

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

THURSDAY, JUNE 27, 2013

SESSION OF 2013

197TH OF THE GENERAL ASSEMBLY

No. 49

HOUSE OF REPRESENTATIVES

The House convened at 12 m., e.d.t.

THE SPEAKER (SAMUEL H. SMITH) PRESIDING

PRAYER

HON. MATTHEW E. BAKER, member of the House of Representatives, offered the following prayer:

Thank you, Mr. Speaker.

As we approach the Fourth of July, I thought it might be appropriate to look at what our Founder of the Commonwealth of Pennsylvania said nearly 320 years ago, William Penn, when he prayed.

Let us pray:

"Most glorious and infinite God of heaven and earth, in thy great and unspeakable mercy thy visitest the children of men, and extendest thy love from one generation to another; and yet in this age in which we live, thy day of grace and mercy reaches unto our souls, and we have been called by thee unto righteousness and holiness, that so it might be well with us, when we shall be removed out of this world, and be no more seen of men. Everlasting God, if we consider aright thy dealing towards us, the exceeding riches of thy grace in Christ Jesus, it may provoke us and constrain us to love thee, and fear thee, and serve thee in our generation. Lord thy visitation hath been effectual upon the hearts of many of the children of men, who are devoted to thy fear and service, and give up themselves to worship thee in the beauties of holiness: Lord thou hast gathered a people to thyself, and thou hast brought them through many trials and exercises, and refined them by a spirit of judgment, and they have been baptized with the Holy Ghost and with fire. O Lord God of life! thy mercy is exceeding great, and thy love unspeakable in all the dimensions of it; we pray that thou wilt be pleased to grant, according to the riches of thy glory, that we may all be strengthened with might by thy Spirit in our inner man, that Christ may dwell in our hearts by faith; that we being rooted and grounded in love, may be able to comprehend with all saints, what is the breadth, the depth, and height, and length, and to know the love of Christ, which passeth knowledge, that we may be filled with all the fulness of God. Blessed Father of mercies, deliver us from this present evil world, and the corruptions and pollutions that are in it; let us not live as the children of this world, and those that are of it, but as those that are hastening out of it, to the coming of the day of God, and help us to grow in grace, and in the knowledge of our Lord and Saviour, who hath redeemed us from all iniquity; not with

corruptible things, as silver and gold, but with his own precious blood, as of a lamb without blemish and without spot, that we might live to him that died for us, and be holy in all manner and conversation. O! let the lion of the tribe of Judah, deliver us from the roaring lion of hell, that goes about seeking to devour us; make it our delight, O God! to do thy will, and let thy law be written in our hearts, that by patient continuance in well-doing, we may seek for honour, glory, immortality, and eternal life; and while we are engaged in Christian warfare, we may take unto us the whole Armour of God, and resist the devil, and overcome the world, and be more than conquerors through Christ that hath loved us; that having fought the good fight of faith, we may lay hold on eternal life. And blessed and heavenly Father, for all thy abounding mercies and blessings vouchsafed to us and all thy people, and for the refreshing we have had from thy presence in our present meeting, we desire to render praise, honour, renown, and thanksgiving to thy great and excellent name, for thou alone art worthy, who art God over all, blessed for ever and ever. 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 Wednesday, June 26, 2013, will be postponed until printed.

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

HB 198, PN 1924

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, providing for Dyslexia Screening Pilot Program.

EDUCATION.

HB 974, PN 2176 (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, providing for public hearing and vote on acquisition of automatic external defibrillators.

EDUCATION.

HB 1559, PN 2110

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, providing for youth suicide awareness and prevention training.

EDUCATION.

**HOUSE BILLS
INTRODUCED AND REFERRED**

No. 1582 By Representatives CHRISTIANA, HELM, MILLARD, R. MILLER, SIMMONS, DAVIS, DAVIDSON, MURT, KAUFFMAN, TRUITT, EVANKOVICH, GODSHALL, BLOOM, PETRI, AUMENT, GROVE, COX, DENLINGER, EVERETT and MOUL

An Act providing for the establishment of a searchable budget database-driven Internet website detailing certain information concerning taxpayer expenditures and investments by counties.

Referred to Committee on STATE GOVERNMENT, June 27, 2013.

No. 1586 By Representatives BOBACK, BISHOP, V. BROWN, MAJOR, O'BRIEN, DAVIS, CONKLIN, SCHLOSSBERG, D. COSTA, STERN, PICKETT, DONATUCCI, YOUNGBLOOD, F. KELLER, HELM, SAYLOR, COHEN, MILLARD, EVERETT, CALTAGIRONE, GROVE, HESS, ROCK, WATSON, THOMAS, DAVIDSON, GIBBONS, HAHN, BROOKS, DeLUCA, MOLCHANY, MATZIE, BRADFORD and SNYDER

An Act requiring the notification of breast density to patients who receive a mammogram.

Referred to Committee on HEALTH, June 27, 2013.

No. 1589 By Representatives JAMES, COHEN, EVANKOVICH, EVERETT, MAHER, MILLARD, MILNE, RAPP, SCAVELLO, SCHLOSSBERG, SWANGER and ROAE

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, in personal income tax, providing for citation authority.

Referred to Committee on FINANCE, June 27, 2013.

No. 1590 By Representatives SCAVELLO, DUNBAR, PICKETT, PAINTER, CARROLL, HAGGERTY, SCHLOSSBERG, SWANGER, MIRABITO, MENTZER, WATSON, ROCK, JAMES, EVERETT, QUINN, LUCAS, LONGIETTI, CLYMER, STEVENSON, GINGRICH and M. DALEY

An Act amending the act of May 25, 1945 (P.L.1050, No.394), known as the Local Tax Collection Law, further providing for basic and continuing education programs for tax collectors; and providing for criminal history record information.

Referred to Committee on LOCAL GOVERNMENT, June 27, 2013.

SENATE BILLS FOR CONCURRENCE

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

SB 379, PN 1279

Referred to Committee on JUDICIARY, June 27, 2013.

SB 914, PN 1289

Referred to Committee on INSURANCE, June 27, 2013.

SB 1010, PN 1225

Referred to Committee on AGRICULTURE AND RURAL AFFAIRS, June 27, 2013.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED
FOR CONCURRENCE AND
REFERRED TO COMMITTEE ON RULES

The clerk of the Senate, being introduced, returned **HB 1124, PN 2061**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

SENATE MESSAGE

HOUSE BILLS
CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, returned **HB 1172, PN 1606**, and **HB 1325, PN 1706**, with information that the Senate has passed the same without amendment.

SENATE MESSAGE

HOUSE AMENDMENTS
CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to **SB 579, PN 1193**, and **SB 583, PN 1174**.

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 1172, PN 1606

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

HB 1325, PN 1706

An Act amending the act of January 24, 1966 (1965 P.L.1535, No.537), known as the Pennsylvania Sewage Facilities Act, further providing for definitions, for official plans and for permits.

SB 4, PN 347

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

SB 579, PN 1193

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, further providing for the Pennsylvania State Police; and repealing an act relating to limitation on complement of the Pennsylvania State Police.

SB 583, PN 1174

An Act amending the act of August 23, 1967 (P.L.251, No.102), known as the Economic Development Financing Law, further providing for competition in award of contracts.

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

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 of leaves of absence at this time.

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—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—3

DeLuca Evans Hackett

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 like to introduce some of the guests that are with us.

Located to the left of the rostrum, we would like to welcome Dave Crossan, and he is here today as a guest of Representative Lawrence. Will our guest please rise. Welcome to the hall of the House.

Also to the left of the rostrum, we would like to welcome guests of Representative Kavulich. They would be Dr. Mitch Cohen and his son, Jared; and Bill and Matthew Quinlan. Will our guests please rise. Welcome to the hall of the House.

Additionally to the left of the rostrum, we would like to welcome Joelyne Jacob, a fourth grade student at Sheckler Elementary School. She is the runner-up in Representative Harhart's "No Bullying" poster contest. Will our guest please rise.

Also to the left of the rostrum, we would like to welcome Roble Osman, who is currently interning with the Democratic Education Committee staff, and he is a guest of Representative Roebuck. Will our guest please rise. Welcome to the hall of the House.

And seated to the left of the rostrum, we would like to welcome Representative Denlinger's summer intern, Anna Fitzpatrick. Please rise. Welcome to the hall of the House.

Guest pages that are with us today in the well of the House, we would like to welcome Leah Garden and Andrew Van Buren, who are guests of Representative Dean. Please rise.

Garrison Lovely and Robert Bielunas are the guests of Representative Santarsiero. Welcome to the hall of the House.

Jason Gonzalez and Leo Taddeo are the guests of Representative Scavello and Representative Rosemary Brown. Welcome to the hall of the House.

UNCONTESTED CALENDAR

RESOLUTIONS PURSUANT TO RULE 35

Mr. TURZAI called up **HR 288, PN 1687**, entitled:

A Resolution designating Tuesday, May 8, 2013, as "Pennsylvania Health Care Information Technology Awareness Day."

On the question,
Will the House adopt the resolution?

RESOLUTION RECOMMITTED

The SPEAKER. The Speaker turns to today's uncontested House calendar and recognizes the majority leader, who moves that HR 288, PN 1687, on page 1 of the uncontested House calendar, be recommitted to the Committee on Rules.

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

* * *

Ms. V. BROWN called up **HR 356, PN 1969**, entitled:

A Resolution designating the months of June, July and August 2013 as "Summer Reading Games 2013" in Pennsylvania.

* * *

Mr. PAINTER called up **HR 383, PN 2106**, entitled:

A Resolution congratulating the Linfield Fire Company in Montgomery County on its 100th anniversary.

* * *

Ms. BROWNLEE called up **HR 391, PN 2124**, entitled:

A Resolution designating the weeks of August 25, 2013, through August 30, 2013, and September 2, 2013, through September 6, 2013, as "Back to School Weeks" in Pennsylvania.

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Mr. KORTZ called up **HR 392, PN 2142**, entitled:

A Resolution recognizing June 28, 2013, as "Pennsylvania German Day" in Pennsylvania.

* * *

Mr. TALLMAN called up **HR 397, PN 2164**, entitled:

A Resolution commemorating the 250th anniversary of the founding of the Borough of Abbottstown, Adams County.

* * *

Mr. MIRABITO called up **HR 398, PN 2165**, entitled:

A Resolution honoring all Korean War veterans during the 60th anniversary reunion sponsored by the Korean War Veterans of Lycoming County, Inc., on July 25 through 27, 2013.

On the question,
Will the House adopt the resolutions?

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 resolutions were adopted.

REMARKS SUBMITTED FOR THE RECORD

The SPEAKER. For what purpose does the lady from Philadelphia, Ms. Brownlee, rise?

Ms. BROWNLEE. Thank you, Mr. Speaker.

I would like to submit some remarks relative to HR 391 to the record.

The SPEAKER. The lady will submit them to the clerk and they will be noted in the record. Thank you.

Ms. BROWNLEE. Thank you, Mr. Speaker.

Ms. BROWNLEE offered the following remarks for the Legislative Journal:

Mr. Speaker, I want to thank my colleagues for their support on HR 391.

Mr. Speaker, we have over 1.7 million school-aged students returning to schools across the Commonwealth this fall. This is the time of the year when students heading back to school essentially typifies the end of summer, and with that comes the excitement and sometimes the trepidation for some of the students and their families with the onset of the new school year.

With that said, it is my belief that the Commonwealth should recognize and support students no matter race, creed, color, ethnic or economic background, or sexual orientation, and their families, whether the students come from a melded family or a traditional family, during this stressful time by encouraging them to embrace the challenges that come with preparing for the new school year.

CALENDAR

RESOLUTIONS PURSUANT TO RULE 35

Mr. TURZAI called up **HR 206, PN 1328**, entitled:

A Resolution recognizing the volunteers participating in Keep Pennsylvania Beautiful's Great American Cleanup of PA from March 1 through May 31, 2013.

On the question,
Will the House adopt the resolution?

RESOLUTION RECOMMENDED

The SPEAKER. The Speaker turns to today's regular House calendar and recognizes the majority leader, who moves that HR 206, PN 1328, on page 12 of the House calendar, be recommitted to the Committee on Rules.

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

* * *

Mr. TURZAI called up **HR 298, PN 1694**, entitled:

A Resolution honoring the distinguished life, career and contributions of pioneer boxing judge Lynne Carter.

On the question,
Will the House adopt the resolution?

RESOLUTION RECOMMENDED

The SPEAKER. The Speaker turns to today's regular House calendar and recognizes the majority leader, who moves that HR 298, PN 1694, on page 12 of the House calendar, be recommitted to the Committee on Rules.

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

STATEMENT BY MR. PAINTER

The SPEAKER. For what purpose does the gentleman from Montgomery County, Mr. Painter, rise?

Mr. PAINTER. Unanimous consent, Mr. Speaker.

The SPEAKER. The gentleman is recognized under unanimous consent.

Mr. PAINTER. Thank you, Mr. Speaker.

I just wanted to thank my colleagues for the unanimous vote in favor of HR 383 honoring the Linfield Fire Company on its 100th anniversary.

My own family and my own home are protected by the Linfield Fire Company, among thousands of others in Limerick Township, and the fire company promotes our community in so many ways as part of our great tradition of volunteer fire companies, and I thank the members for their support.

The SPEAKER. The Speaker thanks the gentleman.

INSURANCE COMMITTEE MEETING

The SPEAKER. For what purpose does the gentleman from Delaware County, Mr. Micozzie, rise?

Mr. MICOZZIE. For an announcement, Mr. Speaker.

The SPEAKER. The gentleman may state his announcement.

Mr. MICOZZIE. There will be an Insurance meeting in room 205 in the Ryan Building right at the recess. Thank you.

The SPEAKER. The Speaker thanks the gentleman.

There will be an Insurance meeting in room 205 in the Ryan Building right at the recess.

HEALTH COMMITTEE MEETING

The SPEAKER. For what purpose does the gentleman from Tioga County, Mr. Baker, rise?

Mr. BAKER. A committee announcement.

The SPEAKER. The gentleman may make his announcement.

Mr. BAKER. Thank you, Mr. Speaker.

We will have a Health Committee meeting, brief Health Committee meeting for one resolution at the conclusion of the Rules Committee. I am not sure exactly the timing, but we hope to meet in room G-50, Irvis Building immediately following the Rules Committee meeting. Health Committee, one resolution.

Thank you, Mr. Speaker.

The SPEAKER. There will be a Health Committee meeting following the Rules Committee meeting in room G-50 of the Irvis Office Building.

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.

If I could have the members' attention, we are going to have a Rules Committee meeting immediately. Now, that Rules Committee meeting is going to be in the majority leader's conference room at 110, room 110. And then following that Rules Committee meeting, there will be a House Appropriations Committee meeting in the House majority caucus room. Thank you.

The SPEAKER. There will be a Rules Committee meeting in the majority leader's conference room, room 110. And then following that Rules Committee meeting, there will be a House Appropriations Committee meeting in the House 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.

I would like to announce that Republicans will caucus at 1 p.m. I would ask our Republican members, please report to our caucus room at 1 p.m. We would be prepared to come back on the floor at 2.

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 p.m. Democrats will caucus at 1 p.m. Thank you.

ANNOUNCEMENT BY SPEAKER

The SPEAKER. Just to clarify the committee announcements, Rules is immediately upon the recess in room 110, the majority leader's conference room.

RECESS

The SPEAKER. This House stands in recess until 2 p.m., unless sooner recalled by the Speaker.

RECESS EXTENDED

The time of recess was extended until 2:30 p.m.; further extended until 3 p.m.; further extended until 3:15 p.m.; further extended until 3:30 p.m.

AFTER RECESS

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

THE SPEAKER PRO TEMPORE (MATTHEW E. BAKER) PRESIDING

BILLS REREPORTED FROM COMMITTEES

HB 121, PN 577

By Rep. ADOLPH

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, further providing for definitions, for general powers of the Pennsylvania Liquor Control Board, for sales by Pennsylvania liquor stores, for shipment of wine into Commonwealth and for limited wineries.

APPROPRIATIONS.

HB 939, PN 2150

By Rep. TURZAI

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, in responsible utility customer protection: further providing for definitions, for cash deposits and household information requirements, for payment agreements, for termination of utility service, for reconnection of service, for late payment charge waiver and for complaints filed with commission; providing for public utility duties; and further providing for automatic meter readings, for reporting to General Assembly and Governor, for nonapplicability and for construction.

RULES.

HB 1096, PN 2060

By Rep. ADOLPH

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.

APPROPRIATIONS.

HB 1263, PN 2021

By Rep. TURZAI

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for definitions; and providing for transfer of ownership of vehicles used for human habitation.

RULES.

HB 1541, PN 2056

By Rep. TURZAI

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, further providing for definitions and for petition for reassessment; providing for the Board of Finance and Revenue; further providing for review by the board; and making repeals.

RULES.

**BILLS REPORTED FROM COMMITTEES,
CONSIDERED FIRST TIME, AND TABLED****SB 1, PN 1308 (Amended)**

By Rep. HESS

An Act amending Titles 74 (Transportation) and 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in Title 74, providing for organization; in sustainable mobility options, further providing for definitions and for department authorization; providing for fees and taxes; further providing for the Public Transportation Trust Fund, for application and approval process, for report to Governor and General Assembly, for coordination and consolidation, for operating program, for asset improvement program, for programs of Statewide significance and for capital improvements program; establishing the Alternative Energy Capital Investment Program; providing for local tax for mass transportation and for multimodal transportation funding; in airport operation and zoning, providing for first class city consolidated car rental facility; in aviation development, further providing for tax on jet fuels; in turnpike, further providing for definitions and for electronic toll collection; in turnpike commission standards of conduct, further providing for annual report and for code of conduct; in public-private transportation partnerships, further providing for public-private transportation partnership agreement; providing for traffic signals, for the bridge bundling program, for local bridge maintenance and for public utility facilities; in Title 75, in registration of vehicles, providing for suspension of registration upon unpaid tolls; in financial responsibility, further providing for required financial responsibility; in fees, further providing for limitation on local license fees and taxes and for collection and disposition of fees and moneys; providing for fee for local use; further providing for driver's license and learner's permit, for certificate of title, for security interest, for information concerning drivers and vehicles, for certified copies of records and for certificate of inspection; in motor carriers road tax identification markers, further providing for definitions, for identification markers and license or road tax registration card required, for false statements and penalties and for exemptions; providing for uncollectible payments and for emergency proclamations; in general provisions, further providing for obedience to traffic-control devices; in size, weight and load, further providing for restrictions on use of highways and bridges and for permit for movement during course of manufacture; in powers of department and local authorities, further providing for regulation of traffic on Pennsylvania Turnpike; in Pennsylvania Turnpike, further providing for definitions, for lease of Interstate 80 and related agreements and for deposit and distribution of funds; in liquid fuels and fuels tax, making editorial changes, further providing for definitions, for liquid fuels and fuels permits, bond or deposit of securities, for imposition of tax, exemptions and deductions, for taxpayer, for distributor's report and payment of tax, for determination and redetermination of tax, penalties and interest due, for examination of records and equipment, for retention of records by distributors and dealers, for discontinuance or transfer of business, for suspension or revocation of permits, for lien of taxes, penalties and interest, for collection of unpaid taxes, for reports from common carriers, for reward for detection of violations, for refunds, for violations and for diesel fuel importers and transporters; prohibiting use of dyed diesel fuel on highways; violations and penalties, for uncollectible checks; providing for emergency assistance in a timely manner and for an electric vehicle road fee; in State highway maintenance, further providing for dirt and gravel road maintenance; in supplemental funding for municipal highway maintenance, further providing for supplemental funding for municipal highway maintenance; in taxes for highway maintenance and construction, further providing for imposition of tax and for allocation of proceeds; in motor carriers road tax, further providing for definitions

and for records; providing for recordkeeping; further providing for surety bond for payment of taxes, for penalty and interest for failure to report or pay tax, for manner of payment and recovery of taxes, penalties and interest, for determination, redetermination and review, for timely mailing treated as timely filing and payment; providing for method of filing and timeliness, for uncollectible payments, for emergency assistance in a timely manner; providing for the permit for the movement of raw milk; and making a related repeals.

TRANSPORTATION.

SB 700, PN 1260

By Rep. HESS

An Act amending the act of April 6, 1956 (1955 P.L.1414, No.465), known as the Second Class County Port Authority Act, further providing for membership of the authority; and providing for Department of Transportation Regionalization and Privatization Study.

TRANSPORTATION.

SB 914, PN 1289

By Rep. MICOZZIE

An Act creating the Insurance Regulation and Oversight Fund; and providing for its use.

INSURANCE.

**RESOLUTION REPORTED
FROM COMMITTEE****HR 358, PN 1971**

By Rep. SIMMONS

A Resolution directing the Department of Health to consider regulations in support of nanotechnology and other nontoxic means that control bacteria, mold, mildew, fungi, algae, viruses and volatile organic compounds (VOCs) causing noxious odors.

HEALTH.

CALENDAR CONTINUED**BILLS ON SECOND CONSIDERATION**

The House proceeded to second consideration of **HB 1337, PN 1815**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for surcharge for deposit into the Access to Justice Account.

On the question,

Will the House agree to the bill on second consideration?

Bill was agreed to.

* * *

The House proceeded to second consideration of **SB 259, PN 1290**, entitled:

An Act amending 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," adding definitions; providing for payment information to interest owners for accumulation of proceeds from production, for apportionment and for conflicts; and making editorial changes.

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

Mr. **VITALI** offered the following amendment No. **A02700**:

Amend Bill, page 1, line 5, by striking out "AND" and inserting a comma

Amend Bill, page 1, line 6, by inserting after "CONFLICTS" and for notice

Amend Bill, page 5, by inserting between lines 13 and 14

Section 3.5. Notice.

(a) Requirement.—An agreement transferring a property right for unconventional gas operations must contain a notice prepared by the Department of Health outlining the potential health impact on an individual who lives or works near unconventional gas operations.

(b) Format.—The notice under subsection (a) shall be in large type and bold font and must be initialed by the lessor at the time of the signing of the lease.

(c) Violation.—If a lessee fails to comply with this section, the lease shall be voidable at the option of the lessor.

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

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

Mr. VITALI. Thank you, Mr. Speaker.

This is a relatively simple amendment. The bill in chief, the bill in chief involves the content of leases relating to gas and oil. And what this amendment does is adds a provision to this bill that would very simply require a notice to be contained in leases relating to the transferring of property for unconventional gas operations. It would require a notice prepared by the Department of Health notifying the lessor – which in this case would be the constituents we represent who are leasing to drilling companies – it would require a notice advising the lessors of the potential health impact of people who live or work around gas operations. In other words, it would put people who are about to lease their land for the mineral rights for drilling or for other things like compressor stations and so forth, it would require in that lease, before they sign, they see a notice in bold print prepared by the Pennsylvania Department of Health that there are potential health consequences to people who live or work around drilling.

You know, this is supported by one group, the Sierra Club, and they wrote a letter that sort of summarizes the point we are trying to make. And this is a letter that you may all have gotten in your mailbox today. But this is what they say, and I will quote in part. "...Landowners who have leases with whom we have met..." – this is the Sierra Club talking – "...Landowners who have leases with whom we have met commonly complain that...drilling companies intentionally withheld important information about possible environmental and public health impacts at the time they were approached to sign their leases...."

So what we are trying to do with this amendment is to make sure that when a person signs a lease, they are doing it with their eyes wide open, just so there are no surprises. The reality is that drilling is an industrial activity, an industrial activity that occasionally involves accidents, and accidents occasionally put the public health at risk. All we want to do is let the potential lessor know what risks are involved.

Just to make the point that accidents do occur, even though there are plenty of drilling operations that are run successfully, here are a couple of headlines I have gleaned from recent newspaper articles. This is from March 16, 2013: "Clean-Up of Wyoming County Well...Continues." Here is another one: "Lycoming County Frack Truck Crash: 3,600 Gallons Spilled." Here is another headline: "4,700 Gallons of Acid Spill at Bradford County Drilling Site." Here is another headline: "AP: 500 Gallons of Drilling Mud Pollutes Greene County Stream." Here is another headline: "Explosion at Susquehanna County gas compressor station." Here is another headline: "New Study: Fluids From Marcellus Shale Likely Seeping Into PA Drinking Water." Here is another headline: "Officials in Three States Pin Water Woes on Gas Drilling." The point is, with regard to this, that accidents do in fact happen.

And I also want to make another point, if I could, and that is that the chemicals we are dealing with when these accidents happen are dangerous chemicals. Let me just read a couple of chemicals involved with regard to fracking. These are chemicals contained in the fracking fluid: hydrochloric acid, and that is described as extremely corrosive, dangerous if inhaled; methanol, volatile and flammable; boric oxide, harmful to plants and other species; potassium hydroxide, corrosive; boric acid, poison; ammonium persulfate, irritant to lungs and skin, may cause difficulty breathing; and on and on. The point is, with regard to drilling, one, accidents have happened, are happening, and continue to happen. Point two is we are dealing with dangerous chemicals that potentially could cause a risk to human health. Mr. Speaker, point three, people commonly enter into leases not knowing that these potential dangers exist.

So what we are simply trying to do with this very simple amendment is to make sure people are aware when they are making the decision to lease or not, make sure they are aware, yes, they stand to gain money; yes, they stand to gain employment; but also, yes, there are potential health risks. Now, the notice that will be given, it is not in this bill. We trust the Pennsylvania Department of Health to draft a fair amendment, tailored to the specific circumstances, having the appropriate disclaimers, having the appropriate nuances to be fair.

Mr. Speaker, this amendment comes after a hearing to examine how we can make drilling safer. This amendment was suggested by Dr. Bernard Goldstein. He is the former dean of the University of Pittsburgh Graduate School of Public Health and a physician and internist and has many other credentials on his resume.

Mr. Speaker, this is a commonsense amendment. This is the appropriate place for this amendment, because unless we do this amendment in this bill, it will not get done. This is an amendment to a bill that the drillers want. They want this language. They want this bill because of the apportionment language in that bill that makes it easier for them to drill on adjacent leaseholds. So this is something they want. If we simply pass this off to another day, it will not get done. It will not get done. It has to be done in something the drillers want. It has to be done in something that is moving fast. It has to be done in a vehicle just like this, because if this is introduced as a freestanding bill, it will not get done. So if this is something you think should be done, I urge you to vote "yes" for this amendment.

Mr. Speaker, this is the appropriate vehicle for this amendment. Let me read the name of this act we are amending: "An act regulating the terms and conditions of certain leases regarding natural gas and oil...." This is a term and condition of a lease regarding natural gas and oil; that is the title. This is the appropriate place. This is the appropriate time. This is common sense.

I think the real test here is in deciding whether you want lessors – and they are the people who vote for you. They may not be the people who give you money, but they are the people who vote for you. They are the people you meet at your county fairs. They are the people you meet at your fire company pancake breakfasts. These are common folk who need protection. These might not be the sophisticated, wealthy, Anadarko upper management types. These are the unsophisticated types whose life holding is in their plot of land, is in their acreage; that is what they have. They have this land, which they are considering, they are considering leasing. They have this land, which they moved to because they love the country. They love the bucolic nature of these counties they have moved to. So they need to make the right decision. And I have heard from too many people who rued the day they made that decision to lease. These people, these people whom we are charged with protecting, they need to know. They have a right to know. They have a right to know the full facts.

All we are doing in this amendment is giving them information. We are giving them information in a clear and concise manner so they can make an intelligent decision. Who would oppose this amendment? Who would oppose an amendment that would simply give common folk more information about the possible damages, health impacts of drillings? Who would oppose that?

Mr. Speaker, you have to decide whose side you are on in this issue. The drillers do not want it because might ruin their deal, might ruin their deal, might cause someone to say, you know what? I am happy in my home. I do not want health impacts. If I have to risk that, you can keep your money. The drillers might not like it, but the people you represent, the people who come to the polls and vote for you, they would like something like this. Would any of your constituents honestly tell you, no, we do not want more notice; no, we do not want to know more information about this? No; they want and need this information. Whose side are you on? Are you on the side of the drillers, or are you on the side of the mom-and-pop landowner whom you ask to vote for you every other year?

Mr. Speaker, let us not hear a lot of excuses. Let us just do the right thing. Let us just vote for the people you represent. Let us do the right thing and vote "yes" for this amendment.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Lycoming County, Representative Everett.

Mr. EVERETT. Thank you, Mr. Speaker.

SB 259 is the same bill that we voted as HB 1414, did not include this amendment and— Actually, this actually, I am not going to make a germaneness argument, but this amendment is not germane to this bill. It deals with lease provisions, and there is no other thing in this bill that deals with that.

It is not necessary. We do not require any other industry to do anything like this, and I would ask for a "no" vote. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—77

Bishop	DeLissio	Kim	Pashinski
Boback	DeLuca	Kinsey	Quinn
Boyle, B.	Dermody	Kirkland	Ravenstahl
Boyle, K.	Donatucci	Kotik	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	Goodman	Miranda	Sims
Conklin	Haggerty	Molchany	Sturla
Costa, D.	Hanna	Mullery	Thomas
Cruz	Harhai	Mundy	Vitali
Daley, M.	Harkins	Neilson	Waters
Davidson	Harris, J.	O'Brien	Wheatley
Davis	Kavulich	Painter	White
Dean	Keller, W.	Parker	Youngblood
Deasy			

NAYS—124

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

NOT VOTING—0

EXCUSED—2

Miccarelli	Petri
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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. **WHITE** offered the following amendment No. **A02739**:

Amend Bill, page 2, line 19, by inserting before "A"

(a)

Amend Bill, page 2, by inserting between lines 24 and 25

(b) The lessee shall compute and pay oil and gas royalties due under each lease on the gross proceeds received by the seller based on the fair market value at the point of sale. The lessee shall not deduct from royalties any severance taxes, impact fees imposed under 58 Pa.C.S. Ch. 23 (relating to unconventional gas well fee) or applicable fees charged by any Commonwealth agency or department, or any post-production costs. Post-production costs include:

(1) All losses of produced volumes, whether by use as fuel, line loss, flaring, venting or otherwise.

(2) All costs actually incurred by the lessee from and after the wellhead to the point of sale, including, without limitation, all gathering, dehydration, compression, treatment, processing, marketing and transportation costs incurred in connection with the sale of such production.

(c) For the purpose of computing and paying royalties, the fair market value shall be presumed to be the gross proceeds received pursuant to a bona fide contract entered into by nonaffiliated parties of adverse economic interests. If a contract is not negotiated at arm's length or was between affiliated parties, the presumption that market value is equal to gross proceeds shall not apply, and the lessee shall have the burden to establish that royalties paid are based on market value. Parties are affiliated under this subsection if they are related by blood, marriage or common business enterprise, are members of a corporate affiliated group or where one party owns a 10% or greater interest in the other.

(d) Nothing in subsection (b) shall be construed to amend or alter the provisions of an existing lease agreement between a lessor and a lessee entered into prior to the effective date of this subsection. The provisions of subsection (b) shall apply to new or modified leases between a lessor and a lessee entered into on or after the effective date of this subsection.

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

The SPEAKER pro tempore. On that question, the Chair recognizes the gentleman, Mr. White.

Mr. **WHITE**. Thank you, Mr. Speaker.

Mr. Speaker, this amendment strengthens the underlying bill, which I am fully supportive of, by addressing an issue that impacts perhaps maybe the biggest set of stakeholders in the Marcellus Shale play, and that would be our landowners – the farmers, the people that own large tracts of land. And what my amendment does, Mr. Speaker, is it deals with the issue of postproduction costs being taken out of leaseholders' checks. What my amendment does, simply, is it bans the process of a drilling company taking money away from a leaseholder for postproduction costs, for impact fees, for taxes. This would only impact new leases; it would not impact existing contracts entered into.

But, Mr. Speaker, this is an issue that has been relevant as recently as just several hours ago in this Capitol. The Senate held a hearing on this issue and we heard from the Farm Bureau, we heard from county commissioners, and they are telling us that in some instances, up to 90 percent of a leaseholder's check is being deducted for postproduction costs. There is no consistency, there is no uniformity, and at the end of the day, this hurts our leaseholders who are really the people who are designed to have the greatest financial impact from Marcellus Shale.

For all those reasons, Mr. Speaker, I would ask for an affirmative vote.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Lycoming County, Mr. Everett, on the amendment.

Mr. **EVERETT**. Thank you, Mr. Speaker.

Again, we need SB 259 to run clean so that it will go straight to the Governor's Office. This amendment will kill this bill, effectively. We did have a hearing on this that I attended today, along with the speaker, on this issue. It is an issue that we plan to address in separate legislation, and I would suggest that the way this amendment is written, it is unconstitutional, though I again will not go through a whole unconstitutionality argument.

I would ask that the members vote "no," and then support the bill that we will come up with that will deal with this issue.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. White, for the second time.

Mr. **WHITE**. Thank you, Mr. Speaker.

With due respect to my colleague from Lycoming County, this is an issue that I think is immediate and near and dear to any of us that represent rural areas where natural gas drilling is taking place. And this is a bill that is going to have to go back to the Senate for concurrence anyhow because it was amended in the House committee. So I do not know about anybody else here, but I do not think I am going to feel comfortable looking my constituents in the eye that are having these postproduction costs taken out of their leases and saying, we had a chance. We did not do it because we were going to wait until later. This is a real problem that needs to be addressed now.

I think that for the people who have a true financial stake in this, they do not want any further delay and we should not give it to them.

Again, I ask for an affirmative vote.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Everett.

Mr. **EVERETT**. Thank you, Mr. Speaker.

Again I would ask for a "no" vote so that we can take this bill, 259, forward, which does a lot for our royalty owners. And I would ask for a "no" vote. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—81

Barbin	Deasy	Kotik	Pashinski
Bishop	DeLissio	Kula	Petrarca
Boback	DeLuca	Longiotti	Quinn
Boyle, B.	Dermoddy	Maher	Ravenstahl
Boyle, K.	Donatucci	Mahoney	Readshaw
Bradford	Evans	Markosek	Roebuck
Briggs	Fabrizio	Matzie	Rozzi
Brooks	Frankel	McCarter	Sabatina
Brown, V.	Freeman	McGeehan	Samuelson
Brownlee	Gainey	McNeill	Santarsiero
Caltagirone	Goodman	Metzgar	Schlossberg
Carroll	Haggerty	Miller, D.	Schreiber
Clay	Hanna	Mirabito	Sims
Cohen	Harkins	Miranda	Sturla
Conklin	Harris, J.	Molchany	Thomas
Costa, D.	Kavulich	Mullery	Vitali
Cruz	Keller, W.	Mundy	Waters
Daley, M.	Kim	O'Brien	Wheatley
Davidson	Kinsey	Painter	White
Davis	Kirkland	Parker	Youngblood
Dean			

NAYS—120

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

NOT VOTING—0

EXCUSED—2

Miccarelli Petri

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

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 121, PN 577**, entitled:

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, further providing for definitions, for general powers of the Pennsylvania Liquor Control Board, for sales by Pennsylvania liquor stores, for shipment of wine into Commonwealth and for limited wineries.

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

The SPEAKER pro tempore. Representative DeLissio, do you plan to ask for suspension of the rules for consideration of your amendment?

Ms. DeLISSIO. Mr. Speaker, at this time I plan to withdraw the amendment, but if I can make a comment, Mr. Speaker?

The SPEAKER pro tempore. The gentlelady will withdraw her amendment, and you are in order to make a brief comment.

Ms. DeLISSIO. Thank you.

Mr. Speaker, that amendment was to help to add more revenue to the General Fund by removing the limitation on only 25 percent of the fine wine and spirits stores being open on Sundays and expanding those hours. This is budget time. We are definitely in need of revenue.

I know it was a late-filed amendment, and I appreciate the opportunity to make this comment. Thank you.

The SPEAKER pro tempore. The Chair thanks the lady as she withdraws her amendment.

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

(Bill analysis was read.)

The SPEAKER pro tempore. 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 gentleman, Mr. Costa, is recognized.

Mr. P. COSTA. Thank you, Mr. Speaker.

I am glad to see that HB 121 is being called up today. This is a bill that our committee has been working on for several years. And after doing tours of the Erie region and seeing all the grapes that they have, this should be a great benefit to not only the Commonwealth, but particularly to the Erie residents in the wine industry.

So I fully support this bill. Unfortunately, it has been a long time in coming, and I hope that all the members would vote "yes." Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question recurring,
Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—200

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

NAYS—1

Gillen

NOT VOTING—0

EXCUSED—2

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 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 third consideration?
Bill was agreed to.

(Bill analysis was read.)

The SPEAKER pro tempore. 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—167

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

NAYS—34

Bloom	Greiner	McGinnis	Roae
Brooks	James	Metcalf	Rock
Causar	Kauffman	Metzgar	Saccone
Clymer	Keller, F.	Oberlander	Simmons
Denlinger	Knowles	Pickett	Tallman
Dunbar	Krieger	Rapp	Tobash
Evankovich	Lawrence	Reese	Toohil
Gabler	Mackenzie	Regan	Truitt
Gillen	Masser		

NOT VOTING—0

EXCUSED—2

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.

SUPPLEMENTAL CALENDAR A

BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 939**, **PN 2150**, entitled:

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, in responsible utility customer protection: further providing for definitions, for cash deposits and household information requirements, for payment agreements, for termination of utility service, for reconnection of service, for late payment charge waiver and for complaints filed with commission; providing for public utility duties; and further providing for automatic meter readings, for reporting to General Assembly and Governor, for nonapplicability and for construction.

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

Ms. **KIM** offered the following amendment No. **A02720**:

Amend Bill, page 1, line 9, by striking out "AND"

Amend Bill, page 1, line 11, by inserting after

"CONSTRUCTION"

; providing for expiration; and making a related repeal

Amend Bill, page 14, by inserting between lines 22 and 23

Section 8. Title 66 is amended by adding a section to read:

§ 1419. Expiration.

This chapter shall expire January 1, 2020.

Section 9. Repeals are as follows:

(1) The General Assembly declares that the repeal under paragraph (2) is necessary to effectuate the addition of 66 Pa.C.S. § 1419.

(2) Section 5 of 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," is repealed.

Amend Bill, page 14, line 23, by striking out "8" and inserting

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

The SPEAKER pro tempore. On that question, the Chair recognizes the gentlelady, Ms. Kim.

Ms. KIM. Thank you, Mr. Speaker.

A02720 adds a 5-year sunset provision to chapter 14. As the exercise that we are now going through in the current reauthorization of chapter 14 has taught us, it is good and appropriate to place a checkpoint in the road to ensure that the legislative decisions we make today meet the facts as they are in the future. The purpose of the original sunset was to determine whether chapter 14 was successfully implemented, to review its effectiveness in meeting its intended goals, and to assess its impact on utilities, ratepayers, and the public. There has been significant debate about positives and negatives that have occurred over the 8-plus years in which chapter 14 has been the law. As a result of this debate, there is an agreement among many of us that there are needed changes to chapter 14 to ensure that its reach appropriately balances the needs of ratepayers, utilities, and customers.

This has been a good debate, and I offer this amendment for the purpose of ensuring that we will have another opportunity to assess whether chapter 14, as amended, has fulfilled its intended purposes.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the lady.

The question recurs, will the House agree to the amendment?

On that question, the gentleman, Mr. Godshall, is recognized.

Mr. GODSHALL. Thank you, Mr. Speaker.

The SPEAKER pro tempore. Will the gentleman please suspend.

Members, it is getting very difficult to hear. Please give respect to the members at the mike. Please take your seats.

The gentleman, Mr. Godshall, may proceed.

Mr. GODSHALL. Thank you, Mr. Speaker.

This amendment puts back into chapter 14 a sunset provision. There is absolutely no need to have a sunset, an additional sunset provision in the bill. The original chapter 14 was passed almost 9 years ago, and it was then a trial run, so to speak. So we have got 9, almost 9 years of history, and chapter 14, as the PUC (Public Utility Commission) has said, is working and met the intended goal of the legislature. Additionally, the legislature may introduce a bill to amend any provision of Title 66 at any time. Review is not precluded by the absence of a sunset provision.

So the bill is working. The PUC says it is working. Everybody knows it is working. I would ask for a negative vote.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The question recurs, will the House adopt the amendment?

On that question, the Chair recognizes the gentlelady, Ms. Mundy.

Ms. MUNDY. Thank you, Mr. Speaker.

I rise in strong support of the Kim amendment. We would not be having the discussion about needed changes to this piece of legislation that was passed years ago if it were not for the sunset provision that was originally placed in it. We need to review these laws every once in a while to make sure that we are doing the best we can for consumers, while at the same time protecting utility companies from people who would game their

system. I have always been a strong believer in sunset and review of the laws every once in a while to make sure that we are doing our best to protect consumers and keep utilities solvent.

Please vote for the 5-year sunset in the Kim amendment. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the lady and recognizes the gentleman from York County, Mr. Saylor.

Mr. SAYLOR. Mr. Speaker, I think the committee chairman has done a good job in putting this bill together, and I would ask for a "no" vote on amendment A02720. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Kortz.

Mr. KORTZ. Thank you, Mr. Speaker.

I rise in support of amendment A2720, and I want to commend the gentlelady from Dauphin County for bringing this to the House floor today.

Mr. Speaker, this is a very reasonable and rational and commonsense request. Many pieces of legislation have passed through this House. We do put a sunset provision on it, again this is for consumer protection. This allows us to review 5 years from now – it is not like it is going to be 20 years from now – 5 short years from now we should be reviewing this to make sure that it is appropriate and it does protect the consumers.

So I would urge all of my colleagues to vote for A2720. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Northampton, Mr. Freeman.

Mr. FREEMAN. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of the Kim amendment. Chapter 14 expanded the ability of utility companies to shut off consumers; that is what it was designed for, to make it easier for utility companies to shut off consumers. Why would we not want to have a safeguard built into that system that says we as a legislative body get to review that grant of power at least once in a 5-year period? This amendment is the best safeguard we could put into this legislation and into chapter 14 to ensure that someone is looking over the shoulder of the utility companies and they are not abusing the grant of authority that they have under chapter 14.

If you care about the consumers of your district, if you want to make sure that we will be there to look out for their best interest, then you want a 5-year sunset in this legislation. I urge the House to vote "yes" on this amendment.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman— Mr. Thomas waives off. Thank you, sir.

The Chair recognizes the gentleman, Mr. Daley.

Mr. DALEY. Thank you, Mr. Speaker.

Now, my colleague, the majority chairman, told you there is no need for this particular amendment, but if we did not have the sunset provision in the law, we would not be here today talking about the changes that need to be made in this law. So the sunset provision is very good for all of us, that reaches out in the future and says that if it is to be at 5 or 10 years, we say bring this stuff back so the legislature can correct the deficiencies to these types of legislation.

The PUC is neutral on this. The Office of Consumer Advocate is supportive of this. We need not to lose control of our legislative oversight on things as crucial as chapter 14, where we have legislation that really reaches out to our

consumers in every way, every community. All 12 million Pennsylvanians are touched by what we do here today.

I think what this amendment does is very important, and I am going to bring one back if we do not pass this, another one for the 10-year provision. But I ask you for your support even though the gentleman from York County says the majority chairman has done a good job. He has done a great job, but he is doing his job because we had that 10-year sunset provision so we could review the process.

I ask for an affirmative vote. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Cutler, on the amendment.

Mr. CUTLER. Thank you, Mr. Speaker.

I would like to offer the counterpoint to why this sunset should be repealed.

Mr. Speaker, chapter 14 is currently working exactly as intended and achieving the goals stated in the declaration of policy in the act previously. Mr. Speaker, utility write-offs have decreased – please hear me – they have decreased since 2004. Electric has seen a 16.4-percent reduction. Gas has seen a 33.7-percent reduction. Mr. Speaker, most importantly, we do not need a sunset date in order to revisit any law. As the legislature, we always have that power. I believe that it is appropriate that it had it in the first time. I appreciate that they have it so that we could review it in this manner, but I think it is important to get the chairman's bill as currently drafted, repealing that sunset provision, as quickly as possible, and would urge opposition to the amendment.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The question recurs, will the House agree to the amendment?

Mr. Curtis, seeking recognition? The gentleman, Mr. Curtis, is recognized – or Thomas, my apologies.

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of Representative Kim's amendment, and I respond to her amendment two ways. Number one, I think we have the most intelligent, skillful, and real good people representing the people of Pennsylvania in this House. We have a Representative Metcalfe on that side, and we have a Representative Daley on this side. We have good people on both sides, but every 18 months you are up for review. Every 18 months we have to run for reelection. Let me say that again: Every 18 months we are up for reelection. That reelection is sunset time. Every 18 months our productivity, our pluses and minuses, are up for a sunset. It is the one opportunity that voters in Pennsylvania can say something about whether we think you have been doing something, or we think it is time to throw you out and put somebody else in. Why should utility companies be held to a different standard than anybody else?

We have over hundreds of laws in this Commonwealth that sunset. The sunset provisions were in there so that we can go back and see not whether it was good or bad, but whether it has impacted people in a way that we had intended. It is important.

Now, my colleague will tell you that chapter 14 did all that it was supposed to do. Well, then, Mr. Speaker, I ask, why are three additional utility companies being added to this bill? If everything was okay, if it was not for this sunset, the wastewater companies would not be getting in here. The steam-driven utility companies, they would not be a part of this.

They are able to become a part of this – I am not going to call it gravy train – but not a part of this process if we did not have the sunset provision in there, but because it is in there, now able to bring these other companies into it.

So, Mr. Speaker, this is an ideal opportunity to adopt a sunset provision that allows us to look at what has happened over a period of time. So I strongly, I strongly encourage my colleagues from both sides of the aisle, if you can be up for sunset, the utility companies should be up for sunset.

Vote "yes" on the Kim amendment.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Godshall, Montgomery.

Mr. GODSHALL. Thank you, Mr. Speaker.

Unfortunately, I think we are looking at this bill the wrong way.

Chapter 14 was put together, which became Act 201 in 2004, from the legislative, going back in legislative records it was called the Responsible Utility Consumer Protection Act, codified in chapter 14. The focus of the law is to protect – let me repeat that – focus of the law is to protect responsible utility consumers from rate increases resulting from bad debt of consumers who can pay their bill but choose not to. So this bill was put in place to protect the people that were paying their bills from not only having to pay their own but to pay their neighbors. It was passed – it was Representative Evans's bill – it was passed by 163-33 in this chamber 9 years ago.

I ask for a "no" vote.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the amendment, the Chair recognizes the gentleman, Mr. Daley, for the second— Waives off.

On the question recurring,

Will the House agree to the amendment?

(Members proceeded to vote.)

LEAVE OF ABSENCE

The SPEAKER pro tempore. The Chair is in receipt of a request for a leave of absence for the day from the majority whip for the gentleman, Mr. HACKETT. Without objection, the leave for the day will be so granted.

CONSIDERATION OF HB 939 CONTINUED

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS-93

Barbin	Deasy	Kim	Pashinski
Bishop	DeLissio	Kinsey	Petrarca
Bizzarro	DeLuca	Kirkland	Quinn
Boback	Dermoddy	Kortz	Ravenstahl
Boyle, B.	Donatucci	Kula	Readshaw
Boyle, K.	Evans	Mahoney	Regan
Bradford	Fabrizio	Markosek	Roebuck
Briggs	Farina	Matzie	Rozzi
Brown, V.	Flynn	McCarter	Sabatina

Brownlee	Frankel	McGeehan	Samuelson
Burns	Freeman	McNeill	Santarsiero
Caltagirone	Gainey	Miller, D.	Schlossberg
Carroll	Galloway	Mirabito	Schreiber
Clay	Gergely	Miranda	Sims
Cohen	Goodman	Molchany	Snyder
Conklin	Haggerty	Moul	Sturla
Costa, D.	Haluska	Mullery	Taylor
Costa, P.	Hanna	Mundy	Thomas
Cruz	Harkins	Neilson	Vitali
Daley, M.	Harris, J.	Neuman	Waters
Daley, P.	Hennessey	O'Brien	Wheatley
Davidson	Kavulich	Painter	White
Davis	Keller, W.	Parker	Youngblood
Dean			

NAYS-107

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

NOT VOTING-0

EXCUSED-3

Hackett	Miccarelli	Petri
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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. DALEY offered the following amendment No. **A02721**:

Amend Bill, page 1, line 9, by striking out "AND"
 Amend Bill, page 1, line 11, by inserting after
 "CONSTRUCTION"
 ; providing for expiration; and making a related repeal
 Amend Bill, page 14, by inserting between lines 22 and 23
 Section 8. Title 66 is amended by adding a section to read:
§ 1419. Expiration.
This chapter shall expire January 1, 2025.
 Section 9. Repeals are as follows:

(1) The General Assembly declares that the repeal under paragraph (2) is necessary to effectuate the addition of 66 Pa.C.S. § 1419.

(2) Section 5 of 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," is repealed.

Amend Bill, page 14, line 23, by striking out "8" and inserting 10

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

The SPEAKER pro tempore. On that question, the Chair recognizes the gentleman, Mr. Daley.

Mr. DALEY. Thank you, Mr. Speaker.

To my friends and colleagues on the other side of the aisle, you had a chance to articulate your dismay with putting in a sunset provision for 5 years. Now we have the opportunity to correct that faux pas. What we are doing is we are going to make it 10 years, and what we are trying to do with this particular amendment is to make it like it is now. The law now is 10 years. What we are saying is, let us make it like it was.

Now, we heard my colleague, the majority chairman, say that the utility consumer protection act is for protection, is for protection. And when we had a meeting of all the stakeholders, we had a meeting with all the stakeholders, the chairman and myself, I asked the stakeholders, who would be opposed to a 10-year? Again everyone indicated that they would not be opposed to a 10-year sunset provision, everyone except, I think, one, one utility. I am not going to point them out on the floor today, but I am telling you, every utility that we talked to was not opposed, did not have heartburn if this amendment passes because we are doing it now. This is part of that protection. And the infinite wisdom in 2004, when we passed that bill, as many other pieces of legislation, we said in these provisions to do that look-future thing, and that is what we are doing today.

All I ask, let us put it back the way it was. Let us fix this and have the 10-year sunset provision. You have an opportunity to correct that, and let us do what the utilities said they would have no problem with having because they have it now. They understand, except one, one utility.

Thank you, and I ask for an affirmative vote, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Godshall, on the amendment.

Mr. GODSHALL. Thank you, Mr. Speaker.

Like the Kim amendment, this is really unnecessary. At any time, at any time at all, if this legislature decides that they want to review the chapter 14, they can do that. And even without the sunset amendment, the PUC, under the new legislation that we are proposing, has to come in every so many years and give a report to the legislature on how chapter 14 is working or is not working and any recommendations.

So it is unnecessary. I ask for a "no" vote.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Daley, for the second time.

Mr. DALEY. In all due respect to the chairman, if that is indeed the case, why on April 24, when we had a hearing, the Public Utility Commission brought in two dozen amendments for us to consider? It is because we had the sunset provision. We have a bill coming up today, 1047, that does not having anything in it; it takes everything out. And we are going to vote that later on today. This is the bill.

We had the omnibus amendment that we agreed to in committee, but there were other things we were trying to talk to you, we have talked to the PUC, the Office of Consumer Advocate. We need this. You need this. Our constituents need this. We are not doing anything more than what we have already done.

I guarantee you this: If we sent this bill to the Senate, along with 1047 to the Senate, I have been told it is coming back with a sunset provision, because there is no way that they are going to let this bill come back and become law without a sunset provision. I think it is high time that we as the other body in the legislature dictate those terms. I am tired of having it come from the Senate to you, and I hope you are too.

I ask for an affirmative vote. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Godshall, for the second time.

Mr. GODSHALL. Thank you, Mr. Speaker.

I spoke to the PUC as late as this morning and they support the bill as is written, and they did come forward with a number of amendments at a meeting. They did not come for 9 years. You know, they had an opportunity, if they were really interested, which did not happen until the last minute.

But I just want to say that there were all kinds— The PUC had suggestions. Some of those suggestions from the PUC are in the bill. The consumer people had suggestions; some of their offerings are in the bill. The Philadelphia law practice also wrote a letter. They said, what we have done with the amendment, what we have put in is great, and they would have liked to see a little bit more. But nobody got all they wanted. The utilities, I had two or three come to me today. You know, they are not totally satisfied with everything that is there, but everybody gave and everybody agreed to what we did, recognizing that we were in a situation where we tried to satisfy everybody, and I think we did with an adequate bill that will go a long way in perpetuating what was done back 10 years ago – 9 years ago; I am sorry.

And I ask for a "no" vote.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Saylor, on the amendment.

Mr. SAYLOR. Thank you, Mr. Speaker.

I also rise to ask for a "no" vote on this amendment.

This General Assembly can take a look at this act at any point in time in the future that it so desires. There is no need for the amendment, and so I simply ask my colleagues for a "no" vote. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—96

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

NAYS—104

Adolph	Fee	Krieger	Rapp
Aument	Fleck	Lawrence	Reed
Baker	Gabler	Lucas	Reese
Barrar	Gillen	Mackenzie	Regan
Benninghoff	Gillespie	Maher	Roae
Bloom	Gingrich	Major	Rock
Brooks	Godshall	Maloney	Ross
Brown, R.	Greiner	Marsico	Saccone
Causar	Grell	Masser	Sankey
Christiana	Grove	McGinnis	Saylor
Clymer	Hahn	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	Mustio	Tobash
Ellis	Kampf	O'Neill	Toepel
Emrick	Kauffman	Oberlander	Toohil
English	Keller, F.	Payne	Truitt
Evankovich	Keller, M.K.	Peifer	Turzai
Everett	Killion	Pickett	Vereb
Farry	Knowles	Pyle	Watson

NOT VOTING—0

EXCUSED—3

Hackett	Miccarelli	Petri
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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. **KIM** offered the following amendment No. **A02723**:

Amend Bill, page 7, line 11, by inserting a bracket before "(C)"
Amend Bill, page 7, line 13, by striking out the bracket before
"AGREEMENTS"
Amend Bill, page 7, line 13, by striking out "]"
ARRANGEMENTS"
Amend Bill, page 7, line 14, by inserting a bracket after
"COMMISSION."

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

The **SPEAKER** pro tempore. On that question, the gentlelady, Ms. Kim, is recognized.

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

This amendment eliminates section 1405 of chapter 14. It seeks to restore the pre-chapter 14 authority of the Public Utility Commission to negotiate or approve a payment agreement for customers receiving bills under utility customer assistance programs, called CAPs. Economically vulnerable CAP customers should be afforded the same opportunity as all other customers to request at least one opportunity from the PUC to catch up on their bills if they fall behind. The exclusion currently contained in section 1405 prohibits the PUC from entertaining or negotiating payment agreements for these customers.

Anyone who questions that payment agreement protections for CAP customers are not necessary need only to look at the data published by the PUC. These households have incomes which average less than \$13,367 per year. Since the passage of chapter 14, the PUC has turned away more than 73,000 CAP customers who are seeking payment agreements. These are 73,000 households who were on CAP and could not afford their payments. They turned to the PUC to assist them in arranging a payment agreement and were left without assistance or recourse because chapter 14 stripped the PUC of any authority to consider their circumstances and determine whether a payment agreement would be appropriate and beneficial.

The poorest, most payment-troubled customers should not be singled out as undeserving of a PUC payment agreement in appropriate circumstances. The amendment I am offering would fix this problem.

Thank you, Mr. Speaker.

The **SPEAKER** pro tempore. The Chair thanks the lady.

The Chair recognizes the gentleman, Mr. Godshall, on the amendment.

Mr. **GODSHALL**. Thank you, Mr. Speaker.

Again we are having an amendment which is really not necessary. The CON (certificate of need) participation in CAP is already a payment agreement. Customers receive services at discounted rates and receive arrearage forgiveness. CAP programs are subsidized by ratepayers, providing additional payment agreements to CAP customers who fall behind on their payments. Required by the program, required by the program would increase the overdue balances of these accounts which may be eventually added to utility uncollectibles and increase costs to the ratepayers. CAP programs are subsidized by the same customers who pay increased rates to the utilities, customers who can pay but choose not to do so.

And again, it would be a dual payment, and I oppose the amendment.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Saylor, on the amendment.

Mr. SAYLOR. Thank you, Mr. Speaker.

Again, as the chairman stated, of the committee, those individuals who are in this CAP program are already into an agreement, payment agreements. So the truth of the matter is, and I think this is something we hear all the time, is people who do not want to pay their bills and live up to agreements they signed are now causing customers to have additional expenses on their bills.

The chairman was very clear about this. This is something that is not necessary and needed at this time by adding additional costs to consumers. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Daley, on the amendment.

Mr. DALEY. Thank you, Mr. Speaker.

For those that think that if you do not have a significant change that you get a second payment agreement is not significant this time, you are really out of touch with reality here. All of us have constituents that go through deaths in the family, loss of jobs, a lot of things can change your circumstance, and we have that defined in the legislation. All we are saying here, this is a very significant piece of legislation for those consumers that are impacted by major changes in their life. I hope it is not your life. I hope it is not your family. I hope it is not your constituency. But guess what? It is going to be all of those somewhere along the line.

All this does is gives that individual that had that change of circumstance that opportunity to do a second agreement. These things happen. It happens every day. It is simple. It makes sense. I ask for an affirmative vote.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the gentlelady, Ms. Kim, for the second time.

Ms. KIM. Any customer, if they are falling behind on their bills, gets two chances, Mr. Speaker, to catch up on their payment, either with the utility company or with the Public Utility Commission. For those who make \$13,000 or less are in one program only, and if they fall behind or whatnot, they are stuck there, whereas everybody else gets a chance with the PUC. I am just asking for a fair shot to get another chance to catch up on the bills, again for families who are making \$13,000 or less a year.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the lady.

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

The following roll call was recorded:

YEAS—88

Barbin	Dean	Keller, W.	Parker
Bishop	Deasy	Kim	Pashinski
Bizzarro	DeLissio	Kinsey	Quinn
Boback	DeLuca	Kirkland	Ravenstahl

Boyle, B.	Dermody	Kortz	Readshaw
Boyle, K.	Donatucci	Kula	Roebuck
Bradford	Evans	Mahoney	Rozzi
Briggs	Fabrizio	Markosek	Sabatina
Brown, V.	Farina	Matzie	Samuelson
Brownlee	Flynn	McCarter	Santarsiero
Caltagirone	Frankel	McGeehan	Scavello
Carroll	Freeman	McNeill	Schlossberg
Clay	Gainey	Miller, D.	Schreiber
Cohen	Galloway	Mirabito	Sims
Conklin	Gergely	Miranda	Snyder
Costa, D.	Goodman	Molchany	Sturla
Costa, P.	Haggerty	Mullery	Thomas
Cruz	Haluska	Mundy	Vitali
Daley, M.	Hanna	Neilson	Waters
Daley, P.	Harkins	Neuman	Wheatley
Davidson	Harris, J.	O'Brien	White
Davis	Kavulich	Painter	Youngblood

NAYS—112

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

NOT VOTING—0

EXCUSED—3

Hackett	Miccarelli	Petri
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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. **DAVIDSON** offered the following amendment
No. **A02722**:

- Amend Bill, page 8, line 8, by inserting after "(B)(1)(II)" and (iii)
- Amend Bill, page 9, by inserting between lines 9 and 10 (iii) [During the months of December through March, unless personal contact has been made with the customer or responsible adult by personally visiting the

customer's residence, the public utility shall, within 48 hours of the scheduled date of termination, post a notice of the proposed termination at the service location.] If a prior contact has not been made with the customer or a responsible adult as required under subparagraph (ii) or at the affected residence at the time of termination, the employee may not terminate service and shall conspicuously post a termination notice at the residence of the customer, advising that service will be terminated not less than 48 hours from the date of the posting.

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

The SPEAKER pro tempore. On that question, the gentledady, Mrs. Davidson, is recognized.

Mrs. DAVIDSON. Thank you, Mr. Speaker.

This is a very simple provision that just allows for 48-hour notice placed on the door of a consumer at the time of termination or proposed termination. There is already in the bill a provision for a 3-day notice, but if the customer has not been found or reached by phone or in person, this allows for 48-hour notice. This is one of the things that the PUC said was one of their priorities in the April hearing.

So I think that at least since we are not going to sunset it in 5 years or 10 years, and we are not going to allow people that make \$13,000 a year to have arrangements, the least we can do is provide 48-hour notice. So I would ask my colleagues on both sides of the aisle to allow consumers in all of our districts 48-hours' notice before termination.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the lady.

The Chair recognizes the gentleman, Mr. Godshall, on the amendment.

Mr. GODSHALL. Thank you, Mr. Speaker.

The cost of this amendment is someplace – one of the water companies did some calculations on this – was \$300,000, and between the electric and natural gas, we are looking at a cost of about \$10 to \$30 million. All I want to say is that these people already have had three notices – not one, not two, but three notices – that if their bill is not paid, there is going to be a shutoff. And you know, I mean, why give them four? We might as well do five or six. How many do we need? But three I would think is satisfactory, which is in the legislation.

I ask for a "no" vote.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Daley, on the amendment.

Mr. DALEY. Thank you, Mr. Speaker.

I think the part that was missing when my colleague explained to you about the three notices is, if you read the amendment, it says, if they are unsuccessful with the personal contact, then you give them the 48-hour notice. There is a process that we have. You get mailings, you get a 10-day notice, but if that is not successful, we want people to be notified within 48 hours. It is a different world today. A lot of people do not have telephones. A lot of people do not use mail. A lot of people just use e-mail. It is a different world that we are in. All we are saying is if those things do not happen, put in the 48-hour notice. It makes good sense.

I ask for an affirmative vote.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—94

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

NAYS—106

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

NOT VOTING—0

EXCUSED—3

Hackett	Miccarelli	Petri
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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. **A02737**:

Amend Bill, page 9, line 20, by striking out "(1)"
Amend Bill, page 9, lines 27 through 30; page 10, line 1, by striking out all of said lines on said pages
Amend Bill, page 11, lines 9 and 10, by striking out "SUBSECTIONS (B) AND (C) ARE AMENDED BY ADDING PARAGRAPHS" and inserting
the subsection is amended by adding a paragraph
Amend Bill, page 11, lines 13 through 19, by striking out all of said lines

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

The SPEAKER pro tempore. On that question, the Chair recognizes the gentelady, Ms. Mundy.

Ms. MUNDY. Thank you, Mr. Speaker.

Earlier this week the House passed HB 1047 to repeal the sunset date of a law, which according to the Public Utility Commission and the Office of Consumer Advocate needs to undergo a whole host of reforms to ensure that utility consumers are adequately protected. This amendment provides one of those consumer protections and is one of the highest priorities the PUC and the Office of Consumer Advocate have asked for.

My amendment prohibits Friday terminations of public utility service. Friday terminations are problematic because Commonwealth offices close on Friday afternoon and do not reopen until Monday. As a result, PUC and Consumer Advocate offices cannot assist consumers who may be in dispute with their utilities, have medical needs, or are involved in erroneous terminations. HB 939 in its current form allows a public utility to terminate service on a Friday if the public utility is able to accept payment to restore service until noon on Saturday. However, PUC and the Consumer Advocate offices, again, are not open on Saturdays and would not be able to assist consumers in such a situation.

My amendment takes a more sensible approach and prohibits Friday terminations altogether. In fact, when the PUC testified before the House Consumer Affairs Committee, it characterized the prohibition of Friday terminations as its most critical recommendation.

I ask for your support of this amendment. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the lady and recognizes the gentleman from Montgomery, Mr. Godshall, on the amendment.

Mr. GODSHALL. Thank you, Mr. Speaker.

We looked at this very carefully and what we did was try to strike a balance. Friday terminations I know are a valuable collection tool, and the bill currently requires the utility to restore services by 6 p.m. on Saturday for a customer whose service is terminated on a Friday. Additionally, customers have received three notices in advance of termination and have ample

time to contact the utility, PUC, if they want or the utility that is servicing them, or another agency or community-based assistance organization for payment assistance to stop termination. But we have tried to, a couple of the companies, really, that presently do not do any Friday cancellations would have to change all their work rules. And they estimated, they had no idea how much it would cost to do this because they have union contracts and so forth. But anyway, to appease everybody, we said, okay, you can cut off on Friday as long as you can restore service by 6 p.m. on Saturday. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Saylor, from York County on the amendment.

Mr. SAYLOR. Again, to be a little bit redundant of the chairman, but again to restate, this bill already has in it a requirement that the offices be open, of these utilities, and that the reconnection must take place by 6 p.m. on Saturday. At what point after three notices do you not know your services are being turned off? It is amazing the excuses. I used to work for a tax claim bureau; actually, I was the chairman of the tax claim bureau in York County. It was amazing how many agreements were broken and kept coming back for agreements. No matter how many notices, legal notices you sent with certified mail, people would come in and claim they had not gotten them. At what point do we protect the consumers who have lived by the law and have paid their bills, or those who have signed agreements and who have lived up to their commitment to pay their bills in those agreements they have signed?

I ask for a "no" vote on this amendment. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Freeman, Northampton.

Mr. FREEMAN. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of the Mundy amendment. This is a commonsense amendment. Why, why prevent, or why stand in the way of saying you cannot shut down a utility customer's service on a Friday? What is the compelling need to shut that customer down on a Friday when it can be done on a Monday? Why place a family in poverty in added jeopardy because of 2 days?

If the electricity is meant to be shut off, that can be done on a Monday. There is no need to impose an added hardship. There is no need to put in jeopardy the health and welfare of that family when it can be done in 48 hours. There is no reason for any member of this chamber to vote against this commonsense amendment.

Two days do not mean that much for a utility company. It can mean a heck of a lot for a family that depends upon that electricity. Do the right thing: Vote for this amendment.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Thomas, on the amendment.

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of the Mundy amendment. I think the last speaker kind of hit the nail on the head. What is going on here? What is wrong with doing what we can to prevent a part of our community from suffering? What is wrong with that?

Now, I have heard, and I continue to hear, these arguments about what people are not doing and they are not paying their bill. Well, Mr. Speaker, let the record be correct, the only people who had a problem with payments was the Philadelphia Gas Works. It was not PECO. It was not any of these other utility companies. It was the Philadelphia Gas Works, and it was the Public Utility Commission and/or others who said that the problem with PGW was mismanagement, not collections.

All of these other utility companies, their collection rates have been well over 85, 90 percent. So whom are we standing for tonight? One writer said, without courage, all other virtues are null and void. Without courage, all other virtues are null and void. All we are asking for in the Mundy amendment is to give those who are in trouble an opportunity of 24 to 48 hours before you terminate their service off. That is all we are asking. Whom do we represent? Do we represent the utility companies, because the last time I checked, the only thing they can do is to send checks out to take you out? It is people who vote for you. Utility companies cannot go to the polling place on election day. So whom are we protecting? Whom are we standing for today?

I encourage you to join Representative Mundy and stand with the people on this amendment. Vote "yes" on the Mundy amendment.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the lady, Ms. Mundy, for the second time.

Ms. MUNDY. Mr. Speaker, if this issue, Friday terminations, was not a problem, and if the utility companies absolutely had to be able to terminate people on a Friday in order to stay solvent and collect the money owed them, then why would the Public Utility Commission have characterized this as one of their most critical recommendations? The Public Utility Commission is not uniformly pro-consumer – I have had my issues with the PUC over the years – so when they tell me that consumers need this protection, I think we should listen to them.

Mr. Speaker, the lobbyists for the public utility companies are all over this Capitol all the time. It is we, members of this General Assembly, who have to be the voice for customers and consumers of the utilities. I can tell you that in my district, the victims of the public utility company cutoffs have most usually been the elderly. It is the older Pennsylvanians who maybe misplaced the notice that they got in the mail, maybe did not understand that they were behind in their payments, maybe they had been in the hospital, maybe they had been out of town with relatives while they were sick. We have to be their voice. And when the PUC tells me that this is a critical consumer issue, I believe them, and I ask you to as well. Please support this amendment.

The SPEAKER pro tempore. The Chair thanks the lady.

The question recurs, will the House agree to the amendment?

On that question, the gentleman, Mr. Daley, is recognized.

Mr. DALEY. I think I am kind of confused by the leader telling you that it is about time that the people who pay their bills are kind of rewarded by punishing the people that cannot pay their bills. Maybe I am misinterpreting that, but that is the way it sounded to me.

You know, I think that all of us, all of us in our lives realize that we are always one check away from being on public assistance, all of us, and that by God's grace, that we have the

opportunity to be able to be here and to be able to litigate and legislate and discuss these issues. This is something very important. It is something very crucial. I know two families that just recently suffered from having their properties shut off the power, the Frankie family and the Roni family. They had their power shut off. They were not only punished by the fact it was shut off, they had a termination notice, they had a termination fee to get it reconnected. The people that could not afford to pay the bill then could not afford to pay the assessments that were placed on the bill because of the termination. The assessment was a reconnect fee. All of a sudden they were really seriously in great harm's way.

All I ask, I think this makes sense. It is one of those good-sense amendments. We probably should have had it in the omnibus; it did not get in, but everybody realizes it is there. It should be there. I ask for an affirmative vote, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Harris, from Philadelphia.

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

Mr. Speaker, today I rise to support the Mundy amendment. Mr. Speaker, I grew up in a single-family home in south Philadelphia, and there were many times where my mother, who was college educated and is college educated, there was a time where she lost her permanent employment. Within a year or two she went through her savings account, and it was after that time that my mother had to apply for public assistance. And I can remember as a child many times sitting at home, going to the window when you heard a noise outside thinking it was the utility company coming to shut off your service. I can remember times where our utilities were shut off.

Now, my mother has always been a hard worker. My mother has always done all that she could to ensure that her family had, but there were times, and sometimes those times were many, that she came up short. And I remember far too often the fear of being shut off on the weekend and having to wait for the weekend to end to have that service restored.

Mr. Speaker, I do not think what anybody is asking for today with the Mundy amendment is a Herculean task. All we are asking for is sympathy for those, who through this time, may be suffering financially. The reality is this: Although you might not be the one in the financial crunch today, tomorrow it could be you. It could be your family. It could be your friends. But most importantly, it could be your constituents. So I ask today that the members support the Mundy amendment, not because we do not want folks to pay their bills – because we do – but what we want more than anything is to have a heart for those who cannot, not because they do not want to, but financially they are not in a place to do such.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from York County, Mr. Saylor.

Mr. SAYLOR. Thank you, Mr. Speaker.

Again, I want to reiterate, the only way— This bill, first of all, has provisions in it that in only very narrow circumstances can individuals be shut off on a Friday. And more importantly, if they are shut off, the utility must be open until at least noon on Saturday, and must be able to reconnect that customer by 6 p.m. on Saturday evening. So it is very strict. It is in the law already and has provisions to protect the consumers.

So, Mr. Speaker, again I ask for a negative vote on this amendment. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—93

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

NAYS—107

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

NOT VOTING—0

EXCUSED—3

Hackett	Miccarelli	Petri
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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. A02738:

Amend Bill, page 2, line 12, by striking out ""PAYMENT AGREEMENT" AND "PUBLIC UTILITY,"" and inserting "payment agreement," "public utility" and "significant change in circumstance"

Amend Bill, page 3, line 30, by striking out all of said line and inserting

"Significant change in circumstance." Any of the following criteria when verified by the public utility and experienced by customers with household income less than 300% of the Federal poverty level:

- (1) The onset of a chronic or acute illness resulting in a significant loss in the customer's household income.
- (2) Catastrophic damage to the customer's residence resulting in a significant net cost to the customer's household.
- (3) Loss of the customer's residence.
- (4) Increase in the customer's number of dependents in the household.
- (5) Death of the primary income provider.
- (6) Other individual factors deemed appropriate by the commission.

Amend Bill, page 7, line 16, by inserting after "INCOME" or significant change in circumstance

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

The SPEAKER pro tempore. On that question, the Chair recognizes the gentlelady, Ms. Mundy.

Ms. MUNDY. Thank you, Mr. Speaker.

I sincerely appreciate those Republican members who joined in voting for my last amendment to protect consumers and hope that we will receive the same vote from Republicans this time, in addition to all of my Democratic members, because these are needed consumer protections identified by both the Public Utility Commission and the Office of Consumer Advocate.

This amendment addresses payment arrangements. A payment arrangement is "AN AGREEMENT WHEREBY A CUSTOMER WHO ADMITS LIABILITY FOR BILLED" utility "SERVICE IS PERMITTED TO...PAY THE UNPAID BALANCE OF THE ACCOUNT IN ONE OR MORE PAYMENTS." Current law allows the PUC to establish an initial payment arrangement and to establish a second arrangement with a customer who defaults on the initial arrangement, but only if the customer experiences a change in income.

My amendment allows the PUC to establish a second payment arrangement if the customer undergoes a significant change in circumstance. Current law defines a "significant change in circumstance" as: "The onset of a chronic or acute illness resulting in a significant loss in the customer's household income" – household income, not their individual income; "Catastrophic damage to the customer's residence..." such as in

a flood or a hurricane; "Loss of the customer's residence"; and an "Increase in the customer's number of dependents in the household."

My amendment keeps these situations in the definition of a "significant change in circumstance" while also expanding upon it. The amendment adds the "Death of the primary income provider" to the definition, and also allows the PUC to use its discretion to determine other appropriate factors the definition should encompass. This important amendment would allow individuals and families who may be going through catastrophic times to work out a plan that lets them pay their bills in a reasonable timeframe.

I join with the Public Utility Commission and the Office of Consumer Advocate in asking for your support of this important amendment. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the lady and recognizes the gentleman, Mr. Godshall, from Montgomery on the amendment.

Mr. GODSHALL. Thank you, Mr. Speaker.

This amendment would permit the PUC to issue any number of payment agreements to customers whenever it deems appropriate. This may result in an environment that chapter 14 was enacted to prevent, the essence of unlimited payment agreements, increasing utility uncollectibles, and the passing of these additional costs on to ratepayers.

Back in 2004, when the original chapter 14 was passed by this legislature, it stated the Responsible Utility Consumer Protection Act codified in chapter 14's focus of law is to protect responsible utility customers from rate increases resulting from bad debt of customers who can pay but choose not to. And that was only put together – I do not have the total notes from that, on that debate – but what had happened was the PUC, back in the seventies, had passed regulations on the payment on shutoffs. It was not working, and it was not working specifically – basically, the case in point was Philadelphia Gas Works, who was almost on the brink of bankruptcy at that time and because of nonpayment of bills from people who could afford to pay, and this would result again.

So with this new bill, we have said the PUC can give one extension and only one extension, because we did not want to get into a situation in the seventies and eighties that we had when things got sort of chaotic. I ask for a "no" vote.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Daley, on the amendment.

Mr. DALEY. Mr. Speaker, this amendment, as has been explained to you, includes the death of a primary income provider and other individual factors deemed appropriate. At our hearing the Public Utility Commission felt it was appropriate that we had this language. We know that they can now do this, but it is important that we give them the opportunity in this particular legislation to have them continue to do this. It is simple: Someone dies, there is a change in income, that needs to be considered. It is something that makes sense. This affects every member, every one of us, every Pennsylvanian.

I ask for an affirmative vote, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Saylor, on the amendment.

Mr. SAYLOR. Thank you, Mr. Speaker.

Again, I rise to oppose this amendment. There are many protections built into this bill. This amendment is not necessary. It adds to the cost to ratepayers. There are many hardworking families out there who sometimes do fall on hard times – no disagreement about that – but, Mr. Speaker, the utilities and the protections in this bill are very good for those consumers who do fall behind. They are allowed to sign agreements, and there are so many of them who follow the agreements they sign, but there are always those who choose to sign an agreement and then not follow through on it.

How many agreements do you get before somebody says it is time to shut that utility off to force a person to pay their bills? Ratepayers are tired of paying the bills for those who do not pay their bills in a timely fashion or live up to their commitments and agreements when they do sign payment agreements. Let us not let this go on forever. We need to approve the bill as it is with the current protections for consumers there, and I ask for a negative vote, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Thomas, on the amendment.

Mr. THOMAS. Mr. Speaker, I am troubled by these scenarios that are being presented as though they are facts. Let me give you a fact situation that is in real time in real Pennsylvania.

Miss Ellis, 80-some years of age, she and her husband – could have been your grandmother, could have been your aunt, could have been an extended family member – she and her husband had been married over 40-some years, paid their utilities every month on time. Like some of us, he got sick, he died. When he died, his wife did not have the income that they had when they were married. So on Friday the utility company wanted to shut her service off. She said that she needed to wait until Monday in order to get her check.

Now, Mr. Speaker, we are not talking about a chronic, a customer who is chronically delinquent, nor are we talking about somebody who tries to avoid their responsibility. We are not talking about some foreigner who might be just here and does not pay their bills. We are talking about a decent, hardworking Pennsylvanian who had always paid her bill. When the utility company went out to shut the service off, somebody called my office. I called the utility company. I said, come to my office and get the \$170 check to keep her service on. They cut her service off, came to my office, got the check for \$170, and still did not cut the service on. And when I called management – because if I was not an elected official and it was an everyday somebody, they would not have been able to get anybody on the phone – they told me that the only reason they did not turn the service on after taking my money was because they think there was a code violation that might have interfered with turning the service on. Well, no one ever said anything to this lady that there was a code violation. And to my colleagues on both sides of the aisle, today the utility company has not returned my \$170 check. They negotiated it. I have the canceled check, but they did not cut her service on. They did not give me my money back. And unfortunately, she is dead today, and I am not saying that she is dead because of this situation with the utility company, but it was aggravation that she did not need to have.

So, Mr. Speaker, stop painting this brush that the only people we are talking about are people who do not pay and are trying to get over on something. Do not ever forget that what happened to Miss Ellis today could happen to you tomorrow if we do not have certain protections in place. This amendment is not radical. It is not going to disrupt chapter 14. It is not going to result in a loss of profit for any of the utility companies covered under this chapter. This amendment is not designed to do that, and it will not do that.

So let us take the bogeyman out of these situations that we are giving that are unreal. I am tired of sitting here listening to people paintbrush about people that they know nothing about. It is wrong. It is wrong. Vote "yes" on the Mundy amendment.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Daley, for the second time on the amendment.

Mr. DALEY. For all of those that are paying attention, that the whip of the Republican Party said that we have this amendment that we worked on – it is the omnibus amendment – and this is what it should be, I was part of that. My staff, Chairman Godshall's staff, ourselves, this is our amendment. This is what we put in. This is what is on the floor. But I want to tell you, we missed something. And the PUC, after a hearing before our committee on April 24, 2013, says that, and may I quote, Mr. Speaker, the commission further recommends that section 1403(d) be amended to clarify "...the commission may not establish a" second "payment agreement if a customer has defaulted on a previous payment agreement," issued by the commission. "The law" currently "states that absent a change in income the commission may not establish a payment agreement if a customer has defaulted on a previous payment agreement.

"The commission has interpreted this provision as limiting its ability to establish...payment agreement only if the customer defaulted on a prior agreement...." What they are saying, simply stated: You have to have the change of circumstance in there, and they do not have it now. This is what they want.

I ask for a "yes" vote.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Godshall, on the amendment for the second time.

Mr. GODSHALL. Thank you, Mr. Speaker.

Chapter 14, that is in existence today, has helped people who were unable to pay their bills. The utilities are paying more than double – in one case, \$450 million a year – to people, unfortunately, who cannot pay their bills. What we are only trying to work on here is people that can pay their bills, but they will not.

And as a case in point, Philadelphia Gas Works, before chapter 14, had 86-percent collectability; 86 percent of their customers were paying their bills. Right now with chapter 14, 96 percent are paying their bills because there is potential of a cutoff. So we have gone from 86 percent to 96 percent, with each percentage point worth \$8.3 million; a total of \$90 million a year was what the utility was losing. And at that point PGW was called by the mayor an embarrassing asset, and I believe there was an attempt to give PGW to Philadelphia Electric, but it was turned down. Today, today PGW is worth almost \$1 1/2 billion on the marketplace for sale.

So with chapter 14, we have turned the whole thing around from 86 percent who did not pay to now 96 percent— I am sorry; 86 percent that paid to 96 percent.

So this is aimed at the people who can pay, and we have also helped the people who, the low-income, you know, with a lot of programs and so forth. So I still ask for a "no" vote.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—99

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

NAYS—101

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

NOT VOTING—0

EXCUSED—3

Hackett	Miccarelli	Petri
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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. **THOMAS** offered the following amendment No. **A02637**:

Amend Bill, page 3, line 18, by inserting after "PHYSICIAN,"
midwife.

Amend Bill, page 3, line 19, by striking out "OR" and inserting a comma

Amend Bill, page 3, line 19, by inserting after "ASSISTANT"
or other licensed or certified nurse

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

The SPEAKER pro tempore. On that question, the Chair recognizes Mr. Thomas.

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, amendment 2637 would expand the definition of who can sign a medical certificate in cases of emergencies. Under existing law, only doctors, physician assistants, and nurse practitioners are able to do that. But when we look at rural Pennsylvania and look at other parts of Pennsylvania, people are not that readily in close proximity with health-care practitioners. Their health-care practitioner might be a registered nurse or it might be a midwife or it might be a physical therapist or another health-care practitioner who might be closer to that customer other than the doctor or the nurse practitioner. And let us not forget, the nurse practitioners are professionals with a master's and higher.

In the last 3 years we have created an opportunity for registered nurses who are not nurse practitioners, because we know that by 2014 Pennsylvania will have a shortage of about 4,000 to 5,000, and maybe more than that, of registered nurses, so we need health-care practitioners closer to people. And so all my amendment does is asks that we expand the chapter 14 to allow for licensed or certified nurses, along with midwives, to be available to sign medical certificates in cases of emergencies.

And so I ask your support on that amendment. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Saylor, on the amendment.

Mr. SAYLOR. Thank you, Mr. Speaker.

Again, I ask for a "no" vote on amendment A02637. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the amendment, the Chair recognizes the gentleman, Mr. Daley.

Mr. DALEY. Thank you, Mr. Speaker.

I appreciate your patience today. I would ask for an affirmative vote on this amendment. It does expand those individuals that can certify that there is a medical necessity in a home. I think that makes good common sense, and I ask for an affirmative vote.

The SPEAKER pro tempore. The Chair thanks the gentleman.

Mr. Thomas, are you seeking recognition a second time?

Mr. THOMAS. No.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—96

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

NAYS—104

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

NOT VOTING—0

EXCUSED—3

Hackett	Miccarelli	Petri
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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. **THOMAS** offered the following amendment No. **A02638**:

Amend Bill, page 4, lines 20 and 21, by striking out "INTRODUCTORY PARAGRAPH, (1)(V), (2) AND (3)"

Amend Bill, page 4, lines 25 through 30; page 5, lines 1 through 19, by striking out all of said lines on said pages and inserting

(a) General rule.—In addition to the right to collect a deposit under any commission regulation or order, the commission shall not prohibit a public utility, prior to or as a condition of providing utility service, from requiring a cash deposit in an amount that is equal to one-sixth of the applicant's estimated annual bill, at the time the public utility determines a deposit is required, [from the following:

(1) An applicant who previously received utility distribution services and was a customer of the public utility and whose service was terminated for any of the following reasons:

(i) Nonpayment of an undisputed delinquent account.

(ii) Failure to complete payment of a deposit, provide a guarantee or establish credit.

(iii) Failure to permit access to meters, service connections or other property of the public utility for the purpose of replacement, maintenance, repair or meter reading.

(iv) Unauthorized use of the utility service delivered on or about the affected dwelling.

(v) Failure to comply with the material terms of a settlement or payment agreement.

(vi) Fraud or material misrepresentation of identity for the purpose of obtaining utility service.

(vii) Tampering with meters, including, but not limited to, bypassing a meter or removal of an automatic meter reading device or other public utility equipment.

(viii) Violating tariff provisions on file with the commission so as to endanger the safety of a person or the integrity of the delivery system of the public utility.

(2) Any applicant or customer who is unable to establish creditworthiness to the satisfaction of the public utility through the use of a generally accepted credit scoring methodology which employs standards for using the methodology that fall within the range of general industry practice.

(3) A customer who fails to comply with a material term or condition of a settlement or payment agreement] only when there is a history of delinquency in making utility payments.

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

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

Mr. THOMAS. Thank you, Mr. Speaker.

And let me extend my sincere thanks and appreciation to the 96 progressive members of the House that voted "yes" for that last amendment. I am hoping that the vote on this amendment reflects a few that did not vote for it the last time around.

But amendment 2638 is really straightforward. It is not complicated. It is not scientific. It is not hostile. All it says is that in the absence of a history of delinquency, there should not

be a condition of a security deposit. If I have been paying my bill, Mr. Speaker, my brother, if I have been paying my bill and I do not have a history of delinquency, why should I have to pay a security deposit? The security deposit is tantamount to punishment for good behavior. That is what it almost looks like. I have to pay in order to establish service, and I do not have any history of delinquency. That is punishment rather than reward. Mr. Speaker, my amendment would do away with that requirement in chapter 14, that you have to punish me without some history of delinquency through a security deposit.

So I ask for your affirmative support from both sides of the aisle. This is not a Democratic or a Republican issue. This is about good behavior, and good behavior should be rewarded not punished.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentlelady, Ms. Delozier, from Cumberland County on the amendment.

Ms. DELOZIER. Thank you, Mr. Speaker.

May I interrogate the maker of the amendment?

The SPEAKER pro tempore. Does the gentlelady seek, you are seeking interrogation of the gentleman, Mr. Thomas?

Mr. Thomas, do you agree to a period of interrogation?

The gentleman agrees, and you may proceed.

Ms. DELOZIER. Thank you, Mr. Speaker.

I just had some clarifying questions on your amendment. You mention the fact, if I am reading this correctly, that it is just on bad payments. Can you explain or clarify as to the fact, how will the company that they are applying for know that they have had a bad history? Is it just with their company, or is it with any utility company or any type of utility company?

Thank you, Mr. Speaker.

Mr. THOMAS. Thank you, Mr. Speaker.

That is an excellent question. For the people who have promoted chapter 14, chapter 14 has provided utility companies with databases that you and I know nothing about. They have access not just to my history with electricity, but my history with gas, my history with telephones, my history with water, and they are sharing information. So if there is bad history out there in utility payments, they can find out about it. Plus, if you look at their credit practice methodology, it is designed to pull up information almost instantaneously on your payment history, so it would not be difficult for them to substantiate that before imposing a security deposit.

Ms. DELOZIER. Okay. So if I understand it, so it is any utility delinquency. And then also, if I understand then correctly, then you are making it so that that is the only reason that you can be forced to pay a deposit. Is that correct?

Mr. THOMAS. No, Mr. Speaker.

Mr. Speaker, implied in chapter 14, that if there is bad credit history, whether it is with utilities or with somebody else, that those things can be taken into consideration for the application of a security deposit. What my amendment just says is that without evidence of bad behavior, do not punish me with a security deposit.

Ms. DELOZIER. Okay. And so just to clarify, does it not strike everything that is already existing in chapter 14 as it stands right now?

Mr. THOMAS. To the best of my knowledge, it will not strike everything that is in chapter 14. It only adds this small condition, that if you have good credit history, if your payment history has been good, do not require a security deposit.

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

My question was primarily, based on how the amendment is written, it strikes everything that is in chapter 14 right now that allows for a deposit to be requested – that includes fraud, that includes misrepresentation, that includes a lot of criminal behavior. And so my question is really directed as to how it is written, and we perceive it to be written in the amendment would take that out.

Mr. THOMAS. Well, it would take out all of that information that is not relevant to your payment history. As previous speakers have mentioned, this is really about giving utility companies some opportunity to deal with bad payment history behavior. And so chapter 14 provides for a security deposit that has no limits. It can be as high as the utility company thinks it is needed. So yes, while my amendment might strike some other stuff in chapter 14, it does not interfere with the underlying public policy associated with chapter 14.

Ms. DELOZIER. Okay. Thank you, Mr. Speaker. On the amendment.

The SPEAKER pro tempore. The gentlelady has concluded her interrogation?

Ms. DELOZIER. Yes.

The SPEAKER pro tempore. On the amendment, you are in order, and you may proceed.

Ms. DELOZIER. Thank you, Mr. Speaker.

I would just like to point out primarily my concern that arises here. I recognize the intent of what the sponsor is going for, to use the fact of past history, and that is certainly something that we need to be taking a look at. But my concern that arises is the fact that we are striking out the company's ability to take a look at other behaviors that also relate to payments and also relate to the relationship between the customer and between the company. I think the companies, when they are taking a look at it, in the best interest of operation for all ratepayers, not just one particular ratepayer but all of them, that we also need to be taking into consideration the fact if someone has been possibly deceiving the company, if someone has been proven to have fraud, and many other issues that are being struck from this bill with this amendment.

So I would ask for a "no" vote on this amendment, because I think we need to be looking out for all customers, not just particular customers and carving out certain ones that we need to protect, but we need to be protecting all of our customers.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the lady.

The Chair recognizes the gentleman from York County, Mr. Saylor, on the amendment.

Mr. SAYLOR. Thank you, Mr. Speaker.

To keep it very short, as the gentlelady, reiterating what she said but also to remember that there are so many things today, whether you are going to pick up a U-Haul truck or your apartment or a hotel room, security deposits are required for so many things today, and it is not uncommon.

I ask for a negative vote on this amendment. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Thomas, for the second time on this amendment.

Mr. THOMAS. Thank you, Mr. Speaker.

Let me thank the speaker for her comments, and let me just respond to a couple things. Number one, there are no financial

transactions that I am currently involved in or have been involved in during the history, during my tenure in this institution where a security deposit has been requested in the absence of some history. So security deposits are not a common tool that people use to modify behavior unless there is some evidence of bad behavior.

Within the confines of 939, there is the imposition of a security deposit for new customers who do not have a history of bad payment, a bad payment history. We are talking about new customers, someone that moved from Philadelphia County to Montgomery County, in Philadelphia County paid their bills, had good history. And even though Chapter 14 might not allow the utility companies to get at information that might be removed with my amendment, they have other systems that they can check that are available to them as private companies in the Commonwealth of Pennsylvania. But if you go from Philadelphia County to Montgomery County or to Erie County or York County, and your history in the past, your payment history, has been good, within the context of just chapter 14 it is saying that new customers will have to pay a security deposit even if they have no bad history.

And so in a nutshell, should I charge you for good behavior? Should I punish you for good behavior? I say no. My amendment would correct that, and I ask for your support.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—82

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

NAYS—118

Adolph	Gabler	Lucas	Quinn
Aument	Gergely	Mackenzie	Rapp
Baker	Gibbons	Maher	Reed
Barrar	Gillen	Major	Reese
Benninghoff	Gillespie	Maloney	Regan
Bloom	Gingrich	Marshall	Roae
Boback	Godshall	Marsico	Rock
Brooks	Greiner	Masser	Ross
Brown, R.	Grell	McGinnis	Saccone
Burns	Grove	Mentzer	Sainato
Causar	Hahn	Metcalf	Sankey

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

NOT VOTING—0

EXCUSED—3

Hackett Miccarelli Petri

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. **THOMAS** offered the following amendment
No. **A02640**:

Amend Bill, page 9, line 20, by striking out "(1)"

Amend Bill, page 9, line 20, by inserting a bracket before
"NOTWITHSTANDING"

Amend Bill, page 9, line 23, by striking out the bracket before
"FRIDAY"

Amend Bill, page 9, line 23, by striking out "] THURSDAY"

Amend Bill, page 9, line 26, by inserting a bracket after
"SERVICE)."

Amend Bill, page 9, lines 27 through 30; page 10, line 1, by
striking out all of said lines on said pages and inserting

A public utility may not terminate service on a Friday,
Saturday, Sunday, Federal or State holiday or on any day
before such holiday.

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

The SPEAKER pro tempore. On that question, the Chair recognizes the gentleman, Mr. Thomas.

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, it is important that I report to people that are hearing our voices: Know that in the Commonwealth of Pennsylvania, at least as far as this chamber is concerned, good behavior will be faced with punishment of a security deposit. I do not know if we really wanted to answer that question in the way that we answered it.

But with respect to this amendment, this amendment asks the question of should we terminate utility service on Federal holidays – Dr. King's day, Presidents Day, Veterans Day – should we be turning off people's utilities? Or on State holidays

or before a holiday? So we are talking about maybe 24, 48 hours. That will not interfere with these utility companies' profit margins, nor will it interfere with their collection capacity.

And let us not forget, a lot of members of this chamber are a part of the community service day on Dr. King's birthday. I know that people across Pennsylvania are working in their churches, their community centers, are working in their cupboards, and doing a lot of different things that are a testimony to the beauty and compassion of this great State. See, I do not want people to be out working in their community center or their church and you out turning their utility service off. That is kind of ugly. You know, I do not think we want to be doing that on Presidents Day, or we have our young men and women that— And I have a situation where I have a young lady that I presented to the House who is now in Afghanistan. She calls me almost every other week to say to me how it is in battle. But I remember one time she came home when she was in Iraq, and her mom had a real battle with diabetes, and all of the income that they had, they had to deal with her medical situation. They turned off her utility service because she did not have \$25 and the security deposit, and that might have even been on Veterans Day.

We do not want to send that kind of message. And I am hoping that when this young lady completes her tour in Afghanistan, I am going to bring her back to the House. She is only about 4 feet 8 inches, 4 feet 9 inches, but she is now a captain in her unit and serving us well in Afghanistan. Danielle Hoyle is her name, if people want to follow up on that.

But I ask for your support. Let us not terminate service on Federal or State holidays, or 24 hours before a holiday. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Somerset County, Mr. Metzgar.

Mr. METZGAR. Thank you, Mr. Speaker.

Fortunately, this body has already heard the amendment that says about terminating service after not one, not two, not three, but on the third service notice; after that third service notice, service will be terminated. So we have already talked about this. The real change in this amendment is about holidays, but the nice part about our utility companies, our good utility companies are open most State and Federal holidays, and so they can help our customers.

So I put to you that this amendment actually has no purpose and that we can safely go on and vote "no" without it, because all of the protections of this bill are in place and will successfully protect our good-paying consumers. And if you do not pay your bill, I am sorry; you are still not going to get that service, and there is not much we can do for that person.

So thank you, and vote "no" for the amendment.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentlelady, Ms. Youngblood, on the amendment.

Ms. YOUNGBLOOD. Thank you.

May I interrogate the maker of the amendment, please?

The SPEAKER pro tempore. You may if the gentleman agrees, and I believe he has, and you may proceed.

Ms. YOUNGBLOOD. Mr. Speaker, what happens in a case if it is a holiday or a Friday and the family is abandoned by the father, and let us say the female or the mother may have just gotten out of the hospital and was not aware that the father had

the gas turned off, and the family is in the house with no utilities?

Mr. THOMAS. I think that under that situation, that utility service would be turned off. It is interesting that if you have a chance to visit my district office, it is only 5 blocks from one of these major utility companies. I mean, I represent that utility company because it is in my district, and there are several other utility company offices around my area. I have tried to get to them on holidays, you cannot do that. You cannot do that.

I have one utility company that has their own police unit, and I have had people in that area mugged and robbed and I could not access the utility police force. You are talking about a real situation, and there need to be some special arrangements made.

Ms. YOUNGBLOOD. Well, may I speak to the amendment? May I speak to the amendment?

The SPEAKER pro tempore. You may. You are entirely in order, and you may proceed. You have concluded your interrogation, correct?

Ms. YOUNGBLOOD. Yes, I have. I have completed and would like to speak.

The SPEAKER pro tempore. You may proceed.

Ms. YOUNGBLOOD. Mr. Speaker, I recently experienced a similar situation with a constituent in my district; 5:30 on a Friday afternoon and she had just gotten out of Einstein hospital, having a double knee replacement. While she was in the hospital having this double knee replacement, her husband went and had all the utilities turned off in the house, so therefore, when she and the kids returned home, they did not have utilities. There was nothing I could do about having the gas, the electric, or the water restored, because it was Friday after 5 o'clock, restored until Monday.

It was not because the bills were not being paid; it is because the father decided to leave the premises because he no longer wanted to be married to this woman or have the responsibility of being a parent. Not only that, I had to go grocery shopping for the family and buy them food, food that would not perish until I could have the utilities turned back on. I went to the market not only Friday evening, but I went to the market Saturday, and I went to the market Sunday and Monday to make sure that she and her children were supplied with the basic necessities such as food until I could have the utilities.

Yes, the utilities were turned back on that Monday, but all of them said, we need a security deposit from you because none of the utilities were in her name. They were all in the name of her spouse. I called the various companies and asked them to make an exception and have the utilities turned back on. There are circumstances that happen. It is unfortunate, but they do happen.

The SPEAKER pro tempore. The Chair thanks the lady and recognizes the gentleman, Mr. Cutler, on the amendment. He waives off. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Daley, on the amendment.

Mr. DALEY. Thank you, Mr. Speaker.

This amendment simply says you cannot cut it off Friday, Saturday, Sunday, Federal holidays, State holidays, or the day before a holiday. Now, I do not know if you remember an incident that occurred out in western Pennsylvania in a little town called Sexton, in which a family had the utilities cut off – this was in 2005 – by mistake. Later on there was a lawsuit, and it was found that it should not have been turned off. They should have received proper notice. They did not receive any of that.

I am not going to talk about the case. I am not going to talk about what happened in the case, but the PUC findings were that it should not have been turned off, and it was around the weekend. And in that fire, Dolores “Dee” Holland, 50; her grandson, Jordan M. English, 3; Alisha D. McConnell, 15; and Lindsey Depto, 14, all died. They all perished because there was a mistake. They were burning candles. The house caught on fire. They all died.

This is not a black-and-white issue. This is not a rich person, poor person issue. This is a people issue. This is an all-of-us issue. I ask for an affirmative vote.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The question recurs, shall the House adopt the amendment?

Mr. Thomas, are you seeking second— Waives off. Thank you, Mr. Thomas.

Those in favor— Mr. Saylor?

The Chair recognizes the gentleman, Mr. Saylor, on the amendment.

Mr. SAYLOR. Mr. Speaker, I want to reiterate something or make clear to the point that the lady from Philadelphia made earlier. Her husband requested a termination. The company did not terminate them for lack of payment of bills. That is totally different than what is in this bill. I appreciate the things that she said and can appreciate the hardships that that family had, but that has nothing to do with this bill from the point of a person not paying their bills. That is not covered in this bill.

Thank you, Mr. Speaker. I ask for a “no” vote.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—87

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

NAYS—113

Adolph	Gabler	Longietti	Rapp
Aument	Gibbons	Lucas	Reed
Baker	Gillen	Mackenzie	Reese
Barrar	Gillespie	Maher	Regan
Benninghoff	Gingrich	Major	Roe

Bloom	Godshall	Maloney	Rock
Boback	Greiner	Marshall	Ross
Brooks	Grell	Marsico	Saccone
Brown, R.	Grove	Masser	Sainato
Causar	Hahn	McGinnis	Sankey
Christiana	Harhai	Mentzer	Saylor
Clymer	Harhart	Metcalfe	Scavello
Corbin	Harper	Metzgar	Simmons
Cox	Harris, A.	Micozzie	Smith
Culver	Heffley	Millard	Sonney
Cutler	Helm	Miller, R.	Stephens
Day	Hennessey	Milne	Stern
Delozier	Hess	Moul	Stevenson
Denlinger	Hickernell	Murt	Swanger
DiGiolamo	James	Mustio	Tallman
Dunbar	Kampf	O'Neill	Taylor
Ellis	Kauffman	Oberlander	Tobash
Emrick	Keller, F.	Payne	Toepel
English	Keller, M.K.	Peifer	Toohil
Evankovich	Killion	Petrarca	Truitt
Everett	Knowles	Pickett	Turzai
Farry	Krieger	Pyle	Vereb
Fee	Lawrence	Quinn	Watson
Fleck			

NOT VOTING—0

EXCUSED—3

Hackett	Miccarelli	Petri
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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. **THOMAS** offered the following amendment
No. **A02641**:

Amend Bill, page 9, line 29, by striking out "UNTIL 12 P.M."

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

The **SPEAKER** pro tempore. On that question, the gentleman, Mr. Thomas, is recognized on the amendment.

Mr. **THOMAS**. Thank you, Mr. Speaker.

This amendment would require utility companies, as a condition of Friday terminations, to accept payments to restore service all day Saturday. So it just simply removes the language that allows for payment collection until 12 p.m., so it will not disrupt the underlying public policy directive or the instructional information around terminations within chapter 14.

So all this would do is just say that as a condition, that payment will be accepted and prevent the termination. Very straightforward, and I ask for your support.

The **SPEAKER** pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Somerset, Mr. Metzgar.

Mr. **METZGAR**. Would the maker of the amendment stand for brief interrogation?

The **SPEAKER** pro tempore. The gentleman has agreed, and you may proceed.

Mr. **METZGAR**. My understanding, based on your description, was that if the person provides payment during the course of Saturday, that service must be restored. Is that correct?

Mr. **THOMAS**. Yes.

Mr. **METZGAR**. When does the service have to be restored?

Mr. **THOMAS**. By Saturday, if you accept money before then.

Mr. **METZGAR**. Okay. So if payment is made on Saturday, then the service has to be restored on Saturday?

Mr. **THOMAS**. Right, because under normal circumstances, you cannot make payments on Saturdays. At least I have not been able to, unless you have electronically, sometimes electronically you can do it, but it is at least 24 hours before that payment is posted.

Mr. **METZGAR**. So how would the utility restore service? I think it has a 6 p.m. deadline. If the payment is made at 5:59, how would they restore service at 6 p.m.?

Mr. **THOMAS**. By the next day. The money has to come in on Friday, as a condition. And you have people out there on Saturdays for emergencies and for other purposes, so they would make arrangements to turn that service back on without waiting until Monday or Tuesday.

We might have someone who is sick, who is frail, who might need their service on before the beginning of the week.

Mr. **METZGAR**. So if they— I guess I am confused, though. My understanding, it says that they can make payment on Saturday and have service restored on that same day. How would they be able to restore it in 1 minute, in that deadline at 6 p.m., according to your amendment?

Mr. **THOMAS**. Well, because they are out on the street.

Mr. **METZGAR**. So they are going to be waiting there at 5:59?

Mr. **THOMAS**. No. They are not going to be waiting there, but they will always, they always have a crew out on the street, emergency crews, 24 hours. So if we know that that service is going to be terminated on Saturday but cannot get restored until Saturday, it is terminated on Friday but can be restored on Saturday, then you can just put, you can electronically send the information on where that service needs to be restored.

Mr. **METZGAR**. I am not— I guess maybe I am confused about the dynamics of restoration of service in that you can, like, make a keystroke and service is restored in all cases. Is that right?

Mr. **THOMAS**. Under current law, under the current rules of chapter 14, termination on Fridays is not prohibited. All this amendment says is that as a condition, if you are planning to terminate service on Friday, that you will be willing to accept payment and restore that service by Saturday, restore it on Saturday.

So right now there are no prohibitions against cutting your service off on Fridays, and all this amendment does, it says, since we cannot prohibit you from terminating service, here is a condition of termination. If there is payment, money that has gotten into you, and you are in a position to restore that service by Saturday, then you should restore that service.

Mr. **METZGAR**. My question, though, is how is it possible to restore service in 1 minute on Saturday from the time of payment to the time of the demand for service to be restored pursuant to your amendment?

Mr. THOMAS. I think we have done well with the utility companies. They have to work that out. And I know in some counties, in some counties – remember this now – in some counties they have put these remote meters on the outside of your homes, so you do not really need to get inside. You do not really need to even talk to the customer. All you need to do is to go by and put that remote equipment out the window and turn the service back on. Now, it might be a little difficult if you have to dig up, but more often than not they have these mobile meters on the outside of properties. But they can work that out.

Mr. METZGAR. On the amendment, Mr. Speaker.

The SPEAKER pro tempore. The gentleman has concluded his interrogation and may proceed on the amendment.

Mr. METZGAR. Thank you, Mr. Speaker.

I think that during the course of this interrogation, it has become abundantly clear that the maker of the amendment cannot define a practical way for us to restore service in the 1-minute timeframe that could possibly occur under his amendment. And so if it is impossible to perform, under this amendment, then how can we ask our constituents – in this case, the utility companies – to perform an impossible task?

So therefore, I think we all must vote "no"; otherwise, we will immediately place the utilities in violation of the act. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes— The gentleman has concluded?

Mr. Metzgar, you have concluded?

Mr. Thomas, you want to be recognized on the second time?

Mr. THOMAS. Yes, Mr. Speaker.

The SPEAKER pro tempore. You may proceed.

Mr. THOMAS. Very, very quickly.

Why are we asked to figure out how utility companies take care of their business? Why are we asked to do that? Now, we want to give them broad discretion under chapter 14 to collect money, and now we want to figure out how they do it. I think the amendment provides that if you are going to turn the service off on Friday and an arrangement can be made to get the money, then you have until 6 o'clock on Saturday to turn the service on, to restore the service. That is straightforward.

Now, whether it is 1 minute or 5 minutes or whatever, the underlying principle is that you turn that service back on if you have received your payment, and that is a condition of Friday termination. But in terms of how we are going to do that or how we should do that, you know, I have faith in the utility companies that they will work that out. So I ask for support from both sides of the aisle.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Saylor, on the amendment.

Mr. SAYLOR. Thank you, Mr. Speaker.

Again, we have protections for consumers in this bill. The bill is paid by noon on Saturday for anybody that is shut off on Friday, has to have their power restored or their utility restored by 6 p.m. that evening. Those are protections we have for the consumer in there now for terminations on Friday. Those are the requirements that are in the law to protect consumers. To require a utility to get a credit card or to get a cash payment at 5:59 on a Saturday evening, 1 minute before that, is just not reasonable. We have to be reasonable about this.

People get three notices before they are terminated. Why are we not standing up for the consumers who pay their bills on time or those who sign agreements to make payment who pay

their agreements in a timely fashion as they have arranged previously? This affects every one of us members in this House who represent consumers every day here on this House floor.

We have to stand up for consumers who do what they are expected to do and who live up to those commitments. Anybody who waits until 5:59 on a Saturday, knowing with three notices that they are being terminated – it is just unreasonable. I ask for a negative vote, because this is getting on the verge of absurd to expect this kind of service and to expect us not to stand up for the people who do their job. Ninety-nine percent of the people in this Commonwealth live up to the agreements that are in this law.

So let us vote for the consumer and vote "no" on this amendment, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—76

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

NAYS—124

Adolph	Gabler	Longietti	Pyle
Aument	Gergely	Lucas	Quinn
Baker	Gibbons	Mackenzie	Rapp
Barbin	Gillen	Maher	Reed
Barrar	Gillespie	Major	Reese
Benninghoff	Gingrich	Maloney	Regan
Bloom	Godshall	Marshall	Roae
Boback	Greiner	Marsico	Rock
Brooks	Grell	Masser	Ross
Brown, R.	Grove	McGinnis	Saccone
Burns	Hahn	McNeill	Sainato
Causar	Haluska	Mentzer	Sankey
Christiana	Harhai	Metcalfe	Saylor
Clymer	Harhart	Metzgar	Scavello
Corbin	Harper	Micozzie	Simmons
Cox	Harris, A.	Millard	Smith
Culver	Heffley	Miller, R.	Snyder
Cutler	Helm	Milne	Sonney
Day	Hennessey	Mirabito	Stephens
Delozier	Hess	Moul	Stern
Denlinger	Hickernell	Mullery	Stevenson
DiGirolamo	James	Murt	Swanger
Dunbar	Kampf	Mustio	Tallman
Ellis	Kauffman	Neuman	Taylor
Emrick	Keller, F.	O'Neill	Tobash

English	Keller, M.K.	Oberlander	Toepel
Evankovich	Killion	Painter	Toohil
Everett	Knowles	Payne	Truitt
Farry	Krieger	Peifer	Turzai
Fee	Kula	Petrarca	Vereb
Fleck	Lawrence	Pickett	Watson

NOT VOTING—0

EXCUSED—3

Hackett	Miccarelli	Petri
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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. THOMAS offered the following amendment
No. **A02642**:

Amend Bill, page 14, by inserting between lines 22 and 23
Section 8. Title 66 is amended by adding a section to read:
§ 1419. Expiration.
The provisions of Chapter 14 (relating to responsible utility
customer protection) shall expire on December 31, 2023, unless sooner
reenacted by the General Assembly.

Amend Bill, page 14, line 23, by striking out "8" and inserting
9

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

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

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, I challenge any member of this House, and I think we could talk to the Chief Clerk, there have been a number of people here in this House and in the Senate and in government that have had challenges with utility companies. I cannot remember the last time somebody got three shutoff notices. They do not do it. They do not do it. And to the people out there in Pennsylvania, if you have had challenges with your water company, electric company, gas company, wastewater company, if you have received three notices of shutoff before your service was terminated, dial (717) 787-9471 and say, "Representative Thomas, you don't know what you're talking about."

But if that is not the case, I ask that you call the speaker and let the speaker know that that is not a fact. Utility companies are not that nice to customers; that is why they wanted chapter 14, because they did not want to have to go through giving notices and taking things into consideration. That is why they came here for chapter 14.

Chapter 14, in 2004, was one of the most egregious, egregious, legislative prescriptions that could have come out of a lawmaking body, and history has shown that. The PUC has acknowledged that over 7,000 people called them during these last few years trying to get some help. And all 7,000 of them were not people who just walk around and do not pay their bills. They were people who were hurting, hurting. Maybe some of

the 33,000 people who lost their, who gave up on looking for a job last month. In March 33,000 people gave up on a good-paying job in Pennsylvania. It might have been some of them.

But this amendment would give each and every one of us in this body an opportunity to review what happens. All this amendment does is says that in 10 years we will take a look at the impact of changes to chapter 14. Now, I would say to you that if there were no substantive changes to chapter 14, I would say maybe we should do away with the sunset, but do not forget, we are adding wastewater companies in this bill. We are adding steam companies in this bill. We are adding Marcellus Shale-related companies in this bill. We are adding utility companies in chapter 14 that have not been there over the last 8 years. We do not know what impact that is going to have on your constituents or on my constituents. They will be able to impose aggressive collection practices as other companies have. And let us not forget, in the last 8 years the water company in my county raised rates eight times. PECO increased their rates three times. The gas company increased their rates four times. No one had a delinquency under 15 percent; 10, 15 percent.

In 2004 all of these utility companies had collection rates way above 75, 80 percent. They were not doing bad. They were not suffering. So when we use the words "constituents, customers, neighbors, voters, friends, family," we are standing for them. Yes, utility companies, their concerns should be able to come to this chamber, but on this day, this hour, we are standing for people, for people by saying, in 10 years we should be able to come back and look at whether or not these additional utility companies that are being placed into chapter 14, whether they have had a negative or positive effect on the people that we represent. That is all this amendment does. It would reestablish the 10-year sunset provision.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Saylor, from York County on the amendment.

Mr. SAYLOR. Mr. Speaker, we have voted "no" on previous amendments very similar to this. I just ask for a "no" vote.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Daley, on the amendment.

Mr. DALEY. I believe that might is not always right. This is the 10-year lookback. I ask for a "yes" vote.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Thomas.

Mr. THOMAS. Roll it, Mr. Speaker.

The SPEAKER pro tempore. All right.

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

The following roll call was recorded:

YEAS—92

Barbin	Deasy	Keller, W.	Painter
Bishop	DeLissio	Kim	Parker
Bizzarro	DeLuca	Kinsey	Pashinski
Boyle, B.	Dermody	Kirkland	Petrarca
Boyle, K.	Donatucci	Kortz	Ravenstahl
Bradford	Evans	Kotik	Readshaw

Briggs	Fabrizio	Kula	Roebuck
Brown, V.	Farina	Longiotti	Rozzi
Brownlee	Flynn	Mahoney	Sabatina
Burns	Frankel	Markosek	Sainato
Caltagirone	Freeman	Matzie	Samuelson
Carroll	Gainey	McCarter	Santarsiero
Clay	Galloway	McGeehan	Schlossberg
Cohen	Gergely	McNeill	Schreiber
Conklin	Gibbons	Miller, D.	Sims
Costa, D.	Goodman	Mirabito	Snyder
Costa, P.	Haggerty	Miranda	Sturla
Cruz	Haluska	Molchany	Thomas
Daley, M.	Hanna	Mullery	Vitali
Daley, P.	Harhai	Mundy	Waters
Davidson	Harkins	Neilson	Wheatley
Davis	Harris, J.	Neuman	White
Dean	Kavulich	O'Brien	Youngblood

NAYS—108

Adolph	Fee	Lawrence	Rapp
Aument	Fleck	Lucas	Reed
Baker	Gabler	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	Sankey
Causer	Grove	McGinnis	Saylor
Christiana	Hahn	Mentzer	Scavello
Clymer	Harhart	Metcalfe	Simmons
Corbin	Harper	Metzgar	Smith
Cox	Harris, A.	Micozzie	Sonney
Culver	Heffley	Millard	Stephens
Cutler	Helm	Miller, R.	Stern
Day	Hennessey	Milne	Stevenson
Delozier	Hess	Moul	Swanger
Denlinger	Hickernell	Murt	Tallman
DiGirolamo	James	Mustio	Taylor
Dunbar	Kampf	O'Neill	Tobash
Ellis	Kauffman	Oberlander	Toepel
Emrick	Keller, F.	Payne	Toohil
English	Keller, M.K.	Peifer	Truitt
Evankovich	Killion	Pickett	Turzai
Everett	Knowles	Pyle	Verb
Farry	Krieger	Quinn	Watson

NOT VOTING—0

EXCUSED—3

Hackett Miccarelli Petri

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. **THOMAS** offered the following amendment
No. **A02643**:

Amend Bill, page 3, line 27, by striking out "WASTEWATER UTILITY"

Amend Bill, page 4, lines 13 through 18, by striking out all of said lines

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

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

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, I would love to be able to interrogate my friend and my mentor, the Honorable Godshall, but Representative Godshall should not even be here this evening.

The SPEAKER pro tempore. Mr. Thomas, may I offer a comment—

Mr. THOMAS. Mr. Speaker?

The SPEAKER pro tempore. —that you cannot interrogate other people on your amendment. You are to speak on your amendment and confine your remarks to your amendment.

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, I am not going to interrogate my friend, Representative Godshall. What I would like for somebody to tell me is why wastewater companies were added to this statute. There cannot be any more than six or seven wastewater companies in Pennsylvania. Why are they added now, and what is going to be the impact of them on our constituents, especially since we have rejected all of our efforts to sunset this statute? Since we have rejected all of those efforts, the question is, why are wastewater companies added, and what is going to be the impact of them on our constituents, not on me in Philadelphia County, but maybe you in Elk County or in York County where these wastewater companies are located?

And so, Mr. Speaker, until somebody is able to provide a good explanation to that question, I ask that you join me in removing wastewater companies from chapter 14 since it has never been there; they have never complained about bad payments, financial challenges. I could not even tell you who one of these wastewater companies are, so I do not know who they are. And until an explanation is provided to you and me and the people of Pennsylvania, I ask that you join me in removing wastewater companies from chapter 14.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Metzgar, on the amendment.

Mr. METZGAR. If you want to vote for this amendment, you can, but it is going to do two things: It is going to increase the cost to your ratepayers, because it is going to make a redundancy in the billing cycle; and number two, it is going to confuse the ratepayers, because they are going to have two bills for essentially the same service, and it is going to make it much more confusing and make it more likely that they will miss a payment and then causing a shutoff.

So I think this is a backwards approach to it, and we need to vote "no." Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Thomas, for the second time.

Mr. THOMAS. Mr. Speaker, raise your hand if a constituent called you and said that they had a problem with a wastewater company. Raise your hand. Or raise your hand if a wastewater company called you and said that people are not paying their bills, and if they are not under chapter 14, then they are going to suffer financially. We have not seen that kind of evidence. We have not seen that kind of evidence. And but for you and me asking questions about chapter 14, somebody does not whisper to these wastewater companies, hey, you better get in on this Christmas Day, because do not forget now, it was PGW that initially came to the General Assembly, and when PGW

realized how lucrative this would be, they went and whispered in PECO's ear, and then these other companies, you better get in on this. It is not December 25, 2004, but if you get in on this, you could have a real Christmas Day in the General Assembly, and it happened.

All of these utility companies have been doing financially well over the last 8 years. Even during the recession they made money. They made good money, and they were able to do it because some of you gave approval to chapter 14. That is why they are doing well.

So, Mr. Speaker, since nobody can tell us why seven or eight wastewater companies should be in chapter 14, let us remove them, take them out, and if they want to get in, let them come and tell us why you need to be under chapter 14, but during my 24 years in this stellar House, I have never heard from one wastewater company about collections, payments, and financial challenges. I have not heard that, and so there is no sense in me protecting something that has not asked for protection. These companies have not requested protection, and if they have, then I am open.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Saylor, from York County on the amendment.

Mr. SAYLOR. Thank you, Mr. Speaker.

I wanted to let everybody know there are 59 wastewater treatment facilities in Pennsylvania regulated by the PUC. The PUC believes they need to stay in this bill, and so I simply ask for a "no" vote on this amendment.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

Mr. Thomas, I apologize, but you have been recognized on two occasions. So we can roll it?

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

The following roll call was recorded:

YEAS—72

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

NAYS—128

Adolph	Fleck	Longiotti	Pyle
Aument	Gabler	Lucas	Quinn
Baker	Gergely	Mackenzie	Rapp
Barbin	Gibbons	Maher	Reed

Barrar	Gillen	Major	Reese
Benninghoff	Gillespie	Maloney	Regan
Bloom	Gingrich	Markosek	Roae
Boback	Godshall	Marshall	Rock
Brooks	Greiner	Marsico	Ross
Brown, R.	Grell	Masser	Rozzi
Burns	Grove	McGinnis	Saccone
Causar	Hahn	Mentzer	Sainato
Christiana	Haluska	Metcalfe	Sankey
Clymer	Harhai	Metzgar	Saylor
Corbin	Harhart	Micozzie	Scavello
Costa, P.	Harper	Millard	Simmons
Cox	Harris, A.	Miller, D.	Smith
Culver	Heffley	Miller, R.	Snyder
Cutler	Helm	Milne	Sonney
Davis	Hennessey	Mirabito	Stephens
Day	Hess	Moul	Stern
Delozier	Hickernell	Mullery	Stevenson
Denlinger	James	Murt	Swanger
DiGirolamo	Kampf	Mustio	Tallman
Dunbar	Kauffman	Neilson	Taylor
Ellis	Keller, F.	Neuman	Tobash
Emrick	Keller, M.K.	O'Neill	Toepel
English	Killion	Oberlander	Toohil
Evankovich	Knowles	Payne	Truitt
Everett	Krieger	Peifer	Turzai
Farry	Kula	Petrarca	Vereb
Fee	Lawrence	Pickett	Watson

NOT VOTING—0

EXCUSED—3

Hackett	Miccarelli	Petri
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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. THOMAS offered the following amendment
No. A02644:

Amend Bill, page 1, lines 1 through 11, by striking out all of said lines and inserting
Amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, in responsible utility customer protection, further providing for declaration of policy, for definitions, for cash deposits and household information requirements, for payment agreements, for termination of utility service, for reconnection of service, for complaints filed with commission and for automatic meter readings; repealing provisions relating to liens; further providing for reporting to General Assembly and Governor, for nonapplicability and for construction; and providing for expiration of chapter.

Amend Bill, page 2, lines 11 through 30; pages 3 through 13, lines 1 through 30; page 14, lines 1 through 23, by striking out all of said lines on said pages and inserting

Section 1. Section 1402 of Title 66 of the Pennsylvania Consolidated Statutes is amended to read:

§ 1402. Declaration of policy.

The General Assembly finds and declares as follows:

(1) Formal service rules were first adopted by the Pennsylvania Public Utility Commission in 1978 with the stated goal of enforcing uniform, fair and equitable residential utility service standards governing eligibility criteria, credit and deposit practices, account billing, termination and restoration of service

procedures and customer complaint procedures. [These rules have not successfully managed the issue of bill payment. Increasing amounts of unpaid bills now threaten paying customers with higher rates due to other customers' delinquencies.] These rules were revised with the addition of this chapter in 2005, and 52 Pa. Code Ch. 56 (relating to standards and billing practices for residential utility service) was amended accordingly in 2011. Increasing numbers of service terminations and customers entering the winter without heat-related service threatens the health and safety of Pennsylvania residents.

(2) The General Assembly believes that it is now time to revisit these rules and provide protections against [rate increases for timely paying customers resulting from other customers' delinquencies] premature service terminations. The General Assembly seeks to achieve greater equity by [eliminating opportunities for customers capable of paying to avoid the timely payment of public utility bills] providing fair opportunities to customers to bring their public utility bills current.

(3) Through this chapter, the General Assembly seeks to provide public utilities with an equitable means to reduce their uncollectible accounts by modifying the procedures for delinquent account collections and by increasing timely collections. At the same time, the General Assembly seeks to ensure that service remains available to all customers on reasonable terms and conditions.

(4) The General Assembly believes that it is appropriate to [provide] eliminate the most unused additional collection tools to [city natural gas distribution operations [to recognize the financial circumstances of the operations and protect their ability to provide natural gas for the benefit of the residents of the city].

Section 2. The definitions of "applicant," "change in income," "customer," "customer assistance program," "informal complaint," "payment agreement," "public utility" and "significant change in circumstance" in section 1403 of Title 66 are amended and the section is amended by adding definitions to read:
§ 1403. Definitions.

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

"Applicant." A natural person not currently receiving service who applies for residential service provided by a public utility or any adult occupant whose name appears on the mortgage, deed or lease of the property for which the residential utility service is requested. The term does not include a person who, within 60 days after service termination or discontinuance of service, seeks to have service reconnected at the same location or transferred to another location within the service territory of the public utility.

"Change in income." A decrease in household income of 20% or more if the customer's or applicant's household income level exceeds 200% of the Federal poverty level or a decrease in household income of 10% or more if the customer's or applicant's household income level is 200% or less of the Federal poverty level.

"Customer." A natural person in whose name a residential service account is listed and who is primarily responsible for payment of bills rendered for the service, including the period 60 days after discontinuance or termination of services, or any adult occupant whose name appears on the mortgage, deed or lease of the property for which the residential utility service is requested.

"Customer assistance program." A plan or program sponsored by a public utility for the purpose of providing universal service and energy conservation, as defined by section 2202 (relating to definitions) or 2803 (relating to definitions), in which customers make monthly payments based on household income and household size, not to exceed maximum energy burdens established by the Pennsylvania Public Utility Commission, and under which customers or applicants must comply with certain responsibilities and restrictions in order to remain eligible for the program. Enrollment of a customer or applicant into a customer assistance program or the provision of customer

assistance program benefits to a customer does not constitute a payment arrangement.

* * *

"Informal complaint." A complaint filed with the Pennsylvania Public Utility Commission by a customer or applicant that does not involve a legal proceeding before a Pennsylvania Public Utility Commission administrative law judge or a mediation under the management of a Pennsylvania Public Utility Commission administrative law judge.

* * *

"Medical Certificate." A written document:

(1) certifying that a customer or member of the customer's household is seriously ill or afflicted with a medical condition which will be aggravated by cessation of service; and

(2) signed by a licensed physician, nurse practitioner, midwife, physician's assistant or other licensed or certified nurse.

* * *

"Payment [agreement] arrangement." An agreement whereby a customer who admits liability for billed service is permitted to amortize or pay the unpaid balance of the account [in one or more payments] over a period of at least six months.

"Public utility." Any electric distribution utility, natural gas distribution utility, small natural gas distribution utility, steam heat utility, wastewater utility or water distribution utility in this Commonwealth that is within the jurisdiction of the Pennsylvania Public Utility Commission.

"Significant change in circumstance." Any of the following criteria when verified by the public utility and experienced by customers or applicants with household income less than 300% of the Federal poverty level:

(1) The onset of a chronic or acute illness resulting in a significant loss in the customer's household income.

(2) Catastrophic damage to the customer's residence resulting in a significant net cost to the customer's household.

(3) Loss of the customer's residence.

(4) Increase in the customer's number of dependents in the household.

(5) Loss of employment.

(6) Death of primary income provider.

(7) Lack of service for 30 days or more.

(8) The onset of the cold weather period commencing October 15 through March 31.

(9) Unforeseeable increase in household expenses.

(10) Other individual factors deemed appropriate by the Pennsylvania Public Utility Commission.

"Small natural gas distribution utility." A public utility providing natural gas distribution services subject to the jurisdiction of the commission that:

(1) has annual gas operating revenues of less than \$6,000,000 per year; or

(2) is not connected to an interstate gas pipeline by means of a direct connection or any indirect connection through the distribution system of another natural gas public utility or through a natural gas gathering system.

"Steam heat utility." An entity producing, generating, distributing or furnishing steam for the production of heat or to or for the public for compensation.

"Unauthorized use of utility service." Unreasonable interference or diversion of service, including any act that affects the proper registration of service through a meter or unmetered service that flows through a device connected between a service line and customer-owned facilities and unauthorized service restoration.

"Wastewater utility." An entity owning or operating equipment or facilities for the collection, treatment or disposal of sewage to or for the public for compensation. The term includes separate companies that individually provide water or wastewater service so long as the separate companies are wholly owned by a common parent company.

* * *

Section 3. Sections 1404, 1405, 1406, 1407, 1410 and 1411 of Title 66 are amended to read:

§ 1404. Cash deposits and household information requirements.

(a) General rule.—In addition to the right to collect a deposit under any commission regulation or order, [the commission shall not prohibit] a public utility, [prior to or as a condition of providing utility service, from requiring] may require a cash deposit, payable during a 90-day period, 50% with the first bill, 25% with the second bill and 25% with the third bill, in an amount that is equal to [one-sixth] one-twelfth of the applicant's estimated annual bill[, at the time the public utility determines a deposit is required,] from the following:

(1) An applicant who previously received utility distribution services and was a customer of the public utility and whose service was terminated for any of the following reasons:

(i) Nonpayment of an undisputed delinquent account.

(ii) Failure to complete payment of a deposit, provide a guarantee or establish credit in accordance with a generally accepted method approved by the commission.

(iii) Failure to permit access to meters, service connections or other property of the public utility for the purpose of replacement, maintenance, repair or meter reading.

(iv) Unauthorized use of the utility service delivered on or about the affected dwelling.

(v) Failure to comply with the material terms of a settlement or payment [agreement] arrangement.

(vi) Fraud or material misrepresentation of identity for the purpose of obtaining utility service.

(vii) Tampering with meters, including, but not limited to, bypassing a meter or removal of an automatic meter reading device or other public utility equipment.

(viii) Violating tariff provisions on file with the commission so as to endanger the safety of a person or the integrity of the delivery system of the public utility.

(2) Any applicant or customer who is unable to establish creditworthiness [to the satisfaction of the public utility] through the use of a generally accepted credit scoring methodology [which employs standards for using the methodology that fall within the range of general industry practice], as provided in a commission-approved tariff.

(3) A customer who fails to comply with a material term or condition of a settlement or payment [agreement] arrangement.

(b) Third-party guarantor.—Nothing in this section shall be construed to preclude an applicant from furnishing a third-party guarantor in lieu of a cash deposit. The guaranty shall be in writing and shall state the terms of the guaranty. The guarantor shall be responsible for [all missed payments owed to the public utility] the amount of the deposit that would otherwise be required under this section.

(c) Deposit hold period.—

(1) A public utility may hold a deposit until a timely payment history is established [or for a maximum period of 24 months]. The period shall not exceed 18 months.

(2) A timely payment history is established when a customer has paid in full and on time for twelve consecutive months.

(3) At the end of the deposit holding period as established in paragraph (1), the public utility shall deduct the outstanding balance from the deposit and return or credit any positive difference to the customer.

(4) If service is terminated before the end of the deposit holding period as established in paragraph (1), the public utility shall deduct the outstanding balance from the deposit and return any positive difference to the customer within 60 days of the termination.

(5) If a customer becomes delinquent before the end of

the deposit holding period as established in paragraph (1), the public utility may deduct the outstanding balance from the deposit.

(6) The public utility shall accrue interest on the deposit until it is returned or credited [the legal rate of interest pursuant to section 202 of the act of January 30, 1974 (P.L.13, No.6), referred to as the Loan Interest and Protection Law, and return such interest with the deposit].

(i) Interest shall be computed at the simple annual interest rate determined by the Secretary of Revenue for interest on the underpayment of tax under section 806 of the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code.

(ii) The interest rate in effect when deposit is required to be paid shall remain in effect until the later of:

(A) the date the deposit is refunded or credited; or

(B) December 31.

(iii) On January 1 of each year, the new interest rate for that year will apply to the deposit.

[(d) Adult occupants.—Prior to providing utility service, a public utility may require the applicant to provide the names of each adult occupant residing at the location and proof of their identity.]

(e) Failure to pay full amount of cash deposit.—A public utility [shall not be required to provide service] may terminate service, following notice pursuant to commission regulations, if the applicant or customer fails to pay the full amount of the cash deposit by the end of the 90-day payment period.

[(f) City natural gas distribution operation; additional deposit rules for city natural gas distribution operations.—Except for applicants who are subject to a deposit under subsection (a), a city natural gas distribution operation may require a deposit from the applicant as follows:

(1) If an applicant has household income above 300% of the Federal poverty level, one-sixth of the applicant's estimated annual bill paid in full at the time the city natural gas distribution operation determines a deposit is required; or

(2) If an applicant has household income no greater than 300% of the Federal poverty level, one-twelfth of the applicant's estimated annual bill paid in full at the time the city natural gas distribution operation determines a deposit is required. Applicants who enroll into the Customer Assistance Program made available by the city natural gas distribution operation are not subject to this paragraph.]

(g) Estimated annual bill.—When used in this section, an estimated annual bill shall be calculated on the basis of the annual bill to the dwelling at which service is being requested for the prior 12 months or, if unavailable, a similar dwelling in close proximity. In cases in which customers and applicants are newly enrolled in a customer assistance program, any deposits will be waived. In other instances when a customer or applicant previously enrolled in a customer assistance program is required to pay a deposit, that deposit shall be limited to no more than the amount of one month's bill under the customer assistance program.

(h) Time for paying deposits upon reconnection.—Applicants and customers required to pay a deposit upon reconnection under subsection (a)(1) shall have up to 90 days to pay the deposit in accordance with commission regulations.

§ 1405. Payment [agreements] arrangements.

(a) General rule.—The commission is authorized to investigate complaints regarding payment disputes between a public utility, applicants and customers. The commission is authorized to establish payment [agreements] arrangements between a public utility, customers and applicants within the limits established by this chapter.

(b) Length of payment [agreements] arrangements.—The length of time for a customer to resolve an unpaid balance on an account that is subject to a payment [agreement] arrangement that is investigated by

the commission and is entered into by a public utility and a customer shall not extend beyond:

(1) Five years for customers with a gross monthly household income level not exceeding 150% of the Federal poverty level.

(2) [Two] Four years for customers with a gross monthly household income level exceeding 150% and not more than 250% of the Federal poverty level.

(3) [One year] Three years for customers with a gross monthly household income level exceeding 250% of the Federal poverty level and not more than 300% of the Federal poverty level.

(4) [Six months] One year for customers with a gross monthly household income level exceeding 300% of the Federal poverty level.

(c) Customer assistance programs.—[Customer assistance program rates shall be timely paid and shall not be the subject of payment agreements negotiated or approved by the commission.] When a customer or applicant contacts a public utility to make payment arrangements, the public utility shall notify the customer or applicant verbally and in writing about the public utility's customer assistance program, inquire about the customer's or applicant's eligibility for a customer assistance program, and enroll an eligible customer into the customer assistance program, with the customer's consent.

(d) Number of payment [agreements] arrangements.—Absent a change in income, the commission shall not establish or order a public utility to establish a second or subsequent payment [agreement] arrangement if a customer has defaulted on a previous payment [agreement. A] arrangement established by a commission order or decision. In addition, a public utility may, at its discretion, enter into [a second or subsequent payment agreement with a customer] payment arrangements, not established or ordered by the commission, in accordance with regulations established by the commission.

(e) Extension of payment [agreements] arrangements.—If the customer defaults on a payment [agreement] arrangement established under subsections (a) and (b) as a result of a significant change in circumstance, the commission may reinstate the payment [agreement] arrangement and extend the remaining term for an initial period of six months. The initial extension period may be extended for an additional six months for good cause shown.

(f) Failure to comply with payment [agreement] arrangement.—Failure of a customer to comply with the terms of a commission-ordered payment [agreement] arrangement shall be grounds for a public utility to terminate the customer's service. Pending the outcome of a complaint filed with the commission, a customer shall be obligated to pay that portion of the bill which is not in dispute and subsequent bills which are not in dispute.

§ 1406. Termination of utility service.

(a) Authorized termination.—A public utility may notify a customer and terminate service provided to a customer after notice as provided in subsection (b) for any of the following actions by the customer:

(1) Nonpayment of an undisputed delinquent account.

(2) Failure to comply with the material terms of a payment [agreement] arrangement.

(3) Failure to complete payment of a deposit, provide a guarantee of payment or establish credit.

(4) Failure to permit access to meters, service connections or other property of the public utility for the purpose of replacement, maintenance, repair or meter reading.

(b) [Notice of termination of service] Predetermination notices, contacts and duties.—

(1) Prior to terminating service under subsection (a), a public utility:

(i) Shall provide written notice of the

termination to the customer at least ten days prior to the date of the proposed termination. The termination notice

shall remain effective for [60] 30 days.

(ii) Shall attempt to contact the customer or occupant[, either in person or by telephone, to provide notice of the proposed termination at least three days prior to the scheduled termination. Phone contact shall be deemed complete upon attempted calls on two separate days to the residence between the hours of 7 a.m. and 9 p.m. if the calls were made at various times each day.] to provide notice of the proposed termination at least three days prior to the scheduled termination using one or more of the following methods:

(A) in person; or

(B) by telephone.

(iii) [During the months of December through March, unless] After complying with subparagraphs (i) and (ii), the public utility shall make in-person contact with the customer or responsible adult at the time service is terminated. If personal contact has not been made with the customer or responsible adult by personally visiting the customer's residence, the public utility shall, within 48 hours of the scheduled date of termination, post a notice of the proposed termination at the service location.

[(iv) After complying with paragraphs (ii) and (iii), the public utility shall attempt to make personal contact with the customer or responsible adult at the time service is terminated. Termination of service shall not be delayed for failure to make personal contact.

(2) The public utility shall not be required by the commission to take any additional actions prior to termination.]

(2.1) For each of the above notices and contacts under paragraph (1), and when the customer contacts the utility prior to termination, the public utility shall notify the customer verbally and in writing about the public utility's customer assistance program, inquire about the customer's eligibility and enroll eligible customers into the customer assistance program, with the customer's consent.

(3) An application for a public utility's customer assistance program shall stay termination of service for nonpayment until a decision has been made on the application, and the utility shall cancel the termination of service upon approval for enrollment in the customer assistance program.

(4) Termination may not occur if evidence is presented that indicates that payment has been made, a serious illness or medical condition exists, a dispute or complaint is pending or if the employee is authorized to receive payment and payment in full is tendered in any reasonable manner.

(c) Grounds for immediate termination.—

(1) A public utility may immediately terminate service for any of the following actions by the customer:

[(i) Unauthorized use of the service delivered on or about the affected dwelling.

(ii) Fraud or material misrepresentation of the customer's identity for the purpose of obtaining service.]

(iii) Tampering with meters or other public utility's equipment.

(iv) Violating tariff provisions on file with the commission so as to endanger the safety of a person or the integrity of the public utility's delivery system.

(2) Upon termination, the public utility shall [make a good faith attempt to] provide a post termination notice to the customer or a responsible person at the affected premises, [and, in] which shall state with specificity the facts underlying the grounds for the immediate termination. In the case of a single meter, multiunit dwelling, the public utility shall conspicuously post the notice at the dwelling, including in common areas when possible.

(3) Occupants of premises affected by an immediate termination may dispute the termination with the public utility,

and the public utility shall provide expedited review of the disputes, or the occupant may seek immediate review with the commission through an informal complaint or formal complaint.

(d) Timing of termination.—[Notwithstanding the provisions of section 1503 (relating to discontinuance of service), a public utility may terminate service for the reasons set forth in subsection (a) from Monday through Friday as long as the public utility can accept payment to restore service on the following day and can restore service consistent with section 1407 (relating to reconnection of service).] A public utility may not terminate service on a Friday, Saturday, Sunday, Federal or State holiday or on any day before such holiday.

(e) Winter termination.—

(1) Unless otherwise authorized by the commission, after November 30 and before April 1, [an electric distribution utility or natural gas distribution utility] a public utility shall not terminate service to customers [with household incomes at or below 250% of the Federal poverty level] except for those customers whose actions conform to subsection (c)(1). [The commission shall not prohibit an electric distribution utility or natural gas distribution utility from terminating service in accordance with this section to customers with household incomes exceeding 250% of the Federal poverty level.

(2) In addition to the winter termination authority set forth in paragraph (1), a city natural gas distribution operation may terminate service to a customer whose household income exceeds 150% of the Federal poverty level but does not exceed 250% of the Federal poverty level, and starting January 1, has not paid at least 50% of his charges for each of the prior two months unless the customer has done one of the following:

(i) Has proven in accordance with commission rules that his household contains one or more persons who are 65 years of age or over.

(ii) Has proven in accordance with commission rules that his household contains one or more persons 12 years of age or younger.

(iii) Has obtained a medical certification in accordance with commission rules.

(iv) Has paid to the city natural gas distribution operation an amount representing at least 15% of the customer's monthly household income for each of the last two months.

(3) At the time that the notice of termination required by subsection (b)(1)(i) is provided to the customer, the city natural gas distribution operation shall provide notice to the commission. The commission shall not stay the termination of service unless the commission finds that the customer meets the criteria in paragraph (2)(i), (ii), (iii) or (iv).]

(f) Medical certification.—A public utility shall not terminate or refuse to reconnect service to a premises when a licensed physician [or] nurse practitioner [has certified that the customer or a member of the customer's household], midwife, physician's assistant or other licensed or certified nurse has certified that an occupant of the household is seriously ill or afflicted with a medical condition that will be aggravated by cessation of service. The customer shall obtain a [letter from a licensed physician] medical certificate verifying the condition and shall promptly forward it to the public utility. If, prior to termination of service, a public utility employee is informed that an occupant is seriously ill or is afflicted with a medical condition that will be aggravated by the cessation of service and that a medical certification will be procured, termination may not occur for at least three days. The medical certification procedure shall be implemented in accordance with commission regulations.

(g) Qualification for LIHEAP.—A notice of termination to a customer of a public utility shall be sufficient proof of a crisis for a customer with the requisite income level to receive a LIHEAP Crisis Grant from the Department of Public Welfare or its designee[.] as soon as practicable after the date of the notice. Termination of service is not necessary to demonstrate sufficient proof of crisis. A public utility shall

accept assignment of a LIHEAP Crisis Grant from the Department of Public Welfare or its designee on behalf of a customer enrolled in the utility's customer assistance program.

(h) Dishonorable tender of payment after receiving termination notice.—

(1) After a public utility has provided [a written] termination notice under subsection (b)(1)(i) [and attempted telephone contact as provided in subsection (b)(1)(ii)], (ii) and (iii), termination of service may proceed without additional notice if:

(i) a customer tenders payment which is subsequently dishonored under 13 Pa.C.S. § 3502 (relating to dishonor); [or]

(ii) a customer tenders payment with an access device, as defined in 18 Pa.C.S. § 4106(d) (relating to access device fraud), which is unauthorized, revoked or canceled[.]; or

(iii) a customer tenders payment electronically that is subsequently dishonored, revoked, canceled or is otherwise not authorized.

(i) Commission public health and safety authority.— Notwithstanding the provisions of this section and section 1405(f) (relating to payment arrangements), the commission may temporarily prohibit termination or order the restoration of previously terminated services for public health and safety reasons and other extenuating circumstances.

§ 1407. Reconnection of service.

(a) Fee.—A public utility may require a reconnection fee based upon the public utility's cost as approved by the commission prior to reconnection of service following lawful termination of the service.

(b) Timing.—When service to a dwelling has been terminated and provided the applicant has met all applicable conditions, the public utility shall reconnect service as follows:

(1) Within 24 hours for erroneous terminations or upon receipt by the public utility of a valid medical certification.

(2) Within 24 hours for terminations occurring after November 30 and before April 1.

(3) Within [three days] 48 hours for erroneous terminations requiring street or sidewalk digging.

(4) Within [three days] 24 hours from April 1 to November 30 for proper terminations.

(5) Within [seven days] 72 hours for proper terminations requiring street or sidewalk digging.

(c) Payment to restore service.—

(1) A public utility shall provide for and inform the applicant or customer of a location where the customer can make payment to restore service. When there is contact between a public utility and an applicant or customer concerning restoration of service, the utility shall also notify the applicant or customer verbally and in writing about the public utility's customer assistance program, inquire about the person's eligibility and enroll those eligible into the customer assistance program, with the customer's consent.

(2) A public utility may require:

(i) Full payment of any [outstanding balance incurred together with any reconnection fees by the customer or applicant prior to reconnection of service] reconnection fees together with repayment over 12 months of any outstanding balance incurred by the customer or applicant if the customer or applicant has an income exceeding 300% of the Federal poverty level, [or has defaulted on two or more payment agreements. If a customer or applicant with household income exceeding 300% of the Federal poverty level experiences a life event, the customer shall be permitted a period of not more than three months to pay the outstanding balance required for reconnection. For purposes of this subparagraph, a life event is:

(A) A job loss that extended beyond nine months.

(B) A serious illness that extended beyond nine months.

(C) Death of the primary wage earner.]

(ii) Full payment of any reconnection fees together with repayment over [12] 36 months of any outstanding balance incurred by the customer or applicant if the customer or applicant has an income exceeding [150%] 250% of the Federal poverty level but not greater than 300% of the Federal poverty level.

(ii.1) Full payment of any reconnection fees together with repayment over 48 months of any outstanding balance incurred by the customer or applicant if the customer or applicant has an income exceeding 150% of the Federal poverty level but not greater than 250% of the Federal poverty level.

(iii) Full payment of any reconnection fees together with payment over [24] 60 months of any outstanding balance incurred by the customer or applicant if the customer or applicant has an income not exceeding 150% of the Federal poverty level. A customer or applicant of a [city natural gas distribution operation] public utility whose household income does not exceed [135%] 150% of the Federal poverty level shall be reinstated pursuant to this subsection only if the customer or applicant enrolls in the customer assistance program of the [city natural gas distribution operation] public utility except that this requirement shall not apply if the financial benefits to such customer or applicant are greater if served outside of that assistance program.

(iv) For customers enrolled in a public utility's customer assistance program at the time of termination, full payment of any reconnection fees together with a portion of their unpaid customer assistance program payments, to be determined according to standards established by the commission.

(3) A public utility shall accept assignment of a LIHEAP Crisis Grant from the Department of Public Welfare or its designee and restore service to a customer enrolled in the utility's customer assistance program.

(d) Payment of outstanding balance at premises.—A public utility may also require the payment of any outstanding balance or portion of an outstanding balance if the applicant [resided] was a customer at the property for which service is requested during the time the outstanding balance accrued and for the time the applicant [resided there] was a customer.

(e) Approval.—A public utility may establish that an applicant previously [resided] was a customer at a property for which residential service is requested through the use of mortgage, deed or lease information, a commercially available consumer credit reporting service or other methods approved as valid by the commission.

§ 1410. Complaints filed with commission.

The following apply:

(1) The commission shall accept formal and informal complaints only from customers or applicants who affirm that they have first contacted the public utility for the purpose of resolving the problem about which the customer wishes to file a complaint. If the customer has not contacted the public utility, the commission shall direct the customer to the public utility.

(2) Pending the outcome of a formal or informal complaint filed with the commission, the customer shall be obligated to pay that portion of the bill which is not in dispute and subsequent bills which are not in dispute.

(3) For a formal complaint filing to be valid, the customer [needs to] or applicant must provide a statement attesting to the truth as to the facts alleged in the complaint. All testimony in formal complaint proceedings must be under oath.

(4) The commission shall provide for expedited review of informal complaints and formal complaints by customers, applicants and occupants of premises affected by an immediate termination, pursuant to section 1406(c) (relating to termination of utility service).

§ 1411. Automatic meter readings.

All readings by an automatic meter reader device shall be deemed actual readings for the purposes of this title. Upon a customer request, the public utility shall secure an in-person meter reading to confirm the accuracy of an automatic meter reading device. A public utility shall secure an in-person meter reading to confirm the accuracy of an automatic meter reading device when a customer disconnects service or a new service is requested. A public utility may not charge a fee for such in-person meter readings.

Section 4. Section 1414 of Title 66 is repealed:

[§ 1414. Liens by city natural gas distribution operations.

(a) General rule.—A city natural gas distribution operation furnishing gas service to a property is entitled to impose or assess a municipal claim against the property and file as liens of record claims for unpaid natural gas distribution service and other related costs, including natural gas supply, in the court of common pleas of the county in which the property is situated or, if the claim for the unpaid natural gas distribution service does not exceed the maximum amount over which the Municipal Court of Philadelphia has jurisdiction, in the Municipal Court of Philadelphia, pursuant to sections 3 and 9 of the act of May 16, 1923 (P.L.207, No.153), referred to as the Municipal Claim and Tax Lien Law, and Chapter 22 (relating to natural gas competition).

(b) Residential field visit charge.—A city natural gas distribution operation is authorized to charge a minimum fee of \$10 for each instance in which its representative is required to visit the residence of a customer in the process of attempting to complete required service termination steps.

(c) Refusal of service.—The commission shall permit a city natural gas distribution operation to refuse to provide service to an applicant if the applicant has a pending lien or civil judgment by the city natural gas distribution operation outstanding against the applicant or against property owned in whole or in part by the applicant unless the applicant enters into a payment arrangement for the payment of the amount associated with the lien or judgment that remains outstanding at the time of the application.]

Section 5. Sections 1415, 1417 and 1418 of Title 66 are amended to read:

§ 1415. Reporting to General Assembly and Governor.

(a) General rule.—No later than two years following the effective date of this chapter and every two years thereafter, the commission shall submit a report to the Governor, the Chief Clerk of the House of Representatives and the Secretary of the Senate reviewing the implementation of the provisions of this chapter. The report shall include, but not be limited to:

(1) The degree to which the chapter's requirements have been successfully implemented.

(2) The effect upon the cash working capital or cash flow, uncollectible levels and collections of the affected public utilities.

(3) The level of access to utility services by residential customers, including low-income customers. The data collected to assess the level of access to utility services shall include, but not be limited to, a direct survey of customers.

(4) The effect upon the level of consumer complaints and mediations filed with and adjudicated by the commission.

(b) Additional reporting.—The commission shall report to the General Assembly, the Governor, and the public through the commission's Internet website, the following:

(1) Termination of service data, aggregated by income groups of each utility, on a monthly basis.

(2) When, in the normal course of business, public utilities become aware of a household fire, incident of

hypothermia or carbon monoxide poisoning or other event that resulted in a death and that the utility service was off at the time of the incident. Within one business day of becoming aware of an incident, the public utility shall submit a telephone or electronic report to the Director of the Bureau of Consumer Services.

(3) Numbers of customers eligible for a public utility's customer assistance program and actual numbers enrolled in the assistance program, for each public utility, on a monthly basis.

(4) Length of time, in ten-day increments, for individuals to have service connected or reconnected after the initial application or contact with the utility following termination of service.

(c) Data.—Public utilities affected by this chapter shall provide data required by the commission to complete [this report] these reports. In its recommendations, the commission may also propose any legislative or other changes which it deems appropriate to the Governor and the General Assembly.

§ 1417. Nonapplicability.

This chapter shall not apply to victims [under a protection from abuse as provided by 23 Pa.C.S. Ch. 61 (relating to protection from abuse)] of domestic violence.

§ 1418. Construction.

Nothing in this chapter shall affect any rights or procedure under the act of November 26, 1978 (P.L.1255, No.299), known as the Utility Service Tenants Rights Act or the provisions of Subchapter B of Chapter 15 (relating to discontinuance of service to leased premises).

Section 6. Title 66 is amended by adding a section to read:

§ 1419. Expiration.

The provisions of this chapter shall expire on December 31, 2019.

Section 7. This act shall take effect in 60 days.

On the question,

Will the House agree to the amendment?

The SPEAKER pro tempore. On that question, the Chair recognizes the gentleman, Mr. Thomas.

Mr. THOMAS. Thank you, Mr. Speaker.

I know that the hour is getting late, but it is going to be late tonight, tomorrow, Saturday, and Sunday, because I cannot go back home and say to my constituents and the people of Philadelphia that I failed you on utilities, education, and jobs. I cannot do that. So while this might be painstaking and irritating, I am irritated when I sit here every day and vote for all kinds of stuff. Sometimes I do not even know what it is, but because you said you wanted to do that and you made it sound good, I supported it, and I have done that for a number of years.

But on these utilities, 8 years ago I stood right here on this floor and I said to you that there would be an escalation in terminations. I said to you that there would be people who would die as a result of oppressive conditions in chapter 14, and I said to you that the utility companies would come here before their 10 years were up to get rid of the 10 years because they did not want to be under any sunset review. I said that to you. I said to you that there were no foreseeable jobs arising out of this broad latitude that we gave to these utility companies, and in the last 8 years there has not been one job that you have been able to identify that was associated with chapter 14. I do not know of any school, any public school that has benefited from the growth of profits that these utility companies have received as a result of chapter 14. I do not know if more schools are closed today than were 8 years ago.

So we have this paradigm where the fat people are getting fatter and many of us are suffering, and we know of people who are suffering worse than we are suffering.

So amendment 2644 is what you have told me is an omnibus amendment, an omnibus amendment, which has brought together a variety of good ideas that have been advanced by people from the Republican and the Democratic sides, because you know when it comes to light and heat, it is really not about Democrats or Republicans. Miss Ellis that I mentioned to you, I do not know whether she was Democrat or Republican. I do not know a whole lot about her. All I knew was that she and her husband had lived for a number of years, paid their bill, owed a lousy \$170, and she was one of those people the speakers have labeled as a "nonpaying customer." And I gave them the \$170 and it still did not change their outcome.

So at the end of the day, this omnibus amendment talks about making it unnecessary for arbitrary and capricious terminations, making it unnecessary for security deposits to be used as a condition for service when there is no history, no history of bad payments.

This talks about fees, that you cannot just arbitrarily assess fees without some rationale for why the fees are there. There is not one credit company in Pennsylvania that has the broad – the kind of discretion that we have given these utility companies in chapter 14.

The people, the people of Pennsylvania need for the playing field to be leveled. I do not mind supporting good businesses, but not when you have – you know, it is like, you know, I wear a size 16 shoe. I should not be putting a 16 shoe on a midget or somebody wearing a 3 or 4. It is unfair. It is unfair, and I cannot send my son, who wears a 17.

The SPEAKER pro tempore. Will the gentleman kindly suspend.

Mr. THOMAS. Get back to the amendment.

The SPEAKER pro tempore. For what purpose does—

Mr. THOMAS. On the amendment. It is an omnibus amendment—

The SPEAKER pro tempore. Please suspend.

POINT OF ORDER

The SPEAKER pro tempore. The gentleman, Mr. Metcalfe, for what purpose do you rise?

Mr. METCALFE. Mr. Speaker, I brought some books to the floor to read tonight if we were going to debate a certain bill, to attempt my own filibuster, but the gentleman is filibustering on his own amendment, it seems. I mean, if we could just get him to explain the amendment, Mr. Speaker. He is not talking on the amendment about his shoes. I forgot what size he said it was now, but it is still—

Mr. DERMODY. Point of order, Mr. Speaker.

Mr. METCALFE. Mr. Speaker, if he would stay on topic.

The SPEAKER pro tempore. Will the gentleman please suspend.

POINT OF ORDER

The SPEAKER pro tempore. The gentleman, Minority Leader Dermody, is recognized on his point of order.

Mr. DERMODY. Thank you, Mr. Speaker.

Mr. Speaker, I believe the gentleman is questioning the gentleman's motives for presenting this amendment, and he should be allowed to speak, finish speaking on the amendment and proceed with the debate.

The SPEAKER pro tempore. I do agree with the gentleman, Mr. Dermody. He must speak on his amendment and stick to the amendment before the members for a vote.

The gentleman may proceed on the amendment.

Mr. THOMAS. Thank you, Mr. Speaker.

The last part of this omnibus amendment that I think you need to be aware of: As you know, we have something in Pennsylvania called a LIHEAP program, the Low-Income Home Energy Assistance Program. It provides assistance, energy assistance to people in urban, suburban Pennsylvania, and in districts that were represented by our good friend, Bud George, they received coal, oil, his constituents. LIHEAP has been a real benefit to Pennsylvanians from Erie to Chester.

But, Mr. Speaker, in our current chapter 14 arrangement, do you know that Representative Thomas can get a bill for \$500? My income affords me an opportunity to apply for LIHEAP. I get a grant for \$250. I have to come up with \$250. I go run to the utility company with the \$250. They already received the \$250 grant. They say, "Oh, Mr. Thomas, I forgot to tell you. There is a security deposit for \$250, so the delinquency of \$500 is really \$750. So unless you have got that other \$250, I cannot turn your service on and I cannot stop your service from being turned off." But then, "Oh, wait a minute, Mr. Thomas, do not leave, because I have got some other good news for you, and that is, you do not have the \$750 that is needed to get your service on or to stop the termination, so I am going to take your LIHEAP grant and put it in my General Fund. I am going to take that LIHEAP grant and it is going into my General Fund." Can you imagine how much money these utility companies have collected? Did any of you get any of it back? Did any of you get any of it back? We did not get any of it back. We did not get any back. So all the millions of LIHEAP dollars that have been going to these utility companies— In fact, in Philadelphia County I have got one utility company that provides their own advertisement: Just call us and let us know that you need LIHEAP and I will fill out your grant for you. I guess you are going to fill it out because you are going to take the money. This omnibus amendment would take care of that.

And so I ask you, again, stand with the people of Pennsylvania over the public utilities, maintain your good relationship, but put people first on this. Vote "yes" on amendment A2644, and maybe if we can get some help, we can get out of here early, but I am not packing up and running on people tonight. I will be here until tomorrow this time. So you can help me out by giving me some help, and by giving me some help, you will say to me and the people of Pennsylvania, it is time for you to sit down and shut up.

Vote "yes" on the Thomas amendment.

LEAVE OF ABSENCE

The SPEAKER pro tempore. The Chair is in receipt of a request for a leave of absence for the gentleman from Philadelphia, Mr. EVANS. Without objection, he will be put on leave.

CONSIDERATION OF HB 939 CONTINUED

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

The following roll call was recorded:

YEAS—69

Bishop	Dean	Kavulich	Painter
Boyle, B.	Deasy	Keller, W.	Parker
Boyle, K.	DeLissio	Kim	Pashinski
Bradford	Dermody	Kinsey	Ravenstahl
Briggs	Donatucci	Kirkland	Readshaw
Brown, V.	Fabrizio	Kortz	Roebuck
Brownlee	Farina	Kula	Samuelson
Caltagirone	Flynn	Mahoney	Santarsiero
Carroll	Frankel	Markosek	Schlossberg
Clay	Freeman	Matzie	Schreiber
Cohen	Gainey	McCarter	Sims
Conklin	Galloway	McGeehan	Sturla
Costa, P.	Goodman	McNeill	Thomas
Cruz	Haggerty	Mirabito	Vitali
Daley, M.	Hanna	Miranda	Waters
Daley, P.	Harkins	Mundy	White
Davidson	Harris, J.	O'Brien	Youngblood
Davis			

NAYS—130

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

NOT VOTING—0

EXCUSED—4

Evans	Hackett	Miccarelli	Petri
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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. THOMAS offered the following amendment No. A02645:

Amend Bill, page 4, lines 20 through 30; page 5, lines 1 through 30; page 6, lines 1 through 23, by striking out all of said lines on said pages and inserting

Section 2. Sections 1404 and 1405 heading, (a), (b) introductory paragraph and (2), (c), (d), (e) and (f) of Title 66 are amended to read: § 1404. Cash deposits and household information requirements.

(a) General rule.—In addition to the right to collect a deposit under any commission regulation or order, [the commission shall not prohibit] a public utility, [prior to or as a condition of providing utility service, from requiring] may require a cash deposit, payable during a 90-day period, 50% with the first bill, 25% with the second bill and 25% with the third bill, in an amount that is equal to [one-sixth] one-twelfth of the applicant's estimated annual bill[, at the time the public utility determines a deposit is required,] from the following:

(1) An applicant who previously received utility distribution services and was a customer of the public utility and whose service was terminated for any of the following reasons:

(i) Nonpayment of an undisputed delinquent account.

(ii) Failure to complete payment of a deposit, provide a guarantee or establish credit in accordance with a generally accepted method approved by the commission.

(iii) Failure to permit access to meters, service connections or other property of the public utility for the purpose of replacement, maintenance, repair or meter reading.

(iv) Unauthorized use of the utility service delivered on or about the affected dwelling.

(v) Failure to comply with the material terms of a settlement or payment [agreement] arrangement.

(vi) Fraud or material misrepresentation of identity for the purpose of obtaining utility service.

(vii) Tampering with meters, including, but not limited to, bypassing a meter or removal of an automatic meter reading device or other public utility equipment.

(viii) Violating tariff provisions on file with the commission so as to endanger the safety of a person or the integrity of the delivery system of the public utility.

(2) Any applicant or customer who is unable to establish creditworthiness [to the satisfaction of the public utility] through the use of a generally accepted credit scoring methodology, as provided in a commission-approved tariff.

(3) A customer who fails to comply with a material term or condition of a settlement or payment agreement.

(b) Third-party guarantor.—Nothing in this section shall be construed to preclude an applicant from furnishing a third-party guarantor in lieu of a cash deposit. The guaranty shall be in writing and shall state the terms of the guaranty. The guarantor shall be responsible for [all missed payments owed to the public utility] the amount of the deposit that would otherwise be required under this section.

(c) Deposit hold period.—

(1) A public utility may hold a deposit until a timely payment history is established [or for a maximum period of 24 months]. The period shall not exceed 18 months.

(2) A timely payment history is established when a customer has paid in full and on time for twelve consecutive

months.

(3) At the end of the deposit holding period as established in paragraph (1), the public utility shall deduct the outstanding balance from the deposit and return or credit any positive difference to the customer.

(4) If service is terminated before the end of the deposit holding period as established in paragraph (1), the public utility shall deduct the outstanding balance from the deposit and return any positive difference to the customer within 60 days of the termination.

(5) If a customer becomes delinquent before the end of the deposit holding period as established in paragraph (1), the public utility may deduct the outstanding balance from the deposit.

(6) The public utility shall accrue interest on the deposit until it is returned or credited [the legal rate of interest pursuant to section 202 of the act of January 30, 1974 (P.L.13, No.6), referred to as the Loan Interest and Protection Law, and return such interest with the deposit].

(i) Interest shall be computed at the simple annual interest rate determined by the Secretary of Revenue for interest on the underpayment of tax under section 806 of the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code.

(ii) The interest rate in effect when deposit is required to be paid shall remain in effect until the later of:

(A) the date the deposit is refunded or credited; or

(B) December 31.

(iii) On January 1 of each year, the new interest rate for that year will apply to the deposit.

[(d) Adult occupants.—Prior to providing utility service, a public utility may require the applicant to provide the names of each adult occupant residing at the location and proof of their identity.]

(e) Failure to pay full amount of cash deposit.—A public utility [shall not be required to provide service] may terminate service, following notice pursuant to commission regulations, if the applicant or customer fails to pay the full amount of the cash deposit by the end of the 90-day payment period.

[(f) City natural gas distribution operation; additional deposit rules for city natural gas distribution operations.—Except for applicants who are subject to a deposit under subsection (a), a city natural gas distribution operation may require a deposit from the applicant as follows:

(1) If an applicant has household income above 300% of the Federal poverty level, one-sixth of the applicant's estimated annual bill paid in full at the time the city natural gas distribution operation determines a deposit is required; or

(2) If an applicant has household income no greater than 300% of the Federal poverty level, one-twelfth of the applicant's estimated annual bill paid in full at the time the city natural gas distribution operation determines a deposit is required. Applicants who enroll into the Customer Assistance Program made available by the city natural gas distribution operation are not subject to this paragraph.]

(g) Estimated annual bill.—When used in this section, an estimated annual bill shall be calculated on the basis of the annual bill to the dwelling at which service is being requested for the prior 12 months or, if unavailable, a similar dwelling in close proximity. In cases in which customers and applicants are newly enrolled in a customer assistance program, any deposits will be waived. In other instances when a customer or applicant previously enrolled in a customer assistance program is required to pay a deposit, that deposit shall be limited to no more than the amount of one month's bill under the customer assistance program.

(h) Time for paying deposits upon reconnection.—Applicants and customers required to pay a deposit upon reconnection under

subsection (a)(1) shall have up to 90 days to pay the deposit in accordance with commission regulations.

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

The SPEAKER pro tempore. On that question, the Chair recognizes the gentleman, Mr. Thomas.

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, I said if you gave me some help, I could shut up and go sit down, but by giving me these negative votes, you are just saying to me that you need to stay here all night.

Help me out on this. Help me out on this. On amendment 2465, on cash deposits and household information requirements, you know, under current law anybody whose last name is Cruz is going to be held for all of the utility bills out there under the name of Cruz. Is that fair? Is that fair? That is not right, but that is what chapter 14 does. You can use surnames and hold everybody and their mother responsible for the bill. That is not a good policy.

But within the context of this amendment, it will limit cash deposits to 50 percent with the first bill, 25 percent with the second and third bills, and allow those deposits to only reflect one-twelfth of the applicant's estimated bill. So we are working on an arrangement. Rather than punishing people for good behavior, you work out some process where people can get it together.

And the amendment also would give the PUC authority to establish some kind of framework for determining creditworthiness. If you look at the creditworthiness methodology in the current chapter statute, it is troubling at best. Utilities should only be able to hold deposits for 18 months, not forever. Who holds deposits in perpetuity but utility companies?

This will allow utilities to require applicants to provide the names of each adult residing in their house, deletes special language in chapter 14 for city natural gas distribution operation – why are gas, natural gas distribution companies in chapter 14 now? – and waives deposits for customers enrolled in the customer assistance program.

Those sound like some pretty good proposals. Vote "yes" on the Thomas amendment. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—80

Barbin	Davis	Keller, W.	Parker
Bishop	Dean	Kim	Pashinski
Bizzarro	Deasy	Kinsey	Ravenstahl
Boyle, B.	DeLissio	Kirkland	Readshaw
Boyle, K.	Dermody	Kortz	Roebuck
Bradford	Donatucci	Kula	Rozzi
Briggs	Fabrizio	Mahoney	Sabatina
Brown, V.	Farina	Markosek	Samuelson
Brownlee	Flynn	Matzie	Santarsiero
Burns	Frankel	McCarter	Schlossberg
Caltagirone	Freeman	McGeehan	Schreiber
Carroll	Gainey	McNeill	Sims
Clay	Galloway	Miller, D.	Snyder

Cohen	Gergely	Mirabito	Sturla
Conklin	Goodman	Miranda	Thomas
Costa, P.	Haggerty	Molchany	Vitali
Cruz	Hanna	Mundy	Waters
Daley, M.	Harkins	Neuman	Wheatley
Daley, P.	Harris, J.	O'Brien	White
Davidson	Kavulich	Painter	Youngblood

NAYS—119

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

NOT VOTING—0

EXCUSED—4

Evans	Hackett	Miccarelli	Petri
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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. **THOMAS** offered the following amendment
No. **A02646**:

Amend Bill, page 4, line 21, by striking out the comma after "(H)" and inserting
and
Amend Bill, page 4, lines 21 and 22, by striking out "HEADING, (A), (B) INTRODUCTORY PARAGRAPH AND (2), (C), (D), (E) AND (F)"
Amend Bill, page 6, lines 25 through 30; page 7, lines 1 through 30; page 8, lines 1 through 7, by striking out all of said lines on said pages and inserting
§ 1405. Payment [agreements] arrangements.
(a) General rule.—The commission is authorized to investigate complaints regarding payment disputes between a public utility, applicants and customers. The commission is authorized to establish payment [agreements] arrangements between a public utility,

customers and applicants within the limits established by this chapter.

(b) Length of payment [agreements] arrangements.—The length of time for a customer to resolve an unpaid balance on an account that is subject to a payment [agreement] arrangement that is investigated by the commission and is entered into by a public utility and a customer shall not extend beyond:

(1) Five years for customers with a gross monthly household income level not exceeding 150% of the Federal poverty level.

(2) [Two] Four years for customers with a gross monthly household income level exceeding 150% and not more than 250% of the Federal poverty level.

(3) [One year] Three years for customers with a gross monthly household income level exceeding 250% of the Federal poverty level and not more than 300% of the Federal poverty level.

(4) [Six months] One year for customers with a gross monthly household income level exceeding 300% of the Federal poverty level.

(c) Customer assistance programs.—[Customer assistance program rates shall be timely paid and shall not be the subject of payment agreements negotiated or approved by the commission.] When a customer or applicant contacts a public utility to make payment arrangements, the public utility shall notify the customer or applicant verbally and in writing about the public utility's customer assistance program, inquire about the customer's or applicant's eligibility for a customer assistance program, and enroll an eligible customer into the customer assistance program, with the customer's consent.

(d) Number of payment [agreements] arrangements.—Absent a change in income, the commission shall not establish or order a public utility to establish a second or subsequent payment [agreement] arrangement if a customer has defaulted on a previous payment [agreement. A] arrangement established by a commission order or decision. In addition, a public utility may, at its discretion, enter into [a second or subsequent payment agreement with a customer] payment arrangements, not established or ordered by the commission, in accordance with regulations established by the commission.

(e) Extension of payment [agreements] arrangements.—If the customer defaults on a payment [agreement] arrangement established under subsections (a) and (b) as a result of a significant change in circumstance, the commission may reinstate the payment [agreement] arrangement and extend the remaining term for an initial period of six months. The initial extension period may be extended for an additional six months for good cause shown.

(f) Failure to comply with payment [agreement] arrangement.—Failure of a customer to comply with the terms of a commission-ordered payment [agreement] arrangement shall be grounds for a public utility to terminate the customer's service. Pending the outcome of a complaint filed with the commission, a customer shall be obligated to pay that portion of the bill which is not in dispute and subsequent bills which are not in dispute.

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

The SPEAKER pro tempore. On that question, the Chair recognizes the gentleman, Mr. Thomas, on his amendment.

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, this amendment basically does two things: one, allows the PUC to enter into arrangements or agreements on behalf of customers in the CAP program, the customer assistance program; and secondly, would allow CAP customers to have access to the same opportunity as all customers are entitled to. So this deals primarily with payment arrangements for customers receiving bills under the CAP program.

Vote "yes" on amendment 2646. Thank you, Mr. Speaker.
The SPEAKER pro tempore. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—86

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

NAYS—113

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

NOT VOTING—0

EXCUSED—4

Evans	Hackett	Miccarelli	Petri
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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. **THOMAS** offered the following amendment No. **A02647**:

Amend Bill, page 4, line 22, by inserting after "(F)" and 1406

Amend Bill, page 8, by inserting between lines 7 and 8 § 1406. Termination of utility service.

(a) Authorized termination.—A public utility may notify a customer and terminate service provided to a customer after notice as provided in subsection (b) for any of the following actions by the customer:

- (1) Nonpayment of an undisputed delinquent account.
- (2) Failure to comply with the material terms of a payment [agreement] arrangement.
- (3) Failure to complete payment of a deposit, provide a guarantee of payment or establish credit.
- (4) Failure to permit access to meters, service connections or other property of the public utility for the purpose of replacement, maintenance, repair or meter reading.

(b) [Notice of termination of service] Pretermination notices, contacts and duties.—

(1) Prior to terminating service under subsection (a), a public utility:

(i) Shall provide written notice of the termination to the customer at least ten days prior to the date of the proposed termination. The termination notice shall remain effective for [60] 30 days.

(ii) Shall attempt to contact the customer or occupant[, either in person or by telephone, to provide notice of the proposed termination at least three days prior to the scheduled termination. Phone contact shall be deemed complete upon attempted calls on two separate days to the residence between the hours of 7 a.m. and 9 p.m. if the calls were made at various times each day.] to provide notice of the proposed termination at least three days prior to the scheduled termination using one or more of the following methods:

- (A) in person; or
- (B) by telephone.

(iii) [During the months of December through March, unless] After complying with subparagraphs (i) and (ii), the public utility shall make in-person contact with the customer or responsible adult at the time service is terminated. If personal contact has not been made with the customer or responsible adult by personally visiting the customer's residence, the public utility shall, within 48 hours of the scheduled date of termination, post a notice of the proposed termination at the service location.

[(iv) After complying with paragraphs (ii) and (iii), the public utility shall attempt to make personal contact with the customer or responsible adult at the time service is terminated. Termination of service shall not be delayed for failure to make personal contact.

(2) The public utility shall not be required by the commission to take any additional actions prior to termination.]

(2.1) For each of the above notices and contacts under paragraph (1), and when the customer contacts the utility prior to termination, the public utility shall notify the customer verbally and in writing about the public utility's customer assistance program, inquire about the customer's eligibility and enroll

eligible customers into the customer assistance program, with the customer's consent.

(3) An application for a public utility's customer assistance program shall stay termination of service for nonpayment until a decision has been made on the application, and the utility shall cancel the termination of service upon approval for enrollment in the customer assistance program.

(4) Termination may not occur if evidence is presented that indicates that payment has been made, a serious illness or medical condition exists, a dispute or complaint is pending or if the employee is authorized to receive payment and payment in full is tendered in any reasonable manner.

(c) Grounds for immediate termination.—

(1) A public utility may immediately terminate service for any of the following actions by the customer:

- (i) Unauthorized use of the service delivered on or about the affected dwelling.
- (ii) Fraud or material misrepresentation of the customer's identity for the purpose of obtaining service.]
- (iii) Tampering with meters or other public utility's equipment.
- (iv) Violating tariff provisions on file with the commission so as to endanger the safety of a person or the integrity of the public utility's delivery system.

(2) Upon termination, the public utility shall [make a good faith attempt to] provide a post termination notice to the customer or a responsible person at the affected premises, [and, in] which shall state with specificity the facts underlying the grounds for the immediate termination. In the case of a single meter, multiunit dwelling, the public utility shall conspicuously post the notice at the dwelling, including in common areas when possible.

(3) Occupants of premises affected by an immediate termination may dispute the termination with the public utility, and the public utility shall provide expedited review of the disputes, or the occupant may seek immediate review with the commission through an informal complaint or formal complaint.

(d) Timing of termination.—[Notwithstanding the provisions of section 1503 (relating to discontinuance of service), a public utility may terminate service for the reasons set forth in subsection (a) from Monday through Friday as long as the public utility can accept payment to restore service on the following day and can restore service consistent with section 1407 (relating to reconnection of service).] A public utility may not terminate service on a Friday, Saturday, Sunday, Federal or State holiday or on any day before such holiday.

(e) Winter termination.—

(1) Unless otherwise authorized by the commission, after November 30 and before April 1, [an electric distribution utility or natural gas distribution utility] a public utility shall not terminate service to customers [with household incomes at or below 250% of the Federal poverty level] except for those customers whose actions conform to subsection (c)(1). [The commission shall not prohibit an electric distribution utility or natural gas distribution utility from terminating service in accordance with this section to customers with household incomes exceeding 250% of the Federal poverty level.

(2) In addition to the winter termination authority set forth in paragraph (1), a city natural gas distribution operation may terminate service to a customer whose household income exceeds 150% of the Federal poverty level but does not exceed 250% of the Federal poverty level, and starting January 1, has not paid at least 50% of his charges for each of the prior two months unless the customer has done one of the following:

- (i) Has proven in accordance with commission rules that his household contains one or more persons who are 65 years of age or over.
- (ii) Has proven in accordance with commission rules that his household contains one or more persons 12

years of age or younger.

(iii) Has obtained a medical certification in accordance with commission rules.

(iv) Has paid to the city natural gas distribution operation an amount representing at least 15% of the customer's monthly household income for each of the last two months.

(3) At the time that the notice of termination required by subsection (b)(1)(i) is provided to the customer, the city natural gas distribution operation shall provide notice to the commission. The commission shall not stay the termination of service unless the commission finds that the customer meets the criteria in paragraph (2)(i), (ii), (iii) or (iv).]

(f) Medical certification.—A public utility shall not terminate or refuse to reconnect service to a premises when a licensed physician [or] nurse practitioner [has certified that the customer or a member of the customer's household], midwife, physician's assistant or other licensed or certified nurse has certified that an occupant of the household is seriously ill or afflicted with a medical condition that will be aggravated by cessation of service. The customer shall obtain a [letter from a licensed physician] medical certificate verifying the condition and shall promptly forward it to the public utility. If, prior to termination of service, a public utility employee is informed that an occupant is seriously ill or is afflicted with a medical condition that will be aggravated by the cessation of service and that a medical certification will be procured, termination may not occur for at least three days. The medical certification procedure shall be implemented in accordance with commission regulations.

(g) Qualification for LIHEAP.—A notice of termination to a customer of a public utility shall be sufficient proof of a crisis for a customer with the requisite income level to receive a LIHEAP Crisis Grant from the Department of Public Welfare or its designee[.] as soon as practicable after the date of the notice. Termination of service is not necessary to demonstrate sufficient proof of crisis. A public utility shall accept assignment of a LIHEAP Crisis Grant from the Department of Public Welfare or its designee on behalf of a customer enrolled in the utility's customer assistance program.

(h) Dishonorable tender of payment after receiving termination notice.—

(1) After a public utility has provided [a written] termination notice under subsection (b)(1)(i) [and attempted telephone contact as provided in subsection (b)(1)(ii)], (ii) and (iii), termination of service may proceed without additional notice if:

(i) a customer tenders payment which is subsequently dishonored under 13 Pa.C.S. § 3502 (relating to dishonor); [or]

(ii) a customer tenders payment with an access device, as defined in 18 Pa.C.S. § 4106(d) (relating to access device fraud), which is unauthorized, revoked or canceled[.]; or

(iii) a customer tenders payment electronically that is subsequently dishonored, revoked, canceled or is otherwise not authorized.

[(2) The public utility shall not be required by the commission to take any additional actions prior to the termination.]

(i) Commission public health and safety authority.— Notwithstanding the provisions of this section and section 1405(f), the commission may temporarily prohibit termination or order the restoration of previously terminated services for public health and safety reasons and other extenuating circumstances.

Amend Bill, page 8, lines 8 through 30; pages 9 and 10, lines 1 through 30; page 11, lines 1 through 7, by striking out all of said lines on said pages

Amend Bill, page 11, line 8, by striking out "4" and inserting 3

Amend Bill, page 12, line 15, by striking out "5" and inserting

4

Amend Bill, page 13, line 12, by striking out "6" and inserting 5

Amend Bill, page 13, line 24, by striking out "7" and inserting 6

Amend Bill, page 14, line 23, by striking out "8" and inserting 7

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

The SPEAKER pro tempore. On that question, the Chair recognizes Mr. Thomas on his amendment.

Mr. THOMAS. Mr. Speaker, I am going to deal with amendment 2647 and 2648, if it is okay with you.

Both of these amendments deal with termination, conditions in which utility companies can arbitrarily terminate customer service, and this just provides some protections.

So if you believe that your constituents and my constituents should be subjected to arbitrary termination of their service regardless of their conditions, then vote "no" on the Thomas amendment. But if you believe that there should be some protections, some circumstances under which reasonable decisions are made and notices provided about termination, if you believe that, then vote "yes" for the Thomas amendment, and do not, do not, do not get caught up with the pressure from these utility companies.

I am reminded, and I will wait to share that little story with you, but vote "yes" on the Thomas amendment, amendments A2647 and A2648.

The SPEAKER pro tempore. Mr. Thomas, the rules of the House do not permit us voting two amendments simultaneously, but if we do defeat, or your amendment is defeated—

Mr. THOMAS. Well, I am helping to expedite things.

The SPEAKER pro tempore. —will you withdraw the second one?

Mr. THOMAS. Pardon me?

The SPEAKER pro tempore. Will you be withdrawing the other one?

Mr. THOMAS. Oh, no. I cannot withdraw anything.

The SPEAKER pro tempore. Okay.

Mr. THOMAS. Just vote it down if you do not like it.

The SPEAKER pro tempore. Okay. Thank you, Mr. Thomas.

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

The following roll call was recorded:

YEAS—77

Bishop	DeLissio	Kinsey	Parker
Boyle, B.	DeLuca	Kirkland	Pashinski
Boyle, K.	Dermody	Kortz	Ravenstahl
Bradford	Donatucci	Kotik	Readshaw
Briggs	Fabrizio	Kula	Roebuck
Brown, V.	Farina	Mahoney	Rozzi
Brownlee	Flynn	Markosek	Samuelson
Caltagirone	Frankel	Matzie	Santarsiero
Carroll	Freeman	McCarter	Schlossberg
Clay	Gainey	McGeehan	Schreiber
Cohen	Galloway	McNeill	Sims
Conklin	Goodman	Miller, D.	Snyder
Costa, D.	Haggerty	Mirabito	Sturla
Costa, P.	Hanna	Miranda	Thomas

Cruz	Harkins	Molchany	Vitali
Daley, M.	Harris, J.	Mullery	Waters
Daley, P.	Kavulich	Mundy	Wheatley
Davidson	Keller, W.	O'Brien	White
Dean	Kim	Painter	Youngblood
Deasy			

NAYS—122

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

NOT VOTING—0

EXCUSED—4

Evans	Hackett	Miccarelli	Petri
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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. **THOMAS** offered the following amendment No. **A02648**:

Amend Bill, page 11, lines 8 through 30; page 12, lines 1 through 14, by striking out "SECTION 1407(C)(2)(I) INTRODUCTORY PARAGRAPH OF" in line 8, all of lines 9 through 30 on page 11 and all of lines 1 through 14 on page 12 and inserting

Sections 1407, 1409 and 1410 of Title 66 are amended to read:
§ 1407. Reconnection of service.

(a) Fee.—A public utility may require a reconnection fee based upon the public utility's cost as approved by the commission prior to reconnection of service following lawful termination of the service.

(b) Timing.—When service to a dwelling has been terminated and provided the applicant has met all applicable conditions, the public utility shall reconnect service as follows:

(1) Within 24 hours for erroneous terminations or upon receipt by the public utility of a valid medical certification.

(2) Within 24 hours for terminations occurring after November 30 and before April 1.

(3) Within [three days] 48 hours for erroneous terminations requiring street or sidewalk digging.

(4) Within [three days] 24 hours from April 1 to November 30 for proper terminations.

(5) Within [seven days] 72 hours for proper terminations requiring street or sidewalk digging.

(c) Payment to restore service.—

(1) A public utility shall provide for and inform the applicant or customer of a location where the customer can make payment to restore service. When there is contact between a public utility and an applicant or customer concerning restoration of service, the utility shall also notify the applicant or customer verbally and in writing about the public utility's customer assistance program, inquire about the person's eligibility and enroll those eligible into the customer assistance program, with the customer's consent.

(2) A public utility may require:

(i) Full payment of any [outstanding balance incurred together with any reconnection fees by the customer or applicant prior to reconnection of service] reconnection fees together with repayment over 12 months of any outstanding balance incurred by the customer or applicant if the customer or applicant has an income exceeding 300% of the Federal poverty level, [or has defaulted on two or more payment agreements. If a customer or applicant with household income exceeding 300% of the Federal poverty level experiences a life event, the customer shall be permitted a period of not more than three months to pay the outstanding balance required for reconnection. For purposes of this subparagraph, a life event is:

(A) A job loss that extended beyond nine months.

(B) A serious illness that extended beyond nine months.

(C) Death of the primary wage earner.]

(ii) Full payment of any reconnection fees together with repayment over [12] 36 months of any outstanding balance incurred by the customer or applicant if the customer or applicant has an income exceeding [150%] 250% of the Federal poverty level but not greater than 300% of the Federal poverty level.

(ii.1) Full payment of any reconnection fees together with repayment over 48 months of any outstanding balance incurred by the customer or applicant if the customer or applicant has an income exceeding 150% of the Federal poverty level but not greater than 250% of the Federal poverty level.

(iii) Full payment of any reconnection fees together with payment over [24] 60 months of any outstanding balance incurred by the customer or applicant if the customer or applicant has an income not exceeding 150% of the Federal poverty level. A customer or applicant of a [city natural gas distribution operation] public utility whose household income does not exceed [135%] 150% of the Federal poverty level shall be reinstated pursuant to this subsection only if the customer or applicant enrolls in the customer assistance program of the [city natural gas distribution operation] public utility except that this requirement shall not apply if the financial benefits to such customer or applicant are greater if served outside of that assistance program.

(iv) For customers enrolled in a public utility's customer assistance program at the time of termination, full payment of any reconnection fees together with a portion of their unpaid customer assistance program

payments, to be determined according to standards established by the commission.

(3) A public utility shall accept assignment of a LIHEAP Crisis Grant from the Department of Public Welfare or its designee and restore service to a customer enrolled in the utility's customer assistance program.

(d) Payment of outstanding balance at premises.—A public utility may also require the payment of any outstanding balance or portion of an outstanding balance if the applicant [resided] was a customer at the property for which service is requested during the time the outstanding balance accrued and for the time the applicant [resided there] was a customer.

(e) Approval.—A public utility may establish that an applicant previously [resided] was a customer at a property for which residential service is requested through the use of mortgage, deed or lease information, a commercially available consumer credit reporting service or other methods approved as valid by the commission.

Amend Bill, page 12, lines 15 and 16, by striking out all of said lines

Amend Bill, page 13, line 12, by striking out "6" and inserting 5

Amend Bill, page 13, line 24, by striking out "7" and inserting 6

Amend Bill, page 14, line 23, by striking out "8" and inserting 7

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

The SPEAKER pro tempore. On that question, the Chair recognizes the gentleman, Mr. Thomas.

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, you reject the idea of restricting utilities from turning people's utility service off whenever they are ready, selectively. Well, all this amendment does is reconnection of service, reconnection of service. Should, should Mama Rosa have to pay a security deposit, legal fees, late fees, and all the other charges that these utility companies have to come up with before you can restore service? It is sad that it has to take the Governor, an elected official, or somebody like that in order to get people's service reconnected.

We have reconnection challenges in my district all the time, not just with poor people. I have sections of my district of people who live off three hundred to half a million dollars a year who might be out of town, did not get their notice, notice went to somebody else's house. Anything can happen. One thing about life, it is fluid; it is fluid. Anything can come up at any time.

So on this amendment, I am asking that we provide some reasonable restrictions on reconnection of utility services for seniors and for people who are, like the Bible calls, the least amongst us, those doing less than we are. And I remember our friends, the late State Representative David P. Richardson and the first woman Senator out of Philadelphia in the Pennsylvania Senate, the late Honorable Roxanne Jones. I remember they used to say all the time, but for the grace of God's grace and mercy, there go I.

We could face reconnection at any time, any time. The Ponzi scheme sent a whole bunch of good people, hardworking people into a life of misery as a result of a man and his family's fraud and theft. Anything can happen.

So the question is whether or not there should be reasonable restrictions put on utility companies around the reconnection of service. If you believe the answer is yes, then vote for the

Thomas amendment. If you believe that it should not and that they should do whatever they are doing, vote "no" on the Thomas amendment. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Philadelphia, Mr. Cohen, on the amendment.

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, I have had occasion to try to get people's utilities reconnected, and I agree with my colleague from Philadelphia that it is often unnecessarily difficult to get utility service reconnected.

I believe this is a very reasonable amendment and that it will save utilities money. Often people get so frustrated with getting reconnected that they spend a lot of time not having service from the utilities, which can endanger their health and simultaneously cost utilities money. I think this is a win-win amendment for everyone, and I strongly urge support for this Thomas amendment.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—81

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

NAYS—118

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

Delozier	Hennessey	Moul	Stern
Denlinger	Hess	Mullery	Stevenson
DiGirolamo	Hickernell	Murt	Swanger
Dunbar	James	Mustio	Tallman
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	Pickett	Vereb
Fee	Krieger	Pyle	Watson
Fleck	Lawrence		

NOT VOTING—0

EXCUSED—4

Evans	Hackett	Miccarelli	Petri
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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. **THOMAS** offered the following amendment
No. **A02649**:

Amend Bill, page 1, line 9, by striking out "AND"

Amend Bill, page 1, line 10, by striking out the comma after "READINGS" and inserting
; repealing provisions relating to liens; and further providing

Amend Bill, page 13, lines 24 and 25, by striking out "Sections 1411, 1415 introductory paragraph, 1417" in line 24 and all of line 25 and inserting

Section 1411 of Title 66 is amended to read:

Amend Bill, page 14, by inserting between lines 3 and 4

Section 8. Section 1414 of Title 66 is repealed:

[§ 1414. Liens by city natural gas distribution operations.

(a) General rule.—A city natural gas distribution operation furnishing gas service to a property is entitled to impose or assess a municipal claim against the property and file as liens of record claims for unpaid natural gas distribution service and other related costs, including natural gas supply, in the court of common pleas of the county in which the property is situated or, if the claim for the unpaid natural gas distribution service does not exceed the maximum amount over which the Municipal Court of Philadelphia has jurisdiction, in the Municipal Court of Philadelphia, pursuant to sections 3 and 9 of the act of May 16, 1923 (P.L.207, No.153), referred to as the Municipal Claim and Tax Lien Law, and Chapter 22 (relating to natural gas competition).

(b) Residential field visit charge.—A city natural gas distribution operation is authorized to charge a minimum fee of \$10 for each instance in which its representative is required to visit the residence of a customer in the process of attempting to complete required service termination steps.

(c) Refusal of service.—The commission shall permit a city natural gas distribution operation to refuse to provide service to an applicant if the applicant has a pending lien or civil judgment by the city natural gas distribution operation outstanding against the applicant or against property owned in whole or in part by the applicant unless the applicant enters into a payment arrangement for the payment of the amount associated with the lien or judgment that remains outstanding at the time of the application.]

Section 9. Sections 1415 introductory paragraph, 1417 and 1418 of Title 66 are amended to read:

Amend Bill, page 14, line 23, by striking out "8" and inserting
10

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

The SPEAKER pro tempore. On that question, the Chair recognizes the gentleman, Mr. Thomas.

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, this is the last amendment. It is the last one on behalf of people. You rejected Chairman Daley and his amendments; you rejected our good friend from the northwest, Representative Mundy; you rejected every proposal that was offered tonight, and you went through all 12 of mine and they were all about people versus public utilities. You chose public utilities over people. They should make a note of that tonight.

Now, this last amendment, I was not going to offer this amendment, but what (word stricken) me off, (word stricken) me off—

The SPEAKER pro tempore. Will the gentleman please suspend. Will the gentleman please suspend.

The word will be struck from the record. That is inappropriate and it will be struck from the record.

The gentleman is in order to return with proper decorum.

Mr. THOMAS. Thank you, Mr. Speaker.

What got on my nerves, upset me, the other day I picked up a Philadelphia newspaper, and they had the mayor on the front talking about a lien on his house because he owed \$500. You gave these utility companies that kind of authority in chapter 14. Now, that good man came back and forth here and talked to people. Do you think it was an accident that his picture showed up on the front page talking about putting a lien on his house, embarrassing him in front of his daughter, his wife, and his neighbors? Is that right? No.

Vote on this amendment to repeal that section of chapter 14. These utility companies should not have that kind of authority to not only put a lien on your property but then publish your beautiful picture in a daily newspaper. That is wrong. Vote "yes" on the Thomas amendment. Now, wait a minute now. If you think that this is okay, then you can vote against it.

But one thing as I close, a little exhausted but could continue on, the only thing I am happy about is that you did not do anything for me and the people any differently than you did for all the other people that came before me. You did not want to hear anything about anything that benefited people.

And I guess, I kind of think about that story where a priest and a rabbi were walking down Second Street—

The SPEAKER pro tempore. Mr. Thomas? Mr. Thomas?

Mr. THOMAS. I am closing out on this.

The SPEAKER pro tempore. On the amendment.

Mr. THOMAS. I am closing out on this.

The SPEAKER pro tempore. On the amendment, Mr. Thomas, please.

Mr. THOMAS. On the amendment, on the amendment. The priest and the rabbi were walking down Market Street and one saw a man lying in the alley hurt and asked the other the question, what would happen to me if I go in that alley and help that man? The other one says, I do not want to go in there because I do not know who is in there. I do not know what condition he is in. I cannot take the chance of going in there not knowing what is going on. But then the other looked at him and said, no, the question is not what will happen to me if I go in

there. The question is not what will happen to you if you go with the public utility companies over people tonight. That is not the question. The question is, what will happen to you and me if we do not take a stand on behalf of people over the public utility companies tonight?

Choose the people. Support the Thomas amendment, and thank you for your time, Mr. Speaker. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—70

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

NAYS—129

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

NOT VOTING—0

EXCUSED—4

Evans Hackett Miccarelli Petri

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.

CALENDAR CONTINUED

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1275, PN 2155**, entitled:

An Act making appropriations from the Professional Licensure Augmentation Account and from restricted revenue accounts within the General Fund to the Department of State for use by the Bureau of Professional and Occupational Affairs in support of the professional licensure boards assigned thereto.

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

(Bill analysis was read.)

The SPEAKER pro tempore. 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—199

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

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

NAYS-0

NOT VOTING-0

EXCUSED-4

Evans	Hackett	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 1276, PN 1639**, entitled:

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.

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

(Bill analysis was read.)

The SPEAKER pro tempore. 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-199

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

NAYS-0

NOT VOTING-0

EXCUSED-4

Evans	Hackett	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 1277, PN 1999**, entitled:

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.

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

(Bill analysis was read.)

The SPEAKER pro tempore. 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—199

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

DiGirolamo	Keller, W.	Pashinski	Wheatley
Donatucci	Killion	Payne	White
Dunbar	Kim	Peifer	Youngblood
Ellis	Kinsey	Petrarca	

NAYS—0

NOT VOTING—0

EXCUSED—4

Evans	Hackett	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.

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The House proceeded to third consideration of **HB 1278, PN 2000**, entitled:

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.

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

(Bill analysis was read.)

The SPEAKER pro tempore. 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—199

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

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

NAYS-0

NOT VOTING-0

EXCUSED-4

Evans	Hackett	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 1279, PN 2001**, entitled:

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.

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

(Bill analysis was read.)

The SPEAKER pro tempore. 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-199

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

NAYS-0

NOT VOTING-0

EXCUSED-4

Evans	Hackett	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 1280, PN 1643**, entitled:

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.

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

(Bill analysis was read.)

The SPEAKER pro tempore. 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—199

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

DiGirolamo	Keller, W.	Pashinski	Wheatley
Donatucci	Killion	Payne	White
Dunbar	Kim	Peifer	Youngblood
Ellis	Kinsey	Petrarca	

NAYS—0

NOT VOTING—0

EXCUSED—4

Evans	Hackett	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 1281, PN 1644**, entitled:

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.

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

(Bill analysis was read.)

The SPEAKER pro tempore. 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—199

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

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

NAYS-0

NOT VOTING-0

EXCUSED-4

Evans	Hackett	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 1282, PN 1645**, entitled:

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.

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

(Bill analysis was read.)

The SPEAKER pro tempore. 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-199

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

NAYS-0

NOT VOTING-0

EXCUSED-4

Evans	Hackett	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 1047, PN 1261**, entitled:

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.

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

(Bill analysis was read.)

The SPEAKER pro tempore. 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?

The Chair recognizes the gentleman, Mr. Daley, on final passage.

Mr. DALEY. Just briefly, not to exacerbate anybody's patience here. This is the bill that came out of our committee. It was the first part of the package. The second part will be voted on tomorrow. That is the bill that we just laboriously debated that is going to be a companion sort of bill going over to the Senate, and that is all I have to say.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the majority leader, Mr. Turzai, on final passage.

Mr. TURZAI. I would rise in support of HB 1047.

At the outset I would like to thank the studious chair, our good friend from Montgomery County. He has done so much work on these issues, with his good colleague from Washington and Fayette Counties, in making sure that there is a balanced approach with respect to these utility uncollectible accounts, and to mitigate the impact of the uncollectibles on rates of timely paying customers.

This was a compromise that was done in 2004 between both sides of the aisle, and it has resulted in significant savings and has also made sure that paying customers were not taken advantage of.

In addition, please note that we have in this State programs that are designed to help those who are neediest, and those include universal service programs that ensure that low-income customers get the bill payment assistance they need to retain utility services. It also includes LIHEAP, customer assistance programs, Low-Income Usage Reduction Program, and CARES (Customer Assistance Referral and Evaluation Program) hardship funds, and these are used for payment of bills but also for weatherization projects as well so that you can lower your bills.

This particular bill makes the sunset go away for the negotiated agreement that took place in 2004, and we appreciate the hard work that the good chair from Montgomery County has put into this effort and into the other bill that we earlier debated.

I think this is an outstanding compromise, and I would urge a "yes" vote on this legislation.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Daley, for the second time.

Mr. DALEY. Thank you, Mr. Speaker.

With all due respect to my chairman, the problem with this bill is being addressed in HB 939. It makes permanent chapter 14. It is sort of like the cart before the horse. The horse is what we debated today, and this is the cart that should really be kind of after that, but there was an agreement that we would run this for particular reasons.

Just so that we do not send the wrong message to the Senate, I humbly ask a "no" vote simply because the substantive changes, the two dozen changes that the PUC has asked for, were also a part of an agreed-to package that we all have voted today and debated today and we had in the committee. So I ask only a negative vote because I think, truly, it is the cart before the horse. The horse is coming tomorrow. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentlelady, Ms. Mundy, on final passage.

Ms. MUNDY. Thank you, Mr. Speaker.

There is a good reason why we put sunset provisions in law, and that is so that on a regular basis we get the opportunity to bring the stakeholders together again to review what we have done and to make sure that what we have done is not harming the people of Pennsylvania.

Clearly, there have been issues with chapter 14, and that is why the PUC and the Consumer Advocate had asked for revisions. Now, who knows whether in 5 or 10 years there might be additional changes needed, and we should review this law again in 5 or 10 years. We need to make sure that consumer protections are in place.

My concern with this piece of legislation is that it is separate and apart from the bill we just voted. If this bill becomes law and the other bill, 939, that we just voted the amendments – well, you voted the amendments down – if that becomes law, or fails to become law and this does, then we are done with chapter 14 and there are no protections added as per the PUC and the Consumer Advocate's request, and there is no sunset so we do not ever revisit this issue again.

Now, I know that there are people who say, oh, we always have the opportunity to review these laws. Yeah, sure we do. You folks know as well as I do that the only way this gets done is with significant consumer pushback, and the people who are most deeply affected by this are always the frail, the elderly, the extremely poor. Those are the people you put at risk when you do not take the advice of the PUC and the Office of Consumer Advocate. So I know the gentleman believes that his constituents are the utility companies; I believe that my constituents are the people who live in my district. And while I am very concerned about the health of utilities because they need to provide services to my constituents, some of what they have been doing needs fixing.

So I urge a "no" vote on 1047 and would ask all of you to join me in that negative vote. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the lady and recognizes the gentleman, Mr. Thomas, on final passage.

Mr. THOMAS. Mr. Speaker, I rise to oppose HB 1047, and I am not going to drag this out. Clap on that, clap on that.

HB 1047 had 85 amendments on it. Let me say that again: To the people of Pennsylvania, there were 85 amendments filed to this bill. Now, a vote came up with HB 939 to try and successfully got all 85 amendments off of 1047.

HB 1047 is before us today 18 months before we have to deal with it. Chapter 14 is not up for reauthorization until December of 2014. We have schools closing, kids denied equal education, unemployment staggering in many of our communities, and we have to help the public utility companies 18 months before the day of reckoning. And we are being asked to vote on whether or not there should be a review of the application of chapter 14, especially now that we have added these new companies.

And, Mr. Speaker, let us not forget we have about 4,000 State workers who are no longer employed. We have had salaries that have been reduced in an effort to try and save money, but, Mr. Speaker, these people, some of them working right here in the House, are having to rob Peter to pay Paul because of the egregious application of chapter 14.

Mr. Speaker, we have been told that we have made some changes in 939. And, Mr. Speaker, the other day I stood up and I said, if we put all of this work and time in HB 939, why do we need 1047? Why do we need 1047? The only people that want HB 1047 are the public utility companies, and so, Mr. Speaker, for us to entertain HB 1047 after we have done all of that work with HB 939, it looks like hoodwinked and bamboozled. We have not only been hoodwinked and bamboozled, but we are bamboozling the people of Pennsylvania, because there is no need today at this hour, with transportation, with pension reform, with public education on the table in front of us. Pink slips have been sent out to people from school districts across Pennsylvania. Why are we dealing with HB 1047 today? The conditions of the people will not change until the people change the conditions within themselves.

If you have not faced pain, then we have a responsibility to be concerned about pain that is facing people across the State. Vote "no" on 1047. Vote "no" on 1047. Do not bamboozle the people of Pennsylvania. Vote "no" on HB 1047. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question recurring,
Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—141

Adolph	Farina	Knowles	Pickett
Aument	Farry	Kortz	Pyle
Baker	Fee	Kotik	Quinn
Barbin	Fleck	Krieger	Rapp
Barrar	Flynn	Lawrence	Readshaw
Benninghoff	Gabler	Longietti	Reed
Bizzarro	Galloway	Lucas	Reese
Bloom	Gergely	Mackenzie	Regan
Boback	Gibbons	Maher	Roae
Boyle, B.	Gillen	Major	Rock
Brooks	Gillespie	Maloney	Ross
Brown, R.	Gingrich	Marshall	Saccone
Burns	Godshall	Marsico	Sainato
Carroll	Greiner	Masser	Sankey

Causler	Grell	Matzie	Saylor
Christiana	Grove	McGinnis	Scavello
Clymer	Hahn	Mentzer	Schlossberg
Conklin	Haluska	Metcalfe	Simmons
Corbin	Harhai	Metzgar	Smith
Costa, D.	Harhart	Micozzie	Snyder
Costa, P.	Harkins	Millard	Sonney
Cox	Harper	Miller, R.	Stephens
Culver	Harris, A.	Milne	Stern
Cutler	Heffley	Mirabito	Stevenson
Davis	Helm	Molchany	Swanger
Day	Hennessey	Moul	Tallman
Delozier	Hess	Murt	Taylor
Denlinger	Hickernell	Mustio	Tobash
DiGirolamo	James	Neilson	Toepel
Dunbar	Kampf	Neuman	Toohil
Ellis	Kauffman	O'Neill	Truitt
Emrick	Kavulich	Oberlander	Turzai
English	Keller, F.	Payne	Vereb
Evankovich	Keller, M.K.	Peifer	Watson
Everett	Killion	Petrarca	White
Fabrizio			

NAYS—58

Bishop	DeLissio	Kula	Ravenstahl
Boyle, K.	DeLuca	Mahoney	Roebuck
Bradford	Dermody	Markosek	Rozzi
Briggs	Donatucci	McCarter	Sabatina
Brown, V.	Frankel	McGeehan	Samuelson
Brownlee	Freeman	McNeill	Santarsiero
Caltagirone	Gainey	Miller, D.	Schreiber
Clay	Goodman	Miranda	Sims
Cohen	Haggerty	Mullery	Sturla
Cruz	Hanna	Mundy	Thomas
Daley, M.	Harris, J.	O'Brien	Vitali
Daley, P.	Keller, W.	Painter	Waters
Davidson	Kim	Parker	Wheatley
Dean	Kinsey	Pashinski	Youngblood
Deasy	Kirkland		

NOT VOTING—0

EXCUSED—4

Evans	Hackett	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.

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The House proceeded to third consideration of **HB 972, PN 2156**, entitled:

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

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

(Bill analysis was read.)

The SPEAKER pro tempore. 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—199

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

NAYS—0

NOT VOTING—0

EXCUSED—4

Evans	Hackett	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.

LEAVE OF ABSENCE

The SPEAKER pro tempore. The Chair is in receipt of a request for a leave of absence for the gentleman, Representative DeLUCA. Without objection, the leave will be so granted.

RESOLUTION

Mrs. BROOKS called up **HR 255, PN 2098**, entitled:

A Resolution directing the Joint State Government Commission to study the Commonwealth's delivery system of long-term care services and supports for independent and care-dependent older adults, including: a review of the current infrastructure that exists for providing services and supports; consumer access to the system, including an identification of barriers that exist; and financing issues; and to report its findings and recommendations to the General Assembly.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—198

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

Dunbar	Kim	Peifer	White
Ellis	Kinsey	Petrarca	Youngblood
Emrick	Kirkland		

NAYS—0

NOT VOTING—0

EXCUSED—5

DeLuca	Hackett	Miccarelli	Petri
Evans			

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

REMARKS SUBMITTED FOR THE RECORD

The SPEAKER pro tempore. Mrs. Brooks, are you seeking recognition on your resolution?

Mrs. BROOKS. Thank you, Mr. Speaker.

The SPEAKER pro tempore. You may proceed.

Mrs. BROOKS. I would like to submit remarks for the record regarding HR 255.

The SPEAKER pro tempore. Thank you very much. Please present your remarks to the clerk.

Mrs. BROOKS submitted the following remarks for the Legislative Journal:

I want to thank my colleagues for their support of my HR 255, directing the Joint State Government Commission to study Pennsylvania's delivery system of long-term-care services and supports for independent and care-dependent older adults. I would also like to thank Sharon Schwartz, executive director of the Aging Committee for her assistance with the resolution.

Pennsylvania has one of the oldest populations in the United States, and as the elderly population increases, so does the demand for services and supports necessary for them to maintain independence and dignity. As a public policy maker and a subcommittee chairman of the House Aging and Older Adult Services Committee, I believe we should do what we can to ensure that our grandparents, our parents, and all older Pennsylvanians are safe and afforded access to care and services at the right time, in the right setting, and at the right intensity. In addition, it is essential that we put forth policies that serve to ensure an efficient, effective, and fiscally accountable long-term-care service and supports delivery system in the Commonwealth.

This study, which is long overdue, will help us to obtain a clear, concise, and objective overview of the long-term-care service and supports delivery system landscape in the Commonwealth. I am looking forward to working with service providers, consumers, families, local area agencies on aging, and other State government oversight and regulatory agencies to gain an understanding of the current system and to formulate good, commonsense public policy recommendations that will benefit all independent and care-dependent older Pennsylvanians.

SUPPLEMENTAL CALENDAR A CONTINUED

BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 1263, PN 2021**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for definitions; and providing for transfer of ownership of vehicles used for human habitation.

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

BILLS RECOMMENDED

The SPEAKER pro tempore. The Chair recognizes the majority leader, who moves that the following bills be recommitted to the Committee on Appropriations:

HB 939;
HB 1263;
HB 1337; and
SB 259.

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

BILLS REMOVED FROM TABLE

The SPEAKER pro tempore. The Chair recognizes the majority leader, who moves that the following bills be removed from the tabled calendar and placed on the active calendar:

SB 10;
SB 351;
SB 492;
SB 963; and
SB 964.

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

CALENDAR CONTINUED

RESOLUTION

Mr. TURZAI called up **HR 107, PN 864**, entitled:

A Resolution urging the Supreme Court of Pennsylvania to require pro bono legal service as a condition of admission to the Pennsylvania Bar.

On the question,
Will the House adopt the resolution?

RESOLUTION TABLED

The SPEAKER pro tempore. The Chair recognizes the majority leader, who moves that HR 107 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.

RESOLUTION REMOVED FROM TABLE

The SPEAKER pro tempore. The Chair recognizes the majority leader, who moves that HR 107 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.

STATEMENT BY MR. STERN

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Stern, for an announcement.

Mr. STERN. On a point of personal privilege, Mr. Speaker.

The SPEAKER pro tempore. Unanimous consent.

Without objection, the gentleman is recognized.

Mr. STERN. Thank you.

I just wanted to send out a birthday wish to my mother tonight. She celebrates her 87th birthday today. She is a frequent viewer of PCN (Pennsylvania Cable Network). I just wanted to share with her that I love you, Mother, and everyone here wishes you a happy birthday. Thank you, House chamber. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman, and happy birthday, Mom.

**HOUSE RESOLUTION
INTRODUCED AND REFERRED**

No. 399 By Representatives KORTZ, CUTLER, READSHAW, DAVIS, HELM, O'NEILL, CALTAGIRONE, V. BROWN, KINSEY, HARHAI, SNYDER, HANNA, KIRKLAND, SWANGER, P. DALEY, DeLUCA and D. COSTA

A Resolution urging the Pennsylvania State Real Estate Commission to require the disclosure of "accessible attic" conditions in the Seller's Property Disclosure Statement.

Referred to Committee on PROFESSIONAL LICENSURE, June 27, 2013.

**HOUSE BILL
INTRODUCED AND REFERRED**

No. 1591 By Representatives W. KELLER, M. DALEY, CLAY, MIRANDA, K. BOYLE, HARKINS, DAVIS, McGEEHAN, SCHLOSSBERG, O'BRIEN, BOBACK, KOTIK, GODSHALL, GIBBONS, ROCK, ROZZI, KILLION, CALTAGIRONE, HARHAI, BROWNLEE, PASHINSKI, SABATINA, CRUZ, GINGRICH and D. COSTA

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, 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 of the first class and for applicability to certain municipalities.

Referred to Committee on LABOR AND INDUSTRY, June 27, 2013.

SENATE BILLS FOR CONCURRENCE

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

SB 607, PN 577

Referred to Committee on CONSUMER AFFAIRS, June 27, 2013.

SB 725, PN 1295

Referred to Committee on APPROPRIATIONS, June 27, 2013.

SB 726, PN 1296

Referred to Committee on APPROPRIATIONS, June 27, 2013.

SB 727, PN 748

Referred to Committee on APPROPRIATIONS, June 27, 2013.

SB 728, PN 1297

Referred to Committee on APPROPRIATIONS, June 27, 2013.

SB 729, PN 1298

Referred to Committee on APPROPRIATIONS, June 27, 2013.

**PROFESSIONAL LICENSURE
COMMITTEE MEETING**

The SPEAKER pro tempore. The Chair recognizes the gentelady, Mrs. Harhart, for a committee announcement.

Mrs. HARHART. Thank you, Mr. Speaker.

Tomorrow at 10 a.m. the House Professional Licensure Committee will have a voting meeting in room G-50 on HR 399. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the lady.

The Professional Licensure Committee will have a voting meeting in room G-50 on HR 399.

**THE SPEAKER (SAMUEL H. SMITH)
PRESIDING****SENATE MESSAGE****HOUSE BILL
CONCURRED IN BY SENATE**

The clerk of the Senate, being introduced, returned **HB 26, PN 1944**, with information that the Senate has passed the same without amendment.

SENATE MESSAGE**AMENDED HOUSE BILLS RETURNED
FOR CONCURRENCE AND
REFERRED TO COMMITTEE ON RULES**

The clerk of the Senate, being introduced, returned **HB 513, PN 2169, and HB 1122, PN 2085**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

BILL SIGNED BY SPEAKER

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

HB 26, PN 1944

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

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

**BILL REPORTED FROM COMMITTEE,
CONSIDERED FIRST TIME, AND
RECOMMITTED TO COMMITTEE ON RULES****HB 913, PN 1054**

By Rep. MAHER

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in judicial computer system, further providing for deposits into account.

AGRICULTURE AND RURAL AFFAIRS.

**BILL REPORTED FROM COMMITTEE,
CONSIDERED FIRST TIME, AND TABLED****SB 638, PN 1309 (Amended)**

By Rep. MAHER

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.

AGRICULTURE AND RURAL AFFAIRS.

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 that Republicans will caucus tomorrow, that is on Friday, at 11 a.m. I would ask our Republican members to please report to our caucus room tomorrow morning at 11. Thank you, Mr. Speaker.

JUDICIARY COMMITTEE MEETING

The SPEAKER. Does the gentleman from Dauphin County, Mr. Marsico, have an announcement?

Mr. MARSICO. Yes, Mr. Speaker.

The SPEAKER. The gentleman is in order.

Mr. MARSICO. Thank you, Mr. Speaker.

The Judiciary Committee will meet tomorrow, Friday, at 10:30 a.m. in 205 Ryan Building to consider SB 379; that is SB 379, 205 Ryan, at 10:30 a.m. Thank you.

The SPEAKER. The Judiciary Committee will meet tomorrow at 10:30 a.m. in room 205, Ryan Building.

DEMOCRATIC CAUCUS

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

Mr. FRANKEL. Mr. Speaker, Democrats will caucus at 11 a.m. tomorrow, and if I could ask the Speaker what time we expect to be on the floor tomorrow after caucus? What time on the floor?

The SPEAKER. It would be our intention to come on the floor at 1 o'clock.

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

Democrats, caucus at 11 o'clock, on the floor at 1.

QUESTION OF PERSONAL PRIVILEGE

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

Mr. SIMS. Thank you, Mr. Speaker.

Mr. Speaker, I rise under rule 12, personal privilege.

The SPEAKER. The gentleman may state his personal privilege.

Mr. SIMS. Mr. Speaker, as I read the rule, it says that my comments "...shall be limited to questions affecting the rights, reputation and conduct of members of the House in their respective capacity."

I would like to first start by thanking members from both sides of the aisle. Yesterday's outburst, if you will, by several members of this chamber I thought was deplorable, and many, many of the members of this chamber agreed from both sides of the aisle. So thank you for your comments over the last 24 hours. They were genuinely appreciated.

Mr. Speaker, about an hour ago what was shared with me was a quote given by my colleague from Butler County, and I would like to read the quote, because it directly affects my reputation. The member was asked why he voted against my opportunity to speak, and he said, "I did not believe that as a member of that body that I should allow someone to make comments such as he was preparing to make that ultimately were just open rebellion against...the word of God..., what God has said, and just open rebellion against God's law."

Mr. Speaker, as I reminded these colleagues several months ago, we did place our hand on the Bible and swore to uphold the Constitution. We did not do otherwise. I think that my actions in no way have been against the law of any God, and I would ask that the maker of the comments be reprimanded for doing so.

The SPEAKER. Has the gentleman concluded with his point of personal privilege?

Mr. SIMS. Actually, Mr. Speaker, I am only slightly confused. My understanding of the rules of this body is that I could never call another member a bigot, a homophobe, or a racist, nor would I, but I do ask that this body recognize that the language that was used against me as a member does not live up to the standards set by this body.

The SPEAKER. The gentleman, speaking under a point of personal privilege, is entitled to address questions of privilege of members related to, you know, their character or if it incapacitated them as a member. The question you posed within that, though, really would be more one of procedure and parliamentary procedure. The procedure – I am going to answer this as a parliamentary inquiry – the procedure is not to address the Speaker and say reprimand somebody. The procedure is to, I believe – I am checking with the Parliamentarian – is it would normally be done, my understanding is it would be done either through an action of the Ethics Committee within this House or a resolution of the House. It is not something that the Speaker unilaterally would do.

Mr. SIMS. Thank you, Mr. Speaker.

The SPEAKER. Is the gentleman seeking further recognition? For what purpose would that—

Mr. SIMS. I am seeking further recognition. A simple thank you, Mr. Speaker.

The SPEAKER. Excuse me. Are you still under your point of personal privilege? I am just trying to keep us in place here.

Mr. SIMS. Yes, under personal privilege.

The SPEAKER. The gentleman may proceed.

Mr. SIMS. A simple thank you.

As you can see, Mr. Speaker, the rules for this type of an outburst by one of our members are difficult to understand. I have been in this body for 6 months, significantly less than many of these other members, who, frankly, did not exactly know the correct procedure for something like this as well. So thank you, Mr. Speaker.

The SPEAKER. I would simply note for the record that I do not believe the – and I could be wrong – it is my understanding that what you are labeling as an "outburst" actually did not take place on the floor of the House. Is that correct? Am I correct about that? It was not an outburst on the House floor. It was—

Mr. SIMS. I would call it a different outburst than the one on the House floor, Mr. Speaker.

The SPEAKER. Has the gentleman concluded?

Mr. SIMS. Yes, sir.

REMARKS SUBMITTED FOR THE RECORD

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

June 26th, 2013

The Honorable Sam Smith
The Speaker of the House
Rm. 145 Main Capitol
Harrisburg, PA 17120

Speaker Smith,

I wish to submit the following remarks into the House Journal, regarding the vote on HR 370, which declares the day of July 26th, 2013, as ADA Day in Pennsylvania.

This federal bill – Americans with Disabilities Act (ADA) – was authored by Senator Tom Harkin (Iowa) in 1990, passing overwhelmingly in the U.S. Senate (76-8) and Congress (377-28), and subsequently signed into law by President George H.W. Bush on July 26, 1990.

The ADA is a wide-ranging civil rights law that prohibits, under certain circumstances, discrimination based on disability in employment, public entities and transportation, public accommodations (Commercial facilities), and telecommunications.

The Centers for Disease Control and Prevention estimates that the Commonwealth of Pennsylvania has four hundred and seventy five thousand people living in the Commonwealth with a disability; this group of Americans represent the single largest minority group seeking employment in today's marketplace. As our baby boomer population ages and more veterans return from war, this number will double in the next 20 years.

On signing the measure, George H.W. Bush said:

"I know there may have been concerns that the ADA may be too vague or too costly, or may lead endlessly to litigation. But I want to reassure you right now that my administration and the United States Congress have carefully crafted this Act. We've all been determined to ensure that it gives flexibility, particularly in terms of the timetable of implementation; and we've been committed to containing the costs that may be incurred.... Let the shameful wall of exclusion finally come tumbling down."

In the words of Shirley Davis, director of global diversity and inclusion at the Society for Human Resource Management: "People with disabilities represent a critical talent pool that is underserved and underutilized."

It is my honor and privilege to author HR 370, which recognizes ADA day in Pennsylvania as July 26th, 2013.

Respectfully,

Kevin Haggerty

Member, 112th Legislative District

Lackawanna County

BILLS AND RESOLUTIONS PASSED OVER

The SPEAKER. Without objection, all remaining bills and resolutions on today's calendar will be passed over. The Chair hears no objection.

ADJOURNMENT

The SPEAKER. Seeing no further business before the House, the Speaker recognizes the gentleman from Chester County, Mr. Lawrence, who moves that this House do adjourn until Friday, June 28, 2013, at 1 p.m., e.d.t., unless sooner recalled by the Speaker.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 7:16 p.m., e.d.t., the House adjourned.