

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

TUESDAY, DECEMBER 12, 2017

SESSION OF 2017

201ST OF THE GENERAL ASSEMBLY

No. 75

HOUSE OF REPRESENTATIVES

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

THE SPEAKER (MIKE TURZAI) PRESIDING

PRAYER

The SPEAKER. The prayer today will be offered by Rabbi Shloime Isaacson of the Congregation Beth Solomon Community Center in Philadelphia, Pennsylvania. He is a friend and guest of our good friend and colleague, Representative Tom Murt. The community center is also located in the neighboring district of Representative Martina White.

Rabbi.

RABBI SHLOIME ISAACSON, Guest Chaplain of the House of Representatives, offered the following prayer:

Tonight we begin the Jewish holiday of Chanukah, also known as the Festival of Lights. It was over 2,000 years ago when the city of Jerusalem was laid siege and the holy temple was destroyed.

After defeating their enemies, the Maccabees entered the temple only to find a small jug of oil, an amount which would be able to burn for only 1 day. With great fear and trepidation, the high priest affixed the small amount of oil in the menorah and once again the small candle burned bright. Not for 1, 2, or 3 days, but for 8 days – the exact amount of time it took for new oil to be obtained. A true miracle.

This small flame symbolizes a strength within each and every one of us, a light that our enemies work hard at each day, to try and extinguish our way of life. While we here may not be able to change the whole world, this room is filled with individuals who not only shine bright, but spark the lives of so many in our great State of Pennsylvania. The miracles that you bring to people's lives each and every day are something that our gratitude knows no bounds.

May the Lord in heaven grant all dedicated leaders of the House of Representatives with the strength to continue this unselfish task for many years to come.

I would like to end off with a verse of the Bible:

"God should bless you and watch over you.
God should shine upon you and His kindness
should be upon you.
God should lift up His face towards you...."

(Prayer in Hebrew.)

And He should grant you and everyone standing here, throughout the holidays, a peaceful and healthy holidays. Thank you. Amen.

PLEDGE OF ALLEGIANCE

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

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, the approval of the Journal of Monday, December 11, 2017, will be postponed until printed.

BILLS REPORTED FROM COMMITTEES, CONSIDERED FIRST TIME, AND TABLED

HB 1488, PN 1895

By Rep. MUSTIO

An Act amending the act of October 9, 2008 (P.L.1438, No.118), known as the Massage Therapy Law, further providing for powers and duties of board.

PROFESSIONAL LICENSURE.

HB 1773, PN 2816 (Amended)

By Rep. METCALFE

An Act repealing in part the act of June 13, 1836 (P.L.551, No.169), entitled "An act relating to roads, highways and bridges."

STATE GOVERNMENT.

HB 1898, PN 2814 (Amended)

By Rep. MUSTIO

An Act amending the act of December 22, 1983 (P.L.306, No.84), known as the Board of Vehicles Act, further providing for definitions; providing for vehicle recalls; and further providing for unlawful acts by manufacturers or distributors, for application for license and for licensing cost.

PROFESSIONAL LICENSURE.

HB 1917, PN 2815 (Amended)

By Rep. CAUSER

An Act amending Title 22 (Detectives and Private Police) of the Pennsylvania Consolidated Statutes, in humane society police officers, further providing for appointment by nonprofit corporations, for qualifications for appointment, for suspension, revocation, limitation and restriction of appointment and restoration of appointment, for

training program, for continuing education program, for Statewide registry and for Humane Society Police Officer Advisory Board.

AGRICULTURE AND RURAL AFFAIRS.

BILLS REREPORTED FROM COMMITTEE

HB 1460, PN 2810 (Amended) By Rep. SAYLOR

An Act amending Titles 24 (Education) and 71 (State Government) of the Pennsylvania Consolidated Statutes, in administration and miscellaneous provisions regarding administration of the Public School Employees' Retirement Fund, further providing for administrative duties of board; and, in administration, funds, accounts and general provisions regarding administration of the State Employees' Retirement Fund, further providing for administrative duties of the board.

APPROPRIATIONS.

SB 166, PN 1344 By Rep. SAYLOR

An Act providing for protection of paychecks of certain workers and for the collection of political contributions.

APPROPRIATIONS.

SB 446, PN 1379 (Amended) By Rep. SAYLOR

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 Drug and Alcohol Programs, providing for drug and alcohol recovery houses and establishing the Drug and Alcohol Recovery House Fund; and making editorial changes.

APPROPRIATIONS.

**HOUSE BILLS
INTRODUCED AND REFERRED**

No. 1937 By Representatives TAYLOR, DRISCOLL, BOYLE and WATSON

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in governance of the system, further providing for establishment of fees and charges; and making a related repeal.

Referred to Committee on JUDICIARY, December 12, 2017.

No. 1964 By Representative RADER

An Act designating a portion of State Route 115 in Monroe County as the Submarine Veterans Memorial Highway.

Referred to Committee on TRANSPORTATION, December 12, 2017.

**REPORT OF
COMMITTEE ON COMMITTEES**

The SPEAKER. Representative Dan Deasy of Allegheny County is the chair of the Committee on Committees for the Democrats. As you know, Representative Bob Godshall is the chair for the Republicans, and Representative Deasy has a

Committee on Committees supplemental report dated December 11, and it says:

The following report was read:

COMMITTEE ON COMMITTEES

SUPPLEMENTAL REPORT

In the House of Representatives,
December 11, 2017

Resolved that,

Representative Snyder, Greene County, is elected a member of the Agriculture and Rural Affairs Committee.

Respectfully submitted,
Rep. Dan Deasy
Chairman
Committee on Committees

On the question,
Will the House adopt the resolution?
Resolution was adopted.

SENATE MESSAGE

HOUSE AMENDMENTS
CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to **SB 458, PN 1362**.

SENATE MESSAGE

HOUSE AMENDMENTS
TO SENATE AMENDMENTS
CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to the Senate amendments to **HB 1388, PN 1749, and HB 1431, PN 2411**.

SENATE MESSAGE

RECESS RESOLUTION
FOR CONCURRENCE

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

In the Senate,
December 11, 2017

RESOLVED, (the House of Representatives concurring), Pursuant to Article II, Section 14 of the Pennsylvania Constitution, that when the Senate recesses this week, it reconvene on Tuesday, January 2, 2018, unless sooner recalled by the President Pro Tempore of the Senate; and be it further

RESOLVED, Pursuant to Article II, Section 14 of the Pennsylvania Constitution, that when the Senate recesses Tuesday, January 2, 2018, it reconvene on Monday, January 22, 2018, unless sooner recalled by the President Pro Tempore of the Senate; and be it further

RESOLVED, Pursuant to Article II, Section 14 of the Pennsylvania Constitution, that when the House of Representatives recesses this week, it reconvene on Tuesday, January 2, 2018, unless sooner recalled by the Speaker of the House of Representatives; and be it further

RESOLVED, Pursuant to Article II, Section 14 of the Pennsylvania Constitution, that when the House of Representatives recesses Tuesday, January 2, 2018, it reconvene on Monday, January 22, 2018, unless sooner recalled by the Speaker of the House of Representatives.

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

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

BILLS SIGNED BY SPEAKER

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

HB 1388, PN 1749

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, in comprehensive health care for uninsured children, further providing for expiration.

HB 1431, PN 2411

An Act designating that portion of State Routes 54, 901 and 2023 in Northumberland County and Schuylkill County as the Honorable Robert E. Belfanti, Jr., Memorial Highway; designating Exit 18 of State Route 43, known as the Searights Road interchange, in Fayette County as the Staff Sgt. John P. Wanto Vietnam Veteran Exit; designating Exit 15 of State Route 43, known as the Old Pittsburgh Road interchange, in Fayette County as the Lance Corporal Russell W. Naugle Vietnam Veteran Exit; designating a bridge on that portion of State Route 2003 over the Yellow Breeches Creek, South Middleton Township, Cumberland County, as the Sgt. Adam C. Schoeller Memorial Bridge; designating a portion of State Route 18 in West Fallowfield Township, Crawford County, as the Staff Sergeant James Douglas Mowris Memorial Highway; designating a portion of State Route 100 from the intersection of Main Street and Tilghman Street in Upper Macungie Township, Lehigh County, to the intersection of Claussville Road and Kernsville Road in Lowhill Township, Lehigh County, as the Captain Mark T. Resh Memorial Highway; designating a bridge on that portion of State Route 18 (College Avenue) over the Little Shenango River, Greenville Borough, Mercer County, as the Greenville Veterans Memorial Bridge; designating that portion of State Route 3078 and State Route 3090 in York County from the intersection with State Route 116 to the intersection with State Route 3042 as the Private First Class Donald R. Gise Memorial Road; designating a bridge on that portion of State Route 1005, known as Church View Road, Segment 0180, Offset 0000, over Beaver Creek, South Woodbury Township, Bedford County, as the PFC/POW William G. Koontz Memorial Bridge; and designating a bridge on that portion of State Route 588 over Interstate 376, Chippewa Township, Beaver County, as the TFC Blake T. Coble Memorial Bridge.

SB 458, PN 1362

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, in general provisions, further providing for definitions; in contract carrier by motor vehicle and broker, further providing for declaration of policy and definitions; and, in violations and penalties, further providing for unauthorized operation by carriers and brokers.

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

LEAVES OF ABSENCE

The SPEAKER. The majority whip requests leaves of absence for the following members: Representative Karen BOBACK of Luzerne County for the day, Representative Aaron KAUFER of Luzerne County for the day, and Representative Jeff PYLE of Armstrong County for the day. Without objection, those will be granted.

The minority whip requests leaves of absence for the following: Representative Tony DeLUCA of Allegheny County for the day, Representative Bill KELLER of Philadelphia County for the day, Representative Maria DONATUCCI of Philadelphia County for the day, and Representative Curtis THOMAS of Philadelphia County for the day. There is also a request for Representative Kevin HAGGERTY of Lackawanna County for the day.

OBJECTION TO LEAVE OF ABSENCE

The SPEAKER. The Chair recognizes Representative Mullery.

Mr. MULLERY. Thank you, Mr. Speaker.

Pursuant to rule 64(a), I object to the excused absence of the good gentleman from Lackawanna County. The SPEAKER. Yes, sir; the objection is noted. It will be an unexcused absence, and it is the second day of unexcused absences under rule 64(a); under rule 64(a). Thank you, sir.

The leaves of absence for Representatives DeLuca, Bill Keller, Donatucci, and Thomas will be granted, without objection.

MASTER ROLL CALL

The SPEAKER. Members, we are going to proceed to the master roll. Members, please vote.

The following roll call was recorded:

PRESENT—191

Baker	English	Lawrence	Readshaw
Barbin	Evankovich	Lewis	Reed
Barrar	Evans	Longietti	Reese
Benninghoff	Everett	Mackenzie	Roae
Bernstine	Fabrizio	Madden	Roe
Bizzarro	Farry	Maher	Roebuck
Bloom	Fee	Mako	Rothman

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

ADDITIONS—0

NOT VOTING—0

EXCUSED—9

Boback	Kaufer	Klunk	Pyle
DeLuca	Keller, W.	McGinnis	Thomas
Donatucci			

UNEXCUSED—1

Haggerty

LEAVES ADDED—1

Petri

LEAVES CANCELED—2

Petri Thomas

The SPEAKER. There are one hundred and ninety-one members on the master roll. We have a quorum.

Exciting day. Members, I am going to ask everybody to please take your seats. We have guests that have really traveled some distance and we have to introduce them at this time. We are so excited to have them here, so I am going to ask all members to please take their seats. We are going to close the doors of the House. All members who are in the anterooms, please come out onto the floor and take your seats. If any members or staff need to have conversations, please take them off the floor, but otherwise, please come onto the House floor and take your seats. We are going to close the doors of the House. Thank you to the Sergeants at Arms.

GUESTS INTRODUCED

The SPEAKER. Representative Kurt Masser and Representative Lynda Schlegel Culver have brought to us some guests that have traveled I think about 2 hours, and I am going to have them stand here. They are in the rear of the House and they are with the Danville Area High School Girls Cross Country Team. Please stand. If you will please stand. They are the 2017 State championship team.

Jen, if you do not mind, after we introduce everybody, will you bring them down for a photo with the Representatives. So we will bring them up to the side here.

But as I call out your name, will you please raise your hand: Elaina Klinger, Emma Mikita, Marisa Maffei, Nikaela Haas, Grace Petrick, Rainey Oldfield, Julia Resele, Clara Coombe, Zoe Zola, and Brandi Sassaman. And then the coaches, will they please stand, Jeffrey and Melissa Brandt. The athletic director, is Ronald Knaskie here? Great. Superintendent David Price; the principal, Christopher Johns; and the assistant principal, Jeremy Winn. Thank you for coming all the way from Danville, an amazing community, and congratulations on your 2017 State championship. We are going to have you come up the aisle, and let us give them a great round of applause.

We are going to open the doors of the House, for the chamber.

From Bureau Veritas, in the back left-hand corner, we have Thomas Redlinger, vice president of industry; Ray Momsen, vice president of transportation infrastructure; Fred Zaremby, the assistant general counsel; along with Matt Lautman, who, in addition to being a practicing attorney, has been the chair of the board of trustees for Slippery Rock University. Welcome each of you. Thank you so much for being with us today.

We are going to just pause for a moment to take the photo and we will be right back to visitor recognition. These champions I think are headed over to the Senate. Lynda, Kurt, we are glad they came here first.

Representative George Dunbar has some guests in the rear of the House. We are going to let the team head out and then we are going to introduce Representative Dunbar's guests.

In the rear of the House, we welcome a group from the Level Green senior citizens center from Penn Township and Trafford, and another group of individuals from the Norwin Senior Community Resource Center from Irwin and North Huntingdon. Would you please all rise. They are in the back. Thank you so much for being with us today. We greatly appreciate having you today.

Representative Dunbar, when we have a break, if they can come up, please feel free. We would love to have some photos.

Representative Wheatley has some guests today. They are coaches from Pittsburgh's South Side Bears championship youth football team. If you will please stand: Kevin Alton, Von Madden, and Steven Edwards. Thanks so much. Congratulations. Great to have you here today, and we are going to bring you up in a little bit for some photos. Thank you very much for being with us.

STATEMENT BY MR. GROVE

The SPEAKER. Representative Grove, we are going to recognize you under unanimous consent, sir, followed by Representative Gainey. Representative Gainey, we will be doing unanimous consent for you next.

Mr. GROVE. Thank you, Mr. Speaker.

It is quite an honor to recognize Chief Arthur Smith for his forthcoming retirement from the West Manchester Township Police Department. Today Chief Smith is joined by his wife, Pam, in the rear of the House. If you could stand and we could recognize them for his dedicated service to the public.

Chief Smith began his service to the people of West Manchester Township as a patrol officer in 1976. At that time they actually did not have any standards for police. He was literally handed a gun and a badge and told to go out there and protect and enforce the laws of the Commonwealth.

He rose to the rank of detective sergeant. In 2001 he was named chief of the department, becoming one of the most respected chiefs in York County and beyond.

Under Chief Smith's watch, the department undertook community policing initiatives and organized its first National Night Out event. He was instrumental in the department's involvement in the York County Missing Child Task Force, a nationally certified child abduction response team. There is not a man in York County that cares more for the children of the Commonwealth and the children of York County; he dedicated service and his time to ensure they arrest individuals who perpetrate crimes against children. He is a true leader in York County and across the State. The protection of children is near and dear to Chief Smith's heart, and for that we are eternally grateful.

During his decades on the job, Chief Smith served the people of West Manchester Township with distinction and dignity, with professionalism and fairness. Most importantly, he served the people. The job of police officer is thankless and comes with little to no recognition of the day-to-day interactions to help citizens, but we are forever thankful for your service to the community, Chief Smith. Thank you for your 41 years spent improving the lives of so many. And to your bride, Pam, thank you so much for your service. Without your sitting at home waiting, and you never knew if that call that came in at midnight; you never knew the realities of the day-to-day service of your loving husband. We thank you for your time and your commitment, and particularly as an educator, thank you for your service to the children of York County as well. Thank you both so much for your tireless efforts on behalf of the public.

May your retirement be filled with joy and relaxation – as far as maybe the 6 hours that you have retirement, considering your future plans. May you also know you have done so much to make West Manchester Township a better place to live. Thank

you so much on behalf of the House of Representatives and the people of the Commonwealth of Pennsylvania. Thank you again for your distinct service to the people.

The SPEAKER. Thank you, Representative Grove.

Representative Grove, if you would bring the chief and his wife, Pamela, up the side here, we would appreciate it. Thank you very much.

STATEMENT BY MR. WHEATLEY

The SPEAKER. Representative Wheatley, on unanimous consent, and then Representative Gainey, you will be next.

Mr. WHEATLEY. Thank you, Mr. Speaker.

Mr. Speaker, I have the honor and the privilege to recognize these individuals standing behind me that are working with our children, and many times when we acknowledge our champions, we do not necessarily take time to acknowledge all of those individuals that have built them in their childhood, that have built them up to be the men and women that they have become, to be those champions. These three gentlemen are volunteers who work with our children each and every day, and they have made them not only champions on the football field, but they are champions as humans with good character – keeping them safe, keeping them out of trouble, and keeping them on the right path.

So I stand here to recognize these men, and I would love for you all to give them a round of applause, because again, they do it without pay, without accolades, and many times they do it in the face of really some difficult circumstances and conditions. So I want to thank them for coming here. I want to thank them for their time, and I definitely want to congratulate them on a great season on the football field and off.

So thank you, Mr. Speaker.

The SPEAKER. Representative Gainey, if you could bring your guests down the side over here and just come down this side right over here, Representative Gainey, and in the meantime, we are going to take a photo here with the chief and his wife. Thank you.

STATEMENT BY MR. GAINEY

The SPEAKER. Representative Gainey.

Mr. GAINEY. Good morning, colleagues, how are you? I want to take a minute because this means a lot to me. I have a gentleman from my colleague's district, Adam Ravenstahl's, that I think is very special. I think it takes a special type of a man to every week go to a school and read to our children. Mike Nichols has done this for at least the last 15 years, going to public schools, going to community centers, going all throughout Pittsburgh reading to our children and then explaining to them the importance of reading, even to a point where he had our children go to our senior citizen centers and read to our senior citizens. And so when you see someone as dedicated to making sure that our children can read and that they respect the next generation by making sure that they visit them and read to our seniors, it takes a special man with a special heart. So today I would like for you all to give Mike Nichols a major standing ovation for all that he does for our children and making sure that they are ready to succeed in life. Can we give him a big hand, please?

Hold on, wait a minute, wait a minute; you know, I mean, because this is how we get in trouble, right? He could not do anything without a beautiful wife, right? He could not do any of this without a beautiful wife, so let us give it up for his wife.

ALANA CASTLE PRESENTED

The SPEAKER. Representative Matt Baker is invited to the rostrum now. Matt Baker, and he has a guest. I would like her and her family to come up to the rostrum as well.

Representative Baker, the floor is yours.

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

A very good morning to all of the members. We have a very special guest with us this morning, but allow me to preface my remarks first and foremost by introducing Alana Castle's family, who are seated to the rear of the House.

Alana Castle is being honored today as Miss Teen of America, and with her is her family, and they are very, very proud of her, of course, as we all are. And when I mention your name, if you would be so kind as to stand: Jonathan and Yonna Castle, parents; and Reverend Dwayne Taylor and his wife, JanNeita Taylor, grandparents. And by the way, he is in his 60th year of being a minister, so thank you for that as well.

Mr. Speaker, Alana Castle is being honored upon being crowned Miss Teen of America, which took place on November 18, in Orlando, Florida. She is the daughter the Jonathan and Yonna Castle. Alana was named Miss Teen Pennsylvania in July of this year, and to earn her chance to become Miss Teen of America, she had to go to Orlando, Florida.

"During the State pageant, she was chosen for the title on the basis of her performance in the general awareness test and interview and the scholastic achievement, service to school and community, personal development and personality poise and projection in evening wear categories. Currently ranked first in her class at Canton High School" – is a straight-A student, by the way, and is expected to be the valedictorian of her high school as well – "Alana has competed in American Pageants' Miss Teen program since the age of fourteen, and she is an active volunteer with Big Brothers Big Sisters and Canton's Warrior Weekender Backpack programs. Her selection as Miss Teen of America and Miss Teen Pennsylvania demonstrates that she is an exceptional young person who is not only a leader, but also a positive role model for others to emulate."

I am very, very proud of the fact that she is a straight-A student and valedictorian candidate. She has already been accepted to the University of Pittsburgh main campus in the honors program, in the neuroscience program. She has quite a brain on her.

And guess what? While many of her competition were wearing dresses that exceeded \$1,000, she wore a \$55 gown from T.J. Maxx and she still won the national championship.

Let us give her a standing ovation for representing Pennsylvania and America.

The SPEAKER. If Mom and Dad and Grandpa and Grandma could come up, I would appreciate it. Just come straight down the aisle near the wall.

ANNOUNCEMENT BY MRS. HILL

The SPEAKER. Representative Kristin Phillips-Hill is recognized on unanimous consent.

Mrs. HILL. Thank you, Mr. Speaker.

I rise to share good news that our colleague and my dear friend, Representative Kate Klunk, and her husband, Jared Laird, have welcomed their first child into the world this morning, a daughter. Her name is Grace Helen Laird, and she weighs 5 pounds 13 ounces. She is 18 1/2 inches long, and both Kate and her daughter, Grace, are doing well, and Kate would like me to share that she very much appreciates your kind words, your thoughts, and your prayers.

Thank you, Mr. Speaker.

The SPEAKER. Thank you. Kate, we hope you are watching. Congratulations to you upon the new baby girl.

WESTERN PENNSYLVANIA SCHOOL FOR THE DEAF BOYS SOCCER AND GIRLS VOLLEYBALL TEAMS PRESENTED

The SPEAKER. Representative Paul Costa is invited to the rostrum. I do not know if the captains of the teams want to come down. Do we have them? Oh, great. Come on up.

Members, I would ask everybody to please take their seats. Some of the students on the championship teams are in the back, so I would ask everybody, if you would, please be seated so that they can see the proceedings.

Representative Costa, please proceed.

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

So today we are here to honor the Western Pennsylvania School for the Deaf Championship Soccer and Volleyball Teams for a very successful season. This fall the varsity soccer team and the varsity volleyball team secured the second championship title in the Eastern Schools for the Deaf Athletic Association. The ESDAA is comprised of schools for the deaf from 11 States, regulates interscholastic athletics among its member schools, and is the oldest deaf high school athletic association in the United States, which was founded in 1927.

The WPSD Varsity Soccer Team is being honored upon capturing the 2017 Division 1 ESDAA Soccer Championship for 2 consecutive years, was named the "2017 Team of the Year" by DeafDigest Sports, and was also named "Team of the Year" by the National Deaf Interscholastic Athletic Association 2 years in a row. This year their record, they finished with 16 wins and 6 losses. In addition to Dr. Farmer, who is the CEO (chief executive officer) of the school, and his interpreter, Josh Walterhouse, we are joined by the team leader and head coach, Val Wojton, and also assistant coaches George D'Amore and David Tasselli. And representing the soccer team is Chad D'Amore.

All right, so we also are here to recognize the WPSD Varsity Volleyball Team, or the Lady Lions. The team captured the ESDAA Championship for 2 consecutive years also, and was also named the "2017 Small School Team of the Year" by DeafDigest Sports, was named "Team of the Year" by the

National Deaf Interscholastic Athletic Association for 2 years, and this past year they finished with a record of 26 and 6. The team was led by the guidance of their coach, Christie Homell, and assistant coach, Andrea Aquilino. They are also represented, their team, by Cheyenne Sloan. If we may, please, I hope that we would acknowledge the players on their championship, and also the players in the back, if they can rise to be recognized.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, Representative Costa.

I am going to ask the Sergeants at Arms to close the doors of the House. We are going to be honoring a longtime public servant who has worked for the House of Representatives. Members, if you could please take your seats. Members, please take your seats.

KAREN KOUP PRESENTED

The SPEAKER. It is my great honor and pleasure to recognize and congratulate a House employee who is retiring after 40 years – yes, 40 years – of dedicated service. Karen Koup, who is seated to our left – please stand – is someone we see almost every session day recording the debate that takes place on the House floor.

Okay, Karen, none of us would have known you were here for 40 years, and we are sad for you to be leaving us. You are so gracious. You are always so wonderful to all of us here. You always have a smile whenever I come onto the rostrum and just do amazing work, and that is such a hard job.

Since July of 1977, Karen has worked as a session reporter for 11 Speakers, 8 Chief Clerks – and, Clancy, I cannot believe this – 4 Parliamentarians. She graduated from Central Penn Business School and began working for the House immediately thereafter and has worked loyally and tirelessly in the Reporter's Office for these four decades. Your recognition today amongst the members and our guests is so well deserved. While serving as a senior reporter, it has been obvious that you are a mentor and an exemplary role model for other reporters and for other staff members. Your level of dedication to this institution, the House of Representatives, but most importantly, to the citizens of Pennsylvania, is so appreciated. We cannot thank you enough on behalf of Pennsylvania's citizens, all the members that you served with, and all the staff that you served with for creating a public record – which is the most crucial aspect of a democracy; a public record – your hard work, your professionalism, and your patience – oh my goodness, the patience – in recording the debates in this House.

It is now my pleasure to recognize several of the family members and friends important to Karen. To my left, please welcome her daughter, Bryanna Koup. Please stand. These are friends that she is seated with; please stand as we announce your name: Courtney Simpson, Daris Cirillo, Donna Martin, Sharon Gilbert, Summer Miller, Tiffany Mast, and Bonnie Fuhrman. Great to have you all here. Great friends. In the rear of the House, we have her House office family, and if you will please stand as we call out your name: Jackie Frye, Ronnie Ney, Darby Jackson, Kelsey Michael, and Knox Michael. And in the front row, we have Jessica Rabuck and Abby Linard. Could you please stand.

Karen, each of us wishes you the very best as you open the next exciting chapter of your life. We understand you will be biking more, gardening, traveling, and of course, just quality time with your family.

All of you are invited to join us for a reception at 1 p.m. today in room 60, East Wing. Congratulations, Karen, and thank you.

The Sergeants at Arms will open the doors of the House.

GUESTS INTRODUCED

The SPEAKER. In the gallery, we welcome Representative Doyle Heffley's former district manager, Jean Papay, and his new district manager, Theresa Hall. Please stand. Thank you for being with us today. Thank you. They are with family members and friends, so we welcome you all, a great day here in the Capitol.

To my left, we welcome Stacey Zimmerman. Stacey is a constituent outreach specialist with Representative Judy Ward. Thank you so much for being with us today, Stacey.

UNCONTESTED CALENDAR

RESOLUTIONS PURSUANT TO RULE 35

Mr. BERNSTINE called up **HR 620, PN 2749**, entitled:

A Resolution raising awareness of spinal muscular atrophy in Pennsylvania.

* * *

Ms. V. BROWN called up **HR 626, PN 2784**, entitled:

A Resolution designating the week of December 26, 2017, through January 1, 2018, as "Kwanzaa Week" in Pennsylvania, in recognition of the cultural significance of this holiday for African people throughout the world.

* * *

Mr. IRVIN called up **HR 628, PN 2788**, entitled:

A Resolution designating December 4, 2017, as "Grange Recognition Day" in Pennsylvania.

On the question,

Will the House adopt the resolutions?

The following roll call was recorded:

YEAS—191

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

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

NAYS—0

NOT VOTING—0

EXCUSED—9

Boback	Kaufer	Klunk	Pyle
DeLuca	Keller, W.	McGinnis	Thomas
Donatucci			

UNEXCUSED—1

Haggerty

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

STATEMENT BY MR. BERNSTINE

The SPEAKER. The Chair recognizes Representative Bernstine for remarks on HR 620.

Representative Bernstine, you may proceed.

Mr. BERNSTINE. Thank you, Mr. Speaker.

Mr. Speaker, thank you also for my colleague, Representative Charlton, who is here and very supportive of this endeavor.

Thank you to my colleagues in support of HR 620 today. I am hopeful that the passage of this resolution will raise awareness for a devastating disease that impacts 1 in every 8,000 people annually, including those right here in the Commonwealth of Pennsylvania. Spinal muscular atrophy, or SMA, is a rare, genetically inherited disease affecting part of the nervous system that controls voluntary muscle movement. The result is the weakening of the muscles, including those that serve the basic functions such as swallowing and breathing. One in every 50 Americans, 1 in 50 Americans carries this as a genetic carrier. While there have been significant advances in treatments for some types of SMA, unfortunately today there is no known cure. That is why today, with this resolution, we have taken steps to raise awareness of SMA. It is critical for those affected and their families.

Today we have several SMA families with us on the House floor and I would like to take a moment to recognize them. If they could please stand as I say their names: Miss Allyson Henkel and her son, Pete; Paula Saxton and her son, Jake, and daughter, Kate; Christina Murray and her son, Omar; my good friend, Christie Barnard, here in recognition of her nephew, Cooper. If we could please give them a round of applause.

We also have two folks here that their child has passed away from SMA, and I wanted to provide special recognition for them in their fight against this horrible disease. We have Hillary Schmid, who lost her daughter, Zane, to SMA, and Tara Maida, who lost her son, Luke, to SMA. If you could you please stand as well.

These families and the several thousands of others battling SMA, they do not have it easy and each and every day is a struggle, yet here they are today working and lobbying us legislators to help find a cure for this terrible disease. In honor of those resilient families today and the thousands of others living with this debilitating disease and those who have lost their lives to SMA, we cannot thank you enough, and we are with you in your fight every step along the way.

Thank you, Mr. Speaker.

STATEMENT BY MS. BROWN

The SPEAKER. Representative Vanessa Brown is recognized to speak on HR 626.

Ms. V. BROWN. Thank you, Mr. Speaker.

The SPEAKER. You may proceed, Representative Brown.

Ms. V. BROWN. Thank you, Mr. Speaker.

Thank you to my colleagues for supporting HR 626, which designates December 26 through January 1 of 2018 as "Kwanzaa Week" in Pennsylvania. I also am joined by the members of the Pennsylvania Legislative Black Caucus and our chairman, Jordan Harris.

This is my favorite time of the year. Not only do I get to spend quality time with my family and loved ones, but I also get to celebrate my African-American heritage. Kwanzaa, which is translated to "first fruits of the harvest," celebrates seven principles of African-American heritage. Umoja, which represents unity; Kujichagulia, which stands for self-determination; Ujima, which expresses collective work and responsibility; Ujamaa, which shows cooperative economics; Nia, which depicts purpose; Kuumba, the essence of creativity; and my favorite, Imani, which represents faith.

Kwanzaa represents the resilience of the African-American spirit, from surviving the Middle Passage to overcoming slavery, and from fighting to finally have the right to vote and getting the right to elect America's first Black President.

Since most African-Americans cannot pinpoint their African origins, Kwanzaa serves as a connection to our long-lost culture. Through the celebration of Kwanzaa, African-Americans and non-African-Americans alike learn about the contributions of African culture. We learn the importance of community, self-determination, and most importantly, about being each other's keeper.

Mr. Speaker, I would like to also invite everyone to come to Philadelphia for a Kwanzaa celebration at the African-American History Museum on December 30, at Sixth and Arch. Everyone is welcome to attend and be a part of our celebration and learn about the principles of Kwanzaa.

Mr. Speaker, I want to thank you again and thank my colleagues, and also the members of the Pennsylvania Legislative Black Caucus for standing with us. And I want to wish everyone a Happy Kwanzaa. Kujichagulia.

The SPEAKER. Thank you, Representative.

GUESTS INTRODUCED

The SPEAKER. In the well of the House, we welcome Collin Gleco. Please stand. This young man is a senior at Dallas School in Dallas, Pennsylvania, and upon graduation, he plans to attend the United States Naval Academy, majoring in political science, and he has a goal to have a career in naval aviation. He is the guest of Representative Aaron Kaufer. Please give him a warm welcome to the House of Representatives.

In the gallery, as guests of Representative John Maher, we welcome members from the Pennsylvania News Media Association. Will you please stand. Thank you very much for being with us today. Welcome.

In the well of the House, we welcome some guest pages. They are the guests of Representative Stan Saylor. Carrie Rutledge, please stand, and Austin Teeters, please stand. Carrie is the reigning 2017 Pennsylvania Angus Princess and the National Junior Southdown Association Vice President Ambassador, which she has held from 2016 through 2018. She is pursuing a career as a livestock judge. Austin is a sophomore at Commonwealth Charter Academy, and he is active in both the Swine 4H and the Southern Kids Goat Club. He is the treasurer for that organization. Thank you to both of them for being with us, and good luck in your careers. Thank you.

STATEMENT BY MRS. WATSON

The SPEAKER. Representative Kathy Watson, on unanimous consent.

Mrs. WATSON. Thank you, Mr. Speaker.

Colleagues, good morning. It is a good day, certainly, because we heard about our colleague, Kate Klunk, and the birth of her daughter, Grace.

I would also like to announce an important birth of an important young lady. She will be known as the First Baby of the 144th Legislative District, where I am the State Representative, because she is the brand new daughter, born at 3:30 this morning, for my chief of staff, Sean Patrick O'Connor – yes, we are an Irish family down there – and his wife, Lori.

The new baby girl – a very feisty Irish woman, I would also mention – arrived on her own time, 9 days late, but her name is Nora Ann O'Connor.

Thank you for the opportunity to have Nora Ann's name entered into the record, Mr. Speaker, and I certainly would look forward to Nora Ann O'Connor serving one day, perhaps even as the Speaker of the House, Mr. Speaker.

Thank you very much, ladies and gentlemen.

STATEMENT BY MS. WHITE

The SPEAKER. Representative Martina White, on unanimous consent.

Thank you, Representative.

Ms. WHITE. Thank you, Mr. Speaker.

Good morning, everyone.

Today I have an announcement. I would just like to recognize someone really special in my community who has dedicated his life to public service. His name is Mr. Michael McAleer, and he is actually up in the gallery today. If you could give him a big round of applause, he definitely deserves it. So on behalf of myself, Representative Driscoll, and Representative Neilson, who is not here today at the moment. I think he just stepped out.

But affectionately known to those close to him as Mac, Mr. McAleer is celebrating his 80th birthday, and we honor this milestone, as well as his dedicated years of public service. Mr. McAleer is also an Army veteran who proudly served as a medic in the Korean war. He is a dedicated steward of his community, and he is one of the longest serving ward leaders in the city of Philadelphia. He has worked for the Senate of Pennsylvania for the past 17 years, currently serving as an administrative officer with Senator John Sabatina's office.

He is joined here today by his loving wife and children, and we thank you for your continuing dedication to serving your community, Mr. McAleer. I am proud to honor you here today. Thank you.

The SPEAKER. Thank you.

Yes, Representative Driscoll.

Mr. DRISCOLL. Michael, the holy water is still working. Happy birthday, and many, many more.

The SPEAKER. Thank you.

UNCONTESTED SUPPLEMENTAL CALENDAR A

RESOLUTION PURSUANT TO RULE 35

Mr. GOODMAN called up **HR 629, PN 2811**, entitled:

A Resolution designating the month of December 2017 as "Made in PA Month" in Pennsylvania.

On the question,

Will the House adopt the resolution?

The following roll call was recorded:

YEAS—191

Baker	English	Lawrence	Readshaw
Barbin	Evankovich	Lewis	Reed
Barrar	Evans	Longietti	Reese

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

NAYS—0

NOT VOTING—0

EXCUSED—9

Boback	Kaufer	Klunk	Pyle
DeLuca	Keller, W.	McGinnis	Thomas
Donatucci			

UNEXCUSED—1

Haggerty

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

BILLS REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

HB 584, PN 2817 (Amended) By Rep. M. KELLER

An Act amending Title 72 (Taxation and Fiscal Affairs) of the Pennsylvania Consolidated Statutes, establishing microenterprise loan programs and abating real property assessment.

URBAN AFFAIRS.

HB 1076, PN 1354 By Rep. M. KELLER

An Act amending Title 68 (Real and Personal Property) of the Pennsylvania Consolidated Statutes, in land banks, further providing for legislative findings and purpose, for powers and for disposition of property and providing for exemption from realty transfer tax.

URBAN AFFAIRS.

HB 1814, PN 2469 By Rep. M. KELLER

An Act amending the act of July 7, 1947 (P.L.1368, No.542), known as the Real Estate Tax Sale Law, in short title and definitions, further providing for definitions; and, in sale of property, further providing for repurchase by owner and providing for limitation on trusteeship and for ownership interests and responsibilities of delinquent property owner.

URBAN AFFAIRS.

BILL REPORTED AND REREFERRED TO COMMITTEE ON JUDICIARY

HB 1812, PN 2463 By Rep. M. KELLER

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in nuisances, providing for chronic nuisances.

Reported from Committee on URBAN AFFAIRS with request that it be rereferred to Committee on JUDICIARY.

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

We have a number of chairs that wish to provide us with committee announcements.

We will begin with Representative Metcalfe – waives off. I apologize. He waives off.

ENVIRONMENTAL RESOURCES AND ENERGY COMMITTEE MEETING

The SPEAKER. Chairman Maher, of the Environmental Resources and Energy Committee.

Mr. MAHER. Thank you, Mr. Speaker.

Actually, I have two announcements. The first is a reminder that the Environmental Resources and Energy Committee will be meeting immediately upon the recess. I expect it will be a brisk meeting, so please do not tarry on your way there.

The SPEAKER. The Environmental Resources and Energy Committee will be meeting immediately upon recess.

ANNOUNCEMENT BY MR. MAHER

Mr. MAHER. The second announcement is that at 12:30, the Republican Western Caucuses will be meeting in our traditional meeting room. Thank you.

The SPEAKER. Representative Causer is recognized for an announcement. He waives off.

SUBCOMMITTEE MEETING

The SPEAKER. Representative Todd Stephens is recognized for an announcement.

Mr. STEPHENS. Thank you, Mr. Speaker.

The House Judiciary Committee, Subcommittee on Courts, will meet at the break in 205 in the Ryan Office Building, relative to the Mark Reese impeachment investigation. It will be a very brief meeting, Mr. Speaker.

The SPEAKER. Thank you, sir.

The House Judiciary Committee, Subcommittee on Courts, will meet at the break in 205 in the Ryan Office Building.

APPROPRIATIONS COMMITTEE MEETING

The SPEAKER. Representative Saylor is recognized for a committee announcement.

Mr. SAYLOR. Thank you, Mr. Speaker.

The Appropriations Committee will meet at 1:30 in the majority caucus room. Again, we will meet at 1:30 in the majority caucus room, the Appropriations Committee.

The SPEAKER. The Appropriations Committee will meet at 1:30 in the majority caucus room.

Does anybody else wish to be recognized before I recognize the caucus chairs?

REPUBLICAN CAUCUS

The SPEAKER. The majority caucus chair, Marcy Toepel, is recognized for a caucus announcement.

Mrs. TOEPEL. Thank you, Mr. Speaker.

Republicans will caucus at 1:45. We would be prepared to return to the floor at 2:45.

The SPEAKER. Thank you.

DEMOCRATIC CAUCUS

The SPEAKER. Representative Dan Frankel.

Mr. FRANKEL. Thank you, Mr. Speaker.

Democrats will caucus at 1:45. Democrats will caucus at 1:45. Thank you.

RECESS

The SPEAKER. The House will return at 2:45, unless sooner recalled by the Speaker.

AFTER RECESS

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

**BILL REPORTED FROM COMMITTEE,
CONSIDERED FIRST TIME, AND Tabled****SB 497, PN 876**

By Rep. MAHER

An Act amending the act of July 7, 1980 (P.L.380, No.97), known as the Solid Waste Management Act, in general provisions, further providing for definitions.

ENVIRONMENTAL RESOURCES AND ENERGY.

BILLS REREPORTED FROM COMMITTEE**HB 74, PN 2808**

By Rep. SAYLOR

An Act amending the act of March 28, 1984 (P.L.150, No.28), known as the Automobile Lemon Law, further providing for definitions, for manufacturer's duty for refund or replacement and for presumption of a reasonable number of attempts.

APPROPRIATIONS.

HB 1124, PN 2809

By Rep. SAYLOR

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.

APPROPRIATIONS.

HB 1866, PN 2571

By Rep. SAYLOR

An Act designating a bridge on that portion of State Route 954 over the North Branch of Plum Creek, South Mahoning Township, Indiana County, as the PFC William T. Bresnock Memorial Bridge.

APPROPRIATIONS.

HB 1936, PN 2753

By Rep. SAYLOR

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.

APPROPRIATIONS.

HB 1940, PN 2779

By Rep. SAYLOR

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.

APPROPRIATIONS.

HB 1941, PN 2804

By Rep. SAYLOR

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.

APPROPRIATIONS.

HB 1942, PN 2805

By Rep. SAYLOR

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.

APPROPRIATIONS.

HB 1943, PN 2806

By Rep. SAYLOR

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.

APPROPRIATIONS.

HB 1944, PN 2807

By Rep. SAYLOR

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.

APPROPRIATIONS.

HB 1945, PN 2783

By Rep. SAYLOR

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.

APPROPRIATIONS.

SB 3, PN 283

By Rep. SAYLOR

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.

APPROPRIATIONS.

**COMMUNICATION FROM DEPARTMENT
OF ENVIRONMENTAL PROTECTION**

The SPEAKER. The Speaker acknowledges receipt of the Pennsylvania Department of Environmental Protection Report, Covered Device Recycling Act for 2016.

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

The SPEAKER. Members, we are going to stand at ease.

Our colleagues on the Democratic side of the aisle have requested some more time for their caucus, so we are going to be at ease until probably about, I think it will be probably be like ten after three we will be at ease until. Thank you.

LEAVE OF ABSENCE CANCELED

The SPEAKER. Representative Curtis Thomas is on the House floor and should be placed back on the master roll.

As I indicated, our colleagues on the Democratic side of the aisle have requested time to finish up caucus. We will probably be at ease until about approximately ten after three.

Members, please take your seats. The House will come to order. Members, will you please take your seats. Members, please take your seats. Members, I apologize, but I would ask you to please take your seats.

**FAREWELL ADDRESS
BY MR. NEUMAN**

The SPEAKER. Representative Brandon Neuman represents the 48th District and serves part of Washington County. He was elected in 2010. He serves on the Agriculture and Rural Affairs Committee, Consumer Affairs Committee, Environmental Resources and Energy Committee, Labor and Industry Committee, and Judiciary Committee. He himself is an outstanding attorney, and he is going to be leaving our chamber to head to the bench as a jurist in Washington County, in the Court of Common Pleas.

Representative Neuman and his lovely wife, Carrie, and their daughter, Josephine, reside in North Strabane Township in Washington County, and at this time I would like to give Representative Neuman the opportunity to present his remarks before he resigns from the House of Representatives.

Would the Sergeants at Arms close the doors of the House, please.

Representative Neuman, the floor is yours, my friend.

Mr. NEUMAN. Thank you, Mr. Speaker.

I have got to get used to using one of these now. I know that the Speaker probably wanted to use one of these on me a few times, including my leadership and the Republican leadership, but I truly appreciate the opportunity to address you. I will be brief.

Everybody knows, I hope, how much I respect and enjoy interacting with you and learning about your districts. First, I want to thank my staff. They helped me be a better legislator. My staff here in Harrisburg, Holly, helped me when I first got elected and through today to make sure that I was always on the straight and narrow here in Harrisburg and making sure that I knew exactly where I needed to be and what I needed to do. My staff in Canonsburg, 48th Legislative District: Jim Blue, Amber Ross, and Carla Mast. I had chief of staff, Pat Milioto, who retired a few years ago. They made me a better legislator. When you have a staff that you can rely on, a staff that knows what your priorities are and makes sure that your district prospers as much as you want it to, you have a great staff and you can focus on being a legislator. So I cannot thank my staff enough.

To my colleagues, Leader Reed, Leader Dermody – I think Leader Dermody decided to skip my farewell speech. He probably did not know what I was going to say about him. No, I am just kidding – and to Speaker Turzai, all western Pennsylvania members, I truly appreciate your friendship and giving me leeway, a lot of times, and understanding that even when you did not agree with me and I did not agree with you, that none of this was personal. It was about this institution and making sure that my district was well represented. So I truly

appreciate what you have allowed me to do in terms of being a legislator. And sometimes I know that my leadership at caucus was not always happy with me, and I am sure the leaders on the other side were not always happy with me on the floor, but it was always a genuine notion of knowing that this institution is greater than any one of us.

To former Speaker Sam Smith, he actually gave me the greatest compliment on the House floor. He brought me up one time and he said he could count on his hand how many times somebody changed his vote during the course of a debate, and it was one of the debates we had on an amendment that was somewhat controversial, and he said I actually changed his mind. So to Sam Smith, I hope you are enjoying retirement. Thank you for your leadership here in the House.

To my colleagues here, Pam Snyder is taking applications for her next buddy. I am vetting that person so get your applications in quickly – Democrats and Republicans; whoever wants to apply – get that application in quickly so that I can vet those people. Rob Matzie, Ryan Bizzarro, they were – and I am going to forget some people, so I do apologize – very close, helping me, once again, be a better legislator. Their experiences, both professionally and personally, and sharing those experiences with me, brought things in perspective from other portions of the Commonwealth and helped me appreciate what their districts are all about and what they are all about.

To all of my colleagues, you know, we have this puzzle piece of 203 legislative districts that make up this great Commonwealth, and it makes it beautifully complicated when you are talking about politics. And I know that there is always a party in the majority, and I have never been in the majority party, so I never experienced that. It kept me in shape because I always had to go up to the fourth floor and use those steps. But the labyrinth of our districts make up a top 20 economy in the world. If you take Pennsylvania and you put all of our puzzle pieces together and you look at how important each one of our individual districts is, when you piece it together and you create the Commonwealth of Pennsylvania, it is a world power, when you are talking about energy and transportation, when you are talking about ports in Philadelphia to Erie.

We have just a wonderful Commonwealth, and each one of our districts, when you bring it together, makes it that way. And you cannot appreciate somebody's district unless you talk to the expert, and we are the experts of our districts, and I have enjoyed learning about Pennsylvania. People have always asked me, what do you learn about in the legislature? I said, the greatest thing you learn about is about Pennsylvania. You learn how diverse it is. You learn that my district is very similar to areas in Lackawanna County, but very different than areas in Westmoreland County that are just 30 miles away. You learn about the individual members' families, and that is when you get to things that will allow you to compromise. When I know Representative Cutler's kids by name and I have dinner at his house – I shot a Gatling gun at his summer picnic one year – when I get to know the members on a personal basis, it becomes a lot easier to work with them on issues. But equally as important, it becomes a lot easier to compromise on issues that you do not agree on, and you will see that – you know, Representative Cutler is a great example. He and I do not agree on everything, but when we do agree on stuff, we work together; when we do not agree on stuff, we do not take it personally. We do not do enough of the bipartisan get-togethers that we should.

I got to know Ryan Aument, now Senator Aument, and Representative Cutler because I sat right behind them. And there is an interesting story with now Senator Aument, Lancaster County. First of all, I pronounced it Lan-CAST-er before I got admonished by the majority whip. When I came here, I thought Lancaster County was just cornfields and a big Amish population. Well, you know, Lancaster County is almost 600,000 people, and it is a diverse, great county, and I learned that because I talked to Senator Aument and Representative Cutler. But I went over to the Hilton, to the Farm Bureau event that we all go to, a luncheon, and Ryan Aument just became Senator, and he was holding court with God knows how many farmers from Lancaster County there, and Representative Cutler was there – I do not know if you remember this or not – and I said to Senator Aument, I said, "How does it feel? You came from the middle of the road in terms of the House of Representatives and now you're the smartest person in the Senate," and he did not – you know, he laughed, which is a good thing. But when you get to that personal level, you are able to really get things done. And now I work with Jake Smeltz over in the Senate and I work with Ryan Aument in the Senate to get things done, and that is what this place is really all about.

I would be remiss if I did not thank my family. They go through so much, as you know, when you are an elected official. And my first campaign team when I was running, and I was a 28-year-old kid that had 2 percent name recognition, and we knocked on all kinds of doors and won, to being on the five committees and being appointed to what I believe are very prestigious positions throughout the Commonwealth – that was because of my family and friends giving me this opportunity.

Pam will tell you, I get a little emotional, but I will always have great respect for each and every one of you, and I am sorry if I did not get to know you as well as I would have liked to. I am sorry if I did not get to know your districts as well as I would have liked to. But I traveled this Commonwealth, and I respect the people that bring you here, and I know that you are the expert of your district. And collectively, when you travel across Pennsylvania and realize how important we are to the world, that is when you are going to put things in perspective and understand that we have a next generation waiting, just waiting for us to lead.

So I hope that I brought some expertise to the chamber. I hope that you listened whenever I talked, most of the time. I hope that you learned something about Washington County and what I call the shining-star county in Pennsylvania. I hope that you continue to learn about your neighbors and your friends on both sides of the aisle. And when you travel across this Commonwealth, respect and appreciate that you are always in somebody's district. You are always in somebody's district when you are in Pennsylvania, and it is important that when you put all these puzzle pieces together and you erase the lines, that you look at a Commonwealth that is greater and this institution is greater than any single one of us.

I know that names fade away in this Capitol very quickly. One of my first experiences was back in the lounge, and they were talking about a Speaker of the House that had just left and I had just been elected, and I did not know who they were talking about. So when you get to that perspective and you understand that your name fades from this place quickly, and my goal is to make sure that my name fades less quickly in my district, on Main Street and Pike Street and College Street, and

whenever you have that perspective, that your name will fade a lot quicker here than it will in your piece of the puzzle, I think that it makes it a lot easier to leave. And as my football coach told me in college, sat you down and you are a scholarship athlete and they look at you and they say, first time in your life, 18-year-old kid, first time somebody looks at you and says, "You are replaceable," that puts things in perspective.

So I hope that my name does not fade too quickly in this grand hall and grand building, and I hope that it fades less quickly in my district, but I look forward to getting on the bench and making sure that you all are passing laws that are constitutional – just kidding. And if you drive through Washington County, stop and say hello, and make sure you behave yourself, because now you will have to come before me, and I would look forward to that because I will have the gavel.

But I appreciate everything that you have done for me; the friendships and learning about your districts and learning about Pennsylvania have made me a better legislator and a better person. So God bless you all. Good luck, and I hope that we stay in touch.

The SPEAKER. The Sergeants at Arms will open the doors of the House.

Brandon, family and friends in the 48th District have been served well. May you have Godspeed in your new role and responsibility.

(Commemorative gavel was presented.)

COMMUNICATION FROM INDEPENDENT FISCAL OFFICE

The SPEAKER. The Speaker acknowledges receipt of a letter on HB 1460, PN 2810, from the Independent Fiscal Office.

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

SUPPLEMENTAL CALENDAR B

BILLS ON THIRD CONSIDERATION

The House proceeded to third 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 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?

Chairman Markosek, on HB 1940, sir.

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

Mr. Speaker, HB 1940 requires an official revenue estimate when a General Appropriation Act becomes law without the Governor's signature and that appropriations in amounts above the estimate be placed in a budgetary reserve.

HB 1940 treats a symptom, not the actual problem. The problem is, House Republicans passed an incomplete budget last year without paying for it. Rather than do the heavy work, Republicans pushed it off to the Governor to make tough decisions, and then you blamed him when you did not like the answer. This bill is a backhanded way for the GOP to cut spending without having to do it themselves.

Mr. SPEAKER, I ask for a "no" vote.

The SPEAKER. Does anybody else wish to speak on HB 1940? Does anybody else wish to speak on 1940?

The leader, on 1940.

Mr. REED. Thank you very much, Mr. Speaker. I will try to be very brief.

This bill basically closes a loophole in our budgetary process that really came to light beginning 3 years ago when we started having budgets become law without the Governor's signature. When a budget becomes law without the Governor's signature, the normal process of requiring a revenue estimate to be certified does not come into play, meaning that we could go months with a budget appropriation bill that spends money as law. We do not have revenue certification, meaning the actual deficit that may carry forward from one year to the next continues to grow throughout that process.

This bill would, basically, very simply require that a revenue estimate be certified if a budget becomes law without the Governor's signature, and if there is a deficit between the revenue estimate that is certified and the general appropriations bill that becomes law, then the Governor would be required, through the Budget Secretary, to put an ample amount of money into reserve until that money is made up through other revenue means, through the legislature and the Governor's Office.

So it would just require that we actually have a budget be balanced constitutionally, as is required, even if a budget becomes law without the Governor's signature, which has been the process the last couple years.

Thank you, Mr. Speaker.

The SPEAKER. 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—116

Baker	Gabler	Marsico	Roe
Barrar	Gillen	Masser	Rothman
Benninghoff	Gillespie	Mehaffie	Ryan
Bernstine	Godshall	Mentzer	Saccone
Bloom	Greiner	Metcalfe	Sankey
Brown, R.	Grove	Metzgar	Santora

Causer	Hahn	Miccarelli	Saylor
Charlton	Harper	Millard	Schemel
Christiana	Harris, A.	Miller, B.	Simmons
Cook	Heffley	Milne	Sonney
Corbin	Helm	Moul	Staats
Corr	Hennessey	Murt	Stephens
Cox	Hickernell	Mustio	Tallman
Culver	Hill	Nelson	Taylor
Cutler	Irvin	Nesbit	Tobash
Day	James	O'Neill	Toepel
Delozier	Jozwiak	Oberlander	Toohil
Diamond	Kampf	Ortitay	Topper
DiGirolamo	Kauffman	Peifer	Walsh
Dowling	Keefer	Petri	Ward
Dunbar	Keller, F.	Pickett	Warner
Dush	Keller, M.K.	Quigley	Watson
Ellis	Knowles	Quinn, C.	Wentling
Emrick	Lawrence	Quinn, M.	Wheeland
English	Lewis	Rader	White
Evankovich	Mackenzie	Rapp	Zimmerman
Everett	Maher	Reed	
Farry	Mako	Reese	Turzai,
Fee	Maloney	Roae	Speaker
Fritz	Marshall		

NAYS—76

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

NOT VOTING—0

EXCUSED—8

Boback	Donatucci	Keller, W.	McGinnis
DeLuca	Kaufer	Klunk	Pyle

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 SPEAKER. Members, HBs 1942, 1943, and 1944 were all amended. They cannot be voted upon until 7:05 p.m., 7:12 p.m., and 7:13 p.m., respectively.

* * *

The House proceeded to third 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 third consideration?
Bill was agreed to.

(Bill analysis was read.)

The SPEAKER. This bill has been considered on three different days and agreed to and is now on final passage.
The question is, shall the bill pass finally?

Representative Markosek is recognized, followed by Representative Rosemary Brown.

Sir, you may proceed.

Mr. MARKOSEK. Thank you, Mr. Speaker.

Mr. Speaker, as mentioned, HB 1945 requires the Governor to provide additional documentation to support the need for any supplemental appropriation request, as well as recommendations for changes to effectuate relevant cost savings. Keep in mind that HB 1945 is in response to Republicans insisting upon budgets that they knowingly underfund programs in order to meet the arbitrary spend number.

Republicans should take responsibility for passing a real balanced budget up front; you in fact are the majority, you can do that. Rather than pass a partial-year budget, Republicans should pass a full-year budget. A vote for a budget is a vote for programs and services included in that budget for the entire fiscal year – not 4 months, not 6 months, not 9 months, but a full 12 months. When funds fall short, Republicans have to own up to their vote and find that money to fund that.

I would ask everybody in the room, Mr. Speaker, to please vote "no." Thank you.

The SPEAKER. Representative Rosemary Brown, on the bill, please.

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

Each year as part of the budget process the Governor requests supplemental appropriations for the current fiscal year. These requests typically reflect claimants that legally have to be paid, but the need for these requests can vary, including the growth and the need for an entitlement program or an unexpected increase in personnel costs.

HB 1945 simply would improve the legislature's ability to evaluate these requests by requiring the submission of a statement of the need for the supplemental appropriation and recommendations for cost savings or other reforms which address the cause of the need of the supplemental appropriation.

And, Mr. Speaker, the more information presented to the legislative body, the better we can understand the supplemental needs, the requests, in order to possibly minimize them or avoid them in the future, to aid in responsible budgeting and utilization of taxpayer dollars.

Mr. Speaker, I ask for an affirmative vote from the members. 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—116

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

NAYS—76

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

NOT VOTING—0

EXCUSED—8

Boback	Donatucci	Keller, W.	McGinnis
DeLuca	Kaufer	Plunk	Pyle

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 **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 third consideration?

Bill was agreed to.

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

On that, Representative Greg Vitali.

Representative Vitali, you may proceed. Oh, he is waiving off; I am sorry.

CONSTITUTIONAL POINT OF ORDER

The SPEAKER. Representative Dan Frankel, on SB 3.

Mr. FRANKEL. Thank you, Mr. Speaker.

I rise to make a motion.

The SPEAKER. Yes. You may proceed.

Mr. FRANKEL. Thank you, Mr. Speaker.

I rise to make a motion that SB 3 is unconstitutional pursuant to the 14th Amendment to the United States.

The SPEAKER. You may speak on the motion, sir. It is a constitutionality motion.

Mr. FRANKEL. Thank you, Mr. Speaker.

The SPEAKER. I am sorry, sir. Could you state the basis of your constitutional challenge again, please?

Mr. FRANKEL. The 14th Amendment to the United States.

The SPEAKER. Yes. Okay.

The gentleman, Representative Dan Frankel, raises the point of order that SB 3 is unconstitutional.

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

On the question,

Will the House sustain the constitutionality of the bill?

The SPEAKER. The Chair recognizes the gentleman, Representative Frankel, for remarks on his motion for the constitutionality.

Just if I may, Representative, before we go further. I will state it now and I will state it again. Those who are voting "aye" will be voting to declare the bill to be constitutional. Those who will be voting "nay" will be voting to declare the bill unconstitutional. I just say that so the speakers who wish to speak on the issue will know how to ask people to vote, given their perspective.

You may proceed.

Mr. FRANKEL. Thank you, Mr. Speaker.

Simply put, the passage of SB 3 would eviscerate 43 years of United States Supreme Court precedent and the due process protections of the 14th Amendment. Regardless of any one person's view of the issue, previability abortions are unequivocally and constitutionally protected, period. If this chamber would like to consider restrictions to abortion beyond viability according to the Supreme Court of the United States, those restrictions must not create an undue burden for a woman or place substantial obstacles in seeking that abortion.

Mr. Speaker, SB 3 does not just create an undue burden and a substantial obstacle for a woman; it obliterates the right to a previability abortion in its entirety. Mr. Speaker, we have seen evidence across the country that the courts believe 20-week abortion bans to be unconstitutional. Arizona, Utah, Nebraska, Georgia, Idaho, Texas – all have had 20-week bans challenged and struck down by various Federal courts. These draconian, paternalistic 20-week bans will remain rightfully unconstitutional unless one of two things happens: either the U.S. Supreme Court overturns its landmark decision, or it reverses 40 years' worth of case law about the importance of fetal viability. It has not done so, nor does it appear likely to do so.

The Supreme Court has had the opportunity to review a very similar, although somewhat less onerous, 20-week abortion ban enacted by the Arizona Legislature. It declined to do so, and the Ninth Circuit ruled that previability abortion bans are unconstitutional per se. This holding remains the law of the land. The United States Supreme Court has had the opportunity to revisit and reverse the core holding of *Roe v. Wade* but has declined to do so.

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

Mr. Speaker, it is critical to the legitimacy of the chamber and the legitimacy of the court's precedent that this bill be ruled unconstitutional. I urge the members to vote that SB 3 is unconstitutional. Thank you.

The SPEAKER. Representative Matt Baker, on constitutionality, followed by Representative Phillips-Hill, on constitutionality.

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

I rise to speak that the bill is constitutional and oppose the motion that it is unconstitutional.

The entire chain of the United States Supreme Court cases with respect to abortion has had one consistent and overriding opinion; that is, the State has the power to restrict abortions after fetal viability, and that is what this is really about. This whole debate is about viability. This holding was contained

within the *Roe v. Wade* decision in 1973 and upheld through the line of cases, including the challenge to our Abortion Control Act itself in 1992. And let me repeat that: the State has the power to restrict abortions after fetal viability.

Looking to other States, Nebraska has had their 20-week limit since 2010 and it has not been challenged. I would assert this is because those in Nebraska recognized the advancements which have been made in modern fetal medicine. We have had many advancements. I have been to the NICU (neonatal intensive care unit) unit, at Mario Lemieux's NICU unit in the University of Pittsburgh, and when you see those tiny babies all hooked up to various life-sustaining mechanisms, and then you see on the poster board their faces and their fully grown bodies after 10, 12, 15 years, it is a miracle. It is a beautiful thing to see.

I would assert this is because Nebraska recognizes the advancements which have been made in modern fetal medicine; that is, viability can begin in the 21st week of gestational age. Can all infants survive when born at 21 weeks? No. But that is not the guiding principle that has been provided to us by the United States Supreme Court. Medical journal after medical journal list survival rates for infants born in the their 22d week anywhere from 4.3 percent in a 2015 American Medical Association article to a 9-percent survival rate in the 2008 British Columbia Medical Journal. The survivability of these infants, who are born usually due to a maternal or fetal complication, making them an even more vulnerable population than the typical aborted child, is based largely on the intervention of the medical providers at the time of the birth. The 2009 American Medical Association's article on the "Intervention at the Border of Viability," demonstrates that the low survival rate at 22 weeks' gestation is more the result of a lack of intervention at birth rather than a reflection of the health of the child.

The Supreme Court approved a ban on abortions after 24 weeks, with a medical emergency exception, in 1992, in the *Planned Parenthood v. Casey* – our very own Governor at the time, a pro-life Democrat Governor at the time. The opposition would have you believe that since 1992 there have been no advancements in fetal or maternal medicine, which have increased the viability of the unborn child. We simply look to update our laws to reflect the medical technology and advancements which have improved the viability of unborn children at earlier gestational ages.

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

Thank you, Mr. Speaker. We need to defeat this motion on constitutionality.

The SPEAKER. Representative Kristin Phillips-Hill, on the issue of constitutionality.

Mrs. HILL. Thank you, Mr. Speaker.

Mr. Speaker, to reiterate the good gentleman from Tioga County, study after study are finding that babies born at 22 weeks can survive, and that is changing the abortion debate. The New England Journal of Medicine in 2015 found that a significant number of babies who were born at 22 weeks, just over 5 months of gestation, survived after being medically treated in a hospital. Previously 22 weeks was considered too early to resuscitate a baby, because survival rates were so low.

Mr. Speaker, last session when we debated HB 1948, my fellow York County colleague, Representative Kate Klunk, spoke very eloquently on the constitutionality of that measure. This bill is very similar to that bill. So, Mr. Speaker, I would urge the members to realize that this bill before us today is constitutional and to vote accordingly.

Thank you, Mr. Speaker.

The SPEAKER. Representative Mullery, I believe, on constitutionality.

Mr. MULLERY. Thank you, Mr. Speaker.

Put in its simplest terms, a 20-week abortion ban, like the one contained in SB 3, is unconstitutional – end of story. Legally speaking, fetal viability is the most important benchmark for a pregnant woman. Before fetal viability, which we all know is the point at which the fetus can survive outside the womb, it is the woman's body and the woman's rules. That is the central holding of *Roe*. Women have the right to an abortion if the fetus is not viable.

Our Supreme Court was brilliant in its silence on when fetal viability occurs. It is properly left to the decision of the physicians. Ob-gyns (obstetricians-gynecologists) recognize the threshold of viability to be no earlier than the 24th week of gestation. Clearly, then, the 20-week ban in SB 3 is in violation of *Roe*, and in turn, the Constitution.

The majority chair of the Health Committee focused, rightly so, on viability. The problem with that is that ob-gyns and established medical professionals across the globe can only tell us generally when viability typically occurs. This number in women is as individual as their fingerprints. For example, the fetus of a 14-year-old rape victim in Tioga County may reach viability at the 23d week, while the fetus of a 33-year-old professional from Erie County who planned the pregnancy with her husband may not reach viability until the 28th week of gestation. The point is that every pregnancy is different. Every gestation period is different. Therefore, any, any viability limit, like the one contained in this bill, is clearly in violation of the Constitution and established medical science, and more importantly, the Constitution.

This has been well-established, black-letter law for 44 years. This constitutional principle has been repeated over and over, and the Supreme Court and lower Federal courts have never strayed from it.

Mr. Speaker, for these reasons I ask my colleagues to support the gentleman from Allegheny County's motion and vote yes that this bill is not constitutional.

The SPEAKER. Representative Kathy Rapp, on constitutionality.

You may proceed.

Ms. RAPP. Thank you, Mr. Speaker.

I rise in support of this bill and its constitutionality. Mr. Speaker, there are several States where the 20 weeks is law and has not been overturned by the courts. In the States of Alabama, Arizona, Indiana, Kansas, Louisiana, Mississippi, North Carolina, Oklahoma, and Texas, the law is 20 weeks 6 days for viability.

Mr. Speaker, we also know that the 20 weeks has passed the U.S. House of Representatives and it is now before the U.S. Senate.

Mr. Speaker, I rise to ask the members to consider this bill constitutional. Please vote the unconstitutional down. Thank you, Mr. Speaker.

LEAVE OF ABSENCE

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

CONSIDERATION OF SB 3 CONTINUED

The SPEAKER. Members, those voting "aye" will vote to declare the bill to be constitutional; those voting "no" will vote to declare the bill to be unconstitutional.

On the question recurring,

Will the House sustain the constitutionality of the bill?

The following roll call was recorded:

YEAS—123

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

NAYS—67

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

NOT VOTING—1

Metzgar

EXCUSED—9

Boback	Kaufer	Klunk	Petri
DeLuca	Keller, W.	McGinnis	Pyle
Donatucci			

UNEXCUSED—1

Haggerty

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

On the question recurring,
Shall the bill pass finally?

The SPEAKER. Representative Frankel, do you wish to speak on the bill, sir?

Mr. FRANKEL. Yes, Mr. Speaker.

The SPEAKER. You may proceed, sir.

Mr. FRANKEL. Thank you, Mr. Speaker.

I rise in strong opposition to SB 3. The bill represents the worst of what comes before us on the House floor. I would hope we can all agree that when someone seeks medical care, they should be able to seek the safest care possible. I believe that this legislation prohibits that.

If this bill becomes law, when a woman has made her decision to have a legal abortion, her doctor could become a criminal for providing a standard, medically proven procedure. If a physician wants to do the best thing for his or her patient, they would be violating the law. If they follow the law, then they could be forced to compromise care for their patient. It defies reason, and frankly, it exceeds our capabilities as legislators. Perhaps that is why the major medical associations such as the Pennsylvania Medical Society, representing 16,000 physicians in Pennsylvania, including doctors from many fields, oppose this legislation. The Pennsylvania Medical Society's mission is explicit. They are the voice of Pennsylvania's physicians, advancing quality patient care and the ethical practice of medicine, and advocating for their patients that they serve. They promote physician leadership, education, professional satisfaction, practice sustainability, and public health. Key words there: quality patient care, ethical practice of medicine, advocating for patients, and public health.

I suspect the physicians do not want to be forced to choose between compliance with arbitrary, unnecessary barriers put in place by nonmedical professionals or doing what they know is best for the woman in front of them. We have all heard tragic stories of women who have been faced with terminating pregnancies after 12 weeks, and we are going to hear some today: the families faced with knowing that if they gave birth to a live child, its life would be short and brutally painful; the women fearful of losing the chance to grow their families and forced to continue a nonviable pregnancy. Once a woman has made her decision, this bill throws up barriers to her getting the care she has chosen by creating barriers to getting a standard medical procedure. It is part of a dangerous trend in Pennsylvania: blocking women instead of supporting them.

The fixation on limiting access for women who have chosen abortion has only increased in recent years. In 1999 when I first took office, we saw one bill designed to limit access. That increased to 5 bills in 2005, and 13 in 2011-2012. All told, since 2005 we have seen more than 40 pieces of legislation – this bill makes 45, at our count – introduced to limit a woman's access to abortion care. As someone who has tried to protect women's autonomy during my time in the legislature, I am very fearful that this bill is not the end of the attempts to block a woman who has made her decision to seek an abortion from getting medically informed, safe care. Instead, I fear it is just one more brick in a blockade between a woman who has made her choice and the care she needs.

I urge us to reject this legislation and focus on providing all women with the safe, accurate medical care they need at all points in their lives. Let us vote down this attack on Pennsylvania's women. Please vote "no" on SB 3.

The SPEAKER. Representative Judy Ward.

Mrs. WARD. Thank you, Mr. Speaker.

We heard yesterday, on floor amendments, an argument that women in this Commonwealth have been muzzled. As a woman and a nurse in this Commonwealth, I refuse to be muzzled anymore.

SB 3 is a bill that does two things, very simply. The first thing that SB 3 does is to change the timeframe in which a woman may have an abortion from 6 months to 5 months. This bill does not take away the opportunity for an abortion-minded person to have an abortion up to 5 months and 6 days in her child's life. This bill still allows for a woman to have an abortion in a situation of rape. Due to miracles and medical technology, babies are now viable earlier in their life. Surgery is now performed in the womb and outside of the womb on a baby before term.

The second thing that SB 3 does is to end the barbaric practice of dismemberment abortions. Many on the other side of this issue say this is not a medical term. Let us just call it what it is: It is a procedure that dismembers a baby limb by limb. Webster's Dictionary describes the word "dismemberment" as "to divide into parts; cut into pieces; mutilate." The United States is one of only seven countries in the world that allows dismemberment abortions after 20 weeks. My goodness, last week in the Health Committee, we were voting on legislation about tongue splitting and people were offended. They were appalled. Think about it. If we did a dismemberment abortion to animals, people would be outraged. SB 3 will save the lives of the unborn who are 20 weeks and who feel pain and are viable human beings. The bill is humane and gives these young citizens a right to be born.

Our Governor has spoken out in opposition to SB 3 saying that SB 3 is an attack on women's personal freedoms, personal choice, and personal liberties. What about the freedom of life, liberty, and the pursuit of happiness for those unborn babies?

In the short time here, I have learned that there is a lot of hypocrisy. Almost every week we hear resolutions about Black lives matter, Holocaust lives matter, lives of the disabled matter – and they all matter. They all matter, but so do the lives of the unborn. We worry in this body about animal cruelty, tethering animals, and pigeon shoots, but we are talking about human lives here.

I am here on this House floor today and able to speak to you because my mother chose life, to have me at an inconvenient time in her marriage. All of you are here because your mothers

chose life. If you have any conscience, the only vote you can make is a "yes" vote on SB 3.

Thank you, Mr. Speaker.

The SPEAKER. Representative Maureen Madden.

Ms. MADDEN. Thank you, Mr. Speaker.

My colleagues have done a remarkable job of delivering impassioned, medically sound pleas against SB 3, and I will not repeat any of what was said here today or yesterday. Besides, I am not a doctor or a medical professional and I will not pretend to be one now. What I am is a woman who was fortunate enough to come of age in the 1970s, a time in which a woman was hopeful that she would achieve equality with her male counterparts; a time, looking back, that seems more and more like the Enlightenment period or the Age of Reason when it comes to gender parity.

I admit, at 13 I was not paying close attention to the issue of abortion; however, when the Supreme Court ruled in *Roe v. Wade* that a woman had a fundamental right to make their own childbearing decisions, I learned firsthand the intrinsic value of this decision for women and equality. The Supreme Court decision was a thoughtful decision based largely on the due process clause of the 14th Amendment and the penumbra right of privacy guaranteed in the First, Fourth, and Ninth Amendments. It was a historic and ironic decision if one considers that in 1869 the Supreme Court cited the due process clause to rule against Myra Bradwell in *Bradwell v. Illinois*. The court ruled against Ms. Bradwell, denying her admission to the Illinois bar despite passing the exam with high honors. In the decision, Justice Joseph P. Bradley wrote, "It certainly cannot be affirmed, as an historical fact, that this" – the right to choose one's profession – "has ever been established as one of the fundamental privileges and immunities of the sex." Justice Bradley continued by writing, "The paramount destiny and mission of woman are to fulfill the noble and benign offices of wife and mother."

Fast-forward to 2017, and yet it feels like we are back in 1869. A handful of States have passed laws to challenge *Roe v. Wade* and undermine this important and just right granted to women 40 years ago. It is disheartening to think that the Pennsylvania State House is once more seriously considering joining these States in passing this draconian and unconstitutional legislation, which 63 percent of Americans do not want to see overturned.

For my part, I will honor the brave women who fought for our right to privacy, those who lost their lives in back-alley abortions, who died or were permanently sterilized because they neither had access to contraception nor a safe medical abortion. Mr. Speaker, I apologize; I misspoke. I am honoring the brave women and men who fought for this right, men who have realized in the past that this is not an issue just for women, and I believe they will continue to do so.

Mr. Speaker, the history is real and the fight today paramount to men and women today and for the decades to come. Therefore, Mr. Speaker, I am a "no" vote on SB 3. Thank you.

The SPEAKER. Representative Dawn Keefer.

Mrs. KEEFER. Mr. Speaker, a right, a decision, a choice: this, Mr. Speaker, is how we marginalize and dehumanize the life of a preborn baby. To sugarcoat and disguise the truth of an action that terminates a human life is absolutely unconscionable.

As people try to frame this debate in terms of women's rights, the question that begs to be asked is, what about the rights of those preborn women in the womb being exterminated? So let us be clear: it is only about some women's rights, not all.

Mr. Speaker, we are talking about 4 weeks with this legislation. The difference of those 4 additional weeks in the womb results in a preborn baby maturing to such a size that he or she must often be torn limb by limb in order to be extracted from the womb.

This is a 3-D picture of my son at 18 weeks, and I wish everybody could see it. Okay. I will retract it.

The SPEAKER. Yep. Thank you.

Mrs. KEEFER. No problem.

I wish everybody could see that face, yet this legislation would not even help him as a fully developed child. This gives a child an additional 4 – you are talking about 4 additional weeks.

At any rate, you can call it inconvenience, you can call it a choice, a decision, or a personal right if that helps you cope with the tragic action of an abortion, but make no mistake: this is a human being.

I have heard from many that abortion is not an easy decision nor something entered into lightly, and to that my response is, it should not be, and I pray to God that it is not as you are choosing between life and death.

This is a slippery, slippery slope we have been on with abortion, and the longer we stay on it, the more we normalize this tragic activity and dehumanize these precious lives. And I assure you, Mr. Speaker, the day will come that we will be on this floor debating the legality of harvesting and selling pieces of these human beings. While some might believe this to be an outlandish claim, allow me to remind everyone of the lack of a public outrage over the videos of a group that is cavalierly describing the horrific extraction methods they used in clinics to remove preborn babies from the womb in a manner that they could maintain the viability of a specific organ.

The nexus has been clearly made and demonstrated, and our failure to step in and protect our voiceless children makes us a party to the genocide taking place in this Commonwealth.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, Representative.

Representative Madeleine Dean.

Mrs. DEAN. Thank you, Mr. Speaker.

I rise in opposition to SB 3. And what has become so clear to me from this debate is where we started quite a few days ago, which was a plea for a hearing. The debate on one side of the aisle is that this is just genocide. The debate on the other side of the aisle is, did you ever listen to a patient who suffered and struggled with this time in her pregnancy?

I had the chance to speak to a patient advocate today who faced this unbearable crushing choice – I guess it was February a year ago – and I said to her, "What is the most important thing you'd want us to know?" And she said, how is it that this room full of people who seem to know exactly where they stand on this have never taken a moment to speak to people like me, people who have been in this position, that 1 percent of women who are pregnant and face an unbearable decision because of fetal abnormality? These are pregnancies that are wanted, these are children that are loved, and because of fetal abnormality discovered at approximately 20 weeks, they face a most brutal decision. And she said, how is it that no one here ever asked to

hear from me or my doctors? And how is it that you would criminalize the team of compassionate professionals, you would make felons of the doctors who cared for me and my family and my unborn child and the brutal decision we faced?

Why did we not do that? Why is it that we, a body of 80 percent men and zero percent physicians, decided for these women, these 1 percent of women? I cannot imagine it. So just a couple of reminders on the technical side – that is the personal side, the human side, the brutal reality side – we need to open our ears.

But let us remember where we are. We are in the Crimes Code, Mr. Speaker. We are not in the health code. We are not asking about protecting maternal health. We are not asking about protecting – this is not a prop. This is the bill. Excuse me, this is the bill we are debating. Take a look. It is Title 18. It is the Crimes Code. We are making criminals out of physicians who have learned their craft and their skill with expertise, with care and compassion.

In this bill there are no exceptions for rape, incest, or fetal abnormality. As I told you a day ago, pro-life members of our community have said, how could there be no exception for fetal abnormality? If we are really talking about protecting life, how is there no exception for fetal abnormality?

The fourth piece, there is an exception for impairment of an important bodily function, and yet notice what we have learned: that does not include the woman's right to protect her ability to reproduce after this pregnancy. So that if a physician comes forward and said, "If you carry this baby to term, you most likely will not be able to have another child," that is not enough to allow the woman to consider whether or not to terminate the pregnancy under the law. What disrespect for women, what disrespect for families. There is no other place in medicine that that would ever be true.

And finally, I will close with a doctor's statement, a doctor who cared for the very patient I was telling you about. "...Senate Bill 3, our ability to fully treat our patients and offer the medical procedure that is the safest for them is severely restricted, if not outright outlawed. In no other field of medicine would this be acceptable." She goes on to say, "But then again, this measure isn't about health care – it is part of a partisan political agenda." It is part of the Crimes Code. And she offers that "Nearly 99 percent of abortions in Pennsylvania...occurred before 20 weeks."

We are talking about 1 percent of pregnancies. We are talking about mothers, mothers who wanted these pregnancies, and because of some terrible fetal abnormality, face a crushing decision. How dare we stand in their shoes.

This is an unconstitutional bill. I suppose it will pass here today, but we disrespect families and mothers when we do so. Thank you, Mr. Speaker.

The SPEAKER. Thank you.

Representative Kathy Rapp.

Ms. RAPP. Thank you, Mr. Speaker.

Today we are here to consider SB 3, a bill similar to HB 1948 of last session and a companion bill to HB 77. The bill has two major components and amends the Abortion Control Act of Pennsylvania of 1989, an Abortion Control Act law that has withstood the test of time and withstood a Supreme Court decision.

The first component includes a ban on dismemberment abortions and bans abortions beyond 20 weeks gestation from the current 24 weeks gestation, or from 6 months to 5 months and 6 days.

Mr. Speaker, I believe that it is important to understand the underlying current law in regard to protecting life in Pennsylvania because it is still relevant as we consider SB 3. Mr. Speaker, in the law that stands today, the legislative intent from 1989 reads as follows: "It is the intention of the General Assembly of the Commonwealth of Pennsylvania to protect hereby the life and health of the woman subject to abortion and to protect the life and health of the child subject to abortion. It is the further intention of the General Assembly to foster the development of standards of professional conduct in a critical area of medical practice, to provide for development of statistical data and to protect the right of the minor woman voluntarily to decide to submit to abortion or to carry her child to term. The General Assembly finds as fact that the rights and interests furthered by this chapter are not secure in the context in which abortion is presently performed."

In conclusion, "Reliable and convincing evidence has compelled the General Assembly to conclude and the General Assembly does hereby solemnly declare and find that:

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

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

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

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

"A reasonable waiting period, as contained in this chapter, is critical to the assurance that a woman elect to undergo an abortion procedure only after having the fullest opportunity to give her informed consent thereto."

The last section that I will read: "In every relevant civil or criminal proceeding in which it is possible to do so without violating the Federal Constitution, the common and statutory law of Pennsylvania shall be construed so as to extend to the unborn – to the unborn – "the equal protection of the laws and to further the public policy of this Commonwealth encouraging childbirth over abortion."

Mr. Speaker, opponents of the bill say that "dismemberment" is not a medical term. So be it. It is a term that everyone understands, including those in the medical profession. In the Supreme Court case *Stenberg v. Carhart*, Supreme Court Justice Kennedy described dismemberment as the following: "As described by Dr. Carhart, the D&E procedure requires the abortionist to use instruments to grasp a portion (such as a foot or hand) of a developed and living fetus and drag the grasped portion out of the uterus into the vagina. Dr. Carhart uses the

traction created by the opening between the uterus and vagina to dismember the fetus, tearing the grasped portion away from the remainder of the body. The traction between the uterus and vagina is essential to the procedure because attempting to abort a fetus without using that traction is described by Dr. Carhart as 'pulling the cat's tail' or 'drag[ging] a string across the floor, you'll just keep dragging it. It's not until something grabs the other end that you are going to develop traction.' The fetus, in many cases, dies just as a human adult or child would: It bleeds to death as it is torn from limb from limb. The fetus can be alive at the beginning of the dismemberment process and can survive for a time while its limbs are being torn off. Dr. Carhart agreed that '[w]hen you pull out a piece of the fetus, let's say, an arm or a leg and remove that, at the time just prior to removal of the portion of the fetus,...the fetus [is] alive.' Dr. Carhart has observed fetal heartbeat via ultrasound with 'extensive parts of the fetus removed,' and testified that mere dismemberment of a limb does not always cause death because he knows of a physician who removed the arm of a fetus only to have the fetus go on to be born 'as a living child with one arm.' At the conclusion of a D&E abortion no intact fetus remains. In Dr. Carhart's words, the abortionist is left with 'a tray full of pieces.' "

Rolling back the time for allowable abortions to be performed to 20 weeks still keeps Pennsylvania and most of our nation in line with only a few countries, including North Korea and China. The majority of countries prohibit abortion after 12 weeks gestation.

And again, the Abortion Control Act reflects the need to review the 24 weeks under the definition of "viability" in section 3203. The definition of "viability" in current law reads: "Viability. That stage of fetal development when, in the judgment of the physician based on the particular facts of the case before him and in light of the most advanced medical technology and information available to him, there is a reasonable likelihood of sustained survival of the unborn child outside the body of his or her mother, with or without artificial support."

Mr. Speaker, with the advancement in technology, we hear stories right here in Pennsylvania of fetal surgeries at our Children's Hospital of Philadelphia. Medical science guides the treatment of an unborn baby as a patient capable of pain and entitled to the most sophisticated means of managing that pain. PBS (Public Broadcasting Service) aired a documentary, "Twice Born," describing this dramatic fetal surgery right here in Pennsylvania.

In Texas, Mr. Speaker, in 2016, an amazing routine ultrasound was performed at 16 weeks of an expectant mother. The doctors found a tumor that develops before birth on the baby's tailbone. It is the most common tumor seen in a newborn. Doctors advised her to terminate her pregnancy; however, Dr. Darrell Cass, codirector of Texas Children's Fetal Center and professor of surgery, told her about another possibility: fetal surgery. She was 23 weeks and 5 days pregnant. Dr. Cass described the procedure as the baby "hanging out in the air" outside of the mother's womb. He removed the baby to remove the tumor and then placed the baby back in the mother's womb. After bed rest and 12 more weeks of pregnancy, the baby was delivered full term. The doctors removed the rest of the tumor at birth and the baby is doing beautifully, according to CNN that covered this story. Members of the House and the people of

Pennsylvania, this is the type of advancement in technology we see today.

Opponents speak of forcing women to have abortions if they are told they are carrying a child with a disability. It is ironic that almost every session day we recognize in this House a group of people with certain disabilities. Indeed, in Iceland they brag about eliminating children with Down syndrome. This is a clear example of the philosophy of eugenics of Planned Parenthood, which, by the way, is under investigation right now by the FBI.

People with disabilities have contributed much to our society. Although not born with a disability, who can dispute the contributions of a Stephen Hawking or a Beethoven and numerous others today with disabilities contributing to our society, including our soldiers who suddenly find themselves with a disability, and today we see even the advancement through technology of the wonderful artificial limbs that allow our soldiers to continue living a productive life.

Mr. Speaker, I myself have a sister who was born with a physical disability, who has taught children in Head Start. And when I am out in the community with my sister, there are still parents and children who come up to her and recognize her as their loving and compassionate Head Start teacher. At one trip to the emergency room in Warren with my sister, the ER doctor looked at my sister and said, "You were my Head Start teacher." Yes, teachers touch the future, including teachers with disabilities.

And what about that other great hospital in Pennsylvania, in Philadelphia, the Shriners Hospital? I must say, one of the most heartwarming commercials that I have ever seen, this little boy who uses a wheelchair sharing the loving, compassionate deeds of the Shriners – and, oh, by the way, my sister spent months at that very same hospital that enabled her to live a productive life.

And, Mr. Speaker, let us not forget people with disabilities like Gianna Jessen, who was born in the 30th week of pregnancy during a failed saline abortion. Her birth certificate is signed by the doctor performing the abortion. She was born with cerebral palsy after the botched abortion. She has testified at a congressional hearing investigation of Planned Parenthood, and now the U.S. House of Representatives has passed a 20-week limit on abortion, and the bill is now in the U.S. Senate.

After 60 million abortions in this country since the *Roe v. Wade* decision in '73, it is time, Mr. Speaker, to look at the gruesomeness of this dismemberment practice and recognize the technologies that allow many babies born at 20, 21, 22 weeks to survive and thrive.

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

And, Mr. Speaker, let not the PA House of Representatives be insensitive to the principles of the sanctity of life. Please vote for life today. Thank you, Mr. Speaker.

The SPEAKER. Representative Pashinski.

PARLIAMENTARY INQUIRY

The SPEAKER. Yes. For what purpose do you stand, sir?

Mr. STEPHENS. Parliamentary inquiry, Mr. Speaker.

The SPEAKER. Yes, sir.

Mr. STEPHENS. This is a very important debate, and I believe we should conclude this debate at some point. My question is, as it relates to a special order of business, at what point would that motion be in order?

The SPEAKER. Not while we are on the bill.

Mr. STEPHENS. So immediately upon the conclusion, immediately upon the vote of this bill?

The SPEAKER. It could be. I have to see who else gets up to speak, but we will see.

Mr. STEPHENS. Well, is it in order—

The SPEAKER. Right now what we have in front of us is SB 3. That is the only thing I can tell you. I cannot rule on a special order of business at this time.

Mr. STEPHENS. Right. I am just asking when you could. It would be as soon as the vote is taken on this bill, right? That is the next opportunity to make a special order of business?

The SPEAKER. At this time we have SB 3 in front of us and we have to conclude this.

Mr. STEPHENS. So you cannot answer my question as to when it will be in order?

The SPEAKER. If you want to just come up. We do not speak in abstracts from the Speaker's rostrum. It is, when it happens, we make a ruling.

Mr. STEPHENS. It is not an abstract question. It is when, when will it be in order? That is not in the abstract. That is a direct question. When?

The SPEAKER. Sir, if you want, you can come up and talk to the Parliamentarian. I am sure he will be glad to discuss it with you.

At this time we are going to continue with SB 3.

Mr. STEPHENS. Well, respectfully, I would like to be recognized immediately upon the vote of SB 3.

The SPEAKER. Please come up and speak to the Parliamentarian.

(Conference held at Speaker's podium.)

The SPEAKER. And our next speaker is Representative Eddie Pashinski.

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

As we gather here today, we heard one of our colleagues talk about the relationships that we have amongst each other, and it is certainly obvious—

The SPEAKER. Sir, please suspend. You are entitled to be heard.

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

We have about 20 more speakers.

Representative Pashinski, the floor is yours.

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

Once again, this is one of the most complicated human, heart-shredding issues that I think we will ever face. We hear one side of a position and we draw some conclusions. We hear another side of a position and we draw different conclusions.

Today I want to just share with you one of those stories that the gentlelady from Montgomery had talked to you about earlier, and that is what it was like for a family to have to go through a decision relative to the life and condition of a baby. I know this family. I know the mother and father well. I see the mother on a regular basis.

The daughter falls in love. I have indeed the pleasure of being invited to the wedding. We see a beautiful couple, completely in love, looking forward to the time when they can—

The SPEAKER. Members, please take your seats. Members, please take your seats. Members, please take your seats.

Representative Kavulich is entitled to be heard. Excuse me; Representative Pashinski is entitled to be heard. Representative Kavulich is next to speak. I apologize.

Representative Pashinski is entitled to be heard.

You may proceed, sir.

Mr. PASHINSKI. Thank you once again, Mr. Speaker.

Again, I think that this particular subject has got to be one of the most difficult things we will probably ever have to vote on.

But as I go on with the story, I tell you that after they got married and they tried to develop their family, build a family, they were relieved and overjoyed with the fact that they had become pregnant. The wife had become pregnant. Both families were exuberant. It would be the first grandchild. The chatter was unbelievable, and the chatter amongst the women was especially appropriate, because we all know that women have the instinct of taking care of children so different than that of a male. The women began talking about what that woman should do. What should that young girl do? What to do, what not to do. What to eat, what not to eat – all excited about making sure that they work together to make sure that that mother did everything possible to make sure that that child would be healthy.

And as time went on, the excitement continued to grow. And then they found out it was going to be a boy. That was big. The name would be carried on. And as time went on, the excitement continued to grow as they began to think about things like selecting a room, a color blue. What would it be like? What kind of bassinet? What kind of toys? The joy was incalculable.

And then they began to discover there were some problems with this child. They were not sure what it was, so after about right around week 20, they did an anatomy scan. And when they did that anatomy scan, they discovered that that child had spina bifida. He was blind. He was deaf. He was paralyzed from the neck down. The spinal column was open from the top of the back to the bottom.

They were devastated. Reached out, what can we do? Then they talked about CHOP. We are going to go to the Children's Hospital of Philadelphia. And a term I never heard before, the term was, maybe we can do an "out-of-the-womb" surgery, taking the child out of the womb and trying to operate on that child and then placing it back in the womb so that it could grow. It was determined that the lesion was so large that it was impossible. So what choice do they have now? What choice do they have now? Do you carry that baby to term, a baby that has

no chance of any quality of life, never see or hear the parents, may only survive for a day or two, or do you terminate? That family went through incredible anguish.

I do not know how many of you have ever had to make a decision to turn off some life support. It is the most excruciating decision you would ever have to make. This is not easy stuff.

I do not understand how the PA Medical Society could then be against this bill if it is so good. I do not understand how the PA congress, the society for obstetricians and gynecologists could be against this bill.

I am not a doctor. We are trying to find the right thing to do to protect the life of the mother and protect the life of the child. In this case, those parents, after a grueling 2 weeks, chose to terminate. They will live with that for the rest of their lives. We may live with this for the rest of ours as well.

I am not going to say what you are going to do or what you are not going to do. All I know is, I am not a doctor. It is difficult for me to vote against the experts that tell us, that work every day to save every life, to never question anything, and do their best to do no harm, to save everyone.

Thank you, Mr. Speaker.

The SPEAKER. Representative Sid Kavulich.

Mr. KAVULICH. Thank you, Mr. Speaker, for the opportunity to speak here today.

What I have to say or what I could say is not going to change anybody's mind, but I really wanted to get up here and speak to relay why I will support this bill when it comes time to vote.

In 1980 my wife and I got married, had hoped to have a family. We went 7 years, had no children, went to the doctors, and we were given no reason why we were not having children, but we just, no matter how hard we tried, did not have any. And in those 7 years, we grew apart from all of our close friends who had families because it hurt so much that no matter how hard we tried and no matter how much we wanted children, we were not blessed with any.

So we decided to go for an adoption. Just so that I do not bore you with all of the facts, after a few months, I was home, received a phone call that we had a match, that a little girl was born in South Korea and we were going to be the proud parents of that child, who was born on November 10. November 10 was the birthday of my sister, who died at 31 years old of breast cancer.

If a woman in, at that time, Pusan City, South Korea, decided to abort that child, I would not have a 30-year-old daughter today, I would not have a 6-year-old granddaughter by the name of Myah, and I would not have a 1-year-old granddaughter by the name of McKenna, whom I absolutely adore and whom I would do anything for. I would suffer any unspeakable disease, tragedy, anything for them. I would gladly give up anything for them.

Fast-forward now to about a year or so later, my wife gets pregnant. We are thrilled. The pregnancy is going along. Suddenly my wife develops problems and loses the infant. We were devastated. Shortly after – we attribute it to the will of God – shortly after that my wife gets pregnant again, carries to term my daughter, Ariel. Soon after that my wife gets pregnant again, my son Zachary, who just recently graduated with a mechanical engineering degree from Drexel.

So I have had the opportunity to see it from both sides. And by the way, we went from a couple who was trying to have kids to a couple who was careful we did not have too many kids. But

I have a wonderful family today, and again, I have seen it from both sides – adoption, not being able to have children, losing children.

I also have a cousin, and I am going to tell you her name so you do not think that I am making any of this up. Her name is Marge Sawicki. Marge got pregnant and found out that her child, 57 years ago, would never walk, would never speak, would never be able to do anything for himself, but she did not abort David, her son. David was born, and my cousin, Marge, took care of David until he died about 2 months ago at the age of 56. And not once during that entire time did I ever see her with anything but a smile on her face. She took care of him, she bathed him, she dressed him, she fed him. He never spoke a word, never was able to relay a thought, never was able to take a single spoonful of food by himself or walk a single step, yet she had that child and she took care of David without a complaint. And if there is such a thing as saints walking around on this earth, my cousin, Marge, is one of those.

So again, I am not up here to argue why this bill is good, why this bill is unconstitutional or constitutional. I am just up here to say that I have seen it from all sides and I will support this bill when it comes time for a vote.

Thank you for taking the time to listen to me. Thank you, Mr. Speaker.

The SPEAKER. Representative Ed Gainey.

Mr. GAINNEY. Thank you, Mr. Speaker.

Thank you, Mr. Speaker, for giving me this opportunity to talk to you.

I just want to know when enough is enough? I think that as we go around and we take a look, we have to be careful, because we continue to make it difficult and we always seem to infringe on women's rights. We should give women the right based on their family composition to decide whether they should have an abortion or not. There are many cases that it only can be seen through a woman, her doctor, and her priest, rabbi, or whoever her spiritual counselor is. If a woman is raped, you have got to ask yourself, should that woman not want to have a baby because she was raped? Is that a choice that the General Assembly should make, or is that a choice that should be defined by her, her doctor, and her spiritual adviser? If the baby is born with some type of deformity that they do not believe that they can handle, should the General Assembly be the body that talks about whether that young lady should have an abortion or not, or should that be in the context of her spiritual adviser, her husband, and herself to decide what is best for her family?

We have a system that says that we have to always abide by an ideology of what we believe is right for people. Who are we to restrict the right for people if people want to put their family first and determine what they need to do in the best interest of their family? We have this ideology behind religion and say we are doing it from a religious point of view, but the best religion that we can give people is faith, the faith that they can sit down with their religious counsel, the faith that they can sit down with their doctors and be able to describe what is best for their family. That is faith, not by an ideology that is hidden by religion and say that this is how we should live our life. Every rule that applies to somebody may not apply to somebody else. We take and restrict the right of women to be able to choose what they want to do, but we have to be able to give them the right to be able to do what is best for their family.

We have sat here and talked about doctors; now we want to make them criminals. We want to go back to a prehistoric time when things were happening in an alley. What good is that if someone is having an abortion in an alley without the right context, the right doctor, the right procedure to make sure they are okay? We have to be careful in this body that we do not put an ideology on everybody and say that everybody has got to live like this. There will always be family decisions that are made between a doctor, a spiritual counselor, and that mom, and we should honor and we should respect that, because if we do not, then we get into deciding what rules and regulations on how people should live and then we want to put felonies and misdemeanors on them. Now they cannot practice medicine, now they cannot do that. Stay out of their bedroom and let the spiritual counselor and the family deal with what they have got to deal with.

There are a lot of different things that happen in America and in the families that we do not control. There is no one medicine cure-all. There is no one policy to cure all. But what we should do is be given family first, the family decision to make sure that they can sit down and make the best decision for their family. The General Assembly, hear me. We cannot continue to make laws as if they are going to govern everybody in America. Every family is different, and we cannot be restrictive to women. Let us empower them, give them the ability to have choice, because at the end of the day, between them, their doctor, and their spiritual adviser, they know what is best for their family.

I oppose SB 3 because there is no restriction that we should be talking about that puts the rights of women in jeopardy, to do what was right for their family. Please join me, Mr. Speaker. Please, enough is enough. We just continue to create these laws that go against families for an ideology that does not even exist and then we hide behind the cloak of religion like we are doing something that is correct. There is nothing correct about restricting women to choice, and if we do not begin to understand that as a body, we will want everybody to live as one, and we cannot, because we all come from different makeups, different families.

So I oppose SB 3. I ask you, with all that I have in me, to vote it down and let women have the choice to be free and make a decision that is best for their family. Thank you.

The SPEAKER. Representative Kristin Phillips-Hill.

Mrs. HILL. Thank you, Mr. Speaker.

Mr. Speaker, there have been many arguments put forth with regard to this important piece of legislation, and I think that it is really important to share with my colleagues what in fact is contained in SB 3.

Mr. Speaker, this legislation does not prohibit an abortion if a woman is raped or is a victim of incest, because a woman can still seek an abortion at any point in the first 5 months and 6 days of a pregnancy. Mr. Speaker, this legislation does not change the protections in current law for the health of the mother. This legislation does not force a woman to carry to term a miscarried or stillborn baby, because as defined, a dismemberment abortion is banned only when it causes the death of the unborn baby. A doctor can still use a saline solution to kill the baby and then go forward with the procedure.

Mr. Speaker, dismemberment abortion is completely inhumane. It is barbaric; it is cruel. We do everything that we can as a society to ensure that convicted criminals receive the most humane death possible when they receive the death

penalty. Why can we not ensure that the smallest and most vulnerable who cannot even speak for themselves receive the same kind of humane treatment?

Mr. Speaker, I urge my colleagues to support SB 3. Thank you.

The SPEAKER. Representative McCarter.

Mr. McCARTER. Thank you, Mr. Speaker.

Mr. Speaker, there are no simple answers on this issue, there are no single answers on this issue, and there are no broad brushes that can cover all circumstances. We have heard much of that already today. We have heard many of our members say, "We're not doctors," and surely, we are not. We did not spend 4 years in medical school. We did not spend 4 years in residency. None of us are ob-gyns. None of us have faced that situation directly, and very few of us have really had the experiences of what we are talking about today, even though we have lived them through friends and family.

What we have to do in this particular circumstance – and again, as I say, there are no single answers – is our own life experiences, our own study, our own reading of how we look upon this issue that has been with us not only personally but within the confines of our country now for almost a half century. We know that the Pennsylvania Medical Society and that the American College of Obstetricians and Gynecologists are opposed to this bill for medical reasons. We know that there is much opposition from many social groups. We know there is much support from various religious orders and from very many other groups throughout the country.

It is abundantly clear, however, when one looks at this issue, that, unfortunately, what this has come down to is not what is best through medical science or what is best for the health of a woman. In fact, what we have is an ideological struggle. Medical decisions about reproductive health, especially given the complex circumstances often accompanying second-trimester abortions, should be made by an individual woman in consultation with her family, with those that she trusts most – her physician, her pastor, her rabbi, her friends. It should not be made by us, but unfortunately, we are left with that decision for each of us today.

This bill, unfortunately, is about ideology. It is about overturning *Roe v. Wade*, and we have seen that over the past several years, past decades, we have seen the eradication of various elements of that particular decision made back in the 1970s, incrementally limiting its ability to allow legalized abortion one bill at a time, and with this bill, we see it one more time, and that is really the point.

So let me give one case study, though, that I have become familiar with. A story of Amanda, and showing again, unfortunately, that there is no single answer. Amanda had two beautiful daughters. She found she was pregnant back on Tuesday, February 11, 2014. She was thrilled. She would have another child to go with her two beautiful daughters. On March 27 of 2014, she heard her little baby's heartbeat for the first time – a thrilling thing that those of us who are parents remember and will always remember. Around week 12 she had the opportunity to have a new test done to check for genetic disorders. It was a blood test where the baby's DNA, of course, was taken from her bloodstream and analyzed, the test checking for Down syndrome among other abnormalities. And since they were already looking at DNA, they were able to find out, also, the sex of her baby, which was a little girl, a third daughter.

Week 20 arrived, and that is an important week, as we know in this particular bill. Week 20 arrived and she, unfortunately, had a trip to San Francisco because of work and she pushed back her ultrasound for a week. She was figuring there was no rush. Everything in the pregnancy had been going marvelously. And when she came and got the results of the ultrasound on June 3, the two techs who were taking the ultrasound came back after a period of consultation and told her, unfortunately, they could not get good photos and that she needed to reschedule for a follow-up, which she did within a week and consulted with her perinatologist. And after that scan, in the next 5 weeks, several more scans, she found that in fact the baby had major problems. She was told there was a blockage or some sort of twist or crimp in the intestine, and again she needed to go to CHOP in Philadelphia for further diagnostics.

She remained optimistic, but on June 16, 2014, after a full diagnostic appointment and tests at CHOP, she found she could not be optimistic anymore. She found that in fact the baby had calcifications in every major organ, huge black empty spaces where her brain should have been, and still that bright echogenic bowel problem. The doctor explained that the baby had contracted a virus, CMV (cytomegalovirus) for short. She did not know what to think. She asked her doctor what the options were, and the doctor suggested there were not many. Wait it out and wait for her child to die on her own or either before birth or shortly thereafter. How could any of us feel what she was going through at that time?

They talked, she and her husband, along with her friends. They got opinions, they made lists, and they tried to find other ways to find confirmation of what was going on, which they did, and again, everything was confirmed. They made a decision. They started making calls to clinics. At that point she was in her 26th week of pregnancy, because Pennsylvania, of course, banned abortions after week 24. Luckily she was able to drive to Maryland, which is not a flight away, and spent 4 days at a hotel completing that abortion procedure in an outpatient facility. And as awful as this experience was emotionally and physically, it could never be as bad as what her baby was experiencing from that virus.

It took an emotional toll on her, it took an emotional toll on her family and her friends, but as Amanda said after in recanting her story, she could not imagine how many more women will be impacted in the same way she was with a 20-week ban, especially since a 20-week anatomy scan is really when these serious medical issues are just beginning to be discovered.

There are no simple answers to the questions before us, but the question ultimately comes down to who should make that decision? Should that decision be made by the mothers, by the parents, by the doctors, by spiritual advisers, or an Assembly of legislators? I believe that the good judgment of people and families is still the right place to be.

This bill is not about good medicine; it is about legislative overreach. I will be voting "no" on SB 3, and I hope you will as well.

Thank you, Mr. Speaker.

The SPEAKER. Representative Rick Saccone.

Mr. SACCONI. Thank you, Mr. Speaker.

I would like to add some perspective to this debate after listening to some of my colleagues' arguments, both here today and in committee.

I just remind you that next to the Apotheosis is the reading of our Declaration of Independence, where it says that we are endowed by our creator with certain unalienable rights, among them life, life. "Endowed" means it is given to us, not by the government, but by our creator. That is where our human dignity comes from. It comes from the creator. It is an endowment. It is not an achievement. "Unalienable" means it cannot be taken away by man. It is a right given to us by God, yet there are those who would take that life away on a whim or out of convenience.

For those that said this is an attack on women, this bill is an attack on women, I say, what about the innocent women in the womb? For over half of those 60 million babies that we have lost, more than half of them are innocent women.

I have heard the argument here today, "Well, we have to make these decisions for the family, what is good for the family." That baby is a part of that family, but it has no voice. Who will speak for that baby?

And for those who say that abortion is just health care: those so-called safe abortions of Dr. Gosnell were just as deadly for his patients as they were for the babies themselves.

You know, we hesitate in our culture to take a life after the most heinous crimes, unspeakable acts, one man against another. After a trial by jury and a decade of appeals, we go through this process and we still worry about taking an innocent life, wringing our hands about taking an innocent life. Yet where is that concern, where is that justice in taking this innocent life without any trial? Where are the notice of charges? Who is the legal defense team defending this person, this innocent person? Where is the process of appeals to higher courts? We are endowed by our creator with certain unalienable rights, among them life. Where is their champion?

You know, I was raised on Scripture, and I invoke my right here to appeal to the Word of God for perspective on this decision. Now, before anyone objects, just remember, the first line of our Constitution shows that our Founders invoked God's guidance when they were writing that Constitution. And so there are many valuable lessons in Scripture, and I want to share at least two of them with you today. I think it will help inform our discussion and our debate. And also remember, endowed by our creator with certain unalienable rights, among them life.

Recorded in the Book of Genesis, chapter 25, in verse 23, God performed the first sonogram. Now, you thought the sonogram was a modern invention of modern science. No, God performed the first divine sonogram in Genesis 25. It says there, God looked into Isaac's wife Rebekah's womb and said, "Two nations are in your womb, and two peoples from within you will be separated; one people will be stronger than the other, and the older will serve the younger." You see, these were people in her womb. God knew their names. He knew their future. He knew their purpose. Yes, a child is not a blob of goo, Mr. Speaker; it is a person with a divine destiny. Oh, thank God that Rebekah did not decide to snuff out the lives of those two children in the womb that day. It would have changed the course of history.

But even before that, in Genesis 4, you know the story of Cain and Abel, and when Cain kills Abel, God said to him, Cain, Cain, "What have you done?...Your brother's blood cries out to me from the ground."

You see, innocent blood has always had a voice in heaven and earth, yet innocent blood is crying out as it travels down the floor drains and sinks and toilets of America today after these

abortions. Endowed by our creator with certain unalienable rights, among them life. Have we become so callous, so insensitive, so selfish that we would ignore the pain of these innocents? And yes, they feel pain at 20 weeks. We know that. They feel pain.

I encourage members to soften their hearts. You know, it is the instinct of man to be a hero, to be loved by others. We all want it. Now, there are many ways to become a hero. You could see a child locked in a hot car and you could go up and break the window and rescue that child. You would be a hero. Not many of us get that chance. Now, you could see a youngster struggling in the water and you could swim out to save that youngster. You would be proclaimed a hero. Not many of us get that chance. Or you could rush into a burning building and save a baby from the perilous flames. People would cheer you. You would be on the news that night, but not many of us get that chance. And there are others of us that would remain bystanders to that baby caught in the fire, and if you watch the baby burn and die in a fire, the burden of that and the burden of those cries might haunt you the rest of your life. But everyone in this room can save a baby. A kind word of encouragement to a young woman at the proper time might do it. Yes, everyone in this room can save a baby today by voting for this bill, and the cries of those innocent babies are making their way to heaven and the burden of them should weigh on all of us as bystanders.

Voting "yes" on this bill will free you from that terrible burden. Free yourself. Help free some young woman from that terrible decision. All that you have done from your birth until now may not matter as much as what you do today. We cannot be bystanders to this terrible injustice. You know, a wise man once said, "Choosing right over wrong, ethics over convenience, and truth over popularity...these are the..." decisions "that measure..." a man's "life."

I said it on this floor many times and I will say it again: there is never a wrong time to do the right thing. In our modern culture of greed and selfishness, there is a cause greater than self, a cause greater than any group. I believe that this is that cause – protecting those who cannot protect themselves, those who have no choice and no champion to stand in their defense. Let us make our name as that champion here in this Assembly today. Go ahead, save a baby. People will cheer you for it and God will bless you for it. Vote "yes" on SB 3.

Thank you, Mr. Speaker.

The SPEAKER. Representative Krueger-Braneky.

Ms. KRUEGER. Thank you, Mr. Speaker.

I rise today to join my colleagues in opposition to SB 3, the most restrictive abortion ban in the country. The Book of Isaiah, chapter 10, says this: "Woe to those who make unjust laws, to those who issue oppressive decrees, to deprive the poor of their rights and withhold justice from the oppressed of my people, making widows their prey and robbing the fatherless." That is from the Book of Isaiah, chapter 10, verses 1 to 2.

Mr. Speaker, I rise today in opposition to this bill because I believe it is an unjust law. SB 3 is the most restrictive abortion ban in the country, with no exceptions for rape, no exceptions for incest, and no exceptions for tragic fetal abnormalities, many of which are not found out until an anatomy scan happens after 20 weeks. And because the Republicans in this chamber have repeatedly refused to hold one public hearing, the voices of women and doctors who would be impacted by this bill have not been heard in this chamber, so we must be their voices.

I sat with women in my district in Delaware County earlier this year who had faced the gut-wrenching decision of a second-trimester abortion. All of these women were pregnant with pregnancies they desperately wanted, with children they wanted to carry, and all of them found out after 20 weeks that they were carrying pregnancies that were not viable. One of them is Michelle. Michelle found out that she was pregnant with her third child in May of last year. She already had two children, 4 and 9, and was very excited about her pregnancy. She told me this: "Everything seemed normal until after my anatomy scan. The doctor asked us to come into his office. He told us at the time that our baby might have some extra urine in his bladder and kidneys, but he did not seem too worried about it. He said there might be a partial urinary tract obstruction, but that they still saw enough amniotic fluid," and he wanted her to follow up every 3 or 4 weeks.

Well, Michelle went back to see her doctor when she was 22 weeks pregnant for another ultrasound. At that point, the ultrasound showed that the kidneys and bladder were very dilated and the amniotic fluid had dropped significantly. She was sent to the hospital, where the baby was diagnosed with a lower urinary tract obstruction. The doctors explained what was going on. The outcome was not necessarily going to be good, but there was still hope. They were prepared to deliver a child with medical problems who could face future surgeries, except when they went for a follow-up procedure, a bladder tap, they found that his kidneys were not functioning at all and the amniotic fluid was almost gone.

She waited another few days, praying and hoping that something would change and a treatment could be found, but at almost 24 weeks, she learned that this pregnancy was no longer viable and she could either decide to terminate the pregnancy or give birth to a child who would die in pain shortly after delivery. Michelle faced a challenge that none of us ever want to face, but should we as legislators be making that decision for her and her family? She made the decision with the support of her doctor and her family, and that is where these decisions lie, not in the legislative chamber of the Pennsylvania House of Representatives.

I could also tell you about Katie, from Delaware County, who learned at 22 weeks and 3 days that her baby had malformations in the brain, a hole in the heart, and undeveloped major organs – again, a pregnancy desperately wanted that was no longer viable. Or maybe Hannah, who learned at 21 weeks that her baby had a large hole where the developing brain should be – not a viable pregnancy.

Mr. Speaker, I share these stories on the House floor because they have not had the ability to be shared anywhere else in this House of Representatives. We are forcing a vote on a bill with not one public hearing, with no exceptions for rape or incest or tragic fetal abnormalities. So let me say again, "Woe to those who make unjust laws, to those who issue oppressive decrees."

I ask my colleagues to join me today in voting "no" on this unjust bill.

Thank you, Mr. Speaker.

The SPEAKER. Representative Steve Bloom.

Mr. BLOOM. Thank you, Mr. Speaker.

Mr. Speaker, we vote on many important bills in this Capitol, bills with important consequences for real people in their real lives. But seldom do we have the opportunity to directly spare, by our simple votes, seldom do we have the opportunity to spare

the most innocent, most vulnerable of our brothers and sisters from pain and suffering and death just by our simple vote.

But today we have that opportunity. Today, by voting for SB 3, we can stand for the least of these. We can stand for our innocent children, our innocent unborn boys and girls, and we can save them from pain and from suffering and from death, and I would ask the members to join me in voting "yes" for SB 3.

Thank you, Mr. Speaker.

The SPEAKER. Representative Mary Jo Daley.

Ms. DALEY. Thank you, Mr. Speaker.

I rise in opposition to SB 3. I am not here to argue against any decision made by a woman to carry a pregnancy to term. I respect their decision. I do rise to stand in support of a woman who is faced with the terrible decision, who learns that the fetus inside her body, a fetus with a fatal anomaly that she learns about during an ultrasound; I do not want to limit that woman's options as she and her family struggle to make a decision on what is best for their family. I respect the right of that woman to make a decision. I have listened to these women tell their stories and it is clear to me how very difficult their decisions are.

SB 3 does not protect women. It attempts to control them by imposing the views of some legislators on women, and I think that is wrong. I think that is morally wrong.

I wanted to share words written by Dr. Willie Parker, a man who is deeply religious, a doctor who performs abortions and who writes about the conundrum that this presented to him in his book, "Life's Work: A Moral Argument for Choice." Dr. Parker writes that "...the miracle of life is not some ordinary meeting of sperm and ovum – a morally neutral, purely biological event – but the agency and the responsibility that come with being able to participate with God in a creative process. God is not human. God is not on the planet. God does not have babies or make babies; people do. As part of a greater intelligence, as a lover of beauty and creativity, God made the world. And sexual reproduction is part of a collaborative process – between a male and a female and between God and humans. In that process, all distinctions disappear. God has no hands but your hands. God has no ability but your ability. That is what the Bible means when it says that you are God's child.

"And if you look at it that way, if you set aside the idea that God is like Siri, telling you to go left or to go right, then the whole business is sacred. All of it. A pregnancy that intimates a baby is not more sacred than an abortion. You don't become sacred, like Mary, just because you conceived, and the termination of a pregnancy is not the resolution of an error. It is merely one of the reproductive outcomes. So is miscarriage. So, now, is surrogacy and in vitro fertilization – all these are on a continuum and they all hold moral weight. The God part is in your agency. The trust – the divine trust – is that you have an opportunity to participate in the population of the planet. And you have an opportunity not to participate. Is God vested one way or another in whether you, as an individual, become pregnant? No. Is a pregnancy sacred because there will be a baby, ultimately, in a bassinet, beautiful, maybe the next Obama? No. The process is bigger than you are. The part of you that's like God is the part that makes a choice. That says, I choose to. Or, I choose not to. That's what's sacred. That's the part of you that's like God to me.

"The procedure room in an abortion clinic is as sacred as any other space to me, because that's where I am privileged to honor your choice. In this moment, where you need something that

I am trained to give you, God is meeting both of us where we are."

These words really spoke to me, because it kind of fits with where I am, I guess. And I am really offended that those of us in the legislature think that we can make a choice for every woman in every pregnancy, no matter what the situation is.

So I appreciate the opportunity to share my thoughts with you. I hope that some of my colleagues are able to look at this issue with fresh eyes and vote "no" on SB 3. Thank you.

The SPEAKER. Representative Tina Pickett.

Ms. PICKETT. Thank you, Mr. Speaker.

Mr. Speaker, times change; that is certainly a given in life. Current medical science presents evidence that an unborn child is viable at 20 weeks. Should that be known to not be true after 21 weeks, genetic abnormalities presently are handled outside the Abortion Control Act. Standard medical practice allows for the humane treatment of both mother and baby in these tragic conditions. Nothing in SB 3 changes that. These babies can and will be delivered early and provided palliative care. We are not voting to deny abortion, but to acknowledge the scientific advancement to save these babies. Life is a miracle, and let us not forget this fact, that we fight for life in many ways and on many fronts, and I urge you to fight for life today by voting "yes" on SB 3.

Thank you, Mr. Speaker.

The SPEAKER. Representative Bryan Barbin.

Mr. BARBIN. Thank you, Mr. Speaker.

I rise in support of SB 3, which amends the Abortion Control Act to change the upper limit for elective abortions from 24 weeks to 20 weeks. The first section of this legislation brings Pennsylvania into conformity with most civilized countries around the globe and numerous States. This section revises our position as one of only seven nations in the world that provide elective abortion rights beyond 20 weeks.

At issue are the rights of women, the unborn children, and all Pennsylvania citizens. Each group claims unlimited rights to choose for others. Each group relies on the Bible. So what is it, what liberty right protects either the right to an elective abortion after 24 weeks or an unborn child as a person? Liberty is not unbridled will and it is not freedom to do as one pleases. Liberty is not license, nor as many believe, jealousy of particular rights. Liberty has been and always will be a respect for the rights of others, an unwillingness that anyone's rights be trampled without a conscientious attempt to reconcile differences. Liberty is the spirit of Him who taught mankind the lesson that is not yet fully grasped, but not yet entirely forgotten, that a kingdom here on earth is possible where the least will be heard alongside the greatest.

Pennsylvania has long recognized that an unborn child is a human being for some but not all purposes. An unborn child killed with a pregnant mother results in two homicide charges. Because this bill recognizes a balancing of rights of the unborn child in elective abortions, I believe that section 2 of this bill is constitutional.

The second part of the bill, section 3, is much more problematic, and unfortunately, despite my attempt to separate the two parts of this bill, it has been presented as one bill and avoids any discussion of the concerns of health-care practitioners who must implement the new rules. The second part of this bill unnecessarily reflects an unwillingness to attempt to reconcile the competing legal issues. This bill raises

numerous legal issues and forgets the importance of the underlying bill, that elective abortions should be limited. They are limited in 59 other countries. Only China, only North Vietnam, only North Korea, and Indonesia have no restrictions; even the Netherlands and Singapore say these abortions cannot be done after 24 weeks. We are the only person to establish a new rule for viability.

This bill has significant legal problems, and because of these problems, the Governor has unequivocally indicated he will veto the bill, making this issue solely a scorecard for the rights of the unborn children. The essence of the question for me is, at what point does the unborn child have a right to be protected on his or her own account? In researching history of unalienable rights in our Commonwealth, I came across an ancient Hebrew symbol for ahava, love. It consists of a house and a man with hands upraised to God. The meaning, we are instructed, respect the gift.

As Representatives, we are given authority to re-present, to re-gift the authority on the basis of our constituents. My constituents overwhelmingly favor balancing government policy in favor of the interest of the unborn child with regard to elective abortions. The many legal issues created by section 3 of this bill will be continued at a later date.

Because I believe that an unborn child, no matter how small, is still a person, I will be a "yes."

The SPEAKER. Representative DeLissio.

Ms. DeLISSIO. Thank you, Mr. Speaker.

My remarks for this bill include a few thoughts. I take any piece of legislation that comes before me very seriously, as do my colleagues, and do not shy away from those pieces of legislation that are particularly complex, complicated, or controversial. And I do want to share that about a year ago, I started hosting policy roundtables in my district on things like gun control, sanctuary cities, and the abortion ban bill. So I just would be very curious to see, and we have discussed this at town hall meetings as well, so I do not know if my policy roundtables with my constituents or my town hall meetings are at all unique, but what was learned from that policy roundtable was it drew a diversity of opinions – 180 degrees almost – a diversity of opinions on this matter. And at the end of about 2 hours of very civil and respectful conversation and sharing of thoughts and information, I believe people left there thinking slightly differently about the matter. So when this bill has come up yet again in this session, as it has I think every session that I have been here, I sought again to understand what the bill did and where the research was on this particular matter. And my homework shows that not a lot has changed, that not only is this a restrictive abortion ban bill, but in fact, there is no documentation that is supported by the medical community for any type of viability of a fetus at 20 weeks.

And the other thing that I came across and would like to share, for anybody who is interested in perhaps absorbing a piece of information that they may not understand currently, is that there is a protocol in that 18 to 20 weeks of pregnancy where an ultrasound is performed, and it is only at that window that any type of anomaly or abnormality can really be discovered. So when I think this through, I understand that with this legislation in place, that if an abnormality or an anomaly were to be discovered in that timeframe, a woman and her family would have very little time to sort out what that meant for her, and the very real possibility is that with this legislation as law, that woman would be forced to carry a pregnancy to

term and the viability of that pregnancy would be highly, highly questionable. Well, Mr. Speaker, I cannot imagine, I cannot fathom the psychological damage that we would be doing to that woman and her family to subject or sentence a woman to that carrying it to term when that is not a viable pregnancy but we have taken away any alternative for her to terminate that pregnancy. As we can imagine, there is a myriad of facts and issues that play into any health-care situation. Having spent the last 18 months myself accessing the health-care system, it reinforced for me how unique every single situation is, and if my medical providers were hampered by a law that prohibited them from rendering me the best recommendations for the best care I could access, I would have been very upset to find that situation, yet this is what this law will do.

So I cannot possibly do this to the constituents in my district who are wives, daughters, sisters, and granddaughters, and I do not understand why so many of our colleagues are insisting on subjecting their daughters, sisters, granddaughters, and wives to this legislation when it is totally unnecessary.

Thank you, Mr. Speaker, and just to be perfectly clear, I will be a "no" vote on this bill, and really encourage anybody who has not yet made up their mind to contemplate just how far this bill goes and just exactly what research is out there that supports it. Thank you.

The SPEAKER. Representative Matt Dowling.

Mr. DOWLING. Thank you, Mr. Speaker.

I rise today in support of the sanctity of human life. There are so many reasons to support this bill. As many others before me have noted, medical science and the medical profession have advanced significantly since the last time this act was updated. Today a child could be treated for birth defects while still in the womb. Today a child born prematurely has a far greater chance of survival and leading a full and healthy life. Today we know a child at just 20 weeks of development has the capacity and the capability to feel pain. But no matter how important and persuasive these scientific arguments may be, the best and most important reason to support SB 3 is that it is simply the right thing to do.

It is right to prohibit the elective abortion after 20 weeks, knowing that the unborn child could survive outside the womb at that stage of development. It is right to stop the grotesque practices of dismemberment abortions that were described today by the gentlewoman from Warren County. And it is right for us as lawmakers to live up to our moral and ethical responsibility to be a voice for all Pennsylvanians, including the unborn children.

I would urge everyone to please vote "yes" on SB 3.

The SPEAKER. Representative Comitta.

Mrs. COMMITTA. Thank you, Mr. Speaker.

As the previous speaker said, I also rise today in support of the sanctity of human life, and I also rise today with the utmost respect for each woman in the Commonwealth of Pennsylvania, and therefore, Mr. Speaker, I must rise in strong opposition to SB 3.

Mr. Speaker, to be clear: I hear, I understand, and I respect each of you that passionately disagrees on this issue. However, I rise today as a woman, as a daughter, a sister, and a mother. I rise for all of the women of Pennsylvania who cannot stand here today as I have the privilege to. I stand for the families who may have to hear the agonizing words from a doctor that their precious fetus will not survive life on the outside of the womb. How can we even consider legislation that would criminally

charge physicians and force families, and even victims of incest and rape, to carry a pregnancy at the extreme risk of the health of the mother? I find it, quite frankly, shocking that a legislative body comprised largely of men would bring this measure to the floor of the House without a single hearing prior to a vote. What are we afraid of learning? What are we afraid of hearing from the medical community and from women across Pennsylvania? I find it to be very irresponsible that we would allow legislation that involves the public health and safety of our citizens to move from committee to the floor without a single hearing or testimony from medical experts or the very citizens it impacts. Without public hearings, I cannot imagine how any member of this House could be prepared to cast a well-informed vote on a law that will so profoundly impact the lives of our citizens.

I ask you, do you really believe that your own personal opinion, your own feelings will trump scientific research and medical professionals? This bill is opposed by two major medical groups in Pennsylvania, the Pennsylvania section of the American College of Obstetricians and Gynecologists, and the Pennsylvania Medical Society. To quote these medical groups, "Doctors must be able to act according to best medical evidence and their best medical and professional judgment, without political interference." They said, "We therefore urge you to reject this harmful measure." To mandate the parameters of health care without the input of the medical profession is extremely reckless, and in this case, demeans and dismisses the integrity and the intellect of every woman to suggest that anyone knows more about the appropriate medical approach for a particular situation than a woman and her doctor.

The Pennsylvania Medical Society, on similar legislation last year, said that efforts like this "...significantly jeopardize the open dialogue within the physician-patient relationship..." a relationship that "is the very foundation upon which modern medicine is built." The Pennsylvania Medical Society urged us to join them in preserving the ability of patients and their physicians to make their own medical decisions and to thwart any effort that may erode this freedom.

Further, as I mentioned yesterday, I am a member of the Pennsylvania Commission for Women, that on December 5 issued a press release, a statement urging the General Assembly to vote down this restrictive abortion ban. Our chair said, "As our commonwealth faces many challenges, it is disheartening to see that our Pennsylvania General Assembly – which is comprised 80 percent of males – has chosen to focus its efforts on passing one of the most restrictive, and likely unconstitutional, anti-choice laws in the nation." And they further underscore that without public hearings on the merits of this bill, how could anyone vote to move it forward?

Finally, Mr. Speaker, in light of the current discussion about sexual harassment, it is unconscionable that anyone would support removing options for women who are victims of rape or incest, and particularly to disallow options that deal with severe fetal abnormalities. This issue is a decision between a family and a doctor. I leave you with a thought from a conversation I had with a nun earlier this year who works with the poor families, and we were talking about choices that women and families have to make, and talking about pregnancy in particular, and she said, "You know, every life is sacred, but it's just not that simple." And I leave you with the thought that if it were simple – I wish it were black and white. I wish we could all see how every woman would make a decision that we can

agree with. But it is just not that simple, and that is why this is a decision that we must respect and leave between a woman, her family, and her doctor.

Thank you for listening to my comments, and I urge you to support women and to vote "no" on SB 3. Thank you.

The SPEAKER. Representative Tarah Toohil.

Ms. TOOHIL. Thank you, Mr. Speaker.

As a society, we grow, we advance. Our laws change based upon this growth. The advancements of medical science find a way to cause less pain physically. Medical science discovers that the unborn in utero can feel pain. Out of the 380 abortions last year that were performed between 21 and 23 weeks, some are based upon seeking to terminate for various reasons – it may be circumstances, it may be a form of birth control, it may be convenience or inconvenience. We have no idea the number of the 380 abortions were deemed unviable due to having a fetal abnormality. We have no idea of the number – of that number of the 380 – of how many was the dismemberment option used. Perhaps only one baby out of the 380 suffered this gruesome, barbaric procedure.

This is an incredibly difficult subject. Words do not do justice to the members of this chamber who have difficulty discussing this ugly, painful, saddening topic. This bill bans an inhumane procedure. As a society, we evolve. We change our idea of humanity. Families facing difficult decisions will no longer have dismemberment be the primary cause of death. The unborn baby being terminated will be terminated primarily not by dismemberment, but by saline injection or dilation and evacuation procedures. Let us be clear: a family whose baby's fetal abnormality or unviability at, say, 26 weeks would not choose to tear their baby limb from limb. I do not think many families even know what happens during this type of procedure. The baby to be terminated would not be carried to term, but instead would be induced and delivered and given palliative care, and this option will still be available to these families after 20 weeks, at 21 weeks, 26 weeks.

And so as a society, we grow, we advance, and our laws change based upon this growth. I ask you for a "yes" vote. Thank you.

The SPEAKER. Representative Harry Readshaw.

Mr. READSHAW. Thank you, Mr. Speaker.

The SPEAKER. Sir, please suspend.

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

Representative Readshaw.

Mr. READSHAW. Thank you, Mr. Speaker.

Mr. Speaker, I have been a supporter of pro-life issues basically forever. I am not speaking for anyone else, but I am aware that not only my concerns but the concerns of some of my fellow members on the floor of the House share in what I am about to say.

Yesterday we had a debate on recommitment. We have heard the opinions of the medical profession, legal profession, and today the debate and vote on constitutionality.

My concerns are perhaps by some a little more basic, but they are centered around when a woman or girl becomes pregnant as a result of rape or incest. The full range of medical and treatment options must be presented. Restricting abortion beyond 20 weeks will impose, in my opinion, an unjust hardship on women and girls who have become pregnant as a result of rape. These exemptions, once again in my opinion, need to be

specifically maintained in this legislation, and until they would be maintained in this legislation, specifying the exemptions for these two specific concerns of mine, I cannot support SB 3.

Thank you very much, Mr. Speaker.

The SPEAKER. Representative Gabler. Waives off.

Representative Eric Roe.

Mr. ROE. Mr. Speaker, I rise today in support of SB 3, which will provide important protections for the human rights of fetal persons in the Commonwealth of Pennsylvania.

Mr. Speaker, I stand before you with a newfound perspective on the merits of this bill. You see, my wife, Alice, and I are excited to announce that we are expecting our first children this spring. Yes, by the grace of God, we are not just having one baby, but we are having twins; two wonderful, rambunctious baby boys who are loved dearly by their mother and father. Mr. Speaker, there is nothing I would not do to protect my wife or my sons, and that is why I stand here today.

What makes this debate personal for me, Mr. Speaker, is that our sons are 21 weeks along in gestation, during the very timeframe that this bill seeks to address. Last Thursday Alice and I went to the Bryn Mawr Hospital for our first fetal anatomy scan at 20 weeks 6 days. Getting to meet our children for the first time changed something inside of me, Mr. Speaker, something I cannot and will not apologize for. I saw their beating hearts, their delicate fingers and toes, arms and legs, eyes and lungs. I even got to see their faces, their beautiful little faces. I call them rambunctious, Mr. Speaker, because they are already getting a head start on their physical activity. I felt them kick many times from inside my wife's womb.

Mr. Speaker, my sons, just like every other fetal person between 20 weeks and 24 weeks, have value and worth, and not just because they are wanted and loved, and not just because I have the means to care for them, and certainly not just because I say so. They deserve our protection because "we hold these truths to be self-evident, that all...are created equal...", and, Mr. Speaker, none more equal than others.

Mr. Speaker, every new member of the human family is an asset, never a liability. For that reason I will be voting for SB 3, and I respectfully ask my colleagues to do the same.

Thank you, Mr. Speaker.

The SPEAKER. Representative Daryl Metcalfe.

Mr. METCALFE. Thank you, Mr. Speaker.

Mr. Speaker, I did not plan on speaking today. I think that many of the members on the side of protecting the lives of the innocent have been doing a very good job today, just as the previous speaker, young man, did a great job, was speaking up on behalf of his twins and protecting life. My daughter had been following the debate today and my wife, and both had asked me if I was going to speak today, and I said, no, I did not plan on speaking on the issue. A lot of people were up doing a good job on it. And my daughter had asked me, she was like, "Dad, be my voice today." And my wife also encouraged me to speak, so it is kind of hard when your daughter tells you that you should be her voice that you do not deny her that request.

So I am up to speak on behalf of my daughter today, who is 14 weeks pregnant, and we are expecting our second grandbaby. So my granddaughter, Aviana – thank you – my granddaughter, Aviana, is 17 months old this month. I have been enjoying her going through all of those developmental stages that I kind of forgot about so many years ago with my daughter, so reliving some of those changes that you see babies go through.

Well, my daughter, surprisingly, when she went for her checkup after the pregnancy test when she was only 6 weeks and 2 days old, had sent me a text regarding being able to see her baby's heartbeat at 6 weeks and 2 days. To be able to watch the heartbeat on an ultrasound, I mean, the technological changes are just unbelievable. And I actually worked in an industry where I worked on equipment to interface with ultrasounds and CAT scans and MRIs (magnetic resonance imaging) in the past, from my days in the past with DuPont. So the changes since I worked with that type of technology have been just amazing, to be able to see a baby's heartbeat at 6 weeks and 2 days old, and then at 12 weeks, my daughter was able to hear her baby's heartbeat; 12 weeks you are able to hear the baby's heart beating.

Now she is 14 weeks, and she told me in a text she sent to me, she said, "My baby is 14 weeks and can squint, frown, pee, suck thumb; it can grasp." The baby can grasp already at 14 weeks; just unbelievable what you can see and what the babies can already do because of advanced technology now. My daughter is going to be going for her ultrasound where they can check the gender of the baby, so she said at 18 to 20 weeks is when they will do the anatomy scan, and she is scheduled in January to go in and check out and find out whether we are due to have another granddaughter or due to have a grandson, so we are excited about finding that out.

It is just when you see those pictures and when you hear the baby's heart beating, my daughter is – when Aviana was still in her womb as an unborn baby, my daughter had sent me some of the text messages that included her heart beating, and I was sitting down here at the Capitol, I remember, and played my granddaughter's heart beating from the ultrasound that my daughter had sent me. And just the emotions that you feel as a result of hearing that little baby's heartbeat at that young age, just still being, still in the womb, an unborn baby, but not denying that there is life there. That is why it is so hard to understand how so many will stand up and so vehemently defend these barbaric procedures such as we are talking about bringing to an end today for any baby that is 20 weeks old or older. A 5-month-old baby, who you are already going to be able to have heard the baby's heartbeat, be able to watch him or her on the ultrasound, the parent could already have a picture at that point, know what the baby's anatomy is going to be, whether it is a boy or a girl, and people would support still ending that little human's life because they have not come out and taken their first breath of air yet, but beyond anyone, because of science, because of technology, denying that is a baby there waiting to make its appearance.

Mr. Speaker, I think it is very damaging to our State and nation that we are not defending the life of the innocent, defending the lives of those who cannot speak up for themselves. Mr. Speaker, watching and listening to my grandbaby's heartbeat makes me walk away believing that anybody who does not support SB 3 is heartless.

Thank you, Mr. Speaker.

The SPEAKER. Representative Evankovich.

Mr. EVANKOVICH. Thank you, Mr. Speaker.

Mr. Speaker, I do not intend to extend our debate on SB 3 any longer than it needs to be. We have heard a lot from those for and against SB 3, what it does and does not do. We have heard a lot of debate on behalf of those who cannot speak for themselves, and as we make our decision, I believe that we need

to come to grips with something that is really at the core of this debate. We have heard a lot about science. This is not about science. We have heard about medicine. This is not about medicine.

Mr. Speaker, this is a public policy debate. This is a public policy debate that is well-settled in most countries in the world. I would just like to take a moment to read a list of countries that ban abortions after 12 to 14 weeks, elective abortions where there need to be multiple physician signoffs in order to proceed after that threshold. Mr. Speaker, those countries are Belarus; the Czech Republic; Denmark; Norway; Portugal, which has a 10-week threshold; Spain; France; Germany; Switzerland; Belgium; Cuba; and as of 2014, Vietnam, which has a 22-week threshold.

Mr. Speaker, we need to come to grips with what this public policy debate is really about. Very rarely do we stand in this chamber to defend an altruistic perspective. Those who stand for SB 3, as spoken very clearly by my colleagues, are standing up for people who cannot speak for themselves, people who have a conscience, and by right of them having a conscience, they want to be alive. There is no big special interest supporting them. They do not have a PAC (political action committee). They do not have bank accounts. Mr. Speaker, those in the public – in the public; I am not talking about here – who stand up against bills like SB 3, they are ob-gyns, they are doctors, they are medical facilities, they are facilities that perform abortions – for some it is a cause, but for those facilities, do not make the mistake of not realizing that they are being paid to perform these services.

Mr. Speaker, according to Planned Parenthood, an abortion that is performed between 22 and 24 weeks costs about \$3,275. Remember that for every one of those procedures, that is not someone donating their time. A doctor from New York, Dr. Anthony Levatino, came forward and said that he routinely would receive \$250 to \$500 cash for every visit for someone who came into his office, to perform abortions. And on a day with 3 hours' worth of abortion work, it was not uncommon for him to take \$4500 home. And on a day full of abortions, he was taking \$10,000 to \$15,000 to the bank.

Mr. Speaker, we have our minds made up, but what we need to understand is that for those of us that it is a cause, for or against this bill, we cannot ignore that there is a billion-dollar industry out there that is trying to influence the public debate that we are having in this chamber. And I believe, Mr. Speaker, that we will make the right decision tonight, and I hope and pray that the Governor will make the right decision when the bill comes to his desk because we need to speak for those who do not have a PAC. We need to speak for those who do not have a say in this public debate.

I ask for an affirmative vote on SB 3. Thank you.

The SPEAKER. Representative Cris Dush.

Mr. DUSH. Thank you, Mr. Speaker.

Like the previous speaker, I had not really anticipated standing up on this because I thought if we let the women who were for this address it, I thought it would be very much adequately addressed. However, there were some things that were raised that I feel I have to respond to.

The thing that actually really breaks my heart in this whole thing is to hear the people talking about children who it is detected while they are still in the womb that they have some sort of abnormality and then deciding to treat them as if they are disposable. Mr. Speaker, because of my father's experience in

bringing us up around people with disabilities my entire life, I find that disgusting. I find it a disgusting argument. These children were made in God's image. I have a cousin, Don, and he has a daughter with Down syndrome. She is a precious jewel. She actually works for a United States Congressman in the Carolinas. She has been the face of Special Olympics. She is precious. She is a jewel. She is grown and she is working.

Mr. Speaker, I would ask anybody here, have you ever volunteered for Special Olympics? Have you ever taught a special-needs child how to swim or do something like that? I have had that privilege at Clarion State College and at the University of Charleston, to be able to teach those children. When they learn something, it is the light in their eyes that just – it is just beyond belief. But because somebody has the ability to detect that while they are still in the womb they want to get rid of them; that is wrong.

I want to contrast that spark, that life that is in those children to something that I have witnessed, and I invite each of you to take a look. It is actually available on YouTube. Dr. Bernard Nathanson, a former abortion clinic director, back in – it was the eighties or nineties. He produced a video while he was still working at the abortion clinic of one of these abortions. The movie that was produced is called "The Silent Scream." I would invite you to take a look at it.

Mr. Speaker, that baby, as those abortion instruments were coming in to tear it apart, was jinking, moving, and trying to get away from it, and when that thing actually got a hold of that little precious child, you saw the stomach expand, the diaphragm expand, and that child trying to scream in its amniotic fluid. What are we doing allowing this to continue? How in God's name do we allow this abomination to continue? Look at it. I challenge you, and, Governor Wolf, I challenge you, look at that video and then tell me that this is something that we should be doing. I do not need to be a doctor to understand the terror in that child's eyes. I do not need to be a physician to understand that that is an abominable practice.

Somebody mentioned that the – quoting someone – that the part of you that is like God can make these decisions about the sacred. We are not God. God decides what is sacred and what is not. Another quoted Isaiah 10, woe to you who pass unjust laws. Well, I will tell you, the Bible, in the chapter before that, Isaiah 9, verses 6 and 7: "For a child is born to us. A Son is given to us. The government will rest on His shoulders and He will be called Wonderful Counselor, Mighty God, Everlasting Father, Prince of Peace...." His government and its peace will never end. They were talking about an unborn child, a child that has not been born, Isaiah was. God talks in the Bible about seeing you as He knits you together in the womb. So please, do not use Scripture to try and justify tearing a baby apart limb by limb in the womb.

I have talked with and I have watched women telling their stories after they have had abortions. Those stories are heart-wrenching. I feel for them. They were not given all the information that they needed to know. They were not told what this was about. You do not see people celebrating an abortion, even after the "liberating" decision on the part of *Roe v. Wade* in the Supreme Court. You do not see people going out and celebrating it, and that is because in our heart, we understand you cannot escape what God has put in there, that this is wrong.

I will finish, Mr. Speaker. Two weeks ago I got a new daughter in my family. My son married a beautiful young lady, born prematurely. To hear her pastor at the time talking, she

was not any bigger than the palm – to fit in his hand. Two years later her sister was born even smaller. That young lady, my daughter-in-law, is now a NICU nurse working alongside the nurses who were there for her when she was born. She is grateful for this piece of legislation. She wants to see it become law. She has got such a precious heart, and had her mother known the problems that were coming, she could have made that choice and she did not. She chose life, and now Katie is right there helping parents who were going through children who had fetal abnormalities but are now living and precious children.

I rise in support of this bill and in support of every one of those children.

Thank you, Mr. Speaker.

The SPEAKER. Representative Jordan Harris.

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

Mr. Speaker, this is a very sensitive topic for many, if not all, of us in this room, and I understand that. And, Mr. Speaker, because of the sensitivity of the topic, I was willing today to just come and vote and not share my perspective on this issue. But, Mr. Speaker, I had to stand because I have heard so many comments today and I just had to stand and point out the hypocrisy in some of these statements.

Mr. Speaker, I believe many of my colleagues are more pro-birth than they are pro-life, and here is what I mean by that. I hear those stand up and they are willing to quote about Black lives mattering with regards to abortions, but I do not hear them standing up talking about Black lives mattering when unarmed Black men are being killed and shot across this country. Mr. Speaker, I hear people talking about SB 3 and talking about being pro-life, and they talk about the human slave trade, but I have not heard them stand up and talk about the human slavery and the trading that is going on right now in Libya on the continent of Africa. Mr. Speaker, I have heard them stand up and talk about being pro-life when it comes to the death penalty, but how can you, on one hand, say that God gives us life and no one has the ability to take it, but you are in favor of taking the same life on the death penalty?

Mr. Speaker, Mr. Speaker, when we talk about SB 3 and we talk about abortions, Mr. Speaker, we have to call a spade a spade. You cannot stand up and on one point be in favor of saving someone's life at conception, but not be willing to give that same life the quality education that they deserve so that they can live out that life. It is not just life and liberty; it is life, liberty, and the pursuit of happiness. But you cannot pursue happiness if you do not have a quality education. So, Mr. Speaker, I just want my colleagues to not just be pro-birth. If you are going to stand and support this, I need you to stand and raise your hand when those unarmed Black men are being shot in our neighborhoods across this country.

Mr. Speaker, we talked about the money flowing into this conversation about pro or against abortion, but we do not talk about the money flowing into the conversation about gun control when we want to talk about all of those young men who are losing their lives at the hand of illegal guns in our community. If we are going to be righteous, if we are going to use the Bible, let us be righteous in everything we do, not just in these political moments that sound good on our campaign ads.

Mr. Speaker, Mr. Speaker, I get it. It is a contentious issue, and at the end of the day, you are going to be where you are going to be. But please, the hypocrisy has to stop. We are using the Word of God in this chamber in the same way it was used to

enslave Africans. Let us stop the madness. Vote where you are going to be, but the hypocrisy has to stop. I do not condemn or exalt anyone for their position on this issue, but if we are going to care about the life, let us care about the whole life. And that does not just mean that you stop caring about the person at birth. It means that you really do care about their life.

I am a "no" on this, Mr. Speaker, because I believe that a woman should have the right to decide what is good for her and her family. I believe that her medical professional can help her make that decision. I believe that, if she chooses to, her spiritual adviser can help her make that decision. But more importantly, Mr. Speaker, I am a yes on us having real discussions about real issues that affect our lives every single day beyond SB 3, and I hope that when we vote this, whichever way you vote – I am going to be a "no," but I hope at some point in time we actually get to really talk about those things. Because Black lives do matter, but it does not just matter on SB 3, it matters about quality education, it matters about slavery happening on the continent of Africa, it matters about young, unarmed Black men being shot down in their communities, not just when it is a political stunt.

Thanks, Mr. Speaker.

The SPEAKER. Representative Jesse Topper.

Mr. TOPPER. Thank you, Mr. Speaker.

This has been a long and difficult debate. As my colleague from Philadelphia indicated, it is very emotional, very sensitive to each person as an individual, wherever they come from in their station of life. But, Mr. Speaker, we have to have these debates when it comes to public policy, even those ones that are uncomfortable. It can be very difficult to think about sides that are so far apart that there would be any common ground that we could work towards, but, Mr. Speaker, this is not the first difficult issue that has been talked about on this floor, certainly not the first one that has been talked about in this Commonwealth. And in the past we have been able to agree that even when we disagree on the absolute fundamental point of the debate, we can agree that, as individuals, as a Commonwealth, and as an institution, we can do better. We can do better even in those areas where we disagree.

Some of the areas were just mentioned. We can continue to debate on the death penalty and what that means to each person as an individual, but even over the years, as we have shared fundamental disagreements about that issue, we have come to an agreement that as we move forward as a society, there are certain things that are no longer acceptable. On that specific issue, there are no more public hangings; there are no more firing squads. We know that we move forward even on that sensitive issue. We understand that as we protect our national interests, that there are ways that we acquire information and there are ways that we do not, and those ways have evolved over time, as we as a society have decided that we can do better.

Mr. Speaker, this bill does not overturn *Roe v. Wade*, but this is an acknowledgement that on this sensitive issue, we can do better. We must do better as we move forward as an institution and as a Commonwealth, and I believe that with the passage of SB 3, we will do better.

Thank you, Mr. Speaker.

The SPEAKER. Representative Frank Ryan.

Mr. RYAN. Mr. Speaker, thank you so much.

I rise in support of SB 3 as well, and as you look at different things that have happened in the General Assembly, I can tell you quite candidly that when I got elected, I never thought for a

second that there would be anything that would be that difficult or that traumatic to deal with, and as my dear gentlelady from Luzerne County yesterday was asking questions, it brought back to my memory so many different experiences that my wife and I had to experience when we lost our child. And as you examine those issues and you see the pain, we saw that the baby was not going to survive, and then the baby died. And as my wife was sitting in the hospital and we had to walk past the delivery room and the viewing room of the maternity ward, I saw her collapse into my arms. Then I saw my dear friend from Lackawanna County describe so much, how painful it was for him as a dad, when he felt so powerless when his wife was going through that miscarriage, through the loss of that child.

You know, and if I just make this comment: If I am in the General Assembly and no one is listening, am I still talking? If the baby is in the womb and no one is listening, is it still a baby? Is the law just if the person it is directed at cannot speak in their own defense? Well, today I want to stand and be that voice. I want to help those children when they are born. I have done that in my life with the Knights of Malta and other groups. I worked on the Board of Directors at St. Agnes Hospital in Baltimore, Maryland, for 28 years. We had an extensive NICU unit, and you did not hear from their thousands of doctors who are pro-life.

You know, I had the chance to see Eric Roe and his wife and they announced that they were expecting, and Representative Seth Grove and his wife are expecting. I had the chance to spend the summer with Kate Klunk, and yesterday she delivered. And I can say that as a dad of seven children, four of whom are still on this earth, that my wife carried the baby, but we were pregnant. Please do not marginalize a dad and do not believe for a second that we do not feel pain at the loss of a child. Please do not marginalize the baby. Do not marginalize the most precious gift of all, the gift that our Lord and savior, Jesus Christ, gave us – the gift of a child.

I ask you as you look at this bill today, please support SB 3. It is one of those seminal events in your life where you will have to decide, when you stand before God, did you protect life or did you not? The budget bills – I am a financial person – the budget bills are of little to no consequence. This one matters, and I ask you and beg you and implore you to please support SB 3. Protect human life.

Thank you, Mr. Speaker.

The SPEAKER. Representative Matt Baker.

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

As we approach the end of our debate this evening, I appreciate the civil discourse, a very important matter here that we are taking up. And we do not often take up a pro-life matter. It is usually one bill or so a session. I want to thank my committee members in the Health Committee. It is often overlooked that we have to go through this issue twice. We have the debate on the floor, but in order for that to be accomplished, we have to move the bill out of committee, and we let every member discuss this issue before we had a vote in the Health Committee. So I appreciate the Health Committee members. I appreciate everyone's opinion. Viscerally, it is a very emotional, very charging issue for some people, so I do appreciate this solid discourse that we are having here this evening.

I also want to thank the Senate, and in particular, the prime sponsor, Senator Brooks, for introducing the bill. The bill did come over to the House by a vote of 32 to 18 back in February.

The predecessor bill was Representative Rapp's. We passed a very similar bill last session. It passed 132 to 65. The U.S. Congress and the House of Representatives have passed a similar bill – not once, as was mentioned earlier; they passed earlier this session and is now before the U.S. Senate – but they passed a bill very similar to this three times now, and as one of the previous speakers said, I think even our U.S. Congress realizes we could do better. I mean, we are only a handful of countries that allow abortions after 20 weeks, and being in the company of China and North Korea and Vietnam is not something I do not think our U.S. Congress is even proud about, and so they are making every good-faith effort to do something about it, and they have passed this very similar bill three times now in the Federal U.S. House of Representatives.

I ask for your support of SB 3 and finally update our State law to end late-term abortions after 20 weeks, as well as ending the barbaric abortion procedure of tearing a baby apart by its limbs, also called dismemberment. With the vast improvements in medicine since the 1980s, which is when our current abortion law was established, babies born prematurely are now surviving at record rates. Many babies born at 24 weeks and earlier are not only surviving, but they are thriving.

This legislation does not change existing law with regard to rape, just the time period for a legal abortion. Someone who is abortion-minded because of rape can still get an abortion at any point in the first 5 months and 6 days of her pregnancy, and I think that has been missed at some point here in this discussion. There is some confusion over that issue.

So fundamentally, the justification for this bill is viability, and that is where it all comes down to. It is about viability, gestational age. And research over the last 20 years has shown that unborn children are capable of feeling pain and reacting to stimuli at much earlier gestational ages than previously thought. Medical research has shown reaction to stimuli and conclusive proof of pain reception in a range of gestational development from as early as 8 weeks to 27 weeks. This range accounts for gestational norms and for the range in which the medical professional considers a reaction to pain. Additionally, the viability of unborn children has continued to occur at younger and younger gestational ages, and medical research shows an increasing amount of children born at 22 weeks are able to survive life outside the womb, and thus, due to these reasons it is necessary to open the Abortion Control Act and update the upper limit for abortion from 24 weeks to 20 weeks.

In conclusion, Mr. Speaker, I would like to, since I heard a previous speaker quote a medical professional, a doctor, I also would like to, with his permission – and I did get his permission – a very well-respected local doctor, an emergency room doctor. He has seen everything – emergency births, all kinds of emergency conditions – and has given his whole life to the profession of medicine, Dr. Andy Sayre. Let me finish by saying this: "I have not been privileged to hear the debate about SB 3" thus far, "but amidst all the arguments pro and con, the one irrefutable fact that remains is the unborn child is a human being with all the rights that the rest of your fellow representatives enjoy; there are none of your colleagues that possess physical perfection, yet we do not judge their worth by their physical assets or inconveniences. The 'flutters' that a mother feels at the very age of fetal development that you are debating is the manifestation of a neurological system that is fully developed in the growing child. An unborn child feels the same excruciating pain that any human would feel as their arms

and legs are ripped off. All debate on this subject would cease if any of your legislative members were to experience just the smallest hint of agony inflicted on the innocent and voiceless unborn during abortion. As a physician who has dedicated himself to the preservation of life and the alleviation of pain, I fully support any legislative measures to protect the God-given rights of the unborn. We will stand before a just God someday who will hold us accountable for our decision to protect or kill the most innocent among us." Thank you, Dr. Andy Sayre.

Let us support SB 3, and let us get this passed. Thank you very much.

The SPEAKER. Representative Tim Hennessey.

Mr. HENNESSEY. Thank you, Mr. Speaker.

This has been a long, exhausting, and a very interesting debate. I intend to vote in favor of SB 3. I invite all, as many people as want to do that, to join me in that.

REMARKS SUBMITTED FOR THE RECORD

Mr. HENNESSEY. I will submit the balance of my remarks for the record.

The SPEAKER. Thank you, sir.

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

I rise to speak in favor of SB 3. As one of the previous speakers noted, our society is replete with situations where we choose life. Our laws protect life at almost every instance. In the legislature, we reserve the death penalty for the most egregious murder convictions, the taking of an innocent life. And in the court system, when a jury cannot agree unanimously to impose the death penalty, even when they have agreed to convict, we make the penalty "life." In civil courts, we punish for causing a wrongful death.

Our current Abortion Control Act, approved by our court system, set a prohibition against abortion after 24 weeks because 30 years ago unborn children were considered viable. That is already the law. SB 3 recognizes that medical advancements now make viability possible after 20 weeks.

SB 3 restates current law that permits abortions to protect the life of the mother or to prevent a woman's death or impairment of a vital bodily function. Those exceptions reflect the concepts of self-defense and defense of others – basic, fundamental principles of our law.

Under SB 3, even dismemberment abortions may occur where necessary to prevent the mother's death or impairment of vital bodily functions, with the only extra requirement of a second doctor's agreement to the necessity of the abortion to protect the life of the mother.

This vote is not a vote to limit abortion; that is already the law and will remain the law regardless of our vote. Our concern today is whether to reduce the 24-week limit to 20 weeks and to vastly restrict the gruesome practice of dismemberment abortions.

I will vote in favor of SB 3 and ask others to do so as well.

The SPEAKER. At this time the only speakers left are leaders. Does any of the Democratic leadership team wish to speak? Does any of the Democratic leadership team wish to speak? Then I am going to turn it over to the Republican leadership team. Okay. Waives off.

On the Republican side, I know Representative Cutler, and then we will finish with Representative Oberlander.

Representative Cutler, the floor is yours.

Mr. CUTLER. Thank you, Mr. Speaker.

Mr. Speaker, I think it is important that we refocus the debate here at the conclusion, because I think that there have been several issues that had been discussed but not thoroughly, and unfortunately, some inaccurately.

When you look at the issue before us, there are some in this chamber who would operate under the premise that medical technology does not advance and neither does constitutional case law. Both of those are wrong. Tonight *Roe v. Wade* was quoted multiple times, and I would simply point out that *Roe v. Wade* contained a trimester approach that took the time limit up to 27 weeks. It was in our own State law, the Abortion Control Act, that resulted in another Supreme Court case that further modified this timeframe, *Planned Parenthood v. Casey*, which moved it down to the current status of 24 weeks in viability.

I shared this in the last debate and I will share it again. As an X-ray technologist early on in my career, I spent a lot of time in the NICU. We would routinely x-ray babies that were at 23, 24, 25, 26 weeks, roughly the size of our hand, and their weights were measured in ounces. The truth is, since the nearly two decades since I left that field, medical advancements have continued. Now, as was discussed earlier tonight, viability has been driven down to the 21- and 22-week period because of medical advancements. We heard about intrauterine surgery and the miracles of medicine. While at the same time the medical technologies are repositioning the time that a baby is viable, we have also had a consistent movement in the case law. One prior speaker referred to it as the erosion of *Roe v. Wade*; I would offer the alternative view, which is that it is the clarification.

The question was asked, can we regulate abortion procedures? The answer is yes. Very clearly in *Gonzales v. Carhart* – that case was about the banning of partial-birth abortion – the Supreme Court clearly said that as States we can regulate procedures due to their barbarity. Some of the folks spoke about the process a little earlier, and I will not go into the grisly details yet again. When you look at *Planned Parenthood v. Casey* and *Roe v. Wade*, the fundamental question was, what is the point of viability, not can we regulate it or can we not. And they answered affirmatively that we can regulate the viability. They said the test is this simple: the question is whether or not the State has a compelling interest. They answered that question as follows, that there is a compelling State interest both in the life of the mother as well as the yet-to-be-born infant, and it is very simple: it is a constitutional balancing test.

Mr. Speaker, we have heard a lot of discussion about what this bill alleges to do. As the previous speaker, the gentleman from Tioga County, pointed out, this does not change the exceptions that are in existing law and it does not change the process for those unfortunate cases where there are genetic anomalies. Existing law says that after 24 weeks, there is a process set up. After 24 weeks, an individual, with such a condition that is discovered, would go before the medical ethics board, their physician would go before the medical ethics board and explain the process. Twenty-four weeks is not an arbitrary number. It is what is currently in our law and been upheld by the United States Supreme Court. What we are asking to simply do is recognize the point of viability as defined by medical technology today.

We were admonished to consult science. I agree, we should consult science. In fact, once the zygote is formed, individual and unique human DNA is formed within 12 hours of

fertilization. Through mitosis, they create a brand-new and individually unique human genome. As one prior speaker pointed out, there is a separate and individual heartbeat, and this baby will continue to grow and develop as long as nutrition is provided and its life is not ended by another cause, whether that be an illness or violence, or in this case, as the debate tonight, abortion.

Mr. Speaker, there are really only two questions. Does the State have a compelling interest to regulate and discuss and debate this? The answer is yes. The Supreme Court has recognized that right and we are able to do so. The other question is one of medical science, and that is the question of viability. Medical science has advanced in the last two-plus decades. It is time that our laws catch up and recognize those advancements.

For me the answer is simple. This satisfies both parts of the test and I will fully support the bill, because it does regulate down to the level of viability and does not change any of the other existing exceptions that are currently in the law, and I would urge a "yes" vote.

Thank you, Mr. Speaker.

The SPEAKER. Representative Donna Oberlander.

Ms. OBERLANDER. Thank you, Mr. Speaker.

I stand in strong support of SB 3. Mr. Speaker, I know that this is an emotional issue. We have heard the emotion throughout the afternoon and into the evening, and I am going to strive to take the emotion out of my arguments. Over the years – you have heard me say it before – leeches have been used as a form of treatment for ailments. Since the beginning of human civilization, they have been used to treat nervous system disorders. They have been used to treat dental issues. They have been used to treat skin diseases and infection. Asthma. Once upon a time they treated a child by putting them up against a tree, putting a nail in that tree, and if in a year you grew to the nail, you would be cured. Boils. They treated those by catching a roadrunner, cooking it and eating it, and it would take care of your boil. I guess Pennsylvanians were out of luck. We do not have roadrunners. If we went to the doctor today for any of these ailments, any of these infections, and the doctor suggested such a treatment, we would leave disgusted. Why? Because we know better. Science and innovation have given us better treatments and better information regarding these conditions.

SB 3 is simply an update based on the latest science. SB 3 brings a much-needed update to Pennsylvania's abortion law in recognition of major advances in science and medical technology. Since the Abortion Control Act of 1989, a quarter of a century has passed – 25 years – and in those 25 years, advances in science, major and amazing advances have been made in science, medical technology, treatments, and our knowledge of the viability of the baby in vitro have increased.

We know that babies can feel pain. You have heard multiple examples. We know that they have been observed to react to harmful stimuli, to move away physically from the scalpel. We know that they are given anesthesia when they are being operated on in utero. Why? Because they feel pain and the doctors know that they feel pain. It is important that we update this law to reflect what we now know that we did not know 25 years ago.

I will now move to the subject of dismemberment abortions, and you would hope that this gruesome act of brutality would be rare, but unfortunately, it is not. You have heard today about this practice of tearing the baby from the womb limb by limb,

piece by piece. It is absolutely barbaric. The baby is literally ripped apart, bleeding to death, surviving for a period of time while their limbs are being torn from their little bodies. These are little women and little men, and you would hope that in the United States, this exceptional nation, that we would treat our most vulnerable better than this.

You heard the gentleman from Tioga speak of status of being only one of seven nations that still permit abortions over 5 months, and I do believe that it bears repeating. Those 7 nations, out of 200 countries worldwide, are North Korea, China, Vietnam, Singapore, the Netherlands, and Canada, and I do not think that Pennsylvania wants to be in the same company with North Korea or China on that particular issue.

We can do better, we should do better, and this is your opportunity to do better. I respectfully request your affirmative vote.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, Representative Oberlander.

That is our last speaker.

On the question recurring,
Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—121

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

NAYS—70

Bizzarro	Dawkins	Kim	Ravenstahl
Boyle	Dean	Kinsey	Readshaw
Bradford	Deasy	Kirkland	Roebuck
Briggs	DeLissio	Kortz	Rozzi
Brown, V.	Delozier	Krueger	Samuelson
Bullock	Dermody	Madden	Schlossberg
Caltagirone	Evans	Matzie	Schweyer

Carroll	Fabrizio	McCarter	Sims
Cephas	Farry	McClinton	Solomon
Charlton	Fitzgerald	Miller, D.	Stephens
Comitta	Flynn	Milne	Sturla
Conklin	Frankel	Mullery	Thomas
Costa, D.	Freeman	Neilson	Vazquez
Costa, P.	Gainey	Neuman	Vitali
Cruz	Galloway	O'Brien	Warren
Daley	Harkins	Pashinski	Wheatley
Davidson	Harris, J.	Rabb	Youngblood
Davis	Kampf		

NOT VOTING—0

EXCUSED—9

Boback	Kaufer	Klunk	Petri
DeLuca	Keller, W.	McGinnis	Pyle
Donatucci			

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 return the same to the Senate with the information that the House has passed the same without amendment.

MOTION FOR SPECIAL ORDER OF BUSINESS

The SPEAKER. Representative Todd Stephens is recognized. For what purpose do you rise, sir?

Mr. STEPHENS. To make a motion, Mr. Speaker.

The SPEAKER. Yes, sir. Please state your motion.

Mr. STEPHENS. I would move that the House take up HB 1401 as a special order of business immediately.

The SPEAKER. Yes. Please turn to – just for all of our edification; this will be the first time that we have addressed it, although the Parliamentarian and I have now discussed it at length – if you turn to page 11 of the rules, rule 17, "Any question may, by a majority vote of the members elected, be made a special order of business. When the time arrives for its consideration, the Speaker shall lay the special order of business before the House."

In consultation with the Parliamentarian, that will be taken up this evening. It will be at the end of the regular order of business. We are going to finish with the rest of the business that has already been set forth on the calendar by the leader and leadership, but we will get to the special order of business.

PARLIAMENTARY INQUIRY

Mr. STEPHENS. Respectfully, Mr. Speaker, if I could inquire of parliamentary procedure?

The SPEAKER. You certainly may.

Mr. STEPHENS. So rule 23 indicates the order in which bills on second consideration should be considered, and I wonder how that—

The SPEAKER. You may proceed. Just go right ahead.

Mr. STEPHENS. And I just wonder how that rule is implicated by a ruling – or better yet, I guess more accurately stated, how that rule affects your ruling.

The SPEAKER. Rule 17 sets out the order of business, not rule 23.

Mr. STEPHENS. Well, rule 23 does say that they "shall be considered in their calendar order," and I believe on the calendar, 1401 is listed before the other bills that are available for consideration this evening.

The SPEAKER. We are moving into second consideration bills.

Mr. STEPHENS. Right.

And in order on the calendar, I believe 1401 comes first, and under rule 23, I believe it is pretty clear that they "shall be considered in their calendar order."

The SPEAKER. The past precedent, and in accordance with rule 17, is that – it is very explicit. Rule 17 is very explicit.

Mr. STEPHENS. Well, I think rule 23 is fairly explicit when it says it "shall be considered in their calendar order."

The SPEAKER. It will be at the end of the regular calendar business for today.

Mr. STEPHENS. Is that the ruling of the Chair?

The SPEAKER. Yes, it is.

RULING OF CHAIR APPEALED

Mr. STEPHENS. I would like to appeal the ruling of the Chair.

The SPEAKER. You certainly may.

On the question,

Shall the decision of the Chair stand as the judgment of the House?

The SPEAKER. On the appeal, we will have leadership and the maker.

So you may proceed, sir. You may speak on the appeal, sir.

Mr. STEPHENS. May I have a moment, Mr. Speaker?

The SPEAKER. Yes, you may.

APPEAL WITHDRAWN

The SPEAKER. Representative Stephens, you may proceed, sir.

Mr. STEPHENS. Mr. Speaker, with the understanding that the Speaker intends to call up that special order of business, HB 1401, immediately upon the conclusion of the other bills that we have on the calendar so that staff may leave, I will withdraw my appeal of the Chair's ruling.

The SPEAKER. So the appeal is withdrawn?

Mr. STEPHENS. Subject to those conditions.

The SPEAKER. There are no conditions. But as I indicated, we will be calling it up after the other calendar, after the other calendar— There are no conditions, but as I indicated, we will be calling that up today at the end of the other calendar business.

Mr. STEPHENS. Okay. So I have your word you are going to call that up then. That is all I am looking for, Mr. Speaker.

The SPEAKER. We are not engaged in a contractual relationship here. If you want to appeal it, appeal it; if you do not, do not.

Mr. STEPHENS. I will withdraw my appeal.
The SPEAKER. Okay. So it is withdrawn. Thank you.

CALENDAR

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **SB 629**, **PN 709**, entitled:

An Act amending Titles 12 (Commerce and Trade) and 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, in fraudulent transfers, further providing for short title of chapter and definitions, for insolvency, for value, for transfers fraudulent as to present and future creditors, for transfers fraudulent as to present creditors, for when transfer is made or obligation is incurred, for remedies of creditors, for defenses, liability and protection of transferee and for extinguishment of cause of action, providing for governing law and for application to series organization, further providing for supplementary provisions and providing for uniformity of application and construction and for relation to Electronic Signatures in Global and National Commerce Act; and, in support matters generally, further providing for continuing jurisdiction over support orders.

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

* * *

The House proceeded to second consideration of **SB 751**, **PN 925**, entitled:

An Act amending Title 7 (Banks and Banking) of the Pennsylvania Consolidated Statutes, in mortgage loan industry licensing and consumer protection, further providing for definitions, for license requirements, for exceptions to license requirements, for general requirements, for powers conferred on certain licensees engaged in the mortgage loan business, for mortgage loan business prohibitions, for application for license, for license fees and for licensee requirements and providing for the promulgation of regulations to effectively incorporate Federal regulations.

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

* * *

The House proceeded to second consideration of **SB 728**, **PN 1261**, entitled:

An Act amending the act of October 27, 2014 (P.L.2911, No.191), known as the Achieving Better Care by Monitoring All Prescriptions Program (ABC-MAP) Act, further providing for requirements for prescribers.

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

* * *

The House proceeded to second consideration of **HB 1821**, **PN 2777**, entitled:

An Act amending the act of November 29, 2006 (P.L.1471, No.165), known as the Sexual Assault Testing and Evidence Collection Act, further providing for sexual assault evidence collection program; and requiring the Pennsylvania State Police to complete and submit a report.

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

* * *

The House proceeded to second consideration of **HB 1951**, **PN 2762**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in minors, providing for the offense of access of minors to dextromethorphan and imposing a penalty.

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

* * *

The House proceeded to second consideration of **HB 1952**, **PN 2770**, entitled:

An Act amending Titles 18 (Crimes and Offenses), 23 (Domestic Relations) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in sexual offenses, further providing for conduct relating to sex offenders and for general rule; in falsification and intimidation, further providing for the offense of failure to comply with registration requirements, defining the offense of failure to comply with 42 Pa.C.S. Ch. 97 Subch. I registration requirements and imposing penalties; in proceedings prior to petition to adopt, further providing for grounds for involuntary termination and for definitions; in domestic and sexual violence victim address confidentiality, further providing for agency use of designated address; in sentencing, extensively revising registration of sexual offenders provisions; and making editorial changes.

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

Mr. **MARSICO** offered the following amendment
No. **A05231**:

Amend Bill, page 9, by inserting between lines 21 and 22
(2) An individual who was required to register with the Pennsylvania State Police under a former sexual offender registration law of this Commonwealth on or after April 22, 1996, but before December 20, 2012, whose period of registration has not expired.

Amend Bill, page 9, line 22, by striking out "(2)" and inserting
(3)

Amend Bill, page 26, by inserting between lines 13 and 14
(8) The petitioner may file an additional petition with the sentencing court no sooner than five years from the date of the final determination of a court regarding the petition and no sooner than every five years thereafter.

Amend Bill, page 26, line 14, by striking out "(8)" and inserting (9)

Amend Bill, page 57, lines 13 through 17, by striking out all of said lines and inserting

This subchapter shall apply to individuals who were:

(1) convicted of a sexually violent offense committed on or after April 22, 1996, but before December 20, 2012, whose period of registration with the Pennsylvania State Police, as described in section 9799.55 (relating to registration), has not expired; or

(2) required to register with the Pennsylvania State Police under a former sexual offender registration law of this Commonwealth on or after April 22, 1996, but before December 20, 2012, whose period of registration has not expired.

Amend Bill, page 60, lines 25 through 29, by striking out all of said lines and inserting

(1) Except as provided in paragraph (2):

(i) a criminal offense specified in section 9799.55 (relating to registration) committed on or after April 22, 1996, but before December 20, 2012, for which the individual was convicted; or

(ii) a criminal offense for which an individual was required to register with the Pennsylvania State Police under a former sexual offender registration law of this Commonwealth on or after April 22, 1996, but before December 20, 2012, whose period of registration has not expired.

Amend Bill, page 64, lines 2 through 4, by striking out all of said lines and inserting

(1) (i) (A) Individuals convicted within this Commonwealth of any of the following offenses committed on or after April 22, 1996, but before December 20, 2012:

Amend Bill, page 64, by inserting between lines 24 and 25

(B) Individuals convicted within this Commonwealth of an offense set forth in clause (A) who were required to register with the Pennsylvania State Police under a former sexual offender registration law of this Commonwealth on or after April 22, 1996, but before December 20, 2012, whose period of registration has not expired.

Amend Bill, page 65, lines 24 through 26, by striking out all of said lines and inserting

(i) (A) in this Commonwealth of the following offenses, if committed on or after April 22, 1996, but before December 20, 2012:

Amend Bill, page 65, line 27, by striking out the period after "rape)" and inserting a semicolon

Amend Bill, page 65, line 29, by striking out the period after "intercourse)" and inserting a semicolon

Amend Bill, page 65, line 30, by striking out the period after "assault)" and inserting a semicolon

Amend Bill, page 66, line 2, by striking out the period after "assault)" and inserting

: or

Amend Bill, page 66, line 4, by striking out the period after "age" and inserting

: or

(B) in this Commonwealth of offenses set forth in clause (A) who were required to register with the Pennsylvania State Police under a former sexual offender registration law of this Commonwealth on or after April 22, 1996, but before December 20, 2012, whose period of registration has not expired; or

Amend Bill, page 66, line 10, by inserting after "committed" , or for which registration with the Pennsylvania

State Police under a former sexual offender registration law of this Commonwealth was required.

Amend Bill, page 66, line 19, by inserting after "committed" , or for which registration with the Pennsylvania State Police under a former sexual offender registration law of this Commonwealth was required.

Amend Bill, page 77, line 12, by inserting after "predators" convicted on or after the effective date of this section

Amend Bill, page 86, by inserting between lines 4 and 5 (8) The petitioner may file an additional petition with the sentencing court no sooner than five years from the date of the final determination of a court regarding the petition and every five years thereafter.

Amend Bill, page 86, line 5, by striking out "(8)" and inserting (9)

Amend Bill, page 108, line 15, by inserting after "former" sexual offender registration

Amend Bill, page 109, by inserting between lines 5 and 6

(ii) An individual required to register with the Pennsylvania State Police under a former sexual offender registration law of this Commonwealth as set forth in 42 Pa.C.S. § 9799.55(a)(1)(i), (b)(2)(i) and (ii) and (4).

Amend Bill, page 109, line 6, by striking out "(ii)" and inserting (iii)

On the question,

Will the House agree to the amendment?

The SPEAKER. The Chair recognizes Representative Marsico, on his amendment.

Mr. MARSICO. Thank you, Mr. Speaker.

Mr. Speaker, the State Police identified about 2200 sex offenders who were not covered under HB 1952, so with that, these 2200 sex offenders were required to register with the Pennsylvania State Police. Due to the Pennsylvania Supreme Court's decision in *Commonwealth v. Muniz*, these offenders would come off the registry.

So the intent of this amendment is to ensure that these sex offenders have to register under new subchapter I under Megan's Law. I ask for an affirmative vote.

LEAVE OF ABSENCE CANCELED

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

CONSIDERATION OF HB 1952 CONTINUED

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—192

Baker	English	Lewis	Reed
Barbin	Evankovich	Longietti	Reese
Barrar	Evans	Mackenzie	Roae
Benninghoff	Everett	Madden	Roe
Bernstine	Fabrizio	Maher	Roebuck
Bizzarro	Farry	Mako	Rothman
Bloom	Fee	Maloney	Rozzi
Boyle	Fitzgerald	Markosek	Ryan
Bradford	Flynn	Marshall	Saccone
Briggs	Frankel	Marsico	Sainato
Brown, R.	Freeman	Masser	Samuelson

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

NAYS—0

NOT VOTING—0

EXCUSED—8

Boback	Donatucci	Keller, W.	McGinnis
DeLuca	Kaufer	Klunk	Pyle

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?
Bill as amended was agreed to.

The SPEAKER. The bill as amended will be reprinted.

* * *

The House proceeded to second consideration of **SB 252, PN 232**, entitled:

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in parking authorities, providing for granting of interests and mixed-use projects for authorities in cities of the second class.

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

* * *

The House proceeded to second consideration of **SB 736, PN 899**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in powers of department and local authorities, further providing for specific powers of department and local authorities.

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

* * *

The House proceeded to second consideration of **SB 921, PN 1250**, entitled:

An Act authorizing and directing the Department of General Services, with the approval of the Governor, to grant and convey to TCA Properties, L.P., certain lands and improvements situate in the City of Allentown and the City of Bethlehem, Lehigh County.

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

DECISION OF CHAIR RESCINDED

The SPEAKER. Please, there is an amendment actually filed to that. I thought it was filed to SB 656. So without objection, the Chair rescinds second consideration until we consider the amendment. That is my error and I apologize.

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

Mr. CAUSER offered the following amendment No. **A05190**:

Amend Bill, page 1, line 5, by striking out the period after "County" and inserting
; and authorizing the Department of General Services, with the approval of the Department of Military and Veterans Affairs and the Governor, to grant and convey, at a price to be determined through a competitive bid process, certain lands, buildings and improvements situate in the Borough of Kane, McKean County.
Amend Bill, page 10, line 27, by striking out all of said line
Amend Bill, page 10, line 28, by inserting before "IF"
(i) Expiration.—
Amend Bill, page 10, line 29, by striking out "SECTION 1(A)" and inserting
subsection (a)
Amend Bill, page 11, line 1, by inserting after "ACT"
to do so
Amend Bill, page 11, by inserting between lines 1 and 2

Section 2. Conveyance of two tracts in the Borough of Kane, McKean County.

(a) Authorization.—The Department of General Services, with the approval of the Department of Military and Veterans Affairs and the Governor, is hereby authorized on behalf of the Commonwealth to grant and convey, at a price to be determined through competitive bidding, the property described under subsection (b) together with any buildings, structures or improvements thereon, situate in the Borough of Kane, McKean County.

(b) Property description.—The property to be conveyed pursuant to subsection (a) consists of two tracts of approximately 0.34 acres of land and improvements located thereon, bounded and more particularly bounded and described as follows:

TRACT ONE

ALL THAT CERTAIN PIECE, PARCEL OR LOT OF LAND in the Borough of Kane, County of McKean, and Commonwealth of Pennsylvania, bounded and described as follows:

BEGINNING at a point in the South line of Chestnut Street, Two hundred and thirty and nine-tenths feet Westward (230.9 ft. W) of an iron monument marking the South-west corner of Chestnut and Fraley Streets, said place of beginning being likewise the North-east corner of land agreed to be conveyed to Kane Lodge #329 Benevolent Protective Order of Elks, and adjoining the property in Lot B. formerly conveyed to them by Deed dated February 17, 1913. Thence by said Lot South 5° 58' East, one hundred and seventy feet (S. 5° 58' E. 170 Ft.): Thence by the North line of an alley parallel to Chestnut Street, North 84° 02' East sixty-one and ninety-eight one-hundredths feet (No. 84° 02' E. 61.98 ft.) to the West line of another alley: Thence by the West line of said alley, parallel to Fraley Street, North 0° 5' E. (170.95 ft.) one hundred seventy and ninety-five one-hundredths feet, to the South line of Chestnut Street: Thence by the South line of Chestnut Street, South Eighty-four degrees two minutes West (S. 84° 02' W.) Eighty feet (80 ft.) to the place of BEGINNING.

CONTAINING twelve thousand sixty-eight (12,068) feet more or less, as surveyed by Alson Rogers, February 15th, 1913.

BEING Tax Parcel No. 8-003-512.

BEING the same premises conveyed to the Commonwealth of Pennsylvania, by deed, dated April 15, 1920 and recorded December 8, 1920, in McKean County in Deed Book 183, Page 331.

TRACT TWO

ALL THAT CERTAIN PIECE, PARCEL OR LOT OF LAND situate in the Borough of Kane, County of McKean and Commonwealth of Pennsylvania, bounded and described as follows:

BEGINNING at a point one hundred sixty feet (160 ft.) north of the north line of Pine Avenue and one hundred eighty feet (180 ft.) west of the west line of South Fraley Street; thence by the North line of an alley parallel to Pine Avenue, west forty feet (W. 40 ft.) to the south line of garage lot sold to A. Dolan; thence by the same, north about fifty-three feet (53 ft.) to the south line of another alley one hundred eighty feet (180 ft.) southward of the south line of Chestnut Street; thence by the same, parallel to Chestnut Street, north eighty-four degrees east (N. 84° E.) about forty feet (40 ft.); thence by an open alleyway or court, south about fifty-seven feet (57 ft.) to the place of BEGINNING.

TOGETHER with a garage building thereon.

BEING Tax Parcel No. 8-003-512.

BEING the same premises conveyed to the Commonwealth of Pennsylvania, by deed, dated September 9, 1960 and recorded September 12, 1960, in McKean County in Deed Book 394, Page 384.

(c) Requirement for conveyance.—The conveyance shall be made under and subject to all lawful and enforceable easements, servitudes and rights of others, including, but not confined to, streets, roadways and rights of any telephone, telegraph, water, electric, gas or pipeline companies, as well as under and subject to any lawful and enforceable estates or tenancies vested in third persons appearing of record, for any portion of the land or improvements erected thereon.

(d) Execution.—The deed of conveyance shall be by special warranty deed and shall be executed by the Secretary of General

Services in the name of the Commonwealth of Pennsylvania.

(e) Restrictions.—The Secretary of General Services may impose any covenants, conditions or restrictions on the property described under subsection (b) at settlement as determined to be in the best interests of the Commonwealth.

(f) Proceeds.—The proceeds from the sale shall be deposited in the State Treasury Armory Fund.

Section 3. Conveyance of five tracts in the Borough of Kane, McKean County.

(a) Authorization.—The Department of General Services, with the approval of the Department of Military and Veterans Affairs and the Governor, is hereby authorized on behalf of the Commonwealth of Pennsylvania to grant and convey, at a price to be determined through competitive bidding, the property described under subsection (b) together with any buildings, structures or improvements thereon, situate in the Borough of Kane, McKean County.

(b) Property description.—The property to be conveyed pursuant to subsection (a) consists of five tracts of approximately 1.46 acres of land and improvements located thereon, bounded and more particularly bounded and described as follows:

ALL THOSE CERTAIN PIECES, PARCELS OR LOTS OF LAND situate, lying and being in the Borough of Kane, McKean County, Pennsylvania, bounded and described as follows:

TRACT ONE

BEGINNING at a point in the southeast corner of Ash Street and Smithfield Avenue; thence along the easterly line of Smithfield Avenue South 210.5 feet to a point; thence easterly and parallel with Ash Street 150 feet to a point; thence northerly and parallel with Smithfield Avenue 65 feet to a point marking the southeasterly corner of Lot No. 11 formerly of Isabel Clingensmith; thence along the southerly line of Lot No. 11 westerly 50 feet; thence northerly along the westerly line of Lot No. 11, 145.5 feet to a point in the south line of Ash Street; thence along the same westerly 100 feet to the place of BEGINNING.

BEING Lots 13 and 15 and certain lands abutting on the south line of Lots Nos. 11, 13 and 15.

TRACT TWO

BEGINNING at a point in the southerly line of Ash Street 100 feet westerly from the southwest corner of Ash Street and Smithfield Avenue, said point marking the north-westerly corner of Lot No. 21 now or formerly of McKean County; thence along the south line of Ash Street westerly 50 feet to a point marking the northeasterly corner of Lot No. 25; thence southerly parallel to Smithfield Avenue 210.5 feet to a point in the westerly line of Smithfield Avenue; thence along the west line of Smithfield Avenue northerly 65 feet to a point marking the southeasterly corner of Lot No. 19 now or formerly of McKean County; thence along the southerly line of said Lots Nos. 19 and 21 westerly 100 feet; thence along the westerly line of Lot No. 21 northerly 145.5 feet to a point in the south line of Ash Street, the place of BEGINNING.

BEING Lot No. 23 and certain lands abutting on the south line of Lots Nos. 19, 21 and 23.

TRACT THREE

BEGINNING at a post situate on the south line of Ash Street 260 feet west of the southwest corner of Elk Avenue and Ash Street, thence

- (1) West 50 feet by south line of Ash Street, thence
- (2) South at right angles to Ash Street 145-1/2 feet, thence
- (3) East at right angles 50 feet, thence
- (4) North at right angles 145-1/2 feet to a place of BEGINNING EXCEPTING all oil or petroleum and all natural gas.

BEING part of Sub Lot 383, WT2389, Lot 11 on plot of A. E. Lyte and M.J. Sweeney.

CONTAINING 7,275 Sq. feet.

TRACT FOUR

BEGINNING at a point along the south line of Ash Street 510 feet West of the Southwest corner of Ash Street and Elk Avenue; thence at right angles South 145-1/2 feet; thence at right angles West 50 feet; thence at right angles North along the East line of Lot 23, 145-1/2 feet to the South line of Ash Street; thence by said

South line East 50 feet to the place of BEGINNING.
 CONTAINING 7.275 square feet of land, more or less.
 EXCEPTING AND RESERVING all petroleum, carbureted hydrogen and other volatile and inflammable minerals and gases, but renouncing, waiving and releasing any and all rights to enter to explore, bore, mine, dig for, tank, store or pipe the same by works or appliances upon the said premises.

TRACT FIVE

BEGINNING at a post at the southwest corner of Smithfield Street and Ash Street; thence South along the West border of Smithfield Avenue 145-1/2 feet; thence West at right angles to Smithfield Avenue 50 feet; thence North at right angles 145-1/2 feet to the South line of Ash Street; thence East along the South line of Ash Street 50 feet to the place of BEGINNING.

CONTAINING 7,275 square feet, more or less.

BEING the same premises conveyed to the Commonwealth of Pennsylvania, by Deed, dated January 20, 1966 and recorded January 27, 1966 in McKean County in Deed Book 428, Page 523.

(c) Requirements for conveyance.—The conveyance shall be made under and subject to all lawful and enforceable easements, servitudes and rights of others, including, but not confined to, streets, roadways and rights of any telephone, telegraph, water, electric, gas or pipeline companies, as well as under and subject to any lawful and enforceable estates or tenancies vested in third persons appearing of record, for any portion of the land or improvements erected thereon.

(d) Execution.—The deed of conveyance shall be by special warranty deed and shall be executed by the Secretary of General Services in the name of the Commonwealth of Pennsylvania.

(e) Proceeds.—The proceeds from the sale shall be deposited in the State Treasury Armory Fund.

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

4

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

The SPEAKER. On the amendment, Representative Causer is recognized.

Mr. CAUSER. Thank you, Mr. Speaker.

Mr. Speaker, I ask for support for amendment 5190. This adds the Kane Armory property – it is 2 parcels in the Borough of Kane in McKean County – to this particular legislation. This legislation was contained in HB 1787 that has already been passed by the House, and I ask for support for this amendment.

Thank you, Mr. Speaker.

The SPEAKER. Representative Vitali rises to speak on the amendment.

You may proceed, sir.

Mr. VITALI. Will the maker stand for brief interrogation?

The SPEAKER. You may proceed with interrogation, sir.

Mr. VITALI. Just in an overabundance of caution, is there a rule 32 on this? Has the Department of General Services rendered an opinion on this transfer?

Mr. CAUSER. The legislation was sponsored at the request of the Department of General Services.

Mr. VITALI. They have prepared a memorandum endorsing this transfer?

Mr. CAUSER. Yes, they have.

Mr. VITALI. Thank you.

The SPEAKER. Representative Vitali, do you wish to speak on – you do not. Okay.

Does anybody else wish to speak on the amendment?

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

The following roll call was recorded:

YEAS—192

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

NAYS—0

NOT VOTING—0

EXCUSED—8

Boback	Donatucci	Keller, W.	McGinnis
DeLuca	Kaufer	Klunk	Pyle

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?

Bill as amended was agreed to.

The SPEAKER. The bill as amended will be reprinted.

* * *

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?

BILL RECOMMITTED

The SPEAKER. Representative Kampf is recognized for a motion.

Mr. KAMPF. Mr. Speaker, thank you.

I make a motion to commit this bill to the House Consumer Affairs Committee.

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

The SPEAKER. The majority leader, on the motion.

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

I would support the motion to recommit this bill to the House Consumer Affairs Committee. Thank you.

The SPEAKER. The minority leader, on the motion.

Mr. DERMODY. Thank you, Mr. Speaker.

I also urge the members to support the motion to refer the bill to the Consumer Affairs Committee.

The SPEAKER. Representative Godshall, followed by Representative Harper.

Representative Godshall, on the motion.

Mr. GODSHALL. Mr. Speaker, these issues deal with Title 66, which is under the Consumer Affairs Committee, that is in charge of that committee, and when I looked at this, I talked to some of the members of our committee, I talked to my counterpart on the Democratic side, and we agree that the issues, when we put this bill out of committee, were not there before us at that time. They are today. We are very able to deal with them. It belongs in our committee, and we will look at it and work on it expeditiously, and I agree with the motion and I ask for a "yes" vote to submit it to Consumer Affairs. Thank you.

PARLIAMENTARY INQUIRY

The SPEAKER. Representative Harper, on the motion.

Ms. HARPER. I have a parliamentary question, Mr. Speaker.

The SPEAKER. Yes, you may proceed.

Ms. HARPER. Mr. Speaker, this bill is a Title 53 municipalities bill, not a Title 66 public utilities bill. Would it not be more appropriate to send it back to the Local Government Committee?

The SPEAKER. The motion in front of us is to move it to the Consumer Affairs Committee. We do not – that is a decision on the basis of the vote of the body.

Ms. HARPER. Then on the motion.

The SPEAKER. Yes, you may proceed.

Ms. HARPER. The esteemed speaker from Montgomery County was mistaken when he told you this was a public utility bill. This is a chapter 53 municipal bill. Nevertheless, if the chairman would like the bill, I will vote in favor of getting it off the floor and back into his committee.

Merry Christmas.

The SPEAKER. Representative Caltagirone, on the motion. Waives off.

Representative Freeman, on the motion.

Mr. FREEMAN. Thank you, Mr. Speaker.

Mr. Speaker, would the gentleman from Montgomery County, the chairman of the Consumer Affairs Committee, stand for a brief moment of interrogation on the motion?

The SPEAKER. He declines.

Mr. FREEMAN. Okay. It is actually a very user-friendly question. I will treat him with all the dignity he deserves.

The SPEAKER. No. He declined.

Mr. FREEMAN. Okay. So much for bipartisan discourse.

The point I wanted to bring to the gentleman's attention, as the lady from Montgomery pointed out, this is actually a Title 53 bill. It came out of Local Government, and in my opinion, it should have gone back to Local Government for us to work on it. However, I understand the will of the leadership and obviously where the House is heading tonight, to send it to Consumer Affairs.

My request to the chairman of Consumer Affairs is that since this has some underlying issues that deal with local government issues, in particular municipal authorities, my request is that they would please consider holding joint hearings with the Local Government Committee and the Consumer Affairs Committee so that we are both at the table to hear testimony and to hopefully craft amendments to the legislation before it comes back to the House.

I think that is a very reasonable request that is in the best interest of good policymaking, and I would urge the chairman to consider that as we take this bill under consideration in committee.

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

The following roll call was recorded:

YEAS—192

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

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

NAYS—0

NOT VOTING—0

EXCUSED—8

Boback	Donatucci	Keller, W.	McGinnis
DeLuca	Kaufer	Klunk	Pyle

UNEXCUSED—1

Haggerty

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

SUPPLEMENTAL CALENDAR B CONTINUED

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 166, PN 1344**, entitled:

An Act providing for protection of paychecks of certain workers and for the collection of political contributions.

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

(Bill analysis was read.)

The SPEAKER. This bill has been considered on three different days and agreed to and is now on final passage.
The question is, shall the bill pass finally?

Representative Cutler, on the bill; SB 166, PN 1344.

Mr. CUTLER. Thank you, Mr. Speaker.

Very briefly, this was a bill that was similar to a version that I had here in the House dealing with the deduction of political money. Of the Senate version, quite simply, I think we should start with what it does do, which is that it disallows the Commonwealth to enter into future contracts – it does not impact current contracts – to deduct political action committee money on behalf of individuals through payroll deduction.

Some might say, why is that important? Well, the important piece for me, at least, when I started this research and drafting many years ago, was the fact that my first term, as we came in there was a multitude of individuals, both sides of the aisle, and since then extending into the judicial branch as well as the executive branch, individuals that were convicted of utilizing State resources for campaign purposes. So for me it has always been an issue of having that clear separation, and I do not believe that the Commonwealth assets should be used to collect and then distribute political campaign donations. And to be clear, this is not the soft money that is allowed under the *Citizens United*; this is the direct campaign contributions that are donated to candidates, given directly to election efforts.

And what this bill does not do is it does not alter fair share, despite many of the letters and e-mails that we have heard. It does not alter the collection of dues as are currently obligated by contracts. I recognize that oftentimes as we debate the issues, sometimes the facts get lost.

This really is as simple as a proposal to stop collecting future campaign dollars. For that reason, Mr. Speaker, I would urge a "yes" vote and would ask for support of the bill. Thank you.

The SPEAKER. Does anybody else wish to speak?
Representative Gene DiGirolamo, on the bill.

Mr. DiGIROLAMO. Thank you, Mr. Speaker.

I rise in opposition to SB 166, and for me, and through the 23 years that I have been here, this is a very simple issue. It is collective bargaining, and whether you believe collective bargaining should be allowed to work here in Pennsylvania, Mr. Speaker, make no mistake, this is not about good government. This is certainly not about protecting anybody's paycheck. To the contrary, Mr. Speaker, this is about silencing the voices of hardworking, ordinary, middle-class men and women, Pennsylvanians who live in each and every one of our legislative districts. They are teachers, they are nurses, they are corrections officers, they are firefighters, they are the men and women of our police department that protect us each and every day, Mr. Speaker.

And I am just going to end with this, Mr. Speaker, because I know you have got a lot of correspondence on both sides of the issue. But this is a letter that was put out in opposition to this bill from the F.O.P., Fraternal Order of Police, the men and women who protect us each and every day all across our State. The "...F.O.P. strongly opposes this legislation that directly harms all...law enforcement officers in Pennsylvania.... If passed, this legislation will make it more difficult for law enforcement officers to maintain fair pay, benefits, and safe

working conditions." And I am going to underline that, Mr. Speaker, "safe working conditions" for the men and the women that protect us in every one of our communities each and every day.

I ask for a negative vote on 166. Thank you.

The SPEAKER. Representative Cris Dush.

Mr. DUSH. Thank you, Mr. Speaker.

I just want to give a brief perspective as somebody that had over 20 years in the unions and had these deductions, as a part of what was laid out there, as something we should be definitely doing. And we have a problem in that there is pressure to contribute, especially when you have got people that are on the union e-boards (executive boards) sitting in the personnel office, letting folks know whether or not somebody is actually contributing. I cannot have one of my staff get payroll deduction to support my campaign – and that is a good thing, none of us can – and yet we are going to use taxpayer dollars to take that money and send it to somebody who has actually hurt rank-and-file members.

Let me speak to that. 2001, Act 9. PAC money from unions went to the people who voted for Act 9 and started turning our pension systems upside down. Every year since, more money from those four union members is going to people who voted to underfund that pension. The members do not have much say in that process. Speaking as rank and file, and as the polls, even among rank-and-file members, show that there is a strong plurality of the members who want to see this, because they see it as an unethical practice, and rightly so. This polls well among the rank and file, and it is precisely for the things like I just described.

We need to have the ability, the rank-and-file members need to have the ability to hold the people whom we are paying to represent us, just like we would an attorney that was representing us in the private sector, just like we would anybody who had a contractual obligation to work for us, we ought to have the ability to hold them accountable. By putting it back in the hands of the union members, they still have the ability to contribute. It is just we are not using the government to pay for it, to take it out. They can do the same thing down at their bank. All they have to do, or with PSECU (Pennsylvania State Employees Credit Union), we can just go online, automatic deduction. As soon as the paycheck goes in, another check goes out to the PAC. It is that simple. It is not taking away anybody's rights. It is not disenfranchising the rank-and-file members, and our rank-and-file members are smart enough to know that.

Thank you, Mr. Speaker. I rise in support.

The SPEAKER. Representative Neilson, do you wish to speak? No.

Representative Greg Rothman.

Mr. ROTHMAN. Thank you, Mr. Speaker.

I rise in support of this bill. It has been clear that public use for political purposes we have rejected here. It has been prosecuted. This is simply taking those direct political contributions and taxpayers should not have to. Tax dollars should not go to – taxpayers should not have to fund use of dollars that are then used to support candidates for or against the policies that may be against what the taxpayers wish. So I urge my colleagues to vote in favor of this bill.

SB 166 as amended prohibits the use of public employee wage deductions for PAC contributions in a fair, balanced manner that preserves any public-sector union's right to still

engage in political activities. The bill simply takes the public employer out of the collection business for the PAC money. SB 166 does not affect collective-bargaining agreements, as has been mentioned earlier, that exist in the private sector. It does not affect the private-sector unions. Employers and unions in the private sector are unaffected by any of the restrictions in this bill and are free to continue to negotiate for wage deductions as they agree to.

SB 166 is not a union-busting bill. It does not affect the union's right to negotiate the normal membership dues, deduction provisions, or the fair share as discussed. It does not affect the maintenance of membership provisions which permit unions to negotiate collective-bargaining provisions that require union members stay members for the duration of the agreement. It is consistent with the U.S. Supreme Court that has ruled that the States can regulate in the area of taxpayer-funded public payroll systems that collect money for partisan public union political expenditures. There is nobody on either side of this aisle that would think that we should be collecting money for the Republican or Democratic Party, right? So why do we do it in this partisan way?

In the 2009 Supreme Court case *Ysursa v. Pocatello Education Association*, the Court stated, "The First Amendment prohibits government from 'abridging the freedom of speech'; it does not confer an affirmative right to use government payroll mechanisms for the purpose of obtaining funds for expression."

SB 166 is a commonsense reform issue. This will not prevent unions from collecting PAC contributions. It simply removes the public payroll system as the middleman. SB 166's amendment does not prohibit the deduction of charitable contributions, fair share fees, or membership dues deductions. And according to a 2015 poll, 73 percent of Pennsylvanians support paycheck protection, and I hope my colleagues will also. Thank you.

The SPEAKER. My understanding is, we have one more speaker and then the leaders.

So, Representative Paul Schemel, on the bill.

Mr. SCHEMEL. Thank you, Mr. Speaker.

Mr. Speaker, in my district we all have district offices and district employees, but they are not allowed to accept political contributions, but how easy that would be to just accept political contributions there for our campaigns. After all, it would not cost anything. It would be convenient for everybody. It would take, really, a minimal amount of time of the employees in our district offices. Maybe they could also distribute campaign signs. It would not take any time at all, deposit them when they deposit any other deposits we have. But if I were to suggest that, people would say that is ridiculous. We have to separate government and political contributions.

Well, why do we have this one segment of our working population that has this special exception that nobody else has that allows the government to collect political contributions and distribute them? This bill does not seek in any way to limit political contributions. Members of unions can certainly contribute all they want to the unions. We are just saying that they need to make those contributions the way every other citizen of the United States does, and that would be by making those contributions directly.

Mr. Speaker, I would encourage my colleagues to vote in favor of SB 166.

The SPEAKER. If there is nobody else that wishes to speak, the leadership teams from the Democrats and the Republicans, it will be Representative Dermody followed by Representative Cutler. Does anybody else wish to speak?

Representative Dermody, the floor is yours.

Mr. DERMODY. Thank you, Mr. Speaker.

Mr. Speaker, as we have already heard, what this bill really is, is really an attack on working families in Pennsylvania. It is an attack on all union workers in Pennsylvania. It is a cynical attempt to silence our workers, to take away their voice to help corporate America. They have their voice, they have their special PACs, they have *Citizens United*, the workers of Pennsylvania. This is just an attempt to silence them, to take away their ability – their ability to speak, their ability to participate in this process, and it takes away – you have heard the reasons why. You have heard it is the F.O.P., firefighters, nurses, nurse's aides, janitors. You are taking away all their voices, preventing them from having the ability to step up and participate. That is what this is really about. That is why all of us, all of us should be "no" on this paycheck deception bill.

Thank you, Mr. Speaker.

The SPEAKER. Representative Bryan Cutler.

Mr. CUTLER. Thank you, Mr. Speaker.

Mr. Speaker, I just wanted to briefly highlight what set me on this journey to begin with. I recognize that there is a lot of rhetoric in the chamber and there are interested parties on both sides. The truth is, in my first term more than a dozen people went to prison for using State assets for political purposes. That is what started my interest in this when I found out that there was one group of individuals who has a special right, the right to collect campaign donations through our payroll system here at the Commonwealth and at the local municipalities. That system, that same system is funded by taxpayer dollars. For me, it was simply an issue of right or wrong and my belief that we should treat all public employees the same.

As was referenced earlier, the truth is there are some public employees who do not have access to this benefit. And as we argued earlier tonight on a variety of other bills, I believe that we all believe in the equality of law. We might disagree on the particulars before us on any individual bill or any individual issue, but the truth is, we under current law treat people differently and that should not be the case.

You know, the good gentleman from Allegheny County referenced special PACs and *Citizens United*. *Citizens United* granted the right of both unions and corporations to engage in electoral politics. Only one of those groups has access to the State payroll system.

Mr. Speaker, when I donate my money to the causes that I care about, I do it privately. I put a stamp on my envelope or I do a direct debit. All we are simply saying is to treat people the same.

Mr. Speaker, the truth is, this does not inhibit their ability to collective bargain. It does not impact the dues. It does not impact the fair share. It only deals with campaign money. The example that was given by the good gentleman from Gettysburg of district office employees, it fits the same logic. There is a de minimis cost related to the collection, and yet that behavior is outlawed while other behavior is accepted.

Mr. Speaker, I urge consistency among the law, and I also recognize that both sides have characterized this bill as something that it is not. This bill, quite simply, is an effort to

equal the playing field so that all political donations are collected in the same manner. It does not inhibit the right of any one individual to donate to their political campaigns. They have the same right that I do – the right to write a check, the right to direct debit, the right to use a credit card. All we are asking for, Mr. Speaker, is a clear separation of State assets and hard campaign dollars.

I ask for a "yes" vote.

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–90

Baker	Gabler	Maher	Roe
Benninghoff	Gillen	Mako	Rothman
Bernstine	Gillespie	Maloney	Ryan
Bloom	Greiner	Marsico	Saccone
Causer	Grove	Masser	Sankey
Christiana	Hahn	Mentzer	Saylor
Cook	Harris, A.	Metcalfe	Schemel
Cox	Heffley	Metzgar	Simmons
Culver	Helm	Miller, B.	Sonney
Cutler	Hennessey	Moul	Staats
Day	Hickernell	Mustio	Tallman
DeLozier	Hill	Nelson	Tobash
Diamond	Irvin	Nesbit	Toepel
Dowling	James	Oberlander	Topper
Dunbar	Jozwiak	Ortity	Walsh
Dush	Kampf	Peifer	Ward
Ellis	Kauffman	Pickett	Warner
Emrick	Keefer	Quinn, M.	Wentling
English	Keller, F.	Rader	Wheeland
Evankovich	Keller, M.K.	Rapp	Zimmerman
Everett	Knowles	Reed	
Fee	Lawrence	Reese	Turzai,
Fritz	Mackenzie	Roae	Speaker

NAYS–102

Barbin	Deasy	Kulik	Rabb
Barrar	DeLissio	Lewis	Ravenstahl
Bizzarro	Dermody	Longietti	Readshaw
Boyle	DiGirolamo	Madden	Roebuck
Bradford	Driscoll	Markosek	Rozzi
Briggs	Evans	Marshall	Sainato
Brown, R.	Fabrizio	Matzie	Samuelson
Brown, V.	Farry	McCarter	Santora
Bullock	Fitzgerald	McClinton	Schlossberg
Burns	Flynn	Mehaffie	Schweyer
Caltagirone	Frankel	Miccarelli	Sims
Carroll	Freeman	Millard	Snyder
Cephas	Gainey	Miller, D.	Solomon
Charlton	Galloway	Milne	Stephens
Comitta	Godshall	Mullery	Sturla
Conklin	Goodman	Murt	Taylor
Corbin	Hanna	Neilson	Thomas
Corr	Harkins	Neuman	Toohil
Costa, D.	Harper	O'Brien	Vazquez
Costa, P.	Harris, J.	O'Neill	Vitali
Cruz	Kavulich	Pashinski	Warren
Daley	Kim	Petrarca	Watson
Davidson	Kinsey	Petri	Wheatley
Davis	Kirkland	Quigley	White
Dawkins	Kortz	Quinn, C.	Youngblood
Dean	Krueger		

NOT VOTING—0

EXCUSED—8

Boback	Donatucci	Keller, W.	McGinnis
DeLuca	Kaufer	Klunk	Pyle

UNEXCUSED—1

Haggerty

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill fell.

The SPEAKER. Members, please turn to supplemental B House calendar. These bills are now timely.

REMARKS SUBMITTED FOR THE RECORD

The SPEAKER. Representative Neilson, for what purpose do you stand?

Mr. NEILSON. Mr. Speaker, I would like to submit my comments on SB 166 and thank all the members for their negative vote.

The SPEAKER. Yes; that will be submitted for the record.

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

Thank you, Mr. Speaker.

Paycheck protection this bill is not – many believe that it is paycheck deception, including myself. The reason that I asked the questions that I did was to point out the obvious – this is a piece of legislation specifically targeted after a class of protected individuals under the United States Constitution.

Those pushing for or voting in favor of SB 166 are clearly not living up to their oath and obligation by upholding the Constitution and are not the patriots as they forever claim.

The sponsors and the supporters of this legislation are deceiving the public into thinking that this will save something. We have heard multiple times that there will be absolutely no bearing on the State budget, at best \$100 annually. The only thing it might save is their own jobs.

Mr. Speaker, in recent elections, we have seen a wave effect in other States and now we are seeing multiple legislative initiatives to dissect any other organization that may not agree with the majority members of this chamber and their hidden agendas.

It seems these past few weeks the agenda has not been about Pennsylvanians; it is about the agenda of the American Legislative Exchange Council, better known as ALEC, and organizations just like them.

Today is a day to stand with the State workforce as we continue to ask them to do more for less.

Mr. Speaker, the mere fact that this legislation specifically targets individuals that are members of a group that does not generally support some of their positions should set off an alarm. The reason we are seeing this is the sponsors and supporters are in the majority in this chamber; they are angry and attempting to punish them.

Mr. Speaker, those that this legislation affects are members of a union that fight not only for their members but all the working families in Pennsylvania. This is not fiction like the numerous stories we have heard here today. This is part of American history. Do not take my word for it; a simple Google search will give you millions of pages to read.

Mr. Speaker, SB 166 is just yet another antiworker piece of legislation aimed at crippling unions in the Commonwealth and their worker-friendly positions such as a 40-hour workweek, overtime, seniority rights, health care, grievance procedures, and not having to live in fear at work for belonging to the "wrong political party" and being fired for doing so. This is what got them together from the beginning. They wanted to stop living in fear and wanted to be heard.

Mr. Speaker, the issue today on payroll deductions contained in SB 166 is an issue that is within their collective-bargaining agreement that has taken decades to create. These agreements have been negotiated by Republican and Democratic Governors in good faith. Who do we think we are to start legislating collective-bargaining agreements, which should be left up to the members within? If they do not wish to have such a deduction from their pay, they have a voice and vote. This is what unions do, they give you a united voice and vote on all decisions made within. Every expenditure must be disclosed and approved by the membership according to the United States Department of Labor and are posted online for the public to review at their leisure, much unlike what we are used to in the PA House.

Mr. Speaker, these deductions that we are speaking about go to fund multiple activities within. The titles of these funds vary. At times they are called PACs, or political action committees, while others have names such as the Political Education Fund of XYZ.

Yes, at times they are utilized to make political donations to individuals, candidates, or organizations to advance the agenda of the same – for the benefit of those they represent – their membership just like any other organization. They collect donations and utilize them to advance their agenda and for the good of their membership just like the dues money for the NRA (National Rifle Association) or the thousands of other associations, organizations, or charities. If you are going to target these groups, target them all, not just a few – target them all.

Mr. Speaker, we are singling out one example of the deductions within a paycheck. There are many other deductions in their paychecks for numerous things such as charity and State taxes. The unions on today's target have an agenda that is clearly publicized – jobs, jobs, jobs – unlike the supporters of SB 166.

Mr. Speaker, let us be clear. This is their money, not State money as the supporters have the public to believe; it is their money. If they were really worried about deductions, they should look at what the government is taking with no consent or choice of the individual. Do something for the millions in PA. Do not attack the thousands that have already made a choice. Instead of protecting their paychecks from educating their members, maybe we should take up legislation to protect all the people of the Commonwealth and work on lowering the taxes taken out of their pay.

Mr. Speaker, these moneys collected from their members are not spent freely. The membership must approve every expenditure according to Federal law, as I stated earlier, and are under constant scrutiny. These activities fluctuate, but I think the public should know something, these unions have been working recently. It is an important issue facing our democracy and may have triggered this legislation; it is in the courts today – gerrymandering.

They have been educating their members throughout the Commonwealth, and people are starting to get it. Anyone that looks at the legislative district maps will see how bad it is and can form their own opinion. The courts have recognized this practice of gerrymandering, and from reports in the news, we should see a court ruling by the end of the year, which will end much of the gerrymandering in PA.

Mr. Speaker, if you are the benefactor of these practices which the court has recognized as being the case, you may want to cut off the resources of these organizations, thus the need for SB 166. It must be intimidating to many elected officials, for their districts are drawn in such a way that no matter how bad they are at their job, you cannot touch them.

With that in mind, some elected officials need to be certain that the political education moneys are not spent educating those within their district and they may have a chance to keep their jobs.

Mr. Speaker, I am not naive when it comes to people's feelings in regards to unions. There are three different views; some love them, some do not, while the majority of people do not care either way, for they recognize that it is their right to join a union or own a gun and it is protected by the Constitution.

However, the people of Pennsylvania need these unions more than they realize to balance the millions of dollars being spent by big businesses and organizations.

If it is the goal of this body to protect the public, let us do it the right way, and instead of passing a paycheck deception bill, pass a bill that does not allow corporate moneys to flow into the State freely. Force them to disclose just like those being targeted here today. Limit campaign contributions or pass legislation that does allow taxpayers to pay individuals while running for multiple offices at one time such as they legislated in Philadelphia County.

Mr. Speaker, there are many things we can do on this floor for the good of the entire Commonwealth. There is no need to attack or target any individual class just because they do not always agree with you.

So today, as a proud union member of the International Brotherhood of Electrical Workers, I ask that we all rise in opposition of SB 166 and allow them to decide themselves how to protect their paycheck.

REMARKS SUBMITTED FOR THE RECORD

The SPEAKER. Representative Galloway.

Mr. GALLOWAY. Thank you, Mr. Speaker.

I would like to do the same.

The SPEAKER. Yes, sir. You may submit remarks for the record.

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

I think we need to look at what exactly this bill does: it only targets the collective voices of public employees by prohibiting them from voluntarily having political contributions deducted from their paychecks. We are talking about teachers, nurses, police officers, and firefighters – people that I think most of us would agree are absolutely capable of choosing whether or not they would like to have the convenience of a payroll deduction. I think we all know that this is one step towards right-to-work – another step towards silencing workers and the unions that represent their interests.

Furthermore, and most importantly, I would not call this paycheck protection. I do not think this is protecting workers' paychecks at all, nor is it protecting workers. If we really care about the hardworking citizens of this Commonwealth, we would be voting on legislative initiatives that actually protect paychecks like minimum wage, equal pay, and paid family and medical leave.

With that, I urge my colleagues on both sides to vote "no" on SB 166.

REMARKS SUBMITTED FOR THE RECORD

The SPEAKER. Representative McCarter.

Mr. McCARTER. Thank you, Mr. Speaker.

I would also like to submit comments for the record.

The SPEAKER. Yes; you may submit remarks for the record.

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

Mr. Speaker, the phrase "paycheck protection" sounds benign; it is meant to. But we all know it is anything but.

SB 166 is an all-out attack on unions and on the middle class. It is meant to undercut the negotiating power of unions and ultimately their very existence, and in this age of rising wage inequality, unions are essential for middle-class workers. In 1980 – not all that long ago, really – the poor and middle class used to see the largest income growth. Now, not even 40 years later, only the very, very affluent – the 99.999th percentile – see the largest income growth. Living standards for most Americans are stagnating, and the rich are pulling away. It almost feels inevitable. But it is not inevitable; it is enabled by bills such as this one.

This bill is dubbed "paycheck protection." I ask everyone in this room: whom is the bill protecting? It certainly is not the livelihood and interests of middle-class workers.

Mr. Speaker, I urge a "no" vote on SB 166, and I urge my colleagues, protect your constituents and their way of life, not paycheck deceptions.

REMARKS SUBMITTED FOR THE RECORD

The SPEAKER. Representative Caltagirone. Remarks for the record? They will be accepted.

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

I am pro-life, have always been pro-life and will always be pro-life, but I cannot support SB 3. I agree with the Pennsylvania Medical Society and believe politicians in Harrisburg should not be dictating medical treatment protocols and interfering with the doctor-patient relationship. After meeting with medical experts who explained the impacts of SB 3, I have concluded this bill goes too far.

I stand with the Pennsylvania Coalition Against Domestic Violence and the Pennsylvania Coalition Against Rape in opposition to SB 3 because I am not in favor of a rape victim being forced to have her rapist's baby. Currently the Pennsylvania Abortion Control Act is one of the most restrictive abortion laws in the country, and I am comfortable with the current restrictions. I believe the additional restrictions set forth in SB 3 are unreasonable, unnecessary, and not fair to women.

Enough is enough. Political warfare needs to end in Harrisburg, and we need to find ways to work together to solve real problems. I am sick and tired of wasting time on issues that do not help my constituents get a good job, get a good education, stay in their homes, protect their children, and put food on the table.

REMARKS SUBMITTED FOR THE RECORD

The SPEAKER. Representative Pam Snyder, remarks for the record? They will be accepted.

Mrs. SNYDER submitted the following remarks for the Legislative Journal:

Thank you, Mr. Speaker.

Mr. Speaker, I rise today in opposition of this assault on Pennsylvania's workers.

This bill will silence the political voice of working people so that wealthy, corporate contributions can dominate elections.

SB 166 attacks public-sector workers by targeting their voluntary contributions to the unions that represent them. Corporations and insurance companies collect payroll deductions from public employees, and those funds are also used to advocate on issues, many times against their own employees.

Corporate political contributions outnumber labor's contributions by more than 15 times, but no one seems to want to address how the rich and privileged are buying elections across the Commonwealth.

SB 166 is a malicious attack on fairness, decency, and working families in Greene, Fayette, and Washington Counties, and all over Pennsylvania.

Make no mistake, SB 166 has nothing to do with actually protecting people's paychecks or their wages. SB 166 is a blatant attempt to silence workers. The only thing this bill protects are the interests of corporations, lobbyists, millionaires, and special interest groups aimed at defeating organized labor.

Mr. Speaker, working people are not the enemy. They have hopes, dreams, aspirations, just like all of us. They have mortgages, financial worries, and health concerns. Just because they belong to a public union makes them no less deserving of representation and economic opportunity.

SB 166 is bad for Pennsylvania and its workers and should be rejected. We have far more important issues to tackle than muffling the voices of middle-class, hardworking people.

Let us start supporting our labor unions so that the middle class can thrive once again.

I ask my colleagues to vote "no" on SB 166. Thank you, Mr. Speaker.

REMARKS SUBMITTED FOR THE RECORD

The SPEAKER. Representative Eddie Pashinski, remarks for the record? They will be accepted.

Mr. PASHINSKI. Thank you.

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

Mr. Speaker, I rise against SB 166 for a number of reasons. It is important to note that not only is this deduction a negotiable result of collective bargaining – collective bargaining for the benefit of working-class Pennsylvanians who live and pay taxes in Pennsylvania; who buy homes and Pennsylvania goods and services; who protect, educate, cure and heal, build our buildings, pave our roads, process our documents, provide every basic life necessity. Why take away a vital process to allow regular hardworking Pennsylvania taxpaying citizens the opportunity to choose this deduction or not? Why would anyone want to prevent hardworking Pennsylvania citizens from utilizing the collective-bargaining process to support their needs and maintain an economic status to create financial independence and be a participant to continue to pay their taxes, buy our Pennsylvania products, and continue to support our Pennsylvania economy?

While SB 166 does not recognize or admit the tremendous amount of taxpayer money that goes into the huge and massive insurance companies, pharmaceutical companies, health-care organizations, and a myriad of nonprofits, most or all of which have well-funded political funds used for their cause and concerns. It is obvious SB 166 favors those huge conglomerates over our regular, hardworking Pennsylvania citizens, and most ironically, those hardworking Pennsylvania citizens consist of all political affiliations – Democrats, Republicans, Libertarians, Green Party, or whoever. Through the collective-bargaining process, they are exercising the right to speak and stand without fear for their cause.

What is good for the goose is good for the gander. If you remove the union deductible, then no organizations that employ lobbyists for their advantage should be allowed; all or none.

I urge a "no" vote for SB 166.

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1941, PN 2804**, 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 third consideration?

Bill was agreed to.

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

Representative Markosek will speak on it and then followed by Representative Saylor.

Mr. MARKOSEK. Thank you, Mr. Speaker.

Very briefly, this bill, HB 1941, limits the Budget Secretary's ability to waive provisions relating to lapses and encumbrances, and with HB 1941, the Republicans want to take flexibility from the Governor to run agencies and programs. At the same time our friends on the other side of the aisle are unwilling to properly fund government. I said it many, many times here tonight. Republicans have made it a habit to dig for one-time funding sources to balance the budget, often harming people, communities, and programs impacted by those shortsighted fiscal maneuvers.

I would ask for a "no" vote. Thank you, Mr. Speaker.

The SPEAKER. Representative Stan Saylor, on the bill, please.

Mr. SAYLOR. Thank you, Mr. Speaker.

I rise to ask for a positive vote on HB 1941.

One of the things that I have taken notice to since my election as Appropriations chairman has been that our Governors have a constant ability to waive expenditures that go all the way back. For instance, this Governor just recently waived economic development community money all the way back to 2000, 2003, and 2004. There was a total of 150 waivers this year on different line items in our budget, with almost no explanation as to why the Governor was waiving the return of those dollars to our General Fund.

What we are asking for is simply that to ask for a waiver for money that goes all the way back to Governor Rendell's first year as Governor is absurd. Those moneys need to be returned to the Treasury, and if you are going to waive those, we need a better explanation as to why the Governor is holding on and the Budget Secretary is holding on to those dollars.

Simply, it is more important for this General Assembly to have more transparency as people and taxpayers throughout our Commonwealth are demanding that from government. This bill simply provides more transparency and more clarity to how our budget process works.

I ask for a "yes" vote, Mr. Speaker.

On the question recurring,
Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—116

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

NAYS—76

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

NOT VOTING—0

EXCUSED—8

Boback	Donatucci	Keller, W.	McGinnis
DeLuca	Kaufer	Clunk	Pyle

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 1942, PN 2805**, 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 third consideration?

Bill was agreed to.

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

On the bill, Representative Markosek followed by Representative Dunbar.

Mr. MARKOSEK. Thank you, Mr. Speaker.

Mr. Speaker, HB 1942 has been introduced by my very good and talented friend and neighbor from back home in Allegheny and Westmoreland Counties, the gentleman from Westmoreland, and normally he has done very well with drafting legislation. However, tonight I humbly stand to let him know some of the flaws in his own HB 1942.

This requires the Budget Secretary to project revenue shortfalls for the fiscal year starting in December and each month thereafter and to put amounts in budgetary reserve equal to any shortfall. Well, what this does, what HB 1942 actually does is makes the Governor cut his way out of any problem that comes up during the year. This bill creates huge unpredictability for the constituencies that Pennsylvania serves: schoolchildren, families struggling with opioid addiction, seniors, hospitals, and the list goes on.

His colleagues in the Republican Caucus have insisted on overly optimistic revenue projections in recent years to publicly claim a balanced budget. Now you want the Governor to make a midyear correction to spending to avoid accountability for your failure to address a chronic budget deficit. This is just another backhanded way for the Republican Party to take credit and shift blame for a budget they refuse to pay for.

I would ask all of us to vote "no." Thank you, Mr. Speaker.

The SPEAKER. Representative George Dunbar, on HB 1942.

Mr. DUNBAR. Thank you, Mr. Speaker.

I think last year's budgeting process was not one I think any of us want to revisit again. The problem last year was not only were we trying to balance our revenues and expenditures for '17-'18, we also were faced with the problem of filling the pothole that existed when revenues did not meet expectations in '16-'17.

And with all due respect to the minority chair, who is a good friend and a neighbor – and flattery will get you everywhere, Joe; I do appreciate the kind words – I am not here to place blame, I am not here to point fingers, but we need to get away from all the rhetoric and we truly need to begin the process of fixing a broken budgetary process that we have lived through.

HB 1942 will do this. It very simply, as the minority chairman said, it very simply, if we do not meet our revenue expectations come December of our fiscal year, all we ask is that the Governor put in budgetary reserve an equal amount. In fact, go back to our budget debate of last year. The gentledady from Montgomery County stood up and admonished us all: you cannot spend what you do not have.

This is all we are asking, if we are not meeting our revenue projections, that we put money aside in budgetary reserves so we do not overspend.

This is simply just a safety net. It is a tool to prevent us from doing the same mistakes over and over again that we have done in the past. It is an answer to a problem.

And speaking of answers, I will leave with a brief quote from John F. Kennedy: "Let us not seek the Republican answer or the Democratic answer but the right answer. Let us not seek to fix the blame for the past – let us accept our own responsibility for the future." HB 1942 forces us to accept responsibility, and I urge a "yes" vote. Thank you.

The SPEAKER. Representative Dean will be followed by Representative Barbin and then Representative Diamond. Waives off on Representative Diamond.

Representative Dean.

Mrs. DEAN. Thank you, Mr. Speaker.

This bill really brings up the spirit of the season. Mr. Speaker, in "A Christmas Carol," Ebenezer Scrooge is visited by the Ghost of Christmas Past, the Ghost of Christmas Present, and the Ghost of Christmas Future, which remind him of his failings and lead him to change his ways.

Perhaps as we debate this bill, which proposes to make the Governor cut his way out of any revenue hole that emerges in a fiscal year, we could use a visit from the Ghost of Budgets Past, the Ghost of Budget Present, and the Ghost of Budget Future.

Let us try the Ghost of Budget Past. He would remind us that just a year ago this bill would have mandated \$1.1 billion in cuts. I would hope that my colleagues are not proposing to return to Republican budgets past, where they drastically cut education and human service funding – a path rejected by the citizens of Pennsylvania. The Ghost of Budget Past might also remind us of 2008, and please listen to this: We would be haunted by that ghost with a \$3.2 billion budget shortfall. How would we have cut our way out of that one if this bill were the law? Anyone in favor of this bill should be willing to tell us where they would have cut \$3.2 billion in an annual budget past.

Next, we are visited by the Ghost of Budget Present. So far tax collections look okay, but already we see risks. For example, the JUA (Joint Underwriting Association) transfer, which is again headed to court. If this bill were law, does it make sense that the Governor be forced to make cuts because the General Assembly sent him revenues tied up in litigation? Will the gaming revenues come in as expected?

And finally, the Ghost of Budget Future. The never-ending parade of increasingly desperate one-time revenues will eventually come crashing down. We will continue to have a structural deficit. We will eventually have another recession. This bill will force disastrous cuts upon the people of Pennsylvania. We should heed the warning.

But like Ebenezer Scrooge, we can change. We can pass recurring revenues. We can fix our structural deficit. We could and should replenish the Rainy Day Fund. Now, that would be the true budget reform path, rather than the problems we will clearly face if we codify this bill.

Vote "no" on HB 1942. We do not want to be haunted by it in the future.

The SPEAKER. Representative Bryan Barbin, on the bill.

Mr. BARBIN. Thank you, Mr. Speaker.

It is disingenuous to say that this bill will fix our problems when we know that our problems are caused not by the Governor having some additional restriction on his ability to spend money, not by forcing the Governor to reserve moneys that we all know we do not have. The answer lies in the process itself. No bill gets to the Governor's desk before it passes the House and then passes the Senate. When it gets passed by both House and Senate, it goes to the Governor for a veto or a signature. We know today that at the same time this transparency bill is being requested, that there is no supplemental appropriation for the JUA amount. There is no supplemental bill to cut spending on, for instance, the Zogby rule, or the \$1.5 billion that we hand to charter and cyber schools.

There is no bill, supplemental bill, to give the Governor the ability to freeze tax credits. None of those things are with this transparency bill. This is not a real bill. This is a bill in search of a political sound bite.

The SPEAKER. Representative George Dunbar, unless anybody else wishes—

Representative Frank Ryan. Sir, you may. Okay.

Representative George Dunbar.

Mr. DUNBAR. Thank you, Mr. Speaker, and thank you, Mr. Ryan.

Very briefly, to answer some of the questions, I did not put this out as a solution to the problem. It is just a small piece to redo our budget system. Our budget system is broken. This and the other pieces of legislation we are offering are all parts to fix the problem.

And for the concerns about a situation where we may not be meeting our projected revenues, that is the whole idea behind the bill to begin with, is to have realistic revenues.

Like I said, I am not here to place blame. I am here to find solutions to the problem. No one can ever estimate when we are going to have an economic downturn and maybe fall behind in revenues, but when we fall behind in revenues, we have to have a safety net in place so we do not spend money we do not have.

Again, I ask for a "yes" vote. Thank you.

The SPEAKER. Representative Ryan, if you wish to speak, now is the time.

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—116

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

NAYS—76

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

NOT VOTING—0

EXCUSED—8

Boback	Donatucci	Keller, W.	McGinnis
DeLuca	Kaufer	Klunk	Pyle

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 1943, PN 2806**, 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 third consideration?

Bill was agreed to.

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

Representative Markosek.

Mr. MARKOSEK. Thank you, Mr. Speaker.

Mr. Speaker, HB 1943 is in response to House Republicans' misguided efforts to raid special funds. Remember that, remember that episode we had here a couple of months ago? They were trying to raid special funds which, in most cases, did not even exist.

The grant information is already available to the public. This bill asks for different reporting qualifications, and this information is already available. Even with this information, it is doubtful that this would prevent future attempts to steal from these funds. We have got hearings coming up for that purpose here with the Appropriations Committee to determine what is actually in these funds, which, basically, I could tell you right now and most of us in the Budget Office can find out what is in those funds. The solution is not one-time raids of special funds, but sustainable, ongoing, recurring funding sources.

Thank you, Mr. Speaker. I would ask for a "no" vote on HB 1943.

The SPEAKER. Representative Eric Nelson, on the bill.

Mr. NELSON. Thank you, Mr. Speaker.

I appreciate my colleague's remarks and his concerns of the special funds that were definitely a point of contention this past budget cycle.

These special funds are used to operate grant and subsidy programs, and the information on how much money is in those funds was an extreme point of contention this past budget season. However, some of the information in that fund is not available. Those funds and the transparency portal, which was great for the people of Pennsylvania, those funds do not show future years or multigrant dollars that may appear in the system even though they may be committed, and so that creates a point of contention on both sides of the aisle. Whether it was environmental stewardship, Growing Greener, conservation funds, programs in our district have been denied but dollars appear to be waiting in off-line accounts.

I think it is the goal of both sides of the aisle to say the taxpayers' dollars should be spent in the direction they are intended, and the goal of this legislation is to improve transparency for not just the legislature but all Pennsylvanians. The goal of this quarterly report will identify not just the

expenditures but future-year committed funds to projects so we can ensure full transparency.

Thank you, Mr. Speaker.

The SPEAKER. Does anybody else wish to speak on the bill?

On the question recurring,
Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—116

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

NAYS—76

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

NOT VOTING—0

EXCUSED—8

Boback	Donatucci	Keller, W.	McGinnis
DeLuca	Kaufer	Klunk	Pyle

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 1944, PN 2807**, 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 third consideration?
Bill was agreed to.

(Bill analysis was read.)

The SPEAKER. This bill has been considered on three different days and agreed to and is now on final passage.
The question is, shall the bill pass finally?

On that, Representative Markosek.
Mr. MARKOSEK. Thank you, Mr. Speaker.

Mr. Speaker, HB 1944 provides for a very unreasonable time limit here for the budget submission and requires the Budget Secretary to provide detailed information regarding each appropriation after the budget is enacted.

The General Assembly takes months to pass all the pieces of the budget, months, yet this bill would require the Governor to have legislation in their hands within 2 weeks. The Appropriations Committee hearings are only about halfway done by that time. So how are we going to respond when we have not even finished our hearings? We can always have more hearings, of course, but enacting the budget package is a collaborative effort or it should be a collaborative effort between the General Assembly and the Governor, and the hearing process is an important part of that conversation.

At a minimum, the Governor should be given the time to complete that conversation, with reasonable time for consideration, before submitting the legislation. This bill does not give the Governor any kind of anywhere close to reasonable time to prepare legislation right around the time of the budget hearings.

I would ask for a solid "no" vote on this bill. Thank you.

The SPEAKER. Representative Sheryl Delozier, on HB 1944.

Ms. DELOZIER. Thank you, Mr. Speaker.
I rise and ask for a positive vote on HB 1944.

The issue that has been raised at this point is about the timing, which is one of the issues that is covered in this bill, and I guess my point would be to the fact that the statement was that the Governor does not have enough time to come up with the idea as to what legislation would be needed. I guess I would point out the fact that as the Governor comes up with his plan and he has been working on it, I hope at this point now, that there is time to come up with what it is that they want to do. If the Governor is putting forward a proposal of how to move this State forward, I would think the Governor has thought through how he would like to do that, and that is what we are asking for, the roadmap as to how that Governor, who is proposing the way to save money or spend our tax dollars, would know how he wants to do it. We are simply asking for him to give us that roadmap as to what his proposal is and then we move forward on coming up with a compromise with the Governor and the other chamber.

So I think the timeframe of 15 days is plenty of time. If he makes the proposal and moves forward through the hearings, he should move forward with the idea of knowing how he wants to go about doing it. This is just saying he should share that plan with us before we can make a plan to come up with that compromise for the budget to be a successful process of compromising.

Thank you, Mr. Speaker.

On the question recurring,
Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—116

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

NAYS—76

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

NOT VOTING—0

EXCUSED—8

Boback	Donatucci	Keller, W.	McGinnis
DeLuca	Kaufner	Klunk	Pyle

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 74, PN 2808**, entitled:

An Act amending the act of March 28, 1984 (P.L.150, No.28), known as the Automobile Lemon Law, further providing for definitions, for manufacturer's duty for refund or replacement and for presumption of a reasonable number of attempts.

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

Representative Snyder, on the bill.
Does anybody else wish to speak on the bill?

On the question recurring,
Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—187

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

NAYS—4

Cox	Gillen	Gillespie	Jozwiak
-----	--------	-----------	---------

NOT VOTING—1

Maloney

EXCUSED—8

Boback	Donatucci	Keller, W.	McGinnis
DeLuca	Kaufer	Klunk	Pyle

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 CORRECTION

The SPEAKER. Representative Diamond is recognized.
Mr. DIAMOND. Correct the record, Mr. Speaker?

The SPEAKER. Yes, you may.

Mr. DIAMOND. I was recorded as a "yes" vote on HB 74. I would like to be recorded as a "no" vote.

The SPEAKER. Yes; that will be reflected in the record. Your remarks will be reflected in the record.

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1124, PN 2809**, 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 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—192

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

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

NAYS—0

NOT VOTING—0

EXCUSED—8

Boback	Donatucci	Keller, W.	McGinnis
DeLuca	Kaufer	Klunk	Pyle

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 SPEAKER. Members, SB 446, PN 1379, we can vote on that at 8:05. We have some motions to suspend with respect to that, but we are just going to wait until 8:05. That way we do not have to do the motion on the time suspension. But there are going to be two other motions for suspending with respect to SB 446, PN 1379.

COMMITTEE MEETING CANCELED

The SPEAKER. Representative O'Neill, I believe, for a committee announcement.

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

I just want to let the members of the House Finance Committee know that our original voting meeting scheduled for tomorrow morning has been canceled due to the possible change in session. Thank you.

The SPEAKER. Thank you, sir.

VOTE CORRECTION

The SPEAKER. Representative Carl Metzgar, for what purpose do you stand?

Mr. METZGAR. To correct the record.

The SPEAKER. Yes, sir. You may proceed.

Mr. METZGAR. On the Frankel motion of constitutionality on SB 3, I was not recorded and wish to be recorded in the affirmative.

The SPEAKER. That it is constitutional?

Mr. METZGAR. That is correct.

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

COMMITTEE MEETING CANCELED

The SPEAKER. Representative Hennessey, sir, you may proceed.

Mr. HENNESSEY. Thank you, Mr. Speaker.

In light of the anticipated schedule for tomorrow, the House Aging and Older Adult Services informational meeting about the LIFE (Living Independence for the Elderly) Program will be canceled for tomorrow and will be rescheduled in January or February. Thank you.

The SPEAKER. Yes, sir. Thank you.

ANNOUNCEMENT BY MR. SAYLOR

The SPEAKER. Representative Stan Saylor, the majority Appropriations chair, for a committee announcement.

Mr. SAYLOR. Mr. Speaker, we will have an Appropriations Committee meeting later this evening.

But I did want to update everybody, our Appropriations hearing on Thursday, instead of starting at 9:30, will start on Thursday at 9 o'clock in G-50, Irvis Office Building. Again, that is at 9 a.m. instead of 9:30 as previously announced.

Are there any other announcements?

We are going to stand at ease for 4 minutes— Oh, we will continue. We do have others on third consideration.

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1460, PN 2810**, entitled:

An Act amending Titles 24 (Education) and 71 (State Government) of the Pennsylvania Consolidated Statutes, in administration and miscellaneous provisions regarding administration of the Public School Employees' Retirement Fund, further providing for administrative duties of board; and, in administration, funds, accounts and general provisions regarding administration of the State Employees' Retirement Fund, further providing for administrative duties of the board.

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—192

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

NAYS—0

NOT VOTING—0

EXCUSED—8

Boback	Donatucci	Keller, W.	McGinnis
DeLuca	Kaufer	Klunk	Pyle

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 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 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—192

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

Dush	Krueger	Ravenstahl	Turzai,
Ellis	Kulik	Readshaw	Speaker
Emrick	Lawrence		

NAYS—0

NOT VOTING—0

EXCUSED—8

Boback	Donatucci	Keller, W.	McGinnis
DeLuca	Kaufer	Klunk	Pyle

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 1866, PN 2571**, entitled:

An Act designating a bridge on that portion of State Route 954 over the North Branch of Plum Creek, South Mahoning Township, Indiana County, as the PFC William T. Bresnock Memorial Bridge.

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—192

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

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

NAYS—0

NOT VOTING—0

EXCUSED—8

Boback	Donatucci	Keller, W.	McGinnis
DeLuca	Kaufer	Klunk	Pyle

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 **SB 446, PN 1379**, entitled:

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 Drug and Alcohol Programs, providing for drug and alcohol recovery houses and establishing the Drug and Alcohol Recovery House Fund; and making editorial changes.

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

The SPEAKER. Representative Farry wishes to amend the bill on third consideration with amendment 5262. We are going to need a motion to suspend. And then the other motion would be that should the motion to suspend be accepted or passed, then

he could also combine that with a motion to immediately proceed to a vote or consider the bill on third consideration should there be a suspension motion approved.

RULES SUSPENDED

The SPEAKER. Representative Farry, will you please state that for the record.

Mr. FARRY. Sure. Thank you, Mr. Speaker.

I would like to make a motion that allows for the immediate consideration of amendment A05262, and if successful in the adoption of that amendment, the motion would also include the immediate consideration of SB 446.

The SPEAKER. First, we need a two-thirds vote.

On the question,

Will the House agree to the motion?

The SPEAKER. Yes, Representative Vitali, you may proceed.

Mr. VITALI. I wonder if we can get a brief explanation of what this amendment does before we consider suspension.

The SPEAKER. Yes. That is fair. I should have done that, and I apologize.

The clerk will read a summary of amendment 5262.

The clerk read the following amendment No. **A05262**:

Amend Bill, page 8, line 16, by inserting before "THE"

(a) Licensure or certification.

Amend Bill, page 8, by inserting after line 30

(b) Timing.—Licensure or certification shall occur no later than two years from the effective date of this section.

Amend Bill, page 12, lines 22 and 23, by striking out "TWO YEARS" and inserting
180 days

On the question recurring,

Will the House agree to the motion?

The SPEAKER. Representative Farry, on the motion, sir.

Mr. FARRY. Thank you, Mr. Speaker.

To the gentleman's question, this bill had original language when it came over from the Senate. It was then amended in the House. The bill then became the Admin Code, and what is before us today is what is the final agreed-to language to regulate and certify recovery houses.

This language has been approved by the members of both sides of the aisle here that have worked on this issue as well as the Senate, the administration, and DDAP (Department of Drug and Alcohol Programs). This amendment was actually – there was an error in the amendment that was adopted last evening in Appropriations. This amendment corrects that by striking the 2-year effective date and moving that to 180 days. In clarifying language within the bill, it allows for DDAP to have the certifying of the recovery houses no later than 2 years from the effective date of this section.

The SPEAKER. On the motion to suspend and then it will be an immediate consideration if this motion passes.

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—170

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

NAYS—22

Bradford	Evankovich	Metcalfe	Rabb
Davidson	Gillen	Metzgar	Roae
Dean	James	Miller, D.	Ryan
Diamond	Keller, F.	Mullery	Samuelson
Dush	Knowles	Neuman	Tallman
Emrick	McCarter		

NOT VOTING—0

EXCUSED—8

Boback	Donatucci	Keller, W.	McGinnis
DeLuca	Kaufer	Klunk	Pyle

UNEXCUSED—1

Haggerty

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

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

The SPEAKER. So at this time we are going to take up amendment 5262, and then we can immediately go to the bill as well.

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

Mr. FARRY offered the following amendment No. A05262:

Amend Bill, page 8, line 16, by inserting before "THE"

(a) Licensure or certification.—

Amend Bill, page 8, by inserting after line 30

(b) Timing.—Licensure or certification shall occur no later than two years from the effective date of this section.

Amend Bill, page 12, lines 22 and 23, by striking out "TWO YEARS" and inserting

180 days

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

VOTE CORRECTION

The SPEAKER. Yes, Representative Brett Miller.

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

On that last vote I was recorded in the affirmative. I would like to be recorded in the negative.

The SPEAKER. The record will reflect that you would like to be marked in the negative.

Mr. B. MILLER. Thank you.

CONSIDERATION OF SB 446 CONTINUED

The SPEAKER. Representative Farry, on the amendment, sir, 5262. Yes, sir, you may proceed.

Mr. FARRY. Thank you, Mr. Speaker.

As previously stated, this amendment reduces the effective date from 2 years to 180 days and also stipulates the timeframe for which the department has to license and certify recovery homes.

The SPEAKER. Thank you.

Representative Will Tallman, on the amendment, please.

Mr. TALLMAN. Thank you, Mr. Speaker.

I would like to make a— I would like to ask some questions of the maker of the amendment, let us put it that way.

The SPEAKER. Sir, will you stand for interrogation? He will, and you may proceed.

Mr. TALLMAN. So what is the actual impact of your amendment?

Mr. FARRY. Right now as the bill is drafted, if this amendment is not adopted, the effective date is actually 2 years from when the Governor signs this bill. So what that is going to do is that is going to preclude the department from carrying out all the various things stipulated in the legislation. What was agreed to by the parties in all the work that has been done on this bill over the last many years was having an effective date of 6 months, 180 days, and allowing the department no longer than 2 years to complete the tasks of inspecting and certifying the recovery homes that make application to the department.

Mr. TALLMAN. Thank you, Mr. Speaker.

The SPEAKER. Does anybody wish to speak on the amendment?

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

The following roll call was recorded:

YEAS—191

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

NAYS—1

Metzgar

NOT VOTING—0

EXCUSED—8

Boback	Donatucci	Keller, W.	McGinnis
DeLuca	Kaufer	Klunk	Pyle

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 third consideration as amended?

Bill as amended was agreed to.

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

We will now proceed to a vote on SB 446 as amended.

Representative Tina Davis, on SB 446 as amended.

Mrs. DAVIS. Thank you, Mr. Speaker.

I just want to urge my colleagues to please support this bill. It has been a long time coming. It not only helps the people who are trying to get sober but their families and the residents around them but also your municipalities because they have something to actually look at.

REMARKS SUBMITTED FOR THE RECORD

Mrs. DAVIS. I have much more remarks, but may I submit them?

The SPEAKER. Yes, please. They will be accepted. They will be submitted to the record and accepted.

Mrs. DAVIS submitted the following remarks for the Legislative Journal:

Thank you, Mr. Speaker.

I rise today in support of SB 446. This bill is an important step in the chain of steps to sobriety by setting standards for recovery houses that receive public funding and providing a registry for licensed houses.

Pennsylvania must do all it can to provide safer environments for recovery house residents and the surrounding community. I think we can agree that it is in everyone's best interest to weed out the facilities that are not succeeding and tend to those with little oversight and insist upon responsible programs that are not blights on neighborhoods.

SB 446 ensures that a residence up for certification would be required to submit policies to the department including, but not limited to, recovery, relapse, good neighbor, drug testing, and safety. Recovery residences certified under this bill will be monitored by the department in order to maintain continuing compliance, and certifications would expire 1 year after issuance. Administrators of certified homes must act in compliance with the department in order to ensure resident, staff, and neighbor safety.

To help with neighbor safety, this legislation will require that drug and alcohol recovery houses be in compliance with all Federal, State, and local laws or ordinances to receive and maintain licensure or certification.

This legislation will also inform those seeking assistance and their families as to which recovery houses are licensed or certified by directing the department to create and maintain a publicly accessible registry that must be updated annually.

This epidemic is a crisis, and it is time to do everything we can to intervene. This legislation will help set a quality standard for those in recovery while also working to ensure these homes are good neighbors to the communities in which they operate.

It is for these reasons that I will be voting "yes," and I urge my colleagues to do the same. Thank you.

The SPEAKER. Representative DeLissio, on the bill as amended.

Ms. DeLISSIO. Thank you, Mr. Speaker.

Mr. Speaker, I understand that the bill now, it takes away the idea of an annual inspection, and when I inquired about that in caucus, I was told it was due to the lack of manpower in the department.

You know, this is a vulnerable population that is being housed in these recovery houses, and I would certainly want to register my objection – I am a "yes" vote on the bill – but register my objection to the fact that annual inspections or at least every-other-year inspections are not part of this bill and that when we are housing vulnerable populations like this, those outside inspections are very, very critical. I come out of long-term care. We are certainly subjected to the inspection process, and it is for good and sufficient reason. So I hope that we can adequately fund this going forward to allow for reasonable inspections in a reasonable timeframe, not just upon initial licensure certification. Thank you.

The SPEAKER. Representative Farry, on the bill, please, as amended.

Mr. FARRY. Thank you.

To the gentlewoman from Delaware County, to clarify this does not eliminate the annual inspections. What this actually does is, this is the ramp-up period to allow the department to get their policies in place and begin the initial inspection period. So that is what the amendment did. It would still require annual inspections once the program is in place. The 2-year window is actually allowing the department to get up to speed on this matter and get the initial round of inspections done. It still will require annual inspections.

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-192

Baker	English	Lewis	Reed
Barbin	Evankovich	Longiotti	Reese
Barrar	Evans	Mackenzie	Roe
Benninghoff	Everett	Madden	Roe
Bernstine	Fabrizio	Maher	Roebuck
Bizzarro	Farry	Mako	Rothman
Bloom	Fee	Maloney	Rozzi
Boyle	Fitzgerald	Markosek	Ryan
Bradford	Flynn	Marshall	Saccone
Briggs	Frankel	Marsico	Sainato

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

NAYS—0

NOT VOTING—0

EXCUSED—8

Boback	Donatucci	Keller, W.	McGinnis
DeLuca	Kaufer	Klunk	Pyle

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

VOTE CORRECTION

The SPEAKER. Representative Dave Maloney is recognized.

Mr. MALONEY. Thank you, Mr. Speaker.

To correct the record.

The SPEAKER. Yes, sir, you may proceed.

Mr. MALONEY. On HB 74 I would like to be recorded in the affirmative.

The SPEAKER. In the affirmative. Okay. Your remarks will be reflected in the record.

Mr. MALONEY. Thank you, Mr. Speaker.

RECONSIDERATION MOTION FILED

The SPEAKER. Members, I am in receipt of a motion to reconsider an amendment. Representatives Bryan Cutler and Eli Evankovich move that the vote by which – actually, it is just a motion to reconsider a bill. It says amendment, but it is a motion to reconsider a bill.

Representative Bryan Cutler and Representative Eli Evankovich move that the vote by which SB 166, PN 1344, was defeated on the 12th day of December be reconsidered. This is not being taken up at this time, but we are in receipt of the motion to reconsider, for the record.

PARLIAMENTARY INQUIRIES

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

Mr. NEILSON. Parliamentary inquiry.

The SPEAKER. Yes, sir, you may proceed.

Mr. NEILSON. Mr. Speaker, we understand that you just said you are in receipt. How long is that good for? Is that good, like, forever, I mean, or is it good until we go home tonight? I mean, is this something you could just hold up there on the side and say, okay; we are going to try it today?

The SPEAKER. Yes, that is true, that is true.

Mr. NEILSON. Wow.

The SPEAKER. Yes; if you file a motion to reconsider, it can be held.

Mr. NEILSON. Well, Mr. Speaker, would it be in order for me to call for the previous question and vote on that reconsideration right now?

The SPEAKER. No, because it is not coming before the House. I am just in receipt of the motion to reconsider. We are not taking it up.

Mr. NEILSON. Okay. So how long—

The SPEAKER. One of the two members who has signed it – this is true for any motion to reconsider – actually has to ask for a vote on the motion to reconsider, and that has not happened.

Mr. NEILSON. All right. So would a motion be in order for special consideration like we are going to do on a special order to deal with this now and have it done and over with forever so we do not have to sit here and argue about this for another 4 hours another night? The vote happened tonight. It was clear. Just because two members are not happy with it, that is kind of too bad. So is there a motion for special business in order?

The SPEAKER. Sir, a special order of business is a calendar issue. So if there is a bill that is on a calendar and it has not been called up, you can make use of that rule under rule 17.

No, you cannot use rule 17 with respect to a motion to reconsider. It is not applicable.

Mr. NEILSON. Even though it is a calendared item?

The SPEAKER. It is not applicable to a motion to reconsider.

Mr. NEILSON. Okay. So what we are saying is—

The SPEAKER. Representative Neilson, I would just suggest this. If you want to talk—

Mr. NEILSON. I am just looking for some clarity on this.

The SPEAKER. No, I understand. Many people file motions to reconsider. We are in receipt of them. We put it on the record. If one of the two members does not call it for a vote, there is no vote on it.

Mr. NEILSON. Okay.

PARLIAMENTARY INQUIRY

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

Yes, you may proceed with a parliamentary inquiry, sir.

Mr. STURLA. Mr. Speaker, assuming there will be a day when this vote will be reconsidered, if the outcome is not what certain members want, can someone else say they want that vote reconsidered? I mean, can this go on in perpetuity or is there a limit to the number of times?

The SPEAKER. Fair question. Let me just check, please.

Members, my understanding is that there used to be a rule prior to 2008 that indicated that you had 5 days within which to call up the vote, but with the Reform Commission, that was one of the reforms they took out, they recommended and the body took out the deadline with respect to when you can in fact call up a motion to reconsider. There is nothing explicit, but the deadline was there prior to 2008 and the deadline is no longer there.

PARLIAMENTARY INQUIRIES

The SPEAKER. Representative Neilson, you may proceed.

Mr. NEILSON. Thank you, Mr. Speaker.

So the deadline was in 2008 and that was part of it, and when we have rules that are not clarified within the rules, do we go by past precedent, which was actually already set? It was a 5-day deadline. And since it is not addressed properly in our current rules, would we go over that past precedent?

The SPEAKER. No. In fact, the fact that the language was there and that it was removed actually would specifically make it clear that there is not a 5-day deadline, because the body decided to remove that language on the basis of a recommendation by the Reform Commission.

Mr. NEILSON. Further inquiry, Mr. Speaker?

The SPEAKER. You may continue.

Mr. NEILSON. So if I wanted to file a motion to reconsider on legislation that had passed and that went up to the Governor's Office and then sometime months from now I said, "Hey, let's reconsider it. I'm going to pull it up for a vote," what happens then? What happens if the Governor already signed this bill into law—

The SPEAKER. As you know, that happens quite regularly, unfortunately. But if the bill is in our possession, you can file it. If the bill has left the chamber and either gone to the Senate or to the Governor's desk, you cannot file it.

Mr. NEILSON. Okay. So this bill that we voted—

The SPEAKER. The bill has to be in the Speaker's possession.

Mr. NEILSON. Okay. So the bill that we voted down this evening, are you going to keep it for a souvenir or are you going to throw it in the trash where it belongs? Just out of curiosity.

The SPEAKER. I just do not think that is a parliamentary inquiry, and I am going to turn it over to Representative Sturla.

Mr. NEILSON. Thank you, sir.

PARLIAMENTARY INQUIRIES

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, I still did not get an answer to my parliamentary inquiry, which was, how many times can the vote on a bill be reconsidered? And then I have a subsequent parliamentary inquiry depending upon the inquiry.

The SPEAKER. Okay. I am sorry. I thought you were on a timing issue, but I will find out.

Okay. So if there was a vote on the motion to reconsider and it was defeated, you would not be able to move to reconsider again.

Mr. STURLA. Okay. In this session?

The SPEAKER. I apologize. Please turn to rule 26, reconsideration. That is the operative rule. I would ask you to turn to that or to have your caucus counsel. So let me restate that. Here is what it reads specifically, "No bill, resolution or other matter may be reconsidered more than twice on the same legislative day." That is what the rule says. So you could reconsider it twice on a legislative day.

Mr. STURLA. Okay.

The SPEAKER. I have never seen in my tenure, not only as Speaker, in my tenure as a House member, I have never seen anybody offer a motion for reconsideration more than once and I have never seen it defeated and then offered again on the next day. I have never seen that practice. And the Parliamentarian has indicated that past practice is that if the motion to reconsider has been defeated, then it cannot be raised again.

Mr. STURLA. On that day or in this session?

The SPEAKER. To that session.

Mr. STURLA. Okay.

The SPEAKER. That has been the past practice.

Mr. STURLA. Then if I could, Mr. Speaker, a further parliamentary inquiry?

The SPEAKER. Yes, sir.

Mr. STURLA. Is more than one motion to reconsider in order? If you are in possession of a motion to reconsider, can someone else offer a motion to reconsider also that same legislation?

The SPEAKER. You know, I am going to have to take that under advisement and I will report back because we do not know and the Parliamentarian is going to have to do some research on that. I just cannot answer it.

Mr. STURLA. Okay. Well, the reason I want to know, Mr. Speaker, is because if someone else can, there may be members that want to file a second motion to reconsider because then they could call it up immediately, whereas now they do not have that power because they are not the ones—

The SPEAKER. No, no, no. I understand your perspective, what you are asking. I do understand what you are asking. I have to talk to the Parliamentarian on that.

Mr. STURLA. Okay.

The SPEAKER. Just give me some time here and I will get back to you.

Mr. STURLA. Okay.

The SPEAKER. What we are going to do in the interim is while we are doing research on that, then the only other item before us is we have to have Rules and Appropriations meet. We are going to go at ease. We are not going in recess. Rules and Appropriations have to meet and then we are going to come back and take up the special order of business motion. But I am going to research that with the Parliamentarian, and once we come back, I hope to have an answer.

SENATE MESSAGE

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

The clerk of the Senate, being introduced, returned and **HB 1139, PN 2802**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

RULES COMMITTEE MEETING

The SPEAKER. So at this time the leader is recognized for a Rules Committee announcement and then the Appropriations chair will be recognized for an Appropriations Committee announcement.

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

There will be an immediate meeting of the House Rules Committee in the Appropriations conference room; immediate meeting of the House Rules Committee. Thank you.

The SPEAKER. There will be an immediate meeting of the Rules Committee in the Appropriations conference room.

APPROPRIATIONS COMMITTEE MEETING

The SPEAKER. The majority Appropriations chair.

Mr. SAYLOR. Thank you, Mr. Speaker.

There will be an Appropriations Committee meeting at 8:41, at 8:41 in the majority caucus room.

The SPEAKER. There will be an Appropriations Committee meeting at 8:41 in the majority caucus room.

Members, before they meet we have to do some housekeeping because they need the bills in front of them to vote on.

BILLS RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader, who moves that the following bills be recommitted to the Committee on Appropriations:

HB 1821;
HB 1951;
HB 1952;
SB 252;
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. Before I proceed with the rest of them, Representative Saylor, you are recognized.

Mr. SAYLOR. Thank you, Mr. Speaker.

I apologize. The majority caucus room is being occupied, so we are moving the Appropriations Committee meeting to the Appropriations Committee conference room.

The SPEAKER. Okay. And will you be following the Rules Committee, sir?

Okay. So the Rules Committee will go first in the conference room and then followed by Appropriations Committee in the conference room.

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 1252;
HB 1414;
HB 1811;
HB 1926; and
SB 894.

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

BILL REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader, who moves that SB 172 be removed from the tabled calendar and placed on the active calendar.

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

BILL TABLED

The SPEAKER. The Chair recognizes the majority leader, who moves that SB 172 be removed from the active calendar and placed on the tabled calendar.

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

CALENDAR CONTINUED**BILL ON SECOND CONSIDERATION**

The House proceeded to second consideration of **HB 1024, PN 2518**, entitled:

An Act amending the act of October 7, 2010 (P.L.484, No.70), known as the Adult Protective Services Act, in reporting suspected abuse by employees, providing for Statewide adult abuse registry.

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 1024 be removed from the active calendar and placed on 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 1024 be removed from the tabled calendar and placed on the active calendar.

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

The SPEAKER. So we will stand at ease while, first, the Rules Committee meets and then the Appropriations Committee meets and then we will return to the floor. Thank you.

BILLS REREPORTED FROM COMMITTEE

HB 1821, PN 2777 By Rep. SAYLOR

An Act amending the act of November 29, 2006 (P.L.1471, No.165), known as the Sexual Assault Testing and Evidence Collection Act, further providing for sexual assault evidence collection program; and requiring the Pennsylvania State Police to complete and submit a report.

APPROPRIATIONS.

HB 1951, PN 2762 By Rep. SAYLOR

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in minors, providing for the offense of access of minors to dextromethorphan and imposing a penalty.

APPROPRIATIONS.

HB 1952, PN 2820 By Rep. SAYLOR

An Act amending Titles 18 (Crimes and Offenses), 23 (Domestic Relations) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in sexual offenses, further

providing for conduct relating to sex offenders and for general rule; in falsification and intimidation, further providing for the offense of failure to comply with registration requirements, defining the offense of failure to comply with 42 Pa.C.S. Ch. 97 Subch. I registration requirements and imposing penalties; in proceedings prior to petition to adopt, further providing for grounds for involuntary termination and for definitions; in domestic and sexual violence victim address confidentiality, further providing for agency use of designated address; in sentencing, extensively revising registration of sexual offenders provisions; and making editorial changes.

APPROPRIATIONS.

SB 252, PN 232 By Rep. SAYLOR

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in parking authorities, providing for granting of interests and mixed-use projects for authorities in cities of the second class.

APPROPRIATIONS.

SB 629, PN 709 By Rep. SAYLOR

An Act amending Titles 12 (Commerce and Trade) and 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, in fraudulent transfers, further providing for short title of chapter and definitions, for insolvency, for value, for transfers fraudulent as to present and future creditors, for transfers fraudulent as to present creditors, for when transfer is made or obligation is incurred, for remedies of creditors, for defenses, liability and protection of transferee and for extinguishment of cause of action, providing for governing law and for application to series organization, further providing for supplementary provisions and providing for uniformity of application and construction and for relation to Electronic Signatures in Global and National Commerce Act; and, in support matters generally, further providing for continuing jurisdiction over support orders.

APPROPRIATIONS.

SB 728, PN 1261 By Rep. SAYLOR

An Act amending the act of October 27, 2014 (P.L.2911, No.191), known as the Achieving Better Care by Monitoring All Prescriptions Program (ABC-MAP) Act, further providing for requirements for prescribers.

SB 736, PN 899 By Rep. SAYLOR

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in powers of department and local authorities, further providing for specific powers of department and local authorities.

APPROPRIATIONS.

SB 751, PN 925 By Rep. SAYLOR

An Act amending Title 7 (Banks and Banking) of the Pennsylvania Consolidated Statutes, in mortgage loan industry licensing and consumer protection, further providing for definitions, for license requirements, for exceptions to license requirements, for general requirements, for powers conferred on certain licensees engaged in the mortgage loan business, for mortgage loan business prohibitions, for application for license, for license fees and for licensee requirements and providing for the promulgation of regulations to effectively incorporate Federal regulations.

APPROPRIATIONS.

SB 921, PN 1386

By Rep. SAYLOR

An Act authorizing and directing the Department of General Services, with the approval of the Governor, to grant and convey to TCA Properties, L.P., certain lands and improvements situate in the City of Allentown and the City of Bethlehem, Lehigh County; and authorizing the Department of General Services, with the approval of the Department of Military and Veterans Affairs and the Governor, to grant and convey, at a price to be determined through a competitive bid process, certain lands, buildings and improvements situate in the Borough of Kane, McKean County.

APPROPRIATIONS.

SENATE MESSAGE

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

The clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives by amending said amendments to **SB 354, PN 1373**.

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

SENATE MESSAGE

HOUSE BILLS
CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, returned **HB 561, PN 586**, and **HB 1234, PN 1461**, with information that the Senate has passed the same without amendment.

BILLS SIGNED BY SPEAKER

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

HB 561, PN 586

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in wiretapping and electronic surveillance, further providing for administrative subpoena.

HB 1234, PN 1461

An Act amending the act of July 19, 1979 (P.L.130, No.48), known as the Health Care Facilities Act, in licensing of health care facilities, further providing for definitions; and abrogating regulations.

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

**MOTION FOR
SPECIAL ORDER OF BUSINESS
CONTINUED**

The SPEAKER. Okay. Members, in front of us the gentleman from Montgomery County has moved for a special order of business. That is under rule 17. The vote will require

101 votes. It is of the entire chamber, of those seated. It is a majority of those seated, so it is 101 votes. After the maker, all members can speak on it one time. Leaders, of course, can speak on it more than once. So what we will do is we are going to take the maker of the motion first, then any other members that wish to speak upon it may, then we are going to end with the Democratic leadership and we will finish with the Republican leadership.

So it will be the maker of the motion, Representative Stephens, followed by any other members that wish to speak on it. We are going to end with Democratic leadership and then Republican leadership.

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

The SPEAKER. Special order of business, you may proceed, Representative Stephens. There actually has to be a vote of 101 to be able to proceed to the vote on 1401 because it has not been called up on the calendar.

You may proceed, Representative Stephens.

Mr. STEPHENS. Thank you, Mr. Speaker.

Mr. Speaker, I appreciate your recognizing me for this motion.

This matter has been pending before the House for quite some time and I know that we have been moving through the amendments, although it has been at a much slower pace than I think many of us would like to see. So as a result, I would ask that this body consider immediately moving to allow this to come up for a vote so that we could just have an up-or-down vote on the underlying matter, which obviously is of great concern and it has been of great concern for some time.

I would appreciate the members' support in this matter, and I look forward to ultimately being able to, again, just let the members vote, their districts, their conscience, whatever is on their minds, but a vote up or down, one way or another.

Thank you, Mr. Speaker.

The SPEAKER. Okay. These are members that I have that have requested to speak; there are quite a few. Representative Day is first. I saw Representative Dom Costa, Representative Paul Costa, Representative Eli Evankovich, Representative Rothman, Representative Santora, Representative O'Brien.

PARLIAMENTARY INQUIRY

The SPEAKER. Representative Rothman, I have you listed— Yes, sir. For what purpose do you rise? Hold on, please. Yes.

Mr. ROTHMAN. Mr. Speaker, I just have a question on what the Speaker just said. If we vote in favor of this motion, there will be no amendments even though there have been amendments offered to the underlying bill?

The SPEAKER. No, just the opposite. If the motion is defeated, the bill does not get called up. So if there are less than 101 votes, the bill does not get called up. So we do not address the bill at all.

Mr. ROTHMAN. But if we do, do we then go to the 73 or 74 amendments that are already on the bill?

The SPEAKER. Yes. If it passes with 101 votes, then we would go to the regular second consideration with amendments.

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

PARLIAMENTARY INQUIRY

The SPEAKER. Do you have a point of parliamentary inquiry, sir? Representative Paul Costa.

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

I actually want to follow up on that. So if this motion fails, then does it go back to the control of the majority leader whenever they decide to call it back up?

The SPEAKER. Correct.

Mr. P. COSTA. Thank you. So it can be called up again?

The SPEAKER. Oh, that is correct; yes.

Mr. P. COSTA. Thank you.

The SPEAKER. Yes, the leader would be able to call up the bill.

PARLIAMENTARY INQUIRIES

The SPEAKER. So now we are going to go on the motion. Representative Gary Day, you may proceed.

Mr. DAY. Thank you, Mr. Speaker.

Mr. Speaker, this is a parliamentary inquiry.

The SPEAKER. Yes, you may proceed.

Mr. DAY. Mr. Speaker, could you explain for us what order of business we are under now and if it would change with this motion?

The SPEAKER. Rule 17, "Order of Business," and this is a subparagraph under rule 17. So right now we are under rule 17, "Order of Business." There is nothing else listed on the calendar for today. So if we were not doing this, we would be adjourning.

Mr. DAY. Does this take us off of second consideration bills and third consideration bills?

The SPEAKER. No; it is a special order of business. It is neither. It will not be in those 15 because it is in the third paragraph of that rule. It says, "Any question may, by a majority vote of the members elected, be made a special order of business." So if the leader did not call up a particular bill, which 1401 has not been called up by the leader, a member may make a motion for a special order of business. You would need 101 votes to bring up the bill.

Now, the bill has to be on the calendar but not called up. If it were tabled, you would not be able to do that.

Mr. DAY. So one other question on this line of questioning, Mr. Speaker. It is important what else can be done here today in this session day by where we are in the order of business. So I am trying to understand if we are now leaving second and third, second—

The SPEAKER. Yes. All second considerations are done for today. All third considerations are done for today.

Mr. DAY. Thank you, Mr. Speaker.

The SPEAKER. Just before we get members to speak on the motion itself, does anybody else have any parliamentary inquiries at this time?

So here we go. Representative Santora waives off. Representative Day, did you want to speak on the motion? Waives off. Representative Rothman, did you want to speak on the motion? Waives off. Representative O'Brien, did you want to speak on the motion? Waives off.

PARLIAMENTARY INQUIRY

The SPEAKER. Representative Evankovich, to speak on the motion, and then followed by Representative Maher.

Mr. EVANKOVICH. Thank you, Mr. Speaker.

Mr. Speaker, point of parliamentary inquiry.

The SPEAKER. Yes, you may proceed.

Mr. EVANKOVICH. The motion before us to create a special order of business on HB 1401, the bill is currently on the table and not before the House, but at this time would a motion to rerefer the bill be in order and supersede the motion on a special order of business?

The SPEAKER. Turn to rule 55. We are going to look at that, rule 55. Okay. There is no bill in front of us right now in the House, so there is nothing to rerefer.

Mr. EVANKOVICH. Thank you, Mr. Speaker.

That was the nature of my question.

On the motion?

The SPEAKER. You may proceed.

Mr. EVANKOVICH. Mr. Speaker, HB 1401 had hundreds of amendments filed to it. It is obviously not an up-or-down vote type of issue for this chamber. Certainly enough members thought it to be an unresolved issue to the point where amendments are still being considered and filed today. I would offer that a motion on a special order of business eviscerates the purpose of a majority control of an elected chamber.

Mr. Speaker, we have a majority of members. We have a majority leader. The majority leader's true only vested power in this chamber is to control the calendar, what bills are on the calendar and what bills are on the table. Mr. Speaker, I would argue that the majority leader has shown that he is interested in having a debate on this issue, but given the nature of the amendments, we are still not to the place where there is any type of an agreement, and voting up or down on the next 200 or so amendments that are left does not give the person who controls that calendar the opportunity to actually control it, which is how the rules of our chamber are established.

I would respectfully ask the members oppose the special order of business and give the majority the opportunity to work with the minority on coming up with a suitable solution to this problem that has been laid before us and brought in front of us.

Thank you, Mr. Speaker.

MOTION TO ADJOURN

The SPEAKER. Yes. Representative Maher, on the motion.

Mr. MAHER. Mr. Speaker, I think we have already rocketed through debate on I think 10 amendments on this bill. I think maybe it is 10. There is a mere 400 or so to go. It is a quarter past 9 in the evening. We must adjourn by 11. So if we were to proceed with this special order of business, if we are truly intending to give consideration to the hard work of our colleagues, we are not going to be anywhere close to anywhere by the end of the night. If this special order of business were to proceed, we might as well go ahead and just post every day between now and Christmas and have all these amendments considered, but I do not think that is a great idea.

I hear a lot of laughter in here and I think I can understand why people should be laughing. In 20 years, 21 years that I have been here, there has never been a special order of business that has been adopted, because to have a special order of business adopted, the majority must say, "No, we are not actually the majority." It is a betrayal of the majority, and that is why if I was sitting over there, I would be laughing too because that we are having this conversation on the House floor invites ridicule. I do not think we ought to be proceeding down this road.

And, Mr. Speaker, we can have 2 hours and – excuse me – an hour and 40 minutes more of debate on this motion or we can just go ahead and adjourn now. So, Mr. Speaker, I will make the motion that we adjourn until tomorrow morning at 8:30 and we will start fresh then.

The SPEAKER. Members, on page 43, rule 56, "Adjourn," it reads: "A motion to adjourn or recess is debatable, cannot be amended and is always in order, except: when another member has the floor; or when the House is voting." The motion does take precedence over the motion for a special order of business.

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

The SPEAKER. On the motion, Representative Maher, you may proceed.

Mr. MAHER. Well, Mr. Speaker, my remarks are going to be very brisk. You heard my thoughts on this. I really think it is for so many reasons in the best interest of this body and the best interest of due consideration and the best interest candidly of our caucus that we go ahead and adjourn for the night, start fresh tomorrow, and should we not make that decision, I am pretty confident we can have an hour and 40 minutes of conversation on the motion.

Thank you, Mr. Speaker.

The SPEAKER. On the motion to adjourn, does anybody wish to be recognized on the motion to adjourn? Representative Santora waives off.

PARLIAMENTARY INQUIRY

The SPEAKER. Representative DiGirolamo.

Mr. DiGIROLAMO. Thank you, Mr. Speaker.

A parliamentary inquiry.

The SPEAKER. Yes, you may proceed.

Mr. DiGIROLAMO. Does this motion need 101 votes to pass, Mr. Speaker?

The SPEAKER. No; simple majority.

Mr. DiGIROLAMO. Okay. Thank you, Mr. Speaker.

On the motion?

The SPEAKER. Yes, on the motion.

Mr. DiGIROLAMO. Of course I disagree with everything that the maker of the motion had to say. We have been trying to get this bill up for a vote, if not for weeks, for years. I am asking for a "no" vote on the motion to adjourn. Let us go back to the vote for the special order of business and bring this bill up to the floor for a vote. It is time that we do it, and I am asking for a "no" vote on the motion to adjourn. Thank you.

The SPEAKER. Okay. Before I turn to the leadership, any other members?

Representative Mustio, on the motion to adjourn.

Mr. MUSTIO. Thank you, Mr. Speaker.

I disagree with everything the previous speaker just said. First of all, he said, you know, we have been working on this for years, and my recollection since I have been working on it is it has been about a week, and since I have been working on it with a few other members on this side of the aisle and some members from the gentleman's group that I disagree with everything he said, I think we made a significant amount of headway and lowered the temperature. My colleague from Allegheny County I think made some very astute comments, but honestly, if it was up to me, I would move that we suspend the rules and go beyond 11 because I think we got a lot more done and we did not end up going into July and August whenever the pressure was on, but that is not on this motion.

I think it is important that those of us that feel we are levelheaded, mature, able to discuss issues to a constructive end vote to adjourn. That does not mean we go home. Some of us may be wearing the same clothes tomorrow morning at 8:30, but if you truly want to get the job done in a constructive way for Pennsylvania instead of a sound bite for a mailer or to continue the laughing on the other side, then I think you stick together and you vote with how the leader suggested we do.

Thank you, Mr. Speaker.

The SPEAKER. The motion in front of us is to adjourn. I believe it was time-specific and date-specific to 8:30 tomorrow morning. Am I correct on that? That is correct.

Does anybody else wish to be recognized on the motion to adjourn before offering both leadership sides?

PARLIAMENTARY INQUIRY

The SPEAKER. Yes. Representative Garth Everett.

Mr. EVERETT. Parliamentary inquiry.

The SPEAKER. Yes, you may proceed.

Mr. EVERETT. Thank you, Mr. Speaker.

When we come back tomorrow morning at 8:30 if this motion to adjourn passes, will we be back on the vote for the special order as the first order of business tomorrow?

The SPEAKER. We would start the day with the calendar that is listed by the majority leader's office. There would have to be a new motion under rule 17.

Mr. EVERETT. Thank you, Mr. Speaker.

The SPEAKER. Representative Harper.

Ms. HARPER. On the motion to adjourn, Mr. Speaker.

The SPEAKER. Yes, you may proceed.

Ms. HARPER. With the answer to that last parliamentary question, it is clear that the rules are being used to prevent a discussion of a severance tax. Under the circumstances, since we cannot have a fair and open debate any other way, we need to use the procedure that the rules provide to bring this question to the floor right now and we should not adjourn without having the chance to do that. Please vote not to adjourn.

Thank you, Mr. Speaker.

The SPEAKER. Yes. Any other members wish to speak before I go to leadership on the motion to adjourn? Representative Dermody, on the motion to adjourn.

Mr. DERMODY. Thank you, Mr. Speaker.

Mr. Speaker, as we have already heard, if you want to get the job done we need to begin the discussion tonight. I mean, we have been discussing this not just for days or weeks but for years; well over 10 years this issue has been discussed, debated.

The people of Pennsylvania, the vast majority of them think a reasonable shale tax is what we ought to be doing here in Harrisburg. We need to begin that debate, begin that discussion this evening. We need to oppose the motion to adjourn.

Thank you, Mr. Speaker.

PARLIAMENTARY INQUIRY

The SPEAKER. Representative Marguerite Quinn, on the motion to adjourn.

Ms. QUINN. Thank you, Mr. Speaker.

Parliamentary inquiry.

The SPEAKER. Yes, you may proceed.

Ms. QUINN. If the motion to adjourn fails and if we continue with the special order of business this evening and assuming we adjourn at 11 o'clock tonight, if we come back at 8:30 in the morning, what would the business in front of us be? Would we continue with the special order?

The SPEAKER. The vote, first of all, presuming that you had a vote on the motion for a special order of business and if it got 101 votes, then you would bring up 1401 and begin with the amendments. At 11 o'clock you would stop our calling up amendments and debate and you would pick that up at 8:30 in the morning. Now, we would do prayer, pledge, those items.

Ms. QUINN. A motion would not be needed—

The SPEAKER. No, you would not need to do another motion.

Ms. QUINN. —once again?

The SPEAKER. You would not.

Ms. QUINN. Thank you, Mr. Speaker.

PARLIAMENTARY INQUIRY

The SPEAKER. Representative Rothman.

Mr. ROTHMAN. Mr. Speaker, are we scheduled to come back in at 8:30 tomorrow morning?

The SPEAKER. Very likely, yes. We have not had that yet because we have not finished the work here, but we were looking at coming back at 8:30 in the morning.

Mr. ROTHMAN. I am sorry. The question is—

The SPEAKER. Obviously that is not official yet until we get a motion, but—

Mr. ROTHMAN. If we do not vote to adjourn, what time are we scheduled to come back in tomorrow, if we do not vote to adjourn?

The SPEAKER. Right now it would be at 11 a.m. because that is what we are scheduled for.

Mr. ROTHMAN. Thank you, Mr. Speaker.

The SPEAKER. But the motion in front of us is a motion to adjourn to 8:30 a.m., and at the end of the session, you know, we always take a motion for adjournment and we list the time.

Does anybody else wish to speak?

Representative Reed, the majority leader.

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

Well, we have certainly covered a lot of topics today. I am tempted to ask the gentleman to amend his motion to adjourn until sine die and we can go ahead and come back next November and look at some of these topics.

Look, understanding this is an important issue on both sides of the spectrum that a lot of folks want to talk through, they want to have that discussion, that discussion has been ongoing

for quite some time, that does not mean that there is a simple conclusion to it, quite frankly. That is why there were 400 or 500 amendments filed to this particular bill. We are not going to resolve anything tonight. I do not think a procedural sort of maneuver to circumvent the institutional operations of this House, no matter what side of the spectrum you are on, is a healthy maneuver for the long-term operations of this body, no matter who is in the majority or who is in the minority or where you are at on any particular topic.

So I am for the motion to adjourn and hopefully folks think through the process side of this particular issue overnight and we can conclude the business and move on to other stuff.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, sir.

So all those in favor of the motion to adjourn – this is a simple majority; it is to 8:30 tomorrow morning – will be voting "aye"; those opposed will be voting "nay."

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—94

Baker	Gabler	Mako	Roae
Benninghoff	Gillen	Maloney	Roe
Bernstine	Gillespie	Marshall	Rothman
Bloom	Godshall	Marsico	Ryan
Brown, R.	Greiner	Masser	Saccone
Causer	Grove	Mentzer	Sankey
Christiana	Hahn	Metcalfe	Saylor
Cook	Harris, A.	Metzgar	Schemel
Cox	Heffley	Millard	Simmons
Culver	Helm	Miller, B.	Sonney
Cutler	Hickernell	Milne	Tallman
Day	Hill	Moul	Tobash
Delozier	Irvin	Mustio	Toepel
Diamond	James	Nelson	Toohil
Dowling	Jozwiak	Nesbit	Topper
Dunbar	Kauffman	Oberlander	Walsh
Dush	Keefer	Ortitay	Ward
Ellis	Keller, F.	Peifer	Warner
Emrick	Keller, M.K.	Pickett	Wentling
English	Knowles	Quigley	Wheeland
Evankovich	Lawrence	Rader	Zimmerman
Everett	Lewis	Rapp	
Fee	Mackenzie	Reed	Turzai,
Fritz	Maher	Reese	Speaker

NAYS—98

Barbin	Deasy	Kortz	Ravenstahl
Barrar	DeLissio	Krueger	Readshaw
Bizzarro	Dermody	Kulik	Roebuck
Boyle	DiGirolamo	Longietti	Rozzi
Bradford	Driscoll	Madden	Sainato
Briggs	Evans	Markosek	Samuelson
Brown, V.	Fabrizio	Matzie	Santora
Bullock	Farry	McCarter	Schlossberg
Burns	Fitzgerald	McClinton	Schweyer
Caltagirone	Flynn	Mehaffie	Sims
Carroll	Frankel	Miccarelli	Snyder
Cephas	Freeman	Miller, D.	Solomon
Charlton	Gainey	Mullery	Staats
Comitta	Galloway	Murt	Stephens
Conklin	Goodman	Neilson	Sturla
Corbin	Hanna	Neuman	Taylor
Corr	Harkins	O'Brien	Thomas
Costa, D.	Harper	O'Neill	Vazquez
Costa, P.	Harris, J.	Pashinski	Vitali

Cruz	Hennessey	Petrarca	Warren
Daley	Kampf	Petri	Watson
Davidson	Kavulich	Quinn, C.	Wheatley
Davis	Kim	Quinn, M.	White
Dawkins	Kinsey	Rabb	Youngblood
Dean	Kirkland		

NOT VOTING—0

EXCUSED—8

Boback	Donatucci	Keller, W.	McGinnis
DeLuca	Kaufer	Klunk	Pyle

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.

MOTION FOR SPECIAL ORDER OF BUSINESS CONTINUED

The SPEAKER. We have before us the motion for a special order of business in front of us. I believe only leadership has not spoken on this, if I am not mistaken.

Representative Vitali, you wish to speak on the motion for a special order of business with respect to HB 1401?

Mr. VITALI. I do, Mr. Speaker.

I would urge a vote against the special order of business. I think we as legislators have to be responsible for foreseeable consequences of our actions, and it is clear to me, based on my experience in this chamber, my close attention to this issue, both on the House side and the Senate side, that the foreseeable consequences of any severance tax moving forward, moving through this chamber, no matter how clean, is going to result – if it comes back – in an emasculation of our Pennsylvania Department of Environmental Protection. To me, based on Senator Corman's statements on October 19 and based on the Tax Code bill that came back to this chamber in late July, what we will get will be a paltry severance tax, less than 1 percent, but at the same time damaging permitting provisions that will dramatically reduce the Environmental Protection Agency's ability to do its job.

Mr. Speaker, I believe people who truly care about the environment, as opposed to winning political gains, should do everything they can in this budget's climate to stop this bill from moving forward.

Mr. Speaker, this issue of the severance tax, despite the gentleman from Bucks County's best of intentions, is no longer about the finances that the severance tax will bring. It is all about political—

POINT OF ORDER

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

Mr. SANTORA. Mr. Speaker, he has gone far off the motion.

The SPEAKER. You are correct.

Representative Vitali, the motion for a special order of business— I mean, I think you made your point, what your rationale is, but you are beyond the motion in front of us.

Mr. VITALI. I agree. I just needed to get it out, and I urge a "no" vote.

The SPEAKER. Does anybody else wish to be recognized on the motion for a special order of business? We will go to the leaders or the leadership teams.

Representative Dermody, on the motion with respect to special order of business, sir.

Mr. DERMODY. Thank you, Mr. Speaker.

Mr. Speaker, as I said earlier, this issue has been debated not just for days or weeks but for years. It is time we continue the debate. It is time we finish it and we get a vote on this bill. I urge the members to support the motion for a special order of business.

The SPEAKER. Representative Reed, on the motion for a special order of business, please.

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

As I mentioned in the last motion, which I was not quite successful on, I think this operational procedure, although technically allowed within the House rules, is a bad idea, and although I happen to be in the position where I have to deal with it tonight, other folks will be in this position in the future and will rue the day that this moved forward. It will set an enormously bad precedent from a procedural perspective and will greatly hinder the operational side of the House for whoever is in charge in the future. It exists in the rules, it does not mean it should be used on any particular issue, on any random evening in the middle of December.

I would ask the members to oppose the motion for the special order of business. Thank you.

The SPEAKER. If you are for the motion for a special order of business, you will be voting "aye"; if you are opposed to the motion for a special order of business, you will be voting "nay." For the motion to pass, it needs 101 votes.

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—100

Barbin	Deasy	Kortz	Rabb
Barrar	DeLissio	Krueger	Ravenstahl
Bizzarro	Dermody	Kulik	Readshaw
Boyle	DiGirolamo	Lewis	Roebuck
Bradford	Driscoll	Longietti	Rozzi
Briggs	Evans	Madden	Sainato
Brown, V.	Fabrizio	Markosek	Samuelson
Bullock	Farry	Matzie	Santora
Burns	Fitzgerald	McCarter	Schlossberg
Caltagirone	Flynn	McClinton	Schweyer
Carroll	Frankel	Mehaffie	Sims
Cephas	Freeman	Miccarelli	Snyder
Charlton	Gainey	Miller, D.	Solomon
Comitta	Galloway	Milne	Staats
Conklin	Goodman	Mullery	Stephens
Corbin	Hanna	Murt	Sturla
Corr	Harkins	Neilson	Taylor
Costa, D.	Harper	Neuman	Thomas
Costa, P.	Harris, J.	O'Brien	Toepel
Cruz	Hennessey	O'Neill	Vazquez

Daley	Kampf	Pashinski	Warren
Davidson	Kavulich	Petrarca	Watson
Davis	Kim	Petri	Wheatley
Dawkins	Kinsey	Quinn, C.	White
Dean	Kirkland	Quinn, M.	Youngblood

NAYS—92

Baker	Gabler	Maloney	Roe
Benninghoff	Gillen	Marshall	Rothman
Bernstine	Gillespie	Marsico	Ryan
Bloom	Godshall	Masser	Saccone
Brown, R.	Greiner	Mentzer	Sankey
Causser	Grove	Metcalfe	Saylor
Christiana	Hahn	Metzgar	Schemel
Cook	Harris, A.	Millard	Simmons
Cox	Heffley	Miller, B.	Sonney
Culver	Helm	Moul	Tallman
Cutler	Hickernell	Mustio	Tobash
Day	Hill	Nelson	Toohil
DeLozier	Irvin	Nesbit	Topper
Diamond	James	Oberlander	Vitali
Dowling	Jozwiak	Ortitay	Walsh
Dunbar	Kauffman	Peifer	Ward
Dush	Keefer	Pickett	Warner
Ellis	Keller, F.	Quigley	Wentling
Emrick	Keller, M.K.	Rader	Wheeland
English	Knowles	Rapp	Zimmerman
Evankovich	Lawrence	Reed	
Everett	Mackenzie	Reese	Turzai,
Fee	Maher	Roae	Speaker
Fritz	Mako		

NOT VOTING—0

EXCUSED—8

Boback	Donatucci	Keller, W.	McGinnis
DeLuca	Kaufer	Klunk	Pyle

UNEXCUSED—1

Haggerty

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

The SPEAKER. The motion for a special order of business does not pass. There is nothing else before us.

BILL ON CONCURRENCE REPORTED FROM COMMITTEE

HB 1139, PN 2802

By Rep. REED

An Act amending Titles 18 (Crimes and Offenses) and 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, in offenses against the family, further providing for newborn protection; in child protective services, further providing for taking child into protective custody; and, in newborn protection, further providing for definitions and for health care providers accepting newborns, providing for emergency services providers accepting newborns and for incubators for newborns and further providing for reporting acceptance of newborns, for immunity and for duties of department.

RULES.

BILLS AND RESOLUTIONS PASSED OVER

The SPEAKER. Without objection, all remaining bills and resolutions on today's calendar will be passed over. The Chair hears no objection.

ADJOURNMENT

The SPEAKER. Representative Peifer moves that the House be adjourned until Wednesday, December 13, 2017, at 8:30 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 9:39 p.m., e.s.t., the House adjourned.