

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

SUNDAY, JUNE 26, 2011

SESSION OF 2011

195TH OF THE GENERAL ASSEMBLY

No. 53

HOUSE OF REPRESENTATIVES

The House convened at 3 p.m., e.d.t.

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

PRAYER

HON. JOHN A. LAWRENCE, member of the House of Representatives, offered the following prayer:

The prayer I offer today was first given in this chamber 50 years ago, June 26, 1961, by Rev. David Hoover.

Let us pray:

"Almighty and Eternal God and Father of us all, it is with deepest humility and a never-dying love that we come into Thy presence this afternoon hour. We are conscious of the ever press of obligations and responsibilities which crowd so heavily upon us; so, we ask that Thy stabilizing influence may become the tranquil power for our time. We know that we stand at the crossroads of a new frontier; and we pray that Thou wilt grant to each of us the ability to make the needed decisions for this hour. And we are aware that if great things are to be accomplished, Thou wilt have to guide and direct our pathway; so, we desire the indwelling of Thy Spirit in order that we may live and work for Thee: through Jesus Christ, our Lord. 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 Saturday, June 25, 2011, will be postponed until printed.

ANNOUNCEMENT BY SPEAKER

The SPEAKER. As a way of announcement, both caucuses are meeting currently.

RULES AND APPROPRIATIONS COMMITTEE MEETINGS

The SPEAKER. And then as a public announcement, there will be a Rules Committee meeting in the majority leader's conference room at 3:45 and an Appropriations Committee meeting in the majority caucus room at 4 o'clock, and we will return to the floor at 4:15.

RECESS

The SPEAKER. This House stands in recess until 4:15, unless sooner recalled by the Speaker.

AFTER RECESS

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

LEAVES OF ABSENCE

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

The Speaker turns to the minority whip, who requests a leave of absence for the gentleman, Mr. SABATINA, from Philadelphia County for the day; the gentleman, Mr. GEORGE, from Clearfield County for the day; the gentleman, Mr. BRENNAN, from Northampton County for the day; and the lady, Ms. WAGNER, from Allegheny County for the day. Without objection, the leaves will be granted.

MASTER ROLL CALL

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

The following roll call was recorded:

PRESENT—196

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

ADDITIONS—0

NOT VOTING—0

EXCUSED—7

Brennan	George	Micozzie	Wagner
Cutler	Godshall	Sabatina	

LEAVES ADDED—3

Gerber	Kirkland	Wheatley
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LEAVES CANCELED—1

Sabatina

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

BILLS REREPORTED FROM COMMITTEE

HB 146, PN 2186 By Rep. TURZAI

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in rules of the road in general, prohibiting interactive wireless communications devices and prohibiting use of interactive wireless communications devices by junior drivers; further providing for duty of driver in construction and maintenance areas or on highway safety corridors, for duty of driver in emergency response areas and for the offense of careless driving; establishing the Driver Distraction Awareness Fund; and providing for additional duties of the Department of Transportation.

RULES.

HB 970, PN 2051 By Rep. TURZAI

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

RULES.

HB 1454, PN 1760 By Rep. TURZAI

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in school districts, further providing for value-added assessment system.

RULES.

HB 1549, PN 1900 By Rep. TURZAI

An Act amending the act of August 9, 1955 (P.L.323, No.130), known as The County Code, in names and corporate powers and classification of counties, further providing for counties divided into nine classes.

RULES.

HB 1683, PN 2185 By Rep. TURZAI

An Act amending the act of July 2, 1984 (P.L.561, No.112), known as the Pennsylvania Conservation Corps Act, further providing for the definitions of "department" and "secretary"; and transferring the administration of the Pennsylvania Conservation Corps from the Department of Labor and Industry to the Department of Conservation and Natural Resources.

RULES.

HB 1691, PN 2182 By Rep. TURZAI

An Act amending the act of July 28, 1988 (P.L.556, No.101), known as the Municipal Waste Planning, Recycling and Waste Reduction Act, in general provisions, defining "yard waste," and in grants, further providing for general limitations.

RULES.

HB 1696, PN 2141

By Rep. TURZAI

An Act providing for a temporary moratorium of court-ordered countywide reassessments and for reforms based upon study.

RULES.

HB 1727, PN 2192

By Rep. TURZAI

A Supplement to the act of July 28, 1966 (3rd Sp.Sess., P.L.87, No.3), known as the University of Pittsburgh—Commonwealth Act, making appropriations for carrying the same into effect; and providing for a basis for payments of such appropriations, for a method of accounting for the funds appropriated and for certain fiscal information disclosure.

RULES.

HB 1728, PN 2193

By Rep. TURZAI

A Supplement to the act of November 30, 1965 (P.L.843, No.355), known as the Temple University—Commonwealth Act, making appropriations for carrying the same into effect; providing for a basis for payments of such appropriations; and providing a method of accounting for the funds appropriated and for certain fiscal information disclosure.

RULES.

HB 1729, PN 2194

By Rep. TURZAI

An Act making appropriations to the Trustees of the University of Pennsylvania.

RULES.

HB 1730, PN 2195

By Rep. TURZAI

A Supplement to the act of July 7, 1972 (P.L.743, No.176), known as the Lincoln University—Commonwealth Act, making an appropriation for carrying the same into effect; providing for a basis for payments of the appropriation; and providing a method of accounting for the funds appropriated and for certain fiscal information disclosure.

RULES.

HB 1731, PN 2196

By Rep. TURZAI

A Supplement to the act of April 1, 1863 (P.L.213, No.227), entitled "An act to accept the grant of Public Lands, by the United States, to the several states, for the endowment of Agricultural Colleges," making appropriations for carrying the same into effect; and providing for a basis for payments of such appropriations, for a method of accounting for the funds appropriated and for certain fiscal information disclosure.

RULES.

**RESOLUTION REPORTED
FROM COMMITTEE**

SR 148, PN 1394

By Rep. TURZAI

A Concurrent Resolution adopting the population data certified by the Legislative Reapportionment Commission for use in congressional redistricting legislation.

RULES.

UNCONTESTED SUPPLEMENTAL CALENDAR A

RESOLUTION PURSUANT TO RULE 35

Mr. WHEATLEY called up **HR 355, PN 2209**, entitled:

A Resolution celebrating the South Side Local Development Company on its 30th and final year as an organization.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—196

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

NAYS—0

NOT VOTING—0

EXCUSED-7

Brennan	George	Micozzie	Wagner
Cutler	Godshall	Sabatina	

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

CALENDAR

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 720, PN 1816**, entitled:

An Act amending the act of April 6, 1937 (P.L.200, No.51), known as the Pawnbrokers License Act, further providing for definitions, for identity of pledger and for pawn ticket; providing for hold orders and related procedures; and further providing for sale of pledge and for penalties.

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-196

Adolph	Ellis	Kortz	Rapp
Aument	Emrick	Kotik	Ravenstahl
Baker	Evankovich	Krieger	Readshaw
Barbin	Evans, D.	Kula	Reed
Barrar	Evans, J.	Lawrence	Reese
Bear	Everett	Longietti	Reichley
Benninghoff	Fabrizio	Maher	Roae
Bishop	Farry	Mahoney	Rock
Bloom	Fleck	Major	Roebuck
Boback	Frankel	Maloney	Ross
Boyd	Freeman	Mann	Saccone
Boyle, B.	Gabler	Markosek	Sainato
Boyle, K.	Galloway	Marshall	Samuelson
Bradford	Geist	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	Goodman	Millard	Smith, K.
Caltagirone	Grell	Miller	Smith, M.
Carroll	Grove	Milne	Sonney
Causar	Hackett	Mirabito	Staback
Christiana	Hahn	Moul	Stephens
Clymer	Haluska	Mullery	Stern
Cohen	Hanna	Mundy	Stevenson
Conklin	Harhai	Murphy	Sturla
Costa, D.	Harhart	Murt	Swanger
Costa, P.	Harkins	Mustio	Tallman

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

NAYS-0

NOT VOTING-0

EXCUSED-7

Brennan	George	Micozzie	Wagner
Cutler	Godshall	Sabatina	

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 1646, PN 2163**, entitled:

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

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-196

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

Bishop	Farry	Mahoney	Rock
Bloom	Fleck	Major	Roebuck
Boback	Frankel	Maloney	Ross
Boyd	Freeman	Mann	Saccone
Boyle, B.	Gabler	Markosek	Sainato
Boyle, K.	Galloway	Marshall	Samuelson
Bradford	Geist	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	Goodman	Millard	Smith, K.
Caltagirone	Grell	Miller	Smith, M.
Carroll	Grove	Milne	Sonney
Causer	Hackett	Mirabito	Staback
Christiana	Hahn	Moul	Stephens
Clymer	Haluska	Mullery	Stern
Cohen	Hanna	Mundy	Stevenson
Conklin	Harhai	Murphy	Sturla
Costa, D.	Harhart	Murt	Swanger
Costa, P.	Harkins	Mustio	Tallman
Cox	Harper	Myers	Taylor
Creighton	Harris	Neuman	Thomas
Cruz	Heffley	O'Brien, D.	Tobash
Culver	Helm	O'Brien, M.	Toepel
Curry	Hennessey	O'Neill	Toohil
Daley	Hess	Oberlander	Truitt
Davidson	Hickernell	Parker	Turzai
Davis	Hornaman	Pashinski	Vereb
Day	Hutchinson	Payne	Vitali
Deasy	Johnson	Payton	Vulakovich
DeLissio	Josephs	Peifer	Waters
Delozier	Kampf	Perry	Watson
DeLuca	Kauffman	Petrarca	Wheatley
Denlinger	Kavulich	Petri	White
DePasquale	Keller, F.	Pickett	Williams
Dermody	Keller, M.K.	Preston	Youngblood
DeWeese	Keller, W.	Pyle	
DiGirolo	Killion	Quigley	Smith, S.,
Donatucci	Kirkland	Quinn	Speaker
Dunbar	Knowles		

NAYS-0

NOT VOTING-0

EXCUSED-7

Brennan	George	Micozzie	Wagner
Cutler	Godshall	Sabatina	

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 369, PN 1409**, entitled:

An Act amending Title 74 (Transportation) of the Pennsylvania Consolidated Statutes, in scenic highways, providing for the designation of a portion of U.S. 219, U.S. 322, State Route 969, State Route 879, State Route 153, State Route 453, State Route 1001, State Route 729, State Route 4005 and the Greenville Pike and Bilger's Rocks Road in Clearfield County as scenic byways.

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-196

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

NAYS-0

NOT VOTING-0

EXCUSED—7

Brennan	George	Micozzie	Wagner
Cutler	Godshall	Sabatina	

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 SPEAKER. The House will be at ease for a couple minutes.

The House will come to order.

The members will please take their seats. The members will clear the aisles and please take their seats. Take the conversations to the rear of the House, please.

BILLS REREPORTED FROM COMMITTEE

HB 1174, PN 1280 By Rep. ADOLPH

An Act amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, in emergency telephone service, providing for prohibited release of information.

APPROPRIATIONS.

HB 1337, PN 1535 By Rep. ADOLPH

An Act authorizing the turn back from the Commonwealth to Ward Township, Tioga County, of the road known as Old Possessions Road in Ward Township, Tioga County; and providing for the powers and duties of the Secretary of Conservation and Natural Resources.

APPROPRIATIONS.

HB 1630, PN 2079 By Rep. ADOLPH

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.

APPROPRIATIONS.

SB 105, PN 982 By Rep. ADOLPH

An Act providing for the establishment of a searchable budget database-driven Internet website detailing certain information concerning taxpayer expenditures and investments.

APPROPRIATIONS.

SB 151, PN 1426 By Rep. ADOLPH

An Act amending the act of January 8, 1960 (1959 P.L.2119, No.787), known as the Air Pollution Control Act, further providing for disposition of fees, fines and civil penalties.

APPROPRIATIONS.

SB 828, PN 846

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.

SB 829, PN 847

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.

SB 830, PN 848

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.

SB 1096, PN 1291

By Rep. ADOLPH

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, further providing for purpose, for definitions, for acting for or aiding nonadmitted insurers, for requirements for eligible surplus lines insurers, for surplus lines licensee's duty to notify insured, for exempt risks, for surplus lines advisory organizations, for licensing of surplus lines licensee, for surplus lines licensees may accept business from insurance producer, for surplus lines tax, for tax on independently procured insurance and for suspension, revocation or nonrenewal of surplus lines licensee's license.

APPROPRIATIONS.

SB 1097, PN 1279

By Rep. ADOLPH

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

APPROPRIATIONS.

The SPEAKER. The members will please take their seats. The House will come to order. The members will please take their seats. The House will come to order. The members will please take their seats and take the conversations to the rear of the House, if necessary. Will the House please come to order. The members will please take their seats and clear the aisles.

SUPPLEMENTAL CALENDAR D**RESOLUTION**

Mr. TURZAI called up **SR 148, PN 1394**, entitled:

A Concurrent Resolution adopting the population data certified by the Legislative Reapportionment Commission for use in congressional redistricting legislation.

On the question,
Will the House concur in the resolution of the Senate?

The following roll call was recorded:

YEAS—196

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

NAYS—0

NOT VOTING—0

EXCUSED—7

Brennan	George	Micozzie	Wagner
Cutler	Godshall	Sabatina	

The majority of the members elected to the House having voted in the affirmative, the question was determined in the affirmative and the resolution was concurred in.

Ordered, That the clerk inform the Senate accordingly.

SUPPLEMENTAL CALENDAR B

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 970, PN 2051**, entitled:

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

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 1683, PN 2185**, entitled:

An Act amending the act of July 2, 1984 (P.L.561, No.112), known as the Pennsylvania Conservation Corps Act, further providing for the definitions of "department" and "secretary"; and transferring the administration of the Pennsylvania Conservation Corps from the Department of Labor and Industry to the Department of Conservation and Natural Resources.

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 1549, PN 1900**, entitled:

An Act amending the act of August 9, 1955 (P.L.323, No.130), known as The County Code, in names and corporate powers and classification of counties, further providing for counties divided into nine classes.

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

Mr. **SCAVELLO** offered the following amendment
No. **A03715**:

Amend Bill, page 1, line 10, by inserting after "classes"
and for ascertainment, certification and effect of change of class

Amend Bill, page 2, by inserting between lines 22 and 23
Section 2. Section 211(c) of the act, amended August 22, 1961 (P.L.1048, No.478), is amended to read:

Section 211. Ascertainment, Certification and Effect of Change of Class.—* * *

(c) Changes of class ascertained and certified as aforesaid shall become effective on the first day of January next following the year in which the change was so certified by the Governor to the county commissioners but the salaries of county officers shall not thereby be increased or decreased during the term for which they shall have been elected. In the municipal election following such certification of change of class and preceding the effective date of such change, the proper number of persons shall be elected to fill any elective office which will exist in the county by the change of classification certified, provided, however, that when the census figures are certified after the

primary election in the year of a municipal election, any change in an elective office where more than one elective office is currently held by the same person shall not become effective until the terms of the offices for which that person was elected expire. No election shall be held for any office which will be abolished as a result of such change of classification.

Amend Bill, page 2, line 23, by striking out "2" and inserting 3

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

AMENDMENT WITHDRAWN

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

Mr. SCAVELLO. Mr. Speaker, I am going to pull that amendment.

The SPEAKER. Thank you.

Mr. SCAVELLO. I have a second amendment.

The SPEAKER. Okay. The gentleman withdraws that amendment.

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

Mr. SCAVELLO offered the following amendment No. A03973:

Amend Bill, page 1, line 10, by inserting after "classes" ; and, in prothonotary, clerks of court, clerk of orphan's court, register of wills, recorder of deeds, further providing for how offices to be held

Amend Bill, page 2, by inserting between lines 22 and 23

Section 2. Section 1302 of the act is amended by adding a subsection to read:

Section 1302. How Offices to Be Held.—* * *

(a.1) Notwithstanding subsection (a) or any other law, a county advancing from the fifth to fourth class as a result of census figures certified after the primary election in the year of a municipal election shall maintain the configuration of offices in effect in the county until the year in which the offices are next up for election, at which time offices in the county shall be held in accordance with subsection (a) or any other general law applicable to the holding of offices and to the classification of the county.

* * *

Amend Bill, page 2, line 23, by striking out "2" and inserting 3

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

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

Mr. SCAVELLO. Thank you, Mr. Speaker.

What this amendment, it really involves two counties that have gone from fifth to fourth in this census, and what it does is it gives those counties 4 years in order to split the prothonotary and clerk of courts and the recorder of wills and the recorder of deeds. And I believe one of the counties already has split that office, but it gives those two counties an opportunity to wait 4 years rather than force it upon the electors this November.

I urge the members for an affirmative vote.

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

The following roll call was recorded:

YEAS—196

Table listing names of members who voted 'YEAS' (196 total). Includes names like Adolph, Ellis, Kortz, Rapp, Aument, Emrick, Kotik, Ravenstahl, Baker, Evankovich, Krieger, Readshaw, etc.

NAYS—0

NOT VOTING—0

EXCUSED—7

Table listing names of members who were 'EXCUSED' (7 total). Includes Brennan, George, Micozzie, Wagner, Cutler, Godshall, Sabatina.

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

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, Mr. KIRKLAND, from Delaware County for the remainder of the day. Without objection, the leave will be granted.

CONSIDERATION OF HB 1549 CONTINUED

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

The SPEAKER. The Speaker has been informed that the gentleman, Mr. White, has withdrawn his amendment.

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

The SPEAKER. The bill will be reprinted as amended.

* * *

The House proceeded to second consideration of **HB 1696, PN 2141**, entitled:

An Act providing for a temporary moratorium of court-ordered countywide reassessments and for reforms based upon study.

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 1730, PN 2195**, entitled:

A Supplement to the act of July 7, 1972 (P.L.743, No.176), known as the Lincoln University-Commonwealth Act, making an appropriation for carrying the same into effect; providing for a basis for payments of the appropriation; and providing a method of accounting for the funds appropriated and for certain fiscal information disclosure.

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

BILL PASSED OVER TEMPORARILY

The SPEAKER. On that question, the Speaker notes that there are two amendments which are out of order.

We will go over HB 1730 temporarily.
The House will be at ease for a moment.

The House will come to order.
The members will please take their seats. The members will clear the aisles. The members will please take their seats.
The Speaker thanks the members.

CALENDAR CONTINUED

BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of **SB 1131, PN 1389**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in general provisions relating to civil actions and proceedings, amending provisions relating to comparative negligence.

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

Mr. **NEUMAN** offered the following amendment No. **A03593**:

Amend Bill, page 2, line 9, by inserting after "paragraph" (2.1) or

Amend Bill, page 2, by inserting between lines 13 and 14 (2.1) A defendant's liability for economic damages shall be joint and several, and the court shall enter a joint and several judgment in favor of the plaintiff and against the defendant for the total dollar amount awarded as damages.

Amend Bill, page 5, by inserting between lines 20 and 21 "Economic damages." Objectively verifiable monetary losses, including medical expenses, loss of earnings, burial costs, loss of use of property, costs of repair or replacement, costs of obtaining substitute domestic services, loss of employment and loss of business or employment opportunities.

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

The SPEAKER. On that question, the Speaker recognizes the gentleman from Washington County, Mr. Neuman.

Mr. NEUMAN. Thank you, Mr. Speaker.

My amendment is pretty straightforward. There are two types of damages in civil cases, one being economic and one being noneconomic. The noneconomic damages are where we worry about a runaway jury and where we really worry about damages that can really harm businesses. The economic damages are defined damages. They are damages such as lost income, such as hospital bills, such as any type of damage that has a dollar value on it, with little or no discretion for the jury. These damages are important, very important, that the victim is able to recover so that they are able to pay their hospital liens, so that they are able to pay their mortgage, so they are able to live the life as if this injury never occurred.

If this amendment is adopted, this is still a tort reform bill, but this bill now will help the people that are injured, what we are calling the victims. They will help the victims to be able to live their life, to be able to provide for their family, and this, the noneconomic damages, the elimination of joint and several, will still apply. We will not have to worry about runaway juries.

This amendment protects the income and also allows for liens to be paid. A lot of times hospitals have significant liens that go unpaid because a victim is not able to pay them. If this amendment is adopted, the hospitals, workers' compensation, will all be adequately repaid, and we will not have to worry about the victim becoming a ward of the State.

Thank you, Mr. Speaker.

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

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

I rise in opposition to amendment 3593.

I want to point out that from a procedural perspective, when SB 1131, which is in front of us, came out of committee, that exception was in it. The Senate then proceeded on the Senate floor to take out this particular amendment before it came forward here to our chamber.

Furthermore, with respect to this particular amendment, given the many debates we have had on joint liability reform, every lawsuit has two damage components; namely, noneconomic and economic damages. The fact of the matter is that these economic damages are fundamental components of every tort claim, and this amendment retains joint liability for such damages, and that really, from a commonsense perspective, makes no sense.

So a defendant found to be even minimally at fault will remain liable for 100 percent of the economic damages. This particular amendment eviscerates the whole point of joint liability reform. The exception really has no place in any meaningful reform, the system of joint and several liability in Pennsylvania, and would add really not only the most expansive exception to the language of the bill but would essentially eradicate any reason for doing joint liability reform.

And keep in mind that our exceptions that are already in the compromise version that are part of the underlying bill are already significant, and of the 40 States that have abolished or modified joint liability, 35 States have no distinction between economic and noneconomic damages. In fact, 35 other States have modified joint liability or abolished joint liability to a significant standard than the underlying bill, and only a few States have even drawn any distinctions between economic and noneconomic. And in those particular States, they do not have the other exceptions that we already have in this compromise bill of SB 1131.

I do want to state the underlying point: SB 1131 is the same as HB 1 that earlier passed this chamber. I would ask everybody to please vote against the good gentleman from Washington County's amendment, 3593. Thank you.

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

On that question, the Speaker recognizes the minority leader, Mr. Dermody.

Mr. DERMODY. Thank you, Mr. Speaker.

Mr. Speaker, this is a commonsense amendment for damages that have been proven, and it certainly is not a compromise bill, because certainly, none of our amendments have seen their way into this bill.

And this amendment when it was approved by the Judiciary Committee in the Senate by a vote of 13 to 1, it came out of committee with this exception and the exception for children, which is another commonsense amendment which should be in this bill to make this bill just a little bit more fair to innocent victims.

So I ask for a "yes" vote on this amendment.

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

On that question, the Speaker recognizes the gentleman, Mr. Hanna.

Mr. HANNA. Thank you, Mr. Speaker.

I, likewise, join the minority leader in urging a "yes" vote on amendment A03593.

As pointed out by the gentleman from Washington County, this amendment is critical for those who need to recover their economic damages. If they are unable to pay for their medical care, their loss of earnings, or to replace or repair their property, then we could very well end up being victims in this as well.

So, Mr. Speaker, this is important and it does distinguish between the economic and the noneconomic damages. As the gentleman from Washington County pointed out, it avoids the problem of runaway juries. It is simply talking about economic damages, and for that reason, I urge a "yes" vote on this amendment. Thank you, Mr. Speaker.

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

The gentleman, Mr. Neuman, is recognized for a second time on the amendment.

Mr. NEUMAN. Thank you, Mr. Speaker.

It is very important that we understand that the exceptions written in what used to be HB 1 and now SB 1131 are very narrow. You have a tortfeasor, somebody who did an intentional tort where there is no joint and several if there is an accomplice to this intentional tort. It is only the person that acted on the intentional tort. We have instances many times that carry over from the criminal side that come into the civil court. A civil action that stems from a criminal action is not covered under this.

POINT OF ORDER

Mr. TURZAI. Mr. Speaker, with all due respect.

The SPEAKER. Is the gentleman, Mr. Turzai, making a point of order?

Mr. TURZAI. Yes, sir.

Just this particular argument is not on the amendment itself. It deals with another exception, and I think it is afield from where the amendment is. Thank you.

The SPEAKER. The Speaker thanks the gentleman.

The gentleman may proceed, and the Speaker would urge him to stay on the amendment that is before us.

Mr. NEUMAN. Thank you, Mr. Speaker.

The point that I am trying to make is that we need joint and several to continue to apply to economic damages because these exceptions are so narrow. You have narrow exceptions within this Senate bill that will harm victims, harm their families, and will not allow them to adequately recover economic damages. These are damages that allow them to continue to achieve the income that they had previously. This allows them to be able to pay their medical bills.

This is tort reform even with this amendment. The runaway juries are eliminated even with this amendment. Punitive damages are not included in this amendment. All this amendment does is protect victims and protect their families and allows them to recover the damages and economics that they were expecting to have and achieve throughout their life before they were injured.

I encourage that we stand together in this chamber and we understand that the economic damages are the lifeblood of these victims, and we need to support these victims, and we need them to be able to support their families.

Please vote "yes" on this amendment. Thank you.

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

The following roll call was recorded:

YEAS—87

Barbin	DeLissio	Kavulich	Petrarca
Bishop	DeLuca	Keller, W.	Preston
Boyle, B.	DePasquale	Kortz	Ravenstahl
Boyle, K.	Dermody	Kotik	Readshaw
Bradford	DeWeese	Kula	Roebuck
Briggs	Donatucci	Longiotti	Sainato
Brown, V.	Evans, D.	Mahoney	Samuelson
Brownlee	Fabrizio	Mann	Santarsiero
Burns	Frankel	Markosek	Santoni
Buxton	Freeman	Matzie	Shapiro
Caltagirone	Galloway	McGeehan	Smith, K.
Carroll	Gerber	Mirabito	Smith, M.
Cohen	Gergely	Mullery	Staback
Conklin	Gibbons	Mundy	Sturla
Costa, D.	Goodman	Murphy	Thomas
Costa, P.	Haluska	Myers	Vitali
Cruz	Hanna	Neuman	Waters
Curry	Harhai	O'Brien, D.	Wheatley
Daley	Harkins	O'Brien, M.	White
Davidson	Hornaman	Parker	Williams
Davis	Johnson	Pashinski	Youngblood
Deasy	Josephs	Payton	

NAYS—108

Adolph	Fleck	Major	Reichley
Aument	Gabler	Maloney	Roae
Baker	Geist	Marshall	Rock
Barrar	Gillen	Marsico	Ross
Bear	Gillespie	Masser	Saccone
Benninghoff	Gingrich	Metcalfe	Saylor
Bloom	Grell	Metzgar	Scavello
Boback	Grove	Miccarelli	Schroder
Boyd	Hackett	Millard	Simmons
Brooks	Hahn	Miller	Sonney
Brown, R.	Harhart	Milne	Stephens
Causar	Harper	Moul	Stern
Christiana	Harris	Murt	Stevenson
Clymer	Heffley	Mustio	Swanger
Cox	Helm	O'Neill	Tallman
Creighton	Hennessey	Oberlander	Taylor
Culver	Hess	Payne	Tobash
Day	Hickernell	Peifer	Toepel
Delozier	Hutchinson	Perry	Toohil
Denlinger	Kampf	Petri	Truitt
DiGirolamo	Kauffman	Pickett	Turzai
Dunbar	Keller, F.	Pyle	Vereb
Ellis	Keller, M.K.	Quigley	Vulakovich
Emrick	Killion	Quinn	Watson
Evankovich	Knowles	Rapp	
Evans, J.	Krieger	Reed	Smith, S.,
Everett	Lawrence	Reese	Speaker
Farry	Maher		

NOT VOTING—0

EXCUSED—8

Brennan	George	Kirkland	Sabatina
Cutler	Godshall	Micozzie	Wagner

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

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

Mr. **MULLERY** offered the following amendment No. **A03594**:

Amend Bill, page 3, by inserting between lines 3 and 4
(vi) Where a minor:
(A) has a beneficial interest; or
(B) is a plaintiff represented by a
fiduciary.

Amend Bill, page 5, by inserting between lines 20 and 21
"Minor." A person under 18 years of age.

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

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

Mr. **MULLERY**. Thank you, Mr. Speaker.

Much like my colleague from Washington County said, this is a very simple and straightforward amendment. My amendment seeks to add a minor who has a beneficial interest or is a plaintiff represented by a fiduciary as an exception to the underlying bill.

Mr. Speaker, the original language of SB 1131, which passed the Senate Judiciary Committee 13 to 1, provided protections for minors by stating that where the victim was a minor, joint and several still applied. This critical language ensured that our children would be protected and guaranteed compensation for their injuries or in the event they had a beneficial interest.

Mr. Speaker, this great Commonwealth codified joint and several liability to protect those who could not protect themselves by ensuring that wrongdoers compensated those they harmed. Now, while I am not at all a fan of eliminating joint and several liability, I cannot believe that my colleagues across the aisle are willing to risk seeing the children of this Commonwealth not be compensated for a tragedy that may occur through no fault of their own.

This amendment is intended to protect blameless children who are victims of wrongdoing. With their whole lives spread out before them, our children are our most vulnerable. Our children are those who stand the most to lose when they are dealt a bad hand. Mr. Speaker, this amendment would protect our children by providing where they are a victim or have financial interest in an action, they will be made whole first for the harm they suffered.

As we sit here on the House floor today, we need to ask ourselves a simple question, Mr. Speaker: Who are we trying to protect here? Do we want to protect wrongdoers who harm our most innocent or do we want to protect Pennsylvania's children? My vote will be to protect our kids.

I ask all my colleagues for an affirmative vote showing that you want to ensure that blameless children are compensated for acts of wrongdoing against them. For those reasons, Mr. Speaker, I urge an affirmative vote on this amendment.

LEAVE OF ABSENCE

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

CONSIDERATION OF SB 1131 CONTINUED

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

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

Mr. TURZAI. Thank you, sir.

I rise in opposition to amendment 3594 to SB 1131.

Forty States have abolished or limited the application of joint liability through legislation or court decision. None, not one, has created a similar exception to allow deep-pocket liability to be applied in cases such as those raised by this amendment. In fact, this amendment takes away the value of the reform. Certainly, if Pennsylvania is going to look to other States for models, this one is far afield, because nobody in any of those 40 States has allowed for such an exception.

In addition, the term "beneficial interest" is a probate term which does not exist in any State joint liability reform law. It is undefined in the legislation. The term would lead to substantial ancillary litigation over its meaning, and it really does little to do any protection.

The provision is certainly also unnecessary. There are constitutional issues. I do not raise any motion on the constitutionality, but it is something that I think that everyone needs to take into account when voting "yes" or "no" on a particular amendment. Arguably, this amendment is unconstitutional in that it violates the equal protection clause, both Federal and State, and that different folks are being treated differently. But there is no real rational basis for giving minors the right to recover jointly without any regard for the type of action, regardless of the type of injuries or the type of damages that are at place.

I would ask everybody to please vote "no" on amendment 3594 to SB 1131. Thank you, Mr. Speaker.

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

On that question, the Speaker recognizes the gentleman from Clinton, Mr. Hanna.

Mr. HANNA. Thank you, Mr. Speaker.

I rise in support of amendment A03594.

I would like to point out to everyone that in fact SB 1131, as originally drafted, had language protecting minors, but for some reason it was amended out in the Senate.

Mr. Speaker, I support this amendment because it would protect our children by providing where they are a victim or have a financial interest in an action, that they will be made whole first for the harm they have suffered. Let us ask ourselves one simple question: Who are we trying to protect here? Do we really want to protect wrongdoers who harm our most innocent or do we want to protect Pennsylvania's children? Let us fight for those who deserve to be protected, and let us protect our children.

I urge an affirmative vote on this amendment. Thank you, Mr. Speaker.

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

On that question, the Speaker recognizes the gentleman, Mr. Mullery, for the second time.

Mr. MULLERY. Thank you, Mr. Speaker.

Mr. Speaker, I was elected by the 60-plus thousand constituents in my district, much like everybody else sitting in this beautiful room today. I was not elected by the voters in another State that the majority leader cares to discuss here on the House floor. If the elected officials in other States do not care enough to protect their children, that is up to them. In Pennsylvania, I think we need to do that, and that is why I ask for an affirmative vote on this amendment, Mr. Speaker. Thank you.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—86

Barbin	DeLissio	Kavulich	Payton
Bishop	DeLuca	Keller, W.	Petrarca
Boyle, B.	DePasquale	Kortz	Preston
Boyle, K.	Dermody	Kotik	Ravenstahl
Bradford	DeWeese	Kula	Readshaw
Briggs	Donatucci	Longietti	Roebuck
Brown, V.	Evans, D.	Mahoney	Sainato
Brownlee	Fabrizio	Mann	Samuelson
Burns	Frankel	Markosek	Santarsiero
Buxton	Freeman	Matzie	Santoni
Caltagirone	Galloway	McGeehan	Shapiro
Carroll	Gerber	Mirabito	Smith, K.
Cohen	Gergely	Mullery	Smith, M.
Conklin	Gibbons	Mundy	Staback
Costa, D.	Goodman	Murphy	Sturla
Costa, P.	Haluska	Myers	Thomas
Cruz	Hanna	Neuman	Vitali
Curry	Harhai	O'Brien, D.	Waters
Daley	Harkins	O'Brien, M.	White
Davidson	Hornaman	Parker	Williams
Davis	Johnson	Pashinski	Youngblood
Deasy	Josephs		

NAYS—108

Adolph	Fleck	Major	Reichley
Aument	Gabler	Maloney	Roae
Baker	Geist	Marshall	Rock
Barrar	Gillen	Marsico	Ross
Bear	Gillespie	Masser	Saccone
Benninghoff	Gingrich	Metcalfe	Saylor
Bloom	Grell	Metzgar	Scavello
Boback	Grove	Miccarelli	Schroder
Boyd	Hackett	Millard	Simmons
Brooks	Hahn	Miller	Sonney
Brown, R.	Harhart	Milne	Stephens
Causar	Harper	Moul	Stern
Christiana	Harris	Murt	Stevenson
Clymer	Heffley	Mustio	Swanger
Cox	Helm	O'Neill	Tallman
Creighton	Hennessey	Oberlander	Taylor
Culver	Hess	Payne	Tobash
Day	Hickernell	Peifer	Toepel
Delozier	Hutchinson	Perry	Toohil
Denlinger	Kampf	Petri	Truitt

DiGirolamo	Kauffman	Pickett	Turzai
Dunbar	Keller, F.	Pyle	Vereb
Ellis	Keller, M.K.	Quigley	Vulakovich
Emrick	Killion	Quinn	Watson
Evankovich	Knowles	Rapp	
Evans, J.	Krieger	Reed	Smith, S.,
Everett	Lawrence	Reese	Speaker
Farry	Maher		

NOT VOTING—0

EXCUSED—9

Brennan	Godshall	Micozzie	Wagner
Cutler	Kirkland	Sabatina	Wheatley
George			

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

GUESTS INTRODUCED

The SPEAKER. The Speaker would just like to take a moment to recognize some guests who are with us this evening.

Up in the balcony, as guests of Representative Vanessa Brown, the National Congress of Political Black Women and the Philadelphia Unemployment Project. Will our guests please rise. Welcome to the hall of the House.

STATEMENT BY MS. BROWN

The SPEAKER. Before you run away, the lady, Ms. Brown, is recognized under unanimous consent.

Ms. V. BROWN. Thank you, Mr. Speaker.

Mr. Speaker, first I would like to just thank the House for a unanimous vote on HB 720, and allowing victims who have been violated and had their items stolen and taken to pawnbrokers, now will have better ways for the police to be able to apprehend those items. So thank you to everyone for that.

I would also like to just thank and congratulate my constituents and the organizations that are here today to come up and speak to the Senate about how they feel about voter ID. It is very courageous for you to come up on the bus today and have a press conference on your behalf. I commend you all, and I thank you.

Thank you, Mr. Speaker.

The SPEAKER. The Speaker thanks the lady.

CONSIDERATION OF SB 1131 CONTINUED

The SPEAKER. We return to consideration of SB 1131.

On the question recurring,

Will the House agree to the bill on second consideration?

Mr. **BARBIN** offered the following amendment No. **A03596**:

Amend Bill, page 3, by inserting between lines 3 and 4

(vi) Where an individual who is 65 years of age or older is a plaintiff.

On the question,

Will the House agree to the amendment?

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

Mr. BARBIN. Thank you, Mr. Speaker.

Under this amendment, current joint and several liability would remain in effect in actions where wrongdoers have harmed victim plaintiffs who are 65 years of age or older.

When this bill was discussed on the floor of the House, the bill contained two protections, one of which applied to senior citizens, the economic damages. This bill, by deleting the economic damages provision, puts senior citizens at risk, and they are at risk because as a general class, they cannot recover economic damages despite the fact that they will have no other way to provide a way to catch up. If they are out medical bills, if they are out other economic losses, there is no way to recover them because our bill, the House's bill, was changed on the floor of the Senate without debate.

Now, what my amendment does is very simple. It says, just like intentional torts are an exception to joint and several liability, just like dram shop actions are an exception to joint and several liability, so would an action that involves a senior citizen. Now, when this bill was on the House floor, there was a move to – we moved the previous question, so this issue was never discussed when we sent the bill over to the Senate. And it is very simple: Should there be an exception to balance the harm against senior citizens against the interests that we are trying to protect for businesses? And I would say this: our State Constitution recognizes the fact that elderly disabled people can be treated differently under our legislation and be in accord with the Constitution.

Our Article VIII, which is our tax provision, specifically provides that we can "Establish...class or classes of subjects of taxation the property or privileges of persons who, because of" their "age, disability, infirmity or poverty..." So the issue in Pennsylvania as to whether senior citizens can be protected or not is clear: We can protect them. The question is, why are we not? Why are we not standing up and saying we have got five exceptions. Why is not one of those five exceptions for people over 65 that if we do not take care of are going to become a ward of the State; if we do not take care of, they are going to be added to the welfare rolls, and more importantly, if we do not take care of, they are going to be in a position – they could be your neighbors; they could be your parents – they are not going to be able to take care of themselves through no fault of their own?

Now, these people have gone through life – they have paid all their taxes; they obeyed all the rules; they obeyed all the laws. Now all of a sudden they are 65 years old and somebody decides they are going to make a defective product. Somebody decides they are going to go to their house and say, "We can repair your roof and we are going to do it with three other people," and then all of a sudden they skip town. Why should senior citizens not be protected? We protect the dram shop. We protect intentional torts. We should be protecting senior citizens.

This was an oversight when the bill came on the floor, because we used the political process to move the previous question. The same thing happened over in the Senate. The Senate passed the bill that we passed and then all of a sudden on the floor, they did a gut-and-replace amendment.

Now, at some point we have got to stand up and say, are we willing to at least talk about whether senior citizens ought to be protected in Pennsylvania or not? You have got to balance the harm against the benefit. The harm is there are going to be 65-year-old people that are going to have a lawsuit. They are going to go to court and there are going to be defendants that are judgment proof. At least if we are doing this as a benefit to business, why cannot we say to the extent that a senior citizen is harmed by this sort of multiple defendant, judgment-proof defendant, we are going to protect them? And that is what this amendment asks for, and I ask for your affirmative vote.

The SPEAKER. The members will please take their seats. Keep the conversations at the back of the floor.

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

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

Mr. TURZAI. Thank you, Mr. Speaker.

The underlying reform says this: If you have been brought into a suit and you have been found by a jury to be X percent at fault, then those damages against you should be X percent of those damages. So let us say you were found 10 percent at fault and the damages were \$1 million; they should be able to come after you as a defendant for that \$100,000 and no more. The underlying bill has a compromise language, based on other States, that up to 60 percent, you can not only be found liable but the damage collected from you in proportion to what a jury found. That is why it is called the Fair Share Act. Why should you as a defendant, no matter who the plaintiff be, have to pay more than your share of damages that a jury found, and it is consistent with the comparative negligence statute that was enacted in the seventies?

Now, there are some exceptions. Those exceptions are based on types of causes of action and have no relationship to where the plaintiff is situated. The fact of the matter is, this reform should apply to any plaintiff, and that somebody who is 65 is not situated differently than somebody who is 64 or somebody who is situated differently than who is 45 or somebody who is situated at 18, in terms of joint liability reform.

The focus of the reform is not on the plaintiff; the focus is on how a defendant should be treated in terms of fairness. So this amendment makes no sense and attempts to eviscerate the reform that will help Pennsylvania find itself in a better jobs climate and a better health-care-environment climate. This amendment is designed to stop reform that is pro-jobs and pro-health-care. It is also an amendment that is based on a distinction without merit, and it is designed merely for public relations discussion without real discussion to the underlying reform.

I would ask everybody to please vote "no" on this amendment, 3596, to SB 1131. Thank you.

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

On that question, the Speaker recognizes the gentleman from Clinton County, Mr. Hanna.

Mr. HANNA. Thank you, Mr. Speaker.

Mr. Speaker, I respectfully disagree with the majority leader. He stated that the focus should not be on the plaintiff but should be on the defendant. I could not disagree more. Obviously, the wrongdoer should not be the focus of recovery. The victims should be the focus of recovery, and in this case we are talking about our most vulnerable citizens as the victims.

This amendment is intended to protect seniors who are victims of wrongdoing. Many seniors are on fixed incomes and are just barely able to balance paying for their household expenses, including property taxes, energy costs, food and groceries, and of course, medical care. For these seniors who are already struggling, the financial burden from damages caused by wrongdoers is often much more difficult to bear. When an individual or a company harms seniors through some act of wrongdoing, it is often much more difficult for those senior victims to recover from their financial losses, if they cannot recover 100 percent of their damages. In some cases the losses could be so significant as to force those senior victims into bankruptcy and onto the public welfare rolls, if they do not have the ability to be fully compensated for the damages caused by wrongdoers. Mr. Speaker, we need to protect our most vulnerable constituents.

I urge an affirmative vote on the gentleman from Cambria's amendment. Thank you, Mr. Speaker.

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

On that question, the Speaker recognizes the minority leader, Mr. Dermody.

Mr. DERMODY. Thank you, Mr. Speaker.

We heard a discussion of what this bill is intended to do, and what it really does is protect negligent wrongdoers. Now, if a jury finds that multiple defendants were negligent, those multiple defendants should pay, not an innocent injured victim. All this amendment is designed to do, as we have already heard, is to protect the most vulnerable among us, our senior citizens, who have been injured. They have been innocent; they are innocent victims. They have been injured by negligent wrongdoers. The negligent wrongdoers are the ones who should pay, not the taxpayers, not the injured senior citizens. Those who cause the harm ought to pay.

Support this amendment. Thank you, Mr. Speaker.

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

On that question, the Speaker recognizes the gentleman, Mr. Barbin, for a second time.

Mr. BARBIN. Thank you, Mr. Speaker.

I think at least today we have had an opportunity to get beyond the labels – wrongdoer's protection act, business protection act. It does not matter what the label is; what matters is the fact that we are elected to protect the common good, and in this particular instance, when we finally had a debate, what we end up with is, yes, we want to try to protect businesses. That is something everybody wants to do, but nobody really should want to do that at the expense of a senior citizen who is not going to be able to live out their life because some wrongdoer uses a law that we pass to get out of making that person whole.

Now, this is not about a runaway jury verdict. This is not about punitive damages. This is about in Pennsylvania will we balance the interests of the senior citizen against the interests of the business that does not want to pay 100 percent of the damage? In some instances that is a reasonable thing to do, but it is never, it is never reasonable if the victim will become a ward of the State.

And I will finish just with this. We have lots of opportunities to make laws better. I remember listening to the good gentleman, the majority leader from Allegheny County, in the

last session state hundreds of times, we just need to send this back and make it a little bit better; if we spent a little bit more time on this, we could do the right thing. Well, we could send it back to committee, but I do not think that vote would work. So what I would say today, we can make this better for senior citizens by just taking a little advice from Mr. Franklin. If we pass this without the senior exemption in it, we are going to do something that is penny-wise and pound-foolish, because these people are going to come back and they are going to be a cost to the State, and the person that gets the advantage today, the business, they are not going to be providing the help that we are going to have to provide as taxpayers from the State.

So I once again ask you on bipartisan grounds, stand up for the senior citizens, stand up for the common good, balance this legislation, and make it work for everyone. I ask for an affirmative vote. Thank you, Mr. Speaker.

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

On that question, the Speaker recognizes the gentleman from Philadelphia, Mr. Thomas.

Mr. THOMAS. Thank you, Mr. Speaker.

I rise in support of amendment 03596. The conditions of the people would not change until the people change the conditions within themselves. Based on how we look at those in the dawn and twilight of life will ultimately measure the character of this State and the people in this State. We missed it on those in the dawn of life. We voted against exempting children, but we have an opportunity now to provide an exception for those in the twilight of life. And many of those in the twilight of life are not only in the twilight of life, but they are also frail. It is not unreasonable. It will not create any disruption by exempting seniors, exempting those in the twilight of life. Mr. Speaker, many of those people are people that we are talking about. Some of us are still blessed to have grandmothers, grandfathers, and many people in our family that are in the twilight of life. Do not put them in a situation that is going to adversely impact the quality of their life that is left.

So, Mr. Speaker, I urge my colleagues on both sides of the aisle to do the right thing, do what is good, do that which reflects the character of this great State. Vote "yes" for the Barbin amendment. Thank you.

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

The following roll call was recorded:

YEAS—86

Barbin	DeLissio	Kavulich	Payton
Bishop	DeLuca	Keller, W.	Petrarca
Boyle, B.	DePasquale	Kortz	Preston
Boyle, K.	Dermoddy	Kotik	Ravenstahl
Bradford	DeWeese	Kula	Readshaw
Briggs	Donatucci	Longietti	Roebuck
Brown, V.	Evans, D.	Mahoney	Sainato
Brownlee	Fabrizio	Mann	Samuelson
Burns	Frankel	Markosek	Santarsiero
Buxton	Freeman	Matzie	Santoni
Caltagirone	Galloway	McGeehan	Shapiro
Carroll	Gerber	Mirabito	Smith, K.

Cohen	Gergely	Mullery	Smith, M.
Conklin	Gibbons	Mundy	Staback
Costa, D.	Goodman	Murphy	Sturla
Costa, P.	Haluska	Myers	Thomas
Cruz	Hanna	Neuman	Vitali
Curry	Harhai	O'Brien, D.	Waters
Daley	Harkins	O'Brien, M.	White
Davidson	Hornaman	Parker	Williams
Davis	Johnson	Pashinski	Youngblood
Deasy	Josephs		

NAYS—108

Adolph	Fleck	Major	Reichley
Aument	Gabler	Maloney	Roae
Baker	Geist	Marshall	Rock
Barrar	Gillen	Marsico	Ross
Bear	Gillespie	Masser	Saccone
Benninghoff	Gingrich	Metcalfe	Saylor
Bloom	Grell	Metzgar	Scavello
Boback	Grove	Miccarelli	Schroder
Boyd	Hackett	Millard	Simmons
Brooks	Hahn	Miller	Sonney
Brown, R.	Harhart	Milne	Stephens
Causar	Harper	Moul	Stern
Christiana	Harris	Murt	Stevenson
Clymer	Heffley	Mustio	Swanger
Cox	Helm	O'Neill	Tallman
Creighton	Hennessey	Oberlander	Taylor
Culver	Hess	Payne	Tobash
Day	Hickernell	Peifer	Toepel
Delozier	Hutchinson	Perry	Toohil
Denlinger	Kampf	Petri	Truitt
DiGirolamo	Kauffman	Pickett	Turzai
Dunbar	Keller, F.	Pyle	Vereb
Ellis	Keller, M.K.	Quigley	Vulakovich
Emrick	Killion	Quinn	Watson
Evankovich	Knowles	Rapp	
Evans, J.	Krieger	Reed	Smith, S., Speaker
Everett	Lawrence	Reese	
Farry	Maher		

NOT VOTING—0

EXCUSED—9

Brennan	Godshall	Micozzie	Wagner
Cutler	Kirkland	Sabatina	Wheatley
George			

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

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

The SPEAKER. The Speaker has been informed that the remainder of the amendments filed to SB 1131 have been withdrawn.

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

SUPPLEMENTAL CALENDAR C

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1630, PN 2079**, entitled:

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.

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?

PARLIAMENTARY INQUIRY

The SPEAKER. On that question, the Speaker recognizes the gentleman from Butler, Mr. Ellis.

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

Actually, I rise for a parliamentary inquiry.

The SPEAKER. The gentleman will state his point of parliamentary inquiry.

Mr. ELLIS. Mr. Speaker, if a member of this body thought that they had a conflict of interest and wanted, basically, not to vote, to abstain from voting on a particular issue because they thought there was a conflict, under what procedure would I make that known to the record or – I guess I am asking, how do I proceed on this vote?

The SPEAKER. I think we are at the appropriate point in time on debate on final passage, I think the gentleman should just seek to be recognized on the bill and state that he has a conflict to this bill and is abstaining because of that conflict.

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

The SPEAKER. Does the gentleman seek recognition on the bill?

Mr. ELLIS. I do, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. ELLIS. Mr. Speaker, I believe that on this bill, HB 1630, that I have a substantial conflict of interest, and I will be abstaining from recording a vote on this bill. Thank you very much, Mr. Speaker.

The SPEAKER. The Speaker thanks the gentleman. His remarks will be noted in the record.

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.

(Members proceeded to vote.)

LEAVE OF ABSENCE

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

CONSIDERATION OF HB 1630 CONTINUED

On the question recurring,
Shall the bill pass finally?

The following roll call was recorded:

YEAS—192

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

NAYS—0

NOT VOTING-1

Ellis

EXCUSED-10

Brennan	Gerber	Micozzie	Wagner
Cutler	Godshall	Sabatina	Wheatley
George	Kirkland		

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 1096, PN 1291**, entitled:

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, further providing for purpose, for definitions, for acting for or aiding nonadmitted insurers, for requirements for eligible surplus lines insurers, for surplus lines licensee's duty to notify insured, for exempt risks, for surplus lines advisory organizations, for licensing of surplus lines licensee, for surplus lines licensees may accept business from insurance producer, for surplus lines tax, for tax on independently procured insurance and for suspension, revocation or nonrenewal of surplus lines licensee's license.

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-193

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

NAYS-0

NOT VOTING-0

EXCUSED-10

Brennan	Gerber	Micozzie	Wagner
Cutler	Godshall	Sabatina	Wheatley
George	Kirkland		

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 without amendment.

* * *

The House proceeded to third consideration of **SB 1097, PN 1279**, entitled:

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

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—193

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

NAYS—0

NOT VOTING—0

EXCUSED—10

Brennan	Gerber	Micozzie	Wagner
Cutler	Godshall	Sabatina	Wheatley
George	Kirkland		

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 without amendment.

* * *

The House proceeded to third consideration of **SB 828, PN 846**, 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—193

Adolph	Dunbar	Kortz	Rapp
Aument	Ellis	Kotik	Ravenstahl
Baker	Emrick	Krieger	Readshaw
Barbin	Evankovich	Kula	Reed
Barrar	Evans, D.	Lawrence	Reese
Bear	Evans, J.	Longietti	Reichley
Benninghoff	Everett	Maher	Roae
Bishop	Fabrizio	Mahoney	Rock
Bloom	Farry	Major	Roebuck
Boback	Fleck	Maloney	Ross
Boyd	Frankel	Mann	Saccone
Boyle, B.	Freeman	Markosek	Sainato
Boyle, K.	Gabler	Marshall	Samuelson
Bradford	Galloway	Marsico	Santarsiero
Briggs	Geist	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	Goodman	Millard	Smith, K.
Caltagirone	Grell	Miller	Smith, M.
Carroll	Grove	Milne	Sonney
Causer	Hackett	Mirabito	Staback
Christiana	Hahn	Moul	Stephens
Clymer	Haluska	Mullery	Stern
Cohen	Hanna	Mundy	Stevenson
Conklin	Harhai	Murphy	Sturla
Costa, D.	Harhart	Murt	Swanger
Costa, P.	Harkins	Mustio	Tallman
Cox	Harper	Myers	Taylor
Creighton	Harris	Neuman	Thomas
Cruz	Heffley	O'Brien, D.	Tobash
Culver	Helm	O'Brien, M.	Toepel
Curry	Hennessey	O'Neill	Toohil
Daley	Hess	Oberlander	Truitt
Davidson	Hickernell	Parker	Turzai
Davis	Hornaman	Pashinski	Verreb
Day	Hutchinson	Payne	Vitali

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

NAYS-0

NOT VOTING-0

EXCUSED-10

Brennan	Gerber	Micozzie	Wagner
Cutler	Godshall	Sabatina	Wheatley
George	Kirkland		

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 without amendment.

* * *

The House proceeded to third consideration of **SB 829, PN 847**, 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.

The SPEAKER. The House will please come to order. Could you hold the conversations down. The Speaker thanks the members.

(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-193

Adolph	Dunbar	Kortz	Rapp
Aument	Ellis	Kotik	Ravenstahl
Baker	Emrick	Krieger	Readshaw
Barbin	Evankovich	Kula	Reed
Barrar	Evans, D.	Lawrence	Reese
Bear	Evans, J.	Longietti	Reichley
Benninghoff	Everett	Maher	Roae
Bishop	Fabrizio	Mahoney	Rock
Bloom	Farry	Major	Roebuck
Boback	Fleck	Maloney	Ross

Boyd	Frankel	Mann	Saccone
Boyle, B.	Freeman	Markosek	Sainato
Boyle, K.	Gabler	Marshall	Samuelson
Bradford	Galloway	Marsico	Santarsiero
Briggs	Geist	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	Goodman	Millard	Smith, K.
Caltagirone	Grell	Miller	Smith, M.
Carroll	Grove	Milne	Sonney
Causer	Hackett	Mirabito	Staback
Christiana	Hahn	Moul	Stephens
Clymer	Haluska	Mullery	Stern
Cohen	Hanna	Mundy	Stevenson
Conklin	Harhai	Murphy	Sturla
Costa, D.	Harhart	Murt	Swanger
Costa, P.	Harkins	Mustio	Tallman
Cox	Harper	Myers	Taylor
Creighton	Harris	Neuman	Thomas
Cruz	Heffley	O'Brien, D.	Tobash
Culver	Helm	O'Brien, M.	Toepel
Curry	Hennessey	O'Neill	Toohil
Daley	Hess	Oberlander	Truitt
Davidson	Hickernell	Parker	Turzai
Davis	Hornaman	Pashinski	Vereb
Day	Hutchinson	Payne	Vitali
Deasy	Johnson	Payton	Vulakovich
DeLissio	Josephs	Peifer	Waters
Delozier	Kampf	Perry	Watson
DeLuca	Kauffman	Petrarca	White
Denlinger	Kavulich	Petri	Williams
DePasquale	Keller, F.	Pickett	Youngblood
Dermody	Keller, M.K.	Preston	
DeWeese	Keller, W.	Pyle	Smith, S.,
DiGirolamo	Killion	Quigley	Speaker
Donatucci	Knowles	Quinn	

NAYS-0

NOT VOTING-0

EXCUSED-10

Brennan	Gerber	Micozzie	Wagner
Cutler	Godshall	Sabatina	Wheatley
George	Kirkland		

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 without amendment.

* * *

The House proceeded to third consideration of **SB 830, PN 848**, 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—193

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

NAYS—0

NOT VOTING—0

EXCUSED—10

Brennan	Gerber	Micozzie	Wagner
Cutler	Godshall	Sabatina	Wheatley
George	Kirkland		

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 without amendment.

* * *

The House proceeded to third consideration of **HB 1337, PN 1535**, entitled:

An Act authorizing the turn back from the Commonwealth to Ward Township, Tioga County, of the road known as Old Possessions Road in Ward Township, Tioga County; and providing for the powers and duties of the Secretary of Conservation and Natural Resources.

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—193

Adolph	Dunbar	Kortz	Rapp
Aument	Ellis	Kotik	Ravenstahl
Baker	Emrick	Krieger	Readshaw
Barbin	Evankovich	Kula	Reed
Barrar	Evans, D.	Lawrence	Reese
Bear	Evans, J.	Longietti	Reichley
Benninghoff	Everett	Maher	Roae
Bishop	Fabrizio	Mahoney	Rock
Bloom	Farry	Major	Roebuck
Boback	Fleck	Maloney	Ross
Boyd	Frankel	Mann	Saccone
Boyle, B.	Freeman	Markosek	Sainato
Boyle, K.	Gabler	Marshall	Samuelson
Bradford	Galloway	Marsico	Santarsiero
Briggs	Geist	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	Goodman	Millard	Smith, K.
Caltagirone	Grell	Miller	Smith, M.
Carroll	Grove	Milne	Sonney
Causer	Hackett	Mirabito	Staback
Christiana	Hahn	Moul	Stephens
Clymer	Haluska	Mullery	Stern
Cohen	Hanna	Mundy	Stevenson
Conklin	Harhai	Murphy	Sturla
Costa, D.	Harhart	Murt	Swanger
Costa, P.	Harkins	Mustio	Tallman
Cox	Harper	Myers	Taylor
Creighton	Harris	Neuman	Thomas
Cruz	Heffley	O'Brien, D.	Tobash
Culver	Helm	O'Brien, M.	Toepel

Curry	Hennessey	O'Neill	Toohil
Daley	Hess	Oberlander	Truitt
Davidson	Hickernell	Parker	Turzai
Davis	Hornaman	Pashinski	Vereb
Day	Hutchinson	Payne	Vitali
Deasy	Johnson	Payton	Vulakovich
DeLissio	Josephs	Peifer	Waters
Delozier	Kampf	Perry	Watson
DeLuca	Kauffman	Petrarca	White
Denlinger	Kavulich	Petri	Williams
DePasquale	Keller, F.	Pickett	Youngblood
Dermody	Keller, M.K.	Preston	
DeWeese	Keller, W.	Pyle	Smith, S.,
DiGirolamo	Killion	Quigley	Speaker
Donatucci	Knowles	Quinn	

NAYS-0

NOT VOTING-0

EXCUSED-10

Brennan	Gerber	Micozzie	Wagner
Cutler	Godshall	Sabatina	Wheatley
George	Kirkland		

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 1174, PN 1280**, entitled:

An Act amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, in emergency telephone service, providing for prohibited release of information.

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-193

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

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

NAYS-0

NOT VOTING-0

EXCUSED-10

Brennan	Gerber	Micozzie	Wagner
Cutler	Godshall	Sabatina	Wheatley
George	Kirkland		

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

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

STATEMENT BY MR. HACKETT

The SPEAKER. Is the gentleman from Delaware, Mr. Hackett, seeking recognition under unanimous consent relative to the legislation that just passed? The gentleman is in order and may proceed.

Mr. HACKETT. Thank you, Mr. Speaker.

In the interest of time and our busy week ahead of us, I will be brief.

Thank you to my colleagues on both sides of the aisle for the support of HB 1174. Thank you to Chairmen Barrar and Sainato of the Veterans Affairs and Emergency Preparedness Committee. This widely supported bill provides a major step forward, protecting the privacy of crime victims and witnesses

who could be placed in danger by their locations being revealed following a 911 call.

Thank you, Mr. Speaker.

The SPEAKER. The Speaker thanks the gentleman.

The House will be at ease for a moment.

The House will come to order.

REPUBLICAN CAUCUS

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

Ms. MAJOR. Thank you, Mr. Speaker.

I would like to announce that Republicans will caucus at 6:30. I would ask our members to please report to our caucus room at 6:30 this evening. Thank you.

DEMOCRATIC CAUCUS

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

Mr. FRANKEL. Thank you, Mr. Speaker.

Democrats will caucus at 6:30 as well; Democrats will caucus at 6:30. Thank you.

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

Mr. DeWEESE. Point of clarification.

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. DeWEESE. Thank you, Mr. Speaker.

Is there – and if there is not, I certainly understand – does the Speaker of the House have any rough conjecture on the evening's schedule?

The SPEAKER. It was the anticipation of the Speaker to recess until 7:30, and I believe it would be the majority leader's intention to come back to the floor of the House to vote additional legislation once we conclude our respective caucus meetings.

Mr. DeWEESE. Thank you very much.

LOCAL GOVERNMENT COMMITTEE MEETING

The SPEAKER. For what purpose does the gentleman from Lancaster, Mr. Creighton, rise?

Mr. CREIGHTON. Thank you, Mr. Speaker.

The Local Government Committee will be meeting tomorrow. We have delayed the meeting from today to tomorrow, Monday the 27th. Thank you.

The SPEAKER. Would the gentleman state the time and place of that meeting.

Mr. CREIGHTON. It will be at the call of the Chair; immediately at the call of the Chair tomorrow.

The SPEAKER. Will the gentleman come to the rostrum.

The Speaker recognizes the gentleman, Mr. Creighton, for the purpose of clarifying the Local Government Committee announcement.

Mr. CREIGHTON. Thank you, Mr. Speaker.

The meeting will be held in B-31, the new meeting room in the basement, tomorrow at the immediate call of the Chair.

The SPEAKER. The Speaker thanks the gentleman.

There will be a Local Government Committee meeting Monday, June 27, in room B-31, at the call of the Chair.

RECESS

The SPEAKER. This House stands in recess until 7:30, unless sooner recalled by the Speaker.

AFTER RECESS

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

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

SB 745, PN 744

An Act amending the act of July 5, 1984 (P.L.587, No.119), known as the Rail Freight Preservation and Improvement Act, further providing for contracts, procurement and sale of property and competition in award of contracts.

SB 1055, PN 1191

An Act making an appropriation from the State Employees' Retirement Fund to provide for expenses of the State Employees' Retirement Board for the fiscal year July 1, 2011, to June 30, 2012, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2011.

Whereupon, the Speaker, in the presence of the House, signed the same.

SUPPLEMENTAL CALENDAR B CONTINUED

CONSIDERATION OF HB 1730 CONTINUED

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

The SPEAKER. On that question, the Speaker notes there are two amendments that are out of order under rule 19(b).

PARLIAMENTARY INQUIRY

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

Mr. HANNA. Thank you, Mr. Speaker.

We would just like clarification of what reason we found that these amendments are out of order.

The SPEAKER. Under rule 19(b), about the third or fourth paragraph down, "Any amendment offered on the floor of the House to any non-preferred appropriation bill that proposes to

increase spending of State dollars for the current fiscal year above the levels contained in that non-preferred appropriation bill as reported from the Appropriations Committee shall not be in order and may not be considered unless the same amendment contains sufficient reductions in that non-preferred appropriation bill so that the amendment offered does not result in a net increase in the total proposed spending contained within that non-preferred appropriation bill."

Mr. HANNA. Thank you, Mr. Speaker.

Mr. Speaker, we are concerned that, as you have indicated, it clearly says, "current fiscal year," and this amendment obviously is for the next fiscal year.

The SPEAKER. The precedent of the House has been that that has been interpreted to the current fiscal year as the year in which the nonpreferred appropriation bill would apply.

Mr. HANNA. Mr. Speaker, since the sponsor of the amendment is here, I would like just a moment to confer with him.

Thank you, Mr. Speaker.

The SPEAKER. The Speaker thanks the gentleman.

The gentleman Mr. Markosek's amendment has been ruled out of order. However, the minority Appropriations chairman would like to be recognized to comment on that momentarily or for a few minutes.

The gentleman may proceed.

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

I appreciate the opportunity to speak on this. When we submitted this amendment, we had felt that it would be in order. We thought that since it was adding money back for the coming fiscal year, that that would put it back in order. We understand we cannot amend the current fiscal year, but since it was for the fiscal year that will start here on Thursday night, we thought that it was in fact in order.

What the amendment actually does is it puts \$2.6 million back into the appropriation, nonpreferred appropriation for Lincoln University, which would take it back to its current year funding. In other words, there would simply be no cut, and we would of course use our massive surplus that we have and take \$2.6 million out of it to refund the cuts to Lincoln University.

If the amendment is out of order, I will in fact withdraw it, although we believe it is in order. But I do not want to challenge the Chair at this time, so we will withdraw the amendment. Thank you.

The SPEAKER. The Speaker thanks the gentleman.

On the question recurring,

Will the House agree to the bill on second consideration?

The SPEAKER. The question before the House is – and as a reminder, this bill is on second consideration – the question before the House is, will the House agree to the bill?

The Speaker is in receipt of a letter signed by Representatives Dermody and Hanna, and it says, "Pursuant to Rule 66, we the undersigned do hereby demand that the agreeing to House Bills 1727, 1728, 1729, 1730 and 1731 on second consideration be taken by the electric roll call system," and a polite closing.

Therefore, the question before the House is, will the House agree to the bill?

On the question recurring,

Will the House agree to the bill on second consideration?

The following roll call was recorded:

YEAS—109

Adolph	Fleck	Major	Reichley
Aument	Gabler	Maloney	Roae
Baker	Geist	Marshall	Rock
Barrar	Gillen	Marsico	Ross
Bear	Gillespie	Masser	Saccone
Benninghoff	Gingrich	Metcalfe	Saylor
Bloom	Grell	Metzgar	Scavello
Boback	Grove	Miccarelli	Schroder
Boyd	Hackett	Millard	Simmons
Brooks	Hahn	Miller	Sonney
Brown, R.	Harhart	Milne	Stephens
Causer	Harper	Moul	Stern
Christiana	Harris	Murt	Stevenson
Clymer	Heffley	Mustio	Swanger
Cox	Helm	O'Brien, D.	Tallman
Creighton	Hennessey	O'Neill	Taylor
Culver	Hess	Oberlander	Tobash
Day	Hickernell	Payne	Toepel
Delozier	Hutchinson	Peifer	Toohil
Denlinger	Kampf	Perry	Truitt
DiGirolamo	Kauffman	Petri	Turzai
Dunbar	Keller, F.	Pickett	Vereb
Ellis	Keller, M.K.	Pyle	Vulakovich
Emrick	Killion	Quigley	Watson
Evankovich	Knowles	Quinn	
Evans, J.	Krieger	Rapp	Smith, S.,
Everett	Lawrence	Reed	Speaker
Farry	Maher	Reese	

NAYS—84

Barbin	Deasy	Josephs	Payton
Bishop	DeLissio	Kavulich	Petrarca
Boyle, B.	DeLuca	Keller, W.	Preston
Boyle, K.	DePasquale	Kortz	Ravenstahl
Bradford	Dermody	Kotik	Readshaw
Briggs	DeWeese	Kula	Roebuck
Brown, V.	Donatucci	Longietti	Sainato
Brownlee	Evans, D.	Mahoney	Samuelson
Burns	Fabrizio	Mann	Santarsiero
Buxton	Frankel	Markosek	Santoni
Caltagirone	Freeman	Matzie	Shapiro
Carroll	Galloway	McGeehan	Smith, K.
Cohen	Gergely	Mirabito	Smith, M.
Conklin	Gibbons	Mullery	Staback
Costa, D.	Goodman	Mundy	Sturla
Costa, P.	Haluska	Murphy	Thomas
Cruz	Hanna	Myers	Vitali
Curry	Harhai	Neuman	Waters
Daley	Harkins	O'Brien, M.	White
Davidson	Hornaman	Parker	Williams
Davis	Johnson	Pashinski	Youngblood

NOT VOTING—0

EXCUSED—10

Brennan	Gerber	Micozzie	Wagner
Cutler	Godshall	Sabatina	Wheatley
George	Kirkland		

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

The House proceeded to second consideration of **HB 1729, PN 2194**, entitled:

An Act making appropriations to the Trustees of the University of Pennsylvania.

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

The SPEAKER. The gentleman, Mr. Gerber, had an amendment on the bill that is out of order.

PARLIAMENTARY INQUIRY

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

Mr. KAMPF. Parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. KAMPF. I request a ruling concerning any potential conflict I may have under House rule 65, and by extension, Article III, section 13, of the Pennsylvania Constitution. HB 1729 concerns an appropriation to the University of Pennsylvania. I am an employee of a law firm which, on occasion, represents the university in civil cases. I do, on occasion, work on these cases. Under the House rule, do I need to recuse myself from this vote?

The SPEAKER. In consultation with the Parliamentarian, it is the Chair's opinion that that does not constitute a conflict of interest for the gentleman, and he may proceed to vote on the bill.

Mr. KAMPF. Thank you, Mr. Speaker.

The SPEAKER. The House will please come to order. The members will please take their seats. The members will please clear the aisles. Take the conversations to the back of the hall of the House, if necessary. The Speaker thanks the members.

The question is, shall the House agree to the bill on second consideration?

The gentleman, Mr. Adolph, from Delaware County seeks recognition and may proceed.

Mr. ADOLPH. Thank you, Mr. Speaker.

Mr. Speaker, I just want to explain to the members of the House that HB 1729, the only reason I am doing this is because there is a roll-call vote on it.

This is a \$27.889 million appropriation to the University of Pennsylvania veterinarian college, and I just want the members to be aware of that. This is the only veterinary college that we have in the Commonwealth of Pennsylvania.

The SPEAKER. Again, the question before the House is second consideration of HB 1729.

The Speaker places back on the record that we are in receipt of a letter from Representatives Dermody and Hanna demanding a vote on second consideration on this bill.

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

The following roll call was recorded:

YEAS—109

Adolph	Fleck	Major	Reichley
Aument	Gabler	Maloney	Roae
Baker	Geist	Marshall	Rock
Barrar	Gillen	Marsico	Ross
Bear	Gillespie	Masser	Saccone
Benninghoff	Gingrich	Metcalfe	Saylor
Bloom	Grell	Metzgar	Scavello
Boback	Grove	Miccarelli	Schroder
Boyd	Hackett	Millard	Simmons
Brooks	Hahn	Miller	Sonney
Brown, R.	Harhart	Milne	Stephens
Causar	Harper	Moul	Stern
Christiana	Harris	Murt	Stevenson
Clymer	Heffley	Mustio	Swanger
Cox	Helm	O'Brien, D.	Tallman
Creighton	Hennessey	O'Neill	Taylor
Culver	Hess	Oberlander	Tobash
Day	Hickernell	Payne	Toepel
Delozier	Hutchinson	Peifer	Toohil
Denlinger	Kampf	Perry	Truitt
DiGirolamo	Kauffman	Petri	Turzai
Dunbar	Keller, F.	Pickett	Vereb
Ellis	Keller, M.K.	Pyle	Vulakovich
Emrick	Killion	Quigley	Watson
Evankovich	Knowles	Quinn	
Evans, J.	Krieger	Rapp	Smith, S., Speaker
Everett	Lawrence	Reed	
Fary	Maher	Reese	

NAYS—84

Barbin	Deasy	Josephs	Payton
Bishop	DeLissio	Kavulich	Petrarca
Boyle, B.	DeLuca	Keller, W.	Preston
Boyle, K.	DePasquale	Kortz	Ravenstahl
Bradford	Dermody	Kotik	Readshaw
Briggs	DeWeese	Kula	Roebuck
Brown, V.	Donatucci	Longietti	Sainato
Brownlee	Evans, D.	Mahoney	Samuelson
Burns	Fabrizio	Mann	Santarsiero
Buxton	Frankel	Markosek	Santoni
Caltagirone	Freeman	Matzie	Shapiro
Carroll	Galloway	McGeehan	Smith, K.
Cohen	Gergely	Mirabito	Smith, M.
Conklin	Gibbons	Mullery	Staback
Costa, D.	Goodman	Mundy	Sturla
Costa, P.	Haluska	Murphy	Thomas
Cruz	Hanna	Myers	Vitali
Curry	Harhai	Neuman	Waters
Daley	Harkins	O'Brien, M.	White
Davidson	Hornaman	Parker	Williams
Davis	Johnson	Pashinski	Youngblood

NOT VOTING—0

EXCUSED—10

Brennan	Gerber	Micozzie	Wagner
Cutler	Godshall	Sabatina	Wheatley
George	Kirkland		

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

* * *

The House proceeded to second consideration of **HB 1728, PN 2193**, entitled:

A Supplement to the act of November 30, 1965 (P.L.843, No.355), known as the Temple University—Commonwealth Act, making appropriations for carrying the same into effect; providing for a basis for payments of such appropriations; and providing a method of accounting for the funds appropriated and for certain fiscal information disclosure.

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

The SPEAKER. On that question, the Speaker notes that there are two amendments filed to this bill that are out of order.

Additionally, the Speaker notes that we are in receipt of a letter from Representatives Dermody and Hanna demanding a vote on second consideration of this bill.

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

Mr. ADOLPH. Thank you, Mr. Speaker.

For the same reasons, since we are taking a roll-call vote on second consideration, I just want to inform the members of the House that this is the State appropriation, nonpreferred appropriation to Temple University for \$139,000,917.

The SPEAKER. The Speaker thanks the gentleman.

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

On the question, the Speaker recognizes the gentleman, Mr. Markosek.

Mr. MARKOSEK. Thank you, Mr. Speaker.

Mr. Speaker, I would just like to remind the members that we are looking at a 19-percent cut while we are sitting on approximately \$1 billion in surplus. There is no need for this big of a cut. We should not be voting this bill at this level, and I would ask all of the members on both sides of the aisle to please vote "no." Thank you.

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

The following roll call was recorded:

YEAS—109

Adolph	Fleck	Major	Reichley
Aument	Gabler	Maloney	Roae
Baker	Geist	Marshall	Rock
Barrar	Gillen	Marsico	Ross
Bear	Gillespie	Masser	Saccone
Benninghoff	Gingrich	Metcalf	Saylor
Bloom	Grell	Metzgar	Scavello
Boback	Grove	Miccarelli	Schroder
Boyd	Hackett	Millard	Simmons
Brooks	Hahn	Miller	Sonney
Brown, R.	Harhart	Milne	Stephens
Causar	Harper	Moul	Stern
Christiana	Harris	Murt	Stevenson
Clymer	Heffley	Mustio	Swanger
Cox	Helm	O'Brien, D.	Tallman
Creighton	Hennessey	O'Neill	Taylor
Culver	Hess	Oberlander	Tobash
Day	Hickernell	Payne	Toepel
Delozier	Hutchinson	Peifer	Toohil
Denlinger	Kampf	Perry	Truitt
DiGirolamo	Kauffman	Petri	Turzai
Dunbar	Keller, F.	Pickett	Vereb

Ellis	Keller, M.K.	Pyle	Vulakovich
Emrick	Killion	Quigley	Watson
Evankovich	Knowles	Quinn	
Evans, J.	Krieger	Rapp	Smith, S., Speaker
Everett	Lawrence	Reed	
Fary	Maher	Reese	

NAYS—84

Barbin	Deasy	Josephs	Payton
Bishop	DeLissio	Kavulich	Petrarca
Boyle, B.	DeLuca	Keller, W.	Preston
Boyle, K.	DePasquale	Kortz	Ravenstahl
Bradford	Dermody	Kotik	Readshaw
Briggs	DeWeese	Kula	Roebuck
Brown, V.	Donatucci	Longietti	Sainato
Brownlee	Evans, D.	Mahoney	Samuelson
Burns	Fabrizio	Mann	Santarsiero
Buxton	Frankel	Markosek	Santoni
Caltagirone	Freeman	Matzie	Shapiro
Carroll	Galloway	McGeehan	Smith, K.
Cohen	Gergely	Mirabito	Smith, M.
Conklin	Gibbons	Mullery	Staback
Costa, D.	Goodman	Mundy	Sturla
Costa, P.	Haluska	Murphy	Thomas
Cruz	Hanna	Myers	Vitali
Curry	Harhai	Neuman	Waters
Daley	Harkins	O'Brien, M.	White
Davidson	Hornaman	Parker	Williams
Davis	Johnson	Pashinski	Youngblood

NOT VOTING—0

EXCUSED—10

Brennan	Gerber	Micozzie	Wagner
Cutler	Godshall	Sabatina	Wheatley
George	Kirkland		

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

* * *

The House proceeded to second consideration of **HB 1727, PN 2192**, entitled:

A Supplement to the act of July 28, 1966 (3rd Sp.Sess., P.L.87, No.3), known as the University of Pittsburgh—Commonwealth Act, making appropriations for carrying the same into effect; and providing for a basis for payments of such appropriations, for a method of accounting for the funds appropriated and for certain fiscal information disclosure.

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

The SPEAKER. On that question, the Speaker notes there were two amendments that were out of order.

Additionally, we are in receipt of a letter from Representatives Dermody and Hanna that demand a vote on HB 1727 on second consideration.

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

The SPEAKER. On that question, the Speaker recognizes the gentleman from Delaware, Mr. Adolph.

Mr. ADOLPH. Thank you, Mr. Speaker.
 Once again, I just want to remind the members that this is the State nonpreferred appropriation to the University of Pittsburgh of \$136,000,076. I am not going to go into details on how we arrived at these figures. There will be plenty of time tomorrow for that debate. Thank you.

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

On that question, the Speaker recognizes the gentleman, Mr. Markosek, from Allegheny County.

Mr. MARKOSEK. Thank you, Mr. Speaker.
 Nineteen percent, 19 percent, 19 percent, 19 percent – those are the cuts on all of these. Nineteen percent, way too much, draconian, painful higher tuitions. And I would ask all the members not to vote for this, because we are sitting on, however you want to count it, \$600 or \$700 or \$800 million – hundreds of millions of dollars in surplus, and we ought to be using it to fund education. Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—109

Adolph	Fleck	Major	Reichley
Aument	Gabler	Maloney	Roae
Baker	Geist	Marshall	Rock
Barrar	Gillen	Marsico	Ross
Bear	Gillespie	Masser	Saccone
Benninghoff	Gingrich	Metcalfe	Saylor
Bloom	Grell	Metzgar	Scavello
Boback	Grove	Miccarelli	Schroder
Boyd	Hackett	Millard	Simmons
Brooks	Hahn	Miller	Sonney
Brown, R.	Harhart	Milne	Stephens
Causar	Harper	Moul	Stern
Christiana	Harris	Murt	Stevenson
Clymer	Heffley	Mustio	Swanger
Cox	Helm	O'Brien, D.	Tallman
Creighton	Hennessey	O'Neill	Taylor
Culver	Hess	Oberlander	Tobash
Day	Hickernell	Payne	Toepel
Delozier	Hutchinson	Peifer	Toohil
Denlinger	Kampf	Perry	Truitt
DiGirolamo	Kauffman	Petri	Turzai
Dunbar	Keller, F.	Pickett	Verab
Ellis	Keller, M.K.	Pyle	Vulakovich
Emrick	Killion	Quigley	Watson
Evankovich	Knowles	Quinn	
Evans, J.	Krieger	Rapp	Smith, S., Speaker
Everett	Lawrence	Reed	
Farry	Maher	Reese	

NAYS—84

Barbin	Deasy	Josephs	Payton
Bishop	DeLissio	Kavulich	Petrarca
Boyle, B.	DeLuca	Keller, W.	Preston
Boyle, K.	DePasquale	Kortz	Ravenstahl
Bradford	Dermody	Kotik	Readshaw
Briggs	DeWeese	Kula	Roebuck
Brown, V.	Donatucci	Longietti	Sainato
Brownlee	Evans, D.	Mahoney	Samuelson
Burns	Fabrizio	Mann	Santarsiero
Buxton	Frankel	Markosek	Santoni
Caltagirone	Freeman	Matzie	Shapiro
Carroll	Galloway	McGeehan	Smith, K.
Cohen	Gergely	Mirabito	Smith, M.

Conklin	Gibbons	Mullery	Staback
Costa, D.	Goodman	Mundy	Sturla
Costa, P.	Haluska	Murphy	Thomas
Cruz	Hanna	Myers	Vitali
Curry	Harhai	Neuman	Waters
Daley	Harkins	O'Brien, M.	White
Davidson	Hornaman	Parker	Williams
Davis	Johnson	Pashinski	Youngblood

NOT VOTING—0

EXCUSED—10

Brennan	Gerber	Micozzie	Wagner
Cutler	Godshall	Sabatina	Wheatley
George	Kirkland		

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

* * *

The House proceeded to second consideration of **HB 1731, PN 2196**, entitled:

A Supplement to the act of April 1, 1863 (P.L.213, No.227), entitled "An act to accept the grant of Public Lands, by the United States, to the several states, for the endowment of Agricultural Colleges," making appropriations for carrying the same into effect; and providing for a basis for payments of such appropriations, for a method of accounting for the funds appropriated and for certain fiscal information disclosure.

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

The SPEAKER. On that question, the Speaker notes that there are three amendments which have been filed that are out of order, and they will not be considered.

The gentleman, Mr. Maher, has an amendment that was late filed that would require a suspension of the rules.

On that question, I recognize the gentleman, Mr. Maher, from Allegheny County.

Mr. MAHER. Thank you, Mr. Speaker.

I have in my hand amendment A04023, which you will not see on the system and would require suspension.

This amendment would change the allocation of the overall funding for the Pennsylvania State University so as to accomplish a reduction for agricultural research and agricultural extension of 10 percent, recognizing that the missions of these efforts are distinguishable from higher education as a whole. And I had intended to offer this amendment until I received assurances, confirmation, call it what you will, from representatives of the Pennsylvania State University that the way that the overall funds are divided in the amendment that is before us is exactly as they requested.

And so while I am disappointed by the decisions contrary to the interests of agricultural research and extension, I understand that running a university as a whole is a difficult question. And I would remind my friends at the Pennsylvania State University that with the \$5 million, roughly, shifted from extension and research to the general line, that they still will have the discretion in using the general line to ensure that those funds continue to pursue that land grant mission, and I will withdraw my request for suspension, Mr. Speaker. Thank you.

The SPEAKER. The Speaker thanks the gentleman.
The question is, will the House agree to the bill?

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

PARLIAMENTARY INQUIRY

The SPEAKER. On that question, the Speaker recognizes the gentleman from Erie, Mr. Evans.

Mr. J. EVANS. Thank you, Mr. Speaker.
A parliamentary inquiry.

The SPEAKER. The gentleman may state his parliamentary inquiry.

Mr. J. EVANS. Mr. Speaker, I am wondering if my vote on HB 1731 would project a conflict of interest as I am an adjunct faculty member at Penn State University?

The SPEAKER. In consultation with the Parliamentarian, it is our opinion that that does not present a conflict of interest for you to vote on this bill, and you may proceed to do so.

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

The SPEAKER. The question is, shall the House agree to the bill?

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

Mr. ADOLPH. Thank you, Mr. Speaker.

Mr. Speaker, this is the State nonpreferred appropriation to the Penn State University of \$271,000,716. This represents an increase of about 30 percent over the Governor's proposal, a 6-percent increase over the proposal that passed the House in May, and as my good friend from Allegheny County knows, 81 percent is a lot higher than zero.

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

On that question, the Speaker recognizes the gentleman from Allegheny County, Mr. Markosek.

Mr. MARKOSEK. Thank you, Mr. Speaker.

Mr. Speaker, may I interrogate the gentleman from Delaware?

The SPEAKER. The gentleman indicates he will stand for interrogation. You may proceed.

Mr. MARKOSEK. Thank you, Mr. Speaker.

Mr. Speaker, you have asked us to vote on these bills tonight, including this one, and we have really not seen a general appropriations printout or any kind of information relative to that. It would certainly help, I think, all members if we had some of that background information. Can you tell us when you will have a budget printout, a general appropriations budget printout, available?

Mr. ADOLPH. Thank you, Mr. Speaker.

Mr. Speaker, the House passed a budget back on May 25. It is my understanding that the Senate Appropriations Committee will be voting out a general appropriations bill tomorrow out of the Appropriations with amendments to our House bill. So as soon as that is done, we will be able to have the printouts for everyone.

So it is over in the Senate, and it should be coming over to the House in the next 24 hours or so.

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

Mr. Speaker, I, of course, rise similarly to the previous bills and ask all the members to vote "no." We have not seen a general appropriations printout, and I know things are going a lot slower than the gentleman from Delaware and certainly a lot of the other leadership has intended it to go. We would certainly like to get it at least by Thursday evening so that we can have our members briefed for Friday morning to vote on a general appropriations bill. But until that time, I would suggest that we all vote "no" on HB 1731. Thank you.

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

The following roll call was recorded:

YEAS—109

Adolph	Fleck	Major	Reichley
Aument	Gabler	Maloney	Roae
Baker	Geist	Marshall	Rock
Barrar	Gillen	Marsico	Ross
Bear	Gillespie	Masser	Saccone
Benninghoff	Gingrich	Metcalfe	Saylor
Bloom	Grell	Metzgar	Scavello
Boback	Grove	Miccarelli	Schroder
Boyd	Hackett	Millard	Simmons
Brooks	Hahn	Miller	Sonney
Brown, R.	Harhart	Milne	Stephens
Causer	Harper	Moul	Stern
Christiana	Harris	Murt	Stevenson
Clymer	Heffley	Mustio	Swanger
Cox	Helm	O'Brien, D.	Tallman
Creighton	Hennessey	O'Neill	Taylor
Culver	Hess	Oberlander	Tobash
Day	Hickernell	Payne	Toepel
Delozier	Hutchinson	Peifer	Toohil
Denlinger	Kampf	Perry	Truitt
DiGirolamo	Kauffman	Petri	Turzai
Dunbar	Keller, F.	Pickett	Vereb
Ellis	Keller, M.K.	Pyle	Vulakovich
Emrick	Killion	Quigley	Watson
Evankovich	Knowles	Quinn	
Evans, J.	Krieger	Rapp	Smith, S.,
Everett	Lawrence	Reed	Speaker
Fary	Maher	Reese	

NAYS—84

Barbin	Deasy	Josephs	Payton
Bishop	DeLissio	Kavulich	Petrarca
Boyle, B.	DeLuca	Keller, W.	Preston
Boyle, K.	DePasquale	Kortz	Ravenstahl
Bradford	Dermody	Kotik	Readshaw
Briggs	DeWeese	Kula	Roebuck
Brown, V.	Donatucci	Longietti	Sainato
Brownlee	Evans, D.	Mahoney	Samuelson
Burns	Fabrizio	Mann	Santarsiero
Buxton	Frankel	Markosek	Santoni
Caltagirone	Freeman	Matzie	Shapiro
Carroll	Galloway	McGeehan	Smith, K.
Cohen	Gergely	Mirabito	Smith, M.
Conklin	Gibbons	Mullery	Staback
Costa, D.	Goodman	Mundy	Sturla
Costa, P.	Haluska	Murphy	Thomas
Cruz	Hanna	Myers	Vitali
Curry	Harhai	Neuman	Waters
Daley	Harkins	O'Brien, M.	White
Davidson	Hornaman	Parker	Williams
Davis	Johnson	Pashinski	Youngblood

NOT VOTING—0

EXCUSED—10

Brennan	Gerber	Micozzie	Wagner
Cutler	Godshall	Sabatina	Wheatley
George	Kirkland		

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

STATEMENT BY MR. PRESTON

The SPEAKER. Does the gentleman, Mr. Preston— Will the members please take their seats? May they clear the aisles, please.

Mr. PRESTON. Mr. Speaker—

The SPEAKER. Will the member just suspend.

Will the members please take their seats.

Is the gentleman, Mr. Preston, seeking recognition under unanimous consent?

Mr. PRESTON. Without objection, Mr. Speaker; yes.

The SPEAKER. The gentleman may proceed.

Mr. PRESTON. Mr. Speaker, last Thursday brought something very emotional to me, because for 4 days, I drove 208 miles to get here. That is 8 hours a week. I work 55 hours a week. I do not have time to work anyplace else but for the House of Representatives and the people of the 24th District and the constituents and residents of all of the State of Pennsylvania.

And it was a very emotional time. When I went back to my office, I remember I called my daughter, and she wanted to know what was wrong, and I said, you know, in 29 years, I have never experienced anything like this in the House of Representatives. I would like to think, being a chairman of Consumer Affairs and having been appointed by the Speaker to be a committee chair for the majority and minority, not one member, not one member who has ever served on the committee that I have served on by Joseph Preston, Jr., member of the 24th Legislative District, has ever been denied a right not only to speak but to ask every single question that they wanted. Maybe not in the order, but they have never been denied.

OBJECTION TO UNANIMOUS CONSENT

Mr. METCALFE. Objection.

The SPEAKER. The gentleman will suspend.

The Speaker would kindly ask the objection to be withdrawn. Would the gentleman consider withdrawing his objection? The gentleman is in order to object.

(Conference held at Speaker's podium.)

OBJECTION WITHDRAWN

The SPEAKER. The gentleman indicates he is withdrawing his objection. The gentleman from Allegheny County may proceed.

Mr. PRESTON. Thank you, Mr. Speaker, and I thank the gentleman.

I would like to think of any of us who are parents, if we came home from a legislative session and our child came to us and said, Mom, Dad, for 4 days I have raised my hand and the teacher refused to recognize me; I did not get a chance to say

what I wanted to say. And I know that there have been some people, but I want to help explain something about some of the passion of some of the members.

I have a very good friend that I knew way before I got elected who serves in this body. I met him as a hard worker. He represents the district of Penn Hills. I remember one time he told me, several years ago, he said, "Joe, you know, people think that you're always trying to be all of that because you're always defending someone." Well, let me tell you what happened.

When I was about 6 or 7 years old, I grew up in a small town in Westmoreland County called Vandergrift off the Kiskiminetas River – about 4,000 or 5,000 people. And I remember my mother taking my hand and taking me off of a bus, but what I also remember are all the other parents taking their children off that same bus. I really did not understand it until I was about 9 years old when she explained it to me, that the company had a policy that because of the color of my skin, that I could not ride on that bus. And it affected me very dramatically about defending people's rights to be able to go or do or say with a lot of respect so that people can be free.

I had a dad who could not make it to the Majors because of the color of his skin. I had a mother who had a college degree and taught French and music but could not get a job in the city of Vandergrift because of the color of her skin. So neither one of them had a chance in their lifetimes to be heard.

Even on this floor, whether it has been a Democrat or a Republican, I have defended the right for people to be able to be heard, and in 29 years, Mr. Speaker, that is all I was saying, because some people heard me say something about Mississippi and Alabama. Well, when I was in college, I happened to be and go down to the Mississippi Delta, and you know what people did not to be able to hear you? I still have a mark on my back from a nightstick. I still have a splash or a thought of dealing with the hoses because people did not want to hear people speak, and that was about the right to vote, to be heard, to be registered to be able to be heard. That affected me.

In all my life, a lot of us here have been through that. Maybe some of you have not. I have been to the Ozarks, I have been down to Appalachia, and I have seen people, all they want to do is be heard, respected, and have an opportunity. And I have never denied that, and that is why I said, and you can ask the majority leader, anybody on your side of the aisle, if they ever – and we had some tough votes over the years – if they ever got any pressure. Even members on my own committee, I have never had to ask them, I have never tried to influence them on how to vote. And I wanted you to understand something when you hear some of us who speak about the passion, because maybe you have not had the chance to have to go through that type of situation. Every single day, a lot of us have to do that and make an extra stride.

And I wanted to be able to relate that to you. It is nothing personal at all. It is just a passion about defending the rights. When I look at that flag up there and we talk about America, and some of you heard me on the floor, I take that very seriously. I do not interrupt people when they are speaking. I do not. And all I am saying is, in 29 years, Mr. Speaker, since I have been on this floor of this House, for something that is so protective of rights, that this country is founded on a right to be able to vote, where people have a fair right to be heard and to be represented, and this is the House of Representatives, I felt

totally denied. And I am a member of this family, and there were other members of this family who wanted to be heard.

That is all I wanted to simply say, and I wanted to explain it to you. But it has affected me very deeply, and I carry it with me every single day. And I wanted people to understand sometime when you see some of the emotion, because some of you know that I have defended your right to be heard, and we should never deny that. That is what I really thought and when I took that oath of office, to be fair and equal and to represent all of the people of Pennsylvania, not left-handed or right-handed, not short or tall, not old or young, not middle aged, not Democrat, not Republican, not Black or White, Hispanic or Aleutian, or any other form of race that we have or situation that we have. This is the House of Representatives, and if we do not want to hear what someone has to say, and if someone comes to me and I refuse to answer you, you should treat me just like I am treating you, because I am always going to try to treat you like I like to be treated, and that is all I wanted to say.

Thank you very much, Mr. Speaker.

STATEMENT BY MR. TURZAI

Mr. TURZAI. Mr. Speaker? On unanimous consent.

The SPEAKER. The gentleman, Mr. Turzai, is recognized under unanimous consent.

Mr. TURZAI. The good gentleman from Allegheny County I think brings up important points with respect to civility and with respect to respect on this House floor and in the realm of democratic politics – and I mean democracy, not reference to one of the parties.

And I just want to say that I think it is important that folks get out their reasons for why they stand on a particular piece of legislation, and there is always a balance. And I think that it is important, without a doubt, to be able to articulate where you stand, whether you actually speak them on this floor or submit them for the record or take your message outside of the four walls in this particular chamber. That opportunity needs to be there for people to understand where you are on a particular piece of legislation.

Second, I think this is a good opportunity to remind all of us, myself included, anecdotally about the great Gettysburg Address by President Lincoln. You know, there was a speaker, a famous speaker who was before him, who spoke for something like 2 1/2 hours, and nobody remembered his words. President Lincoln spoke for less than 5 minutes, and it is probably one of the most important and famous speeches of our lives.

The fact of the matter is, each and every one of us, if the goal is not to filibuster but to actually put our thoughts and feelings and positions on the record, can sometimes do that in a much more succinct and straightforward manner, and the intent sometimes appears that it is just to stop the process as opposed to letting people know where we stand on a position. There is no doubt that every piece of legislation that comes before this chamber is important to somebody, and I think if we all take in mind President Lincoln's approach at the Gettysburg Address, we are going to do much better, and that is, as I said, myself included.

In addition, I do want to state this: I do not think there is anybody in here that does not recognize the importance of the civil rights movement in the history of the United States, and I applaud the good gentleman from Allegheny County's participation in that movement. I know my own parents were significantly sympathetic – one Republican, one Democrat – with the civil rights movement, because as children of immigrants, they felt like everybody should have the opportunity to share in the American dream and to be able to vote once you became a citizen. I applaud you for those efforts, and I want you to know we stand by, really, we stand by what many years ago Rev. Martin Luther King said when he was at the civil rights movement. He ennobled it at the Lincoln Memorial, and I just take one quote from him that I think is helpful, and he said, "I have a dream that my four little children will one day live in a nation where they will not be judged by the color of their skin but by the content of their character." And certainly on that particular issue, I think each and every one of us stand by that your religion, your color, your background, your ethnicity, that is not what determines whether or not you get to participate in American democracy. It is that you are an individual with dignity.

So on that point, we are definitely in agreement. I also am in agreement that everybody needs to be able to put their position on the table. I may differ that I sometimes think that sometimes the floor is being used in a filibustering sense as opposed to in a "getting my position on the table," but I think one way that we can work together to make sure that both of those goals are not mutually exclusive, that people can be heard without stopping the process, is if we follow Abraham Lincoln's example at the Gettysburg Address and say succinctly what is on our mind and get to the heart of it.

I applaud you for bringing your passion today to the floor, and we share and want to make friendship in terms of civility as to how we finish off the rest of this very, very difficult week. Thank you very, very much.

The SPEAKER. The Speaker thanks the gentleman.

LEAVE OF ABSENCE CANCELED

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

REPUBLICAN CAUCUS

The SPEAKER. Is the lady, Ms. Major, from Susquehanna prepared to make an announcement relative to caucus scheduling tomorrow? The lady is in order.

Ms. MAJOR. Thank you, Mr. Speaker.

I would like to announce that Republicans will caucus tomorrow morning at 9. I would ask our Republican members to please report to the caucus room at 9 a.m. Thank you.

DEMOCRATIC CAUCUS

The SPEAKER. The gentleman from Allegheny, Mr. Frankel, for the purpose of a caucus announcement. You may proceed.

Mr. FRANKEL. Thank you, Mr. Speaker.

Democrats will caucus at 9 o'clock tomorrow morning. It was my understanding in conversations with the majority leader that we were going to be back on the floor at 10 o'clock. I just wanted to ask if that was in fact the case?

Mr. TURZAI. 10 o'clock.

Mr. FRANKEL. 10 o'clock on the floor?

Mr. TURZAI. Yes.

Mr. FRANKEL. Thank you.

The SPEAKER. Further for the information of the members, just to clarify that, the caucus meeting is starting first thing in the morning. Essentially, we will call the House to session at 10 o'clock, but then we will be going immediately to several committee meetings, breaking for several committee meetings, which will be announced at the 10 o'clock session. So we will not be voting right at 10 o'clock on the floor; we will be basically breaking for some committee meetings.

There will be no more votes this evening.

BILLS RECOMMITTED

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

HB 970;
 HB 1549;
 HB 1683;
 HB 1696;
 HB 1727;
 HB 1728;
 HB 1729;
 HB 1730;
 HB 1731; and
 SB 1131.

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 247;
 HB 816; and
 SB 791.

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 1236;
 HB 1237;
 HB 1398;
 HB 1417; and
 SB 353.

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 1236;
 HB 1237;
 HB 1398;
 HB 1417; and
 SB 353.

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

BILLS AND RESOLUTIONS PASSED OVER

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

ADJOURNMENT

The SPEAKER. Seeing no further business before the House, the Speaker recognizes the gentleman, Mr. Lawrence, from Chester County, who moves that this House do now adjourn until Monday, June 27, 2011, at 10 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 9:13 p.m., e.d.t., the House adjourned.