

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

WEDNESDAY, JUNE 8, 2011

SESSION OF 2011

195TH OF THE GENERAL ASSEMBLY

No. 41

HOUSE OF REPRESENTATIVES

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

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

PRAYER

The SPEAKER. This morning the prayer will be offered by Pastor Brian Holben, Jerusalem Lutheran Church, Trachsville, PA.

PASTOR BRIAN HOLBEN, Guest Chaplain of the House of Representatives, offered the following prayer:

Shall we bow our heads in prayer:

Gracious and loving Lord, who brought about the heavens and the earth and called into being all things that live therein, be with us now and inspire in us the will to help our fellow man, to seek reconciliation and, where need be, compromise in order that the people of this great Commonwealth be served. Encourage in all of us the appreciation of what we have and what we are called to do on behalf of others.

In Your name and by the authority given to us by those we represent, amen.

PLEDGE OF ALLEGIANCE

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

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, the approval of the Journal of Tuesday, June 7, 2011, will be postponed until printed.

JOURNAL APPROVED

The SPEAKER. However, the following Journal is in print and, without objection, will be approved: that of Wednesday, April 6, 2011.

BILLS REREPORTED FROM COMMITTEE

HB 139, PN 2046

By Rep. ADOLPH

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for distress in school districts of the first class; providing for State reimbursement for mobile classroom facilities; and making editorial changes.

APPROPRIATIONS.

HB 1441, PN 1731

By Rep. ADOLPH

An Act amending Title 45 (Legal Notices) of the Pennsylvania Consolidated Statutes, in codification and publication of documents, providing for electronic publication of municipal codes; and making an inconsistent repeal.

APPROPRIATIONS.

HB 1451, PN 1956

By Rep. ADOLPH

An Act amending the act of July 7, 1947 (P.L.1368, No.542), known as the Real Estate Tax Sale Law, providing for additional costs for rehabilitation and maintenance.

APPROPRIATIONS.

BILLS REPORTED FROM COMMITTEES, CONSIDERED FIRST TIME, AND RECOMMITTED TO COMMITTEE ON RULES

HB 683, PN 688

By Rep. HESS

An Act amending Title 15 (Corporations and Unincorporated Associations) of the Pennsylvania Consolidated Statutes, in officers, directors and members relating to nonprofit corporations, further providing for manner of giving notice.

COMMERCE.

HB 870, PN 908

By Rep. STERN

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."

TOURISM AND RECREATIONAL DEVELOPMENT.

HB 970, PN 2051 (Amended)

By Rep. HESS

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

COMMERCE.

HB 1294, PN 2050 (Amended)

By Rep. GODSHALL

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, further providing for valuation of and return on the property of a public utility; and providing for alternative regulatory mechanisms.

CONSUMER AFFAIRS.

HB 1478, PN 1785

By Rep. STERN

An Act amending the act of August 9, 1955 (P.L.323, No.130), known as The County Code, in alternative provision for third class county convention center authorities, further providing for hotel room rental tax.

TOURISM AND RECREATIONAL DEVELOPMENT.

HB 1588, PN 1954

By Rep. STERN

An Act amending the act of August 9, 1955 (P.L.323, No.130), known as The County Code, in fiscal affairs, further providing for authorization of three per centum hotel tax in certain counties of the sixth class.

TOURISM AND RECREATIONAL DEVELOPMENT.

HB 1599, PN 2052 (Amended)

By Rep. MICOZZIE

An Act amending the act of July 6, 1917 (P.L.723, No.262), entitled "An act imposing a tax on premiums of insurance and reinsurance in foreign insurance companies and associations not registered in this Commonwealth; providing the method of collection of such tax, and imposing penalties," further providing for tax on contracts with unauthorized companies and deductions.

INSURANCE.

HB 1601, PN 2053 (Amended)

By Rep. MICOZZIE

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 purpose, for definitions, for acting for or aiding nonadmitted insurers, for requirements for eligible surplus lines insurers, for surplus lines licensee's duty to notify insured, for exempt risks, for surplus lines advisory organizations, for licensing of surplus lines licensee, for surplus lines licensees may accept business from insurance producer, for surplus lines tax, for tax on independently procured insurance and for suspension, revocation or nonrenewal of surplus lines licensee's license.

INSURANCE.

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. MUSTIO, from Allegheny County for the day. Without objection, the leave will be granted.

The Speaker turns to the minority whip, who requests a leave of absence for the lady, Ms. BISHOP, from Philadelphia County for the day; the lady, Mrs. DAVIDSON, from Delaware County for the day; the gentleman, Mr. KORTZ, from Allegheny County for the day; the gentleman, Mr. GERBER, from Montgomery County for the day.

Additionally, the Speaker recognizes the presence of the gentleman from Bucks, Mr. Galloway. His name will be added to the master roll call.

Additionally, the minority whip requests a leave of absence for the gentleman, Mr. Dwight EVANS, from Philadelphia 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 call. Members will please report to the floor.

Members will proceed to vote.

(Members proceeded to vote.)

LEAVE OF ABSENCE

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

MASTER ROLL CALL CONTINUED

The following roll call was recorded:

PRESENT—196

Adolph	Ellis	Krieger	Readshaw
Aument	Emrick	Kula	Reed
Baker	Evankovich	Lawrence	Reese
Barbin	Evans, J.	Longietti	Reichley
Barrar	Everett	Maher	Roae
Bear	Fabrizio	Mahoney	Rock
Benninghoff	Farry	Major	Roebuck
Bloom	Fleck	Maloney	Ross
Boback	Frankel	Mann	Sabatina
Boyd	Freeman	Markosek	Saccone
Boyle, B.	Gabler	Marshall	Sainato
Boyle, K.	Galloway	Marsico	Samuelson
Bradford	Geist	Masser	Santarsiero
Brennan	George	Matzie	Santoni
Briggs	Gergely	McGeehan	Saylor
Brooks	Gibbons	Metcalfe	Scavello
Brown, R.	Gillen	Metzgar	Schroder
Brown, V.	Gillespie	Miccarelli	Shapiro
Brownlee	Gingrich	Micozzie	Simmons
Burns	Goodman	Millard	Smith, K.
Buxton	Grell	Miller	Smith, M.
Caltagirone	Grove	Milne	Sonney
Carroll	Hackett	Mirabito	Staback
Causer	Hahn	Moul	Stephens
Christiana	Haluska	Mullery	Stern
Clymer	Hanna	Mundy	Stevenson
Cohen	Harhai	Murphy	Sturla
Conklin	Harhart	Murt	Swanger
Costa, D.	Harkins	Myers	Tallman
Costa, P.	Harper	Neuman	Taylor
Cox	Harris	O'Brien, D.	Thomas

Creighton	Heffley	O'Brien, M.	Tobash
Cruz	Helm	O'Neill	Toepel
Culver	Hennessey	Oberlander	Toohil
Curry	Hess	Parker	Truitt
Cutler	Hickernell	Pashinski	Turzai
Daley	Hornaman	Payne	Vereb
Davis	Hutchinson	Payton	Vitali
Day	Johnson	Peifer	Vulakovich
Deasy	Josephs	Perry	Wagner
DeLissio	Kampf	Petrarca	Waters
Delozier	Kauffman	Petri	Watson
DeLuca	Kavulich	Pickett	Wheatley
Denlinger	Keller, F.	Preston	White
DePasquale	Keller, M.K.	Pyle	Williams
Dermody	Keller, W.	Quigley	Youngblood
DeWeese	Killion	Quinn	
DiGirolamo	Kirkland	Rapp	Smith, S.,
Donatucci	Knowles	Ravenstahl	Speaker
Dunbar	Kotik		

ADDITIONS—0

NOT VOTING—0

EXCUSED—7

Bishop	Evans, D.	Godshall	Mustio
Davidson	Gerber	Kortz	

LEAVES CANCELED—3

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

GUESTS INTRODUCED

The SPEAKER. The Speaker would like to welcome some of the guests that are with us today.

Located to the left of the rostrum, the Speaker welcomes Alyssa Gross. She attends Arcadia University where she is majoring in global legal studies, and she is the guest of Representative Saylor. Will our guest please rise. Welcome to the hall of the House.

Also to the left of the Speaker's rostrum, we welcome Harry and Ashley Sonntag. They are guests of Representative Dennis O'Brien and Representative Kevin Boyle. Will our guests please rise. Welcome to the hall of the House.

Also to the left of the rostrum, the Speaker welcomes Ed and Cly Hornung, and they are the guests of Representative Matt Gabler. Will our guests please rise. Welcome to the hall of the House.

And also over to our left we welcome Caroline and Greg Miller. They are the guests of Representative Fleck. Please rise. Welcome to the hall of the House.

Located in the gallery, the Speaker would like to welcome the students of the Fell Charter School located in Simpson, PA. They are the guests of Representative Murphy. And the group's teacher, Eileen Allegrucci, is Representative Murphy's sister. So would our guests from Fell Charter please rise, and welcome to the hall of the House.

And a couple of the guest pages we have located down here in the well of the House. The Speaker would like to welcome guest page Christopher Kong. He is a homeschooled high school junior from Lititz, PA, and he is the guest of Representative Bear. Welcome to the hall of the House.

ANNOUNCEMENT BY MR. HARHAI

The SPEAKER. Will the House come to order, please.

Does the gentleman, Mr. Harhai, seek recognition under unanimous consent?

Mr. HARHAI. Thank you, Mr. Speaker. I do rise under unanimous consent.

The SPEAKER. The gentleman is in order under unanimous consent.

Mr. HARHAI. Thank you.

Mr. Speaker, it is my honor and privilege today to announce that it is the 54th wedding anniversary of Representative Larry Curry and his wife, Shirley, my good friend down in the East Wing. I do not know if Shirley is up here, but if she is— There she is in the back. Let us give a hand for Shirley.

Thank you very much, Mr. Speaker.

The SPEAKER. The Speaker thanks the gentleman and congratulates the Currys.

REPUBLICAN CAUCUS

The SPEAKER. For the purpose of making a caucus announcement, the Speaker recognizes the lady from Susquehanna, Ms. Major.

Ms. MAJOR. Thank you, Mr. Speaker.

I would like to announce a Republican caucus at 11:45. I would ask Republican members to please report to our caucus room at 11:45, and then we will return to the floor, we would be prepared to return to the floor at 1 p.m. Thank you.

The SPEAKER. The Speaker thanks the lady.

DEMOCRATIC CAUCUS

The SPEAKER. The Speaker recognizes the gentleman, Mr. Frankel, for a Democrat caucus announcement.

Mr. FRANKEL. Democrats will caucus at 11:30 – 11:30 caucus, Democrats. Thank you.

GAME AND FISHERIES COMMITTEE MEETING

The SPEAKER. The Speaker recognizes the gentleman, Mr. Evans, for the purpose of making an announcement.

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

I would like to call an immediate meeting of the House Game and Fisheries Committee. Members of the House Game and Fisheries Committee, an immediate meeting in room 205 of the Ryan Office Building. Thank you.

The SPEAKER. The Speaker thanks the gentleman.

Game and Fisheries will meet immediately in room 205, Ryan Office Building.

Any other announcements?

RECESS

The SPEAKER. Seeing nothing further, this House stands in recess until 1 o'clock, unless sooner recalled by the Speaker.

RECESS EXTENDED

The time of recess was extended until 1:15 p.m.

AFTER RECESS

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

The SPEAKER. Members will please report to the floor.

BILL REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND RECOMMITTED TO COMMITTEE ON RULES

HB 721, PN 735

By Rep. J. EVANS

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, in hunting and furtaking, further providing for penalties.

GAME AND FISHERIES.

BILL REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

SB 450, PN 433

By Rep. J. EVANS

An Act amending Title 30 (Fish) of the Pennsylvania Consolidated Statutes, providing for terms of members of the Pennsylvania Fish and Boat Commission.

GAME AND FISHERIES.

CALENDAR

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 1164, PN 1845**, entitled:

An Act amending the act of July 2, 2006 (P.L.292, No.65), known as the Organ and Bone Marrow Donor Act, further providing for applicability of act.

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

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The House proceeded to second consideration of **HB 1436, PN 1943**, entitled:

An Act amending Titles 18 (Crimes and Offenses) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for restitution for official oppression; further providing for the offense of official oppression; and providing for sentencing for official oppression.

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

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The House proceeded to second consideration of **HB 1546, PN 1944**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for powers and duties of the Juvenile Court Judges' Commission.

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 1173, PN 1279**, entitled:

An Act amending Title 74 (Transportation) of the Pennsylvania Consolidated Statutes, further providing for metropolitan transportation authority powers relating to alternative means of raising revenue or reducing expenses.

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

HOUSE RESOLUTION INTRODUCED AND REFERRED

No. 334 By Representatives WHITE, CUTLER, DONATUCCI, FABRIZIO, KORTZ, MANN, McGEEHAN, M. O'BRIEN, SANTARSIERO, SWANGER and YOUNGBLOOD

A Resolution directing the Joint State Government Commission to conduct a study on the effects of a four-day, ten-hour workweek for employees of the Commonwealth.

Referred to Committee on STATE GOVERNMENT, June 8, 2011.

HOUSE BILLS INTRODUCED AND REFERRED

No. 704 By Representatives O'NEILL, STURLA, BARRAR, BRADFORD, BRIGGS, CALTAGIRONE, CARROLL, DALEY, DeLUCA, FARRY, FLECK, FRANKEL,

GEIST, GINGRICH, GRELL, GROVE, HARHAI, HORNAMAN, JOSEPHS, KILLION, KOTIK, MANN, MICOZZIE, MIRABITO, MURPHY, MURT, PETRI, QUIGLEY, QUINN, REICHLEY, ROSS, SANTONI, SCAVELLO, THOMAS, TOEPEL, TOOHL, VULAKOVICH and WATSON

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for definitions; and providing for the distribution of special education funding for student achievement and instruction of eligible students and for special education accountability.

Referred to Committee on EDUCATION, June 8, 2011.

No. 1641 By Representatives PASHINSKI, BISHOP, BRIGGS, CALTAGIRONE, CARROLL, D. COSTA, DALEY, DeLUCA, DeWEESE, DONATUCCI, FABRIZIO, GEORGE, GERGELY, HARKINS, HORNAMAN, JOSEPHS, KORTZ, KOTIK, KULA, MAHONEY, MIRABITO, MURPHY, M. O'BRIEN, SANTONI, STABACK, TAYLOR, WATERS and YOUNGBLOOD

An Act providing for Health Care Insurance Certificate Program; imposing duties on the Insurance Department; establishing the Health Care Insurance Certificate Program Fund; providing for administration of fund; and making a related repeal.

Referred to Committee on INSURANCE, June 8, 2011.

No. 1642 By Representatives STABACK, CALTAGIRONE, COHEN, P. COSTA, DALEY, DeLUCA, DeWEESE, J. EVANS, EVERETT, GEIST, GEORGE, GIBBONS, GOODMAN, HALUSKA, HARHAI, HENNESSEY, HESS, JOSEPHS, KOTIK, KULA, MAHONEY, MOUL, MURT, PETRARCA and K. SMITH

An Act amending Title 71 (State Government) of the Pennsylvania Consolidated Statutes, in retirement for State employees and officers, further defining "enforcement officer."

Referred to Committee on STATE GOVERNMENT, June 8, 2011.

No. 1643 By Representatives J. EVANS, AUMENT, CALTAGIRONE, CAUSER, D. COSTA, CREIGHTON, DALEY, DAY, EVERETT, FARRY, FLECK, GIBBONS, GILLEN, GODSHALL, GRELL, HALUSKA, HENNESSEY, HESS, M. K. KELLER, KNOWLES, KOTIK, KULA, MASSER, MILLER, MOUL, MURT, REICHLEY, SAYLOR, SONNEY, STABACK, STERN, SWANGER and VULAKOVICH

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in snowmobiles and all-terrain vehicles, further providing for operation by persons under age 16.

Referred to Committee on TRANSPORTATION, June 8, 2011.

No. 1644 By Representatives DUNBAR, CREIGHTON, CUTLER, GIBBONS, HENNESSEY, HICKERNELL, KNOWLES and ROSS

An Act amending the act of August 9, 1955 (P.L.323, No.130), known as The County Code, in contracts, further providing for sales of personal property and surplus farm products.

Referred to Committee on LOCAL GOVERNMENT, June 8, 2011.

No. 1645 By Representatives REESE, METZGAR, VULAKOVICH, AUMENT, CALTAGIRONE, CARROLL, D. COSTA, CUTLER, DUNBAR, EVANKOVICH, GABLER, GRELL, HALUSKA, HESS, HORNAMAN, KAVULICH, KRIEGER, MAHONEY, MARSHALL, MULLERY, MURT, MYERS, PAYTON, REICHLEY, STURLA, WAGNER, WATSON and WHITE

An Act amending the act of December 19, 1984 (P.L.1140, No.223), known as the Oil and Gas Act, in general requirements, further providing for protection of fresh groundwater and casing requirements and for protection of water supplies.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, June 8, 2011.

No. 1646 By Representatives D. COSTA, O'NEILL, B. BOYLE, K. BOYLE, BRADFORD, CONKLIN, CREIGHTON, DEASY, DeLUCA, FABRIZIO, FRANKEL, GEIST, GOODMAN, HARKINS, HORNAMAN, MAHONEY, MANN, MATZIE, MICOZZIE, MILLER, MURPHY, MURT, PAYNE, PRESTON, PYLE, READSHAW, SANTARSIERO, STABACK, SWANGER, YOUNGBLOOD, BRIGGS, V. BROWN, M. O'BRIEN, RAVENSTAHL, McGEEHAN, BOBACK, BRENNAN, DAVIS, GIBBONS and PASHINSKI

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

Referred to Committee on JUDICIARY, June 8, 2011.

No. 1647 By Representatives GIBBONS, CALTAGIRONE, GOODMAN, JOSEPHS, KULA, MOUL and M. O'BRIEN

An Act providing for public employee occupational health and safety, for standards and procedures and for further duties of the Department of Labor and Industry; establishing the Public Employee Occupational Safety and Health Review Board and providing for its powers and duties; and providing for the establishment of various advisory committees, for enforcement and for civil and criminal penalties.

Referred to Committee on LABOR AND INDUSTRY, June 8, 2011.

No. 1648 By Representatives BLOOM, AUMENT, BENNINGHOFF, BOBACK, BOYD, BROOKS, R. BROWN, COX, CREIGHTON, CUTLER, DAY, EMRICK, FARRY, FLECK, GABLER, GILLEN, GINGRICH, GRELL, GROVE,

HARHAI, HELM, HESS, HICKERNELL, KAUFFMAN, M. K. KELLER, LAWRENCE, LONGIETTI, MASSER, MILLARD, MILLER, MOUL, MUSTIO, OBERLANDER, PICKETT, QUINN, ROAE, ROCK, CULVER, SCHRODER, STERN, TALLMAN, TRUITT, VULAKOVICH, WAGNER and WATSON

An Act amending the act of June 1, 1956 (1955 P.L.1944, No.655), referred to as the Liquid Fuels Tax Municipal Allocation Law, further providing for allocated money.

Referred to Committee on FINANCE, June 8, 2011.

No. 1649 By Representatives MUSTIO, TAYLOR, EVERETT, F. KELLER, KILLION, KOTIK and PICKETT

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, further providing for general powers of board, for sales by Pennsylvania liquor stores, for sales by liquor licensees and restrictions and for malt and brewed beverages manufacturers', distributors' and importing distributors' licenses; providing for wine and spirits sales permits for malt or brewed beverage distributors, for application for wine and spirits sales permits for malt and brewed beverage distributor licensees and for enhanced distributor's license, fees, privileges and restrictions; and further providing for distributors' and importing distributors' restrictions on sales, storage, etc., for interlocking business prohibited and for unlawful acts relative to malt or brewed beverages and licensees.

Referred to Committee on LIQUOR CONTROL, June 8, 2011.

No. 1650 By Representatives MARSHALL, CALTAGIRONE, CREIGHTON, DALEY, DeLUCA, DeWEESE, EVERETT, FLECK, GINGRICH, HESS, MAHONEY, PEIFER, READSHAW, SCAVELLO, SWANGER, TAYLOR, TOBASH and WATSON

An Act amending Title 58 (Oil and Gas) of the Pennsylvania Consolidated Statutes, imposing a natural gas impact fee; establishing the Shale Impact Account; and providing for the powers and duties of the Department of Environmental Protection and the Pennsylvania Public Utility Commission and for a model zoning ordinance.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, June 8, 2011.

No. 1651 By Representatives DiGIROLAMO, COHEN, BAKER, BISHOP, BOYD, BRENNAN, R. BROWN, CALTAGIRONE, CLYMER, DAVIS, J. EVANS, GEIST, GINGRICH, GROVE, HAHN, HARHAI, HARKINS, HEFFLEY, HELM, HENNESSEY, HESS, HORNAMAN, KILLION, KOTIK, KULA, MANN, MICOZZIE, MURPHY, MURT, MYERS, PYLE, QUINN, REICHLEY, SAYLOR, SCAVELLO, CULVER, K. SMITH, TAYLOR, THOMAS and VULAKOVICH

An Act amending Title 44 (Law and Justice) of the Pennsylvania Consolidated Statutes, establishing the Pharmaceutical Accountability Monitoring System; and imposing penalties.

Referred to Committee on HUMAN SERVICES, June 8, 2011.

SENATE BILLS FOR CONCURRENCE

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

SB 3, PN 1286

Referred to Committee on INSURANCE, June 8, 2011.

SB 227, PN 991

Referred to Committee on HEALTH, June 8, 2011.

SB 389, PN 1200

Referred to Committee on EDUCATION, June 8, 2011.

GUESTS INTRODUCED

The SPEAKER. The Speaker would like to recognize an additional guest page who is with us in the well of the House: Adaku Owensby, a student at Pocono Mountain East High School. Adaku is an avid fencer, has his blue belt, and volunteers with Habitat for Humanity. Welcome to the hall of the House. And along with him, up in the gallery, is his mother, Jean Owensby, and they are the guests of Representative Mario Scavello. So welcome to the hall of the House.

SUPPLEMENTAL CALENDAR A

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1441, PN 1731**, entitled:

An Act amending Title 45 (Legal Notices) of the Pennsylvania Consolidated Statutes, in codification and publication of documents, providing for electronic publication of municipal codes; and making an inconsistent repeal.

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?

LEAVE OF ABSENCE CANCELED

The SPEAKER. The Speaker returns to leaves of absence and recognizes the presence of the gentleman from Montgomery County, Mr. Godshall. His name will be added back to the master roll call.

CONSIDERATION OF HB 1441 CONTINUED

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

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

NAYS—0**NOT VOTING—0****EXCUSED—6**

Bishop	Evans, D.	Kortz	Mustio
Davidson	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 1451, PN 1956**, entitled:

An Act amending the act of July 7, 1947 (P.L.1368, No.542), known as the Real Estate Tax Sale Law, providing for additional costs for rehabilitation and maintenance.

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

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

Cutler	Hess	Parker	Turzai
Daley	Hickernell	Pashinski	Vereb
Davis	Hornaman	Payne	Vitali
Day	Hutchinson	Payton	Vulakovich
Deasy	Johnson	Peifer	Wagner
DeLissio	Josephs	Perry	Waters
Delozier	Kampf	Petrarca	Watson
DeLuca	Kauffman	Petri	Wheatley
Denlinger	Kavulich	Pickett	White
DePasquale	Keller, F.	Preston	Williams
Dermody	Keller, M.K.	Pyle	Youngblood
DeWeese	Keller, W.	Quigley	
DiGirolamo	Killion	Quinn	Smith, S.,
Donatucci	Kirkland	Rapp	Speaker
Dunbar	Knowles	Ravenstahl	

NAYS—0

NOT VOTING—0

EXCUSED—6

Bishop	Evans, D.	Kortz	Mustio
Davidson	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.

CALENDAR CONTINUED

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 958, PN 1844**, entitled:

An Act amending the act of June 29, 1953 (P.L.304, No.66), known as the Vital Statistics Law of 1953, providing for certificate of birth resulting in stillbirth.

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

Mr. **WATERS** offered the following amendment
No. **A02534**:

Amend Bill, page 2, line 3, by inserting after "department."
If the father is not identified on the fetal death record or the child was conceived during a criminal act, only the mother shall be permitted to request the certificate of birth resulting in stillbirth.

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

The **SPEAKER**. On that question, the Speaker recognizes the gentleman, Mr. Waters.

Mr. **WATERS**. Thank you, Mr. Speaker.

I am glad to be able to offer this amendment, and the amendment is in a way supporting HB 958. I spoke with the prime sponsor of HB 958 and also spoke with the chairman of the committee, and I believe we have an agreement. And I hope that it only complements it. In my opinion, that is what it will do.

Thank you, Mr. Speaker. I would ask for all the members to support this amendment. Thank you.

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

On that question, the Speaker recognizes the lady from Bucks County, Mrs. Watson.

Mrs. **WATSON**. Thank you, Mr. Speaker.

Indeed, this is an agreed-to amendment. And I commend the gentleman; it was during committee he brought up a situation. We reviewed it. We have looked to see if there was any other way, any other law that might account for it.

The language has been worked out between both sides. It is agreed to, and I believe it would strengthen it similar to what the Senate has already done, and I reached out to them too. So this is an agreed-to amendment. Thank you.

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

The following roll call was recorded:

YEAS—197

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

DeWeese	Keller, W.	Quigley	
DiGirolamo	Killion	Quinn	Smith, S.,
Donatucci	Kirkland	Rapp	Speaker
Dunbar	Knowles	Ravenstahl	

NAYS—0

NOT VOTING—0

EXCUSED—6

Bishop	Evans, D.	Kortz	Mustio
Davidson	Gerber		

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?

Ms. **DeLISSIO** offered the following amendment No. **A02474**:

Amend Bill, page 1, line 13, by inserting after "thereto," further providing for definitions; and

Amend Bill, page 1, lines 17 through 19, by striking out all of said lines and inserting

Section 1. Section 105 of the act of June 29, 1953 (P.L.304, No.66), known as the Vital Statistics Law of 1953, is amended by adding a clause to read:

Section 105. General Provisions: Definitions.—As used in this act—

* * *

(10) "Stillbirth" means, notwithstanding any other provision of this act, a naturally occurring unintentional intrauterine death of a fetus occurring in this Commonwealth after a gestational period of twenty (20) or more weeks.

Section 2. The act is amended by adding a section to read:

Amend Bill, page 2, line 17, by striking out "2" and inserting 3

On the question,

Will the House agree to the amendment?

The SPEAKER. On that question, the Speaker recognizes the lady, Ms. DeLISSIO.

Ms. DeLISSIO. Thank you, Mr. Speaker.

This amendment simply defines that a stillbirth occurs—

The SPEAKER. Will the lady suspend just one minute.

If we could have the members' attention, please. If we could hold the conversations down. Clear the aisles, and if you need to have a conversation, please take it to the back of the House. Members are having trouble hearing.

Could we have the members' attention just a little bit, please. The Speaker thanks the members.

LEAVE OF ABSENCE CANCELED

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

CONSIDERATION OF HB 958 CONTINUED

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

On that question, the Speaker recognizes the lady, Ms. DeLISSIO.

Ms. DeLISSIO. Thank you, Mr. Speaker.

The SPEAKER. Members will please hold the conversations down. Members will please take their seats. The Speaker thanks the members for a little bit of patience.

The lady may proceed.

Ms. DeLISSIO. Thank you, Mr. Speaker.

The amendment simply defines "stillbirth" as occurring at 20 weeks. It is not defined in law and it is not defined in the legislation. It is simply a point of clarification, Mr. Speaker.

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

On that question, the Speaker recognizes the lady from Bucks, Mrs. Watson.

Mrs. WATSON. Thank you, Mr. Speaker.

This is not an agreed-to amendment, the reason being, first of all, the term "stillbirth" is defined in medical dictionaries, and I would refer all of you to Title 1, section 1903, the general rule that says "Words and phrases shall be construed according to rules of grammar and according to their common and approved usage...." This comes in under approved usage medically. It is not needed, and quite frankly, most of what you see in front of you, Mr. Speaker, was agreed to 3 1/2 years ago between the House and Senate when it was part of the State Government Committee. We have worked very hard to have agreement among all stakeholders in this, that the language would be exactly that, so this is not agreed to.

Thank you.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—67

Boyle, B.	Deasy	Kotik	Roebuck
Boyle, K.	DeLISSIO	Kula	Sabatina
Bradford	DeLuca	Mahoney	Samuelson
Brennan	DePasquale	Markosek	Santarsiero
Briggs	Dermody	Matzie	Santoni
Brown, V.	DeWeese	McGeehan	Shapiro
Brownlee	Donatucci	Mullery	Staback
Caltagirone	Fabrizio	Mundy	Sturla
Carroll	Frankel	Murphy	Thomas
Cohen	Freeman	Myers	Vitali
Conklin	Gergely	O'Brien, M.	Wagner
Costa, D.	Harkins	Parker	Waters
Costa, P.	Johnson	Pashinski	Wheatley
Cruz	Josephs	Payton	White
Curry	Kavulich	Preston	Williams
Daley	Keller, W.	Ravenstahl	Youngblood
Davis	Kirkland	Readshaw	

NAYS—131

Adolph	Galloway	Lawrence	Rapp
Aument	Geist	Longiatti	Reed
Baker	George	Maher	Reese
Barbin	Gibbons	Major	Reichley
Barrar	Gillen	Maloney	Roe

Bear	Gillespie	Mann	Rock
Benninghoff	Gingrich	Marshall	Ross
Bloom	Godshall	Marsico	Saccone
Boback	Goodman	Masser	Sainato
Boyd	Grell	Metcalfe	Saylor
Brooks	Grove	Metzgar	Scavello
Brown, R.	Hackett	Miccarelli	Schroder
Burns	Hahn	Micozzie	Simmons
Buxton	Haluska	Millard	Smith, K.
Causar	Hanna	Miller	Smith, M.
Christiana	Harhai	Milne	Sonney
Clymer	Harhart	Mirabito	Stephens
Cox	Harper	Moul	Stern
Creighton	Harris	Murt	Stevenson
Culver	Heffley	Mustio	Swanger
Cutler	Helm	Neuman	Tallman
Day	Hennessey	O'Brien, D.	Taylor
Delozier	Hess	O'Neill	Tobash
Denlinger	Hickernell	Oberlander	Toepel
DiGirolo	Hornaman	Payne	Toohil
Dunbar	Hutchinson	Peifer	Truitt
Ellis	Kampf	Perry	Turzai
Emrick	Kauffman	Petrarca	Vereb
Evankovich	Keller, F.	Petri	Vulakovich
Evans, J.	Keller, M.K.	Pickett	Watson
Everett	Killion	Pyle	
Farry	Knowles	Quigley	Smith, S.,
Fleck	Krieger	Quinn	Speaker
Gabler			

NOT VOTING—0

EXCUSED—5

Bishop	Evans, D.	Gerber	Kortz
Davidson			

Less than the majority having voted in the affirmative, the question was determined in the negative and the amendment was not agreed to.

On the question recurring,

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

Ms. **DeLISSIO** offered the following amendment
No. **A02699**:

Amend Bill, page 1, line 21, by inserting after "a"

commemorative

Amend Bill, page 2, line 11, by inserting after "'This'"

commemorative

Amend Bill, page 2, line 13, by inserting after "Such"

commemorative

On the question,

Will the House agree to the amendment?

The **SPEAKER**. On that question, the Speaker recognizes the lady, Ms. DeLissio.

Ms. DeLissio. Thank you, Mr. Speaker.

This amendment inserts the word "commemorative" on three occasions before the word "certificate." There had been discussion about this in the committee meeting, that this is a commemorative stillbirth certificate. I have gotten some inquiries over the course of the last couple of weeks. Since it is a commemorative certificate, I thought that adding this word would just add to the clarification of it and would appreciate

everyone's support for the addition of this word as reflected in this amendment. Thank you.

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

On that question, the Speaker recognizes the lady, Mrs. Watson.

Mrs. **WATSON**. Thank you, Mr. Speaker.

This is not an agreed-to amendment. The word "commemorative" was deemed, again by talking with the stakeholders, not to be necessary, particularly not to the families that are waiting to apply for this certificate of stillbirth. They realize that it is certainly only commemorative; it does not have to be said, and they realize the fact that it does not substitute for a live birth certificate, which obviously they would much prefer to have.

So because all the language in the bill was agreed to previously, this is not an agreed-to amendment. Thank you, Mr. Speaker.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—40

Bradford	Davis	Kirkland	Santarsiero
Briggs	DeLissio	Mundy	Shapiro
Brown, V.	DeLuca	Murphy	Sturla
Caltagirone	DePasquale	Myers	Thomas
Cohen	Dermody	O'Brien, M.	Vitali
Costa, D.	Frankel	Parker	Wagner
Costa, P.	George	Pashinski	Waters
Cruz	Hanna	Payton	Wheatley
Curry	Johnson	Preston	Williams
Daley	Josephs	Roebuck	Youngblood

NAYS—158

Adolph	Fabrizio	Krieger	Rapp
Aument	Farry	Kula	Ravenstahl
Baker	Fleck	Lawrence	Readshaw
Barbin	Freeman	Longietti	Reed
Barrar	Gabler	Maher	Reese
Bear	Galloway	Mahoney	Reichley
Benninghoff	Geist	Major	Roae
Bloom	Gergely	Maloney	Rock
Boback	Gibbons	Mann	Ross
Boyd	Gillen	Markosek	Sabatina
Boyle, B.	Gillespie	Marshall	Saccone
Boyle, K.	Gingrich	Marsico	Sainato
Brennan	Godshall	Masser	Samuelson
Brooks	Goodman	Matzie	Santoni
Brown, R.	Grell	McGeehan	Saylor
Brownlee	Grove	Metcalfe	Scavello
Burns	Hackett	Metzgar	Schroder
Buxton	Hahn	Miccarelli	Simmons
Carroll	Haluska	Micozzie	Smith, K.
Causar	Harhai	Millard	Smith, M.
Christiana	Harhart	Miller	Sonney
Clymer	Harkins	Milne	Staback
Conklin	Harper	Mirabito	Stephens
Cox	Harris	Moul	Stern
Creighton	Heffley	Mullery	Stevenson
Culver	Helm	Murt	Swanger
Cutler	Hennessey	Mustio	Tallman
Day	Hess	Neuman	Taylor
Deasy	Hickernell	O'Brien, D.	Tobash
Delozier	Hornaman	O'Neill	Toepel
Denlinger	Hutchinson	Oberlander	Toohil

DeWeese	Kampf	Payne	Truitt
DiGirolamo	Kauffman	Peifer	Turzai
Donatucci	Kavulich	Perry	Vereb
Dunbar	Keller, F.	Petrarca	Vulakovich
Ellis	Keller, M.K.	Petri	Watson
Emrick	Keller, W.	Pickett	White
Evankovich	Killion	Pyle	
Evans, J.	Knowles	Quigley	Smith, S.,
Everett	Kotik	Quinn	Speaker

NOT VOTING—0

EXCUSED—5

Bishop	Evans, D.	Gerber	Kortz
Davidson			

Less than the majority having voted in the affirmative, the question was determined in the negative and the amendment was not agreed to.

On the question recurring,

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

Bill as amended was agreed to.

The SPEAKER. The bill as amended will be reprinted.

* * *

The House proceeded to second consideration of **HB 1567, PN 1929**, entitled:

An Act amending the act of July 8, 1978 (P.L.752, No.140), known as the Public Employee Pension Forfeiture Act, further providing for disqualification and forfeiture of benefits and for restitution.

On the question,

Will the House agree to the bill on second consideration?

Mr. **DePASQUALE** offered the following amendment No. **A02447**:

Amend Bill, page 1, line 7, by inserting after "for" definitions, for

Amend Bill, page 1, lines 11 through 13, by striking out all of said lines and inserting

Section 1. The definition of "crimes related to public office or public employment" in section 2 of the act of July 8, 1978 (P.L.752, No.140), known as the Public Employee Pension Forfeiture Act, amended July 15, 2004 (P.L.733, No.86), is amended to read:

Section 2. Definitions.

The following words and phrases when used in this act shall have, unless the context clearly indicates otherwise, the meanings given to them in this section:

"Crimes related to public office or public employment." Any of the criminal offenses as set forth in the following provisions of Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes or other enumerated statute when committed by a public official or public employee through his public office or position or when his public employment places him in a position to commit the crime:

Any of the criminal offenses set forth in Subchapter B of Chapter 31 (relating to definition of offenses) when the criminal offense is committed by a school employee as defined in 24 Pa.C.S. § 8102 (relating to definitions) against a student.

Section 2713 (relating to neglect of a care-dependent person).

Section 3922 (relating to theft by deception) when the criminal culpability reaches the level of a misdemeanor of the first degree or higher.

Section 3923 (relating to theft by extortion) when the criminal culpability reaches the level of a misdemeanor of the first degree or higher.

Section 3926 (relating to theft of services) when the criminal culpability reaches the level of a misdemeanor of the first degree or higher.

Section 3927 (relating to theft by failure to make required disposition of funds received) when the criminal culpability reaches the level of a misdemeanor of the first degree or higher.

Section 4101 (relating to forgery).

Section 4104 (relating to tampering with records or identification).

Section 4113 (relating to misapplication of entrusted property and property of government or financial institutions) when the criminal culpability reaches the level of misdemeanor of the second degree.

Section 4701 (relating to bribery in official and political matters).

Section 4702 (relating to threats and other improper influence in official and political matters).

Section 4902 (relating to perjury).

Section 4903(a) (relating to false swearing).

Section 4904 (relating to unsworn falsification to authorities).

Section 4906 (relating to false reports to law enforcement authorities).

Section 4909 (relating to witness or informant taking bribe).

Section 4910 (relating to tampering with or fabricating physical evidence).

Section 4911 (relating to tampering with public records or information).

Section 4952 (relating to intimidation of witnesses or victims).

Section 4953 (relating to retaliation against witness, victim or party).

Section 5101 (relating to obstructing administration of law or other governmental function).

Section 5301 (relating to official oppression).

Section 5302 (relating to speculating or wagering on official action or information).

Article III of the act of March 4, 1971 (P.L.6, No.2), known as the "Tax Reform Code of 1971."

In addition to the foregoing specific crimes, the term also includes all criminal offenses as set forth in Federal law substantially the same as the crimes enumerated herein.

* * *

Section 1.1. Section 3 of the act is amended to read:

On the question,

Will the House agree to the amendment?

The SPEAKER. On that question, the Speaker recognizes the gentleman, Mr. DePasquale.

Mr. DePASQUALE. Mr. Speaker, I believe this is an agreed-to amendment with the sponsor and the majority party.

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

On that question, the Speaker recognizes the lady from Luzerne, Ms. Boback.

Ms. BOBACK. Mr. Speaker, it is an agreed-to amendment. I want to thank you, Mr. DePasquale, for offering such a fine amendment. Thank you.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—198

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Bishop	Evans, D.	Gerber	Kortz
Davidson			

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?

Mr. **DePASQUALE** offered the following amendment
No. **A02452**:

Amend Bill, page 1, line 7, by inserting after "for"
definitions, for

Amend Bill, page 1, lines 11 through 13, by striking out all of
said lines and inserting

Section 1. The definition of "crimes related to public office or
public employment" in section 2 of the act of July 8, 1978 (P.L.752,
No.140), known as the Public Employee Pension Forfeiture Act,
amended July 15, 2004 (P.L.733, No.86), is amended to read:

Section 2. Definitions.

The following words and phrases when used in this act shall
have, unless the context clearly indicates otherwise, the meanings
given to them in this section:

"Crimes related to public office or public employment." Any of
the criminal offenses as set forth in the following provisions of Title 18
(Crimes and Offenses) of the Pennsylvania Consolidated Statutes or
other enumerated statute when committed by a public official or public
employee through his public office or position or when his public
employment places him in a position to commit the crime:

Any of the criminal offenses set forth in Subchapter B of Chapter
31 (relating to definition of offenses) when the criminal offense is
committed by a school employee as defined in 24 Pa.C.S. § 8102
(relating to definitions) against a student.

Section 3922 (relating to theft by deception) when the criminal
culpability reaches the level of a misdemeanor of the first degree or
higher.

Section 3923 (relating to theft by extortion) when the criminal
culpability reaches the level of a misdemeanor of the first degree or
higher.

Section 3926 (relating to theft of services) when the criminal
culpability reaches the level of a misdemeanor of the first degree or
higher.

Section 3927 (relating to theft by failure to make required
disposition of funds received) when the criminal culpability reaches the
level of a misdemeanor of the first degree or higher.

Section 4101 (relating to forgery).

Section 4104 (relating to tampering with records or
identification).

Section 4113 (relating to misapplication of entrusted property
and property of government or financial institutions) when the criminal
culpability reaches the level of misdemeanor of the second degree.

Section 4304 (relating to endangering the welfare of children).

Section 4701 (relating to bribery in official and political matters).

Section 4702 (relating to threats and other improper influence in
official and political matters).

Section 4902 (relating to perjury).

Section 4903(a) (relating to false swearing).

Section 4904 (relating to unsworn falsification to authorities).

Section 4906 (relating to false reports to law enforcement
authorities).

Section 4909 (relating to witness or informant taking bribe).

Section 4910 (relating to tampering with or fabricating physical
evidence).

Section 4911 (relating to tampering with public records or
information).

Section 4952 (relating to intimidation of witnesses or victims).

Section 4953 (relating to retaliation against witness, victim or
party).

Section 5101 (relating to obstructing administration of law or
other governmental function).

Section 5301 (relating to official oppression).

Section 5302 (relating to speculating or wagering on official
action or information).

Section 6301 (relating to corruption of minors).

Article III of the act of March 4, 1971 (P.L.6, No.2), known as
the "Tax Reform Code of 1971."

In addition to the foregoing specific crimes, the term also includes all criminal offenses as set forth in Federal law substantially the same as the crimes enumerated herein.

* * *

Section 1.1. Section 3 of the act is amended to read:

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

The SPEAKER. On that question, the Speaker recognizes the gentleman, Mr. DePasquale.

Mr. DePASQUALE. Mr. Speaker, thank you.

And again, I believe this is another agreed-to amendment that will be done to protect children, and I appreciate the cooperation of the majority and the prime sponsor on this amendment.

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

On that question, the Speaker recognizes the lady, Ms. Boback.

Ms. BOBACK. Once again, Mr. Speaker, another good amendment. Thank you, Mr. DePasquale. It is an agreed-to amendment.

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

The following roll call was recorded:

YEAS—198

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

Deasy	Johnson	Payton	Vulakovich
DeLissio	Josephs	Peifer	Wagner
Delozier	Kampf	Perry	Waters
DeLuca	Kauffman	Petrarca	Watson
Denlinger	Kavulich	Petri	Wheatley
DePasquale	Keller, F.	Pickett	White
Dermody	Keller, M.K.	Preston	Williams
DeWeese	Keller, W.	Pyle	Youngblood
DiGirolamo	Killion	Quigley	
Donatucci	Kirkland	Quinn	Smith, S.,
Dunbar	Knowles	Rapp	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—5

Bishop	Evans, D.	Gerber	Kortz
Davidson			

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

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

Mr. **DePASQUALE** offered the following amendment
No. **A02673**:

Amend Bill, page 1, line 7, by inserting after "providing"
for definitions,

Amend Bill, page 1, lines 11 through 13, by striking out all of
said lines and inserting

Section 1. The definition of "crimes related to public office or public employment" in section 2 of the act of July 8, 1978 (P.L.752, No.140), known as the Public Employee Pension Forfeiture Act, amended July 15, 2004 (P.L.733, No.86), is amended to read:

Section 2. Definitions.

The following words and phrases when used in this act shall have, unless the context clearly indicates otherwise, the meanings given to them in this section:

"Crimes related to public office or public employment." Any of the criminal offenses as set forth in the following provisions of Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes or other enumerated statute when committed by a public official or public employee through his public office or position or when his public employment places him in a position to commit the crime:

Any of the criminal offenses set forth in Subchapter B of Chapter 31 (relating to definition of offenses) when the criminal offense is committed by a school employee as defined in 24 Pa.C.S. § 8102 (relating to definitions) against a student.

Section 3922 (relating to theft by deception) when the criminal culpability reaches the level of a misdemeanor of the first degree or higher.

Section 3923 (relating to theft by extortion) when the criminal culpability reaches the level of a misdemeanor of the first degree or higher.

Section 3926 (relating to theft of services) when the criminal culpability reaches the level of a misdemeanor of the first degree or higher.

Section 3927 (relating to theft by failure to make required disposition of funds received) when the criminal culpability reaches the level of a misdemeanor of the first degree or higher.

Section 4101 (relating to forgery).

Section 4104 (relating to tampering with records or

identification).

Section 4113 (relating to misapplication of entrusted property and property of government or financial institutions) when the criminal culpability reaches the level of misdemeanor of the second degree.

Section 4701 (relating to bribery in official and political matters).

Section 4702 (relating to threats and other improper influence in official and political matters).

Section 4902 (relating to perjury).

Section 4903(a) (relating to false swearing).

Section 4904 (relating to unsworn falsification to authorities).

Section 4906 (relating to false reports to law enforcement authorities).

Section 4909 (relating to witness or informant taking bribe).

Section 4910 (relating to tampering with or fabricating physical evidence).

Section 4911 (relating to tampering with public records or information).

Section 4952 (relating to intimidation of witnesses or victims).

Section 4953 (relating to retaliation against witness, victim or party).

Section 5101 (relating to obstructing administration of law or other governmental function).

Section 5123 (relating to contraband).

Section 5301 (relating to official oppression).

Section 5302 (relating to speculating or wagering on official action or information).

Article III of the act of March 4, 1971 (P.L.6, No.2), known as the "Tax Reform Code of 1971."

In addition to the foregoing specific crimes, the term also includes all criminal offenses as set forth in Federal law substantially the same as the crimes enumerated herein.

* * *

Section 2. Section 3 of the act is amended to read:

Amend Bill, page 3, line 12, by striking out "2" and inserting

3

Amend Bill, page 4, line 16, by striking out "3" where it occurs the first time and inserting

4

Amend Bill, page 4, line 20, by striking out "4" and inserting

5

On the question,

Will the House agree to the amendment?

The SPEAKER. On that question, the Speaker recognizes the gentleman, Mr. DePasquale.

Mr. DePASQUALE. Mr. Speaker, I am on a roll and I want to continue that roll. So again, I appreciate the indulgence of the prime sponsor in working in a bipartisan way to improve this legislation, and then I think I am done and I am going to call it a day after this one.

The SPEAKER. The Speaker thanks the gentleman.

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

On that question, the Speaker recognizes the lady, Ms. Boback.

Ms. BOBACK. Mr. Speaker, once again, another good amendment. Thank you, Representative DePasquale. It is agreed to. Thank you.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—198

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Bishop	Evans, D.	Gerber	Kortz
Davidson			

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

On the question recurring,

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

Mr. **SHAPIRO** offered the following amendment No. **A02706**:

Amend Bill, page 1, line 7, by inserting after "for" definitions, for

Amend Bill, page 1, lines 11 through 13, by striking out all of said lines and inserting

Section 1. The definition of "crimes related to public office or public employment" in section 2 of the act of July 8, 1978 (P.L.752, No.140), known as the Public Employee Pension Forfeiture Act, amended July 15, 2004 (P.L.733, No.86), is amended to read:

Section 2. Definitions.

The following words and phrases when used in this act shall have, unless the context clearly indicates otherwise, the meanings given to them in this section:

"Crimes related to public office or public employment." Any of the criminal offenses as set forth in the following provisions of Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes or other enumerated statute when committed by a public official or public employee through his public office or position or when his public employment places him in a position to commit the crime:

Any of the criminal offenses set forth in Subchapter B of Chapter 31 (relating to definition of offenses) when the criminal offense is committed by a school employee as defined in 24 Pa.C.S. § 8102 (relating to definitions) against a student.

Section 3124.2 (relating to institutional sexual assault).

Section 3922 (relating to theft by deception) when the criminal culpability reaches the level of a misdemeanor of the first degree or higher.

Section 3923 (relating to theft by extortion) when the criminal culpability reaches the level of a misdemeanor of the first degree or higher.

Section 3926 (relating to theft of services) when the criminal culpability reaches the level of a misdemeanor of the first degree or higher.

Section 3927 (relating to theft by failure to make required disposition of funds received) when the criminal culpability reaches the level of a misdemeanor of the first degree or higher.

Section 4101 (relating to forgery).

Section 4104 (relating to tampering with records or identification).

Section 4113 (relating to misapplication of entrusted property and property of government or financial institutions) when the criminal culpability reaches the level of misdemeanor of the second degree.

Section 4701 (relating to bribery in official and political matters).

Section 4702 (relating to threats and other improper influence in official and political matters).

Section 4902 (relating to perjury).

Section 4903(a) (relating to false swearing).

Section 4904 (relating to unsworn falsification to authorities).

Section 4906 (relating to false reports to law enforcement authorities).

Section 4909 (relating to witness or informant taking bribe).

Section 4910 (relating to tampering with or fabricating physical evidence).

Section 4911 (relating to tampering with public records or information).

Section 4952 (relating to intimidation of witnesses or victims).

Section 4953 (relating to retaliation against witness, victim or party).

Section 5101 (relating to obstructing administration of law or other governmental function).

Section 5301 (relating to official oppression).

Section 5302 (relating to speculating or wagering on official

action or information).

Article III of the act of March 4, 1971 (P.L.6, No.2), known as the "Tax Reform Code of 1971."

In addition to the foregoing specific crimes, the term also includes all criminal offenses as set forth in Federal law substantially the same as the crimes enumerated herein.

* * *

Section 1.1. Section 3 of the act is amended to read:

On the question,

Will the House agree to the amendment?

The **SPEAKER**. On that question, the Speaker recognizes the gentleman, Mr. Shapiro.

Mr. **SHAPIRO**. Thank you, Mr. Speaker.

And thank you for lining me up after Representative DePasquale. We will keep the momentum going.

I understand from my colleagues on the other side that this is an agreed-to amendment as well, and just briefly, this bill amends the underlying legislation to add institutional sexual assault to the list of offenses resulting in forfeiture of a public employee's pension. And I appreciate the chairman and the ranking member of the Judiciary Committee, as well as the sponsor of the bill, working with me on this legislation, and I appreciate the support.

Thank you, Mr. Speaker.

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

On that question, the Speaker recognizes the lady, Ms. Boback.

Ms. **BOBACK**. Representative Shapiro, thank you for making a good bill even better. And yes, Mr. Speaker, it is an agreed-to amendment. I ask for the support of the House. Thank you.

The **SPEAKER**. The Speaker thanks the lady. And while the use of the names was certainly in a professional and appropriate context, I would remind the members that we are not to refer to each other by name in the course of debate. Refer to them by their district, their hometown, or some other euphemistic form. I understand that today's comments were in a most respectful and good spirit, but we are not supposed to use their names.

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

On that question, the Speaker recognizes the gentleman from Bucks, Mr. Santarsiero.

Mr. **SANTARSIERO**. Thank you, Mr. Speaker.

To your point, I commend the gentleman from Montgomery County for offering this amendment today. The fact of the matter is, teachers in particular have a trust that they hold with their students and with the parents of those students, and if that trust is violated, as a matter of public policy, the sanction has to be extreme, because our entire educational system is built upon that, that level of trust.

So I commend the gentleman from Montgomery County, because I think this is an absolutely necessary public policy to ensure that if someone crosses that line and breaks the public trust, they will receive the most severe sanction that we as a Commonwealth can mete out, and that includes, obviously, losing the right to their pension.

So again, I commend the gentleman from Montgomery County and the gentlelady as well, and I wholeheartedly endorse this amendment. Thank you.

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

The following roll call was recorded:

YEAS—198

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Bishop	Evans, D.	Gerber	Kortz
Davidson			

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

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

Bill as amended was agreed to.

The SPEAKER. The bill as amended will be reprinted.

* * *

The House proceeded to second consideration of **SB 1006, PN 1250**, entitled:

An Act amending the act of April 14, 1972 (P.L.233, No.64), known as The Controlled Substance, Drug, Device and Cosmetic Act, further providing for Schedule I controlled substances.

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

Mrs. **SWANGER** offered the following amendment
No. **A02681**:

Amend Bill, page 6, line 13, by striking out "THE SALTS, ISOMERS AND SALTS OF" and inserting
their analogues, congeners, homologues, isomers, salts and salts of analogues, congeners, homologues and

Amend Bill, page 6, lines 29 and 30, by striking out "SALTS, THEIR" in line 29 and "ISOMERS AND THE SALTS OF" in line 30 and inserting
analogues, congeners, homologues, isomers, salts and the salts of analogues, congeners, homologues and

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

The SPEAKER. On that question, the Speaker recognizes the lady, Mrs. Swanger.

Mrs. SWANGER. Thank you, Mr. Speaker.

This amendment was drafted by our staff in response to a concern from one of our doctors who works for the Pennsylvania State Health Department, Dr. Donovan, and he said if we do not put this specific language in the bill, the chemists who revise just one little component of these synthetic drugs will be able to constantly be a step ahead of us and we will just have to keep passing bills to play catch-up.

So I ask for your positive vote on this amendment. It is going to save us a lot of trouble in the future and it is going to mean a lot of lives being saved, believe me. So thank you very much for your consideration.

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

The following roll call was recorded:

YEAS—198

Adolph	Ellis	Kotik	Ravenstahl
Aument	Emrick	Krieger	Readshaw
Baker	Evankovich	Kula	Reed
Barbin	Evans, J.	Lawrence	Reese
Barrar	Everett	Longietti	Reichley

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Bishop
Davidson

Evans, D.

Gerber

Kortz

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

On the question,

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

Bill as amended was agreed to.

The SPEAKER. The bill as amended will be reprinted.

* * *

The House proceeded to second consideration of **HB 1446, PN 1736**, 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 township manager.

On the question,

Will the House agree to the bill on second consideration?

The SPEAKER. On that question, the Speaker recognizes the gentleman, Mr. Day. It is the Speaker's understanding that he has three amendments, that he was preparing to withdraw those amendments but would like to speak to those amendments.

The gentleman, Mr. Day, is in order on the bill.

Mr. DAY. Thank you, Mr. Speaker.

Mr. Speaker, I rise today because I have amendments prepared for these underlying bills. These amendments, I wanted to take a moment before the House to explain what these amendments do.

I believe it is important that at each level of government, not just reducing the size or the benefits and the pay of this legislature, but to do it throughout each level of government, and as each of these bills come before the House, I will probably be trying to make these arguments along the way. These amendments cap severance pay that would be allowed to be negotiated with township managers and caps it at a high ceiling of 6 months' compensation. It also caps severance benefits at 6 months of coverage of any of those benefits, and also caps their pension, their negotiated pension, at 70 percent of base pay.

The second amendment on all of these bills defines "base pay"; considers that employment agreement a public document, which would force it to be viewed as a public document if it was requested by the public and also posted on its Web site; and establishes a maximum compensation of what our county judges are compensated at.

The third amendment allows a municipality to contract with a company to provide these management services so we were not locking in that you must have a contract with a single person. Just clarifying that. I believe it is important that we not only grant authority to our local subdivisions but that we circumscribe that authority or provide parameters within that which our subdivisions must operate.

After a lengthy discussion in the past couple of days with the prime maker of this underlying bill and also leaders and other members of this House, I have come to the conclusion to withdraw these amendments under process. I did not feel that there was a majority that would support us doing these reasonable changes in this manner. So I am going to withdraw all of these amendments, all 15, because I tried to talk to everybody, actually on both sides of the aisle, whether there would be support and did not find that support.

So I would like to thank you for this time today, and I withdraw all 15 amendments. Thank you.

The SPEAKER. The Speaker thanks the gentleman and suspects the members thank the gentleman.

LEAVE OF ABSENCE CANCELED

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

CONSIDERATION OF HB 1446 CONTINUED

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

* * *

The House proceeded to second consideration of **HB 1447, PN 1737**, entitled:

An Act amending the act of May 1, 1933 (P.L.103, No.69), known as The Second Class Township Code, further providing for township manager.

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 1448, PN 1738**, entitled:

An Act amending the act of May 24, 1956 (1955, P.L.1674, No.566), entitled "An act authorizing council of any incorporated town to create the office of town manager, and prescribe his powers and duties," further providing for the office of town manager and for powers and duties of a town manager.

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 1449, PN 1739**, entitled:

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

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 1450, PN 1740**, entitled:

An Act amending the act of June 23, 1931 (P.L.932, No.317), known as The Third Class City Code, providing for the office and powers and duties of a city administrator or manager.

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

BILLS RECOMMITTED

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

HB 958;
HB 1164;
HB 1173;
HB 1436;
HB 1446;
HB 1447;
HB 1448;
HB 1449;
HB 1450;
HB 1546;
HB 1567; and
SB 1006.

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

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

BILLS REMOVED FROM TABLE

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

HB 242;
HB 395;
HB 424;
HB 581;
HB 807;
HB 1479;
SB 274; and
SB 1030.

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

BILLS ON SECOND CONSIDERATION

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

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

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

BILL TABLED

The SPEAKER. The Speaker recognizes the majority leader, who moves that SB 71 be removed from the active calendar and placed on the tabled calendar.

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

* * *

The House proceeded to second consideration of **HB 808, PN 1847**, entitled:

An Act amending the act of June 2, 1915 (P.L.736, No.338), known as the Workers' Compensation Act, in liability and compensation, further providing for the schedule of compensation.

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

BILL TABLED

The SPEAKER. The Speaker recognizes the majority leader, who moves that HB 808 be removed from the active calendar and placed on the tabled calendar.

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

* * *

The House proceeded to second consideration of **HB 916, PN 1848**, entitled:

An Act amending the act of December 5, 1936 (2nd Sp.Sess., 1937 P.L.2897, No.1), known as the Unemployment Compensation Law, further providing for definitions, for relief from charges from certain employers and for establishment and maintenance of employer's reserve accounts; providing for relief from charges; further providing for qualifications required to secure compensation, for ineligibility for compensation and for rate and amount of compensation; providing for effect of severance pay on wages; further providing for extended benefits program definitions and for rules of procedure; and providing for applicability.

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

BILL TABLED

The SPEAKER. The Speaker recognizes the majority leader, who moves that HB 916 be removed from the active calendar and placed on the tabled calendar.

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

* * *

The House proceeded to second consideration of **HB 838, PN 1854**, entitled:

An Act amending the act of June 6, 1980 (P.L.197, No.57), known as the Optometric Practice and Licensure Act, defining "ophthalmic surgery"; and further defining "practice of optometry."

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

BILL TABLED

The SPEAKER. The Speaker recognizes the majority leader, who moves that HB 838 be removed from the active calendar and placed on the tabled calendar.

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

BILL REMOVED FROM TABLE

The SPEAKER. The Speaker recognizes the majority leader, who moves that HB 1192 be removed from the tabled calendar and placed on the active calendar.

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

BILL TABLED

The SPEAKER. The Speaker recognizes the majority leader, who moves that HB 1192 be removed from the active calendar and placed on the tabled calendar.

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

BILLS AND RESOLUTIONS PASSED OVER

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

ADJOURNMENT

The SPEAKER. Seeing no further business, the Speaker recognizes the lady, Ms. DeLissio, from Philadelphia County, who moves that this House do adjourn until Monday, June 13, 2011, at 1 p.m., e.d.t., unless sooner recalled by the Speaker.

On the question,
Will the House agree to the motion?
Motion was agreed to, and at 2:01 p.m., e.d.t., the House adjourned.