

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

MONDAY, JUNE 13, 2011

SESSION OF 2011

195TH OF THE GENERAL ASSEMBLY

No. 42

HOUSE OF REPRESENTATIVES

The House convened at 1 p.m., e.d.t.

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

PRAYER

The SPEAKER. The prayer will be offered by Pastor John Porter, Concord Presbyterian Church, North Washington, PA.

PASTOR JOHN PORTER, Guest Chaplain of the House of Representatives, offered the following prayer:

Let us bow our heads for prayer:

God, we have been given another day, another opportunity to live and to serve our fellow citizens. We come this day with gratitude in our hearts that outweigh the concerns that weigh on our minds. Bless these men and women who have been called to serve this Commonwealth. Give them wisdom as they exercise stewardship of the blessings that we have received from You. Give them humility as they seek to serve with energy, the least among our number. Grant them discernment as they judge the paths that are open to us. Grant them courage to act upon that discernment with conviction. Guard their hearts from arrogance and give them a passion for one another as they debate so they will not fall prey to the discord that inhibits leadership. Bless them with joy and refreshment in their fellowship together and in the personal relationships which sustain their desire to serve. We recall the bounty, freedom, and security that You have brought to us through our common pursuit of government of the people, by the people, for the people. May the words and actions of this session serve that goal and honor the sacrifices made by those who have gone before us, not that we might be blessed, but that we may be a blessing and so glorify You, who is the giver of life. 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 Wednesday, June 8, 2011, will be postponed until printed.

HOUSE RESOLUTION INTRODUCED AND REFERRED

No. 336 By Representatives COHEN, B. BOYLE, BRADFORD, CALTAGIRONE, CURRY, DALEY, DeLUCA, DONATUCCI, FREEMAN, HARKINS, JOSEPHS, M. O'BRIEN, STURLA and THOMAS

A Resolution urging Congress to disapprove any plan to create premium support payments to purchase private health insurance and oppose any proposal to place Medicare into allotments or block grants.

Referred to Committee on INSURANCE, June 10, 2011.

HOUSE BILLS INTRODUCED AND REFERRED

No. 1369 By Representatives ROCK, METCALFE, BARRAR, AUMENT, BEAR, BLOOM, BOYD, CLYMER, COX, CUTLER, DENLINGER, EVANKOVICH, FARRY, GODSHALL, GROVE, HENNESSEY, HICKERNELL, KILLION, MALONEY, MOUL, MUSTIO, PERRY, QUIGLEY, RAPP, SCHRODER, SIMMONS, STERN, SWANGER, TALLMAN, TRUITT, WATSON, SACCONI and EVERETT

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, deleting and replacing provisions relating to collective bargaining between public school employees and their public employers; setting forth public policy relating to public school employee strikes; providing for assessments and for duties of the Pennsylvania Bureau of Mediation and the Pennsylvania Labor Relations Board; and imposing penalties.

Referred to Committee on EDUCATION, June 10, 2011.

No. 1380 By Representatives QUINN, KRIEGER, AUMENT, BENNINGHOFF, R. BROWN, CREIGHTON, DAVIS, EVANKOVICH, EVERETT, FARRY, FLECK, GIBBONS, GROVE, HUTCHINSON, KAUFFMAN, M. K. KELLER, KORTZ, MARSHALL, MASSER, MOUL, MURT, READSHAW, ROSS, SACCONI, SCAVELLO, SHAPIRO, SIMMONS, STEPHENS, SWANGER, TOEPEL and WATSON

An Act amending the act of September 30, 1983 (P.L.160, No.39), known as the Public Official Compensation Law, further providing for salaries of members of the General Assembly and for expiration.

Referred to Committee on STATE GOVERNMENT, June 10, 2011.

No. 1630 By Representatives TOBASH, DALEY, FLECK, MARSHALL, GEIST, KNOWLES, MASSER, S. H. SMITH, TURZAI, GIBBONS, MATZIE, DAVIDSON, DAVIS, LONGIETTI, BAKER, BARRAR, BOBACK, R. BROWN, BUXTON, CALTAGIRONE, CARROLL, DeLUCA, ELLIS, FRANKEL, GEORGE, GILLESPIE, GOODMAN, HARHART, HARRIS, HEFFLEY, HICKERNELL, M. K. KELLER, KOTIK, MANN, MARSICO, MICCARELLI, MICOZZIE, MILLER, MOUL, MUNDY, MUSTIO, PAYNE, PEIFER, PICKETT, SABATINA, SAINATO, SANTONI, SAYLOR, SCAVELLO, STEVENSON, STURLA and TOOHL

An Act amending the act of June 28, 1947 (P.L.1110, No.476), known as the Motor Vehicle Sales Finance Act, further providing for revocation or suspension of licenses.

Referred to Committee on CONSUMER AFFAIRS, June 13, 2011.

No. 1652 By Representatives GROVE, MOUL, METZGAR, AUMENT, BARRAR, BLOOM, CREIGHTON, CUTLER, EVERETT, GABLER, GODSHALL, KAUFFMAN, LAWRENCE, MILLER, PYLE, ROAE, SAYLOR, SWANGER and DENLINGER

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 cellulosic ethanol content in gasoline and for agency responsibilities; and making editorial changes.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, June 13, 2011.

No. 1653 By Representatives COHEN, BRIGGS, CALTAGIRONE, CURRY, HARKINS, M. O'BRIEN, PAYTON, SABATINA and SANTONI

An Act providing for the medical use of marijuana.

Referred to Committee on HEALTH, June 13, 2011.

No. 1654 By Representatives SAINATO, BARRAR, DeWEESE, DAVIS, BOBACK, BARBIN, BAKER, AUMENT, FABRIZIO, FARRY, FREEMAN, GEIST, GEORGE, GERGELY, HARHAI, HENNESSEY, HUTCHINSON, JOHNSON, KAUFFMAN, KAVULICH, KORTZ, LONGIETTI, BRENNAN, CALTAGIRONE, CAUSER, CUTLER, DALEY, MANN, MIRABITO, MURPHY, MURT, M. O'BRIEN, PAYNE, PYLE, READSHAW, SANTONI, SWANGER, TALLMAN, THOMAS, VULAKOVICH, WHITE, DONATUCCI, BROOKS and DeLUCA

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for issuance and content of driver's license.

Referred to Committee on TRANSPORTATION, June 10, 2011.

No. 1660 By Representatives SANTARSIERO, O'NEILL, GALLOWAY, BRADFORD, MURT, DAVIS, K. BOYLE, CALTAGIRONE, CREIGHTON, DALEY and K. SMITH

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in collective bargaining, further providing for submission to mediation and for fact-finding panels; providing for mediation; and further providing for final best-offer arbitration, for time frame, for strikes prohibited in certain circumstances and for lockouts prohibited in certain circumstances.

Referred to Committee on EDUCATION, June 10, 2011.

No. 1666 By Representatives GOODMAN, SHAPIRO, SANTARSIERO, BRIGGS, CALTAGIRONE, CARROLL, D. COSTA, DALEY, DEASY, DELISSIO, DePASQUALE, FABRIZIO, GERBER, GERGELY, GIBBONS, HARHAI, HARKINS, HENNESSEY, HORNAMAN, JOSEPHS, KAVULICH, KORTZ, KULA, MAHONEY, MARSHALL, MATZIE, McGEEHAN, MIRABITO, MOUL, MUNDY, MURPHY, M. O'BRIEN, PASHINSKI, PAYTON, RAVENSTAHL, READSHAW, SAMUELSON, K. SMITH, STEPHENS, SWANGER, WAGNER, WATSON and WHITE

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

Referred to Committee on STATE GOVERNMENT, June 10, 2011.

SENATE BILLS FOR CONCURRENCE

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

SB 314, PN 1295

Referred to Committee on TRANSPORTATION, June 10, 2011.

SB 366, PN 351

Referred to Committee on PROFESSIONAL LICENSURE, June 13, 2011.

SB 815, PN 833

Referred to Committee on JUDICIARY, June 10, 2011.

SB 816, PN 834

Referred to Committee on JUDICIARY, June 10, 2011.

SB 817, PN 1042

Referred to Committee on JUDICIARY, June 10, 2011.

SB 818, PN 836

Referred to Committee on JUDICIARY, June 10, 2011.

LEAVES OF ABSENCE

The SPEAKER. Are there requests for leaves of absence? The Speaker turns to the majority whip, who requests a leave of absence for the gentleman, Mr. VEREB, from Montgomery County for the day, and the gentleman, Mr. PERRY, from York County for the week.

There are no requests from the minority whip for leaves of absence at this time.

Without objection, the leaves will be granted.

MASTER ROLL CALL

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

The following roll call was recorded:

PRESENT—201

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

ADDITIONS—0**NOT VOTING—0****EXCUSED—2**

Perry

Vereb

LEAVES ADDED—1

DeWeese

LEAVES CANCELED—1

DeWeese

The SPEAKER. Two hundred and one 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 visiting the Capitol and the hall of the House today. Located in the rear of the House, the Speaker would like to welcome Justin Ellis, the son of Representative Brian Ellis, and his fellow Scouts from Boy Scout Troop 6 in Butler. Our House Chaplain today, Pastor Porter, is the assistant scoutmaster for this troop, so he was serving double duty. Will our guests, the Scouts, please rise. Welcome to the hall of the House.

Located to the left of the rostrum, the Speaker would like to welcome, as guests of Representative Hahn, Robin Zmoda, borough manager for Pen Argyl, and Michele Connelly, Paula Dahlenburg, and Sandy Shriver, board members of Families First. Will our guests please rise. Welcome to the hall of the House.

Also located to the left of the rostrum, the Speaker wants to welcome Mrs. Pennsylvania International, Dawn Hicks; Miss Pennsylvania International, Julia Pauline; and Miss Teen Pennsylvania International, Kaitlyn Lucas. They are guests of Representative Stern, Representative Reichley, Representative Gerber, and Representative Miller. Welcome to the hall of the House, girls. We have the mothers of two of these young women, Cheryl Pauline, Julia's mother, and Francine Brader, Kaitlyn's mother. Will they please rise as well. Oh, they are up in the gallery. I am sorry. They are up in the gallery. Welcome to the hall of the House.

We have several younger guests with us. Located over here to the left of the rostrum, we want to welcome Matthew Turzai. He is the son of Majority Leader Mike Turzai. Welcome to the hall of the House.

We have several guest pages. In the well of the House, we would like to welcome guest page Brett Ruben. He is an eighth grade student from J.T. Lambert Intermediate School. Brett is a top honor student who spends his time playing soccer, weightlifting, and also tutoring and mentoring local elementary school students. Brett is a guest of Representative Scavello and Representative Rosemary Brown. Along with Brett, up in the gallery, is his mother, Merle Turitz. Welcome to the hall of the House, mom and son.

Also located in the well, we would like to welcome guest page Hannah Reddecliff, who is the daughter of Dave and Carole Reddecliff, who work on the Republican staff. She is the guest of Representative Sue Hahn. Welcome to the hall of the House. Sue Helm; I am sorry. Hahns and Helms got me mixed up today.

Also a guest of Representative Sue Helm is guest page Morgan Morela. Morgan, please rise. Welcome to the hall of the House.

Representative Everett is invited to the rostrum for the purpose of presenting a citation to Brandt Snyder for winning first place four times in the State computer fair competition.

LEAVE OF ABSENCE

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

BRANDT SNYDER PRESENTED

The SPEAKER. The members will please come to order for the purpose of a citation presentation. If we could just have the courtesy of the members' attention, we would appreciate it. The Speaker thanks the members.

The gentleman, Mr. Everett, may proceed.

Mr. EVERETT. It is my distinct privilege today to recognize one of our constituents; his name is Brandt Snyder. Brandt is here behind me. Brandt has not won the Pennsylvania State Computer Fair just once; he has done it 4 years in a row. This year he won first place in two different categories. Brandt is the son of Terry and Karen Snyder. Karen is in the back, along with Principal Ron Lorson, and Brandt's teacher, Bill Frazier. If you could stand up in the back, please. Brandt has won the computer competition at Dickinson in Carlisle 4 years in a row. This time he did it in animation. He made his first film when he was in ninth grade, and he hopes to go on and be involved and major in special effects and animation. He has promised his teacher, Bill Frazier, and his mentor that when he wins his first Academy Award, that he will fly Bill out to California for the awards ceremony. So Bill has that to look forward to.

I just want to congratulate Brandt on the great work he has done. I think he has a brilliant future in front of him. He will be attending Emerson College in Boston, and as I said, majoring in special effects and animation. So if you could give Brandt a big round of applause, I would appreciate it. Thank you.

TORREY HOLLIS PRESENTED

The SPEAKER. Representative Everett is also recognized for the purpose of presenting a second citation to Torrey Hollis, winner of the PIAA Class AA girls 100-meter hurdles.

The gentleman, Mr. Everett, may proceed.

Mr. EVERETT. Thank you, Mr. Speaker.

It is my distinct privilege to now recognize one of Brandt's classmates, Torrey Hollis. Torrey captured first place in the Class AA girls 100-meter hurdles event at the State championship on May 27. Torrey was undefeated in dual meets

during the 2011 season, won first place during the girls 100-meter hurdles at the Mount Carmel and Lock Haven invitational meets. She was also the girls Class AA 100-meter champ at district track and field championships. Torrey spent her junior year abroad last year in Spain and competed internationally with a team from Valencia. Torrey is going to be going on to college at Kutztown State and is going to continue her track career. With her today, up in the back, are her father, Gary Hollis; Kevin Steele, the athletic director from East Lycoming School District; and Dr. Rick Glenwright, who is my next-door neighbor also and keeps me well informed on the exploits of the Hughesville High School Track Team. If those gentlemen would stand up, please. I think Coach Glenwright, from little Hughesville High School, took 12 young ladies down to States this year. They had a great year and a great future in front of them.

I would like to hear a nice, big round of applause for Torrey Hollis, our 2011 100-meter hurdles champion. Thank you.

MARGO BRITTON PRESENTED

The SPEAKER. Representative Miller is invited to the rostrum for the purpose of presenting a citation to Margo Britton, winner of the PIAA Class AAA shot put finals.

The gentleman may proceed.

Mr. MILLER. Thank you, Mr. Speaker.

It is my privilege today to present to the House Margo Britton. Margo is being honored today for winning first place in the girls AAA shot put event, which she won during the 2011 PIAA State Track and Field Championships. Her best throw was 44 feet 4 inches, and that was her personal best. What a perfect time to unleash your personal best. Her victory capped off a successful final season for the senior from Dallastown Area High School, my alma mater, who also won the York-Adams Interscholastic Athletic Association and District 3 titles in the shot put event. Upon graduating, Margo will be attending Temple University, so she will be taking her talents to a Pennsylvania school where she will continue to compete and hopefully reach her goal of throwing the shot put 45 feet.

Margo is joined today by her parents, William and Lenora. If you would please stand in the back, and I would ask all the members of the House to help us in recognizing the accomplishment of Margo.

Thank you, Mr. Speaker.

The SPEAKER. The Speaker thanks the gentleman.

REMARKS SUBMITTED FOR THE RECORD

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

Mr. Speaker, it is my privilege to bring to the attention of the Speaker and the members of the Pennsylvania House of Representatives the name of Srikar Vegesna, who has recently been awarded Scouting's highest honor – Eagle Scout.

Mr. Speaker, I would like to read to the members of the House of Representatives the following citation. Whereas, Srikar Vegesna has earned the Eagle Award in Scouting. This is the highest award that Boy Scouts can bestow and as such represents great sacrifice and tremendous effort on the part of this young man. Srikar is a member of Troop 5.

Now therefore, Mr. Speaker and members of the House of Representatives, it is my privilege to congratulate and place in the Legislative Journal the name of Srikar Vegesna.

* * *

Mr. Speaker, it is my privilege to bring to the attention of the Speaker and the members of the Pennsylvania House of Representatives the names of Christopher Devlin Shepherd, Alexander Reid Landis, Jake Andrew Meyers, Bob Gieda, and Daniel Bachman-Gregori, who have recently been awarded Scouting's highest honor – Eagle Scout.

Mr. Speaker, I would like to read to the members of the House of Representatives the following citation. Whereas, Christopher Devlin Shepherd, Alexander Reid Landis, Jake Andrew Meyers, Bob Gieda, and Daniel Bachman-Gregori have earned the Eagle Award in Scouting. This is the highest award that Boy Scouts can bestow and as such represents great sacrifice and tremendous effort on the part of these young men. They are members of Troop 74.

Now therefore, Mr. Speaker and members of the House of Representatives, it is my privilege to congratulate and place in the Legislative Journal the names of Christopher Devlin Shepherd, Alexander Reid Landis, Jake Andrew Meyers, Bob Gieda, and Daniel Bachman-Gregori.

UNCONTESTED CALENDAR

RESOLUTIONS PURSUANT TO RULE 35

Mr. MIRABITO called up **HR 291, PN 1896**, entitled:

A Resolution designating June 16, 2011, as "Career Nursing Assistants Day" in Pennsylvania.

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Mr. MIRABITO called up **HR 292, PN 1897**, entitled:

A Resolution recognizing June 14, 2011, as "National Flag Day" in Pennsylvania.

* * *

Mr. WATERS called up **HR 322, PN 2008**, entitled:

A Resolution designating the third Saturday in June as "Juneteenth National Freedom Day" in Pennsylvania.

On the question,
Will the House adopt the resolutions?

The following roll call was recorded:

YEAS—200

Adolph	Ellis	Knowles	Rapp
Aument	Emrick	Kortz	Ravenstahl
Baker	Evankovich	Kotik	Readshaw
Barbin	Evans, D.	Krieger	Reed
Barrar	Evans, J.	Kula	Reese
Bear	Everett	Lawrence	Reichley
Benninghoff	Fabrizio	Longietti	Roae
Bishop	Farry	Maher	Rock
Bloom	Fleck	Mahoney	Roebuck
Boback	Frankel	Major	Ross
Boyd	Freeman	Maloney	Sabatina
Boyle, B.	Gabler	Mann	Saccone
Boyle, K.	Galloway	Markosek	Sainato

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

NAYS—0

NOT VOTING—0

EXCUSED—3

DeWeese Perry Vereb

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

STATEMENT BY MR. WATERS

The SPEAKER. The gentleman, Mr. Waters, is recognized under unanimous consent relative to one of the resolutions that was just adopted. The gentleman may proceed.

Mr. WATERS. Thank you, Mr. Speaker.

Mr. Speaker, I would like to just give thanks to the gentelady from Dauphin County for her cooperation with this resolution, recognizing the time in history that should be celebrated as a great day of freedom here in America, something that we all cherish and all love and respect. The gentelady who is standing right next to me would like to give some comments, Mr. Speaker.

Thank you.

The SPEAKER. Could we have the members' attention. If the members could hold the conversations down a little bit. It is hard to hear.

STATEMENT BY MS. HELM

The SPEAKER. The lady, Ms. Helm, is recognized under unanimous consent.

Ms. HELM. Thank you.

I would just like to give you a little background on the Juneteenth celebration. Juneteenth is the oldest nationally celebrated commemoration of the ending of slavery in the United States. From its Galveston, Texas origin in 1865, the observance of June 19 as the African-American Emancipation Day has spread across the United States and beyond. Juneteenth commemorates African-American freedom and emphasizes education and achievement. It is a day, a week, and in some areas a month marked with celebrations, guest speakers, picnics, and family gatherings. It is a time for reflection and rejoicing. It is a time for assessment, self-improvement, and for planning the future. Its growing popularity signifies a level of maturity and dignity in America long overdue. In cities across the country, people of all races, nationalities, and religions are joining hands to truthfully acknowledge a period in our history that shaped and continues to influence our society today. Sensitized to the conditions and experiences of others, only then can we make significant and lasting improvements in our society. Thank you.

The SPEAKER. The Speaker thanks the lady.

STATEMENT BY MR. WATERS

The SPEAKER. Does the gentleman, Mr. Waters, have further comment relative— The gentleman may continue under unanimous consent.

Mr. WATERS. Thank you, Mr. Speaker.

Mr. Speaker, I just want to thank the gentlelady and all the other members who sponsored this. I would just ask for a unanimous vote on this resolution.

Thank you, Mr. Speaker.

The SPEAKER. You got it.

APPROPRIATIONS COMMITTEE MEETING

The SPEAKER. For the purpose of making an announcement, the Speaker recognizes the gentleman from Delaware County, Mr. Adolph.

Mr. ADOLPH Thank you, Mr. Speaker.

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

The SPEAKER. There will be an Appropriations Committee meeting in the majority caucus room at the break.

REPUBLICAN CAUCUS

The SPEAKER. For the purpose of an announcement, the Speaker recognizes the lady from Susquehanna County, Ms. Major.

Ms. MAJOR. Thank you, Mr. Speaker.

I would like to announce a Republican caucus at 1:45. I would ask Republican members to please report to our caucus room at 1:45. We would be prepared to come back on the floor at 3 o'clock.

Thank you, Mr. Speaker.

The SPEAKER. The Speaker thanks the lady.

DEMOCRATIC CAUCUS

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

Mr. FRANKEL. Thank you, Mr. Speaker.

Democrats will caucus immediately. Thank you. Democrats will caucus immediately.

The SPEAKER. The Speaker thanks the gentleman.

RECESS

The SPEAKER. Seeing no further announcements, this House stands in recess until 3 o'clock, unless sooner recalled by the Speaker.

RECESS EXTENDED

The time of recess was extended until 3:15 p.m.

AFTER RECESS

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

LEAVE OF ABSENCE CANCELED

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

BILLS REREPORTED FROM COMMITTEE**HB 958, PN 2068**

By Rep. ADOLPH

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.

APPROPRIATIONS.**HB 1164, PN 1845**

By Rep. ADOLPH

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.

APPROPRIATIONS.**HB 1173, PN 1279**

By Rep. ADOLPH

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.

APPROPRIATIONS.**HB 1436, PN 1943**

By Rep. ADOLPH

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.

APPROPRIATIONS.

HB 1446, PN 1736

By Rep. ADOLPH

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.

APPROPRIATIONS.

HB 1447, PN 1737

By Rep. ADOLPH

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.

APPROPRIATIONS.

HB 1448, PN 1738

By Rep. ADOLPH

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.

APPROPRIATIONS.

HB 1449, PN 1739

By Rep. ADOLPH

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.

APPROPRIATIONS.

HB 1450, PN 1740

By Rep. ADOLPH

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.

APPROPRIATIONS.

HB 1546, PN 1944

By Rep. ADOLPH

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.

APPROPRIATIONS.

HB 1567, PN 2069

By Rep. ADOLPH

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 definitions, for disqualification and forfeiture of benefits and for restitution.

APPROPRIATIONS.

SB 1006, PN 1304

By Rep. ADOLPH

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.

APPROPRIATIONS.

UNCONTESTED SUPPLEMENTAL CALENDAR B

RESOLUTION PURSUANT TO RULE 35

Mr. BRIGGS called up **HR 340, PN 2078**, entitled:

A Resolution designating June 12, 2011, as "Alex's Lemonade Stand Day" in Pennsylvania and encouraging all citizens to contribute to the Alex's Lemonade Stand Foundation and other pediatric cancer research programs.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—201

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	Gerber	Masser	Saylor
Brown, R.	Gergely	Matzie	Scavello
Brown, V.	Gibbons	McGeehan	Schroder
Brownlee	Gillen	Metcalfe	Shapiro
Burns	Gillespie	Metzgar	Simmons
Buxton	Gingrich	Miccarelli	Smith, K.
Caltagirone	Godshall	Micozzie	Smith, M.
Carroll	Goodman	Millard	Sonney
Causar	Grell	Miller	Staback
Christiana	Grove	Milne	Stephens
Clymer	Hackett	Mirabito	Stern
Cohen	Hahn	Moul	Stevenson
Conklin	Haluska	Mullery	Sturla
Costa, D.	Hanna	Mundy	Swanger
Costa, P.	Harhai	Murphy	Tallman
Cox	Harhart	Murt	Taylor
Creighton	Harkins	Mustio	Thomas
Cruz	Harper	Myers	Tobash
Culver	Harris	Neuman	Toepel
Curry	Heffley	O'Brien, D.	Toohil
Cutler	Helm	O'Brien, M.	Truitt
Daley	Hennessey	O'Neill	Turzai
Davidson	Hess	Oberlander	Vitali

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

NAYS—0

NOT VOTING—0

EXCUSED—2

Perry Vereb

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

CALENDAR

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 807**, **PN 916**, entitled:

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.

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

* * *

The House proceeded to second consideration of **SB 274**, **PN 250**, entitled:

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, in hunting and furtaking licenses, further providing for unlawful acts concerning licenses; and, in special licenses and permits, further providing for authority to issue permits, for permit fees and for falconry permits.

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 395**, **PN 469**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for purchase, consumption, possession or transportation of liquor or malt or brewed beverages.

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 242**, **PN 1540**, entitled:

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, further providing for distilleries.

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 581**, **PN 1856**, entitled:

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, further providing for storage by distributors and importing distributors.

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 424**, **PN 1946**, entitled:

An Act amending the act of December 20, 1983 (P.L.260, No.72), referred to as the Public Adjuster Licensing Law, further providing for definitions and for license; providing for application for public adjuster license, for licensing, for issuance and term of license, for license renewals and for reciprocal licensing; further providing for fees, for bond and for contract; providing for written disclosure of financial interest; further providing for revocation, etc., of license and for violations; providing for civil remedy; further providing for administration and enforcement; and providing for persons licensed as public adjuster solicitors.

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

Mr. **GODSHALL** offered the following amendment
No. **A02678**:

Amend Bill, page 23, lines 7 and 8, by striking out all of line 7 and "**FEE ACT**" in line 8 and inserting
Article XI of the act of May 17, 1921 (P.L.789, No.285),
known as The Insurance Department Act of 1921

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

The SPEAKER. On that question, the Speaker recognizes the gentleman from Montgomery County, Mr. Godshall.

Mr. GODSHALL. Thank you, Mr. Speaker.

This is just a technical amendment. It clarifies the issue that the bill comes under the Insurance Department Act of 1921, actually. Thank you.

The SPEAKER. The Speaker thanks the gentleman.

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

The following roll call was recorded:

YEAS—201

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

NAYS—0

NOT VOTING—0

EXCUSED—2

Perry

Vereb

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 1479, PN 1858**, entitled:

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, further providing for malt and brewed beverages manufacturers', distributors' and importing distributors' licenses, for malt or brewed beverages manufactured outside this Commonwealth, for brand registration and for revocation and suspension of licenses and fines.

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

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

The gentleman, Mr. Clymer, is in order.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, I just want to make a few comments on my amendment. Mr. Speaker, this has been a bill that I have introduced now I guess for the third or fourth session. It is supported by Pennsylvanians Against Underage Drinking. These are young people who come together once a year, high school students, seniors and juniors from across Pennsylvania, and they lobby for my legislation. They gave it a name. It was called "Tag a Keg, Not a Toe." Mr. Speaker, they have enthusiasm for this because they themselves know the peer pressure that exists for underage drinking and especially parties evolving around a keg of beer, where underage drinking is very prevalent.

Mr. Speaker, we both know that there are a lot of DUIs (driving under the influence), a number of serious injuries, young people taking their lives as well as the lives of innocent people because they are intoxicated while driving. Mr. Speaker, I am going to pull this amendment in order to move the process forward. But I will tell you, the next time I introduce this amendment on another Liquor Control bill, it is going to stick.

So, Mr. Speaker, I will pull my amendment. Thank you.

The SPEAKER. The Speaker thanks the gentleman.

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

On that question, the Speaker would note that the gentleman, Mr. Grell, had a late-filed amendment, which he is not going to seek suspension of the rules. Therefore, that amendment is withdrawn.

On the question recurring,

Will the House agree to the bill on second consideration?

Bill was agreed to.

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 139, PN 2046**, entitled:

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.

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—201

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	Gerber	Masser	Saylor
Brown, R.	Gergely	Matzie	Scavello
Brown, V.	Gibbons	McGeehan	Schroder
Brownlee	Gillen	Metcalfe	Shapiro
Burns	Gillespie	Metzgar	Simmons
Buxton	Gingrich	Miccarelli	Smith, K.
Caltagirone	Godshall	Micozzie	Smith, M.
Carroll	Goodman	Millard	Sonney
Causar	Grell	Miller	Staback
Christiana	Grove	Milne	Stephens
Clymer	Hackett	Mirabito	Stern
Cohen	Hahn	Moul	Stevenson
Conklin	Haluska	Mullery	Sturla
Costa, D.	Hanna	Mundy	Swanger
Costa, P.	Harhai	Murphy	Tallman

Cox	Harhart	Murt	Taylor
Creighton	Harkins	Mustio	Thomas
Cruz	Harper	Myers	Tobash
Culver	Harris	Neuman	Toepel
Curry	Heffley	O'Brien, D.	Toohil
Cutler	Helm	O'Brien, M.	Truitt
Daley	Hennessey	O'Neill	Turzai
Davidson	Hess	Oberlander	Vitali
Davis	Hickernell	Parker	Vulakovich
Day	Hornaman	Pashinski	Wagner
Deasy	Hutchinson	Payne	Waters
DeLissio	Johnson	Payton	Watson
DeLozier	Josephs	Peifer	Wheatley
DeLuca	Kampf	Petrarca	White
Denlinger	Kauffman	Petri	Williams
DePasquale	Kavulich	Pickett	Youngblood
Dermody	Keller, F.	Preston	
DeWeese	Keller, M.K.	Pyle	Smith, S.,
DiGirolamo	Keller, W.	Quigley	Speaker
Donatucci	Killion	Quinn	

NAYS—0

NOT VOTING—0

EXCUSED—2

Perry

Vereb

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

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

SUPPLEMENTAL CALENDAR A

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1164, PN 1854**, 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 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—201

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

NAYS—0

NOT VOTING—0

EXCUSED—2

Perry Vereb

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 958, PN 2068**, 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 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?

The House will please come to order. Could we hold the conversations down.

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

Mrs. WATSON. Thank you, Mr. Speaker.

If I may, I will wait until the vote and then hopefully have an opportunity to say thank you.

Thank you, Mr. Speaker.

On the question recurring,
Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—201

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	Gerber	Masser	Saylor
Brown, R.	Gergely	Matzie	Scavello
Brown, V.	Gibbons	McGeehan	Schroder
Brownlee	Gillen	Metcalfe	Shapiro
Burns	Gillespie	Metzgar	Simmons
Buxton	Gingrich	Miccarelli	Smith, K.
Caltagirone	Godshall	Micozzie	Smith, M.
Carroll	Goodman	Millard	Sonney
Causar	Grell	Miller	Staback
Christiana	Grove	Milne	Stephens
Clymer	Hackett	Mirabito	Stern
Cohen	Hahn	Moul	Stevenson
Conklin	Haluska	Mullery	Sturla
Costa, D.	Hanna	Mundy	Swanger
Costa, P.	Harhai	Murphy	Tallman
Cox	Harhart	Murt	Taylor
Creighton	Harkins	Mustio	Thomas
Cruz	Harper	Myers	Tobash
Culver	Harris	Neuman	Toepel
Curry	Heffley	O'Brien, D.	Toohil
Cutler	Helm	O'Brien, M.	Truitt
Daley	Hennessey	O'Neill	Turzai
Davidson	Hess	Oberlander	Vitali

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

NAYS—0

NOT VOTING—0

EXCUSED—2

Perry Vereb

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 MRS. WATSON

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

Mrs. WATSON. If I may, Mr. Speaker, on the bill, just to say something.

The SPEAKER. The lady is recognized under unanimous consent.

Mrs. WATSON. Thank you, Mr. Speaker.

Mr. Speaker, I would like to thank my colleagues for the vote they just put up, and I am thanking not on behalf of myself, Mr. Speaker, or even Senator Corman, who has a similar bill that has come over from the Senate, but I am thanking on behalf of the almost 1,000 families who each year, sadly, are affected by a stillbirth. These folks have been very adamant that they really wanted some kind of validation, recognition from their government, from their State government.

Particularly, Mr. Speaker, there is one woman in the State of Pennsylvania who is directly responsible for this legislation. It is something she has worked for in memory of her first great-grandchild for the last 4 1/2 years. Her name, Mr. Speaker, is Dorothy Knappenberger. She comes from the Lehigh Valley, an older lady who will send you an e-mail at 12:30 at night and be back at her computer at 7:30 in the morning waiting to get your response. Mrs. Knappenberger is known not just throughout the Commonwealth of Pennsylvania, working on this legislation, but also throughout the country, having worked on this legislation. So on her behalf and on behalf of those families who previously have been afflicted with this tragedy, and sadly, because we do not understand it yet, will be afflicted, I thank you, and thank you, colleagues, very much.

SUPPLEMENTAL CALENDAR A CONTINUED

BILLS ON THIRD CONSIDERATION

The House proceeded to third 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 third consideration?

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

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

Mr. Speaker, in bipartisan support, this bill, HB 1436, along with two companion bills, HB 1546 and HB 1567, by my good friends and colleagues, Representative Toohil and Representative Boback, who have done HB 1546 and HB 1567, along with HB 1436, together we put together a package that we felt as a team would address the scandal that occurred up in Luzerne County. I have to congratulate Representative Boback and Representative Toohil for their leadership on so many fronts. I think it is important for the record to reflect what the issue was so that everybody understands what the solutions are that are being put on the table.

The president judge and the former president judge, both of the Luzerne County Court of Common Pleas, perpetrated a fraud upon the people of Luzerne County and the Commonwealth by allegedly taking more than \$1 million in connection with the construction, expansion, and operation of privately owned juvenile detention centers in Luzerne County. Between 2004 and 2007, these judges allegedly filed materially false annual statements of financial interest with the Administrative Office of Pennsylvania Courts, in which they failed to disclose the sources of income they received in connection with these privately owned detention centers and in which they failed to disclose their financial relationship with these businesses. At the same time the judges were concealing these payments and financial ties, they took, they allegedly took discretionary actions in a number of matters involving the juvenile detention facilities without recusing themselves from these matters and without disclosing to the parties involved in the proceedings their financial conflict of interest. Essentially, they had financial interest in these juvenile detention centers and they sent juveniles, children of our Commonwealth, to these juvenile detention centers, for which they were receiving remuneration.

Additionally, these two president judges in Luzerne County took official action to remove funding from the Luzerne County budget for the Luzerne County juvenile detention facility, effectively closing that facility, which eliminated the competition, right? They eliminated the competition and ensured that the county would essentially be forced to turn to the use of the privately owned facilities.

Now, these two president judges in Luzerne County entered into a placement guarantee agreement to house juveniles in a facility in which they had an interest, guaranteeing that the court of common pleas would pay an annual rental installment sum of \$1,314,000 without disclosing payments received by the judges themselves. Furthermore, these president judges in Luzerne County summarily granted motions to seal the record and for injunctive relief in a civil case relating to a juvenile detention facility in which these judges had a financial interest.

To keep the beds filled at this privately owned facility, these judges ordered thousands of juveniles to be sent to these facilities in which they had a financial interest, even when juvenile probation officers did not recommend detention. According to published reports, one of the judges sentenced a child to 2 years for joyriding in his mom's car. In another, he sentenced a college-bound high school student to 3 months in juvenile detention for creating a Web site that made fun of her assistant principal. Some of the kids he ordered locked up were as young as 10. According to the deputy director of the Juvenile Law Center in Philadelphia, quote, "The numbers of children going into placement in Luzerne County tended to be two to three times higher than in other counties."

To cover up the money they were collecting, it is alleged that the judges received the payments into businesses that they controlled, and in some instances, falsely identified the payments as rental fees for a Florida condominium. These judges conspired, it is alleged, to impede the Internal Revenue Service by making false entries in business records and falsely characterizing the payments they received.

On April 29 of 2010, one of the judges pled guilty in Federal court to racketeering conspiracy, acknowledging under oath that he illegally used his power as president judge to get, quote unquote, "kickback gratuity."

On February 18, 2011, following a trial, a Federal jury convicted former Luzerne County judge, president, on 12 of the 39 counts he faced, including racketeering, a crime in which prosecutors said the former judge, quote, "used children as pawns to enrich himself." This is in Luzerne County. In convicting this judge of racketeering, the jury agreed with prosecutors that he and another corrupt judge had taken an illegal payment of nearly \$1 million from a juvenile detention center's builder and then hid the money. The jury also found that this judge was guilty of honest services mail fraud and for failing to list his illegal income on his annual public financial disclosure forms and on 4 years of tax returns. In addition, he was found guilty of conspiring to launder money.

Now, I applaud my colleagues because they have led on this issue, and here is what they have said with respect to HB 1436, HB 1546, and HB 1567. In the end, this type of behavior cannot be condoned, and it cries out for a response. But in the first instance, the legislative remedy must address the perpetrator's bad acts, as outlined here on the floor, and that is taken care of with respect to the bill 1436 and with respect to the bill 1567 by my good colleague from Luzerne County, Representative Boback. Then in addition, we believe that there need to be real

reforms. The Juvenile Court Judges' Commission needs to do real reforms because these problems should have been found out before these two president judges from Luzerne County committed this really heinous crime, I would say, on the children of Pennsylvania and the taxpayers. Those reforms are put forth in my colleague, Representative Toohil's reform proposal. We believe that a package has to address the bad acts that I have described; in addition, that reforms going forward are made so that this does not happen again and that it is caught up front.

I applaud their leadership, I applaud the bipartisan work with respect to the committee, and I would ask for an affirmative vote on HB 1436. HB 1436 specifically amends the existing offense of official oppression in the Crimes Code. It is committed when a person acting in an official capacity, such as judges, knowingly engages in conduct resulting in the illegal arrest, detention, or mistreatment of another, or commits other infringements on an individual's rights. This offense is currently graded as a second-degree misdemeanor. HB 1436 will accomplish the following: Where there is a course of conduct of official oppression, which I contend was at action here, the bill creates a mandatory minimum sentence of 2 years for official oppression, increases the penalty to a third-degree felony, and allows the victim of official oppression to seek restitution for expenses incurred for necessary legal, remedial, or other corrective actions. The current Crimes Code does not have a criminal charge that officially addresses situations like those that took place in Luzerne County, wherein scores of minors were improperly treated by judges over a period of years. The current charge of official oppression is only graded as a second-degree misdemeanor, which has a maximum penalty of 2 years and a maximum fine of \$5,000.

To further demonstrate the problem, the sentencing guidelines for the current offense are so low that even someone with a prior felony record who was convicted of official oppression would only face sentencing guidelines that start at probation. There are very few crimes, such as outlined in the summary here, that have been more egregious to the public than a situation where the people entrusted to uphold the law instead use their positions to not only infringe on the rights of the very citizens, including our most vulnerable, the young, but did it to line their pockets.

This bill, pushed by my colleagues who wanted to see a real response, a substantive response to the issues that occurred in Luzerne County and asked that we make sure we put together a package of bills, this bill, as amended by the House Judiciary Committee, is supported by the Pennsylvania State Troopers Association and the Pennsylvania Fraternal Order of Police. I must say, we would not have gotten to such a serious point without the leadership of my colleagues, Representative Toohil and Representative Boback, and I want to thank them for their hard work. I was glad to participate as part of the team. I would ask for everybody to please vote "yes" on HB 1436.

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

On that question, the Speaker recognizes the gentleman from Delaware County, Mr. Vitali.

Mr. VITALI. Thank you, Mr. Speaker.

Will the maker of the bill stand for brief interrogation?

The SPEAKER. The gentleman indicates he will stand for interrogation. The gentleman, Mr. Vitali, is in order and may proceed.

Mr. VITALI. Thank you.

I want to make clear, you went into a long dissertation about the "cash for kids" case, which we all think is reprehensible and we are all happy they got in excess of 30 months in jail, but I want to make sure what the— And this deals with the crime of official oppression. Is that right?

Mr. TURZAI. Yes.

Mr. VITALI. Okay. Now, what is the category of person who can be charged with official oppression? It goes beyond simply a judge, right?

Mr. TURZAI. Anyone acting or purporting to act in their official capacity.

Mr. VITALI. It would apply, for example, to a State Rep, a State Senator, a county commissioner, a board supervisor, city workers, people on school boards, local commissioners. So it would apply to any person acting in his official capacity way down to, you know, think of your lowest level of government. It would apply to a broad category of people, right, not just judges? Is that right?

Mr. TURZAI. Official oppression is committed when a person acting in an official capacity knowingly engages, because it is not only who it applies to, but knowingly engages in conduct resulting in the illegal arrest, detention, or mistreatment of another. So in this particular instance, it is not only your official capacity but it is the behavior in which you engage in that qualifies the application of the statute.

Mr. VITALI. Okay. So it could apply, as I mentioned, to township commissioners, a school board supervisor, someone on a water authority, State Rep, State Senator—

Mr. TURZAI. If one could assume—

Mr. VITALI. —an enormous category of people, in other words.

Mr. TURZAI. If one could assume, which I do not necessarily concede, if one could assume that they could knowingly engage in conduct resulting in the illegal arrest, detention, or mistreatment of another. It is certainly more specific with respect to judges or persons who might be able to incarcerate you or send you to juvenile detention centers. The additional language is important with respect to the definition.

Mr. VITALI. Okay. Now, in addition to — I am looking at the bill now, just to be clear, and I am looking at page 2, line 20 — you also commit official oppression if you engage in any "...other infringement of personal or property rights..." So it does not have to be a detention or arrest or mistreatment or dispossession. As this statute is defined, an official and all the people we mentioned below, school board member up to State Senator, Governor, whatever, can commit that if that person engages in, quote unquote, "...other infringement of personal or property rights..." Am I reading line 20 on page 2 correctly?

Mr. TURZAI. Existing law has that language, but keep in mind also that it defines "COURSE OF CONDUCT," the statute, the existing statute, as "A PATTERN OF ACTIONS COMPOSED OF MORE THAN ONE ACT OVER A PERIOD OF TIME, HOWEVER SHORT, COMMITTED AGAINST ONE OR MORE VICTIMS, EVIDENCING A CONTINUITY OF CONDUCT. ACTS INDICATING A COURSE OF CONDUCT WHICH OCCUR IN MORE THAN ONE JURISDICTION MAY BE USED BY ANY OTHER JURISDICTION IN WHICH AN ACT OCCURRED AS EVIDENCE OF A CONTINUING PATTERN OF CONDUCT OR A COURSE OF CONDUCT." As indicated, it is clear that the prescriptions on this statute certainly are narrowly tailored

and they definitely encompass a situation where judges use their capacity to send individuals to incarceration, particularly when they are using that incarceration to line their own financial interest, which is this case here.

Mr. VITALI. Thank you, Mr. Speaker.

That concludes my interrogation. I would like to speak on the bill.

First of all, I would like to applaud the gentleman for attacking the "cash for kids" case. It is morally reprehensible, and those people should be and in fact were sentenced to a serious amount of time; in fact, more than this statute, this law, which the Representative from Allegheny County is proposing sets as the mandatory minimum. So good goal, agreed. But the problem so often with mandatory minimum sentencing is, in an effort to set out a net to catch the despicable and vicious like the judges who should get this, should and did get more than the 2-year mandatory minimum, when you set up that mandatory minimum net, you also capture the hapless and less dangerous and also subject them to the same mandatory minimum sentence.

Mr. Speaker, one of my colleagues just referred me to a situation where a member of a local water commission, because he threatened a person who was playing the piano to stop playing the piano, was in fact convicted of official oppression. That also triggers this statute, a person in a water authority telling someone not to play the piano, using their official capacity to do that. So if you do that more than once, that is a course of conduct and therefore would trigger, if that scenario occurred, a 2-year mandatory minimum, which is absolutely ludicrous. Mr. Speaker, there was also a situation where — it was the Lower Paxton Township case. My staff referred me to a local constable. A local constable started acting and thinking he was a policeman. He started to stop people for littering. He stopped a number of women for littering and reprimanded them and so forth. Although only a policeman can do that, the constable decided he could do that. He in fact was convicted of official oppression. Now, what he did was wrong, what he did was kind of creepy, but he does not necessarily deserve and in fact did not get 2 years in jail.

Mr. Speaker, the problem with this statute is, you are really creating scenarios where even people like us, even our local commissioners who maybe carry their authority a little too far and tell people in the audience of a commissioner's meeting they cannot use a video camera or they cannot do something else or they have to leave or they have to stay, if they do that over a period of time, they have triggered this 2-year mandatory minimum. Mr. Speaker, that is just wrong. In law school, my professors had an adage, "Good facts make bad law." You know what, the good facts are this despicable "cash for kids" case, and the bad law, frankly, is this effort right here.

Mr. Speaker, this is great, a lot of public sentiment here. There is great public attention to this, but we are creating, wrongfully, mandatory minimum statutes. Mr. Speaker, I was listening to, I am sure one of our favorite stations, NPR (National Public Radio) the other week and I heard the Senator from Bucks County who is chairman of the Senate Judiciary Committee and he indicated, the majority Senator of the Judiciary Committee from Bucks County indicated what a mistake we made in imposing and enacting the plethora of mandatory minimum statutes during the special session on crime, what a mistake we made and how he would never pass another mandatory minimum sentence out of his committee

again. Mr. Speaker, the reason why mandatory minimums generally are wrong and this particular statute is wrong, in addition to the more important reason of taking away a judge's inability to do justice, in addition to preventing a judge from allowing himself to look at the facts and circumstances of each case, at the gravity of the offense, the prior record of the accused, in addition to preventing him from doing justice, we are also costing the Commonwealth a fortune. We simply cannot afford to use up valuable jail space on people who do not deserve the mandatory minimum, when there are other people who pose a more dangerous threat to society out there. Mr. Speaker, we have a \$4 billion deficit here. We cannot afford our corrections budget. We are shipping prisoners to other States.

Mr. Speaker, mandatory minimum sentencing just exacerbates this problem. We have to save our limited jail cells, which we pay about \$30,000 a year for, for the truly vicious, for the true threats, the true threats to our society, and to sort of willy-nilly say if someone tells a person not to play the piano or someone tells a person at a commissioner's meeting not to videotape, to use jail cells for that, Mr. Speaker, is just wrong. Mr. Speaker, the "cash for kids" case, to some degree, is an argument why you do not need this statute, because in that case they got 30 months, they got more than the 2-year mandatory minimum. You do not need this statute to deal with the "cash for kids" case. In that case, everyone, the judge who sentenced these people recognized the heinousness of their crime and did not have to be coerced by a mandatory minimum sentence to impose that sentence.

Mr. Speaker, I urge the members to vote "no" on HB 1436. Thank you.

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

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

Mr. CALTAGIRONE. Thank you, Mr. Speaker.

Each member in here, 203, they have their own common sense about how you approach the various issues that we vote on. For the record, let me just say that my former president judge, whom I was very close to, was appointed by the Supreme Court to oversee this very situation that we are dealing with here today. He had to review every single one of those cases of the children that were sentenced by those judges up there. They were errant judges. They committed heinous crimes against all of us. When they did that to any of those children, they did it to all of us. I do not necessarily disagree with the former speaker about the mandatories, but sometimes you just have to draw the line. When you go over that line, as they did up there, we need to send a message. On this piece of legislation, the staff on the Judiciary of both the Republicans and Democrats worked very, very closely to come up with something that we thought was fair. I think this is a good piece of legislation. I think we should absolutely support it. For those who have a different consideration, let them vote "no."

For me and my concern, I am voting "yes" and I would urge the members of this Assembly to vote "yes" on this important piece of legislation. Thank you, Mr. Speaker.

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

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

Ms. JOSEPHS. Thank you, Mr. Speaker.

I would like to interrogate the maker of this bill, but he seems to have temporarily left his—

The SPEAKER. He was just at the back of the floor. He is—
The gentleman indicates he will stand for interrogation. The lady is in order.

Ms. JOSEPHS. Thank you, Mr. Speaker.

I have been listening very carefully to the previous two speakers and to the gentleman from Allegheny himself, the maker of the bill, and I, of course, agree with him absolutely 100 percent that this was – or I agree with you; I guess this is an interrogation – terrible, terrible behavior, which deserves a great deal of punishment and which is what happened finally, but I am concerned, as was one of the previous speakers, about how far this might go. So I want to ask a hypothetical of the maker of the bill, if I may.

Suppose you are in government, in a position not necessarily elected, but in a position where you can cause inspections, you can cause extensive oversight. You can really make it pretty hard for somebody under the jurisdiction of your job. You are unhappy, let us just say, with the service you had in a restaurant and you cause that restaurant to be inspected.

The SPEAKER. The lady will suspend for a second. I would say hypotheticals are kind of a dicey little area. If you want to ask a specific question with a specific citation to a recent event, it probably is a fair question and in order.

Ms. JOSEPHS. I would like to ask—

The SPEAKER. If you are going to hypothetically weave in and out of one, I would probably say let us focus the question.

Ms. JOSEPHS. I would like to ask the maker of the amendment if that person is guilty of official oppression.

Mr. TURZAI. The case law would seem to indicate that it is not applicable.

Ms. JOSEPHS. And hypothetically, if this was repeated in many restaurants or over and over again with the same restaurant, is that official oppression?

Mr. TURZAI. Given the narrowly tailored language in the underlying law, it would appear that it is not applicable to the fact pattern that you are putting on the table. I would say this, I do not see— Typically, we do not respond to hypotheticals, but I will tell you that I do not believe, given the case law, that it would be applicable to the fact pattern that you are putting on the table. I think that the narrow language that already is in the law circumscribes it from a variety of perspectives – its official capacity; it is knowingly engaged in conduct resulting in illegal arrest, detention, or mistreatment of another. It also makes it clear that there has to be a course of conduct with respect to the official oppression. It certainly is indicative of people who have positions of responsibility in the judicial system. I would note that this came out of committee with unanimous, bipartisan support of a 25-to-0 vote.

Ms. JOSEPHS. Thank you.

Mr. Speaker, my interrogation is finished. May I make some remarks?

The SPEAKER. The lady is in order on the bill.

Ms. JOSEPHS. Thank you.

I asked this question out of concern, which is very close to what the gentleman from Delaware County. We are talking about mandatory minimums. We are talking about a very wide range of people who might be charged, as was established in the last interrogation, people from the smallest counties who are officials to the largest and most important parts, instrumentality of government. I think it is really important for us to understand what we mean when we say "official oppression" if we are going to vote and especially if we are going to vote for a

mandatory minimum, which, of course, is very expensive and in the long run, I think, I believe at any rate, does not serve justice very well.

Just to add a little bit more argument to the answer of the gracious gentleman from Allegheny, the maker of this bill, he cited several times in the course of previous interrogations a phrase, which I am going to paraphrase because I do not have the bill in front of me, which said harms people in their property and – well, their property is enough. If you own a business and you irritate somebody in government and you end up being inspected all the time or inspected more than usual or some other kind of official act, that certainly has to do with your property rights I should think and your income and your assets. So I am concerned about this bill for a lot of reasons. I thank the gentleman for submitting to interrogation. Thank you, Mr. Speaker.

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

On the question, the Speaker recognizes the gentleman from Cambria County, Mr. Haluska.

Mr. HALUSKA. Thank you, Mr. Speaker.

Mr. Speaker, I have to oppose this bill because of the mandates in it. Since our corrections budget has ballooned almost to \$2 billion now, I just cannot sit here and watch health and human services and education keep getting cut and us adding more money into corrections. So that is all this bill would do with these mandates. I think the judiciary system, I think the courts should be able to look case by case and give appropriate sentences. I do not think we have to sit here and gloat about putting people away and locking them up. I think that that is up to the court system. I just do not believe in these minimum mandates. So I will not be supporting the bill. Thank you.

Mr. TURZAI. Mr. Speaker?

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

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

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

There is a fiscal note, sir, on the bill. It says that the impact for 2010-2011 is zero and that it is minimal for 2011-2012. It is suspected that the fiscal impact from this legislation, in terms of increased prison costs, will be minimal to nonexistent. Keep in mind that the mandatory minimum only applies, not every time the official oppression statute is cited, it only applies when there is a consistent course of conduct. So there is an additional caveat. Also understand that official oppression is narrowly drafted. It is specific to fact patterns like the heinous one I have outlined here. In fact, in 2010 it was only charged one time; in 2009 it was charged eight times; in 2008 it was charged three times; and in 2007 it was charged five times. Why? Because it is narrowly tailored, particularly with respect to judicial action, with respect to judicial action where people who are abusing their official capacity such as the cases here. In the end, this is not costing additional taxpayers' dollars. That is a completely phony argument. It is a zero to minimal impact, and in fact, the times that the particular official oppression have been charged are quite minimal. It is clear, however, that official oppression absolutely applies to the fact pattern in this case, two president judges that had financial interests of their own in detention facilities and sent children to those detention facilities and also made sure that there was no funding for the county-run facility. There is no doubt that the official oppression statute applies to that fact pattern.

In addition, the mandatory minimum would only apply when there is a continuous course of conduct as specifically enumerated in this particular bill. So the underlying law is narrowly tailored, and in addition, the amendment is narrowly tailored with respect to official oppression circumstances that call for the mandatory minimum. The regular official oppression, even though not often cited, is not a mandatory minimum unless there is the additional showing of a continuous course of conduct. Would the mandatory minimum apply in very narrow circumstances under official oppression to two judges who had financial interest in private juvenile detention facilities, who then sentenced individuals to those private juvenile detention facilities and who made sure that there was no funding for the county-owned facility and continued to not reveal that information to everybody? Without a doubt. Official oppression and the additional language for mandatory minimum would apply in those very, very narrow circumstances, as it should, but this notion that somehow there is going to be some fiscal impact is just, it is a phony argument, and I will tell you that I think that it is clear that this narrowly tailored bill drafted in conjunction with the Judiciary chairs from both sides of the aisle, with a 25-to-nothing vote, somebody who would be voting in opposition to this under the pretext that this is going to be of some fiscal impact, it is a completely phony argument. Thank you.

GUESTS INTRODUCED

The SPEAKER. The Speaker wants to recognize some guests in the gallery. We welcome members of the River City Brass Band from Pittsburgh. They are visiting with their new director, Mr. James Gourlay, from Edinburgh, Scotland. The band performed earlier this afternoon in the main rotunda, and we would like to welcome them to the hall of the House. Will our guests please stand and wave. Welcome to the hall of the House.

CONSIDERATION OF HB 1436 CONTINUED

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

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

Ms. MUNDY. Thank you, Mr. Speaker.

Mr. Speaker, the judges referenced in the gentleman's remarks were punished far in excess of this mandatory 2-year minimum. They have been asked to pay restitution. So this bill really has nothing to do with them. They have been sentenced to many years in Federal prison. So this bill really is not about Luzerne County, even though it is purported to be. Mr. Speaker, I think this bill, the mandatory minimums in this bill, represent misplaced priorities. As the gentleman from Delaware said and the gentleman from Cambria said, here we are faced with a budget that cuts basic and higher education, that puts grandma in our nursing home at risk, that cuts all kinds of other programs—

Mr. TURZAI. Sir? Point of order, sir.

Ms. MUNDY. —and what are we asked to do—

Mr. TURZAI. Point of order.

The SPEAKER. The lady will suspend.

POINT OF ORDER

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

Mr. TURZAI. Sir, this is not on the underlying bill; it is on the budget, which is far afield from the underlying bill.

The SPEAKER. The Speaker thanks the gentleman.

The lady may proceed.

Ms. MUNDY. Thank you, Mr. Speaker.

I repeat, this mandatory minimum in this bill is a misplaced priority. It grows our prison budget. SCI (State Correctional Institution)-Dallas at Chase is so overcrowded that the guards are at risk. We are sending prisoners out of State at tremendous expense, and it seems like every time there is a bill that comes out of Judiciary, it has mandatory minimums in it; misplaced priorities. I would rather send people to college than send them to prison. This should be up to individual judges and individual cases and facts. It should not be mandatory minimums every time we turn round. We are growing our prison budget far beyond our ability to pay for it. Again, misplaced priorities, and that is why I will be voting against this bill, not because I support official oppression in any way, which is patently ridiculous, but because of the mandatory minimum in it.

Thank you, Mr. Speaker.

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

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

Ms. TOOHL. Thank you, Mr. Speaker.

I rise in support of this bill. This is a good bill, and I am hoping that all of the colleagues of this House will recognize what a good bill this is.

Hailing from Luzerne County, the corruption probe, it does not only touch upon the matters we discussed today, but it also resulted in another – it was up to 30 indictments of elected officials throughout Luzerne County. And I am standing here to encourage my colleagues, especially those that hail from Luzerne County, to stand up and vote for this bill. Official oppression and a mandatory minimum, there should be a mandatory minimum. It is completely ridiculous to argue that the mandatory minimum that is in this bill is going to raise costs and that there is any fiscal impact which relates to the budget in any way.

If there are elected officials or public officials that are out there right now in this Commonwealth that have the public trust, that should be serving with honor and dignity for the people of this Commonwealth, then they should because they have that trust, upon violation of that trust, they should have a mandatory minimum, because I will tell you that in Luzerne County right now, among those 30 officials that have been indicted, what they are doing is they are sitting home, maybe they are on an ankle bracelet, if they are being punished at all, and their wife is cooking them lasagna. So there is no punishment. It is so unfair. And lasagna is a good thing, and I am not saying lasagna is a bad thing. What I am saying is that it is so grossly unfair— Mr. Speaker?

The SPEAKER. The House will come to order. The House will come to order. The House will come to order. The members will take their seats. The House will come to order. The House

will come to order. The members will please take their seats. The Speaker was hoping to go to dinner and have lasagna tonight, but at this rate we may not get to that.

The lady may proceed.

Ms. TOOHL. Thank you, Mr. Speaker.

I ask the colleagues of this House, when looking at the fiscal impact of this bill, to think of the fiscal impact of the juveniles that were incarcerated. There were thousands of juveniles that went away, and that is just concerning corruption in Luzerne County and that set of circumstances.

In this case, in this bill, in order to be convicted of official oppression and for the 2-year mandatory to apply, there has to be a continuing course of conduct. I would ask all the colleagues of this House, even those that have stood in opposition of this bill with the excuse of mandatory minimums or the excuse of fiscal impact, to please reconsider, because being a public official is something that should be treated with honor and with dignity, and when you violate that public trust, you should be punished in a way that is – you should be punished to fit that violation. Thank you.

Thank you, Mr. Speaker.

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

On that question, the Speaker recognizes the gentleman from Cambria County, Mr. Barbin.

Mr. BARBIN. Thank you, Mr. Speaker.

I rise in opposition to this bill. I rise in opposition to this bill because this bill does not lower taxes. This bill does not solve any social problems. This bill does not provide help to the poor. All this bill does is tell somebody they can feel good about solving a problem that does not exist.

In Pennsylvania we have a law. It is called the conflict of interest law. It is a felony. If you do what any of the Luzerne County judges do or anybody else and misuse your office in the way that the prior speaker indicated, you will be convicted of a felony. Why we stand here today with a \$4 or \$3 billion deficit and instead of dealing with the people's business, we instead have to listen to the drivel that we have heard about how this will somehow help the kids that wrongfully were sent to a detention center is garbage.

All this bill does is make some person decide that, yes, I have addressed a problem that does not exist. The problem that exists is already handled under Pennsylvania law. We have a court system that I have trust in. That court system is the system that set the problem straight. It is the system that sent the perpetrators to jail. We do not need another law on our books that says that somebody can use an official oppression statute any way they want with vague language to send somebody who should not be in jail to jail for 2 years. If you should be in jail, you are going there. It is going to be under the felony conflict of interest statute.

For that reason, Mr. Speaker, I ask that all my colleagues vote "no" on this bill.

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

On that question, the Speaker recognizes the gentleman from Delaware County, Mr. Vitali, for the second time. The gentleman waives off.

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—169

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

NAYS—32

Barbin	DeLissio	Kirkland	Sabatina
Bishop	Evans, D.	Kula	Thomas
Briggs	Frankel	Mundy	Vitali
Brown, V.	George	Myers	Wagner
Brownlee	Haluska	O'Brien, M.	Waters
Burns	Johnson	Parker	Wheatley
Cruz	Josephs	Preston	Williams
Curry	Keller, W.	Roebuck	Youngblood

NOT VOTING—0

EXCUSED—2

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

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

* * *

The House proceeded to third consideration of **HB 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 third consideration?
Bill was agreed to.

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

Ms. TOOHIL. Thank you, Mr. Speaker.

This legislation arises from the aftermath of the Luzerne County judicial scandal, which we have been discussing here tonight. The General Assembly enacted Act 32, for those of us who were not here, which established the Interbranch Commission on Juvenile Justice. The purpose of this Interbranch Commission was to determine how the Luzerne County juvenile justice system failed to restore the public confidence in the administration of justice and to prevent similar occurrences, similar events from occurring in Luzerne County and elsewhere in this Commonwealth.

When the Luzerne County judicial scandal occurred and the juvenile justice scandal was brought to light, people asked themselves, how did this happen? People in our communities asked themselves, what could be done in order to prevent this from ever happening again?

In the language of this bill, it compels the Juvenile Court Judges' Commission to collect and analyze statistical trends and evidence-based programs and practices and other data. And simply, Mr. Speaker, the types of data include the number of dispositions, the number of court cases and how they were disposed; the number of juvenile detention centers; dispositions by county are listed so that you can actually see how many juveniles are going away in each county; they are divided up by gender, race, and ethnicity; and to include waivers of counsel and children who went before judges without counsel.

And in the juvenile cases in Luzerne County, there was an exorbitant amount of children in our county that were being sent away, and in order to prevent a scandal such as the one that occurred from ever occurring again, what we need to do is make this statistical data available. We need to collect this data, we

need to ensure that it is collected, and that is what this bill does, and this legislation requires and mandates the Juvenile Court Judges' Commission to collect and analyze this data.

There is a fiscal note of zero on this bill, and I am hoping that across this General Assembly on both sides that there will be bipartisan support. This legislation comes directly from one of the recommendations of the Interbranch Commission on Juvenile Justice, and it is a very important piece of legislation.

Thank you, Mr. Speaker.

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

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

Ms. MUNDY. Thank you, Mr. Speaker.

Mr. Speaker, they say that imitation is the most sincere form of flattery, and I am flattered because HB 1546 is the same as HB 226, which I have introduced for two sessions in a row now, and so of course I stand in support of this bill.

I introduced this legislation in response to the devastating collapse of the juvenile justice system in Luzerne County. The bill seeks to better educate juvenile court judges and other officials so they can work to more effectively manage and improve the system and to recognize and prevent the violation of children's rights. This approach is preventive and much more cost-effective than much of the other legislation we have had to enact to clean up this mess.

This legislation passed the House unanimously on September 14, 2010, and I ask your support for it again today.

Thank you, Mr. Speaker.

On the question recurring,

Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—201

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	Gerber	Masser	Saylor
Brown, R.	Gergely	Matzie	Scavello
Brown, V.	Gibbons	McGeehan	Schroder
Brownlee	Gillen	Metcalfe	Shapiro
Burns	Gillespie	Metzgar	Simmons
Buxton	Gingrich	Miccarelli	Smith, K.
Caltagirone	Godshall	Micozzie	Smith, M.
Carroll	Goodman	Millard	Sonney
Causar	Grell	Miller	Staback
Christiana	Grove	Milne	Stephens
Clymer	Hackett	Mirabito	Stern
Cohen	Hahn	Moul	Stevenson

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

NAYS—0

NOT VOTING—0

EXCUSED—2

Perry

Vereb

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 1567, PN 2069**, 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 definitions, for disqualification and forfeiture of benefits and for restitution.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

On that question, the Speaker recognizes the gentleman from Delaware County, Mr. Vitali.

Mr. VITALI. Thank you, Mr. Speaker.

Will the maker of the bill stand for brief interrogation?

The SPEAKER. The lady indicates that she will stand for interrogation. The gentleman may proceed.

Mr. VITALI. Thank you, Mr. Speaker.

Could the lady start out by just giving a brief explanation of the bill?

Ms. BOBACK. I would be happy to, Mr. Speaker.

This bill, if passed, will end the practice of public officials or employees who have either admitted their guilt or who have been found guilty by their peers from continuing to receive pension benefits even after their guilt has been established.

Now, currently if a public official or a public employee is found guilty of a crime related to public office or employment, the public official or public employee continues to receive pension benefits between the time the jury returns a verdict of guilt and the time that the public official or public employee is sentenced. In practical terms, this means that a public official or public employee that is found guilty of a crime continues to receive pension benefits even after the finding of guilt or even after they entered a guilty plea. Forfeiture does not commence until the public official or employee is sentenced by a judge, and this is many, or it can be, many months later.

Mr. VITALI. Okay. Now, let me ask you a question, because it is my understanding, if I am reading this correctly, do you add more categories of offenses that can result in a pension forfeiture?

Ms. BOBACK. No, sir. I did not add more, but two of my colleagues did, and they were agreed-to amendments.

Mr. VITALI. Okay. And let me just see if I am understanding what was added, if I am understanding that correctly. We added under this bill section 6301, "RELATING TO CORRUPTION OF MINORS," which would result in forfeiture of pensions under this legislation. Is that correct?

Ms. BOBACK. Yes, sir; only if you are a public official and it occurs during your employment.

Mr. VITALI. Now, would that whole statute, any conviction under that statute, which is section 6301, result in pension forfeiture?

Ms. BOBACK. Sir, would you please repeat that.

Mr. VITALI. So any conviction under section 6301, "...CORRUPTION OF MINORS," would result in pension forfeiture?

Ms. BOBACK. As I mentioned before, it only occurs if you are a public employee and it is done during the course of your employment; public employee, public official.

Mr. VITALI. So if a public employee in the course of his employment violates any part of that statute, his pension is forfeited?

Ms. BOBACK. And I do believe that there were two Democratic members who put these amendments—

Mr. VITALI. It is not my question; it is not my question.

Ms. BOBACK. But to respond to that—

POINT OF ORDER

Mr. TURZAI. Mr. Speaker, point of order.

Mr. Speaker, I apologize, sir. Point of order.

The SPEAKER. For what purpose does the gentleman rise?

Mr. TURZAI. Sir, the interrogation that is being directed from the good gentleman from Delaware County really should be directed to the makers of the amendment. On second, amendments went in. The good gentleman's questions actually about those amendments probably should be made to the makers of the amendments because that is where they apply, not to the underlying bill, and I believe it was the Representative from York County, if I am not mistaken, sir.

The SPEAKER. Those amendments, I believe, were adopted by the full House when the bill was under second consideration. Certainly if the prime sponsor of the bill is not aware of maybe all of the intent of those amendments, the prime sponsor could defer to the maker of those amendments. If it is a subject that was not really a part of her original bill, that is certainly in order.

Just pause for one minute; the gentleman will just suspend for one minute.

I would think the proper process would be that if the maker of the bill is not aware of the motivation of the underlying essence or subject of those amendments, that she can decline to answer those and defer. However, the gentleman, Mr. Vitali, has the floor and would have to actually seek to interrogate the maker of the amendment as well.

Mr. VITALI. Okay. I think perhaps I have carried interrogation as far as I can. Perhaps I will just speak on the bill, if I could.

The SPEAKER. The gentleman is in order, on the bill.

Mr. VITALI. First of all, I would like to salute the lady with regard to the intent of this legislation. It is good to send a message that those people acting in an official capacity, doing things that go beyond the pale, in some instances, should have their pensions forfeited.

I do have a number of concerns, and I think one of the concerns I was getting at — and I am not even suggesting it is the lady's fault — but pension forfeiture is a very serious thing, and if you are a schoolteacher, for example, and you have worked in the school system as a teacher and principal and so forth for 30 years, you might have a pension of close to a half million dollars. I do not know; it is a very high figure. And if I am reading this statute correctly, the additions to this bill, a forfeiture of a huge pension could be triggered by a mere summary offense. For example, there is a summary offense with regard to corruption of minors that talks about knowingly abets a minor in committing truancy, which is a summary offense. And I can almost picture a scenario where you have a teacher who says, the Phillies are in the World Series and I know how much that means to you; if you cut class today to see them, I am not going to really say anything about that. And all of a sudden that could trigger this statute; it could trigger a pension forfeiture.

There is another section that was added to this statute, neglect of care-dependent people, which again is very serious. But again you have this, if one recklessly causes bodily injury to a care-dependent person, it also triggers the statute, and my feeling is that that is a very bad thing to do, to be reckless and that recklessness endangers a care-dependent person. They are very bad things and should be punished. But I think if you have a person who maybe has worked all their life in a nursing home and has gotten reckless one day and it resulted in injury and is triggered by this statute, is the right thing to lose a 30-year pension? I mean, I just think that there needs to be a little more work, there needs to be a little more work on this bill. I think that it needs to be massaged a little bit to get out some of these inconsistencies, which I find I think could create some overpunishment here.

I am not going to move that this be referred back to Judiciary. My hope is that if this goes over to the Senate, that they be mindful of these changes. But I think that there are a

couple of things in here, losing a long-term pension for a summary offense, which otherwise would just be a \$50 fine, is just over the top.

Thank you, Mr. Speaker.

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

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

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

I just think it is important to note that on second consideration, this body votes for amendments. There was an amendment from our good colleague from York County from the other side of the aisle who had two amendments, and there was an amendment from the good gentleman from Montgomery County from the other side of the aisle. The gentleman from Delaware County, his points are referencing those three amendments that were voted upon by second and were voted unanimously, including by the good gentleman from Delaware County.

In addition, at the time of the amendments, the good gentleman from Delaware County did not address any of the three amendments and had voted favorably for those amendments. It seems to me that the points raised would have been better put at second consideration or that interrogation would have been better directed to the good gentleman from Montgomery County or the good gentleman from York County. Thank you.

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

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

Ms. JOSEPHS. Thank you, Mr. Speaker.

I also had a concern which just did not occur to me, I am sorry to say, until we were too very far into second consideration, and that would have to do with support orders that are out against any of these pensions and what happens to the person who is the recipient of the support order.

I had a short conversation with the lady, the maker of this bill. She assured me that she would work with the Senate to try and clarify the rights of anybody who is a pension beneficiary in a situation where the pension is being forfeited, if that is the past of that word, and so I am not going to make any motions or do any parliamentary procedures here either any more than the gentleman from Delaware. I just note that this is a concern of mine, and I thank the lady for assuring me that she will take it up as her concern. Thank you, Mr. Speaker.

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

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

Mr. CALTAGIRONE. Thank you, Mr. Speaker.

Just for the members' benefit, the staff in the committee has done their due diligence on this bill also. As it was mentioned by the majority leader, those amendments that were offered on this side of the aisle were basically passed unanimously. I think it is a good bill. We have done our work. Let us vote in the affirmative and get on with our business. Thank you, Mr. Speaker.

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

On that question, the Speaker recognizes the gentleman from York County, Mr. DePasquale.

Mr. DePASQUALE. Thank you, Mr. Speaker.

I just want to commend the gentlelady for putting together a strong bill on pension reform. I believe the people that are

derelict and commit these crimes and the duties related to their office should lose their pension.

Again, it is important to keep in mind that they are only losing the taxpayer-benefit side of it. Any money that they put in themselves they would get back. So that is important to keep in mind. This is not taking that away.

But I commend, again, the gentlelady. She reached out to both myself and others on the Democratic side of the aisle. I believe we have made this a strong bipartisan bill. I think the amendments were strong and bipartisan, and I think this bill will pass in a strong bipartisan fashion.

And again, taxpayers, I think they have a right to expect that if you are going to get a taxpayer-subsidized pension, that you should not be committing crimes related to the duties of your office. And again, I commend the gentlelady for this strong bill.

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

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

Ms. BOBACK. I would just like to clarify something, Mr. Speaker, regarding this bill should it go to the Senate.

This bill does not change the substantive law regarding forfeiture. So what happens now regarding child support or whatever, that will continue. The only thing this bill does is, the time is being moved up to when the person admits guilt or is found guilty by a court of law.

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—201

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	Gerber	Masser	Saylor
Brown, R.	Gergely	Matzie	Scavello
Brown, V.	Gibbons	McGeehan	Schroder
Brownlee	Gillen	Metcalfe	Shapiro
Burns	Gillespie	Metzgar	Simmons
Buxton	Gingrich	Miccarelli	Smith, K.
Caltagirone	Godshall	Micozzie	Smith, M.
Carroll	Goodman	Millard	Sonney
Causar	Grell	Miller	Staback
Christiana	Grove	Milne	Stephens
Clymer	Hackett	Mirabito	Stern
Cohen	Hahn	Moul	Stevenson
Conklin	Haluska	Mullery	Sturla
Costa, D.	Hanna	Mundy	Swanger
Costa, P.	Harhai	Murphy	Tallman
Cox	Harhart	Murt	Taylor
Creighton	Harkins	Mustio	Thomas

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

NAYS—0

NOT VOTING—0

EXCUSED—2

Perry Vereb

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 **SB 1006, PN 1304**, 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 third consideration?
Bill was agreed to.

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

Mr. MARSICO. Thank you, Mr. Speaker.

I just wanted to recognize and thank the members of the Judiciary Committee as well as the Democrat chair and the members.

If you recall, a few weeks ago we did pass a House bill over to the Senate regarding the bath salts, and I just wanted to recognize and thank the leadership of the gentelady from Lebanon County and the gentelady from Lehigh County and the gentleman from Blair County with their leadership in the bills that they provided to the General Assembly that do the same in outlawing these bath salts. Bath salts are dangerous, addictive, and destructive, and it is important that we move this

bill rapidly over to the Senate and have the Senate adopt it with the amendment and then send it to the Governor for him to sign the bill.

Mr. Speaker, we need to send a message in the meantime to those that are preying on our residents that they would no longer be able to do so without serious repercussions. Their first offense for possession with intent to deliver or delivery, with the intent for delivery, will result in 5 years in prison and a \$15,000 fine. Simple possession of these substances will be a misdemeanor and give them a \$5,000 fine and a maximum of 1 year in prison, and on second and subsequent violations, the maximum fine and penalty doubles. As you can see, those who have no regard for the well-being of others, of our citizens, and those that are making huge profits off our citizens will finally be held accountable with the enactment of this legislation.

Mr. Speaker, I ask for an affirmative vote and thank the members for that vote.

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

On that question, the Speaker recognizes the lady from Lehigh County, Miss Mann.

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

This issue and this legislation has really been a long time in coming.

The issue of synthetic drugs, particularly synthetic marijuana, is something that really startled me when it came to my attention late last summer. Here we are, not quite a year later, but really in a position now to prohibit these dangerous substances in Pennsylvania, and I can tell you it will not happen a day too soon. There is not a day that goes by when we do not pick up the newspaper, turn on the television or a radio and hear of some near tragedy or tragedy that has occurred because of the abuse and use of these substances.

This is epidemic. Young people continue to think because these things are accessible and legal, that they are safe. I have heard one too many tragic stories of near death of young people who have become addicted and are using these substances on a daily basis.

Mr. Speaker, we need to alarm the public, we need to alarm parents so that they are out there and are policing their own children until we get to the point where these substances are officially banned here in the Commonwealth.

I would also say, ultimately my hope is that there would be Federal legislation so that this is not a State-by-State effort, but a Federal law, because they are certainly best positioned to address the proliferation of synthetic substances as those who seek profit and care little about harming our children will continue to try to address these chemical compounds to stay one step ahead of the law.

This is an important step, an important step we are taking today in Pennsylvania to protect the lives of our young people and to send a very clear message that this stuff is not safe, should not be used, and is very dangerous.

Thank you, Mr. Speaker.

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

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

Mr. CALTAGIRONE. Thank you, Mr. Speaker.

For the benefit of the members, this bill has been worked on for over 4 years. Members on both sides of the aisle have addressed the various issues. The synthetic marijuana – Salvia, the bath salts – we vented these issues in committee. This is a

good piece of legislation. We need to pass it and send it to the Governor as soon as possible. Thank you, Mr. Speaker.

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

On that question, the Speaker recognizes the gentleman from Monroe County, Mr. Scavello.

Mr. SCAVELLO. Thank you, Mr. Speaker.

For all the reasons that were just stated, I think it is something that we need to send to the Governor.

Myself and the gentlelady from Monroe, about 3 weeks ago, because of the complaints that we were getting at the hospital from kids being addicted to this and walking into the emergency rooms, we have asked the businesses in our community to remove it from sale, and some have. And I am asking throughout the Commonwealth, any businesses out there in the Commonwealth – this bill is going to the Governor – please remove it from sale. You will be saving lives.

So I urge the members for an affirmative vote.

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

On that question, the Speaker recognizes the gentleman, Mr. Stern, from Blair County.

Mr. STERN. Thank you, Mr. Speaker.

I, too, would like to reinforce what the previous speakers were mentioning about this legislation. The bath salt legislation originally was introduced by myself in the House on February 8 and went through the process where we had several bills amended into one bill. It went over to the Senate, and the Senate had the House version, HB 365, sitting in the Senate Judiciary Committee for several, several weeks, and finally, a Senate version has come back to us here in the House that really encapsulates and adds everything that was in the House version and went to the Senate. So whether it is the Senate version or House version, it really does not matter as long as we get this legislation passed.

And I want to thank the other sponsors, the gentlelady from the Lehigh Valley and the gentlelady also from Lebanon County, for their work here in the House.

Every day in Blair County we see some kind of semblance of a report either on the news, TV account, or whether it is in the newspaper about somebody being on Blizzard, on bath salts, and the problems that they are causing. Just over the weekend there was an instance where a couple was arrested for robbing a pizza shop, a cab driver, and somebody else so they could buy Blizzard because they were addicted.

This is a legal substance. We need to get it off the shelf from people being able to sell this. It is very addictive and it is causing a crisis in our communities to law enforcement, to the mental health field, to doctors, to emergency rooms, and I just appreciate the fact that we are moving it here in the House and sending it one step closer to the Governor for his signature.

But I would like to thank all the members for the bipartisan work and for supporting this bath salt legislation. Thank you, Mr. Speaker.

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

On that question, the Speaker recognizes the lady from Lebanon County, Mrs. Swanger.

Mrs. SWANGER. Thank you, Mr. Speaker.

Yes, this legislation did originate as my bill here in the House, which only spoke to Salvia Divinorum, and it was made better by several amendments, and I am appreciative of that fact.

We also need to thank the State Police and D.A.s Association for their input into this process and Dr. Donovan from our own Pennsylvania Department of Health. Dr. Donovan suggested the language that would make any kind of technical change to the formula of these synthetic drugs illegal under our law so we would not have to keep playing catch-up with the substances that we prohibit.

So I am so glad we got this bill to this point. I think when we pass this bill, hopefully the Senate will act on our amended version very quickly and send it to the Governor and it will become law, and I think it will become one of the most forward-thinking and progressive pieces of legislation regarding these synthetic substances in our nation. I thank everybody for their input into this process.

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—201

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	Gerber	Masser	Saylor
Brown, R.	Gergely	Matzie	Scavello
Brown, V.	Gibbons	McGeehan	Schroder
Brownlee	Gillen	Metcalfe	Shapiro
Burns	Gillespie	Metzgar	Simmons
Buxton	Gingrich	Miccarelli	Smith, K.
Caltagirone	Godshall	Micozzie	Smith, M.
Carroll	Goodman	Millard	Sonney
Causar	Grell	Miller	Staback
Christiana	Grove	Milne	Stephens
Clymer	Hackett	Mirabito	Stern
Cohen	Hahn	Moul	Stevenson
Conklin	Haluska	Mullery	Sturla
Costa, D.	Hanna	Mundy	Swanger
Costa, P.	Harhai	Murphy	Tallman
Cox	Harhart	Murt	Taylor
Creighton	Harkins	Mustio	Thomas
Cruz	Harper	Myers	Tobash
Culver	Harris	Neuman	Toepel
Curry	Heffley	O'Brien, D.	Toohil
Cutler	Helm	O'Brien, M.	Truitt
Daley	Hennessey	O'Neill	Turzai
Davidson	Hess	Oberlander	Vitali
Davis	Hickernell	Parker	Vulakovich
Day	Hornaman	Pashinski	Wagner
Deasy	Hutchinson	Payne	Waters
DeLissio	Johnson	Payton	Watson
DeLozier	Josephs	Peifer	Wheatley
DeLuca	Kampf	Petrarca	White

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

NAYS—0

NOT VOTING—0

EXCUSED—2

Perry Vereb

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

Ordered, That the clerk return the same to the Senate with the information that the House has passed the same with amendment in which the concurrence of the Senate is requested.

* * *

The House proceeded to third 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 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—201

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	Gerber	Masser	Saylor
Brown, R.	Gergely	Matzie	Scavello
Brown, V.	Gibbons	McGeehan	Schroder
Brownlee	Gillen	Metcalfe	Shapiro
Burns	Gillespie	Metzgar	Simmons

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

NAYS—0

NOT VOTING—0

EXCUSED—2

Perry Vereb

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 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 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—201

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

NAYS—0

NOT VOTING—0

EXCUSED—2

Perry Vereb

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 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 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—201

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	Gerber	Masser	Saylor
Brown, R.	Gergely	Matzie	Scavello
Brown, V.	Gibbons	McGeehan	Schroder
Brownlee	Gillen	Metcalfe	Shapiro
Burns	Gillespie	Metzgar	Simmons
Buxton	Gingrich	Miccarelli	Smith, K.
Caltagirone	Godshall	Micozzie	Smith, M.
Carroll	Goodman	Millard	Sonney
Causar	Grell	Miller	Staback
Christiana	Grove	Milne	Stephens
Clymer	Hackett	Mirabito	Stern
Cohen	Hahn	Moul	Stevenson
Conklin	Haluska	Mullery	Sturla
Costa, D.	Hanna	Mundy	Swanger
Costa, P.	Harhai	Murphy	Tallman
Cox	Harhart	Murt	Taylor
Creighton	Harkins	Mustio	Thomas
Cruz	Harper	Myers	Tobash
Culver	Harris	Neuman	Toepel
Curry	Heffley	O'Brien, D.	Toohil
Cutler	Helm	O'Brien, M.	Truitt
Daley	Hennessey	O'Neill	Turzai
Davidson	Hess	Oberlander	Vitali
Davis	Hickernell	Parker	Vulakovich
Day	Hornaman	Pashinski	Wagner
Deasy	Hutchinson	Payne	Waters
DeLissio	Johnson	Payton	Watson
Delozier	Josephs	Peifer	Wheatley
DeLuca	Kampf	Petrarca	White

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

NAYS—0

NOT VOTING—0

EXCUSED—2

Perry Vereb

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 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 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—201

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	Gerber	Masser	Saylor
Brown, R.	Gergely	Matzie	Scavello
Brown, V.	Gibbons	McGeehan	Schroder

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

NAYS—0

NOT VOTING—0

EXCUSED—2

Perry Vereb

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 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 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—201

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

NAYS—0

NOT VOTING—0

EXCUSED—2

Perry Vereb

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 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 third consideration?
Bill was agreed to.

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

On that question, the Speaker recognizes the gentleman from Delaware County, Mr. Killion.

Mr. KILLION. Thank you, Mr. Speaker.

What this legislation does is, as we all know our transit agencies, the 70-plus transit agencies in Pennsylvania are facing tough financial times. I had the privilege of sitting on the SEPTA (Southeastern Pennsylvania Transportation Authority) Board for 5 years, and SEPTA has been extremely aggressive in finding nonfare, nontax revenues for their system. I will say that again, nonfare and nontax revenues. They recently sold the naming rights for the station at Broad and Pattison, where our sports complexes are, for over \$5 million. It was a record nationally. Annually they raise about \$30 million in advertising on the buses and trolleys and the other SEPTA systems. The problem is, when the original legislation was passed, railcars were excluded. They could not put ads on the exterior railcars. The reason for that was, at the time they were worried that the brackets they would put on them would cause a problem when the railcars went through the tunnels. With the advent of shrink-wrapping, they can do that now safely. This will allow SEPTA to now advertise on the outside of railcars. I am hearing they already have people lined up in excess of \$1 million willing to pay to put those ads on. If they want to go after nonfare and nontax dollars, I believe we ought to help them.

I would like to thank the chairman of the Transportation Committee for his help with the bill, and I would ask for your support of HB 1173. Thank you, Mr. Speaker.

On the question recurring,
Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—201

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

NAYS—0

NOT VOTING—0

EXCUSED—2

Perry Vereb

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 SPEAKER. There will be no more votes.

BILLS RECOMMITTED

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

HB 242;
HB 395;
HB 424;

HB 581;
HB 807;
HB 1479; and
SB 274.

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

BILLS REMOVED FROM TABLE

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

HB 735;
HB 838;
HB 1458; and
SB 450.

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

BILLS REMOVED FROM TABLE

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

HB 84;
HB 1057;
HB 1306; and
HB 1307.

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

BILLS TABLED

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

HB 84;
HB 1057;
HB 1306; and
HB 1307.

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

STATEMENT BY MS. BISHOP

The SPEAKER. Does the lady, Ms. Bishop, seek recognition? For what purpose does the lady seek recognition?

Ms. BISHOP. Thank you. Unanimous consent, Mr. Speaker.

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

Ms. BISHOP. Thank you, Mr. Speaker.

Everyone was so busy to go home I sort of changed my mind for a moment, but let me take this opportunity to say that last Monday I was involved in a three-car collision on the Pennsylvania Turnpike. Fortunately, all I could think of was Tom McCormac, the late Tom McCormac, and I am sure that most of us can remember that incident, but I am prayerful that all is working out well. We had no broken bones, pretty much shaken up, undergoing a lot of therapy, but I think everything is going to be all right. A little bit of pain in the back, but I think I am going to come around from that.

But what has helped a great deal was realizing that I had so many friends in this House, and while we all think that we are different, I want you to know the lines that draw us together are so close that we can hardly tell, when we look right and left, we can hardly tell where one ends and the other begins. We are so connected together, and it means something to one who survives that kind of accident to know that we have friends – from the oldest member on this side of the House to the youngest member on this side of the House. We received telephone calls. We received flowers. We received gifts of all kinds.

So I just wanted to say how much I appreciate each and every one of you and give you a little bit of advice as you take the turnpike: Drive carefully. Buckle up. Make sure you drive your car as well as the guy that is driving next to you or the one that is driving in front of you. You will need your eyes on the road and you will need to be driving their cars, too, because unfortunately, they do not all drive as safely as we do.

And remember this one last thing in closing: We have more friends here and we are more connected here in the Commonwealth of Pennsylvania than any other group in this entire State. We work together and your prayers have worked for me. We pray together. So keep me in your prayers and I will do likewise, and thank you, Mr. Speaker.

The SPEAKER. The Speaker thanks the lady and is pleased to see that she is doing well.

FINANCE COMMITTEE MEETING

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

Mr. BENNINGHOFF. Thank you, Mr. Speaker.

For a committee announcement.

The SPEAKER. The gentleman is in order for the purpose of making an announcement.

Mr. BENNINGHOFF. Thank you, Mr. Speaker.

Very briefly, the House Finance Committee will meet off the floor Wednesday sometime between 11 and 1 p.m. at the call of the recess.

The SPEAKER. Is the gentleman aware of the room where you are going to meet? I believe you are required to identify a specific location.

Mr. BENNINGHOFF. I appreciate the Speaker's astuteness. I wanted to make sure you were paying attention. Yes, that meeting will be in the Appropriations conference room. Thank you for reminding me of that, sir.

The SPEAKER. I always pay attention to the gentleman from Centre County.

Mr. BENNINGHOFF. And I pay attention, especially when you are driving, sir. Thank you.

The SPEAKER. The Finance Committee will meet at the call of the recess in the Appropriations conference room.

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. The Speaker recognizes the gentleman, Mr. Emrick, from Northampton County, who moves that this House do adjourn until Tuesday, June 14, 2011, at 11 a.m., e.d.t., unless sooner recalled by the Speaker.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 5:24 p.m., e.d.t., the House adjourned.