

Mr. CAUSER submitted the following remarks for the Legislative Journal:

Thank you, Mr. Speaker.

I rise today to recognize an organization that has become a cornerstone of the Bradford community.

Fifty years ago there were no higher education institutions in the northwestern and north-central regions of Pennsylvania.

Community leaders in Bradford saw both need and opportunity in that fact and petitioned the University of Pittsburgh to locate a regional campus there. Because of their vision, and that of then Chancellor Edward Litchfield, the University of Pittsburgh at Bradford was born and opened its doors to its first class of students in the fall of 1963.

What started as a 2-year college that offered the beginning of a Pitt undergraduate education evolved quickly over the next decade. The campus grew, both in physical size and in the programs it offered. By 1975 the school launched 2-year associate degrees and 4-year programs that would allow students to complete their degrees in Bradford.

Today the University of Pittsburgh at Bradford is a well-respected academic institution with an enrollment of more than 1600 students and more than 40 majors. This year it was recognized by U.S. News and World Report as one of the best regional colleges in the north. And for the ninth year in a row, the Princeton Review recognized it as one of the best colleges in the northeast.

The University of Pittsburgh at Bradford contributes so much to the Bradford community. It generates more than \$67 million worth of economic activity and supports an estimated 740 full-time equivalent jobs in our region. And most importantly, it provides truly outstanding educational opportunities to students from across the northern tier, the northeastern United States, and even other countries.

Please join me in saying "Happy 50th Anniversary" to my alma mater, the University of Pittsburgh at Bradford.

CALENDAR

RESOLUTIONS PURSUANT TO RULE 35

Mr. BRIGGS called up **HR 345, PN 1920**, entitled:

A Resolution designating September 5, 2013, as "Moment of Integration Day" in Pennsylvania, in commemoration of the 50th anniversary of the integration of Lower Merion School District.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—201

Adolph	English	Kinsey	Petrarca
Aument	Evankovich	Kirkland	Pickett
Baker	Evans	Knowles	Pyle
Barbin	Everett	Kortz	Quinn
Barrar	Fabrizio	Kotik	Rapp
Benninghoff	Farina	Krieger	Ravenstahl
Bishop	Farry	Kula	Readshaw
Bizzarro	Fee	Lawrence	Reed
Bloom	Fleck	Longietti	Reese
Boback	Flynn	Lucas	Regan
Boyle, B.	Frankel	Mackenzie	Roae
Boyle, K.	Freeman	Maher	Rock
Bradford	Gabler	Mahoney	Roebuck
Briggs	Gainey	Major	Ross
Brooks	Galloway	Maloney	Rozzi
Brown, R.	Gergely	Markosek	Sabatina
Brown, V.	Gibbons	Marshall	Saccone
Brownlee	Gillen	Marsico	Sainato
Burns	Gillespie	Masser	Samuelson
Caltagirone	Gingrich	Matzie	Sankey
Carroll	Godshall	McCarter	Santarsiero
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	Mustio	Toepel
Deasy	Hickernell	Neilson	Toohil
DeLissio	James	Neuman	Truitt
Delozier	Kampf	O'Brien	Turzai
DeLuca	Kauffman	O'Neill	Vereb
Denlinger	Kavulich	Oberlander	Vitali
Dermody	Keller, F.	Painter	Waters
DiGirolamo	Keller, M.K.	Parker	Watson
Donatucci	Keller, W.	Pashinski	Wheatley
Dunbar	Killion	Payne	White
Ellis	Kim	Peifer	Youngblood
Emrick			

NAYS—0

NOT VOTING—0

EXCUSED—2

Miccarelli Petri

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

* * *

Mr. CRUZ called up **HR 379, PN 2091**, entitled:

A Resolution celebrating the confirmation of the Honorable Nitza I. Quinones Alejandro and congratulating her on becoming the first Latin-American Federal judge on the United States District Court for the Eastern District of Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—201

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

Brooks	Galloway	Maloney	Rozzi
Brown, R.	Gergely	Markosek	Sabatina
Brown, V.	Gibbons	Marshall	Saccone
Brownlee	Gillen	Marsico	Sainato
Burns	Gillespie	Masser	Samuelson
Caltagirone	Gingrich	Matzie	Sankey
Carroll	Godshall	McCarter	Santarsiero
Causer	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	Mustio	Toepel
Deasy	Hickernell	Neilson	Toohil
DeLissio	James	Neuman	Truitt
Delozier	Kampf	O'Brien	Turzai
DeLuca	Kauffman	O'Neill	Vereb
Denlinger	Kavulich	Oberlander	Vitali
Dermody	Keller, F.	Painter	Waters
DiGirolamo	Keller, M.K.	Parker	Watson
Donatucci	Keller, W.	Pashinski	Wheatley
Dunbar	Killion	Payne	White
Ellis	Kim	Peifer	Youngblood
Emrick			

NAYS-0

NOT VOTING-0

EXCUSED-2

Miccarelli Petri

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

* * *

Mr. J. HARRIS called up **HR 390, PN 2123**, entitled:

A Resolution honoring the Phi Beta Sigma Fraternity during the Conclave 2013 celebration from July 9 through 14, 2013, in Philadelphia.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-201

Adolph	English	Kinsey	Petrarca
Aument	Evankovich	Kirkland	Pickett
Baker	Evans	Knowles	Pyle
Barbin	Everett	Kortz	Quinn
Barrar	Fabrizio	Kotik	Rapp
Benninghoff	Farina	Krieger	Ravenstahl

Bishop	Farry	Kula	Readshaw
Bizzarro	Fee	Lawrence	Reed
Bloom	Fleck	Longietti	Reese
Boback	Flynn	Lucas	Regan
Boyle, B.	Frankel	Mackenzie	Roae
Boyle, K.	Freeman	Maher	Rock
Bradford	Gabler	Mahoney	Rockbuck
Briggs	Gainey	Major	Ross
Brooks	Galloway	Maloney	Rozzi
Brown, R.	Gergely	Markosek	Sabatina
Brown, V.	Gibbons	Marshall	Saccone
Brownlee	Gillen	Marsico	Sainato
Burns	Gillespie	Masser	Samuelson
Caltagirone	Gingrich	Matzie	Sankey
Carroll	Godshall	McCarter	Santarsiero
Causer	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	Mustio	Toepel
Deasy	Hickernell	Neilson	Toohil
DeLissio	James	Neuman	Truitt
Delozier	Kampf	O'Brien	Turzai
DeLuca	Kauffman	O'Neill	Vereb
Denlinger	Kavulich	Oberlander	Vitali
Dermody	Keller, F.	Painter	Waters
DiGirolamo	Keller, M.K.	Parker	Watson
Donatucci	Keller, W.	Pashinski	Wheatley
Dunbar	Killion	Payne	White
Ellis	Kim	Peifer	Youngblood
Emrick			

NAYS-0

NOT VOTING-0

EXCUSED-2

Miccarelli Petri

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

STATEMENT BY MR. HARRIS

The SPEAKER. For what purpose does the gentleman from Philadelphia, Mr. Harris, rise?

Mr. J. HARRIS. Thank you, Mr. Speaker.
Unanimous consent on the resolution.

The SPEAKER. The gentleman is in order under unanimous consent.

Mr. J. HARRIS. Thank you, Mr. Speaker.

I would just like to thank the members for their unanimous vote of this resolution honoring the men of Phi Beta Sigma Fraternity, Inc., a fraternity that I am a proud member of, that

will be celebrating their national conference, which we call a conclave, here in the State of Pennsylvania. It will be in the city of Philadelphia this summer. This year Phi Beta Sigma will celebrate 99 years of community service, brotherhood, and scholarship here in the Commonwealth of Pennsylvania, and next year we will celebrate 100 years. So I am extremely ecstatic, and I thank the members for their unanimous vote on this resolution.

Thank you, Mr. Speaker.

The SPEAKER. The Speaker thanks the gentleman.

RULES AND APPROPRIATIONS COMMITTEE MEETINGS

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

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

Mr. Speaker, there will be an immediate Rules Committee meeting in the House Appropriations conference room, and then there will be a House Appropriations Committee meeting following that Rules Committee meeting in the majority caucus room. Thank you.

The SPEAKER. The Rules Committee will be meeting immediately in the Appropriations conference room, followed by an Appropriations Committee meeting in the majority caucus room.

COMMITTEE MEETING POSTPONED

The SPEAKER. The Speaker recognizes the gentleman from Bucks County, Mr. DiGirolamo, for an announcement.

Mr. DIGIROLAMO. Thank you, Mr. Speaker.

To the members of the Human Services Committee, the meeting that was scheduled at the call of the Chair has been postponed, and I will let the members know when we reschedule the meeting. But the meeting at the call of the Chair to consider HB 1492 has been postponed. Thank you.

The SPEAKER. The Speaker thanks the gentleman.

ANNOUNCEMENT BY MR. GRELL

The SPEAKER. The gentleman from Cumberland County, Mr. Grell, is seeking recognition for an announcement?

Mr. GRELL. Yes, Mr. Speaker.

The SPEAKER. The gentleman is in order.

Mr. GRELL. There will be a meeting of the South Central Caucus immediately after the Rules Committee meeting in the majority leader's conference room. Thank you.

ANNOUNCEMENT BY MR. MILLARD

The SPEAKER. For what purpose does the gentleman from Columbia County, Mr. Millard, rise?

Mr. MILLARD. Committee announcement.

The SPEAKER. The gentleman is in order.

Mr. MILLARD. The East Central Caucus will meet immediately after the Republican caucus in discussion of HB 618 in B-31, Main Capitol; B-31, Main Capitol, immediately after the Republican caucus.

The SPEAKER. The Speaker thanks the gentleman.

REPUBLICAN CAUCUS

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

Ms. MAJOR. Thank you, Mr. Speaker.

I would like to announce Republicans will caucus today at 1 p.m. I would ask our Republican members to please report to our caucus room at 1 o'clock. We would be prepared to come back on the floor at 2:30. 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 1 o'clock as well. Democrats will caucus at 1 p.m. Thank you.

ANNOUNCEMENT BY MRS. DAVIDSON

The SPEAKER. For what purpose does the lady from Delaware County, Mrs. Davidson, rise?

Mrs. DAVIDSON. An announcement.

The SPEAKER. The lady is in order to make an announcement.

Mrs. DAVIDSON. Democratic women will meet after session today, at the end of session today. Thank you. In the women's lounge.

RECESS

The SPEAKER. Seeing no further announcements, this House stands in recess till 2:30, unless sooner recalled by the Speaker.

RECESS EXTENDED

The time of recess was extended until 3 p.m.; further extended until 3:15 p.m.

AFTER RECESS

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

BILLS REREPORTED FROM COMMITTEES

HB 972, PN 2156

By Rep. ADOLPH

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, providing for fee waiver certificate.

APPROPRIATIONS.

HB 1047, PN 1261

By Rep. ADOLPH

An Act amending the act of November 30, 2004 (P.L.1578, No.201), entitled "An act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, further defining 'common carrier by motor vehicle'; providing for consumer protection and information and for the protection of responsible customer of public utilities;

abrogating regulations; and preempting local regulation," eliminating the expiration of responsible utility consumer protection.

APPROPRIATIONS.

HB 1096, PN 2060 By Rep. TURZAI

An Act amending the act of December 14, 1982 (P.L.1227, No.281), known as the Architects Licensure Law, further providing for definitions, for powers of board and for issuance and renewal of certificates.

RULES.

HB 1253, PN 1601 By Rep. ADOLPH

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 and for administration and enforcement.

APPROPRIATIONS.

HB 1276, PN 1639 By Rep. ADOLPH

An Act making an appropriation from a restricted revenue account within the General Fund to the Office of Small Business Advocate in the Department of Community and Economic Development.

APPROPRIATIONS.

HB 1277, PN 1999 By Rep. ADOLPH

An Act making an appropriation from the State Employees' Retirement Fund to provide for expenses of the State Employees' Retirement Board for the fiscal year July 1, 2013, to June 30, 2014, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2013.

APPROPRIATIONS.

HB 1278, PN 2000 By Rep. ADOLPH

An Act making an appropriation from the Public School Employees' Retirement Fund to provide for expenses of the Public School Employees' Retirement Board for the fiscal year July 1, 2013, to June 30, 2014, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2013.

APPROPRIATIONS.

HB 1279, PN 2001 By Rep. ADOLPH

An Act making appropriations from the Workmen's Compensation Administration Fund to the Department of Labor and Industry and the Department of Community and Economic Development to provide for the expenses of administering the Workers' Compensation Act, The Pennsylvania Occupational Disease Act and the Office of Small Business Advocate for the fiscal year July 1, 2013, to June 30, 2014, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2013.

APPROPRIATIONS.

HB 1280, PN 1643 By Rep. ADOLPH

An Act making an appropriation from a restricted revenue account within the General Fund to the Office of Consumer Advocate in the Office of Attorney General.

APPROPRIATIONS.

HB 1281, PN 1644

By Rep. ADOLPH

An Act making appropriations from a restricted revenue account within the General Fund and from Federal augmentation funds to the Pennsylvania Public Utility Commission for the fiscal year July 1, 2013, to June 30, 2014, and for the fiscal year July 1, 2012, to June 30, 2013.

APPROPRIATIONS.

HB 1282, PN 1645

By Rep. ADOLPH

An Act making appropriations from the restricted revenue accounts within the State Gaming Fund and from the State Gaming Fund to the Pennsylvania Gaming Control Board, the Department of Revenue, the Pennsylvania State Police and the Attorney General for the fiscal year beginning July 1, 2013, to June 30, 2014, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2013.

APPROPRIATIONS.

HB 1348, PN 1742

By Rep. ADOLPH

An Act amending the act of December 20, 1985 (P.L.457, No.112), known as the Medical Practice Act of 1985, further providing for physician assistants.

APPROPRIATIONS.

HB 1351, PN 1744

By Rep. ADOLPH

An Act amending the act of October 5, 1978 (P.L.1109, No.261), known as the Osteopathic Medical Practice Act, further providing for physician assistants.

APPROPRIATIONS.

HB 1460, PN 1892

By Rep. ADOLPH

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, further providing for educational leave of absence.

APPROPRIATIONS.

HB 1547, PN 2081

By Rep. TURZAI

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

RULES.

SUPPLEMENTAL CALENDAR A

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 1547, PN 2081**, entitled:

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

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 1096, PN 2060**, entitled:

An Act amending the act of December 14, 1982 (P.L.1227, No.281), known as the Architects Licensure Law, further providing for definitions, for powers of board and for issuance and renewal of certificates.

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.

CALENDAR CONTINUED

BILL ON THIRD CONSIDERATION

The House proceeded to third 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 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. Thank you, Mr. Speaker.

Mr. Speaker, I rise today to oppose SB 4. This legislation seeks to amend our State Constitution to allow large purely public charities to continue enjoying tax benefits regardless of whether or not their activities are serving as a charitable purpose.

Now, Mr. Speaker, I support tax exemptions for purely public charities, but this legislation, Mr. Speaker, will ensure that these entities get tax exemptions even for their noncharitable endeavors. We are talking about entities that are bringing in hundreds of millions of dollars, have some of the highest paid executives, and provide relatively minor charitable services, yet we are still giving these entities favorable tax status.

There have been several news stories in recent months about how little some of these purely public charities actually contribute to charitable purposes. There was one right here in the midstate that spent less than 1 percent, less than 1 percent of the money it raised on direct aid to the stated charitable purpose.

Mr. Speaker, last year the Supreme Court wisely recognized how some of these institutions have been abusing their tax-exempt status to engage in noncharitable enterprises. The Court merely stated what should have been obvious to all of us here, that a purely public charity must be an entity that is operated for purely charitable purposes. This means entities must spend a substantial portion of their revenue for free

charitable services and they cannot operate with private profit motives.

At the present time our older municipalities and cities are struggling because so much of their property tax base is owned by the purely public charities. Why would we want to make it easier for these large nonprofits to avoid taxes for their noncharitable activities? By passing this legislation, we will be placing higher property tax burdens on our constituents because municipalities will need to continue to increase property taxes to pay for these tax exemptions.

The SPEAKER. Will the gentleman suspend for a second, please.

I appreciate if the members could hold the conversations down. It is really loud in here. If members could kindly take the conversations to the rear of the House, we would appreciate it. I apologize.

The gentleman, Mr. DeLuca, may proceed.

Mr. DeLUCA. Thank you, Mr. Speaker.

I was just about to ask you for some order here.

How many of these cities and municipalities will have to go bankrupt or file for Act 47 before we recognize the problems these entities pose for our local governments?

Now, you will hear some in this chamber argue that this is intended to do nothing more than give the legislature sole authority to establish standards for what is and is not a purely public charity. Some will even say that nothing is stopping the legislature from revising the standards to ensure that the entities are not given tax exemptions for their noncharitable activities, but if that is the case, Mr. Speaker, where is the companion bill that would establish tougher standards? In all my years in this House, Mr. Speaker, and in this legislature, it has been common practice to introduce a companion bill when introducing a constitutional amendment when necessary. We know our current standards contained in the purely public charities law and the Tax Code are woefully inadequate. So I ask again, where is the companion bill that would establish these tougher standards?

Mr. Speaker, let us stop hurting our cities and municipalities. Let us stop driving up our constituents' property taxes. Let us vote down this legislation.

Thank you, Mr. Speaker.

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

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

Mr. LAWRENCE. Thank you, Mr. Speaker.

Mr. Speaker, the question before us today on SB 4 is this, and it is very simple. We are going to hear a lot of rhetoric today, but the question before the House today is extremely simple: Who has the authority to determine what is a charity in Pennsylvania? Who has the authority to determine what is a purely public charity? Is it the courts or is it the legislature? That is the question that is before us today. The Supreme Court has ruled that they have sole discretion over determining what is and is not a purely public charity.

Now, maybe you think as a legislator we should tighten up the rules on what is defined as a charity in the Commonwealth. Maybe you think we should laxen the rules on what is a charity in the Commonwealth. At this point it is utterly irrelevant what you think as a legislator in this Assembly, because the courts have determined that they are the sole and final decisionmaker on this issue and that we have, as legislators, absolutely no say whatsoever. That is the question that is before us today.

Now, the good gentleman from the other side of the aisle just mentioned, where is the companion legislation to do one thing or another? The process for passing an amendment for the Constitution requires that the same language pass in the Senate and the House this session, then next session, then it goes to a voter referendum. We are years away from finality on this issue. At this point to introduce legislation one way or the other on this issue, like I said, if you think the standards should be tightened or if you think the standards should be relaxed, it is irrelevant because the courts have said the legislature cannot speak to this issue.

Now, I am of the opinion that the legislature has a lot to say about this issue. Certainly the legislature has said a lot on this issue in the past, but the courts have ruled that all of that is meaningless.

So the question before us today, who has the authority? Is it the legislature or is it the courts? The amendment that is before us, I believe – I mean, it is only about two or three lines. The proposed amendment to the Constitution says the legislature has the ability to speak as to what is a purely public charity. That is plain and simple.

So just to be clear, a "no" vote on SB 4 says that you believe the legislature should have absolutely no voice on this matter; a "yes" vote on SB 4 says that you believe the legislature, not the courts, should establish the law on purely public charities. It is that simple. I encourage an affirmative vote. Thank you, Mr. Speaker.

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

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

Mr. FREEMAN. Thank you, Mr. Speaker.

Mr. Speaker, I rise to oppose SB 4. This legislation opens the door to the abuse of the purely public charities designation as to who may qualify for such designation in the future and thereby receive an exemption from the real property tax.

It poses potentially serious problems for our local governments here in Pennsylvania. It could make it tougher to challenge the tax-exempt status of an institution if the legislature is given the broad and sweeping grant of authority in this matter that the proposed constitutional change provides for. The reality is that granting purely public charity status to a potentially expanded number of institutions and their activities would result in the loss of revenue on the local level and an increased burden being placed on homeowners as the result of rising residential property taxes to make up for the loss of property taxes from institutions that would normally be viewed as for-profit entities.

A potential expansion of the purely public charities designation to institutions and operations that for all intents and purposes operate like a for-profit entity but hide behind a not-for-profit status will pose problems for businesses throughout this Commonwealth as well. They will have to compete with their so-called nonprofit counterparts who run like a for-profit entity, offer services like a for-profit entity, make money like a for-profit entity but have the advantage of being tax-exempt, resulting in an uneven playing field that puts businesses at a disadvantage to their so-called not-for-profit entity.

There is no need for this constitutional amendment. We have a good standard in place with a five-point test established in the *Hospital Utilization Project* case, or *HUP* case, of 1985. That

created a standard that has been fair and that has been reasonable and has served the taxpayers of this Commonwealth extremely well.

The courts have rightfully served as the guardians of the purely public charity standard but now under this legislation will be cut out of the picture if this proposed constitutional amendment passes. It would allow for special interest groups to close in on the legislative process to seek additional advantage for themselves at the expense of our communities and local taxpayers.

SB 4 is not in the best interest of our local governments, it is not in the best interest of our local taxpayers, and it is not in the best interest of our local businesses, and it is most certainly a departure from the very solid judicial and constitutional doctrine that has served us well over the years and guided us very appropriately in this matter.

With SB 4 we chart an uncertain course that opens the door to purely public charity designation becoming a political football, becoming a political decision rather than one grounded in well-established judicial doctrine.

Mr. Speaker, I urge a "no" vote on SB 4.

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

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

Mr. FRANKEL. Thank you, Mr. Speaker.

I rise in opposition to SB 4, and contrary to the remarks by my colleague from Chester County a few moments ago, this vote is more about process than anything else. The fact of the matter is, we are talking about a constitutional amendment, an amendment that did not get the opportunity to have a single hearing in the Senate or the House, an amendment that was orchestrated by some of the most powerful special interests representing the largest nonprofits in our State with the aim of protecting their tax-exempt status and preserving a property tax exemption at the expense of our property tax payers in this State. Not one single hearing. Make no mistake, this is a property tax cut for the largest nonprofits at the expense of our constituents.

I do not understand what the rush is. I do not understand why we could not have a single hearing to discuss it, to hear from our stakeholders. The Pennsylvania League of Municipalities has serious concerns and had no opportunity to voice their issues with this.

We have an obligation, particularly on dealing with an instrument as precious and as important as our State Constitution, to go through a process that is legitimate and gives transparency to the public about what we are doing. This was anything but transparent. This was under the table, a constitutional amendment without a single hearing in the Senate or the House. My motion last week to table this in order to have that hearing was rejected. It is not right, it is not the way we ought to be doing business, and it is not the way our constituents expect us to behave when dealing with a sacred document like the Pennsylvania State Constitution.

I believe we can do a lot better than SB 4, and once we pass it here, we are not going to be able to amend it unless we go back to point one. We ought to take careful consideration to get it right, if we are going to do it at all, and hear from our stakeholders.

I urge you to vote "no" in the name of due process, in the name of what our responsibilities as legislators are, and in the name of the best interests of the Commonwealth and its citizens. Vote "no" on SB 4. Thank you.

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

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

Mr. BARBIN. Thank you, Mr. Speaker.

I rise in opposition to SB 4 on final passage. I will remind the members that nothing has changed between second consideration and now. The school districts are opposed to this bill. The municipalities are opposed to this bill. You have to ask yourself why. The why is not because it is an abstract decision. We just want to be in control and we do not want the Supreme Court to be in control. The why is because for 50 years our third-class cities and our school districts and urban areas have been losing taxable property to nonprofits that would be protected if this constitutional bill is passed. No public hearings.

How is this any different than handing away money, a tax credit, or any other special favor to a favored industry? It is not. All it is, let us protect another group of people even if it hurts the school districts, even if it hurts the municipalities, even if it hurts the person on fixed income who is the last remaining taxpayer in a third-class city. That is who it hurts.

I cannot afford in Johnstown, with 50 percent of the taxable property in exempt status, to pass one more bill that allows the tax increase to only be increased on fixed-income seniors. I will not vote for this bill. I ask you to do the same.

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

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

Mr. PAINTER. Thank you, Mr. Speaker.

I rise in opposition to SB 4, and I would like to begin by reading a quote from our Supreme Court. This is not from the current Supreme Court. This is from our Supreme Court of 1899. "Prior to the 1874 Constitution, 'the legislature, by special act, relieved from taxation just what property it saw fit, whether the property was charitable, religious, or even devoted solely to purposes of corporate or private gain. The legislative habit had grown into a great abuse.'"

And here is another quote from 1878: "The very purpose of Article VIII... 'was not so much to limit the scope of exemptions to charities as to destroy the obnoxious feature of favoritism by special legislation.' " This is the 19th century speaking to us.

In other words, Mr. Speaker, the voters of Pennsylvania in 1874 took this power away from the legislature because it was being abused, and the voters of Pennsylvania reaffirmed that decision in 1968. And the General Assembly of Pennsylvania, having reached for the cookie jar and having its hand slapped twice, reaches for the cookie jar again.

Mr. Speaker, this constitutional amendment, if it passes, is still years away from becoming law, but every member here knows that bills are already being introduced to further expand the definition of "public charity." I do not know where this is going to lead. I do not know what kinds of property are ultimately going to be found to be charitable, but I do know one class of real property that is never going to be defined as "charitable," and that is single-family homes, that is our constituents, and every time some other class of property gets declared a charity, then tax rates for our homeowners go up and up.

Mr. Speaker, I oppose SB 4, and I ask everyone in this House to do the same. Thank you.

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

On that question, the Speaker recognizes the gentleman from Westmoreland County, Mr. Evankovich.

Mr. EVANKOVICH. Thank you, Mr. Speaker.

Mr. Speaker, I rise to add a little bit of perspective to the debate here on the floor regarding SB 4.

I want to take a moment to just very briefly read and describe what this amendment does. It amends Article VIII, which enumerates the powers given to the General Assembly, and the amendment says this: "The General Assembly may, by law: Establish uniform standards and qualifications which shall be the criteria to determine qualification as institutions of purely public charity under clause (v) of subsection (a) of this section" of the Constitution.

Mr. Speaker, for all of my colleagues, who I believe are well-intentioned in their concern over this bill, who have expressed concern over what might happen to local government, I would just ask one simple question: Are you happy with currently how the Purely Public Charity Act is being administered? Are you happy with how things are currently done? If the answer is no, give yourself an opportunity to change it.

Some of my colleagues want hearings. I would ask why. This issue is as simple as this: Do you believe that the legislature should determine what a purely public charity is or do you believe that the judicial system should? If you do believe that the legislature should determine that, then vote "yes." If you do not, then vote "no."

But I would just quote or reference the Supreme Court ruling – please, if you can forgive me for a second – *Mesivtah Eitz Chaim of Bobov, Inc. v. Pike County Board of Assessment*. In that ruling the Supreme Court ruled that it cannot identify any part of the Pennsylvania Constitution that provides the General Assembly with the nonreviewable authority to determine what does and does not constitute a public charity.

My personal belief, and I believe that it is probably the way that the average constituent of Pennsylvania believes, is that the legislature is the one that writes the laws and that the Supreme Court interprets those laws, and if we want to even have the ability to have an impact on this issue, whether you want those restrictions to be tighter or whether you want them to be looser, you need to vote for SB 4 so that we can move the process forward and ultimately give the voters of Pennsylvania the choice as to whether or not they agree.

I urge a "yes" vote on SB 4. Thank you.

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

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

Ms. DeLISSIO. Thank you, Mr. Speaker.

Mr. Speaker, as the gentleman from Chester County early on advised, we have two choices. This is about the legislature making decisions versus the judiciary.

And in addition to the 19th-century wisdom that was shared from my colleague from Montgomery County, my own 21st-century experience over the past 20 months echoes that wisdom that there would clearly be less opportunity to manipulate and have politics interfere with policy in making these decisions about who should be designated a purely public charity, and that is a very serious, a very serious consideration.

So because there are many, many special interests who have opportunities, particularly smaller purely public charities, not-for-profits who have a mission orientation, as well as small businesses do not have in order to compete in this arena, and for that reason I would urge my colleagues to vote this down on final passage.

Thank you, Mr. Speaker.

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

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

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, I rise in opposition to SB 4.

The courts have said that when it comes to institutions of purely public charity, we have already in this legislature tried to add too many exemptions, and as was pointed out by one of the previous speakers, we write the laws and the courts then interpret them to make sure they are within the guidelines of the Constitution. What SB 4 attempts to do is to change the Constitution so that any law we write will always be within the guidelines, essentially eliminating the oversight of the courts.

Now, if we had a stellar history here in the last few years of writing law that is exemplary and within the Constitution, I still think it would be a bad idea, but if you look at what has happened here in the last couple years, the courts have ruled that things that have been done on the floor of this House that were unconstitutional included eliminating adultBasic and using the Tobacco Fund for something else; taking the human services funds, cutting them by 10 percent, putting them in a block grant and sending them to the counties; voter ID; legislative reapportionment; attempts to privatize the lottery; attempts to sue the NCAA (National Collegiate Athletic Association); Marcellus Shale, Act 13, limiting local municipalities; and attempts to find the Affordable Care Act unconstitutional.

Mr. Speaker, our job is to write the laws and then have the courts decide whether we are within the framework of the Constitution. Under this change, with no oversight from the courts, while it may seem implausible now, there could be a time when the legislature would declare that ExxonMobil was an institution of purely public charity, that some of the largest Fortune 500 companies were all institutions of purely public charity because certainly they do good work.

Mr. Speaker, as was pointed out by the gentleman from Montgomery County, when this legislature used to pick favorites and write it into law more than 100 years ago, people got upset and said enough is enough. They got rid of that practice. They threw the lobbyists off the floor of the House, and I know there are some that would relish the thought of having those days returned by voting for SB 4, but the citizens of this State do not want it and neither should we.

I urge a "no" vote. Thank you, Mr. Speaker.

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

CONSIDERATION OF SB 4 CONTINUED

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

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

Mr. CONKLIN. I want to thank the Speaker.

I always like to bring up Senator Udall, because we always talk about everything has been said, but not everyone has said it.

You know, what is so great about this bill is, God love them – you know, again I am going to talk to the audience maybe listening at home – but God love the folks in this room. You know, as folks here know, I have been trying to do a constitutional convention for quite a few years, but you see, the problem with doing a constitutional convention is that the people of Pennsylvania get involved, and the last thing we want if we are going to change the Constitution is the people. I mean, let us think about it. Could you imagine a homeowner sitting in on this, on changing the Constitution, when you explain to them that, you know, we do not make more property; we just give somebody the opportunity not to pay taxes, so you pay more. What a wonderful, wonderful convention that would be.

But do you know what is even greater about it is that our policy leader, the gentleman from down the road here, clearly stated out, I think it is quite obvious why they want to change the Constitution, because they are a little bit tired of the court system. You know, my colleagues are a little bit tired of the court system saying, you know what? You cannot do that. You cannot just make a law and do what you want.

So I think what we are looking at today is quite simple. We are looking at, who do we represent? And I am not going to put anybody's intentions out there, but I know who I represent. I know for some reason I have had municipal governments come to me and say, you know what? You cannot do this. You cannot make it so we do not have any say in this. This is an unfunded mandate. I have townships that came to me and said, do you know what? You cannot do this. This is an unfunded mandate.

So who is for this? Maybe when I get done here somebody can get up and tell me who actually wants this done, because I can be honest with you. My phone has not rung from any homeowners who said, you know what? Raise my property taxes some more. You know, any small business – by the way, 80 percent of business in Pennsylvania is small business. I know we forget that sometimes because we talk about big business and we forget about who creates jobs, but I have not had any small business call me up and say, you know what? I want that place down the street who is paying taxes not to pay their fair share so mine can go up. Maybe one of the other speakers when they get up after me can get up and tell the people of Pennsylvania exactly who called them up and told them that they need more tax-exempt property. Maybe somebody can get up on the other side and say, you know what? I know that the municipalities say it is going to hurt the property owners, but they do not know anything, and then tell us exactly who came to you and said, hey, make us tax-exempt, because I have not had anybody come to me and say, make me tax-exempt, but I have had a lot of homeowners come to me and say we are paying too many property taxes. I have had a lot of retired people come to me and say, I am paying too many property taxes. I have had a

lot of small businesses who pay property taxes who do not get billion-dollar tax breaks come to me and say, I am paying too many property taxes.

So please, as you go through this, stand up and tell us, tell us exactly who came to you and said, come on; we do not want to pay property taxes, because believe me, we want to know, or we can vote "no" to this and we can do a constitutional convention to change the Constitution. We could actually have the people of Pennsylvania come in and say, you know what? We would like to be involved in changing our Constitution, maybe not the legislative body.

Mr. Speaker, I ask you, in all due diligence, to guide these folks and do the right thing and stop the bill. Let us allow the people to come in or at least tell us who has come to you and told us that they do not want to pay taxes, who will be tax-exempt, because really, the people watching at home, they want to know. I know I want to know because my mother cannot afford to pay any more higher property taxes.

Thank you, Mr. Speaker.

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

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

Mr. BENNINGHOFF. Thank you, Mr. Speaker, and to the members here, I will be relatively brief. I know you heard a lot about this.

My intent of speaking is to, one, ask you to support SB 4, but more importantly, take a moment to focus on what we are really talking about. We have had people get up and do a little grandstanding about the fact that we have not had hearings. We have had people trying to call us out and ask, who is asking not to be paying property taxes? Well, the reality, if you ask that question, nobody wants to pay property taxes, but that is not what the Senate bill is about. We need to take time when we are listening and debating legislation to talk about the subject within the legislation.

SB 4 is very simple. I said last week when we discussed this bill that we would have a hearing on the issue of purely public charities in Act 55. SB 4 is not Act 55.

This is very simple. This is about the law, the current law, the law that some of you in this chamber helped write, and whether or not we want to have people follow the letter of the law. Included in that dialogue, Mr. Speaker, I believe all people should follow the letter of the law, including judges. If judges want to be lawmakers, they should step down from the bench and become lawmakers, but I think the General Assembly and the citizens of the Commonwealth would like separation of the powers between the legislative branch, the executive branch, and the judicial branch.

SB 4 basically says that the letter of the law, which is current statute, needs to be followed. If there are issues or concerns about who is paying taxes and who is being asked not to pay taxes or who has got purely public charity exemption, that needs to be addressed in Act 55, a different law, and I would encourage the members to do this.

Remember, this purely public charities tax exemption is about many organizations in your communities – your hospitals, your universities, many of your other charitable organizations – who are providing tremendous services to your community and saving many of your local governments and you, as taxpayers, hundreds of thousands of dollars every year. That is why the

exemption and the status have been given to these organizations who repeatedly and annually give these services to your and my local citizens.

So it is very simple. If you would like these organizations to be able to continue and you want to continue to be the legislators who make the law and allow the judges to be those who interpret the law, then SB 4 is simply saying that. They need to follow the letter of the law instead of arbitrarily making a decision case by case or even choosing their favorite organization to allow or disapprove having charitable status. I think that inconsistency by the courts is probably more egregious and more appropriate to allow you, the elected Representatives of the Commonwealth, to make those decisions as the lawmakers of the land. If we have problems with that, there is a hearing coming up in August that you could address it on Act 55.

Today I ask you to join us. Vote for SB 4 to allow this first step in the process of getting this amendment done. Mr. Speaker and to the members of the chamber, I thank you for your attention.

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—118

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

NAYS—82

Barbin	DeLissio	Kirkland	Pashinski
Bishop	DeLuca	Krieger	Peifer
Bizzarro	Dermody	Kula	Ravenstahl
Boyle, K.	Donatucci	Mahoney	Readshaw
Bradford	Evans	Markosek	Roebuck

Briggs	Fabrizio	Matzie	Rozzi
Brown, V.	Farina	McCarter	Sabatina
Brownlee	Flynn	McGeehan	Samuelson
Caltagirone	Frankel	McNeill	Santarsiero
Carroll	Freeman	Miller, D.	Schlossberg
Clay	Gainey	Mirabito	Schreiber
Cohen	Galloway	Miranda	Sims
Conklin	Haggerty	Molchany	Snyder
Costa, D.	Haluska	Mullery	Sturla
Costa, P.	Hanna	Mundy	Thomas
Cruz	Harkins	Neilson	Vitali
Daley, M.	Harris, J.	Neuman	Waters
Daley, P.	Kavulich	O'Brien	Wheatley
Davis	Keller, W.	Painter	White
Dean	Kim	Parker	Youngblood
Deasy	Kinsey		

NOT VOTING—0

EXCUSED—3

Boyle, B.	Miccarelli	Petri
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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.

REAL PROPERTY DISPOSITION PLAN NO. 1, RESOLUTION A

Mr. TURZAI called up for consideration **RPDP 1, Resolution A**, entitled:

In the House, June 17, 2013

Resolved, That Real Property Disposition Plan No. 1 of 2013, transmitted by the Governor under The Administrative Code of 1929 to the General Assembly under date of June 12, 2013 which is incorporated herein by reference be approved.

On the question,

Will the House adopt Real Property Disposition Plan No. 1, Resolution A?

The following roll call was recorded:

YEAS—200

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

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

NAYS—0

NOT VOTING—0

EXCUSED—3

Boyle, B.	Miccarelli	Petri
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A majority of the members elected to the House having voted in the affirmative on Real Property Disposition Plan No. 1, Resolution A, the question was determined in the affirmative and the resolution was adopted.

Ordered, That the clerk inform the Senate and His Excellency, the Governor, accordingly.

SUPPLEMENTAL CALENDAR B

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1253, PN 1601**, 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 and for administration and enforcement.

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—200

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

NAYS—0

NOT VOTING—0

EXCUSED—3

Boyle, B.	Miccarelli	Petri
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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 1348, PN 1742**, entitled:

An Act amending the act of December 20, 1985 (P.L.457, No.112), known as the Medical Practice Act of 1985, further providing for physician assistants.

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—200

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

Denlinger	Kauffman	O'Neill	Vereb
Dermody	Kavulich	Oberlander	Vitali
DiGirolamo	Keller, F.	Painter	Waters
Donatucci	Keller, M.K.	Parker	Watson
Dunbar	Keller, W.	Pashinski	Wheatley
Ellis	Killion	Payne	White
Emrick	Kim	Peifer	Youngblood

NAYS—0

NOT VOTING—0

EXCUSED—3

Boyle, B. Miccarelli Petri

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 1351, PN 1744**, entitled:

An Act amending the act of October 5, 1978 (P.L.1109, No.261), known as the Osteopathic Medical Practice Act, further providing for physician assistants.

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—200

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

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

NAYS—0

NOT VOTING—0

EXCUSED—3

Boyle, B. Miccarelli Petri

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 1460, PN 1892**, entitled:

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, further providing for educational leave of absence.

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—200

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

NAYS—0

NOT VOTING—0

EXCUSED—3

Boyle, B. Miccarelli Petri

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

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

STATEMENT BY MR. GILLEN

The SPEAKER. For what purpose does the gentleman from Berks County, Mr. Gillen, rise?

Mr. GILLEN. Personal privilege.

I wanted to thank the members here—

The SPEAKER. The gentleman would actually be recognized under unanimous consent.

Mr. GILLEN. Thank you, Mr. Speaker.

With regards to HB 1460, I want to thank you on behalf of our National Guardsmen, our reservists, their spouses, who will directly benefit from this change in Title 51, and when they are called to active duty and they have to withdraw from a college course or have it marked on a transcript "incomplete," it will now revert to an "M," and the reason for their stepping out of college will be clearly identified as military service so there will not be a scarlet letter, if you will, on their record. Thank you, Mr. Speaker.

The SPEAKER. The Speaker thanks the gentleman.

BILLS RECOMMENDED

The SPEAKER. The Speaker recognizes the majority leader, who moves that HB 1096 and HB 1547 be recommended to the Committee on Appropriations.

On the question,

Will the House agree to the motion?

Motion was agreed to.

BILLS REMOVED FROM TABLE

The SPEAKER. The Speaker recognizes the majority leader, who moves that HB 1337 and SB 259 be removed from the tabled calendar and placed on the active calendar.

On the question,

Will the House agree to the motion?

Motion was agreed to.

BILL REMOVED FROM TABLE

The SPEAKER. The Speaker recognizes the majority leader, who moves that HB 65 be removed from the tabled calendar and placed on the active calendar.

On the question,

Will the House agree to the motion?

Motion was agreed to.

BILL TABLED

The SPEAKER. The Speaker recognizes the majority leader, who moves that HB 65 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.

The SPEAKER. Is the gentleman from Philadelphia County, Mr. Sims, seeking recognition under unanimous consent?

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

The SPEAKER. The gentleman is in order under unanimous consent.

Mr. SIMS. Mr. Speaker, I rise today because, as many of my colleagues know, today is perhaps the most preeminent day in civil rights in the United States since 1954, since *Brown v. Board of Education*.

The SPEAKER. The gentleman will suspend.

Unanimous consent has been withdrawn.

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

Mr. SANTARSIERO. Unanimous consent, Mr. Speaker.

The SPEAKER. The gentleman is in order under unanimous consent.

Mr. SANTARSIERO. Mr. Speaker—

The SPEAKER. Suspend; I apologize. Unanimous consent has been withdrawn.

Mr. BRADFORD. I rise to speak under unanimous consent, Mr. Speaker.

The SPEAKER. The gentleman, Mr. Bradford, is not recognized under unanimous consent. It has been withdrawn.

ADJOURNMENT

The SPEAKER. The Speaker recognizes the gentleman, Mr. Regan, from York County, who moves that this House do now adjourn until Thursday, June 27, 2013, at 11— Excuse me.

The House will please come to order. The House will come to order.

EDUCATION COMMITTEE MEETING

The SPEAKER. Does the gentleman from Bucks County, Mr. Clymer, need to make a committee announcement?

Mr. CLYMER. Yes, Mr. Speaker.

The SPEAKER. The gentleman is in order to make a committee announcement.

Mr. CLYMER. Mr. Speaker, tomorrow at 9:30 in room 205 the House Education Committee will meet and we will have an agenda before us. I ask all members to be there at 9:30. If you come early, you get a continental breakfast.

The SPEAKER. The Education Committee will meet tomorrow morning at 9:30.

Mr. DERMODY. Mr. Speaker?

The SPEAKER. The Speaker now recognizes the gentleman, Mr. Regan, from York County, who moves that this House do now adjourn—

Mr. DERMODY. Mr. Speaker?

The SPEAKER. —until Thursday—

Mr. DERMODY. Mr. Speaker?

The SPEAKER. —June 27, 2013—

Mr. DERMODY. Mr. Speaker?

The SPEAKER. —at 12 noon, unless sooner recalled by the Speaker.

On the question,

Will the House agree to the motion?

PARLIAMENTARY INQUIRIES

Mr. DERMODY. Mr. Speaker?

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

Mr. DERMODY. I believe it would be a point of parliamentary inquiry.

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. DERMODY. I wonder if it is proper to inquire as to who is objecting to—

The SPEAKER. Excuse me. I did not hear; I did not quite understand.

Mr. DERMODY. I said, if it is proper to ask who was objecting to unanimous consent?

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

The past precedent by myself and my predecessor, Speaker McCall, has been that the person, the member who may have objected is not required to be identified.

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

The SPEAKER. Another parliamentary inquiry?

Mr. DERMODY. Yes, Mr. Speaker.

The SPEAKER. The gentleman is in order.

Mr. DERMODY. If a member would like to be recognized or acknowledged, is that proper?

The SPEAKER. I am certain if a member wanted to identify themselves, they are allowed to put that on the record, if that is what the gentleman is seeking, but they are not required to. The Speaker is simply required to affirm that there was a legitimate member objecting, and that is the way it has been done.

ANNOUNCEMENT BY SPEAKER

The SPEAKER. At some point when we walk out of here, I just want to affirm to the members it is going to be noon tomorrow, not the normal 11 o'clock. I did not want you to miss that. We will be adjourning until noon.

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

Mr. SANTARSIERO. To make an announcement, Mr. Speaker.

The SPEAKER. The gentleman may state his announcement.

Mr. SANTARSIERO. Thank you, Mr. Speaker.

There will be an immediate meeting of the southeastern delegation of the Democratic Party to talk about the Supreme Court's decision today to strike down DOMA (Defense of Marriage Act)—

The SPEAKER. The gentleman will suspend.

For what purpose does the gentleman from Bedford County, Mr. Hess, rise? Is the gentleman, Mr. Hess, seeking recognition to make—

ANNOUNCEMENT BY MR. STERN

The SPEAKER. Is the gentleman, Mr. Stern, seeking recognition to make an announcement?

Mr. STERN. Yes.

The SPEAKER. The gentleman may make his announcement.

Mr. STERN. Tomorrow morning at 10 o'clock the Pro-Life Caucus was scheduled to meet in the majority caucus room at 10 o'clock. That meeting will now be canceled, and I will defer to my colleague from Bedford County to make a meeting announcement.

The SPEAKER. The Speaker thanks the gentleman.

TRANSPORTATION COMMITTEE MEETING

The SPEAKER. The Speaker recognizes the gentleman from Bedford County, Mr. Hess, for the purpose of making an announcement.

Mr. HESS. Thank you, Mr. Speaker, and thank you, Mr. Stern, for your kindness.

Tomorrow morning the Transportation Committee meeting will commence at 10 o'clock in the majority caucus room; tomorrow morning at 10 o'clock in the majority caucus room for a Transportation meeting. Thank you, Mr. Speaker.

The SPEAKER. There will be a Transportation Committee meeting tomorrow morning at 10 o'clock in the majority caucus room.

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.

The House stands adjourned until noon tomorrow.

(At 4:30 p.m., e.d.t., the House adjourned.)