

# COMMONWEALTH OF PENNSYLVANIA

## LEGISLATIVE JOURNAL

TUESDAY, MARCH 1, 2011

SESSION OF 2011

195TH OF THE GENERAL ASSEMBLY

No. 16

### HOUSE OF REPRESENTATIVES

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

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

#### PRAYER

HON. MATTHEW E. BAKER, member of the House of Representatives, offered the following prayer:

Thank you very much, Mr. Speaker.

Let us pray together:

Loving God, we lift up to You with a heavy heart the loss of one of our own members of this House, the Honorable Bob Donatucci. We pray that You will grant peace and comfort to his family, knowing that he served both You and others through servant leadership. We ask now for Your blessings of love and peace upon the Donatucci family. May they feel Your calming presence during the months ahead.

Lord, we thank You for Your perfect knowledge and unending wisdom. Grant us a passion to serve others, both individually and collectively.

O God of all States and nations, look with favor upon this our Pennsylvania House of Representatives. Guide these important decisionmakers with Your divine light of wisdom. Be their source of strength and comfort. Enable them to serve You and glorify Your name by serving the citizens of this great State.

O God, make them instruments of peace to deliver Your divine mercy and compassion. Bless them with Your openness and humility. Fill their hearts and minds with passion and determination to improve the quality of lives of their fellow human beings. Grant them success in pursuing justice.

O God, make these men and women peacemakers, healers, and bridge builders, so urgently needed in our wounded and broken times. Give them the strength that they need to keep what needs to be kept, give them the courage they need to change what needs to be changed, and give them the wisdom they need to distinguish one from another.

Lord God, grant us the humility, wisdom, courage, and strength to serve You first and foremost in spirit and in truth. And in so doing, may we be worthy of serving others as both Your representative first and as State Representatives.

It is in our Lord and Savior's name we thank You and praise You. Amen.

### PLEDGE OF ALLEGIANCE

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

### JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, the approval of the Journal for Monday, February 28, 2011, will be postponed until printed.

### HOUSE RESOLUTION INTRODUCED AND REFERRED

**No. 97** By Representatives TALLMAN, BOYD, CLYMER, COX, CREIGHTON, DALEY, DENLINGER, GABLER, GINGRICH, METCALFE, MOUL, PICKETT, READSHAW and STERN

A Resolution memorializing the Congress of the United States to pass the Parental Rights Amendment and submit it to the states for ratification.

Referred to Committee on CHILDREN AND YOUTH, March 1, 2011.

### HOUSE BILLS INTRODUCED AND REFERRED

**No. 474** By Representatives COX, METCALFE, KNOWLES, BOYD, CLYMER, CREIGHTON, GABLER, GEIST, HARRIS, KAUFFMAN, MILLER, O'NEILL, PYLE, ROCK, SCHRODER and SWANGER

An Act authorizing the Commonwealth of Pennsylvania to join the Interstate Compact on Birth Certificates Issued to Aliens Not Subject to United States Jurisdiction; providing for the form of the compact; and imposing additional powers and duties on the Governor, the Secretary of the Commonwealth and the Compact.

Referred to Committee on STATE GOVERNMENT, March 1, 2011.

**No. 478** By Representatives KULA, DeLUCA, GOODMAN, MAHONEY, BRENNAN, V. BROWN, CALTAGIRONE, COHEN, DALEY, DAVIS, FREEMAN, GEORGE, GIBBONS, HALUSKA, JOSEPHS, KOTIK, LONGIETTI, MANN, McGEEHAN, MUNDY, M. O'BRIEN, PASHINSKI, PAYTON, READSHAW, K. SMITH and WAGNER

An Act providing for health care coverage; and imposing penalties.

Referred to Committee on INSURANCE, March 1, 2011.

**No. 824** By Representatives SCAVELLO, BOYD, D. COSTA, J. EVANS, EVERETT, FRANKEL, GINGRICH, MURT, SWANGER, VULAKOVICH and YOUNGBLOOD

An Act amending the act of June 13, 2008 (P.L.182, No.27), known as the Clean Indoor Air Act, further prohibiting smoking in public places; providing for local ordinances; and making a related repeal of the Fire and Panic Act.

Referred to Committee on HUMAN SERVICES, March 1, 2011.

**No. 833** By Representatives GEORGE, HANNA, DEASY, BRADFORD, BRENNAN, BRIGGS, CALTAGIRONE, CARROLL, DALEY, DeLUCA, DePASQUALE, DeWEESE, FABRIZIO, FRANKEL, FREEMAN, GOODMAN, HARKINS, HORNAMAN, JOHNSON, JOSEPHS, KAVULICH, KORTZ, KULA, MAHONEY, McGEEHAN, MULLERY, MUNDY, MURPHY, M. O'BRIEN, PASHINSKI, PAYTON, READSHAW, SANTARSIERO, SHAPIRO, K. SMITH, STABACK, STURLA, VITALI, WAGNER, WATERS and YOUNGBLOOD

An Act amending Title 72 (Taxation and Fiscal Affairs) of the Pennsylvania Consolidated Statutes, imposing a tax on the extraction of natural gas; providing for natural gas severance registration certificate, for duties of the Department of Revenue, for tax assessments and tax liens; imposing penalties; providing for service of process, for rulemaking, for cooperation with other governments and for bonds; establishing the Natural Gas Severance Tax Account, the Local Government Services Account and the Oil and Gas Environmental Disaster Recovery Account; providing for the establishment, implementation and administration of the Marcellus Shale Job Creation Tax Credit; imposing additional duties on the Department of Community and Economic Development; and making an appropriation.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, March 1, 2011.

**No. 837** By Representatives D. O'BRIEN, FABRIZIO, GEIST, HARHAI, KAUFFMAN, KORTZ and VULAKOVICH

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, further providing for security from searches and seizures.

Referred to Committee on JUDICIARY, March 1, 2011.

**No. 855** By Representatives BOYD, AUMENT, BLOOM, CLYMER, CREIGHTON, CUTLER, DeLUCA, DENLINGER, EVANKOVICH, EVERETT, FARRY, GABLER, GODSHALL, GROVE, HELM, HICKERNELL, KAUFFMAN, KRIEGER, MAJOR, METCALFE, MILLER, MOUL, MUSTIO, PETRI, PICKETT, RAPP, REESE, REICHLEY, ROAE, SACCONI, SCHRODER, SONNEY, STEVENSON, SWANGER, TALLMAN and VULAKOVICH

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in professional employees, further providing for causes for suspension and for persons to be suspended.

Referred to Committee on EDUCATION, March 1, 2011.

**No. 856** By Representatives KAUFFMAN, METCALFE, AUMENT, BAKER, BLOOM, BOYD, COHEN, D. COSTA, COX, CREIGHTON, CUTLER, DALEY, DAY, DENLINGER, FARRY, GEIST, GINGRICH, GOODMAN, GRELL, GROVE, HARHART, HARKINS, HICKERNELL, HORNAMAN, M.K. KELLER, KORTZ, KULA, MAHER, MILLARD, MILLER, MILNE, MOUL, PEIFER, PYLE, READSHAW, REESE, ROCK, STERN, STEVENSON, TALLMAN, J. TAYLOR, TOOHL, VULAKOVICH, WATSON, WHEATLEY, YOUNGBLOOD, SCHRODER, GILLEN and SWANGER

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, prohibiting smuggling of human beings.

Referred to Committee on JUDICIARY, March 1, 2011.

**No. 857** By Representatives METCALFE, BARRAR, CHRISTIANA, CLYMER, COX, CREIGHTON, EVERETT, GABLER, GEIST, HARRIS, KAUFFMAN, KNOWLES, MILLARD, MILLER, MUSTIO, PERRY, PYLE, ROCK, SWANGER, VULAKOVICH, REESE and GROVE

An Act providing for the Commonwealth Citizenship Act.

Referred to Committee on JUDICIARY, March 1, 2011.

**No. 858** By Representatives METCALFE, BARRAR, CARROLL, CLYMER, CREIGHTON, CUTLER, DeLUCA, DUNBAR, EVERETT, FLECK, GIBBONS, GOODMAN, GROVE, HARHAI, HARRIS, HORNAMAN, HUTCHINSON, KAUFFMAN, KNOWLES, LONGIETTI, MARSHALL, MILLARD, MOUL, MULLERY, OBERLANDER, PETRI, PYLE, RAPP, READSHAW, REICHLEY, ROCK, SIMMONS, SONNEY, SWANGER, VULAKOVICH, WHITE, CHRISTIANA, PETRARCA, ELLIS, SCHRODER and GILLEN

An Act prohibiting employment of illegal aliens; requiring participation in the E-verify Program as a condition for Commonwealth contracts or grants; prohibiting business tax deductions for certain compensation; requiring suspension of licenses, registrations and certificates of incorporation under certain circumstances; and authorizing a private cause of action.

Referred to Committee on LABOR AND INDUSTRY, March 1, 2011.

**No. 859** By Representatives KULA, DeLUCA, LONGIETTI, MAHONEY, BARBIN, BISHOP, BOBACK, BRENNAN, V. BROWN, CALTAGIRONE, CONKLIN, D. COSTA, DALEY, FABRIZIO, GEIST, GIBBONS, HARKINS, HORNAMAN, KORTZ, KOTIK, McGEEHAN, MUNDY, MURPHY, M. O'BRIEN, PARKER, PASHINSKI, PAYTON, PRESTON, RAVENSTAHL, READSHAW, SABATINA, SAINATO, SANTONI, K. SMITH, STABACK, STURLA, J. TAYLOR, WHITE, YOUNGBLOOD, GERBER and DONATUCCI

An Act amending the act of June 26, 2001 (P.L.755, No.77), known as the Tobacco Settlement Act, further providing for adult basic coverage insurance program.

Referred to Committee on INSURANCE, March 1, 2011.

**No. 860** By Representatives KULA, STABACK, READSHAW, STURLA, BOYD, BRENNAN, CARROLL, COHEN, CREIGHTON, GEIST, HORNAMAN, MAHONEY, MILLARD, PEIFER, PRESTON, QUINN, CUTLER, DALEY and MOUL

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, in protection of property and persons, further providing for hunting or furtaking prohibited while under influence of alcohol or controlled substance and for chemical test to determine amount of alcohol.

Referred to Committee on GAME AND FISHERIES, March 1, 2011.

**No. 861** By Representatives PASHINSKI, BISHOP, BRIGGS, V. BROWN, CALTAGIRONE, CARROLL, D. COSTA, DAVIS, FABRIZIO, GEIST, HARKINS, HORNAMAN, JOSEPHS, KORTZ, MURT, MYERS, K. SMITH, STABACK, WAGNER and YOUNGBLOOD

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, further providing for payments to counties for services to children; and making editorial changes.

Referred to Committee on CHILDREN AND YOUTH, March 1, 2011.

**No. 862** By Representatives PASHINSKI, DEASY, BISHOP, BRIGGS, CALTAGIRONE, COHEN, DAVIS, DeLUCA, FABRIZIO, GOODMAN, HALUSKA, HARKINS, HORNAMAN, JOHNSON, JOSEPHS, W. KELLER, KORTZ, MAHONEY, METZGAR, MULLERY, MUNDY, MURPHY, MURT, M. O'BRIEN, PAYTON, PRESTON, SANTARSIERO, K. SMITH, STABACK, WAGNER and YOUNGBLOOD

An Act amending the act of October 6, 1998 (P.L.705, No.92), known as the Keystone Opportunity Zone, Keystone Opportunity Expansion Zone and Keystone Opportunity Improvement Zone Act, providing for applicability of Marcellus Shale drilling companies.

Referred to Committee on COMMERCE, March 1, 2011.

**No. 863** By Representatives PASHINSKI, DeLUCA, BOBACK, BRIGGS, CALTAGIRONE, FABRIZIO, FRANKEL, GEORGE, HALUSKA, HARKINS, HORNAMAN, JOHNSON, KORTZ, KULA, MANN, M. O'BRIEN, PAYTON, SANTARSIERO, SANTONI, K. SMITH, STURLA, SWANGER, VULAKOVICH, WAGNER and YOUNGBLOOD

An Act establishing the Pennsylvania Health Information Exchange Authority and the Health Information Technology Fund; and providing for grants and loans for health information technology and for duties of the Department of Community and Economic Development.

Referred to Committee on INSURANCE, March 1, 2011.

**No. 864** By Representatives GEIST, MILLER, DENLINGER, FLECK, FREEMAN, GINGRICH, GROVE, HICKERNELL, KILLION, MAJOR, MATZIE, REICHLEY, SCAVELLO, VULAKOVICH, WAGNER and SWANGER

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for the Pedalcycle and Pedestrian Advisory Committee.

Referred to Committee on TRANSPORTATION, March 1, 2011.

**No. 865** By Representatives KNOWLES, METCALFE, BAKER, BARRAR, CLYMER, COX, CUTLER, GABLER, GEIST, GILLEN, GROVE, HEFFLEY, HUTCHINSON, KAUFFMAN, KRIEGER, METZGAR, MILLER, MUSTIO, O'NEILL, READSHAW, ROCK, VULAKOVICH and SWANGER

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in matters affecting government units, providing for exceptions to governmental immunity related to unauthorized aliens.

Referred to Committee on JUDICIARY, March 1, 2011.

**No. 866** By Representatives AUMENT, BAKER, BEAR, BOBACK, BOYD, CALTAGIRONE, COHEN, CREIGHTON, CUTLER, DAVIS, DENLINGER, DeWEESE, FLECK, FREEMAN, GEORGE, GILLEN, GINGRICH, GOODMAN, GRELL, GROVE, HARRIS, HICKERNELL, HORNAMAN, KAUFFMAN, M.K. KELLER, KULA, MAJOR, MALONEY, MARSHALL, MILLER, PICKETT, PYLE, QUINN, REICHLEY, SCHRODER, STERN, TOEPEL, VULAKOVICH and SWANGER

An Act amending the act of December 15, 1955 (P.L.865, No.256), entitled "An act requiring rents and royalties from oil and gas leases of Commonwealth land to be placed in a special fund to be used for conservation, recreation, dams, and flood control; authorizing the Secretary of Forests and Waters to determine the need for and location of such projects and to acquire the necessary land," providing for annual report; and making editorial changes.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, March 1, 2011.

**No. 867** By Representatives ROEBUCK, SHAPIRO, SANTARSIERO, CLYMER, BISHOP, CALTAGIRONE, CARROLL, COHEN, D. COSTA, DALEY, FABRIZIO, FLECK, FREEMAN, GIBBONS, GODSHALL, GOODMAN, HALUSKA, HORNAMAN, JOHNSON, JOSEPHS, KAVULICH, KIRKLAND, KORTZ, KOTIK, KULA, LONGIETTI, MARSHALL, McGEEHAN, MILNE, M. O'BRIEN, O'NEILL, PASHINSKI, PAYTON, READSHAW, SANTONI, STURLA, WAGNER and WHEATLEY

An Act establishing the MESA Initiative; providing for duties of the State Board of Education; and establishing the State MESA Commission.

Referred to Committee on EDUCATION, March 1, 2011.

**No. 868** By Representatives ROEBUCK, HARKINS, M. O'BRIEN, BISHOP, V. BROWN, CALTAGIRONE, CREIGHTON, DONATUCCI, FABRIZIO, FLECK, GOODMAN, GROVE, KORTZ, McGEEHAN, MILLARD, MUNDY, O'NEILL, READSHAW, REICHLEY, ROAE, SAINATO, KULA, PASHINSKI, CARROLL and KOTIK

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for confidentiality of home addresses of school employees.

Referred to Committee on EDUCATION, March 1, 2011.

**No. 869** By Representatives MARSICO, AUMENT, BARBIN, BOBACK, BOYD, BRENNAN, BROOKS, BUXTON, CALTAGIRONE, CHRISTIANA, CREIGHTON, CRUZ, DAY, DeLUCA, DONATUCCI, EVERETT, FLECK, GEIST, GEORGE, GIBBONS, GILLEN, GINGRICH, GOODMAN, GRELL, GROVE, HARKINS, HENNESSEY, HESS, HICKERNELL, HORNAMAN, KAUFFMAN, KAVULICH, M.K. KELLER, KILLION, KIRKLAND, KNOWLES, KORTZ, KOTIK, LONGIETTI, MAHONEY, MAJOR, MILLARD, MILLER, MOUL, O'NEILL, PARKER, PAYNE, PETRI, PICKETT, QUINN, RAPP, READSHAW, ROCK, SCAVELLO, K. SMITH, STABACK, J. TAYLOR, THOMAS, TOOHIL, VEREB, VULAKOVICH, WATSON, WHEATLEY, YOUNGBLOOD, KULA, MICOZZIE, CARROLL and FABRIZIO

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for drivers in funeral processions.

Referred to Committee on TRANSPORTATION, March 1, 2011.

**No. 870** By Representatives EVERETT, PICKETT, BAKER, BOBACK, CAUSER, CONKLIN, D. COSTA, DENLINGER, FLECK, GABLER, GINGRICH, GODSHALL, HESS, HORNAMAN, KNOWLES, METZGAR, MILLARD, MURT, OBERLANDER, PEIFER, REICHLEY, STERN, STEVENSON and SWANGER

An Act amending the act of February 2, 1966 (1965 P.L.1860, No.586), entitled "An act encouraging landowners to make land and water areas available to the public for recreational purposes by limiting liability in connection therewith, and repealing certain acts," further defining "recreational purpose."

Referred to Committee on TOURISM AND RECREATIONAL DEVELOPMENT, March 1, 2011.

**No. 871** By Representatives CLYMER, BAKER, CREIGHTON, DENLINGER, FLECK, HICKERNELL, HUTCHINSON, KAUFFMAN, MURT, RAPP, ROCK, STERN and SWANGER

An Act amending Title 4 (Amusements) of the Pennsylvania Consolidated Statutes, further providing for prohibited acts and penalties.

Referred to Committee on LIQUOR CONTROL, March 1, 2011.

**No. 872** By Representatives CLYMER, BAKER, BOYD, COX, CREIGHTON, DENLINGER, FLECK, GINGRICH, HESS, HUTCHINSON, KAUFFMAN, MURT, ROCK, STERN, TALLMAN and VULAKOVICH

An Act amending Title 4 (Amusements) of the Pennsylvania Consolidated Statutes, further providing for liquor licenses at licensed facilities.

Referred to Committee on LIQUOR CONTROL, March 1, 2011.

**No. 873** By Representatives CLYMER, BAKER, BOYD, COX, CREIGHTON, DENLINGER, FLECK, GINGRICH, HESS, HUTCHINSON, KAUFFMAN, MURT, ROCK, SCHRODER, STERN and TALLMAN

An Act amending Title 4 (Amusements) of the Pennsylvania Consolidated Statutes, further providing for regulatory authority, for other financial institutions, for wagering on credit and for prohibitions.

Referred to Committee on GAMING OVERSIGHT, March 1, 2011.

**No. 874** By Representatives JOSEPHS, SANTARSIERO, CALTAGIRONE, PASHINSKI, COHEN, DONATUCCI and MYERS

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, further providing for Voting Standards Development Board.

Referred to Committee on STATE GOVERNMENT, March 1, 2011.

**No. 875** By Representatives DeLUCA, CALTAGIRONE, D. COSTA, CREIGHTON, DONATUCCI, GEIST, KULA, MUNDY, PRESTON, READSHAW and MILLARD

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, in sales and use tax, providing for taxable portion of purchase price.

Referred to Committee on FINANCE, March 1, 2011.

**No. 876** By Representatives KAUFFMAN, BEAR, CALTAGIRONE, CARROLL, CLYMER, CREIGHTON, FARRY, GINGRICH, GRELL, HARHART, HARRIS, METZGAR, MOUL, MUSTIO, PETRI, PYLE, QUIGLEY, REED, REESE, ROAE, ROCK, SCHRODER, SIMMONS, TALLMAN and VULAKOVICH

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, further providing for legislative districts.

Referred to Committee on STATE GOVERNMENT, March 1, 2011.

**No. 877** By Representatives DePASQUALE, STURLA, BRIGGS, CALTAGIRONE, COHEN, D. COSTA, DALEY, DAVIS, DEASY, DeLUCA, J. EVANS, FABRIZIO, FREEMAN, GIBBONS, GINGRICH, GOODMAN,

HARKINS, HORNAMAN, JOSEPHS, KAVULICH, KORTZ, MOUL, MURPHY, MURT, M. O'BRIEN, SANTARSIERO, SCHRODER, M. SMITH, STABACK, THOMAS, TRUITT and WHITE

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, providing for disclosure of contributions by contractors.

Referred to Committee on STATE GOVERNMENT, March 1, 2011.

### **BILL REPORTED AND REREFERRED TO COMMITTEE ON STATE GOVERNMENT**

**HB 439, PN 410** By Rep. MILLER

An Act prohibiting certain licensees from knowingly employing illegal aliens; and imposing sanctions.

Reported from Committee on LABOR AND INDUSTRY with request that it be rereferred to Committee on STATE GOVERNMENT.

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

### **BILLS REPORTED FROM COMMITTEES, CONSIDERED FIRST TIME, AND TABLED**

**HB 61, PN 29** By Rep. MARSICO

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for collection of court costs, restitution and fines by private collection agency.

JUDICIARY.

**HB 162, PN 99** By Rep. MARSICO

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

JUDICIARY.

**HB 317, PN 918 (Amended)** By Rep. MARSICO

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for sentencing procedure for murder of the first degree.

JUDICIARY.

**HB 377, PN 884 (Amended)** By Rep. MILLER

An Act amending the act of November 10, 1999 (P.L.491, No.45), known as the Pennsylvania Construction Code Act, further providing for exemptions.

LABOR AND INDUSTRY.

**HB 529, PN 496**

By Rep. MARSICO

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, defining the offense of false caller identification information display; and imposing penalties.

JUDICIARY.

**HB 807, PN 916 (Amended)**

By Rep. MAHER

An Act amending the act of July 10, 2008 (P.L.1009, No.78), known as the Biofuel Development and In-State Production Incentive Act, further providing for definitions, for biodiesel content in diesel fuel sold for on-road use and for cellulosic ethanol content in gasoline; providing for blending, registration and other requirements; further providing for department authority and responsibility; providing for fees; establishing the Biofuel Development Account; and imposing penalties.

AGRICULTURE AND RURAL AFFAIRS.

### **BILLS REREPORTED FROM COMMITTEE**

**HB 144, PN 711**

By Rep. ADOLPH

An Act amending the act of December 19, 1974 (P.L.973, No.319), known as the Pennsylvania Farmland and Forest Land Assessment Act of 1974, further providing for utilization of land or conveyance of rights for exploration or extraction of gas, oil or coal bed methane.

APPROPRIATIONS.

**HB 201, PN 153**

By Rep. ADOLPH

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for definitions, for aggravated assault and for criminal trespass.

APPROPRIATIONS.

**HB 270, PN 223**

By Rep. ADOLPH

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

APPROPRIATIONS.

**HB 495, PN 450**

By Rep. ADOLPH

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in rules of evidence, providing for benevolent gesture or admission by health care provider or assisted living residence or personal care home.

APPROPRIATIONS.

### **RESOLUTIONS REPORTED FROM COMMITTEES**

**HR 89, PN 917 (Amended)**

By Rep. MAHER

A Resolution directing the Joint State Government Commission to study and review the economic impacts on the regulated community and on the Commonwealth of implementation of the 2008 amendments to the Dog Law and the regulatory standards which were adopted to implement the legislation.

## AGRICULTURE AND RURAL AFFAIRS.

**HR 90, PN 848**

By Rep. SCHRODER

A Resolution designating the month of March 2011 as "Problem Gambling Awareness Month" in Pennsylvania and observing the week of March 6 through 12, 2011, as "National Problem Gambling Awareness Week."

## GAMING OVERSIGHT.

**SENATE MESSAGE****RECESS RESOLUTION  
FOR CONCURRENCE**

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

In the Senate,  
February 28, 2011

RESOLVED, (the House of Representatives concurring), Pursuant to Article II, Section 14 of the Pennsylvania Constitution, that when the Senate recesses this week, it reconvene on Monday, March 7, 2011, unless sooner recalled by the President Pro Tempore of the Senate; and be it further

RESOLVED, Pursuant to Article II, Section 14 of the Pennsylvania Constitution, that when the House of Representatives recesses this week, it reconvene on Monday, March 7, 2011, unless sooner recalled by the Speaker of the House of Representatives.

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

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

**BILL REPORTED FROM COMMITTEE,  
CONSIDERED FIRST TIME, AND TABLED****HB 344, PN 919 (Amended)**

By Rep. GODSHALL

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, in general provisions, further providing for definitions; providing for regulation of certain operators of pipelines; and, in violations and penalties, further providing for civil penalties for gas pipeline safety violations.

## CONSUMER AFFAIRS.

**LEAVES OF ABSENCE**

The SPEAKER. The Speaker turns to leaves of absence and recognizes the majority whip, who requests a leave of absence for the gentleman, Mr. Dennis O'BRIEN, from Philadelphia for the day and the lady, Ms. QUINN, from Bucks County for the day. Without objection, the leaves will be granted.

The Speaker recognizes the minority whip, who requests leaves of absence for the gentlemen, Mr. BUXTON from Dauphin County for the day and Mr. GERBER from Montgomery County for the day. Without objection, the leaves will be granted.

Members will please report to the floor.

**MASTER ROLL CALL**

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

The following roll call was recorded:

**PRESENT—198**

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

## ADDITIONS—0

## NOT VOTING—0

## EXCUSED—5

Buxton  
Gerber

O'Brien, D.

Quinn

Wagner

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

### WARRIOR RUN GIRLS SOCCER TEAM PRESENTED

The SPEAKER. The Speaker recognizes Representative Schlegel Culver and invites her to the rostrum for the purpose of presenting a citation. With the Representative are Jen Allen, head coach; Kayla Stahlnecker, senior captain; Alexa Muffly, junior captain; Jessica Baylor, team member; and Reda Vermilya, team member, who will be accepting the citation in recognition of the Warrior Run Girls Soccer Team winning the 2010 PIAA Class A Girls Soccer Championship.

Ms. CULVER. Thank you, Mr. Speaker, and good morning.

It is a great honor today for me to introduce to you the young ladies of the Warrior Run High School Girls Soccer Team, who captured the 2010 PIAA State Class A Girls Soccer Championship. This is the very first State title for the Lady Defenders, which they earned by defeating Sewickley Academy with a score of 4 to 0. Their overall record for the season was 21 wins, 4 losses, and 1 tie.

As we all know, championship seasons are never solo accomplishments. It takes a unified team effort to lead a group to the championship and bring home the trophy. And because of this, all of us here today are proud of each and every member of the Warrior Run Girls Soccer Team.

These players could not have gotten this far without the dedication of their parents and their coaches: head coach Jen Allen; assistant coach Alecia Gold; and volunteer coaches Kelly Landis and Elle Hammeetman. And also offering support and assistance to the team of these fine young ladies were Superintendent John Kurelja, Principal Patti Cross, and athletic director Dave Hahn.

I know that sometimes it is not easy to balance all of the activities between school, homework, and activities as well as many other things, and that is what makes this achievement so very special. At this time I would like for the team members to stand and receive recognition.

On behalf of the House of Representatives, I extend our heartfelt congratulations to all of you, as well as those who assisted the team, upon your stellar season and your championship victory. We commend you for skillfully using your abilities and unflagging dedication in the pursuit of athletic excellence, and we offer best wishes for success in all your future endeavors. Congratulations, ladies.

Thank you, Mr. Speaker.

The SPEAKER. The Speaker thanks the lady.

## GUESTS INTRODUCED

The SPEAKER. The Speaker would also like to welcome the distinguished representatives from Argentina's Fundacion Universitaria del Rio de La Plata, a leadership development program for young Argentinean leaders from all political parties. They are visiting the United States as guests of the U.S. Department of State's International Visitor Leadership Program in order to learn more about political, social, and economic issues in the United States. They are guests of the Speaker and the U.S. Department of State's International Visitor Leadership Program and the International Visitors Council of Philadelphia. They are located in the rear of the House. Will the members please give them a warm welcome.

The Speaker would like to welcome the following members from the Pittsburgh City Council: Darlene Harris, Doug Shields, Bruce Kraus, Daniel Lavelle, the Reverend Ricky Burgess, and the city's budget director, Bill Urbanic. They are guests of Representative Dan Frankel. They are also located in the rear of the House. Will the guests please rise and be recognized.

The Speaker also welcomes Christine Ballard and Susan Browning, who are visiting from Williamsport's Susquehanna Health Systems. They are guests of Representative Garth Everett. They are located to the left of the Speaker. Welcome to the House.

Also, to the left of the Speaker's podium, we would like to welcome Jenny Bradman, executive director of Pennsylvania Families for Public Charter Schools. She is a guest of Representative DeWeese. Welcome to the House.

The Speaker would also like to welcome Maj. Mark Durick of the 811th Squadron Civil Air Patrol. Mark is located to the left of the Speaker. And along with Major Durick are Zachery Welcomer, Chad Miller, and Michael Confalone, who are cadets with the 811th Squadron Civil Air Patrol of Reading. They are serving as guest pages in the well of the House. These gentlemen are guests of Representative Jim Cox. Could we please welcome them to the hall of the House.

The Speaker also welcomes Laura Piontkowski and Katie Zapp, who attend Cedar Cliff High School. They are here today serving as guest pages, and they are the guests of Representative Delozier. Welcome to the hall of the House.

### COMMITTEE OFFICER CHANGES

The SPEAKER. The Speaker makes the following changes to the committee chairmanships, which the clerk will read.

The following committee officer change was read:

#### Committee Officer Changes

Agriculture & Rural Affairs

\*Vice-Chairman – Rep. Millard replaces Rep. Reese

## CALENDAR

## RESOLUTIONS PURSUANT TO RULE 35

Mr. JOHNSON called up **HR 4, PN 146**, entitled:

A Resolution designating March 21, 2011, as "William Randolph 'Sonny' Hill Day" in Pennsylvania.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

## YEAS—198

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

## NAYS—0

## NOT VOTING—0

## EXCUSED—5

Buxton  
Gerber

O'Brien, D.

Quinn

Wagner

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

\* \* \*

Mr. TURZAI called up **HR 59, PN 473**, entitled:

A Resolution memorializing the Congress of the United States to take action to safeguard the health of families who are eligible for food stamps by changing the way the Food Stamps Program is regulated.

On the question,  
Will the House adopt the resolution?

## RESOLUTION RECOMMENDED

The SPEAKER. The Speaker recognizes the majority leader, who moves that HR 59, PN 473, be recommitted to the Health Committee.

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

The SPEAKER. The House will come to order. The members will please take their seats. The Sergeants at Arms will clear the aisles of the House. All guests will be seated. We are about to take up a condolence resolution. The House will come to order. The members will please take their seats.

\* \* \*

Mr. FREEMAN called up **HR 78, PN 715**, entitled:

A Resolution remembering Leon Dean Rudy of the City of Harrisburg, former staff person of the House of Representatives.

On the question,  
Will the House adopt the resolution?

The SPEAKER. On the resolution, the gentleman, Mr. Freeman, is recognized.

Mr. FREEMAN. Thank you, Mr. Speaker.

HR 78 honors the memory of Leon Rudy, who served this House as a loyal and trusted employee for over 30 years and passed away in December of last year.

## FAMILY AND FRIENDS INTRODUCED

Mr. FREEMAN. With us today are a number of Leon's family and close friends, and I ask that they rise to be recognized. They are in the back of the House.

Among them is Betty Magaro, Leon's sister, who actually raised Leon. The Rudy family had 10 brothers and sisters, and by the time Leon came along, Betty was more or less charged



with raising Leon. So they had a very close relationship. Betty's husband, Ken, is with us as well. Joleen and Travis Teates; Joleen is Leon's daughter, and their child, Leon's granddaughter, Mikayla Teates, is also with us. Paul Rudy, Leon's brother; Jessica Rudy, Leon's niece; Kathleen Yasalonis, Leon's sister; Shawn Magaro, Leon's nephew; and Shirley Stahler, Leon's sister. Among their friends are Cheryl Spencer, who also works for this House; Helen Townsend; Meredith and Renee Biggica; David and Cathy Washburn; District Judge Joseph Solomon; Steve Weiss; and Erika Jeanette. Also my staff, who worked closely with Leon: John Fulton, executive director of the Local Government Committee; Danielle Brown, my L.A. (legislative assistant); Brianna Medevich; and Amy Brinton, both research assistants in our office who were coworkers of Leon. You may be seated. Thank you.

For the past 4 years, Leon was my chief of staff, and before that he served as a special assistant and research assistant to me. We worked together for 22 years. In that time we became good friends as well as coworkers, and I will always count him among my closest friends in life. In many respects, we both grew up in this place. He was a tremendous assistance to me in serving the citizens of the 136th District. Although he was based here in Harrisburg, he developed good working relationships with numerous community leaders and elected officials in my district who came to look upon Leon as a reliable source of information and assistance over the many years that I worked with him. With his easy-going manner and good sense of humor, many of them also came to count Leon as a friend.

Leon's public service was not limited to the Capitol here in Harrisburg, as he served with distinction in various local elected positions in the communities in which he lived, serving as president of the Franklintown Borough Council and as president of the Northern York County School Board of Directors. In both capacities, he established a solid record of achievement and gave countless hours of his own time to make the communities that he served better places in which to live.

Last September Leon was diagnosed with lung cancer. The cancer was already very advanced when he received his diagnosis, but despite that, Leon valiantly pursued chemotherapy in an attempt to arrest the disease. Unfortunately, to no avail. On December 13, 2010, he passed away at the age of 53, having been surrounded throughout his illness by many good friends and family who helped him cope with the situation. They were a tremendous support system to him in his hour of need, and he was grateful for their support and dedication to him.

Today, March 1, would have been Leon's 54th birthday. It is therefore fitting that we take up this resolution to pay tribute to his life and his service on this day.

Our ability to function successfully as a legislative body and as elected Representatives of the people, charged with enacting Pennsylvania's laws and serving the needs of our constituents, would be impossible, impossible to achieve without the assistance of dedicated employees who serve this institution in a staff capacity. Leon Rudy was among the finest members of staff that I have ever worked with. He was a thoughtful and decent individual, who adhered to the highest of professional standards. He took great pride in his work and displayed a

genuine dedication to it that one could always depend upon. He was always willing to assist others and provided assistance and guidance to many on numerous occasions throughout his service to this House.

He was possessed of great skills as a researcher and writer and had a tremendous sense of organization, which served both him and my office extremely well. No one was more gifted as a writer in explaining complex issues in an easily understood way or in providing his well-thought-out, commonsense perspective on the various issues of the day that we are asked to deal with. In dealing with constituents, he was always courteous and helpful, going the extra mile to assist them no matter what their need or request was. He could also be disarming of the most irate of individuals – and we have all encountered those in the course of our service – individuals who once he had a chance to communicate to them the nature of the situation, lay out reasonable options, and give a well-grounded understanding of the issues at hand, they would usually calm down and appreciate the assistance that he was able to render to them.

Leon Rudy was a kind and decent man who served this Commonwealth extremely well. He was a loyal and dedicated member of staff, a skilled and trusted adviser, and a very good friend to me and many others. Indeed, after working together for the extensive span of time that we did, Leon had become a member of my extended family, more of a brother than a member of staff. He will be missed by many.

I ask the House to please join me in unanimously passing HR 78 in honor of the life and memory of one of Pennsylvania's finest public servants, Leon Rudy.

Thank you, Mr. Speaker.

The SPEAKER. The Speaker thanks the gentleman.

As a sign of respect, all members and guests will please rise for a moment of silent prayer and/or meditation.

(Whereupon, the members of the House and all visitors stood in a moment of silence in solemn respect to the memory of Leon Rudy.)

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

The following roll call was recorded:

#### YEAS—198

Adolph	Dunbar	Kirkland	Rapp
Aument	Ellis	Knowles	Ravenstahl
Baker	Emrick	Kortz	Readshaw
Barbin	Evankovich	Kotik	Reed
Barrar	Evans, D.	Krieger	Reese
Bear	Evans, J.	Kula	Reichley
Benninghoff	Everett	Lawrence	Roae
Bishop	Fabrizio	Longietti	Rock
Bloom	Farry	Maher	Roebuck
Boback	Fleck	Mahoney	Ross
Boyd	Frankel	Major	Sabatina
Boyle, B.	Freeman	Maloney	Sacccone
Boyle, K.	Gabler	Mann	Sainato
Bradford	Galloway	Markosek	Samuelson
Brennan	Geist	Marshall	Santarsiero
Briggs	George	Marsico	Santoni
Brooks	Gergely	Masser	Saylor
Brown, R.	Gibbons	Matzie	Scavello

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Buxton	O'Brien, D.	Quinn	Wagner
Gerber			

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

### MEMORIAL SERVICE FOR HON. ROBERT C. DONATUCCI

The SPEAKER. We were all saddened to learn of the untimely passing of our friend and colleague, Representative Robert C. Donatucci, on November 9, 2010. His death is a loss not only for us here in the House but for the people of Philadelphia and throughout the Commonwealth. We were all deeply saddened and will miss him very much.

As is our custom, we will now take a few moments for a memorial service to reflect upon his service to the House of Representatives and the Commonwealth.

### CONDOLENCE RESOLUTION

The SPEAKER. The clerk will read the resolution.

The following resolution was read:

#### COMMONWEALTH OF PENNSYLVANIA THE HOUSE OF REPRESENTATIVES

#### CONDOLENCE RESOLUTION

WHEREAS, The House of Representatives of Pennsylvania wishes to honor the memory of the Honorable Robert C. Donatucci, a member of the House of Representatives of Pennsylvania serving the 185th Legislative District, who passed away at the age of fifty-eight on November 9, 2010; and

WHEREAS, Born in 1952 in Philadelphia, Representative Donatucci was the son of Yolanda Donatucci and the late Thomas Donatucci. A 1974 graduate of Temple University with a bachelor's degree in political science, he was a former Committeeman of the 26th Ward, 15th Division. Representative Donatucci was elected to the House of Representatives of Pennsylvania in a special election in March 1980, and he was recently reelected to serve his seventeenth consecutive term; and

WHEREAS, Throughout his personal life and professional career, Representative Donatucci consistently maintained the highest standards of excellence, along with an exemplary commitment to public service that earned him the respect of his many colleagues and friends. He generously gave of his heart and time to enhance the quality of life of his family and community, and his loss will be felt by the many individuals who knew, admired and loved him; now therefore be it

RESOLVED, That the House of Representatives of the Commonwealth of Pennsylvania proclaim with enduring sorrow the passing of the Honorable Robert C. Donatucci; and extend heartfelt condolence to his wife, Maria Patelmo Donatucci; son, Thomas; daughter, Dierdre; mother, Yolanda Donatucci; and many other family members and friends; and be it further

RESOLVED, That a copy of this resolution, sponsored by Representative Samuel H. Smith, Mike Turzai and Frank Dermody on December 1, 2010, be transmitted to Maria Patelmo Donatucci.

Samuel H. Smith, Sponsor

Mike Turzai, Sponsor

Frank Dermody, Sponsor

ATTEST:

Anthony Frank Barbush, Chief Clerk of the House

On the question,

Will the House adopt the resolution?

The SPEAKER. Those in favor of the resolution will rise as a mark of respect for Representative Donatucci. Guests will also please rise.

(Whereupon, the members of the House and all visitors stood in a moment of silence in solemn respect to the memory of the Honorable Robert C. Donatucci.)

The SPEAKER. The resolution has been unanimously adopted.

Members and guests may be seated.

### REMARKS BY SPEAKER

The SPEAKER. On behalf of the House of Representatives, I wish to convey our deepest sympathies to Representative Donatucci, Maria Donatucci, and her children, Thomas and Dierdre, who are seated here in the hall of the House. Along with them also are Bob's sister, Rita Donatucci, and his niece, Caryl Donatucci, along with many other additional family members and friends. Welcome to the House.

Bob Donatucci and I served in this House for many years, but our paths did not really cross that much. I did not serve on his committees, and some of us understand how that – you know, you just do not get to know everybody all that well sometimes in a body of this nature, but I want to assure the family and the friends that are gathered here today that his stellar reputation preceded him. He was a man of exceptional quality, and he was a man who you could trust his word, and in this place, that is one of the things I think most of us respect more than anything, is you live to your word and stand by it.

Hard work, honesty, and integrity were the hallmarks of Bob's service. He was an individual who respected his colleagues from both sides of the aisle.

Many would tell you that Bob's leadership of the House Liquor Committee was unparalleled. In many respects, he was a model chairman. Whether he was serving as the majority chairman or the ranking minority member, he worked to achieve consensus on the issues that came before the committee. I am told he would not move a piece of legislation forward without agreement from his counterpart and the other members of the committee. He respected this institution and the democratic process.

My observations of Bob told me that while he was often a man of few words, when he spoke he chose his words carefully and had something meaningful to say. The ability to listen and listen well and to speak and speak wisely is certainly one that is rare and worthy of great respect.

I am certain Bob's influence will be felt by this chamber for years to come. He was an individual who treated others with respect, and his actions truly spoke louder than his words. It is these kinds of character traits that tend to make the greatest impact and attributes of Bob's that will not be forgotten.

May you be comforted in his wonderful record in this House.

### REMARKS BY MAJORITY LEADER

The SPEAKER. The Speaker now recognizes the majority leader, Mr. Turzai, for additional remarks.

Mr. TURZAI. Thank you, Mr. Speaker.

Representative Donatucci, and to your family, on this memorial, with respect to Representative Robert Donatucci, he was a wonderful individual, always friendly, always professional, always treated everybody with respect. I felt that he brought, as do many of the folks who served on that committee with our Republican chairs, commonsense reforms through the Liquor Control Committee that many people applauded for modernizing the system.

He worked in a quiet way but a very focused way. He was a true statesman in that regard. This graduate of Bishop Neumann High School and Temple University who represented the

185th District was first and foremost a wonderful father and husband and a person who, with great reputation, great integrity, represented his constituents well. We will miss him, particularly losing him at such a young age of 58, but it is a reminder to everybody who serves here that each day is a privilege, and I am honored that I had an opportunity to speak on his behalf. Thank you.

The SPEAKER. The Speaker thanks the gentleman.

### REMARKS BY MINORITY LEADER

The SPEAKER. The Speaker now recognizes the Democratic leader, Mr. Dermody.

Mr. DERMODY. Thank you, Mr. Speaker.

Mr. Speaker, as I said when Maria Donatucci was sworn in, all of us who knew Bob and served with Bob here were accustomed to his quiet presence. I was used to looking in the back of the hall, as I said then, and watching Bob impart his wisdom to members on both sides of the aisle. He worked behind the scenes mostly. You did not see him much on PCN (Pennsylvania Cable Network). He did not go for the headlines, but Bob worked hard and he got a lot done.

That was never more evident than in the nineties when Governor Ridge attempted to sell the State stores. I think we may miss his leadership shortly also right now. Bob was the Democratic chairman of the Liquor Committee at that time and he made it his mission to stop that plan. He worked with labor groups, Mothers Against Drunk Driving, religious organizations, and others and he became the point person in opposition to that plan. That was when everybody came to know what we already knew about Bob Donatucci, that he was an honest, sincere, compassionate legislator who would fight with every tool he had to do what he felt was right.

Bob did much work over the years. He was a great chairman of the Liquor Committee. He worked with rural legislators, urban legislators, Democrats and Republicans, to get things done. He was the go-to guy on many, many issues.

Bob Donatucci was taken from us far too soon. He will be missed greatly. He was a quiet mentor, a trusted friend, and a dedicated public servant.

Our deep sense of loss is lightened by the arrival of Bob's wife, Maria, to serve in his place, to join in this work, and to carry on the Donatucci tradition of serving the people of Pennsylvania.

God bless our friend and colleague, Bob Donatucci.

Thank you, Mr. Speaker.

The SPEAKER. The Speaker thanks the gentleman.

### REMARKS BY MS. DONATUCCI

The SPEAKER. The Speaker now recognizes Representative Maria Donatucci.

Ms. DONATUCCI. Mr. Speaker, members of the General Assembly, friends and family, I first had an inclination to not make remarks today. It struck me that today's resolution could seem too sorrowfully emotional. However, Mr. Speaker, my children urged me to speak. They told me that talking about Bobby, the man and the person whom I have more than come to know and love over nearly 27 years of marriage, would serve as a fitting tribute to their caring father.

But where do I begin? It has already been said that Bob was a gentleman and a gentle man. So I thought about the words that would define Bobby. I came up with several very important personal descriptions. I would use such words as caring, thoughtful, kind, helpful, giving, and humble. He never took. He always gave. He did for others.

Bobby grew up as one of five children. My mother-in-law always said Bobby stood out as the only one of her children who never gave her problems. I believe it. I experienced that caring side of Bobby. Bob always served as the son who answered the frantic call in the middle of the night and took care of whatever problem arose.

But Bobby treated everyone that way. To Bobby, all that mattered was that a person needed help. He did not care whether the person was a sibling, a friend, an acquaintance, a constituent, or even if he did not know that person. He would come to the rescue for everyone who asked for a hand up. Bobby was the all-around good guy. In my eyes, he always stood out as one great guy. He was the friend who would travel 20 miles to give your car a hot-shot. He was the good neighbor who shoveled everybody else's sidewalks, put out their trash, carried their groceries, got their cars running. If your kids liked fudge, he bought it for them. And I could go on and on.

It is funny, Bob and I grew up a block away from each other, but it was not until we were in the same physics class at Temple that we started to date. However, there was one slight problem – and bear with me here – Bobby was a self-proclaimed bachelor and Maria wanted to settle down. So Maria dated Bobby in between boyfriends until Bobby put an end to the madness. In other words, I chased him until he caught me. I admit it, and it was well worth the chase because Bobby was better at being a husband than a bachelor. He was a real family man and there was a new role that suited him, and that was dad. Our son, Thomas, came along first and he followed in his father's footsteps by graduating from Temple with a B.A. (bachelor of arts) in political science. Two years later Dierdre was born, our daughter. She will graduate this May from Temple's advertising school. I want you both to know how proud Daddy felt with both of you. He and I both expect you to live by his example.

But getting back to Bobby: He was the father that went from Hess station to Hess station so his son would have every truck that was produced since he was born. He was also the dad who stood outside in the cold at 4 a.m. so his little girl would have Furbys under the Christmas tree. And he waited for Sony games, Holiday Barbies, iPods, on and on and on. He drove the kids there, picked them up here. Like the all-around good guy, he was all-around good dad. We always had kids and friends in tow.

Okay. So we have covered the many roles of Bobby. Well, there is one more side of Bobby that stands out that people should hear, and that side was very dear to his heart, the part of him as a car collector. Bobby collected DeSotos and Mopars and more DeSotos and more Mopars. He could tell you the year, make, and model by just looking at a headlight or a taillight. It was his passion, and he collected some fleet. His cars have received awards, they have gone on display in museums, and they have been written up in national publications. And because of this passion, I know if that thing has a Hemi. And yes, I know what a Hemi is and how it works. In fact, thanks to Bobby, I know about slant-6 engines, dual-injected rams,

chassis, electrical harnesses, boots, headers, on the frame, off the frame. Marisa Tomei was good, but Bob created the first cousin Vinny.

So, Mr. Speaker, members of the General Assembly, friends and family, in closing, I want to share a story that I spoke about when I eulogized my husband – one, because it is a great story; and two, it epitomizes the essence of Bobby. When I was a young woman growing up in my parents' house, every morning when I was getting dressed, my dad took me a cup of coffee. During high school, during college, during work, every morning my dad served me a cup of coffee. And my mother would confront him and say, "Phil, you have to stop this. Someday she is going to meet a guy, fall in love, get married and be very disappointed because nobody else is going to do this." Well, guess what? My mother was finally wrong, because since the first day of our honeymoon to the day before he passed, my husband brought me a cup of coffee every day. And 4 months later, I am still missing that cup of coffee.

So in closing, Mr. Speaker, members of the General Assembly, friends and family, I thank you again for allowing me to speak about my husband, Bob Donatucci, the man. I only hope that I can do all he did here in the General Assembly and elsewhere in his life. I thank you all for listening.

The SPEAKER. The Speaker thanks the lady and would suggest that your children were right, that you should make remarks today because you did it with strength and class and we appreciate your sharing those personal notes of your life with Bob. It adds a lot of color to our understanding. We appreciate that.

## BENEDICTION

The SPEAKER. We will close this segment with a prayer offered by Representative Louise Bishop.

Members and all guests will please rise.

Ms. BISHOP. Thank you, Mr. Speaker.

I cannot share a story on a cup of coffee, but I sure can share a story of Representative Donatucci's cannolis from South Philadelphia, all of the different flavors.

Let us pray:

Good morning, God. Everlasting God, eternal God, supreme God of the universe, the maker and giver of every good and perfect gift, we enter into Your presence today to say thank You, thank You for all of the great things You did through Your servant, Your fallen leaf, Robert Donatucci, while he was on this journey here.

The Honorable Robert Donatucci, our colleague, faithful husband, loving father, devoted brother, and friend served his community and all of those who knew him with honor, fidelity, and with unwavering dedication. Service was truly the price he paid, God, for the space that You allowed him to occupy.

So I pray today that You will grant unto us, all of us, strength to be able to accept those things we cannot change and give unto us the ability and the understanding that all of our tomorrows are in Your hands. And when our tomorrows become simply the last syllable of recorded times, You will help us to be able to say as great men said in the past, "We stand in life and look at death and wonder why. But, who knows, in death we may stand and look at life and wonder, why not." The late President John F. Kennedy. Or, as the late Dr. Martin

Luther King said, "Death is not the period that ends this great sentence of life. But it is an exclamation point that punctuates it to a more loftier significance."

Robert Donatucci was like still water running deep. He did not always express what he knew, but he never missed what was said. He never missed the mark. And perhaps, if Robert could speak to us today, we would hear him saying, I fought a good fight, I have finished my course, and now I hear that still, small voice saying, well done; well done, my good and faithful servant; come on in and enjoy your reward. Amen.

Thank you, Mr. Speaker.

The SPEAKER. Members and guests may be seated. The Sergeants at Arms will open the doors of the House. The family members and guests of Representative Donatucci are free to leave if they would like. We are going to proceed with some regular House business, but you are free to leave if you would like to.

## UNCONTESTED CALENDAR

### RESOLUTIONS PURSUANT TO RULE 35

Mr. JOHNSON called up **HR 5, PN 147**, entitled:

A Resolution designating the week of March 21 through 25, 2011, as "Youth Violence Prevention Week" in Pennsylvania.

\* \* \*

Miss MANN called up **HR 81, PN 745**, entitled:

A Resolution recognizing the month of March 2011 as "National Women's History Month" in Pennsylvania.

\* \* \*

Mr. PRESTON called up **HR 93, PN 850**, entitled:

A Resolution proclaiming the week of March 6 through 11, 2011, as "National Consumer Protection Week" in Pennsylvania and emphasizing the important role of consumer education in making smart financial decisions.

\* \* \*

Mr. B. BOYLE called up **HR 96, PN 853**, entitled:

A Resolution declaring March 2011 as "Irish American Heritage Month" in Pennsylvania.

On the question,  
Will the House adopt the resolutions?

The following roll call was recorded:

#### YEAS—198

Adolph	Dunbar	Kirkland	Rapp
Aument	Ellis	Knowles	Ravenstahl
Baker	Emrick	Kortz	Readshaw
Barbin	Evankovich	Kotik	Reed
Barrar	Evans, D.	Krieger	Reese
Bear	Evans, J.	Kula	Reichley
Benninghoff	Everett	Lawrence	Roae
Bishop	Fabrizio	Longietti	Rock

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Buxton	O'Brien, D.	Quinn	Wagner
Gerber			

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

## CALENDAR CONTINUED

### BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 562, PN 540**, entitled:

An Act amending the act of June 30, 1981 (P.L.128, No.43), known as the Agricultural Area Security Law, further providing for definitions; and abrogating a regulation.

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 372, PN 337**, entitled:

An Act amending the act of June 24, 1931 (P.L.1206, No.331), known as The First Class Township Code, further providing for suits and property.

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 373, PN 338**, entitled:

An Act amending the act of February 1, 1966 (1965 P.L.1656, No.581), known as The Borough Code, further providing for general powers.

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 374, PN 713**, entitled:

An Act amending the act of May 27, 1953 (P.L.244, No.34), entitled "An act relating to and regulating the contracts of incorporated towns and providing penalties," further providing for power to convey.

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

## SUPPLEMENTAL CALENDAR A

### BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 144, PN 711**, entitled:

An Act amending the act of December 19, 1974 (P.L.973, No.319), known as the Pennsylvania Farmland and Forest Land Assessment Act of 1974, further providing for utilization of land or conveyance of rights for exploration or extraction of gas, oil or coal bed methane.

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

### YEAS—197

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

### NAYS—1

Adolph

### NOT VOTING—0

### EXCUSED—5

Buxton	O'Brien, D.	Quinn	Wagner
Gerber			

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

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

**REMARKS SUBMITTED FOR THE RECORD**

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

Mr. HANNA. Thank you, Mr. Speaker.

Just to submit some remarks for the record on HB 144.

The SPEAKER. The Speaker thanks the gentleman.

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

Thank you, Mr. Speaker.

I rise today in support of HB 144, which would amend current Clean and Green laws to further encourage the exploration of clean, alternative energy sources in Pennsylvania.

It is our responsibility as legislators and as citizens to encourage clean energy development. Anything we can do to make the process clearer and easier to navigate is a step in the right direction.

This legislation, in particular, would change language to amendments that were enacted last year to the preferential tax assessment law, which provides guidance to county assessors on how to apply the roll-back tax penalty when oil and gas drilling is conducted on land enrolled in the State's Clean and Green Program.

Under the current law, roll-back tax penalties are applied when a well site restoration report is approved by the State Department of Environmental Protection. However, these reports are not actually approved by DEP, just submitted to the agency.

This bill would eliminate any confusion by changing the time when roll-back taxes and fair market value assessment can be applied to when a well production report is submitted to DEP.

Last year we enacted two laws to help to encourage clean energy development in Pennsylvania by permitting landowners enrolled in the State's Clean and Green Program to allow the development of related facilities and construction of solar and wind power generation systems as well as oil and gas exploration on their property.

I believe that oil, gas, and other alternative energy exploration and development are essential to promoting clean and stable energy production in the Commonwealth, and I am glad to support this and other legislation to make this happen.

Thank you.

\* \* \*

The House proceeded to third consideration of **HB 201, PN 153**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for definitions, for aggravated assault and for criminal trespass.

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

**YEAS—198**

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

**NAYS—0****NOT VOTING—0****EXCUSED—5**

Buxton	O'Brien, D.	Quinn	Wagner
Gerber			

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 270, PN 223**, entitled:

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

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

#### YEAS—198

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

DeWeese	Keller, M.K.	Preston	
DiGirolamo	Keller, W.	Pyle	Smith, S.,
Donatucci	Killion	Quigley	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—5

Buxton	O'Brien, D.	Quinn	Wagner
Gerber			

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 495, PN 450**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in rules of evidence, providing for benevolent gesture or admission by health care provider or assisted living residence or personal care home.

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

#### YEAS—171

Adolph	Evans, J.	Kotik	Readshaw
Aument	Everett	Krieger	Reed
Baker	Fabrizio	Lawrence	Reese
Barrar	Farry	Longietti	Reichley
Bear	Fleck	Maher	Roae
Benninghoff	Frankel	Major	Rock
Bloom	Gabler	Maloney	Roebuck
Boback	Galloway	Mann	Ross
Boyd	Geist	Markosek	Saccone
Brennan	George	Marshall	Sainato
Briggs	Gibbons	Marsico	Samuelson
Brooks	Gillen	Masser	Santoni
Brown, R.	Gillespie	Matzie	Saylor
Brown, V.	Gingrich	McGeehan	Scavello
Caltagirone	Godshall	Metcalfe	Schroder
Causar	Goodman	Metzgar	Shapiro
Christiana	Grell	Miccarelli	Simmons
Clymer	Grove	Micozzie	Smith, M.
Cohen	Hackett	Millard	Sonney
Conklin	Hahn	Miller	Staback
Costa, D.	Haluska	Milne	Stephens



Costa, P.	Hanna	Mirabito	Stern
Cox	Harhai	Moul	Stevenson
Creighton	Harhart	Murphy	Sturla
Cruz	Harkins	Murt	Swanger
Culver	Harper	Mustio	Tallman
Curry	Harris	Myers	Taylor
Cutler	Heffley	Neuman	Thomas
Daley	Helm	O'Neill	Tobash
Davidson	Hennessey	Oberlander	Toepel
Davis	Hess	Parker	Toohil
Day	Hickernell	Pashinski	Truitt
Deasy	Hornaman	Payne	Turzai
DeLissio	Hutchinson	Peifer	Vereb
DeLozier	Kampf	Perry	Vulakovich
DeLuca	Kauffman	Petrarca	Waters
Denlinger	Keller, F.	Petri	Watson
DePasquale	Keller, M.K.	Pickett	White
DiGirolamo	Keller, W.	Preston	Williams
Dunbar	Killion	Pyle	Youngblood
Ellis	Kirkland	Quigley	
Emrick	Knowles	Rapp	Smith, S.,
Evankovich	Kortz	Ravenstahl	Speaker
Evans, D.			

## NAYS—27

Barbin	Carroll	Josephs	Payton
Bishop	Dermody	Kavulich	Sabatina
Boyle, B.	DeWeese	Kula	Santarsiero
Boyle, K.	Donatucci	Mahoney	Smith, K.
Bradford	Freeman	Mullery	Vitali
Brownlee	Gergely	Mundy	Wheatley
Burns	Johnson	O'Brien, M.	

## NOT VOTING—0

## EXCUSED—5

Buxton	O'Brien, D.	Quinn	Wagner
Gerber			

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

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

## STATEMENT BY MR. GILLESPIE

The SPEAKER. The Speaker recognizes the gentleman, Mr. Gillespie.

Mr. GILLESPIE. Thank you, Mr. Speaker.

I rise to thank the members for their support and passage of HB 495. Should HB 495 become law, it will allow for patients and their families and health-care providers to have a full and open discussion regarding an unforeseen outcome of their care. Currently when a patient or their family wants information on a bad outcome, health-care providers are advised not to share expressions of empathy, compassion, or benevolence for fear that this could be used against them. Lawsuits are often filed as a result of frustration and a quest to get answers.

This legislation has broad-based support and has been adopted in similar drafts in 35 other States, the District of Columbia, including neighboring Ohio, Delaware, and Maryland.

Mr. Speaker, I thank the members once again for their support. Thank you.

The SPEAKER. The Speaker thanks the gentleman.

GAME AND FISHERIES  
COMMITTEE MEETING

The SPEAKER. The Speaker recognizes the gentleman, Mr. John Evans, for a committee announcement.

Mr. J. EVANS. Thank you, Mr. Speaker.

At the call of the recess, there will be an immediate meeting of the House Game and Fisheries Committee in room 205 of the Ryan Office Building. Thank you, Mr. Speaker.

The SPEAKER. The Speaker thanks the gentleman.

There will be an immediate meeting of the Game and Fisheries Committee in room 205, Ryan Office Building.

## VOTE CORRECTION

The SPEAKER. The Speaker recognizes the gentleman, Mr. Adolph, for the purpose of correcting the record.

Mr. ADOLPH. Thank you, Mr. Speaker.

Mr. Speaker, on HB 144 my switch was incorrectly hit. I was a "yes" vote, and by accident it was pushed to a negative vote, by accident, and I want to make it perfectly clear I am for HB 144. And if it would make the prime sponsor happier, I would be glad to reconsider the vote. Thank you very much.

The SPEAKER. The gentleman's remarks will be spread upon the record, and I think that will suffice.

For the information of the members, there will be no further votes.

BILLS REPORTED FROM COMMITTEES,  
CONSIDERED FIRST TIME, AND TABLED

**HB 142, PN 920** (Amended)

By Rep. BARRAR

An Act amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, providing for incentives for municipal volunteers of fire companies and emergency medical services agencies.

VETERANS AFFAIRS AND EMERGENCY  
PREPAREDNESS.

**HB 295, PN 248**

By Rep. CREIGHTON

An Act amending the act of April 23, 2002 (P.L.298, No.39), known as the Main Street Act, further providing for the duration of grants.

LOCAL GOVERNMENT.

**HB 385, PN 349**

By Rep. BARRAR

An Act adopting the Honor and Remember Flag as an official flag to recognize and honor fallen members of the armed forces; and imposing duties on the Department of General Services.

VETERANS AFFAIRS AND EMERGENCY  
PREPAREDNESS.

**HB 705, PN 719**

By Rep. CREIGHTON

An Act amending the act of August 9, 1955 (P.L.323, No.130), known as The County Code, in county officers, further providing for enumeration of elected officers.

LOCAL GOVERNMENT.

**HB 707, PN 721**

By Rep. CREIGHTON

An Act amending the act of July 28, 1953 (P.L.723, No.230), known as the Second Class County Code, further providing for enumeration of elected officers.

LOCAL GOVERNMENT.

**HB 715, PN 729**

By Rep. CREIGHTON

An Act amending the act of May 25, 1945 (P.L.1050, No.394), known as the Local Tax Collection Law, further providing for definitions; and providing for collection of municipal taxes by county treasurer.

LOCAL GOVERNMENT.

**HB 728, PN 741**

By Rep. BARRAR

An Act amending the act of February 11, 1998 (P.L.58, No.15), known as the Combustible and Flammable Liquids Act, further providing for regulations and for prohibitions.

VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS.

**BILL REPORTED AND REREFERRED TO  
COMMITTEE ON URBAN AFFAIRS**

**HB 639, PN 640**

By Rep. CREIGHTON

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in optional affordable housing funding, further providing for affordable housing programs fee in cities of first class.

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

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

**BILLS RECOMMITTED**

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

HB 372;  
HB 373;  
HB 374; and  
HB 562.

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

**BILL REMOVED FROM TABLE**

The SPEAKER. The Speaker recognizes the majority leader, who moves that HB 377 be removed from the tabled calendar and placed on the active calendar.

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

**STATEMENT BY MR. DeWEESE**

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

Mr. DeWEESE. Mr. Speaker, I would like to be recognized on unanimous consent to make a 2- or 3-minute observation of yesterday's symposium that focused on our institution.

The SPEAKER. The gentleman is recognized under unanimous consent.

Mr. DeWEESE. On a PCN television program earlier in the week, Mr. Speaker, I talked about inevitability. I said it would be impossible to discuss Switzerland without discussing the Alps. I said it would be inappropriate to talk about the American Civil War without referring to Stonewall Jackson. I also indicated that when the history of this great Commonwealth is scribed, that the name of His Excellency, Governor Corbett, will always be juxtaposed next to the word "Bonusgate."

With that as a background, I went to the symposium yesterday and listened to a variety of speakers and was immediately focusing upon the fact that our majority leader, Mr. Turzai, made some appropriate and poignant references to constitutionality and the matrix between our institution and the judiciary. Professor McLaughlin also talked about the inception of an elected Attorney General, the efficacy of that maneuver in the late 1970s and beyond. We talked about the history of the post-Watergate era, the post-Constitutional Convention era, and most importantly, we at least talked about, on the margins, on the far penumbra of the core subject of our interrelationships with the judiciary, the executive and the legislative branch, but we did not get to the nub.

So as I relinquish the microphone, Mr. Speaker, I would only politely suggest to the powers that be that if we do indeed intend to have future symposia about the relationship between the executive branch, the legislative branch, and the judicial branch, preeminently focusing on our General Assembly, it should at least contemplate the nexus between the judiciary and the legislature and the nexus between the executive and the legislature. The fact that we sat there for 2 1/2 hours – and parenthetically, Mr. Speaker, I got there early and stayed late – and did not discuss, not for one millisecond, the searing scrutiny of one branch of government, the executive branch of government, upon our institution. We were there to talk about the institution of the General Assembly, and not for one minute did the subject come up that for 5 long years now we have been under the aggressive enthusiasms of the executive branch.

As I close, that was either a stunning omission or, Mr. Speaker, it was the palpable, pusillanimity of the parliamentary potentates in charge of the process. Thank you.

**ANNOUNCEMENT BY SPEAKER**

The SPEAKER. For the information of the members, we will call the session back at 2 o'clock for the sole purpose of having committee reports.

There will be no further votes this afternoon.

**RECESS**

The SPEAKER. So this House stands in recess until 2 p.m.

**AFTER RECESS**

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

**BILL REMOVED FROM TABLE**

The SPEAKER. The Speaker recognizes the majority leader, who moves that HB 142 be removed from the tabled calendar.

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

**BILL RECOMMITTED**

The SPEAKER. The Speaker recognizes the majority leader, who moves that HB 142 be recommitted to the Committee on Appropriations.

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

**SENATE MESSAGE****JOINT SESSION**

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

In the Senate,  
March 1, 2011

RESOLVED, (the House of Representatives concurring), That the Senate and House of Representatives meet in Joint Session on Tuesday, March 8, 2011, at 11:30 a.m., in the Hall of the House of Representatives for the purpose of hearing an address by His Excellency, Governor Tom Corbett; and be it further

RESOLVED, That a committee of three, on the part of the Senate, be appointed to act with a similar committee on the part of the House of Representatives, to escort His Excellency, the Governor of the Commonwealth of Pennsylvania, to the Hall of the House of Representatives.

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

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

**BILL REMOVED FROM TABLE**

The SPEAKER. The Speaker recognizes the majority leader, who moves that HB 148 be removed from the tabled calendar.

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

**BILL RECOMMITTED**

The SPEAKER. The Speaker recognizes the majority leader, who moves that HB 148 be recommitted to the Liquor Control Committee.

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

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

**HB 78, PN 921** (Amended)

By Rep. J. EVANS

An Act amending Title 30 (Fish) of the Pennsylvania Consolidated Statutes, further providing for the offense of homicide by watercraft while operating under influence.

GAME AND FISHERIES.

**RESOLUTIONS PASSED OVER**

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

**ADJOURNMENT**

The SPEAKER. Seeing no further business, the Speaker recognizes the gentleman, Mr. Gillen from Berks County, who moves that this House do adjourn until Wednesday, March 2, 2011, at 11 a.m., e.s.t., unless sooner recalled by the Speaker.

On the question,  
Will the House agree to the motion?  
Motion was agreed to, and at 2:09 p.m., e.s.t., the House adjourned.