

# COMMONWEALTH OF PENNSYLVANIA

## LEGISLATIVE JOURNAL

MONDAY, DECEMBER 11, 2017

SESSION OF 2017

201ST OF THE GENERAL ASSEMBLY

No. 74

### HOUSE OF REPRESENTATIVES

The House convened at 1 p.m., e.s.t.

#### THE SPEAKER (MIKE TURZAI) PRESIDING

#### PRAYER

The SPEAKER. The prayer today will be offered by Cantor Neil Schnitzer of Temple Emanuel in Cherry Hill, New Jersey, and he is the guest of our friend and colleague, Representative Warren.

Cantor.

CANTOR NEIL SCHNITZER, Guest Chaplain of the House of Representatives, offered the following prayer:

Thank you, Mr. Speaker.

Good afternoon. I am honored to be here with all of you. I offer the following prayer as I hope you will receive it with an open heart and generosity of spirit:

May this body and each of its members be blessed with strength, courage, compassion, and wisdom. May we all stand up for the least among us. May we give hope to those who have no hope. May we all work to help the great Commonwealth of Pennsylvania to remain what it has always been meant to be, a beacon of liberty and freedom, of mercy and kindness, of justice and righteousness to its citizens, to our sister States and Commonwealths in the United States of America, our beloved republic, and to all the people of the world. And as we are reminded by our Declaration of Independence, may we proceed in our efforts with a firm reliance on the protection of divine providence.

May God bless you and keep you. May God make God's own light shine upon you. May God bless you, your families, your loved ones, and all people everywhere with peace, and please join me in saying, Amen.

#### PLEDGE OF ALLEGIANCE

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

#### JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, the approval of the Journal of Wednesday, December 6, 2017, will be postponed until printed.

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

**HB 1252, PN 2798** (Amended) By Rep. TAYLOR

An act designating a bridge on that portion of U.S. Route 219 South, over U.S. Route 22, also known as the Admiral Peary Highway, in Cambria Township, Cambria County, as the PFC Nick Kozorosky Memorial Bridge.

TRANSPORTATION.

**HB 1414, PN 2799** (Amended) By Rep. TAYLOR

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in general provisions, further providing for definitions; and, in other required equipment, further providing for visual signals on authorized vehicles and providing for flashing or revolving yellow and white lights and for solid waste collection vehicles.

TRANSPORTATION.

**HB 1811, PN 2800** (Amended) By Rep. TAYLOR

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

TRANSPORTATION.

**HB 1926, PN 2793** By Rep. TAYLOR

An Act designating a portion of State Route 2022, also known as Fort Washington Avenue, in Montgomery County as the SPC5 George W. Charters, Jr., Memorial Highway.

TRANSPORTATION.

**SB 894, PN 1372** (Amended) By Rep. TAYLOR

An Act designating a portion of State Route 2005 in Saxonburg Borough, Butler County, as the Chief Gregory B. Adams Way; designating a bridge on that portion of Pennsylvania Rout 271 over US Route 22, Jackson Township, Cambria County, as the Trooper Gary Fisher Memorial Bridge; designating a bridge on that portion of Pennsylvania Route 53 over US Route 22, Cresson Township, Cambria County, as the Corporal Robert J. Sherwood, Jr., Memorial Bridge; designating a bridge on Segment 80 of State Route 2015, along Overbridge Street and over Railroad Street, Lilly Borough, Cambria County, as the Paul E. Sweeney Memorial Bridge; designating a bridge on that portion of Avenue A over the Allegheny River, Coudersport Borough, Potter County, as the Commander Philip F. "Jet" Palmatier, Jr., Memorial Bridge; designating a bridge on that portion of Sunnyside Road over the Oswayo Creek, Shinglehouse Borough, Potter County, as the PVT Malon Stanley Memorial Bridge; designating a portion of State Route 1001 in Greene Township, Franklin County, as the Lance Corporal Michael L. Freeman, Jr., Memorial Highway; designating a

bridge on that portion of State Route 533 over Muddy Run, Southampton Township, Franklin County, as the Private First Class Dana Edward Diehl Memorial Bridge; and designating a bridge on that portion of State Route 1004 over the Conococheague Creek, Greene Township, Franklin County, as the Private Charles W. "Bill" Roher Memorial Bridge.

TRANSPORTATION.

### HOUSE BILLS INTRODUCED AND REFERRED

**No. 1953** By Representatives SANTORA, WARREN, SCHLOSSBERG, DAVIS, BOBACK, STEPHENS, CONKLIN, ROEBUCK, HILL-EVANS, D. COSTA, ROZZI, SIMS, DAVIDSON, WATSON, DALEY, READSHAW, BRADFORD, GILLEN, JOZWIAK and SCHWEYER

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, in powers and duties of the Department of General Services and its departmental administrative and advisory boards and commissions, providing for automated external defibrillators in State buildings.

Referred to Committee on HEALTH, December 7, 2017.

**No. 1956** By Representatives SIMMONS, DRISCOLL, BOBACK, CALTAGIRONE, MACKENZIE, SCHLOSSBERG, BARRAR, HAHN, CUTLER, D. COSTA, LONGIETTI, EVANKOVICH, BERNSTINE, MEHAFFIE, LEWIS, FARRY, GILLEN and DiGIROLAMO

An Act establishing a pilot program to provide training, equipment and personal devices to aid search and rescue efforts for individuals with special needs.

Referred to Committee on HEALTH, December 7, 2017.

**No. 1958** By Representatives ROTHMAN, SCHLOSSBERG, HELM, SAYLOR, MILLARD, NELSON, EVERETT, MUSTIO, DIAMOND, TAYLOR, CHARLTON and FEE

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in general provisions, further providing for definitions; in rules of the road in general, providing for platooning; and providing for autonomous vehicles.

Referred to Committee on TRANSPORTATION, December 11, 2017.

**No. 1961** By Representatives RABB, DEAN, PASHINSKI and THOMAS

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

Referred to Committee on FINANCE, December 11, 2017.

**No. 1962** By Representatives READSHAW, D. COSTA, P. COSTA, DEASY, RAVENSTAHL, BARBIN, O'NEILL, THOMAS, FRANKEL and BRADFORD

An Act amending the act of July 8, 1919 (P.L.784, No.322), entitled "An act empowering cities of the second and third classes, boroughs, and counties, to acquire, maintain, and operate playgrounds, playfields, gymnasiums, public baths, swimming pools, and indoor

recreation centers; authorizing school districts to join in the maintenance and operation of said activities; and authorizing the issue of bonds and the levy of taxes for such purposes," providing for development of public parks in cities of the second class.

Referred to Committee on LOCAL GOVERNMENT, December 11, 2017.

**No. 1963** By Representatives SACCONI, DRISCOLL, BERNSTINE, PETRARCA, O'NEILL, ROTHMAN, HELM, V. BROWN, READSHAW, BRADFORD, D. COSTA, KEEFER and FARRY

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, in automobile insurance issuance, renewal, cancellation and refusal, providing for insurance rates for law enforcement officers and emergency responders.

Referred to Committee on INSURANCE, December 11, 2017.

**No. 1967** By Representatives BLOOM, BARRAR, MCGINNIS, RYAN, SANKEY, KAUFER, SIMMONS, MENTZER, FEE, WARD, BERNSTINE, PHILLIPS-HILL, ORTITAY, EVERETT, KEEFER, WARNER, DUSH, CONKLIN, SCHEMEL, GROVE, IRVIN, ELLIS, DIAMOND and KNOWLES

An Act providing for a Constitutional Convention with limited powers, for a referendum on the question and for the selection, nomination and election of delegates; defining the powers, duties and operation of the Constitutional Convention; conferring powers and imposing duties on the Governor, the Secretary of the Commonwealth, officers of the General Assembly and county boards of elections; providing for a referendum on the Constitutional Convention's report; and making an appropriation.

Referred to Committee on STATE GOVERNMENT, December 7, 2017.

**No. 2000** By Representatives O'BRIEN, DAY, KINSEY, SCHLOSSBERG, DAVIS, DRISCOLL, PASHINSKI, SCHWEYER, STURLA and DONATUCCI

An Act amending Title 27 (Environmental Resources) of the Pennsylvania Consolidated Statutes, providing for lead abatement assistance; establishing the Lead Abatement Grant Program and the Lead Abatement Assistance Fund; and imposing an architectural paint surcharge.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, December 7, 2017.

### LEAVES OF ABSENCE

The SPEAKER. At this time we turn to the majority whip, who requests leaves of absence for the following: Representative Aaron KAUFER of Luzerne County for the day, Representative Kate KLUNK of York County for the day, Representative John MCGINNIS of Blair County for the day. Actually, Representative KLUNK and Representative MCGINNIS are actually requesting it for the week. Without objection, that will be granted. That is for the Republicans. I will be dealing with the minority in a moment.

The minority whip requests leaves of absence for the following members: Bill KELLER of Philadelphia County for the day, Representative Tony DeLUCA of Allegheny County for the day, Representative John GALLOWAY of Bucks County for the day, Representative Vanessa Lowery BROWN of Philadelphia County for the day, Representative Jake WHEATLEY of Allegheny County for the day, Representative Matt BRADFORD of Montgomery County for the day, and Representative Kevin HAGGERTY of Lackawanna County for the day.

### OBJECTION TO LEAVE OF ABSENCE

The SPEAKER. Now, I understand there is an objection to one of the requests for leaves of absence. So before I finalize those, I call on Representative Mike Carroll with respect to the requests for leaves of absence.

Mr. CARROLL. Thank you, Mr. Speaker.

Mr. Speaker, concurrent with rule 64(a), I object to the absence of the gentleman from Lackawanna.

The SPEAKER. Yes, sir.

So Representative Carroll has placed an objection on the request for leave of absence from Representative Haggerty of Lackawanna County for the day. So as of today, he is on an unexcused absence. That is an unexcused absence. And for those who wish to follow the rule more closely, rule 64(a) is being relied upon and the actions of the good member are correct and in accordance with rule 64(a). Thank you very much.

At this time all others who requested leave will be granted, without further objection. So that would be Representatives Keller, DeLuca, Galloway, Brown, Wheatley, and Bradford.

### MASTER ROLL CALL

The SPEAKER. We are now going to proceed to the master roll, and members will proceed to vote.

The following roll call was recorded:

#### PRESENT—191

Baker	English	Lewis	Readshaw
Barbin	Evankovich	Longietti	Reed
Barrar	Evans	Mackenzie	Reese
Benninghoff	Everett	Madden	Roae
Bernstine	Fabrizio	Maher	Roe
Bizzarro	Farry	Mako	Roebuck
Bloom	Fee	Maloney	Rothman
Boback	Fitzgerald	Markosek	Rozzi
Boyle	Flynn	Marshall	Ryan
Briggs	Frankel	Marsico	Saccone
Brown, R.	Freeman	Masser	Sainato
Bullock	Fritz	Matzie	Samuelson
Burns	Gabler	McCarter	Sankey
Caltagirone	Gainey	McClinton	Santora
Carroll	Gillen	Mehaffie	Saylor
Causar	Gillespie	Mentzer	Schemel
Cephas	Godshall	Metcalfe	Schlossberg
Charlton	Goodman	Metzgar	Schweyer
Christiana	Greiner	Miccarelli	Simmons
Comitta	Grove	Millard	Sims
Conklin	Hahn	Miller, B.	Snyder
Cook	Hanna	Miller, D.	Solomon

Corbin	Harkins	Milne	Sonney
Corr	Harper	Moul	Staats
Costa, D.	Harris, A.	Mullery	Stephens
Costa, P.	Harris, J.	Murt	Sturla
Cox	Heffley	Mustio	Tallman
Cruz	Helm	Neilson	Taylor
Culver	Hennessey	Nelson	Thomas
Cutler	Hickernell	Nesbit	Tobash
Daley	Hill	Neuman	Toepel
Davidson	Irvin	O'Brien	Toohil
Davis	James	O'Neill	Topper
Dawkins	Jozwiak	Oberlander	Vazquez
Day	Kampf	Ortitay	Vitali
Dean	Kauffman	Pashinski	Walsh
Deasy	Kavulich	Peifer	Ward
DeLissio	Keefer	Petrarca	Warner
Delozier	Keller, F.	Petri	Warren
Dermody	Keller, M.K.	Pickett	Watson
Diamond	Kim	Pyle	Wentling
DiGirolamo	Kinsey	Quigley	Wheeland
Donatucci	Kirkland	Quinn, C.	White
Dowling	Knowles	Quinn, M.	Youngblood
Driscoll	Kortz	Rabb	Zimmerman
Dunbar	Krueger	Rader	
Dush	Kulik	Rapp	Turzai, Speaker
Ellis	Lawrence	Ravenstahl	
Emrick			

#### ADDITIONS—0

#### NOT VOTING—0

#### EXCUSED—9

Bradford	Galloway	Keller, W.	McGinnis
Brown, V.	Kaufer	Klunk	Wheatley
DeLuca			

#### UNEXCUSED—1

Haggerty

#### LEAVES ADDED—4

Boback	Petri	Santora	Thomas
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#### LEAVES CANCELED—1

Bradford

The SPEAKER. One-hundred and ninety-one members having voted on the master roll, there is a quorum here in the House of Representatives.

Members, please take your seats. We have some guests that have traveled a good distance. Thank you so much.

### GUESTS INTRODUCED

The SPEAKER. In the gallery we have a pretty large Girl Scout group I believe from Devon Elementary School in Chester County, guests of Representative Milne. Please stand. Please stand in the gallery, the group with the Girl Scouts. It is great to have you here. If you can later, please join Representative Milne down here on the House floor. The Sergeants at Arms will bring you up to the rostrum and we will get some photos and also show you the floor when we have a break. So when there is a break, when you see us breaking, ask the Sergeants at Arms to bring you down and we will make sure to get you on the floor. Thank you.

To my left, Fred and Sandy Anderson, please stand. Fred and Sandy Anderson, and then also Erin and Kyle Scheutz, please stand if you would not mind. Thank you. Is that Kyle right there? How are you, buddy? They are the guests of Representative Donna Oberlander. We are so glad to have you here on the House floor today. Thank you for coming from Clarion County. Thank you.

And Representative Sturla brings us in the rear of the House students and teachers from Hand Middle School and Advantage Lancaster. They produce the Hand Hurricanes News, and that is a student-run news program. It is going to be broadcast in the Capitol today on the WHYW YouTube channel. Will you please stand. It is great to have you. Thank you for coming with us today. Thank you.

Representative Grove has with us in the rear of the House two guests from the Pew Charitable Trusts. The project director, Barbara Rosewicz, please stand, and the senior manager, Jeffrey Thiebert. Thank you so much. If you could stand as well. Thank you very much, both of you. Thanks for coming today.

Now, members, I am going to have to insist that everybody please take their seats because this is an important recognition that we are going to be addressing. I would really appreciate everybody please taking your seats. I am actually going to ask the Sergeants at Arms to close the doors of the House. So please, I would ask everybody to please take your seats – members, guests, staff.

### STATEMENT BY MR. WHEELAND

The SPEAKER. Representative Jeff Wheeland will be speaking on unanimous consent with respect to our special guest, and Representative Garth Everett is with him.

Mr. WHEELAND. Thank you, Mr. Speaker.

Colleagues, today Representative Everett and I are honored to introduce a very special guest to you, Mr. Charles A. Libby, often referred to and addressed as "Sergeant Libby." Sergeant.

Just recently, this past October, I was honored to participate in Sergeant Libby's 100th birthday party. I am not sure how many people know how to do the jitterbug, but you should have seen him doing the jitterbug.

During World War II Sergeant Libby served his country as an M-20 command car driver in the European Theater of Operations. He served in C Company of the 628th Tank Destroyer Battalion. Mr. Libby skillfully drove officers into battles, performing many dangerous duties such as taking German soldiers captive by himself, keeping his command car passengers safe, helping to rescue many American POWs (prisoners of war), and saving many, many lives along the way.

Sergeant Libby has accepted many, many awards and badges for his brave, dedicated military service. The Sergeant is also the subject of two books. One book that is out now, published, "From the Command Car," I highly recommend, and by the way, if you are a history buff and you want to explore the history of World War II through the eyes of the enlisted, I will forewarn you, once you pick it up, you better allocate 3 or 4 hours because it is highly likely that you will not put it down. It is one heck of a book.

Also, the next book that will be coming out I believe by the first of the year is "Sgt. Libby: 100 Years of Stories." So I am looking forward to that book also.

And each book chronicles his youth growing up in Pennsylvania, joining the CCC (Civilian Conservation Corps) camps all the way through signing up for the Army Reserves 109th Infantry and then shipping over to Europe to serve in the very first U.S. tank destroyers unit.

Accompanying Sergeant Libby is Mr. Steve Hunter. Steve. Mr. Hunter is the Sergeant's publicist and handles all current affairs dealing with the Sergeant's newfound fame.

So again, thank you all for your attention to this matter and please feel free to join Garth and me up here for pictures if you would so choose.

So again, thank you very much, Mr. Speaker.

The SPEAKER. At this time we will have the Sergeants at Arms open the doors of the House.

We are going to just step down for a photo here with the good gentleman, Sergeant Libby, and we will be back to do introductions and we are going to do some votes.

### LEAVE OF ABSENCE

The SPEAKER. Representative Curtis THOMAS has requested to be placed on leave. Without objection, that will be granted.

### UNCONTESTED CALENDAR

#### RESOLUTIONS PURSUANT TO RULE 35

Ms. KRUEGER called up **HR 606, PN 2714**, entitled:

A Resolution recognizing Vision 2020's Campaign for Women's Equality and Women 100, the National 19th Amendment Centennial Celebration.

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Mrs. R. BROWN called up **HR 627, PN 2785**, entitled:

A Resolution recognizing the Northeast Wildlife DNA Laboratory at East Stroudsburg University for being a leader in tick testing and prevention of Lyme disease and tick-borne illness.

On the question,

Will the House adopt the resolutions?

The following roll call was recorded:

#### YEAS—190

Baker	Emrick	Lawrence	Ravenstahl
Barbin	English	Lewis	Readshaw
Barrar	Evankovich	Longietti	Reed
Benninghoff	Evans	Mackenzie	Reese
Bernstine	Everett	Madden	Roae
Bizzarro	Fabrizio	Maher	Roe
Bloom	Farry	Mako	Roebuck
Boback	Fee	Maloney	Rothman
Boyle	Fitzgerald	Markosek	Rozzi
Briggs	Flynn	Marshall	Ryan
Brown, R.	Frankel	Marsico	Saccone
Bullock	Freeman	Masser	Sainato
Burns	Fritz	Matzie	Samuelson
Caltagirone	Gabler	McCarter	Sankey
Carroll	Gainey	McClinton	Santora
Causser	Gillen	Mehaffie	Saylor
Cephas	Gillespie	Mentzer	Schemel



Charlton	Godshall	Metcalf	Schlossberg
Christiana	Goodman	Metzgar	Schweyer
Comitta	Greiner	Miccarelli	Simmons
Conklin	Grove	Millard	Sims
Cook	Hahn	Miller, B.	Snyder
Corbin	Hanna	Miller, D.	Solomon
Corr	Harkins	Milne	Sonney
Costa, D.	Harper	Moul	Staats
Costa, P.	Harris, A.	Mullery	Stephens
Cox	Harris, J.	Murt	Sturla
Cruz	Heffley	Mustio	Tallman
Culver	Helm	Neilson	Taylor
Cutler	Hennessey	Nelson	Tobash
Daley	Hickernell	Nesbit	Toepel
Davidson	Hill	Neuman	Toohil
Davis	Irvin	O'Brien	Topper
Dawkins	James	O'Neill	Vazquez
Day	Jozwiak	Oberlander	Vitali
Dean	Kampf	Ortitay	Walsh
Deasy	Kauffman	Pashinski	Ward
DeLissio	Kavulich	Peifer	Warner
Delozier	Keefer	Petrarca	Warren
Dermody	Keller, F.	Petri	Watson
Diamond	Keller, M.K.	Pickett	Wentling
DiGirolamo	Kim	Pyle	Wheeland
Donatucci	Kinsey	Quigley	White
Dowling	Kirkland	Quinn, C.	Youngblood
Driscoll	Knowles	Quinn, M.	Zimmerman
Dunbar	Kortz	Rabb	
Dush	Krueger	Rader	Turzai,
Ellis	Kulik	Rapp	Speaker

## NAYS—0

## NOT VOTING—0

## EXCUSED—10

Bradford	Galloway	Klunk	Thomas
Brown, V.	Kaufner	McGinnis	Wheatley
DeLuca	Keller, W.		

## UNEXCUSED—1

Haggerty

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

### STATEMENT BY MS. KRUEGER

The SPEAKER. Representative Krueger-Braneky is recognized to speak on HR 606.

Members, please take your seats. She will be followed by Representative Rosemary Brown, who will be speaking on HR 627.

Representative Krueger-Braneky, the floor is yours. Members, please take your seats.

Ms. KRUEGER. Thank you, Mr. Speaker.

I rise today to thank my fellow legislators for their unanimous support of HR 606, recognizing Vision 2020's Campaign for Women's Equality and Women 100, the National 19th Amendment Centennial Celebration.

I strongly believe that I would not be here before you if it were not for the courage of women like Lucretia Mott, Mary Church Terrell, Alice Paul, Fanny Jackson Coppin, Ida B.

Wells, and Eliza Sproat Turner, who played historic roles in the women's rights movement.

This summer we marked the 97th anniversary of the 19th Amendment, affirming women's right to vote. This year's celebration of this landmark achievement comes during a time when we have many more battles to fight, including protecting young girls and women from sexual harassment, implementing equal pay for equal work, protecting health care, and equal representation within our government, if we are to truly achieve women's equality. Partnering with organizations like Vision 2020 helps us to highlight the struggles for women's equality everywhere.

Vision 2020 is a national coalition of organizations and individuals working to achieve economic, political, and social equality for women. Formed in 2009 at the Institute for Women's Health and Leadership on the campus of Drexel University College of Medicine in Philadelphia, Vision 2020 was officially launched publicly in 2010 with the intent to ignite a national conversation and accelerate the pace of women's progress by illuminating and eliminating the bias and barriers that perpetuate gender inequality in the United States.

I am proud to have a guest on the floor today from Vision 2020, their communications manager, Kathleen McFadden. Let us give her a hand please. Kathleen.

In order to coincide with the 100th anniversary of the ratification of the 19th Amendment to the Constitution of the United States, Vision 2020 will lead the national centennial commemoration during the Women 100 celebration, taking place in Philadelphia in 2020. By recognizing this coalition's important work and continuing to fight for policies that support our shared goal of full equality for women, we can add to the landmark achievements that we will celebrate in 2 years.

Thank you for joining me in unanimous adoption of this resolution to honor women across Pennsylvania and this nation.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, Representative.

### STATEMENT BY MRS. BROWN

The SPEAKER. Representative Rosemary Brown is recognized to speak on HR 627.

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

Today I rise to recognize the Northeast Wildlife DNA Laboratory at East Stroudsburg University for being a leader in tick testing and the prevention of Lyme disease and tick-borne illnesses.

Lyme disease is a bacterial infection transmitted primarily by ticks. In the last 6 years, Pennsylvania ranked highest in the country in the number of confirmed cases of Lyme disease at 12,200. However, the Centers for Disease Control estimates this number is more likely 10 times higher based on unreported or undiagnosed cases. With that, we should all be extremely grateful for entities like the Northeast Wildlife DNA Laboratory at East Stroudsburg University and the work they do on such an important public health issue, especially here in Pennsylvania.

The lab was founded in 2005 as an extension of the Biological Sciences Department of ESU. Since then it has been established as the leading tick-testing laboratory in the State that provides tick-borne pathogen identification to the public. They test thousands of tick species and infection rates and is one of

the two major tick-testing facilities in the United States that provides comprehensive research data on tick-borne pathogens.

Additionally, the lab developed Lyme-Aid, a tick testing kit for people and pets, which is the first commercialized faculty-student research project in the 124-year history of East Stroudsburg University. The Cutter Lyme Disease Tick Test provides fast, 99.9 percent accurate DNA test results for determining if a tick carries the bacteria that causes Lyme disease. Testing the tick, if it is available, is the most proactive measure in diagnosing Lyme or tick-borne illnesses.

I am sure each and every one of us has heard a devastating Lyme or tick-borne illness story where a missed diagnosis has caused a serious and significant health issue. Early detection of Lyme disease and other tick-borne illnesses is critical for a good recovery. It is vital to make the detection of Lyme and tick-borne illnesses easier, faster, and more accurate for people.

Please join me today in welcoming Nicole Chinnici, the laboratory director from Northeast Wildlife DNA Laboratory at East Stroudsburg University and for being a leader in tick testing and actively working towards prevention of debilitating Lyme disease and tick-borne illnesses. Nicole, can you stand for us. Thank you. And Nicole has also been working diligently on some other Lyme and tick-borne illness legislation with me as well.

So as leaders in our community, I hope you will take the knowledge of this lab to your constituents.

Thank you, Mr. Speaker.

The SPEAKER. Thank you.

**SUPPLEMENTAL CALENDAR A**

**RESOLUTION PURSUANT TO RULE 35**

Ms. DALEY called up **HR 623, PN 2787**, entitled:

A Resolution commemorating the 240th anniversary of the Battle of Matson's Ford and recognizing the historical significance of the Matsonford Bridge in Montgomery County.

On the question,

Will the House adopt the resolution?

The following roll call was recorded:

**YEAS—190**

Baker	Emrick	Lawrence	Ravenstahl
Barbin	English	Lewis	Readshaw
Barrar	Evankovich	Longietti	Reed
Benninghoff	Evans	Mackenzie	Reese
Bernstine	Everett	Madden	Roae
Bizzarro	Fabrizio	Maher	Roe
Bloom	Farry	Mako	Roebuck
Boback	Fee	Maloney	Rothman
Boyle	Fitzgerald	Markosek	Rozzi
Briggs	Flynn	Marshall	Ryan
Brown, R.	Frankel	Marsico	Saccone
Bullock	Freeman	Masser	Sainato
Burns	Fritz	Matzie	Samuelson
Caltagirone	Gabler	McCarter	Sankey
Carroll	Gainey	McClinton	Santora
Causar	Gillen	Mehaffie	Saylor
Cephas	Gillespie	Mentzer	Schemel
Charlton	Godshall	Metcalfe	Schlossberg
Christiana	Goodman	Metzgar	Schweyer
Comitta	Greiner	Miccarelli	Simmons

Conklin	Grove	Millard	Sims
Cook	Hahn	Miller, B.	Snyder
Corbin	Hanna	Miller, D.	Solomon
Corr	Harkins	Milne	Sonney
Costa, D.	Harper	Moul	Staats
Costa, P.	Harris, A.	Mullery	Stephens
Cox	Harris, J.	Murt	Sturla
Cruz	Heffley	Mustio	Tallman
Culver	Helm	Neilson	Taylor
Cutler	Hennessey	Nelson	Tobash
Daley	Hickernell	Nesbit	Toepel
Davidson	Hill	Neuman	Toohil
Davis	Irvin	O'Brien	Topper
Dawkins	James	O'Neill	Vazquez
Day	Jozwiak	Oberlander	Vitali
Dean	Kampf	Ortitay	Walsh
Deasy	Kauffman	Pashinski	Ward
DeLissio	Kavulich	Peifer	Warner
DeLozier	Keefer	Petrarca	Warren
Dermody	Keller, F.	Petri	Watson
Diamond	Keller, M.K.	Pickett	Wentling
DiGirolo	Kim	Pyle	Wheeland
Donatucci	Kinsey	Quigley	White
Dowling	Kirkland	Quinn, C.	Youngblood
Driscoll	Knowles	Quinn, M.	Zimmerman
Dunbar	Kortz	Rabb	
Dush	Krueger	Rader	Turzai,
Ellis	Kulik	Rapp	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—10

Bradford	Galloway	Klunk	Thomas
Brown, V.	Kaufner	McGinnis	Wheatley
DeLuca	Keller, W.		

UNEXCUSED—1

Haggerty

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

**STATEMENT BY MS. DALEY**

The SPEAKER. On the resolution, the Chair recognizes Representative Mary Jo Daley.

Ms. DALEY. Thank you, Mr. Speaker.

And thanks to all of you for your unanimous vote on HR 623. I wanted to thank the Speaker for the opportunity to present this citation on the House floor and to also introduce three members of Conshohocken Borough Council who are with us today. We have Karen Tutino, a councilwoman for Ward 1; Anita Barton, a councilwoman for Ward 4; and Jane Flanagan, councilwoman for Ward 5. Thank you.

For those of you who have never been to Conshohocken, the Matsonford Bridge that stands today is at least the fourth version of the bridge to be constructed, the first being built by Peter Matson himself.

With so much history in Montgomery County, I am truly honored to be able to present this House resolution to the Borough of Conshohocken to commemorate one of the many Revolutionary War battles that occurred in my district.

Mr. Speaker, may I read briefly from—

The SPEAKER. Yes, absolutely, Representative Daley, you may proceed.

Ms. DALEY. Thank you.

"Whereas, The Borough of Conshohocken is observing the two hundred fortieth anniversary of the Battle of Matson's Ford; and

"Whereas, Following the Battle of White Marsh, it was determined that the Continental Army would spend the winter at Valley Forge. On December 11, 1777, the army marched toward Matson's Ford, where it would cross the Schuylkill River. A temporary bridge was made from wagons across the river, and three advance pickets were established west of the river to warn of British troop movements. These militia pickets soon encountered a British foraging expedition at their stations at Middle Ferry, the Black Horse Inn and the Harriton House and were quickly overrun. Following these skirmishes, the Continental Army was forced to retreat back through Gulph Mills to Swede's Ford before making its way to Valley Forge on December 19, 1777."

Thank you, Mr. Speaker.

The SPEAKER. Thank you, Representative Daley, and thank you to our guests for being here today.

### ANNOUNCEMENT BY SPEAKER

The SPEAKER. Members, as you may have been noticing over the last legislative days, our good friend, Kelly Fedeli, who handles the protocol for this chamber and for the Speaker, she has been subbing for another good friend of ours, James Fata, who is our macebearer, and as you know, that is a constitutional position. So James is watching today. He has recently had surgery and is recuperating, and I thought the entire House of Representatives and staff and guests might just give him some applause in telling him to get well.

James, we are cheering you on. All of us want to see you back here healthy and ready to go, in particular Kelly. Thank you very much.

Now, we are going to stand at ease. We are not going to actually recess at this time. We are going to stand at ease for, I believe, the Appropriations Committee to meet and vote.

### APPROPRIATIONS COMMITTEE MEETING

The SPEAKER. So I am going to call on first the Appropriations chair. The majority Appropriations chair, Stan Saylor, for an announcement.

Mr. SAYLOR. Thank you, Mr. Speaker.

The Appropriations Committee will meet in the majority caucus room immediately. Again, we will be in the majority caucus room immediately, Mr. Speaker.

The SPEAKER. So right now we are going to be at ease for the Appropriations Committee to meet in the majority caucus room. We are going to come back on the floor, we are going to get some votes that have already been caucused completed, and then we are going to break for caucuses shortly. But right now the Appropriations Committee is going to meet and we are at ease.

The Appropriations Committee is back on the House floor.

### BILLS REREPORTED FROM COMMITTEE

**HB 83, PN 2769**

By Rep. SAYLOR

An Act amending the act of February 9, 1999 (P.L.1, No.1), known as the Capital Facilities Debt Enabling Act, in capital facilities, further providing for bonds, issue of bonds and notes, maturity and interest.

#### APPROPRIATIONS.

**HB 1641, PN 2734**

By Rep. SAYLOR

An Act providing for competitive integrated employment in State and county agencies and any entity providing publicly funded education, training, employment and related services and long-term services and supports for working-age Pennsylvanians with a disability; establishing Employment First, the Governor's Cabinet for People with Disabilities and the Employment First Oversight Commission and providing for their powers and duties; and conferring powers and imposing duties on the Governor and the Office of the Governor.

#### APPROPRIATIONS.

**HB 1677, PN 2736**

By Rep. SAYLOR

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Human Services Code, in public assistance, further providing for meeting special needs and work supports and incentives; in departmental powers and duties as to supervision, further providing for definitions; and, in departmental powers and duties as to licensing, further providing for definitions.

#### APPROPRIATIONS.

**HB 1829, PN 2737**

By Rep. SAYLOR

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Human Services Code, in public assistance, providing for medical assistance deemed eligibility program for home care, home health and older adult daily living center services.

#### APPROPRIATIONS.

**HB 1869, PN 2592**

By Rep. SAYLOR

An Act establishing the Maternal Mortality Review Committee and providing for its powers and duties; providing for duties of the Department of Health; and imposing a penalty.

#### APPROPRIATIONS.

**HB 1902, PN 2786**

By Rep. SAYLOR

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, in Pennsylvania Liquor Control Board, further providing for enforcement; in liquor, alcohol and malt and brewed beverages licenses and regulations, further providing for interlocking business prohibited, for breweries, for unlawful acts relative to malt or brewed beverages and licensees and for unlawful acts relative to liquor, malt and brewed beverages and licensees; and making related repeals.

#### APPROPRIATIONS.

### LEAVE OF ABSENCE CANCELED

The SPEAKER. Representative Matt Bradford is here and should be placed on the roll.

### PENN MANOR HIGH SCHOOL FIELD HOCKEY TEAM PRESENTED

The SPEAKER. Representative Bryan Cutler and Representative Brett Miller are invited to the rostrum to present a citation to, I believe, a championship team. So I would ask them to please come up to the rostrum.

Members, if you can please take your seats. This great team has traveled far to be with us today.

Representative Cutler and Representative Miller, the floor is yours.

Mr. B. MILLER. Thank you, Mr. Speaker.

Mr. Speaker, I am joined by my colleague, Representative Bryan Cutler, in having the privilege of representing portions of the Penn Manor School District in Lancaster County, and we are here today to congratulate the Penn Manor Girls Field Hockey Team for winning the AAA 2017 PIAA State Field Hockey Championship this past November. This victory marks the third PIAA Championship for the Penn Manor Comets, and notably, this marks their first ever undefeated season in school history, going 28 and 0.

The field hockey program at Penn Manor has a solid tradition of winning, and I would like to highlight just a few statistics to demonstrate this fact. Over the past 15 years, since 2002, the Penn Manor Girls Field Hockey Team has been State champions 3 times, league champions 6 times, and section champions 11 times. As if this were not enough, to top off all of these statistics the Penn Manor Girls Field Hockey Team is currently listed as the top-ranked field hockey program in the nation, and as impressive as their athletic skills and accomplishments are, they are just as impressive in their academic achievements as noted by the fact that the team members overall GPA (grade point average) average is consistently above 3.5. This record of both athletic and academic achievement is truly praiseworthy.

At this time I would like to recognize the coaches and team members who are here with us today. Joining us on the rostrum are head coach Matt Soto as well as team captains Hannah Brown and Alyssa Schriver.

In the rear of the House, I would like to ask the team members who are here with us to please stand as also members of the Penn Manor Field Hockey State Championship Team.

For my part, before Representative Cutler gives some of his comments, I wanted to say to all the team members and the dedicated coaches and the family members who have offered so much support along the way, we extend our sincerest congratulations on achieving an undefeated season, another State championship title, and on being ranked number one in the nation. We say to you, job well done. Congratulations.

Representative Cutler.

Mr. CUTLER. Thank you, Mr. Speaker.

I would like to join my colleague, Representative Miller, in recognizing the achievement of these fine young ladies, both academically and on the sports field. I think it is really a testament to our community in terms of their levels of successes in so many places. It is evidence of hard work and great leadership at all levels, and I just want to thank the team captains, I want to thank the coach and thank the ladies in the

rear of the House for all of your hard work and dedication. We would love to see you back here again next year. So I look forward to doing that.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, Representative Cutler and Representative Miller.

### SUPPLEMENTAL CALENDAR B

#### BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 83, PN 2769**, entitled:

An Act amending the act of February 9, 1999 (P.L.1, No.1), known as the Capital Facilities Debt Enabling Act, in capital facilities, further providing for bonds, issue of bonds and notes, maturity and interest.

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—188

Baker	Ellis	Kulik	Ravenstahl
Barbin	Emrick	Lawrence	Readshaw
Barrar	English	Lewis	Reed
Benninghoff	Evankovich	Longietti	Reese
Bernstine	Evans	Mackenzie	Roae
Bizzarro	Everett	Madden	Roe
Bloom	Fabrizio	Maher	Roebuck
Boback	Farry	Mako	Rothman
Boyle	Fee	Maloney	Rozzi
Bradford	Fitzgerald	Markosek	Ryan
Briggs	Flynn	Marshall	Saccone
Brown, R.	Frankel	Marsico	Sainato
Bullock	Freeman	Masser	Samuelson
Burns	Fritz	Matzie	Sankey
Caltagirone	Gabler	McCarter	Santora
Carroll	Gainey	McClinton	Saylor
Causar	Gillen	Mehaffie	Schemel
Cephas	Gillespie	Mentzer	Schlossberg
Charlton	Godshall	Metcalfe	Schweyer
Christiana	Goodman	Metzgar	Simmons
Comitta	Greiner	Miccarelli	Sims
Conklin	Grove	Millard	Snyder
Cook	Hahn	Miller, B.	Solomon
Corbin	Hanna	Milne	Sonney
Corr	Harkins	Moul	Staats
Costa, D.	Harper	Murt	Stephens
Costa, P.	Harris, A.	Mustio	Tallman
Cox	Harris, J.	Neilson	Taylor
Cruz	Heffley	Nelson	Tobash
Culver	Helm	Nesbit	Toepel



Cutler	Hennessey	Neuman	Toohil
Daley	Hickernell	O'Brien	Topper
Davidson	Hill	O'Neill	Vazquez
Davis	Irvin	Oberlander	Vitali
Dawkins	James	Ortitay	Walsh
Day	Jozwiak	Pashinski	Ward
Dean	Kampf	Peifer	Warner
Deasy	Kauffman	Petrarca	Warren
DeLissio	Kavulich	Petri	Watson
Delozier	Keefer	Pickett	Wentling
Dermody	Keller, F.	Pyle	Wheeland
Diamond	Keller, M.K.	Quigley	White
DiGirolamo	Kim	Quinn, C.	Youngblood
Donatucci	Kinsey	Quinn, M.	Zimmerman
Dowling	Kirkland	Rabb	Turzai,
Driscoll	Knowles	Rader	Speaker
Dunbar	Kortz	Rapp	
Dush	Krueger		

NAYS-2

Miller, D. Sturla

NOT VOTING-1

Mullery

EXCUSED-9

Brown, V.	Kaufer	Klunk	Thomas
DeLuca	Keller, W.	McGinnis	Wheatley
Galloway			

UNEXCUSED-1

Haggerty

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 1677, PN 2736**, entitled:

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Human Services Code, in public assistance, further providing for meeting special needs and work supports and incentives; in departmental powers and duties as to supervision, further providing for definitions; and, in departmental powers and duties as to licensing, further providing for definitions.

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS-190

Baker	Ellis	Kulik	Rapp
Barbin	Emrick	Lawrence	Ravenstahl
Barrar	English	Lewis	Readshaw
Benninghoff	Evankovich	Longietti	Reed
Bernstine	Evans	Mackenzie	Reese
Bizzarro	Everett	Madden	Roae
Bloom	Fabrizio	Maher	Roe
Boback	Farry	Mako	Roebuck
Boyle	Fee	Maloney	Rothman
Bradford	Fitzgerald	Markosek	Rozzi
Briggs	Flynn	Marshall	Ryan
Brown, R.	Frankel	Marsico	Saccone
Bullock	Freeman	Masser	Sainato
Burns	Fritz	Matzie	Samuelson
Caltagirone	Gabler	McCarter	Sankey
Carroll	Gainey	McClinton	Santora
Causar	Gillen	Mehaffie	Saylor
Cephas	Gillespie	Mentzer	Schemel
Charlton	Godshall	Metcalfe	Schlossberg
Christiana	Goodman	Metzgar	Schweyer
Comitta	Greiner	Miccarelli	Simmons
Conklin	Grove	Millard	Snyder
Cook	Hahn	Miller, B.	Solomon
Corbin	Hanna	Miller, D.	Sonney
Corr	Harkins	Milne	Staats
Costa, D.	Harper	Moul	Stephens
Costa, P.	Harris, A.	Mullery	Sturla
Cox	Harris, J.	Murt	Tallman
Cruz	Heffley	Mustio	Taylor
Culver	Helm	Neilson	Tobash
Cutler	Hennessey	Nelson	Toepel
Daley	Hickernell	Nesbit	Toohil
Davidson	Hill	Neuman	Topper
Davis	Irvin	O'Brien	Vazquez
Dawkins	James	O'Neill	Vitali
Day	Jozwiak	Oberlander	Walsh
Dean	Kampf	Ortitay	Ward
Deasy	Kauffman	Pashinski	Warner
DeLissio	Kavulich	Peifer	Warren
Delozier	Keefer	Petrarca	Watson
Dermody	Keller, F.	Petri	Wentling
Diamond	Keller, M.K.	Pickett	Wheeland
DiGirolamo	Kim	Pyle	White
Donatucci	Kinsey	Quigley	Youngblood
Dowling	Kirkland	Quinn, C.	Zimmerman
Driscoll	Knowles	Quinn, M.	
Dunbar	Kortz	Rabb	Turzai,
Dush	Krueger	Rader	Speaker

NAYS-0

NOT VOTING-1

Sims

EXCUSED-9

Brown, V.	Kaufer	Klunk	Thomas
DeLuca	Keller, W.	McGinnis	Wheatley
Galloway			

UNEXCUSED-1

Haggerty

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 1829, PN 2737**, entitled:

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Human Services Code, in public assistance, providing for medical assistance deemed eligibility program for home care, home health and older adult daily living center 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—191**

Baker	Emrick	Lawrence	Ravenstahl
Barbin	English	Lewis	Readshaw
Barrar	Evankovich	Longiotti	Reed
Benninghoff	Evans	Mackenzie	Reese
Bernstine	Everett	Madden	Roe
Bizzarro	Fabrizio	Maher	Roe
Bloom	Farry	Mako	Roebuck
Boback	Fee	Maloney	Rothman
Boyle	Fitzgerald	Markosek	Rozzi
Bradford	Flynn	Marshall	Ryan
Briggs	Frankel	Marsico	Saccone
Brown, R.	Freeman	Masser	Sainato
Bullock	Fritz	Matzie	Samuelson
Burns	Gabler	McCarter	Sankey
Caltagirone	Gainey	McClinton	Santora
Carroll	Gillen	Mehaffie	Saylor
Causar	Gillespie	Mentzer	Schemel
Cephas	Godshall	Metcalfe	Schlossberg
Charlton	Goodman	Metzgar	Schweyer
Christiana	Greiner	Miccarelli	Simmons
Comitta	Grove	Millard	Sims
Conklin	Hahn	Miller, B.	Snyder
Cook	Hanna	Miller, D.	Solomon
Corbin	Harkins	Milne	Sonney
Corr	Harper	Moul	Staats
Costa, D.	Harris, A.	Mullery	Stephens
Costa, P.	Harris, J.	Murt	Sturla
Cox	Heffley	Mustio	Tallman
Cruz	Helm	Neilson	Taylor
Culver	Hennessey	Nelson	Tobash
Cutler	Hickemell	Nesbit	Toepel
Daley	Hill	Neuman	Toohil
Davidson	Irvin	O'Brien	Topper
Davis	James	O'Neill	Vazquez
Dawkins	Jozwiak	Oberlander	Vitali
Day	Kampf	Ortitay	Walsh
Dean	Kauffman	Pashinski	Ward
Deasy	Kavulich	Peifer	Warner
DeLissio	Keefer	Petrarca	Warren
Delozier	Keller, F.	Petri	Watson
Dermody	Keller, M.K.	Pickett	Wentling
Diamond	Kim	Pyle	Wheeland

DiGirolamo	Kinsey	Quigley	White
Donatucci	Kirkland	Quinn, C.	Youngblood
Dowling	Knowles	Quinn, M.	Zimmerman
Driscoll	Kortz	Rabb	
Dunbar	Krueger	Rader	Turzai,
Dush	Kulik	Rapp	Speaker
Ellis			

**NAYS—0**

**NOT VOTING—0**

**EXCUSED—9**

Brown, V.	Kaufner	Klunk	Thomas
DeLuca	Keller, W.	McGinnis	Wheatley
Galloway			

**UNEXCUSED—1**

Haggerty

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

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

**VOTE CORRECTIONS**

The **SPEAKER**. Representative Mullery, I know we recognize you on unanimous consent, and you may proceed, sir. Mr. MULLERY. Thank you, Mr. Speaker.

To correct the record.

The **SPEAKER**. Yes, sir. You may proceed.

Mr. MULLERY. On HB 83 my button failed to record. I would like to be recorded in the affirmative.

The **SPEAKER**. Yes, sir. The remarks will have you marked in the affirmative.

Representative Sims is recognized on unanimous consent. Sir, you may proceed.

Mr. SIMS. Thank you, Mr. Speaker.

On HB 1677 my vote was not recorded. I wish to be recorded in the affirmative.

The **SPEAKER**. Yes, sir. Those remarks will be reflected in the record.

**BILLS ON THIRD CONSIDERATION**

The House proceeded to third consideration of **HB 1869, PN 2592**, entitled:

An Act establishing the Maternal Mortality Review Committee and providing for its powers and duties; providing for duties of the Department of Health; and imposing a penalty.

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?

The Chair recognizes Representative Mackenzie.

Mr. MACKENZIE. Thank you, Mr. Speaker.

I appreciate the opportunity to speak about HB 1869 today, which would establish a Maternal Mortality Review Committee here in Pennsylvania. Every year 65,000 women die due to pregnancy-related complications, and from 2000 to 2014 the U.S. saw a 26-percent increase in the maternal mortality rate, while the trend in other industrialized countries is actually decreasing. Also, it should be noted that half of the maternal mortality deaths in the U.S. are believed to be preventable.

The CDC (Centers for Disease Control and Prevention) is urging States to create a maternal mortality review committee to determine State-specific rates and what can be done about instances of maternal mortality. California, for instance, is the most successful so far in combating maternal mortality, implementing the Maternal Review Committee in California for pregnancy-associated deaths. This was created in 2006 after noticing the increase in deaths and they published their findings and the contributing factors that led to the rise in maternal mortality rates. Since its inception, the maternal mortality rate in California has decreased by 55 percent from 2006 to 2013, while the national average continued to rise.

HB 1869 will reduce preventable maternal mortality rates and improve the health outcomes for mothers and infants by establishing a maternal mortality review committee here in Pennsylvania. The members of the committee will review the nonindividually identifiable data that occurs during pregnancy and up to 1 year postdelivery concerning deaths and to find trends and help identify the problems and solutions to those problems. The committee will also create a report, and it should be noted that there is no budget appropriation needed for this committee and the Department of Health assumes that they will be able to handle this responsibility with their existing appropriations.

So thank you, Mr. Speaker, for the opportunity to speak about HB 1869 and I would appreciate an affirmative vote. 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—191

Baker	Emrick	Lawrence	Ravenstahl
Barbin	English	Lewis	Readshaw
Barrar	Evankovich	Longietti	Reed
Benninghoff	Evans	Mackenzie	Reese
Bernstine	Everett	Madden	Roae
Bizzarro	Fabrizio	Maher	Roe
Bloom	Farry	Mako	Roebuck
Boback	Fee	Maloney	Rothman
Boyle	Fitzgerald	Markosek	Rozzi
Bradford	Flynn	Marshall	Ryan
Briggs	Frankel	Marsico	Saccone
Brown, R.	Freeman	Masser	Sainato
Bullock	Fritz	Matzie	Samuelson
Burns	Gabler	McCarter	Sankey
Caltagirone	Gainey	McClinton	Santora
Carroll	Gillen	Mehaffie	Saylor

Causer	Gillespie	Mentzer	Schemel
Cephas	Godshall	Metcalfe	Schlossberg
Charlton	Goodman	Metzgar	Schweyer
Christiana	Greiner	Miccarelli	Simmons
Comitta	Grove	Millard	Sims
Conklin	Hahn	Miller, B.	Snyder
Cook	Hanna	Miller, D.	Solomon
Corbin	Harkins	Milne	Sonney
Corr	Harper	Moul	Staats
Costa, D.	Harris, A.	Mullery	Stephens
Costa, P.	Harris, J.	Murt	Sturla
Cox	Heffley	Mustio	Tallman
Cruz	Helm	Neilson	Taylor
Culver	Hennessey	Nelson	Tobash
Cutler	Hickernell	Nesbit	Toepel
Daley	Hill	Neuman	Toohil
Davidson	Irvin	O'Brien	Topper
Davis	James	O'Neill	Vazquez
Dawkins	Jozwiak	Oberlander	Vitali
Day	Kampf	Ortitay	Walsh
Dean	Kauffman	Pashinski	Ward
Deasy	Kavulich	Peifer	Warner
DeLissio	Keefer	Petrarca	Warren
Delozier	Keller, F.	Petri	Watson
Dermody	Keller, M.K.	Pickett	Wentling
Diamond	Kim	Pyle	Wheeland
DiGirolamo	Kinsey	Quigley	White
Donatucci	Kirkland	Quinn, C.	Youngblood
Dowling	Knowles	Quinn, M.	Zimmerman
Driscoll	Kortz	Rabb	
Dunbar	Krueger	Rader	Turzai,
Dush	Kulik	Rapp	Speaker
Ellis			

NAYS—0

NOT VOTING—0

EXCUSED—9

Brown, V.	Kaufer	Klunk	Thomas
DeLuca	Keller, W.	McGinnis	Wheatley
Galloway			

UNEXCUSED—1

Haggerty

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 1641, PN 2734**, entitled:

An Act providing for competitive integrated employment in State and county agencies and any entity providing publicly funded education, training, employment and related services and long-term services and supports for working-age Pennsylvanians with a disability; establishing Employment First, the Governor's Cabinet for People with Disabilities and the Employment First Oversight Commission and providing for their powers and duties; and conferring powers and imposing duties on the Governor and the Office of the Governor.

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—191

Baker	Emrick	Lawrence	Ravenstahl
Barbin	English	Lewis	Readshaw
Barrar	Evankovich	Longietti	Reed
Benninghoff	Evans	Mackenzie	Reese
Bernstine	Everett	Madden	Roae
Bizzarro	Fabrizio	Maher	Roe
Bloom	Farry	Mako	Roebuck
Boback	Fee	Maloney	Rothman
Boyle	Fitzgerald	Markosek	Rozzi
Bradford	Flynn	Marshall	Ryan
Briggs	Frankel	Marsico	Saccone
Brown, R.	Freeman	Masser	Sainato
Bullock	Fritz	Matzie	Samuelson
Burns	Gabler	McCarter	Sankey
Caltagirone	Gainey	McClinton	Santora
Carroll	Gillen	Mehaffie	Saylor
Causar	Gillespie	Mentzer	Schemel
Cephas	Godshall	Metcalfe	Schlossberg
Charlton	Goodman	Metzgar	Schweyer
Christiana	Greiner	Miccarelli	Simmons
Comitta	Grove	Millard	Sims
Conklin	Hahn	Miller, B.	Snyder
Cook	Hanna	Miller, D.	Solomon
Corbin	Harkins	Milne	Sonney
Corr	Harper	Moul	Staats
Costa, D.	Harris, A.	Mullery	Stephens
Costa, P.	Harris, J.	Murt	Sturla
Cox	Heffley	Mustio	Tallman
Cruz	Helm	Neilson	Taylor
Culver	Hennessey	Nelson	Tobash
Cutler	Hickernell	Nesbit	Toepel
Daley	Hill	Neuman	Toohil
Davidson	Irvin	O'Brien	Topper
Davis	James	O'Neill	Vazquez
Dawkins	Jozwiak	Oberlander	Vitali
Day	Kampf	Ortitay	Walsh
Dean	Kauffman	Pashinski	Ward
Deasy	Kavulich	Peifer	Warner
DeLissio	Keefer	Petrarca	Warren
Delozier	Keller, F.	Petri	Watson
Dermody	Keller, M.K.	Pickett	Wentling
Diamond	Kim	Pyle	Wheeland
DiGirolamo	Kinsey	Quigley	White
Donatucci	Kirkland	Quinn, C.	Youngblood
Dowling	Knowles	Quinn, M.	Zimmerman
Driscoll	Kortz	Rabb	
Dunbar	Krueger	Rader	Turzai,
Dush	Kulik	Rapp	Speaker
Ellis			

NAYS—0

NOT VOTING—0

EXCUSED—9

Brown, V.	Kaufer	Klunk	Thomas
DeLuca	Keller, W.	McGinnis	Wheatley
Galloway			

UNEXCUSED—1

Haggerty

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 1902, PN 2786**, entitled:

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, in Pennsylvania Liquor Control Board, further providing for enforcement; in liquor, alcohol and malt and brewed beverages licenses and regulations, further providing for interlocking business prohibited, for breweries, for unlawful acts relative to malt or brewed beverages and licensees and for unlawful acts relative to liquor, malt and brewed beverages and licensees; and making related repeals.

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—191

Baker	Emrick	Lawrence	Ravenstahl
Barbin	English	Lewis	Readshaw
Barrar	Evankovich	Longietti	Reed
Benninghoff	Evans	Mackenzie	Reese
Bernstine	Everett	Madden	Roae
Bizzarro	Fabrizio	Maher	Roe
Bloom	Farry	Mako	Roebuck
Boback	Fee	Maloney	Rothman
Boyle	Fitzgerald	Markosek	Rozzi
Bradford	Flynn	Marshall	Ryan
Briggs	Frankel	Marsico	Saccone
Brown, R.	Freeman	Masser	Sainato
Bullock	Fritz	Matzie	Samuelson
Burns	Gabler	McCarter	Sankey
Caltagirone	Gainey	McClinton	Santora
Carroll	Gillen	Mehaffie	Saylor
Causar	Gillespie	Mentzer	Schemel
Cephas	Godshall	Metcalfe	Schlossberg
Charlton	Goodman	Metzgar	Schweyer
Christiana	Greiner	Miccarelli	Simmons
Comitta	Grove	Millard	Sims
Conklin	Hahn	Miller, B.	Snyder
Cook	Hanna	Miller, D.	Solomon
Corbin	Harkins	Milne	Sonney
Corr	Harper	Moul	Staats
Costa, D.	Harris, A.	Mullery	Stephens
Costa, P.	Harris, J.	Murt	Sturla
Cox	Heffley	Mustio	Tallman
Cruz	Helm	Neilson	Taylor



Culver	Hennessey	Nelson	Tobash
Cutler	Hickernell	Nesbit	Toepel
Daley	Hill	Neuman	Toohil
Davidson	Irvin	O'Brien	Topper
Davis	James	O'Neill	Vazquez
Dawkins	Jozwiak	Oberlander	Vitali
Day	Kampf	Ortitay	Walsh
Dean	Kauffman	Pashinski	Ward
Deasy	Kavulich	Peifer	Warner
DeLissio	Keefer	Petrarca	Warren
Delozier	Keller, F.	Petri	Watson
Dermody	Keller, M.K.	Pickett	Wentling
Diamond	Kim	Pyle	Wheeland
DiGirolamo	Kinsey	Quigley	White
Donatucci	Kirkland	Quinn, C.	Youngblood
Dowling	Knowles	Quinn, M.	Zimmerman
Driscoll	Kortz	Rabb	
Dunbar	Krueger	Rader	Turzai,
Dush	Kulik	Rapp	Speaker
Ellis			

**NAYS—0****NOT VOTING—0****EXCUSED—9**

Brown, V.	Kaufer	Klunk	Thomas
DeLuca	Keller, W.	McGinnis	Wheatley
Galloway			

**UNEXCUSED—1**

Haggerty

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.

**HEALTH COMMITTEE MEETING**

The SPEAKER. Representative Matt Baker is recognized for a committee announcement.

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

The Health Committee will meet immediately upon the break in room G-50, Irvis Building.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, sir.

The Health Committee will meet immediately upon the break in room G-50, Irvis Building.

**VOTE CORRECTION**

The SPEAKER. Representative DeLissio, you are recognized.

Ms. DeLISSIO. Thank you, Mr. Speaker.

Mr. Speaker, on HB 83 I was recorded in the affirmative and would like to be recorded in the negative.

The SPEAKER. Any other committee announcements?

**REPUBLICAN CAUCUS**

The SPEAKER. Representative Marcy Toepel, for a caucus announcement, followed by Representative Frankel for a caucus announcement.

Mrs. TOEPEL. Thank you, Mr. Speaker.

Republicans will caucus at 2:30. We would be prepared to return to the floor at 3:30.

**DEMOCRATIC CAUCUS**

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

Mr. FRANKEL. Thank you, Mr. Speaker.

Democrats will caucus at 2:30. Democrats will caucus at 2:30.

**JUDICIARY COMMITTEE MEETING**

The SPEAKER. Representative Stephens.

Mr. STEPHENS. I am sorry, Mr. Speaker.

When you mentioned about announcements, I have an announcement to make.

The SPEAKER. Yes, sir, you may.

Mr. STEPHENS. The House Judiciary Committee Subcommittee on Courts will meet tomorrow at the call of the Chair.

The SPEAKER. Yes, sir. Thank you.

We are going to recess right now. We will be calling everybody else—

**VOTE CORRECTION**

The SPEAKER. Representative Freeman, we are going to be doing everybody when we come back.

You want to be recognized on unanimous consent? Only because we have to move along. I apologize.

Mr. FREEMAN. Yes, Mr. Speaker, just to correct the record.

The SPEAKER. Yes.

Mr. FREEMAN. On HB 83 I was recorded in the affirmative. I would like to be recorded in the negative.

The SPEAKER. Okay. Thank you.

**RECESS**

The SPEAKER. At this time the House will stand in recess until 3:30 p.m., 3:30 p.m.

**RECESS EXTENDED**

The time of recess was extended until 4 p.m.; further extended until 4:15 p.m.; further extended until 4:30 p.m.; further extended until 4:45 p.m.; further extended until 5 p.m.

**AFTER RECESS**

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

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

**HB 1553, PN 2803** (Amended) By Rep. BAKER

An Act providing for the protection of consumers of health care coverage against surprise balance bills for emergency health care services or for other covered health care services when health care services are sought from in-network facilities.

HEALTH.

**HB 1884, PN 2639** By Rep. BAKER

An Act providing for summaries or copies of patient test results to be sent directly to a patient or the patient's designee when there is a finding of a significant abnormality; and providing for duties of the Department of Health.

HEALTH.

**SB 542, PN 1263** By Rep. BAKER

An Act amending the act of September 27, 1961 (P.L.1700, No.699), known as the Pharmacy Act, further defining unlawful acts concerning emergency prescriptions.

HEALTH.

## LEAVE OF ABSENCE

The SPEAKER. Representative PETRI has requested to be placed on leave. Without objection, that will be granted.

## CALENDAR

### BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 1936, PN 2753**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in snowmobiles and all-terrain vehicles, further providing for operation by persons under age sixteen and for mufflers and sound controls.

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

## LEAVE OF ABSENCE

The SPEAKER. Representative Karen BOBACK has requested to be placed on leave. Without objection, that will be granted.

### BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 110, PN 2778**, entitled:

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, in taxation and finance, providing for spending limitations on the Commonwealth.

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

Now, I have the minority Appropriations chair who wishes to speak, and if anybody else wishes to speak, please let me know. But we will begin with – and the maker of the bill will be speaking certainly – but we will begin with the minority Appropriations chair, Joe Markosek.

Mr. MARKOSEK. Thank you, Mr. Speaker.

Mr. SPEAKER, HB 110 is what is commonly referred to as the TABOR (Taxpayers' Bill of Rights) bill. This is a plan, a budgeting scheme, if you will, that has been tried in other States – I think, notably, Colorado – and has just simply not worked. The problem with this bill is it puts artificial limits to the spending in our budget, that our Commonwealth could do during our budget. In other words, we would have to look at certain things like the CPI, the Consumer Price Index, and various things like that, technical things, that we could say we cannot spend above that. Well, that all might sound good to some people, but it really handcuffs the ability to do budgets in any kind of rational way. We get elected here to make those decisions. Our constituents put trust in us when they vote for us that we will do the right thing relative to the budget. If we have a situation, for example, where we have an emergency—

The SPEAKER. Members, if everybody could please take their seats. Members, if everybody could please take your seats. Members, could you please take your seats.

Mr. MARKOSEK. Thank you, Mr. Speaker.

If we have a situation in Pennsylvania where we would have an emergency, for example, if we would have a situation similar to what we had in Houston or what we had in Florida or Puerto Rico, we would have to spend more money for that emergency, but yet we would be topped out and there would be limits on what we could spend. If we have health care, for example, in our Human Services budget, if we can only raise spending by several percent and yet the health-care costs in Pennsylvania are up, say, 15 or 20 percent, how would we be able to deal with that? We would have to fund those things because in many cases we have no choice, but yet that means we would have to severely cut many other things.

It would take a lot of our discretion away from us as legislators and as budgeteers, as people that have the responsibility to put together the budget, the administration and all the four caucuses and the four Appropriations Committees. Budgets are done through negotiations. They are done because we see – we know what we need here in Pennsylvania. We hear from all of you all of the time, certainly here in the House, and we put a budget together that reflects that and reflects what the people of Pennsylvania not only want but what they may need. Education perhaps could suffer with a bill like this because artificial limits to what we can spend would not allow us to build new facilities, for example; to cover some additional debt that we may need, for example. So there is a whole bunch of

reasons why this simply has not worked in a lot of different States that have tried it and will not work here in Pennsylvania, and I would suggest that if we pass something like this and it eventually gets signed into law, that I think all of us in this room at some point in the future that are legislators would be very disappointed to see what was done here tonight.

So I would ask all the members to take this for what it is, an artificial cap on what we can spend in Pennsylvania that has really nothing to do with what we may need and what we may afford here in Pennsylvania, and I would ask all of our members on both sides of the aisle to please vote "no." Thank you.

The SPEAKER. Representative George Dunbar, vice chair of the majority Appropriations Committee.

Mr. DUNBAR. Thank you, Mr. Speaker.

I just wanted to clarify a few remarks that the minority Appropriations chair just made in regards to this legislation. I understand that if you have some type of cap, a spending cap, from one year to the next and you worry about an emergency situation, that you worry about having funding for that emergency situation, that is addressed in this bill. When we amended this in Appropriations, we made it that for any situation that you want to exceed that cap, all it takes is a three-quarter vote of this body to exceed that cap, and I am sure if there was an emergency situation or something that we needed emergency funding for, just like he had addressed, that we certainly would come up with the three-quarter vote necessary to pass that.

So I would urge all the members to vote "yes," and do not worry about an emergency funding situation. We can overcome that. Thank you.

The SPEAKER. Representative Ryan Warner, unless— Do any other members wish to speak on HB 110? Do any other members wish to speak on HB 110?

#### BILL PASSED OVER TEMPORARILY

The SPEAKER. At this time we are going to go over HB 110. We are going to go over HB 110 at this time.

The leader calls up SB 3, PN 283, page 5 of today's House calendar.

If I might, just before we proceed, members, there are two late-filed amendments and there is one timely amendment. The timely amendment is 5123.

#### BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of **SB 3, PN 283**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in abortion, further providing for definitions, for medical consultation and judgment and for the offense of abortion on 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 second consideration?

Mr. **MULLERY** offered the following amendment No. **A05123**:

Amend Bill, page 1, line 6, by inserting after "reporting" ; and providing for report by the Office of the Budget

Amend Bill, page 6, by inserting between lines 7 and 8 Section 5. The Office of Attorney General and any Commonwealth agency that incurs costs in defending the constitutionality of this act shall report annually the costs incurred to the Office of the Budget. Upon a final court decision in a case challenging the constitutionality of this act, the Office of the Budget shall publish in the Pennsylvania Bulletin a cumulative report of the costs incurred by the Commonwealth in defending the constitutionality of this act.

Amend Bill, page 6, line 8, by striking out "5" and inserting 6

On the question,

Will the House agree to the amendment?

The SPEAKER. On the question, the Chair recognizes Representative Mullery.

Mr. **MULLERY**. Thank you, Mr. Speaker.

Simply put, what my amendment does is attempts to place notice for the citizens of the Commonwealth of Pennsylvania on exactly how much it is going to cost us to defend legislation that, if passed, we know right now sitting here in this chamber today is unconstitutional. So if you consider yourself a fiscal watchdog, if you consider yourself someone who truly cares about the people's money, then you have a decision to make. What is more important to you: holding out yourself as a fiscal conservative or holding yourself out as a social conservative? Because that is what this decision comes down to.

Mr. Speaker, every single piece of legislation that has sought to ban previability abortions has been ruled unconstitutional at the appellate level, every single case; not one, not two, not some, but all. If this legislation passes and gets challenged, its probability of success at the Federal court level and to quote Dean Wormer from a famous institution in the movies, is "zero point zero" percent.

For that reason I ask my colleagues to support amendment A05123 and let the people know that the decisions we make here on the House floor have financial consequences and they should understand exactly what the cost of this type of legislation is to them when all is said and done.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, sir.

On the amendment, Representative Matt Baker, followed by the majority whip, Bryan Cutler.

Representative Baker.

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

I rise to respectfully oppose this amendment. This amendment presumes that the underlying bill itself is unconstitutional and will be subject to court challenge. In fact, it almost encourages a court challenge. This is not appropriate to add to the Crimes Code and would mark a significant departure from common practice. Further, the constitutional duty of the Attorney General's Office is to defend the laws of the Commonwealth and that should be done regardless of any cost incurred in doing so.

I would also like to make the comment that notwithstanding the gentleman's protestations about every State law being struck down or enjoined, that is inaccurate. It is absolutely inaccurate. There are at least seven States with dismemberment abortion bans: Alabama, Arkansas, Kansas, Louisiana, Mississippi, Oklahoma, Texas, and West Virginia. And only the law in Texas has been temporarily enjoined. And furthermore, there are 15 other States with very similar statutes called pain-capable laws: Alabama, Arkansas, Georgia, Kansas, Kentucky, Louisiana, Nebraska, North Dakota, Ohio, Oklahoma, South Carolina, South Dakota, Texas, West Virginia, and Wisconsin. And only Georgia is under legal challenge.

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

The SPEAKER. The majority whip, Representative Cutler, on the amendment.

Mr. CUTLER. Thank you, Mr. Speaker.

I would like to echo many of the same comments made by the majority chairman. Specific to this proposal, the proposal itself presumes that the bill is unconstitutional when, in fact, any act taken by the legislature is deemed constitutional. That is current standing case law.

Additionally, Mr. Speaker, I think it is important to note that we do not do similar reports for any other area in the law as it relates to the challenge process related to the constitutionality of any provisions, and even if we did, Mr. Speaker, I would offer that the budget appropriations process is the appropriate place to do it.

For those reasons I urge that we oppose the gentleman's amendment. Thank you.

The SPEAKER. Representative Mullery, for the second time, sir.

Mr. MULLERY. Thank you, Mr. Speaker.

Now, while I presume that this amendment is an amendment to a bill that is – the underlying bill is unconstitutional, I do not believe that my amendment states that. All my amendment states is that if at some point in time after this legislation passes a third party wants to challenge it on the basis of constitutionality and we, as a State, have to defend it, that our citizens deserve the right to know exactly how much that costs. So any State agency, whether it is the Attorney General's Office or, if the Attorney General is unwilling to defend it, we have to hire out third-party counsel, I want a report back to know exactly how much it costs to defend this legislation, and I want that report published so that the people of Pennsylvania know.

Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—66

Bizzarro	Dean	Kim	Pashinski
Boyle	Deasy	Kinsey	Rabb
Bradford	DeLissio	Kirkland	Ravenstahl
Briggs	Dermoddy	Kortz	Roebuck
Bullock	Donatucci	Krueger	Rozzi
Caltagirone	Driscoll	Kulik	Samuelson
Carroll	Evans	Madden	Schlossberg
Cephas	Fabrizio	Markosek	Schweyer
Comitta	Fitzgerald	Matzie	Sims

Conklin	Flynn	McCarter	Snyder
Costa, D.	Frankel	McClinton	Solomon
Costa, P.	Freeman	Miller, D.	Sturla
Cruz	Gainey	Mullery	Vazquez
Daley	Goodman	Neilson	Vitali
Davidson	Hanna	Neuman	Warren
Davis	Harkins	O'Brien	Youngblood
Dawkins	Harris, J.		

NAYS—123

Baker	Gabler	Marshall	Roae
Barbin	Gillen	Marsico	Roe
Barrar	Gillespie	Masser	Rothman
Benninghoff	Godshall	Mehaffie	Ryan
Bernstine	Greiner	Mentzer	Saccone
Bloom	Grove	Metcalfe	Sainato
Brown, R.	Hahn	Metzgar	Sankey
Burns	Harper	Miccarelli	Santora
Causer	Harris, A.	Millard	Saylor
Charlton	Heffley	Miller, B.	Schemel
Christiana	Helm	Milne	Simmons
Cook	Hennessey	Moul	Sonney
Corbin	Hickernell	Murt	Staats
Corr	Hill	Mustio	Stephens
Cox	Irvin	Nelson	Tallman
Culver	James	Nesbit	Taylor
Cutler	Jozwiak	O'Neill	Tobash
Day	Kampf	Oberlander	Toepel
Delozier	Kauffman	Ortity	Toohil
Diamond	Kavulich	Peifer	Topper
DiGirolamo	Keefer	Petrarca	Walsh
Dowling	Keller, F.	Pickett	Ward
Dunbar	Keller, M.K.	Pyle	Warner
Dush	Knowles	Quigley	Watson
Ellis	Lawrence	Quinn, C.	Wentling
Emrick	Lewis	Quinn, M.	Wheeland
English	Longietti	Rader	White
Evankovich	Mackenzie	Rapp	Zimmerman
Everett	Maher	Readshaw	
Farry	Mako	Reed	Turzai, Speaker
Fee	Maloney	Reese	
Fritz			

NOT VOTING—0

EXCUSED—11

Boback	Galloway	Klunk	Thomas
Brown, V.	Kaufer	McGinnis	Wheatley
DeLuca	Keller, W.	Petri	

UNEXCUSED—1

Haggerty

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

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

**MOTION TO RECOMMIT**

The SPEAKER. Representative Krueger-Braneky, you are recognized. For what purpose do you rise?

Ms. KRUEGER. Mr. Speaker, I rise to make a motion.

The SPEAKER. Please state your motion. For the record, we do have two other amendments that we have to address.



Ms. KRUEGER. Mr. Speaker, I rise to make the motion that we recommit SB 3 to the House Health Committee for the purpose of holding at least one public hearing on this bill before we vote on it further.

The SPEAKER. Okay. So the motion is to recommit SB 3 to, I believe, the Health Committee?

Ms. KRUEGER. Yes.

The SPEAKER. To the Health Committee.

On the question,

Will the House agree to the motion?

The SPEAKER. Representative Krueger-Braneky, you may proceed to speak on— Representative Frankel, you will be next. Representative Krueger-Braneky, you may proceed.

Ms. KRUEGER. Thank you, Mr. Speaker.

SB 3 represents a fundamental sea change in the choices that women in Pennsylvania have for health care. This bill was voted out of the Health Committee last week without one single public hearing. We, in this chamber, have received input from countless medical professionals, including the Pennsylvania Chapter of the American College of Ob-Gyns (obstetricians and gynecologists), that this bill will greatly interfere with the patient-provider relationship and cause undue burden to the women of Pennsylvania. The Pennsylvania Medical Society is on record opposing a 20-week abortion ban. Countless advocacy groups, including the Pennsylvania Coalition Against Rape, the Pennsylvania Coalition Against Domestic Violence, the Women's Law Project, and the ACLU (American Civil Liberties Union), strongly oppose this bill. These are organizations that specialize in supporting women throughout Pennsylvania and protecting the rights granted to them through courts and the law, and yet, Mr. Speaker, not a single one of these organizations have been given the opportunity to testify at a public hearing this session on SB 3; not last session either. No doctors, no patients have been given the opportunity to testify on this bill.

Mr. Speaker, this issue is far too important to the women of Pennsylvania for us to be playing these types of games. So, Mr. Speaker, I make the motion that we recommit this bill to the House Health Committee so that we can hear from the women and doctors here in Pennsylvania who would be truly impacted by this legislation.

Thank you, Mr. Speaker.

The SPEAKER. Representative Baker, on the motion.

Mr. BAKER. Thank you, Mr. Speaker.

I rise to oppose the motion to recommit to the Health Committee.

Mr. Speaker, a very similar bill of this nature passed this chamber by a near veto-proof vote last session. It was fully vetted last year. This bill has been in my committee since at least February. The Senate put up a very strong vote for this legislation, and we should do the same and proceed.

This is an obstructionist-level motion to delay the vote, and I would ask for a "no" vote on the motion to recommit.

The SPEAKER. Representative Dan Frankel, on the motion to recommit, followed by Representative Madeleine Dean.

Mr. FRANKEL. Thank you, Mr. Speaker.

I rise to support the motion to recommit, and I would counter the chairman of the Health Committee's comments. Yes, we were here in the last session, but it is déjà vu all over again. There were not any hearings last session.

The women of Pennsylvania want to be heard. Doctors and physicians and hospitals want to be heard. They have been muzzled once again. They were muzzled 2 years ago when this bill came in front of this chamber. We have silenced those stakeholders and those women who are the subjects of this piece of legislation, without allowing them to have a voice in the process. This is no way to proceed.

We should have a hearing. There should be an opportunity for stakeholders and the women of Pennsylvania to weigh in. They were not permitted to in the last session. They are not permitted in this session. There should be due process when you are talking about the lives of women in this Commonwealth. There should be the opportunity for their voices to be heard.

Please support the motion to recommit. Thank you.

The SPEAKER. Representative Madeleine Dean.

Mrs. DEAN. Thank you, Mr. Speaker.

I, too, rise in support of the motion to recommit to the Health Committee.

In echoing what both of my colleagues have just said, look around this room. As far as I can tell, this is a room that is not filled with physicians. As far as I can tell, this is a room that is 80 percent male. And yet we would allow this to go forward without allowing women patients and their doctors to be heard on the medical science that is involved here, on the personal lives that are involved here.

Over the weekend I had the opportunity to hear a very conservative pro-life commentator in Philadelphia speak on SB 3, and what she said is, "I'm troubled by one thing" – the outstanding thing for her, a very conservative pro-life commentator in Philadelphia was – "there is no exception for fetal abnormality." Consider that. Put yourself in the shoes of some of these women and patients, the very small number whose pregnancies go terribly wrong later in the term. How dare we go forward and so cavalierly pass this out of this chamber without a hearing, without talking to those women, without talking to their physicians. No exception for fetal abnormality, and yet we would let women suffer through a pregnancy that was doomed to failure.

This is an irresponsible vote today. I support the motion to recommit.

The SPEAKER. Thank you.

Representative Kathy Rapp, on the motion to recommit.

Ms. RAPP. Thank you, Mr. Speaker.

I stand in opposition to the motion.

In regards to the former speaker's comments, I would like to remind this body that the prime sponsor in the Senate of this piece of legislation is a woman. HB 1948, in last session, that passed this body, was myself. I sponsored the bill that was very similar to this legislation. I have a companion bill this session, as a woman, sponsoring pro-life legislation.

As we talk about silencing women, just remember we have silenced 60 million voices in this nation through abortion. Sixty million little boys, little girls, at least 30 million of them. Where is the outrage for their voices? We are their voices, the unborn who have been exterminated through abortion.

Everyone knows, I believe, in this room how you are going to vote on this legislation. Many of us have talked to our own physicians. There have been laws passed throughout this country. The United States Congress and the U.S. House of Representatives have passed pro-life legislation. The U.S. Senate is set to take up pro-life legislation that the U.S. House has passed. Anyone in this chamber can go on the

Internet and look at multiple testimony from those hearings in our U.S. Congress. As a matter of fact, you can go on the Internet and look at all kinds of comments regarding both sides of legislation in regards to life.

I request that my colleagues vote down this motion to recommit. Hearings are not necessary on this issue. Everyone knows, I believe, right now where you are going to vote on this piece of legislation. We do not need hearings. We did not have hearings last year and the bill passed with a very wide margin without hearings, and I believe that we have the votes to pass it this session, SB 3, without those hearings.

Thank you, Mr. Speaker.

The SPEAKER. Representative Mary Jo Daley, on the motion to recommit.

Ms. DALEY. Thank you, Mr. Speaker.

I am a member of the House Health Committee. I have been on that committee for 5 years now and I was there last year. We did not have a hearing on HB 1948. We did not have a hearing this year on SB 3. And everyone, maybe, has their minds made up, but that is kind of sad, quite honestly, because do you really believe that you know all of the facts before every woman who is in a situation where she may be looking to have an abortion after 20 weeks? It seems like, to me, that there are a lot of questions that are still out there, and so I support the motion to recommit and I am doing that as a member of the Health Committee. I made a motion last year in the committee. We were not able to move that, but I still think that there are – I do not think this bill is actually well understood by all it does in a harmful way to women and to physicians.

So I urge you to vote for recommitting to the House Health Committee.

The SPEAKER. Representative Schlossberg, on the motion to recommit.

Mr. SCHLOSSBERG. Thank you, Mr. Speaker.

Mr. Speaker, I believe one of the previous speakers just said the truth behind the reason that hearings are opposed by some of my friends on the other side of the aisle. The previous speaker said that we do not need hearings because we have the votes to pass the bill. Wonderful. If the votes already exist to pass the bill, then two things: first, surely a hearing cannot hurt; and second, what is the fear behind the idea of potentially improving a piece of legislation, behind potentially making it better?

You do not have hearings to determine whether or not to pass a bill. You have hearings because you want to determine what kind of effect a piece of legislation like this is going to have on the lives of the men and women whom it would supposedly affect. If you have a hearing, I was always under the impression that the job of this body is to get good legislation, to bring in the testimony of experts and invite them to have the opportunity to tell us how to do our jobs better. And with all due respect to the people in this chamber, I cannot imagine that there is any other subject under which we would propose having such a massive effect on the lives and the health-care decisions of millions of Commonwealth residents without at least asking a doctor what they think, and I think that is appropriate. I urge a "yes" vote.

The SPEAKER. Representative Comitta, on the motion to recommit.

Mrs. COMITTA. Thank you, Mr. Speaker.

I speak on behalf of the Pennsylvania Commission for Women, which is a bipartisan commission that includes women

legislators and also women citizens across the Commonwealth of Pennsylvania. The Pennsylvania Commission for Women has come out strongly opposed to SB 3 for many reasons, but one reason, in particular, that I share very strongly is that there have been no hearings.

And now I speak for myself, Mr. Speaker. I honestly find it arrogant and, with due respect, ignorant to assume that if you are not a medical doctor, that you know best what is the right thing to do in a medical situation with a woman who is pregnant. I am speechless, Mr. Speaker, to think that anyone would think that they know better, and if any of us have medical degrees, I wish we would stand and speak and be heard, but I am not aware of anyone who holds those credentials.

So again, Mr. Speaker, let us remember the Pennsylvania Commission for Women says that this is not a bill that is ready to be voted on until it has a hearing. I support this motion to recommit to the Health Committee and to hold appropriate hearings. Then we can hold our heads high and proud and make a well-informed vote.

Thank you, Mr. Speaker.

The SPEAKER. Members, on the motion to recommit, I have Representative Sims. I have nobody else. I would call, again, on the maker and I would also call on either side for leadership. But right now it would be Representative Sims, then it would be Representative O'Brien. Sims, O'Brien, then Representative Krueger-Braneky, and then Representative Mike Sturla.

Representative Sims, you may proceed.

Mr. SIMS. Thank you, Mr. Speaker.

Mr. Speaker, once again, it cannot go without saying that, once again, a body made up of 82 percent men is planning to pass legislation that dramatically impacts the health and lives of women, and yet we have done this, again, without any hearings. We have not heard from women impacted by this legislation. We certainly have not heard from doctors or physicians who will be impacted by this legislation.

I am holding here a letter signed by nearly 100 physicians in Pennsylvania or physicians who refer patients to obtain care in Pennsylvania; 100 physicians who say medically, scientifically, that this is inappropriate. By my count, there is not a single member in this room who can call upon their professional experience to agree or disagree. Instead, once again, we are subverting the opinions of actual medical experts with the opinions of a room whose number one qualification was the ability to earn themselves a little bit of money and run for office. This is the most inappropriate way I can imagine a very deliberative body trying to pass legislation. No hearings is the opposite of how legislation is passed. A body that is 82 percent male passing legislation about women's bodies is wrong and we can fix this. We can fix this with hearings, hearing from women impacted. We can fix this by hearing from medical professionals that are impacted—

The SPEAKER. Please, sir. We are not on the bill itself.

Mr. SIMS. I am on the amendment, sir.

The SPEAKER. Just on the motion to recommit, please.

I do have to give other people a chance to speak on the motion to recommit as well.

Mr. SIMS. Thank you, Mr. Speaker.

We need to recommit because there is an opportunity for us to actually hear from women. There is an opportunity for us to actually hear from medical professionals. There is an

opportunity for this room full of men to not subvert the values of professionals with our own. Please vote "yes" on Representative Krueger's motion.

The SPEAKER. Representative Mike O'Brien, on the motion to recommit.

Mr. O'BRIEN. Thank you, Mr. Speaker.

If we could have some order. If we could call the House to order, please.

The SPEAKER. You may proceed, sir.

Mr. O'BRIEN. Thank you very much, Mr. Speaker.

In my 12 years here, I have never ever called for the House to come to order. I think it is a lame tactic and that if your words cannot carry the day, they are not worth hearing. But why do I call for order today? To listen to your hearts. Nobody has listened to their hearts in this. Everybody has just made a decision from nowhere. There have been no hearings. There has been no input by doctors. There has been no input by attorneys that will have to stand in defense of this. There is nothing. There is nothing. There is simply a decision to move on nothing but your raw emotions. But, but, the contemplative nature will say we need to listen. We need to learn. We need to know what is going on. That, Mr. Speaker, is why I ask that this be returned to committee. Thank you.

The SPEAKER. Thank you, sir.

Representative Sturla, on the motion to recommit.

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, I rise in favor of recommitment. Think about this: in most cases, we say if you have a medical issue, go to your doctor, and when you get to your doctor, you do not expect the doctor to say, "Hold on. Let me call your legislator before I can make a decision."

This bill, as it stands, without being recommitted and, hopefully, changed, says that. It says you go to your doctor and your doctor says, "I'm sorry. I'm not even going to tell you to call your legislator. They've already made the decision for you. I can't help you with that decision. The best I can do is advise you to go to some other State that may not have these same restrictions. But someone who does not have a medical degree made a decision for you—"

The SPEAKER. Sir—

Mr. STURLA. —and perhaps—

The SPEAKER. —please suspend.

We are not on the underlying bill. We are on a motion to recommit. I can understand, like many of the previous speakers, you would like to have this testimony or this testimony or that testimony in front of you.

You may proceed.

Mr. STURLA. Thank you, Mr. Speaker.

The reason this bill needs to be recommitted is because we need to at least say that there were doctors that had input on our decision, as legislators, to make a decision for doctors in the future. The notion that we would make these decisions without any testimony from physicians, which can only occur if we recommit, is just absurd.

So next time you go to your doctor or next time you talk to one of your constituents, say, "Next time you have a medical issue, give your legislator a call," because you all seem to think that you have more knowledge about this than a doctor does if you do not recommit.

Thank you, Mr. Speaker.

The SPEAKER. Representative Krueger-Braneky, for the second time on the motion to recommit.

Ms. KRUEGER. Thank you, Mr. Speaker.

I rise, again, to ask my colleagues to support this motion to recommit SB 3 to the House Health Committee for the purpose of holding at least one public hearing. The majority chairman stood and said that this bill has been fully vetted, and I must question you: fully vetted by whom?

The gentlewoman from Warren County pointed out that last session this bill passed by a very wide margin without hearings. Again, who gave the input on this bill? And I heard another comment from a colleague, "Well, we are their voices."

Well, here are the medical professionals in my district that I have spoken to about this bill: a high-risk ob-gyn, a neonatal anesthesiologist, a genetic counselor, a midwife, and a whole group of women who told me their heart-wrenching stories about choosing a termination after 20 weeks because of horrific fetal abnormalities. We are their voices, too, in this chamber. This bill has no exception for victims of rape. This bill has no exception for victims of incest—

The SPEAKER. Please, this is on the motion to recommit—

Ms. KRUEGER. Yes, Mr. Speaker.

I am making a case why we need to recommit this bill.

The SPEAKER. —and it amends an existing law that does have many of the items and does not change the existing items in the underlying legislation.

We are on the motion to recommit. You have already spoken once and you are far afield.

Ms. KRUEGER. Mr. Speaker, my point here is that maybe if we gave this bill one public hearing, the underlying legislation would change. I ask my colleagues to support the motion.

## PARLIAMENTARY INQUIRY

The SPEAKER. Representative Jeff Pyle, on the motion to recommit.

Mr. PYLE. Thank you, Mr. Speaker.

Mr. Speaker, may I ask you a question?

The SPEAKER. Sir, you may state a parliamentary inquiry. Yes, you may.

Mr. PYLE. I was out of the room for a little bit and I came back in to hear that we are not allowed to vote on issues pertaining to the human condition unless we have had hearings and whatnot. Is that correct, Mr. Speaker?

The SPEAKER. Sir, I cannot summarize prior argument of the members on the floor.

Mr. PYLE. Okay. Thank you, Mr. Speaker. My mistake.

I support the motion to recommit and for all the logic we have heard here that we cannot speak on medical issues because we are not doctors. Well, I am assuming the same would apply that we cannot speak on financial matters because none of us — well, very few of us are accountants.

What we are, Mr. Speaker, are representatives of 62,000 people back home. Each one of those 62,000 people are more than welcome to call me, e-mail me, come to my office and tell me what they think about just about anything, and I have had a number of people come to me and ask am I voting for SB 3 and what would it take to get me to vote for SB 3. For the same matter, being their Representative, they ask me what I am doing about fixing bridges. What am I doing about opioids? What am I doing about keeping their taxes from going up? Sir, the job of Representative is to vote for the majority of the people that selected you, that trusted you.

I think the motion to recommit on the grounds that we must have medical hearings is fallacious and time wasting. I want to encourage a "no" vote on the motion to recommit. Thank you, Mr. Speaker.

The SPEAKER. Thank you, sir.

Representative Kerry Benninghoff, on the motion to recommit.

Mr. BENNINGHOFF. Thank you, Mr. Speaker.

I rise to ask the members to not vote to recommit this bill. We are duly elected, as the previous speaker said, to come forth and make some votes. Sometimes they are not always easy, but I heard some of the members who were asked to not debate the bill get cut off because they were when we were actually talking about recommitment. Well, if we do not recommit, you will have the opportunity to debate the bill and express your concerns, and that is why we are elected, so the whole House can do that.

But I rise for a very specific reason. I am an old hospital worker and I was there many years ago when the only available technology we had was to use flat-plate and cross-table X-rays to do different exams to try to determine injuries or problems or what maybe a lump may be from the exterior. This bill is going to allow us to use crucial medical information, taking advantage of today's technology to make proper diagnoses, by the advanced technology that we now have with CAT (computerized axial tomography) scans, MRIs (magnetic resonance imaging), and ultrasound sonography that is second to very few other available technologies in other countries.

Mr. Speaker, it is about time to give these little ones an opportunity, like many of us have had. I would ask the members to put their vote up to not recommit and then make your choice when the bill is ready to be voted on. To recommit is just a stall tactic and we are better than that. Vote the substance of this. Vote to give these little ones an opportunity, because technology now allows us, through modern science, and I have seen it and witnessed it myself many times, my family has been benefactors of this great technology, to sustain these lives and let them have healthy futures.

Mr. Speaker, the Abortion Control Act has stood the test of time. It has been upheld by the Supreme Court. This legislation is only going to make that better and allow the opportunity to let these little lives live.

Mr. Speaker, I appreciate the members' time listening. Please vote "no" to recommitment. Thank you.

The SPEAKER. Those who are in favor of recommitting to the Health Committee – Representative Dermody, just let me state so that everybody knows what the vote is and then I will call upon you – if you are voting to recommit to the Health Committee, you will be voting "aye." If you are against it being recommitted to the Health Committee, you will be voting "nay."

Representative Dermody, sir.

Mr. DERMODY. Thank you, Mr. Speaker.

Mr. Speaker, just a few things.

Representative Krueger-Braneky is the author of this motion and I absolutely should have been given a chance to speak last on this motion. I thought that was the custom of the House.

The SPEAKER. Representative Dermody, two things. First of all, I thought that at the time when I called upon her, she was the last person other than leadership, and we always go to leadership last. I did specifically state that I would be going to her last and then to the leaders on both sides would be the opportunity to speak. But other people got up to speak. It happens, not infrequently, and other people got up to speak.

Mr. DERMODY. On the motion.

The SPEAKER. You may proceed, sir.

Mr. DERMODY. Mr. Speaker, I have heard the previous speakers on this bill and we do represent 62,000 people, and they have a right to expect us to become informed about the bills that we are voting on and you have heard many speakers this evening state the fact that there has not been a hearing on this bill. We have not heard from women. We have not heard from medical professionals. We have not heard from a doctor. So we ought to have information. We should have enough knowledge about what we are voting on, what the issues are, before we make that vote. Any vote here should be an informed vote, and the only way there is going to be an informed vote on SB 3 is if we recommit that bill so we can have a hearing and we can hear from the people who know and have the knowledge and the expertise to discuss this intelligently with us.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, sir.

The minority leader has the last word in the debate, unless anybody else wishes to speak.

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

#### YEAS—70

Bizzarro	Dean	Harris, J.	Pashinski
Boyle	Deasy	Kim	Rabb
Bradford	DeLissio	Kinsey	Ravenstahl
Briggs	Dermody	Kirkland	Readshaw
Bullock	Donatucci	Kortz	Roebuck
Caltagirone	Driscoll	Krueger	Rozzi
Carroll	English	Kulik	Samuelson
Cephas	Evans	Madden	Schlossberg
Charlton	Fabrizio	Markosek	Schweyer
Comitta	Farry	Matzie	Sims
Conklin	Fitzgerald	McCarter	Snyder
Costa, D.	Flynn	McClinton	Solomon
Costa, P.	Frankel	Miller, D.	Sturla
Cruz	Freeman	Mullery	Vazquez
Daley	Gainey	Neilson	Vitali
Davidson	Goodman	Neuman	Warren
Davis	Hanna	O'Brien	Youngblood
Dawkins	Harkins		

#### NAYS—119

Baker	Gillespie	Marsico	Roe
Barbin	Godshall	Masser	Rothman
Barrar	Greiner	Mehaffie	Ryan
Benninghoff	Grove	Mentzer	Saccone
Bernstine	Hahn	Metcalfe	Sainato
Bloom	Harper	Metzgar	Sankey
Brown, R.	Harris, A.	Miccarelli	Santora
Burns	Heffley	Millard	Saylor
Causar	Helm	Miller, B.	Schemel
Christiana	Hennessey	Milne	Simmons
Cook	Hickernell	Moul	Sonney
Corbin	Hill	Murt	Staats
Corr	Irvin	Mustio	Stephens
Cox	James	Nelson	Tallman
Culver	Jozwiak	Nesbit	Taylor
Cutler	Kampf	O'Neill	Tobash
Day	Kauffman	Oberlander	Toepel
Delozier	Kavulich	Ortitay	Toohil
Diamond	Keefe	Peifer	Topper
DiGirolamo	Keller, F.	Petrarca	Walsh
Dowling	Keller, M.K.	Pickett	Ward



Dunbar	Knowles	Pyle	Warner
Dush	Lawrence	Quigley	Watson
Ellis	Lewis	Quinn, C.	Wentling
Emrick	Longietti	Quinn, M.	Wheeland
Evankovich	Mackenzie	Rader	White
Everett	Maher	Rapp	Zimmerman
Fee	Mako	Reed	
Fritz	Maloney	Reese	Turzai,
Gabler	Marshall	Roae	Speaker
Gillen			

NOT VOTING—0

EXCUSED—11

Boback	Galloway	Klunk	Thomas
Brown, V.	Kaufer	McGinnis	Wheatley
DeLuca	Keller, W.	Petri	

UNEXCUSED—1

Haggerty

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

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

The SPEAKER. Now amendment 5217, it is late-filed, but it has also been ruled out of order.

Representative DeLissio offers amendment 5272. It is late-filed and there must be a motion to suspend.

Oh, I am sorry. It is 5232. I misread that. It is 5232.

As I said, 5217 has been ruled out of order and then amendment 5232 is late-filed and there has to be a motion to suspend.

**MOTION TO SUSPEND RULES**

The SPEAKER. Representative DeLissio, do you rise for a motion?

Ms. DeLISSIO. Yes, Mr. Speaker. Thank you.  
I rise to suspend the rules to offer A5232.

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

The SPEAKER. You may speak on the motion and it is a motion to suspend.

Ms. DeLISSIO. Correct, Mr. Speaker.

Mr. Speaker, in Title 18, which this bill – which my amendment offers, there are at least nine subsections under Title 18 that talk about public funding of abortions. My amendment also talks about that.

Mr. Speaker, if the General Assembly is going to make decisions, very important decisions about when and how pregnancies can be terminated and take this away from the individual at a timeline that the body determines, vis-à-vis this legislation, and that particular decision can be very impactful, especially since there is no allowance for any type of fetal abnormality, and most protocols are to do an ultrasound at that 18- to 20-week window, so as you can imagine, Mr. Speaker, a

woman would have very little opportunity, she and her family, to make any decisions if they were to get very disappointing news if there was a problem.

The SPEAKER. Yes. Please, on the motion to suspend.

Ms. DeLISSIO. On the motion.

So this amendment would permit the General Assembly, permit the Commonwealth of Pennsylvania, to ensure that finances are available if that pregnancy then must be carried to term and beyond, and if that child who comes into this world subsequently has many challenges, this would allow the Commonwealth to fund those challenges and not put that financial burden on that family.

The SPEAKER. Members, for a motion to suspend, to permit a vote, the vote is a two-thirds requirement of those seated. So the number, I believe, is 134.

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

The following roll call was recorded:

YEAS—63

Bizzarro	Dawkins	Harkins	Rabb
Boyle	Dean	Harris, J.	Ravenstahl
Bradford	Deasy	Kim	Readshaw
Briggs	DeLissio	Kinsey	Roebuck
Bullock	Dermody	Kirkland	Rozzi
Caltagirone	Donatucci	Kortz	Samuelson
Carroll	Driscoll	Krueger	Schlossberg
Cephas	Evans	Kulik	Schweyer
Comitta	Fabrizio	Madden	Sims
Conklin	Fitzgerald	Markosek	Snyder
Costa, D.	Flynn	Matzie	Solomon
Costa, P.	Frankel	McCarter	Sturla
Cruz	Freeman	McClinton	Vazquez
Daley	Gainey	Miller, D.	Warren
Davidson	Goodman	Neilson	Youngblood
Davis	Hanna	Pashinski	

NAYS—124

Baker	Gabler	Marsico	Roae
Barbin	Gillen	Masser	Roe
Barrar	Gillespie	Mehaffie	Rothman
Benninghoff	Godshall	Mentzer	Ryan
Bernstine	Greiner	Metcalfe	Saccone
Bloom	Grove	Metzgar	Sainato
Brown, R.	Hahn	Miccarelli	Sankey
Burns	Harper	Millard	Santora
Causer	Harris, A.	Miller, B.	Saylor
Charlton	Heffley	Milne	Schemel
Christiana	Helm	Moul	Simmons
Cook	Hennessey	Mullery	Sonney
Corbin	Hickernell	Murt	Staats
Corr	Hill	Mustio	Stephens
Cox	Irvin	Nelson	Tallman
Culver	James	Nesbit	Taylor
Cutler	Jozwiak	Neuman	Tobash
Day	Kampf	O'Neill	Toepel
Delozier	Kauffman	Oberlander	Toohil
Diamond	Kavulich	Ortitay	Topper
DiGirolamo	Keefer	Peifer	Walsh
Dowling	Keller, F.	Petrarca	Ward
Dunbar	Keller, M.K.	Pickett	Warner
Dush	Knowles	Pyle	Watson
Ellis	Lawrence	Quigley	Wentling
Emrick	Lewis	Quinn, C.	Wheeland
English	Longietti	Quinn, M.	White
Evankovich	Mackenzie	Rader	Zimmerman
Everett	Maher	Rapp	

Farry	Mako	Reed	Turzai,
Fee	Maloney	Reese	Speaker
Fritz	Marshall		

NOT VOTING—2

O'Brien Vitali

EXCUSED—11

Boback	Galloway	Klunk	Thomas
Brown, V.	Kaufer	McGinnis	Wheatley
DeLuca	Keller, W.	Petri	

UNEXCUSED—1

Haggerty

Less than a majority of the members required by the rules having voted in the affirmative, the question was determined in the negative and the motion was not agreed to.

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

The SPEAKER. I do not see any other amendments in front of us.

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

**CONSIDERATION OF HB 110 CONTINUED**

The SPEAKER. We are calling up HB 110, which we had begun debate on; HB 110, which we had called debate on.

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—103

Baker	Gillen	Maloney	Roe
Barrar	Gillespie	Marshall	Rothman
Benninghoff	Godshall	Marsico	Ryan
Bernstine	Greiner	Masser	Saccone
Bloom	Grove	Mehaffie	Sankey
Brown, R.	Hahn	Mentzer	Saylor
Causar	Harris, A.	Metcalfe	Schemel
Christiana	Heffley	Metzgar	Simmons
Cook	Helm	Millard	Sonney
Corbin	Hennessey	Miller, B.	Staats
Cox	Hickernell	Milne	Tallman
Culver	Hill	Moul	Taylor
Cutler	Irvin	Mustio	Tobash
Day	James	Nelson	Toepel
Delozier	Jozwiak	Nesbit	Toohil
Diamond	Kampf	Oberlander	Topper
Dowling	Kauffman	Ortitay	Walsh
Dunbar	Keefer	Peifer	Ward
Dush	Keller, F.	Pickett	Warner
Ellis	Keller, M.K.	Pyle	Watson
Emrick	Knowles	Quinn, C.	Wentling
English	Lawrence	Rader	Wheeland

Evankovich	Lewis	Rapp	Zimmerman
Everett	Mackenzie	Reed	
Fee	Maher	Reese	Turzai,
Fritz	Mako	Roae	Speaker
Gabler			

NAYS—83

Barbin	Dean	Kim	Rabb
Bizzarro	Deasy	Kinsey	Ravenstahl
Boyle	DeLissio	Kirkland	Readshaw
Bradford	Dermody	Kortz	Roebuck
Briggs	DiGirolamo	Krueger	Rozzi
Bullock	Donatucci	Kulik	Sainato
Burns	Driscoll	Longietti	Samuelson
Caltagirone	Evans	Madden	Santora
Carroll	Fabrizio	Markosek	Schlossberg
Cephas	Farry	Matzie	Schweyer
Charlton	Fitzgerald	McCarter	Sims
Comitta	Flynn	McClinton	Snyder
Conklin	Frankel	Miccarelli	Solomon
Corr	Freeman	Miller, D.	Stephens
Costa, D.	Gainey	Mullery	Sturla
Costa, P.	Goodman	Neuman	Vazquez
Cruz	Hanna	O'Brien	Vitali
Daley	Harkins	O'Neill	Warren
Davidson	Harper	Pashinski	White
Davis	Harris, J.	Petrarca	Youngblood
Dawkins	Kavulich	Quinn, M.	

NOT VOTING—3

Murt Neilson Quigley

EXCUSED—11

Boback	Galloway	Klunk	Thomas
Brown, V.	Kaufer	McGinnis	Wheatley
DeLuca	Keller, W.	Petri	

UNEXCUSED—1

Haggerty

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

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

**VOTE CORRECTIONS**

The SPEAKER. Representative Neilson, for what purpose do you rise? Yes, sir.

Mr. NEILSON. A little more time to vote, Mr. Speaker.

It seems I am having a little issue with my buttons today, and I want to be recorded in the negative on the last vote. I am sitting in my chair here and I am pushing like crazy. They are just being a little temperamental today, as most of us are in the chamber here today with this stuff we have to vote on today.

The SPEAKER. Sir, the remarks reflect that you would be in the negative on HB 110.

Mr. NEILSON. Thank you, Mr. Speaker.

The SPEAKER. Yes, sir.

Representative Murt, for what purpose do you rise, sir?

Mr. MURT. Mr. Speaker, I would concur with my colleague from northeast Philadelphia. My button malfunctioned. I would like to be recorded in the negative on that last vote, please.

The SPEAKER. Yes, sir.

On HB 110, the remarks will be reflected that Representative Murt would be in the negative.

Mr. MURT. That is affirmative.

Thank you, Mr. Speaker.

The SPEAKER. Okay, sir.

Representative Vitali, sir, for what purpose do you rise?

Mr. VITALI. To correct the record.

The SPEAKER. Yes, sir, you may.

Mr. VITALI. On the DeLissio motion to suspend, I was recorded as not voting. I wanted to be in support of that motion to suspend.

The SPEAKER. Okay. That is on the motion to suspend for amendment—

Mr. VITALI. A5232 to Senate bill—

The SPEAKER. Hold on. I will state it for the record.

The vote was a motion to suspend, to allow for a vote on third consideration – or excuse me, on second consideration, a late-filed amendment, amendment 5232 to SB 3. Representative Vitali has stated for the record that he would have voted in favor of the motion to suspend.

Mr. VITALI. Yes.

The SPEAKER. Yes, sir.

Mr. VITALI. Thank you.

The SPEAKER. Representative O'Brien, for what purpose do you rise?

Mr. O'BRIEN. To correct the record, Mr. Speaker.

The SPEAKER. Yes. You may proceed, sir.

Mr. O'BRIEN. On amendment 5232, I was not recorded. I should have been recorded in the positive, but once again, sir, it seems to be a large issue with malfunctioning buttons today.

The SPEAKER. No, no; actually, the vast majority of members have been voting on all the bills.

But 5232, the amendment, you wish to be voted in the affirmative on the motion to suspend. Is that correct, Representative O'Brien? Is that correct, sir?

Mr. O'BRIEN. That is correct, and thank you, Mr. Speaker.

The SPEAKER. Yes, sir.

## BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 1940, PN 2779**, entitled:

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, in Commonwealth budget procedures, further providing for revenue estimates.

On the question,

Will the House agree to the bill on second consideration?

Mr. **HANNA** offered the following amendment No. **A05083**:

Amend Bill, page 1, line 22, by inserting after "procedures," providing for general appropriation bill compensation suspension and Amend Bill, page 1, line 25; page 2, lines 1 and 2; by striking out all of said lines on said pages and inserting

Section 1. The act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, is amended by adding a section to read:

Section 613.1. General Appropriation Bill Compensation Suspension.—(a) If the General Assembly fails to pass, or the Governor vetoes, a general appropriation bill for a fiscal year, compensation and

reimbursement for expenses, including per diems, for the Governor, Lieutenant Governor, cabinet officers and members of the General Assembly who are elected to leadership positions shall be suspended until a general appropriation bill has been passed by the General Assembly and signed by the Governor.

(b) Compensation and reimbursement for expenses, including per diems, shall be paid retroactively to the Governor, Lieutenant Governor, cabinet officer or member of the General Assembly for any service rendered between July 1 and the enactment of a general appropriation bill in any year in which the General Assembly has failed to pass or the Governor has failed to sign a general appropriation bill.

Section 2. Section 618(a) of the act is amended to read:

Amend Bill, page 3, line 11, by striking out "2" and inserting

3

Amend Bill, page 3, line 12, by striking out "act" and inserting section

Amend Bill, page 3, line 13, by striking out "3" and inserting

4

On the question,

Will the House agree to the amendment?

The SPEAKER. The amendment is in order, and on the amendment, Representative Mike Hanna, on the amendment.

Mr. HANNA. Thank you, Mr. Speaker.

Mr. Speaker, our constituents have spoken and it is time to hold certain individuals accountable for the lack of a timely budget. We can no longer effectively serve the people of this Commonwealth if we cannot work together in a bipartisan manner to pass an on-time budget each and every fiscal year.

Mr. Speaker, my amendment prohibits compensation and reimbursement for certain individuals if a general appropriations bill is not passed and signed by the Governor by midnight on June 30 of any given fiscal year. Specifically, my amendment requires the Governor, Lieutenant Governor, Cabinet officers, members of the General Assembly who are elected to leadership positions to forgo compensation or reimbursement for expenses, including per diems, if the General Assembly fails to pass or the Governor vetoes a general appropriations bill.

Mr. Speaker, as public servants, we must be held accountable. We have all been elected to the positions that we hold, and this privilege is not something we should take for granted. Year after year we are sent to Harrisburg to stand up for the people of Pennsylvania. We must fulfill the requirements and commitments of our jobs, and we must accept the consequences of inactions.

Again, Mr. Speaker, my amendment addresses administrative personnel and legislative leaders, not rank-and-file members, but legislative leaders.

Mr. Speaker, I believe that my amendment needs to be included in today's discussion if we would like to fully commit to reforming the government process. I urge a "yes" vote on amendment 5083.

Thank you, Mr. Speaker.

The SPEAKER. Do any other parties wish to speak on the amendment? Do any other parties wish to speak on the amendment before I call on the leader?

Representative Russ Diamond, on the amendment, sir.

Mr. DIAMOND. Mr. Speaker, a brief interrogation for the maker of the amendment.

The SPEAKER. He has indicated he will so stand and you may proceed.

Mr. DIAMOND. Mr. Speaker, what happens, as I read your amendment, the Governor must sign and enact a budget by a date certain. Is that correct?

Mr. HANNA. That is correct.

Mr. DIAMOND. And what happens, Mr. Speaker, when, like for the last 3 years, the Governor does not sign the budget at all?

Mr. HANNA. Mr. Speaker, if a budget becomes law, then members would be paid, as well as the Governor.

Mr. DIAMOND. Mr. Speaker, I believe the amendment says that the Governor has to sign the budget. Is that not line 17? I am unsure, because I am not in front of my computer right now, but before I got up, I believe that is what it said.

Mr. HANNA. I stand corrected. You are correct. Line 17 says, "and signed by the Governor."

Mr. DIAMOND. So, Mr. Speaker, if it happens that the General Assembly passes a budget and the Governor does not sign it, your amendment would not take effect. Is that correct?

Mr. HANNA. I am sorry. Could you repeat that, Mr. Speaker?

Mr. DIAMOND. If, like for the past 3 years, the General Assembly enacts a budget but the Governor fails to sign it, this amendment would have no meaning whatsoever. Is that correct?

Mr. HANNA. No, Mr. Speaker.

Mr. DIAMOND. Perhaps then, Mr. Speaker, you could explain to me what would happen in that situation, under your amendment, if your amendment is adopted.

Mr. HANNA. In the absence of a signed budget, members would not be paid, Mr. Speaker; line 17, as you read it.

Mr. DIAMOND. On the amendment, Mr. Speaker?

The SPEAKER. Yes, sir. You may proceed.

Mr. DIAMOND. Mr. Speaker, I urge a "no" vote on this amendment. Thank you.

The SPEAKER. Representative Bryan Barbin, on the amendment.

Mr. BARBIN. Thank you, Mr. Speaker.

I rise in support of this amendment. We have gone through these same sorts of gymnastics over the last week. What is good for the goose is good for the gander. If anyone can really stand here and say that we have over the last seven sessions, in a bipartisan manner, stuck to the budget deadline that we had, that would be a different story. The budgets require all parties to participate. We have gotten into the last seven sessions the fact that we have decided that we can have a budget without any participation of the other side. It is a bad rule. It has led to a lot of problems. We ought to accept the truth for what it is and we ought to attempt to have budgets on the basis of the bipartisan nature that, up until 7 years ago, we always asked for the help of the other side to get those last votes to pass a budget. If we did that, we would not need this bill.

I ask for the members to support this amendment because it is fair.

The SPEAKER. Representative Greg Rothman, on the amendment.

Mr. ROTHMAN. Will the maker stand for interrogation?

The SPEAKER. The good gentleman has indicated he will so stand.

## POINT OF ORDER

Mr. ROTHMAN. Point of order.

The SPEAKER. Yes, sir. You may state a point of order.

Mr. ROTHMAN. Am I allowed to ask the maker of the motion why a certain something is or is not in his amendment?

The SPEAKER. If it is designed to determine exactly what is in the amendment.

Mr. ROTHMAN. Thank you, Mr. Speaker.

The SPEAKER. You would not be able to get – this is true for everybody – to the motives, but if it is designed to find out what the specificity is within the amendment itself, that is appropriate.

Mr. ROTHMAN. Thank you, Mr. Speaker.

Mr. Speaker, my question is about the second part of the amendment; I think it is section (b). Is it your intention that if a budget is not passed or is not signed or does not go into effect, that the people whose pay is suspended would be retroactively paid back at some point or they would be paid at a later date once the budget passed? I know that is what it says. I just want to make sure that is what the intention is.

Mr. HANNA. The intention is that when a budget is signed and passed, that the pay would be made retroactive.

Mr. ROTHMAN. Made whole or paid—

Mr. HANNA. That is correct, Mr. Speaker.

Mr. ROTHMAN. Mr. Speaker, on the amendment?

The SPEAKER. Yes, sir, on the amendment.

Mr. ROTHMAN. I just want it to be clear, because when we have had these debates before, other people have made statements about not paying the legislature and not paying the Governor. For those of us who run businesses and we have had situations come up where we did not get paid, those of us who own the business or run the business, or the people at home, when we take their money from them and they do not have the money to pay themselves, they do not ever get retroactively paid back. This amendment may suspend the pay, but you are not forfeiting anything. You are going to get paid. So I just wanted it to be clear what this amendment does and certainly what it does not do. Thank you.

## POINT OF ORDER

The SPEAKER. Representative Barbin, for the second time.

Mr. BARBIN. Mr. Speaker, I have a point of order.

The SPEAKER. You may proceed.

Mr. BARBIN. It was my understanding that points of order are for a question as to something you do not know the answer for. It is also my understanding that when you interrogate the maker of an amendment, that you do not understand the language. It is not to say that I want to make doubly clear something is true. If you want to do that, it is my understanding that is on the amendment and it is not a point of order, it is not an interrogation, and if you really want to make your point, then say it twice. But it is not appropriate to use that procedure when that is all you want to do.



The SPEAKER. It was a very short interrogation. All members – I think it was one question, and my understanding was interrogation, if you want to understand the specificity with respect to the bill. I mean, to be clear as to whether or not it means stopping any payment to legislators or if it means just suspending for X period of time until it is signed into law, that seems to me a very specific interrogation. Now, whether or not it was phrased as point of order or parliamentary inquiry, you are right. It should probably be phrased as parliamentary inquiry versus point of order. People tend to use them interchangeably here on the floor. More technically, it is probably parliamentary inquiry.

But also, every person who stands for interrogation does not need to stand for interrogation. Anybody who does not want to stand for interrogation – the rule does not demand or command anybody to stand for interrogation ever. That is up to the person for whom somebody has asked to stand for interrogation. If anybody does not want to stand for interrogation, you do not need to stand for interrogation.

Before I go to the leader, does anybody else wish to speak?

The leader, on the amendment.

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

Much like many public policy discussions in today's day and age, this sounds good in a 15-second sound bite, but in practical terms, the only thing this particular amendment accomplishes is ensuring that only the top 1 percent, the überwealthy, will ever get to determine what our budget looks like in this Commonwealth. People like our Governor and people like our President in Washington, DC, millionaires upon millionaires upon billionaires will be the only ones who can afford to wait out all the other average individuals, like most of the people in this body, like myself, who live paycheck to paycheck and have to actually worry about paying the mortgage, paying the electricity bill, and do not have folks to do that for them with the money sitting in a bank earning interest every single month. I think the other 99 percent of the populace should participate in a budgetary discussion, because quite frankly, it impacts us more than the überwealthy, who would be the only ones able to participate at that point.

I would ask the members to oppose the amendment by the gentleman from Clinton County. Thank you.

The SPEAKER. Representative Hanna, do you seek to speak for the second time? The leader would also have the opportunity to speak for the second time.

Does any other member wish to speak prior to Representative Hanna?

You may proceed.

Mr. HANNA. Thank you, Mr. Speaker.

Mr. Speaker, I just want to address two of the concerns that were brought up, one by the gentleman from Lebanon County; I hope I have the right county there. If you read lines 10, 11, and 12, you will see that if the Governor allows a bill to become law without signing it, that this section is not triggered at all. Those lines say that this bill is only affected when we fail to pass one or when the Governor vetoes it. So that is addressed in lines 10, 11, and 12. I wanted to address your concern.

And secondly, the concern from the gentleman – I am sorry, I am not sure where he is from – regarding section (b). It is my understanding that the courts have said that we cannot make people work and not pay them. That is the only reason the

retroactivity provisions are in there. The courts have ruled in the past that when people work, they have to be paid, but we do have the ability to suspend that pay during the time when they do not deliver on their promise.

So for those reasons, Mr. Speaker, I urge that we adopt this amendment and hold the leaders, in particular, as well as the Governor accountable when budget impasses happen.

Thank you, Mr. Speaker. I urge a "yes" vote on amendment A05083.

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

The following roll call was recorded:

YEAS—74

Barbin	Deasy	Kinsey	Quinn, C.
Bizzarro	DeLissio	Kirkland	Rabb
Boyle	Dermody	Kortz	Ravenstahl
Bradford	Donatucci	Krueger	Readshaw
Briggs	Driscoll	Kulik	Roebuck
Bullock	English	Longietti	Sainato
Burns	Evans	Madden	Samuelson
Caltagirone	Fabrizio	Markosek	Schlossberg
Carroll	Fitzgerald	Matzie	Schweyer
Cephas	Flynn	McCarter	Sims
Comitta	Frankel	McClinton	Snyder
Conklin	Freeman	Metzgar	Solomon
Costa, D.	Gainey	Miller, D.	Stephens
Costa, P.	Goodman	Mullery	Sturla
Cruz	Hanna	Neuman	Vazquez
Daley	Harkins	O'Brien	Vitali
Davis	Harris, J.	Pashinski	Warren
Dawkins	Kavulich	Petrarca	Youngblood
Dean	Kim		

NAYS—115

Baker	Gabler	Marshall	Roe
Barrar	Gillen	Marsico	Rothman
Benninghoff	Gillespie	Masser	Rozzi
Bernstine	Godshall	Mehaffie	Ryan
Bloom	Greiner	Mentzer	Saccone
Brown, R.	Grove	Metcalfe	Sankey
Causer	Hahn	Miccarelli	Santora
Charlton	Harper	Millard	Saylor
Christiana	Harris, A.	Miller, B.	Schemel
Cook	Heffley	Milne	Simmons
Corbin	Helm	Moul	Sonney
Corr	Hennessey	Murt	Staats
Cox	Hickernell	Mustio	Tallman
Culver	Hill	Neilson	Taylor
Cutler	Irvin	Nelson	Tobash
Davidson	James	Nesbit	Toepel
Day	Jozwiak	O'Neill	Toohil
Delozier	Kampf	Oberlander	Topper
Diamond	Kauffman	Ortitay	Walsh
DiGirolamo	Keefer	Peifer	Ward
Dowling	Keller, F.	Pickett	Warner
Dunbar	Keller, M.K.	Pyle	Watson
Dush	Knowles	Quigley	Wentling
Ellis	Lawrence	Quinn, M.	Wheeland
Emrick	Lewis	Rader	White
Evankovich	Mackenzie	Rapp	Zimmerman
Everett	Maher	Reed	
Farry	Mako	Reese	Turzai,
Fee	Maloney	Roae	Speaker
Fritz			

NOT VOTING—0

## EXCUSED—11

Boback	Galloway	Klunk	Thomas
Brown, V.	Kaufner	McGinnis	Wheatley
DeLuca	Keller, W.	Petri	

## UNEXCUSED—1

Haggerty

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

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

Mr. **KINSEY** offered the following amendment  
No. **A05102**:

Amend Bill, page 1, line 22, by inserting after "estimates"  
and providing for the Budget Stabilization Reserve Fund

Amend Bill, page 3, by inserting between lines 10 and 11

Section 2. The act is amended by adding a section to read:

Section 626. Budget Stabilization Reserve Fund.—(a) The following apply:

(1) If the balance of the Budget Stabilization Reserve Fund on June 30, 2017, is less than six per centum (6%) of the General Fund revenues received in the 2016-2017 fiscal year, the General Assembly shall appropriate two hundred million dollars (\$200,000,000) to the Budget Stabilization Reserve Fund from revenues received under Article III of the act of March 4, 1971 (P.L.6, No.2), known as the "Tax Reform Code of 1971," before June 30, 2018. The appropriation must be transferred to the Budget Stabilization Reserve Fund before the funds generated under Article III of the "Tax Reform Code of 1971" are used for other appropriations. This appropriation shall be in addition to transfers required under section 1702-A(b) of the act of April 9, 1929 (P.L.343, No.176), known as "The Fiscal Code."

(2) Each year thereafter, if the balance of the Budget Stabilization Reserve Fund on June 30 of the prior year is less than six per centum (6%) of General Fund revenues received by June 30 of that fiscal year, the General Assembly shall appropriate two hundred million dollars (\$200,000,000) to the Budget Stabilization Reserve Fund from revenues received under Article III of the "Tax Reform Code of 1971," before June 30 of the subsequent year. The appropriation must be transferred to the Budget Stabilization Reserve Fund before the funds generated under Article III of the "Tax Reform Code of 1971" may be used for other appropriations. This appropriation shall be in addition to transfers required under section 1702-A(b) of "The Fiscal Code."

(b) If, at the end of any fiscal year, the ending balance of the Budget Stabilization Reserve Fund equals or exceeds fifteen per centum (15%) of the actual General Fund revenues received for the fiscal year, the General Assembly shall enact in separate legislation a refund to taxpayers of the surplus in excess of fifteen per centum (15%) of General Fund revenues remaining in the Budget Stabilization Reserve Fund.

Amend Bill, page 3, line 11, by striking out "2" and inserting  
3

Amend Bill, page 3, line 13, by striking out "3" and inserting  
4

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

The SPEAKER. Representative Kinsey, on the amendment, sir.

Mr. KINSEY. Thank you, Mr. Speaker.

As it was read, this amendment basically allows for us to establish \$200 million in a rainy day fund. I think that members are currently aware that under the current Fiscal Code, we should have at least \$1.8 billion, which is 6 percent of our annual revenue in the Fiscal Code. So, Mr. Speaker, what I am suggesting or what I am asking is that the members support this amendment, recognizing that over the past three budgetary terms we have not met our obligation of \$1.8 billion, and I think that if we put in the statute at least \$200 million, that would allow for the Commonwealth of Pennsylvania to, one, increase our credit rating, but also, Mr. Speaker, it will allow for us to be in line with other States who have a combined \$49.6 billion in their rainy day funds collectively.

Thank you, Mr. Speaker.

The SPEAKER. On the amendment, anybody else on the amendment?

The leader, on the amendment, please.

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

I appreciate the gentleman's goal in this regard, because I think it is actually a goal that we all share. I think had the amendment been drafted a little bit differently to only make that deposit in years where we are running surpluses, it is a goal that we could possibly agree upon. But the difficulty becomes, in years when we are running deficits, when we are already making difficult decisions on either cutting programs or raising taxes on working families, this would necessitate an extra \$200 million, potentially, in cuts to items like education, human services, economic development, transportation, public safety, or having to raise another \$200 million in taxes on working families across this Commonwealth.

So since this amendment covers both surpluses and deficits, I think, because of the deficit side of the equation, I would ask for a "no" vote on this amendment. Thank you.

The SPEAKER. Representative Kinsey rises for the second time, on the amendment.

Mr. KINSEY. Mr. Speaker, I appreciate the gentleman's comments. However, I think that if we appropriate the \$200 million, it will not lead into a cut into education or human services or things of that nature, Mr. Speaker. I believe that this Commonwealth has a responsibility, as well as an obligation, to ensure that we have moneys set aside for disastrous events, if they shall come to this Commonwealth. I mean, we have been very fortunate, as of this time, Mr. Speaker, and again, when we are talking about a \$32 billion budget, we are just talking about putting aside less than 6 percent. Again, currently we are obligated to put aside 6 percent, which is \$1.8 billion. I am asking for \$200 million to be set aside, and again, it will not impact any of the programs that the gentleman just mentioned.

So, Mr. Speaker, again, I am asking that the folks here in this chamber consider – you know, we have been very fortunate that we are not out in California or in other cities where we have hurricanes and fires burning out, but, Mr. Speaker, I think that we have an obligation to set aside some additional dollars in the event that we have any type of disaster. Let us protect the people of this Commonwealth. Let us not just simply say that it is going to dig into other programs. I mean, we have dug into other programs in the past. All we are saying is, let us ensure

the safety, let us ensure our future, and let us just set aside \$200 million in the event that we do have some type of disaster, and let us not cut into programs like education and human services. But again, we can appropriate this, just as we do other things, as we deal with the Appropriations hearings.

Thank you, Mr. Speaker.  
The SPEAKER. Thank you.

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

The following roll call was recorded:

YEAS—72

Barbin	Dawkins	Harris, J.	Petrarca
Bizzarro	Dean	Kavulich	Rabb
Boyle	Deasy	Kim	Ravenstahl
Bradford	DeLissio	Kinsey	Readshaw
Briggs	Dermody	Kirkland	Roebuck
Bullock	Donatucci	Kortz	Rozzi
Burns	Driscoll	Krueger	Sainato
Caltagirone	Evankovich	Kulik	Samuelson
Carroll	Evans	Longiotti	Schlossberg
Cephas	Fabrizio	Madden	Schweyer
Comitta	Fitzgerald	Markosek	Sims
Conklin	Flynn	Matzie	Snyder
Costa, D.	Frankel	McCarter	Solomon
Costa, P.	Freeman	McClinton	Sturla
Cruz	Gainey	Mullery	Vazquez
Daley	Goodman	Neuman	Vitali
Davidson	Hanna	O'Brien	Warren
Davis	Harkins	Pashinski	Youngblood

NAYS—117

Baker	Gillen	Masser	Roe
Barrar	Gillespie	Mehaffie	Rothman
Benninghoff	Godshall	Mentzer	Ryan
Bernstine	Greiner	Metcalfe	Saccone
Bloom	Grove	Metzgar	Sankey
Brown, R.	Hahn	Miccarelli	Santora
Causar	Harper	Millard	Saylor
Charlton	Harris, A.	Miller, B.	Schemel
Christiana	Heffley	Miller, D.	Simmons
Cook	Helm	Milne	Sonney
Corbin	Hennessey	Moul	Staats
Corr	Hickernell	Murt	Stephens
Cox	Hill	Mustio	Tallman
Culver	Irvin	Neilson	Taylor
Cutler	James	Nelson	Tobash
Day	Jozwiak	Nesbit	Toepel
Delozier	Kampf	O'Neill	Toohil
Diamond	Kauffman	Oberlander	Topper
DiGirolamo	Keefer	Ortitay	Walsh
Dowling	Keller, F.	Peifer	Ward
Dunbar	Keller, M.K.	Pickett	Warner
Dush	Knowles	Pyle	Watson
Ellis	Lawrence	Quigley	Wentling
Emrick	Lewis	Quinn, C.	Wheeland
English	Mackenzie	Quinn, M.	White
Everett	Maher	Rader	Zimmerman
Farry	Mako	Rapp	
Fee	Maloney	Reed	Turzai,
Fritz	Marshall	Reese	Speaker
Gabler	Marsico	Roae	

NOT VOTING—0

EXCUSED—11

Boback	Galloway	Klunk	Thomas
Brown, V.	Kaufner	McGinnis	Wheatley
DeLuca	Keller, W.	Petri	

UNEXCUSED—1

Haggerty

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

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

Ms. **KRUEGER** offered the following amendment  
No. **A05105**:

Amend Bill, page 1, line 22, by inserting after "estimates" and providing for tax credit freeze

Amend Bill, page 3, by inserting between lines 10 and 11

Section 2. The act is amended by adding a section to read:

Section 626. Tax Credit Freeze.—(a) If the General Assembly does not enact a balanced budget before the start of a fiscal year, the Governor may order that any State funds appropriated for tax credits in the current fiscal year that have not been awarded shall remain in the General Fund.

(b) If at any time during the fiscal year the Governor determines that estimated revenues are not sufficient to end the year with a positive balance, the Governor may order that any State funds appropriated for tax credits that have not been awarded shall remain in the General Fund.

Amend Bill, page 3, line 11, by striking out "2" and inserting

3

Amend Bill, page 3, line 13, by striking out "3" and inserting

4

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

The SPEAKER. On the amendment, Representative Krueger-Braneky.

Ms. KRUEGER. Thank you, Mr. Speaker.

Simply put, this amendment would allow the Governor to freeze awards for tax credits that have not yet been awarded if there is not a balanced budget in place at the beginning of the fiscal year or if revenues fall short during the year.

Earlier this year for Appropriations hearings, we heard testimony that tax credits are a form of spending. They must be given the same level of scrutiny as any other budgetary spending, especially in the event of a budget impasse. Giving away taxpayer dollars through tax credits when times are tight and there is no budget in place is bad fiscal policy for those of us who consider ourselves fiscally responsible.

The structural deficit is exacerbated by a shrinking tax base. Pennsylvania's expanded use of tax credits is one reason why revenues are not keeping up with expenditures. In the event of another budget impasse, before we cut vital programs for children and the elderly, we should press the pause button on

giving money away to big businesses via tax credits. These tax credits primarily benefit large out-of-State multinational corporations that can assign the staff to filing the paperwork and can time their applications so they are first in line for this government handout.

Budgeting 101 is about priorities, and the needs of growing vulnerable populations should be the first to get Pennsylvania's attention in budget discussions. There are currently over a dozen tax credit opportunities for deep-pocketed corporations to receive and most of them go to out-of-State corporations.

I encourage my colleagues to join me in voting "yes" for this amendment.

The SPEAKER. Representative Maher, on the amendment.

Mr. MAHER. Thank you, Mr. Speaker.

This is a curious amendment for a couple of reasons. One, it seeks to suspend operation of part of the Tax Code if a budget is not in place, but it desires to continue the operation of the Tax Code to the point that it extracts money from our constituents. But to the extent that our constituents can balance out that obligation, the gentlelady would say, no. But the thing which is most curious about this amendment is its underlying proposition that we need a law for the Governor to suspend operation of the tax credits, or rather, let me rephrase that. Before a Governor can suspend the operation of the tax credits, the law would need to change. So the underlying proposition here is that this Governor's behavior has been unlawful, and while I would agree that it has been, I do not agree that we need to suspend operation of part of the Tax Code in the case of a budget impasse. I would say you either go with the Tax Code or suspend the whole Tax Code, get over the tax holiday, and see how many constituents want a new budget.

Thank you, Mr. Speaker.

The SPEAKER. Representative Jamie Santora, on the amendment.

Mr. SANTORA. Will the maker stand for interrogation?

The SPEAKER. Yes; the maker will stand for interrogation.

Mr. SANTORA. Does this include EITC (educational improvement tax credit) and OSTC (opportunity scholarship tax credit)?

Ms. KRUEGER. This amendment includes all tax credits that have not yet been awarded.

Mr. SANTORA. Thank you.

On the bill?

The SPEAKER. Yes, Representative Santora.

Mr. SANTORA. So any companies that choose to join the EITC and OSTC programs that fund low-to-moderate-income families so that they can go to school with these tax credits that are in the form of scholarships will be affected. We are not just affecting businesses here. We are affecting low-to-moderate-income families who rely on these dollars to fund those scholarships. The children are the ones who are going to be impacted by this amendment. The schools that receive these dollars will not remain open, which then will impact our public schools because they will then have to take the burden of having more students. In my school district there are already too many kids in our schools. We need more schools. We have got to reduce class sizes, not increase class sizes, and this will help increase class sizes.

Please vote "no" on this amendment.

The SPEAKER. Representative Joseph Markosek, on the amendment.

Mr. MARKOSEK. Thank you, Mr. Speaker.

Mr. Speaker, you know, we all, in many ways, like some of these tax credits, but as the lady had said when she first got up to speak, that the tax credits are the same. They equal spending. When we talk about cutting spending, it is the same thing as saying cutting tax credits, because any tax credit requires revenue that has to come from somewhere, and if you do not raise revenue, which we have been reluctant to do around here, if we do not raise revenue, then we have to cut spending and cut tax credits. It is as simple as that, and that is what has happened here.

You know, we had a situation earlier in the budget process in the spring where we had an effort to increase one of our tax credits, a very highly popular one, the EITC, to \$75 million, I believe, in a year when we have been talking about having huge budget deficits, and we found a way to do some of that. We did not do that amount that we asked, but in any kind of tight budget, people that are working on the budget and managing the budget have to consider tax credits as well as spending. So if you are going to think about cutting spending, then you have to think about cutting and managing tax credits as well.

I would ask, Mr. Speaker, that we vote "yes" on the amendment. Thank you.

The SPEAKER. Representative Margo Davidson, on the amendment.

Mrs. DAVIDSON. Thank you, Mr. Speaker.

As many of you know, I am a big supporter of the EITC program. I am not so sure that the school districts in the gentleman from Delaware County's legislative district agree with us on that point. Nonetheless, if we do not have the money because we have not passed a budget to fund our public schools, then we do not have the money for anything.

Mr. Speaker, if those businesses want those tax credits and they care about low-to-moderate-income students who receive those tax credits, then it is up to those businesses to apply the appropriate pressure on this legislative body to pass an on-time budget, and unless we do that, children all across this Commonwealth, whether they go to public schools or parochial schools, will suffer.

So I am a "yes" vote in order that we apply some pressure to ourselves to pass an on-time budget, Mr. Speaker. Thank you.

The SPEAKER. Representative Mike Carroll.

Mr. CARROLL. Thank you, Mr. Speaker.

Mr. Speaker, I think we have been faced with a Hobson's choice here, where we are going to pit the EITC and private schools against the 500 school districts. My preference, Mr. Speaker, would be that we treat them equally insofar as the money flows to the 500 school districts and also flows with respect to EITC. But in a scenario where we have a budget impasse in one way or another, it seems patently unfair to insulate the EITC program while the 500 school districts are penalized while they wait for the allocation of funds.

So, Mr. Speaker, I think that the characterization by the gentleman from Delaware County that the amendment inhibits the EITC program, I would simply say it inhibits it insofar as it inhibits the flow of funds to public schools. And I would prefer that we have a scenario where our 500 school districts enjoy the same benefits as a result of a budget that is approved and potentially the detriments that flow from a budget that is not fully funded as those schools that benefit in the world of EITC.



So, Mr. Speaker, in that regard I think that the amendment is well placed and ask for an affirmative vote. Thank you.

The SPEAKER. Representative Roebuck, on the amendment.

Mr. ROEBUCK. Thank you, Mr. Speaker.

I just want to be clear as we follow this debate and we talk about EITC and the money going to poor kids. There is in fact no way that you can document that because there is no reporting of where the money really goes, what kids really get the money. Money goes to kids who are already in private schools and they are not necessarily poor kids, but there is no accountability. Certainly it would be great if we could say every dollar of EITC went to a poor kid who needed a better education. That is not what happens, and we as a legislature have not been willing to make that money accountable. So when we talk about this money, let us understand, let us not make it helping poor kids. It helps kids in basically nonpublic education, and there is no accountability in where that money goes.

Thank you, Mr. Speaker.

The SPEAKER. I have Representative Santora for the second time. Do I have anybody else before I call upon the leader? Does anybody else wish to speak on the amendment? Does anybody else right now wish to speak on the amendment before I go to Representative Santora and the leader?

Representative Krueger-Braneky. You can go, Representative Krueger-Braneky, because you are the first time.

Ms. KRUEGER. No. I spoke first once, Mr. Speaker. I would like to reserve my right to speak until before the leaders. It is my amendment.

The SPEAKER. I apologize; I apologize.

Representative Santora, yes; my apologies.

Mr. SANTORA. Thank you, Mr. Speaker.

The gentlelady's amendment states a balanced budget. There have been times over the last 3 years where the general appropriations bill was either passed into law or became law and our public schools were funded. This would not allow that to happen, because without the revenue side also in law, that would freeze our tax credits.

I always want to see our public schools funded. I want to see them funded with an increase before we increase EITC or OSTC. They all need to be funded. We cannot do this on the backs of children. And there is a direct impact to schools that receive EITC and OSTC scholarship funding. It correlates to public schools, because again, if they are not open, those children have to go to the public schools, increase the class sizes, and there are many of those schools that just cannot handle any more students in the conditions that they are in now.

So again, it is not just if this General Assembly does not pass the bill. A balanced budget requires both the general appropriation and the revenue side of the bill, and unfortunately, that has not been the case in the last several years.

So again, I oppose this amendment.

The SPEAKER. Representative Mary Jo Daley, on the amendment.

Ms. DALEY. Thank you, Mr. Speaker.

Actually, I agree with the prior speaker on the fact that the balanced budget requires the spending bill and the revenue bill, and I agree that, unfortunately, we have not been able to achieve that several times over the past several years. But I think if we look at tax credits as tax expenditures, which is really what they are, then why should they not be held up if the expenditures on

the appropriations bill are being held up? Why do we favor the EITC or any of the tax credit programs over the appropriations that we potentially already approved?

So I support Representative Krueger-Braneky's amendment, because I think it could potentially provide an incentive to this body to get the work done that we are supposed to get done by June 30 to have a balanced budget on time. That is what we are supposed to do, and I think that this amendment just gives us one more reason to get that done.

Thank you, and I urge a positive vote for this amendment. Thank you very much.

The SPEAKER. Does anybody else wish to rise on the amendment?

Representative Krueger-Braneky followed by the leader.

Ms. KRUEGER. Thank you, Mr. Speaker.

It has been quite an interesting debate on an amendment that simply clarifies the law, allowing the Governor to freeze awards for tax credits that have not yet been awarded if there is not a balanced budget in place at the beginning of the fiscal year.

We have got a job to do in this chamber. We have a constitutional responsibility to pass a budget that is balanced on time, and yet in the 2 1/2 years that I have served here, I have seen us again and again miss our deadline. This is not suspending tax credits for good, even though I think we deserve a real debate on the merit of those tax credits because they do go to many out-of-State corporations. This is simply giving the Governor the ability to press pause and say we cannot spend money out until we get the balanced budget.

Thank you, Mr. Speaker. I encourage my colleagues to vote "yes."

The SPEAKER. The leader is recognized on the amendment.

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

I appreciate the discussion on tax credits. I think it is actually a worthwhile discussion to have during the budgetary season. And I also appreciate the fact that I myself am not actually an attorney, but I have picked up a few things throughout the budget process over the last couple years, and when it comes to budgeting and when it comes to statutes, verbiage matters. This particular amendment orders that any State funds appropriated for tax credits could be frozen by the Governor. Now, the key verbiage there is "appropriated for tax credits." You see, you do not appropriate tax credits. That is why they are not in the general appropriations bill. You cannot appropriate tax credits or appropriate money for tax credits. Tax credits, from a legal perspective, are actually the offset of tax liability contained within the Tax Code.

So although we have had this discussion for, you know, half an hour or 45 minutes, the fact of the matter is this amendment actually does not do anything. It allows the Governor to stop the appropriation of tax credits that are not appropriated to begin with. To actually have this discussion, you would have to actually look at not allowing the revenue to be offsetted from existing tax revenue.

So since this amendment does not actually do anything, it is drafted incorrectly, it does not recognize the realities within both our Tax Code and our appropriations process, I would suggest either the gentlelady withdraw the amendment or we just vote "no" and move on with this discussion. Thank you.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

## YEAS—50

Barbin	Davis	Kinsey	Rabb
Bizzarro	Dean	Kirkland	Ravenstahl
Boyle	DeLissio	Kortz	Roebuck
Bradford	Dermody	Krueger	Rozzi
Briggs	Fabrizio	Longiotti	Schlossberg
Bullock	Fitzgerald	Madden	Schweyer
Caltagirone	Flynn	Markosek	Sims
Carroll	Frankel	Matzie	Snyder
Comitta	Gainey	McCarter	Solomon
Conklin	Goodman	Mullery	Sturla
Cruz	Hanna	Neuman	Vazquez
Daley	Harkins	Pashinski	Youngblood
Davidson	Kavulich		

## NAYS—139

Baker	Farry	Maloney	Reese
Barrar	Fee	Marshall	Roae
Benninghoff	Freeman	Marsico	Roe
Bernstine	Fritz	Masser	Rothman
Bloom	Gabler	McClinton	Ryan
Brown, R.	Gillen	Mehaffie	Saccone
Burns	Gillespie	Mentzer	Sainato
Causser	Godshall	Metcalfe	Samuelson
Cephas	Greiner	Metzgar	Sankey
Charlton	Grove	Miccarelli	Santora
Christiana	Hahn	Millard	Saylor
Cook	Harper	Miller, B.	Schemel
Corbin	Harris, A.	Miller, D.	Simmons
Corr	Harris, J.	Milne	Sonney
Costa, D.	Heffley	Moul	Staats
Costa, P.	Helm	Murt	Stephens
Cox	Hennessey	Mustio	Tallman
Culver	Hickernell	Neilson	Taylor
Cutler	Hill	Nelson	Tobash
Dawkins	Irvin	Nesbit	Toepel
Day	James	O'Brien	Toohil
Deasy	Jozwiak	O'Neill	Topper
Delozier	Kampf	Oberlander	Vitali
Diamond	Kauffman	Ortitay	Walsh
DiGirolamo	Keefer	Peifer	Ward
Donatucci	Keller, F.	Petrarca	Warner
Dowling	Keller, M.K.	Pickett	Warren
Driscoll	Kim	Pyle	Watson
Dunbar	Knowles	Quigley	Wentling
Dush	Kulik	Quinn, C.	Wheeland
Ellis	Lawrence	Quinn, M.	White
Emrick	Lewis	Rader	Zimmerman
English	Mackenzie	Rapp	
Evankovich	Maher	Readshaw	Turzai,
Evans	Mako	Reed	Speaker
Everett			

## NOT VOTING—0

## EXCUSED—11

Boback	Galloway	Klunk	Thomas
Brown, V.	Kaufer	McGinnis	Wheatley
DeLuca	Keller, W.	Petri	

## UNEXCUSED—1

Haggerty

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

**THE SPEAKER PRO TEMPORE  
(JOHN MAHER) PRESIDING**

**VOTE CORRECTION**

The SPEAKER pro tempore. For what purpose does the gentleman, Representative Quigley, seek recognition?

Mr. QUIGLEY. To correct the record, Mr. Speaker.

The SPEAKER pro tempore. Please proceed.

Mr. QUIGLEY. On HB 110 I would like to be recorded in the affirmative, Mr. Speaker.

The SPEAKER pro tempore. The remarks of the gentleman will be spread across the record. Thank you.

**CONSIDERATION OF HB 1940 CONTINUED**

On the question recurring,

Will the House agree to the bill on second consideration?

Mrs. DEAN offered the following amendment No. **A05147**:

Amend Bill, page 1, line 22, by striking out the period after "estimates" and inserting

and providing for duties of General Assembly.

The General Assembly finds and declares that it is the duty of the General Assembly to, pursuant to section 13 of Article VIII of the Constitution of Pennsylvania, pass a balanced operating budget each year.

Amend Bill, page 3, by inserting between lines 10 and 11

Section 2. The act is amended by adding a section to read:

Section 618.2. Duties of General Assembly.—(a) The General Assembly shall pass bills raising sufficient revenue necessary to balance the operating budget when the General Assembly passes the general appropriation bill, other appropriation bills, nonpreferred appropriation bills, statutory authorizations and implementation bills. If by the first day of the fiscal year the General Assembly has not enacted a balanced operating budget, including bills that raise sufficient revenue as provided under this subsection, members of the General Assembly shall not be entitled to receive salary or reimbursement for expenses until the balanced operating budget is enacted into law.

(b) The following shall apply:

(1) The balanced operating budget passed by the General Assembly, consisting of the general appropriation bill, other appropriation bills, nonpreferred appropriation bills, statutory authorizations and implementation bills, shall be supported by revenues which recur annually.

(2) If the balanced operating budget proposes to use nonrecurring revenues to pay for recurring costs, the balanced operating budget shall contain a plan to replace the nonrecurring revenues with recurring revenues and shall outline in detail reductions to expenditures necessary to bring future budgets into balance.

(3) The balanced operating budget submitted to the Governor by the General Assembly shall include sufficient appropriations and authorizations for:

(i) The continuation of service required under current law.

(ii) Federal mandates.

(iii) Existing contracts and multiyear commitments, including collective bargaining agreements.

(iv) Sufficient resources to pay for increases in the cost of services which are legally mandated.

(v) Sufficient resources to account for increased costs due to changes in workload, caseload or enrollment in legally mandated programs.

Amend Bill, page 3, line 11, by striking out "2" and inserting

Amend Bill, page 3, line 13, by striking out "3" and inserting  
4

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

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

Mrs. DEAN. Thank you, Mr. Speaker.

I rise to offer amendment 5147 to HB 1940.

Mr. Speaker, the package of bills that we have begun discussing tonight and attempting to amend tonight are to reform our budget process, and I imagine there is not a person in here who would not agree with the need to reform our budget process so that we can pass budgets wisely, responsibly, and on time. I am glad we are looking at where we have failed in the past. Unfortunately, these bills all address symptoms., so that is why I offer this amendment.

My amendment would get at the root of the problem. My amendment, number one, would require that we pass bills on time with recurring revenue and that if we fail to use recurring revenue, we have a known listed plan to replace nonrecurring revenue with recurring revenue or cut necessary expenditures to meet a balanced budget.

The third thing that my bill says is that our budget, when passed, must pay for our current bills and any increased costs in those bills.

In addition, my amendment says that until we do enact a balanced budget, our pay shall be suspended, and while I know that that is a controversial addition to this amendment, I offer it to say that we, rank and file, need the leverage to tell our leaders, just like the Hanna amendment, that if we do not do our work on time, we should not get paid. Unfortunately, rank and file very often is not in control of that calendar. You saw what happened this past year. We were more than 100 days without a budget, all of us on a 6-hour call, but we were not called back to balance a budget.

I think if we had this amendment, it would go to the root of good government, go to the root of honest budgeting with recurring revenue, balanced, and on time. I offer amendment A05147 for consideration.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the lady.

### LEAVE OF ABSENCE

The SPEAKER pro tempore. The Chair recognizes the majority whip, who asks that the gentleman, Representative SANTORA, be placed on leave for the balance of the day. Without objection, that leave is granted.

### CONSIDERATION OF HB 1940 CONTINUED

The SPEAKER pro tempore. On the question of the amendment, the Chair recognizes the majority leader, Representative Reed.

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

As much as we had the discussion on the amendment from the gentleman from Clinton County, this amendment sounds good in concept but in reality creates a new world of budgeting, where only the überwealthy, the top 1 percent of folks, will

actually be able to hold out in that budgetary process while attempting to run over everybody else in that budgetary process that may not be as wealthy as they are.

So in order to not disincentivize average folks like myself from actually running for the legislature, being part of the budget process, and trying to pass a responsible budget, I would ask the members to vote "no" on this amendment. Thank you.

The SPEAKER pro tempore. On the question, the Chair recognizes the minority Appropriations chairman, Representative Markosek.

Mr. MARKOSEK. Thank you. Thank you, Mr. Speaker.

Mr. Speaker, this amendment essentially says it all. It just really spells out a lot of what we have not done here lately, and I think it makes all the sense in the world. It requires that the General Assembly pass budgets which include sufficient appropriations to pay for the continuation of services required under the law. Boy, now, is that not really something far and above anything that we have thought of around here lately, raising the funds to pay for what we have to do? That is pretty simple. That is something that we should have done many, many years ago, and this year we are not doing it.

And how about the other part of this amendment, use recurring revenue. Boy, there is another idea whose time maybe has come. We have not thought of that for a while, have we? No. We have decided to go rob all the funds around here over the years, and in many cases the money did not even exist, and use one-time sources and gimmicks to pay for our budgets.

So this amendment says, you know, we have to appropriate the appropriate funds to pay for the things that we have a duty and legal obligation to do, and by the way, use real money to do it. We have not done that for a while. I think this really hits to the core of what our problems have been here in the last few years. We have had deficits. We have refused to raise the funds to pay for those deficits and to pay for the ongoing operation of the government, and then without doing that, we have decided to use gimmicks and one-time appropriations or in some cases appropriations that are not even there to pass budgets that have gotten us into all the trouble that we are in right now.

This amendment will cure all of that. This amendment is what we need, what we should have been doing all along. I ask all the members to vote for this amendment. Thank you.

The SPEAKER pro tempore. On the question of the amendment, the Chair recognizes Representative Jordan Harris.

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

Mr. Speaker, I was not going to rise to speak on this amendment, but I feel it is important to explain to my constituents why I will be a "no" on this amendment.

The budget is a serious process that outlines what our priorities are as a State. It outlines how much money we will spend for our children, it outlines how much money we will spend for our seniors, it outlines how much money we will spend to protect our environment. While this sounds good in theory, the reality is that many of us who serve in this chamber do not serve in this chamber because we are überwealthy; we serve in this chamber because we want to do what we believe is the right thing by the communities that we represent.

I grew up in South Philadelphia. I went to public school the whole way. I went to a public university, being Millersville University. I grew up in a single-parent household, and I go back to that same district every single day and I get to look the folks in the eyes who helped raise me, and I look them in the eye trying to represent their best interests.

The problem with this amendment is that when you begin to withhold the pay from a duly elected member who continues to come to work to do the work of the people, you are now putting that person in a position where they have to determine whether the budget is good for the Commonwealth or whether they can pay their mortgage, whether the budget is good for our seniors or whether they can pay their light bill, whether the budget is good for our children or whether they are going to be able to pay their gas and electric bill. No person should be put into that position when discussing something as serious as this State's budget. So while I understand the concept and while it may make intellectual sense, it does not make practical sense, because what you will find that will happen is that people will be voting for their mortgage and not voting for what is in the best interests of the Commonwealth.

For that reason I ask that we all vote "no" on this amendment.

The SPEAKER pro tempore. The Chair thanks the gentleman.

Are there any other members seeking recognition before we return for the second time to the maker of the amendment?

Mrs. Dean, you may proceed.

Mrs. DEAN. Thank you, Mr. Speaker.

And I appreciate the review and consideration of my colleagues on this amendment.

Let me just remind you what is at the heart of this amendment. At the heart of this amendment is that we should be using recurring revenues to support balanced budgets. That is the heart of this amendment. If you are offended by the fact that we went more than 100 days late on a budget and then balanced, so-called balanced a budget with \$1.5 billion worth of borrowing against the Tobacco Settlement Fund and some expanded gaming, you might be interested in this amendment, where we actually look for honest recurring revenue to pay our bills. That is the heart of this amendment.

And on the other side, with all due respect to the leader, this is not about protecting only the voices of the überwealthy. In fact, this is what gives rank and file like me leverage and voice over leadership to say, let us do our job, let us do it well so that we do earn and get paid for our work.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. With no one else seeking recognition— Representative Davidson, are you seeking recognition on the amendment? You are in order and may proceed.

Mrs. DAVIDSON. Thank you, Mr. Speaker.

I am afraid that I am going to have to strenuously oppose this amendment.

Mr. Speaker, I just find it to be somewhat an elitist amendment when you are forcing people to go without their pay after working. The Supreme Court was absolutely correct, Mr. Speaker—

The SPEAKER pro tempore. Would the gentlelady suspend just a moment.

Will the House please come to order. Your conversations— Thank you for the interruption.

Please proceed.

Mrs. DAVIDSON. The Supreme Court was absolutely correct, Mr. Speaker, when after months of not paying our staff for working during the time that we did not have an on-time budget, the Supreme Court ruled that we could not have people working and not pay them. A better public policy would be to

sequester us and make sure that we continue working until a budget is done. Rank-and-file members have no power or authority to get a budget done over the wishes of the leadership and over the wishes of the Governor, who has veto power.

The previous amendment by the gentleman from Clinton at least addressed the fact that the leadership of the House, the leadership of the Senate, and the Governor's Office actually do have more authority over whether or not a budget gets passed. Freshman members do not, rank-and-file members do not, most of the chairmen do not except for the Appropriations chair.

It is fine and dandy to stand around and say, "Oh, well, I'm not going to take my paycheck" or "I don't need to accept my paycheck." Well, perhaps you can afford to do that, but what about the people that have to pay their mortgage and have to feed their children? They come to work every day and they go through the rudiments of legislative process in order to try to get something done.

This is wrongheaded public policy. I find it to be egregious as well as elitist, and I will be voting "no."

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

#### YEAS—34

Barbin	Dermody	Matzie	Quinn, C.
Boyle	Evans	McCarter	Ravenstahl
Bradford	Frankel	Metzgar	Samuelson
Burns	Freeman	Miller, D.	Sims
Carroll	Gillen	Mullery	Snyder
Daley	Hanna	Neuman	Sturla
Davis	Kinsey	Pashinski	Tobash
Dean	Kortz	Petrarca	Youngblood
DeLissio	Markosek		

#### NAYS—154

Baker	English	Kulik	Reed
Barrar	Evankovich	Lawrence	Reese
Benninghoff	Everett	Lewis	Roae
Bernstine	Fabrizio	Longietti	Roe
Bizzarro	Farry	Mackenzie	Roebuck
Bloom	Fee	Madden	Rothman
Briggs	Fitzgerald	Maher	Rozzi
Brown, R.	Flynn	Mako	Ryan
Bullock	Fritz	Maloney	Saccone
Caltagirone	Gabler	Marshall	Sainato
Causar	Gainey	Marsico	Sankey
Cephas	Gillespie	Masser	Saylor
Charlton	Godshall	McClinton	Schemel
Christiana	Goodman	Mehaffie	Schlossberg
Comitta	Greiner	Mentzer	Schweyer
Conklin	Grove	Metcalfe	Simmons
Cook	Hahn	Miccarelli	Solomon
Corbin	Harkins	Millard	Sonney
Corr	Harper	Miller, B.	Staats
Costa, D.	Harris, A.	Milne	Stephens
Costa, P.	Harris, J.	Moul	Tallman
Cox	Heffley	Murt	Taylor
Cruz	Helm	Mustio	Toepel
Culver	Hennessey	Neilson	Toohil
Cutler	Hickernell	Nelson	Topper
Davidson	Hill	Nesbit	Vazquez
Dawkins	Irvin	O'Brien	Vitali
Day	James	O'Neill	Walsh
Deasy	Jozwiak	Oberlander	Ward
Delozier	Kampf	Ortitay	Warner
Diamond	Kauffman	Peifer	Warren



DiGirolamo	Kavulich	Pickett	Watson
Donatucci	Keefer	Pyle	Wentling
Dowling	Keller, F.	Quigley	Wheeland
Driscoll	Keller, M.K.	Quinn, M.	White
Dunbar	Kim	Rabb	Zimmerman
Dush	Kirkland	Rader	
Ellis	Knowles	Rapp	Turzai,
Emrick	Krueger	Readshaw	Speaker

NOT VOTING-0

EXCUSED-12

Boback	Galloway	Klunk	Santora
Brown, V.	Kaufer	McGinnis	Thomas
DeLuca	Keller, W.	Petri	Wheatley

UNEXCUSED-1

Haggerty

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

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

The SPEAKER pro tempore. The remaining amendments filed to HB 1940 are out of order.

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

\* \* \*

The House proceeded to second consideration of **HB 1941, PN 2780**, entitled:

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, in Commonwealth budget procedures, further providing for lapsing of funds.

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

Mr. **GROVE** offered the following amendment No. **A05114**:

Amend Bill, page 2, line 17, by inserting after "comment."

The Secretary of the Budget shall also submit the written analysis and justification to the Independent Fiscal Office and members of the General Assembly.

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

The SPEAKER pro tempore. On the question of the amendment, the Chair recognizes Representative Grove.

Mr. GROVE. Thank you, Mr. Speaker.

This amendment is very easy. It provides uniformity and parity among all the budget process reform bills. It ensures that information is transmitted not only to the Appropriations chairmen but also the General Assembly and the Independent Fiscal Office, Mr. Speaker. Thank you.

The SPEAKER pro tempore. Is anybody else seeking recognition on the amendment?

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

The following roll call was recorded:

YEAS-117

Baker	Fritz	Marshall	Roe
Barrar	Gabler	Marsico	Rothman
Benninghoff	Gillen	Masser	Ryan
Bernstine	Gillespie	Mehaffie	Saccone
Bloom	Godshall	Mentzer	Samuelson
Brown, R.	Greiner	Metcalfe	Sankey
Causer	Grove	Metzgar	Saylor
Charlton	Hahn	Miccarelli	Schemel
Christiana	Harper	Millard	Simmons
Cook	Harris, A.	Miller, B.	Sonney
Corbin	Heffley	Milne	Staats
Corr	Helm	Moul	Stephens
Cox	Hennessey	Murt	Tallman
Culver	Hickernell	Mustio	Taylor
Cutler	Hill	Nelson	Tobash
Day	Irvin	Nesbit	Toepel
DeLozier	James	O'Neill	Toohil
Diamond	Jozwiak	Oberlander	Topper
DiGirolamo	Kampf	Ortitay	Walsh
Dowling	Kauffman	Peifer	Ward
Dunbar	Keefer	Pickett	Warner
Dush	Keller, F.	Pyle	Watson
Ellis	Keller, M.K.	Quigley	Wentling
Emrick	Knowles	Quinn, C.	Wheeland
English	Lawrence	Quinn, M.	White
Evankovich	Lewis	Rader	Zimmerman
Everett	Mackenzie	Rapp	
Farry	Maher	Reed	Turzai,
Fee	Mako	Reese	Speaker
Freeman	Maloney	Roae	

NAYS-71

Barbin	Dawkins	Kim	Petrarca
Bizzarro	Dean	Kinsey	Rabb
Boyle	Deasy	Kirkland	Ravenstahl
Bradford	DeLissio	Kortz	Readshaw
Briggs	Dermody	Krueger	Roebuck
Bullock	Donatucci	Kulik	Rozzi
Burns	Driscoll	Longietti	Sainato
Caltagirone	Evans	Madden	Schlossberg
Carroll	Fabrizio	Markosek	Schweyer
Cephas	Fitzgerald	Matzie	Sims
Comitta	Flynn	McCarter	Snyder
Conklin	Frankel	McClinton	Solomon
Costa, D.	Gainey	Miller, D.	Sturla
Costa, P.	Goodman	Mullery	Vazquez
Cruz	Hanna	Neilson	Vitali
Daley	Harkins	Neuman	Warren
Davidson	Harris, J.	O'Brien	Youngblood
Davis	Kavulich	Pashinski	

NOT VOTING-0

EXCUSED-12

Boback	Galloway	Klunk	Santora
Brown, V.	Kaufer	McGinnis	Thomas
DeLuca	Keller, W.	Petri	Wheatley

UNEXCUSED-1

Haggerty

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?

The SPEAKER pro tempore. The remaining amendments filed to HB 1941 are out of order.

On the question recurring,

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

Bill as amended was agreed to.

The SPEAKER pro tempore. The bill as amended will be reprinted.

\* \* \*

The House proceeded to second consideration of **HB 1942, PN 2781**, entitled:

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, in Commonwealth budget procedures, further providing for transmission of budget information to the General Assembly.

On the question,

Will the House agree to the bill on second consideration?

Mr. **GROVE** offered the following amendment No. **A05112**:

Amend Bill, page 2, line 16, by striking out "and" and inserting a comma

Amend Bill, page 2, line 18, by inserting after "Representatives" , the Independent Fiscal Office and the members of the General Assembly

On the question,

Will the House agree to the amendment?

The SPEAKER pro tempore. The Chair recognizes the gentleman, Representative Grove, on the amendment.

Mr. GROVE. Thank you, Mr. Speaker.

Again, this amendment just provides parity and continuity between all these bills. The underlying bill does transmit information to the General Assembly. This amendment just adds the Independent Fiscal Office to ensure that our Independent Fiscal Office has the same information. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman and, on the question, recognizes the minority Appropriations chairman, Representative Markosek.

Mr. MARKOSEK. Thank you, Mr. Speaker.

Mr. Speaker, I rise in opposition to this amendment.

This is really an amendment that makes the Budget Secretary jump through a lot of hoops unnecessarily to spend some money that had been appropriated in prior years. This is something that every Budget Secretary has done. It has not been a bad thing. In fact, it has helped us in many ways to get through current budget situations, particularly when we have got some issues.

So this is totally unnecessary and it creates additional hassles, really, is probably the best word I can think of for the Budget Secretary, during a budget time when certainly whoever that is of whatever party does not need his hands handcuffed in those ways.

So I would say, Mr. Speaker, to all the members to please vote "no" on this amendment.

The SPEAKER pro tempore. The Chair thanks the gentleman and, on the question of the amendment, recognizes the maker of the underlying bill, Representative Dunbar.

Mr. DUNBAR. Thank you, Mr. Speaker.

As far as the amendment is concerned, I will not disagree with the minority chairman that it does not do a whole heck of a lot, but I am not opposed to the amendment because it does add some transparency to the bill, and I would urge a "yes" vote.

The SPEAKER pro tempore. On the amendment, is there anyone else seeking recognition?

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—117

Baker	Fritz	Marshall	Roe
Barrar	Gabler	Marsico	Rothman
Benninghoff	Gillen	Masser	Ryan
Bernstine	Gillespie	Mehaffie	Saccone
Bloom	Godshall	Mentzer	Samuelson
Brown, R.	Greiner	Metcalf	Sankey
Causer	Grove	Metzgar	Saylor
Charlton	Hahn	Miccarelli	Schemel
Christiana	Harper	Millard	Simmons
Cook	Harris, A.	Miller, B.	Sonney
Corbin	Heffley	Milne	Staats
Corr	Helm	Moul	Stephens
Cox	Hennessey	Murt	Tallman
Culver	Hickernell	Mustio	Taylor
Cutler	Hill	Nelson	Tobash
Day	Irvin	Nesbit	Toepel
Delozier	James	O'Neill	Toohil
Diamond	Jozwiak	Oberlander	Topper
DiGirolamo	Kampf	Ortitay	Walsh
Dowling	Kauffman	Peifer	Ward
Dunbar	Keefer	Pickett	Warner
Dush	Keller, F.	Pyle	Watson
Ellis	Keller, M.K.	Quigley	Wentling
Emrick	Knowles	Quinn, C.	Wheeland
English	Lawrence	Quinn, M.	White
Evankovich	Lewis	Rader	Zimmerman
Everett	Mackenzie	Rapp	
Farry	Maher	Reed	Turzai,
Fee	Mako	Reese	Speaker
Freeman	Maloney	Roae	

NAYS—71

Barbin	Dawkins	Kim	Petrarca
Bizzarro	Dean	Kinsey	Rabb
Boyle	Deasy	Kirkland	Ravenstahl
Bradford	DeLissio	Kortz	Readshaw
Briggs	Dermody	Krueger	Roebuck
Bullock	Donatucci	Kulik	Rozzi
Burns	Driscoll	Longietti	Sainato
Caltagirone	Evans	Madden	Schlossberg
Carroll	Fabrizio	Markosek	Schweyer
Cephas	Fitzgerald	Matzie	Sims
Comitta	Flynn	McCarter	Snyder

Conklin	Frankel	McClinton	Solomon
Costa, D.	Gainey	Miller, D.	Sturla
Costa, P.	Goodman	Mullery	Vazquez
Cruz	Hanna	Neilson	Vitali
Daley	Harkins	Neuman	Warren
Davidson	Harris, J.	O'Brien	Youngblood
Davis	Kavulich	Pashinski	

NOT VOTING—0

EXCUSED—12

Boback	Galloway	Klunk	Santora
Brown, V.	Kaufer	McGinnis	Thomas
DeLuca	Keller, W.	Petri	Wheatley

UNEXCUSED—1

Haggerty

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?

The SPEAKER pro tempore. On HB 1942 the other amendments filed are out of order.

On the question recurring,

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

Bill as amended was agreed to.

The SPEAKER pro tempore. The bill as amended will be reprinted.

\* \* \*

The House proceeded to second consideration of **HB 1943, PN 2766**, entitled:

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, in Commonwealth budget procedures, providing for definitions and further providing for budget implementation data, for electronic access of information and for lapsing of funds.

On the question,

Will the House agree to the bill on second consideration?

Mr. **GROVE** offered the following amendment No. **A05111**:

Amend Bill, page 3, line 1, by inserting after "Representatives" , the Independent Fiscal Office and members of the General Assembly

On the question,

Will the House agree to the amendment?

The SPEAKER pro tempore. On the amendment, the Chair recognizes Representative Grove.

Mr. GROVE. Thank you, Mr. Speaker.

Again, this amendment just provides continuity and parity between all these bills, ensuring that the entire General Assembly and the Independent Fiscal Office receives financial information so we can make the best decisions come budget time on behalf of the Commonwealth of Pennsylvania.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question, the Chair recognizes the minority Appropriations chair, Representative Markosek.

Mr. MARKOSEK. Thank you, Mr. Speaker.

I bet everybody here knows what I am going to say. We are opposed to this amendment for all the reasons that I just gave two or three times in the past. So please vote "no."

The SPEAKER pro tempore. On the amendment, the Chair recognizes the maker of the underlying bill, Representative Nelson.

Mr. NELSON. Thank you, Mr. Speaker.

The maker appreciates the efforts to improve transparency for the State of Pennsylvania and supports this amendment.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

Are there any other members seeking recognition?

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—120

Baker	Fritz	Marsico	Roe
Barrar	Gabler	Masser	Rothman
Benninghoff	Gillen	Mehaffie	Ryan
Bernstine	Gillespie	Mentzer	Saccone
Bloom	Godshall	Metcalfe	Samuelson
Brown, R.	Greiner	Metzgar	Sankey
Burns	Grove	Miccarelli	Saylor
Causer	Hahn	Millard	Schemel
Charlton	Harper	Miller, B.	Simmons
Christiana	Harris, A.	Milne	Sonney
Cook	Heffley	Moul	Staats
Corbin	Helm	Murt	Stephens
Corr	Hennessey	Mustio	Tallman
Cox	Hickernell	Nelson	Taylor
Culver	Hill	Nesbit	Tobash
Cutler	Irvin	O'Neill	Toepel
Day	James	Oberlander	Toohil
Delozier	Jozwiak	Ortitay	Topper
Diamond	Kampf	Peifer	Vitali
DiGirolamo	Kauffman	Pickett	Walsh
Dowling	Keefer	Pyle	Ward
Dunbar	Keller, F.	Quigley	Warner
Dush	Keller, M.K.	Quinn, C.	Watson
Ellis	Knowles	Quinn, M.	Wentling
Emrick	Lawrence	Rader	Wheeland
English	Lewis	Rapp	White
Evankovich	Mackenzie	Readshaw	Zimmerman
Everett	Maher	Reed	
Farry	Mako	Reese	Turzai,
Fee	Maloney	Roae	Speaker
Freeman	Marshall		

NAYS—68

Barbin	Dawkins	Kavulich	O'Brien
Bizzarro	Dean	Kim	Pashinski
Boyle	Deasy	Kinsey	Petrarca
Bradford	DeLissio	Kirkland	Rabb
Briggs	Dermody	Kortz	Ravenstahl
Bullock	Donatucci	Krueger	Roebuck
Caltagirone	Driscoll	Kulik	Rozzi
Carroll	Evans	Longietti	Sainato
Cephas	Fabrizio	Madden	Schlossberg
Comitta	Fitzgerald	Markosek	Schweyer
Conklin	Flynn	Matzie	Sims
Costa, D.	Frankel	McCarter	Snyder
Costa, P.	Gainey	McClinton	Solomon
Cruz	Goodman	Miller, D.	Sturla
Daley	Hanna	Mullery	Vazquez
Davidson	Harkins	Neilson	Warren
Davis	Harris, J.	Neuman	Youngblood

NOT VOTING—0

EXCUSED—12

Boback	Galloway	Klunk	Santora
Brown, V.	Kaufer	McGinnis	Thomas
DeLuca	Keller, W.	Petri	Wheatley

UNEXCUSED—1

Haggerty

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?

The SPEAKER pro tempore. The other amendments filed to HB 1943 are out of order.

On the question recurring,

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

Bill as amended was agreed to.

The SPEAKER pro tempore. The bill as amended will be reprinted.

\* \* \*

The House proceeded to second consideration of **HB 1944, PN 2782**, entitled:

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, in Commonwealth budget procedures, further providing for submission of budget to General Assembly and for transmission of budget information to the General Assembly.

On the question,

Will the House agree to the bill on second consideration?

Mr. GROVE offered the following amendment No. **A05113**:

Amend Bill, page 3, line 6, by inserting after "Representatives" , the Independent Fiscal Office and members of the General Assembly

On the question,

Will the House agree to the amendment?

The SPEAKER pro tempore. On the amendment, the Chair recognizes Representative Grove for as brief remarks as you can see fit.

Mr. GROVE. Thank you, Mr. Speaker.

Again, this amendment adds the General Assembly and the Independent Fiscal Office to ensure we all receive this pertinent financial information so we can make the best decisions on a budget with the latest and greatest information. Thank you, Mr. Speaker.

The SPEAKER pro tempore. Are there any other members seeking recognition on this amendment?

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—120

Baker	Fritz	Marshall	Roe
Barrar	Gabler	Marsico	Rothman
Benninghoff	Gillen	Masser	Ryan
Bernstine	Gillespie	Mehaffie	Saccone
Bloom	Godshall	Mentzer	Samuelson
Brown, R.	Goodman	Metcalfe	Sankey
Burns	Greiner	Metzgar	Saylor
Causer	Grove	Miccarelli	Schemel
Charlton	Hahn	Millard	Simmons
Christiana	Harper	Miller, B.	Sonney
Cook	Harris, A.	Milne	Staats
Corbin	Heffley	Moul	Stephens
Corr	Helm	Murt	Tallman
Cox	Hennessey	Mustio	Taylor
Culver	Hickernell	Nelson	Tobash
Cutler	Hill	Nesbit	Toepel
Day	Irvin	O'Neill	Toohil
Delozier	James	Oberlander	Topper
Diamond	Jozwiak	Ortitay	Vitali
DiGirolamo	Kampf	Peifer	Walsh
Dowling	Kauffman	Pickett	Ward
Dunbar	Keefer	Pyle	Warner
Dush	Keller, F.	Quigley	Watson
Ellis	Keller, M.K.	Quinn, C.	Wentling
Emrick	Knowles	Quinn, M.	Wheeland
English	Lawrence	Rader	White
Evankovich	Lewis	Rapp	Zimmerman
Everett	Mackenzie	Reed	
Farry	Maher	Reese	Turzai,
Fee	Mako	Roae	Speaker
Freeman	Maloney		

NAYS—68

Barbin	Dawkins	Kim	Pashinski
Bizzarro	Dean	Kinsey	Petrarca
Boyle	Deasy	Kirkland	Rabb
Bradford	DeLissio	Kortz	Ravenstahl
Briggs	Dermody	Krueger	Readshaw



Bullock	Donatucci	Kulik	Roebuck
Caltagirone	Driscoll	Longiatti	Rozzi
Carroll	Evans	Madden	Sainato
Cephas	Fabrizio	Markosek	Schlossberg
Comitta	Fitzgerald	Matzie	Schweyer
Conklin	Flynn	McCarter	Sims
Costa, D.	Frankel	McClinton	Snyder
Costa, P.	Gainey	Miller, D.	Solomon
Cruz	Hanna	Mullery	Sturla
Daley	Harkins	Neilson	Vazquez
Davidson	Harris, J.	Neuman	Warren
Davis	Kavulich	O'Brien	Youngblood

NOT VOTING—0

EXCUSED—12

Boback	Galloway	Klunk	Santora
Brown, V.	Kaufer	McGinnis	Thomas
DeLuca	Keller, W.	Petri	Wheatley

UNEXCUSED—1

Haggerty

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?

The SPEAKER pro tempore. The other amendments to HB 1944 are out of order.

On the question recurring,

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

Bill as amended was agreed to.

The SPEAKER pro tempore. The bill as amended will be reprinted.

## PARLIAMENTARY INQUIRY

Ms. DALEY. Parliamentary inquiry?

The SPEAKER pro tempore. The Chair recognizes the gentlelady, Representative Daley, for a parliamentary inquiry.

Ms. DALEY. Thank you.

It is my understanding that amendment A05075 is not out of order.

The SPEAKER pro tempore. When the lady filed it, it was not out of order, but because an identical amendment was previously defeated, House rules provide that the subsequent amendment is also out of order, it becomes out of order.

Ms. DALEY. Mr. Speaker, I do not believe that this amendment has been voted on before.

The SPEAKER pro tempore. Well, I shall certainly investigate your inquiry and be right back with you.

Ms. DALEY. Thank you. I would appreciate it.

The SPEAKER pro tempore. The Chair thanks the gentlelady, Representative Daley, for bringing this to our attention.

## DECISION OF CHAIR RESCINDED

The SPEAKER pro tempore. We reached the conclusion you are correct. So without objection, the Chair's announcement of second consideration is rescinded.

On the question recurring,

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

The SPEAKER pro tempore. And it is my understanding you wish to offer amendment A05075. Is that correct?

Ms. DALEY. Yes, it is, Mr. Speaker.

On the question recurring,

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

Ms. DALEY offered the following amendment No. **A05075**:

Amend Bill, page 2, line 21, by striking out "fifteen (15)" and inserting

sixty (60)

Amend Bill, page 3, line 3, by inserting after "act"

by the General Assembly

Amend Bill, page 3, line 3, by striking out "Secretary of the Budget" and inserting

Majority Chairmen of the Appropriations Committees of the Senate and the House of Representatives

Amend Bill, page 3, line 3, by inserting after "shall"

jointly

Amend Bill, page 3, lines 4 through 6, by striking out "to the Majority" in line 4, all of line 5 and "Senate and the House of Representatives" in line 6 and inserting

to the General Assembly

Amend Bill, page 3, line 8, by inserting after "act"

that the General Assembly recently enacted

Amend Bill, page 3, by inserting between lines 28 and 29

(f) The Majority Chairmen of the Appropriations Committees of the Senate and the House of Representatives shall solicit comment from the Secretary of the Budget, who shall advise the chairmen of any discrepancies, disagreements or additional information concerning the summary that may be of use to the General Assembly. The Majority Chairmen shall include the Secretary of the Budget's comments as part of the summary.

On the question,

Will the House agree to the amendment?

The SPEAKER pro tempore. On the question of the amendment, the Chair recognizes the gentlelady, Representative Daley.

Ms. DALEY. Thank you, Mr. Speaker.

So HB 1944 has two parts, and my amendment makes changes to both of them. First, it extends the deadline for the administration to supply legislative language from 15 to 60 days. I find it strange that the bill thinks that the General Assembly, whose job it is to write the law, somehow needs help from the Governor to do its job.

The SPEAKER pro tempore. Would the House please come to order. It is getting rather loud. If you need to undertake conversations while the gentlelady is speaking, please remove yourself to the anteroom.

Ms. DALEY. Thank you, Mr. Speaker.

We have many capable and talented men and women who can draft legislation for the General Assembly. And I can see an argument that maybe the Governor's language would be helpful to discuss during budget hearings, and that is why we need it in 15 days, but the bill would not guarantee that it would be available on time. Depending on the year, hearings have started the week after the budget address, in which case the language would not be available for every hearing. Sixty days is a reasonable amount of time. In a normal year this would put us in early April, and we generally are waiting to see how the April revenues look before proceeding with the budget.

The second part of my amendment would change the report on appropriations, legal citations, mandates, Federal funding that the bill requires after we pass the budget by assigning responsibility for providing the report to the majority chairperson of the Appropriations Committees in both the House and the Senate.

As part of the budget process, the agencies supply all of this information and there really is no need for them to supply it again in a different format. The majority chairmen of the Appropriations Committees in both chambers have excellent staff who can answer these questions. If members think we need to compile the information in a different way than has already been provided, legislative staff should do that work.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the lady and, on the question of the amendment, recognizes the gentlelady, Representative Delozier, the sponsor of the underlying bill.

Ms. DELOZIER. Thank you, Mr. Speaker.

I would ask for a "no" vote on this amendment.

When we talk about the budget process, the purpose of the bill is to require the executive branch to provide additional budgetary information. As was said, 15 days is within the parameters of when we are having our budget hearings, the Governor is asking for certain types of changes within a budget and to pay for certain areas within the budget. Having the ability within 15 days, not 60, to explain where the money should come from, understanding where the language is that should make the changes is very important to understanding what it is the Governor would like to achieve.

For us to ask the agencies the questions, we need to have the information. Many times in the hearings that we had this year, the Governor had proposed a merger of very large agencies. We were unable to get answers because we did not understand and nor did the Secretaries of those Cabinet agencies understand how the Governor wanted to get it done.

This is allowing for that language to be put out there by the Governor with the plan. This is not a Republican or Democrat. The same thing under Republican Governors, when they have tried to make changes, the information should be available. Fifteen days is relative, and I believe that the report that we are asking for that is also in this amendment is something we are asking the agencies for information. We are not getting that information. So allowing that report to come from the Budget Secretary, who has direct ability to get the information from the agencies since it does not seem to be coming through the Appropriations hearings that we are having.

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

The SPEAKER pro tempore. The Chair thanks the lady and, on the question of the amendment, recognizes the majority Appropriations chairman, Representative Saylor.

Mr. SAYLOR. Thank you, Mr. Speaker.

I rise to oppose the amendment as well.

The Representative from Cumberland County expressed very well the fact that we will be in budget hearings, and it has been the history of this House to be in budget hearings for 3 straight weeks. So the 15-day timeline would still work while the Appropriations Committee is doing its work.

The other issue has been, as we have seen in this last budget, the Governor did not submit after cutting school bussing funding his formula that he said he was coming forward with. So the reason for requiring that legislation is so that we have it. At this point in time we are still waiting for several of the initiatives that the Governor has proposed to actually see that legislation drafted by the Governor. So it is not fair to the members of the General Assembly to be held in suspension when the Governor proposes something and never submits that legislation in writing to us to consider.

So, Mr. Speaker, I oppose this. Also, the fact is that the Budget Secretary should as well be required to submit the report simply because he or she as Budget Secretary is the one who has oversight over the Federal dollars that are there, not the General Assembly. So the Budget Secretary should be the one making that report to the members of the General Assembly, not the Senate Appropriations and House Appropriations majority chairs.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. Is there anybody else seeking recognition on the question?

Does the gentlelady, Representative Daley, wish to be recognized a second time? You may proceed.

Ms. DALEY. Thank you, Mr. Speaker.

I would just restate that 15 days is not really adequate time whereas 60 days is. If we look at our own process for, you know, approving the budget, it is taking us far longer and it seems really strange that we are going to compel the Governor and his office to provide information in 15 days. Sixty days gives us time well within the budget period to get this work done. And I think that my experience as a member of the Appropriations Committee is that the agencies are already providing this information that is required in this report. If we wanted it in a different format, let us ask them to do it that way. Thank you.

The SPEAKER pro tempore. The Chair thanks the lady.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—69

Barbin	Dean	Kavulich	Pashinski
Bizzarro	Deasy	Kim	Rabb
Boyle	DeLissio	Kinsey	Ravenstahl
Bradford	Dermody	Kirkland	Readshaw
Briggs	Donatucci	Kortz	Roebuck
Bullock	Driscoll	Krueger	Rozzi
Caltagirone	Evans	Kulik	Samuelson

Carroll	Fabrizio	Madden	Schlossberg
Cephas	Fitzgerald	Markosek	Schweyer
Comitta	Flynn	Matzie	Sims
Conklin	Frankel	McCarter	Snyder
Costa, D.	Freeman	McClinton	Solomon
Costa, P.	Gainey	Miller, D.	Sturla
Cruz	Goodman	Mullery	Vazquez
Daley	Hanna	Neilson	Vitali
Davidson	Harkins	Neuman	Warren
Davis	Harris, J.	O'Brien	Youngblood
Dawkins			

NAYS—119

Baker	Gabler	Marshall	Roae
Barrar	Gillen	Marsico	Roe
Benninghoff	Gillespie	Masser	Rothman
Bernstine	Godshall	Mehaffie	Ryan
Bloom	Greiner	Mentzer	Saccone
Brown, R.	Grove	Metcalfe	Sainato
Burns	Hahn	Metzgar	Sankey
Causar	Harper	Miccarelli	Saylor
Charlton	Harris, A.	Millard	Schemel
Christiana	Heffley	Miller, B.	Simmons
Cook	Helm	Milne	Sonney
Corbin	Hennessey	Moul	Staats
Corr	Hickernell	Murt	Stephens
Cox	Hill	Mustio	Tallman
Culver	Irvin	Nelson	Taylor
Cutler	James	Nesbit	Tobash
Day	Jozwiak	O'Neill	Toepel
DeLozier	Kampf	Oberlander	Toohil
Diamond	Kauffman	Ortitay	Topper
DiGirolamo	Keefer	Peifer	Walsh
Dowling	Keller, F.	Petrarca	Ward
Dunbar	Keller, M.K.	Pickett	Warner
Dush	Knowles	Pyle	Watson
Ellis	Lawrence	Quigley	Wentling
Emrick	Lewis	Quinn, C.	Wheeland
English	Longietti	Quinn, M.	White
Evankovich	Mackenzie	Rader	Zimmerman
Everett	Maher	Rapp	
Farry	Mako	Reed	Turzai,
Fee	Maloney	Reese	Speaker
Fritz			

NOT VOTING—0

EXCUSED—12

Boback	Galloway	Klunk	Santora
Brown, V.	Kaufer	McGinnis	Thomas
DeLuca	Keller, W.	Petri	Wheatley

UNEXCUSED—1

Haggerty

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

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

The SPEAKER pro tempore. The bill as amended will be reprinted.

\* \* \*

The House proceeded to second consideration of **HB 1945, PN 2783**, entitled:

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, in Commonwealth budget procedures, further providing for submission of budget to General Assembly.

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

Mr. **CARROLL** offered the following amendment No. **A05076**:

Amend Bill, page 4, line 12, by inserting after "appropriation"  
 , including if the General Assembly failed to make sufficient appropriations to pay for mandatory costs.

Amend Bill, page 4, line 14, by inserting after "appropriation"  
 , if appropriate

Amend Bill, page 4, line 19, by inserting after "appropriation"  
 , including if the General Assembly failed to make sufficient appropriations to pay for mandatory costs.

Amend Bill, page 4, line 21, by inserting after "appropriation"  
 , if appropriate

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

The SPEAKER pro tempore. On the question of the amendment, the Chair recognizes the gentleman, Representative Carroll, who asks that we be at ease for long enough for him to arrive at the microphone.

Does the gentleman, Representative Carroll, wish to speak on his amendment? You are in order and may proceed.

Mr. CARROLL. Thank you, Mr. Speaker.

Mr. Speaker, this amendment seeks to resolve the conflict that exists when the general appropriation is obviously not enough to sustain the line through the full fiscal year and it provides the flexibility necessary for the administration of the Budget Secretary to highlight the fact that the appropriation was not nearly enough to get us through the fiscal year in the first place.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question of the amendment, the Chair recognizes the sponsor of the underlying bill, Representative Brown.

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

The bill requires additional information to be provided to the legislature when there is a request for supplemental appropriations, including recommendations on cost savings which can be used to reduce the need for similar supplemental appropriations in the future. This amendment makes that optional, and for that reason I ask for a negative vote from the members. Thank you.

The SPEAKER pro tempore. The Chair thanks the lady.

Are any other members seeking recognition?

Representative Carroll, for the second time. You are in order and may proceed.

Mr. CARROLL. Thank you, Mr. Speaker.

Mr. Speaker, I think that we have had plenty of experience over the last few years where the lines in the budget were not nearly enough to sustain the funding necessary to get through a fiscal year, and the blame is to be laid at the feet of the General

Assembly for passing a budget that clearly is not sufficient to meet the needs that are defined in that line.

So, Mr. Speaker, I think that in this case it is important for the administration, whether it is this administration or any other administration, to be able to highlight the fact that the flaw is the result of the inability by the General Assembly to actually fund the line in an adequate way and in a sincere way, because in recent experience at least, in my opinion, we have had too many instances where there has been some level of insincerity with respect to the amount of money that was appropriated for any given line. And so for that reason, Mr. Speaker, I think it is important to approve this amendment.

The SPEAKER pro tempore. Are there any other members seeking recognition?

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

The following roll call was recorded:

YEAS—71

Barbin	Dean	Kim	Petrarca
Bizzarro	Deasy	Kinsey	Rabb
Boyle	DeLissio	Kirkland	Ravenstahl
Bradford	Dermody	Kortz	Readshaw
Briggs	Donatucci	Krueger	Roebuck
Bullock	Driscoll	Kulik	Rozzi
Caltagirone	Evans	Longietti	Samuelson
Carroll	Fabrizio	Madden	Schlossberg
Cephas	Fitzgerald	Markosek	Schweyer
Comitta	Flynn	Matzie	Sims
Conklin	Frankel	McCarter	Snyder
Costa, D.	Freeman	McClinton	Solomon
Costa, P.	Gainey	Miller, D.	Sturla
Cruz	Goodman	Mullery	Vazquez
Daley	Hanna	Neilson	Vitali
Davidson	Harkins	Neuman	Warren
Davis	Harris, J.	O'Brien	Youngblood
Dawkins	Kavulich	Pashinski	

NAYS—117

Baker	Fritz	Marshall	Roe
Barrar	Gabler	Marsico	Rothman
Benninghoff	Gillen	Masser	Ryan
Bernstine	Gillespie	Mehaffie	Saccone
Bloom	Godshall	Mentzer	Sainato
Brown, R.	Greiner	Metcalfe	Sankey
Burns	Grove	Metzgar	Saylor
Causar	Hahn	Miccarelli	Schemel
Charlton	Harper	Millard	Simmons
Christiana	Harris, A.	Miller, B.	Sonney
Cook	Heffley	Milne	Staats
Corbin	Helm	Moul	Stephens
Corr	Hennessey	Murt	Tallman
Cox	Hickernell	Mustio	Taylor
Culver	Hill	Nelson	Tobash
Cutler	Irvin	Nesbit	Toepel
Day	James	O'Neill	Toohil
Delozier	Jozwiak	Oberlander	Topper
Diamond	Kampf	Ortitay	Walsh
DiGirolamo	Kauffman	Peifer	Ward
Dowling	Keefer	Pickett	Warner
Dunbar	Keller, F.	Pyle	Watson
Dush	Keller, M.K.	Quigley	Wentling
Ellis	Knowles	Quinn, C.	Wheeland
Emrick	Lawrence	Quinn, M.	White
English	Lewis	Rader	Zimmerman

Evankovich	Mackenzie	Rapp	
Everett	Maher	Reed	Turzai,
Farry	Mako	Reese	Speaker
Fee	Maloney	Roae	

NOT VOTING—0

EXCUSED—12

Boback	Galloway	Klunk	Santora
Brown, V.	Kaufer	McGinnis	Thomas
DeLuca	Keller, W.	Petri	Wheatley

UNEXCUSED—1

Haggerty

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

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

The SPEAKER pro tempore. The other amendments filed to HB 1945 are out of order.

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

\* \* \*

The House proceeded to second consideration of **HB 74, PN 69**, entitled:

An Act amending the act of March 28, 1984 (P.L.150, No.28), known as the Automobile Lemon Law, further providing for the definition of "new motor vehicle."

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

Mr. **FARRY** offered the following amendment No. **A04442**:

Amend Bill, page 1, line 4, by striking out all of said line and inserting

for definitions, for manufacturer's duty for refund or replacement and for presumption of a reasonable number of attempts.

Amend Bill, page 1, line 9, by inserting after "amended" and the section is amended by adding a definition

Amend Bill, page 1, by inserting between lines 14 and 15

"Motorcycle." As defined in 75 Pa.C.S. § 102 (relating to definitions).

Amend Bill, page 2, by inserting between lines 10 and 11

Section 1.1. Section 5 of the act is amended to read:

Section 5. Manufacturer's duty for refund or replacement.

If the manufacturer fails to repair or correct a nonconformity after a reasonable number of attempts, the manufacturer shall, at the option of the purchaser, replace the motor vehicle with a comparable motor vehicle of equal value or accept return of the vehicle from the purchaser and refund to the purchaser the full purchase price or lease price, including all collateral charges, less a reasonable allowance for the purchaser's use of the vehicle not exceeding 10¢ per mile driven or



10% of the purchase price or lease price of the vehicle, whichever is less. Refunds shall be made to the purchaser and lienholder, if any, as their interests may appear. A reasonable allowance for use shall be that amount directly attributable to use by the purchaser prior to his first report of the nonconformity to the manufacturer. In the event the consumer elects a refund, payment shall be made within 30 days of such election. A consumer shall not be entitled to a refund or replacement if the nonconformity does not substantially impair the use, value or safety of the vehicle or the nonconformity is the result of abuse, neglect or modification or alteration of the motor vehicle by the purchaser. For purposes of this section, the phrase "modification or alteration by the purchaser" shall include, in relation to a motorcycle, a modification or alteration made after the date of actual delivery of the motorcycle to the purchaser.

Section 1.2. Section 6(b) of the act is amended by adding a paragraph and the section is amended by adding a subsection to read: Section 6. Presumption of a reasonable number of attempts.

\* \* \*

(b) Time period extension.—

\* \* \*

(4) The minimum number of calendar days provided for under subsection (a)(2) shall not apply to the period during which a motorcycle is being stored at a manufacturer's authorized service and repair facility, either as a courtesy to the purchaser or for compensation, even if repairs to correct a nonconformity are made during the storage period. This paragraph shall apply if the purchaser waives the minimum calendar day period in writing or enters into a contract for storage of the motorcycle. A waiver under this paragraph must contain the signature of the purchaser and a representative of the manufacturer's authorized service and repair facility.

(c) Applicability.—Subsections (a) and (b) shall only apply to a motorcycle if all attempts to correct a nonconformity are made by the same manufacturer's authorized service and repair facility or if the purchaser provides a complete set of repair records, related to the nonconformity, to a manufacturer's authorized service and repair facility that has not previously attempted to repair the nonconformity.

On the question,

Will the House agree to the amendment?

The SPEAKER pro tempore. On the amendment, the Chair recognizes the gentleman, Representative Farry.

Mr. FARRY. Thank you, Mr. Speaker.

This amendment does three things: It clarifies the storage provision for motorcycle owners storing their vehicles at the motorcycle manufacturers and dealers; it also addresses the subject of modifications to motorcycles and addresses the reasonable number of repair attempts section of the Lemon Law applicable to motorcycles by setting standards.

This amendment is an agreed-to amendment.

The SPEAKER pro tempore. The Chair thanks the gentleman and, on the question of the amendment, recognizes his nearby neighbor from Greene County, Representative Snyder.

Mrs. SNYDER. Thank you, Mr. Speaker.

I want to thank the maker of the amendment, and this is an agreed-to amendment. I would ask all my colleagues to please vote "yes."

The SPEAKER pro tempore. Are any other members seeking recognition?

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—188

Baker	Emrick	Lawrence	Ravenstahl
Barbin	English	Lewis	Readshaw
Barrar	Evankovich	Longietti	Reed
Benninghoff	Evans	Mackenzie	Reese
Bernstine	Everett	Madden	Roae
Bizzarro	Fabrizio	Maher	Roe
Bloom	Farry	Mako	Roebuck
Boyle	Fee	Maloney	Rothman
Bradford	Fitzgerald	Markosek	Rozzi
Briggs	Flynn	Marshall	Ryan
Brown, R.	Frankel	Marsico	Saccone
Bullock	Freeman	Masser	Sainato
Burns	Fritz	Matzie	Samuelson
Caltagirone	Gabler	McCarter	Sankey
Carroll	Gainey	McClintock	Saylor
Causar	Gillen	Mehaffie	Schemel
Cephas	Gillespie	Mentzer	Schlossberg
Charlton	Godshall	Metcalfe	Schweyer
Christiana	Goodman	Metzgar	Simmons
Comitta	Greiner	Miccarelli	Sims
Conklin	Grove	Millard	Snyder
Cook	Hahn	Miller, B.	Solomon
Corbin	Hanna	Miller, D.	Sonney
Corr	Harkins	Milne	Staats
Costa, D.	Harper	Moul	Stephens
Costa, P.	Harris, A.	Mullery	Sturla
Cox	Harris, J.	Murt	Tallman
Cruz	Heffley	Mustio	Taylor
Culver	Helm	Neilson	Tobash
Cutler	Hennessey	Nelson	Toepel
Daley	Hickernell	Nesbit	Toohil
Davidson	Hill	Neuman	Topper
Davis	Irvin	O'Brien	Vazquez
Dawkins	James	O'Neill	Vitali
Day	Jozwiak	Oberlander	Walsh
Dean	Kampf	Ortitay	Ward
Deasy	Kauffman	Pashinski	Warner
DeLissio	Kavulich	Peifer	Warren
Delozier	Keefer	Petrarca	Watson
Dermody	Keller, F.	Pickett	Wentling
Diamond	Keller, M.K.	Pyle	Wheeland
DiGirolamo	Kim	Quigley	White
Donatucci	Kinsey	Quinn, C.	Youngblood
Dowling	Kirkland	Quinn, M.	Zimmerman
Driscoll	Knowles	Rabb	
Dunbar	Kortz	Rader	Turzai,
Dush	Krueger	Rapp	Speaker
Ellis	Kulik		

NAYS—0

NOT VOTING—0

EXCUSED—12

Boback	Galloway	Klunk	Santora
Brown, V.	Kaufer	McGinnis	Thomas
DeLuca	Keller, W.	Petri	Wheatley

UNEXCUSED—1

Haggerty

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?

The SPEAKER pro tempore. The other amendments filed to HB 74 have been withdrawn; that is the understanding of the Chair.

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

The SPEAKER pro tempore. The bill as amended will be reprinted.

**THE SPEAKER (MIKE TURZAI)  
PRESIDING**

\* \* \*

The House proceeded to second consideration of **HB 1124, PN 1648**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in assault, further providing for the offense of neglect of care-dependent person and providing for the offense of abuse of care-dependent person.

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

Mr. **STEPHENS** offered the following amendment No. **A03582**:

Amend Bill, page 1, lines 15 and 16, by striking out ", the section is amended by adding a subsection"

Amend Bill, page 3, lines 7 through 9, by striking out all of said lines

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

The SPEAKER. On the amendment, Representative Jim Cox, on the amendment, sir.

Mr. COX. Thank you, Mr. Speaker.

This amendment is agreed to.

The SPEAKER. Thank you, sir.

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

The following roll call was recorded:

**YEAS—188**

Baker	Emrick	Lawrence	Ravenstahl
Barbin	English	Lewis	Readshaw
Barrar	Evankovich	Longietti	Reed
Benninghoff	Evans	Mackenzie	Reese
Bernstine	Everett	Madden	Roae
Bizzarro	Fabrizio	Maher	Roe
Bloom	Farry	Mako	Roebuck
Boyle	Fee	Maloney	Rothman
Bradford	Fitzgerald	Markosek	Rozzi

Briggs	Flynn	Marshall	Ryan
Brown, R.	Frankel	Marsico	Saccone
Bullock	Freeman	Masser	Sainato
Burns	Fritz	Matzie	Samuelson
Caltagirone	Gabler	McCarter	Sankey
Carroll	Gainey	McClinton	Saylor
Causer	Gillen	Mehaffie	Schemel
Cephas	Gillespie	Mentzer	Schlossberg
Charlton	Godshall	Metcalfe	Schweyer
Christiana	Goodman	Metzgar	Simmons
Comitta	Greiner	Miccarelli	Sims
Conklin	Grove	Millard	Snyder
Cook	Hahn	Miller, B.	Solomon
Corbin	Hanna	Miller, D.	Sonney
Corr	Harkins	Milne	Staats
Costa, D.	Harper	Moul	Stephens
Costa, P.	Harris, A.	Mullery	Sturla
Cox	Harris, J.	Murt	Tallman
Cruz	Heffley	Mustio	Taylor
Culver	Helm	Neilson	Tobash
Cutler	Hennessey	Nelson	Toepel
Daley	Hickernell	Nesbit	Toohil
Davidson	Hill	Neuman	Topper
Davis	Irvin	O'Brien	Vazquez
Dawkins	James	O'Neill	Vitali
Day	Jozwiak	Oberlander	Walsh
Dean	Kampf	Ortity	Ward
Deasy	Kauffman	Pashinski	Warner
DeLissio	Kavulich	Peifer	Warren
DeLozier	Keefer	Petrarca	Watson
Dermody	Keller, F.	Pickett	Wentling
Diamond	Keller, M.K.	Pyle	Wheeland
DiGirolamo	Kim	Quigley	White
Donatucci	Kinsey	Quinn, C.	Youngblood
Dowling	Kirkland	Quinn, M.	Zimmerman
Driscoll	Knowles	Rabb	
Dunbar	Kortz	Rader	Turzai,
Dush	Krueger	Rapp	Speaker
Ellis	Kulik		

**NAYS—0**

**NOT VOTING—0**

**EXCUSED—12**

Boback	Galloway	Klunk	Santora
Brown, V.	Kaufert	McGinnis	Thomas
DeLuca	Keller, W.	Petri	Wheatley

**UNEXCUSED—1**

Haggerty

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. **GILLEN** offered the following amendment No. **A05124**:

Amend Bill, page 1, line 16, by striking out "a subsection" and inserting subsections

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

(c.1) Data management.—

(1) The department filing a report under subsection (c)

shall manage the data in the report consistent with the requirements of this subsection. The identity of the reporter may only be disclosed as provided in paragraph (3), and the data shall be stored for three calendar years after date of receipt. After that date, the data shall be destroyed unless otherwise required to be stored by Federal law.

(2) The department shall prepare an investigation memorandum for each report alleging a violation of this section. During an investigation by the department, data collected under this section on individuals is confidential data. Upon completion of the investigation, the data is classified as provided in paragraph (3) and as follows:

(i) The investigation memorandum shall contain the following data, which is public:

(A) The name of the caretaker investigated.

(B) A statement of the nature of the alleged violation.

(C) Pertinent information obtained from medical or other records reviewed.

(D) The identity of the investigator.

(E) A summary of the investigation's findings.

(F) A statement of whether the report was found to be substantiated, inconclusive, false or that no determination will be made.

(G) A statement of any action taken by the caretaker.

(H) A statement of any action taken by the department.

(I) If the department's determination has substantiated a violation, a statement of whether an individual, individuals or a facility were responsible for the substantiated violation, if known.

The investigation memorandum must be written in a manner that protects the identity of the reporter and of the care-dependent person and may not contain the names or, to the extent possible, data on individuals or data listed in subparagraph (ii).

(ii) Data on individuals collected and maintained in the investigation memorandum is private data, including:

(A) The name of the care-dependent person.

(B) The identity of the individual alleged to be the perpetrator.

(C) The identity of the individual substantiated as the perpetrator.

(D) The identity of all individuals interviewed as part of the investigation.

(E) Other data on individuals maintained as part of an investigation under this section is private data on individuals upon completion of the investigation.

(3) After the assessment or investigation is completed, the name of the reporter shall be confidential. The subject of the report may compel disclosure of the name of the reporter only with the consent of the reporter or upon a written finding by a court that the report was false and there is evidence that the report was made in bad faith.

(4) Notwithstanding any other provision of law to the contrary, data maintained under this section by a department shall be maintained under the following schedule and then destroyed unless otherwise required by Federal law:

(i) Data from reports determined to be false, maintained for three years after the finding was made.

(ii) Data from reports determined to be inconclusive, maintained for four years after the finding was made.

(iii) Data from reports determined to be substantiated, maintained for seven years after the finding was made.

(iv) Data from reports not investigated by the department and for which there is no final disposition, maintained for three years from the date of the report.

(5) Each department shall annually publish on the department's publicly accessible Internet website the number and type of reports of alleged violations involving caretakers reported under this section, the number of those requiring investigation under this section and the resolution of those investigations. On a biennial basis, the departments shall jointly report the following information to the Governor and the General Assembly:

(i) The number and type of reports of alleged violations involving caretakers reported under this section, the number of those requiring investigations under this section, the resolution of those investigations and which of the departments was responsible.

(ii) Trends about types of substantiated maltreatment found in the reporting period.

(iii) If there are upward trends for types of violations substantiated, recommendations for addressing and responding to them.

(iv) Efforts undertaken or recommended to improve the protection of dependent-care persons.

(v) Whether and where backlogs of cases result in a failure to conform with statutory time frames and recommendations for reducing backlogs, if applicable.

(vi) Recommended changes to statutes affecting the protection of dependent-care persons.

(vii) Any other information that is relevant to the report trends and findings.

(6) Each department shall establish and implement a record retention policy.

(7) The departments, the Attorney General, district attorneys and law enforcement agencies may exchange nonpublic data if the agency requesting the data determines that the data is pertinent and necessary to the requesting agency in initiating, furthering or completing an investigation under this section. Data collected under this section shall be made available to the Attorney General, district attorneys and law enforcement officials investigating the alleged violations under this section.

(8) Each department shall keep records of the length of time it takes to complete its investigation.

(9) Each department may notify other affected parties and their authorized representative if the department has reason to believe a violation has occurred and determines the information will safeguard the well-being of the affected parties or dispel widespread rumor or unrest on the premises of the caregiver.

(10) Under any notification provision of this section, where Federal law specifically prohibits the disclosure of patient identifying information, a department may not provide any notice unless the dependent-care person has consented to disclosure in a manner which conforms to Federal requirements.

Amend Bill, page 6, line 14, by inserting after "General"

and the department making the report shall comply with section 2713(c.1) (relating to neglect of care-dependent person)

Amend Bill, page 7, lines 4 and 5, by striking out "(relating to neglect of care-dependent person)"

On the question,

Will the House agree to the amendment?

The SPEAKER. On the amendment, Representative Gillen is recognized.

Mr. GILLEN. Thank you, Mr. Speaker.

Nursing home patient abuse is rarely prosecuted in the Commonwealth of Pennsylvania. In fact, a patient care conviction rate in Pennsylvania is 2 percent. The national average is 30 percent. We are certainly an outlier in protecting our senior citizens in nursing homes.

After consultation with the chairman of the Judiciary Committee and his staff as well as my good friend from Chester County, the chairman of the Aging Committee, we have decided to pursue our concerns, Mr. Speaker, through a slightly different route, and the Older Adults Protective Services Act is an important vehicle for us in the Commonwealth of Pennsylvania to advance the cause of protecting our senior citizens.

From 2009 to 2015 there were several thousand substantiated cases of abuse of elders in the Commonwealth of Pennsylvania. For a variety of reasons, of those several thousand cases of substantiated abuse, only three were referred to the Attorney General's Office, and I said three were referred to the Attorney General's Office for prosecution.

This amendment contained language for an investigative memorandum, transparency, and information sharing between agencies, and I believe all of those elements would be efficacious in another piece of legislation, which I would like to work on with my good friend from Chester County, the chair of the Aging Committee.

#### AMENDMENT WITHDRAWN

Mr. GILLEN. So I do not withdraw my passion and interest on these issues, but rather, I would like to move them from a Title 18 bill into a vehicle that will have the cooperation of the chair of the Aging Committee. So I withdraw—

The SPEAKER. Sir, are you withdrawing the amendment?

Mr. GILLEN. I withdraw the amendment, Mr. Speaker; yes.

The SPEAKER. Thank you.

Representative Cox. Yes, sir.

Mr. COX. Thank you, Mr. Speaker.

I would be honored to work with the gentleman from Berks County on the legislation he has described. I think it is a much-needed piece of legislation, and I do think the statutes that he has referenced and where he is looking to work on the additional language, I think it is much needed there. I appreciate his heart behind this, and he has my full backing. Thank you.

The SPEAKER. Thank you, sir.

Representative Tim Hennessey.

Mr. HENNESSEY. Thank you, Mr. Speaker.

The substance of the now-withdrawn amendment deals with issues that we are dealing with in the House Aging and Older Adult Services Committee. So I have committed to work with the Representative from Berks County to see if we can work those revisions, his concerns, into the revisions of the Older Adults Protective Services Act. Thank you.

The SPEAKER. Thank you.

I do not see any further amendments. This is second consideration.

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.

#### ANNOUNCEMENT BY MRS. DAVIDSON

The SPEAKER. Members, I would ask you to please take your seats. Representative Margo Davidson is recognized on unanimous consent.

Mrs. DAVIDSON. Thank you, Mr. Speaker.

I am pleased to announce that my oldest son and his wife just gave birth to our fifth grandson today at 4 p.m., 6 pounds 8 ounces and 20 inches. Thank you.

The SPEAKER. Thank you, Representative Davidson.

#### BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of **SB 656, PN 978**, entitled:

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in municipal authorities, further providing for definitions and for purposes and powers.

On the question,

Will the House agree to the bill on second consideration?

Mr. **CHARLTON** offered the following amendment No. **A04706**:

Amend Bill, page 1, line 1, by striking out "Title" and inserting Titles

Amend Bill, page 1, line 1, by inserting after "Generally)" and 66 (Public Utilities)

Amend Bill, page 1, line 3, by striking out the period after "powers" and inserting

; and, in rates and distribution systems, further providing for valuation of and return on the property of a public utility.

Amend Bill, page 8, by inserting between lines 24 and 25

Section 3. Section 1311(b) of Title 66 is amended to read:

§ 1311. Valuation of and return on the property of a public utility.

\* \* \*

(b) Method of valuation.—The value of the property of the public utility included in the rate base shall be the original cost of the property when first devoted to the public service less the applicable accrued depreciation as such depreciation is determined by the commission. The value of the property of a water utility and a wastewater utility shall include the original cost incurred by the water utility or wastewater utility for the replacement of customer-owned lead water service lines and the replacement or rehabilitation of damaged customer-owned sewer laterals, notwithstanding that the customer will hold legal title to the replacement water service line or replacement or rehabilitated sewer lateral. The original cost of the replacement water service line or replacement or rehabilitated sewer lateral shall be deemed other related capitalized costs which are part of the water utility's or wastewater utility's distribution system. The water utility or wastewater utility incurring the cost may recover a return on, and a return of, the cost that the commission determines to have been prudently incurred and will help prevent adverse effects on public health or public safety or help the water utility or wastewater utility comply with laws and regulations pertaining to drinking water or environmental standards. The commission may allocate the cost associated with the replacement of a customer-owned lead water service line and the replacement or rehabilitation of a damaged customer-owned sewer lateral among each customer, classes of customers and types of service.

\* \* \*



Amend Bill, page 8, line 25, by striking out "3" and inserting  
4

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

The SPEAKER. On the amendment, Representative Charlton.

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

This addresses an issue of health and safety for families in the Commonwealth related to lead water service lines and replacement of the damaged sewer laterals. Regulated water utilities in Pennsylvania replace hundreds of miles of distribution pipe per year, and this amendment would, as they replace those distribution pipes, give them the ability to go ahead and replace the lead lines that are coming off the laterals going into a consumer's home. Currently as the law stands, if they find a lead line they can only provide notice to the customers. This would give them the ability similar to municipality – I am sorry – municipal water authorities to replace that lead line. Thank you.

The SPEAKER. Thank you.

### MOTION TO RECOMMIT

The SPEAKER. Representative McCarter, on the amendment, sir.

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

Mr. Speaker, is a motion in order?

The SPEAKER. Yes, sir. You will have to state the motion before we can make a ruling.

Mr. McCARTER. Thank you, Mr. Speaker.

I move to refer SB 656 back to the Consumer Affairs Committee for a public hearing and further consideration.

The SPEAKER. Okay. So the issue is stated before us to move SB 656 to the Consumer Affairs Committee, back to the Consumer Affairs Committee.

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

The SPEAKER. On the motion, the Chair recognizes Chairman Godshall on the motion to rerefer it to the Consumer Affairs Committee.

Mr. GODSHALL. After careful consideration, I am neutral on this, and so, you know, he said that if you get a better bill out, you have to refer it back; if you do not, then let us go with it, whatever you want to do, you know. So we are neutral at this point.

The SPEAKER. Representative McCarter, for the second time. Representative McCarter, for the second time.

Mr. McCARTER. Excuse me, Mr. Speaker.

The SPEAKER. Yes, sir.

Mr. McCARTER. I thought it is appropriate, and since a motion is made, may I speak to that motion?

The SPEAKER. Absolutely. You may speak, sir.

Mr. McCARTER. Thank you.

Mr. Speaker, this particular bill, as we all know I think in the chamber now, was already enacted as part of the Fiscal Code, and the changes that are proposed through the amendments here

raise a whole series of questions as to the impact of this upon our water authorities and potential sales throughout the State. Every one of us in this chamber, every one of us has water authorities that are either through our municipalities or through joint water authorities that are dealing with critical, critical issues dealing with water, both in the case of lead in some cases but also, as the speaker earlier said, dealing with sewer laterals as well. And let me be clear, issues of water and sewage have become more and more complex and important in light of complex regulations, droughts, and flooding. Yet, Mr. Speaker, the reason we need to refer this is that we have not had one hearing on this bill that was originally in the Senate and now it is over with us. We have not had one hearing in the 5, 5 1/2 years I have been here.

In one of my municipalities in my district, who is considering a sale at this particular time, many different issues have been raised and questions about that particular sale. This legislation would change much of what has already been submitted as questions and submitted also as issues for and against that particular sale. Simply selling off our sewage systems is not necessarily the best for every one of our communities.

Mr. Speaker, I think it would ultimately – and let me go back – ultimately no matter whether systems are sold or not, it is the consumers who have to pick up the tab eventually here for what is going on with our sewers. These changes proposed have been questioned by the PUC (Public Utility Commission) and by the Pennsylvania Consumer Advocate. I, for one, would like to hear why.

Mr. Speaker, it would benefit everyone here to allow the Consumer Affairs Committee the opportunity to hold a hearing to explore the changing situation of sewer systems and their potential sale, their budgets, and also the impact of these sales to third parties. The original sponsor of this legislation, Senator Fontana, does not support these changes that are proposed in the amendments today. I think it would benefit all of us to explore the reasons why they have now been proposed again after this measure was already—

### POINT OF ORDER

The SPEAKER. Representative Miccarelli, point of parliamentary inquiry?

Mr. MICCARELLI. Thank you, Mr. Speaker.

It is abundantly clear that the gentleman from Montgomery County is on the amendment or the legislation underlying. I believe he should refer his remarks to a motion to recommit.

The SPEAKER. Thank you.

Please, the good gentleman, there has been a lot of leeway. You are opposing the amendment in your remarks. You want to recommit. If you want to not recommit and then talk on the amendment, you are more than welcome to do so, but this is a motion to recommit.

Mr. McCARTER. That is correct. Thank you, Mr. Speaker.

This referral, Mr. Speaker, will give greater transparency and greater knowledge for all of us to make an informed decision. I urge all members to vote "yes" on the referral. Thank you, Mr. Speaker.

The SPEAKER. Thank you. And the majority leader, on the motion to recommit.

Mr. REED. Thank you very much, Mr. Speaker.  
 This bill has a number of different amendments filed to it. Our original intent was to just bring up a couple of those amendments today and then continue the discussion into the future. In light of this amendment, I would ask one of two things, either for the gentleman to withdraw his motion and we will go over the bill for the day to allow those discussions to ensue or for the members to vote against the motion to recommit the bill and we will still go over the bill for the day to allow those discussions to continue on. Thank you.

MOTION WITHDRAWN

The SPEAKER. Yes, sir. Representative McCarter.  
 Mr. McCARTER. Mr. Speaker, given the discussion that has been promised, we will withdraw the amendment for right now. Thank you.  
 The SPEAKER. You mean the motion to recommit?  
 Mr. McCARTER. Yes, withdraw the referral. Thank you.  
 The SPEAKER. Yes, you bet. Thank you.  
 The motion to recommit has been withdrawn.

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

BILL PASSED OVER

The SPEAKER. We will go over the bill at this time.

RESOLUTION

Mr. RYAN called up **HR 522, PN 2487**, entitled:

A Concurrent Resolution urging the Treasurer of Pennsylvania to petition the Federal Reserve to remit \$24 billion to the Commonwealth to reimburse State and municipal pension plans for lost earnings due to quantitative easing.

On the question,  
 Will the House adopt the resolution?

The following roll call was recorded:

YEAS—126

Baker	Farry	Mako	Reese
Barbin	Fee	Maloney	Roae
Barrar	Flynn	Marshall	Roe
Benninghoff	Fritz	Marsico	Rothman
Bernstine	Gabler	Masser	Ryan
Bloom	Gillen	Mehaffie	Saccone
Bradford	Gillespie	Mentzer	Sankey
Brown, R.	Godshall	Metcalfe	Saylor
Burns	Goodman	Metzgar	Schemel
Carroll	Greiner	Miccarelli	Simmons
Causser	Grove	Millard	Snyder
Charlton	Hahn	Miller, B.	Sonney
Christiana	Harper	Milne	Staats
Cook	Harris, A.	Moul	Stephens
Corbin	Heffley	Mullery	Sturla
Corr	Helm	Murt	Tallman
Cox	Hennessey	Mustio	Taylor
Culver	Hickernell	Nelson	Tobash
Cutler	Hill	Nesbit	Toepel
Davis	Irvin	Neuman	Toohil
Day	Jozwiak	O'Neill	Topper
DeLissio	Kampf	Oberlander	Walsh

Diamond	Kauffman	Ortitay	Ward
DiGirolamo	Kavulich	Pashinski	Warner
Dowling	Keefe	Peifer	Watson
Dunbar	Keller, F.	Pickett	Wentling
Dush	Keller, M.K.	Pyle	Wheeland
Ellis	Knowles	Quigley	White
Emrick	Lawrence	Quinn, C.	Zimmerman
English	Lewis	Quinn, M.	
Evankovich	Mackenzie	Rader	Turzai,
Everett	Maher	Reed	Speaker

NAYS—61

Bizarro	Delozier	Kinsey	Rapp
Boyle	Dermody	Kirkland	Ravenstahl
Briggs	Donatucci	Kortz	Readshaw
Bullock	Driscoll	Kulik	Roebuck
Caltagirone	Evans	Longietti	Rozzi
Cephas	Fabrizio	Madden	Sainato
Comitta	Fitzgerald	Markosek	Samuelson
Conklin	Frankel	Matzie	Schlossberg
Costa, D.	Freeman	McCarter	Schweyer
Costa, P.	Gainey	McClinton	Sims
Cruz	Hanna	Miller, D.	Solomon
Daley	Harkins	Neilson	Vazquez
Davidson	Harris, J.	O'Brien	Vitali
Dawkins	James	Petrarca	Warren
Dean	Kim	Rabb	Youngblood
Deasy			

NOT VOTING—1

Krueger

EXCUSED—12

Boback	Galloway	Clunk	Santora
Brown, V.	Kaufer	McGinnis	Thomas
DeLuca	Keller, W.	Petri	Wheatley

UNEXCUSED—1

Haggerty

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

BILLS RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader, who moves that the following bills be recommitted to the Committee on Appropriations:

- HB 74;
- HB 1124;
- HB 1936;
- HB 1940;
- HB 1941;
- HB 1942;
- HB 1943;
- HB 1944;
- HB 1945; and
- SB 3.

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

### BILLS REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader, who moves that the following bills be removed from the tabled calendar and placed on the active calendar:

HB 1821;  
 HB 1951;  
 HB 1952;  
 SB 252;  
 SB 403;  
 SB 629;  
 SB 728;  
 SB 736;  
 SB 751; and  
 SB 921.

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

### APPROPRIATIONS COMMITTEE MEETING

The SPEAKER. Members, at this time there is a committee announcement. There is going to be a committee meeting. Chairman Saylor, majority Appropriations Chairman Saylor has a committee announcement.

Mr. SAYLOR. Thank you, Mr. Speaker.

There will be an immediate meeting of the Appropriations Committee in the majority caucus room; again, immediate meeting of the Appropriations Committee in the majority caucus room. Thank you.

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

### STATE GOVERNMENT COMMITTEE MEETING

The SPEAKER. Representative Metcalfe, for what purpose do you stand?

Mr. METCALFE. To make an announcement for the State Government Committee.

The SPEAKER. Yes, sir. You may proceed.

Mr. METCALFE. Mr. Speaker, the House State Government Committee will have a committee meeting, voting meeting tomorrow at 10 a.m. in 60 East Wing regarding HB 1773 and any other business that comes before the committee, Mr. Speaker. So that is 10 a.m., 60 East Wing, for a voting meeting of the House State Government Committee to consider HB 1773 and any other business, Mr. Speaker.

Thank you, Mr. Speaker.

The SPEAKER. The House State Government Committee will have a committee meeting tomorrow at 10 a.m. in 60 East Wing.

### REMARKS SUBMITTED FOR THE RECORD

The SPEAKER. Representative Warner is recognized to speak.

Mr. WARNER. Thank you, Mr. Speaker.

I have comments to submit for the record on HB 110.

The SPEAKER. Representative Warner, you have comments to submit on HB 110?

Mr. WARNER. Correct.

The SPEAKER. Which you are the prime sponsor for. Thank you. Those will be accepted.

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

Thank you, Mr. Speaker.

I appreciate the opportunity to briefly speak about my legislation.

Mr. Speaker, HB 110 would amend the Pennsylvania Constitution to establish spending limits that the Commonwealth must abide by each fiscal year.

As we are all aware, amendments to the Constitution must pass the General Assembly in two consecutive sessions and then be approved by the voters.

Mr. Speaker, for decades this Commonwealth has endured and continues to endure a bipartisan failure to limit the growth of both taxes and spending. Since 1970 total State government spending, even when adjusted for inflation, has increased by 85 percent. That is roughly an increase of \$13,800 per family of four – also adjusted for inflation. Mr. Speaker, State and local taxes now cost Pennsylvanians 10.3 percent of their total income and Pennsylvania currently has the 10th highest State and local tax burden in the nation, up from 25th in 1991.

In order to encourage responsible budgets at sustainable levels of growth, this proposed constitutional amendment would limit the rate at which the Commonwealth's General Fund could increase. The increase would be limited to the 3-year average sum of the percentage increase in the Consumer Price Index and the percentage change in population growth. In other words, spending would be limited to an increase of the rate of inflation plus population growth.

This proposal does not require spending cuts but promotes sustainable levels of growth. Also, understanding that unforeseen circumstances could arise, the limit can be exceeded through a three-quarter vote of both chambers in the General Assembly.

Mr. Speaker, I believe this is basic, fiscally responsible legislation that limits the government's ability to tax and spend the hard-earned dollars of Pennsylvania taxpayers. And even if you do not agree with the legislation, Mr. Speaker, the taxpayers of this Commonwealth deserve the opportunity to make that choice on their own and vote this on a ballot referendum.

Mr. Speaker, they deserve that choice. They deserve the choice of a fiscally responsible government. They deserve the choice of a government that lives within its means. They deserve the choice of a government that budgets based on how much money it has to spend rather than how much money it wants to spend. They deserve a choice of a government that efficiently spends their hard-earned tax dollars. They deserve the choice of a government that does not spend and borrow the money of our children, grandchildren, and future generations without their consent.

Mr. Speaker, the hardworking taxpayers of this Commonwealth deserve the choice to vote on this constitutional amendment.

I ask my colleagues to vote "yes" on HB 110. Thank you, Mr. Speaker.

### PROFESSIONAL LICENSURE COMMITTEE MEETING

The SPEAKER. Representative Mark Mustio is recognized. For what purpose do you stand, sir?

Mr. MUSTIO. Committee announcement.

The SPEAKER. Yes, sir. You may proceed.

Mr. MUSTIO. Thank you, Mr. Speaker.

There will be a House Professional Licensure Committee tomorrow at 9 a.m. in G-50 Irvis; 9 a.m. in G-50 Irvis. Thank you.

The SPEAKER. Thank you, sir.

There will be a House Professional Licensure Committee meeting tomorrow at 9 a.m. in G-50 Irvis.

### VOTE CORRECTION

The SPEAKER. Representative Kathy Rapp is recognized. For what purpose do you stand, please?

Ms. RAPP. Thank you, Mr. Speaker.

On the last recorded vote, I was recorded as a "no." I would like to be recorded as a "yes."

The SPEAKER. Okay. As a "yes" on the—

Ms. RAPP. HR 522, I believe. Thank you, Mr. Speaker.

The SPEAKER. Thank you.

### BILLS REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader, who moves that the following bills be removed from the tabled calendar and placed on the active calendar:

HB 1609;  
HB 1610;  
HB 1611; and  
HB 1612.

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

### VOTE CORRECTION

The SPEAKER. Representative Mehaffie, for what purpose do you stand, sir?

Mr. MEHAFFIE. Thank you, Mr. Speaker.

On amendment 05147 I was in the negative. I would like to be put in the positive, please.

The SPEAKER. Your remarks will be reflected in the record. Thank you.

Mr. MEHAFFIE. Thank you, Mr. Speaker.

### ANNOUNCEMENT BY MR. KINSEY

The SPEAKER. Representative Kinsey, for what purpose do you stand?

Mr. KINSEY. Under unanimous consent.

The SPEAKER. Yes, sir. You may proceed.

Mr. KINSEY. Mr. Speaker, I just want to acknowledge the birthday of my good friend, Representative Greg Rothman, who just celebrated his birthday yesterday.

The SPEAKER. Happy birthday, Representative Rothman, and thank you, Representative Kinsey.

### BILLS TABLED

The SPEAKER. The Chair recognizes the majority leader, who moves that the following bills be removed from the active calendar and placed on the tabled calendar:

HB 1609;  
HB 1610;  
HB 1611; and  
HB 1612.

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

### BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 1142, PN 1365**, entitled:

An Act amending the act of December 18, 1984 (P.L.1005, No.205), known as the Municipal Pension Plan Funding Standard and Recovery Act, in standards for municipal pension systems, further providing for definitions and providing for special procedures for certain professional services contracts.

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 1142 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 1142 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 284, PN 1556**, entitled:

A Resolution urging the Congress of the United States to repeal the Environmental Protection Agency's MS4 program.

On the question,  
Will the House adopt the resolution?



**RESOLUTION TABLED**

The SPEAKER. The Chair recognizes the majority leader, who moves that HR 284 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 284 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. At this time Representative Harry Lewis moves that the House be adjourned until Tuesday, December 12, 2017, at 11 a.m., e.s.t., unless sooner recalled by the Speaker.

On the question,  
Will the House agree to the motion?  
Motion was agreed to, and at 7:57 p.m., e.s.t., the House adjourned.