

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

WEDNESDAY, MAY 6, 2009

SESSION OF 2009

193D OF THE GENERAL ASSEMBLY

No. 34

HOUSE OF REPRESENTATIVES

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

THE SPEAKER (KEITH R. McCALL)
PRESIDING

PRAYER

HON. RICHARD T. GRUCELA, member of the House of Representatives, offered the following prayer:

Thank you, Mr. Speaker. Good morning.

As we bow our heads in prayer, Heavenly Father, we thank You for this beautiful morning as we begin to serve the people of our Commonwealth. We know You always have the sun shining, it just happens to be above the clouds today. As we experience our challenges of this new day, we may feel a loss of peace and reassurance, but let us remind ourselves of Your constant presence in our lives. We know God's love is limitless, infinite, and without restrictions or boundaries.

Teach us to be generous, dear God. Teach us to serve You as You deserve; to toil and not to seek for rest; to labor and not ask for any reward, save that of knowing we do Your will. We pray for the health of our members and their families, especially our colleague, Bob Belfanti, and all those members' families with special needs at this time. We ask that You watch over and safeguard the men and women of our Armed Forces as they defend our precious freedoms, among them our own members, Scott Perry and Nick Miccarelli, that they may be out of harm's way and soon return home to join us.

All this we humbly ask in Your name. Amen.

PLEDGE OF ALLEGIANCE

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

APPROPRIATIONS COMMITTEE MEETING

The SPEAKER. There will be an immediate meeting, an immediate meeting of the House Appropriations Committee in the majority caucus room; an immediate meeting of the House Appropriations Committee in the majority caucus room.

The House will be at ease.

The House will come to order.

The Appropriations Committee needs members. There is a House Appropriations Committee meeting in the majority

caucus room. There is an immediate meeting of the House Appropriations Committee in the majority caucus room.

The House will be at ease.

The House will come to order.

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, the approval of the Journal of Tuesday, May 5, 2009, will be postponed until printed. The Chair hears no objection.

LEAVES OF ABSENCE

The SPEAKER. Turning to leaves of absence, the Chair recognizes the majority whip, Representative DeWeese, who indicates there are no leaves for the day.

The Chair recognizes the gentleman from Allegheny, the minority whip, Representative Turzai, who requests the following leaves of absence: Representative TRUE from Lancaster for the day; Representative DALLY from Northampton for the day.

Without objection, those leaves will be granted.

MASTER ROLL CALL

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

The following roll call was recorded:

PRESENT—196

Adolph	Fabrizio	Maher	Reese
Baker	Fairchild	Mahoney	Reichley
Barbin	Farry	Major	Roae
Barrar	Fleck	Manderino	Rock
Bear	Frankel	Mann	Roebuck
Benninghoff	Freeman	Markosek	Rohrer
Beyer	Gabig	Marshall	Ross
Bishop	Gabler	Marsico	Sabatina
Boback	Galloway	Matzie	Sainato
Boyd	Geist	McGeehan	Samuelson
Bradford	George	McI. Smith	Santarsiero
Brennan	Gerber	Melio	Santoni
Briggs	Gergely	Mensch	Saylor
Brooks	Gibbons	Metcalfe	Scavello
Brown	Gillespie	Metzgar	Schroder
Burns	Gingrich	Micozzie	Seip
Buxton	Godshall	Millard	Shapiro
Caltagirone	Goodman	Miller	Siptroth
Carroll	Grell	Milne	Smith, K.
Casorio	Grove	Mirabito	Smith, M.

Causer	Grucela	Moul	Smith, S.
Christiana	Haluska	Mundy	Solobay
Civera	Hanna	Murphy	Sonney
Clymer	Harhai	Murt	Staback
Cohen	Harhart	Mustio	Stern
Conklin	Harkins	Myers	Stevenson
Costa, D.	Harper	O'Brien, D.	Sturla
Costa, P.	Harris	O'Brien, M.	Swanger
Cox	Helm	O'Neill	Tallman
Creighton	Hennessey	Oberlander	Taylor, J.
Cruz	Hess	Oliver	Taylor, R.
Curry	Hickernell	Pallone	Thomas
Cutler	Hornaman	Parker	Turzai
Daley	Houghton	Pashinski	Vereb
Day	Hutchinson	Payne	Vitali
Deasy	Johnson	Payton	Vulakovich
Delozier	Josephs	Peifer	Wagner
DeLuca	Kauffman	Perzel	Walko
Denlinger	Keller, M.K.	Petrarca	Wansacz
DePasquale	Keller, W.	Petri	Waters
Dermody	Kessler	Phillips	Watson
DeWeese	Killion	Pickett	Wheatley
DiGirolamo	Kirkland	Preston	White
Donatucci	Kortz	Pyle	Williams
Drucker	Kotik	Quigley	Youngblood
Eachus	Krieger	Quinn	Yudichak
Ellis	Kula	Rapp	
Evans, D.	Lentz	Readshaw	McCall,
Evans, J.	Levdansky	Reed	Speaker
Everett	Longietti		

ADDITIONS—0

NOT VOTING—0

EXCUSED—6

Belfanti	Dally	Perry	True
Boyle	Miccarelli		

LEAVES ADDED—1

Lentz

LEAVES CANCELED—1

Dally

The SPEAKER. A quorum being present, the House will proceed to conduct business.

HOUSE RESOLUTION INTRODUCED AND REFERRED

No. 299 By Representatives CUTLER, GABLER, HARRIS, PETRI, PYLE, RAPP, REESE, REICHLEY, ROCK, SCAVELLO, STERN and VULAKOVICH

A Resolution amending the Rules of the House of Representatives, further providing for suspending and changing the rules.

Referred to Committee on RULES, May 6, 2009.

HOUSE BILLS INTRODUCED AND REFERRED

No. 1447 By Representatives GOODMAN, BELFANTI, BOBACK, BRENNAN, CONKLIN, GEORGE, GIBBONS,

GILLESPIE, HENNESSEY, KULA, McGEEHAN, McILVAINE SMITH, MILNE, MOUL, MUNDY, MURPHY, MURT, M. O'BRIEN, PHILLIPS, PRESTON, SIPTROTH, STEVENSON, SWANGER and YOUNGBLOOD

An Act amending the act of July 28, 1988 (P.L.556, No.101), known as the Municipal Waste Planning, Recycling and Waste Reduction Act, further providing for site limitations.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, May 6, 2009.

No. 1448 By Representatives MARSHALL, DALLY, BRENNAN, CAUSER, CREIGHTON, EVERETT, HARHART, HARRIS, MOUL, PICKETT, RAPP, READSHAW, ROAE, SCAVELLO, SOLOBAY, TALLMAN, YOUNGBLOOD and BELFANTI

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for powers and duties of sheriffs and deputy sheriffs relating to law enforcement; providing for the education and training of deputy sheriffs; creating the Deputy Sheriffs' Education and Training Board under the Pennsylvania Commission on Crime and Delinquency; providing for the powers and duties of the board and the Attorney General; establishing the Deputy Sheriffs' Education and Training Account; providing for a surcharge on sheriffs' fees; providing for penalties; and making a related repeal.

Referred to Committee on JUDICIARY, May 6, 2009.

No. 1449 By Representatives PEIFER, BAKER, BOYD, CARROLL, CAUSER, CHRISTIANA, CREIGHTON, CUTLER, DALLY, DENLINGER, EVERETT, FAIRCHILD, FLECK, GABLER, GIBBONS, HARHART, HENNESSEY, HORNAMAN, HUTCHINSON, KAUFFMAN, W. KELLER, MAJOR, MILLARD, MURT, MUSTIO, PETRI, PHILLIPS, PICKETT, PYLE, RAPP, REED, REICHLEY, ROAE, SAYLOR, SCAVELLO, SIPTROTH, K. SMITH, STERN, STEVENSON, VULAKOVICH, YUDICHAK, DAY and BEAR

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, further providing for funding of the Budget Stabilization Reserve Fund.

Referred to Committee on FINANCE, May 6, 2009.

No. 1450 By Representatives DEASY, MUSTIO, VULAKOVICH, MATZIE, BRADFORD, DERMODY, FABRIZIO, FRANKEL, FREEMAN, GEORGE, MAHONEY, MELIO, MURPHY, READSHAW, CASORIO and MARSHALL

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, transferring provisions relating to environmental advisory councils; providing for the designation and regulation of geologically hazardous areas throughout this Commonwealth to protect people and limit property damage and the disruption of commerce from the possible dangers associated with land development in areas that are prone to landslides, sinkholes or other geologic hazards; imposing duties and conferring powers on the Department of Environmental Protection, the Department of Conservation and Natural Resources and municipalities; and providing for enforcement and remedies.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, May 6, 2009.

SENATE BILLS FOR CONCURRENCE

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

SB 33, PN 975

Referred to Committee on STATE GOVERNMENT, May 6, 2009.

SB 54, PN 39

Referred to Committee on STATE GOVERNMENT, May 6, 2009.

SB 446, PN 759

Referred to Committee on HEALTH AND HUMAN SERVICES, May 6, 2009.

SB 731, PN 826

Referred to Committee on TRANSPORTATION, May 6, 2009.

SB 817, PN 896

Referred to Committee on STATE GOVERNMENT, May 6, 2009.

CALENDAR

RESOLUTIONS PURSUANT TO RULE 35

Ms. McILVAINE SMITH called up **HR 97, PN 629**, entitled:

A Resolution honoring Jacobus Franciscus "Jim" Thorpe by designating May 16, 2009, as "Jim Thorpe Day" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—196

Adolph	Fabrizio	Maher	Reese
Baker	Fairchild	Mahoney	Reichley
Barbin	Farry	Major	Roae
Barrar	Fleck	Manderino	Rock
Bear	Frankel	Mann	Roebuck
Benninghoff	Freeman	Markosek	Rohrer
Beyer	Gabig	Marshall	Ross
Bishop	Gabler	Marsico	Sabatina
Boback	Galloway	Matzie	Sainato
Boyd	Geist	McGeehan	Samuelson
Bradford	George	McI. Smith	Santarsiero
Brennan	Gerber	Melio	Santoni
Briggs	Gergely	Mensch	Saylor
Brooks	Gibbons	Metcalfe	Scavello
Brown	Gillespie	Metzgar	Schroder
Burns	Gingrich	Micozzie	Seip
Buxton	Godshall	Millard	Shapiro
Caltagirone	Goodman	Miller	Siptroth

Carroll	Grell	Milne	Smith, K.
Casorio	Grove	Mirabito	Smith, M.
Causar	Grucela	Moul	Smith, S.
Christiana	Haluska	Mundy	Solobay
Civera	Hanna	Murphy	Sonney
Clymer	Harhai	Murt	Staback
Cohen	Harhart	Mustio	Stern
Conklin	Harkins	Myers	Stevenson
Costa, D.	Harper	O'Brien, D.	Sturla
Costa, P.	Harris	O'Brien, M.	Swanger
Cox	Helm	O'Neill	Tallman
Creighton	Hennessey	Oberlander	Taylor, J.
Cruz	Hess	Oliver	Taylor, R.
Curry	Hickernell	Pallone	Thomas
Cutler	Hornaman	Parker	Turzai
Daley	Houghton	Pashinski	Vereb
Day	Hutchinson	Payne	Vitali
Deasy	Johnson	Payton	Vulakovich
Delozier	Josephs	Peifer	Wagner
DeLuca	Kauffman	Perzel	Walko
Denlinger	Keller, M.K.	Petrarca	Wansacz
DePasquale	Keller, W.	Petri	Waters
Dermody	Kessler	Phillips	Watson
DeWeese	Killion	Pickett	Wheatley
DiGirolamo	Kirkland	Preston	White
Donatucci	Kortz	Pyle	Williams
Drucker	Kotik	Quigley	Youngblood
Eachus	Krieger	Quinn	Yudichak
Ellis	Kula	Rapp	
Evans, D.	Lentz	Readshaw	McCall,
Evans, J.	Levdansky	Reed	Speaker
Everett	Longiotti		

NAYS—0

NOT VOTING—0

EXCUSED—6

Belfanti	Dally	Perry	True
Boyle	Miccarelli		

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

The SPEAKER. The Chair thanks the gentlelady, Ms. McIlvaine Smith, for offering the Speaker's resolution. The Speaker will be presenting that resolution next Saturday. The Chair thanks the lady.

* * *

Mr. HICKERNELL called up **HR 138, PN 954**, entitled:

A Resolution honoring Jay Houseal upon his retirement as proprietor of Houseal's General Merchandise in Maytown.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—196

Adolph	Fabrizio	Maher	Reese
Baker	Fairchild	Mahoney	Reichley
Barbin	Farry	Major	Roae
Barrar	Fleck	Manderino	Rock

Bear	Frankel	Mann	Roebuck
Benninghoff	Freeman	Markosek	Rohrer
Beyer	Gabig	Marshall	Ross
Bishop	Gabler	Marsico	Sabatina
Boback	Galloway	Matzie	Sainato
Boyd	Geist	McGeehan	Samuelson
Bradford	George	McI. Smith	Santarsiero
Brennan	Gerber	Melio	Santoni
Briggs	Gergely	Mensch	Saylor
Brooks	Gibbons	Metcalfe	Scavello
Brown	Gillespie	Metzgar	Schroder
Burns	Gingrich	Micozzie	Shapiro
Buxton	Godshall	Millard	Siptroth
Caltagirone	Goodman	Miller	Smith, K.
Carroll	Grell	Milne	Smith, M.
Casorio	Grove	Mirabito	Smith, S.
Causer	Grucela	Moul	Solobay
Christiana	Haluska	Mundy	Sonney
Civera	Hanna	Murphy	Staback
Clymer	Harhai	Murt	Stern
Cohen	Harhart	Mustio	Stevenson
Conklin	Harkins	Myers	Sturla
Costa, D.	Harper	O'Brien, D.	Swanger
Costa, P.	Harris	O'Brien, M.	Tallman
Cox	Helm	O'Neill	Taylor, J.
Creighton	Hennessey	Oberlander	Taylor, R.
Cruz	Hess	Oliver	Thomas
Curry	Hickernell	Pallone	Turzai
Cutler	Hornaman	Parker	Vereb
Daley	Houghton	Pashinski	Vitali
Day	Hutchinson	Payne	Vulakovich
Deasy	Johnson	Payton	Wagner
Delozier	Josephs	Peifer	Walko
DeLuca	Kauffman	Perzel	Wansacz
Denlinger	Keller, M.K.	Petrarca	Waters
DePasquale	Keller, W.	Petri	Watson
Dermody	Kessler	Phillips	Wheatley
DeWeese	Killion	Pickett	White
DiGirolamo	Kirkland	Preston	Williams
Donatucci	Kortz	Pyle	Youngblood
Drucker	Kotik	Quigley	Yudichak
Eachus	Krieger	Quinn	
Ellis	Kula	Rapp	
Evans, D.	Lentz	Readshaw	McCall,
Evans, J.	Levdansky	Reed	Speaker
Everett	Longietti		

NAYS-0

NOT VOTING-0

EXCUSED-6

Belfanti	Dally	Perry	True
Boyle	Miccarelli		

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

* * *

Mr. HICKERNELL called up **HR 160, PN 1114**, entitled:

A Resolution designating May 12, 2009, as "Fibromyalgia Awareness Day" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-196

Adolph	Fabrizio	Maher	Reese
Baker	Fairchild	Mahoney	Reichley
Barbin	Farry	Major	Roae
Barrar	Fleck	Manderino	Rock
Bear	Frankel	Mann	Roebuck
Benninghoff	Freeman	Markosek	Rohrer
Beyer	Gabig	Marshall	Ross
Bishop	Gabler	Marsico	Sabatina
Boback	Galloway	Matzie	Sainato
Boyd	Geist	McGeehan	Samuelson
Bradford	George	McI. Smith	Santarsiero
Brennan	Gerber	Melio	Santoni
Briggs	Gergely	Mensch	Saylor
Brooks	Gibbons	Metcalfe	Scavello
Brown	Gillespie	Metzgar	Schroder
Burns	Gingrich	Micozzie	Seip
Buxton	Godshall	Millard	Shapiro
Caltagirone	Goodman	Miller	Siptroth
Carroll	Grell	Milne	Smith, K.
Casorio	Grove	Mirabito	Smith, M.
Causer	Grucela	Moul	Smith, S.
Christiana	Haluska	Mundy	Solobay
Civera	Hanna	Murphy	Sonney
Clymer	Harhai	Murt	Staback
Cohen	Harhart	Mustio	Stern
Conklin	Harkins	Myers	Stevenson
Costa, D.	Harper	O'Brien, D.	Sturla
Costa, P.	Harris	O'Brien, M.	Swanger
Cox	Helm	O'Neill	Tallman
Creighton	Hennessey	Oberlander	Taylor, J.
Cruz	Hess	Oliver	Taylor, R.
Curry	Hickernell	Pallone	Thomas
Cutler	Hornaman	Parker	Turzai
Daley	Houghton	Pashinski	Vereb
Day	Hutchinson	Payne	Vitali
Deasy	Johnson	Payton	Vulakovich
Delozier	Josephs	Peifer	Wagner
DeLuca	Kauffman	Perzel	Walko
Denlinger	Keller, M.K.	Petrarca	Wansacz
DePasquale	Keller, W.	Petri	Waters
Dermody	Kessler	Phillips	Watson
DeWeese	Killion	Pickett	Wheatley
DiGirolamo	Kirkland	Preston	White
Donatucci	Kortz	Pyle	Williams
Drucker	Kotik	Quigley	Youngblood
Eachus	Krieger	Quinn	Yudichak
Ellis	Kula	Rapp	
Evans, D.	Lentz	Readshaw	McCall,
Evans, J.	Levdansky	Reed	Speaker
Everett	Longietti		

NAYS-0

NOT VOTING-0

EXCUSED-6

Belfanti	Dally	Perry	True
Boyle	Miccarelli		

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

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Mr. CONKLIN called up **HR 243, PN 1543**, entitled:

A Resolution designating May 9, 2009, as "Letter Carrier Food Drive Day" in Pennsylvania; and commending the National Association of Letter Carriers for its humanitarian efforts to eliminate hunger.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—196

Adolph	Fabrizio	Maher	Reese
Baker	Fairchild	Mahoney	Reichley
Barbin	Farry	Major	Roae
Barrar	Fleck	Manderino	Rock
Bear	Frankel	Mann	Roebuck
Benninghoff	Freeman	Markosek	Rohrer
Beyer	Gabig	Marshall	Ross
Bishop	Gabler	Marsico	Sabatina
Boback	Galloway	Matzie	Sainato
Boyd	Geist	McGeehan	Samuelson
Bradford	George	McI. Smith	Santarsiero
Brennan	Gerber	Melio	Santoni
Briggs	Gergely	Mensch	Saylor
Brooks	Gibbons	Metcalfe	Scavello
Brown	Gillespie	Metzgar	Schroder
Burns	Gingrich	Micozzie	Seip
Buxton	Godshall	Millard	Shapiro
Caltagirone	Goodman	Miller	Siptroth
Carroll	Grell	Milne	Smith, K.
Casorio	Grove	Mirabito	Smith, M.
Causer	Grucela	Moul	Smith, S.
Christiana	Haluska	Mundy	Solobay
Civera	Hanna	Murphy	Sonney
Clymer	Harhai	Murt	Staback
Cohen	Harhart	Mustio	Stern
Conklin	Harkins	Myers	Stevenson
Costa, D.	Harper	O'Brien, D.	Sturla
Costa, P.	Harris	O'Brien, M.	Swanger
Cox	Helm	O'Neill	Tallman
Creighton	Hennessey	Oberlander	Taylor, J.
Cruz	Hess	Oliver	Taylor, R.
Curry	Hickernell	Pallone	Thomas
Cutler	Hornaman	Parker	Turzai
Daley	Houghton	Pashinski	Vereb
Day	Hutchinson	Payne	Vitali
Deasy	Johnson	Payton	Vulakovich
Delozier	Josephs	Peifer	Wagner
DeLuca	Kauffman	Perzel	Walko
Denlinger	Keller, M.K.	Petrarca	Wansacz
DePasquale	Keller, W.	Petri	Waters
Dermody	Kessler	Phillips	Watson
DeWeese	Killion	Pickett	Wheatley
DiGirolamo	Kirkland	Preston	White
Donatucci	Kortz	Pyle	Williams
Drucker	Kotik	Quigley	Youngblood
Eachus	Krieger	Quinn	Yudichak
Ellis	Kula	Rapp	
Evans, D.	Lentz	Readshaw	McCall,
Evans, J.	Levdansky	Reed	Speaker
Everett	Longietti		

NAYS—0

NOT VOTING—0

EXCUSED—6

Belfanti	Dally	Perry	True
Boyle	Miccarelli		

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

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Mr. CALTAGIRONE called up **HR 254, PN 1607**, entitled:

A Resolution recognizing May 7, 2009, as the "National Day of Prayer" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—196

Adolph	Fabrizio	Maher	Reese
Baker	Fairchild	Mahoney	Reichley
Barbin	Farry	Major	Roae
Barrar	Fleck	Manderino	Rock
Bear	Frankel	Mann	Roebuck
Benninghoff	Freeman	Markosek	Rohrer
Beyer	Gabig	Marshall	Ross
Bishop	Gabler	Marsico	Sabatina
Boback	Galloway	Matzie	Sainato
Boyd	Geist	McGeehan	Samuelson
Bradford	George	McI. Smith	Santarsiero
Brennan	Gerber	Melio	Santoni
Briggs	Gergely	Mensch	Saylor
Brooks	Gibbons	Metcalfe	Scavello
Brown	Gillespie	Metzgar	Schroder
Burns	Gingrich	Micozzie	Seip
Buxton	Godshall	Millard	Shapiro
Caltagirone	Goodman	Miller	Siptroth
Carroll	Grell	Milne	Smith, K.
Casorio	Grove	Mirabito	Smith, M.
Causer	Grucela	Moul	Smith, S.
Christiana	Haluska	Mundy	Solobay
Civera	Hanna	Murphy	Sonney
Clymer	Harhai	Murt	Staback
Cohen	Harhart	Mustio	Stern
Conklin	Harkins	Myers	Stevenson
Costa, D.	Harper	O'Brien, D.	Sturla
Costa, P.	Harris	O'Brien, M.	Swanger
Cox	Helm	O'Neill	Tallman
Creighton	Hennessey	Oberlander	Taylor, J.
Cruz	Hess	Oliver	Taylor, R.
Curry	Hickernell	Pallone	Thomas
Cutler	Hornaman	Parker	Turzai
Daley	Houghton	Pashinski	Vereb
Day	Hutchinson	Payne	Vitali
Deasy	Johnson	Payton	Vulakovich
Delozier	Josephs	Peifer	Wagner
DeLuca	Kauffman	Perzel	Walko
Denlinger	Keller, M.K.	Petrarca	Wansacz
DePasquale	Keller, W.	Petri	Waters
Dermody	Kessler	Phillips	Watson
DeWeese	Killion	Pickett	Wheatley
DiGirolamo	Kirkland	Preston	White
Donatucci	Kortz	Pyle	Williams
Drucker	Kotik	Quigley	Youngblood
Eachus	Krieger	Quinn	Yudichak
Ellis	Kula	Rapp	
Evans, D.	Lentz	Readshaw	McCall,
Evans, J.	Levdansky	Reed	Speaker
Everett	Longietti		

NAYS—0

NOT VOTING—0

EXCUSED—6

Belfanti	Dally	Perry	True
Boyle	Miccarelli		

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

SUPPLEMENTAL CALENDAR A

RESOLUTIONS PURSUANT TO RULE 35

Mr. MAHER called up **HR 300, PN 1787**, entitled:

A Resolution recognizing the month of May 2009 as "Beef Month" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—196

Adolph	Fabrizio	Maher	Reese
Baker	Fairchild	Mahoney	Reichley
Barbin	Farry	Major	Roae
Barrar	Fleck	Manderino	Rock
Bear	Frankel	Mann	Roebuck
Benninghoff	Freeman	Markosek	Rohrer
Beyer	Gabig	Marshall	Ross
Bishop	Gabler	Marsico	Sabatina
Boback	Galloway	Matzie	Sainato
Boyd	Geist	McGeehan	Samuelson
Bradford	George	McI. Smith	Santarsiero
Brennan	Gerber	Melio	Santoni
Briggs	Gergely	Mensch	Saylor
Brooks	Gibbons	Metcalfe	Scavello
Brown	Gillespie	Metzgar	Schroder
Burns	Gingrich	Micozzie	Seip
Buxton	Godshall	Millard	Shapiro
Caltagirone	Goodman	Miller	Siptroth
Carroll	Grell	Milne	Smith, K.
Casorio	Grove	Mirabito	Smith, M.
Causar	Grucela	Moul	Smith, S.
Christiana	Haluska	Mundy	Solobay
Civera	Hanna	Murphy	Sonney
Clymer	Harhai	Murt	Staback
Cohen	Harhart	Mustio	Stern
Conklin	Harkins	Myers	Stevenson
Costa, D.	Harper	O'Brien, D.	Sturla
Costa, P.	Harris	O'Brien, M.	Swanger
Cox	Helm	O'Neill	Tallman
Creighton	Hennessey	Oberlander	Taylor, J.
Cruz	Hess	Oliver	Taylor, R.
Curry	Hickernell	Pallone	Thomas
Cutler	Hornaman	Parker	Turzai
Daley	Houghton	Pashinski	Vereb
Day	Hutchinson	Payne	Vitali
Deasy	Johnson	Payton	Vulakovich
Delozier	Josephs	Peifer	Wagner
DeLuca	Kauffman	Perzel	Walko
Denlinger	Keller, M.K.	Petrarca	Wansacz
DePasquale	Keller, W.	Petri	Waters
Dermody	Kessler	Phillips	Watson

DeWeese	Killion	Pickett	Wheatley
DiGirolamo	Kirkland	Preston	White
Donatucci	Kortz	Pyle	Williams
Drucker	Kotik	Quigley	Youngblood
Eachus	Krieger	Quinn	Yudichak
Ellis	Kula	Rapp	
Evans, D.	Lentz	Readshaw	McCall,
Evans, J.	Levdansky	Reed	Speaker
Everett	Longietti		

NAYS—0

NOT VOTING—0

EXCUSED—6

Belfanti	Dally	Perry	True
Boyle	Miccarelli		

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

RESOLUTION REFERRED

The SPEAKER. The Chair refers HR 297 to the Committee on Education.

BILLS REREPORTED FROM COMMITTEE

HB 90, PN 82 By Rep. D. EVANS

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, providing for prevention of abduction of children.

APPROPRIATIONS.

HB 209, PN 1109 By Rep. D. EVANS

An Act amending Title 42 (Judiciary and Judicial Procedure) and codifying Title 61 (Penal and Correctional Institutions) of the Pennsylvania Consolidated Statutes, providing for temporary release from county correctional institutions, for parole without board supervision, for judicial power to release inmates and for transfers of inmates needing medical care; further providing for State intermediate punishment; providing for other criminal provisions; amending the heading of Title 61; adding definitions, provisions relating to general administration of correctional institutions, State correctional institutions, county correctional institutions, the Philadelphia County Prison, house of detention for untried inmates and witnesses, inmate labor, medical services, visitation, motivational boot camp, execution procedure and method, recidivism risk reduction incentives, miscellaneous matters relating thereto, probation and parole generally, the Pennsylvania Board of Probation and Parole, County Probation and Parole Officers' Firearm Education and Training and correctional institution interstate compacts; and making conforming amendments, editorial changes and repeals relating to codification.

APPROPRIATIONS.

The SPEAKER. Those bills will go to the supplemental calendar.

BILL REREPORTED FROM COMMITTEE**HB 181, PN 1379**

By Rep. D. EVANS

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, further providing for powers and duties of enforcement officers and for resisting or interfering with an officer.

APPROPRIATIONS.

The SPEAKER. HB 181 will go directly to the House calendar.

BILL REPORTED FROM COMMITTEE**HB 65, PN 47**

By Rep. D. EVANS

An Act amending Title 22 (Detectives and Private Police) of the Pennsylvania Consolidated Statutes, amending the heading of Title 22 and 22 Pa.C.S. Ch. 3; codifying and making extensive revisions to The Private Detective Act of 1953; codifying the Lethal Weapons Training Act; further providing for the definition of "privately employed agents"; providing for the continuation of certain licenses; making an appropriation; and making related repeals.

APPROPRIATIONS.**BILL REREFERRED**

The SPEAKER. The Chair moves, at the request of the majority leader, that HB 65, PN 47, be rereferred to the Committee on Professional Licensure.

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

BILL REREPORTED FROM COMMITTEE**HB 373, PN 1792 (Amended)**

By Rep. MUNDY

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

AGING AND OLDER ADULT SERVICES.

The SPEAKER. That bill will go to the calendar.

SUPPLEMENTAL CALENDAR B**BILLS ON SECOND CONSIDERATION**

The House proceeded to second consideration of **HB 90, PN 82**, entitled:

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, providing for prevention of abduction of children.

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

* * *

The House proceeded to second consideration of **HB 209, PN 1109**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) and codifying Title 61 (Penal and Correctional Institutions) of the Pennsylvania Consolidated Statutes, providing for temporary release from county correctional institutions, for parole without board supervision, for judicial power to release inmates and for transfers of inmates needing medical care; further providing for State intermediate punishment; providing for other criminal provisions; amending the heading of Title 61; adding definitions, provisions relating to general administration of correctional institutions, State correctional institutions, county correctional institutions, the Philadelphia County Prison, house of detention for untried inmates and witnesses, inmate labor, medical services, visitation, motivational boot camp, execution procedure and method, recidivism risk reduction incentives, miscellaneous matters relating thereto, probation and parole generally, the Pennsylvania Board of Probation and Parole, County Probation and Parole Officers' Firearm Education and Training and correctional institution interstate compacts; and making conforming amendments, editorial changes and repeals relating to codification.

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

GUESTS INTRODUCED

The SPEAKER. In the balcony, the Chair welcomes Shannon Marcoon, an intern with Representative Barb McIlvaine Smith, as well as Christina Sappey, who is the chief of staff for Representative McIlvaine Smith. They are in the balcony. Will the guests please rise. Welcome to the hall of the House.

Also in the balcony are students and teachers from Uniontown High School. They are the guests of Representative Kula and Representative Mahoney. Will the guests please rise. Welcome to the hall of the House.

To the left of the Speaker, the Chair welcomes Brian Lee Crowley, president of Atlantic Institute for Market Studies from Nova Scotia, and Bob Shupe, president of ESP (Employee Security Planning) Inc. of Tennessee. They are the guests of the Representative Stan Saylor and Representative Matt Baker. Will the guests please rise. Welcome to the hall of the House.

To the left of the Speaker, there are a number of students from Weatherly High School. They are 1 of 38 schools chosen to represent Pennsylvania for Classrooms for the Future. Matthew – I cannot say it, Matthew – Caccese, Christopher Hunt, Alicia Panzarella, Savannah Martin, Eliza Busher, and Jamie Dougherty. They are students at Weatherly High School, as well as Katie Leach, the coach, and Matthew Neil, who is the class advisor. Will they please rise. Welcome to the hall of the House.

Also with them, to the left of the Speaker, is Holly Jobe. She is the project manager of Classrooms for the Future with the Pennsylvania Department of Education, also the guest of the Speaker. Welcome to the hall of the House, Holly.

It is with great pleasure, to the left of the Speaker, to see a good friend of the Chair, Dr. Mary Ann Dailey, who is the chairperson for the Department of Nursing, Kutztown University, and former State Representative from Montgomery

County, the 146th District. She is with Sandra Parks, R.N., B.S.N., master of science nursing student at Kutztown University and staff nurse at St. Joseph's Hospital in Reading. They are the guests of Representative Thomas Quigley. Welcome to the hall of the House.

CALENDAR CONTINUED

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 74, PN 393**, entitled:

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, further defining "eligible entity"; adding definitions; and further providing for sales by Pennsylvania Liquor Stores, for sales by liquor licensees and restrictions, for sacramental wine licenses, fees, privileges and restrictions, for distributors' and importing distributors' restrictions and for unlawful acts relative to liquor, malt and brewed beverages and licensees.

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

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

(Bill analysis was read.)

The SPEAKER. 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—196

- Adolph Fabrizio Maher Reese
Baker Fairchild Mahoney Reichley
Barbin Farry Major Roae
Barrar Fleck Manderino Rock
Bear Frankel Mann Roebuck
Benninghoff Freeman Markosek Rohrer
Beyer Gabig Marshall Ross
Bishop Gabler Marsico Sabatina
Boback Galloway Matzie Sainato
Boyd Geist McGeehan Samuelson
Bradford George McI. Smith Santarsiero
Brennan Gerber Melio Santoni
Briggs Gergely Mensch Saylor
Brooks Gibbons Metcalfe Scavello
Brown Gillespie Metzgar Schroder
Burns Gingrich Micozzie Seip
Buxton Godshall Millard Shapiro
Caltagirone Goodman Miller Siproth
Carroll Grell Milne Smith, K.
Casorio Grove Mirabito Smith, M.
Causer Grucela Moul Smith, S.
Christiana Haluska Mundy Solobay
Civera Hanna Murphy Sonney
Clymer Harhai Murt Staback
Cohen Harhart Mustio Stern
Conklin Harkins Myers Stevenson
Costa, D. Harper O'Brien, D. Sturla
Costa, P. Harris O'Brien, M. Swanger
Cox Helm O'Neill Tallman
Creighton Hennessy Oberlander Taylor, J.
Cruz Hess Oliver Taylor, R.

- Curry Hickernell Pallone Thomas
Cutler Hornaman Parker Turzai
Daley Houghton Pashinski Vereb
Day Hutchinson Payne Vitali
Deasy Johnson Payton Vulakovich
Delozier Josephs Peifer Wagner
DeLuca Kauffman Perzel Walko
Denlinger Keller, M.K. Petrarca Wansacz
DePasquale Keller, W. Petri Waters
Dermody Kessler Phillips Watson
DeWeese Killion Pickett Wheatley
DiGirolamo Kirkland Preston White
Donatucci Kortz Pyle Williams
Drucker Kotik Quigley Youngblood
Eachus Krieger Quinn Yudichak
Ellis Kula Rapp
Evans, D. Lentz Readshaw McCall,
Evans, J. Levdansky Reed Speaker
Everett Longiitti

NAYS—0

NOT VOTING—0

EXCUSED—6

- Belfanti Dally Perry True
Boyle Miccarelli

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.

GUESTS INTRODUCED

The SPEAKER. In the balcony, the Chair welcomes Leadership Elk County, who are the guests of Representative Matt Gabler. Will the guests please rise. Welcome to the hall of the House.

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 240, PN 250**, entitled:

An Act providing for sexual violence awareness education programs for new students matriculating to institutions of higher education or private licensed schools that receive public funding and for duties of the Department of Education.

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

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

(Bill analysis was read.)

The SPEAKER. The question is, shall the bill pass finally? Agreeable to the provisions of the Constitution, the yeas and nays will now be taken.

(Members proceeded to vote.)

VOTE STRICKEN

The SPEAKER. The clerk will strike the vote.

The Chair recognizes the gentleman from Montgomery County, Representative Murt.

Mr. MURT. Thank you, Mr. Speaker.

Mr. Speaker, I rise to add my voice to those supporting HB 240. Mr. Speaker, the absence of parental supervision, the availability of drugs and alcohol, and the lack of education and awareness about sexual assault make the first few months of college the most dangerous ones for new students. Sexual violence on college campuses ranks as the second most common act of violence in our nation. Sexual violence impacts one in every four college women. HB 240 seeks to prevent sexual violence on Pennsylvania's college campuses by increasing sexual awareness programs for incoming students.

Mr. Speaker, this legislation would give incoming college students the information they need to protect themselves and have a better understanding of the potential dangers they could face and where to go if they become a victim of an assault. Mr. Speaker, HB 240 requires Pennsylvania colleges and universities to develop and establish educational programs on various topics relating to sexual violence including consent; the relationship between drugs, alcohol, and sexual violence; the possibility of pregnancy; and the dangers of sexually transmitted diseases.

In addition, it seeks to establish a cohesive support network for victims among members of campus security, local law enforcement, campus health centers, women's centers, rape crisis centers, and counseling services. Mr. Speaker, this legislation will help students examine the myths and realities concerning rape and sexual assault, help educate students to fully understand rape and sexual assault, and help victims of sexual violence discover the options available to them.

Mr. Speaker, we owe it to our college students in the Commonwealth of Pennsylvania to provide them with the tools they need to understand the realities of sexual violence and the resources available to them if they become a victim. HB 240 would accomplish that goal.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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—196

Adolph	Fabrizio	Maher	Reese
Baker	Fairchild	Mahoney	Reichley
Barbin	Farry	Major	Roae
Barrar	Fleck	Manderino	Rock
Bear	Frankel	Mann	Roebuck
Benninghoff	Freeman	Markosek	Rohrer
Beyer	Gabig	Marshall	Ross
Bishop	Gabler	Marsico	Sabatina
Boback	Galloway	Matzie	Sainato
Boyd	Geist	McGeehan	Samuelson

Bradford	George	McI. Smith	Santarsiero
Brennan	Gerber	Melio	Santoni
Briggs	Gergely	Mensch	Saylor
Brooks	Gibbons	Metcalfe	Scavallo
Brown	Gillespie	Metzgar	Schroder
Burns	Gingrich	Micozzie	Seip
Buxton	Godshall	Millard	Shapiro
Caltagirone	Goodman	Miller	Siptroth
Carroll	Grell	Milne	Smith, K.
Casorio	Grove	Mirabito	Smith, M.
Causer	Grucela	Moul	Smith, S.
Christiana	Haluska	Mundy	Solobay
Civera	Hanna	Murphy	Sonney
Clymer	Harhai	Murt	Staback
Cohen	Harhart	Mustio	Stern
Conklin	Harkins	Myers	Stevenson
Costa, D.	Harper	O'Brien, D.	Sturla
Costa, P.	Harris	O'Brien, M.	Swanger
Cox	Helm	O'Neill	Tallman
Creighton	Hennessey	Oberlander	Taylor, J.
Cruz	Hess	Oliver	Taylor, R.
Curry	Hickernell	Pallone	Thomas
Cutler	Hornaman	Parker	Turzai
Daley	Houghton	Pashinski	Vereb
Day	Hutchinson	Payne	Vitali
Deasy	Johnson	Payton	Vulakovich
Delozier	Josephs	Peifer	Wagner
DeLuca	Kauffman	Perzel	Walko
Denlinger	Keller, M.K.	Petrarca	Wansacz
DePasquale	Keller, W.	Petri	Waters
Dermody	Kessler	Phillips	Watson
DeWeese	Killion	Pickett	Wheatley
DiGirolamo	Kirkland	Preston	White
Donatucci	Kortz	Pyle	Williams
Drucker	Kotik	Quigley	Youngblood
Eachus	Krieger	Quinn	Yudichak
Ellis	Kula	Rapp	
Evans, D.	Lentz	Readshaw	McCall,
Evans, J.	Levdansky	Reed	Speaker
Everett	Longietti		

NAYS—0

NOT VOTING—0

EXCUSED—6

Belfanti	Dally	Perry	True
Boyle	Miccarelli		

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. CONKLIN

The SPEAKER. The Chair recognizes the gentleman from Centre County, Representative Conklin, under unanimous consent.

Mr. CONKLIN. Thank you, Mr. Speaker.

I would like to speak on unanimous consent, Mr. Speaker.

The SPEAKER. Without objection, the gentleman is in order.

Mr. CONKLIN. I would just like to make a quick thank-you to this body. I would like to thank Representative Murt for his support. This has been a bill, for those of you that may have been here for a few sessions, we have been able to get to the

floor and passed. This dates back to our wonderful Speaker; Keith McCall actually ran this bill the first time through. So I want to thank those individuals.

For myself, who has a university, who has a child in college, it is very important and it has been spoken about, to allow our children to understand the dangers when they first go to a university, to keep them from getting in harm's way, that that first 6 months is that red time. With the help of this body and hopefully with the help of the Senate, we will be able to give those children the type of protection they need when they first leave home and go to a major university.

I want to thank this body and thank you, Mr. Speaker.
The SPEAKER. The Chair thanks the gentleman.

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1123, PN 1546**, entitled:

An Act amending the act of May 11, 1972 (P.L.286, No.70), known as the Industrialized Housing Act, further providing for definitions and for regulations, insignia of certification required.

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

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

(Bill analysis was read.)

The SPEAKER. 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—196

Adolph	Fabrizio	Maher	Reese
Baker	Fairchild	Mahoney	Reichley
Barbin	Farry	Major	Roae
Barrar	Fleck	Manderino	Rock
Bear	Frankel	Mann	Roebuck
Benninghoff	Freeman	Markosek	Rohrer
Beyer	Gabig	Marshall	Ross
Bishop	Gabler	Marsico	Sabatina
Boback	Galloway	Matzie	Sainato
Boyd	Geist	McGeehan	Samuelson
Bradford	George	McI. Smith	Santarsiero
Brennan	Gerber	Melio	Santoni
Briggs	Gergely	Mensch	Saylor
Brooks	Gibbons	Metcalfe	Scavello
Brown	Gillespie	Metzgar	Schroder
Burns	Gingrich	Micozzie	Seip
Buxton	Godshall	Millard	Shapiro
Caltagirone	Goodman	Miller	Siptroth
Carroll	Grell	Milne	Smith, K.
Casorio	Grove	Mirabito	Smith, M.
Causar	Grucela	Moul	Smith, S.
Christiana	Haluska	Mundy	Solobay
Civera	Hanna	Murphy	Sonney
Clymer	Harhai	Murt	Staback
Cohen	Harhart	Mustio	Stern
Conklin	Harkins	Myers	Stevenson

Costa, D.	Harper	O'Brien, D.	Sturla
Costa, P.	Harris	O'Brien, M.	Swanger
Cox	Helm	O'Neill	Tallman
Creighton	Hennessey	Oberlander	Taylor, J.
Cruz	Hess	Oliver	Taylor, R.
Curry	Hickernell	Pallone	Thomas
Cutler	Hornaman	Parker	Turzai
Daley	Houghton	Pashinski	Vereb
Day	Hutchinson	Payne	Vitali
Deasy	Johnson	Payton	Vulakovich
Delozier	Josephs	Peifer	Wagner
DeLuca	Kauffman	Perzel	Walko
Denlinger	Keller, M.K.	Petrarca	Wansacz
DePasquale	Keller, W.	Petri	Waters
Dermody	Kessler	Phillips	Watson
DeWeese	Killion	Pickett	Wheatley
DiGirolamo	Kirkland	Preston	White
Donatucci	Kortz	Pyle	Williams
Drucker	Kotik	Quigley	Youngblood
Eachus	Krieger	Quinn	Yudichak
Ellis	Kula	Rapp	
Evans, D.	Lentz	Readshaw	McCall,
Evans, J.	Levdansky	Reed	Speaker
Everett	Longietti		

NAYS—0

NOT VOTING—0

EXCUSED—6

Belfanti	Dally	Perry	True
Boyle	Miccarelli		

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

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

* * *

The House proceeded to third consideration of **HB 1287, PN 1684**, entitled:

An Act amending the act of June 5, 1941 (P.L.84, No.45), entitled "An act providing for and regulating the appointment, promotion and reduction in rank, suspension and removal of paid members of the police force in boroughs, incorporated towns and townships of the first class maintaining a police force of not less than three members; creating a civil service commission in each borough, incorporated town and township of the first class; defining the duties of such civil service commission; imposing certain duties and expense on boroughs, incorporated towns and townships of the first class; imposing penalties, and repealing inconsistent laws," further providing for removals, suspensions or reductions in rank of police officers; and providing for certain incompatible offices.

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

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

(Bill analysis was read.)

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

On the question, the Chair recognizes the gentleman from Delaware County, Representative Vitali.

Mr. VITALI. Thank you, Mr. Speaker.

I rise in opposition to this bill. I have some serious concerns about allowing police officers in their own municipalities to engage in campaign activities. As I understand it, if I am reading this bill correctly, it would allow a police officer – in this particular bill; there are others to follow – in townships of the first class to, while they are off duty and out of uniform, engage in political activities like going door to door to solicit lawn signs, campaigning at the polls, and asking for contributions for certain candidates. I find that this is a problem not only for the constituents of the districts but also for police officers. Let me tell you what my concerns are.

First, let us say you have a hypothetical situation where a township commissioner or a police chief goes up to some officers and says, listen, we know your review is coming up and we know you want to be sergeant and get a raise. This has nothing to do with that so do not confuse it, but would you mind working the polls for commissioner so-and-so next month? I just want to be clear, if you do not work it does not mean you will not get a raise. It kind of puts— It is sort of the theory behind the Hatch Act that protects employees from the feeling that if they do not engage in political activities, they might not get their raise, they might not get their promotion. So I think one reason to vote against this is to protect police officers.

I think the next thing is looking at citizens, especially in small towns where people are more likely to know who a police officer is even if he comes around after 5 and not in a uniform, and if he says to you, could you use your lawn to have a lawn sign for commissioner so-and-so or would you mind writing a check for a hundred dollars for commissioner so-and-so, that can be a very intimidating situation.

Police officers – even when you are stopped in a car situation, many of us are intimidated. Even if a police officer is following behind us, that creates a certain degree of intimidation in some of us, and I think if you put police officers in a situation where they can start asking for political contributions and other political help, I think that may have an adverse effect on the community.

I think another reason is it might create in the minds of certain citizens that justice is not being administered fairly, even if it is. Let us say, for example, you have a situation where there is a police officer who is actively campaigning for one party or the other and let us say there is some basic civil matter. Let us say it is a driveway dispute. Let us say two neighbors are going at it because of loud music or a driveway or what have you, and a police officer is called to the scene. Now let us say one of the homeowners happens to be a committeeperson of the party the police officer happens to be working for. Even if the police officer is doing his job, the person who feels he has not been treated properly may feel that that conduct was a result of the fact that he is of the wrong party or the person he was in opposition with was of the right party. So it really creates this potential for fear that perhaps there is this appearance of impropriety among what police officers are doing.

I might also note with regard to this, this is opposed by the Pennsylvania State Association of Boroughs. They expressed their opposition to this for many of the reasons which I have outlined. They also add that it might create an atmosphere for

improper distribution of police services. I am not quite sure what that means, but perhaps there might be a feeling that if you have a campaign contributor who has a business, perhaps they are getting a little more police protection than the business owner who is not of the same party. I just think that when we go down this road, we are going in the wrong direction.

So I would say that for the protection of police officers and the protection of citizens in this community, we ought to keep the law as it is and keep the police out of politics. So I would ask for a "no" vote. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman and recognizes the gentleman from Chester, Representative Ross.

Mr. ROSS. Thank you, Mr. Speaker.

And I am not going to repeat some of the arguments that I just heard. I do agree with the fundamental line of reasoning that allowing police officers to be politically engaged within the municipality in which they serve creates problems on two fronts. On the one side, it opens them up to being pressured to be involved in politics in a way that might harm them or their career. And secondly, even if they are out of uniform – and in many smaller municipalities, their citizens know well who the local police are – there may be some perceived sense of intimidation, even if it is not intended, which also creates problems.

I strongly support the police. I respect them and I think that they do a wonderful job for us throughout this State. I think it is entirely appropriate for them to be able to have political activities and be able to participate in the political process outside of the municipality where they are hired. So that piece of the legislation is definitely entirely worthy, but I am very disappointed that we were not able to actually vote on an amendment to narrow this down so that the prohibition could be continued in the municipality in which they serve. Failing to have that extra provision makes it impossible for me to support the bill in its current form.

I hope at a later date that we may be able to correct this serious flaw in the legislation as it is being presented and that we may be able to afford the municipal police officers and other police officers the opportunity to participate as fully as possible in the political process without the negative effects of becoming entangled in politics within their own municipality where they work.

Thank you, Mr. Speaker.

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

Mr. EVERETT. Thank you, Mr. Speaker.

I rise also to oppose this bill, and I am not going to reiterate what the previous two speakers said. I will just add that I was a municipal solicitor for many years before I came here to the House, and I totally agree that involving police personnel in the political process in the boroughs where they serve will put them in a position that could hurt them and could also put the mayor's position and people on borough council in a position where they would be opposed for reasons that may be specific just to individual policemen. Things have worked well with our police personnel not involved in the political process in the municipalities in which they serve, and I think that we should leave it that way.

For the reasons previously expressed, I ask opposition to this bill. Thank you.

The SPEAKER. The Chair thanks the gentleman and recognizes the gentleman from Montgomery County, Representative Vereb.

Mr. VEREB. Thank you, Mr. Speaker.

I would like to interrogate the maker of the bill, please.

The SPEAKER. The gentleman, Mr. Casorio, agrees to interrogation. The gentleman is in order and may proceed.

Mr. VEREB. Thank you, Mr. Speaker.

Mr. Speaker, currently can a police officer participate in any political activity if their spouse or a family member runs for political office?

Mr. CASORIO. Thank you, Mr. Speaker.

Only third-class-city police officers can participate in political activity currently.

Mr. VEREB. Can a police officer, with your bill, run for political office, or is this just simply a bill allowing them to participate in the political process?

Mr. CASORIO. Thank you, Mr. Speaker.

The series of three bills have been strengthened with the support of Republican amendments, and my bill would prohibit them from running for elective office. It would only allow them to have the same privilege that third-class-city officers currently have, which would be to participate off duty, out of uniform.

Mr. VEREB. Thank you, Mr. Speaker.

On the bill.

The SPEAKER. On the bill, the gentleman is in order and may proceed.

Mr. VEREB. Mr. Speaker, for a number of reasons, I rise in support of this bill. I not only rise in support, but I would like to put some holes in some of the arguments that have already been put forth to oppose this bill.

I sit on the Judiciary Committee, sit on the Gaming Oversight Committee. As most of you know, I am a former police officer, and I find it incredible the protections that lawyers have for secondary employment, for some of our House rule issues. We always look to protect part of that process.

Well, I know when I went through the police academy, my life was not destined to be a State Representative, and I can assure you that most police officers going through the academy do not want to be political leaders. They want to be community servants. But I also know we had certain rights that we would not be able to exercise, and I think the fact that a police officer cannot work for their spouse, for a family member, a friend; cannot go out and put yard signs out and solicit locations for yard signs. If a police officer uses their authority in any way, under any piece of legislation that is being proposed here, to collect funds or in any other inappropriate behavior, they simply should be prosecuted. But to remove or have the right to participate in the same process all of us can – we as legislators every day can go home and we can be servants of the people, but we can also be involved in political activity – to have that right restricted from our law enforcement community is just not right. And in fact, this legislation as I understand it to be gives that right to that police officer; it does not give that obligation to that police officer.

So I urge you to support this bill. I understand the small-town argument; not every town in Pennsylvania is a small town. Let us give a right back to the police, and for those who want to spoil the apple, allow the criminal justice system to deal with those who spoil the apple. Until then, in this chamber, let us do something that supports the rights of police officers.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Bucks County, Representative Santarsiero.

Mr. SANTARSIERO. Thank you, Mr. Speaker.

I wish to commend my colleague from Westmoreland County for his efforts to expand the political process. I rise not to object to that goal but rather to voice opposition to the manner in which it is being pursued.

We have a strong tradition in this country of separating law enforcement from politics for the potential conflicts of interest and appearance of impropriety that their confluence creates. That tradition is no less important for the strong safeguard that it creates to protect law enforcement from potential abuse of power by elected officials.

While I am sympathetic to the argument that there is an inconsistency in the current law, I do not believe that the weight of that argument is so great so as to tip the scale in favor of this legislation.

I had hoped that a compromise on this issue was possible. As it was not, I must regrettably vote "no" on this group of bills. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Armstrong County, Representative Pyle.

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

Mr. Speaker, I rise in support of HB 1287.

In a prior life I served as a mayor of a small borough, much like the ones that are being discussed in today's debate. Many of the police on that small, little, wee borough – this tiny, little, wee 11-man force – could not be put into a worse position than being asked to run for political position. What this bill does is it gives them a protection where there is a finite line they should never cross.

Again, with the gentleman, my friend from Montgomery County, Representative Vereb, who makes a lot of good points, I think I have heard in this discussion, Mr. Speaker, some slightly diminishing statements about the integrity of our local police, and I must object to that and hopefully spread these remarks upon the record.

To close, Mr. Speaker, I stand in support of HB 1287 and encourage all to follow along. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Lancaster County, Representative Cutler.

Mr. CUTLER. Thank you, Mr. Speaker.

I was wondering if the maker of the bill might stand for very brief interrogation?

The SPEAKER. The gentleman indicates he will stand for interrogation. The gentleman, Mr. Cutler, may proceed.

Mr. CUTLER. Thank you, Mr. Speaker.

Very briefly, just so I can understand the outset of this bill, it is my understanding that this would actually change it to be a permissive allowance by the State law. Is that correct, Mr. Speaker?

Mr. CASORIO. Thank you, Mr. Speaker.

This would correct the inequity in current law that would place all law enforcement officers on the same footing as third-class-city officers have been for decades.

Mr. CUTLER. All right. Thank you, Mr. Speaker.

As a follow-up to that, would there be anything in this law or other laws that would actually prohibit local governments from enacting their own prohibition against such political activity?

Mr. CASORIO. Thank you, Mr. Speaker.

Mr. Speaker, I would say that State law would certainly supersede local ordinances, but also, each department and each municipality would be subject to a collective-bargaining agreement.

Mr. CUTLER. Mr. Speaker, is it fair to say then if the police department itself was concerned about this activity and it became part of the negotiation process during their collective bargaining that it could in fact be included at that time if that community felt that it was appropriate?

Mr. CASORIO. Mr. Speaker, you said it would be approved? I am not following.

Mr. CUTLER. I apologize, Mr. Speaker. In regards to the prohibition on political activities, if everyone involved agreed to it, then they could in fact do so at that time?

Mr. CASORIO. Hypothetically, Mr. Speaker, if it is part of a collective-bargaining agreement, I guess that would be permissible.

Mr. CUTLER. All right. Thank you, Mr. Speaker.

On the bill, if I may?

The SPEAKER. On the bill, the gentleman is in order and may proceed.

Mr. CUTLER. Mr. Speaker, given the fact that this is simply a permissive law that allows political activity and in no way prohibits it, and actually, I would argue that it continues to give the local municipalities and the local governing boards the ability to continue to monitor this situation and make that part of the negotiations process, I think that this bill is a fine step in the right direction in engaging more people in the political process.

I would encourage my colleagues, therefore, to vote not only for this bill but the entire package. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Allegheny County, Representative Dom Costa.

Mr. D. COSTA. Thank you, Mr. Speaker.

I, too, rise in support of this bill. As a former police officer, both in a small borough and a big city, I see no reason not to support it. I have never encountered any problems.

And it is basically to create equity to other officers so that all officers have the same rights as the other ones. Apparently, no one has gotten up and said that there have been specific problems in any community that already is permitted to do this.

So we can bring all the what-ifs, but there is nothing wrong with this bill. Like I have said, I have worked small towns and I have worked big cities and have never been approached politically or threatened politically. Officers today are afforded union representation. They have legal options. If they are intimidated by a political government, they can actually take those things, too, which they did not have when these bills initially came out.

So again, I rise in support of this bill. I think it is a good bill, and again, it will add to the people that are able to get engaged in our political process of our great country.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

Any other members seeking recognition?

The Chair recognizes the gentleman from Delaware County, Representative Vitali, for the second time.

Mr. VITALI. Thank you, Mr. Speaker.

I was not going to get up again until I heard the dialogue between the maker of the bill and Representative Cutler, but as I read this bill, I think you could make a good argument that this would preempt the right of, in this case, a first-class township from prohibiting political activity. I think that was different than what was said, because I am just sort of looking at page 2, line 7, section 20, where it says, "No person employed in any police department of any political subdivision shall be suspended,..." and then it goes down to line 17, for "...engaging or participating in the conducting of any political or election campaign while on duty or in uniform..." So the First Class Township Code in short says no person shall be suspended for engaging in this political activity. Now, that seems to be opposite of what the maker of the bill said or maybe I just misheard it, but at least that is a cloudy area. So I have some concern in reading this whether we will be allowing, if this is passed, townships of the first class to prohibit political activity if we want to. I am just reading this. It looks like the maker of the bill could be wrong on that.

And then the second argument I will make, since I am up here, is I believe the maker of the bill keeps referring to correcting some inequity. I think the way to correct the inequity of the fact that you do have one borough of the third class that is doing this is to change that to make it consistent with current law, because it is good public policy to prohibit police officers from engaging in politics. So if there is a correction to be made, deal with the one anomaly and change that and not this.

So therefore, I would again ask for a "no" vote. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Northampton County, Representative Freeman.

Mr. FREEMAN. Thank you, Mr. Speaker.

Mr. Speaker, I rise to clear up some misunderstanding that was raised by my good friend, the gentleman from Delaware County.

In the section that he was referring to, it is important to note that that section lists the kind of activities that are prohibited, and what this legislation is doing is saying you cannot campaign while on duty and in uniform, making it clear that what a person does in their own private time is their own business. If they wish to engage in political activity on their own time, that is a right that we cherish in this democracy. But the reality is that it is listing as one of the offenses that is permissible for removal is if in fact an officer campaigns while in uniform. So in many respects, this legislation is seeking to clear up the ambiguity that currently exists in the statute, making it clear that as a private citizen, off duty, you can pursue your own political beliefs but you cannot campaign while in uniform.

For those who have raised the concern about police officers getting involved in politics, they should be as supportive of those who are supportive of the concept of police officers having a right to voice their political opinions off duty, because this clearly states that no campaigning can occur while in uniform.

This is a good piece of legislation. I urge the members to support it.

The SPEAKER. The Chair thanks the gentleman.

LEAVE OF ABSENCE

The SPEAKER. Turning to leaves of absence, the Chair recognizes the majority whip, Representative DeWeese, who requests the following leave: Representative LENTZ from Delaware for the day. Without objection, the leave will be granted.

CONSIDERATION OF HB 1287 CONTINUED

The SPEAKER. The Chair recognizes the gentleman from Bucks County, Representative Petri.

Mr. PETRI. Thank you, Mr. Speaker.

I think it is important to note for the record what is really driving this bill and the impetus of this bill. We have dealt with this bill now for two sessions, and what we have learned, Mr. Speaker, is that police officers are not in a hurry to run for political office. That is not at all what this bill is about. Mr. Speaker, what this bill is about is action, employment action that may be taken against police officers and has been taken against police officers because they innocently participated in the political process, which is their constitutional right.

And so, Mr. Speaker, what we are really talking about is creating a system where police officers can voice their opinions, just like you and I can, without fear of losing their jobs, being suspended, or other repercussions in an employment sense.

And so therefore, I wholly support the idea and concept and urge the members to support it as well.

The SPEAKER. Are there any other members seeking recognition?

The Chair recognizes the gentleman from Westmoreland County, Representative Casorio.

Mr. CASORIO. Thank you, Mr. Speaker.

I will be brief, and I thank the preceding speakers, especially former Chief Costa and Officer Vereb for their enlightened remarks.

Just for a point of clarification, the gentleman from Delaware County, Mr. Speaker, is incorrect. This is HB 1287, which deals with incorporated towns. As the body is aware, there is one incorporated town in the entire Commonwealth of Pennsylvania, and that is Bloomsburg. On Monday we will deal with similar bills that deal with boroughs and another that deals with first-class townships.

Mr. Speaker, I stand in support of law enforcement today. I stand in support of the tens of thousands of men and women of the F.O.P. (Fraternal Order of Police), and the other bills that I have will be IAFF, the International Association of Fire Fighters, paid firefighters.

Mr. Speaker, many of us were at the police memorial on Monday honoring the lives and paying respects to the families of eight officers that were killed in the line of duty last year. That does not even touch upon the three officers that we lost in Pittsburgh several weeks ago, Mr. Speaker.

Mr. Speaker, the argument to take away rights from third-class-city police officers is disingenuous. It harms law enforcement, and this bill would correct the inequities that have been present in Pennsylvania law for decades, Mr. Speaker. We are standing with law enforcement today. We are saying that we will allow you to participate off duty, out of uniform, just like we are able to, Mr. Speaker, and when HBs 1288 and 1289

come before this body, Mr. Speaker, those same arguments will be prevalent.

I, along with the majority of my colleagues, which I think you will see here in a moment, Mr. Speaker, stand in support of our law enforcement officials and stand ready to do anything that we can to help support them on their day-to-day efforts. Mr. Speaker, I encourage a positive vote. Thank you, sir.

The SPEAKER. The Chair thanks the gentleman.

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—176

Adolph	Ellis	Longietti	Readshaw
Baker	Evans, D.	Mahoney	Reed
Barbin	Evans, J.	Major	Reese
Barrar	Fabrizio	Manderino	Reichley
Bear	Farry	Mann	Rock
Benninghoff	Frankel	Markosek	Rohrer
Beyer	Freeman	Marshall	Sabatina
Bishop	Gabig	Marsico	Sainato
Boback	Gabler	Matzie	Samuelson
Boyd	Galloway	McGeehan	Santoni
Bradford	George	Melio	Saylor
Brennan	Gerber	Mensch	Scavello
Briggs	Gergely	Metcalfe	Seip
Brooks	Gibbons	Metzgar	Shapiro
Brown	Gillespie	Micozzie	Siproth
Burns	Gingrich	Millard	Smith, K.
Buxton	Godshall	Miller	Smith, M.
Caltagirone	Goodman	Milne	Smith, S.
Carroll	Grell	Mirabito	Solobay
Casorio	Grove	Moul	Sonney
Causer	Grucela	Murphy	Staback
Christiana	Haluska	Murt	Stevenson
Civera	Hanna	Mustio	Sturla
Clymer	Harhai	Myers	Swanger
Cohen	Harhart	O'Brien, D.	Tallman
Conklin	Harkins	O'Brien, M.	Taylor, J.
Costa, D.	Harper	O'Neill	Taylor, R.
Costa, P.	Harris	Oberlander	Thomas
Cox	Helm	Oliver	Turzai
Creighton	Hennessey	Pallone	Vereb
Cruz	Hickernell	Parker	Vulakovich
Cutler	Hornaman	Pashinski	Wagner
Daley	Houghton	Payne	Walko
Day	Hutchinson	Payton	Wansacz
Deasy	Johnson	Peifer	Waters
Delozier	Kauffman	Perzel	Watson
DeLuca	Keller, M.K.	Petrarca	Wheatley
Denlinger	Keller, W.	Petri	White
DePasquale	Kessler	Pickett	Williams
Dermody	Killion	Preston	Youngblood
DeWeese	Kirkland	Pyle	Yudichak
DiGirolamo	Kortz	Quigley	
Donatucci	Kotik	Quinn	McCall,
Drucker	Kula	Rapp	Speaker
Eachus	Levdansky		

NAYS—19

Curry	Hess	Mundy	Santarsiero
Everett	Josephs	Phillips	Schroder
Fairchild	Krieger	Roae	Stern
Fleck	Maher	Roebuck	Vitali
Geist	McI. Smith	Ross	

NOT VOTING—0

EXCUSED—7

Belfanti	Dally	Miccarelli	True
Boyle	Lentz	Perry	

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.

GUESTS INTRODUCED

The SPEAKER. In the balcony, the Chair welcomes Gwynedd Square Elementary School as guests of the Speaker. Welcome to the hall of the House. Will the guests please rise.

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 105, PN 98**, entitled:

An Act amending the act of March 7, 1901 (P.L.20, No.14), referred to as the Second Class City Law, further providing for penalty for false personification.

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

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

(Bill analysis was read.)

The SPEAKER. The question is, shall the bill pass finally? Agreeable to the provisions of the Constitution, the yeas and nays will now be taken.

The following roll call was recorded:

YEAS—195

Adolph	Fabrizio	Maher	Reese
Baker	Fairchild	Mahoney	Reichley
Barbin	Farry	Major	Roae
Barrar	Fleck	Manderino	Rock
Bear	Frankel	Mann	Roebuck
Benninghoff	Freeman	Markosek	Rohrer
Beyer	Gabig	Marshall	Ross
Bishop	Gabler	Marsico	Sabatina
Boback	Galloway	Matzie	Sainato
Boyd	Geist	McGeehan	Samuelson
Bradford	George	McI. Smith	Santarsiero
Brennan	Gerber	Melio	Santoni
Briggs	Gergely	Mensch	Saylor
Brooks	Gibbons	Metcalfe	Scavello
Brown	Gillespie	Metzgar	Schroder
Burns	Gingrich	Micozzie	Seip
Buxton	Godshall	Millard	Shapiro
Caltagirone	Goodman	Miller	Siptroth
Carroll	Grell	Milne	Smith, K.
Casorio	Grove	Mirabito	Smith, M.

Causer	Grucela	Moul	Smith, S.
Christiana	Haluska	Mundy	Solobay
Civera	Hanna	Murphy	Sonney
Clymer	Harhai	Murt	Staback
Cohen	Harhart	Mustio	Stern
Conklin	Harkins	Myers	Stevenson
Costa, D.	Harper	O'Brien, D.	Sturla
Costa, P.	Harris	O'Brien, M.	Swanger
Cox	Helm	O'Neill	Tallman
Creighton	Hennessey	Oberlander	Taylor, J.
Cruz	Hess	Oliver	Taylor, R.
Curry	Hickernell	Pallone	Thomas
Cutler	Hornaman	Parker	Turzai
Daley	Houghton	Pashinski	Vereb
Day	Hutchinson	Payne	Vitali
Deasy	Johnson	Payton	Vulakovich
DeLozier	Josephs	Peifer	Wagner
DeLuca	Kauffman	Perzel	Walko
Denlinger	Keller, M.K.	Petrarca	Wansacz
DePasquale	Keller, W.	Petri	Waters
Dermody	Kessler	Phillips	Watson
DeWeese	Killion	Pickett	Wheatley
DiGirolamo	Kirkland	Preston	White
Donatucci	Kortz	Pyle	Williams
Drucker	Kotik	Quigley	Youngblood
Eachus	Krieger	Quinn	Yudichak
Ellis	Kula	Rapp	
Evans, D.	Levdansky	Readshaw	McCall,
Evans, J.	Longietti	Reed	Speaker
Everett			

NAYS—0

NOT VOTING—0

EXCUSED—7

Belfanti	Dally	Miccarelli	True
Boyle	Lentz	Perry	

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

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

* * *

The House proceeded to third consideration of **HB 106, PN 99**, entitled:

An Act amending the act of June 25, 1919 (P.L.581, No.274), referred to as the First Class City Government Law, further providing for penalty for false personification.

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

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

(Bill analysis was read.)

The SPEAKER. The question is, shall the bill pass finally? Agreeable to the provisions of the Constitution, the yeas and nays will now be taken.

The following roll call was recorded:

YEAS—195

Adolph	Fabrizio	Maher	Reese
Baker	Fairchild	Mahoney	Reichley
Barbin	Farry	Major	Roae
Barrar	Fleck	Manderino	Rock
Bear	Frankel	Mann	Roebuck
Benninghoff	Freeman	Markosek	Rohrer
Beyer	Gabig	Marshall	Ross
Bishop	Gabler	Marsico	Sabatina
Boback	Galloway	Matzie	Sainato
Boyd	Geist	McGeehan	Samuelson
Bradford	George	McI. Smith	Santarsiero
Brennan	Gerber	Melio	Santoni
Briggs	Gergely	Mensch	Saylor
Brooks	Gibbons	Metcalfe	Scavello
Brown	Gillespie	Metzgar	Schroder
Burns	Gingrich	Micozzie	Seip
Buxton	Godshall	Millard	Shapiro
Caltagirone	Goodman	Miller	Siptroth
Carroll	Grell	Milne	Smith, K.
Casorio	Grove	Mirabito	Smith, M.
Causer	Grucela	Moul	Smith, S.
Christiana	Haluska	Mundy	Solobay
Civera	Hanna	Murphy	Sonney
Clymer	Harhai	Murt	Staback
Cohen	Harhart	Mustio	Stern
Conklin	Harkins	Myers	Stevenson
Costa, D.	Harper	O'Brien, D.	Sturla
Costa, P.	Harris	O'Brien, M.	Swanger
Cox	Helm	O'Neill	Tallman
Creighton	Hennessey	Oberlander	Taylor, J.
Cruz	Hess	Oliver	Taylor, R.
Curry	Hickernell	Pallone	Thomas
Cutler	Hornaman	Parker	Turzai
Daley	Houghton	Pashinski	Vereb
Day	Hutchinson	Payne	Vitali
Deasy	Johnson	Payton	Vulakovich
Delozier	Josephs	Peifer	Wagner
DeLuca	Kauffman	Perzel	Walko
Denlinger	Keller, M.K.	Petrarca	Wansacz
DePasquale	Keller, W.	Petri	Waters
Dermody	Kessler	Phillips	Watson
DeWeese	Killion	Pickett	Wheatley
DiGirolamo	Kirkland	Preston	White
Donatucci	Kortz	Pyle	Williams
Drucker	Kotik	Quigley	Youngblood
Eachus	Krieger	Quinn	Yudichak
Ellis	Kula	Rapp	
Evans, D.	Levdansky	Readshaw	McCall,
Evans, J.	Longietti	Reed	Speaker
Everett			

NAYS—0

NOT VOTING—0

EXCUSED—7

Belfanti	Dally	Miccarelli	True
Boyle	Lentz	Perry	

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

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

* * *

The House proceeded to third consideration of **HB 107, PN 100**, entitled:

An Act repealing the act of June 1, 1915 (P.L.708, No.326), entitled "An act to prevent the wearing of the badge of the Bureau of Police, in cities of the first class, by unauthorized persons, and providing a penalty therefor."

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

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

(Bill analysis was read.)

The SPEAKER. The question is, shall the bill pass finally?
Agreeable to the provisions of the Constitution, the yeas and nays will now be taken.

The following roll call was recorded:

YEAS—195

Adolph	Fabrizio	Maher	Reese
Baker	Fairchild	Mahoney	Reichley
Barbin	Farry	Major	Roae
Barrar	Fleck	Manderino	Rock
Bear	Frankel	Mann	Roebuck
Benninghoff	Freeman	Markosek	Rohrer
Beyer	Gabig	Marshall	Ross
Bishop	Gabler	Marsico	Sabatina
Boback	Galloway	Matzie	Sainato
Boyd	Geist	McGeehan	Samuelson
Bradford	George	McI. Smith	Santarsiero
Brennan	Gerber	Melio	Santoni
Briggs	Gergely	Mensch	Saylor
Brooks	Gibbons	Metcalfe	Scavello
Brown	Gillespie	Metzgar	Schroder
Burns	Gingrich	Micozzie	Seip
Buxton	Godshall	Millard	Shapiro
Caltagirone	Goodman	Miller	Siptroth
Carroll	Grell	Milne	Smith, K.
Casorio	Grove	Mirabito	Smith, M.
Causer	Grucela	Moul	Smith, S.
Christiana	Haluska	Mundy	Solobay
Civera	Hanna	Murphy	Sonney
Clymer	Harhai	Murt	Staback
Cohen	Harhart	Mustio	Stern
Conklin	Harkins	Myers	Stevenson
Costa, D.	Harper	O'Brien, D.	Sturla
Costa, P.	Harris	O'Brien, M.	Swanger
Cox	Helm	O'Neill	Tallman
Creighton	Hennessey	Oberlander	Taylor, J.
Cruz	Hess	Oliver	Taylor, R.
Curry	Hickernell	Pallone	Thomas
Cutler	Hornaman	Parker	Turzai
Daley	Houghton	Pashinski	Vereb
Day	Hutchinson	Payne	Vitali
Deasy	Johnson	Payton	Vulakovich
Delozier	Josephs	Peifer	Wagner
DeLuca	Kauffman	Perzel	Walko
Denlinger	Keller, M.K.	Petrarca	Wansacz
DePasquale	Keller, W.	Petri	Waters
Dermody	Kessler	Phillips	Watson
DeWeese	Killion	Pickett	Wheatley
DiGirolamo	Kirkland	Preston	White
Donatucci	Kortz	Pyle	Williams
Drucker	Kotik	Quigley	Youngblood
Eachus	Krieger	Quinn	Yudichak
Ellis	Kula	Rapp	

Evans, D.	Levdansky	Readshaw	McCall,
Evans, J.	Longietti	Reed	Speaker
Everett			

NAYS—0

NOT VOTING—0

EXCUSED—7

Belfanti	Dally	Miccarelli	True
Boyle	Lentz	Perry	

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

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

* * *

The House proceeded to third consideration of **HB 951, PN 1089**, entitled:

An Act amending the act of January 19, 1968 (1967 P.L.992, No.442), entitled "An act authorizing the Commonwealth of Pennsylvania and the local government units thereof to preserve, acquire or hold land for open space uses," further providing for local taxing options.

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

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

(Bill analysis was read.)

The SPEAKER. The question is, shall the bill pass finally? Agreeable to the provisions of the Constitution, the yeas and nays will now be taken.

The following roll call was recorded:

YEAS—195

Adolph	Fabrizio	Maher	Reese
Baker	Fairchild	Mahoney	Reichley
Barbin	Farry	Major	Roae
Barrar	Fleck	Manderino	Rock
Bear	Frankel	Mann	Roebuck
Benninghoff	Freeman	Markosek	Rohrer
Beyer	Gabig	Marshall	Ross
Bishop	Gabler	Marsico	Sabatina
Boback	Galloway	Matzie	Sainato
Boyd	Geist	McGeehan	Samuelson
Bradford	George	McI. Smith	Santarsiero
Brennan	Gerber	Melio	Santoni
Briggs	Gergely	Mensch	Saylor
Brooks	Gibbons	Metcalfe	Scavello
Brown	Gillespie	Metzgar	Schroder
Burns	Gingrich	Micozzie	Seip
Buxton	Godshall	Millard	Shapiro
Caltagirone	Goodman	Miller	Siptroth
Carroll	Grell	Milne	Smith, K.
Casorio	Grove	Mirabito	Smith, M.

Causer	Grucela	Moul	Smith, S.
Christiana	Haluska	Mundy	Solobay
Civera	Hanna	Murphy	Sonney
Clymer	Harhai	Murt	Staback
Cohen	Harhart	Mustio	Stern
Conklin	Harkins	Myers	Stevenson
Costa, D.	Harper	O'Brien, D.	Sturla
Costa, P.	Harris	O'Brien, M.	Swanger
Cox	Helm	O'Neill	Tallman
Creighton	Hennessey	Oberlander	Taylor, J.
Cruz	Hess	Oliver	Taylor, R.
Curry	Hickernell	Pallone	Thomas
Cutler	Hornaman	Parker	Turzai
Daley	Houghton	Pashinski	Vereb
Day	Hutchinson	Payne	Vitali
Deasy	Johnson	Payton	Vulakovich
DeLozier	Josephs	Peifer	Wagner
DeLuca	Kauffman	Perzel	Walko
Denlinger	Keller, M.K.	Petrarca	Wansacz
DePasquale	Keller, W.	Petri	Waters
Dermody	Kessler	Phillips	Watson
DeWeese	Killion	Pickett	Wheatley
DiGirolamo	Kirkland	Preston	White
Donatucci	Kortz	Pyle	Williams
Drucker	Kotik	Quigley	Youngblood
Eachus	Krieger	Quinn	Yudichak
Ellis	Kula	Rapp	
Evans, D.	Levdansky	Readshaw	McCall,
Evans, J.	Longietti	Reed	Speaker
Everett			

NAYS—0

NOT VOTING—0

EXCUSED—7

Belfanti	Dally	Miccarelli	True
Boyle	Lentz	Perry	

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.

SENATE MESSAGE

RECESS RESOLUTION FOR CONCURRENCE

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

In the Senate,
May 6, 2009

RESOLVED, (the House of Representatives concurring), Pursuant to Article II, Section 14 of the Pennsylvania Constitution, that when the Senate recesses this week, it reconvene on Monday, June 1, 2009, unless sooner recalled by the President Pro Tempore of the Senate; and be it further

RESOLVED, Pursuant to Article II, Section 14 of the Pennsylvania Constitution, that when the House of Representatives recesses this week, it reconvene on Monday, May 11, 2009, unless sooner recalled by the Speaker of the House of Representatives; and be it further

RESOLVED, Pursuant to Article II, Section 14 of the Pennsylvania Constitution, that when the House of Representatives recesses the week of May 11th, it reconvene on Monday, June 1, 2009, unless sooner recalled by the Speaker of the House of Representatives.

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

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

BILLS REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader, who moves that the following bills be removed from the tabled calendar:

HB 594;
HB 720;
HB 916;
HB 1041;
HB 1069;
HB 1182;
HB 1211;
HB 1231;
HB 1384;
HB 1391;
HB 1392; and
HB 1395.

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

BILLS RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader, who moves that the following bills be recommitted to the Committee on Appropriations:

HB 594;
HB 720;
HB 916;
HB 1041;
HB 1069;
HB 1182;
HB 1211;
HB 1231;
HB 1384;
HB 1391;
HB 1392; and
HB 1395.

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

RESOLUTION

Mr. EACHUS called up **HR 34, PN 162**, entitled:

A Resolution establishing a select committee to investigate and review the policies, procedures and practices in place by the various Commonwealth agencies, authorities, boards, commissions, councils, departments and offices and the entities they license or regulate to protect the personal health, financial and other sensitive data of the citizens of this Commonwealth.

On the question,
Will the House adopt the resolution?

RESOLUTION TABLED

The SPEAKER. The Chair recognizes the majority leader, who moves that HR 34 be removed from the active calendar and placed on the tabled calendar.

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

RESOLUTION REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader, who moves that HR 34 be removed from the tabled calendar and placed on the active calendar.

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

The SPEAKER. Are there any announcements?

STATEMENT BY MR. MARKOSEK

The SPEAKER. The Chair recognizes the gentleman from Allegheny County, Representative Markosek.

Will the House come to order.

Mr. MARKOSEK. Thank you, Mr. Speaker.

Mr. Speaker, I rise under unanimous consent.

The SPEAKER. Without objection.

Mr. MARKOSEK. Thank you, Mr. Speaker.

Mr. Speaker, I think all of us in the hall of the House here understand the value of great staff. They really make us what we are, and one of my staff people, my personal secretary, Isobel Floyd, is retiring on Friday. She is up in the office right now and could not make it down. She has some problems walking, so she is not here, but I just wanted to stand up today under unanimous consent and say how happy and proud I have been to have her work on my staff and how much and how important she has been to whatever success that I have achieved here as a State Representative.

She is probably watching on the TV upstairs, so if, perhaps, we could all, in our own way, just say good luck, Isobel, congratulations, and best wishes on your retirement. Thank you.

HB 951 RECONSIDERED

The SPEAKER. The Chair is in receipt of a reconsideration motion. The reconsideration motion is filed by Representative Dally and Representative Freeman, who move that the vote by which HB 951, PN 1089, was passed on May 6 be reconsidered.

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

LEAVE OF ABSENCE CANCELED

The SPEAKER. The Chair notes the presence of Representative Dally on the floor. His name will be added to the master roll.

RECONSIDERATION OF HB 951 CONTINUED

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

The following roll call was recorded:

YEAS—196

Adolph	Everett	Maher	Reese
Baker	Fabrizio	Mahoney	Reichley
Barbin	Fairchild	Major	Roae
Barrar	Farry	Manderino	Rock
Bear	Fleck	Mann	Roebuck
Benninghoff	Frankel	Markosek	Rohrer
Beyer	Freeman	Marshall	Ross
Bishop	Gabig	Marsico	Sabatina
Boback	Gabler	Matzie	Sainato
Boyd	Galloway	McGeehan	Samuelson
Bradford	Geist	McI. Smith	Santarsiero
Brennan	George	Melio	Santoni
Briggs	Gerber	Mensch	Saylor
Brooks	Gergely	Metcalfe	Scavello
Brown	Gibbons	Metzgar	Schroder
Burns	Gillespie	Micozzie	Seip
Buxton	Gingrich	Millard	Shapiro
Caltagirone	Godshall	Miller	Siptroth
Carroll	Goodman	Milne	Smith, K.
Casorio	Grell	Mirabito	Smith, M.
Causar	Grove	Moul	Smith, S.
Christiana	Grucela	Mundy	Solobay
Civera	Haluska	Murphy	Sonney
Clymer	Hanna	Murt	Staback
Cohen	Harhai	Mustio	Stern
Conklin	Harhart	Myers	Stevenson
Costa, D.	Harkins	O'Brien, D.	Sturla
Costa, P.	Harper	O'Brien, M.	Swanger
Cox	Harris	O'Neill	Tallman
Creighton	Helm	Oberlander	Taylor, J.
Cruz	Hennessey	Oliver	Taylor, R.
Curry	Hess	Pallone	Thomas
Cutler	Hickernell	Parker	Turzai
Daley	Hornaman	Pashinski	Vereb
Dally	Houghton	Payne	Vitali
Day	Hutchinson	Payton	Vulakovich
Deasy	Johnson	Peifer	Wagner
Delozier	Josephs	Perzel	Walko
DeLuca	Kauffman	Petrarca	Wansacz
Denlinger	Keller, M.K.	Petri	Waters
DePasquale	Keller, W.	Phillips	Watson
Dermody	Kessler	Pickett	Wheatley
DeWeese	Killion	Preston	White
DiGirolamo	Kirkland	Pyle	Williams
Donatucci	Kortz	Quigley	Youngblood

Drucker	Kotik	Quinn	Yudichak
Eachus	Krieger	Rapp	
Ellis	Kula	Readshaw	McCall,
Evans, D.	Levdansky	Reed	Speaker
Evans, J.	Longietti		

NAYS—0

NOT VOTING—0

EXCUSED—6

Belfanti	Lentz	Perry	True
Boyle	Miccarelli		

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

The SPEAKER. The House has immediately before it HB 951.

**HEALTH AND HUMAN SERVICES
COMMITTEE MEETING**

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Representative Oliver.

Mr. OLIVER. Mr. Speaker, at the call of the recess, the Health and Human Services Committee will be meeting in room 60E.

The SPEAKER. The Chair thanks the gentleman.

The Health and Human Services Committee will meet in room 60E at the call of the recess.

CONSIDERATION OF HB 951 CONTINUED

On the question recurring,
Shall the bill pass finally?

(Bill analysis was read.)

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

The following roll call was recorded:

YEAS—193

Adolph	Evans, J.	Longietti	Reese
Baker	Everett	Maher	Reichley
Barbin	Fabrizio	Mahoney	Rock
Barrar	Fairchild	Major	Roebuck
Bear	Farry	Manderino	Rohrer
Benninghoff	Fleck	Mann	Ross
Beyer	Frankel	Markosek	Sabatina
Bishop	Freeman	Marshall	Sainato
Boback	Gabig	Marsico	Samuelson
Boyd	Gabler	Matzie	Santarsiero
Bradford	Galloway	McGeehan	Santoni
Brennan	Geist	McI. Smith	Saylor
Briggs	George	Melio	Scavello
Brooks	Gerber	Mensch	Schroder
Brown	Gergely	Metzgar	Seip
Burns	Gibbons	Micozzie	Shapiro
Buxton	Gillespie	Millard	Siptroth
Caltagirone	Gingrich	Miller	Smith, K.

Carroll	Godshall	Milne	Smith, M.
Casorio	Goodman	Mirabito	Smith, S.
Causser	Grell	Moul	Solobay
Christiana	Grove	Mundy	Sonney
Civera	Grucela	Murphy	Staback
Clymer	Haluska	Murt	Stern
Cohen	Hanna	Mustio	Stevenson
Conklin	Harhai	Myers	Sturla
Costa, D.	Harhart	O'Brien, D.	Swanger
Costa, P.	Harkins	O'Brien, M.	Tallman
Cox	Harper	O'Neill	Taylor, J.
Creighton	Harris	Oberlander	Taylor, R.
Cruz	Helm	Oliver	Thomas
Curry	Hennessey	Pallone	Turzai
Cutler	Hess	Parker	Vereb
Daley	Hickernell	Pashinski	Vitali
Dally	Hornaman	Payne	Vulakovich
Day	Houghton	Payton	Wagner
Deasy	Johnson	Peifer	Walko
Delozier	Josephs	Perzel	Wansacz
DeLuca	Kauffman	Petrarca	Waters
Denlinger	Keller, M.K.	Petri	Watson
DePasquale	Keller, W.	Phillips	Wheatley
Dermody	Kessler	Pickett	White
DeWeese	Killion	Preston	Williams
DiGirolando	Kirkland	Pyle	Youngblood
Donatucci	Kortz	Quigley	Yudichak
Drucker	Kotik	Quinn	
Eachus	Krieger	Rapp	McCall,
Ellis	Kula	Readshaw	Speaker
Evans, D.	Levdansky	Reed	

NAYS—3

Hutchinson	Metcalfe	Roae
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NOT VOTING—0

EXCUSED—6

Belfanti	Lentz	Perry	True
Boyle	Miccarelli		

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.

CONSUMER AFFAIRS COMMITTEE MEETING

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Representative Preston, for the purpose of an announcement.

Mr. PRESTON. Mr. Speaker, immediately at the call, when we recess, we will have a Consumer Affairs voting meeting in 205 of the Ryan Building. I encourage all members to be attentive and to be prompt; 205 Ryan Building immediately after we recess or adjourn.

Thank you very much, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Consumer Affairs Committee will meet in room 205 of the Ryan Office Building.

INSURANCE COMMITTEE MEETING

The SPEAKER. The Chair recognizes the gentleman from Allegheny County, Representative Frankel, for the purpose of an announcement.

Mr. FRANKEL. Thank you, Mr. Speaker.

I would like to announce a meeting of the House Insurance Committee in G-50 at the recess, immediately. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Insurance Committee will meet in room G-50 at the recess.

Any further announcements?

ANNOUNCEMENT BY MAJORITY LEADER

The SPEAKER. The Chair recognizes the majority leader, Representative Eachus.

Mr. EACHUS. Thank you, Mr. Speaker.

I just wanted to announce to the members that tomorrow will be a nonvoting session day.

The SPEAKER. The Chair thanks the gentleman.

ANNOUNCEMENT BY MR. HANNA

The SPEAKER. The Chair recognizes the gentleman from Clinton County, Representative Hanna.

Mr. HANNA. Thank you, Mr. Speaker.

I just want to remind all Ag Committee members that tomorrow we will have an Ag Committee hearing in the city of Williamsport at Penn College, and I urge all members' attendance; 1 o'clock tomorrow, Ag Committee hearing on Marcellus Shale legislation that we have before the committee. Thank you.

The SPEAKER. The Chair thanks the gentleman.

Are there any further announcements?

BILLS AND RESOLUTIONS PASSED OVER

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

ADJOURNMENT

The SPEAKER. The Chair has in its possession a motion to adjourn by Representative Bradford from Montgomery County, who moves that this House do now adjourn until Thursday, May 7, 2009, at 11 a.m., e.d.t., unless sooner recalled by the Speaker.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 12:40 p.m., e.d.t., the House adjourned.