

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

TUESDAY, JUNE 21, 2016

SESSION OF 2016

200TH OF THE GENERAL ASSEMBLY

No. 41

HOUSE OF REPRESENTATIVES

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

**THE SPEAKER (MIKE TURZAI)
PRESIDING**

PRAYER

The SPEAKER. The prayer today will be offered by Pastor Ouemonde Brangman of the Bethel AME Church here in Harrisburg, and he is the guest of our friend and colleague, Representative Patty Kim.

Reverend.

PASTOR OUEMONDE BRANGMAN, Guest Chaplain of the House of Representatives, offered the following prayer:

Good morning, all.

Let us look to God in prayer.

Dear God and Heavenly Father, maker and creator of all things, at this moment in time we come before You asking for Your presence in this place today; asking, kind Father, that You would guide and direct every deliberation that will take place today, that You will be with Speaker Turzai and all of those, O God, here in this House today. Dear God, You will remove any personal and private agendas, and that, God, You would help us to come together on that which is beneficial for everyone in this land.

God, we thank You and praise You that You are able to remove and create an atmosphere of positivity in the House and to remove any negative obstacles in its way. I pray, kind Father, that every bill that is brought forward that You will be with it, that the presentations will be clear and concise. Dear God, we will make decisions on these which will not only benefit us, but will benefit our children's children and generations to follow.

God, help us to understand that this commission is an awesome one, and help us to take it seriously today. And so, God, I pray that we would come together. Where there is hatred or animosity or jealousy, that You remove it, God, and replace it with love and kindness and support, and, Father, a wish to further this country in a better way.

So thank You, God, for each of these persons that have come today that will be a part of this deliberation today, and I pray, God, that Your presence will be here in such an awesome way today, that You would accomplish more today than they ever have before in one day. And we thank You for it in advance, God, for we ask it in Jesus' name. Amen.

PLEDGE OF ALLEGIANCE

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

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

HB 1959, PN 3107

By Rep. METCALFE

An Act authorizing the Department of General Services, with the approval of the Governor, to grant and convey to Upper Merion Township certain lands situate in Upper Merion Township, Montgomery County.

STATE GOVERNMENT.

HB 2013, PN 3575 (Amended)

By Rep. HICKERNELL

An Act amending the act of June 28, 1995 (P.L.89, No.18), known as the Conservation and Natural Resources Act, in Department of Conservation and Natural Resources, providing for development of recreational, lodging and ancillary facilities; and providing for Public-Private State Park Partnership Board.

TOURISM AND RECREATIONAL DEVELOPMENT.

HB 2051, PN 3574 (Amended)

By Rep. METCALFE

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, in organization of independent administrative boards and commissions, transferring certain powers and duties relating to public pension system analysis and legislation; providing for the Independent Fiscal Office; in powers and duties of the Department of the Auditor General, transferring certain powers and duties relating to municipal pension reporting and analysis; and making related repeals.

STATE GOVERNMENT.

BILLS REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

SB 1154, PN 1593

By Rep. METCALFE

An Act amending the act of August 5, 1941 (P.L.752, No.286), known as the Civil Service Act, in selection of employees for entrance to or promotion in the classified service, further providing for ratings of competitors; and, in appointment and promotion of employees in the classified service, further providing for certification and for selection and appointment of eligibles.

STATE GOVERNMENT.

SB 1192, PN 1717

By Rep. METCALFE

An Act authorizing the Department of General Services, with the approval of the Governor, to dedicate to Cresson Township a right-of-way from lands of the Commonwealth at the State Correctional Institution-Cresson, situate in Cresson Township, Cambria County, for the purpose of laying out and constructing a public roadway.

STATE GOVERNMENT.

SB 1225, PN 1755

By Rep. METCALFE

An Act authorizing the Department of General Services, with the approval of the Governor, to partially release a reversionary interest and use restriction affecting certain real property situate in the Township of Weisenberg, Lehigh County.

STATE GOVERNMENT.

HOUSE RESOLUTION INTRODUCED AND REFERRED

No. 943 By Representatives CALTAGIRONE, READSHAW, VEREB, ROZZI, O'BRIEN, NEILSON and ACOSTA

A Resolution urging the Governor and the Office of Attorney General to file lawsuits against pharmaceutical companies that produce opioid drugs.

Referred to Committee on HEALTH, June 21, 2016.

HOUSE BILLS INTRODUCED AND REFERRED

No. 2185 By Representatives PEIFER, KOTIK, WARD, HARHART, PICKETT, KAUFFMAN, O'NEILL, JOZWIAK, MILLARD and BAKER

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, in general budget implementation, further providing for the Department of Aging.

Referred to Committee on APPROPRIATIONS, June 21, 2016.

No. 2190 By Representatives HARHAI, PETRARCA, DAVIS, DRISCOLL, METZGAR, SNYDER, KOTIK, MAHONEY, GIBBONS and DeLUCA

An Act amending the act of December 5, 1936 (2nd Sp.Sess., 1937 P.L.2897, No.1), known as the Unemployment Compensation Law, in extended benefits program, providing for extended benefits for coal miners.

Referred to Committee on LABOR AND INDUSTRY, June 21, 2016.

No. 2192 By Representatives D. COSTA, MILLARD, READSHAW, KOTIK, HELM, HEFFLEY, PASHINSKI, CONKLIN, RAVENSTAHL, DEASY, DUNBAR, GIBBONS, BURNS, GOODMAN, A. HARRIS, McNEILL and PETRARCA

An Act providing for private construction employee verification; and imposing a civil penalty.

Referred to Committee on LABOR AND INDUSTRY, June 21, 2016.

No. 2193 By Representatives D. COSTA, O'BRIEN, STURLA, JAMES, SCHLOSSBERG, V. BROWN, READSHAW, NEILSON, DeLUCA, THOMAS and JOZWIAK

An Act amending Title 65 (Public Officers) of the Pennsylvania Consolidated Statutes, providing for training for certain appointed officials.

Referred to Committee on STATE GOVERNMENT, June 21, 2016.

No. 2196 By Representatives SANKEY, MATZIE, V. BROWN, CALTAGIRONE, DIAMOND, DUSH, GABLER, GILLEN, A. HARRIS, PHILLIPS-HILL, JAMES, M. K. KELLER, MILLARD, O'NEILL, OBERLANDER, PICKETT, READSHAW, ROTHMAN, SANTORA, SCHLOSSBERG, SONNEY, THOMAS and ZIMMERMAN

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for automated license plate reader systems; and imposing a penalty.

Referred to Committee on TRANSPORTATION, June 21, 2016.

No. 2197 By Representative THOMAS

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

Referred to Committee on LOCAL GOVERNMENT, June 21, 2016.

No. 2198 By Representatives CRUZ, ACOSTA, ROZZI, O'BRIEN, D. COSTA, ENGLISH, GIBBONS, DONATUCCI and BOBACK

An Act amending the act of September 27, 1961 (P.L.1700, No.699), known as the Pharmacy Act, further providing for definitions; and providing for collection and disposal of drugs by pharmacies.

Referred to Committee on HEALTH, June 21, 2016.

No. 2199 By Representatives CRUZ, KINSEY, D. COSTA, HEFFLEY and COOK-ARTIS

An Act providing for the safe disposal of hypodermic needles and syringes; requiring educational materials; limiting the operation of syringe exchange programs within a city of the first class; and providing for penalties.

Referred to Committee on HEALTH, June 21, 2016.

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, the approval of the Journal of Monday, June 20, 2016, will be postponed until printed.

LEAVES OF ABSENCE

The SPEAKER. The majority whip requests a leave of absence for Representative Mike VEREB of Montgomery County for the day. Without objection, that will be granted.

The minority whip requests leaves of absence for the following members: Representative Pete DALEY of Washington County for the day, Representative Tony DeLUCA of Allegheny County for the day, Representative McNEILL of Lehigh County for the day, Representative DAVIDSON of Delaware County for the day. Without objection, those requests for leave will be granted.

MASTER ROLL CALL

The SPEAKER. The Chair is going to proceed to the master roll. Members, please vote.

The following roll call was recorded:

PRESENT—197

Acosta	Everett	Krueger	Readshaw
Adolph	Fabrizio	Lawrence	Reed
Artis	Farina	Lewis	Reese
Baker	Farry	Longietti	Regan
Barbin	Fee	Mackenzie	Roae
Barrar	Flynn	Maher	Roebuck
Benninghoff	Frankel	Mahoney	Ross
Bizzarro	Freeman	Major	Rothman
Bloom	Gabler	Maloney	Rozzi
Boback	Gainey	Markosek	Saccone
Boyle	Galloway	Marshall	Sainato
Bradford	Gergely	Marsico	Samuelson
Briggs	Gibbons	Masser	Sankey
Brown, R.	Gillen	Matzie	Santarsiero
Brown, V.	Gillespie	McCarter	Santora
Bullock	Gingrich	McClinton	Savage
Burns	Godshall	McGinnis	Saylor
Caltagirone	Goodman	Mentzer	Schemel
Carroll	Greiner	Metcalfe	Schlossberg
Causar	Grove	Metzgar	Schreiber
Christiana	Hahn	Miccarelli	Schweyer
Cohen	Hanna	Millard	Simmons
Conklin	Harhai	Miller, B.	Sims
Corbin	Harhart	Miller, D.	Snyder
Costa, D.	Harkins	Milne	Sonney
Costa, P.	Harper	Moul	Staats
Cox	Harris, A.	Mullery	Stephens
Cruz	Harris, J.	Murt	Sturla
Culver	Heffley	Mustio	Tallman
Cutler	Helm	Neilson	Taylor
Daley, M.	Hennessey	Nelson	Thomas
Davis	Hickernell	Nesbit	Tobash
Dawkins	Hill	Neuman	Toepel
Day	Irvin	O'Brien	Toohil
Dean	James	O'Neill	Topper
Deasy	Jozwiak	Oberlander	Truitt
DeLissio	Kampf	Ortitay	Vitali
Delozier	Kaufner	Parker, D.	Ward
Dermody	Kauffman	Pashinski	Warner
Diamond	Kavulich	Payne	Watson
DiGirolamo	Keller, F.	Peifer	Wentling
Donatucci	Keller, M.K.	Petrarca	Wheatley
Driscoll	Keller, W.	Petri	Wheeland
Dunbar	Kim	Pickett	White
Dush	Kinsey	Pyle	Youngblood

Ellis	Kirkland	Quigley	Zimmerman
Emrick	Klunk	Quinn	
English	Knowles	Rader	Turzai,
Evankovich	Kortz	Rapp	Speaker
Evans	Kotik	Ravenstahl	

ADDITIONS—0

NOT VOTING—0

EXCUSED—5

Daley, P.	DeLuca	McNeill	Vereb
Davidson			

LEAVES ADDED—4

Davidson	Day	Kotik	Murt
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LEAVES CANCELED—2

Daley, P.	Davidson
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The SPEAKER. One hundred and ninety-seven members having voted on the master roll, a quorum is present.

Members, we are going to move to the resolutions at this time. We are going to do the uncontested House calendar first. Representative Dawkins will be speaking on HR 933 on the uncontested House calendar. Then we are going to go to resolutions on the regular House calendar. Representative Zimmerman will be speaking on HR 928, Representative Miccarelli will be speaking on HR 880, and Representative Dean will be speaking on HR 929. I just want to give those members an opportunity to be ready. We are going to begin with the uncontested calendar.

UNCONTESTED CALENDAR

RESOLUTIONS PURSUANT TO RULE 35

Mr. DAWKINS called up **HR 933, PN 3542**, entitled:

A Resolution designating June 18, 2016, as "Volunteer Youth Athletic Coaches' Day" in Pennsylvania.

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Mr. STEPHENS called up **HR 934, PN 3543**, entitled:

A Resolution designating the week of July 3 through 9, 2016, as "DJ Farrar Week" in Pennsylvania.

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Mr. MASSER called up **HR 939, PN 3564**, entitled:

A Resolution designating the month of August 2016 as "Stevens-Johnson Syndrome Awareness Month" in Pennsylvania.

On the question,
Will the House adopt the resolutions?

The following roll call was recorded:

YEAS—197

Acosta	Everett	Krueger	Readshaw
Adolph	Fabrizio	Lawrence	Reed
Artis	Farina	Lewis	Reese
Baker	Farry	Longietti	Regan
Barbin	Fee	Mackenzie	Roae
Barrar	Flynn	Maher	Roebuck
Benninghoff	Frankel	Mahoney	Ross
Bizzarro	Freeman	Major	Rothman
Bloom	Gabler	Maloney	Rozzi
Boback	Gainey	Markosek	Saccone
Boyle	Galloway	Marshall	Sainato
Bradford	Gergely	Marsico	Samuelson
Briggs	Gibbons	Masser	Sankey
Brown, R.	Gillen	Matzie	Santarsiero
Brown, V.	Gillespie	McCarter	Santora
Bullock	Gingrich	McClinton	Savage
Burns	Godshall	McGinnis	Saylor
Caltagirone	Goodman	Mentzer	Schemel
Carroll	Greiner	Metcalfe	Schlossberg
Causar	Grove	Metzgar	Schreiber
Christiana	Hahn	Miccarelli	Schweyer
Cohen	Hanna	Millard	Simmons
Conklin	Harhai	Miller, B.	Sims
Corbin	Harhart	Miller, D.	Snyder
Costa, D.	Harkins	Milne	Sonney
Costa, P.	Harper	Moul	Staats
Cox	Harris, A.	Mullery	Stephens
Cruz	Harris, J.	Murt	Sturla
Culver	Heffley	Mustio	Tallman
Cutler	Helm	Neilson	Taylor
Daley, M.	Hennessey	Nelson	Thomas
Davis	Hickernell	Nesbit	Tobash
Dawkins	Hill	Neuman	Toepel
Day	Irvin	O'Brien	Toohil
Dean	James	O'Neill	Topper
Deasy	Jozwiak	Oberlander	Truitt
DeLissio	Kampf	Ortitay	Vitali
Delozier	Kaufer	Parker, D.	Ward
Dermody	Kauffman	Pashinski	Warner
Diamond	Kavulich	Payne	Watson
DiGirolamo	Keller, F.	Peifer	Wentling
Donatucci	Keller, M.K.	Petrarca	Wheatley
Driscoll	Keller, W.	Petri	Wheeland
Dunbar	Kim	Pickett	White
Dush	Kinsey	Pyle	Youngblood
Ellis	Kirkland	Quigley	Zimmerman
Emrick	Klunk	Quinn	
English	Knowles	Rader	Turzai, Speaker
Evankovich	Kortz	Rapp	
Evans	Kotik	Ravenstahl	

NAYS—0

NOT VOTING—0

EXCUSED—5

Daley, P. Davidson	DeLuca	McNeill	Vereb
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The majority having voted in the affirmative, the question was determined in the affirmative and the resolutions were adopted.

The SPEAKER. Representative Dawkins is invited to speak on HR 933.

Members, please take your seats. Members, please take your seats. We have four speakers with respect to resolutions, and I would ask everybody to please take their seats. Will all members please take their seats. Please take any conversations off the House floor.

STATEMENT BY MR. DAWKINS

The SPEAKER. Representative Dawkins, the floor is yours, sir.

Mr. DAWKINS. Thank you, Mr. Speaker.

I rise today as we enter the summer months, it is this time when our children are coming out of school that we should take this time to appreciate some of the youth coaches that dedicate their time, they share their family with our children, and they provide something that our children are in desperate need of, and that is guidance to stay on the right path with positive activity.

So I just wanted to take a few moments to talk a little bit about why that is important. When you think about the Commonwealth of Pennsylvania and counties like Philadelphia, when we have so many of our youth that are losing the battle every day to senseless gun violence, to senseless overdose and substance abuse, we need to make sure that we have these safe havens for our children. So all the coaches out there who dedicate their time, I just want to say thank you from the House of Representatives.

Thank you, Mr. Speaker, for giving me an opportunity to talk a little bit about this resolution, and I hope everyone votes in the affirmative. Thank you.

The SPEAKER. Thank you, Representative Dawkins.

CALENDAR

RESOLUTIONS PURSUANT TO RULE 35

Mr. ZIMMERMAN called up **HR 928, PN 3537**, entitled:

A Resolution recognizing the 100th anniversary of the founding of the Farm Credit System and commending the farmer-owners and the employees of the Farm Credit System for their continuing service in meeting the credit, financial services and educational programming needs of rural and agricultural communities in Pennsylvania.

On the question,
Will the House adopt the resolution?

The SPEAKER. On the resolution, Representative Zimmerman, you are recognized.

Mr. ZIMMERMAN. Thank you, Mr. Speaker.

I rise in support of HR 928, my legislation commemorating the 100th anniversary of the founding of the Farm Credit System. The Farm Credit System was established by Congress through the Federal Farm Loan Act of 1916. It was designated as a permanent means to provide low-cost loans and credit to support the well-being and prosperity of the nation's rural communities and agricultural producers of all types and sizes.

What allows the Farm Credit System to remain so effective after all these years is that the very people borrowing the money are the members of the cooperative – those serving our nation's

rural communities, and the agriculture producers. The Farm Credit System provides mortgages and loans for everything from livestock to seed and fertilizer. Farmers are able to take short-term loans to plant crops in the spring and pay it back in the fall after the harvest.

In contrast to commercial banking loans, which dried up for most farmers back in the 1930s, the Farm Credit System got many farm families through the Great Depression. It really is old-fashioned banking. Many of these folks will still drive out to the farms and sit down at the kitchen table and work out what farmers' needs are to move forward, to work out financial needs for today and develop succession plans for the next generation. Farmers helping farmers has allowed our farms to expand, keep up with new technology, increase production, and most important, to feed all of us.

I ask for an affirmative vote on my House bill. Thank you, Mr. Speaker.

The SPEAKER. Thank you, Representative Zimmerman.

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

The following roll call was recorded:

YEAS—197

Acosta	Everett	Krueger	Readshaw
Adolph	Fabrizio	Lawrence	Reed
Artis	Farina	Lewis	Reese
Baker	Farry	Longietti	Regan
Barbin	Fee	Mackenzie	Roae
Barrar	Flynn	Maher	Roebuck
Benninghoff	Frankel	Mahoney	Ross
Bizzarro	Freeman	Major	Rothman
Bloom	Gabler	Maloney	Rozzi
Boback	Gainey	Markosek	Saccone
Boyle	Galloway	Marshall	Sainato
Bradford	Gergely	Marsico	Samuelson
Briggs	Gibbons	Masser	Sankey
Brown, R.	Gillen	Matzie	Santarsiero
Brown, V.	Gillespie	McCarter	Santora
Bullock	Gingrich	McClinton	Savage
Burns	Godshall	McGinnis	Saylor
Caltagirone	Goodman	Mentzer	Schemel
Carroll	Greiner	Metcalfe	Schlossberg
Causar	Grove	Metzgar	Schreiber
Christiana	Hahn	Miccarelli	Schweyer
Cohen	Hanna	Millard	Simmons
Conklin	Harhai	Miller, B.	Sims
Corbin	Harhart	Miller, D.	Snyder
Costa, D.	Harkins	Milne	Sonney
Costa, P.	Harper	Moul	Staats
Cox	Harris, A.	Mullery	Stephens
Cruz	Harris, J.	Murt	Sturla
Culver	Heffley	Mustio	Tallman
Cutler	Helm	Neilson	Taylor
Daley, M.	Hennessey	Nelson	Thomas
Davis	Hickernell	Nesbit	Tobash
Dawkins	Hill	Neuman	Toepel
Day	Irvin	O'Brien	Toohil
Dean	James	O'Neill	Topper
Deasy	Jozwiak	Oberlander	Truitt
DeLissio	Kampf	Ortitay	Vitali
Delozier	Kaufer	Parker, D.	Ward
Dermody	Kauffman	Pashinski	Warner
Diamond	Kavulich	Payne	Watson
DiGirolamo	Keller, F.	Peifer	Wentling
Donatucci	Keller, M.K.	Petrarca	Wheatley
Driscoll	Keller, W.	Petri	Wheeland

Dunbar	Kim	Pickett	White
Dush	Kinsey	Pyle	Youngblood
Ellis	Kirkland	Quigley	Zimmerman
Emrick	Klunk	Quinn	
English	Knowles	Rader	Turzai,
Evankovich	Kortz	Rapp	Speaker
Evans	Kotik	Ravenstahl	

NAYS—0

NOT VOTING—0

EXCUSED—5

Daley, P. Davidson	DeLuca	McNeill	Vereb
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The majority having voted in the affirmative, the question was determined in the affirmative and the resolution was adopted.

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Mr. MICCARELLI called up **HR 880, PN 3323**, entitled:

A Resolution congratulating the Boeing Company on its 100th anniversary.

On the question,
Will the House adopt the resolution?

The SPEAKER. The Chair recognizes Representative Nick Miccarelli.

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

This is a great anniversary for all of us in Delaware County, in Pennsylvania as a whole, celebrating Boeing's anniversary. They do so many great things for our country and our Armed Forces.

The SPEAKER. Thank you, Representative Miccarelli.

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

The following roll call was recorded:

YEAS—197

Acosta	Everett	Krueger	Readshaw
Adolph	Fabrizio	Lawrence	Reed
Artis	Farina	Lewis	Reese
Baker	Farry	Longietti	Regan
Barbin	Fee	Mackenzie	Roae
Barrar	Flynn	Maher	Roebuck
Benninghoff	Frankel	Mahoney	Ross
Bizzarro	Freeman	Major	Rothman
Bloom	Gabler	Maloney	Rozzi
Boback	Gainey	Markosek	Saccone
Boyle	Galloway	Marshall	Sainato
Bradford	Gergely	Marsico	Samuelson
Briggs	Gibbons	Masser	Sankey
Brown, R.	Gillen	Matzie	Santarsiero
Brown, V.	Gillespie	McCarter	Santora
Bullock	Gingrich	McClinton	Savage
Burns	Godshall	McGinnis	Saylor
Caltagirone	Goodman	Mentzer	Schemel
Carroll	Greiner	Metcalfe	Schlossberg
Causar	Grove	Metzgar	Schreiber

Christiana	Hahn	Miccarelli	Schweyer
Cohen	Hanna	Millard	Simmons
Conklin	Harhai	Miller, B.	Sims
Corbin	Harhart	Miller, D.	Snyder
Costa, D.	Harkins	Milne	Sonney
Costa, P.	Harper	Moul	Staats
Cox	Harris, A.	Mullery	Stephens
Cruz	Harris, J.	Murt	Sturla
Culver	Heffley	Mustio	Tallman
Cutler	Helm	Neilson	Taylor
Daley, M.	Hennessey	Nelson	Thomas
Davis	Hickernell	Nesbit	Tobash
Dawkins	Hill	Neuman	Toepel
Day	Irvin	O'Brien	Toohil
Dean	James	O'Neill	Topper
Deasy	Jozwiak	Oberlander	Truitt
DeLissio	Kampf	Ortitay	Vitali
Delozier	Kaufer	Parker, D.	Ward
Dermody	Kauffman	Pashinski	Warner
Diamond	Kavulich	Payne	Watson
DiGirolamo	Keller, F.	Peifer	Wentling
Donatucci	Keller, M.K.	Petrarca	Wheatley
Driscoll	Keller, W.	Petri	Wheeland
Dunbar	Kim	Pickett	White
Dush	Kinsey	Pyle	Youngblood
Ellis	Kirkland	Quigley	Zimmerman
Emrick	Klunk	Quinn	
English	Knowles	Rader	Turzai,
Evankovich	Kortz	Rapp	Speaker
Evans	Kotik	Ravenstahl	

NAYS—0

NOT VOTING—0

EXCUSED—5

Daley, P.	DeLuca	McNeill	Vereb
Davidson			

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

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Mrs. DAVIS called up **HR 894, PN 3377**, entitled:

A Resolution recognizing the 100th anniversary of Edgely Fire Company 1, which proudly serves the residents and businesses of Bristol Township in Bucks County, Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—197

Acosta	Everett	Krueger	Readshaw
Adolph	Fabrizio	Lawrence	Reed
Artis	Farina	Lewis	Reese
Baker	Farry	Longietti	Regan
Barbin	Fee	Mackenzie	Roae
Barrar	Flynn	Maher	Roebuck
Benninghoff	Frankel	Mahoney	Ross
Bizzarro	Freeman	Major	Rothman
Bloom	Gabler	Maloney	Rozzi
Boback	Gainey	Markosek	Saccone

Boyle	Galloway	Marshall	Sainato
Bradford	Gergely	Marsico	Samuelson
Briggs	Gibbons	Masser	Sankey
Brown, R.	Gillen	Matzie	Santarsiero
Brown, V.	Gillespie	McCarter	Santora
Bullock	Gingrich	McClinton	Savage
Burns	Godshall	McGinnis	Saylor
Caltagirone	Goodman	Mentzer	Schemel
Carroll	Greiner	Metcalfe	Schlossberg
Causer	Grove	Metzgar	Schreiber
Christiana	Hahn	Miccarelli	Schweyer
Cohen	Hanna	Millard	Simmons
Conklin	Harhai	Miller, B.	Sims
Corbin	Harhart	Miller, D.	Snyder
Costa, D.	Harkins	Milne	Sonney
Costa, P.	Harper	Moul	Staats
Cox	Harris, A.	Mullery	Stephens
Cruz	Harris, J.	Murt	Sturla
Culver	Heffley	Mustio	Tallman
Cutler	Helm	Neilson	Taylor
Daley, M.	Hennessey	Nelson	Thomas
Davis	Hickernell	Nesbit	Tobash
Dawkins	Hill	Neuman	Toepel
Day	Irvin	O'Brien	Toohil
Dean	James	O'Neill	Topper
Deasy	Jozwiak	Oberlander	Truitt
DeLissio	Kampf	Ortitay	Vitali
Delozier	Kaufer	Parker, D.	Ward
Dermody	Kauffman	Pashinski	Warner
Diamond	Kavulich	Payne	Watson
DiGirolamo	Keller, F.	Peifer	Wentling
Donatucci	Keller, M.K.	Petrarca	Wheatley
Driscoll	Keller, W.	Petri	Wheeland
Dunbar	Kim	Pickett	White
Dush	Kinsey	Pyle	Youngblood
Ellis	Kirkland	Quigley	Zimmerman
Emrick	Klunk	Quinn	
English	Knowles	Rader	Turzai,
Evankovich	Kortz	Rapp	Speaker
Evans	Kotik	Ravenstahl	

NAYS—0

NOT VOTING—0

EXCUSED—5

Daley, P.	DeLuca	McNeill	Vereb
Davidson			

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

* * *

Mrs. DEAN called up **HR 929, PN 3538**, entitled:

A Resolution paying tribute to those who lost their lives during the nightclub shooting in Orlando, Florida, and extending condolences to the families and friends of the victims as well as to the City of Orlando, Florida.

On the question,
Will the House adopt the resolution?

The SPEAKER. The maker of the resolution has requested to speak after the vote.

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

The following roll call was recorded:

YEAS—197

Acosta	Everett	Krueger	Readshaw
Adolph	Fabrizio	Lawrence	Reed
Artis	Farina	Lewis	Reese
Baker	Farry	Longietti	Regan
Barbin	Fee	Mackenzie	Roae
Barrar	Flynn	Maier	Roebuck
Benninghoff	Frankel	Mahoney	Ross
Bizzarro	Freeman	Major	Rothman
Bloom	Gabler	Maloney	Rozzi
Boback	Gainey	Markosek	Saccone
Boyle	Galloway	Marshall	Sainato
Bradford	Gergely	Marsico	Samuelson
Briggs	Gibbons	Masser	Sankey
Brown, R.	Gillen	Matzie	Santarsiero
Brown, V.	Gillespie	McCarter	Santora
Bullock	Gingrich	McClinton	Savage
Burns	Godshall	McGinnis	Saylor
Caltagirone	Goodman	Mentzer	Schemel
Carroll	Greiner	Metcalfe	Schlossberg
Causar	Grove	Metzgar	Schreiber
Christiana	Hahn	Miccarelli	Schweyer
Cohen	Hanna	Millard	Simmons
Conklin	Harhai	Miller, B.	Sims
Corbin	Harhart	Miller, D.	Snyder
Costa, D.	Harkins	Milne	Sonney
Costa, P.	Harper	Moul	Staats
Cox	Harris, A.	Mullery	Stephens
Cruz	Harris, J.	Murt	Sturla
Culver	Heffley	Mustio	Tallman
Cutler	Helm	Neilson	Taylor
Daley, M.	Hennessey	Nelson	Thomas
Davis	Hickernell	Nesbit	Tobash
Dawkins	Hill	Neuman	Toepel
Day	Irvin	O'Brien	Toohil
Dean	James	O'Neill	Topper
Deasy	Jozwiak	Oberlander	Truitt
DeLissio	Kampf	Ortitay	Vitali
Delozier	Kaufer	Parker, D.	Ward
Dermody	Kauffman	Pashinski	Warner
Diamond	Kavulich	Payne	Watson
DiGirolamo	Keller, F.	Peifer	Wentling
Donatucci	Keller, M.K.	Petrarca	Wheatley
Driscoll	Keller, W.	Petri	Wheeland
Dunbar	Kim	Pickett	White
Dush	Kinsey	Pyle	Youngblood
Ellis	Kirkland	Quigley	Zimmerman
Emrick	Klunk	Quinn	
English	Knowles	Rader	Turzai,
Evankovich	Kortz	Rapp	Speaker
Evans	Kotik	Ravenstahl	

NAYS—0

NOT VOTING—0

EXCUSED—5

Daley, P.	DeLuca	McNeill	Vereb
Davidson			

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

STATEMENT BY MRS. DEAN

The SPEAKER. On unanimous consent, the Speaker recognizes Representative Dean.

Representative, you may proceed.

Mrs. DEAN. Thank you, Mr. Speaker.

My colleagues and I from across this State rise to pay tribute to those who lost their lives during the shooting in Orlando, Florida, on June 12, 2016. We thank all of you for joining us in this resolution offering condolences to the families and friends of the dead and injured, as well as to the city of Orlando, Florida.

Mr. Speaker, as we all know, two Sundays ago an American man armed with hate, a handgun, and an AR-15 went into Pulse nightclub – a gay nightclub – in Orlando and shot more than 100 people, killing 49 and seriously injuring 53 others; clearly an act of hate and terror. The Pulse shooting marks the deadliest mass shooting in United States history, and the nation's worst attack since September 11, 2001.

We rise to honor the uniformed police officer working at Pulse, who was the first to respond to the attack and exchanged gunfire with the gunman. We rise to honor the more than 100 officers from the Orange County Sheriff's Office, the Orlando Police Department, the SWAT (special weapons and tactics) team, and other law enforcement who acted with such courage, risking their lives to stop the shooter and prevent other loss of life. We rise to honor all of the first responders, emergency responders and medical teams who met carnage and hate, and instead responded with skillful healing and with love. And mostly we rise to honor those who have died and were injured and their families, and to denounce the killing of innocent people and to denounce the use of violence to express hate and inflict terror.

And while the LGBT (lesbian, gay, bisexual, and transgender) community was targeted, we all feel this loss of innocent victims, struck down on a dance floor simply trying to have a night of fun, struck down in hatred and in ignorance with an apparent ease that is incomprehensible. Thus, let us all be resolved to replace ignorance with understanding, to replace moments of silence with moments of action. Public safety is one of our government's core responsibilities; let us honor that responsibility.

And we must not worry if the time is right. I was in Representative Gainey's office this morning and reread the words of Martin Luther King. King reminds us, "The time is always right to do what is right." Let us resolve to do what is right to stop the carnage. Let us meet the extraordinary courage of those who responded to the Pulse tragedy with our own resolve and our own courage – to replace darkness with light, to replace sadness with healing, and let us resolve to replace hatred with love.

Thank you, Mr. Speaker.

I call upon my colleague.

STATEMENT BY MR. FRANKEL

The SPEAKER. Representative Frankel.

Mr. FRANKEL. Thank you, Mr. Speaker.

I thank my colleagues for supporting this resolution, and I thank my colleague from Montgomery County for bringing it to the House floor.

Today we remember and honor the victims of this tragic massacre, which appears to have been motivated not only by an act of terror, but also, what now is apparent, an act of hate that targeted a specific minority group in our country. I think we should all reflect on what it means for a group of people to be relegated to second-class status with respect to their statutory rights. History has shown repeatedly that minority groups who are consistently marginalized often become targets of violence. We should not permit that to continue.

It is my hope that the survivors, as well as the friends and family of the victims, will somehow find peace in the days and months ahead, and it is my hope that the tragedy in Orlando will inspire us to treat each other with compassion, with dignity, and with equality.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, Representative Frankel.

STATEMENT BY MS. ACOSTA

The SPEAKER. Representative Acosta.

Ms. ACOSTA. Thank you, Mr. Speaker.

I rise in support of HR 929, offered by my colleague from Montgomery County.

Mr. Speaker, the world watched in horror as the tragic news unfolded that a gunman – a terrorist – killed 49 people and wounded 53 others in a mass shooting at an LGBT nightclub in Orlando on June 12. Among the victims of the shooting at Pulse nightclub were a breast and a bone cancer survivor, a financial aid officer at a local university, and a captain in the United States Army Reserve. They were sons, daughters, fathers, spouses, friends, and colleagues. One was a mother of 11 children. Many were immigrants who recently came to our country.

The aftermath of the attack hit us especially hard in the City of Brotherly Love as we mourned the loss of an 18-year-old, Akyra Monet Murray, an honors student and basketball star who recently graduated from West Catholic Preparatory High School in the fall. But her life was tragically cut short before she got to fulfill the potential everyone who knew her saw in her.

After her death, Akyra's high school basketball coach said, "Akyra was a respectful and self-determined young woman who served as a natural leader to her teammates and all that observed her from afar. She graduated third in her senior class and led our team in scoring for the past two seasons. What she displayed in academic and athletic excellence, she also displayed with her shining personality."

The world was robbed of the opportunity to see just what Akyra and other victims were capable of. The victims' families and friends were robbed of the chance to see their loved ones one last time, to let them know how much they cared. Though we offer words of comfort in the time of mourning, nothing we do or say can make this great injustice right. To be clear, this act of hate and terror – the deadliest mass shooting in United States history and the country's worst terror attack since September 11 – was an attack on the very ideals that make America the great nation that it is. It sought to strike down our democratic ideology and our acceptance of people who may be different than we are.

But just as important, the terrorist's act was also an attack on our LGBT community, and more narrowly, on people of color, specifically Hispanics, specifically Puerto Ricans that were at that nightclub. This is a community that has already been marginalized – even here in Pennsylvania, when an LGBT person can get married on a Saturday but fired from their job on a Monday, all because of who they love. The attack in Orlando was a horrifying reminder that a large part of our population – our friends, family members, colleagues, and neighbors – still suffer great injustices every day, and we must work to correct them.

It is a contentious time here in Harrisburg and in Pennsylvania, but I know we can all agree on the fact that something needs be done in the wake of this and other mass shootings. We owe it to the 49 souls who lost their lives on June 12, and the countless ones who have died in similar attacks across this country.

Mr. Speaker, let us all honor the innocent men and women who lost their lives that fateful evening in our actions and in our words, and let us stand together so that the community of Orlando knows that the citizens of this Commonwealth are holding them in our thoughts. Thank you.

The SPEAKER. Thank you, Representative Acosta.

Do any of the other members wish to speak?

STATEMENT BY MR. GAINNEY

The SPEAKER. Representative Gainney.

Mr. GAINNEY. First and foremost, I just want to offer my prayers to the families of the victims that were assassinated in the Orlando nightclub. Again it is just another situation of random killings that really, to all of us in this Assembly, it just does not make any sense. An AK-47, AR-15, whatever the gun of choice is that is creating these mass killings, at some level I am hoping we can have a conversation about assault weapons. I do not see the need to have assault weapons in the street. I have talked to many people that are in gaming. They love – I mean, they love hunting and things like that – and they say, "Ed, if I shoot an animal with an assault weapon, there is nothing to eat." It blows them straight out of the orbit.

What I am trying to say to you guys is that military assault weapons have a place, but they do not have a place in our society. Our children and people that really do not need to have them are getting them, and when they are getting them, it is doing things to our community that are hurting and killing our innocent. At some level we have to have a conversation to talk about how we come together on some level and talk about what we do with some of this gun violence. I am never a proponent of trying to do anything to hurt the Second Amendment – never. I think that everyone has a right to bear arms. But I do think that we are getting a little outside the norm when we are saying that assault weapons need to be on our street for protection.

The SPEAKER. Representative Gainney, with all due respect, please, on the victims and the resolution.

Mr. GAINNEY. I will keep it on the victims.

The SPEAKER. We do not have that—

Mr. GAINNEY. I appreciate it.

The SPEAKER. We do not have any legislation of that nature in front of us at all.

Mr. GAINEY. I appreciate it.

The SPEAKER. Please, on the victims.

Mr. GAINEY. I appreciate it. I will stay on the victims, but I will close with this: I think that we just should take a moment of silence for every victim in Orlando, and I am hoping going forward we will not have any situations where we need to take a moment of silence. Thank you.

The SPEAKER. With respect to the victims, our hearts and prayers go to those individuals.

Thank you very much, members.

GUESTS INTRODUCED

The SPEAKER. Located to the left of the rostrum, the Chair welcomes Connie Brangman, who is accompanying our Guest Chaplain today, and she is the guest of Representative Patty Kim. Thank you so much for being with us today.

Located in the rear of the House, the Chair welcomes a group of high school musicians from the group El Sistema, who are playing in the East Wing Rotunda at noon today. This group is from the Allentown School District and participates in a learning program with the Allentown Symphony. They are the guests of Representatives Schweyer and Schlossberg. Please rise.

Located to the left of the rostrum, the Chair welcomes Devin Aughton. He is shadowing Representative Matt Gabler for the day. Please rise, Devin.

Located to the left of the rostrum, the Chair welcomes Nathan Phan, a graduate of Penn Manor High School. He is the guest of Representative Brett Miller. Please stand.

Located to the left of the rostrum, the Chair welcomes an intern with Representative Tina Davis. Her name is Bethany Gartner, and she is here with her mother, Mary Ann Gartner. Please stand.

Located to the left of the rostrum, the Chair welcomes two winners of this year's House of Representatives Scholarship. Megan Schadle is from Tower City in Representative Mike Tobash's district. She is a graduate of Williams Valley High School and plans to attend Susquehanna University in the fall. She is here with her parents, Penni and Mark Schadle, who are seated in the rear of the House. Are the parents here too? Please stand. Thank you and congratulations. That is outstanding. Our other winner is Hannah Houtz, and she is from Landisburg in Representative Mark Keller's district. She is a graduate of West Perry High School and also plans to attend Susquehanna University – beautiful school – in the fall to study foreign language and linguistics. Hannah is here with her parents, Ted and Martha, and her brothers, Jonah and Elijah, who are seated in the rear of the House. Please stand, and congratulations.

STATEMENT BY MR. KELLER

The SPEAKER. The Chair would like to recognize Representative Mark Keller on unanimous consent.

Mr. M. KELLER. Mr. Speaker, thank you so much for the opportunity to say a few words about Hannah. You do not know how proud I am to have a recipient of this scholarship here in the House. When I think back of all – and I am not going to read them all – of all the awards that Hannah has received: she was salutatorian of the class of 2016, outstanding National Honor Society participant, political science and citizenship award,

State winner/representative at the national level of the VFW's (Veterans of Foreign Wars) Voice of Democracy.

Now, let me talk about that a little bit. I had the opportunity at Memorial Day to hear that speech in itself, and if any of you have the opportunity, please take the time and go to that Web site and listen to that. It is so thoughtful of an individual on what her perspective is that it just makes me so proud to represent people like that from my community. Not to take anything away from Hannah, but this is 2 years in a row that I have had constituents actually receive the scholarship from the House of Representatives, so that really, really makes me proud.

And, Mr. Speaker, could we have another round of applause for Hannah. She has done such a wonderful job. Thank you, Mr. Speaker.

The SPEAKER. Thank you, Representative Keller.

GUESTS INTRODUCED

The SPEAKER. The Foundation for Enhancing Communities administers the scholarship program and we have two representatives from that foundation: Faith Elmes is the scholarship associate and Allison Moesta – I believe I am saying that correctly – is the program officer for educational enhancement. If they will both please rise. Thank you so much for being with us today.

STATEMENT BY MR. TOBASH

The SPEAKER. Representative Mike Tobash is recognized on unanimous consent.

Mr. TOBASH. Thank you, Mr. Speaker.

I just want to take this opportunity to convey my pride in my constituent, Megan Schadle, for receiving one of the two awards that Representative Keller just talked about. And I can tell you that this gives me a chance to talk about not only being a scholar and the work that you need to do scholastically to be the recipient of such an award, but it gives me a chance to talk about athleticism also.

Megan is the catcher for the Williams Valley Softball Team, who just won a State championship last Thursday. So she will be visiting us with her teammates again in the Capitol very shortly. But I can tell you that students today do so very much, and her scholastic endeavors and her commitment to community and her athletic prowess make me so proud and honored to be able to recognize her today as one of two recipients to this outstanding award.

And I want to congratulate her parents, Penni and Mark. They certainly have a lot to celebrate this week, as does Megan. She is also going to be attending Susquehanna University, and we are thrilled to have her and her parents here today.

Thank you very much, Mr. Speaker.

The SPEAKER. Thank you, Representative Tobash.

GUESTS INTRODUCED

The SPEAKER. In the rear of the House, the Chair welcomes Derek and Barbara Schroeder, and these are guests of Representative Everett. And we also have the State Junior Grange Prince and Princess, Isaiah Blatt and Mikayla Davis. So to all of you, hearty congratulations, and thank you so much for being with us today; in the back left-hand corner.

Representative George Dunbar has some very, very special guests with us today: his wife, Sandy; his daughters, Alex and Samantha; and a big group of friends. So thanks so much for being here today with us. It is a pleasure having you here.

In the rear of the House, Representative Bullock has some special guests, her sons, Malcolm and Xavier. And that is just great. Malcolm is 8 years old and just won a spelling bee, and 5-year-old Xavier just graduated from pre-K and will be attending kindergarten at the Gesu School in the fall. It is great having you here today. And you are going to see a lot of action. Thank you very, very much.

Nia Coleman and Joseph Egler are in the rear of the House, and they are interns in Representative Dean's district office. If you will please stand. Thank you so much for being with us today. Right in the back, back right.

Representative Scott Petri has guests. He welcomes Nick and Nancy Guarna. Nick is a rising senior at Council Rock North High School and is shadowing Representative Petri for the day. Thanks so much for being with us today.

Representative Karen Boback has an outstanding group. They are in the gallery, and they are Rotary exchange students from district 7410. If you could all please stand. You have got the best seat in the House, I think. And welcome very much, and all the best to you at the Rotary.

Representative Mark Rozzi has as a guest today Taylor Wolf, an intern in his, I believe, district office. Taylor, if you could please stand. In the gallery, where is Taylor? Well, they are all standing. I am not going to be able to pick out the person, but thank you for being with us today. Thank you, and come onto the House floor when you have an opportunity.

The Chair is ready for announcements.

RULES AND APPROPRIATIONS COMMITTEE MEETINGS

The SPEAKER. The Chair will turn to Chairman Bill Adolph for announcements.

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

Mr. Speaker, I am going to announce two meetings. The first meeting will be an immediate meeting of the Rules Committee in the House Republican conference room, and then at 12 o'clock noon the House Appropriations Committee will hold a voting meeting in the majority caucus room. Thank you.

The SPEAKER. There will be an immediate meeting of the Rules Committee in the House Republican conference room, and at 12 o'clock noon the House Appropriations Committee will hold a voting meeting in the majority caucus room.

REPUBLICAN CAUCUS

The SPEAKER. Representative Sandra Major, majority caucus chair.

Ms. MAJOR. Thank you, Mr. Speaker.

I would like to announce Republicans will caucus today at 12:30. I would ask our Republican members to please report to our caucus room at 12:30. We would be prepared to come back on the floor, Mr. Speaker, at 1:30. Thank you.

DEMOCRATIC CAUCUS

The SPEAKER. Representative Dan Frankel, for a caucus announcement.

Mr. FRANKEL. Thank you, Mr. Speaker.

Democrats will also caucus at 12:30. Democrats will caucus at 12:30.

RECESS

The SPEAKER. Members, the House will stand in recess until 1:30.

RECESS EXTENDED

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

AFTER RECESS

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

BILLS REREPORTED FROM COMMITTEES

HB 1524, PN 2317

By Rep. ADOLPH

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, in adoption, repealing provisions relating to counseling and providing for adoption-related counseling services.

APPROPRIATIONS.

HB 1526, PN 3512

By Rep. ADOLPH

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, in adoption, further providing for report of intention to adopt, for consents necessary to adoption and for notice of hearing.

APPROPRIATIONS.

HB 1529, PN 3513

By Rep. ADOLPH

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, in adoption, further providing for home study and preplacement report and for report of intention to adopt, repealing provisions relating to report of intermediary and exhibits, further providing for investigation, for contents of petition for adoption and for exhibits, providing for permissible reimbursement of expenses and further providing for time of entry of decree of adoption.

APPROPRIATIONS.

HB 1698, PN 3532

By Rep. REED

An Act providing for coverage requirements by an insurance carrier or health insurance plan for abuse-deterrent opioid analgesic drug products.

RULES.

HB 1699, PN 3533

By Rep. REED

An Act providing for limitations on the dispensing of opioid drug products in hospital emergency departments and urgent care centers and for duties of the Department of Health; and imposing a penalty.

RULES.

HB 1774, PN 3514

By Rep. REED

An Act amending Title 68 (Real and Personal Property) of the Pennsylvania Consolidated Statutes, as follows: in management of the condominium, providing for mediation in substantial condominiums and for complaints filed with Bureau of Consumer Protection; in protection of purchasers, further providing for effect of violations on rights of action; in management of cooperatives, providing for mediation in substantial cooperatives and for complaints filed with Bureau of Consumer Protection; in management of planned community, providing for mediation in substantial planned communities and for complaints filed with Bureau of Consumer Protection and further providing for association records; and in protection of purchasers, further providing for effect of violations on rights of action.

RULES.

HB 1805, PN 3534

By Rep. REED

An Act amending the act of October 27, 2014 (P.L.2911, No.191), known as the Achieving Better Care by Monitoring All Prescriptions Program (ABC-MAP) Act, providing for licensing boards to require education in pain management, addiction and prescribing and dispensing practices for opioids.

RULES.

HB 1888, PN 3037

By Rep. ADOLPH

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, providing for tax amnesty program for fiscal year 2016-2017.

APPROPRIATIONS.

HB 1940, PN 3077

By Rep. ADOLPH

An Act amending the act of December 19, 1990 (P.L.1200, No.202), known as the Solicitation of Funds for Charitable Purposes Act, further providing for exemptions from registration.

APPROPRIATIONS.

HB 1948, PN 3056

By Rep. ADOLPH

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in abortion, further providing for definitions and for medical consultation and judgment, repealing provisions related to spousal notice, further providing for the offense of abortion of unborn child of 24 or more weeks gestational age, providing for dismemberment abortion ban and further providing for reporting.

APPROPRIATIONS.

HB 1998, PN 3515

By Rep. ADOLPH

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in parking authorities, further providing for special provisions for authorities in cities of the first class.

APPROPRIATIONS.

HB 2050, PN 3304

By Rep. ADOLPH

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in proprietary and official rights, further providing for wearing of uniforms and insignia.

APPROPRIATIONS.

HB 2084, PN 3509

By Rep. ADOLPH

An Act amending Title 61 (Prisons and Parole) of the Pennsylvania Consolidated Statutes, in miscellaneous provisions, providing for oleoresin capsicum spray.

APPROPRIATIONS.

SB 917, PN 1922

By Rep. ADOLPH

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in juvenile matters, providing for interagency information sharing.

APPROPRIATIONS.

SB 936, PN 1148

By Rep. ADOLPH

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, in support matters generally, further providing for attachment of income.

APPROPRIATIONS.

SB 1205, PN 1727

By Rep. ADOLPH

An Act authorizing the Department of General Services, with the approval of the Governor, to grant and convey to the Borough of East Stroudsburg certain permanent public water supply system easements situate in the Borough of East Stroudsburg, Monroe County; and authorizing the East Stroudsburg University of Pennsylvania of the State System of Higher Education, with the approval of the Governor, to grant and convey to the Borough of East Stroudsburg certain permanent public water supply system easements situate in the Borough of East Stroudsburg, Monroe County.

APPROPRIATIONS.

BILLS ON CONCURRENCE REPORTED FROM COMMITTEE

HB 1325, PN 3164

By Rep. REED

An Act amending the act of May 1, 1933 (P.L.103, No.69), known as The Second Class Township Code, in storm water management plans and facilities, further providing for ordinances and providing for fees.

RULES.

HB 1766, PN 3382

By Rep. REED

An Act amending Title 40 (Insurance) of the Pennsylvania Consolidated Statutes, providing for standard valuation; and making related repeals regarding Act 284 of 1921 and Act 285 of 1921.

RULES.

LEAVES OF ABSENCE CANCELED

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

LEAVE OF ABSENCE

The SPEAKER. Representative Nick KOTIK has requested to be placed on leave for the remainder of the day. Without objection, that will be granted.

CALENDAR CONTINUED

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **SB 1123, PN 1937**, entitled:

An Act amending Title 3 (Agriculture) of the Pennsylvania Consolidated Statutes, in weights and measures, further providing for standards for automotive fuel.

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 1270, PN 1819**, entitled:

An Act amending the act of July 10, 1990 (P.L.404, No.98), known as the Real Estate Appraisers Certification Act, further providing for powers and duties of the State Board of Certified Real Estate Appraisers, for application and qualifications, for reciprocity and for certification renewal, licensure renewal and records.

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

GUEST INTRODUCED

The SPEAKER. Members, we have a special guest. Representative Tonyelle Cook-Artis has as a guest today her son, Noah Artis. Noah, where are you? Noah, how are you? He is up in the gallery. Noah will be attending the eighth grade at Immanuel Lutheran School this fall. Keep up the good work.

BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of **SB 533, PN 490**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in other criminal provisions, further providing for supervisory relationship to offenders.

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

Mr. **MARSICO** offered the following amendment No. **A08497**:

Amend Bill, page 3, line 12, by striking out "court" and inserting county adult probation and parole department

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

The SPEAKER. On that question, the Chair recognizes Representative Marsico.

Mr. **MARSICO**. Thank you, Mr. Speaker.

This is a technical amendment, and it is agreed to. I ask for a positive vote.

The SPEAKER. Yes, sir.

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

The following roll call was recorded:

YEAS—198

Acosta	Evankovich	Kortz	Ravenstahl
Adolph	Evans	Krueger	Readshaw
Artis	Everett	Lawrence	Reed
Baker	Fabrizio	Lewis	Reese
Barbin	Farina	Longietti	Regan
Barrar	Farry	Mackenzie	Roae
Benninghoff	Fee	Maher	Roebuck
Bizzarro	Flynn	Mahoney	Ross
Bloom	Frankel	Major	Rothman
Boback	Freeman	Maloney	Rozzi
Boyle	Gabler	Markosek	Saccone
Bradford	Gainey	Marshall	Sainato
Briggs	Galloway	Marsico	Samuelson
Brown, R.	Gergely	Masser	Sankey
Brown, V.	Gibbons	Matzie	Santarsiero
Bullock	Gillen	McCarter	Santora
Burns	Gillespie	McClinton	Savage
Caltagirone	Gingrich	McGinnis	Saylor
Carroll	Godshall	Mentzer	Schemel
Causer	Goodman	Metcalfe	Schlossberg
Christiana	Greiner	Metzgar	Schreiber
Cohen	Grove	Miccarelli	Schweyer
Conklin	Hahn	Millard	Simmons
Corbin	Hanna	Miller, B.	Sims
Costa, D.	Harhai	Miller, D.	Snyder
Costa, P.	Harhart	Milne	Sonney
Cox	Harkins	Moul	Staats
Cruz	Harper	Mullery	Stephens
Culver	Harris, A.	Murt	Sturla
Cutler	Harris, J.	Mustio	Tallman
Daley, M.	Heffley	Neilson	Taylor
Daley, P.	Helm	Nelson	Thomas
Davidson	Hennessey	Nesbit	Tobash
Davis	Hickernell	Neuman	Toepel
Dawkins	Hill	O'Brien	Toohil
Day	Irvin	O'Neill	Topper
Dean	James	Oberlander	Truitt
Deasy	Jozwiak	Ortitay	Vitali
DeLissio	Kampf	Parker, D.	Ward
Delozier	Kaufner	Pashinski	Warner
Dermody	Kauffman	Payne	Watson
Diamond	Kavulich	Peifer	Wentling
DiGirolamo	Keller, F.	Petrarca	Wheatley
Donatucci	Keller, M.K.	Petri	Wheeland
Driscoll	Keller, W.	Pickett	White
Dunbar	Kim	Pyle	Youngblood
Dush	Kinsey	Quigley	Zimmerman

Ellis	Kirkland	Quinn	
Emrick	Klunk	Rader	Turzai,
English	Knowles	Rapp	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—4

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

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

The SPEAKER. The bill as amended will be reprinted.

RESOLUTION

Mr. READSHAW called up **HR 893, PN 3505**, entitled:

A Resolution directing the Joint State Government Commission to conduct a study and publish a report on the benefits, costs and drawbacks of alternative opioid dependence treatment programs that utilize Federal Food and Drug Administration-approved medications.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—198

Acosta	Evankovich	Kortz	Ravenstahl
Adolph	Evans	Krueger	Readshaw
Artis	Everett	Lawrence	Reed
Baker	Fabrizio	Lewis	Reese
Barbin	Farina	Longietti	Regan
Barrar	Farry	Mackenzie	Roae
Benninghoff	Fee	Maher	Roebuck
Bizzarro	Flynn	Mahoney	Ross
Bloom	Frankel	Major	Rothman
Boback	Freeman	Maloney	Rozzi
Boyle	Gabler	Markosek	Saccone
Bradford	Gainey	Marshall	Sainato
Briggs	Galloway	Marsico	Samuelson
Brown, R.	Gergely	Masser	Sankey
Brown, V.	Gibbons	Matzie	Santarsiero
Bullock	Gillen	McCarter	Santora
Burns	Gillespie	McClinton	Savage
Caltagirone	Gingrich	McGinnis	Saylor
Carroll	Godshall	Mentzer	Schemel
Causser	Goodman	Metcalfe	Schlossberg
Christiana	Greiner	Metzgar	Schreiber
Cohen	Grove	Miccarelli	Schweyer
Conklin	Hahn	Millard	Simmons
Corbin	Hanna	Miller, B.	Sims
Costa, D.	Harhai	Miller, D.	Snyder
Costa, P.	Harhart	Milne	Sonney
Cox	Harkins	Moul	Staats
Cruz	Harper	Mullery	Stephens
Culver	Harris, A.	Murt	Sturla
Cutler	Harris, J.	Mustio	Tallman

Daley, M.	Heffley	Neilson	Taylor
Daley, P.	Helm	Nelson	Thomas
Davidson	Hennessey	Nesbit	Tobash
Davis	Hickernell	Neuman	Toepel
Dawkins	Hill	O'Brien	Toohil
Day	Irvin	O'Neill	Topper
Dean	James	Oberlander	Truitt
Deasy	Jozwiak	Ortitay	Vitali
DeLissio	Kampf	Parker, D.	Ward
Delozier	Kaufner	Pashinski	Warner
Dermody	Kauffman	Payne	Watson
Diamond	Kavulich	Peifer	Wentling
DiGirolamo	Keller, F.	Petrarca	Wheatley
Donatucci	Keller, M.K.	Petri	Wheeland
Driscoll	Keller, W.	Pickett	White
Dunbar	Kim	Pyle	Youngblood
Dush	Kinsey	Quigley	Zimmerman
Ellis	Kirkland	Quinn	
Emrick	Klunk	Rader	Turzai,
English	Knowles	Rapp	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—4

DeLuca	Kotik	McNeill	Vereb
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The majority having voted in the affirmative, the question was determined in the affirmative and the resolution was adopted.

SUPPLEMENTAL CALENDAR A

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 1698, PN 3532**, entitled:

An Act providing for coverage requirements by an insurance carrier or health insurance plan for abuse-deterrent opioid analgesic drug products.

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

* * *

The House proceeded to second consideration of **HB 1699, PN 3533**, entitled:

An Act providing for limitations on the dispensing of opioid drug products in hospital emergency departments and urgent care centers and for duties of the Department of Health; and imposing a penalty.

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

Mrs. **R. BROWN** offered the following amendment
No. **A08536**:

Amend Bill, page 2, line 18, by striking out all of said line and inserting

- (a) Limitation on quantity of opioid drug products.—
 - (1) Except as set forth in paragraph (2), a

Amend Bill, page 2, by inserting between lines 22 and 23
 (2) Notwithstanding paragraph (1), if, in the professional medical judgment of a health care practitioner, more than a seven-day supply of an opioid drug product is required to treat a patient's acute medical condition or is necessary for the treatment of pain associated with a cancer diagnosis or for palliative care, then the health care practitioner may issue a prescription for the quantity needed to treat such acute medical condition or pain associated with a cancer diagnosis or for palliative care. The condition triggering prescription of the opioid drug product under this paragraph shall be documented in the patient's medical record, and the health care practitioner must indicate that a non-opioid drug product alternative was not appropriate to treat the medical condition and that the health care practitioner provided the patient with a pain management referral.

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

The SPEAKER. On that question, the Chair recognizes Representative Rosemary Brown.

Mrs. R. BROWN. Thank you, Mr. Speaker.

This amendment adds exceptions to the underlying bill as it relates to the prescribing limits. It permits a health-care practitioner to prescribe more than a 7-day supply of an opioid only if the medication is required to treat pain associated with a cancer diagnosis or palliative care or an acute medical condition in which the health-care practitioner believes the patient needs more than a 7-day supply. Also, what is really important in this bill is that the doctor, the physician, must document why they are going up and beyond the 7-day prescribing guidelines and also possibly give a pain referral to the patient as well.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, Representative.

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

The following roll call was recorded:

YEAS—198

Acosta	Evankovich	Kortz	Ravenstahl
Adolph	Evans	Krueger	Readshaw
Artis	Everett	Lawrence	Reed
Baker	Fabrizio	Lewis	Reese
Barbin	Farina	Longietti	Regan
Barrar	Farry	Mackenzie	Roae
Benninghoff	Fee	Maher	Roebuck
Bizzarro	Flynn	Mahoney	Ross
Bloom	Frankel	Major	Rothman
Boback	Freeman	Maloney	Rozzi
Boyle	Gabler	Markosek	Saccone
Bradford	Gainey	Marshall	Sainato
Briggs	Galloway	Marsico	Samuelson
Brown, R.	Gergely	Masser	Sankey
Brown, V.	Gibbons	Matzie	Santarsiero
Bullock	Gillen	McCarter	Santora
Burns	Gillespie	McClinton	Savage
Caltagirone	Gingrich	McGinnis	Saylor
Carroll	Godshall	Mentzer	Schemel
Causar	Goodman	Metcalfe	Schlossberg
Christiana	Greiner	Metzgar	Schreiber
Cohen	Grove	Miccarelli	Schweyer
Conklin	Hahn	Millard	Simmons
Corbin	Hanna	Miller, B.	Sims

Costa, D.	Harhai	Miller, D.	Snyder
Costa, P.	Harhart	Milne	Sonney
Cox	Harkins	Moul	Staats
Cruz	Harper	Mullery	Stephens
Culver	Harris, A.	Murt	Sturla
Cutler	Harris, J.	Mustio	Tallman
Daley, M.	Heffley	Neilson	Taylor
Daley, P.	Helm	Nelson	Thomas
Davidson	Hennessey	Nesbit	Tobash
Davis	Hickernell	Neuman	Toepel
Dawkins	Hill	O'Brien	Toohil
Day	Irvin	O'Neill	Topper
Dean	James	Oberlander	Truitt
Deasy	Jozwiak	Ortity	Vitali
DeLissio	Kampf	Parker, D.	Ward
Delozier	Kaufner	Pashinski	Warner
Dermody	Kauffman	Payne	Watson
Diamond	Kavulich	Peifer	Wentling
DiGirolamo	Keller, F.	Petrarca	Wheatley
Donatucci	Keller, M.K.	Petri	Whealand
Driscoll	Keller, W.	Pickett	White
Dunbar	Kim	Pyle	Youngblood
Dush	Kinsey	Quigley	Zimmerman
Ellis	Kirkland	Quinn	
Emrick	Klunk	Rader	Turzai, Speaker
English	Knowles	Rapp	

NAYS—0

NOT VOTING—0

EXCUSED—4

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

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

Mr. **EVANKOVICH** offered the following amendment
 No. **A08529**:

Amend Bill, page 3, line 9, by inserting after "Act."
 This section shall not apply to any medication provided to a patient in the course of treatment while the patient is admitted to a hospital or under the care of an emergency department.

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

The SPEAKER. On that question, the Chair recognizes Representative Rosemary Brown.

Mrs. R. BROWN. Thank you, Mr. Speaker.

This is just a technical amendment, and it is agreed to. Thank you.

The SPEAKER. Thank you, Representative.

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

The following roll call was recorded:

YEAS—198

Acosta	Evankovich	Kortz	Ravenstahl
Adolph	Evans	Krueger	Readshaw
Artis	Everett	Lawrence	Reed
Baker	Fabrizio	Lewis	Reese
Barbin	Farina	Longietti	Regan
Barrar	Farry	Mackenzie	Roae
Benninghoff	Fee	Maher	Roebuck
Bizzarro	Flynn	Mahoney	Ross
Bloom	Frankel	Major	Rothman
Boback	Freeman	Maloney	Rozzi
Boyle	Gabler	Markosek	Saccone
Bradford	Gainey	Marshall	Sainato
Briggs	Galloway	Marsico	Samuelson
Brown, R.	Gergely	Masser	Sankey
Brown, V.	Gibbons	Matzie	Santarsiero
Bullock	Gillen	McCarter	Santora
Burns	Gillespie	McClinton	Savage
Caltagirone	Gingrich	McGinnis	Saylor
Carroll	Godshall	Menzter	Schemel
Causar	Goodman	Metcalfe	Schlossberg
Christiana	Greiner	Metzgar	Schreiber
Cohen	Grove	Miccarelli	Schweyer
Conklin	Hahn	Millard	Simmons
Corbin	Hanna	Miller, B.	Sims
Costa, D.	Harhai	Miller, D.	Snyder
Costa, P.	Harhart	Milne	Sonney
Cox	Harkins	Moul	Staats
Cruz	Harper	Mullery	Stevens
Culver	Harris, A.	Murt	Sturla
Cutler	Harris, J.	Mustio	Tallman
Daley, M.	Heffley	Neilson	Taylor
Daley, P.	Helm	Nelson	Thomas
Davidson	Hennessey	Nesbit	Tobash
Davis	Hickernell	Neuman	Toepel
Dawkins	Hill	O'Brien	Toohil
Day	Irvin	O'Neill	Topper
Dean	James	Oberlander	Truitt
Deasy	Jozwiak	Ortitay	Vitali
DeLissio	Kampf	Parker, D.	Ward
Delozier	Kaufner	Pashinski	Warner
Dermody	Kauffman	Payne	Watson
Diamond	Kavulich	Peifer	Wentling
DiGirolamo	Keller, F.	Petrarca	Wheatley
Donatucci	Keller, M.K.	Petri	Wheeland
Driscoll	Keller, W.	Pickett	White
Dunbar	Kim	Pyle	Youngblood
Dush	Kinsey	Quigley	Zimmerman
Ellis	Kirkland	Quinn	
Emrick	Klunk	Rader	Turzai,
English	Knowles	Rapp	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—4

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

On the question recurring,

Will the House agree to the bill on second consideration as amended?

Bill as amended was agreed to.

The SPEAKER. The bill as amended will be reprinted.

* * *

The House proceeded to second consideration of **HB 1805, PN 3534**, entitled:

An Act amending the act of October 27, 2014 (P.L.2911, No.191), known as the Achieving Better Care by Monitoring All Prescriptions Program (ABC-MAP) Act, providing for licensing boards to require education in pain management, addiction and prescribing and dispensing practices for opioids.

On the question,

Will the House agree to the bill on second consideration?

Bill was agreed to.

* * *

The House proceeded to second consideration of **HB 1774, PN 3514**, entitled:

An Act amending Title 68 (Real and Personal Property) of the Pennsylvania Consolidated Statutes, as follows: in management of the condominium, providing for mediation in substantial condominiums and for complaints filed with Bureau of Consumer Protection; in protection of purchasers, further providing for effect of violations on rights of action; in management of cooperatives, providing for mediation in substantial cooperatives and for complaints filed with Bureau of Consumer Protection; in management of planned community, providing for mediation in substantial planned communities and for complaints filed with Bureau of Consumer Protection and further providing for association records; and in protection of purchasers, further providing for effect of violations on rights of action.

On the question,

Will the House agree to the bill on second consideration?

Mrs. **R. BROWN** offered the following amendment No. **A08532**:

Amend Bill, page 1, line 6, by inserting after "MEDIATION" or alternative dispute resolution

Amend Bill, page 1, line 7, by striking out "SUBSTANTIAL"

Amend Bill, page 1, line 11, by inserting after "MEDIATION" or alternative dispute resolution

Amend Bill, page 1, line 12, by striking out "SUBSTANTIAL"

Amend Bill, page 1, line 15, by inserting after "MEDIATION" or alternative dispute resolution

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

Amend Bill, page 1, lines 16 and 17, by striking out "AND

FURTHER PROVIDING FOR ASSOCIATION RECORDS"

Amend Bill, page 3, line 9, by inserting after "MEDIATION" or alternative dispute resolution

Amend Bill, page 3, line 11, by striking out "SUBSTANTIAL"

Amend Bill, page 3, lines 14 through 17, by striking out all of said lines and inserting

(2) A condominium established on or before the effective date of this section may adopt bylaws in compliance with the provisions of this section.

Amend Bill, page 3, line 20, by inserting after "OR" alternative dispute

Amend Bill, page 3, line 23, by inserting after "OR" alternative

Amend Bill, page 3, line 24, by inserting after "MEDIATION" or alternative dispute resolution

Amend Bill, page 3, line 25, by inserting after "OR"

alternative

Amend Bill, page 3, lines 28 through 30; page 4, lines 1 through 4; by striking out all of said lines on said pages and inserting

(c) Construction.—Nothing in this section shall be construed to affect or impair the right of a unit owner, declarant or association to pursue a private cause of action or seek other relief

Amend Bill, page 4, line 6, by inserting after "OWNER" in good standing

Amend Bill, page 4, line 12, by inserting after "OR" alternative

Amend Bill, page 4, line 12, by inserting after "DISPUTE" resolution

Amend Bill, page 4, line 17, by inserting after "OR" alternative

Amend Bill, page 4, line 19, by striking out "OR"

Amend Bill, page 4, line 21, by inserting after "OR" alternative

Amend Bill, page 4, by inserting between lines 23 and 24

(c) Immediate filing.—A complaint may be filed by a unit owner with the Bureau of Consumer Protection immediately, if:

(1) a mediation or alternative dispute resolution procedure is not available to the unit owner under the association's declaration, bylaws, rules or regulations; or

(2) the association refuses mediation or alternative dispute resolution under section 3321(b)(2) (relating to mediation or alternative dispute resolution in condominiums).

Amend Bill, page 4, line 24, by striking out "(C)" and inserting (d)

Amend Bill, page 4, by inserting between lines 27 and 28

(e) Definitions.—As used in this section, the following words and phrases shall have the meanings given to them in this subsection unless the context clearly indicates otherwise:

"Unit owner in good standing." A unit owner who is current in payment of assessments and fines, unless the assessment or fines are directly related to the complaint being filed with the Bureau of Consumer Protection regarding sections 3308 (relating to meetings), 3309 (relating to quorums), 3310 (relating to voting; proxies) and 3316 (relating to association records).

Amend Bill, page 5, line 9, by inserting after "MEDIATION" or alternative dispute resolution

Amend Bill, page 5, line 9, by striking out "SUBSTANTIAL"

Amend Bill, page 5, line 11, by striking out "SUBSTANTIAL"

Amend Bill, page 5, lines 14 through 17, by striking out all of said lines and inserting

(2) A cooperative established on or before the effective date of this section may adopt bylaws in compliance with the provisions of this section.

Amend Bill, page 5, line 19, by inserting after "FOR" alternative

Amend Bill, page 5, line 23, by inserting after "OR" alternative

Amend Bill, page 5, line 24, by inserting after "MEDIATION" or alternative dispute resolution

Amend Bill, page 5, line 25, by inserting after "OR" alternative

Amend Bill, page 5, lines 28 through 30; page 6, lines 1 through 4; by striking out all of said lines on said pages and inserting

(c) Construction.—Nothing in this section shall be construed to affect or impair the right of a proprietary lessee, declarant or association to pursue a private cause of action or seek other relief.

Amend Bill, page 6, line 6, by inserting after "LESSEE" in good standing

Amend Bill, page 6, line 12, by inserting after "OR" alternative

Amend Bill, page 6, line 12, by inserting after "DISPUTE" resolution

Amend Bill, page 6, line 17, by inserting after "OR" alternative

Amend Bill, page 6, line 19, by striking out "OR"

Amend Bill, page 6, line 21, by inserting after "OR"

alternative

Amend Bill, page 6, by inserting between lines 23 and 24

(c) Immediate filing.—A complaint may be filed by a proprietary lessee with the Bureau of Consumer Protection immediately, if:

(i) a mediation or alternative dispute procedure is not available to the proprietary lessee under the association's declaration, bylaws, rules or regulations; or

(ii) the association refuses mediation or alternative dispute resolution under section 4322(b)(2) (relating to mediation or alternative dispute resolution in cooperatives).

Amend Bill, page 6, line 24, by striking out "(C)" and inserting (d)

Amend Bill, page 6, lines 28 through 30; page 7, lines 1 through 11; by striking out all of said lines on said pages and inserting

(e) Definitions.—As used in this section, the following words and phrases shall have the meanings given to them in this subsection unless the context clearly indicates otherwise:

"Proprietary lessee in good standing." A proprietary lessee who is current in payment of assessments and fines, unless the assessment or fines are directly related to the complaint being filed with the Bureau of Consumer Protection regarding sections 4308 (relating to meetings), 4309 (relating to quorums), 4310 (relating to voting; proxies) and 4317 (relating to association records).

Amend Bill, page 7, line 12, by striking out "5" and inserting 4

Amend Bill, page 7, line 13, by inserting after "MEDIATION" or alternative dispute resolution

Amend Bill, page 7, line 13, by striking out "SUBSTANTIAL"

Amend Bill, page 7, line 15, by striking out "SUBSTANTIAL"

Amend Bill, page 7, lines 18 through 21, by striking out all of said lines and inserting

(2) A planned community established on or before the effective date of this section may adopt bylaws in compliance with the provisions of this section.

Amend Bill, page 7, line 23, by inserting after "FOR" alternative

Amend Bill, page 7, line 27, by inserting after "OR" alternative

Amend Bill, page 7, line 28, by inserting after "MEDIATION" or alternative dispute resolution

Amend Bill, page 7, line 29, by inserting after "OR" alternative

Amend Bill, page 8, lines 2 through 9, by striking out all of said lines and inserting

(c) Construction.—Nothing in this section shall be construed to affect or impair the right of a unit owner, declarant or association to pursue a private cause of action or seek other relief.

Amend Bill, page 8, line 11, by inserting after "OWNER" in good standing

Amend Bill, page 8, line 15, by striking out the comma after "QUORUMS" and inserting

and

Amend Bill, page 8, lines 15 and 16, by striking out "AND 5316 (RELATING TO ASSOCIATION RECORDS)"

Amend Bill, page 8, line 17, by inserting after "OR" alternative

Amend Bill, page 8, line 17, by inserting after "DISPUTE" resolution

Amend Bill, page 8, line 22, by inserting after "OR" alternative

Amend Bill, page 8, line 24, by striking out "OR"

Amend Bill, page 8, line 26, by inserting after "OR" alternative

Amend Bill, page 8, by inserting between lines 28 and 29

(c) Immediate filing.—A complaint may be filed by a unit owner with the Bureau of Consumer Protection immediately, if:

(1) a mediation or alternative dispute resolution procedure is not available to the unit owner under the association's declaration, bylaws, rules or regulations; or
(2) the association refuses mediation or alternative dispute resolution under section 5321(b)(2) (relating to mediation or alternative dispute resolution in planned communities).

Amend Bill, page 8, line 29, by striking out "(C)" and inserting (d)

Amend Bill, page 9, by inserting between lines 2 and 3

(e) Definitions.—As used in this section, the following words and phrases shall have the meanings given to them in this subsection unless the context clearly indicates otherwise:

"Unit owner in good standing." A unit owner who is current in payment of assessments and fines, unless the assessment or fines are directly related to the complaint being filed with the Bureau of Consumer Protection regarding sections 5308 (relating to meetings), 5309 (relating to quorums), 5310 (relating to voting; proxies) and 5316 (relating to association records).

Amend Bill, page 9, line 3, by striking out "6" and inserting 5

Amend Bill, page 9, line 13, by striking out "7" and inserting 6

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

The SPEAKER. On that question, the Chair recognizes Representative Brown, for a brief description of the amendment.

Mrs. R. BROWN. Thank you, Mr. Speaker.

My amendment just adjusts the applicability and retroactivity of the mediation bylaw requirement in order to make sure that all future communities under Title 68 provide for mediation or dispute resolution. The amendment also clarifies that a homeowner must be in good standing, meaning that current in dues and in fines and assessments in their community in order to file to the bureau. And also, my amendment clarifies circumstances under which a homeowner may immediately file with the bureau instead of going through the additional process of the community mediation, either when one does not exist or when the board refuses to do mediation or dispute resolution.

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

The SPEAKER. Thank you, Representative. Representative Caltagirone, on the amendment, sir.

Mr. CALTAGIRONE. Thank you, Mr. Speaker.

This is an agreed-to amendment, and I would ask for an affirmative vote. Thank you.

The SPEAKER. Thank you, sir.

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

The following roll call was recorded:

YEAS—198

Acosta	Evankovich	Kortz	Ravenstahl
Adolph	Evans	Krueger	Readshaw
Artis	Everett	Lawrence	Reed
Baker	Fabrizio	Lewis	Reese
Barbin	Farina	Longietti	Regan

Barrar	Farry	Mackenzie	Roae
Benninghoff	Fee	Maher	Roebuck
Bizzarro	Flynn	Mahoney	Ross
Bloom	Frankel	Major	Rothman
Boback	Freeman	Maloney	Rozzi
Boyle	Gabler	Markosek	Saccone
Bradford	Gainey	Marshall	Sainato
Briggs	Galloway	Marsico	Samuelson
Brown, R.	Gergely	Masser	Sankey
Brown, V.	Gibbons	Matzie	Santarsiero
Bullock	Gillen	McCarter	Santora
Burns	Gillespie	McClinton	Savage
Caltagirone	Gingrich	McGinnis	Saylor
Carroll	Godshall	Mentzer	Schemel
Causer	Goodman	Metcalfe	Schlossberg
Christiana	Greiner	Metzgar	Schweyer
Cohen	Grove	Miccarelli	Simmons
Conklin	Hahn	Millard	Sims
Corbin	Hanna	Miller, B.	Snyder
Costa, D.	Harhai	Miller, D.	Sonney
Costa, P.	Harhart	Milne	Staats
Cox	Harkins	Moul	Stephens
Cruz	Harper	Mullery	Sturla
Culver	Harris, A.	Murt	Tallman
Cutler	Harris, J.	Mustio	Taylor
Daley, M.	Heffley	Neilson	Thomas
Daley, P.	Helm	Nelson	Tobash
Davidson	Hennessey	Nesbit	Toepel
Davis	Hickernell	Neuman	Toohil
Dawkins	Hill	O'Brien	Topper
Day	Irvin	O'Neill	Truitt
Dean	James	Oberlander	Vitali
Deasy	Jozwiak	Ortitay	Ward
DeLissio	Kampf	Parker, D.	Warner
Delozier	Kaufer	Pashinski	Watson
Dermody	Kauffman	Payne	Wentling
Diamond	Kavulich	Peifer	Wheatley
DiGirolamo	Keller, F.	Petrarca	Wheeland
Donatucci	Keller, M.K.	Petri	White
Driscoll	Keller, W.	Pickett	Youngblood
Dunbar	Kim	Pyle	Zimmerman
Dush	Kinsey	Quigley	
Ellis	Kirkland	Quinn	
Emrick	Klunk	Rader	Turzai,
English	Knowles	Rapp	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—4

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

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

The SPEAKER. The bill as amended will be reprinted.

SUPPLEMENTAL CALENDAR B

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1524, PN 2317**, entitled:

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, in adoption, repealing provisions relating to counseling and providing for adoption-related counseling services.

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—198

Table listing names of representatives who voted 'YEAS' for HB 1524, including Acosta, Adolph, Artis, Baker, Barbin, Barrar, Benninghoff, Bizzarro, Bloom, Boback, Boyle, Bradford, Briggs, Brown, R., Brown, V., Bullock, Burns, Caltagirone, Carroll, Causer, Christiana, Cohen, Conklin, Corbin, Costa, D., Costa, P., Cox, Cruz, Culver, Cutler, Daley, M., Daley, P., Davidson, Davis, Dawkins, Day, Dean, Deasy, DeLissio, Delozier, Dermody, Diamond, DiGirolamo, Evankovich, Evans, Everett, Fabrizio, Farina, Farry, Fee, Flynn, Frankel, Freeman, Gabler, Gainey, Galloway, Gergely, Gibbons, Gillen, Gillespie, Gingrich, Godshall, Goodman, Greiner, Grove, Hahn, Hanna, Harhai, Harhart, Harkins, Harper, Harris, A., Harris, J., Heffley, Helm, Hennessey, Hickernell, Hill, Irvin, James, Jozwiak, Kampf, Kaufer, Kauffman, Kavulich, Keller, F., Kortz, Krueger, Lawrence, Lewis, Longiotti, Mackenzie, Maher, Mahoney, Major, Maloney, Markosek, Marshall, Marsico, Masser, Matzie, McCarter, McClinton, McGinnis, Mentzer, Metcalfe, Metzgar, Miccarelli, Millard, Miller, B., Miller, D., Milne, Moul, Mullery, Murt, Mustio, Neilson, Nesbit, Neuman, O'Brien, O'Neill, Oberlander, Ortitay, Parker, D., Pashinski, Payne, Peifer, Petrarca, Ravenstahl, Readshaw, Reed, Reese, Regan, Roae, Roebuck, Ross, Rothman, Rozzi, Saccone, Sainato, Samuelson, Sankey, Santarsiero, Santora, Savage, Saylor, Schemel, Schlossberg, Schreiber, Schweyer, Simmons, Sims, Snyder, Sonney, Staats, Stephens, Sturla, Tallman, Taylor, Thomas, Tobash, Toepel, Toohil, Topper, Truitt, Vitali, Ward, Warner, Watson, Wentling, Wheatley.

Table listing names of representatives who were present or voted 'NAYS' for HB 1524, including Donatucci, Driscoll, Dunbar, Dush, Ellis, Emrick, English, Keller, M.K., Keller, W., Kim, Kinsey, Kirkland, Klunk, Knowles, Petri, Pickett, Pyle, Quigley, Quinn, Rader, Rapp, Wheeland, White, Youngblood, Zimmerman, Turzai, Speaker.

NAYS—0

NOT VOTING—0

EXCUSED—4

Table listing names of representatives who were excused: DeLuca, Kotik, McNeill, Vereb.

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 1526, PN 3512**, entitled:

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, in adoption, further providing for report of intention to adopt, for consents necessary to adoption and for notice of hearing.

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

Representative Vitali. Yes, sir.

Mr. VITALI. Could we have a brief explanation of the bill from the prime sponsor?

The SPEAKER. Representative Petri has indicated he will stand for interrogation. You may ask your question, Representative Vitali.

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

Mr. PETRI. Certainly, Mr. Speaker. This bill shortens the time period in which a birth mother can change or revoke her consent. Under present law, it is 30 days; this would take it down to 2 weeks.

The SPEAKER. Representative Vitali, do you wish to proceed?

Mr. VITALI. I think I have concluded my interrogation.

I just want to speak on the bill.

The SPEAKER. Yes, sir. You are recognized to speak on the bill.

Mr. VITALI. I think this bill kind of puts you on the horns of a dilemma because there are really two very important competing considerations here. Right now if a woman wants to give her child up for adoption, under current law, she has 30 days after the birth of that child in which to change her mind.

And this is a very traumatic time in the course of a mother – when I was a lawyer, I handled a couple of adoptions – but at the same time, you have to take into account when the adoptive parents, having that child for a period of time, become attached.

I just have some real concerns with cutting in half that time period. I understand both sides of the issue. I just kind of want the members to be aware that this is a difficult issue we are dealing with, and they just should give some thought to where we fall as far as the considerations of the biological mother giving her child up and how much time she has to change her mind versus the expectations of the adoptive parents receiving it. It is a difficult question. I just want to put that out there for the members.

The SPEAKER. Thank you, sir.

Representative Rosita Youngblood.

Ms. YOUNGBLOOD. Thank you, Mr. Speaker.

Will the maker of the bill stand for brief interrogation?

The SPEAKER. Yes; the good gentleman has indicated he will stand for interrogation, and you may proceed, Representative Youngblood

Ms. YOUNGBLOOD. Mr. Speaker, how is the birth father notified and what recommendations are given to let him know that his child has been put up for adoption?

Mr. PETRI. Mr. Speaker, I apologize; I could not hear the question because of an echo.

The SPEAKER. Please hold on. Just please suspend, Representative, for a moment.

Members, if you could please take your seats. I would ask any conversations to please go outside of the hall in the anterooms.

Representative Youngblood is entitled to be heard, and Representative Petri needs to be able to hear the question.

Representative Youngblood, please proceed.

Ms. YOUNGBLOOD. Thank you, Mr. Speaker.

How is the birth father notified and how much time is given to notify the birth father and what mechanisms are in place to notify the birth father that the child has been put up for adoption?

Mr. PETRI. Mr. Speaker, that issue is not addressed in this bill. It is addressed in a separate piece of legislation – my bill is part of a package – but, Mr. Speaker, in that separate legislation, which we will consider, the birth father's rights are also protected.

Ms. YOUNGBLOOD. Are you sure, Mr. Speaker? Because I can tell you of several cases where the birth father's rights were never, were never protected, because basically the social workers do not do due diligence in notifying the birth father. And Kathy knows what I am talking about – Watson. There are five things that the birth father can be notified, and none of them are done.

Mr. PETRI. Mr. Speaker, I will be happy to share with the members a copy of HB 1525. I would be happy to work with any member who wants to discuss those particular provisions. I agree, Mr. Speaker, that the rights of both birth parents are very important and should be protected.

Ms. YOUNGBLOOD. So therefore, this adoption process that you have today will still go through even if the birth father has not been notified?

Mr. PETRI. No, Mr. Speaker. That issue is addressed in HB 1525, and my intent to improve on that procedure. This deals with the birth mothers solely under HB 1526.

Ms. YOUNGBLOOD. Well, Mr. Speaker, in thinking about this, I think we should have addressed both parents instead of one, just the birth mother. It should have been the birth father and the birth mother should both be notified.

The SPEAKER. Representative Youngblood, if you will please suspend for a minute. Representative Youngblood, you may speak on the legislation, the proposed legislation, but have you concluded your inquiry?

Ms. YOUNGBLOOD. I think so, Mr. Speaker.

The SPEAKER. Representative, the floor is yours for remarks on the bill.

Ms. YOUNGBLOOD. Mr. Speaker, I have grave concerns about this piece of legislation. It is like we are putting the cart before the horse. Both parents should be notified at the time. And I have had experience where birth fathers were never notified that their child was put up for adoption or that the foster parents had him and were adopting and then scrambling at the last minute to locate the birth father. I think it is unfair not only to the child, but to both parents – the father and the mother. There should be dual consent when you are putting a child up for adoption. Thank you.

The SPEAKER. Representative Kathy Watson, on the bill.

Mrs. WATSON. Thank you, Mr. Speaker.

I am speaking certainly as—

The SPEAKER. Please, please suspend, Representative. Thank you.

Members, please take your seats.

Representative Watson, the floor is yours.

Mrs. WATSON. Thank you, Mr. Speaker.

I am speaking today in my capacity as chairman of the House Children and Youth Committee, and to answer earlier questions and a couple, if I might, because there are some misconceptions here.

This bill required a lot of discussion. It is based on, as Representative Petri said, a package of bills, an overall effort to revise, update, and enhance adoption procedures in Pennsylvania, because what we have learned is, those who are seeking to create a family through adoption go elsewhere. Our Pennsylvania children are not adopted because the process and procedures are easier in States like Ohio, Kentucky, Florida, and certainly when I heard this – as an adopted child, as the parent of an adopted child – I wanted to make sure that Pennsylvania children come first and they become part of Pennsylvania families, rather than our families traveling elsewhere, as far as Oklahoma; I had a couple come talk to me about the laws are better.

So in answer to earlier questions when we were talking about timeframe, we did survey all the other States – what are their timeframes for relinquishment? what would be better? – and the bill you see in front of you had an amendment put in. The 30 days was originally down to 5. Our committee felt that might be too difficult for a lot of them to vote for, so we settled on the 2 weeks. So those who were concerned about that, there was discussion.

To my good friend from Philadelphia, when she was talking about the rights of fathers, we are aware of that. That is already in statute, and if indeed a father was not notified, that is illegal right now under the law. Now, we are looking to make it a companion piece, but regardless, yes; both parents of that child, identified as parents of that child, have to be notified in terms of relinquishment for the adoption to go through. And certainly I can testify to that, because even that long ago, I remember

there was this search for the father to make sure that he would relinquish his rights; otherwise, I would be living in Canada with Derek, because we were not giving him back. So that is all I know, but I understand all of that.

So please understand, Mr. Speaker, that the bill you see in front of you had a lengthy vetting and there is another one with it. There are some companion bills on updating the procedures of adoption so that our Pennsylvania children are adopted into Pennsylvania families first. That is the genesis of all of this.

Thank you for your time, Mr. Speaker.

The SPEAKER. Thank you, Representative Watson.

Before I call on the maker of the bill, do any other members wish to speak?

Representative Petri, on the bill.

Mr. PETRI. Thank you, Mr. Speaker.

I want to make sure that members understand how this bill operates. It is not 2 weeks from a birth of a child; it is 2 weeks from signing a consent. A birth mother or birth father is not required to sign a consent at any particular time; it is up to them. But what is clear under the law is they cannot sign it for the first 72 hours from the birth. They are absolutely not allowed to. The measuring time period that Pennsylvania uses under current law is 30 days from the date that that termination is signed. Now, what that means is, it could be 9 months, it could be a year, but during those 30 days, if someone changes their mind, that child is then taken from the adopting parents and placed back with the birth mother, which of course is very traumatic.

Pennsylvania, as was previously mentioned by the chairman, is so long that it has become a disincentive. Many parents who intend to adopt in Pennsylvania are told by their adoption agencies, "Go to Oklahoma, because Oklahoma is better." We are one of the longest. In fact, under current law, we are the second longest. In order to have a meaningful impact, my bill originally used the term "96 hours," and that still would have put Pennsylvania at one of the longest States for revocation.

Now, also keep in mind that fraud is an exception. There is no time period for revocation if fraud has been committed on a birth parent.

One of the speakers previously questioned about notification of a putative father. That is dealt with under HB 1525, and HB 1525, when it comes before the House, will require that there be a diligent search made in order to notify the putative father.

So I would encourage members to support the bill. It does represent a compromise, and I have to say a compromise based upon some very thoughtful thinking on a bipartisan basis by members of the committee. I want to commend the committee, because while I think that 96 hours is appropriate, a majority of the committee thought 2 weeks was the appropriate time period.

So I would urge members to support the bill as amended in committee. Thank you.

On the question recurring,
Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—185

Acosta	Fabrizio	Lewis	Ravenstahl
Adolph	Farina	Longietti	Readshaw
Baker	Farry	Mackenzie	Reed
Barbin	Fee	Maher	Reese
Barrar	Flynn	Mahoney	Regan
Benninghoff	Frankel	Major	Roae
Bizzarro	Freeman	Maloney	Roebuck
Bloom	Gabler	Markosek	Ross
Boback	Galloway	Marshall	Rothman
Boyle	Gergely	Marsico	Rozzi
Bradford	Gibbons	Masser	Saccone
Briggs	Gillen	Matzie	Sainato
Brown, R.	Gillespie	McCarter	Samuelson
Burns	Gingrich	McClinton	Sankey
Caltagirone	Godshall	McGinnis	Santarsiero
Carroll	Goodman	Mentzer	Santora
Causer	Greiner	Metcalfe	Saylor
Christiana	Grove	Metzgar	Schemel
Cohen	Hahn	Miccarelli	Schlossberg
Conklin	Hanna	Millard	Schreiber
Corbin	Harhai	Miller, B.	Schweyer
Costa, D.	Harhart	Miller, D.	Simmons
Costa, P.	Harkins	Milne	Sims
Cox	Harper	Moul	Snyder
Culver	Harris, A.	Mullery	Sonney
Cutler	Heffley	Murt	Staats
Daley, M.	Helm	Mustio	Stephens
Daley, P.	Hennessey	Neilson	Sturla
Davis	Hickernell	Nelson	Tallman
Day	Hill	Nesbit	Taylor
Dean	Irvin	Neuman	Thomas
Deasy	James	O'Brien	Tobash
DeLissio	Jozwiak	O'Neill	Toepel
Delozier	Kampf	Oberlander	Toohil
Dermody	Kaufner	Ortitay	Topper
Diamond	Kauffman	Parker, D.	Truitt
DiGirolamo	Kavulich	Pashinski	Ward
Donatucci	Keller, F.	Payne	Warner
Driscoll	Keller, M.K.	Peifer	Watson
Dunbar	Keller, W.	Petrarca	Wentling
Dush	Kim	Petri	Wheeland
Ellis	Kirkland	Pickett	White
Emrick	Klunk	Pyle	Zimmerman
English	Knowles	Quigley	
Evankovich	Kortz	Quinn	Turzai,
Evans	Krueger	Rader	Speaker
Everett	Lawrence	Rapp	

NAYS—13

Artis	Davidson	Harris, J.	Vitali
Brown, V.	Dawkins	Kinsey	Wheatley
Bullock	Gainey	Savage	Youngblood
Cruz			

NOT VOTING—0

EXCUSED—4

DeLuca	Kotik	McNeill	Vereb
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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 1529, PN 3513**, entitled:

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, in adoption, further providing for home study and preplacement report and for report of intention to adopt, repealing provisions relating to report of intermediary and exhibits, further providing for investigation, for contents of petition for adoption and for exhibits, providing for permissible reimbursement of expenses and further providing for time of entry of decree of adoption.

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—198

Acosta	Evankovich	Kortz	Ravenstahl
Adolph	Evans	Krueger	Readshaw
Artis	Everett	Lawrence	Reed
Baker	Fabrizio	Lewis	Reese
Barbin	Farina	Longietti	Regan
Barrar	Farry	Mackenzie	Roae
Benninghoff	Fee	Maher	Roebuck
Bizzarro	Flynn	Mahoney	Ross
Bloom	Frankel	Major	Rothman
Boback	Freeman	Maloney	Rozzi
Boyle	Gabler	Markosek	Saccone
Bradford	Gainey	Marshall	Sainato
Briggs	Galloway	Marsico	Samuelson
Brown, R.	Gergely	Masser	Sankey
Brown, V.	Gibbons	Matzie	Santarsiero
Bullock	Gillen	McCarter	Santora
Burns	Gillespie	McClinton	Savage
Caltagirone	Gingrich	McGinnis	Saylor
Carroll	Godshall	Mentzer	Schemel
Causer	Goodman	Metcalfe	Schlossberg
Christiana	Greiner	Metzgar	Schreiber
Cohen	Grove	Miccarelli	Schweyer
Conklin	Hahn	Millard	Simmons
Corbin	Hanna	Miller, B.	Sims
Costa, D.	Harhai	Miller, D.	Snyder
Costa, P.	Harhart	Milne	Sonney
Cox	Harkins	Moul	Staats
Cruz	Harper	Mullery	Stephens
Culver	Harris, A.	Murt	Sturla
Cutler	Harris, J.	Mustio	Tallman
Daley, M.	Heffley	Neilson	Taylor
Daley, P.	Helm	Nelson	Thomas
Davidson	Hennessey	Nesbit	Tobash
Davis	Hickernell	Neuman	Toepel
Dawkins	Hill	O'Brien	Toohil
Day	Irvin	O'Neill	Topper
Dean	James	Oberlander	Truitt
Deasy	Jozwiak	Ortitay	Vitali
DeLissio	Kampf	Parker, D.	Ward
Delozier	Kaufer	Pashinski	Warner
Dermody	Kauffman	Payne	Watson
Diamond	Kavulich	Peifer	Wentling
DiGirolamo	Keller, F.	Petrarca	Wheatley
Donatucci	Keller, M.K.	Petri	Wheeland
Driscoll	Keller, W.	Pickett	White

Dunbar	Kim	Pyle	Youngblood
Dush	Kinsey	Quigley	Zimmerman
Ellis	Kirkland	Quinn	
Emrick	Klunk	Rader	Turzai,
English	Knowles	Rapp	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—4

DeLuca	Kotik	McNeill	Vereb
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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 1940, PN 3077**, entitled:

An Act amending the act of December 19, 1990 (P.L.1200, No.202), known as the Solicitation of Funds for Charitable Purposes Act, further providing for exemptions from registration.

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—198

Acosta	Evankovich	Kortz	Ravenstahl
Adolph	Evans	Krueger	Readshaw
Artis	Everett	Lawrence	Reed
Baker	Fabrizio	Lewis	Reese
Barbin	Farina	Longietti	Regan
Barrar	Farry	Mackenzie	Roae
Benninghoff	Fee	Maher	Roebuck
Bizzarro	Flynn	Mahoney	Ross
Bloom	Frankel	Major	Rothman
Boback	Freeman	Maloney	Rozzi
Boyle	Gabler	Markosek	Saccone
Bradford	Gainey	Marshall	Sainato
Briggs	Galloway	Marsico	Samuelson
Brown, R.	Gergely	Masser	Sankey
Brown, V.	Gibbons	Matzie	Santarsiero
Bullock	Gillen	McCarter	Santora
Burns	Gillespie	McClinton	Savage
Caltagirone	Gingrich	McGinnis	Saylor
Carroll	Godshall	Mentzer	Schemel
Causer	Goodman	Metcalfe	Schlossberg
Christiana	Greiner	Metzgar	Schreiber
Cohen	Grove	Miccarelli	Schweyer
Conklin	Hahn	Millard	Simmons

Corbin	Hanna	Miller, B.	Sims
Costa, D.	Harhai	Miller, D.	Snyder
Costa, P.	Harhart	Milne	Sonney
Cox	Harkins	Moul	Staats
Cruz	Harper	Mullery	Stephens
Culver	Harris, A.	Murt	Sturla
Cutler	Harris, J.	Mustio	Tallman
Daley, M.	Heffley	Neilson	Taylor
Daley, P.	Helm	Nelson	Thomas
Davidson	Hennessey	Nesbit	Tobash
Davis	Hickernell	Neuman	Toepel
Dawkins	Hill	O'Brien	Toohil
Day	Irvin	O'Neill	Topper
Dean	James	Oberlander	Truitt
Deasy	Jozwiak	Ortitay	Vitali
DeLissio	Kampf	Parker, D.	Ward
Delozier	Kaufert	Pashinski	Warner
Dermody	Kauffman	Payne	Watson
Diamond	Kavulich	Peifer	Wentling
DiGirolo	Keller, F.	Petrarca	Wheatley
Donatucci	Keller, M.K.	Petri	Wheeland
Driscoll	Keller, W.	Pickett	White
Dunbar	Kim	Pyle	Youngblood
Dush	Kinsey	Quigley	Zimmerman
Ellis	Kirkland	Quinn	
Emrick	Klunk	Rader	Turzai,
English	Knowles	Rapp	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-4

DeLuca	Kotik	McNeill	Vereb
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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 1948, PN 3056**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in abortion, further providing for definitions and for medical consultation and judgment, repealing provisions related to spousal notice, further providing for the offense of abortion of unborn child of 24 or more weeks gestational age, providing for dismemberment abortion ban and further providing for reporting.

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

On that question, Representative Kathy Rapp is called upon.

Members, please take your seats. Members, please take your seats.

Representative Rapp, the floor is yours.

Ms. RAPP. Thank you, Mr. Speaker.

We are here today, obviously, to consider HB 1948, a pro-life bill that has been a lot of work, a lot of meetings, and I would like to read first just a small passage from the Abortion Control Act that was passed in the late 1980s. It is the legislative intent of the Abortion Control Act. "It is the intention of the General Assembly of the Commonwealth of Pennsylvania to protect hereby the life and health of the woman subject to abortion and to protect the life and health of the child subject to abortion."

Mr. Speaker, HB 1948 has two very important components. One is to roll back elective abortions, Mr. Speaker, from the current 6 months to 5 months. The other component of this piece of legislation prohibits the practice of dismemberment abortion.

Mr. Speaker, we know that there are few issues that divide Americans more than abortion. We have been struggling with the question of conflicting and important rights between the mother and the life she carries even before the U.S. Supreme Court's *Roe v. Wade* decision in 1973. To my colleagues and the people of Pennsylvania, the words we heard back in 1973, that abortion would be rare, safe, and legal – today the latest numbers for abortion in our nation are over 59 million abortions.

I would like you to consider today, when does life begin? Does it, as I am convinced, start at the moment of conception, or as others argue, in the minutes just after birth? What role does emerging science and medical technology hold in helping inform us as legislators and courts about when rights should result in legal protection or an update in law?

In 1983, on the 10th anniversary of *Roe v. Wade*, President Ronald Reagan weighed in on the question of abortion and the conscience of our nation with the following conclusions: "We cannot diminish the value of one category of human life – the unborn – without diminishing the value of all human life."

"I have often said that when we talk about abortion, we are talking about two lives – the life of the mother and the life of the unborn.... Why else do we call a pregnant woman a mother?"

"What is the value of human life? The abortionist who reassembles the arms and legs of a tiny baby to make sure all its parts have been torn from its mother's body.... The real question for him and for all of us is whether that tiny human life has a God-given right to be protected by the law – the same right we have."

Science and technology help us understand where we have been wrong and where corrections need to be made to outdated laws. Good science gives women, especially those in underserved communities, access to the highest quality care. And something is changing. When PBS (Public Broadcasting Service) airs a program like "Twice Born," the miraculous journey of dramatic fetal surgeries at Children's Hospital right here in Pennsylvania, we know so much more about the science of life and how to save it. At this particular hospital, it is not politics or opinion but medical science that guides the treatment of an unborn baby as a patient, capable of pain and entitled to the most sophisticated means of managing that pain.

Right here in Pennsylvania, the members of the House of Representatives are being asked whether they will follow science on the question of whether it is time to raise health and

safety standards for women and their unborn babies. Now more than 40 years after *Roe v. Wade*, we know it is time.

Today we are here to consider HB 1948, which would update a quarter-century-old law to reflect major advances in science, medical technology, and health care. It is legislation that should even bring alongside many who identify as pro-choice. This is a place for common ground. This legislation acknowledges what we have known from science and true stories: that the unborn child senses pain by 20 weeks gestation, or 5 months. It recognizes that if advances in the medicine are allowing thousands of babies every year at 20 to 24 weeks to survive and thrive, our laws must change.

Currently Pennsylvania law allows elective abortions up to 6 months; this legislation rolls it back to 5, excluding risks to the mother's health. As a State committed to human rights, we must break with national policy and just six other countries in the world, including China and North Korea, and end elective late-term abortions after 20 weeks. In many countries it is 12 weeks.

In 2014 the Pennsylvania Department of Health reported 32,108 abortions in Pennsylvania; 1,553 were late term. When it comes to protecting the life of the mother, it is indisputable that the later in pregnancy an abortion occurs, the riskier it is for the mother and the more painful it is for the unborn child. Research has also revealed that a woman seeking an abortion at 20 weeks or more is 91 percent more likely to die from an abortion than she was in the first trimester. These significant risks to maternal health should cause all of us concern, and several recent nationwide polls have demonstrated that public opinion is overwhelmingly in favor of prohibiting late-term abortions.

In the words of William Wilberforce, who led the fight for more than 40 years to successfully outlaw England's barbaric participation in the human slave trade during the 18th century, he stated, and I quote, "...the nature and all the circumstances of this trade are now laid open to us; we can no longer plead ignorance, we cannot evade it.... We may spurn it, we may kick it out of our way, but we cannot turn aside so as to avoid seeing it; for it is brought now so directly before our eyes that this House must decide, and must justify to all the world, and to their own consciences,...the grounds...of their decision." And he further states, "Let not Parliament be the only body that is insensible to the principles of national justice."

And I believe that we can apply it to this General Assembly here. In the year 2016, when Pennsylvania hospitals are leading our nation in performing dramatic, life-preserving surgeries for the smallest of lives, we must finally end the inhumane practice of dismemberment abortions, which tears a living human being to pieces.

In the United States Supreme Court, Justice Kennedy has described the gruesome nature of dismemberment abortions in terms that make it clear that it would be extremely painful, and I quote Justice Kennedy: "Friction causes the fetus to tear apart. For example, a leg might be ripped off the fetus as it is pulled through the cervix and out of the woman." And he stated in *Stenberg v. Carhart*, "The fetus, in many cases, dies just as a human adult or child would: It bleeds to death—

The SPEAKER. Representative.

Ms. RAPP. —as it is torn from limb from limb.

The SPEAKER. Representative, just please suspend, and I would ask you if you could repeat the quote. I just want you to suspend.

Members, please, all of our debates are important, but members are entitled to be heard. Please take your seats. Members, please take your seats. If you have any conversations, please take them to the rooms off the floor of the chamber. We will be fair to all points of view on the issue, but Representative Rapp and all other members are entitled to be heard.

Ms. RAPP. Thank you, Mr. Speaker.

The SPEAKER. Representative, one moment.

Members, I am asking all the members in the back to please take their conversations off or to please take your seats. We have many, many members that want to speak on this legislation. They will all have an opportunity to be heard and they are all entitled to be heard.

Representative Rapp, please restate the quotation that I interrupted.

Ms. RAPP. Thank you, Mr. Speaker.

United States Supreme Court Justice Kennedy described the gruesome nature of dismemberment abortion in terms that make it clear it would be extremely painful: "Friction causes the fetus to..." be torn "...apart. For example, a leg might be ripped off the fetus as it is pulled through the cervix and out of the woman." And in *Stenberg v. Carhart*, he had an even more graphic description, "The fetus, in many cases, dies just as a human adult or child would: It bleeds to death as it is torn from limb from limb." And in the words of a former abortionist, "Tearing a developed fetus apart, limb by limb, is an act of depravity that society should not permit."

We can do better than this, Mr. Speaker. All Pennsylvania mothers and their unborn children deserve far better than this. Science agrees and so does the majority of Americans. Passage of this legislation will succeed in righting this wrong.

I request that you support HB 1948. Thank you, Mr. Speaker.

The SPEAKER. Thank you, Representative.

Representative Greg Vitali. Representative Vitali waives off.

Representative Krueger-Braneky.

Ms. KRUEGER. Thank you, Mr. Speaker.

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

The SPEAKER. Representative Krueger-Braneky, the gentlelady has indicated she will stand for interrogation. Just give them a second and you may proceed.

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

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

Ms. KRUEGER. Thank you.

Thank you for standing for interrogation today.

Who did you consult to help draft HB 1948?

The SPEAKER. Representative, on interrogation – and I can cite the rule – you certainly may ask any questions about the bill itself, but to ask about who somebody consulted in terms of drafting the legislation is beyond the parameters of interrogation. But you certainly may ask about the bill itself and any questions you have with respect to the bill.

You may proceed.

Ms. KRUEGER. Were any doctors consulted in the preparation of this legislation?

Ms. RAPP. Yes.

Ms. KRUEGER. Were those doctors members of the Pennsylvania Medical Society?

Ms. RAPP. I am not sure what their affiliation is.

Ms. KRUEGER. Were the doctors from Pennsylvania?

The SPEAKER. Please, please suspend. Please suspend.

I need to look at the rules, because I think this is a field of interrogation, and I need to have an opportunity to consult the Parliamentarian.

Ms. KRUEGER. Mr. Speaker, I do believe this is germane to the bill. This is a bill that is on third consideration.

The SPEAKER. Representative, you just have to wait until we call upon you. Just give me a moment to check the rules.

From the Legislative Journal of the House of June 27, 2005: "...the purpose of interrogation is to elicit information and answers to which the interrogator is not privy, does not know the answers to..." with respect to the legislation.

In consulting the Parliamentarian, the questions should be about the bill itself. If, of course, on remarks you think that you want to comment on the drafting of the bill, you certainly may do so, but interrogation is designed to elicit answers about the bill that the maker of the question does not know with respect to the bill itself. In terms of issues you want to raise in your remarks on the bill itself, what you may want to remark on, in terms of who supports or does not support a particular piece of legislation, has always been relevant or germane on the House floor.

POINT OF ORDER

Mr. DERMODY. Mr. Speaker?

The SPEAKER. Leader Dermody, you may proceed, sir.

Mr. DERMODY. Thank you, Mr. Speaker.

Mr. Speaker, I believe the gentledady mentioned that she had many meetings and hearings on this bill. It is directly related to how it is drafted, so I think the questions of who the meetings were with and what the hearings were about are relevant and definitely have something to do with the bill.

The SPEAKER. Leader Dermody, the questions with respect to hearings that have been held here in the House and those who have testified, those are all a matter of public record, and clearly you can ask questions with respect to those hearings or the information elicited. To the extent that the maker of the bill wishes to answer those questions on interrogation, those are certainly germane and relevant.

Mr. DERMODY. Well, Mr. Speaker, there was a mention of meetings also, and I think they would be also germane and relevant concerning the drafting of the legislation; therefore, a question on that issue, I would suggest, is proper also.

The SPEAKER. The purpose of interrogation is to elicit information and answers to which the interrogator is not privy about the legislation in front of us.

Mr. DERMODY. Well, she does not know— Representative Braneky has no idea whom the meetings were with.

The SPEAKER. The direction is, I think, specific.

Representative Krueger-Braneky, if you want to proceed with your interrogation, you may. As I said, I would stick to the inquiries about the bill itself. If you want to get into what was elicited at public hearings or what the record is that has been established in this chamber, please proceed.

Ms. KRUEGER. Thank you, Mr. Speaker.

As our leader said, the maker of the bill referenced many meetings. I do not know whom those meetings were with, and I am curious who had input on the drafting of this bill and who from the medical community was consulted.

Ms. RAPP. Mr. Speaker, the meetings that we had were private meetings, and I believe this falls under legislative privilege.

Ms. KRUEGER. Private meetings. So was there a particular reason, given that there were many private meetings, why the language of the bill only became available on a Friday at 5 p.m. and the first vote was taken less than 24 business hours later?

The SPEAKER. No. Please suspend.

With respect to any legislation, many members – in fact, I suspect all members in drafting legislation – often hold meetings to determine where they want to lead in their legislation and have the privilege to talk to folks outside of this chamber in fashioning legislation.

We are on the substance of the legislation in front of us, and nobody here is on the stand. Interrogation is not about putting a fellow member on the stand in a trial. That is not what interrogation is. An interrogation, either explicitly or implicitly, is not designed to question the motives of another member but is limited to the policy issues within the legislation itself. No member on any side of the issue has the right to interrogate another member as if they are on a witness stand. That will not be countenanced by anybody on any side of an issue.

You may proceed.

Ms. KRUEGER. Thank you, Mr. Speaker.

Did you hold any legislative hearings in the formation or drafting of this bill?

Ms. RAPP. No; we had no hearings. I am not a committee chair. As I stated, we had several private meetings in drafting the bill.

Ms. KRUEGER. Mr. Speaker, on the bill, please?

The SPEAKER. Yes, you may proceed.

Ms. KRUEGER. Mr. Speaker, given today that we are taking a final vote on a bill that has had no public hearings and has in fact, according to the maker of the bill, been informed only by private meetings, I rise today to oppose this bill.

HB 1948 is the most restrictive abortion ban in the country and we are rushing it through the House at lightning speed, with doctors and patients having absolutely no opportunity to weigh in on this legislation.

I am concerned about this bill because families who are carrying pregnancies typically only learn about horrible fetal abnormalities when they have an anatomy scan at 20 weeks of gestation. This bill, if it becomes law, would force women to carry pregnancies with horrible fetal abnormalities with devastating outcomes. There is no restriction in this bill for rape, incest, or fetal abnormalities.

Because there has been no public hearing that I am aware of – and has now been confirmed by the maker of the bill – I reached out to a high-risk ob-gyn (obstetrician-gynecologist) who lives in my district. This woman has spent her entire career helping families carry and deliver healthy babies. I asked her opinion, and she told me this bill would be devastating to her patients. She shared a story, Mr. Speaker, of a recent patient, and I rise to give her voice today.

Her patient found out at 21 weeks that she carried a baby with CDH, congenital diaphragmatic hernia. With CDH, the plate does not form between the abdomen and the chest, and without that plate in place, the heart takes up too much space and there is no room for the lungs to ever develop. This case was the most severe that she had ever seen, and she told me that

a child with this diagnosis could never develop enough lung tissue to be able to breathe. Even if it had made it to full term and lived through delivery, immediately after birth this child would have struggled to take its very first breath in the delivery room and died in its mother's arms. There was no chance of survival. After an agonizing decisionmaking process, the family made the gut-wrenching decision to terminate that pregnancy.

Mr. Speaker, if we decide today that HB 1948 should become law, a family or a mother facing that very same diagnosis in the future would be forced to carry that pregnancy. This is a cruel, cruel bill that would make an already agonizing situation even more difficult for those families here in Pennsylvania.

Mr. Speaker, *Roe v. Wade* was decided 4 years before I was born. I am shocked that we are attempting to undo a law that was settled in the Supreme Court in 1973.

I oppose HB 1948 because of the devastating, devastating impact it would have on women, children, and families in this Commonwealth. The voices of doctors, the voices of the medical community, the voices of women deserve to be heard in this chamber.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, Representative.
Representative Madeleine Dean.

Mrs. DEAN. Thank you, Mr. Speaker.

I ask if the good lady will stand for interrogation.

The SPEAKER. The gentlelady from Warren County has indicated she will so stand, and you may proceed, Representative.

Mrs. DEAN. Thank you, Mr. Speaker.

I have some process questions. I am wondering specifically about the process of developing the language on page 2, line 4, "Dismemberment abortion." What medical professionals were consulted to develop that language?

Ms. RAPP. This language was developed from Supreme Court case law and other States who have passed this legislation.

Mrs. DEAN. And what other States have passed this legislation? What other States actually are operating under this abortion ban?

Ms. RAPP. There are four States currently – Oklahoma, Kansas, West Virginia, and Mississippi – that have passed it, and there are 12 that are considering.

Mrs. DEAN. And of those who have passed it, is it not true that at least one of those States has found it to be unconstitutional?

The SPEAKER. Please suspend.

Representative Dean, if you know this information, you certainly may use it in your remarks on the bill. This is a matter of public record, what States have passed or not passed or considered or not considered this legislation, that anybody in this chamber can research and use for their remarks. It is completely relevant to your remarks, but it is not relevant, it is not an appropriate question for interrogation if you know the answers, which I can tell that you do.

Mrs. DEAN. I respectfully disagree. I am not certain that this is the same language. This one paragraph, the "Dismemberment abortion," appears to have been taken out of the Kansas language, but I certainly do not know what States have passed such an intrinsic ban, and I asked the good lady, what States are we modeling here with this legislation?

The SPEAKER. The question to which I was referencing was not that question, but you said, has not one ruled it unconstitutional? If you know that it has been ruled unconstitutional, whatever that language might be, you may speak, using that information in your remarks, but your questions must be about soliciting answers to which you – questions that solicit answers that you do not know.

Mrs. DEAN. With all due respect, I do not know the answer. That is why I asked it, but I can move on.

Ms. RAPP. Mr. Speaker, I will answer.

The language is substantially similar, but it is not the same.

Mrs. DEAN. As the Kansas language?

And is the Kansas language now in effect?

Ms. RAPP. It is enjoined.

Mrs. DEAN. It has been enjoined.

So no other State, apparently, at this point is operating under this ban.

I wanted to ask, was there any consideration given in the drafting of this – and I understand there were no hearings – was there any consideration for exceptions for fetal abnormality?

Ms. RAPP. Certainly we discussed all the components of the legislation, but the exemptions, of course, are life of the mother and impairment to the mother's health.

Mrs. DEAN. Included in the impairment to the mother's health, if we are looking at the exceptions, would one of those exceptions be that the woman would no longer be able to have a child if she moves forward with this pregnancy that she had hoped or had been forced to think about an abortion for? Would that be a serious enough impairment of her bodily function in order for her to meet the exemption?

Ms. RAPP. It is the same language that has been used in the Abortion Control Act that has stood up in the Supreme Court, and that is the language that we have used in this bill.

Mrs. DEAN. Just for clarity, however, I am uncertain—

Ms. RAPP. Pardon?

Mrs. DEAN. —if the risk is that the woman would no longer be able to have a child if she takes this child to term and so she seeks the abortion for that reason, would she be able to do that under your legislation?

Ms. RAPP. This bill does not affect the current exemptions.

Mrs. DEAN. Though I have a feeling that under the language of this bill – and please correct me if I am wrong, because I want to be right or wrong; I want to be clear – that it is either you get an exception if the woman will die, and you must show that she will die, or you get an exception for the 20-week abortion or the 21-week abortion for the substantial and irreversible impairment to a major bodily function of the woman, and that does not include childbearing. Am I correct?

Ms. RAPP. I am not sure why you would make that assumption.

Mrs. DEAN. Because I am not getting confirmation that that would certainly raise the flag that it would allow a woman the exception to go to her doctor and say, "I seek an abortion because bringing this pregnancy to term could result in me never being able to have another child." So I wanted to get clarity on it. I think anybody voting on this would want clarity on that. Is that a high enough bar?

Ms. RAPP. There is absolutely nothing in this bill that changes the medical emergency exceptions from what is currently in law.

Mrs. DEAN. Thank you. I think we have some clarity in the opaqueness of that.

Let us think here, what else?

In terms of the criminal penalty, is the woman subject to any criminal penalty under this law, under this proposed legislation?

Ms. RAPP. No.

Mrs. DEAN. Why not? It sounds like she is doing something very wrong if she participates in an abortion, if we pass this legislation.

Ms. RAPP. If I may, Mr. Speaker, I believe this question was already asked in the Appropriations Committee.

Mrs. DEAN. No, it was not. Thank you.

I asked if the woman was; I did not ask why she was not.

The SPEAKER. If a member agrees to stand for interrogation and a question is designed to get an answer to which she or he does not know, it is appropriate on the House floor, whether it has been asked before at another hearing, particularly of the maker of the bill. Again, that is if the maker has agreed to stand for interrogation.

Ms. RAPP. Mr. Speaker, the Abortion Control Act has never, since the 1980s, penalized the woman, since the Abortion Control Act itself was passed into law.

Mrs. DEAN. That we have not done it does not guarantee us that she would not be subject to criminal penalty, and I would compare section 2604, "Murder of an unborn child. First degree murder of an unborn child." It does not identify who it has to be, so I fear that this legislation, however intended, may run afoul of the other legislation. So I wondered if that was considered?

Ms. RAPP. No, not under this bill.

Mrs. DEAN. And one more question on process and then I will move on to the bill, if that is acceptable, Mr. Speaker?

The SPEAKER. Yes, you may proceed.

Mrs. DEAN. I wonder if the good lady, the author of the bill, considered in her drafting medical science that nongenetic fetal abnormalities that a pregnant woman and her husband or her partner may want to consider are generally not diagnosable until 20 weeks gestation. Was that considered in the drafting of this bill, and the criminal penalties that will attach?

Ms. RAPP. Mr. Speaker, we tried to consider everything in this piece of legislation in rolling back the elective abortion time. Obviously, abnormalities can be detected even beyond the 24 weeks. They may be detected at birth.

Mrs. DEAN. And many cannot.

Mr. Speaker, on the bill?

The SPEAKER. Yes, please, on the bill.

Mrs. DEAN. Thank you, Mr. Speaker.

I rise in opposition to this bill on just about every level possible. On process, it is an abomination. We are talking about changing medical practice, changing privacy standards, changing the law of the nation without having had a single hearing, without consulting a single medical expert – that we can tell; maybe that took place in meetings that we are not aware of – without the input of medical experts, and maybe that is why my inbox has been blasted over the past few hours.

I will read to you one brief portion of a letter by Dr. Audrey Lance: "As an obstetrician/gynecologist who provides the full range of reproductive health..., I am outraged by House Bill 1948, proposed by..." the good Representative from Warren County. "This bill, which passed in the House Health Committee...would ban all abortions after the 20th week of pregnancy and would ban" all "dilation and evacuation,"

procedures, "the safest method of pregnancy termination in the second trimester. H.B. 1948 would not allow exceptions for fetal anomalies, rape, incest or a threat to a woman's health.

"If this bill becomes law, it would be one of the most restrictive abortion bans in the country. Many women would be forced to travel hundreds of miles to another state to obtain safe abortion services. That is, of course, if they have the means to travel. Women without means would have no legal options other than continuing unhealthy or undesired pregnancies, often putting their" own "lives at risk, or resorting to unsafe abortion methods. Attempts to restrict and ban abortion do not prevent abortion; they serve only to make abortion unsafe, especially for the most vulnerable in our society."

Mr. Speaker, I would argue that this bill is very aptly numbered HB 1948, because it would take us back to that era of darkness, of interference with women's rights, safety, protection, and their best health care.

I will read a letter that I received from a person, a woman, who was very appreciative of our debate the last time this came up very unexpectedly: "Dear Representative Dean, Though I'm not in your district, I still wanted to reach out to say THANK YOU for your efforts today on the floor to" try to "get a postponement for HB 1948. On February 25, I had an abortion at 22 weeks as a result of severe fetal anomalies, so watching the GOP attempt to rush this legislation through just 6 weeks after my family and I were in this situation makes me feel physically ill." I am making "...an effort to publicly share my story to help in the fight against HB 1948, and will continue...in every way I know how as a citizen. As an elected official, your efforts on the floor today brought tears to my eyes...." Thank you for "...fighting for a woman's right to privacy and safety, instead of against it...."

Mr. Speaker, this bill, which has had no vetting, which has had no input that we can tell from medical experts, practitioners in the field, would criminalize the behavior of practitioners, would make the D&E (dilation and evacuation) procedure, which is known by the vast, vast majority of experts to be the safest method for abortion services, would make it illegal, putting women at further greater risk.

I will conclude with one story that has always informed my thinking on abortion. It is the story of my mother-in-law. My mother-in-law was the youngest of six children. Her mother became pregnant with a seventh child. This was Scranton, back in the day, back in the thirties. She became pregnant with a seventh child, and it was clear that the child was not going to survive and neither was my mother-in-law's mother, but the providers said, "No, we will not abort this baby. You will have to bring the baby to term even though it is very likely the baby will not make it and you will not make it." You can imagine how sadly this story ends. The baby did not make it. My mother-in-law's mother did not make it. She was forced by laws, or by practice at that time, to carry a baby to term that was never going to survive, and orphaned the remaining six children. My own mother-in-law, until she was 18, did not know how her mother died. She kept hearing she died in childbirth and assumed it was her own childbirth. It was not. It was because people other than doctors and women decided for her that she would orphan her children.

Let us not return to those dark days of stepping into the shoes of the woman and stepping into the skills of a practitioner and telling other people what to do.

Thank you, Mr. Speaker.

The SPEAKER. We have quite a few speakers. The next group of speakers: Representative Ward will be followed by Representative Mary Jo Daley, who will be followed by Representative Dush, who will be followed by Representative Frankel, who will be followed by Representative Knowles. So the next six speakers are Representative Ward, Representative Daley, Representative Dush, Representative Frankel, and Representative Knowles.

Representative Judy Ward, the floor is yours.

Mrs. WARD. Thank you, Mr. Speaker.

I rise in support of HB 1948.

Mr. Speaker, we are talking about the practice of dismemberment, the practice of ripping a baby from its mother's womb limb by limb. This is a baby that is formed and can feel pain. This is a baby that could be viable outside its mother's uterus, and we are going to pull the arms and legs off this baby so it bleeds to death in utero and can then be delivered.

If this practice were done to animals, people would be outraged. We have folks in our office all the time telling us how we should be treating animals more humanely, how we should not allow pigeon shoots or tethering dogs.

This is a human life. Shame on us as a society if we allow this practice to continue.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, Representative.

Representative Mary Jo Daley.

Ms. DALEY. Thank you, Mr. Speaker.

I rise in opposition to this bill.

And as I speak, I just ask that you keep in mind that an ultrasound at 20 weeks is the ultrasound that parents, that the woman will have that will reveal these fetal abnormalities that are so difficult and that causes conversation; that is an ultrasound at 20 weeks. It is really important to consider that.

So I want to share with you the story of a family who faced this situation. In September of 2011, Kate was a happily married mother to a 9-month-old son. When she became pregnant again, Kate and her husband were excited to have another baby. Because she had been breastfeeding, she had not realized she was pregnant until she was about 10 weeks along. They met with their doctor and started to schedule the normal pregnancy screenings and checkups. At their anatomy scan ultrasound, which was not able to be scheduled until 22 weeks, their excitement turned into worry when the nurse became very quiet. Their worry turned to shock when the doctor came in and explained that their son had no kidneys and no bladder, something known as Potter Syndrome. This anomaly is particularly devastating, because as Kate and her husband soon learned, when babies do not develop kidneys and a bladder, the lungs are unable to mature. The specialist explained to them that because he did not have mature lungs, a kidney transplant was not an option and there was no possible way for their son to survive outside the womb. The doctor said if they wanted, he could terminate their pregnancy that day. Kate and her husband were an emotional mess and still processing all of this information. They wanted to talk to their own doctor, the doctor who delivered their first baby. So they went home, called their doctor, and did all the research that they could. Their own doctor agreed that there was nothing that could be done to save this pregnancy.

For Kate and her husband, the decision to obtain abortion care was fraught with emotion, but they knew termination was the best decision for them and their family. Kate chose to have a

D&E procedure as opposed to an induction because she had had a C-section (cesarean section) only 9 months prior and there was a significantly greater risk of complications with an induction. With a 9-month-old son at home, Kate knew she needed to protect her health so that she could continue being a mother to her son. Once Kate and her husband had decided to move forward with the D&E procedure, they sought care from a doctor at a nearby university hospital. The staff sat with Kate and her husband and answered all of the questions they could think of, providing the comfort and support they needed.

After Kate had obtained the procedure safely and without complications, she and her family were able to heal and begin to move forward together. A few months later, Kate was pregnant again with a third boy.

Thank you, Mr. Speaker.

The SPEAKER. Representative Cris Dush. Waives off.

Representative Jerry Knowles.

Mr. KNOWLES. Thank you, Mr. Speaker.

Mr. Speaker, as one of 139 members of the Pro-Life Caucus and one of the 99 sponsors of HB 1948, I stand in strong support of HB 1948. In order to tell you why I support this bill, I want to tell you a story. It is a true story, a story that was relayed to me by a good friend that many of you in this chamber know.

My friend's wife was in the sixth week of her pregnancy when she was involved in a car accident. It is important to remember this as I go through this story. This was in the sixth week of her pregnancy when she was in a car accident. Naturally, both he and his wife were concerned about the baby's health as a result of the car crash. As I noted before, she was only 6 weeks pregnant, so a normal ultrasound would not have provided the needed information; so therefore, a vaginal probe ultrasound was used.

As the special ultrasound was being done, my friend stood by with his eyes riveted to the screen and with his heart in his throat. As he looked at the screen, he saw what he described as a very rapid, tiny flutter; a flutter, a rapid flutter. He turned to the technician who was giving the test, and he looked at him and he said, "That's my baby's heart beating, isn't it?" He said, "That's my baby's heart beating, isn't it? Well, as you know, in these situations, technicians cannot really say – that is up to the doctor – but the technician smiled at him, and he said, "Sir," with a big smile he said, "you'll have to talk to the doctor about that." Well, the doctor confirmed that the flutter was indeed his baby's heart. That tiny heart that was beating only 6 weeks after conception is beating today, 25 years later, in a young woman named "Jane." It was Jane's heart then, 6 weeks after conception, and it is Jane's heart now. It is Jane's heart now. Both Jane and that heart, they are bigger and they are stronger, but it is the same heart after 25 years. If for whatever reason that flutter that my friend saw had been stopped, Jane would not be here today. Jane would not be here today.

Mr. Speaker, the reason I feel so strongly about this bill and any other bill that provides protection to unborn children is because I know that inside those little babies – and you can call them embryos and you can call them fetuses and you can call them fertilized eggs, but they are babies; they are little babies – inside those little babies are little hearts that become big hearts.

Mr. Speaker, one of the things that I just cannot kind of grasp, I hear some of my friends over on this side of the aisle, and they keep on wanting to get back to the doctors; what did the doctors say? I find that rather interesting, because when we

were making the argument on medical marijuana, that this was something that the Medical Society – you know, that they were opposed to medical marijuana, one of my friends on the other side said something that shot into my mind. He said, "Jerry, being a doctor doesn't make you an expert on what's right and what's wrong." You are right. You have got to know what is right and you have got to know what is wrong.

Mr. Speaker, I want to finish by reading a quote from one of the great liberal Democrats of my time, Hubert H. Humphrey: "It was once said that the moral test of government is how that government treats those who are in the dawn of life, the children; those who are in the twilight of life, the elderly; and those who are in the shadows of life – the sick, the needy and the handicapped."

Mr. Speaker, I ask you all to do the right thing by voting "yes" on HB 1948 to protect those in the dawn of their life. Thank you, Mr. Speaker.

The SPEAKER. Representative Dan Frankel.

Mr. FRANKEL. Thank you, Mr. Speaker.

My name is Dan Frankel, and I have the honor and privilege to represent the 23d Legislative District here in the Pennsylvania House of Representatives, and I am not, I am not a doctor or a medical professional.

I rise in opposition to HB 1948. I rise in opposition to this seemingly endless war on women's reproductive rights waged under the guise of protecting women's health. I rise in opposition to HB 1948 and all other bills similar to it that interfere with the provider-patient relationship and advance the notion that best practices should be replaced with medically inaccurate, scientifically unproven junk science. I rise in opposition to the possibility that this chamber is on the verge of passing a blatantly unconstitutional 20-week abortion ban that will eviscerate the rights that we hold dear, and apparently, sometimes take for granted. But more importantly, I rise to support the countless women, men, families, obstetricians, gynecologists, nurses, midwives, general practitioners, and family doctors from across this Commonwealth who have been silenced in this process.

Mr. Speaker, the legislation before us today, HB 1948, is bad for health care in the State and is certainly bad for women throughout the Commonwealth. If we had a public hearing on this bill – which we did not; we had private discussions, apparently – we might have heard from the dozens and dozens of women who contacted my and my colleagues' offices. If we had had public hearings on this bill, we could have heard from their health-care professionals that contacted our offices expressing their concern and alarm over this disastrous piece of legislation.

One of those medical professionals who wrote a moving letter about HB 1948 was Dr. Beatrice Chen, a board-certified obstetrician-gynecologist, who serves as Director of Family Planning at Magee-Womens Hospital of UPMC (University of Pittsburgh Medical Center) in Pittsburgh. Dr. Chen wrote, and I am quoting, HB 1948 "...inserts politicians squarely between doctors and our patients, forcing physicians to abandon our own ethics and good practice and provide lesser care, face criminal penalties, or deny women the care they need. That is why mainstream medical organizations like the American Congress of Obstetricians and Gynecologists oppose these...bills, stating," quote, " 'the predominant approach to abortion after

13 weeks, commonly referred to as "dilation and evacuation," is evidence-based and medically preferred because it results in the fewest complications for women compared to alternative procedures.' "

In her leadership role at Magee-Womens Hospital, Dr. Chen has seen firsthand the complex and personal reasons why patients seek abortions later in pregnancy. Dr. Chen went on to share several difficult stories of patients she has treated in the past, patients who would have been hurt even more by HB 1948. While the patients' names were changed to protect patient privacy, their stories are all too real. Unfortunately, HB 1948 is the latest attempt to restrict reproductive health-care choices of women and continue the war on women started in 2011 right here in this building and in countless State Capitols across this nation.

HB 1948 was preceded in 2011 by Act 122, which singled out surgical abortion providers and made them adhere to the same regulations as ambulatory surgical facilities, even though these changes had nothing to do with improving health-care outcomes.

Then it was the insurance exchange abortion ban in 2013, which not only prohibits public funds from being used to purchase health-care plans and include abortion coverage through the marketplace exchange – which is already prohibited under Federal and State law – but it also prohibits women from using their own private funds to purchase health-care plans that include abortion coverage. Once again, this legislature thought it was in their purview to dictate how a woman spends her own money on health care. Whatever happened to less government intrusion into our private lives?

We have debated a mandatory ultrasound bill. Thankfully, due to public outcry, that monstrous proposal was shelved.

Mr. CUTLER. Mr. Speaker?

The SPEAKER. Yes, Representative Cutler.

Mr. CUTLER. I believe the gentleman is a little far afield of the subject matter of the bill.

The SPEAKER. Sir, please continue with your remarks on the underlying bill.

Mr. FRANKEL. Mr. Speaker, I believe it is important to show the foundation for this bill, how it has been built over a period of time by other actions of the legislature, and I believe it is entirely germane to this discussion to show how we got to this place.

The SPEAKER. Sir, you may continue with your remarks on the legislation and the proposed legislation in front of us.

Mr. FRANKEL. Thank you.

Now we are debating HB 1948. Do we all see a pattern here? I sure do. The phenomenon is not unique to Pennsylvania. This is occurring in States from coast to coast, part of a coordinated, well-organized effort by anti-abortion groups to limit the choices of women in deciding their own health outcomes. I am fearful we are headed towards a time before *Roe v. Wade* where women were forced to take drastic actions – and we heard about some of them today – and spend considerable resources and put themselves in danger to access a safe medical procedure.

Many proponents of HB 1948 belong to a growing faction who believes it is appropriate to interfere in the doctor-patient relationship by requiring onerous procedures to be conducted, faulty information to be given – in the case of this bill – and safe and legal procedures to be denied to patients. Bills like

HB 1948 often put medical professionals in a terribly difficult position of caring for their patients in a manner supported by their years of training and expertise or risking their professional license, and now jail time, if forced to abide by vague, unscientific statutes passed by legislators.

The practice being turned into a third-degree felony in HB 1948 is a procedure that has been proven time and again to be one of the safest abortion procedures available to women. Today many members of the chamber who are not doctors are going to make that procedure illegal. According to real medical experts, and not phony medical experts responsible for this junk science behind this bill, the procedure being outlawed today is used as early as 13 weeks. That is right; this is not really a 20-week abortion ban. It is a 13-week abortion ban for a procedure that is used safely for women in 98 percent of abortions. So if you had any notion that a 20-week abortion ban was egregious, please know that the passage of this legislation is effectively placing a 13-week ban into law in Pennsylvania.

CONSTITUTIONAL POINT OF ORDER

Mr. FRANKEL. Additionally, Mr. Speaker, nondoctors who are proposing HB 1948 have deemed it necessary to create and completely fabricate a medical term to explain the procedure they want to prohibit in Pennsylvania. My research shows that this trend started in earnest in recent years and is yet another attempt to sway public debate with dishonesty. Kansas, Oklahoma, Michigan, Missouri, Nebraska, Kentucky, West Virginia, New Hampshire, South Dakota, South Carolina, Alabama, and now Pennsylvania have introduced bills using the same medically inaccurate term as a way to scare the public and hide their true intention, but the intention, it is clear, is to prohibit women from safe and legal access to abortion care, period. It is unfathomable, it is unjust, is unconstitutional.

And for that reason, Mr. Speaker, I rise to make a motion.

The SPEAKER. Sir, please state your motion.

Mr. FRANKEL. I make a motion that HB 1948 is unconstitutional pursuant to the 14th Amendment to the United States.

The SPEAKER. The gentleman, Representative Frankel, raises the point of order that HB 1948 is unconstitutional.

The Speaker, under rule 4, is required to submit questions affecting the constitutionality of a bill to this body, this House, for decision, which the Chair now does.

On the question,

Will the House sustain the constitutionality of the bill?

The SPEAKER. The Chair recognizes Representative Frankel on the issue of constitutionality of HB 1948.

Mr. FRANKEL. Thank you, Mr. Speaker.

Mr. Speaker, simply put, the passage of HB 1948 would eviscerate 43 years of United States Supreme Court precedent and the due process protections of the 14th Amendment. Regardless of anyone's personal view of this issue, previability abortions are unequivocally and constitutionally protected, period. If this chamber would like to consider restrictions to abortion beyond viability, according to the Supreme Court of the United States, those restrictions must not create an undue burden for a woman or place substantial obstacles in seeking an abortion. But, Mr. Speaker, HB 1948 does not just create an

undue burden and a substantial obstacle for a woman; it obliterates the right to a previability abortion in its entirety.

Mr. Speaker, we have seen clear evidence across the country that the courts believe 20-week abortion bans to be unconstitutional. Arizona, Utah, Nebraska, Georgia, and Idaho all had 20-week bans struck down by various Federal courts. Mr. Speaker, these draconian, paternalistic, 20-week bans will remain rightfully unconstitutional unless one of two things happens: either the U.S. Supreme Court overturns its landmark decision, or it reverses 40 years' worth of case law about the importance of fetal viability. It has not done so, nor does it appear likely it will do so. The Supreme Court has had the opportunity to review very similar, although somewhat less onerous, 20-week abortion bans enacted by the Arizona Legislature. It declined to do so. And the Ninth Circuit ruled that previability abortion bans are unconstitutional per se. This holding remains the law of the land. Mr. Speaker, let me repeat that. The United States Supreme Court has had the opportunity to revisit and reverse the court holding of *Roe v. Wade* but has declined to do so.

As a member of this chamber, I am compelled by my oath of office to uphold and defend the Constitutions of both this Commonwealth and of the United States. To me, there is no exception to this oath for abortion or any other right we may not personally value. The ability of a woman to obtain a previability abortion is like all other constitutional rights: inviolate.

Mr. Speaker, it is critical to the legitimacy of this chamber and the legitimacy of the court's precedent that this bill be ruled unconstitutional. I urge the members to vote that HB 1948 is unconstitutional. Thank you.

The SPEAKER. Representative Bryan Cutler, on the issue of constitutionality.

Mr. CUTLER. Thank you, Mr. Speaker.

Mr. Speaker, I rise to oppose the gentleman's motion, and I will point the members to the terms contained in the bill. Mr. Speaker, there is a great deal of confusion, and in fact the opponents against the bill have argued that this will somehow outlaw a procedure known as D&E abortions. Mr. Speaker, that is the identical argument which was made in *Gonzales v. Carhart*, and the court rejected it at that time as a falsehood. I would urge the members to do so again today, and here is why. Mr. Speaker, the gentleman raised some of the concerns brought up in the other cases that have been challenged successfully, and the gentelady from Warren has indicated that there was a variety of meetings and a compilation of the case law for this, which is specifically why, on page 2, lines 4 through 10, we outlined the description of "dismemberment abortion" being "The act of knowingly and purposefully causing the death of an unborn child by means of dismembering the unborn child and extracting the unborn child one piece at a time from the uterus through the use of clamps, grasping forceps, tongs, scissors or similar instruments. The term does not include an abortion which is exclusively performed through suction curettage."

Additionally, Mr. Speaker, it is important to note that in the *Gonzales v. Carhart* case, they specifically looked at this matter and that the court made a distinction between D&E abortions and dismemberment abortions, or abortions that are known as partial-birth abortion bans, which is what that case was specifically about.

Mr. Speaker, respectfully, this is simply an argument put forth by opponents of the bill that if somehow the unborn child passes naturally in utero, that a D&E procedure, which is standard medical procedure, could somehow not be used, and that simply is not true, because at that point, by definition, the infant has already passed, and therefore is not covered under the definition of what is outlawed.

I urge the members to oppose the motion and support the underlying bill.

Thank you, Mr. Speaker.

The SPEAKER. Representative McCarter, on constitutionality.

Mr. McCARTER. Thank you, Mr. Speaker.

We started this debate on constitutionality by making the point that HB 1948 directly and unambiguously violates the Constitution of the United States of America. Mr. Speaker, in this Commonwealth, in this Capitol, in this General Assembly, in this House chamber, and in this debate today, this debate about constitutionality of HB 1948 is not about the opinion of one legislator or a clash of legal theories. It is not theoretical and it is not spin or talking points.

Mr. Speaker, it is fair to ask, why can this, most importantly, this unconstitutional legislative effort to overturn *Roe v. Wade* in this chamber today is not a case of first impression, either in front of our courts or in this chamber?

In one 17-year period, Pennsylvania passed at least a half dozen abortion control laws that were trying to overturn *Roe v. Wade* or would have been overturned by *Roe v. Wade*.

Mr. Speaker, the efforts of this chamber were found to violate our Constitution at least seven different times, and that is not even including State courts, Federal district courts, and the Third Circuit Federal appellate courts. Mr. Speaker, if you add those times, it is close to a dozen times that Pennsylvania's Governors and courts have said legislative language passed by a majority of members in this chamber on this issue is unconstitutional. Again, laws that this House passed to turn back *Roe v. Wade* have been found more than a dozen times through vetoes by both pro-choice and anti-choice Governors. Mr. Speaker, there have been vetoes by Governor Shapp, and there have even been vetoes by Governors Thornburgh and Casey, who found parts of anti-choice bills to be unconstitutional or court decisions from Federal district courts through the U.S. Supreme Court that some or all of the law violates the Constitution as interpreted in *Roe v. Wade*.

Mr. Speaker, so what we are doing here today is not leading to a new constitutional challenge to *Roe v. Wade*. Mr. Speaker, what is proposed today is not behind a unique constitutional challenge to *Roe v. Wade*, and what is being debated today will not lead to a successful constitutional challenge that will overturn *Roe v. Wade*.

Mr. Speaker, let us talk about whether the constitutional challenge made in this motion about the specific sections of HB 1948 is new to this chamber. Mr. Speaker, if you look on page 2, as referenced earlier, before us, HB 1948, on line 26 through line 16 on page 4, you will see existing language, but you will see brackets before and after that section. Mr. Speaker, whenever you see brackets in a House bill, it means that a section of an existing bill, or in this case, a law, is being repealed, being deleted. Mr. Speaker, from a constitutionality perspective, those brackets actually mean a lot more than someone hitting a single key on a keyboard.

Mr. Speaker, those brackets are being used because several existing paragraphs of the Pennsylvania Abortion Control Act, part of Title 18, are being proposed to be repealed, not amended as part of this bill.

And, Mr. Speaker, I ask you today, why are these portions of the bill, like spousal notification, being repealed in HB 1948? Mr. Speaker, is the sponsor of the bill against spousal notification? Mr. Speaker, these paragraphs have brackets because these portions of the existing laws of the Commonwealth have already been ruled unconstitutional in the 1992 U.S. Supreme Court decision entitled, "*Planned Parenthood v. Casey*." So as part of the—

Mr. CUTLER. Mr. Speaker?

The SPEAKER. Please suspend for just a moment.

POINT OF ORDER

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

Mr. CUTLER. If I may, I was going to offer a brief sidebar with the gentleman because the brackets indicate removal of that language in acknowledgment of the point that he just raised. We are updating the law to reflect all of the current case law. I would be happy to have that sidebar with him.

Mr. DERMODY. Mr. Speaker?

The SPEAKER. Representative Cutler, you will have that opportunity after Representative McCarter continues.

Mr. McCARTER. Thank you, Mr. Speaker.

Mr. DERMODY. Mr. Speaker, yeah, that was my point of order. I believe the gentleman should be—

The SPEAKER. Representative Dermody, they certainly can have that discussion.

Representative McCarter, on constitutionality.

Mr. McCARTER. Thank you, Mr. Speaker.

So as part of the actual text of HB 1948, we have undeniable evidence, undeniable proof that some of the parts of prior bills brought before this chamber to overturn *Roe v. Wade* have been held unconstitutional.

Now, Mr. Speaker, HB 1948 proposes to ban abortions after 20 weeks. Now, Mr. Speaker, I already described previous legislative efforts to overturn *Roe v. Wade*. Mr. Speaker, just like there are brackets in the current bill, in HB 1948, that are unambiguous evidence of prior unconstitutional acts, these anti-choice bills that also became law before they were partially or fully struck down also have brackets – undeniable evidence of the language in prior Pennsylvania laws that were ruled unconstitutional and struck down by the courts.

Mr. Speaker, in one of the prior attempts, there was language placing incredible and unpredictable criminal liability on the doctors starting at 19 weeks. Mr. Speaker, again, in one law, there was the language starting, again, at 19 weeks. Mr. Speaker, in the next version of that law, that language about 19 weeks was in brackets, because after passage, the Supreme Court found the language to be unconstitutional.

Mr. Speaker, HB 1948 also proposes to limit certain types of abortion procedures, and I stand here today to say that this section of the bill is unconstitutional. Mr. Speaker, over those 17 years this General Assembly has put into law deliberate language to ban or restrict the method of abortion selected by the medical professionals when it was the most appropriate for the health of a woman.

Mr. Speaker, as deliberate was the effort to insert a paragraph to put in language to ban specific types of abortion into a bill, in the following sessions, in the next generation of anti-choice bills, there was a deliberate effort that put brackets before and after this same language and remove it from our law books after that language was ruled unconstitutional.

So, Mr. Speaker, these unconstitutional efforts are not new, and this chamber, whether it had pro-choice or anti-choice members, has recognized that this type of similar language was not constitutional by putting brackets before and after this similar language and removing it from our law books.

Mr. Speaker, I want to also say that while HB 1948 is clearly unconstitutional, it is not a first unique constitutional challenge for this specific language. As I stated before, language that imposes an undue burden on a woman's right that has been vetoed or found unconstitutional has been attempted before in this very chamber, and, Mr. Speaker, 20-week bans have been passed in other States, and Federal courts have found this unconstitutional in other States. Bans on certain abortion procedures have been passed in other States and again ruled unconstitutional in other States. Even the U.S. Supreme Court has let stand lower court rulings stopping similarly worded statutes. More than a year ago, the U.S. Supreme Court, with all of its conservative, liberal, and moderate justices, could have taken an appeal of a lower court ruling declaring a 20-week abortion ban unconstitutional. Mr. Speaker, they decided to refuse to hear the case and the 20-week ban was enjoined by the appellate courts.

Mr. Speaker, in the history of litigating the constitutionality of abortion laws, you might legitimately think, given the constant trips Pennsylvania laws have made to the Supreme Court in the past, why a 24-week limit was passed in 1989 and there was not a 20-week limit with a pro-life Governor and a legislature with a pro-life majority back then?

You might ask why a ban of a certain type of medical procedure was not proposed at an earlier time. The answer, of course, is simple: Attempts like these proposed today have already been ruled unconstitutional by the courts then, let alone being ruled unconstitutional and they failed again. There are no new U.S. Supreme Court cases that would lead someone to believe that these unconstitutional efforts will succeed in getting our courts to change their mind.

Mr. Speaker, it has been over 26 years since the Pennsylvania General Assembly amended the Abortion Control Act that led to the Supreme Court *Planned Parenthood v. Casey* case and the development of the undue burden stand test. Mr. Speaker, this is where the courts look at the purpose or effect of placing a substantial obstacle in the path of a woman seeking an abortion of a nonviable fetus.

In the 40 years since *Roe v. Wade* and the quarter century and nearly 10,000 days since the passage of the 1989 amendments, I do not see the precedence or the legal facts or court decisions to make the argument that the language of HB 1948 is constitutional. In fact, it is the record of this chamber, of this General Assembly as ruled on by numerous Governors and judges, that demonstrates that the specific requirements of this bill, like the specific requirements of past efforts this bill is unconstitutional.

I ask you to vote "yes" that it is not constitutional. Thank you.

The SPEAKER. When we do vote, those voting "aye" will be voting that it is constitutional. Those voting "nay" will be voting that it is unconstitutional, just for those that are speaking.

Representative Cohen, on constitutionality.

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, I join Representative Frankel and Representative McCarter in urging a "no" vote on the constitutionality of this legislation. They have both given, in great detail, the history of this kind of legislation in the House of Representatives and the Senate over a very, very long period of time.

We have an oath to pass constitutional legislation. I guess a loophole in that oath is that we can pass legislation to try to get the courts to change their mind, but as Mr. McCarter, especially, and Mr. Frankel, also, have stated, and with ample documentation, numerous decisions of this General Assembly on abortion legislation have been found unconstitutional year after year, decade after decade. Further, as they both have stated, numerous pieces of legislation all around the country have been found unconstitutional year after year, decade after decade. There is no reason to believe that this legislation will somehow be upheld as constitutional. There is every reason to believe it will be held as unconstitutional.

This is not the kind of thing the legislature should be spending its time on. It is one thing to be advocating for change; it is another thing to be beating a dead horse year after year, decade after decade, century after century.

I would strongly urge a "no" vote on constitutionality of this legislation.

The SPEAKER. Representative Kate Klunk, on constitutionality.

Ms. KLUNK. Thank you, Mr. Speaker.

One of the questions that is before us is the question of whether a 20-week limit on abortion is constitutional. The entire chain of the United States Supreme Court cases with respect to abortion has one consistent and overriding opinion, and that is that the State has the power to restrict abortions after fetal viability. This holding was contained within *Roe v. Wade*, in that decision in 1973, and upheld throughout the line of cases including the challenge to our own Abortion Control Act in 1992. Again, let me repeat that: The State has the power to restrict abortions after fetal viability.

Looking to other States, Nebraska has had their 20-week limit since 2010 and it has not been challenged. I would assert that this is because those in Nebraska recognize the advancements which have been made in modern fetal medicine; that is that viability can begin in the 21st week of gestational age. Can all infants survive when born at 21 weeks? No. But that is not the guiding principal that has been provided to us by our United States Supreme Court.

Medical journal after medical journal lists survival rates for infants born in their 22d week from 4.3 percent in a 2015 American Medical Association article to a 9-percent survival rate in the 2008 British Columbia Medical Journal. The survivability of these infants, who are born usually due to a maternal or a fetal complication – making them an even more vulnerable population than the typical aborted child – is based largely on the intervention of the medical providers at the time of the birth. The 2009 American Medical Association's article on "Intervention at the Border of Viability" demonstrates that

the low-survival rate at 22 weeks gestation is more the result of a lack of intervention at birth rather than the reflection of the health of a child.

The Supreme Court approved a ban on abortion at 24 weeks with a medical emergency exception in 1992 in *Planned Parenthood v. Casey*. The opposition today would have you believe that since 1992 there have been no advancements in fetal or maternal medical situations which have increased the viability of the unborn child. Today we simply look to update our laws to reflect modern medical technology, which has improved the viability of the unborn child at earlier gestational ages.

So is a 20-week limit on abortion constitutional? Yes, because the viability of the unborn child is the measure of when the State can intervene to prevent an elective abortion, and medical advances and modern science show us that an unborn child can be viable at 21 weeks.

Mr. Speaker, I would urge the members to realize that this bill before us today is constitutional and vote accordingly. Thank you.

The SPEAKER. Those voting "aye" will be voting to declare the bill to be constitutional. Those voting "no" will vote to declare the bill to be unconstitutional.

On the question recurring,
Will the House sustain the constitutionality of the bill?

The following roll call was recorded:

YEAS—140

Adolph	Gillen	Mahoney	Ravenstahl
Baker	Gillespie	Major	Readshaw
Barbin	Gingrich	Maloney	Reed
Barrar	Godshall	Markosek	Reese
Benninghoff	Goodman	Marshall	Regan
Bloom	Greiner	Marsico	Roae
Boback	Grove	Masser	Rothman
Brown, R.	Hahn	Matzie	Saccone
Burns	Hanna	McGinnis	Sainato
Caltagirone	Harhai	Mentzer	Samuelson
Causar	Harhart	Metcalfe	Sankey
Christiana	Harper	Metzgar	Santora
Corbin	Harris, A.	Miccarelli	Saylor
Costa, D.	Heffley	Millard	Schemel
Cox	Helm	Miller, B.	Simmons
Culver	Hennessey	Milne	Snyder
Cutler	Hickernell	Moul	Sonney
Daley, P.	Hill	Murt	Staats
Day	Irvin	Mustio	Tallman
Deasy	James	Nelson	Taylor
Delozier	Jozwiak	Nesbit	Tobash
Diamond	Kampf	Neuman	Toepel
DiGirolamo	Kaufner	Oberlander	Toohil
Dunbar	Kauffman	Ortitay	Topper
Dush	Kavulich	Parker, D.	Truitt
Ellis	Keller, F.	Payne	Ward
Emrick	Keller, M.K.	Peifer	Warner
English	Kinsey	Petrarca	Watson
Evankovich	Klunk	Petri	Wentling
Everett	Knowles	Pickett	Wheeland
Farina	Kortz	Pyle	White
Fee	Lawrence	Quigley	Zimmerman
Gabler	Lewis	Quinn	
Galloway	Longietti	Rader	Turzai,
Gergely	Mackenzie	Rapp	Speaker
Gibbons	Maher		

NAYS—58

Acosta	Davis	Harris, J.	Ross
Artis	Dawkins	Keller, W.	Rozzi
Bizzarro	Dean	Kim	Santarsiero
Boyle	DeLissio	Kirkland	Savage
Bradford	Dermody	Krueger	Schlossberg
Briggs	Donatucci	McCarter	Schreiber
Brown, V.	Driscoll	McClinton	Schweyer
Bullock	Evans	Miller, D.	Sims
Carroll	Fabrizio	Mullery	Stephens
Cohen	Farry	Neilson	Sturla
Conklin	Flynn	O'Brien	Thomas
Costa, P.	Frankel	O'Neill	Vitali
Cruz	Freeman	Pashinski	Wheatley
Daley, M.	Gainey	Roebuck	Youngblood
Davidson	Harkins		

NOT VOTING—0

EXCUSED—4

DeLuca	Kotik	McNeill	Vereb
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The majority having voted in the affirmative, the question was determined in the affirmative and the constitutionality of the bill was sustained.

On the question recurring,
Shall the bill pass finally?

The SPEAKER. Representative Frankel.

Mr. FRANKEL. On the bill. Thank you.

The SPEAKER. I know you have already spoken on the bill. You did a motion for constitutionality. Do you still wish to speak on the bill?

Mr. FRANKEL. Yes. Thank you.

Is this going to be considered my second?

The SPEAKER. No.

You may proceed.

Mr. FRANKEL. Okay. Thank you. Thank you.

Well, as disappointing as that was, I would like to say that, you know, I have been honored to cochair the Women's Health Caucus, a group of bipartisan legislators focused on maintaining the right to choice and finding commonsense solutions to real problems facing the women of the Commonwealth of Pennsylvania.

It is my fundamental belief that we should be breaking down barriers for women to access the reproductive health care that they need, not erecting new ones, so I am asking all of you, let us vote down this bill, a bill that will do grave harm to women in every corner of this State, and let us spearhead passage of legislation that will have a positive impact on women.

Women need a raise. Let us pass an increase in the minimum wage. Women need affordable child care. Let us take steps to reduce child-care waiting lists. Women need equal pay for equal work. Let us make sure we finally accomplish this. Female veterans experience unique challenges in gaps in their health care compared to their male counterparts. Let us tackle that issue. Women need reasonable accommodations on the worksites when they are pregnant and nursing—

The SPEAKER. Please suspend, sir.

The remarks have to be confined to the bill. I think you have had the floor for a considerable period of time. Please speak on the bill.

Mr. FRANKEL. I will just conclude, Mr. Speaker, by saying that what HB 1948 represents is politicians telling women how to take care of their own bodies and shutting the door on safe and constitutionally protected reproductive options. That is not what we should be doing. We should not be doing it under the cloak of secrecy and without transparency. That is what this body is about to embark on.

Vote "no." Thank you, Mr. Speaker.

The SPEAKER. Representative Stephen Bloom.

Mr. BLOOM. Thank you, Mr. Speaker.

The issue before us today is difficult, troubling, and contentious. Emotions are running high, and rightfully so. It is a high-stakes matter of conscience, a matter of life and death and human suffering. It is not an easy issue to discuss, and there are people I love and respect who see it very differently than I do, here in this chamber and beyond. But for me it comes down to this: If we, simply by pushing a button to vote "yes" today, if we can save the lives of innocent unborn children who would otherwise be killed, then we must vote "yes," and if, simply by pushing a button to vote "yes" today, we can spare innocent unborn children from unthinkable and excruciating and totally unnecessary pain and agony, if we can spare those children, we must vote "yes."

When this bill first came before us a few months ago, I received an unsolicited e-mail from a doctor in my community, an ob-gyn specialist, Dr. Lauren Winn, and I asked her for permission to share from her e-mail with you here, and she courageously consented. First, Dr. Winn explained why she was writing. In her words, "I am forwarding an email sent to me from the ACOG [American Congress of Obstetricians and Gynecologists] chapter in PA (and my response to it). This was no doubt sent to members across the state. Many pro-life ob/gyns do not join ACOG on principle, because ACOG pushes a pro-abortion agenda at state and national levels. Others of us join for the educational material they provide and because they are involved in the ongoing board...certification we are expected to maintain. I am telling you this because I think the voices that mobilize against abortion legislation do not reflect the opinion of many physicians.

"I hope you will support any legislation that serves to limit or eliminate abortion on demand. There is clearly a moral imperative to preserve the life and health of the mother, but this only rarely involves taking the life of the child."

And then Dr. Winn's forwarded response. Dr. Winn writes to the American Congress of Obstetricians and Gynecologists as follows: "I do not agree with your position on this, and I am dismayed that ACOG uses its considerable clout to push the abortion agenda. It certainly does not represent the opinion of all physicians, and I will make this quite clear to my representative." She continues, "Your language is hyperbolic. HB 1948 does not represent a 'gross interference in the practice of medicine.' For the majority of ob-gyn providers, this bill will have no effect on the care of patients. Furthermore, abortion is a procedure that kills a human being and should be done never or rarely. The bill allows for abortion to be performed if the life or health of the mother is at risk. It is completely consistent with compassionate, scientifically-based care." And finally, Dr. Winn reaches her conclusion, "It is my great wish that ACOG would

STOP with the hyped pro-abortion political rhetoric and focus on the health of women and families. We need to stop calling abortion healthcare. It is not.

"Lauren Winn, MD."

Mr. Speaker, I cannot tell you what to do. I cannot make you change your minds. But I can respectfully ask you to consider Dr. Winn's words and consider the suffering and death we can prevent today with a simple "yes" vote for HB 1948.

Thank you for listening. Thank you, Mr. Speaker.

The SPEAKER. Thank you.

Representative DeLissio.

Ms. DeLISSIO. Thank you, Mr. Speaker.

Mr. Speaker, I have been a member of the Health Committee since being elected to office in 2010, since serving in 2011, and was present when this bill was debated on April 4.

I would like to remind our colleagues that there are many, many unique situations out there as it pertains to health care, very individual situations, and as a result of the past couple of weeks, I have become aware of not one, not two, but many different stories, women's stories that are indicative of the fact that this bill would in fact jeopardize their health if it were enacted as it is currently drafted. One of those stories that has come to my attention is a woman who had a tubal ligation many years ago, decades ago, did not expect or anticipate ever getting pregnant again, became pregnant, and had a variety of issues that she was up against, and abortion care was the only alternative. Under this bill, that would not be an alternative for somebody's constituent in Pennsylvania.

Any bill that we pass that creates jeopardy like this we must consider very thoughtfully and very seriously.

As most people know by now, I am a person that is oriented toward process, and the process – or lack thereof – that helped to develop this particular policy and has brought it to this floor today is very troubling and very concerning, and in my humble opinion, inappropriate. This is not how policy should be developed for the greater good of our citizens.

And last but not least I want to state that I feel very strongly, personally, and I think many of us do as well, that our own personal beliefs are not the reason we are here as legislators. We represent a variety of constituents, we represent a variety of citizens, and the idea that in any way, shape, or form we are attempting to invoke personal religious beliefs on citizens who may not share those beliefs is an anathema to me, and for those reasons, Mr. Speaker, I will be a "no" vote today on HB 1948. Thank you.

The SPEAKER. Representative Donna Oberlander.

Ms. OBERLANDER. Thank you, Mr. Speaker.

I stand in strong support of HB 1948.

Over the years leeches have been used as a form of treatment for ailments. Since the beginning of human civilization, they have been used to treat nervous system disorders, they have been used to treat dental problems, skin diseases, and infection. Asthma – I happen to be someone who has asthma – once upon a time they treated a child with asthma by standing them up against a tree, hammering a nail in the tree, and if they grew to that nail in 1 year, they would be cured. Boils; they treated those by catching a roadrunner, cooking it, and eating it, and it would take care of your boil. I say this because we no longer treat ailments the way that I just described.

HB 1948 brings a much-updated change to Pennsylvania's abortion laws in recognition of major advances in science and medical technology. Since the Abortion Control Act of 1989, it

was more than a quarter of a century ago, we have had some changes. That law prohibits abortions after 24 weeks, which at that time was considered viable; however, advances in science now tell us that an unborn child senses pain at 20 weeks gestation. We know that when a child is having surgery in vitro, they are given anesthesia. Why? Because doctors know that they feel pain and the success rate and the stress of the child is eased by that anesthesia. HB 1948 would indeed prohibit abortions after 20 weeks in recognition of these important advances.

I would also like to speak on the subject of dismemberment abortions, and you would hope that they are rare; however, that is not the case. These brutal types of abortions are over 1500 a year in Pennsylvania alone in 2014. I believe that you have heard the horrific way that this occurs, and I hope that you were paying attention because it is absolutely horrific. We should not be treating our unborn or our women and men like this. These are all little men and women. You would hope that the United States would treat its human beings better than others. We believe we are the most exceptional country in this world, and I believe we are, but the United States is one of only seven nations that allows elective late-term abortions past 20 weeks. Out of nearly 200 countries – 200 countries – we are only 1 of 7, which include North Korea, China, Vietnam, Singapore, Netherlands, Canada, and the United States.

I think we can do better than that, and I would appreciate your affirmative vote. Thank you, Mr. Speaker.

The SPEAKER. Representative Jordan Harris.

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

Mr. Speaker, it is clear that I am not a woman. Okay, okay; all right, all right. This is a rough crowd here. Calm down.

I try not to make decisions or determinations on what a woman should do. I like to stay out of that. So for me, I do not think it is my place to make a determination on what a woman should do with her own body, but for me, this decision is made because after this bill went over on second, I received lots of e-mails and phone calls from constituents of mine, women who wanted to share either their own personal experience or who wanted to share their perspective on this bill. And out of all of them, I do want to share one, and we are just going to call her Jennifer. She is a constituent of mine who has been pregnant six times over the last 4 years, and even after being pregnant six times, Jennifer is still not a mother. Jennifer has had three miscarriages and one ectopic pregnancy, which ruptured and resulted in the loss of her right fallopian tube. She had two abortions for medical reasons, which took place in her second trimester, and as I began to continue to read Jennifer's story, she began to tell me of one of the late-term, or second-trimester, abortions that she had to have, where her child, through a scan, they began to see all of the problems, health issues that her child would have. But what really touched me about the story is that though Jennifer has had six pregnancies and she does not have a child at this juncture, she felt like a mother once. She felt like a mother when she was making the decision, the hard decision not to move forward with her pregnancy, but to make the hard and personal choice to have an abortion because she believed it was in the best interest of her child. It was in the best interest of her child not to be selfish and have the child just to have a child.

Mr. Speaker, I could never imagine having to be in that situation to make the decision over whether to have a child who you knew, who you knew would have medical deformities, but in this one instance, Jennifer felt like a mother, and she felt like

she was doing the right thing by not being selfish but by having an abortion and not having this child. Those are personal and private moments, and, Mr. Speaker, I think that is where they should remain.

And that is why I ask my colleagues to vote "no" on HB 1948, because many of these decisions are tough enough without us as the government putting our noses in not just people's business, but putting our noses in women's uteruses. Vote "no."

The SPEAKER. Representative Rick Saccone.

Mr. SACCONI. Thank you, Mr. Speaker.

I rise in support of this bill, and I want to add some context so that the people back home, too, can understand how complicated and important this issue is.

I have heard the arguments. I have listened carefully to the opponents against this, and I see their arguments as a way to distract from the person inside that womb. You see, the critics of this bill say women should have control over their own bodies, but you see, they are not trying to abort themselves; they are trying to abort someone else.

And when we speak of privacy – I have heard that mentioned a number of times now – you see, they want the woman considering abortion to ignore that we are not talking about one body here; we are talking about two. You see, because her body does not have two heads and four hands and four feet and two beating hearts and two distinct DNA. No; there is another person in there that is under her protection.

We talk about risk of health to the mother. Well, what about the certain death to the woman inside that womb, because there are over half of these babies that are women?

This legislation addresses a key moral issue in our society, and our founder, William Penn, he told us that a nation is not great by virtue of its wealth, but by the wealth of its virtue, and virtue just means moral excellence. And I say that dismembering and killing a baby is not moral excellence.

You see, people back home know our society is upside down today in so many ways, but this issue presents quite a stark contrast. We have come to the point in our culture where it is illegal to dismember an unborn bald eagle but not an unborn child. That is upside down to many of the people where I come from.

What is ironic is that many of the critics of this bill oppose the death penalty for convicted criminals but not for an innocent unborn child. Now, some will say, they will rise and say, "Well, this isn't life. We're not talking about life here." How can it be that we have NASA (National Aeronautics and Space Administration) right now searching Mars for even a spec, a tiny bacteria so we can prove there is life on Mars, but a beating heart in a mother's womb is not proof of life back here on Earth? No. We have babies that can feel pain and live outside the mother's womb at 20 weeks. Have we become so callous, so insensitive, so selfish that we would ignore the pain of these innocents? No. We want to protect these vulnerable lives.

I saw on the television, at our universities we have protesters running around clamoring for a safe place today. Where is the safe place for our children, for these children? As a society we do everything to protect the rights of the children after they are born, but in this case, as they say, the most dangerous place for a child in America today happens to be in the mother's womb.

Our Declaration of Independence, which we celebrate up here next to the Apotheosis, it says, "...that they are endowed by their Creator with certain unalienable Rights, that among

these are Life, Liberty and the pursuit of Happiness" and "That to secure these rights, Governments are instituted among Men...." Did you hear what the Declaration says, Mr. Speaker? Our very government was instituted to protect life and to protect our rights. This is the basic obligation of government, and that is what this bill is doing: it is speaking for a life that has no advocate, it has no counsel, no dream team of lawyers paid for by the taxpayer, no evidence presented in the baby's defense, no due process, no appeal to a higher court, no trial or jury before its peers before it is sentenced to death.

Growing up, I was taught Scripture, and recorded in the Book of Jeremiah, I learned that God told the prophet, Jeremiah, "Before I formed you in your mother's womb I knew you." And, you know, growing up I could never understand how he can know and love someone before they were born, and as I grew older and anticipated my first grandchild, Yong and I, we discovered we already loved her and we had great plans and blessings for her, and now we will tell our granddaughter how much we loved her before she was ever born. Yes, you see, children are not a blob of goo, Mr. Speaker, but a person with a divine destiny.

William Penn's quote encircles the rotunda out here. If you have not read it recently, you should go out and take a look at it. It says, "There may be room...for such a holy experiment...my God will make..." this colony "...the seed of the nation." How can we be the seed of the nation when we destroy that seed in a mother's womb?

This is a good bill. This is the day to draw the line in the sand and stand for righteousness. The challenges before us, Mr. Speaker, the gauntlet has been thrown down. Who among you will champion our most helpless constituents? Who among you, on this day, will rise to defend the defenseless – mothers, fathers, grandparents, brothers, sisters?

Mr. Speaker, I hope you will lift up your voices in the defense of the innocent babies who cannot yet speak for themselves and vote "yes" on HB 1948.

Thank you, Mr. Speaker.

The SPEAKER. Representative Ed Gainey.

Mr. GAINNEY. Thank you, Mr. Speaker.

This is a letter from a family in my district. I just want to share it with the House of Representatives. She said: "February 17, 2016. It was our 20 week ultrasound and my husband and I were excited. We expected to find out if the baby was a boy or girl, get cute ultrasound photos to share with our families, and then head home to tell our 3 year old son if he'd be getting a little brother or sister.

"Instead, our ultrasound revealed devastating news. News that I wish no parent should ever have to hear. News that rendered me speechlessly sobbing, and made my husband physically ill. Our baby – our son – had severe muscle deformities in all his limbs and was showing very little, if any, movement. Our doctors explained to us that when all of a baby's limbs are affected like this, it is because of a systemic issue that would also affect the very basic functions of life – movement, swallowing, and perhaps even breathing. These were severe fetal anomalies" that were "not compatible with life as we define it, life with any measure of quality.

"We were presented with our options: continue the pregnancy, do testing (which might provide a name for the cause, but not change what we already knew to be terrible outcomes for our unborn son), or end the pregnancy.

"I am grateful that...6 weeks ago I had all of these options available to me. Because had" I known that "the legislature..." may be "...moving this bill...earlier, the choice would have no longer been my own.

"When I heard about HB 1948, my first response was to..." contact Planned Parenthood and ask them, how can I help and share my story with them?

"I am in disbelief that just weeks after my family and I endured such tragedy, the Pennsylvania House is moving at break-neck speed on a Bill which would strip a woman, which would have stripped me of my choices and my privacy during such a vulnerable time."

I only share this story with you because I, too, agree. I would not want, as a father and my wife, I would not want to have to make a decision on any of my children, but if I was forced to know that the quality of my life, the quality of my child's life from the deformities that they suffer – he would not have a good quality or she would not have a good quality – I would want that choice to be left to me and my wife, not the General Assembly, but me and my wife. That is the most precious and insecure time that a family can have to make a decision about whether they should end a pregnancy, but they should have a right as a family, with their doctor and their pastor, to be able to make that decision. We should not be in the position to judge them. We should not be in a position to create laws that do not allow them to make the best choice for their family.

So I stand to oppose HB 1948, because if any of our families were in that situation, we would not want the law to do it. We would want to make the decision ourselves.

Thank you, Mr. Speaker.

The SPEAKER. Representative Eli Evankovich.

Mr. EVANKOVICH. Thank you, Mr. Speaker.

Mr. Speaker, we have heard a lot of debate on HB 1948. We have heard a tremendous amount of our colleagues' perspectives on standing up for those who cannot stand up for themselves, making the plea that miracles happen and those of us in this chamber should not allow people to try to control the course of life.

Mr. Speaker, as we make this decision on whether or not to pass HB 1948, I think we need to come to grips with something. We have heard about science. We have heard from people quoting medical professionals. Mr. Speaker, this is not a scientific debate. This is not a debate of medicine. This is a public policy debate. And, Mr. Speaker, I thought that the people in this chamber ought to know how other countries have approached this public policy debate. I am going to read a list of countries that all have limitations of 12 to 14 weeks for abortions. You cannot have an abortion, an elective abortion, in any of these countries after 12 or 14 weeks: Belarus; the Czech Republic; Denmark; Norway; Portugal, which has a 10-week ban; Spain; France; Germany; Switzerland; Belgium; or Cuba. And, Mr. Speaker, we heard Vietnam mentioned earlier today. Well, I am proud to announce that as of 2014, Vietnam now bans abortions after 22 weeks.

Mr. Speaker, I believe that those in this chamber need to also face one other major reality when it comes to the issue of abortion. Very rarely is there an altruistic motive behind the reasons why people stand for or against an issue. Those of us who stand up to protect those unrepresented, unborn children stand up for them. Mr. Speaker, many of those who stand up against HB 1948 in the public are ob-gyns, they are doctors,

they are people who work for organizations that provide abortion services. Well, Mr. Speaker, according to Planned Parenthood, an abortion that is performed between 22 and 24 weeks costs about \$3,275. That money goes into someone's pocket. According to a former ob-gyn, a licensed ob-gyn, who used to perform abortions, a Dr. Anthony Levatino, he states that it would be a normal course of practice for him to receive between \$250 and \$500 cash every single time someone visited his office for an abortion, and it was not unusual that after 3 hours of work he would take home \$4,500, and on days where he was performing abortions, it was not unreasonable for him to take \$10,000 to \$15,000 to the bank for deposit just for performing abortions.

Now, Mr. Speaker, minds may be made up. But for those of you who may be on the fence on this issue, understand this, that there is a billion-dollar industry, there is a billion-dollar industry behind the push for abortion and behind opposing these practices that HB 1948 seeks to correct for those unborn children and to protect those of us who cannot protect themselves.

I ask for an affirmative vote. Thank you.

The SPEAKER. Representative Brian Sims.

Mr. SIMS. Thank you, Mr. Speaker.

And I would add that if we are looking at billion-dollar industries backing bad legislation, perhaps we should not be starting with doctors.

Mr. Speaker, I rise to ask and to beg my colleagues to oppose HB 1948. Three years ago under very similar circumstances, this body took up equally hateful legislation aimed at attacking the Constitution and hurting women. I implored you then, as I do now, as an attorney, as a civil rights advocate, and as a legislator who has sworn to uphold the Constitution and not the Bible or any other religious document, to see this legislation for what it actually is, an end around the U.S. Supreme Court and the Constitution that are beneath this body.

In fact, Mr. Speaker, the prime sponsor is unable to answer even basic questions about this bill's drafting, about the language that was used in it, or the impact it would have on the Commonwealth. That combined with no public hearings is literally the opposite of a legislative process. This legislation does nothing to create jobs, does nothing to fill schools, to alleviate economic or financial pressures. It does not fund our infrastructure, support our small businesses, or create a better future for the Commonwealth.

What this bill does is attack the very citizens and voters who created this government. As Congressman Barney Frank so eloquently put, "If you don't have a seat at the table, you are probably on the menu." Once again, Mr. Speaker, we are confronted with the reality that in a State that is a majority of women, a legislative body, this legislative body that is 82 percent male will once again be putting women on the menu.

Finally, Mr. Speaker, as I have asked before and I ask again, how could any person charged with upholding the laws of our civil nation believe it to be their duty to subvert those laws and replace them with their own personal interpretation of their own religious ideology.

Legislators, like each of us in this room, have absolutely no business making personal medical decisions for other people. Virtually every person in this room has had to make a major medical decision for themselves or for a loved one. Now, imagine having to come here, each of you, imagine having to stand at this podium and implore this room to allow you to

make a personal medical decision for yourself or for a loved one. I promise you that not a single one of you would come before this body, and yet we are asking women and doctors in Pennsylvania to have to stand before us and subvert their medical and personal decisions for our own.

Before I close, Mr. Speaker, I also would like to read the letter of an opponent of HB 1948, Dr. Erica Goldblatt: "I used to think women like me were immune to this kind of loss, and I had the best of reasons: as a clinician and college professor specializing in death, dying, and bereavement, my role was always to support others who endured the tragedy of losing a loved one. I began my career as a pediatric oncology social worker, and found tremendous satisfaction helping others cope with what seemed to be insurmountable losses. I was the professional who was called in to help" those "families make decisions like the one that I had to face for my family. That decision centered around my pregnancy in its 20th week. Prior scans showed a healthy, active little boy, a child my husband and I waited to have until we were married and somewhat established in our careers. A child who was already real and exciting to us. A child with potential.

"But at our 20-week anatomy scan, what I'd thought would be a quick peek at our son's growing internal structure became the darkest day of my life. After waiting for two hours for the scan to be read, my husband and I were met by a physician and awkward medical student who grimly informed us that our son had Congenital High Airway Obstruction Syndrome, appropriately shortened to the name of CHAOS.

"Our little boy essentially had no working airway: his trachea was unformed, completely blocked off and fluids unable to be expelled through his mouth and were accumulating in his body, ballooning his lungs, squeezing his heart, and flipping his diaphragm upside down.

"In my years as a therapist and ethics consultant, I never judged the decisions of others and knew that my only role was to help and bring comfort. Our son's CHAOS was not a situation that could be remedied or treated. His particular anatomy demonstrated no feasible approach for surgery: his airway was completely sealed. His heart was close to failing. If he did not die in utero, being born would either kill him or the interventions needed to give him an airway would leave him most likely brain-dead. He would probably die after that of a secondary infection in the neonatal intensive care unit.

"This would be torture. It would be selfish to keep our son alive for the sake of having a baby. To bring this child into a life of suffering seemed...cruel..." and "unfair."

She wrote, Mr. Speaker, "I believe that God also led us to the decision we made: the worst, most unrelenting, forever excruciating decision to end the pregnancy. There truly are no words to describe the sensation in a woman's body when she has been robbed of her child. The psychological agony of having made the decision to end her child's life, and the unrelenting judgment of those who have not walked her path."

Mr. Speaker, for these reasons as well as those given by my colleagues, I ask the members to vote "no" on HB 1948 and reaffirm the Constitution of the United States instead of an attack on it.

Thank you, Mr. Speaker.

The SPEAKER. Representative Tina Pickett.

Ms. PICKETT. Thank you, Mr. Speaker.

I rise today to support HB 1948. The bill amends the Pennsylvania Abortion Control Act to ban post-20-week

gestation abortions and abortions committed by dismembering the child with the same exceptions as in the current PA ACA.

According to the Pennsylvania Health Department, abortionists committed 1,553 dismemberment abortions in Pennsylvania in the year of 2014 out of a total of 32,126 abortions. Those numbers again, 1,553 dismemberment abortions in PA in the year of 2014 alone.

We have heard a lot of discussion today, but we need to stand for the right things. We have a historical opportunity today to save many lives and to end a process that is just wrong. Support HB 1948.

Thank you, Mr. Speaker.

The SPEAKER. Representative Leslie Acosta.

Ms. ACOSTA. Thank you, Mr. Speaker.

I rise in opposition of HB 1948. HB 1948 raises some serious constitutional concerns by banning safe and legal abortion at various points in pregnancy without any concern for a woman's unique circumstances and health needs. Secondly, this measure is an assault on women's reproductive rights. We are criminalizing women who seek abortion care in the second trimester.

And I would like to share an example of this. Rachel – I do not want to use her real name – a single mother of four, discovered she was pregnant and decided that abortion care was the right choice for her and her family. When she went in for her appointment, the sonogram revealed she was further along than she had realized and her procedure would be more expensive than she thought. Unable to afford her abortion care at the time, Rachel went home and worked for weeks to come up with the money she needed. Rachel's care was delayed until she could put the funds together for her procedure. When she finally obtained her abortion, she was more than 20 weeks along.

I am deeply concerned by the fast-tracking of HB 1948 against the advice of the medical community and women's health advocates. The relationship between a patient and her doctor is built on trust. This legislation undermines that trust and limits the ability of the doctors to exercise their own judgment with regard to their patients.

It is unconstitutional and dangerous to the health and safety of American women. This is a direct challenge to *Roe v. Wade* when the Court held that prior to viability, abortions may be banned only if there are meaningful exceptions to protect a woman's life and health.

I am going to share a personal story, that for the first time in an open forum I am going to share a story that my family was personally struck with. My sister, at the age of 14, was raped, sodomized, and brutally beaten. She left my home about 7:15. She returned back about 7:45, and I was the one at the door waiting for her. She was in a pool of blood. And my family had to deal with this on a very personal level. At that time my father was a State Rep in this chamber. As a result of that rape, my sister got pregnant. And it is beyond me that we are making decisions for people, individuals, and women that we should not be making. That decision that my sister made was between my family, that doctor, and my sister to either have that child or terminate that child. And for us to sit here and legislate this, I think that is wrong. And I have never shared this publicly, ever. This is the first time I am standing up and sharing this about my family and my sister. She is now 47 years of age, affected by this for the rest of her life.

So, Mr. Speaker, I am in opposition to HB 1948, not because it is unconstitutional, because I went through this personal, personal story with my very own sister. So that is why I stand here, Mr. Speaker, in opposition to HB 1948. People have the right to make those choices, and it should not be legislated or it should not be left up to a politician.

Thank you, Mr. Speaker.

The SPEAKER. Representative Daryl Metcalfe.

Mr. METCALFE. Thank you, Mr. Speaker.

Mr. Speaker, it has been talked about today about the technological changes and the advancement in medicine that allows for the babies to be viable at a much earlier age now. Instead of waiting until 6 months, at times you are able to see a viable child within the 5- to 6-month timeframe.

Mr. Speaker, when my wife was pregnant with my daughter back in the mideighties and we went in and got the ultrasound, I remember the ultrasound technician pointing out to us where my daughter was at in the ultrasound, because at the time the technology just was not that great. I mean, it was really, really miraculous it seemed at that time that you could look inside the womb and see a baby and see where the baby is at in the womb and tell the position. But you were not able to see a lot of detail at that time, Mr. Speaker.

Well, you fast-forward another 30 years later, and my daughter is due to have our first grandchild, a baby girl, coming up next month, and she has been able to not only see an ultrasound in such detail that they are able to count the fingers and toes of the baby and measure the baby's nose and look at and do all these measurements that they do while the baby is still in the womb at such an early age now, but she is able to share that, those pictures through e-mail or a text message. And today she in fact sent me, she had a checkup today and she sent me her baby's heartbeat. So the baby has got a strong heartbeat and could come at any time now. So we are excited about seeing our granddaughter.

But as one of the former members had talked about, about loving a child in the womb already, you know, I have watched my daughter caring for her child already before the child has been born, and the decisions that she is making that can affect that child already and taking care of herself and taking care of the baby at the same time because she is getting feedback from that child with how the baby is reacting throughout the day with what activities my daughter has been involved in at work or at home and how the baby is reacting to the travel that my daughter has had to do or other things like that and how active the baby is or whether the baby is sleeping.

Mr. Speaker, it is just so hard to believe when I was able to look at those ultrasounds now of my grandchild and see her sucking her thumb in the womb through that ultrasound picture and see her little nose, and I mean, when you see that, you wonder how in the world could anybody with a conscience look at that and say that is not a life, Mr. Speaker, that that is not a baby, Mr. Speaker, because of their own personal agenda.

Mr. Speaker, it is time to bring an end to this barbaric, barbaric procedure of dismemberment, Mr. Speaker. Mr. Speaker, even one of their own advocates here at the microphone earlier would not say what the procedure was, just talked about there is a procedure. That is because the majority of the public when they hear about a baby's limbs being ripped from it, Mr. Speaker, it horrifies them. It is not a choice. It is a murder. It is barbaric and it needs to come to an end. And the

ultrasound technology and the medical advancements that allow for a child to be viable now at a much earlier stage than it did in the eighties, Mr. Speaker, is the reason that we should pass this legislation so that children are protected after 20 weeks of age in the womb, Mr. Speaker.

Mr. Speaker, we are one of few nations that still allow this. I mean, you can understand why a Communist nation like North Korea or China might allow some barbaric procedure, but why in the United States of America, where we read, as one of the former members stated, "We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life...."

Vote for this, I ask, Mr. Speaker.

The SPEAKER. Representative Matt Bradford.

Mr. BRADFORD. Thank you, Mr. Speaker.

I was wondering if the good lady from Warren would be kind enough to stand for interrogation.

The SPEAKER. Representative Rapp has indicated that she will stand for interrogation.

You may proceed, sir.

Mr. BRADFORD. Thank you, Mr. Speaker.

I have a question that I guess would seem simple. Starting from the very beginning, I noticed 20 weeks is the date that you have chosen for this legislation, and I realize going back over some of the case history, whether you use the trimester system or viability or whatever the standard is, you have chosen 20 weeks in this bill. Why 20 weeks? Why not 19 weeks? Why not 21 weeks? Why 20 weeks?

Ms. RAPP. Mr. Speaker, the reason the gestational age was chosen is because of the statistical and scientific evidence.

Mr. BRADFORD. Can you be more specific?

Ms. RAPP. Babies are now viable at 21 weeks.

Mr. BRADFORD. And which doctors, which respected scientific organization are you relying on for your conclusion?

Ms. RAPP. Medical journals.

Mr. BRADFORD. Which ones?

Ms. RAPP. The American Medical Association, the medical journal.

Mr. BRADFORD. They have done that—

Ms. RAPP. 2008.

Mr. BRADFORD. —in peer-reviewed studies? Oh, I am sorry; I did not mean to cut you off.

Ms. RAPP. In a 2008 British Columbia Medical Journal.

Mr. BRADFORD. Which one?

Ms. RAPP. 2008.

Mr. BRADFORD. Which one?

Ms. RAPP. 2008 British Columbia Medical Journal.

Mr. BRADFORD. The British Columbia Medical Journal.

Ms. RAPP. And the American Medical Association.

Mr. BRADFORD. You are saying the American Medical Association agrees with your conclusion that HB 1948 would prevent a fetus from feeling pain? Because I do not think that is the case. In fact—

The SPEAKER. Sir—

Mr. BRADFORD. — I think the evidence that is—

The SPEAKER. —please suspend.

Mr. BRADFORD. — being produced is the opposite.

The SPEAKER. You may ask questions—

Mr. BRADFORD. And follow-up.

The SPEAKER. —but you are speaking on the bill and you are speaking on who may or may not support. You may certainly do that in your remarks, but that is not interrogation.

Mr. BRADFORD. So the American Medical Association agrees with your conclusion?

Ms. RAPP. The American Medical Association based on viability.

Mr. BRADFORD. So they support this legislation or do the British Columbians?

The SPEAKER. Please suspend. Please suspend.

The question was, what medical evidence, I believe, medical evidence do you have? The gentelady answered that. It is a little afield. Are you asking— You can ask the question, do they support this? It is not what she said. And it is not appropriate for any member to characterize what somebody else said. But you may ask that question as to whether or not the American Medical Association supports this, but to characterize that she said that would be inaccurate and inappropriate.

Mr. BRADFORD. Well, I do not want to do anything that is inaccurate or inappropriate so—

The SPEAKER. Because that is not what she said.

Mr. BRADFORD. Mr. Speaker, I am trying to ask a simple question. Does the AMA agree with your conclusion?

Ms. RAPP. I do not know if they agree with the conclusion. I am only looking at their data—

Mr. BRADFORD. Okay.

Ms. RAPP. —for viability.

Mr. BRADFORD. What respected peer-reviewed medical journals agree with the conclusion that you have reached?

Ms. RAPP. The journals that we cited are in regard to viability.

Mr. BRADFORD. Okay. I will accept that as your answer for this time being.

Can you ask, do you want to continue to allow abortions at 19 weeks?

Ms. RAPP. The bill speaks to 20 weeks.

Mr. BRADFORD. And I agree, and I believe at your opening to introducing this bill, you stated understandably, and I want to give you credit for being unabashed in your support of this pro-life legislation, so as an individual who is sponsoring this pro-life legislation, why do you believe abortion should continue at 19 weeks but not at 20 weeks? In your opinion, what is the distinction?

POINT OF ORDER

Mr. REED. Mr. Speaker?

The SPEAKER. Point of order. Please proceed, Representative Reed.

Mr. REED. Yes, sir. We have got a bill in front of us with a specific proposal. If the gentleman wants to have a broader public policy debate on the topic, you know, they are certainly more than capable of holding Democratic policy hearings or they can have a public debate in any arena outside of this room. But we have a specific proposal in front of us. He should stick to that proposal and not get into the motives or other feelings the gentelady may have on other topics or other specific proposals. Thank you.

The SPEAKER. Thank you, Leader Reed.

Sir, at this time the interrogation is designed to ask questions for which you do not know the answer and it has to be on the bill. The gentelady does not have to stand for interrogation if she does not wish to.

Mr. BRADFORD. Right.

The SPEAKER. You may proceed.

Mr. BRADFORD. I would say and I appreciate Leader Reed's offer to have hearings. I would state that that is why we should probably have hearings on these types of bills before we introduce bills with an arbitrary—

The SPEAKER. Please suspend. You may proceed with interrogation or you may end your interrogation and speak on the bill.

Mr. BRADFORD. Thank you, Mr. Speaker.

Could a member reasonably conclude that your bill with a 20-week ban envisions that abortion at 19 weeks is not violative of the standards that you cite from your medical journals?

POINT OF ORDER

Mr. REED. Mr. Speaker, point of order—

The SPEAKER. Yes—

Mr. REED. —once again.

The SPEAKER. —please.

Mr. REED. That is just another way—

The SPEAKER. I think—

Mr. REED. —of asking the same exact question.

The SPEAKER. —at this point if we have questions about the bill, if you have questions about the bill, you may proceed.

Mr. BRADFORD. Okay.

The SPEAKER. If in fact you are trying to make the point that you think that there is some issue with 19 weeks versus 20 weeks, you can do that in your remarks on the legislation itself.

Now, I am going to reiterate that the good lady does not have to stand for interrogation, and you may proceed if you have a question about the bill.

Mr. BRADFORD. Okay. I will move along.

Do you think the purpose of this bill creates an undue burden on the women of Pennsylvania?

Ms. RAPP. Do I think? No. Women in this State, even under this bill, will have the opportunity to have an elective abortion up to 20 weeks, which is 5 months.

Mr. BRADFORD. Do you believe a woman has a constitutional right to an abortion in Pennsylvania—

The SPEAKER. Please—

Mr. BRADFORD. —after 20 weeks?

The SPEAKER. Please suspend. This is not about beliefs.

At this time I am going to specifically direct that the questions are on the bill itself or you can remark yourself on constitutionality as part of your remarks on the bill.

Mr. BRADFORD. Mr. Speaker, I want to thank the gentelady and I will conclude her interrogation.

I would like to speak on the bill.

But let me also thank the gentelady because for some time in this chamber, I have to say, we have not admitted when we have passed pro-life legislation. I was going back and looking at some of the comments and discussion going back to when the ambulatory surgical regs were passed, and I remember also the debate when elective abortion coverage in the Affordable Care

Act was also banned by this body, and at that time this body was very clear: These were not abortion bills; these were simply protecting the rights of women.

Well, today that has not been the case. We have heard from many members citing the Constitution and the Declaration of Independence. Not so much Supreme Court case law and the right of a woman to safe, legal abortion, but a lot of would-be jurists opining their opinion on what the law should be and their morality. But what they have not done, what they have not done is admit what they have always been about, which is a slow march to undermining the right to legal abortion for every woman in Pennsylvania, and today that march continues, and we do it without the cloak, without the gamesmanship, without hiding behind tragedies or some false sense of women's health. What we have today is an honest debate about those who want to end abortion rights in Pennsylvania. There is no more hiding it, Mr. Speaker. You are either on the side of women or you are on the side of those who want to project their views on every woman in Pennsylvania regardless of the Supreme Court. In fact, Supreme Court precedent be darned; my morality, my faith, not yours.

Well, I have to tell you, Mr. Speaker, that is not the way it works in the United States of America. What you propose doing by your slow erosion of rights, by trying to do piecemeal, which you have not had the courage to do head-on, is to outlaw the right to abortion for women in Pennsylvania, and today, with your most zealot followers, the cloak is gone. They have made it clear. They want to end the right to abortion in Pennsylvania. So join with them, but do so at your peril, because for too long the argument out of this body and out of this majority was, this is not about abortion. Well, today it clearly is. Listen to their own speaker who introduced this legislation. This is pro-life legislation. This is about banning the right of women – there they are – yeah, and God bless you. I respect your opinion deeply. I do. No, I do.

Look, people are honestly torn on the issue. The difference between those who hold my position and yours is very simple: We happen to believe that we should not project our opinions on the women of Pennsylvania; you do. That is the difference. I am not saying you are wrong. I am saying you want to choose and I am saying you should not. I am saying that the Supreme Court has made clear, it is the constitutional right of every woman in America, including here in Pennsylvania.

For that reason I ask you to reject HB 1948. Stand up for what our Constitution has given to the women of Pennsylvania, which is a right to make the choice about their own body. This is wrong, and today it is obvious, it is clear. So give yourselves a big round of applause because all you have done is undermine the constitutional right of women in Pennsylvania to control their own body.

Thank you, Mr. Speaker.

The SPEAKER. Representative Bryan Barbin.

Mr. BARBIN. Thank you, Mr. Speaker.

I rise in support of HB 1948, and I am pro-life, and I would say that it is important to be pro-life. It is also important to remember that not all Supreme Court decisions are right. I will give you an example, *Dred Scott*, U.S. 393 (1857).

I will also tell you the greatest President we ever had was Lincoln because he was willing to say what other people were not willing to say. He started out the discussion of whether or not there was a calamity or a catastrophe moving forward in the United States. It caused the Civil War and 560,000 deaths. What

he said was, he started the discussion on whether or not a slave was a person. There is a question under this bill how far will we go to say that an unborn child is not a person. China, China said, China has said, Vietnam has said, Singapore has said that a child that is 24 weeks or more or less is not entitled to protection for an elective abortion.

We have a bill before us today that says, where shall we allow elective abortion policy to be determined? We have a bill today before us that says, where will we decide that dismemberment procedure is appropriate in that right that we have established through court decisions?

He started his discussion by referring to a point which brings us here today, and part of it was said, but the part that was not said is important: the unalienable rights – life, liberty, and the pursuit of happiness – but to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed and that when any form of government becomes destructive of these ends, it is the right of the people to alter that.

So whether you agree with me or do not agree with me as to an unborn child being a person, I have the right, as an elected member of the Assembly, to say we should alter our public policy as it relates to just how many abortions we are going to have in Pennsylvania next year. We have 30,000 abortions in Pennsylvania, and I believe that gives me the right to say maybe we could do it better. And maybe it gives me the right to say that because that person, the unborn child, may be a person under the Constitution and protected as a citizen of the Constitution, that maybe that is something that we should think about before we decide we are going to go forward with dismemberment abortions and before we are going to say, yeah, 24 weeks, that is really the right place and maybe just because we have another 5,000 abortions and that is not a health issue somehow for women, that we have 30-some thousand abortions, that that is okay. I do not think it is okay.

There was a statement that was made earlier that it does not matter because the Supreme Court has decided that we will have a *Roe v. Wade* decision no matter what anybody else does. Well, I just want to point out that worldwide last year one pregnancy out of four was subject to an elective abortion. What that meant was that 40 million abortions occurred last year.

There was a bishop in Vietnam who explained that the most tragic case in the world was his country, and the reason it was the most tragic case was the country performs 1.6 million abortions per year, 300,000 of them, because they have a similar rule that we have, the 24-week rule, were on young women between the ages of 15 and 19. That was the catastrophe that he was talking about in his country. We have too many abortions in this country. That is our catastrophe.

War has been declared against human life, and there are gigantic financial resources behind it. It is not hard to know why China does it. They have a population problem. It is not hard to understand why Vietnam or Singapore does this. They have a population problem. But we are not Singapore, we are not China, and we are not Vietnam. We are supposed to be the light, and the light says that maybe our balance, we are a little unbalanced.

So the question is, how is it that we have a public policy that so many defenseless children should be eliminated in Pennsylvania from their mother's womb under the pretext of women's right to control her body freely? Women's dignity is a noble and important cause to fight for, but it is not achieved by

extinguishing the life of an unborn child. So if our rule is 24 weeks and it is not 20 weeks, we have extinguished other human lives that all countries in the world, with the exception of the seven that have been noted, do not accept. France does not accept it. Germany does not accept it. Britain does not accept it. So why does Pennsylvania accept it? Why does the United States accept it?

In France last year there were 220,000 elective abortions, which is one abortion for every three births in France. It is a public policy issue, it is a women's health issue, and it is an issue as to whether or not that unborn child has any rights that we ought to accept. I accept the fact that there are plenty of people in this chamber that will not agree with me. I accept the fact that there will be some people that characterize what I believe as not being pro-woman. That is their obligation.

I would say, though, that Lincoln fought the same battle at the Cooper Institute when he was arguing this issue before he became President, on the slavery issue, and he said, "Let us have faith that right makes might, and in that faith, let us," do that "to the end...." I know that I am going to be criticized, but I also believe it is the right thing to do. So I am going to do it.

The other issue that I think you have to come up with or you at least have to accept is involved in this public policy argument is that when they actually ended slavery, *Dred Scott* said a slave is property, not a person. I say unborn child is a person. If they are, they are entitled to all the rights.

At some point in the future, and I do not know when and I do not believe it is going to be any time soon in Pennsylvania, but at some point we will have a statement where there shall not be a State depriving an unborn child of life, liberty of property without due process of law, nor deny any person, including an unborn child, the equal protection of its laws. Right now an unborn child does not have the same right as the mother. That is the truth. That does not have to be the law. That was the same issue we dealt with 150 years ago.

I am going to close by saying this. It is a lie to say that an unborn child is not a person, just as it was a lie to say that a slave was not a person but merely the property of its master. Someday freedom guaranteed by the Constitution will extend to the unborn, and until that day, I will be voting for the unborn.

The SPEAKER. Representative Margo Davidson.

Mrs. DAVIDSON. Before I get into this debate, the Black Caucus wanted to note we are very popular today with references to Wilberforce, Abe Lincoln, and Dred Scott, so—

Mr. Speaker, thank you.

I believe I have developed a reputation in the House of Representatives, and my reputation is that I will vote for legislation regardless and in spite of any ideological preference of my party or the opposite party. I will vote on the merits of the bill based on a principled decision according to my passion, according to the Constitution, and most importantly, according to the people in my district that elected me to be their voice, and so it is for them today that I stand.

Mr. Speaker, let us talk about the merits. Let us talk about the merits of the bill, and I had some questions, and I am not going to put the maker of the bill, the lady from Warren, through another interrogation because we already know the answers to many of these questions.

So I am just going to state for the record in my search for answers, I called the Medical Society, I spoke to numerous doctors, and I could tell you what it means to have a D&E procedure that we are calling dismemberment here in this

House. It is a procedure that evacuates the unborn child or the fetus, depending on your point of view. It evacuates that material, that matter, that substance from the womb by forceps and it sweeps out all of the human matter. Why does it do that? Because I was told by doctors that perform the procedure and those that refuse to perform the procedure that at 14 weeks of gestation there is bone in that human matter, and the only way you can get the bone out of the womb is to sweep it out with forceps and the procedure known as D&E. If you were not to do that, starting at 14 weeks gestation, you will leave human matter in the womb of that woman. And what happens to that human matter? It begins to fester, it becomes infected, and a woman can writhe in pain with sepsis until she dies.

This is absolutely about human life. Make no mistake that this abortion bill is about human life, the life of the woman and the life of the yet-to-be-born child. I say to you, with all due conscience, this puts women's lives at risk, because if you can imagine, if she goes to get an abortion even before 20 weeks and you leave that matter, the bone matter in her womb, she will die.

Let us move to the unborn child. Contrary to what has been said here, I have been told and it has been verified that .0001 percent viability at 24 weeks and at 20 weeks. I asked the doctors would they provide for me one example of a 20-week-old fetus or unborn child, depending on your perspective, that has survived outside of the womb. I was not given any in the United States of America.

You can believe it or you can discount it, but what you are talking about is forcing a woman to carry medical, at that point, waste because only parts and fragments are left in her womb, inside of her body, and once you take the baby out, the baby does not have a viable chance to live at 20 weeks, at 21 weeks, at 23 weeks currently.

So you are asking that doctor – because the bill says that there be a second doctor on hand that would be solely responsible just for the life of the now born baby. The woman has already made a decision to abort. Who cares for that child, if by some miracle – and I believe in miracles – although there is no medical evidence that one has happened yet, if that miracle were to occur, who cares for this baby? We are absolutely talking about life, and that woman has already made a decision to terminate this pregnancy, a grueling decision, and you have heard all the stories of how grueling a decision that is.

And we know from our sister, Representative Tarah Toohil, who has often fought for foster children and how they are abandoned and how they are abused and how they are left for nothing when they turn 18 and 21. Who is going to care for that child with severe abnormalities? This is absolutely about life.

And I stand here to tell you that this bill does not protect the life of women as I have described to you, and I am here to tell you know that it does not protect the life of the unborn, and if you sit here and believe, you are fooling yourself because you will have cataclysmic results and a halfhearted effort to save unborn children.

And so I say, Mr. Speaker, I ask my colleagues, with all due conscience, those of you that support life and those of you that support choice, this is not the vehicle to save women or to save the unborn, and I will be voting "no."

Thank you, Mr. Speaker.

The SPEAKER. Representative Bryan Cutler.

Mr. CUTLER. Thank you, Mr. Speaker.

Mr. Speaker, we have covered a wide area of information here today, but I would like to sum up some of what I think are the important points.

There has been a lot of confusion regarding the medical terms and the definitions used. We have debated that during the constitutionality argument, the fact that a D&E procedure is different than a dismemberment abortion, which is defined in the bill.

Mr. Speaker, some would have you to believe that case law can never change. Some would have you to believe that medical technology cannot advance. Mr. Speaker, when you look at the case law that was referenced, it was consistently *Roe v. Wade*, and while I understand that that is a very passionate talking point, the fact is that portions of that case have changed throughout the decades since it was first decided. When you look at *Roe v. Wade*, it had a trimester approach, which was later overturned during the *Planned Parenthood v. Casey* case with Pennsylvania's own Abortion Control Act. That put in the standard for viability, which at that time was 24 weeks.

In the late nineties I worked as an x-ray technologist and I routinely x-rayed neonatal babies while in the NICU, the neonatal intensive care unit, and I can tell you that I x-rayed 24-, 25-, 26-week-old babies at that time, barely the size of my hand, barely weighing more than 1 pound. They were viable. They could live. Medical advances have happened since that time, advances in prenatal care and advances in how we can save babies much sooner than 24 weeks. But when you look at the law as it is currently written, we cannot escape the reality that our current law allows babies to be aborted prior to 24 weeks that could otherwise survive.

The gentlelady from York County referenced two studies, one in the America Medical Association, which put the survivability rate at 4 percent and another which said 9 at 22 weeks. It is important to recognize that those technological changes have occurred.

And when you get into the specifics of the dismemberment procedure, some have raised the question as to whether or not we can regulate it. I assure you, that question has not been answered. It was answered in the *Gonzales v. Carhart* decisions that were previously decided that banned what is known as the partial-birth abortion method. The Supreme Court clearly said that we can in fact regulate procedures due to their barbarity if we so chose.

And it is also important to note to the gentleman who was questioning earlier as to when that break point is, as to when States can in fact regulate abortion, the reality is, the Court has answered that question as well, which is specifically why we chose the 20-week period, because the Courts have said prior previability it is the decision to be made by the mother. However, postviability, which as we referenced earlier through debate has slowly been driven down from 24 weeks, which was timely and accurate at the time of its implementation over 20 years ago, advances have occurred that that is still there and that some individuals can survive at an earlier time if given appropriate medical care.

It is time that we update our laws to reflect that. It is time that we recognize that both the case law and medical technology have advanced since *Roe v. Wade* was originally decided over 30 years ago. When you look at that test, postviability, there was one question and that is simply this: Does the State have a

compelling interest in regulating the procedure? And the answer is yes because the Court also went on to say that at that time we have a compelling interest both in the life of the mother as well as the yet-to-be-born infant, and when you look at that test, it was very simple and it is a balanced test that is outlined constitutionally.

We had that very same argument with some of the other legislation that the other speakers have brought up, and it is important to note that those bills still stand as good law today. We cannot pick certain case law and say that it is a right that is without limits because the Supreme Court itself has clearly given us guide rails and limits, and when you look specifically at the gestational age, because I know there are a lot of questions about that, it is important to recognize that the way we count age is 20 weeks, means up to 20 weeks and 6 days, because that is the 20th week.

Mr. Speaker, I would offer that both the distinction and the compelling State interest regarding viability has been made. I think that it is time that we recognize the medical advancements that have occurred since the 15 years that I was taking x-rays, and more importantly, saving individuals who are not currently under our law.

Mr. Speaker, that is the legal question, and the answer, to me, is a compelling yes, and I will be supporting the bill because I think it is time that our laws reflect the appropriate changes, both in technology as well as the case law. Thank you.

The SPEAKER. We have three speakers left on the list: Representative Cohen, Representative Wheatley, and then Representative Rapp will conclude as the maker of the bill.

Representative Cohen.

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, in January of 1973 on the very same day President Lyndon B. Johnson died and *Roe v. Wade* was decided by the Supreme Court. In the newspapers the next day all over the country President Johnson's death was the big news and *Roe v. Wade* had very little coverage. Obviously in the years since, *Roe v. Wade* has clearly become one of the major events in the history of our country.

We have been debating in the legislature on this issue, the broad issue of abortion rights and the circumstances in which abortions are legal, long before I got here in 1974, and the month after I got here in '74, we voted on an abortion control bill and we voted on them probably dozens of times since, certainly in excess of one dozen times since. And the opinions accepted in southeastern Pennsylvania, there has been a lot of change in what people think about restricting abortion, and southeastern Pennsylvania has moved from a pro-life to a pro-choice position. But basically everywhere else in the State, if you will look at the roll-call votes from the 1970s and compare it now, basically the opinions are pretty fixed by counties and by legislative districts.

And people ought to realize that all we are voting on here is legal abortions. We are not voting on abortions as such. Abortions will take place regardless of whether they are legal or not. All we are debating is whether abortions will take place under the sanction of law.

And this is the first debate that I can recall in which practices of other countries have become prominent. I assume that is partly because of the Internet and generally more awareness that other countries have experiences that are relevant to us. So I looked at the Internet here, like so many of you have done, and I found that Greenland, in Greenland 51.1 percent of all

pregnancies end in abortion, in Vietnam 40 percent of all pregnancies end in abortion, in China 31.1 percent of all pregnancies end in abortion. I assume these are all legal figures, whatever is legal in these countries. And compared to those countries, Pennsylvania has few abortions. Twenty-one percent of all pregnancies in the United States, according to the latest figures I was able to find, end in abortion, and in Pennsylvania 20 percent of all pregnancies end in legal abortions. In other countries there are virtually no such thing as legal abortions. In Mexico, Poland, Panama, Venezuela, there are virtually no legal abortions, but I am sure that people in those countries who want abortions can find ways to have them.

What is at stake in this legislation today is what the rights are of women to be protected by the laws of this Commonwealth. If women are determined to have abortions, they will find ways to do that. We have right now, under current law, guarded by our Constitution, is a protection of the rights of women. We ought to keep that protection. Failure to keep that protection and make ourselves like Venezuela, Mexico, Panama, and say that we want to drive as many abortions as we can underground, out of sight, unprotected by law, only will harm women. The countries that have a lot of abortions, more than Pennsylvania, are hardly ideal countries, but neither are the countries that ban abortions totally.

I think the ideal lies somewhere in the middle, and that is where the United States and Pennsylvania are in the ranks of all the countries, we are somewhere in the middle. I would urge the defeat of this legislation.

The SPEAKER. Representative Jake Wheatley.

Mr. WHEATLEY. Thank you, Mr. Speaker.

Mr. Speaker, I rise today— When I came here on the House floor, I was not intending to speak much. I have been a part of a number of these types of votes, where I realize by the time we get to the floor, our minds are pretty much made up, and I have come to the conclusion that I try not to add to the delay in us taking up these types of votes. But as I was sitting here listening to the discussion, several things that were said here compelled me to want to at least add my voice to this conversation, because I think it is important when we try to make our arguments and we try to prove our points that we do not use examples that misconstrue the history and fight of a people. This country and this government has never done a good job of protecting women or minorities or those who are not empowered, and typically—

The SPEAKER. Sir, just suspend for a second.

Members, Representative Wheatley followed by Representative Rapp are our last speakers. I would ask everybody to please take their seats and please give Representative Wheatley the opportunity to be heard. I would ask all members to please take their seats. Any conversations, if we could take to the anterooms.

Representative Wheatley, you are entitled to be heard. Please proceed.

Mr. WHEATLEY. Thank you, Mr. Speaker.

Mr. Speaker, what I was attempting to convey, when I hear people talk about the *Dred Scott* decision and/or Lincoln and the emancipation and the civil rights era and they lay that into this discussion that we are having today, I would encourage them to look deeper into what was at the basis of all those things. It was a fight to be self-determinant, to fight against government sanctions that were driven by primarily White males trying to tell non-White males how best to live and how best to walk and

how best to be viewed and what is best for them and normally under the auspices of a compelling interest, either economic interests or interests to control and stay empowered, and at the basis of this discussion is the same thing. It is a government that is primarily made up of White males trying to tell women what is best for them, and what is the compelling argument that they use? That within your body is something that we deem more important than you, until, of course, they become an actual walking, talking human, who may not come from the station that they are in, and then we say that it is somebody else's responsibility.

So for me, again, I am not trying to force you to believe one way or another, because quite frankly, your vote is your vote. I am going to vote "no," but I also want to encourage us to be very careful when we start talking about government, and I will tell you, I am the first one to back up.

I am going to say this, Mr. Speaker. I am not a medical professional. Quite frankly, when I start hearing arguments about previability versus postviability, 24 weeks versus 18 weeks, I am confused as heck. That is why I think it would be critical when we are doing these types of changes to make sure we are fully educated, to make sure we have heard from the medical industry and all of the other stakeholder groups, including women, around what the changes are we are about to do, but, okay; we are here now.

There is some interest to get this done and some reason we need to get it done now. Okay; that is fine, but when we start arguing that government that is still primarily made up of White males trying to tell other folks what is best for them and we use the argument of compelling interests, I think that is very dangerous, especially if we connect that to Dred Scott, Lincoln and the emancipation of bonded, enslaved people, or the civil rights movement, because all of those things were done to people under the auspices of compelling interests and we the government – White males – know what is best for you.

So for me, vote your conscience and do what you are going to do, but do not confuse this issue. This issue boils down to one very simple thing: do we believe in a woman's ability to be self-determinant? And if you do, then we should allow for that woman and her medical care professional to make that determination amongst themselves, and if you do not, then you will vote "yes" for this and you will continue to perpetuate the same thing that has gotten our country all twisted from time immemorial, and that is allowing other people – government, White males – to tell you what is best for you instead of us all being a part of that decision tree.

So thank you, Mr. Speaker, and I look forward for a "no" vote on this bill.

The SPEAKER. Members, do any other members wish to speak? The final speaker is going to be the maker of the bill, Representative Rapp.

If nobody else is asking for the floor, we will go to our last speaker, Representative Kathy Rapp, for the second time.

Ms. RAPP. Thank you, Mr. Speaker.

I would like to take this opportunity to thank the chairman of the Health Committee, the staff, and everyone who has been working on this bill for so very long so that we could bring it to the floor today.

I know, as I said in my opening remarks, we have been struggling with this question since even before *Roe v. Wade*, and we will be struggling, I am sure, with it tomorrow and the day after and the day after.

But for my closing remarks, I have chosen to speak to what I believe is still very relevant today, and it is the legislative intent from the original Abortion Control Act: "It is the intention of the General Assembly of the Commonwealth of Pennsylvania to protect hereby the life and health of the woman subject to abortion and to protect the life and health of the child subject to abortion. It is the further intention of the General Assembly to foster the development of standards of professional conduct in a critical area of medical practice, to provide for development of statistical data and to protect the right of the minor woman voluntarily to decide to submit to abortion or to carry her child to term. The General Assembly finds as fact that the rights and interests furthered by this chapter are not secure in the context in which abortion is presently performed.

"Conclusions. –Reliable and convincing evidence has compelled the General Assembly to conclude and the General Assembly does hereby solemnly declare and find that:

"Many women now seek or are encouraged to undergo abortions without full knowledge of the development of the unborn child or of alternatives to abortion.

"The gestational age at which viability of an unborn child occurs has been lowering substantially and steadily as advances in neonatal medical care continue to be made.

"A significant number of late-term abortions result in live births, or in delivery of children who could survive if measures were taken to bring about breathing. Some physicians have been allowing these children to die or have been failing to induce breathing.

"Because the Commonwealth places a supreme value upon protecting human life, it is necessary that those physicians which it permits to practice medicine be held to precise standards of care in cases where their actions do or may result in the death of an unborn child."

Mr. Speaker, I humbly stand today as someone who stands for pro-life and ask for your affirmative vote on HB 1948. Thank you, Mr. Speaker.

On the question recurring,
Shall the bill pass finally?

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

(Members proceeded to vote.)

LEAVE OF ABSENCE

The SPEAKER. Representative Tom MURT has requested to be placed on leave for the remainder of the day. Without objection, that leave will be granted.

CONSIDERATION OF HB 1948 CONTINUED

On the question recurring,
Shall the bill pass finally?

The following roll call was recorded:

YEAS—132

Adolph	Gibbons	Mahoney	Readshaw
Baker	Gillen	Major	Reed
Barbin	Gillespie	Maloney	Reese

Barrar	Gingrich	Markosek	Regan
Benninghoff	Godshall	Marshall	Roae
Bloom	Goodman	Marsico	Rothman
Boback	Greiner	Masser	Saccone
Brown, R.	Grove	Matzie	Sainato
Burns	Hahn	McGinnis	Sankey
Caltagirone	Hanna	Mentzer	Santora
Causar	Harhai	Metcalfe	Saylor
Christiana	Harhart	Metzgar	Schemel
Corbin	Harper	Miccarelli	Simmons
Costa, D.	Harris, A.	Millard	Snyder
Cox	Heffley	Miller, B.	Sonney
Culver	Helm	Moul	Staats
Cutler	Hennessey	Mustio	Tallman
Daley, P.	Hickernell	Nelson	Taylor
Day	Hill	Nesbit	Tobash
Deasy	Irvin	Neuman	Toepel
Diamond	James	Oberlander	Toohil
DiGirolamo	Jozwiak	Ortitay	Topper
Driscoll	Kaufman	Parker, D.	Truitt
Dunbar	Kaufman	Payne	Ward
Dush	Kavulich	Peifer	Warner
Ellis	Keller, F.	Petrarca	Watson
Emrick	Keller, M.K.	Pickett	Wentling
English	Clunk	Pyle	Wheeland
Evankovich	Knowles	Quigley	White
Everett	Kortz	Quinn	Zimmerman
Farina	Lawrence	Rader	
Fee	Longietti	Rapp	Turzai,
Gabler	Mackenzie	Ravenstahl	Speaker
Galloway	Maher		

NAYS—65

Acosta	Dean	Keller, W.	Roebuck
Artis	DeLissio	Kim	Ross
Bizzarro	Delozier	Kinsey	Rozzi
Boyle	Dermody	Kirkland	Samuelson
Bradford	Donatucci	Krueger	Santarsiero
Briggs	Evans	Lewis	Savage
Brown, V.	Fabrizio	McCarter	Schlossberg
Bullock	Farry	McClinton	Schreiber
Carroll	Flynn	Miller, D.	Schweyer
Cohen	Frankel	Milne	Sims
Conklin	Freeman	Mullery	Stephens
Costa, P.	Gainey	Neilson	Sturla
Cruz	Gergely	O'Brien	Thomas
Daley, M.	Harkins	O'Neill	Vitali
Davidson	Harris, J.	Pashinski	Wheatley
Davis	Kampf	Petri	Youngblood
Dawkins			

NOT VOTING—0

EXCUSED—5

DeLuca	McNeill	Murt	Vereb
Kotik			

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 2050, PN 3304**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in proprietary and official rights, further providing for wearing of uniforms and insignia.

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—197

Acosta	Evankovich	Kortz	Readshaw
Adolph	Evans	Krueger	Reed
Artis	Everett	Lawrence	Reese
Baker	Fabrizio	Lewis	Regan
Barbin	Farina	Longietti	Roae
Barrar	Farry	Mackenzie	Roebuck
Benninghoff	Fee	Maher	Ross
Bizzarro	Flynn	Mahoney	Rothman
Bloom	Frankel	Major	Rozzi
Boback	Freeman	Maloney	Saccone
Boyle	Gabler	Markosek	Sainato
Bradford	Gainey	Marshall	Samuelson
Briggs	Galloway	Marsico	Sankey
Brown, R.	Gergely	Masser	Santarsiero
Brown, V.	Gibbons	Matzie	Santora
Bullock	Gillen	McCarter	Savage
Burns	Gillespie	McClinton	Saylor
Caltagirone	Gingrich	McGinnis	Schemel
Carroll	Godshall	Mentzer	Schlossberg
Causar	Goodman	Metcalfe	Schreiber
Christiana	Greiner	Metzgar	Schweyer
Cohen	Grove	Miccarelli	Simmons
Conklin	Hahn	Millard	Sims
Corbin	Hanna	Miller, B.	Snyder
Costa, D.	Harhai	Miller, D.	Sonney
Costa, P.	Harhart	Milne	Staats
Cox	Harkins	Moul	Stephens
Cruz	Harper	Mullery	Sturla
Culver	Harris, A.	Mustio	Tallman
Cutler	Harris, J.	Neilson	Taylor
Daley, M.	Heffley	Nelson	Thomas
Daley, P.	Helm	Nesbit	Tobash
Davidson	Hennessey	Neuman	Toepel
Davis	Hickernell	O'Brien	Toohil
Dawkins	Hill	O'Neill	Topper
Day	Irvin	Oberlander	Truitt
Dean	James	Ortitay	Vitali
Deasy	Jozwiak	Parker, D.	Ward
DeLissio	Kampf	Pashinski	Warner
Delozier	Kaufman	Payne	Watson
Dermody	Kaufman	Peifer	Wentling
Diamond	Kavulich	Petrarca	Wheatley
DiGirolamo	Keller, F.	Petri	Wheeland

Donatucci	Keller, M.K.	Pickett	White
Driscoll	Keller, W.	Pyle	Youngblood
Dunbar	Kim	Quigley	Zimmerman
Dush	Kinsey	Quinn	
Ellis	Kirkland	Rader	Turzai,
Emrick	Klunk	Rapp	Speaker
English	Knowles	Ravenstahl	

NAYS—0

NOT VOTING—0

EXCUSED—5

DeLuca	McNeill	Murt	Vereb
Kotik			

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

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

STATEMENT BY MR. SACCONI

The SPEAKER. On unanimous consent, Representative Rick Saccone is recognized.

Mr. SACCONI. Thank you, Mr. Speaker.

In a time of increased selfishness and greed, virtue suffers, but one group stands for duty and honor and valor, and that would be our veterans. They take their turn on the ramparts defending us from freedom so we do not have to, but sometimes, under the guise of military service, some despicable acts have been perpetrated and some people steal that valor for their own purposes. This bill holds those people accountable and preserves the duty, the honor, and the valor of our military veterans.

And I thank my colleagues for voting "yes" on this, and I hope the Senate will speedily put it through and get it to the Governor's desk. Thank you, Mr. Speaker.

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 2084, PN 3509**, entitled:

An Act amending Title 61 (Prisons and Parole) of the Pennsylvania Consolidated Statutes, in miscellaneous provisions, providing for oleoresin capsicum spray.

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

Representative Mullery, on the bill, sir.

Mr. MULLERY. Thank you, Mr. Speaker.

The SPEAKER. Members, Representative Mullery has the floor. Members, Representative Mullery has the floor. I would ask you to please take your seats.

Representative Mullery, you may proceed, sir.

Mr. MULLERY. Thank you, Mr. Speaker.

I rise today in support of HB 2084. This is a bill that is very personal to me. Back on February 25, 2013, a constituent of mine, Corrections Officer Eric Williams, was killed in the line of duty at the United States Penitentiary at Canaan.

The SPEAKER. Members, please give Representative Mullery the opportunity to be heard. I would ask all the members to please give Representative Mullery the opportunity to be heard. I realize it is late, but these are important pieces of legislation that are in front of us.

Representative Mullery, you may proceed, sir.

Mr. MULLERY. Thank you, Mr. Speaker.

At the time of Eric's death, he was charged with monitoring about 130 inmates. The only items on his person that he had for protection were his keys and a radio.

About 3 months after his tragic death, we brought his parents, Don and Jean, here to Harrisburg so that we could honor them with a resolution in their son's honor for his dedicated and committed service to our community, our Commonwealth, and our nation.

From that point forward, Eric's parents were stalwart advocates for prison reform and prison safety. Don had provided testimony on multiple occasions in Washington, DC, in his son's memory. And thanks to the work of Senators Toomey and Casey, this March President Obama signed into law the Eric Williams Correctional Officer Protection Act, which allows pepper spray to be utilized by our COs in our United States penitentiaries. Today's bill, sponsored by my colleague, Pam Snyder, will permit that same type of safety precaution to be utilized in our State correctional facilities.

When Don provided all that testimony in DC and when he came here and spoke to me and many of you in the chamber, he said that he promised he would do everything he could to make certain that our correction officers come home safe to their families.

Mr. Speaker, I think an affirmative vote on HB 2084 today is an important step forward by us to help Don keep that promise. So I urge everyone to vote affirmatively on HB 2084. Thank you, Mr. Speaker.

The SPEAKER. Thank you, sir.

Representative Pam Snyder, on HB 2084.

Mrs. SNYDER. Thank you, Mr. Speaker.

I have two State correctional institutes in my district. Representative Mahoney and I did a walk-through at SCI (State Correctional Institution) Fayette a few weeks ago, and we were appalled to learn that there had been 19 assaults on corrections officers since January. SCI Greene has had four assaults in the last 3 months.

As you just heard my colleague tell you, there was a corrections officer on the Federal level killed, and Senators Toomey and Casey did get this passed into Federal law. So I would ask you, Mr. Speaker, today, let us do the same for our corrections officers in Pennsylvania. Thank you, Mr. Speaker.

On the question recurring,
 Shall the bill pass finally?
 The SPEAKER. Agreeable to the provisions of the
 Constitution, the yeas and nays will now be taken.

(Members proceeded to vote.)

LEAVE OF ABSENCE

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

CONSIDERATION OF HB 2084 CONTINUED

On the question recurring,
 Shall the bill pass finally?

The following roll call was recorded:

YEAS—196

- | | | | |
|-------------|--------------|------------|-------------|
| Acosta | Evans | Krueger | Readshaw |
| Adolph | Everett | Lawrence | Reed |
| Artis | Fabrizio | Lewis | Reese |
| Baker | Farina | Longietti | Regan |
| Barbin | Farry | Mackenzie | Roae |
| Barrar | Fee | Maher | Roebuck |
| Benninghoff | Flynn | Mahoney | Ross |
| Bizzarro | Frankel | Major | Rothman |
| Bloom | Freeman | Maloney | Rozzi |
| Boback | Gabler | Markosek | Saccone |
| Boyle | Gainey | Marshall | Sainato |
| Bradford | Galloway | Marsico | Samuelson |
| Briggs | Gergely | Masser | Sankey |
| Brown, R. | Gibbons | Matzie | Santarsiero |
| Brown, V. | Gillen | McCarter | Santora |
| Bullock | Gillespie | McClinton | Savage |
| Burns | Gingrich | McGinnis | Saylor |
| Caltagirone | Godshall | Mentzer | Schemel |
| Carroll | Goodman | Metcalfe | Schlossberg |
| Causar | Greiner | Metzgar | Schreiber |
| Christiana | Grove | Miccarelli | Schweyer |
| Cohen | Hahn | Millard | Simmons |
| Conklin | Hanna | Miller, B. | Sims |
| Corbin | Harhai | Miller, D. | Snyder |
| Costa, D. | Harhart | Milne | Sonney |
| Costa, P. | Harkins | Moul | Staats |
| Cox | Harper | Mullery | Stephens |
| Cruz | Harris, A. | Mustio | Sturla |
| Culver | Harris, J. | Neilson | Tallman |
| Cutler | Heffley | Nelson | Taylor |
| Daley, M. | Helm | Nesbit | Thomas |
| Daley, P. | Hennessey | Neuman | Tobash |
| Davis | Hickernell | O'Brien | Toepel |
| Dawkins | Hill | O'Neill | Toohil |
| Day | Irvin | Oberlander | Topper |
| Dean | James | Ortitay | Truitt |
| Deasy | Jozwiak | Parker, D. | Vitali |
| DeLissio | Kampf | Pashinski | Ward |
| Delozier | Kaufer | Payne | Warner |
| Dermody | Kauffman | Peifer | Watson |
| Diamond | Kavulich | Petrarca | Wentling |
| DiGirolamo | Keller, F. | Petri | Wheatley |
| Donatucci | Keller, M.K. | Pickett | Wheeland |
| Driscoll | Keller, W. | Pyle | White |

- | | | | |
|------------|----------|------------|------------|
| Dunbar | Kim | Quigley | Youngblood |
| Dush | Kinsey | Quinn | Zimmerman |
| Ellis | Kirkland | Rader | |
| Emrick | Klunk | Rapp | Turzai, |
| English | Knowles | Ravenstahl | Speaker |
| Evankovich | Kortz | | |

NAYS—0

NOT VOTING—0

EXCUSED—6

- | | | | |
|----------|---------|------|-------|
| Davidson | Kotik | Murt | Vereb |
| DeLuca | McNeill | | |

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

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

* * *

The House proceeded to third consideration of **HB 1998**,
PN 3515, entitled:

An Act amending Title 53 (Municipalities Generally) of the
 Pennsylvania Consolidated Statutes, in parking authorities, further
 providing for special provisions for authorities in cities of the first
 class.

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

(Bill analysis was read.)

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

I am sorry; I apologize.

VOTE CORRECTION

The SPEAKER. Representative Dawkins, if I might, just
 before you speak, Representative Kinsey has been waiting to
 speak, I believe, to correct the record. I just want to give him
 that opportunity, and then, Representative Dawkins, you will be
 next.

Mr. KINSEY. Thank you, Mr. Speaker.

On HB 1948, which was the motion on constitutionality
 offered by Mr. Frankel, my button stuck and I was voted in the
 "yes," and it should be noted that I wanted to vote "no."

The SPEAKER. Yes, sir; that will be corrected in the record.

LEAVE OF ABSENCE

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

CONSIDERATION OF HB 1998 CONTINUED

The SPEAKER. Representative Dawkins, on the bill, sir, and I apologize.

Mr. DAWKINS. Thank you, Mr. Speaker.

Would the kind gentleman stand for brief interrogation?

The SPEAKER. Representative Petri has indicated he will so stand for interrogation, and Representative Dawkins, you may proceed.

Mr. DAWKINS. Thank you.

I just have a few questions in regards to the intent of this bill.

Mr. Speaker, do you have a business in the city of the first class?

Mr. PETRI. Mr. Speaker, I think I heard the question, do I, and the answer would be no.

Mr. DAWKINS. Thank you.

Do you reside in a city of the first class?

Mr. PETRI. No.

Mr. DAWKINS. So my question is, what is the intent of the legislation to allow someone to sit on the board that represents residents of the city of the first class?

Mr. PETRI. Mr. Speaker, there are a couple reasons for this bill. The first and foremost reason is, the composition of this particular parking authority board is different than every other parking authority that has been established, and so the change makes it consistent with the other parking authorities.

Number two, as a suburban legislator, it does give suburban legislators the possibility that there may be a resident of the suburban area who could serve if they had a business location in Philadelphia, and remembering that suburban taxicabs are regulated by the parking authority, representation is important to them.

Mr. DAWKINS. Thank you, Mr. Speaker.

One more question and then I will want to speak on the bill, but I have one more question before then.

The next questions I have are, what is the urgency for this bill and is there any particular individual or individuals who are looking to move outside of the city in order for this to make sense?

Mr. PETRI. Mr. Speaker, I am not able to personally answer either of those questions. I am not aware of whether there is an urgency or not, and I am also not personally aware of the composition of the board specifically.

The SPEAKER. Representative Dawkins, does that conclude interrogation?

Mr. DAWKINS. No. I have one more question to follow up on that.

So under this legislation, is it correct that the individual not only does not have to live in the city of the first class but they do not have to live in the country. Is that correct?

Mr. PETRI. No; I do not believe that is correct under the bill, Mr. Speaker.

Mr. DAWKINS. I could not hear.

The SPEAKER. Members, members, please let the interrogator and the maker of the bill please be heard, although I will say what the maker said is that is not the case under the legislation. That was his answer.

If you have any other questions.

Mr. DAWKINS. On the bill.

The SPEAKER. Yes, sir; you may speak on the bill.

Mr. DAWKINS. For me, Mr. Speaker, this is common sense. As a legislator who represents the 179th District in Philadelphia County, I am required to live in my district in which I represent those individuals and their interests. I believe in our parking authority, we, as the citizens of the city of Philadelphia, should be represented by someone who is a resident of the city of Philadelphia, not just someone who does business in the city of Philadelphia.

I am not sure what is the urgency of this bill. I am not sure what members currently who serve on the Philadelphia Parking Authority want to move outside of the city of Philadelphia, but I do not believe that it should be the intent of this body to make laws for one individual or several individuals on any particular public agency within this Commonwealth. So I urge members to vote against this measure. Thank you, Mr. Speaker.

The SPEAKER. Thank you, sir.

Does anybody else wish to speak on this bill?

On the question recurring,

Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—127

Acosta	Galloway	Major	Reese
Adolph	Gibbons	Maloney	Regan
Baker	Gillen	Marshall	Roae
Barrar	Gillespie	Marsico	Ross
Benninghoff	Gingrich	Masser	Rothman
Bloom	Godshall	McGinnis	Saccone
Boback	Greiner	Mentzer	Sankey
Briggs	Grove	Metcalfe	Santarsiero
Brown, R.	Hahn	Metzgar	Santora
Caltagirone	Harhart	Miccarelli	Saylor
Causer	Harper	Millard	Schemel
Christiana	Harris, A.	Miller, B.	Simmons
Corbin	Heffley	Milne	Sonney
Cox	Helm	Moul	Staats
Cruz	Hennessey	Mustio	Stephens
Culver	Hickernell	Neilson	Tallman
Cutler	Hill	Nesbit	Taylor
Daley, P.	Irvin	O'Brien	Tobash
Davis	James	O'Neill	Toepel
Delozier	Jozwiak	Oberlander	Toohil
Diamond	Kampf	Ortitay	Topper
DiGirolamo	Kaufman	Parker, D.	Truitt
Driscoll	Kauffman	Payne	Ward
Dunbar	Keller, F.	Peifer	Warner
Dush	Keller, M.K.	Petri	Watson
Ellis	Keller, W.	Pickett	Wentling
Emrick	Klunk	Pyle	Wheeland
Evankovich	Knowles	Quigley	White
Evans	Lawrence	Quinn	Zimmerman
Everett	Lewis	Rader	
Farry	Mackenzie	Rapp	Turzai,
Fee	Maier	Reed	Speaker
Gabler			

NAYS—68

Artis	DeLissio	Kim	Ravenstahl
Barbin	Dermody	Kinsey	Readshaw
Bizzarro	Donatucci	Kirkland	Roebuck
Boyle	English	Kortz	Rozzi
Bradford	Fabrizio	Krueger	Sainato
Brown, V.	Farina	Longiatti	Samuelson

Bullock	Flynn	Mahoney	Savage
Burns	Frankel	Markosek	Schlossberg
Carroll	Freeman	Matzie	Schreiber
Cohen	Gainey	McCarter	Schweyer
Conklin	Gergely	McClinton	Sims
Costa, D.	Goodman	Miller, D.	Snyder
Costa, P.	Hanna	Mullery	Sturla
Daley, M.	Harhai	Nelson	Thomas
Dawkins	Harkins	Neuman	Vitali
Dean	Harris, J.	Pashinski	Wheatley
Deasy	Kavulich	Petrarca	Youngblood

NOT VOTING—0

EXCUSED—7

Davidson	DeLuca	McNeill	Vereb
Day	Kotik	Murt	

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

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

* * *

The House proceeded to third consideration of **SB 917, PN 1922**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in juvenile matters, providing for interagency information sharing.

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—195

Acosta	Everett	Krueger	Readshaw
Adolph	Fabrizio	Lawrence	Reed
Artis	Farina	Lewis	Reese
Baker	Farry	Longietti	Regan
Barbin	Fee	Mackenzie	Roae
Barrar	Flynn	Maher	Roebuck
Benninghoff	Frankel	Mahoney	Ross
Bizzarro	Freeman	Major	Rothman
Bloom	Gabler	Maloney	Rozzi
Boback	Gainey	Markosek	Saccone
Boyle	Galloway	Marshall	Sainato
Bradford	Gergely	Marsico	Samuelson
Briggs	Gibbons	Masser	Sankey
Brown, R.	Gillen	Matzie	Santarsiero
Brown, V.	Gillespie	McCarter	Santora
Bullock	Gingrich	McClinton	Savage
Burns	Godshall	McGinnis	Saylor
Caltagirone	Goodman	Mentzer	Schemel

Carroll	Greiner	Metcalf	Schlossberg
Causler	Grove	Metzgar	Schreiber
Christiana	Hahn	Miccarelli	Schweyer
Cohen	Hanna	Millard	Simmons
Conklin	Harhai	Miller, B.	Sims
Corbin	Harhart	Miller, D.	Snyder
Costa, D.	Harkins	Milne	Sonney
Costa, P.	Harper	Moul	Staats
Cox	Harris, A.	Mullery	Stephens
Cruz	Harris, J.	Mustio	Sturla
Culver	Heffley	Neilson	Tallman
Cutler	Helm	Nelson	Taylor
Daley, M.	Hennessey	Nesbit	Thomas
Daley, P.	Hickernell	Neuman	Tobash
Davis	Hill	O'Brien	Toepel
Dawkins	Irvin	O'Neill	Toohil
Dean	James	Oberlander	Topper
Deasy	Jozwiak	Ortitay	Truitt
DeLissio	Kampf	Parker, D.	Vitali
Delozier	Kaufman	Pashinski	Ward
Dermody	Kaufman	Payne	Warner
Diamond	Kavulich	Peifer	Watson
DiGirolamo	Keller, F.	Petrarca	Wentling
Donatucci	Keller, M.K.	Petri	Wheatley
Driscoll	Keller, W.	Pickett	Wheeland
Dunbar	Kim	Pyle	White
Dush	Kinsey	Quigley	Youngblood
Ellis	Kirkland	Quinn	Zimmerman
Emrick	Klunk	Rader	
English	Knowles	Rapp	Turzai,
Evankovich	Kortz	Ravenstahl	Speaker
Evans			

NAYS—0

NOT VOTING—0

EXCUSED—7

Davidson	DeLuca	McNeill	Vereb
Day	Kotik	Murt	

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

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

* * *

The House proceeded to third consideration of **SB 936, PN 1148**, entitled:

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, in support matters generally, further providing for attachment of income.

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—194

Acosta	Evans	Kortz	Ravenstahl
Adolph	Everett	Krueger	Readshaw
Artis	Fabrizio	Lawrence	Reed
Baker	Farina	Lewis	Reese
Barbin	Farry	Longietti	Regan
Barrar	Fee	Mackenzie	Roae
Benninghoff	Flynn	Maher	Roebuck
Bizzarro	Frankel	Mahoney	Ross
Bloom	Freeman	Major	Rozzi
Boback	Gabler	Maloney	Saccone
Boyle	Gainey	Markosek	Sainato
Bradford	Galloway	Marshall	Samuelson
Briggs	Gergely	Marsico	Sankey
Brown, R.	Gibbons	Masser	Santarsiero
Brown, V.	Gillen	Matzie	Santora
Bullock	Gillespie	McCarter	Savage
Burns	Gingrich	McClinton	Saylor
Caltagirone	Godshall	McGinnis	Schemel
Carroll	Goodman	Mentzer	Schlossberg
Causer	Greiner	Metcalfe	Schreiber
Christiana	Grove	Metzgar	Schweyer
Cohen	Hahn	Miccarelli	Simmons
Conklin	Hanna	Millard	Sims
Corbin	Harhai	Miller, B.	Snyder
Costa, D.	Harhart	Miller, D.	Sonney
Costa, P.	Harkins	Milne	Staats
Cox	Harper	Moul	Stephens
Cruz	Harris, A.	Mullery	Sturla
Culver	Harris, J.	Mustio	Tallman
Cutler	Heffley	Neilson	Taylor
Daley, M.	Helm	Nelson	Thomas
Daley, P.	Hennessey	Nesbit	Tobash
Davis	Hickernell	Neuman	Toepel
Dawkins	Hill	O'Brien	Toohil
Dean	Irvin	O'Neill	Topper
Deasy	James	Oberlander	Truitt
DeLissio	Jozwiak	Ortitay	Vitali
Delozier	Kampf	Parker, D.	Ward
Dermody	Kaufner	Pashinski	Warner
Diamond	Kauffman	Payne	Watson
DiGirolamo	Kavulich	Peifer	Wentling
Donatucci	Keller, F.	Petrarca	Wheatley
Driscoll	Keller, M.K.	Petri	Wheeland
Dunbar	Keller, W.	Pickett	White
Dush	Kim	Pyle	Youngblood
Ellis	Kinsey	Quigley	Zimmerman
Emrick	Kirkland	Quinn	
English	Klunk	Rader	Turzai,
Evankovich	Knowles	Rapp	Speaker

NAYS—1

Rothman

NOT VOTING—0

EXCUSED—7

Davidson	DeLuca	McNeill	Vereb
Day	Kotik	Murt	

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

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

* * *

The House proceeded to third consideration of **SB 1205, PN 1727**, entitled:

An Act authorizing the Department of General Services, with the approval of the Governor, to grant and convey to the Borough of East Stroudsburg certain permanent public water supply system easements situate in the Borough of East Stroudsburg, Monroe County; and authorizing the East Stroudsburg University of Pennsylvania of the State System of Higher Education, with the approval of the Governor, to grant and convey to the Borough of East Stroudsburg certain permanent public water supply system easements situate in the Borough of East Stroudsburg, Monroe County.

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—195

Acosta	Everett	Krueger	Readshaw
Adolph	Fabrizio	Lawrence	Reed
Artis	Farina	Lewis	Reese
Baker	Farry	Longietti	Regan
Barbin	Fee	Mackenzie	Roae
Barrar	Flynn	Maher	Roebuck
Benninghoff	Frankel	Mahoney	Ross
Bizzarro	Freeman	Major	Rothman
Bloom	Gabler	Maloney	Rozzi
Boback	Gainey	Markosek	Saccone
Boyle	Galloway	Marshall	Sainato
Bradford	Gergely	Marsico	Samuelson
Briggs	Gibbons	Masser	Sankey
Brown, R.	Gillen	Matzie	Santarsiero
Brown, V.	Gillespie	McCarter	Santora
Bullock	Gingrich	McClinton	Savage
Burns	Godshall	McGinnis	Saylor
Caltagirone	Goodman	Mentzer	Schemel
Carroll	Greiner	Metcalfe	Schlossberg
Causer	Grove	Metzgar	Schreiber
Christiana	Hahn	Miccarelli	Schweyer
Cohen	Hanna	Millard	Simmons
Conklin	Harhai	Miller, B.	Sims
Corbin	Harhart	Miller, D.	Snyder
Costa, D.	Harkins	Milne	Sonney
Costa, P.	Harper	Moul	Staats
Cox	Harris, A.	Mullery	Stephens
Cruz	Harris, J.	Mustio	Sturla
Culver	Heffley	Neilson	Tallman
Cutler	Helm	Nelson	Taylor
Daley, M.	Hennessey	Nesbit	Thomas
Daley, P.	Hickernell	Neuman	Tobash
Davis	Hill	O'Brien	Toepel
Dawkins	Irvin	O'Neill	Toohil
Dean	James	Oberlander	Topper
Deasy	Jozwiak	Ortitay	Truitt
DeLissio	Kampf	Parker, D.	Vitali
Delozier	Kaufner	Pashinski	Ward
Dermody	Kauffman	Payne	Warner

Diamond	Kavulich	Peifer	Watson
DiGirolamo	Keller, F.	Petrarca	Wentling
Donatucci	Keller, M.K.	Petri	Wheatley
Driscoll	Keller, W.	Pickett	Wheeland
Dunbar	Kim	Pyle	White
Dush	Kinsey	Quigley	Youngblood
Ellis	Kirkland	Quinn	Zimmerman
Emrick	Klunk	Rader	
English	Knowles	Rapp	Turzai,
Evankovich	Kortz	Ravenstahl	Speaker
Evans			

NAYS-0

NOT VOTING-0

EXCUSED-7

Davidson	DeLuca	McNeill	Vereb
Day	Kotik	Murt	

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

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

* * *

The House proceeded to third consideration of **HB 1888, PN 3037**, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, providing for tax amnesty program for fiscal year 2016-2017.

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

Ms. **QUINN** offered the following amendment No. **A08547**:

Amend Bill, page 3, line 7, by striking out "2902-F" and inserting 2902-G

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

The **SPEAKER**. This amendment can be voted upon on third consideration, given our rules of the technical nature.

Representative Quinn, will you please provide a brief description of amendment 8547.

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

It is simply a technical change that is needed to correct the number section in the bill. So the amendment is a technical change, and I would appreciate your support to suspend the rules to make the change.

The **SPEAKER**. You do not need to move to suspend the rules. This is technical. You are just changing a number in the bill. There is no need for a motion to suspend.

Ms. **QUINN**. That makes it quicker.

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

The following roll call was recorded:

YEAS-195

Acosta	Everett	Krueger	Readshaw
Adolph	Fabrizio	Lawrence	Reed
Artis	Farina	Lewis	Reese
Baker	Farry	Longietti	Regan
Barbin	Fee	Mackenzie	Roae
Barrar	Flynn	Maher	Roebuck
Benninghoff	Frankel	Mahoney	Ross
Bizzarro	Freeman	Major	Rothman
Bloom	Gabler	Maloney	Rozzi
Boback	Gainey	Markosek	Saccone
Boyle	Galloway	Marshall	Sainato
Bradford	Gergely	Marsico	Samuelson
Briggs	Gibbons	Masser	Sankey
Brown, R.	Gillen	Matzie	Santarsiero
Brown, V.	Gillespie	McCarter	Santora
Bullock	Gingrich	McClinton	Savage
Burns	Godshall	McGinnis	Saylor
Caltagirone	Goodman	Mentzer	Schemel
Carroll	Greiner	Metcalfe	Schlossberg
Causar	Grove	Metzgar	Schreiber
Christiana	Hahn	Miccarelli	Schweyer
Cohen	Hanna	Millard	Simmons
Conklin	Harhai	Miller, B.	Sims
Corbin	Harhart	Miller, D.	Snyder
Costa, D.	Harkins	Milne	Sonney
Costa, P.	Harper	Moul	Staats
Cox	Harris, A.	Mullery	Stephens
Cruz	Harris, J.	Mustio	Sturla
Culver	Heffley	Neilson	Tallman
Cutler	Helm	Nelson	Taylor
Daley, M.	Hennessey	Nesbit	Thomas
Daley, P.	Hickernell	Neuman	Tobash
Davis	Hill	O'Brien	Toepel
Dawkins	Irvin	O'Neill	Toohil
Dean	James	Oberlander	Topper
Deasy	Jozwiak	Ortitay	Truitt
DeLissio	Kampf	Parker, D.	Vitali
Delozier	Kaufer	Pashinski	Ward
Dermody	Kauffman	Payne	Warner
Diamond	Kavulich	Peifer	Watson
DiGirolamo	Keller, F.	Petrarca	Wentling
Donatucci	Keller, M.K.	Petri	Wheatley
Driscoll	Keller, W.	Pickett	Wheeland
Dunbar	Kim	Pyle	White
Dush	Kinsey	Quigley	Youngblood
Ellis	Kirkland	Quinn	Zimmerman
Emrick	Klunk	Rader	
English	Knowles	Rapp	Turzai,
Evankovich	Kortz	Ravenstahl	Speaker
Evans			

NAYS-0

NOT VOTING-0

EXCUSED-7

Davidson	DeLuca	McNeill	Vereb
Day	Kotik	Murt	

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

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—167

Acosta	Everett	Lawrence	Rapp
Adolph	Fabrizio	Lewis	Ravenstahl
Artis	Farina	Longietti	Readshaw
Baker	Farry	Mackenzie	Reed
Barrar	Fee	Maher	Reese
Benninghoff	Flynn	Mahoney	Regan
Bizzarro	Gabler	Major	Roae
Bloom	Gergely	Maloney	Roebuck
Boback	Gibbons	Marshall	Ross
Briggs	Gillen	Marsico	Rothman
Brown, R.	Gillespie	Masser	Saccone
Brown, V.	Gingrich	Matzie	Sankey
Caltagirone	Godshall	McClinton	Santora
Carroll	Goodman	McGinnis	Savage
Causar	Greiner	Mentzer	Saylor
Christiana	Grove	Metcalfe	Schemel
Cohen	Hahn	Metzgar	Schlossberg
Conklin	Harhart	Miccarelli	Simmons
Corbin	Harkins	Millard	Snyder
Costa, D.	Harper	Miller, B.	Sonney
Costa, P.	Harris, A.	Milne	Staats
Cox	Harris, J.	Moul	Stephens
Cruz	Heffley	Mullery	Sturla
Culver	Helm	Mustio	Tallman
Cutler	Hennessey	Neilson	Taylor
Daley, P.	Hickernell	Nelson	Thomas
Davis	Hill	Nesbit	Tobash
Dawkins	Irvin	Neuman	Toepel
Dean	James	O'Brien	Toohil
Deasy	Jozwiak	O'Neill	Topper
Delozier	Kampf	Oberlander	Truitt
Dermody	Kaufer	Ortitay	Ward
Diamond	Kauffman	Parker, D.	Warner
DiGirolo	Kavulich	Pashinski	Watson
Donatucci	Keller, F.	Payne	Wentling
Driscoll	Keller, M.K.	Peifer	Wheeland
Dunbar	Keller, W.	Petri	White
Dush	Kirkland	Pickett	Youngblood
Ellis	Klunk	Pyle	Zimmerman
Emrick	Knowles	Quigley	
English	Kortz	Quinn	Turzai,
Evankovich	Krueger	Rader	Speaker
Evans			

NAYS—28

Barbin	Frankel	Kinsey	Samuelson
Boyle	Freeman	Markosek	Santarsiero
Bradford	Gainey	McCarter	Schreiber
Bullock	Galloway	Miller, D.	Schweyer
Burns	Hanna	Petrarca	Sims
Daley, M.	Harhai	Rozzi	Vitali
DeLissio	Kim	Sainato	Wheatley

NOT VOTING—0

EXCUSED—7

Davidson	DeLuca	McNeill	Vereb
Day	Kotik	Murt	

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

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

SUPPLEMENTAL CALENDAR C

BILLS ON CONCURRENCE
IN SENATE AMENDMENTS

The House proceeded to consideration of concurrence in Senate amendments to **HB 1325, PN 3164**, entitled:

An Act amending the act of May 1, 1933 (P.L.103, No.69), known as The Second Class Township Code, in storm water management plans and facilities, further providing for ordinances and providing for fees.

On the question,
Will the House concur in Senate amendments?

The SPEAKER. Moved by Representative Mustio that the House concur in those amendments.

The Chair recognizes Representative Mustio for a brief description of the Senate amendments and any remarks on the underlying bill.

Mr. MUSTIO. Thank you, Mr. Speaker.

The Senate amended the bill to state that the fee cannot exceed the amount necessary to meet the minimum requirements of the Federal Water Pollution Control Act and that best management practices must be provided as far as credit in any fee.

On the question recurring,
Will the House concur in Senate amendments?

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

The following roll call was recorded:

YEAS—136

Acosta	Evans	Lewis	Reed
Adolph	Everett	Longietti	Roebuck
Artis	Fabrizio	Maher	Ross
Barbin	Farina	Mahoney	Rozzi
Bizzarro	Farry	Major	Saccone
Boyle	Fee	Markosek	Sainato
Bradford	Flynn	Marshall	Samuelson
Briggs	Frankel	Marsico	Sankey
Brown, R.	Freeman	Matzie	Santarsiero
Brown, V.	Gainey	McCarter	Santora
Bullock	Galloway	McClinton	Savage
Burns	Gergely	Mentzer	Schemel
Caltagirone	Gibbons	Miccarelli	Schlossberg
Carroll	Goodman	Millard	Schreiber
Christiana	Hahn	Miller, D.	Schweyer
Cohen	Harhai	Milne	Sims
Conklin	Harkins	Mullery	Snyder
Corbin	Harper	Mustio	Staats
Costa, D.	Harris, A.	Neilson	Stephens
Costa, P.	Harris, J.	Nelson	Sturla
Cruz	Helm	Nesbit	Taylor
Culver	Hennessey	Neuman	Thomas
Cutler	Hickernell	O'Brien	Tobash
Daley, M.	Irvin	O'Neill	Toepel

Daley, P.	James	Parker, D.	Topper
Davis	Kampf	Pashinski	Truitt
Dawkins	Kaufer	Payne	Vitali
Dean	Kavulich	Peifer	Watson
Deasy	Keller, W.	Petrarca	Wheatley
DeLissio	Kim	Petri	White
Dermody	Kinsey	Quinn	Youngblood
DiGirolamo	Kirkland	Rader	
Donatucci	Knowles	Ravenstahl	Turzai,
Driscoll	Kortz	Readshaw	Speaker
English	Krueger		

NAYS—59

Baker	Gillen	Lawrence	Reese
Barrar	Gillespie	Mackenzie	Regan
Benninghoff	Gingrich	Maloney	Roae
Bloom	Godshall	Masser	Rothman
Boback	Greiner	McGinnis	Saylor
Causar	Grove	Metcalfe	Simmons
Cox	Hanna	Metzgar	Sonney
DeLozier	Harhart	Miller, B.	Tallman
Diamond	Heffley	Moul	Toohil
Dunbar	Hill	Oberlander	Ward
Dush	Jozwiak	Ortitay	Warner
Ellis	Kauffman	Pickett	Wentling
Emrick	Keller, F.	Pyle	Wheeland
Evankovich	Keller, M.K.	Quigley	Zimmerman
Gabler	Klunk	Rapp	

NOT VOTING—0

EXCUSED—7

Davidson	DeLuca	McNeill	Vereb
Day	Kotik	Murt	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the clerk inform the Senate accordingly.

* * *

The House proceeded to consideration of concurrence in Senate amendments to **HB 1766, PN 3382**, entitled:

An Act amending Title 40 (Insurance) of the Pennsylvania Consolidated Statutes, providing for standard valuation; and making related repeals regarding Act 284 of 1921 and Act 285 of 1921.

On the question,
Will the House concur in Senate amendments?

The SPEAKER. Moved by the gentelady, Representative Pickett, that the House concur in the amendments inserted by the Senate.

The Chair recognizes Representative Pickett for a brief description of Senate amendments and any remarks on the underlying bill.

Representative Pickett.

Ms. PICKETT. Thank you, Mr. Speaker.

HB 1766 was amended in the Senate with a technical amendment. It clarifies the small company exemption. I ask for your concurrence.

On the question recurring,
Will the House concur in Senate amendments?

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

The following roll call was recorded:

YEAS—195

Acosta	Everett	Krueger	Readshaw
Adolph	Fabrizio	Lawrence	Reed
Artis	Farina	Lewis	Reese
Baker	Farry	Longietti	Regan
Barbin	Fee	Mackenzie	Roae
Barrar	Flynn	Maher	Roebuck
Benninghoff	Frankel	Mahoney	Ross
Bizzarro	Freeman	Major	Rothman
Bloom	Gabler	Maloney	Rozzi
Boback	Gainey	Markosek	Saccone
Boyle	Galloway	Marshall	Sainato
Bradford	Gergely	Marsico	Samuelson
Briggs	Gibbons	Masser	Sankey
Brown, R.	Gillen	Matzie	Santasio
Brown, V.	Gillespie	McCarter	Santora
Bullock	Gingrich	McClinton	Savage
Burns	Godshall	McGinnis	Saylor
Caltagirone	Goodman	Mentzer	Schemel
Carroll	Greiner	Metcalfe	Schlossberg
Causar	Grove	Metzgar	Schreiber
Christiana	Hahn	Miccarelli	Schweyer
Cohen	Hanna	Millard	Simmons
Conklin	Harhai	Miller, B.	Sims
Corbin	Harhart	Miller, D.	Snyder
Costa, D.	Harkins	Milne	Sonney
Costa, P.	Harper	Moul	Staats
Cox	Harris, A.	Mullery	Stephens
Cruz	Harris, J.	Mustio	Sturla
Culver	Heffley	Neilson	Tallman
Cutler	Helm	Nelson	Taylor
Daley, M.	Hennessey	Nesbit	Thomas
Daley, P.	Hickernell	Neuman	Tobash
Davis	Hill	O'Brien	Toepel
Dawkins	Irvin	O'Neill	Toohil
Dean	James	Oberlander	Topper
Deasy	Jozwiak	Ortitay	Truitt
DeLissio	Kampf	Parker, D.	Vitali
DeLozier	Kaufer	Pashinski	Ward
Dermody	Kauffman	Payne	Warner
Diamond	Kavulich	Peifer	Watson
DiGirolamo	Keller, F.	Petrarca	Wentling
Donatucci	Keller, M.K.	Petri	Wheatley
Driscoll	Keller, W.	Pickett	Wheeland
Dunbar	Kim	Pyle	White
Dush	Kinsey	Quigley	Youngblood
Ellis	Kirkland	Quinn	Zimmerman
Emrick	Klunk	Rader	
English	Knowles	Rapp	Turzai,
Evankovich	Kortz	Ravenstahl	Speaker
Evans			

NAYS—0

NOT VOTING—0

EXCUSED—7

Davidson	DeLuca	McNeill	Vereb
Day	Kotik	Murt	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the clerk inform the Senate accordingly.

JUDICIARY COMMITTEE MEETING

The SPEAKER. Representative Marsico, for an announcement.

Mr. MARSICO. Thank you, Mr. Speaker.

Tomorrow morning the Judiciary Committee will meet; that is Wednesday, tomorrow, at 9 a.m., 9 a.m., 205 Ryan Building, to consider HB 1770.

Thank you, Mr. Speaker.

The SPEAKER. There will be a Judiciary Committee meeting Wednesday at 9 a.m. in 205 Ryan Building.

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 1325, PN 3164

An Act amending the act of May 1, 1933 (P.L.103, No.69), known as The Second Class Township Code, in storm water management plans and facilities, further providing for ordinances and providing for fees.

HB 1766, PN 3382

An Act amending Title 40 (Insurance) of the Pennsylvania Consolidated Statutes, providing for standard valuation; and making related repeals regarding Act 284 of 1921 and Act 285 of 1921.

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

BILLS RECOMMENDED

The SPEAKER. The Chair recognizes the majority leader, who moves that the following bills be recommended to the Committee on Appropriations:

HB 1698;
HB 1699;
HB 1774;
HB 1805;
SB 533;
SB 1123; and
SB 1270.

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

BILL REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader, who moves that HB 30 be removed from the tabled calendar and placed on the active calendar.

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

BILL REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader, who moves that SB 984 be removed from the tabled calendar and placed on the active calendar.

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

BILL TABLED

The SPEAKER. The Chair recognizes the majority leader, who moves that SB 984 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.

CALENDAR CONTINUED**BILL ON SECOND CONSIDERATION**

The House proceeded to second consideration of **HB 1339, PN 1821**, entitled:

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

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

BILL TABLED

The SPEAKER. The Chair recognizes the majority leader, who moves that HB 1339 be removed from the active calendar and placed on the tabled calendar.

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

BILL REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader, who moves that HB 1339 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.

RESOLUTION

Mr. REED called up **HR 502, PN 2208**, entitled:

A Resolution adopting a temporary rule of the House of Representatives relating solely to amendments to the General Appropriation Bill for the fiscal year 2015-2016, Senate Bill 1000 (2015).

On the question,
Will the House adopt the resolution?

RESOLUTION TABLED

The SPEAKER. The Chair recognizes the majority leader, who moves that HR 502 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. The Chair recognizes the majority leader, who moves that HR 502 be removed from the tabled calendar and placed on the active calendar.

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

BILLS AND RESOLUTIONS PASSED OVER

The SPEAKER. Without objection, all remaining bills and resolutions on today's calendar will be passed over. The Chair hears no objection.

ADJOURNMENT

The SPEAKER. Representative Tina Davis moves that the House be adjourned until Wednesday, June 22, 2016, at 11 a.m., e.d.t., unless sooner recalled by the Speaker.

On the question,
Will the House agree to the motion?
Motion was agreed to, and at 6:34 p.m., e.d.t., the House adjourned.