

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

THURSDAY, JULY 1, 2010

SESSION OF 2010

194TH OF THE GENERAL ASSEMBLY

No. 44

HOUSE OF REPRESENTATIVES

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

THE SPEAKER (KEITH R. McCALL) PRESIDING

PRAYER

HON. MICHAEL K. HANNA, member of the House of Representatives, offered the following prayer:

Thank you, Mr. Speaker.
Good morning.

Please bow your heads in prayer, as prayer is our response to God's love. For it is during prayer that God brings us hope, joy, peace, and love and connects us to Him directly, intimately, and lovingly. And in prayer, we are given the reassurance of God's divine love, and that in these precious moments, we are not alone as we pray for others, and we are one with God and each other. One prayer at a time, one person at a time, we are making a difference in our world as we become ambassadors of peace and love as we move through our day.

We pray for good health for our members and their families and for all those serving our country, both at home and abroad and in harm's way, especially those with special needs. All this we ask in You, God, who is the same yesterday, today, and forever. Amen.

PLEDGE OF ALLEGIANCE

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

APPROPRIATIONS COMMITTEE MEETING

DEMOCRATIC AND REPUBLICAN CAUCUSES

The SPEAKER. For the information of the members, for the information of the members, there is going to be an immediate, or I am sorry, a 12 o'clock Appropriations Committee meeting – Appropriations at 12 o'clock – followed by a caucus, both Democrat and Republican caucus, at 12:15; return to the floor at 2 p.m.

Appropriations, 12 o'clock; 12:15, both caucuses report to their respective caucus rooms; back to the floor at 2 o'clock. The Appropriations Committee meeting will be in the majority caucus room.

GUESTS INTRODUCED

The SPEAKER. And if I could ask the members to welcome a special guest today. The Chair welcomes Kwame Waja, who is a Ghana journalist, attorney, and teacher. He is visiting our State Capitol today to learn more about our government. He came to the United States under the auspices of the United States State Department International Visitor Leadership Program. He is accompanied by James Schilling of the United States Department of State. They are the guests of the Speaker. Welcome to the hall of the House, gentlemen.

RECESS

The SPEAKER. This House stands in recess until 2 p.m., unless sooner recalled by the Speaker.

RECESS EXTENDED

The time of recess was extended until 2:30 p.m.; further extended until 3 p.m.; further extended until 3:15 p.m.

AFTER RECESS

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

The SPEAKER. Members will report to the floor.

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, approval of the Journal of Wednesday, June 30, 2010, will be postponed until printed. The Chair hears no objection.

HOUSE BILLS INTRODUCED AND REFERRED

No. 2610 By Representatives FRANKEL, MUSTIO, STABACK, STURLA, BELFANTI, BISHOP, BRIGGS, CALTAGIRONE, D. COSTA, P. COSTA, DeLUCA, DERMODY, GIBBONS, GOODMAN, JOSEPHS, KORTZ, KOTIK, LENTZ, LONGIETTI, MANN, MATZIE, McILVAINE SMITH, MELIO, MUNDY, PASHINSKI, READSHAW, SABATINA, SAINATO, SEIP, SIPTROTH, M. SMITH, THOMAS, WAGNER, WHITE and YOUNGBLOOD

An Act providing for the Children's Access to Concurrent Care Act and for applicability.

Referred to Committee on INSURANCE, July 1, 2010.

No. 2611 By Representatives FRANKEL, MUSTIO, STABACK, STURLA, BELFANTI, BISHOP, BRIGGS, CALTAGIRONE, D. COSTA, P. COSTA, DeLUCA, DERMODY, GIBBONS, GOODMAN, JOSEPHS, KORTZ, KOTIK, LENTZ, LONGIETTI, MANN, MATZIE, McILVAINE SMITH, MELIO, MUNDY, PASHINSKI, READSHAW, SABATINA, SAINATO, SEIP, SIPTROTH, M. SMITH, THOMAS, WAGNER, WHITE and YOUNGBLOOD

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 continuing medical education.

Referred to Committee on INSURANCE, July 1, 2010.

No. 2632 By Representatives PICKETT, BAKER, BOBACK, BOYD, BRIGGS, CALTAGIRONE, CARROLL, D. COSTA, EVERETT, FAIRCHILD, GERGELY, GODSHALL, GROVE, HARHART, M. KELLER, LONGIETTI, MAJOR, MILLARD, MILLER, MOUL, OBERLANDER, PHILLIPS, PYLE, RAPP, REICHLEY, ROCK, SEIP, SIPTROTH, STEVENSON, TRUE, ELLIS and FLECK

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

Referred to Committee on JUDICIARY, July 1, 2010.

No. 2633 By Representatives FREEMAN, SAMUELSON, GRUCELA, CALTAGIRONE, GINGRICH, HENNESSEY, HORNAMAN, KOTIK, MURT, PASHINSKI, ROSS, SCAVELLO, SIPTROTH, SWANGER, R. TAYLOR and YOUNGBLOOD

An Act providing for the rights and duties of manufactured home community owners and operators and manufactured home residents; and repealing the Mobile Home Park Rights Act and related provisions of The Landlord and Tenant Act of 1951.

Referred to Committee on URBAN AFFAIRS, July 1, 2010.

No. 2634 By Representatives M. O'BRIEN and JOSEPHS

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

Referred to Committee on JUDICIARY, July 1, 2010.

No. 2635 By Representative PHILLIPS

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, further providing for standards of service and facilities.

Referred to Committee on CONSUMER AFFAIRS, July 1, 2010.

No. 2636 By Representative DALEY

An Act designating a bridge in Carroll Township, Washington County, as the Stanley Jurgaitis Memorial Bridge.

Referred to Committee on TRANSPORTATION, July 1, 2010.

No. 2637 By Representatives DALEY, SOLOBAY, DeWEESE, WHITE and MAHER

An Act designating the Claysville Interchange of Interstate 70 in Washington County as the Sergeant Nathan P. Kennedy Memorial Interchange.

Referred to Committee on TRANSPORTATION, July 1, 2010.

SENATE BILLS FOR CONCURRENCE

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

SB 460, PN 2111

Referred to Committee on HEALTH AND HUMAN SERVICES, July 1, 2010.

SB 1334, PN 2113

Referred to Committee on INSURANCE, July 1, 2010.

The SPEAKER. Members, report to the floor.

LEAVES OF ABSENCE

The SPEAKER. Turning to leaves of absence, the Chair recognizes the majority whip, Representative Dermody, who requests a leave of absence for Representative OLIVER from Philadelphia County for the day. Without objection, the leave will be granted.

The Chair recognizes the minority whip, Representative Turzai, who requests a leave of absence for Representative SCAVELLO from Monroe County for the day. Without objection, the leave will be granted.

MASTER ROLL CALL

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

The following roll call was recorded:

PRESENT—200

Adolph	Fabrizio	Longietti	Reed
Baker	Fairchild	Maher	Reese
Barbin	Farry	Mahoney	Reichley
Barrar	Fleck	Major	Roae
Bear	Frankel	Manderino	Rock
Belfanti	Freeman	Mann	Roebuck
Benninghoff	Gabig	Markosek	Rohrer
Beyer	Gabler	Marshall	Ross
Bishop	Galloway	Marsico	Sabatina

Boback	Geist	Matzie	Sainato
Boyd	George	McGeehan	Samuelson
Boyle	Gerber	McI. Smith	Santarsiero
Bradford	Gergely	Melio	Santoni
Brennan	Gibbons	Metcalfe	Saylor
Briggs	Gillespie	Metzgar	Schroder
Brooks	Gingrich	Miccarelli	Seip
Brown	Godshall	Micozzie	Shapiro
Burns	Goodman	Millard	Siptroth
Buxton	Grell	Miller	Smith, K.
Caltagirone	Grove	Milne	Smith, M.
Carroll	Grucela	Mirabito	Smith, S.
Casorio	Hahn	Moul	Solobay
Causser	Haluska	Mundy	Sonney
Christiana	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	Pallone	Thomas
Curry	Hickernell	Parker	Toepel
Cutler	Hornaman	Pashinski	True
Daley	Houghton	Payne	Turzai
Day	Hutchinson	Payton	Vereb
Deasy	Johnson	Peifer	Vitali
DeLozier	Josephs	Perry	Vulakovich
DeLuca	Kauffman	Perzel	Wagner
Denlinger	Keller, M.K.	Petrarca	Wansacz
DePasquale	Keller, W.	Petri	Waters
Dermody	Kessler	Phillips	Watson
DeWeese	Killion	Pickett	Wheatley
DiGirolamo	Kirkland	Preston	White
Donatucci	Knowles	Pyle	Williams
Drucker	Kortz	Quigley	Youngblood
Eachus	Kotik	Quinn	Yudichak
Ellis	Krieger	Rapp	
Evans, D.	Kula	Ravenstahl	McCall,
Evans, J.	Lentz	Readshaw	Speaker
Everett	Levdansky		

ADDITIONS—0

NOT VOTING—0

EXCUSED—2

Oliver Scavello

LEAVES ADDED—3

Benninghoff Donatucci Ellis

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

BILLS REREPORTED FROM COMMITTEE

HB 442, PN 3652 By Rep. D. EVANS

An Act amending the act of October 30, 1996 (P.L.732, No.131), known as the Pennsylvania Innkeepers' Rights Act, providing for prospective employee background checks; and requiring deadbolt locks in hotels.

APPROPRIATIONS.

HB 810, PN 900 By Rep. D. EVANS

An Act amending the act of June 11, 1968 (P.L.149, No.84), known as the Volunteer Firefighters' Relief Association Act, further providing for funds of volunteer firefighters' relief associations.

APPROPRIATIONS.

HB 2415, PN 4051 By Rep. D. EVANS

An Act designating a portion of PA Route 191 in Washington Township, Northampton County, as the "World War II Homefront Heroes Highway."

APPROPRIATIONS.

HB 2480, PN 3723 By Rep. D. EVANS

An Act designating the Piper J-3 Cub as the official State aircraft of the Commonwealth of Pennsylvania.

APPROPRIATIONS.

HB 2521, PN 3753 By Rep. D. EVANS

An Act providing for anatomic pathology service disclosure.

APPROPRIATIONS.

HB 2591, PN 3944 By Rep. D. EVANS

An Act amending the act of March 1, 1988 (P.L.82, No.16), known as the Pennsylvania Infrastructure Investment Authority Act, further providing for definitions and for financial assistance.

APPROPRIATIONS.

HB 2601, PN 3971 By Rep. D. EVANS

An Act providing for the testing of new, environmentally beneficial and energy efficient technologies within various State agencies.

APPROPRIATIONS.

SB 1169, PN 1775 By Rep. D. EVANS

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for sentencing generally and for collection of restitution, reparation, fees, costs, fines and penalties.

APPROPRIATIONS.

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

BILLS REREPORTED FROM COMMITTEE

HB 65, PN 4073 (Amended) 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.

SB 1200, PN 1605

By Rep. D. EVANS

An Act authorizing the Commonwealth of Pennsylvania to join the Interstate Wildlife Violator Compact; providing for the form of the compact; imposing additional powers and duties on the Governor and the Compact Administrator; and limiting the applicability of suspension powers.

APPROPRIATIONS.

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

CALENDAR

RESOLUTIONS PURSUANT TO RULE 35

Mr. REED called up HR 828, PN 3810, entitled:

A Resolution designating August 2010 as "Native American Awareness Month" in Pennsylvania.

On the question, Will the House adopt the resolution?

The following roll call was recorded:

YEAS—200

Table listing names of members who voted 'YEAS' for SB 1200, PN 1605. Includes names like Adolph, Baker, Barbin, Barrar, Bear, Belfanti, Benninghoff, Beyer, Bishop, Boback, Boyd, Boyle, Bradford, Brennan, Briggs, Brooks, Brown, Burns, Buxton, Caltagirone, Carroll, Casorio, Causer, Christiana, Clymer, Cohen, Conklin, Costa, D., Costa, P., Cox, Creighton, Cruz, Curry, Cutler, Daley, Day, Deasy, Delozier, DeLuca, Denlinger, DePasquale, Dermody, Fabrizio, Fairchild, Farry, Fleck, Frankel, Freeman, Gabig, Gabler, Galloway, Geist, George, Gerber, Gergely, Gibbons, Gillespie, Gingrich, Godshall, Goodman, Grell, Grove, Grucela, Hahn, Haluska, Hanna, Harhai, Harhart, Harkins, Harper, Harris, Helm, Hennessey, Hess, Hickernell, Hornaman, Houghton, Hutchinson, Johnson, Josephs, Kauffman, Keller, M.K., Keller, W., Kessler, Longietti, Maher, Mahoney, Major, Manderino, Mann, Markosek, Marshall, Marsico, Matzie, McGeehan, McI. Smith, Melio, Metcalfe, Metzgar, Miccarelli, Micozzie, Millard, Miller, Milne, Mirabito, Moul, Mundy, Murphy, Murt, Mustio, Myers, O'Brien, D., O'Brien, M., O'Neill, Oberlander, Pallone, Parker, Pashinski, Payne, Payton, Peifer, Perry, Perzel, Petrarca, Petri, Phillips, Reed, Reese, Reichley, Roae, Rock, Roebuck, Rohrer, Ross, Sabatina, Sainato, Samuelson, Santarsiero, Santoni, Saylor, Schroder, Seip, Shapiro, Siptroth, Smith, K., Smith, M., Smith, S., Solobay, Sonney, Staback, Stern, Stevenson, Sturla, Swanger, Tallman, Taylor, J., Taylor, R., Thomas, Toepel, True, Turzai, Vereb, Vitali, Vulakovich, Wagner, Wansacz, Waters, Watson.

Table listing names of members who did not vote or were excused for SB 1200, PN 1605. Includes names like DeWeese, DiGirolamo, Donatucci, Drucker, Eachus, Ellis, Evans, D., Evans, J., Everett, Killion, Kirkland, Knowles, Kortz, Kotik, Krieger, Kula, Lentz, Levdansky, Pickett, Preston, Pyle, Quigley, Quinn, Rapp, Ravenstahl, Readshaw, Wheatley, White, Williams, Youngblood, Yudichak, McCall, Speaker.

NAYS—0

NOT VOTING—0

EXCUSED—2

Table listing names of members who were excused: Oliver, Scavello.

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

* * *

Mr. DiGIROLAMO called up HR 876, PN 4054, entitled:

A Resolution designating the week of August 9 through 14, 2010, as "Kidney Disease Awareness and Education Week" in Pennsylvania.

On the question, Will the House adopt the resolution?

The following roll call was recorded:

YEAS—200

Table listing names of members who voted 'YEAS' for HR 876, PN 4054. Includes names like Adolph, Baker, Barbin, Barrar, Bear, Belfanti, Benninghoff, Beyer, Bishop, Boback, Boyd, Boyle, Bradford, Brennan, Briggs, Brooks, Brown, Burns, Buxton, Caltagirone, Carroll, Casorio, Causer, Christiana, Clymer, Cohen, Conklin, Costa, D., Costa, P., Cox, Creighton, Cruz, Curry, Cutler, Daley, Fabrizio, Fairchild, Farry, Fleck, Frankel, Freeman, Gabig, Gabler, Galloway, Geist, George, Gerber, Gergely, Gibbons, Gillespie, Gingrich, Godshall, Goodman, Grell, Grove, Grucela, Hahn, Haluska, Hanna, Harhai, Harhart, Harkins, Harper, Harris, Helm, Hennessey, Hess, Hickernell, Hornaman, Houghton, Longietti, Maher, Mahoney, Major, Manderino, Mann, Markosek, Marshall, Marsico, Matzie, McGeehan, McI. Smith, Melio, Metcalfe, Metzgar, Miccarelli, Micozzie, Millard, Miller, Milne, Mirabito, Moul, Mundy, Murphy, Murt, Mustio, Myers, O'Brien, D., O'Brien, M., O'Neill, Oberlander, Pallone, Parker, Pashinski, Payne, Reed, Reese, Reichley, Roae, Rock, Roebuck, Rohrer, Ross, Sabatina, Sainato, Samuelson, Santarsiero, Santoni, Saylor, Schroder, Seip, Shapiro, Siptroth, Smith, K., Smith, M., Smith, S., Solobay, Sonney, Staback, Stern, Stevenson, Sturla, Swanger, Tallman, Taylor, J., Taylor, R., Thomas, Toepel, True, Turzai.

Day	Hutchinson	Payton	Vereb
Deasy	Johnson	Peifer	Vitali
Delozier	Josephs	Perry	Vulakovich
DeLuca	Kauffman	Perzel	Wagner
Denlinger	Keller, M.K.	Petrarca	Wansacz
DePasquale	Keller, W.	Petri	Waters
Dermody	Kessler	Phillips	Watson
DeWeese	Killion	Pickett	Wheatley
DiGirolamo	Kirkland	Preston	White
Donatucci	Knowles	Pyle	Williams
Drucker	Kortz	Quigley	Youngblood
Eachus	Kotik	Quinn	Yudichak
Ellis	Krieger	Rapp	
Evans, D.	Kula	Ravenstahl	McCall,
Evans, J.	Lentz	Readshaw	Speaker
Everett	Levdansky		

NAYS-0

NOT VOTING-0

EXCUSED-2

Oliver Scavello

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

SUPPLEMENTAL CALENDAR A

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 810, PN 900**, entitled:

An Act amending the act of June 11, 1968 (P.L.149, No.84), known as the Volunteer Firefighters' Relief Association Act, further providing for funds of volunteer firefighters' relief associations.

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 2415, PN 4051**, entitled:

An Act designating a portion of PA Route 191 in Washington Township, Northampton County, as the "World War II Homefront Heroes Highway."

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 2591, PN 3944**, entitled:

An Act amending the act of March 1, 1988 (P.L.82, No.16), known as the Pennsylvania Infrastructure Investment Authority Act, further providing for definitions and for financial assistance.

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 2601, PN 3971**, entitled:

An Act providing for the testing of new, environmentally beneficial and energy efficient technologies within various State agencies.

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

CALENDAR CONTINUED

BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of **SB 747, PN 1897**, entitled:

An Act authorizing the Department of Transportation to sell land under certain conditions; and repealing certain provisions of The Administrative Code of 1929.

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

SUPPLEMENTAL CALENDAR A CONTINUED

BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 442, PN 3652**, entitled:

An Act amending the act of October 30, 1996 (P.L.732, No.131), known as the Pennsylvania Innkeepers' Rights Act, providing for prospective employee background checks; and requiring deadbolt locks in hotels.

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

CALENDAR CONTINUED

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **SB 1320, PN 2117**, entitled:

An Act designating Interstate 84, within this Commonwealth, as the Fallen Trooper Memorial Highway.

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

Mr. WANSACZ offered the following amendment No. A08262:

Amend Bill, page 1, line 3, by inserting after "Highway" ; and designating a bridge in Clarks Summit, Lackawanna County, as the John E. Fitzgerald Memorial Bridge Amend Bill, page 2, by inserting between lines 25 and 26 Section 3. John E. Fitzgerald Memorial Bridge.

(a) Findings.—John E. Fitzgerald was a civil engineer who worked on the construction of the designated bridge and later became the first superintendent of the Northeast Extension of the Pennsylvania Turnpike. He served in that capacity for 13 years before retiring.

(b) Designation.—The bridge on the Northeast Extension located in Clarks Summit, which crosses over Routes 6 and 11 in Lackawanna County, is hereby designated and shall be known as the John E. Fitzgerald Memorial Bridge.

(c) Signs.—The Pennsylvania Turnpike Commission shall erect and maintain appropriate signs displaying the name of the bridge to traffic in both directions on the bridge.

Amend Bill, page 2, line 26, by striking out "3" and inserting 4

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

BILL AND AMENDMENT PASSED OVER TEMPORARILY

The SPEAKER. We will go over the bill temporarily.

* * *

The House proceeded to second consideration of HB 2428, PN 3552, entitled:

An Act designating the interchange of Business Route 60 with Thorn Run Road in Moon Township, Allegheny County, as the Robert E. Harper Interchange.

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

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of HB 1482, PN 3976, entitled:

An Act amending the act of July 19, 1979 (P.L.130, No.48), known as the Health Care Facilities Act, providing for photo identification tag regulations.

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. The question is, shall the bill pass finally?

(Bill analysis was read.)

The SPEAKER. On the question of final passage, the Chair recognizes the gentlelady from Lehigh County, Representative Mann.

Miss MANN. Thank you very much, Mr. Speaker.

Today I rise to bring to the members' attention the good work and the main purpose of HB 1482, the home health-care worker ID act, which will require health-care workers to wear a photo ID that will clearly identify their profession and for whom they work so that patients have a clear idea, particularly who is entering their home. As we move to a society where we are encouraging home health care and more and more of these services are being provided in people's homes, we need to ensure their safety so that they know who is coming into that home.

Additionally, there are concerns about hospital workers and other health-care providers to ensure not only that they are supposed to be there for security purposes but that indeed they hold the title they proclaim to hold, that if they are a physician, that they are truly a physician, if they are a nurse, et cetera. So this is a great protection bill on behalf of patients across the Commonwealth.

I very quickly just want to say that there have been a lot of stakeholders in this process that have been very helpful, including the Hospital Association, the PA Medical Society, and the PA Homecare Association.

And additionally, I want to thank my colleague, Tom Killion, who was very, very helpful, him and his staff. I am bringing together a bill that he had introduced with similar goals. I want to thank him for his work. Additionally, I want to thank Chairman McGeehan and his fine staff on Professional Licensure for working with us to expedite and streamline this bill. And lastly, Mr. Speaker, I just want to thank you in advance for your support on this commonsense piece of legislation, HB 1482.

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—197

Table with 4 columns of names: Adolph, Baker, Barbin, Barrar, Bear, Belfanti, Benninghoff, Beyer, Bishop, Boback, Boyd, Boyle, Bradford, Brennan, Briggs, Brooks, Brown, Burns, Buxton, Caltagirone, Casorio, Causer, Christiana, Clymer, Everett, Fabrizio, Fairchild, Farry, Fleck, Frankel, Freeman, Gabig, Gabler, Galloway, Geist, George, Gerber, Gergely, Gibbons, Gillespie, Gingrich, Godshall, Goodman, Grell, Grove, Grucela, Hahn, Haluska, Hanna, Lentz, Levdansky, Longietti, Mahler, Mahoney, Major, Manderino, Mann, Markosek, Marshall, Marsico, Matzie, McGeehan, McI. Smith, Melio, Metzgar, Miccarelli, Micozzie, Millard, Miller, Milne, Mirabito, Moul, Mundy, Murphy, Reed, Reese, Reichley, Rock, Roebuck, Rohrer, Ross, Sabatina, Sainato, Samuelson, Santarsiero, Santoni, Saylor, Schroder, Seip, Shapiro, Siptroth, Smith, K., Smith, M., Smith, S., Solobay, Sonney, Staback, Stern, Stevenson

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

NAYS-3

Metcalfe	Perry	Roae
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NOT VOTING-0

EXCUSED-2

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

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

* * *

The House proceeded to third consideration of **HB 2302, PN 3438**, entitled:

An Act amending the act of April 16, 1992 (P.L.155, No.28), known as the Assessors Certification Act, further providing for nonapplicability.

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-200

Adolph	Fabrizio	Longiatti	Reed
Baker	Fairchild	Maher	Reese
Barbin	Farry	Mahoney	Reichley
Barrar	Fleck	Major	Roae
Bear	Frankel	Manderino	Rock
Belfanti	Freeman	Mann	Roebuck
Benninghoff	Gabig	Markosek	Rohrer
Beyer	Gabler	Marshall	Ross
Bishop	Galloway	Marsico	Sabatina
Boback	Geist	Matzie	Sainato
Boyd	George	McGeehan	Samuelson
Boyle	Gerber	McI. Smith	Santarsiero
Bradford	Gergely	Melio	Santoni
Brennan	Gibbons	Metcalfe	Saylor
Briggs	Gillespie	Metzgar	Schroder
Brooks	Gingrich	Miccarelli	Seip
Brown	Godshall	Micozzie	Shapiro
Burns	Goodman	Millard	Sipthroth
Buxton	Grell	Miller	Smith, K.
Caltagirone	Grove	Milne	Smith, M.
Carroll	Grucela	Mirabito	Smith, S.
Casorio	Hahn	Moul	Solobay
Causar	Haluska	Mundy	Sonney
Christiana	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	Pallone	Thomas
Curry	Hickernell	Parker	Toepel
Cutler	Hornaman	Pashinski	True
Daley	Houghton	Payne	Turzai
Day	Hutchinson	Payton	Vereb
Deasy	Johnson	Peifer	Vitali
Delozier	Josephs	Perry	Vulakovich
DeLuca	Kauffman	Perzel	Wagner
Denlinger	Keller, M.K.	Petrarca	Wansacz
DePasquale	Keller, W.	Petri	Waters
Dermody	Kessler	Phillips	Watson
DeWeese	Killion	Pickett	Wheatley
DiGirolamo	Kirkland	Preston	White
Donatucci	Knowles	Pyle	Williams
Drucker	Kortz	Quigley	Youngblood
Eachus	Kotik	Quinn	Yudichak
Ellis	Krieger	Rapp	
Evans, D.	Kula	Ravenstahl	McCall,
Evans, J.	Lentz	Readshaw	Speaker
Everett	Levdansky		

NAYS-0

NOT VOTING-0

EXCUSED-2

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

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

* * *

The House proceeded to third consideration of **HB 1322, PN 4057**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for the period of limitation relating to claims of adverse possession under certain circumstances; and providing for uniform notice, for mesne profits and for reimbursement.

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—181

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

NAYS—19

Bear	Gillespie	Metzgar	Rock
Creighton	Grove	Moul	Rohrer
Cutler	Kauffman	Oberlander	Sonney
Denlinger	Krieger	Perry	Tallman
Gabler	Metcalfe	Roae	

NOT VOTING—0

EXCUSED—2

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

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

* * *

The House proceeded to third consideration of **HB 2490, PN 4058**, entitled:

An Act amending the act of May 17, 1921 (P.L.789, No.285), known as The Insurance Department Act of 1921, in insurance producer licensing, providing for life, accident and health insurance.

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—200

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

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

NAYS—0

NOT VOTING—0

EXCUSED—2

Oliver Scavello

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.

LEAVE OF ABSENCE

The SPEAKER. Turning to leaves of absence, the Chair recognizes the minority whip, Representative Turzai, who requests a leave for the gentleman from Centre County, Representative BENNINGHOFF, for the remainder of the day. Without objection, the leave will be granted.

STATEMENT BY MR. JOHNSON

The SPEAKER. For what purpose does the gentleman from Philadelphia County, Representative Johnson, rise?

Mr. JOHNSON. Unanimous consent.

The SPEAKER. Without objection, it is granted.

Mr. JOHNSON. Thank you, Mr. Speaker.

Mr. Speaker, I would like to thank my colleagues on both sides of the aisle for the affirmative vote for HB 2490. Thank you very much.

SUPPLEMENTAL CALENDAR A CONTINUED

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 2480, PN 3723**, entitled:

An Act designating the Piper J-3 Cub as the official State aircraft of the Commonwealth of Pennsylvania.

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

The SPEAKER. Is the gentleman withdrawing his amendment? Is the gentleman withdrawing his amendment? The Chair recognizes the gentleman from Clinton County, Representative Hanna, who offers amendment A07233, which the clerk will read.

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

Mr. HANNA offered the following amendment No. **A07233**:

Amend Bill, page 2, line 11, by striking out "in 60 days" and inserting immediately

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

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

Mr. HANNA. Thank you, Mr. Speaker.

This amendment simply changes the effective date from 60 days to immediately.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—199

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

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

NAYS-0

NOT VOTING-0

EXCUSED-3

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

On the question,

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

Bill as amended was agreed to.

(Bill as amended will be reprinted.)

* * *

The House proceeded to second consideration of **HB 2521, PN 3753**, entitled:

An Act providing for anatomic pathology service disclosure.

On the question,

Will the House agree to the bill on second consideration?

Mr. **DeLUCA** offered the following amendment
No. **A07934**:

Amend Bill, page 2, lines 19 through 27, by striking out all of said lines

Amend Bill, page 3, lines 7 through 30; page 4, lines 1 through 25, by striking out all of said lines on said pages

Amend Bill, page 4, line 27, by inserting after "provider" or any physician group practice

Amend Bill, page 5, lines 7 through 21, by striking out all of lines 7 through 20 and "(c) Violation.-" in line 21

On the question,

Will the House agree to the amendment?

The **SPEAKER**. On that question, the Chair recognizes the gentleman from Allegheny County, Representative DeLuca.

Mr. DeLUCA. Thank you, Mr. Speaker.

Mr. Speaker, this is a technical amendment that has been agreed to by the stakeholders, the Medical Society, and the pathologists. So I would ask for an affirmative vote on amendment A07934. Thank you.

The **SPEAKER**. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS-199

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

Day	Hutchinson	Payne	Turzai
Deasy	Johnson	Payton	Vereb
Delozier	Josephs	Peifer	Vitali
DeLuca	Kauffman	Perry	Vulakovich
Denlinger	Keller, M.K.	Perzel	Wagner
DePasquale	Keller, W.	Petrarca	Wansacz
Dermody	Kessler	Petri	Waters
DeWeese	Killion	Phillips	Watson
DiGirolamo	Kirkland	Pickett	Wheatley
Donatucci	Knowles	Preston	White
Drucker	Kortz	Pyle	Williams
Eachus	Kotik	Quigley	Youngblood
Ellis	Krieger	Quinn	Yudichak
Evans, D.	Kula	Rapp	
Evans, J.	Lentz	Ravenstahl	McCall,
Everett	Levdansky	Readshaw	Speaker
Fabrizio			

NAYS—0

NOT VOTING—0

EXCUSED—3

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

On the question,

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

The SPEAKER. Is the gentleman from York County, Representative Saylor, withdrawing his amendment? The gentleman indicates he is withdrawing his amendment. The Chair thanks the gentleman.

On the question recurring,

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

Bill as amended was agreed to.

(Bill as amended will be reprinted.)

STATEMENT BY MR. WATERS

The SPEAKER. For what purpose does the gentleman from Philadelphia, Representative Waters, rise?

Mr. WATERS. Unanimous consent.

The SPEAKER. The gentleman is granted unanimous consent, without objection.

Mr. WATERS. Thank you, Mr. Speaker.

Mr. Speaker, I would like to ask if we could have some order in the chamber, please.

The SPEAKER. The House will come to order. The House will come to order.

Mr. WATERS. Mr. Speaker, as we all know, if we pay attention to the board, we cannot help but to see that one of our members, who happens to be the longest standing member currently serving in this chamber, has been out on leave. The member, I talked with him today, and he told me that he had to

stay home because he had to take care of himself following doctor's orders. He also said that he is getting better, he is getting better all the time, and right now he is about 95 percent in shape to come back. And he also said to let everyone know that he missed you all and he missed this chamber because of the good things that we do here, and he called me to congratulate us for passing a budget on time.

But he also said that since he is 95 percent, that if we be patient, he will be back. But I am saying I want him to come back soon, because I miss my colleague and my friend, and I am talking about Representative Frank Oliver, who is watching us on TV right now. So everyone, let us give Representative Frank Oliver a round of applause. So now perhaps that 5 percent, we just filled that gap, since "gap" is a big word right now. I hope we just filled that gap and made him 100 percent.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair echoes the statements of the gentleman, Representative Waters, certainly wishing Godspeed to Representative Oliver in wishing for his speedy return to the House of Representatives. We miss him. He is a good friend and a very strong Representative who represents his district to the fullest of his ability.

Godspeed to you, Frank.

For the information of the members, we are going to put regular session in recess and convene special session at 3:53 p.m.

RECESS

The SPEAKER. The House will stand in recess.

AFTER RECESS

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

LEAVES OF ABSENCE

The SPEAKER. Turning to leaves of absence, the Chair recognizes the majority whip, Representative Dermody, who requests a leave of absence for the gentleman from Philadelphia County, Representative DONATUCCI, for the remainder of the day. Without objection, the leave will be granted.

The Chair recognizes the minority whip, Representative Turzai, who requests a leave of absence for the gentleman from Butler County, Representative ELLIS, for the remainder of the day. Without objection, the leave will be granted.

MOTION TO PROCEED TO CONSIDERATION UNDER RULE 24

The SPEAKER. The Chair recognizes the majority leader, who moves that pursuant to rule 24, that members have had sufficient time to review the language and that the House proceed with consideration of HB 1774, PN 4065.

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

The following roll call was recorded:

YEAS—169

Adolph	Farry	Levdansky	Reese
Baker	Fleck	Longiotti	Reichley
Barbin	Frankel	Mahoney	Rock
Barrar	Freeman	Major	Roebuck
Bear	Gabig	Manderino	Ross
Belfanti	Gabler	Mann	Sabatina
Beyer	Galloway	Markosek	Sainato
Bishop	Geist	Marsico	Santarsiero
Boback	George	Matzie	Santoni
Boyd	Gerber	McGeehan	Saylor
Boyle	Gergely	McI. Smith	Seip
Bradford	Gibbons	Melio	Shapiro
Brennan	Gingrich	Miccarelli	Siptroth
Briggs	Godshall	Micozzie	Smith, K.
Brown	Goodman	Millard	Smith, M.
Burns	Grove	Miller	Smith, S.
Buxton	Grucela	Mirabito	Solobay
Caltagirone	Hahn	Moul	Sonney
Carroll	Haluska	Mundy	Staback
Casorio	Hanna	Murphy	Stern
Causar	Harhai	Murt	Stevenson
Clymer	Harhart	Mustio	Sturla
Cohen	Harkins	Myers	Taylor, J.
Conklin	Harper	O'Brien, D.	Taylor, R.
Costa, D.	Harris	O'Brien, M.	Thomas
Costa, P.	Helm	O'Neill	True
Cruz	Hennessey	Parker	Turzai
Curry	Hess	Pashinski	Vereb
Daley	Hickernell	Payne	Vitali
Deasy	Hornaman	Payton	Vulakovich
DeLuca	Houghton	Peifer	Wagner
Denlinger	Johnson	Perzel	Wansacz
DePasquale	Josephs	Petrarca	Waters
Dermody	Keller, M.K.	Petri	Watson
DeWeese	Keller, W.	Phillips	Wheatley
DiGirolamo	Kessler	Pickett	White
Drucker	Killion	Preston	Williams
Eachus	Kirkland	Pyle	Youngblood
Evans, D.	Knowles	Quigley	Yudichak
Evans, J.	Kortz	Quinn	
Everett	Kotik	Ravenstahl	McCall,
Fabrizio	Kula	Readshaw	Speaker
Fairchild	Lentz	Reed	

NAYS—28

Brooks	Gillespie	Metcalfe	Roae
Christiana	Grell	Metzgar	Rohrer
Cox	Hutchinson	Milne	Samuelson
Creighton	Kauffman	Oberlander	Schroder
Cutler	Krieger	Pallone	Swanger
Day	Maher	Perry	Tallman
Delozier	Marshall	Rapp	Toepel

NOT VOTING—0

EXCUSED—5

Benninghoff	Ellis	Oliver	Scavello
Donatucci			

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.

CALENDAR CONTINUED

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1774, PN 4065**, entitled:

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, further providing for marketing and administration of service contracts being distinct from the business of insurance.

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—197

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

Dermody	Killion	Phillips	Watson
DeWeese	Kirkland	Pickett	Wheatley
DiGirolamo	Knowles	Preston	White
Drucker	Kortz	Pyle	Williams
Eachus	Kotik	Quigley	Youngblood
Evans, D.	Krieger	Quinn	Yudichak
Evans, J.	Kula	Rapp	
Everett	Lentz	Ravenstahl	McCall,
Fabrizio	Levdansky	Readshaw	Speaker
Fairchild	Longietti	Reed	

NAYS—0

NOT VOTING—0

EXCUSED—5

Benninghoff	Ellis	Oliver	Scavello
Donatucci			

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

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

SUPPLEMENTAL CALENDAR A CONTINUED

BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of **SB 1169, PN 1775**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for sentencing generally and for collection of restitution, reparation, fees, costs, fines and penalties.

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

The SPEAKER. Is it the Chair's understanding that the gentleman, Representative Turzai, is withdrawing his amendments? The Chair thanks the gentleman.

Is the gentleman from Somerset, Representative Metzgar, withdrawing his amendments? The Chair thanks the gentleman.

Is the gentleman, Representative Caltagirone, offering his amendment?

Mr. CALTAGIRONE. Yes, Mr. Speaker.

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

Mr. CALTAGIRONE offered the following amendment No. **A07920**:

Amend Bill, page 1, line 2, by inserting after "for" costs, for Commonwealth portion of fines, etc., for Amend Bill, page 1, lines 7 and 8, by striking out all of said lines and inserting Section 1. Sections 1725.1(f)(1) and 3571(c)(4) of Title 42 of the Pennsylvania Consolidated Statutes are reenacted and amended to read: § 1725.1. Costs.

(f) Annual increase in costs.—

(1) Except as provided in paragraph (2), beginning on January 1, 1994, and each January 1 thereafter, the costs under subsections (a), (b) and (c) shall be increased by the percentage of increase in the Consumer Price Index for Urban Workers for the immediate preceding calendar year which shall be published in the Pennsylvania Bulletin annually by the Supreme Court on or before the preceding November 30. This subsection shall expire January 1, [2010] 2025.

§ 3571. Commonwealth portion of fines, etc.

(c) Costs in magisterial district judge proceedings.—

(4) Except as provided in paragraph (5), beginning on January 1, 1994, and each January 1 thereafter, the costs under paragraph (2) shall be increased by the percentage of increase in the Consumer Price Index for Urban Workers for the immediate preceding calendar year which shall be published in the Pennsylvania Bulletin annually by the Supreme Court on or before the preceding November 30. This paragraph shall expire January 1, [2010] 2025.

Section 2. Section 9721 of Title 42 is amended by adding a subsection to read:

Amend Bill, page 2, line 6, by striking out "2" where it occurs the first time and inserting

3

Amend Bill, page 3, line 20, by striking out "3" and inserting

4

Amend Bill, page 3, line 21, by striking out "act" and inserting section

Amend Bill, page 3, line 22, by striking out "4" and inserting

5

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

The SPEAKER. On that question, the Chair recognizes the gentleman from Berks County, Representative Caltagirone.

Mr. CALTAGIRONE. Thank you, Mr. Speaker.

This is an extension of current law that was overlooked in January 2010 which reflects the Consumer Price Index for Urban Workers, and there is an urgency to get this done. It is not an increase. It is basically keeping the status quo of the sunset provision carrying forward. We have done this every year, and I would ask the members for their approval on this amendment.

Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—197

Adolph	Farry	Maher	Reese
Baker	Fleck	Mahoney	Reichley
Barbin	Frankel	Major	Roae
Barrar	Freeman	Manderino	Rock
Bear	Gabig	Mann	Roebuck
Belfanti	Gabler	Markosek	Rohrer
Beyer	Galloway	Marshall	Ross
Bishop	Geist	Marsico	Sabatina
Boback	George	Matzie	Sainato
Boyd	Gerber	McGeehan	Samuelson
Boyle	Gergely	McI. Smith	Santarsiero

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

NAYS-0

NOT VOTING-0

EXCUSED-5

Benninghoff	Ellis	Oliver	Scavello
Donatucci			

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

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

(Bill as amended will be reprinted.)

CALENDAR CONTINUED

**BILL ON CONCURRENCE
IN SENATE AMENDMENTS**

The House proceeded to consideration of concurrence in Senate amendments to **HB 67, PN 3792**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, defining "interactive wireless communications

device"; further providing for junior driver's license and for suspension of operating privilege; prohibiting interactive wireless communications devices; and further providing for duty of driver in construction and maintenance areas or on highway safety corridors, for duty of driver in emergency response areas, for accident report forms, for department to compile, tabulate and analyze accident reports, for television equipment, for general requirements for other vehicles transporting school children and for restraint systems.

On the question,
Will the House concur in Senate amendments?

The SPEAKER. The gentleman, Representative Geist, has filed an amendment to the bill that would require a rules suspension. Is the gentleman offering the amendment? The gentleman is waiving off, withdrawing the amendment.

On the question recurring,
Will the House concur in Senate amendments?

The SPEAKER. On that question, the Chair recognizes the gentledady from Bucks County, Representative Watson.

The House will come to order.
Mrs. WATSON. Thank you, Mr. Speaker.

Mr. Speaker, it is unusual for me to rise to speak on a bill. I try to save my speeches for times that I think are just critically important because many of you are eloquent and I am happy to let you speak for me.

HB 67, this is the bill that started out originally as a teen driving bill, and it contains legislation that I have worked on since 2005. This bill and my comments are not about me. I tell you briefly something at the beginning because I think it is important to say to you, I have a good knowledge, and I think I have proven that I have the passion about this issue. Let me also say that I am very fortunate. My passion comes from being interested in highway safety that goes back to 1989, when I started a program for Bucks County. But I am fortunate that I have never had to live through the experience that the parents I have met over the course of these years have in losing a child in a traffic crash. What I have done is school myself and understand what we could do, following graduated driver licensing law passed in 1999, that would save more lives of the young, inexperienced driver, 16 1/2 to 18.

I was very happy when, indeed, my bill was morphed into HB 67, because I have no pride of ownership. I simply care that, ultimately, we do the right thing for the young people in this Commonwealth. I recognize fully that the bill, Mr. Speaker, you have in front of you and you can pull up on your screen and take a look at, and I am sure you have had discussions about it in each caucus, is not the bill that, actually, I put forth for the last 5 years, three sessions. This bill has been altered significantly by the Senate.

I have spent countless hours, when I did not have to be on the House floor, in the Senate over the last 5 years, meeting Senators and trying to understand different perspectives as to why they would be opposed to language that I proposed. This is very difficult for me, personally, to stand here and say to you, as I am about to do, that respectfully—

Could I get some order, sir, Mr. Speaker? I am sorry.

The SPEAKER. The gentledady deserves to be heard. The House will come to order.

Mrs. WATSON. Thank you, Mr. Speaker.
Mr. Speaker, thank you. I really think this is important.

But this is very difficult for me to stand before you as I am and say to you with the same passion that I have used for the last 5 years to drive me to support teen driving legislation, when I was labeled as a "hysterical soccer mom"—that is one of my personal favorites – but to say to you that I am willing to vote for concurrence on a bill with my legislation language in it that has been significantly weakened. That is not something I do lightly. In fact, I have spent countless hours going back and forth and doing what you do, making a list of what is good, what is bad, what should I do.

Let me say to you, what drives me to say I will concur is really in two parts. Number one, this legislation does contain some restriction – notice my words; I am an English teacher, so I am careful – some restriction, not enough, but some on the number of teen passengers in an inexperienced driver's vehicle. Most importantly, it contains exactly the language that we pushed for for 5 years for young people being properly restrained. That means, according to all the crashes you have heard of and, certainly, all the ones I have read for years in every county, 50 percent – please hear this – 50 percent of the young people who are killed in these traffic crashes die because they are not properly restrained. In plain English, they did not have a seat belt on. If passed and we concur, this legislation would require, primary law, they have to be buckled up, meaning that the police officers who have contacted me over time say they could stop the teens when they see them go by in the vehicle because they are not restrained.

Mr. Speaker, 50 percent of the crashes resulting in death of a young person come because they are not buckled up. With this law, flawed as you may see it, or not significant enough as I see it, and not having all that you and I both think should be there, but we would make a difference in the lives of many young people, and we would potentially save lives.

And the good news is, this institution has gone on for over 300 years. We will be back, some of us, we hope, next session, and it is always easier, and you all have taught me that over time, to amend a law that exists than to start over and have a new law proposed, and certainly, I am aware of that since this is at least my third going, it would be my fourth in January if I were so lucky to be back, to start over again on teen driving.

I have had the opportunity to speak to many of the families because they have contacted me. I know that among the families there is some concern that this is not strong enough. I understand that concern. I just got off the phone with a mother who recently, as in last fall, lost her son, and I know she has written to some of you. She still maintains having lived through this and having served on a school board and worked with children over the years aside from her own. This is, and she said to me, this is better than nothing.

Mr. Speaker, I wish that I truly believed, and all of my walking across the rotunda had proved to me, that if we nonconcur, we will have a conference committee and we will be able to sway the Senate members to change and do what we know is best. Truthfully, Mr. Speaker, if I thought there was any hope, I would do that, and I would certainly petition my leaders, can I be on that conference committee or at least sit in the room? I will hold up card signs, supply material; I will do whatever you would ask me to do. Mr. Speaker, please hear me, I say to you truly, as the person who spent, I think, the longest time, with the exception of the Speaker. Speaker McCall actually had, when I first got here, he actually had a bill that restricted the number of passengers in a vehicle when he was on

Transportation and I got there, and he said to me, no, you can take this over, and then I expanded it. So maybe he has had longer time, but I am probably the one with the longest time on this issue. I say to you, please hear me. We will not get this, anything like this, at all this session. If we vote to nonconcur, we will not get this. Will I promise you that I will still come back? You bet I will. As I said to some folks in my caucus, assuming I win the election and I do not die by January, I will be back with a whole new bill and I will start the process all over, and I will go back to my charts of every member and what they have said and what I think I can do.

But I say to you, Mr. Speaker, summer is coming. We have a chance to make things better. If we concur, we do not get everything we want. My line is, we get a third of the loaf, definitely not even half. But the one thing I know, having looked at those statistics, there will be lives saved because we will have a primary seat belt law for young people up to age 18, something we have never had in the Commonwealth of Pennsylvania.

And I really, I guess, am, if I can get your attention, begging you to please concur, and saying to you, this is not something in all my years here I expected to stand here and support a bill that has been significantly weakened to what I want. But one thing that serving in the legislature has taught me was that I had to learn that I probably could not get everything I want the first time out and that what I usually refer to as my stubbornness, but call perseverance, would come into play and I would just come back. I assure you, I will come back, and I know I will have most of you with me to improve on it, but we need to get a law on the books to then work on, and this will be our first. In all the years I have been here, we never got that close.

I know many of you have been contacted to nonconcur. I know some of you have the idea that you need to explain and straighten out the Senate. I have heard that, too. I do not deny those feelings, and I do not deny that we had the right idea, but I am asking you to look and think in terms of the young people and the lives we will save with this third of a loaf. And understand, with all due respect to those of you who oppose gambling, I would gamble if I really thought I could win in a conference committee or anything else before the end of this session. I truly have checked. I honestly know that will not happen.

And I ask you, please, would you consider and please vote to concur, recognizing we have more work to do, promising that I certainly will help you open up my files to anybody to do that work. But I really ask for your support for the families who have lost children, for those children who have been lost, but more importantly, for the numbers of children whose lives – I know they do not like to be called children, young people – for the number of lives we will save of those young people, 16 1/2 to 18 years old.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the lady.

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

Mr. GRUCELA. Thank you, Mr. Speaker.

Mr. Speaker, while I respectfully understand the position of my colleague from across the aisle, I believe the system that we do have in place for legislation, which would lead to a conference committee, will make this a much better bill with the ideas that we really had in the first place. Unfortunately, I believe the Senate has watered this down way too much. My

colleague mentioned a third. I am not even sure it is a third. I think it should be completely reviewed by a conference committee where, I think, it can come to a much better law and we would have a law.

I would only say in conclusion, if we really, truly want to help young individuals become better drivers, we ought to mandate driver education in the schools, like they do in other States, or at least give the schools the opportunity to contract with professionals to teach these young people to drive. There is no guarantee that a parent is a good driver. I have said this to many classes that I have talked to and I have had many young people agree with me that they would not want their mom or dad to teach them how to drive. I say that, you know, tongue in cheek, but it is true. I think we should have either educators or professionals teaching these young people, and other States mandate it and I think Pennsylvania ought to do the same.

Thank you, Mr. Speaker.

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

Mr. MARKOSEK. Thank you, Mr. Speaker.

Mr. Speaker, I reluctantly rise today to ask for nonconcurrence on my own bill, and this is a decision, very similarly to the gentledady, Mrs. Watson, that did not come easily, or one that I did not agonize over. It is tough to get legislation anywhere near being passed and yet to get this close and decide and make a decision to ask for nonconcurrence to send the bill to conference committee when it is so close to, perhaps, becoming law, and I would not have done that had I not looked at what the bill actually does and what the Senate did to the bill.

We have worked hand in hand, the entire Transportation Committee. We have had four hearings, the recent of which was just last April in Philadelphia at the Lifesavers Conference, four hearings on teen driving and distracted driving. We have had a tour of the Children's Hospital of Philadelphia, where we actually went in and viewed some of the hazards and the results of some of these very, very, tragic instances that have occurred because of distracted driving or because of unruly teen driving. We have seen the very tragic results that have come from this, and it makes this legislation even more important, that we have something on the books in Pennsylvania that is really meaningful and is worthwhile.

Keep in mind that if this bill does become law, it becomes the law of the land in Pennsylvania. It trumps all of the various other municipal laws that have been passed and that have been passed because it has been popular to pass these things, it has been popular to crack down on teen driving, it has been popular to crack down on distracted cell phone use and texting while driving. And by us allowing this to become law, we have essentially replaced all of the other laws that have already been passed around the Commonwealth, in some of our major cities, that are even reasonably stronger than this.

I think both Representative Watson and Representative Grucela said it right, this is not a half a loaf, and I have been in positions where, yeah, give me a half a loaf; I know what it is like here; I know the compromise; I know the wheeling and dealing that has to go on sometimes to get bills passed. I am not a novice at this, but this is not even close to half a loaf or even a third of a loaf. This bill as it is written now does not do a whole lot. Yes, it does have the mandatory primary offense of seat belts for the younger drivers, but as an example, we had in here to add 15 hours of training for novice drivers, 15 hours, and the

Senate inexplicably took that out. I can understand the controversy over cell phones and primary and secondary and even a little bit of texting, although I think it is pretty popular for us to do something relative to texting. They removed the adult part of texting out of this bill as well. Inexplicably, they have watered this bill down to where, unfortunately, I do not think it is worth us having it passed and becoming the law of the land.

So I would respectfully ask all of my colleagues in a very sincere fashion to please nonconcur on this legislation. Let us get it into a conference committee where we do have an opportunity to make it better, because if we do not, if we allow this to go, the whole idea that, well, we will come back next session and strengthen it, I think any veteran legislator in this room knows that that is a pretty far-out thing to ask for, and the likelihood of that occurring after we do this today is going to be very, very unlikely.

So I would ask all our members here today to please nonconcur on HB 67. Let us get it into a conference committee and get a stronger bill for Pennsylvania. Thank you.

The SPEAKER. The Chair thanks the gentleman and recognizes the gentleman from Allegheny County, Representative Maher.

Mr. MAHER. Thank you, Mr. Speaker.

I think it is important for us to distinguish that we really have two distinct subjects at hand. One is about young drivers, and the other is about distracted drivers. Now, I know young drivers can also be distracted drivers and this bill in its current form addresses that, but there is another solution here, which is to go forward with advancing safety among young drivers, which we can do today, and this bill would become law and in effect before youngsters are returning to school in the fall, before the fall football games. I am afraid that what we really have here is a controversy about whose name is on a bill. I am more concerned about whose names will be in the obituaries.

Let us act today to advance young driver safety. And remember that for almost exactly a year, July 9 of last year, SB 143, the texting ban, was delivered to this chamber and has been sitting idle in the Transportation Committee, and I would suggest to the chairmen of the Transportation Committee that they cultivate that genuine passion on the distracted driving and look at SB 143, report it from committee. Let us move that bill and send that back to the Senate, because if the Senate is willing to engage on that subject, we might as well send them a bill that is written the way that we would like it to be. And in the meantime, real children, real lives, can be saved.

So please, let us do the right thing. This is the biggest advance in young driver safety since Representative Geist authored the original law back in 1999. Thank you.

The SPEAKER. The Chair recognizes the minority whip, Representative Turzai.

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

I rise in support of concurrence. The bottom line is, this bill will save lives. We can do additional legislation to add additional protections, but the fact of the matter is, right now this bill will save lives. Seat belt law will be primary for 17-year-olds and under. It still contains cell phone and texting ban for junior drivers. It still has passenger restrictions for junior drivers. These are great things.

There are additional provisions I certainly could vote for to provide safety. I am for those, but today those three provisions will save lives. Vote to concur. Thank you.

The SPEAKER. On the question, the Chair recognizes the gentleman from Cumberland County, Representative Gabig.

Mr. GABIG. Thank you, Mr. Speaker.

I guess rather than interrogating anyone, I will just say a couple of things. I respect the arguments that were made on both sides. I respect both arguments and the people that made them. I did talk to the gentlelady from Bucks County offline, so to speak, and she indicated that it was her belief that if we did concur in this bill and it was sent to the Governor, that he would sign the bill. He has not indicated that he would veto the bill, in other words.

So I think in light of that, I think where we come down as a policy, as the interest in the best policy, I think it would be to concur. And I would only share with my colleagues here two incidents in my life that – one was a little longer ago, and one is more recent – but would show, the personal experiences that would show exactly what the gentlelady from Bucks County and the gentleman that just spoke from Allegheny County, on too many children being in the car, too many teenagers in the car and they get revved up and they lose a sense of safety and bad things happen. We know that. And there was an incident right before I came up here; it was one of the last cases I had to deal with as a prosecutor over in Cumberland County. I was woken up in the middle of the night, I was on call, and I had to go over to a neighborhood and there was a colleague of mine who worked at the Attorney General's Office that had been walking his dog and had been run over and killed blocks away from his house by a car driven by a teenage driver with too many teenagers in the car and they were all revved up. It was just a heartbreaking situation. You had to go to his funeral; you see his son. We have a 5k every year to try to commemorate and have a scholarship for his orphan son. But that issue of too many teens being in the car, that is an example.

Just a couple of years ago, I had to go to a black-tie event at Dickinson College in my district, a couple of blocks from my house, and there was a screech outside my house. My wife was getting dressed up; we were getting ready to go out there. She is a veterinarian and was a medical technologist, sort of a medical-type person. The screech right outside my house, I live on a corner, you go out there running and there was a 16-year-old boy that had been thrown from the car, head trauma; she held him in her arms as his life slipped away. No seat belt.

So this bill here addresses those two concerns, those very concerns, that we can really save lives, and I just think that we should put this on the Governor's desk and continue to work. We cannot solve every problem all at once with one piece of legislation. This will do good today for Pennsylvanians. So I agree with the concurrence. Thank you, Mr. Speaker.

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

Mr. ROSS. Thank you, Mr. Speaker.

And if I ask the members to cast their minds back on when HB 67 left the House, you should remember there was a very long and extensive debate about this, which I was pretty actively a participant in, Mr. Speaker, and I was pleased that the House took up the ideas that I put forward and put them into the bill. So really, there should be no one here more disappointed in what the Senate did than myself. But it is not about me; it is about what is in the bill, not what is not in the bill. We are asked to vote on the language that is in front of us, and we are asked to vote on whether that is in the best interest of the public or not.

We are not asked to vote on if we could rewrite this bill, would we rewrite it differently. There are very few bills that would meet that standard. And to say that we will never have another chance to deal with the issue of distracted drivers in the general population is simply false, and all of us know that it is false. So let us focus on the language that is actually in the bill, which relates to young drivers who we all know have a history of high accidents and whose accidents create devastation among their family, their friends, and the population at large. Does this help to make those young drivers safer? That is what is in this bill. There is nothing in here about all the other issues that people would like to have in this bill; it is just that language.

If you vote against concurrence on that language, you are interfering with those good provisions that protect young drivers and are going to help our families and the people in the Commonwealth. We are not going to allow that to go into law. We are going to, at the very least, delay it, and based on the information that we have from our colleagues in the Senate, we are going to delay it for a long period of time.

So vote on the language that is in the bill, not on what might have been in the bill, and please vote for concurrence.

The SPEAKER. The Chair recognizes the gentlelady from Lebanon County, Representative Gingrich.

Mrs. GINGRICH. Thank you, Mr. Speaker.

Mr. Speaker, I want to let you know I appreciate the total commitment we have to the safety of our children and especially to our young drivers.

I rise at this point to support concurrence for the bill in its current fashion that has come back to us from the Senate. I am no happier than anyone else is that this critical issue got layered in with a number of other issues that alter the full focus of the bill, but look, Mr. Speaker, we are enlightened and practical people. You do not always get what you want, and this is going to be one of those times, and we ought to be used to it. A lot of tremendous work went into this bill. It could have been far better as many of the pieces of legislation that we managed to get through could be, but this is a bill that is going to save lives.

I would like to take a minute to tell you two experiences that come to my mind immediately. In the past year in my county, and think about what has happened in your own location, we lost a young driver who had had a license for just a couple of weeks. Very excited about having a license, having a car, he picked up four of his other friends after school, jammed them all into his little sedan, hit the road to give everybody a ride home. Unfortunately, his judgment, his distance judgment, in his naiveté, was not what it should have been. When he saw a tractor-trailer pull out in front of him, his judgment was that he was far enough back at the speed he was going. He was not. That car went under the tractor-trailer. That young man lost his life, and you can imagine the tragic way that dismantled his body. And the other four students, young people, were drastically injured as well and lucky to have their lives.

The other point I want to make to you today, just to think about the importance of being able to make a difference in the safety behind the wheel for our young students. I worked with a bunch of students when we worked together on lowering the blood donor age to 16. We worked hard on that. We have increased the blood supply across the Commonwealth by about 50 percent, and we should be proud. A young Scout called me the other day. She said I am going to turn 16; I called my dad and I said there are two things I want to do. On my 16th birthday, I want to take my driver's test, my learner's

driver's test, and I want to go give blood, because I know all of my friends are getting their driver's permits now and going to be behind the wheel this summer. I also know how excited my friends are about driving, and I know that we are going to have accidents. I want to be a blood donor at the same day that I get my driver's license so that I will be there, blood donors will be there, to take care of the need that is inevitably going to arise.

This bill is designed to protect our children. The seat belt law alone, although it is nowhere near what it needs to be or what we want it to be, it does make a difference, and that is why we are here, to make a difference. So please join me. Think about things you have seen. Think about what you know is going to happen if we do not make a difference and make the difference now. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the lady and recognizes the gentleman from York County, Representative DePasquale.

Mr. DePASQUALE. Thank you, Mr. Speaker.

Three years ago I introduced a statewide primary bill that would ban all texting while driving, and I have been fighting for that for 3 1/2 years. I just want to let you know, just so there is no confusion, I talked to my good friend from Allegheny on that, that talked about the Senate bill that is sitting in Transportation right now. I am very familiar with that bill because they took that bill of mine, copied it word for word, changed "primary" to "secondary," and kicked it out of the Senate, and that is why it sits in the Transportation Committee, because it is not a strong bill, and this bill right now is not a strong bill, in my view.

Now, I want to be clear, if you believe this is good legislation – I am friends with, everyone I know here, I am friends with all of you and I will respect each of your votes – if you believe this is a good bill, vote "yes" and we are still friends, vote "no" and we are still friends, but if you believe this is a bad bill, which I believe in my heart this is a bad bill, but the attitude is I do not know if we can get anything better, this is not a half a loaf, this is not a third of a loaf, this is barely crumbs from the Pennsylvania State Senate, barely crumbs. We can do better, but we have to fight.

I think too many times, whether it be the Federal Congress or sometimes here, unfortunately, the path of least resistance is chosen. This is a time where the public is with us to fight for a better bill. As someone with two young kids, a 10-year-old and a 7-year-old, who were in our van when somebody wrecked into it while on a cell phone, I want to assure you that a fine after the fact is not nearly as strong as pulling someone over for the offense. The difference between primary and secondary for teenage drivers is huge. Again, if you are philosophically opposed to primary, I understand that and respect that, but if you are someone that believes like I do that simply fining someone after the fact is not enough of a deterrence to change their behavior, when in many instances teen drivers have their parents pay the fine, and we know that is true.

If we want to get the best bill we can, we have to nonconcur, and I concede, this will be a tough fight over the summer, it will be a tough fight in the fall, but we will win, and when we win, it will be a law that we will all be proud of. Just because the Senate guts our hard work does not mean we should fall in line.

I ask for nonconcurrency on HB 67. Thank you, Mr. Speaker.

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

Ms. HARPER. Thank you, Mr. Speaker.

How ironic it is that all of us who have worked hard to improve laws for teen drivers are on opposite sides of this issue. But we have mere hours, possibly days but I think hours, before summer recess, and mere weeks before the end of this session entirely, when any bill that does not get through the entire House and Senate will be a nullity and start over.

We all recognize that we need to do something about teen drivers. We all recognize that we need to tighten the rules. This bill does it. It is not perfect. One does what one can. Politics is the art of the possible. If we do not vote for concurrence on this bill today, we may not get the chance to do it before the session ends. The time is now. I am voting for concurrence. I am actually sure that when we come back, we can amend the bill that is currently sitting in the House Transportation Committee to add the stronger protections, but in the meantime, one does what one can. One does not have an opportunity to act and make a situation better and say no thank you.

I am voting for concurrence, and I hope you will join me, and I will work with you to make the bill stronger later. Thank you.

The SPEAKER. The Chair thanks the lady and recognizes the gentleman from York County, Representative Miller.

Mr. MILLER. Thank you, Mr. Speaker.

I rise to ask for a concurrence vote on HB 67. Most of us, with due deference to my younger colleagues in the House, grew up in a much simpler time. The roads were not as congested. We certainly did not have as many distractions as we were driving on our highways. We need to do what we can do at this point in time. I realize that many of us have objections to many measures that are in this bill, but I believe we need to do what we can do now to protect our teen drivers on the roads, and I would ask for concurrence in the amendments to HB 67.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman and recognizes the gentleman from Tioga County, Representative Baker.

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

Mr. Speaker, I rise in support of concurrence for HB 67. I think most of the members supported this legislation when it came out initially. Most people supported both speakers, the majority and the minority leaders on this issue. And as we all know, we do not always get what we want, but the Senate did their due deliberation, they made some changes, and we are now focused on what is in this legislation now and hopefully not what is not in it.

I speak from a very personal standpoint right now because in my neighborhood, in fact, across the street, a family, the mother, a schoolteacher in the community, father, a professional, himself, with children, lost one of their children under the age of 18 and seat belts, the lack of wearing a seat belt, made a huge, huge impact on the entire community, the high school, the county. And I think if we are honest, we all know someone in our family, in our extended family, in our community, in our county, somewhere may have lost a loved one because seat belts were not used.

We have a chance to do something positive and good here today. We have a chance to literally save lives in the future. Let us not fail in doing that today. You know, there is a real concern that if we nonconcur, this bill is dead on arrival in the Senate. In

fact, a staff member of my Senator, the President pro tempore, has assured me this bill is dead if we do not concur with this legislation.

Mr. Speaker, do the right thing. Try to help save lives. Do not go back to your districts and try to spin and explain to people that have lost loved ones because a seat belt was not primary why you voted against this, why you voted to nonconcur. I think we all want to see this bill stronger. We all want to see it much better. Most of us voted for it in its original form, but we have an opportunity now to make a difference, hopefully save lives and to bring some comfort to those families that have been grieving and will grieve for the rest of their lives because of the loss of their children.

Let us do the right thing, get what we can tonight, send it to the Governor for his signature. Let us make a difference and let us save lives in the future. Let us concur with this legislation. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman and recognizes the gentleman from Beaver County, Representative Matzie.

Mr. MATZIE. Thank you, Mr. Speaker.

I rise to urge nonconcurrency. You know, I have received e-mails, as every member in this esteemed chamber has, from many different groups and individuals, among them ABATE (Alliance of Bikers Aimed Toward Education), the State Police, the insurance industry, urging nonconcurrency. And I would argue that the previous speaker spoke of the Senate stating that this will be dead on arrival, I would argue that everybody watching should call their Senator and ask them why, why are you holding this back?

This bill was sent back without teeth. I urge nonconcurrency. Thank you.

The SPEAKER. The Chair recognizes the gentleman from Adams County, Representative Moul.

Mr. MOUL. Thank you, Mr. Speaker.

I think HB 67 on concurrence gives a whole new meaning to the word "conundrum." I think that we all want the same thing. We want our children safe on the highway. We do not want them with a cell phone attached to the side of their head, or what I see quite often driving home from here with my, roughly, an hour drive home, with their elbows on the steering wheel and their cell phone up against the windshield and they are trying to text messages while they drive, and we all know that eventually will lead to a catastrophe. But why in the world the Senate would ever take the teeth out of this bill is beyond me. Nothing I would like better to do or like more to do than to be able to vote "no" on this and send it to a conference committee; I would like to, but I cannot push it that way for fear we will come away from the table with nothing.

And as important as it is, I cannot see coming away from that table with nothing. I cannot go home and explain to my constituents that I voted "no" on a bill that would help make our children safer on the highway. I just cannot do it. I pray to be able to come back here at a later date and introduce a piece, someone introduce a piece of legislation, to make this bill a much better bill with some real teeth in it.

In closing, I would like to just say, again, I would rather come away from this with something for the safety of our children, and I will be voting for HB 67. I would appreciate your vote as well. 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 rise this afternoon in quite difference with a lot of my colleagues on this side of the aisle and the greatest respect for everyone in this chamber that worked on sending a bill that would give law enforcement the right tools, the easy tools to enforce a law that is there and designed to save lives.

The good gentleman introduced a bill, Representative Daley, a few years ago in which we got into an intense debate about primary and secondary offenses. In fact, the debate went so long, I think the bill had been pulled. And there is a reason for that. Secondary offenses are offenses that are after the fact. So it does not really matter if we cite a driver for texting and talking on a phone after they are in the ambulance, after the accident, after they hurt someone else. That is why I am rising and asking for a nonconcurrency vote, because we did not change this. We did not drive this conversation to where we are today. Not the Troopers Association, the Colonel of the State Police, with all the support, I am certain, of the rank and file, wants us to send legislation out of this chamber that is black and white, textbook enforceable. That will always be my argument on any piece of legislation that we send out of here with the Motor Vehicle Code.

When cars are going by, cars are in accidents, all police are concerned about are the primary offenses that they can deal with: speeding, stop signs, red lights. The right piece of legislation would be all seat belts, would be all cell phones or any other type of electronic communication, would be a primary offense. This is not about who the author is. This is not about what chamber did what. And, Mr. Speaker, let me just go out and say this, this is not about if you vote to nonconcur that you are not protecting our children; come on.

A lot of people have worked very hard on both sides of the aisle for this bill. And my comment in the newspapers, which I have taken a lot of grief for in this building – by the way, not in my district – I stand by. I have lived it. I remember when this seat belt law came out of this chamber years ago. In my tenure, working the Schuylkill Expressway and the Blue Route, not one citation was for seat belts because it was a secondary offense. We are asking, in this piece of legislation, we are asking law enforcement to issue citations to children in the back seat of the cars after, or texting in the cars, after something happened.

I respectfully request nonconcurrency. I respectfully request that we look at the letter sent from the Colonel of the State Police. And I respectfully request that we get this to conference committee, and then we will find out why such a good bill that was worked on by so many people in this chamber went over there and was changed. I have not heard the reason why.

The statistics prove that cell phones and now texting and many other methods of electronic communication while driving do not hurt people, they kill people. The seat belt law, I absolutely agree with, but texting and cell phones should be primary offenses as well. And again, leaving here and nonconcurring only forces the Senate back to the table to do what we are all saying, and that is the right thing to protect our youth and our young drivers in Pennsylvania.

Mr. Speaker, again, I request a nonconcurrency vote with great admiration and respect for all the colleagues on both sides of the aisle that have worked so hard on this bill.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman and recognizes the gentlelady from Luzerne County, Representative Boback.

Ms. BOBACK. Thank you, Mr. Speaker.

I am the gentlelady from Luzerne County, but right now, most importantly, I am a mother, and how many times I have said to my children, buckle those seat belts for safety's sake, but it gets to a point where they become older and we are not with them all the time. At least this law right now, should it become law, will help, not take our place, but remind them seat belt safety, it is the law.

I will work diligently with Representative DePasquale to promote legislation to ban cell phone usage and texting while driving, and that is a given, and I am sorry that it is not a part of this bill. But for here and now, it is seat belt safety for those we love.

And I thank you for allowing me to speak, Mr. Speaker.

The SPEAKER. The Chair thanks the lady.

The Chair recognizes the gentleman from Cambria County, Representative Barbin.

Mr. BARBIN. Thank you, Mr. Speaker.

I appreciate all the comments on both sides of the aisle, and I know everyone makes their comments with sincere hearts. The only problem is, we are missing the point. The point is not whether the House has a bill or the Senate has a bill or whether having seat belts as a part of the bill is a good thing. This bill is not about seat belts. This bill is about texting, this bill is about cell phones, and this bill is about people being killed because cell phones are being looked at while young people drive. That is all it is about.

Now, you can say anything you want about the process, but I have a feeling that most people are not particularly interested in the process. They are not particularly interested in whether the Senate believes the bill should be one way or the House bill should be another. There is one issue that is coming before the House today, and that is, are we going to do anything with any teeth in it which is going to stop young children from texting while they are driving?

Now, you can say that this is the best we can do, but people have waited almost a year for this bill to come before both houses of the legislature and there be a decision made. Instead of that, we have a watered-down bill and we have a lot of explanations that maybe we can do better next year. We have an obligation as legislators to answer the question. The citizens elected us to make the hard choice. Well, the hard choice is about texting. You are either for a primary offense or you are not for a primary offense. I am with the State Police; it is a primary offense. If you do it that way, kids will not die in as great numbers; innocent citizens will not die.

I will be voting for nonconcurrency. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman and recognizes the gentlelady from Bucks County, Representative Watson, for the second time.

Mrs. WATSON. Thank you, Mr. Speaker.

Rising once is something I do sparingly, and rising twice is something I usually do not do. Thank you very much in advance for listening.

Earlier today, I will tell you that one of my colleagues on the Transportation Committee came to me and said, you have to be your most eloquent; you have to do this. And I said, thanks for

putting a lot of pressure. This is something that I have worked on for so many years and I feel that I am not speaking for myself, but I am speaking for advocates and for some of the parents who have contacted me.

I have to say, in listening to some of the comments, and I certainly would echo one of my colleagues who said, however you go, you have to do what you do and I have to do what I do and I will still respect you. But I have to say a few things that I think are not quite accurate. I have, just earlier today, gotten off the phone with Children's Hospital and their network of highway safety advocates. They said, after 5 years, and we have worked together, they think that this is definitely something on which we should concur because of the seat belt, because I would remind you, Mr. Speaker, as someone said, right now texting is legal in Pennsylvania; there is nothing. This will make it illegal for young people. It is not, and you may argue, a punishment, and I would agree with you, but it will. We are moving ahead, and I will tell you that in the years we have had it, we have never gotten this far.

I will tell you, too, Mr. Speaker, and I know I am not eloquent enough and I do not know what to do, how to say to you, but I truly believe this is our chance now to make a difference and save some lives. It is not the final solution, but, Mr. Speaker, this is the first time ever we have had a solution to get somewhere. It does require that at least for the first 6 months, young people cannot have more than one other young person in the vehicle with them.

And, Mr. Speaker, this is education. Children's Hospital, in one of their studies, polled parents who told them, they look to the law for support. We do not replace parents, but they look to the law for support. Mr. Speaker, when a parent, and most of you are parents, says to you—

The SPEAKER. The House will come to order.

Mrs. WATSON. I am sorry, and I will try to wrap up.

But frankly, Mr. Speaker, when I talked to the folks at Children's, we were talking about the fact that parents look to the law. That came through on their 10-year study. And parents, and many of you are parents, some even grandparents, know that when you explain it to your children, well, the law says you cannot use the cell phone. The law says, and, you know, when they go around and send that message to each other on Facebook, they are not going to quibble over primary or secondary. I know I would like primary, much like you like to just step right in with your children and go, oh, no; I told you not to do that and here is the punishment. My line was always, you do the crime but you are going to do the time with me.

But, Mr. Speaker, we have moved further with doing what parents have asked us to do. We are supporting parents in what they want. Will I vote for texting again for all of us to be banned? Absolutely. Would I vote for that cell phone ban for all of us? Absolutely, and I am on those bills. Will I help, certainly, Representative DePasquale with his texting? Absolutely. But I know that this is the closest we have gotten, and, Mr. Speaker, I cannot let this go. I would respectfully ask you to please consider this carefully because I know we will save lives and we will save them this summer if we do this now.

I wish I knew how to be more eloquent to reach out and get each one of you to understand, but thank you very much for listening. Please, Mr. Speaker, vote to concur and then we will work together to do things better, even better, next session. Thank you.

The SPEAKER. The Chair thanks the lady and recognizes the gentleman from Luzerne County, Representative Carroll.

Mr. CARROLL. Thank you, Mr. Speaker.

Mr. Speaker, I checked the computer, and when the House passed HB 67, 168 voices in this chamber spoke in favor of that language; 168. Mr. Speaker, I reject the premise that the Senate will not submit to a conference committee. Mr. Speaker, I reject the premise that we cannot do better. We must do better, Mr. Speaker. There is a process. I also checked the rules, Mr. Speaker. There are rules for the creation of a conference committee and the appointment of members.

I suggest that we implement and direct a conference committee so that we can try and reach a compromise. It is simply not enough to capitulate to the will of the Senate and say that is what we will accept. The fact of the matter is, 168 voices in this chamber said we want to have a strong teen driving bill, we want to prevent distracted driving, and we want to minimize injuries and death. It is time that we actually exercise our constitutional authority around here and exercise our ability to create a conference committee. Let us move in that direction, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Northampton County, Representative Samuelson.

Mr. SAMUELSON. Thank you, Mr. Speaker.

Today we are talking about concurrence in Senate amendments, and I think some of the speakers are forgetting what concurrence means. We are being asked, do we concur in what the Senate has done? Do we agree with what the Senate has done? Let us take a look at what the Senate has done.

We passed a bill in April 2009, by the way, that said that teen drivers should have 15 additional hours of training. The Senate changed this to say that we should have zero additional hours, just keep what we have now. So if you agree with that weakening of the bill, if you concur, then you should vote to concur with what the Senate has done.

What else did the Senate do? Well, we passed a bill here in the House, April 2009, that said a teen driver, junior driver, should only have one additional passenger in the car. A lot of highway studies have shown that that would lead to safer driving by our teenagers. The Senate said, well, okay, for the first 6 months let us have one additional passenger, but after 6 months, you can have three additional passengers in that car. So how would that work? You get your permit at age 16; you get your junior license at age 16 1/2. Six months go by; on your 17th birthday you can have three additional passengers in the car, not much different from what is going on right now in Pennsylvania. That was a change the Senate made, and the question before us today is, do we concur with that change? Do we agree with what the Senate has done?

And the final question, of course, has already been brought up by the gentleman, Mr. Vereb, from Montgomery County. We said this should be a primary offense, where the police could take action before something happens, use it in a preventive way. The Senate has said, this should be a secondary offense and you should only be able to bring the charge after something happens. Do we agree with what the Senate has done? Do we concur with what the Senate has done? That is the question before the House.

One other speaker said, we only have mere hours to accept this partial bill or that will be the end of it. Well, I looked on my computer, and actually, we voted on this bill on April 27, 2009. The Senate took 13 months to bring this to the Senate floor,

May 25, 2010. The delay was not in this chamber. This session was sworn in in January of 2009. We acted in April of 2009 and sent a very strong bill over to the Senate. Thirteen months later they send us a weak bill, and the only question before the House today is, do we concur with what the Senate has done? Do we agree with what the Senate has done? If you do agree with that weaker version of the bill, I urge you to concur, but my vote will be to nonconcur, send this bill to conference committee so we can negotiate a stronger product for our teens and for the safety of our highways.

Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Blair County, Representative Geist.

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

I was not going to speak on this today, but I am going to rise and try to make it as simple as I can in politics 101. If you truly believe that the Senate is going to appoint their conferees and attend a conference committee, then you can vote either way. I like the work that Joe Markosek does, and I think his bill deserves the best chance it can get. I would hope that we would do that. If you believe that the Senate will do this, then you can vote either way. I just happen to believe it is not going to happen. We have checked, our staff has checked, and we are getting it from the highest of the high that they are not going to participate. So knowing that, I would urge we get something and concur on this and send it to the Governor.

This has been a very long journey. There are not many session days left in this session. If you listen to the talk of those who say they are only going to come back for a couple days, it starts to make sense. That is what this is about. Katharine Watson, Joe Markosek, Representative DePasquale, many, many people in this room have worked on it. When Keith McCall was chairman of Transportation with myself, we worked and passed a very good teenage driving bill. These things just do not happen overnight. We can come back and work on other legislation. We can come back and amend stuff. The Senate will send bills over we can amend. We can get more, but right now let us try to get whatever we can possibly get. Whether you believe or not that the Senate is going to do that job would be the determining factor in this vote. Thank you.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. SHAPIRO. Thank you, Mr. Speaker.

The SPEAKER. The House will come to order. Members will please take their seats.

The gentleman is recognized.

Mr. SHAPIRO. Thank you, Mr. Speaker.

Mr. Speaker, the gentleman from Luzerne, Mr. Carroll, talked about the efforts of this body to send HB 67 with a strong bipartisan vote to the Senate. The bill we have before us today, Mr. Speaker, weakened dramatically the bipartisan efforts of this chamber in four key areas.

First, the bill weakened the passenger restriction limits as it relates to teens. Second, Mr. Speaker, the bill actually limited the number of hours that we would require teens to take drivers education and learn to drive. Third, Mr. Speaker, and it has become the subject of discussion today, the gentleman from across the aisle, Mr. Vereb, articulated it so eloquently, that the Senate stripped out the primary provisions that this chamber passed not just once on a bipartisan vote but twice on a

bipartisan vote to ensure that it would be a primary offense. And then finally, fourth, Mr. Speaker, when the Senate had the opportunity, as they were considering HB 67, to roll into it HB 2070, another bill by the good chairman Markosek, that was rejected, too. That was a bill, Mr. Speaker, that passed this chamber 189 to 6. And so this bill is silent as it relates to adults.

Mr. Speaker, I understand more than most the desire to do something today, and I understand that we as elected officials, we as politicians, we as legislators, oftentimes have to say, you know what, this is the best we can do, and say, this is where we are going to go stop that fight; this is what we are going to accept. But, Mr. Speaker, respectfully, this is not the best we can do. In at least those four areas, this bill is so weakened that as many on the outside have said and many on the inside have said, this bill will do little more than current law already provides.

Mr. Speaker, the argument offered by some as a reason to act today is that we simply do not have any more time; that if we do not act here, we will run out of time. I disagree. Some have said that if we go to a conference, that will be the death knell. I disagree. But, Mr. Speaker, even if you accept that logic, and I respect you if you do, there are still, as the gentleman from Upper St. Clair spoke about earlier, there is still one vehicle here in the House, and another vehicle in the Senate, where agreed-upon language could be amended and brought before this House in September or October. There is time, Mr. Speaker, to get this right. And, Mr. Speaker, I define getting this right, not only correcting those four issues but, ultimately, passing a bill that will save lives on Pennsylvania's roadways. Twice this chamber, in broad bipartisan votes, has voted to ensure that we pass a primary enforcement bill that will allow our police, who have embraced the notion of a primary offense, who have asked us, the State Police, to reject this bill and nonconcur, it will allow them to stop an accident from occurring.

The gentlelady across the aisle talked about a tragedy in her district. There have been tragedies all across districts, unfortunately, in Pennsylvania. So let us get this right and give the police the opportunity to stop the accidents from occurring in the first place. We can do that by rejecting the Senate bill, by doubling our efforts in a bipartisan way, as this chamber has shown its ability to do, and to work through conference or through the amendatory process in either chamber to get this right.

Mr. Speaker, I urge for a vote to nonconcur on HB 67. Thank you.

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

Mr. EACHUS. Thank you, Mr. Speaker.

When I have lieutenants from the State Police stopping by my district office, pleading with me, pleading with me, to make sure that we make this a primary offense, that is a strange anomaly. We know our State Police, they are on the scenes where these accidents are. They get to see the havoc up close.

Three stories relayed by this officer: one, about a girl on Route 81, driving with a friend of hers, texting; he could see her go by. He was parked behind a construction zone, as State Police do, about a quarter of a mile back, and he watched her and her friend texting as they went by, rear ended straight into a tractor-trailer, decapitated.

The next tragic situation, in my friend Jerry Knowles's district, we represent the Hazleton Area School District. Two different families, two different tragedies. I am going to leave

the names out of it. It is public information, but young Joe from McAdoo and five of his friends on a junior license, 16 years old, drive headlong into a tree going 100 miles an hour, when one of his friends recounted that she begged him to slow down.

And another young man, Mr. Marc Merino, whom I visited with at my high school, 30 days in a coma; 30 days in a coma. He came to school. I was with him and his family and the three families of the friends he was with, two seriously injured, one lucky to escape injury. He came back after 30 days in a coma. And what he said to his classmates was, my friends, my cell phone rang; I looked down to answer it, and when I did it, I headed off the road, I looked up, I overcorrected the car. Within 72 hours, his dad said, the first 72 hours they thought he was going to die. He spent 30 days in a coma.

Now, I am saying to my good friend from Armstrong, I just think our friends in the Senate got it wrong. They got it wrong when they weakened our attempts to strengthen safety. This needs to be a primary offense. My own wife, who rarely lobbies me, begged me. She is in the car somewhere between Johnstown and home today. She begged me. She actually called the secondary offense a dum-dum law. Why do we not protect people in a primary way?

People from across the country are rallying around us. Children are speaking up for their friends in high schools. What are we not getting in this discussion? It needs to be an issue where we steer behavior – our own, too, most days, right? A wireless device is an easy thing, and Mr. Merino and Marc have had an event, many events, to try and get their young friends to convert to wireless devices, which this law would allow for, and guarantee that more kids are safe. I think my colleague from Montgomery County said it well. We respect differences in this chamber, whether we were able to have a difference of opinion on this policy, what our chairman has asked for, and members of my caucus, what they have said is, let us nonconcur, let us take this back to the drawing board. Let us talk to our Senate colleagues about this and see if we cannot get it right, get it right so that we protect and change behavior of young people, make their parents understand that it is not okay to call them on the phone. Do not call your kids. And if they answer while they are driving, hang up. Tell them to call you back when they stop.

We need to change behavior here, and this is what we are talking about today in our nonconurrence action. It is simple enough. We all have these tragedies in our communities, but when we see young people speaking to their friends, families reaching out to others, and State Police officers lobbying us to help us change behavior, I am just asking for consideration. I think we should consider taking this back to conference committee. Let us make sure that our Senate colleagues understand that we do not think they got it right, those of us who do not, and let us try and get it right to protect the children of Pennsylvania. I think it is worth it.

The SPEAKER. On the question, the Chair recognizes the gentleman from Philadelphia County, Representative Sabatina.

Mr. SABATINA. Thank you, Mr. Speaker.

Mr. Speaker, about 3 years ago I was asked by a friend to name this legislation Lacey's Law in honor of Lacey Gallagher, a young teen from Philadelphia who lost her life on her prom night in a car full of other teenagers. I have since been contacted by a friend. You would not have met bigger supporters of HB 67 than the Gallagher parents. I have been recently contacted by a friend of the family to urge this body to

nonconcur, and the reason they want us to nonconcur is because the law, as the Senate has watered it down, would not have prevented the loss of her life on that night.

This legislation has been described as half a loaf. Well, I do not think it is half a loaf. I do not think it is a slice. I would say it is the crust. We can do better with this legislation. We have to do better with this legislation. The people of Pennsylvania deserve better, and the children of Pennsylvania deserve better. If the Senate does not want to send their conferees to concur, well, that is on them.

Thank you. Please vote to nonconcur.

On the question recurring,

Will the House concur in Senate amendments?

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

The following roll call was recorded:

YEAS—71

Adolph	Galloway	Marsico	Quinn
Baker	Geist	Metzgar	Rapp
Barrar	Gingrich	Miccarelli	Reese
Boback	Goodman	Micozzie	Roae
Boyd	Hahn	Millard	Rock
Brooks	Harhart	Miller	Ross
Causer	Harris	Milne	Saylor
Clymer	Helm	Moul	Seip
Delozier	Hess	Murt	Smith, S.
Denlinger	Hickernell	Mustio	Sonney
DiGirolamo	Hutchinson	O'Neill	Stern
Evans, J.	Kauffman	Oberlander	Stevenson
Everett	Keller, M.K.	Perry	Swanger
Fairchild	Killion	Perzel	Tallman
Farry	Knowles	Petri	Taylor, J.
Fleck	Krieger	Phillips	Turzai
Gabig	Maher	Pickett	Watson
Gabler	Major	Pyle	

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Barbin	Drucker	Levdansky	Rohrer
Bear	Eachus	Longietti	Sabatina
Belfanti	Evans, D.	Mahoney	Sainato
Beyer	Fabrizio	Manderino	Samuelson
Bishop	Frankel	Mann	Santarsiero
Boyle	Freeman	Markosek	Santoni
Bradford	George	Marshall	Schroder
Brennan	Gerber	Matzie	Shapiro
Briggs	Gergely	McGeehan	Siptroth
Brown	Gibbons	McI. Smith	Smith, K.
Burns	Gillespie	Melio	Smith, M.
Buxton	Godshall	Metcalfe	Solobay
Caltagirone	Grell	Mirabito	Staback
Carroll	Grove	Mundy	Sturla
Casorio	Grucela	Murphy	Taylor, R.
Christiana	Haluska	Myers	Thomas
Cohen	Hanna	O'Brien, D.	Toepel
Conklin	Harhai	O'Brien, M.	True
Costa, D.	Harkins	Pallone	Vereb
Costa, P.	Harper	Parker	Vitali
Cox	Hennessey	Pashinski	Vulakovich
Creighton	Hornaman	Payne	Wagner
Cruz	Houghton	Payton	Wansacz
Curry	Johnson	Peifer	Waters
Cutler	Josephs	Petrarca	Wheatley
Daley	Keller, W.	Preston	White
Day	Kessler	Quigley	Williams

Deasy	Kirkland	Ravenstahl	Youngblood
DeLuca	Kortz	Readshaw	Yudichak
DePasquale	Kotik	Reed	
Dermody	Kula	Reichley	McCall,
DeWeese	Lentz	Roebuck	Speaker

NOT VOTING—0

EXCUSED—5

Benninghoff	Ellis	Oliver	Scavello
Donatucci			

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the amendments were not concurred in.

Ordered, That the clerk inform the Senate accordingly.

HEALTH AND HUMAN SERVICES COMMITTEE MEETING

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

Mr. MYERS. Thank you, Mr. Speaker.

Mr. Speaker, myself and Chairman Baker call an immediate Health and Human Services meeting, E-60, at the break. Thank you.

The SPEAKER. The Chair thanks the gentleman.

There will be a Health and Human Services Committee meeting in E-60 at the break.

APPROPRIATIONS COMMITTEE MEETINGS

The SPEAKER. For the information of the members, there will be an Appropriations Committee meeting this evening, July 1, tonight at 7 in the majority caucus room; an Appropriations Committee meeting, 7 tonight in the majority caucus room. There will also be an Appropriations Committee meeting tomorrow at 9:30 a.m., July 2.

Appropriations in the majority caucus room, 7 tonight and 9:30 tomorrow morning, majority caucus room, both meetings.

The House will reconvene tomorrow at 11 a.m. I will recess till the call of the Chair in anticipation of communications from the Senate.

There will be no further votes.

Are there any announcements?

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1407, PN 2781**, entitled:

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, providing for method of filing; further providing for definitions and for notice and publication of lists of property; providing for borrowing for capital facilities, for water and sewer systems assistance bond authorization, for H2O Act implementation, for municipal landfills, recycling, waste tires and solid waste disposal and for oil and gas wells; reenacting and amending

provisions relating to State Workers' Insurance Board and for expiration; further providing for Department of Community and Economic Development, for Department of Corrections, for Department of Education, for Department of Environmental Protection, for Pennsylvania State Police and for Pennsylvania Emergency Management Agency; providing for 2009-2010 budget implementation and for 2009-2010 restrictions on appropriations for funds and accounts; abolishing the Scranton State School for the Deaf and the Board of Trustees of the Scranton State School for the Deaf; and making related repeals.

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

BILL TABLED

The SPEAKER. The Chair recognizes the majority leader, who moves that HB 1407 be removed from the active calendar and placed on the tabled bill calendar.

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

BILL REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader, who moves that HB 1407 be removed from the tabled bill 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, any remaining bills and resolutions on today's calendar will be passed over. The Chair hears no objection.

RECESS

The SPEAKER. This House stands in recess till the call of the Chair.