

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

TUESDAY, DECEMBER 13, 2011

SESSION OF 2011

195TH OF THE GENERAL ASSEMBLY

No. 83

HOUSE OF REPRESENTATIVES

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

**THE SPEAKER (SAMUEL H. SMITH)
PRESIDING**

PRAYER

The SPEAKER. This morning the prayer will be offered by the Reverend Jeff Arnold, First Presbyterian Church, Beaver, Pennsylvania.

REV. JEFF ARNOLD, Guest Chaplain of the House of Representatives, offered the following prayer:

Thank you. Please join me in prayer:

For my prayer, I am simply going to read the Psalm of David, Psalm 8. In it he mentions the greatness of God and His creation and our responsibility to be stewards of all that He has created.

"O Lord, our Lord, how majestic is your name in all the earth! You have set your glory above the heavens. Out of the mouth of babes and infants, you have established strength because of your foes, to still the enemy and the avenger. When I look at your heavens, the work of your fingers, the moon and the stars, which you have set in place, what is man that you are mindful of him, and the son of man that you care for him? Yet you have made him a little lower than the heavenly beings and crowned him with glory and honor. You have given him dominion over the works of your hands; you have put all things under his feet, all sheep and oxen, and also the beasts of the field, the birds of the heavens, and the fish of the sea, whatever passes along the paths of the seas. O Lord, our Lord, how majestic is your name in all the earth!"

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 12, 2011, will be postponed until printed.

BILLS REPORTED FROM COMMITTEES, CONSIDERED FIRST TIME, AND TABLED

HB 1000, PN 2878

By Rep. MARSICO

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for the offense of retail theft.

JUDICIARY.

HB 1159, PN 1261

By Rep. MARSICO

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, extensively revising the Uniform Arbitration Act; and making editorial changes.

JUDICIARY.

HB 1907, PN 2609

By Rep. MARSICO

An Act amending the act of March 20, 2002 (P.L.154, No.13), known as the Medical Care Availability and Reduction of Error (Mcare) Act, further providing for punitive damages.

JUDICIARY.

HB 2032, PN 2792

By Rep. MARSICO

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, defining the offense of theft of secondary metal; and prescribing penalties.

JUDICIARY.

HB 2071, PN 2870

By Rep. MARSICO

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for the definition of "municipal police officer."

JUDICIARY.

SB 444, PN 1856 (Amended)

By Rep. SCHRODER

An Act amending the act of December 19, 1988 (P.L.1262, No.156), known as the Local Option Small Games of Chance Act, further providing for legislative intent, for definitions, for games of chance permitted and for prize limits, for limits on sales, for distributor licenses, for registration of manufacturers, for regulations, for licensing of eligible organizations and for special permits; providing for club licensees; further providing for revocation of licenses, for local option, for advertising and for penalties; and making editorial changes.

GAMING OVERSIGHT.

**RESOLUTION REPORTED
FROM COMMITTEE**

HR 522, PN 2876

By Rep. MARSICO

A Resolution establishing the Task Force on Child Protection.

JUDICIARY.

**HOUSE BILLS
INTRODUCED AND REFERRED**

No. 219 By Representatives WHITE, CALTAGIRONE, DePASQUALE and GEORGE

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in municipal authorities, further providing for money of authority.

Referred to Committee on LOCAL GOVERNMENT, December 13, 2011.

No. 220 By Representatives WHITE, CALTAGIRONE and GEORGE

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in municipal authorities, further providing for purposes and powers.

Referred to Committee on LOCAL GOVERNMENT, December 13, 2011.

No. 221 By Representatives WHITE, CALTAGIRONE, CLYMER, GEORGE and LONGIETTI

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in municipal authorities, further providing for purposes and powers.

Referred to Committee on LOCAL GOVERNMENT, December 13, 2011.

No. 222 By Representatives WHITE, CALTAGIRONE, GEORGE and SWANGER

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in municipal authorities, further providing for governing body.

Referred to Committee on LOCAL GOVERNMENT, December 13, 2011.

No. 2074 By Representatives PRESTON, DePASQUALE, FABRIZIO, GOODMAN, MUNDY, YOUNGBLOOD and DALEY

An Act amending Title 44 (Law and Justice) of the Pennsylvania Consolidated Statutes, establishing the Pennsylvania Bureau of Investigation; providing for the transfer of certain powers and duties from the Pennsylvania State Police and the Office of Attorney General; dissolving the Bureau of Criminal Investigation of the Pennsylvania State Police and the Bureau of Criminal Investigations of the Office of Attorney General; and making related repeals.

Referred to Committee on JUDICIARY, December 13, 2011.

No. 2075 By Representatives JOSEPHS, BRIGGS, BROWNLEE, CALTAGIRONE, COHEN, DALEY, DAVIS, GEORGE, KORTZ, McGEEHAN, MUNDY, READSHAW, WHITE and YOUNGBLOOD

An Act amending the act of June 30, 2011 (P.L.81, No.18), known as the Pennsylvania Web Accountability and Transparency (PennWATCH) Act, further providing for definitions.

Referred to Committee on STATE GOVERNMENT, December 13, 2011.

No. 2076 By Representatives JOSEPHS, BRIGGS, BROWNLEE, CALTAGIRONE, COHEN, DALEY, DAVIS, GEORGE, KORTZ, McGEEHAN, MUNDY, READSHAW, WHITE and YOUNGBLOOD

An Act amending the act of February 14, 2008 (P.L.6, No.3), known as the Right-to-Know Law, further defining "State-affiliated entity."

Referred to Committee on STATE GOVERNMENT, December 13, 2011.

No. 2077 By Representatives MASSER, EVERETT, FARRY, GINGRICH, F. KELLER, KILLION, MAJOR, MALONEY, MILLARD, PICKETT, QUINN, CULVER, TOBASH and VULAKOVICH

An Act providing for a Small Business Flood Relief Program; making an appropriation; and providing for termination of the program.

Referred to Committee on APPROPRIATIONS, December 13, 2011.

LEAVES OF ABSENCE

The SPEAKER. Turning to leaves of absence, the Speaker recognizes the majority whip, who requests leaves of absence for: the lady, Mrs. BROOKS, from Mercer County for the day; the gentleman, Mr. Dennis O'BRIEN, from Philadelphia County for the day; and the gentleman, Mr. SIMMONS, from Lehigh County for the day. Without objection, the leaves will be granted.

The Speaker recognizes the minority whip, who requests leaves of absence for the gentleman, Mr. PAYTON, from Philadelphia County for the day, and the lady, Ms. WAGNER, from Allegheny County for the day. Without objection, the leaves will be granted.

The Speaker returns to leaves of absence and recognizes the minority whip, who requests leaves of absence for the gentleman from Bucks County, Mr. GALLOWAY, and the gentleman from Allegheny County, Mr. GERGELY, for the remainder of the day. Without objection, the leaves will be granted.

Members will please report to the floor. We are about to take the master roll call.

MASTER ROLL CALL

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

The following roll call was recorded:

PRESENT—195

Adolph	Ellis	Knowles	Rapp
Aument	Emrick	Kortz	Ravenstahl
Baker	Evankovich	Kotik	Readshaw
Barbin	Evans, D.	Krieger	Reed
Barrar	Evans, J.	Kula	Reese
Bear	Everett	Lawrence	Reichley
Benninghoff	Fabrizio	Longietti	Roae
Bishop	Farry	Maher	Rock
Bloom	Fleck	Mahoney	Roebuck
Boback	Frankel	Major	Ross
Boyle, B.	Freeman	Maloney	Sabatina
Boyle, K.	Gabler	Mann	Saccone
Bradford	Geist	Markosek	Sainato
Brennan	George	Marshall	Samuelson
Briggs	Gerber	Marsico	Santarsiero
Brown, R.	Gibbons	Masser	Santoni
Brown, V.	Gillen	Matzie	Saylor
Brownlee	Gillespie	McGeehan	Scavello
Burns	Gingrich	Metcalfe	Schroder
Buxton	Godshall	Metzgar	Shapiro
Caltagirone	Goodman	Miccarelli	Smith, K.
Carroll	Grell	Micozzie	Smith, M.
Causar	Grove	Millard	Sonney
Christiana	Hackett	Miller	Staback
Clymer	Hahn	Milne	Stevens
Cohen	Haluska	Mirabito	Stern
Conklin	Hanna	Moul	Stevenson
Costa, D.	Harhai	Mullery	Sturla
Costa, P.	Harhart	Mundy	Swanger
Cox	Harkins	Murphy	Tallman
Creighton	Harper	Murt	Taylor
Cruz	Harris	Mustio	Thomas
Culver	Heffley	Myers	Tobash
Curry	Helm	Neuman	Toepel
Cutler	Hennessey	O'Brien, M.	Toohil
Daley	Hess	O'Neill	Truitt
Davidson	Hickernell	Oberlander	Turzai
Davis	Hornaman	Parker	Vereb
Day	Hutchinson	Pashinski	Vitali
Deasy	Johnson	Payne	Vulakovich
DeLissio	Josephs	Peifer	Waters
Delozier	Kampf	Perry	Watson
DeLuca	Kauffman	Petrarca	Wheatley
Denlinger	Kavulich	Petri	White
DePasquale	Keller, F.	Pickett	Williams
Dermody	Keller, M.K.	Preston	Youngblood
DeWeese	Keller, W.	Pyle	
DiGirolamo	Killion	Quigley	Smith, S.,
Donatucci	Kirkland	Quinn	Speaker
Dunbar			

ADDITIONS—0**NOT VOTING—0****EXCUSED—8**

Boyd	Galloway	O'Brien, D.	Simmons
Brooks	Gergely	Payton	Wagner

LEAVES ADDED—4

Adolph	Daley	Keller, M.K.	Kortz
--------	-------	--------------	-------

LEAVES CANCELED—2

Galloway	Gergely
----------	---------

The SPEAKER. One hundred ninety-five members having voted on the master roll call, a quorum is present.

GUESTS INTRODUCED

The SPEAKER. If I could have the members' attention, I just want to introduce a few of the guests that are with us this morning. Located to the left of the rostrum, we would like to welcome Caitlin Mueller. She is a guest of Representative Denlinger. Please stand. Will our guest please stand. Welcome to the hall of the House.

Located up in the gallery, we would like to welcome Alvaro Canizares, an exchange student from Ecuador. He is here with Sgt. Joe Lawrence, Kyle Lawrence, and Kristen Lawrence. They are here today as guests of Representative Heffley. Will our guests please rise. Welcome to the hall of the House.

And in the well of the House, we would like to welcome guest page Michael Badamo. He is in the sixth grade at Valley Elementary and Middle School in the Hazleton Area School District. Accompanying Michael today in the rear of the House is his family – Anthony, Jessica, Christian, and Ava Badamo. They are guests of Representative Toohil. Will our guests please rise. Welcome to the hall of the House.

Also to the left of the Speaker, we would like to welcome Lois A. Chesonis and Christine Buffington, who are constituents of the 127th District in Berks County, and they are here today as guests of Representative Tom Caltagirone. Will our guests please rise. I am sorry. They are in the rear of the House. Sorry.

CONNER QUINN PRESENTED

The SPEAKER. If I could have the members' attention and ask them to hold their conversations down, I would like to invite Representative Todd Stephens to the rostrum for the purpose of presenting a citation to Conner Quinn, who won a State championship for the Hatboro-Horsham Boys Cross Country Team.

Mr. STEPHENS. Thank you, Mr. Speaker.

It certainly is an honor to be here to recognize this young man for his outstanding accomplishments. Conner Quinn is the 2011 PIAA State AAA Boys Individual Cross Country Champion, and he joins us from my alma mater, Hatboro-Horsham High School. Please do not hold that against him. But we are thrilled in the 151st Legislative District to have Conner be the stellar athlete that he is. I would also be remiss if I did not mention his coach, Russ Coleman, who is also here along with Conner's parents off to the side. Conner is the second State champion from Hatboro-Horsham High School in cross country; the first being his coach, Russ. So certainly he has imparted some tremendous wisdom.

In addition to being the State champion, Conner also distinguished himself by capturing first place in the 2011 Suburban One Continental Conference Championship and by finishing third in the 2011 PIAA District One AAA Boys Cross Country Championship.

So certainly I wanted to recognize Conner Quinn for his accomplishments. If you would join me in passing along our warm congratulations for his achievements, I would appreciate it very much. Thank you.

GUEST INTRODUCED

The SPEAKER. I would like to welcome one other guest that is with us in the rear of the House, Caitlin Jacob. She attends Saul High School in Philadelphia, and she is shadowing Representative John Taylor for the day. So will our guest please rise. Welcome to the hall of the House.

CALENDAR

RESOLUTION PURSUANT TO RULE 35

Ms. DELOZIER called up **HR 509, PN 2797**, entitled:

A Resolution honoring the life of United States Marine Corps Corporal Jonathan Dean Faircloth, who died while taking part in training maneuvers at Marine Corps Base Kaneohe Bay, Hawaii.

On the question,
Will the House adopt the resolution?

The SPEAKER. If I could have the members' attention, this is a condolence resolution. I would appreciate it if the members would please take their seats and clear the aisles. The Speaker thanks the members.

The question is, will the House agree to the resolution?

On that question, the Speaker recognizes the lady from Cumberland County, Ms. Delozier.

Ms. DELOZIER. Thank you, Mr. Speaker.

I rise today to pay tribute to a fallen soldier from Upper Allen Township, United States Marine Corps Cpl. Jonathan Dean Faircloth. Corporal Faircloth was only 22 years old when he was killed in a Sea Stallion helicopter crash during a training exercise off the coast of Hawaii in March of this year. He served as an aerial observer and aircraft mechanic with the Marine Heavy Helicopter Squadron 363, Marine Air Group 24.

Corporal Faircloth served tours of duty in both Iraq and Afghanistan during his 5-year military career and was awarded four Air Medals as well as two Navy-Marine Corps Achievement Medals, the Iraq Campaign Medal, the Afghanistan Campaign Medal, the Global War on Terrorism Service Medal, and the National Defense Service Medal.

Jonathan was born in York but graduated from Mechanicsburg Area High School in 2006. He joined the Marine Corps after high school, and following the completion of his 5-year tour of enlistment, he had plans to enroll in college to pursue a degree in mechanical engineering.

At all times throughout his military career, Corporal Faircloth served his nation with pride, devotion, honor, and skill, and his tragic and heroic death during training maneuvers exemplifies the dangers that our brave young servicemen and servicewomen face every day to safeguard our freedoms.

FAMILY INTRODUCED

Ms. DELOZIER. Corporal Faircloth's family was extremely proud of his career as a Marine. While his wife could not be with us, several members of his family are here with us today, and I would like to take a moment to introduce them. We have to the left of the Speaker, Jonathan's mother and father, Dean and Beverly Faircloth. We have Jonathan's brother, James Faircloth; Jane Yost, Jonathan's aunt; Jonathan's sister, Danielle Rodkey; and Jonathan's grandmother, Beryl Yost. We have in the back of the floor other family members. We have his aunt, Jacqueline Eby; his uncle, Glen Eby; his cousins, Kristen and Bill Miller, Rebecca Eby, Jessica and Justin Hovis. Please accept our condolences for your loss. God bless each and every one of you, and God bless Jonathan. Please welcome these guests to our House.

While his life was certainly not long enough, Corporal Faircloth accomplished more than most. He fought for all of us to enjoy the rights and privileges we have as a free society. As we remember this fallen soldier, may we all remember the true cost of our freedom. Mr. Speaker, when the family lost Jonathan, his father stated he just wanted his son remembered. Please help me do just that. I ask that all members join me in honoring Marine Cpl. Jonathan Dean Faircloth with a moment of silence and a vote in support of HR 509.

Thank you, Mr. Speaker.

The SPEAKER. Members and all guests will please rise in a moment of prayer for his family and friends and in memory of the fallen Marine.

(Whereupon, the members of the House and all visitors stood in a moment of silence in solemn respect to the memory of Marine Cpl. Jonathan Dean Faircloth.)

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

The following roll call was recorded:

YEAS—195

Aldolph	Ellis	Knowles	Rapp
Aument	Emrick	Kortz	Ravenstahl
Baker	Evankovich	Kotik	Readshaw
Barbin	Evans, D.	Krieger	Reed
Barrar	Evans, J.	Kula	Reese
Bear	Everett	Lawrence	Reichley
Benninghoff	Fabrizio	Longietti	Roae
Bishop	Farry	Maher	Rock
Bloom	Fleck	Mahoney	Roebuck
Boback	Frankel	Major	Ross
Boyle, B.	Freeman	Maloney	Sabatina
Boyle, K.	Gabler	Mann	Saccone
Bradford	Geist	Markosek	Sainato
Brennan	George	Marshall	Samuelson
Briggs	Gerber	Marsico	Santarsiero
Brown, R.	Gibbons	Masser	Santoni
Brown, V.	Gillen	Matzie	Saylor
Brownlee	Gillespie	McGeehan	Scavello
Burns	Gingrich	Metcalf	Schroder
Buxton	Godshall	Metzgar	Shapiro

Caltagirone	Goodman	Miccarelli	Smith, K.
Carroll	Grell	Micozzie	Smith, M.
Causer	Grove	Millard	Sonney
Christiana	Hackett	Miller	Staback
Clymer	Hahn	Milne	Stephens
Cohen	Haluska	Mirabito	Stern
Conklin	Hanna	Moul	Stevenson
Costa, D.	Harhai	Mullery	Sturla
Costa, P.	Harhart	Mundy	Swanger
Cox	Harkins	Murphy	Tallman
Creighton	Harper	Murt	Taylor
Cruz	Harris	Mustio	Thomas
Culver	Heffley	Myers	Tobash
Curry	Helm	Neuman	Toepel
Cutler	Hennessey	O'Brien, M.	Toohil
Daley	Hess	O'Neill	Truitt
Davidson	Hickernell	Oberlander	Turzai
Davis	Hornaman	Parker	Vereb
Day	Hutchinson	Pashinski	Vitali
Deasy	Johnson	Payne	Vulakovich
DeLissio	Josephs	Peifer	Waters
Delozier	Kampf	Perry	Watson
DeLuca	Kauffman	Petrarca	Wheatley
Denlinger	Kavulich	Petri	White
DePasquale	Keller, F.	Pickett	Williams
Dermody	Keller, M.K.	Preston	Youngblood
DeWeese	Keller, W.	Pyle	
DiGirolo	Killion	Quigley	Smith, S.,
Donatucci	Kirkland	Quinn	Speaker
Dunbar			

NAYS—0

NOT VOTING—0

EXCUSED—8

Boyd	Galloway	O'Brien, D.	Simmons
Brooks	Gergely	Payton	Wagner

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

APPROPRIATIONS COMMITTEE MEETING

The SPEAKER. The gentleman from Delaware County, Mr. Adolph, is recognized for the purpose of making a committee announcement.

Mr. ADOLPH. Thank you, Mr. Speaker.

Mr. Speaker, I would like to call a House Appropriations Committee meeting in the majority caucus room immediately following the break. Thank you.

The SPEAKER. Immediately following the break, there will be an Appropriations Committee meeting in the majority caucus room.

REPUBLICAN CAUCUS

The SPEAKER. The lady from Susquehanna County, Ms. Major, is recognized for the purpose of a caucus announcement.

Ms. MAJOR. Thank you, Mr. Speaker.

I would like to announce that Republicans will caucus today at 12:30. I would ask our Republican members to please report to our caucus room at 12:30, and we would be prepared to come back on the floor at 3 p.m.

Thank you, Mr. Speaker.

DEMOCRATIC CAUCUS

The SPEAKER. The gentleman from Allegheny County, Mr. Frankel, is recognized for the purpose of a caucus announcement.

Mr. FRANKEL. Thank you, Mr. Speaker.

Democrats will caucus at 1:30. Democrats will caucus at 1:30; back on the floor at 3. Thank you.

RECESS

The SPEAKER. This House stands in recess until 3 p.m., unless sooner recalled by the Speaker.

AFTER RECESS

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

LEAVE OF ABSENCE

The SPEAKER. The Speaker returns to leaves of absence and recognizes the majority whip, who requests a leave for the gentleman, Mark KELLER, from Perry County for the remainder of the day. Without objection, the leave will be granted.

BILLS REREPORTED FROM COMMITTEE

HB 511, PN 466

By Rep. ADOLPH

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, in health and accident insurance, providing for access to community pharmacy services.

APPROPRIATIONS.

HB 1769, PN 2744

By Rep. ADOLPH

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for criminal laboratory user fee.

APPROPRIATIONS.

HB 1960, PN 2674

By Rep. ADOLPH

An Act amending the act of November 24, 1999 (P.L.884, No.54), known as the Prescribed Pediatric Extended Care Centers Act, further providing for definitions and for regulations.

APPROPRIATIONS.

SB 242, PN 209

By Rep. ADOLPH

An Act designating the bridge that carries State Route 601 over Barclay Run in the Borough of Somerset, Somerset County, as the Trooper Stephen R. Gyurke Memorial Bridge.

APPROPRIATIONS.

SB 732, PN 1851

By Rep. ADOLPH

An Act amending the act of July 19, 1979 (P.L.130, No.48), known as the Health Care Facilities Act, further providing for definitions, for licensure, for application for license, for issuance of license and for inspections.

APPROPRIATIONS.

SB 1183, PN 1850

By Rep. ADOLPH

An Act amending Titles 18 (Crimes and Offenses), 23 (Domestic Relations), 42 (Judiciary and Judicial Procedure), 44 (Law and Justice) and 61 (Prisons and Parole) of the Pennsylvania Consolidated Statutes, extensively revising provisions relating to registration of sexual offenders pursuant to Federal mandate; and making editorial changes.

APPROPRIATIONS.

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

HB 11, PN 2889 (Amended)

By Rep. TAYLOR

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, further providing for enforcement; further providing for definitions, for general powers of board, for when sales may be made at Pennsylvania liquor stores, for sales by Pennsylvania liquor stores; adding provisions relating to wholesale wine distribution; further providing for authority to issue liquor licenses to hotels, restaurants and clubs, for sale of malt or brewed beverages by liquor licensees, and for malt and brewed beverages manufacturers', distributors' and importing distributors' licenses; adding provisions relating to enhanced distributor's licenses; and further providing for malt and brewed beverages retail licenses, for distributors' and importing distributors' restrictions on sales and storage, for retail dispensers' restrictions on purchases and sales, for interlocking business prohibited, for licenses not assignable and transfers, for revocation and suspension of licenses and fees, for unlawful acts relative to liquor, alcohol and liquor licensees, for unlawful acts relative to malt or brewed beverages and licensees, for moneys paid into Liquor License Fund and returned to municipalities, and for moneys paid into State Stores Fund for use of Commonwealth.

LIQUOR CONTROL.

SENATE BILL FOR CONCURRENCE

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

SB 894, PN 911

Referred to Committee on LOCAL GOVERNMENT, December 13, 2011.

The SPEAKER. The House will come to order.

SUPPLEMENTAL CALENDAR A

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1960, PN 2674**, entitled.

An Act amending the act of November 24, 1999 (P.L.884, No.54), known as the Prescribed Pediatric Extended Care Centers Act, further providing for definitions and for regulations.

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—194

Adolph	Dunbar	Knowles	Rapp
Aument	Ellis	Kortz	Ravenstahl
Baker	Emrick	Kotik	Readshaw
Barbin	Evankovich	Krieger	Reed
Barrar	Evans, D.	Kula	Reese
Bear	Evans, J.	Lawrence	Reichley
Benninghoff	Everett	Longietti	Roae
Bishop	Fabrizio	Maher	Rock
Bloom	Farry	Mahoney	Roebuck
Boback	Fleck	Major	Ross
Boyle, B.	Frankel	Maloney	Sabatina
Boyle, K.	Freeman	Mann	Saccone
Bradford	Gabler	Markosek	Sainato
Brennan	Geist	Marshall	Samuelson
Briggs	George	Marsico	Santarsiero
Brown, R.	Gerber	Masser	Santoni
Brown, V.	Gibbons	Matzie	Saylor
Brownlee	Gillen	McGeehan	Scavello
Burns	Gillespie	Metcalfe	Schroder
Buxton	Gingrich	Metzgar	Shapiro
Caltagirone	Godshall	Miccarelli	Smith, K.
Carroll	Goodman	Micozzie	Smith, M.
Causer	Grell	Millard	Sonney
Christiana	Grove	Miller	Staback
Clymer	Hackett	Milne	Stephens
Cohen	Hahn	Mirabito	Stern
Conklin	Haluska	Moul	Stevenson
Costa, D.	Hanna	Mullery	Sturla
Costa, P.	Harhai	Mundy	Swanger
Cox	Harhart	Murphy	Tallman
Creighton	Harkins	Murt	Taylor
Cruz	Harper	Mustio	Thomas
Culver	Harris	Myers	Tobash
Curry	Heffley	Neuman	Toepel
Cutler	Helm	O'Brien, M.	Toohil
Daley	Hennessey	O'Neill	Truitt
Davidson	Hess	Oberlander	Turzai
Davis	Hickernell	Parker	Vereb
Day	Hornaman	Pashinski	Vitali
Deasy	Hutchinson	Payne	Vulakovich
DeLissio	Johnson	Peifer	Waters

DeLozier	Josephs	Perry	Watson
DeLuca	Kampf	Petrarca	Wheatley
Denlinger	Kauffman	Petri	White
DePasquale	Kavulich	Pickett	Williams
Dermody	Keller, F.	Preston	Youngblood
DeWeese	Keller, W.	Pyle	
DiGirolamo	Killion	Quigley	Smith, S.,
Donatucci	Kirkland	Quinn	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-9

Boyd	Gergely	O'Brien, D.	Simmons
Brooks	Keller, M.K.	Payton	Wagner
Galloway			

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

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

STATEMENT BY MR. VULAKOVICH

The SPEAKER. Does the gentleman from Allegheny County, Mr. Vulakovich, seek recognition under unanimous consent relative to the bill that just passed?

Mr. VULAKOVICH. Yes, Mr. Speaker.

The SPEAKER. The gentleman is in order and may proceed.

Mr. VULAKOVICH. I would just like to thank everybody for their vote on this piece of legislation. It made a minor change of an age from under age 9 to under age 21 for medically fragile and technologically dependent children. These children have a plight in life that none of us would wish on anyone. This is something that has been traveling around the General Assembly for a while, and finally we got it passed and now we can send it on to the Senate. This is going to mean a lot to a lot of these children. These are children who have a life expectancy of about 12 years. I have attended some of those facilities and it is a sadful thing to see. We did a good thing today helping out parents of children that are medically fragile.

So I want to thank everybody for their vote.

The SPEAKER. The Speaker thanks the gentleman.

* * *

The House proceeded to third consideration of **HB 1769, PN 2744**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for criminal laboratory user fee.

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS-194

Adolph	Dunbar	Knowles	Rapp
Aument	Ellis	Kortz	Ravenstahl
Baker	Emrick	Kotik	Readshaw
Barbin	Evankovich	Krieger	Reed
Barrar	Evans, D.	Kula	Reese
Bear	Evans, J.	Lawrence	Reichley
Benninghoff	Everett	Longietti	Roae
Bishop	Fabrizio	Maher	Rock
Bloom	Farry	Mahoney	Rockbuck
Boback	Fleck	Major	Ross
Boyle, B.	Frankel	Maloney	Sabatina
Boyle, K.	Freeman	Mann	Saccone
Bradford	Gabler	Markosek	Sainato
Brennan	Geist	Marshall	Samuelson
Briggs	George	Marsico	Santarsiero
Brown, R.	Gerber	Masser	Santoni
Brown, V.	Gibbons	Matzie	Saylor
Brownlee	Gillen	McGeehan	Scavello
Burns	Gillespie	Metcalfe	Schroder
Buxton	Gingrich	Metzgar	Shapiro
Caltagirone	Godshall	Miccarelli	Smith, K.
Carroll	Goodman	Micozzie	Smith, M.
Causser	Grell	Millard	Sonney
Christiana	Grove	Miller	Staback
Clymer	Hackett	Milne	Stephens
Cohen	Hahn	Mirabito	Stern
Conklin	Haluska	Moul	Stevenson
Costa, D.	Hanna	Mullery	Sturla
Costa, P.	Harhai	Mundy	Swanger
Cox	Harhart	Murphy	Tallman
Creighton	Harkins	Murt	Taylor
Cruz	Harper	Mustio	Thomas
Culver	Harris	Myers	Tobash
Curry	Heffley	Neuman	Toepel
Cutler	Helm	O'Brien, M.	Toohil
Daley	Hennessey	O'Neill	Truitt
Davidson	Hess	Oberlander	Turzai
Davis	Hickernell	Parker	Vereb
Day	Hornaman	Pashinski	Vitali
Deasy	Hutchinson	Payne	Vulakovich
DeLissio	Johnson	Peifer	Waters
DeLozier	Josephs	Perry	Watson
DeLuca	Kampf	Petrarca	Wheatley
Denlinger	Kauffman	Petri	White
DePasquale	Kavulich	Pickett	Williams
Dermody	Keller, F.	Preston	Youngblood
DeWeese	Keller, W.	Pyle	
DiGirolamo	Killion	Quigley	Smith, S.,
Donatucci	Kirkland	Quinn	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-9

Boyd	Gergely	O'Brien, D.	Simmons
Brooks	Keller, M.K.	Payton	Wagner
Galloway			

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.

REMARKS SUBMITTED FOR THE RECORD

The SPEAKER. Is the gentleman, Mr. Farry, seeking recognition under unanimous consent?

Mr. FARRY. On the bill, actually, Mr. Speaker. May I submit some comments for the record?

The SPEAKER. The gentleman may do that.

Mr. FARRY. Thank you.

The SPEAKER. The Speaker thanks the gentleman.

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

Mr. Speaker, HB 1769 typifies the type of legislation that we are elected to pass into law. It creates a balance across the State by allowing counties who operate their own crime labs to receive their fair share of the costs incurred from people who are convicted of crimes.

Currently the criminal laboratory user fee that is imposed on criminals in certain cases is paid to first- and second-class counties that operate their own labs or into a special fund known as the Criminal Laboratory User Fee Fund. The latter is used solely for the operation and maintenance of the Pennsylvania State Police crime labs. In counties of the first and second class, the fees offset the cost of operating labs in those counties. The law does not provide for counties of other classes that also operate their own crime labs.

The passage of this bill is an important step that will save counties who operate their own crime labs thousands of taxpayer dollars. HB 1769 will level the playing field by giving all counties with crime labs access to much-needed funding to support their operations. This shifts the burden of these costs away from the taxpayers to those who necessitate such expenses by committing a crime.

HB 1769 would allow counties that operate their own criminal laboratory to receive the money generated by the criminal laboratory user fee imposed on defendants within that county.

In counties that do not operate their own criminal laboratory, the fees imposed on defendants will be deposited into the Criminal Laboratory User Fee Fund for use by the Pennsylvania State Police criminal laboratories or paid to the county where they conduct their testing.

Bucks County is a 2A-class county that operates a county-run crime lab, and it has been estimated that the fees received by the county could be upward of \$300,000. Cumberland County also faces the same problem as Bucks County.

Bucks County District Attorney David Heckler said, "We are seeing a growth in the number of individuals who are driving impaired or committing other crimes while under the influence of designer drugs. This means we constantly have to update our testing procedures, which is expensive. This bill appropriately ensures that those costs are borne by perpetrators of crime, not taxpayers." The district attorney's quote represents the feelings of the district attorneys, county officials, and law enforcement as a whole across the Commonwealth.

Mr. Speaker, I thank my colleagues for their affirmative vote.

* * *

The House proceeded to third consideration of SB 242, PN 209, entitled:

An Act designating the bridge that carries State Route 601 over Barclay Run in the Borough of Somerset, Somerset County, as the Trooper Stephen R. Gyurke 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—194

Table with 4 columns of names: Adolph, Aument, Baker, Barbin, Barrar, Bear, Benninghoff, Bishop, Bloom, Boback, Boyle, B., Boyle, K., Bradford, Brennan, Briggs, Brown, R., Brown, V., Brownlee, Burns, Buxton, Caltagirone, Carroll, Causer, Christiana, Clymer, Cohen, Conklin, Costa, D., Costa, P., Cox, Creighton, Cruz, Culver, Curry, Cutler, Daley, Davidson, Davis, Day, Deasy, DeLissio, Delozier, DeLuca, Dunbar, Ellis, Emrick, Evankovich, Evans, D., Evans, J., Everett, Fabrizio, Farry, Fleck, Frankel, Freeman, Gabler, Geist, George, Gerber, Gibbons, Gillen, Gillespie, Gingrich, Godshall, Goodman, Grell, Grove, Hackett, Hahn, Haluska, Hanna, Harhai, Harhart, Harkins, Harper, Harris, Heffley, Helm, Hennessey, Hess, Hickernell, Hornaman, Hutchinson, Johnson, Josephs, Kampf, Knowles, Kortz, Kotik, Krieger, Kula, Lawrence, Longietti, Maher, Mahoney, Major, Maloney, Mann, Markosek, Marshall, Marsico, Masser, Matzie, McGeehan, Metcalfe, Metzgar, Miccarelli, Micozzie, Millard, Miller, Milne, Mirabito, Moul, Mullery, Mundy, Murphy, Murt, Mustio, Myers, Neuman, O'Brien, M., O'Neill, Oberlander, Parker, Pashinski, Payne, Peifer, Perry, Petrarca, Rapp, Ravenstahl, Readshaw, Reed, Reese, Reichley, Roae, Rock, Roebuck, Ross, Sabatina, Saccone, Sainato, Samuelson, Santarsiero, Santoni, Saylor, Scavello, Schroder, Shapiro, Smith, K., Smith, M., Sonney, Staback, Stephens, Stern, Stevenson, Sturla, Swanger, Tallman, Taylor, Thomas, Tobash, Toepel, Toohil, Truitt, Turzai, Vereb, Vitali, Vulakovich, Waters, Watson, Wheatley

Denlinger	Kauffman	Petri	White
DePasquale	Kavulich	Pickett	Williams
Dermody	Keller, F.	Preston	Youngblood
DeWeese	Keller, W.	Pyle	
DiGirolamo	Killion	Quigley	Smith, S.,
Donatucci	Kirkland	Quinn	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—9

Boyd	Gergely	O'Brien, D.	Simmons
Brooks	Keller, M.K.	Payton	Wagner
Galloway			

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.

CALENDAR CONTINUED

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 970, PN 2051**, entitled:

An Act providing for the validity of electronic documents; authorizing county recorders of deeds to receive electronic documents as a means for recording real property; granting powers and duties to the county recorders of deeds; establishing the Electronic Recording Commission; and prescribing standards of uniformity.

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

RULES SUSPENDED

The SPEAKER. On that question, the Speaker recognizes the gentleman from Somerset County, Mr. Metzgar, who seeks recognition to suspend the rules for the consideration of amendment A07350.

The gentleman, Mr. Metzgar, is recognized for the purpose of suspending the rules.

Mr. METZGAR. Thank you, Mr. Speaker.

I would like to make a motion to suspend the rules for this agreed-to amendment that simply heightens the protections against fraud on the bill.

The SPEAKER. The Speaker thanks the gentleman.

The gentleman, Mr. Metzgar, moves to suspend the rules for consideration of amendment A07350.

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

The SPEAKER. Does the gentleman, Mr. Longietti, seek recognition on the suspension of the rules? The gentleman may proceed.

Mr. LONGIETTI. Thank you, Mr. Speaker.

I would agree to a suspension of the rules and urge my colleagues to vote to suspend the rules to consider this amendment, and I thank the gentleman from Somerset County for his work in producing the amendment.

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

The following roll call was recorded:

YEAS—189

Adolph	Dunbar	Knowles	Ravenstahl
Aument	Ellis	Kortz	Readshaw
Baker	Emrick	Kotik	Reed
Barbin	Evankovich	Krieger	Reese
Barrar	Evans, D.	Kula	Reichley
Bear	Evans, J.	Longietti	Roae
Benninghoff	Everett	Maher	Rock
Bishop	Fabrizio	Mahoney	Roebuck
Bloom	Farry	Major	Ross
Boback	Fleck	Maloney	Sabatina
Boyle, B.	Frankel	Mann	Saccone
Boyle, K.	Freeman	Markosek	Sainato
Bradford	Gabler	Marshall	Samuelson
Brennan	Geist	Marsico	Santarsiero
Briggs	George	Masser	Santoni
Brown, R.	Gerber	Matzie	Saylor
Brown, V.	Gibbons	McGeehan	Scavello
Brownlee	Gillen	Metcalfe	Schroder
Burns	Gillespie	Metzgar	Smith, K.
Buxton	Gingrich	Miccarelli	Smith, M.
Caltagirone	Godshall	Micozzie	Sonney
Carroll	Goodman	Millard	Staback
Causar	Grove	Miller	Stephens
Christiana	Hackett	Milne	Stern
Clymer	Hahn	Mirabito	Stevenson
Cohen	Haluska	Moul	Sturla
Conklin	Hanna	Mundy	Swanger
Costa, D.	Harhai	Murphy	Tallman
Costa, P.	Harhart	Murt	Taylor
Cox	Harkins	Mustio	Thomas
Creighton	Harper	Myers	Tobash
Cruz	Harris	Neuman	Toepel
Culver	Heffley	O'Brien, M.	Toohil
Curry	Helm	O'Neill	Truitt
Daley	Hennessey	Oberlander	Turzai
Davidson	Hess	Parker	Vereb
Davis	Hickernell	Pashinski	Vitali
Day	Hornaman	Payne	Vulakovich
Deasy	Hutchinson	Peifer	Waters
DeLissio	Johnson	Perry	Watson
Delozier	Josephs	Petrarca	Wheatley
DeLuca	Kampf	Petri	White
Denlinger	Kauffman	Pickett	Williams
DePasquale	Kavulich	Preston	Youngblood
Dermody	Keller, F.	Pyle	
DeWeese	Keller, W.	Quigley	Smith, S.,
DiGirolamo	Killion	Quinn	Speaker
Donatucci	Kirkland	Rapp	

NAYS—5

Cutler	Lawrence	Mullery	Shapiro
Grell			

NOT VOTING—0

EXCUSED—9

Boyd	Gergely	O'Brien, D.	Simmons
Brooks	Keller, M.K.	Payton	Wagner
Galloway			

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?

Mr. **METZGAR** offered the following amendment
No. **A07350**:

Amend Bill, page 5, by inserting between lines 11 and 12

(c) Jurisdiction.—Recording or causing a document to be recorded pursuant to this act, either directly or through an agent, shall constitute transacting business in this Commonwealth for purposes of empowering a tribunal of this Commonwealth to exercise personal jurisdiction over a person, including an agent, and authorizing service of process outside of this Commonwealth pursuant to 42 Pa.C.S. § 5322 (relating to bases of personal jurisdiction over persons outside this Commonwealth).

Amend Bill, page 9, by inserting between lines 6 and 7

(7) Consider the need to prevent and detect fraud.

(8) Provide methods to ensure that any person submitting electronic documents for recording is approved as a trusted submitter by the recording office and has provided sufficient information to enable the recording office to identify and contact the person if necessary to correct errors and prevent fraud.

(9) Provide methods to ensure that information is provided in connection with recording that is adequate to identify and serve process upon a person or any agent of a person causing a document to be recorded so as to facilitate the availability of remedies for the improper or fraudulent recording of documents.

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

The **SPEAKER**. On that question, the Speaker recognizes the gentleman from Somerset, Mr. Metzgar.

Mr. **METZGAR**. Thank you, Mr. Speaker.

I just want to thank my colleague from Mercer County for his help working on this amendment. It addresses an issue that we have experienced in a number of counties where fraudulent conveyances were recorded and then leaving the landowner with the obligation to try and fix it, and this simply allows the landowner or anyone to have the opportunity to go after that particular person more easily and get service on them. Thank you.

The **SPEAKER**. The question is, will the House agree to the amendment?

On that question, the Speaker recognizes the gentleman from Mercer, Mr. Longietti.

Mr. **LONGIETTI**. Thank you, Mr. Speaker.

This is an agreed-to amendment. I think it strengthens the bill, and I thank the gentleman from Somerset County for offering it and urge my colleagues to vote for the amendment.

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

The following roll call was recorded:

YEAS—194

Adolph	Dunbar	Knowles	Rapp
Aument	Ellis	Kortz	Ravenstahl
Baker	Emrick	Kotik	Readshaw
Barbin	Evankovich	Krieger	Reed
Barrar	Evans, D.	Kula	Reese
Bear	Evans, J.	Lawrence	Reichley
Benninghoff	Everett	Longietti	Roae
Bishop	Fabrizio	Maher	Rock
Bloom	Farry	Mahoney	Roebuck
Boback	Fleck	Major	Ross
Boyle, B.	Frankel	Maloney	Sabatina
Boyle, K.	Freeman	Mann	Saccone
Bradford	Gabler	Markosek	Sainato
Brennan	Geist	Marshall	Samuelson
Briggs	George	Marsico	Santarsiero
Brown, R.	Gerber	Masser	Santoni
Brown, V.	Gibbons	Matzie	Saylor
Brownlee	Gillen	McGeehan	Scavello
Burns	Gillespie	Metcalfe	Schroder
Buxton	Gingrich	Metzgar	Shapiro
Caltagirone	Godshall	Miccarelli	Smith, K.
Carroll	Goodman	Micozzie	Smith, M.
Causer	Grell	Millard	Sonney
Christiana	Grove	Miller	Staback
Clymer	Hackett	Milne	Stephens
Cohen	Hahn	Mirabito	Stern
Conklin	Haluska	Moul	Stevenson
Costa, D.	Hanna	Mullery	Sturla
Costa, P.	Harhai	Mundy	Swanger
Cox	Harhart	Murphy	Tallman
Creighton	Harkins	Murt	Taylor
Cruz	Harper	Mustio	Thomas
Culver	Harris	Myers	Tobash
Curry	Heffley	Neuman	Toepel
Cutler	Helm	O'Brien, M.	Toohil
Daley	Hennessey	O'Neill	Truitt
Davidson	Hess	Oberlander	Turzai
Davis	Hickernell	Parker	Vereb
Day	Hornaman	Pashinski	Vitali
Deasy	Hutchinson	Payne	Vulakovich
DeLissio	Johnson	Peifer	Waters
Delozier	Josephs	Perry	Watson
DeLuca	Kampf	Petrarca	Wheatley
Denlinger	Kauffman	Petri	White
DePasquale	Kavulich	Pickett	Williams
Dermody	Keller, F.	Preston	Youngblood
DeWeese	Keller, W.	Pyle	
DiGirolamo	Killion	Quigley	Smith, S.,
Donatucci	Kirkland	Quinn	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—9

Boyd	Gergely	O'Brien, D.	Simmons
Brooks	Keller, M.K.	Payton	Wagner
Galloway			

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

LEAVE OF ABSENCE CANCELED

The SPEAKER. The Speaker returns to leaves of absence and recognizes the presence of the gentleman from Bucks County, Mr. Galloway, on the floor of the House. His name will be added back to the master roll call.

CONSIDERATION OF HB 970 CONTINUED**BILL PASSED OVER**

The SPEAKER. For the information of the members, relative to HB 970, because it was amended and it was not a technical amendment, House rules would prohibit us from voting that on final passage until 24 hours have elapsed unless someone were to make a motion to proceed. Therefore, not seeing that motion before the House, we will go over that bill.

LEAVE OF ABSENCE CANCELED

The SPEAKER. The Speaker returns to leaves of absence and recognizes the presence of the gentleman from Allegheny County, Mr. Gergely, on the floor of the House. His name will be added back to the master roll call.

BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 1232, PN 2835**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for automated red light enforcement systems in first class cities, for applicability and uniformity of law and for disposition and use of liquid fuels and fuels tax.

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

Mr. **P. COSTA** offered the following amendment No. **A07133**:

Amend Bill, page 1, line 2, by inserting after "FOR" display of registration plate and for

Amend Bill, page 1, line 3, by striking out "CITIES," and inserting

cities; providing for automated red light enforcement in certain cities; and further providing

Amend Bill, page 1, lines 10 through 17; page 2, line 1, by striking out all of said lines on said pages and inserting

Section 1. Section 1332(b)(2) of Title 75 of the Pennsylvania Consolidated Statutes is amended to read:

§ 1332. Display of registration plate.

(b) Obscuring plate.—It is unlawful to display on any vehicle a registration plate which:

(2) is obscured in any manner which inhibits the proper operation of an automated red light enforcement system in place pursuant to section 3116 (relating to automated red light enforcement systems in first class cities) or 3117 (relating to automated red light enforcement systems in certain cities); or

Section 2. Section 3116(d)(3)(ii), (e)(3), (i)(3), (l) and (q) of

Title 75 are amended and the section is amended by adding a subsection to read:

§ 3116. Automated red light enforcement systems in first class cities.

(d) Penalty.—

(3) A fine is not authorized during:

(ii) The first [60] 45 days for each additional intersection selected for the automated system.

(e) Limitations.—

(3) Notwithstanding any other provision of law, information prepared under this section and information relating to violations under this section which is kept by the city of the first class, its authorized agents or its employees, including recorded images, written records, reports or facsimiles, names[,] and addresses [and the number of violations under this section], shall be for the exclusive use of the city, its authorized agents, its employees and law enforcement officials for the purpose of discharging their duties under this section and under any ordinances and resolutions of the city. The information shall not be deemed a public record under the act of [June 21, 1957 (P.L.390, No.212), referred to] February 14, 2008 (P.L.6, No.3), known as the Right-to-Know Law. The information shall not be discoverable by court order or otherwise, nor shall it be offered in evidence in any action or proceeding which is not directly related to a violation of this section or any ordinance or resolution of the city. The restrictions set forth in this paragraph shall not be deemed to preclude a court of competent jurisdiction from issuing an order directing that the information be provided to law enforcement officials if the information is reasonably described and is requested solely in connection with a criminal law enforcement action.

(i) System administrator.—

(3) The system administrator shall submit an annual report to the chairman and the minority chairman of the Transportation Committee of the Senate and the chairman and minority chairman of the Transportation Committee of the House of Representatives. The report shall be considered a public record under the Right-to-Know Law and include for the prior year:

(i) The number of violations and fines issued.

(ii) A compilation of fines paid and outstanding.

(iii) The amount of money paid to a vendor or manufacturer under this section.

(l) Payment of fine.—

(1) An owner to whom a notice of violation has been issued may admit responsibility for the violation and pay the fine provided in the notice.

(2) (i) Payment must be made personally, through an Amend Bill, page 2, line 9, by inserting a bracket before

"FINES"

Amend Bill, page 2, line 11, by striking out all of said line and inserting

transportation enhancements grant program.]

(ii) The department

Amend Bill, page 2, by inserting between lines 17 and 18

(iii) Except as otherwise provided under paragraphs (4) and (5), the department shall use the fines deposited in the fund under this paragraph as prescribed under 67 Pa. Code Ch. 233 (relating to transportation enhancement grants from automated red light enforcement system revenues).

(3) Payment of the established fine and applicable

penalties shall operate as a final disposition of the case.

(4) Distribution of fine revenue under paragraph (2) shall be as follows:

(i) Fifty percent of the revenue generated through an automated red light enforcement program under this section shall be used exclusively for funding of transportation enhancement grants in the city in which the violation was prosecuted as provided under 67 Pa. Code § 233.8(g)(1) (relating to grant selection process and criteria).

(ii) Fifty percent of the revenues generated through the automated red light enforcement program shall be available for funding of transportation enhancement grants to eligible sponsors throughout this Commonwealth as provided under 67 Pa. Code § 233.8(g)(2) except that a city of the first class, second class or second class A that implements the automated red light enforcement program shall be ineligible to receive grants under 67 Pa. Code Ch. 233. This subparagraph shall not apply to any grants expended or committed prior to the effective date of this subparagraph.

(5) The department is allocated 2% of all automated red light enforcement revenues transferred to the Motor License Fund under this subsection for its costs in administering transportation enhancement grants.

Amend Bill, page 3, line 5, by striking out "2016" and inserting 2017

Amend Bill, page 3, by inserting between lines 5 and 6

Section 3. Title 75 is amended by adding a section to read:

§ 3117. Automated red light enforcement systems in certain cities.

(a) General rule.—A city, upon passage of an ordinance, is authorized to enforce section 3112(a)(3) (relating to traffic-control signals) by recording violations using an automated red light enforcement system approved by the department.

(b) Applicability.—

(1) This section shall only be applicable at intersections in a city designated by the system administrator in consultation with the secretary under the requirements of paragraph (2).

(2) No automated red light enforcement system may be used without the approval of the department, which shall have the authority to promulgate regulations for the certification and use of such system.

(c) Owner liability.—For each violation under this section, the owner of the vehicle shall be liable for the penalty imposed unless the owner is convicted of the same violation under another section of this title or has a defense under subsection (g).

(d) Certificate as evidence.—A certificate, or a facsimile of a certificate, based upon inspection of recorded images produced by an automated red light enforcement system and sworn to or affirmed by a police officer employed by the city shall be prima facie evidence of the facts contained in it. The city must include written documentation that the automated red light enforcement system was operating correctly at the time of the alleged violation. A recorded image evidencing a violation of section 3112(a)(3) shall be admissible in any judicial or administrative proceeding to adjudicate the liability for the violation.

(e) Penalty.—

(1) The penalty for a violation under subsection (a) shall be a fine of \$100 unless a lesser amount is set by ordinance.

(2) A fine is not authorized for a violation of this section if any of the following apply:

(i) The intersection is being manually controlled.

(ii) The signal is in the mode described in section 3114 (relating to flashing signals).

(3) A fine is not authorized during any of the following:

(i) The first 60 days of operation of the automated system at the initial intersection.

(ii) The first 45 days for each additional

intersection selected for the automated system.

(4) A warning may be sent to the violator under paragraph (3).

(5) A penalty imposed under this section shall not be deemed a criminal conviction and shall not be made part of the operating record under section 1535 (relating to schedule of convictions and points) of the individual upon whom the penalty is imposed, nor may the imposition of the penalty be subject to merit rating for insurance purposes.

(6) No surcharge points may be imposed in the provision of motor vehicle insurance coverage. Fines collected under this section shall not be subject to 42 Pa.C.S. § 3571 (relating to Commonwealth portion of fines, etc.) or 3573 (relating to municipal corporation portion of fines, etc.).

(f) Limitations.—

(1) No automated red light enforcement system shall be utilized in such a manner as to take a frontal view recorded image of the vehicle as evidence of having committed a violation.

(2) Notwithstanding any other provision of law, camera equipment deployed as part of an automated red light enforcement system as provided under this section must be incapable of automated or user-controlled remote intersection surveillance by means of recorded video images. Recorded images collected as part of the automated red light enforcement system may only record traffic violations and may not be used for any other surveillance purposes. The restrictions set forth under this paragraph shall not be deemed to preclude a court of competent jurisdiction from issuing an order directing that the information be provided to law enforcement officials if the information is reasonably described and is requested solely in connection with a criminal law enforcement action.

(3) Notwithstanding any other provision of law, information prepared under this section and information relating to violations under this section which is kept by the city, its authorized agents or employees, including recorded images, written records, reports or facsimiles, names and addresses, shall be for the exclusive use of the city, its authorized agents, its employees and law enforcement officials for the purpose of discharging their duties under this section and under any ordinances and resolutions of the city. The information shall not be deemed a public record under the act of February 14, 2008 (P.L.6, No.3), known as the Right-to-Know Law. The information shall not be discoverable by court order or otherwise, nor shall it be offered in evidence in any action or proceeding which is not directly related to a violation of this section or any ordinance or resolution of the city. The restrictions set forth under this paragraph shall not be deemed to preclude a court of competent jurisdiction from issuing an order directing that the information be provided to law enforcement officials if the information is reasonably described and is requested solely in connection with a criminal law enforcement action.

(4) Recorded images obtained through the use of automated red light enforcement systems deployed as a means of promoting traffic safety in a city shall be destroyed at the end of the 30 days following the final disposition of any recorded event. The city shall file notice with the Department of State that the records have been destroyed in accordance with this section.

(5) Notwithstanding any other provision of law, registered vehicle owner information obtained as a result of the operation of an automated red light enforcement system under this section shall not be the property of the manufacturer or vendor of the automated red light enforcement system and may not be used for any purpose other than prescribed in this section.

(g) Defenses.—

(1) It shall be a defense to a violation under this section that the person named in the notice of the violation was not operating the vehicle at the time of the violation. The owner may

be required to submit evidence that the owner was not the driver at the time of the alleged violation. The city may not require the owner of the vehicle to disclose the identity of the operator of the vehicle at the time of the violation.

(2) If an owner receives a notice of violation under this section of a time period during which the vehicle was reported to a police department of any state or municipality as having been stolen, it shall be a defense to a violation under this section that the vehicle has been reported to a police department as stolen prior to the time the violation occurred and had not been recovered prior to that time.

(3) It shall be a defense to a violation under this section that the person receiving the notice of violation was not the owner of the vehicle at the time of the offense.

(h) Department approval.—No automated red light enforcement system may be used without the approval of the department, which shall have the authority to promulgate regulations for the certification and use of such systems.

(i) Duty of city.—If a city elects to implement this section, the following provisions shall apply:

(1) The city may not use an automated red light enforcement system unless an appropriate sign is posted in a conspicuous place before the area in which the automated red light enforcement device is to be used notifying the public that an automated red light enforcement device is in use immediately ahead.

(2) The city or its designee shall serve as the system administrator to supervise and coordinate the administration of notices of violations issued under this section.

(3) The following apply:

(i) The system administrator shall prepare a notice of violation to the registered owner of a vehicle identified in a recorded image produced by an automated red light enforcement system as evidence of a violation of section 3112(a)(3). The issuance of the notice of violation must be done by a police officer employed by the police department with primary jurisdiction over the area where the violation occurred. The notice of violation must have attached to it all of the following:

(A) A copy of the recorded image showing the vehicle.

(B) The registration number and state of issuance of the vehicle registration.

(C) The date, time and place of the alleged violation.

(D) Notice that the violation charged is under section 3112(a)(3).

(E) Instructions for return of the notice of violation.

(ii) The text of the notice must be as follows: This notice shall be returned personally, by mail or by an agent duly authorized in writing, within 30 days of issuance. A hearing may be obtained upon the written request of the registered owner.

(j) System administrator.—

(1) The system administrator may hire and designate personnel as necessary or contract for services to implement this section.

(2) The system administrator shall process fines issued under this section.

(3) The system administrator shall submit an annual report to the chairman and the minority chairman of the Transportation Committee of the Senate and the chairman and minority chairman of the Transportation Committee of the House of Representatives. The report shall be considered a public record under the Right-to-Know Law, and include for the prior year:

(i) The number of violations and fines issued.

(ii) A compilation of fines paid and outstanding.

(iii) The amount of money paid to a vendor or manufacturer under this section.

(k) Notice to owner.—In the case of a violation involving a motor vehicle registered under the laws of this Commonwealth, the notice of violation must be mailed within 30 days after the commission of the violation or within 30 days after the discovery of the identity of the registered owner, whichever is later, to the address of the registered owner as listed in the records of the department. In the case of motor vehicles registered in jurisdictions other than this Commonwealth, the notice of violation must be mailed within 30 days after the discovery of the identity of the registered owner to the address of the registered owner as listed in the records of the official in the jurisdiction having charge of the registration of the vehicle. A notice of violation under this section must be provided to an owner within 90 days of the commission of the offense.

(l) Mailing of notice and records.—Notice of violation must be sent by first class mail. A manual or automatic record of mailing prepared by the system administrator in the ordinary course of business shall be prima facie evidence of mailing and shall be admissible in any judicial or administrative proceeding as to the facts contained in it.

(m) Payment of fine.—

(1) An owner to whom a notice of violation has been issued may admit responsibility for the violation and pay the fine provided in the notice.

(2) Payment must be made personally, through an authorized agent or by mailing both payment and the notice of violation to the system administrator. Payment by mail must be made only by money order, credit card or check made payable to the system administrator. The system administrator shall remit the fine, less the system administrator's operation and maintenance costs necessitated under this section, to the department for deposit into the Motor License Fund. Except as otherwise provided in paragraphs (4) and (5), the department shall use the fines deposited in the fund under this paragraph as prescribed under 67 Pa. Code Ch. 233 (relating to transportation enhancement grants from authorized red light enforcement system revenues).

(2.1) Notwithstanding the provisions of paragraph (2), transportation enhancement grants awarded for projects in a city of the second class shall be limited to the following and in the following order of preference:

(i) safety improvements for intersections within the city at which red light camera enforcement is installed;

(ii) safety improvements for intersections located within the city; or

(iii) actual construction, maintenance and repair of streets, roadways and highways.

(3) Payment of the established fine and applicable penalties shall operate as a final disposition of the case.

(4) Distribution of fine revenue under paragraph (2) shall be as follows:

(i) Fifty percent of the grant revenues generated through an automated red light enforcement program under this section shall be used exclusively for funding of transportation enhancement grants in the city in which the violation was prosecuted as provided in 67 Pa. Code § 233.8(g)(1) (relating to grant selection process and criteria).

(ii) Fifty percent of the grant revenues generated through the automated red light enforcement program shall be available for funding of transportation enhancement grants to eligible sponsors throughout this Commonwealth as provided under 67 Pa. Code § 233.8(g)(2) except that a city of the first class, second class or second class A that implements the automated red light enforcement program shall be ineligible to receive grants under 67 Pa. Code Ch. 233. This

subparagraph shall not apply to any grants expended or committed prior to the effective date of this subparagraph.

(5) The department is allocated 2% of all automated red light enforcement revenues transferred to the Motor License Fund under this subsection for its costs in administering transportation enhancement grants.

(n) Hearing.—

(1) An owner to whom a notice of violation has been issued may, within 30 days of the mailing of the notice, request a hearing to contest the liability alleged in the notice. A hearing request must be made by appearing before the system administrator during regular office hours either personally or by an authorized agent or by mailing a request in writing.

(2) Upon receipt of a hearing request, the system administrator shall in a timely manner schedule the matter before a hearing officer. The hearing officer shall be designated by the city. Written notice of the date, time and place of hearing must be sent by first class mail to the owner.

(3) The hearing shall be informal; the rules of evidence shall not apply; and the decision of the hearing officer shall be final, subject to the right of the owner to appeal the decision to the magisterial district judge.

(4) If the owner requests in writing that the decision of the hearing officer be appealed to the magisterial district judge, the system administrator shall file the notice of violation and supporting documents with the magisterial district judge, who shall hear and decide the matter de novo.

(o) Compensation to manufacturer or vendor.—If a city has established an automated red light enforcement system deployed as a means of promoting traffic safety and the enforcement of the traffic laws of this Commonwealth or the city, the compensation paid to the manufacturer or vendor of the automated red light enforcement system may not be based upon the number of traffic citations issued or a portion or percentage of the fine generated by the citations. The compensation paid to the manufacturer or vendor of the equipment shall be based upon the value of the equipment and the services provided or rendered in support of the automated red light enforcement system.

(p) Duration of yellow light change interval.—The duration of the yellow light change interval at intersections where automated red light enforcement systems are in use shall conform to the yellow light change interval duration specified on the traffic signal permit issued by the department or city of the second class.

(q) Revenue limit.—A city may not collect an amount equal to or greater than 5% of its annual budget from the collection of revenue from the issuance and payment of violations under this section.

(r) Expiration.—This section shall expire December 31, 2017.

(s) Definition.—As used in this section, the term "city" means:

(1) A city of the third class with a minimum population of 18,000, under the 2010 Federal decennial census, and a full-time police department.

(2) A city of the second class A.

(3) A city of the second class.

Amend Bill, page 3, line 6, by striking out "2" and inserting
4

Amend Bill, page 4, line 12, by striking out "3" and inserting
5

Amend Bill, page 5, line 30, by striking out "4" and inserting
6

Amend Bill, page 6, line 3, by striking out "5" and inserting
7

On the question,

Will the House agree to the amendment?

The SPEAKER. On that question, the Speaker recognizes the gentleman from Allegheny County, Mr. Paul Costa.

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

This amendment here, what my intentions are is to expand the red light camera legislation that now exists in Philadelphia only, to extend it to other areas. The amendment would allow second-class cities, second-class-A and also third-class cities with a population of 18,000 or more with a full-time police department. I realize that the Philadelphia program is expiring at the end of this year, and I know that time is running out. And my intentions were to let other municipalities get involved in this. My focus on this from the beginning was dealing with public safety and the safety of people in their cars, but if I can at this time, Mr. Speaker, is it possible to interrogate the maker of the bill?

The SPEAKER. Slightly unorthodox, but the gentleman indicates he will stand for interrogation and you may proceed.

Mr. P. COSTA. I appreciate your latitude. Thank you, Mr. Speaker.

It is my understanding that there are actually other bills that we are going to have the opportunity to amend, what I would like to get done, into other bills in this session. Is that true?

Mr. GEIST. Thank you very much.

Yes. We have to extend Philadelphia, and the agreement now is to extend them for a short period of time and work out language that is acceptable with the Senate. And when you say acceptable language, that means public safety, not revenue. So yeah, we are going to be working with that. We look forward to having you be part of that solution.

Mr. P. COSTA. I appreciate that, Mr. Speaker, and I assume that means it is going to be this session, before the 2012 session ends?

Mr. GEIST. Yeah, before the spring.

Mr. P. COSTA. I appreciate that very much.

Mr. Speaker, back on the amendment.

The SPEAKER. The gentleman is in order.

AMENDMENT WITHDRAWN

Mr. P. COSTA. Since I have had the opportunity to discuss this with the chairman and I will have another opportunity to address this issue, that it is not done now, I would withdraw this amendment.

The SPEAKER. The Speaker thanks the gentleman.

Mr. P. COSTA. Thank you for the time.

The SPEAKER. It is the Speaker's understanding that the other amendments that have been filed to HB 1232 have also been withdrawn.

On the question recurring,

Will the House agree to the bill on second consideration?

Bill was agreed to.

SUPPLEMENTAL CALENDAR A CONTINUED

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 1183, PN 1850**, entitled:

An Act amending Titles 18 (Crimes and Offenses), 23 (Domestic Relations), 42 (Judiciary and Judicial Procedure), 44 (Law and Justice) and 61 (Prisons and Parole) of the Pennsylvania Consolidated Statutes, extensively revising provisions relating to registration of sexual offenders pursuant to Federal mandate; and making editorial changes.

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

Mr. **MARSICO** offered the following amendment No. **A07682**:

Amend Bill, page 165, line 28, by striking out "INTRODUCTORY PARAGRAPH AND (3)"

Amend Bill, page 166, line 6, by striking out "*" * *" and inserting

(1) Individuals convicted of any of the following offenses:

18 Pa.C.S. § 2901 (relating to kidnapping) where the victim is a minor.

18 Pa.C.S. § 2910 (relating to luring a child into a motor vehicle or structure).

18 Pa.C.S. § 3124.2 (relating to institutional sexual assault).

18 Pa.C.S. § 3126 (relating to indecent assault) where the offense is graded as a misdemeanor of the first degree or higher.

18 Pa.C.S. § 4302 (relating to incest) where the victim is 12 years of age or older but under 18 years of age.

18 Pa.C.S. § 5902(b) or (b.1) (relating to prostitution and related offenses) where the actor promotes the prostitution of a minor.

18 Pa.C.S. § 5903(a)(3), (4), (5) or (6) (relating to obscene and other sexual materials and performances) where the victim is a minor.

18 Pa.C.S. § 6312 (relating to sexual abuse of children).

18 Pa.C.S. § 6318 (relating to unlawful contact with minor).

18 Pa.C.S. § 6320 (relating to sexual exploitation of children).

(2) Individuals convicted of an attempt, conspiracy or solicitation to commit any of the offenses under paragraph (1) or subsection (b)(2).

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

The **SPEAKER**. On that question, the Speaker recognizes the gentleman from Dauphin County, Mr. Marsico.

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

This amendment corrects a drafting error, and it is supported by both House caucuses and the chairman of the Democratic Caucus.

The **SPEAKER**. The question is, will the House agree to the amendment?

On that question, the Speaker recognizes the gentleman from Berks County, Mr. Caltagirone.

Mr. **CALTAGIRONE**. Mr. Speaker, for the benefit of the members, it was a technical section (b) in definitions that was overlooked. That is all that is being added. So I would appreciate an affirmative vote. I support Chairman Marsico.

Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—196

Adolph	Ellis	Knowles	Rapp
Aument	Emrick	Kortz	Ravenstahl
Baker	Evankovich	Kotik	Readshaw
Barbin	Evans, D.	Krieger	Reed
Barrar	Evans, J.	Kula	Reese
Bear	Everett	Lawrence	Reichley
Benninghoff	Fabrizio	Longietti	Roae
Bishop	Farry	Maher	Rock
Bloom	Fleck	Mahoney	Roebuck
Boback	Frankel	Major	Ross
Boyle, B.	Freeman	Maloney	Sabatina
Boyle, K.	Gabler	Mann	Saccone
Bradford	Galloway	Markosek	Sainato
Brennan	Geist	Marshall	Samuelson
Briggs	George	Marsico	Santarsiero
Brown, R.	Gerber	Masser	Santoni
Brown, V.	Gergely	Matzie	Saylor
Brownlee	Gibbons	McGeehan	Scavello
Burns	Gillen	Metcalfe	Schroder
Buxton	Gillespie	Metzgar	Shapiro
Caltagirone	Gingrich	Miccarelli	Smith, K.
Carroll	Godshall	Micozzie	Smith, M.
Causar	Goodman	Millard	Sonney
Christiana	Grell	Miller	Staback
Clymer	Grove	Milne	Stephens
Cohen	Hackett	Mirabito	Stern
Conklin	Hahn	Moul	Stevenson
Costa, D.	Haluska	Mullery	Sturla
Costa, P.	Hanna	Mundy	Swanger
Cox	Harhai	Murphy	Tallman
Creighton	Harhart	Murt	Taylor
Cruz	Harkins	Mustio	Thomas
Culver	Harper	Myers	Tobash
Curry	Harris	Neuman	Toepel
Cutler	Heffley	O'Brien, M.	Toohil
Daley	Helm	O'Neill	Truitt
Davidson	Hennessey	Oberlander	Turzai
Davis	Hess	Parker	Vereb
Day	Hickernell	Pashinski	Vitali
Deasy	Hornaman	Payne	Vulakovich
DeLissio	Hutchinson	Peifer	Waters
DeLozier	Johnson	Perry	Watson
DeLuca	Josephs	Petrarca	Wheatley
Denlinger	Kampf	Petri	White
DePasquale	Kauffman	Pickett	Williams
Dermody	Kavulich	Preston	Youngblood
DeWeese	Keller, F.	Pyle	
DiGirolamo	Keller, W.	Quigley	Smith, S., Speaker
Donatucci	Killion	Quinn	
Dunbar	Kirkland		

NAYS—0

NOT VOTING—0

EXCUSED—7

Boyd	Keller, M.K.	Payton	Wagner
Brooks	O'Brien, D.	Simmons	

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?

MOTION TO PROCEED TO CONSIDERATION UNDER RULE 24

The SPEAKER. The gentleman, Mr. Turzai, the majority leader, is recognized.

Mr. TURZAI. Thank you very much, Mr. Speaker.
I would move pursuant to rule 24, motion to proceed, to take a vote on SB 1183. We would ask members— We had considerable discussion on SB 1183 prior to bringing this bill up. It would not be ready to vote till later this evening, and folks on both sides of the aisle are prepared to debate and to vote upon this important SB 1183.

The SPEAKER. The gentleman, Mr. Turzai, has moved to exercise rule 24, the motion to proceed.

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

The following roll call was recorded:

YEAS—187

Adolph	Ellis	Kirkland	Rapp
Aument	Emrick	Knowles	Ravenstahl
Baker	Evankovich	Kortz	Readshaw
Barbin	Evans, D.	Kotik	Reed
Barrar	Evans, J.	Krieger	Reese
Bear	Everett	Kula	Reichley
Benninghoff	Fabrizio	Longietti	Roae
Bishop	Farry	Maher	Rock
Bloom	Fleck	Mahoney	Roebuck
Boback	Frankel	Major	Ross
Boyle, B.	Freeman	Maloney	Sabatina
Boyle, K.	Gabler	Mann	Saccone
Bradford	Geist	Markosek	Sainato
Brennan	George	Marshall	Santarsiero
Briggs	Gerber	Marsico	Santoni
Brown, R.	Gergely	Masser	Saylor
Brown, V.	Gibbons	Matzie	Scavello
Brownlee	Gillen	McGeehan	Schroder
Burns	Gillespie	Metcalfe	Shapiro
Buxton	Gingrich	Metzgar	Smith, K.
Caltagirone	Godshall	Miccarelli	Smith, M.
Carroll	Goodman	Micozzie	Sonney
Causar	Grove	Millard	Staback
Christiana	Hackett	Miller	Stephens
Clymer	Hahn	Mirabito	Stern
Cohen	Haluska	Moul	Stevenson
Conklin	Hanna	Mundy	Sturla
Costa, D.	Harhai	Murphy	Swanger
Costa, P.	Harhart	Murt	Tallman
Cox	Harkins	Mustio	Taylor
Creighton	Harper	Myers	Thomas
Cruz	Harris	Neuman	Tobash
Culver	Heffley	O'Brien, M.	Toepel
Curry	Helm	O'Neill	Toohil
Daley	Hennessey	Oberlander	Truitt
Davidson	Hess	Parker	Turzai
Davis	Hickernell	Pashinski	Verab
Day	Hornaman	Payne	Vulakovich
Deasy	Hutchinson	Peifer	Waters

DeLozier	Johnson	Perry	Watson
DeLuca	Josephs	Petrarca	Wheatley
Denlinger	Kampf	Petri	White
DePasquale	Kauffman	Pickett	Williams
Dermody	Kavulich	Preston	Youngblood
DeWeese	Keller, F.	Pyle	
DiGirolamo	Keller, W.	Quigley	Smith, S.,
Donatucci	Killion	Quinn	Speaker
Dunbar			

NAYS—9

Cutler	Grell	Milne	Samuelson
DeLissio	Lawrence	Mullery	Vitali
Galloway			

NOT VOTING—0

EXCUSED—7

Boyd	Keller, M.K.	Payton	Wagner
Brooks	O'Brien, D.	Simmons	

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 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 finally?

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

The following roll call was recorded:

YEAS—196

Adolph	Ellis	Knowles	Rapp
Aument	Emrick	Kortz	Ravenstahl
Baker	Evankovich	Kotik	Readshaw
Barbin	Evans, D.	Krieger	Reed
Barrar	Evans, J.	Kula	Reese
Bear	Everett	Lawrence	Reichley
Benninghoff	Fabrizio	Longietti	Roae
Bishop	Farry	Maher	Rock
Bloom	Fleck	Mahoney	Roebuck
Boback	Frankel	Major	Ross
Boyle, B.	Freeman	Maloney	Sabatina
Boyle, K.	Gabler	Mann	Saccone
Bradford	Galloway	Markosek	Sainato
Brennan	Geist	Marshall	Samuelson
Briggs	George	Marsico	Santarsiero
Brown, R.	Gerber	Masser	Santoni
Brown, V.	Gergely	Matzie	Saylor
Brownlee	Gibbons	McGeehan	Scavello
Burns	Gillen	Metcalfe	Schroder
Buxton	Gillespie	Metzgar	Shapiro
Caltagirone	Gingrich	Miccarelli	Smith, K.
Carroll	Godshall	Micozzie	Smith, M.
Causar	Goodman	Millard	Sonney
Christiana	Grell	Miller	Staback
Clymer	Grove	Milne	Stephens
Cohen	Hackett	Mirabito	Stern

Conklin	Hahn	Moul	Stevenson
Costa, D.	Haluska	Mullery	Sturla
Costa, P.	Hanna	Mundy	Swanger
Cox	Harhai	Murphy	Tallman
Creighton	Harhart	Murt	Taylor
Cruz	Harkins	Mustio	Thomas
Culver	Harper	Myers	Tobash
Curry	Harris	Neuman	Toepel
Cutler	Heffley	O'Brien, M.	Toohil
Daley	Helm	O'Neill	Truitt
Davidson	Hennessey	Oberlander	Turzai
Davis	Hess	Parker	Vereb
Day	Hickernell	Pashinski	Vitali
Deasy	Hornaman	Payne	Vulakovich
DeLissio	Hutchinson	Peifer	Waters
DeLozier	Johnson	Perry	Watson
DeLuca	Josephs	Petrarca	Wheatley
Denlinger	Kampf	Petri	White
DePasquale	Kauffman	Pickett	Williams
Dermody	Kavulich	Preston	Youngblood
DeWeese	Keller, F.	Pyle	
DiGirolamo	Keller, W.	Quigley	Smith, S.,
Donatucci	Killion	Quinn	Speaker
Dunbar	Kirkland		

NAYS—0

NOT VOTING—0

EXCUSED—7

Boyd	Keller, M.K.	Payton	Wagner
Brooks	O'Brien, D.	Simmons	

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.

REMARKS SUBMITTED FOR THE RECORD

The SPEAKER. For what purpose does the gentleman, Mr. Caltagirone, rise?

Mr. CALTAGIRONE. Mr. Speaker, to submit remarks for the record on the bill.

The SPEAKER. The gentleman will deliver the remarks to the clerk, and they will be noted for the record.

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

SB 1183, as amended by Chairman Marsico, represents a good-faith, bipartisan, bicameral effort to bring the Commonwealth into substantial compliance with the Federal Adam Walsh Act.

A vote for this bill is a vote for the safety and security of our citizens.

First, this bill closes several loopholes in Pennsylvania's Megan's Law related to transients and out-of-State sex offenders. It ensures that our Commonwealth does not become a haven for sex offenders due to gaps in our current law.

Additionally, the bill will allow Pennsylvania to cooperate with other States to track the location of sex offenders by allowing us to tap into the National Sex Offender Registry.

It will also keep our citizens safe by requiring registration of sex offenders for longer periods of time, more frequently, and for additional offenses.

Failure to pass this bill will result in a loss of nearly \$2 million of Federal money to the Commonwealth. That money is used to keep criminals off our streets and our citizens safe.

It is critical that we act on this bill now.

I urge our members to vote "yes" on this amendment.

STATEMENT BY MAJORITY LEADER

Mr. TURZAI. Mr. Speaker?

The SPEAKER. Is the majority leader, Mr. Turzai, seeking recognition?

Mr. TURZAI. Yes, sir.

The SPEAKER. The gentleman may proceed.

Mr. TURZAI. On unanimous consent, sir, I would just like to briefly speak on the bill that we just passed.

Sir, I myself, and I am somewhat embarrassed by this, did not know the story of this young man by the name of Adam Walsh for whom we have just passed significant legislation from some time back, and I did research on this poor, tragic situation with respect to this young, young boy who had been killed in a very heinous way by a perpetrator. It was a 1981 killing of this young boy in Florida, and States across this nation have been making changes to comply with the Federal Adam Walsh Child Protection and Safety Act of 2006 and to close the loopholes in Megan's Law regarding homeless offenders and out-of-State offenders so that they must register for a lifetime in their home States.

I want to commend, if I might, the good Senator from Allegheny County who resides in my district, a former prosecutor, for her extensive work with respect to the changes, the positive changes to protect our citizens of Pennsylvania. And I would also like to thank the chairs of both the majority and minority parties of the Judiciary Committee, the good gentleman from Lycoming County, the good gentleman from Tioga County, the good lady from Tioga County, all for their tireless efforts on improving and toughening our statutes with respect to Megan's Law so that we can hope to prevent an Adam Walsh tragedy in the future and also to make sure that when something does happen that is tragic and heinous, that justice prevails.

I would call attention to anybody if you have had the opportunity to read the story about this 6-year-old from Hollywood, Florida, who was murdered in 1981 by a perpetrator. And the fact of the matter is, it is really outstanding that we are being able to do these reforms to once again toughen up our legislation to prevent perpetrators from being able to commit these heinous crimes, and in addition, to make sure that justice is meted out strongly and swiftly for those that do.

Thank you very, very much, Mr. Speaker.

STATEMENT BY MR. MARSICO

The SPEAKER. For what purpose does the gentleman, Mr. Marsico, seek recognition?

Mr. MARSICO. Mr. Speaker, unanimous consent, please.

The SPEAKER. The gentleman may proceed.

Mr. MARSICO. Thank you.

I was going to make extensive remarks about the Adam Walsh compliance legislation. I am going to submit those remarks for the record, but before I do that, I want to say thank you to the Democrat Judiciary staff, the Democrat leadership,

and especially the Republican Judiciary staff for their hard work and also our leadership of the Republican Caucus and Republican members as well for the dedication and hard work on this bill. This truly was a team effort, not only with the Democratic Caucus, the Democratic Judiciary chair, but also with the Governor's Office, and also with the Senate.

So once again, I want to thank everyone here for their support, and I appreciate the fact that there was cooperation between the House and the Senate and the Governor's Office. Thank you, Mr. Speaker.

REMARKS SUBMITTED FOR THE RECORD

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

Mr. Speaker, Congress enacted the Adam Walsh Child Protection and Safety Act in 2006 because it felt that there was a need for a comprehensive minimum set of standards for all 50 States with respect to sexual offender registration and notification. The Adam Walsh Act replaces the Jacob Wetterling Crimes Against Children Act, which is the Federal law which required all States to enact the first statutory laws regarding sexual offender registration and notification. These first enactments by the States are commonly known as Megan's Law. Jacob Wetterling was enacted in the mid-1990s by Congress. Pennsylvania first enacted Megan's Law in 1994.

Each State must enact a law which substantially complies with the Federal Adam Walsh Act. Failure to enact a statute which substantially complies with the Adam Walsh Act subjects the State to a financial penalty: 10 percent of the Byrne grant provided by the Department of Justice. For Pennsylvania, this is approximately \$1.6 million.

SB 1183 represents the Commonwealth's efforts to substantially comply with the Adam Walsh Child Protection and Safety Act. It is largely based upon the bipartisan proposal in the House, HB 1958, which Representative Caltagirone and I sponsored. The Governor's Office, the Senate, and the House reached an agreement regarding the provision in our statute, which is reflected in the updated language of Senator Ori'e's SB 1183.

I ask for an affirmative vote.

MOTION TO PROCEED TO CONSIDERATION UNDER RULE 24

The SPEAKER. The gentleman, Mr. Turzai, is recognized.

Mr. TURZAI. Mr. Speaker, I would like a motion to proceed with respect to SB 732. As many people know, there was significant debate over the amendments yesterday. We would like to be able to move forward with debate. We would have to wait until later in the evening, but people are prepared to debate the issue right now, and we would ask an affirmative vote on moving to proceed on SB 732.

MOTION WITHDRAWN TEMPORARILY

The SPEAKER. The gentleman, Mr. Turzai, has temporarily withdrawn his motion to proceed.

JOINT STATE GOVERNMENT COMMITTEE MEETING

The SPEAKER. The gentleman from Butler, Mr. Metcalfe, is recognized for the purpose of making an announcement.

Mr. METCALFE. Thank you, Mr. Speaker.

Mr. Speaker, I am announcing the 4 o'clock meeting, joint meeting, of the State Government Committees of both the House and the Senate. We had sunshined a meeting that was originally to be held at 10 o'clock this morning. We had announced a postponement of that meeting this morning, so I am now announcing that at 4 o'clock in the North Office Building, in hearing room 1, we will meet in a joint fashion with the Senate State Government Committee and the House State Government Committee to announce the congressional redistricting proposed map, Mr. Speaker.

So for State Government Committee members, if you could join me in hearing room 1 of the North Office Building to take up the business of our meeting that was postponed from earlier today to be held at 4 o'clock today. Thank you, Mr. Speaker.

The SPEAKER. There will be a joint State Government Committee meeting at 4 p.m. in hearing room 1 of the North Office Building.

ANNOUNCEMENT BY SPEAKER

The SPEAKER. For the information of the members, the members of the State Government Committee are given permission to proceed with that hearing. It would be the intention of the House to begin debate on SB 732. However, we cannot vote while that committee hearing is taking place, and it would be the intentions of the House to possibly consider a motion to proceed at such time that that committee hearing may conclude.

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 732, PN 1851**, entitled:

An Act amending the act of July 19, 1979 (P.L.130, No.48), known as the Health Care Facilities Act, further providing for definitions, for licensure, for application for license, for issuance of license and for inspections.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

Mr. FRANKEL. Thank you, Mr. Speaker.

I rise to oppose SB 732. We had extensive debate on some amendments yesterday that would have made major improvements to a piece of legislation that is going to have far-reaching impacts on the lives of the women of Pennsylvania. This bill purports to address problems that created an environment at a single clinic in Philadelphia that resulted in monstrous activities that harmed and killed women and infants, a tragedy that every single person in the Commonwealth and this General Assembly abhors.

Unfortunately, that situation has given rise to an opportunity for those who would like to circumvent a woman's right to choose to find a way to shut down access, legal access, that women have for their reproductive health care. This bill tries to change these facilities, recategorizes them as ambulatory surgical units. What does that mean? That means that these clinics that help poor women, typically who do not have health insurance, who need this care, it means they will have to change the size of their procedure rooms, sometimes doubling or tripling it. They will have to change their elevator sizes. They will have to employ full-time medical personnel 7 days a week, even though they may only do medical procedures, surgical procedures, once or twice a week. Every one of the provisions in this bill is meant to create obstacles and increase costs and actually shut down legal operating clinics in our State.

Now, this bill, the amendment that you see in front of you that we voted on yesterday, had zero hearings, not one single hearing. The only hearing that we had relating to this topic was a combined Senate-House hearing about the Gosnell clinic and its atrocities; nothing about how to address it; nothing about this legislation, far-reaching legislation, legislation that is opposed by medical professionals across the Commonwealth. And it is very easy when you take a look and analyze those groups who are supporting this legislation and those who oppose this legislation, it is very easy to connect the dots to see what is happening here. It is a cynical attempt to shut down health-care access and to circumvent women's rights that were advanced under the *Roe v. Wade* decision by the Supreme Court.

Let us take a look. Who is supporting this legislation? This legislation is being supported by the American Family Association. It is being supported by the Catholic Conference, Lancaster Right to Life, and the Pennsylvania Family Institute. These organizations do not have an agenda for women's health care. They have an agenda to take away the right of women to legal, safe abortions. That is what their mission is. Who is opposing this legislation? Medical professionals, as I have said, and organizations that truly have an agenda at hand that is interested in protecting the safety and welfare of women. We have the Allegheny Reproductive Health Center; the Greater Philadelphia Health Action Center; the Pennsylvania Coalition Against Domestic Violence; the University of Pittsburgh Medical Center's Department of Obstetrics, Gynecology, and Women's Health; the Pennsylvania Coalition Against Rape; the American Congress of Obstetricians and Gynecologists; the Penn Medicine Department of Obstetrics and Gynecology. These are organizations that have the genuine interest, the genuine interest of the health and welfare of women. These are organizations that were not allowed and did not have the opportunity to have a fair hearing to present their ideas of why this bill is bad and why it is going to hurt and harm women in our State. They were not provided that opportunity. This is a piece of legislation that has been railroaded by those who want to take away women's rights in Pennsylvania. They want to prevent poor women from being able to access these clinics. They want to just shut it down, and that is what is happening across the country, because this is not the only place this is happening. This is a pattern. This is a cookie-cutter piece of legislation that is being introduced in legislature after legislature across this country, and we have seen the effects. This bill was introduced and adopted in Texas, and 20 out of 22 clinics,

Planned Parenthood clinics in that State, had to shut down because of the unreasonable requirements under this piece of legislation.

The fact of the matter is, all we had to do here was really enforce what is already under regulation and law in Pennsylvania; that even the district attorney who is prosecuting Gosnell said it is about enforcement, it is not about changing regulations. If the State had done its job and inspected and held everybody to the standards that are already under regulation, Gosnell would not have taken place, and that is exactly what we need to do. The Department of Health needs to be held to that higher standard. You had an opportunity to enhance the Department of Health's regulatory capacity to do that yesterday without creating these obstacles. But the fact is that this piece of legislation will harm Pennsylvania's women in spite of what you will probably hear are these wonderful ideas about how this is really about protecting women in Pennsylvania. This is not about protecting women in Pennsylvania, and those who are advocating for this legislation, those who are opposed to this legislation are enough evidence to give everybody in this hall a clear view about what is really happening here.

So I would suggest to those, as we have this debate, let us be honest about where we are coming from. Let us not talk about how this is an attempt to enhance safety for women. This is not what this legislation is about. This legislation needs to be defeated. If you are interested in protecting the women in Pennsylvania, allowing women, particularly poor women to have access to what wealthy, middle-class women who have insurance have access to, this is the right thing to do. We should not adopt this legislation. It should be defeated. And if you really want to have the opportunity to have an intelligent discussion, a discussion that is really genuinely about the concerns of women and the organizations that are concerned, genuinely concerned with their health, let us have some hearings, let us have some discussion.

For the time being, this piece of legislation needs to be defeated, and I urge my colleagues to join me in defeating SB 732. Thank you.

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

On that question, the Speaker recognizes the gentleman from Tioga, Mr. Baker.

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

Obviously, I rise to support this bill. This bill basically is the same bill that we passed in this House back in May that was contained under HB 574. It passed 148 to 43, and we had about 3 days of debate with respect to that bill. This is the second day that we are on this bill, and I do not think we need to go over all of the finer points and major reasons and repeat ourselves ad nauseam, but the template for this legislation, as many members know, is the grand jury report that came down with many good, solid recommendations, and we acted on many of those recommendations. So far, there have been four admissions of guilt in murder in the Gosnell clinic. We have also been aware of another abortion clinic that has had some additional violations, and these are not just minor violations. These are major violations – infanticide, murder, drug violations, sanitary violations. People have died. Children have died. We need to act decisively in correcting these difficult, terrible inadequacies, and basically loopholes in the law that should have been dealt with many, many years ago. My goodness, we should not be

giving a pass to abortion clinics when every other major health-care organization in this Commonwealth is licensed or regulated somehow. We should have never allowed that to happen many, many years ago. This tries to address many of those shortcomings and shortfalls and makes sure that patient safety and women's health and welfare and children's health and welfare are protected at a higher level and a greater degree of due diligence.

So, Mr. Speaker, at the risk of repeating myself, I am going to conclude with just asking the members to kindly support SB 732 as amended. We have had great bipartisan support for this legislation. I want to commend the members. We have had close to 150 votes on nearly every vote that we have had. And I just wanted, from the bottom of my heart, to thank the good men and women of this august body for their support for a very good cause in protecting women and children here in the Commonwealth of Pennsylvania.

Thank you very much, Mr. Speaker.

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

On that question, the Speaker recognizes the gentleman from Philadelphia County, Mr. Cohen.

Mr. COHEN. Thank you.

Mr. Speaker, it just is inaccurate to state or imply that there are no regulations of abortions in this Commonwealth. There is ample regulation of abortions in our laws, in our regulations. The problem has been the lack of enforcement by the Department of Health. The question is, does this bill improve that regulation or does it not? I believe, and the community that is most knowledgeable about abortion procedures, the community that was praised in the district attorney's report for the vigorous way in which they inspect abortion clinics, feels that this bill does not serve the purpose for which it claims to be intended. Indeed, the main advocates of this bill are people who are completely against legalized abortion in the first place.

Mr. Speaker, the questions we have in the regulation of abortions are several. First, are we in compliance with the mandates of the U.S. Supreme Court? I think this bill clearly is not in compliance with the U.S. Supreme Court decisions in *Roe v. Wade* and *Planned Parenthood v. Casey*.

Another question is, is this bill going to improve the health of women? We still have not heard any decisive explanation of how the regulations of the ambulatory services act, which deals with things like the size of waiting rooms, has anything really to do with the investigation of Gosnell or other abuses.

Third, we have to ask the question of what is in the public interest. Is it going to be strongly in the public interest to shut down abortion facilities throughout this Commonwealth so maybe there will be one or two or three abortion facilities legally functioning instead of nine? Is that really going to be in the public interest? Or is that going to lead to more facilities run by more Gosnell-type characters who will be somewhat contemptuous of the health of women? I think the latter is the most likely. It is most likely going to lead to more unsafe abortions, more back-alley abortions, more women trying to self-abort through coat hangers and other things.

I think the Senate version— I think the version that we have today is better than the original version, but it is still far, far short of what a legitimate response to the Gosnell horrors would be. I urge a "no" vote on this legislation.

LEAVE OF ABSENCE

The SPEAKER. The Speaker returns to leaves of absence and recognizes the minority whip, who requests a leave of absence for the gentleman from Washington County, Mr. DALEY, for the remainder of the day. Without objection, the leave will be granted.

ANNOUNCEMENT BY SPEAKER

The SPEAKER. Seeing no further members seeking recognition, the House will be at ease. It would be the Speaker's intention to get a little read on how long the State Government Committee hearing is going to last. So we are just going to be at ease for just a little while.

The House will come to order.

It is the Speaker's understanding that the joint House-Senate State Government hearing has concluded.

CONSIDERATION OF SB 732 CONTINUED

The SPEAKER. The business before the House was final consideration of SB 732. The majority leader, Mr. Turzai, is recognized.

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

I rise in support of SB 732 as amended. This legislation amends the Health Care Facilities Act to include an abortion facility in the definition of "health-care facilities."

MOTION TO PROCEED TO CONSIDERATION UNDER RULE 24

Mr. TURZAI. Thank you very much. At this time I would do a motion to proceed. We have had debate on SB 732, and we would ask that everybody please motion to proceed so that we do not need to wait till the late hour. It has been debated. I would ask for an affirmative vote.

The SPEAKER. The gentleman, Mr. Turzai, has moved to proceed under rule 24.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—149

Adolph	Everett	Knowles	Quinn
Aument	Fabrizio	Kortz	Rapp
Baker	Farry	Kotik	Ravenstahl
Barbin	Fleck	Krieger	Readshaw
Barrar	Gabler	Kula	Reed
Bear	Galloway	Longietti	Reese
Benninghoff	Geist	Maher	Reichley
Bloom	George	Mahoney	Roae
Boback	Gergely	Major	Rock
Boyle, K.	Gibbons	Maloney	Ross
Brown, R.	Gillen	Mann	Saccone
Burns	Gillespie	Markosek	Sainato
Caltagirone	Gingrich	Marshall	Saylor

Carroll	Godshall	Marsico	Scavello
Causser	Goodman	Masser	Schroder
Christiana	Grove	Matzie	Smith, K.
Clymer	Hackett	McGeehan	Sonney
Conklin	Hahn	Metcalfe	Staback
Costa, D.	Haluska	Metzgar	Stephens
Costa, P.	Hanna	Miccarelli	Stern
Cox	Harhai	Micozzie	Stevenson
Creighton	Harhart	Millard	Sturla
Cruz	Harkins	Miller	Swanger
Culver	Harper	Mirabito	Tallman
Day	Harris	Moul	Taylor
Deasy	Heffley	Murphy	Tobash
Delozier	Helm	Murt	Toepel
DeLuca	Hennessey	Mustio	Toohil
Denlinger	Hess	O'Neill	Truitt
Dermody	Hickernell	Oberlander	Turzai
DiGirolamo	Hornaman	Payne	Vereb
Donatucci	Hutchinson	Peifer	Vulakovich
Dunbar	Kampf	Perry	Watson
Ellis	Kauffman	Petrarca	Youngblood
Emrick	Kavulich	Petri	
Evankovich	Keller, F.	Pickett	Smith, S., Speaker
Evans, D.	Keller, W.	Pyle	
Evans, J.	Killion	Quigley	

NAYS—46

Bishop	Davis	Milne	Samuelson
Boyle, B.	DeLissio	Mullery	Santarsiero
Bradford	DePasquale	Mundy	Santoni
Brennan	DeWeese	Myers	Shapiro
Briggs	Frankel	Neuman	Smith, M.
Brown, V.	Freeman	O'Brien, M.	Thomas
Brownlee	Gerber	Parker	Vitali
Buxton	Grell	Pashinski	Waters
Cohen	Johnson	Preston	Wheatley
Curry	Josephs	Roebuck	White
Cutler	Kirkland	Sabatina	Williams
Davidson	Lawrence		

NOT VOTING—0

EXCUSED—8

Boyd	Daley	O'Brien, D.	Simmons
Brooks	Keller, M.K.	Payton	Wagner

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,
Shall the bill pass finally?

The SPEAKER. On that question, the Speaker recognizes the lady from Philadelphia, Ms. Josephs.

Ms. JOSEPHS. Thank you, Mr. Speaker.

This is the bill that is an excuse to protect women. Thank you very much, Mr. Speaker, I will protect myself. Using a horrible situation that we had in Philadelphia that was subject of a grand jury report and came about because neither the Health Department of the city or the State through various different administrations took complaints against this so-called doctor seriously, did not take them at all. I want to tell you something that came out of my personal experience. In 1972, 40 years ago, is that the case? Forty years ago? Yes. This so-called doctor and his so-called health facility was a danger and the women's community in Philadelphia knew it. We

learned, and I remember this very well, we learned in 1972 – I do not remember the exact date, but it was that year – that a busload of women seeking abortion, many of them you would call girls, they were young, were shut out of a clinic in Chicago and people understood that the Gosnell clinic was totally irresponsible, 40 years ago, and they sent this busload or perhaps two busloads to Philadelphia to this so-called doctor at this so-called health facility to try experimental procedures on these young women and girls. We found out about it, those of us in the women's movement, who do not rack up a score, oh, we stopped this abortion; oh, we helped this abortion. Our concern is with women's health and we tried to stop them. We called the district attorney. I, not myself, but my friends went out to the site in southwest Philadelphia protesting, tried to disable the buses so they could not take these women away, found out that one of these young women ended up losing her uterus because of this experiment. Experimentation on human beings, happening right in the middle of the greatest medical city, I believe, in the country; horrible. We could not get people to respond. We could not get the health departments to respond. We tried. We had a very helpful district attorney, but at that time, the district attorney apparently was not interested because nothing happened to prosecute this man.

And over the years, there have been many complaints against this so-called doctor, this murderer, alleged murderer, by women who suffered very badly at his hands. They complained, the women's movement, particularly the Women's Law Project, NARAL, the National Abortion Rights Action League chapter in Pennsylvania, we complained. We got no response. The attitude was even more than just, let us not pay attention to them. It was kind of like, what are you complaining about? You are getting this procedure. So what if it is constitutionally protected? So what if it is legal? We think you are no good, so we are not going to take care of your problem. That was the attitude. They had an attitude when they were called by people trying to shut this man down, this alleged murderer. Now, finally, a couple years ago or last year, his clinic got raided, and how come it got raided? Not based on complaints from patients who were receiving abortions to which they are constitutionally permitted, but because he branched out and started to sell some drug, I think methadone, and it got traced back to him, and so there was an investigation and all the other stuff was uncovered.

Now we have a situation where the Republicans want us to believe that they believe that what they are doing is going to help women, protect women, make women's health more precious. I do not believe it, and nobody who has half a brain would believe that the Republicans and some people on my side who are going to vote for this bill care very much about women's health because the result of this is going to be shutting down legitimate providers because the bill we are about to look at hyperregulates an already very well regulated, overregulated, I would say, medical service, and hyperregulates in a way that will cause many of the women's health facilities we have in Pennsylvania to shut down, and that is based on the experience that health facilities in other States who have been subjected to this cookie-cutter law, which comes out of a corporate think tank, what happened there we expect to happen here, that numbers of legitimate providers of not only abortion but lots and lots of women's health will have to shut down. And what will be the result of that? The result will be more so-called under-the-radar clinics that will hurt women because they will

be unregulated, they will be without inspections, they will fly under the radar, and if people on the other side and mine who are going to vote for this bill do not realize that, they are not being very honest. They are not being honest at all with their voters, and they are sure not being honest with themselves.

Now, part of the reason why they like to, or the rationale – there is no reason, not when you think about reason being something that is rational, there is no reason whatsoever for this bill – but part of the rationale for this bill is based on the grand jury report. Grand jury was held in Philadelphia. It was supervised by our district attorney, Seth Williams, and he wrote a letter about it. He referenced a different bill, but the substance is exactly the same. He wrote a letter to Leader Turzai and to Leader Frank Dermody. I am going to read part of this, and then I am going to ask whether the whole letter can be entered in the record.

"Over the past few weeks" – says our district attorney – "there has been some debate about whether HB" – in this case he was referencing 574, but he might as well have said SB 732 – "there has been some debate about whether..." SB 732 "...is consistent with the recommendations of the Philadelphia Grand Jury in the investigation of Dr. Kermit Gosnell. As you know,..." the bill "...seeks to address the Grand Jury's concern that Gosnell's abortion clinic was not regulated as an ambulatory surgical facility. Given the debate on this issue, I thought it appropriate to clarify the intent of the grand jury." He is clarifying the intent of the grand jury.

"The intent of the Grand Jury's recommendation was to assure that women who seek the services of an abortion provider are afforded *the same* protections as those who go to other medical providers. If an abortion provider performs the types of surgeries and administers the levels of anesthesia that would bring him within the definition of an ambulatory surgical facility..." – if, if – "the Grand Jurors believed that his facility should be licensed as one."

But then, our district attorney goes on to say, "The Grand Jurors *did not*" – did not – "recommend that the Legislature change the definition of an ambulatory surgical facility to include *all* abortion clinics." They did not recommend that. "Nor did it recommend that abortion clinics be singled out for licensure under the Health Care Facilities Act simply because they offer abortions.

"What the jurors wanted to see" – our district attorney goes on to say – "was that the Department of Health license as ASFs those abortion clinics that fall within the current regulatory framework.... As the Grand Jury stated" – and this is quotes – " ' [t]he law exists. The regulations are clear. Why does DOH not apply or enforce these standards for abortion facilities?'... The Grand Jurors were outraged by the fact that the laws that are already on the books gave the Department of Health the authority it needed to license and monitor Gosnell's clinic, but the Department chose not to" exercise the powers that were on the books back in 1972 and are still on the books today. That is what the grand jury wanted. That is what I want. That is what anybody wants who wants women to have the full range of health services that they need.

LETTER SUBMITTED FOR THE RECORD

Ms. JOSEPHS. I am going to submit this to the record. But I would just like to know how people can sit in this room, believe something that is absolutely false, clearly absolutely false, and vote to take away rights from their own constituents? I do not vote to take away rights from my constituents. I vote to help them realize their rights.

Thank you, Mr. Speaker.

Ms. JOSEPHS submitted a letter for the Legislative Journal.

(For letter, see Appendix.)

PARLIAMENTARY INQUIRY

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

On that question, the Speaker recognizes the gentleman from Armstrong County, Mr. Pyle.

Mr. PYLE. Thank you, Mr. Speaker.

Parliamentary inquiry.

The SPEAKER. The gentleman may state his inquiry.

Mr. PYLE. Thank you, Mr. Speaker.

Is it still against the rules of this House to question the motivation of a member on their vote?

The SPEAKER. The general rule that would apply is that as part of debate, a member should not question or impugn another member's motives for their vote and debate should be confined to the merits of the issue before us.

Mr. PYLE. Another question, Mr. Speaker.

The SPEAKER. The gentleman is in order.

Mr. PYLE. I intend to vote for SB 732. Does that infer that I do not care about women's health as much as the previous speaker? I have a wife and two daughters, whose health care I care very deeply about.

The SPEAKER. That is not a parliamentary inquiry. You may be recognized under debate on the bill, but that is not a parliamentary inquiry.

Mr. PYLE. Thank you, Mr. Speaker. I am done.

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

On that question, the Speaker recognizes the lady from Philadelphia, Miss Parker.

Miss PARKER. Thank you, Mr. Speaker.

Mr. Speaker, SB 732, on its own merits and as amended by this body, thinly veiled and neatly packaged as an effort to ensure that women have access to safe health-care services. It is to me, Mr. Speaker, simply an attempt to significantly reduce and or shut down freestanding abortion and women's health providers in the State by placing unnecessary regulations on an already heavily regulated industry. In addition, Mr. Speaker, I have heard several people point to the Gosnell clinic in Philadelphia as the prime example of why this bill is necessary. They want all women to be safe, but I would beg to differ, Mr. Speaker. I think the horrifying, inhumane, and criminal conduct in this isolated case is in essence sort of being promoted as the fall guy for those whose ultimate goal and objectives are to find any way possible, Mr. Speaker, to prevent women from exercising their legal right to choose.

In addition, Mr. Speaker, I noted yesterday that if this bill is such a necessity in ensuring quality health care for women, then once again, Mr. Speaker, I want to note for the record, why have medical professionals, not elected officials who think they may know more than the medical professionals that provide women's health care in the Commonwealth of Pennsylvania, but those professionals, those medical professionals who are on the front line in serving women, working in the women's health-care industry, why are they not supporting this bill? The American College of Obstetricians and Gynecologists, Mr. Speaker, the premier and primary organization comprised of 52,000 medical professionals across the U.S., Mr. Speaker, and with the chapter here in Pennsylvania, do not support passage of this bill. Penn Medicine, Mr. Speaker, the Hospital of the University of Pennsylvania, they do not support passage of this bill. UPMC, the University of Pittsburgh Medical Center, does not support passage of this bill.

In addition, Mr. Speaker, when similar regulations, such as those included in SB 732 were passed in other States, the unintended consequences were that many of those freestanding abortion clinics and women's health providers, they closed, Mr. Speaker, because they could not afford to comply with the proposed regs. In addition, Mr. Speaker, I am afraid that the impact that the passage of this bill will have on the 22 freestanding abortion clinics and women's health providers and one hospital clinic that we have here in the Commonwealth of Pennsylvania, once again, will have an adverse impact on those women in urban and rural Pennsylvania, whose only affordable opportunity in access to safe and quality health care and/or their choice to seek abortion services will clearly be eliminated.

Mr. Speaker, I want to close by sharing with you something that a friend of mine called me with when we finished debate on this yesterday, and that was, she sort of told me that she thought she understood what I meant when I talked about whether or not a family is wealthy and/or whether or not a family is poor and/or working class, that this bill would have adverse impacts on one constituency, but not the other. Hypothetically, Mr. Speaker, for the sake of this debate, I want us to think about a family, and just for this debate we are going to call them Cosby. Let us just say, Mr. Speaker, that in this very distinguished Cosby family living in suburban Pennsylvania, we may have a mother that is a lawyer and a father that is a doctor, and let us just say they have a 16-year-old girl and that her name is Denise, Mr. Speaker, and she happens to enter into an adultlike relationship while she is still a child and makes an adultlike decision while she is 16. And, Mr. Speaker, ultimately the Cosby mother and father have to deal with the results of the adultlike results that come from their daughter Denise's decision, Mr. Speaker. But fortunately for the Cosbys, because the mother and the father are both professionals, they are financially well off; they can find a way with their private resources to get the services that their daughter needs if in fact she chooses or they make a choice as it relates to family planning that abortion is the route that they will go to.

Now, Mr. Speaker, I want us to just hypothetically, for the sake of this debate, I want us to think about another family, Mr. Speaker. And instead of the Cosbys, Mr. Speaker, we want to call them the Evans family. And for one reason or another, Mr. Speaker, this Evans family happens to have a father, Mr. Speaker, who works in a factory, Mr. Speaker. The only work that the mother does, let us say she is a domestic or she

does day work. And they happen to have a 16-year-old, and for the sake of this debate, we will call her Thelma, Mr. Speaker. But instead of living in suburban Pennsylvania, Mr. Speaker, let us just say she lives in urban, an urban area in the Commonwealth and/or let us say she lives in public housing, Mr. Speaker. Well, Thelma makes the same adultlike decision, although she is still a child, that Denise made. The difference is that because Denise was born into a family that was wealthy, she had opportunity and access to choice because they could afford the quality health care and they could afford the services that their daughter needed. In the meantime, Mr. Speaker, the Evans family, the struggling father who is a factory worker, the mother who does day work and is actually paid, you know, by the wealthy folks she works for, Mr. Speaker, under the table, they are barely making ends meet, but they live in a family with strong family values, and although they are not wealthy, Mr. Speaker, they decide as a family that they are going to choose along with their daughter to seek quality, safe health care and they are going to choose an abortion, Mr. Speaker.

With the regs that are included in SB 732, I am afraid, Mr. Speaker, that the Cosby family will have choice because they are wealthy, but the Evans family, if their local providers, their freestanding clinics, if they close in their region, I think that we may be eliminating their access to choice. And for that reason, Mr. Speaker, I encourage my colleagues to vote "no" on final passage. Thank you.

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

On that question, the Speaker recognizes the majority leader, Mr. Turzai.

Mr. TURZAI. I stand in support of SB 732 as amended. The bill amends the Health Care Facilities Act to include facilities in the licensure provisions of health-care facilities, to apply ambulatory surgical facility regulations, require unannounced inspections, and it provides a waiver. The fact of the matter is, birthing centers, hospitals, and other medical facilities that fit the definition of "ambulatory surgical facility" are required to meet these regulations by statute. It only makes sense that under the Health Care Facilities Act, that this type of facility is treated the same.

It is consistent. It is common sense. It is fair. In the end this is about the protection, yes, the protection of women and innocent unborn and innocent born children in response to the Gosnell situation. The language amended is a reflection of the care and safety to all individuals, given the tragedies that occurred for almost four decades at that particular facility. It is in response to a grand jury report and it makes sense.

It is a commonsense provision. It is designed to be rational, responsible, and measured. I applaud the chair of the Health Committee and his staff for all their significant work and the work that they have done with both the Governor's Office and the Senate to reach a bill that will get to the Governor's desk.

We would ask that everybody please vote "yes."

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

On that question, the Speaker recognizes the gentleman from Tioga, Mr. Baker, for the second time.

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

I have really appreciated the indulgence of the members. As you know, we have been through this process a couple of times with HB 574 and now SB 732. They have been very attentive, they have been very caring, and I appreciated their due diligence in terms of evaluating the merits of this legislation. It has been a great bipartisan effort.

We have a very unique and historical moment before us this evening to finally do something good, something right, to protect the health and welfare of women and children in these abortion clinics. I applaud each and every one of you for stepping up, for doing the right thing. It has been long overdue, and I have really appreciated your bipartisan support. I respect you and honor you for this, and it has been a great pleasure and honor for me to be a part of this legislation.

I want to thank the leadership for their commitment, and I want to thank our legal counsel and our staff in the Health Committee and the Health Committee members for their great due diligence in support of this long-overdue legislation that should have been passed decades ago to protect the health and welfare and the safety of women and children.

Mr. Speaker, again, this is supported by nearly maybe more than 150 members; it is supported by the Senate; it is supported by the Governor. It will become law, and I just wanted to express my sincere thanks and appreciation to everyone for their support. 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—151

Adolph	Fabrizio	Kortz	Quigley
Aument	Farry	Kotik	Quinn
Baker	Fleck	Krieger	Rapp
Barbin	Gabler	Kula	Ravenstahl
Barrar	Galloway	Lawrence	Readshaw
Bear	Geist	Longietti	Reed
Benninghoff	George	Maher	Reese
Bloom	Gergely	Mahoney	Reichley
Boback	Gibbons	Major	Roae
Boyle, B.	Gillen	Maloney	Rock
Boyle, K.	Gillespie	Markosek	Saccone
Brown, R.	Gingrich	Marshall	Sainato
Burns	Godshall	Marsico	Samuelson
Caltagirone	Goodman	Masser	Santoni
Carroll	Grell	Matzie	Saylor
Causar	Grove	Metcalfe	Scavello
Christiana	Hackett	Metzgar	Schroder
Clymer	Hahn	Miccarelli	Smith, K.
Conklin	Haluska	Micozzie	Sonney
Costa, D.	Hanna	Millard	Staback
Costa, P.	Harhai	Miller	Stephens
Cox	Harhart	Milne	Stern
Creighton	Harkins	Mirabito	Stevenson
Culver	Harper	Moul	Swanger
Cutler	Harris	Mullery	Tallman
Davidson	Heffley	Murphy	Taylor
Day	Helm	Murt	Tobash
Deasy	Hennessey	Mustio	Toepel
Delozier	Hess	Neuman	Toohil
DeLuca	Hickernell	O'Neill	Truitt
Denlinger	Hornaman	Oberlander	Turzai
DiGirolamo	Hutchinson	Payne	Verab
Donatucci	Kampf	Peifer	Vulakovich
Dunbar	Kauffman	Perry	Watson
Ellis	Kavulich	Petrarca	White
Emrick	Keller, F.	Petri	
Evankovich	Killion	Pickett	Smith, S.,
Evans, J.	Knowles	Pyle	Speaker
Everett			

NAYS—44

Bishop	DeLissio	Kirkland	Sabatina
Bradford	DePasquale	Mann	Santarsiero
Brennan	Dermody	McGeehan	Shapiro
Briggs	DeWeese	Mundy	Smith, M.
Brown, V.	Evans, D.	Myers	Sturla
Brownlee	Frankel	O'Brien, M.	Thomas
Buxton	Freeman	Parker	Vitali
Cohen	Gerber	Pashinski	Waters
Cruz	Johnson	Preston	Wheatley
Curry	Josephs	Roebuck	Williams
Davis	Keller, W.	Ross	Youngblood

NOT VOTING—0

EXCUSED—8

Boyd	Daley	O'Brien, D.	Simmons
Brooks	Keller, M.K.	Payton	Wagner

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.

STATEMENT BY MRS. DAVIDSON

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

Mrs. DAVIDSON. Under unanimous consent.

The SPEAKER. The lady may proceed under unanimous consent.

Mrs. DAVIDSON. Mr. Speaker, I think I am the only member of this House that was directly touched by the tragedy at the Gosnell clinic in the life of my 22-year-old cousin, Semika Shaw, and today I honor her memory by voting "yes" on this legislation that seeks to safeguard the health of women that is long overdue so that never again will a woman walk into a licensed health-care facility in the State of Pennsylvania and be butchered as she was, with her uterus perforated and her death of sepsis and infection permeating in her body, as she writhed in pain on the floor of her home to her ultimate death.

Today I thank the members of this House that supported this legislation for the safety of women, and I thank you.

The SPEAKER. The Speaker thanks the lady.

LEAVE OF ABSENCE

The SPEAKER. The Speaker returns to leave of absence and recognizes the majority whip, who requests a leave of absence for the gentleman from Delaware County, Mr. ADOLPH. Without objection, the leave will be granted.

CALENDAR CONTINUED

BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of **SB 71, PN 56**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in other offenses, further providing for the offense of greyhound racing.

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

BILL RECOMMITTED

The SPEAKER. On that question, the Speaker recognizes the gentleman from Chester County, Mr. Schroder.

Mr. SCHRODER. Thank you, Mr. Speaker.

I rise to move that SB 71 be recommitted to the House Gaming Oversight Committee, and I would like the opportunity to speak on the motion.

The SPEAKER. The gentleman, Mr. Schroder, has moved that SB 71 be recommitted to the Gaming Oversight Committee.

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

The SPEAKER. On that question, on the motion to recommit, the Speaker recognizes the gentleman from Chester County, Mr. Schroder.

Mr. SCHRODER. Thank you, Mr. Speaker.

Mr. Speaker, SB 71 is a bill that would prohibit the simulcasting of greyhound racing, and if that sounds familiar to all of us, it should, because in June of this year, the House passed, the Senate passed, and the Governor signed into law that very piece of legislation to ban the simulcasting of greyhound racing. Therefore, Mr. Speaker, in my view, there is no real reason why we should be running this bill, running this bill which has provisions in it that have already been signed into law.

Mr. Speaker, this is getting very late in the year into our session. We have any number of high-profile important issues that are very important to the people of Pennsylvania. We have education reform, liquor store privatization, Marcellus Shale that needs to come to an agreement, congressional reapportionment, and those are just a few of the big items, the big-ticket items, that are facing us over the next few days.

I do not believe we should be spending any time today or tomorrow on a piece of legislation that has already passed and has been signed into law, and that is why I am requesting that we refer the bill and moving to refer the bill to the Gaming Oversight Committee. Thank you.

The SPEAKER. On the question of recommitment, the Speaker recognizes the gentleman from Lackawanna County, Mr. Staback.

Mr. STABACK. Thank you, Mr. Speaker.

Mr. Speaker, I rise to concur with the comments of the previous speaker and would ask the members of my side of the aisle to support the motion for referral with a positive vote. Thank you.

The SPEAKER. On the motion to recommit, the Speaker recognizes the gentleman from Allegheny County, Mr. Maher.

Mr. MAHER. Mr. Speaker, it is not uncommon for a bill to come before us that includes a subject matter that has been the subject of another bill.

With this bill there is no secret that there is a subject that has been on people's minds to some extent or another for the entirety – for most of our time in this Capitol.

I think we all know where we stand on these questions. The recommitment accomplishes nothing. Let us get about it. Let us just stand up and be counted. Please vote against the recommitment.

The SPEAKER. On the motion to recommit, the Speaker recognizes the majority leader, Mr. Turzai.

Mr. TURZAI. Thank you very much.

It is the preference, I must say, this amendment that is attached to SB 71 is one that continues to come up on many of the bills before this chamber.

On a personal perspective, I would like to be able to get to a vote – I am going to be voting "no" myself – to be able to put this issue to rest, given the fact that it continues to cloud many of the pieces of legislation that we would like to move through the chamber.

For that reason I myself would prefer not to recommit and move to a final vote so that we could have a final vote on this, but I do understand, particularly the maker of the companion bill for SB 71, why he sees that this legislation has already been – that the prime bill has already been dealt with. In some ways we would like to just get to the amendments that have been hanging on.

Thank you.

The SPEAKER. On the motion to recommit, the Speaker recognizes the gentleman from Allegheny County, Mr. Gergely.

Mr. GERGELY. Thank you, Mr. Speaker.

I would just like to concur with the majority leader and the Representative from Lackawanna County on the motion to recommit. It is the right thing to do now. I do hope we will get to an up-or-down vote on this issue in the imminent future. Thank you very much.

The SPEAKER. On the motion to recommit, the Speaker recognizes the gentleman from Montgomery County, Mr. Shapiro.

Mr. SHAPIRO. Thank you, Mr. Speaker.

I, too, want to lend my voice in support of the position espoused by the majority leader as well as the gentleman from Upper St. Clair. This is an issue that has been festering, no pun intended, here in this House for quite some time. We should move toward a final vote on the issue.

And, Mr. Speaker, I would just say in response to the good gentleman from Chester, whom I have great respect for, there are important issues that we ought to be considering, and that is why I was so disappointed this chamber just spent 2 days dealing with legislation to undermine a woman's right to choose. There is time to deal with this legislation right now, Mr. Speaker.

For that reason I would oppose the Schroder motion and ask that we move to a final up-or-down vote on the amendments to follow.

Thank you, Mr. Speaker.

The SPEAKER. On the motion to recommit, the Speaker recognizes the gentleman from Montgomery County, Mr. Godshall.

Mr. GODSHALL. Thank you, Mr. Speaker.

I am going to be very brief. I know there are issues that have come up and have come up for years and years. This thing has come up real suddenly, and at this point I do not think we have any alternative but to vote along with the Schroder motion. I ask for a positive vote in the strongest terms. Thank you.

The SPEAKER. On the motion to recommit, the Speaker recognizes the lady from Philadelphia, Ms. Youngblood.

Ms. YOUNGBLOOD. Mr. Speaker, I rise in support of my colleague from Chester County that the House votes to have SB 71 recommitted to the Gaming Oversight Committee, and I would like a "yes" vote from everyone to support his efforts. Thank you.

The SPEAKER. On the motion to recommit, the Speaker recognizes the gentleman from Bucks County, Mr. Clymer.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, I stand with my colleague, Representative Schroder, and would ask that we recommit the bill back to the Gaming Oversight Committee. We are really looking at two different issues here, an issue that really deals with judiciary, cruelty to animals, and an issue that deals with racing, greyhound simulcasting, and so it just makes sense to recommit. Thank you.

The SPEAKER. On the motion to recommit, is the gentleman from Allegheny County, Mr. Gergely, seeking a second shot at this to clarify? The Speaker thought he might.

Mr. GERGELY. Thank you, Mr. Speaker.

I was blinded by the beautiful Christmas tree light tie of my colleague from Allegheny County when I spoke the first time. I will have to flip-flop on that and request recommitment, period. Thank you, Mr. Speaker.

The SPEAKER. On the motion to recommit, the gentleman from Allegheny County, Mr. Maher, for the second time.

Mr. MAHER. What is left to be said about this subject? Is there anything on this subject that anyone in this chamber has not yet heard? Now, we could vote to recommit this particular bill today, and I guarantee you that amendments such as those pending to this bill and their cousins and grandchildren will be appearing from, I suspect, my friends across the aisle on any number of bills, on any number of subjects throughout the year ahead.

It has been a proud tradition in this House of running away from this subject. I think it is time for us just to stand up, be counted. We all know where we stand. Recommitment only delays and will aggravate the number of occasions that we will need to have this very same conversation. So if you like talking about this subject and you want to be certain to talk about it in connection with any number of bills that might be coming up in the year ahead, then vote to recommit. If you want to address the subject and be done with it, then let us proceed. Please oppose the motion to recommit.

The SPEAKER. On the motion to recommit SB 71 to the Gaming Oversight Committee, those in favor of recommitment will vote "aye"; those opposed to recommitment will vote "no."

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

(Members proceeded to vote.)

LEAVE OF ABSENCE

The SPEAKER. The Speaker returns to leaves of absence and recognizes the minority whip, who requests a leave of absence for the gentleman from Allegheny County, Mr. KORTZ. Without objection, the leave will be granted.

CONSIDERATION OF SB 71 CONTINUED

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

The following roll call was recorded:

YEAS—124

Baker	Evankovich	Hutchinson	Peifer
Barbin	Evans, J.	Johnson	Petrarca
Barrar	Fabrizio	Kampf	Pickett
Bear	Fleck	Kauffman	Pyle
Benninghoff	Gabler	Kavulich	Quigley
Bishop	Galloway	Keller, W.	Quinn
Bloom	Geist	Kirkland	Rapp
Boback	George	Knowles	Readshaw
Boyle, B.	Gergely	Kula	Reese
Brown, R.	Gibbons	Lawrence	Roae
Brown, V.	Gillen	Longietti	Rock
Brownlee	Gillespie	Mahoney	Ross
Burns	Gingrich	Maloney	Saccone
Causer	Godshall	Markosek	Sainato
Clymer	Goodman	Marsico	Schroder
Conklin	Grell	Masser	Smith, K.
Costa, P.	Grove	Metcalf	Staback
Cox	Hahn	Metzgar	Stern
Creighton	Haluska	Millard	Stevenson
Cruz	Hanna	Miller	Sturla
Culver	Harhai	Milne	Swanger
Curry	Harhart	Mirabito	Tallman
Davis	Harkins	Moul	Thomas
Day	Harper	Mullery	Tobash
Delozier	Harris	Murphy	Toepel
DeLuca	Heffley	Murt	Toohil
Dermody	Helm	Myers	Vereb
DeWeese	Hennessey	Neuman	Waters
Donatucci	Hess	O'Brien, M.	White
Dunbar	Hickernell	Parker	Williams
Emrick	Hornaman	Payne	Youngblood

NAYS—69

Aument	Ellis	McGeehan	Santoni
Boyle, K.	Evans, D.	Miccarelli	Saylor
Bradford	Everett	Micozzie	Scavello
Brennan	Farry	Mundy	Shapiro
Briggs	Frankel	Mustio	Smith, M.
Buxton	Freeman	O'Neill	Sonney
Caltagirone	Gerber	Oberlander	Stephens
Carroll	Hackett	Pashinski	Taylor
Christiana	Josephs	Perry	Truitt
Cohen	Keller, F.	Petri	Turzai
Costa, D.	Killion	Preston	Vitali
Cutler	Kotik	Ravenstahl	Vulakovich
Davidson	Krieger	Reed	Watson
Deasy	Maher	Reichley	Wheatley
DeLissio	Major	Roebuck	
Denlinger	Mann	Sabatina	Smith, S.,
DePasquale	Marshall	Samuelson	Speaker
DiGirolamo	Matzie	Santarsiero	

NOT VOTING—0

EXCUSED—10

Adolph	Daley	O'Brien, D.	Simmons
Boyd	Keller, M.K.	Payton	Wagner
Brooks	Kortz		

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

The SPEAKER. SB 71 is recommitted to the Gaming Oversight Committee.

SENATE MESSAGE

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

The clerk of the Senate, being introduced, returned **HB 344, PN 2816, and HB 1458, PN 2877**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

SENATE MESSAGE

HOUSE BILL CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, returned **HB 210, PN 2503**, with information that the Senate has passed the same without amendment.

BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

HB 210, PN 2503

An Act amending the act of December 19, 1990 (P.L.1234, No.204), known as the Family Caregiver Support Act, further providing for intent, for definitions, for caregiver support program, for reimbursements and for entitlement not created.

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

The SPEAKER. For the information of the members, there will be no more votes this evening.

BILL RECOMMITTED

The SPEAKER. The Speaker recognizes the majority leader, who moves that HB 1232 be recommitted to the Committee on Appropriations.

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

BILLS REMOVED FROM TABLE

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

HB 1100;
HB 1602;
HB 1813;
HB 2052;
SB 995;
SB 1276;
SB 1310;
SB 1335; and
SB 1336.

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

BILLS REMOVED FROM TABLE

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

HB 601;
HB 1156; and
HB 2010.

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

BILLS TABLED

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

HB 601;
HB 1156; and
HB 2010.

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

BILL TABLED

The SPEAKER. The Speaker recognizes the majority leader, who moves that HB 970 be removed from the active calendar and placed on the tabled calendar.

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

BILL REMOVED FROM TABLE

The SPEAKER. The Speaker recognizes the majority leader, who moves that HB 970 be removed from the tabled calendar and placed on the active calendar.

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

Motion was agreed to.

BILLS AND RESOLUTIONS PASSED OVER

The SPEAKER. Without objection, all remaining bills and resolutions on today's calendar will be passed over. The Chair hears no objection.

ADJOURNMENT

The SPEAKER. Seeing no further business before the House, the Speaker recognizes the gentleman, Mr. Saccone, from Allegheny County, who moves that this House do adjourn until Wednesday, December 14, 2011, at 11 a.m., e.s.t., unless sooner recalled by the Speaker.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 5:34 p.m., e.s.t., the House adjourned.