

# COMMONWEALTH OF PENNSYLVANIA

## LEGISLATIVE JOURNAL

WEDNESDAY, SEPTEMBER 28, 2011

SESSION OF 2011

195TH OF THE GENERAL ASSEMBLY

No. 60

### HOUSE OF REPRESENTATIVES

The House convened at 11 a.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:

Let us pray:

Father, thank You for bringing us to this hall today. We thank You for Your bountiful blessings upon our great Commonwealth. We thank You for the opportunity to serve in this chamber, to make decisions on behalf of the citizens who sent us here. We thank You for the freedoms we enjoy and ask Your protection upon those in our Armed Forces, particularly on those in harm's way who serve us even today, protecting our liberties.

I ask that Your hand would be upon each member of this chamber as we consider legislation that will affect the people of Pennsylvania. Help us, Father, to lay aside our political persuasions and instead focus on what is truly in the best interest of the citizens of this great Commonwealth. We humbly ask You for guidance, remembering that You are the source of all knowledge, wisdom, and life. In Jesus' name, amen.

#### PLEDGE OF ALLEGIANCE

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

#### JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, the approval of the Journal of Tuesday, September 27, 2011, will be postponed until printed.

#### 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. CLYMER, from Bucks County for the day; the gentleman, Mr. Dennis O'BRIEN, from Philadelphia County for the day; the lady, Ms. QUINN, from Bucks County for the day. Without objection, the leaves will be granted.

The Speaker recognizes the minority whip, who requests a leave of absence for the gentleman, Mr. GERBER, from Montgomery County for the day, and the gentleman, Mr. MAHONEY, from Fayette County for the day. Without objection, the leaves will be granted.

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

#### MASTER ROLL CALL

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

The following roll call was recorded:

#### PRESENT—197

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

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

## ADDITIONS—0

## NOT VOTING—0

## EXCUSED—6

Clymer	Kortz	O'Brien, D.	Quinn
Gerber	Mahoney		

## LEAVES ADDED—4

Barrar	Godshall	Mann	Wheatley
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## LEAVES CANCELED—1

Clymer

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

### HOUSE RESOLUTIONS INTRODUCED AND REFERRED

**No. 413** By Representatives WATERS, V. BROWN, CALTAGIRONE, MURT, JOSEPHS, FABRIZIO, GIBBONS, JOHNSON, M. O'BRIEN, PAYTON and YOUNGBLOOD

A Concurrent Resolution directing the Joint State Government Commission to establish a bipartisan legislative task force and an advisory committee to conduct a study of capital punishment in Pennsylvania and to report its findings and recommendations to the General Assembly.

Referred to Committee on JUDICIARY, September 28, 2011.

**No. 414** By Representatives WATERS, V. BROWN, CALTAGIRONE, SWANGER, D. COSTA, FABRIZIO, GIBBONS, JOHNSON, M. O'BRIEN, PAYTON and YOUNGBLOOD

A Resolution directing the Joint State Government Commission to establish an advisory committee to study the issues relating to juveniles with life sentences.

Referred to Committee on JUDICIARY, September 28, 2011.

### HOUSE BILLS INTRODUCED AND REFERRED

**No. 1875** By Representatives AUMENT, BEAR, BOYD, CREIGHTON, CUTLER, DENLINGER, HICKERNELL, BROOKS, CAUSER, CLYMER, DiGIROLAMO, ELLIS, FABRIZIO, FLECK, GABLER, GEORGE, GILLEN, GROVE, HARHART, HEFFLEY, HENNESSEY, HESS, KNOWLES, MAJOR, MILLARD, MOUL, MULLERY, O'NEILL, READSHAW, ROCK, SACCONI, SAINATO, SCAVELLO, SONNEY, SWANGER, VULAKOVICH, YOUNGBLOOD and MAHONEY

An Act designating the bridge that carries State Route 462 over the Norfolk Southern rail line in the Borough of Mountville, Lancaster County, as the Mountville Veterans Memorial Bridge.

Referred to Committee on TRANSPORTATION, September 28, 2011.

**No. 1877** By Representatives DUNBAR, COX, CREIGHTON, HARHART, KNOWLES, MATZIE, MOUL, MULLERY, PYLE, QUINN, REICHLEY, SACCONI, SWANGER and YOUNGBLOOD

An Act amending the act of July 7, 1947 (P.L.1368, No.542), known as the Real Estate Tax Sale Law, further providing for county bureau to collect taxes, for system of accounting and distribution, for reimbursement of county and charges and for agent of taxing districts and lien certificates.

Referred to Committee on FINANCE, September 28, 2011.

**No. 1878** By Representatives CRUZ, YOUNGBLOOD, CALTAGIRONE, McGEEHAN, V. BROWN, CARROLL, FABRIZIO, JOSEPHS, MURT and MOUL

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for removal of vehicle by or at direction of police.

Referred to Committee on TRANSPORTATION, September 28, 2011.

### SENATE BILLS FOR CONCURRENCE

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

#### SB 281, PN 1583

Referred to Committee on LOCAL GOVERNMENT, September 28, 2011.

#### SB 282, PN 1584

Referred to Committee on LOCAL GOVERNMENT, September 28, 2011.

**SB 283, PN 1585**

Referred to Committee on LOCAL GOVERNMENT, September 28, 2011.

**SB 284, PN 1586**

Referred to Committee on LOCAL GOVERNMENT, September 28, 2011.

**SB 285, PN 1587**

Referred to Committee on LOCAL GOVERNMENT, September 28, 2011.

**SB 286, PN 1588**

Referred to Committee on LOCAL GOVERNMENT, September 28, 2011.

**SB 287, PN 1589**

Referred to Committee on LOCAL GOVERNMENT, September 28, 2011.

**SB 288, PN 1590**

Referred to Committee on LOCAL GOVERNMENT, September 28, 2011.

**SB 289, PN 1591**

Referred to Committee on LOCAL GOVERNMENT, September 28, 2011.

**SB 290, PN 1592**

Referred to Committee on LOCAL GOVERNMENT, September 28, 2011.

**SB 291, PN 1593**

Referred to Committee on LOCAL GOVERNMENT, September 28, 2011.

**SB 292, PN 1594**

Referred to Committee on LOCAL GOVERNMENT, September 28, 2011.

**SB 293, PN 1595**

Referred to Committee on LOCAL GOVERNMENT, September 28, 2011.

**SB 295, PN 1596**

Referred to Committee on LOCAL GOVERNMENT, September 28, 2011.

**SB 296, PN 1597**

Referred to Committee on LOCAL GOVERNMENT, September 28, 2011.

**SB 361, PN 1598**

Referred to Committee on HEALTH, September 28, 2011.

**SB 725, PN 731**

Referred to Committee on LOCAL GOVERNMENT, September 28, 2011.

**SB 726, PN 732**

Referred to Committee on LOCAL GOVERNMENT, September 28, 2011.

**LEAVES OF ABSENCE**

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

The Speaker returns 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. Without objection, the leave will be granted.

**GUESTS INTRODUCED**

The SPEAKER. I want to introduce a few of the guests that are with us today. Located to the left of the rostrum, we would like to welcome Christi Konopski with the Leukemia and Lymphoma Society. She is here for the organization's lobby day, and she is the guest of Representative Frank Burns. Will our guest please rise. Welcome to the hall of the House.

Located in the well of the House, the Speaker would like to welcome a couple of guest pages, Grace Andrews and Cara Keller. Cara is the niece of Representative Bill Keller, who is hosting the students here for the day. Will our guest pages please rise. Welcome to the hall of the House, girls. A day with Uncle Bill, huh?

**GREATER WYOMING AREA  
SENIOR BOYS BASEBALL TEAM  
AND 9- AND 10-YEAR-OLD  
GIRLS SOFTBALL TEAM  
PRESENTED**

The SPEAKER. For the purpose of presenting a citation, we would like to invite Representative Mundy to the rostrum. The citation is to the Greater Wyoming Area Senior Boys Baseball Team and the Greater Wyoming Area 9- and 10-year-old Girls Softball Team.

The lady may proceed.

Ms. MUNDY. Good morning.

Mr. Speaker, it gives me great pleasure to introduce to you some outstanding young athletes from the 120th Legislative District that made the trip to Harrisburg today. The Greater Wyoming Area Senior Boys Baseball Team and the Greater Wyoming Area 9- and 10-year-old Girls Softball Team are here with us today in the hall of the House. The boys won the Pennsylvania Senior Little League Championship title in August with a win over Horsham. The girls defeated West Point in August to claim the Little League Girls Softball Championship in their age category.

Mr. Speaker, clearly these young people are a shining examples of talent and dedication as well as personal sacrifice and commitment to their sport. I find it quite impressive that these young people possess these qualities so early in life. Of course, these achievements would not have been possible without the guidance, support, and encouragement of their coaches and their families. Today we are joined by the girls team manager, Steve Mytych, and team captains Aubrey Mytych and Gwen Glatz; the boys team manager, Dean Carey, and team captain Bart Chupka.

Mr. Speaker, we in the House think it is important that State Champion athletes be acknowledged here in this hall. It is with this in mind that I present the Greater Wyoming Area Senior Boys Baseball Team and the Greater Wyoming Area 9- and 10-year-old Girls Softball Team with citations recognizing their outstanding achievements. On behalf of the Pennsylvania House of Representatives, I commend you for your hard work and wish you all the best of luck in your future endeavors.

### GUESTS INTRODUCED

The SPEAKER. A couple other guests we have with us are located to the left of the Speaker. We welcome Mary Grace Cahill. She is currently serving as an intern in Representative Dennis O'Brien's district office. Mary Grace is a student at the Community College of Philadelphia and her future plans are to major in communications. Welcome to the hall of the House.

Additionally, in the rear of the House, we have some Gold Star Mothers, along with George Lutz, who is the creator of the Honor and Remember Flag. They are here as guests of Representative Boback, but they are also here for the formal signing to make the Honor and Remember Flag an official symbol of the State. Will our guests please rise. Welcome to the hall of the House. They are over here, just coming in the door to the right.

We would also like to welcome some guests, located to the left of the rostrum. We would like to welcome four Iraqi Kurdish visitors, who are here today as guests of Representative Boyd and Representative Cutler. Among our visitors are Shireen Fattah, who is an Ambassador for Peace from the Kurdish Democrat Party. She is the only woman currently serving on the party's 21-member central committee. Zakia Abdulkhaleq, who serves as an elected member of the Kurdish Parliament in the Kurdish Regional Government. And Mohammed Mohammedamin, who is a linguist who worked with the U.S. forces in 2003 and is currently functioning as the interpreter for the group.

I would like to offer the opportunity for Shireen Fattah, who is the Ambassador for Peace, who would like to bring us greetings from her homeland.

Ms. FATTAH. Good morning. Today is very important for me, for my friends to be one day in one story, in my history, my nationality. We are in here to tell you greetings, peace, and equality from all of Iraqi Kurdistan people, and also for our President Barzani. God bless you. Thank you. Thank you.

### UNCONTESTED CALENDAR

#### RESOLUTIONS PURSUANT TO RULE 35

Mr. BENNINGHOFF called up **HR 368, PN 2307**, entitled:

A Resolution designating the month of September 2011 as "Childhood Cancer Awareness Month" in Pennsylvania, honoring those young people who have lost their lives to childhood cancer, expressing gratitude to the doctors and nurses who provide special care to patients and families affected by childhood cancer, and encouraging all citizens to join the fight against childhood cancer in this Commonwealth.

\* \* \*

Ms. WAGNER called up **HR 389, PN 2364**, entitled:

A Resolution recognizing and designating the month of October 2011 as "Dignity & Respect Month" in Pennsylvania.

\* \* \*

Mrs. R. BROWN called up **HR 397, PN 2388**, entitled:

A Resolution recognizing the month of October 2011 as "Domestic Violence Awareness Month" in Pennsylvania.

\* \* \*

Mrs. R. BROWN called up **HR 398, PN 2389**, entitled:

A Resolution designating the month of October 2011 as "Crime Prevention Month" in Pennsylvania.

\* \* \*

Ms. BISHOP called up **HR 410, PN 2414**, entitled:

A Resolution commending the heroic efforts of private and public organizations and individual responders in the wake of flooding caused throughout Pennsylvania by Tropical Storm Lee, and praising the leadership of Governor Tom Corbett.

\* \* \*

Ms. BROWNLIE called up **HR 412, PN 2416**, entitled:

A Resolution recognizing the month of September 2011 as "Senior Center Month" in Pennsylvania.

On the question,  
Will the House adopt the resolutions?

The following roll call was recorded:

YEAS—194

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

NAYS—1

Tallman

NOT VOTING—0

EXCUSED—8

Barrar	Gerber	Kortz	O'Brien, D.
Clymer	Godshall	Mahoney	Quinn

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

PARLIAMENTARY INQUIRY

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

Mr. TALLMAN. Parliamentary inquiry.

The SPEAKER. The gentleman may state his parliamentary inquiry.

Mr. TALLMAN. We just voted on the uncontested calendar and I was recorded in the negative, which I still am. But my question to the Speaker is, is it proper to have a motion to reconsider because I want to object to one of those?

The SPEAKER. I suspect under the rules that a motion to reconsider is valid, is acceptable under the normal process. If you will step to the side, we can also explain to you how we would prefer to deal with objections to a resolution that may have appeared on the uncontested calendar. Obviously, it is the intent of that group of resolutions to be resolutions in which there are no objections, so we have a process where we try to manage that. To answer your question, yes; a motion to reconsider is in order if it is properly filed, signed by two members, but we could also work this out in another way, I believe.

Mr. TALLMAN. Thank you, Mr. Speaker.

CALENDAR

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 823, PN 856**, entitled:

An Act amending the act of July 31, 1968 (P.L.805, No.247), known as the Pennsylvania Municipalities Planning Code, in subdivision and land development, providing for notice to school district; and, in planned residential development, further providing for application for final approval.

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 1192, PN 1297**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for nonmedical good Samaritan civil immunity.

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 1438, PN 2085**, entitled:

An Act amending Title 16 (Counties) of the Pennsylvania Consolidated Statutes, adding provisions for required fiscal security through bonding, blanket bonding and insuring of elected and appointed county officers and employees; providing for determining the form, amount and payment of premiums for and the filing and recording of the required security and for the subsequent issuance of official commissions; and making related repeals.

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 1236, PN 1355**, entitled:

An Act amending Title 30 (Fish) of the Pennsylvania Consolidated Statutes, in fishing licenses, further providing for deployed Pennsylvania National Guard members and for reserve component of armed forces members.

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 1237, PN 1356**, entitled:

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, in hunting and furtaking licenses, further providing for resident license and fee exemptions.

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

### APPROPRIATIONS AND RULES COMMITTEE MEETINGS

The SPEAKER. The Speaker recognizes the gentleman, Mr. Adolph, for the purpose of a committee meeting announcement.

Mr. ADOLPH. Thank you, Mr. Speaker.

Mr. Speaker, I would like to announce an Appropriations Committee meeting at 11:45 in the majority caucus room. That is an Appropriations meeting in the majority caucus room at 11:45. Also, I have been asked to bring to your attention, there will be a Rules Committee meeting at 11:55 in the Appropriations conference room; at 11:55. Rules Committee in the Appropriations conference room, and then we will be back on the floor at 12:15, for the members' information. Thank you.

The SPEAKER. There will be an Appropriations Committee meeting at 11:45 in the majority caucus room and a Rules Committee meeting at 11:55 in the Appropriations conference room.

### STATEMENT BY MRS. SWANGER

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

Mrs. SWANGER. Point of privilege, Mr. Speaker.

I am rising to thank all the members of the House for voting in favor of my HR 396 yesterday to honor Weaver's Lebanon Bologna company in Lebanon County on their 125th anniversary. And please look in the back of the House on Monday; there will be Lebanon bologna for everyone in the House. It is our way of thanking you for your positive votes. Thank you.

The SPEAKER. The Speaker thanks the lady.

### GUESTS INTRODUCED

The SPEAKER. I would also like to welcome a couple other guests that are with us in the gallery. We welcome German exchange students from Lebanon High School. They are visiting the Capitol and the State Museum today. They are the guests of Representative Swanger and Representative Gingrich. Welcome to the hall of the House.

### DEMOCRATIC CAUCUS

The SPEAKER. Is the gentleman, Mr. Frankel, seeking recognition for the purpose of an announcement?

The gentleman may proceed.

Mr. FRANKEL. Thank you, Mr. Speaker.

There will be a Democratic caucus, a short Democratic caucus at 11:45. We have one bill that we have not caucused on that we will be running this afternoon. So 11:45, Democratic caucus. Thank you.

### RECESS

The SPEAKER. This House stands in recess until 12:15, unless sooner recalled by the Speaker.

### RECESS EXTENDED

The time of recess was extended until 12:34 p.m.

### AFTER RECESS

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

### BILL ON CONCURRENCE REPORTED FROM COMMITTEE

**HB 9, PN 2179**

By Rep. TURZAI

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for junior driver's license, for learners' permits, for suspension of operating privilege, for department to compile, tabulate and analyze accident reports and for restraint systems.

RULES.

**BILL REREPORTED FROM COMMITTEE**

**SB 1151, PN 1605**

By Rep. ADOLPH

An Act amending the act of July 10, 1987 (P.L.246, No.47), known as the Municipalities Financial Recovery Act, further providing for purpose and legislative intent; providing for fiscal emergencies in third class cities and for receivership for third class cities; and making editorial changes.

APPROPRIATIONS.

**LEAVE OF ABSENCE CANCELED**

The SPEAKER. The Speaker notices the presence of the gentleman, Mr. Clymer, from Bucks County on the floor of the House. His name will be added to the master roll call.

**LEAVE OF ABSENCE**

The SPEAKER. The Speaker 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.

**CALENDAR CONTINUED**

**BILLS ON SECOND CONSIDERATION**

The House proceeded to second consideration of **HB 1582, PN 1951**, entitled:

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in municipal authorities, further providing for purposes and powers.

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

Mr. **TAYLOR** offered the following amendment No. **A04190**:

- Amend Bill, page 2, line 16, by inserting after "properties," including those that are part of a planned unit development.
- Amend Bill, page 2, line 20, by striking out "on the" and inserting based on all of the
- Amend Bill, page 2, line 21, by striking out "basis"
- Amend Bill, page 3, lines 10 through 14, by striking out "In each condominium fee" in line 10 and all of lines 11 through 14 and inserting The authority shall provide to the unit owners' association the calculation of the business improvement district assessed value of the unit owners' association, itemizing the assessed value of each unit as provided in this clause. The unit owners' association shall add to the condominium fee charged to a unit owner the assessed value of the unit and the amount of the district assessment attributable to the unit.
- Amend Bill, page 4, by inserting between lines 13 and 14 (V) An election by an authority under this clause shall not be revoked except through the procedures stated in subparagraph (ii) and subsection (g).
- Amend Bill, page 5, line 28, by inserting after "condominium" , provided that if an assessment against a unit owners' association is paid in part and the unit owners' association specifies in writing to the

authority the units with respect to which full payment was made, the claim shall not be enforceable against units with respect to which full payment was made or against the unit owners' association

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

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

Mr. TAYLOR. Thank you, Mr. Speaker.

When the business improvement districts were developed, there was no anticipation that there would be the vast number of residential properties within these districts that exist. This bill really cuts the fees for real property in half and changes the way we deal with condominiums so that the bill for these business improvement districts goes right to the condo instead of the individual owners. This amendment clarifies that particular process, makes sure that the information for these assessments is very clear, and also provides for some enforcement procedures should a particular condo owner fail to pay his dues, which in effect would make him failing to pay his fees. It would not affect other condo owners. So this amendment is an agreement among condo associations and the folks who run business improvement districts to make these provisions more clear.

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

The following roll call was recorded:

**YEAS—195**

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

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

NAYS-0

NOT VOTING-0

EXCUSED-8

Barrar	Godshall	Mahoney	Quinn
Gerber	Kortz	O'Brien, D.	Wheatley

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

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

Bill as amended was agreed to.

(Bill as amended will be reprinted.)

\* \* \*

The House proceeded to second consideration of **HB 1610, PN 2118**, entitled:

An Act establishing standards for preventing sudden cardiac arrest and death in student athletes; assigning duties to the Department of Health and the Department of Education; and imposing penalties.

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

Mr. **VEREB** offered the following amendment No. **A05259**:

Amend Bill, page 2, line 27, by inserting after "and" abnormal

Amend Bill, page 4, lines 2 and 3, by striking out "an appropriate" in line 2 and "medical professional" in line 3 and inserting a licensed physician or certified registered nurse practitioner or, if referred by a licensed physician or certified registered nurse practitioner to a cardiologist for evaluation, the written clearance is provided by the cardiologist

Amend Bill, page 4, line 5, by striking out "appropriate medical professional" and inserting licensed physician or certified registered nurse practitioner

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

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

Mr. **VEREB**. Thank you, Mr. Speaker.

This amendment was worked on to further define who in fact are the appropriate medical professionals as originally defined in the bill.

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

The following roll call was recorded:

YEAS-195

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

NAYS-0

NOT VOTING-0



## EXCUSED—8

Barrar	Godshall	Mahoney	Quinn
Gerber	Kortz	O'Brien, D.	Wheatley

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

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

Mrs. **DAVIDSON** offered the following amendment No. **A04234**:

Amend Bill, page 1, line 3, by striking out "and" where it occurs the second time

Amend Bill, page 1, line 4, by inserting after "penalties"  
; and developing a violence hotline

Amend Bill, page 5, by inserting between lines 8 and 9  
Section 4. Violence hotline.

The Office for Safe Schools, established under section 1302-A of the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, shall have the power to develop telephone hotlines for the anonymous reporting of potential or actual violence or possession of weapons on school property. This hotline may be used by students, parents, teachers, school employees and members of the community.

Amend Bill, page 5, line 9, by striking out "4" and inserting  
5

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

## AMENDMENT WITHDRAWN

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

Mrs. DAVIDSON. Thank you, Mr. Speaker.

Yes, I did want to withdraw this amendment, but I wanted to make it clear that it is very important to me, the safety of all the children of the Commonwealth, particularly in my district. And flash mobs, with the growing epidemic of flash mobs and harm coming to children in many school districts in the Commonwealth and in my district, I want to make sure that parents have a way of contacting authorities and that those violent acts or harm that are coming to children are not underreported. And it is very much underreported now in the current system, so we need to change that system so that we have a statewide hotline. But I will withdraw it, because this is an important bill and we wanted to make sure that the safety of children with concussions also get the right, proper treatment.

Thank you so much.

The SPEAKER. The Speaker thanks the lady.

It is the Speaker's understanding that you have withdrawn the second amendment as well?

Mrs. DAVIDSON. Yes, Mr. Speaker.

The SPEAKER. Thank you.

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

Bill as amended was agreed to.

(Bill as amended will be reprinted.)

\* \* \*

The House proceeded to second consideration of **SB 389, PN 1200**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in vocational education, further providing for the definition of "vocational agricultural education."

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

The SPEAKER. It is the Speaker's understanding that all of the amendments have been withdrawn.

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

## SUPPLEMENTAL CALENDAR B

BILL ON CONCURRENCE  
IN SENATE AMENDMENTS

The House proceeded to consideration of concurrence in Senate amendments to **HB 9, PN 2179**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for junior driver's license, for learners' permits, for suspension of operating privilege, for department to compile, tabulate and analyze accident reports and for restraint systems.

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

The SPEAKER. Moved by the lady, Mrs. Watson, that the House concur in the amendments inserted by the Senate.

The Speaker recognizes the lady, Mrs. Watson, for a brief description of the Senate amendments.

Mrs. WATSON. Thank you, Mr. Speaker.

HB 9 has returned from the Senate. This is referred to as the "teen driving bill." The major change that has occurred that the Senate put in is in the passenger restriction. When many of you voted for it and sent the bill over to the Senate, we had it that one passenger for this new driver, 16 1/2 to 18, exception always being for those in the family, in the home, or with parental permission or the parent in the vehicle. What the Senate has done is shorten that time period and said, in the first 6 months after that young person gets a license, they are restricted to just one other teen in the vehicle.

Assuming they complete that 6 months accident-free without any incident, they can have up to 3 other young people in the vehicle with them. They would still all have to be properly restrained. All the other parts of HB 9 remain. Additionally, what they added was a biannual report. They want a report that would be given to the House Transportation and the Senate Transportation Committees on this legislation, on this enhancement of our graduated driver licensing law so that indeed we can see if we need to do anything else to it, how is it working, is it fulfilling what we all believe that it will as it does in other States, and that is further reduce the number of crashes and deaths for this age group. Mr. Speaker, that summarizes the major changes that the Senate made.

The SPEAKER. The Speaker thanks the lady.

### 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 lady, Miss MANN, from Lehigh County for the remainder of the day. Without objection, the leave will be granted.

### CONSIDERATION OF HB 9 CONTINUED

The SPEAKER. The question is, will the House concur in the amendments inserted by the Senate?

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

Mr. SANTARSIERO. Thank you, Mr. Speaker.

Mr. Speaker, will the gentlelady from Bucks County stand for brief interrogation?

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

Mr. SANTARSIERO. Thank you, Mr. Speaker.

Mr. Speaker, at first I would like to start by not so much an interrogation, but by commending my colleague from Bucks County for her work on this legislation. The reason for my interrogation is fairly straightforward. I just want to clarify for the legislative record, when we talk about on page 4, lines 1 through 4, a definition of "immediate family," that we are including within that definition any child who resides with an adult in the household.

Mrs. WATSON. Yes, Mr. Speaker. It has always been, if I may, Mr. Speaker, briefly go back to the first iteration of the bill, which for me goes back to 2005. It was always the discussion that while we would limit the passenger, because the other teen was the greatest distraction, we certainly understood, particularly I think those of us in the suburbs or rural areas, the need oftentimes for the oldest child to take others, other children, young people – they do not like being called children – other young people in a vehicle to drop them off wherever it might be. So any young people who reside with that teen driver, with parental permission, certainly they could do that.

Mr. SANTARSIERO. Thank you, Mr. Speaker.

So for example, just to put an example on the record, if an aunt or an uncle took custody of a niece or nephew for whatever reason, and that niece or nephew resided in the home, that child would also be included within the definition?

Mrs. WATSON. Absolutely, Mr. Speaker. It is the children there. We have to be, I think, very cognizant of the fact that families are a bit blended and a little different than the old – what was it? – "Leave It to Beaver"-type family. So we understand that, but what we are saying is that if they reside there, we understand and make the exception because often those who are in charge, the adults in the household, want that exception so that they can drive the younger ones to their events.

Mr. SANTARSIERO. Thank you, Mr. Speaker.

I appreciate that clarification and again thank the gentlelady for her work on the legislation. Thank you.

The SPEAKER. The question is, will the House concur in the amendments inserted by the Senate?

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

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, this issue has been before the House for a long time, and my circumstances as the years went on changed. When it first came before the House I had no children at all, and my daughter is now 18 years old. I have had the experience of having a teenage driver, and I have had the experience of talking to her and to her friends about driving and hearing how they viewed the law. I am pleased to report that at least among my daughter and her circle of friends, our law was very, very respected, and they wanted very much to comply with it for the normal, typical array of reasons anyone wants to comply. But they internalize the values of the law that they were supposed to drive safely, that they were not supposed to engage in reckless behavior, that driving a car is a very serious responsibility, and they looked forward to the day in which they would become 18 and have the full freedom to drive whomever they wanted. But they recognized that there was a legitimate purpose for legal restrictions. I am a little bit disappointed, having had this recent experience – my daughter turned 18 in January – having had this recent experience of kids being under the jurisdiction of the law, I am a bit disappointed that the Senate has so significantly weakened this legislation so that the restrictions only exist for 6 months. I understand the tensions in families between the desire of parents to delegate taking of other children around and the desire of parents for convenience somewhat conflicts with the desire of the legislature for safety.

I have to confess disappointment in the Senate's amendments. I think they went too far to limit the effects of this legislation.

The SPEAKER. The question is, will the House concur in the amendments inserted by the Senate?

On that question, the Speaker recognizes the gentleman from Montgomery County, Mr. Shapiro.

Mr. SHAPIRO. Thank you, Mr. Speaker.

Mr. Speaker, would the lady from Bucks submit to brief interrogation?

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

Mr. SHAPIRO. Thank you, Mr. Speaker.

Mr. Speaker, I know there is a lot of good in the underlying bill, HB 9, and the lady and I have worked together on this issue for many years, and I commend her for getting the bill to this point. My one question is, is there anything in this underlying

legislation that deals with the issue that we have also worked on related to texting while driving or the use of cell phones while driving?

Mrs. WATSON. The short answer, Mr. Speaker, would be no. If I may be indulged a moment for the long answer. My long answer would be simply that I have always espoused that I really believe this deals specifically with three pieces of data that we have that talk about why there are accidents, crashes, and deaths. But I think what you are talking about when we are talking about the texting and whatever, that is specific really to all of us. My usual line is, it is not appropriate to text behind the wheel when you are 20 or when you are 40 or when you are 60 or when you are 80. And therefore, the bill standing alone would be for everybody.

Mr. Speaker, I know you, as a young parent, know this, and it is probably the first thing you ever read about and we all learned, whether it was Dr. Spock or whomever, that good parenting means that it is not "do not do as I do," but "do as I say." And I would have trouble and did with adding texting or even the cell phone usage, though I support banning handheld cell phones, just for the young teen driver. That should be a discussion for everybody, and I hope we will have that discussion at some point here in this chamber.

Thank you, Mr. Speaker.

Mr. SHAPIRO. Thank you.

That concludes my interrogation of the lady from Bucks. Mr. Speaker, if I may, I would like to interrogate the majority leader on this issue. The majority leader will not submit to interrogation? Really?

Mr. Speaker, will the majority leader submit to interrogation?

The SPEAKER. He indicates he is not standing for interrogation. I am sure he would talk with you if you want to talk to him on the side.

Mr. SHAPIRO. Well, I thought it would be beneficial— If I may on the bill, Mr. Speaker?

The SPEAKER. On the bill.

Mr. SHAPIRO. I thought it would be beneficial for the public to hear from the majority leader on this issue. The lady from Bucks spoke about the important aspects of HB 9, which I agree with her on, but she also indicated that this bill does not contain any provisions related to texting while driving or the use of handheld cell phones while driving, yet this chamber has passed on second consideration HB 8, and on the calendar we have SB 314 and HB 146, all of which deal with that underlying issue. In the ensuing months since this House considered those bills, in particular HB 8 sponsored by the lady from Bucks, we have seen accidents on our roads in Pennsylvania and certainly in communities all across our great Commonwealth. Yet this House, under the majority leader's leadership, has continued to shelve that bill. And it is my hope that this House, now with three different bills pending to deal with those important issues, will take that up very soon. The majority leader has indicated his support, and indeed I should restate that the majority leader has actually voted for those things, as have 189 members of this chamber, in the past. And I would hope that this House would consider the issue of texting while driving, consider the issue of banning handheld cell phones while driving, not delay any longer, and not cause accidents to continue to occur on Pennsylvania's roadways.

Thank you, Mr. Speaker.

The SPEAKER. The question is, will the House concur in the amendments inserted by the Senate?

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

Mr. DePASQUALE. Thank you, Mr. Speaker.

I want to commend the gentlelady from Bucks for her tremendous work on teen driving. I do agree with her position that there are differences between a teenage driver, which, you know, with the number of kids in the car and the amount of hours they need to be prepared to be fully on their own driving, and that texting and cell phone usage is something that should apply to all drivers. So I commend her on that. I wish we did have a better grasp of when we were going to vote on that comprehensive distracted driving legislation.

When I first introduced the texting while driving ban, only the State of Washington had the law on their books; only the State of Washington when I first introduced it. And granted, there has been Democratic majority between that time and now. Now, Mr. Speaker, we are at 40 States, 40 States that banned texting while driving. Pennsylvania is now in the minority on that. In my home county of York, all you have to do, if you are a solid golfer, is go onto Interstate 83, hit a drive down the fairway of Interstate 83, and you will abut the State of Maryland that will say, "Welcome to Maryland. You are not allowed to text and drive now that you entered." And constituent after constituent after constituent wants to know why they are safer on Maryland roads, but we refuse to do that in Pennsylvania. Please let us get to the full distracted driving measures. I commend the gentlelady on this measure. This is important legislation, but we also need to make the roadways safer for all Pennsylvanians. Thank you, Mr. Speaker.

The SPEAKER. The question is, will the House concur in the amendments inserted by the Senate?

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

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

I must say, this safe teen driving bill— If I might have order, sir?

The SPEAKER. The House will please come to order. The members will please take their seats. The members will please lower the conversations. The House will please come to order. Thank you very much.

The gentleman may proceed.

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

This is an important piece of legislation for the safety of our young citizens in the Commonwealth of Pennsylvania. It is a significant accomplishment. This session we have been focused on the art of the possible in getting important legislation passed and onto the Governor's desk. A key component of safe driving in Pennsylvania is the teen safe driving legislation that has been advocated by my good colleague from Bucks County for many sessions. We are now at a point where we will put a significant safe teen driving bill onto the Governor's desk with passage of HB 9 on concurrence. It would not have gotten done without the diligent efforts of our good colleague from Bucks County, who has put the case on the table for positive change. Now, keep in mind, in the area of safe driving, Pennsylvania is a diverse State, a large State, and many interests come to the table, but the point of the matter is, you work through that; you stay focused and you get accomplished what needs to be accomplished and move the ball forward, to use a football analogy. That is certainly what has been done here.

Other issues – texting, handheld phones – are a part of a discussion about safe driving, and there will be further discussions with respect to SB 314 and HB 8. But the kickoff piece of legislation on safe driving in a discreet manner that is going to be on the Governor's desk is the safe teen driving bill that is in front of everybody now, in HB 9 concurrence. As we all know, last session an omnibus bill passed the House, went to the Senate and was changed, and then there was nonconcurrence over here in the House. And guess what? It never became law. But in this session, the 2011-2012 session, with a get-it-done legislature that is focused on legislation getting onto the Governor's desk to improve Pennsylvania, we are now about to embark on the most significant safe teen driving measures that we have had before us. More will get done in the future, but do not underestimate the importance of putting a bill on the Governor's desk for signature.

I congratulate everybody for their hard work in getting this done. Thank you very much.

On the question recurring,

Will the House concur in Senate amendments?

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

The following roll call was recorded:

YEAS—188

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

DeLissio	Hornaman	Perry	Vulakovich
DeLozier	Hutchinson	Petrarca	Wagner
DeLuca	Johnson	Petri	Waters
Denlinger	Josephs	Pickett	Watson
DePasquale	Kampf	Preston	White
Dermody	Kauffman	Pyle	Williams
DeWeese	Kavulich	Quigley	Youngblood

NAYS—6

Cutler	Metcalfe	Oberlander	Smith, S., Speaker
Keller, F.	Metzgar		

NOT VOTING—0

EXCUSED—9

Barrar	Kortz	Mann	Quinn
Gerber	Mahoney	O'Brien, D.	Wheatley
Godshall			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the clerk inform the Senate accordingly.

STATEMENT BY MRS. WATSON

The SPEAKER. The lady from Bucks County, Mrs. Watson, is recognized under unanimous consent relative to the bill that just passed. The lady is in order under unanimous consent.

Mrs. WATSON. Thank you, Mr. Speaker.

I will be very brief. I would like to thank all of you who found that you were able to vote for this bill. I think it is an important piece of legislation. Part of what is in there is a report, so we will get to find out that it is an important piece of legislation and that your vote did make a difference in the lives of families, particularly families with new drivers. And for the 30 percent of us who get involved in accidents on the road with a new driver, it will be better for those folks, too.

I have formal comments, Mr. Speaker, that I will submit for the record. But I would be remiss if I did not thank those, we all know our staff people and those who help us, but at the same time I think we need to thank the families who are out there who have lost children, who turned something so awful into something positive, to do a grassroots effort for the legislation, to run and develop scholarship programs in their child's name. Each of you comes from a district where you could name a particular child that you have lost because of this. Hopefully, you will not in the future have names that you could name.

Thank you very much, Mr. Speaker.

REMARKS SUBMITTED FOR THE RECORD

Mrs. WATSON submitted the following remarks for the Legislative Journal:

Thank you, Mr. Speaker.

Mr. Speaker, I rise before you today to urge support for the legislation I have been proposing and endorsing for the last 6 years.

Mr. Speaker, I urge support for HB 9 – a proposal that will reduce distractions for teen drivers, keep their passengers safe, and give teen drivers expanded behind-the-wheel training, making them better drivers.

The reason behind this legislation is simple: Too many of our teenagers are not coming home safely. Earlier this year PENNDOT announced that in 2010 fatalities in crashes that involved a 16- or 17-year-old driver increased 43 percent. While we all know we do not have the power to bring every teenager home safely, we can do better.

We can improve the chances that these young drivers, their passengers, and other motorists who share the road are safe – just by updating our State's graduated driver licensing law, known as GDL.

Pennsylvania is one of only seven States without an improved GDL law. In fact, every State surrounding our Commonwealth has some form of an improved GDL.

We have also learned that the greatest chance of crashing occurs in the first 6 months after licensure, and that inexperience and distractions are the two greatest risks when teen drivers are behind the wheel. These issues are addressed in HB 9.

Reviewing briefly HB 9:

- Limits the number of passengers to one under the age of 18 in a vehicle driven by a teen driver under the age of 18 for the first 6 months after being licensed. Exceptions exist for family members and if a parent/guardian is in the vehicle.
- Restricts the number of passengers to three nonfamily members under the age of 18 after 6 months of licensure, unless family or with a parent or guardian.
- Makes the seat belt and child safety seat laws primary offenses for everyone under the age of 18 in a vehicle if not properly secured.
- Increases behind-the-wheel training for permit holders from 50 hours to 65 hours; 10 of these hours must be logged after dark, and 5 must be logged during inclement weather.

Numerous studies and statistics from other States have shown lower teen crash rates after implementing a passenger restriction for teen drivers.

Mr. Speaker, I must emphasize that this legislation is not intended to replace good parenting. Parents with teen drivers know the facts and they know that inexperience and distractions can be deadly.

Many people view this legislation as unnecessary, but to me and to the hundreds of thousands of parents of teen drivers – or soon-to-be young drivers – this bill offers a way for parents to say "no."

For the first time, this bill provides legal standing and backs up parents who say that for the first 6 months of having a license, their teen driver cannot take a carload of friends to the pizzeria after a football game. Why? Because the distraction is too great for a new driver.

This bill allows a police officer – for the first time – to pull over a teen driver if the officer suspects the driver, or any passenger he or she believes to be under the age of 18, is not buckled up. Why? Because statistics have shown that 50 percent of those new drivers killed in a traffic crash die because they are unbuckled and ejected from the vehicle.

And for the first time, this bill requires that before a permit holder can take his or her license, he or she must have at least 15 hours of behind-the-wheel training at night and during inclement weather. Why? Because statistics have shown that a disproportionate share of crashes for that age group occur at night or during inclement weather because of a lack of driver experience.

According to a poll commissioned by Allstate Insurance earlier this year, nearly one in two of those responding to the poll – or 49 percent – believe that accidents from distracted drivers are the single biggest threat to public safety on our roads and highways today, far ahead of any other issue tested like drunk driving, speeding, or increased motorist and truck traffic.

This proves that Pennsylvanians are clearly concerned about the kinds of things this legislation seeks to address, including limiting the number of teen passengers to a vehicle as a way to improve a teen driver's concentration and focus when behind the wheel.

According to the poll, 58 percent believe State government needs to implement tougher laws to reduce the number of accidents and deaths caused by teen drivers, while only 34 percent believe the current laws are adequate.

The fact that 58 percent believe we should implement tougher laws to reduce accidents caused by teen drivers is worth mentioning because it is a clear majority and enjoys fairly broad-based support across the Commonwealth.

An overwhelming 75 percent of Pennsylvanians support passage of a new law instituting passenger limits similar to the high number of States that have already moved in this direction.

This strongly suggests most believe this type of law is reasonable, appropriate, and will go a long way toward helping reduce the risk of accidents involving teen drivers here in the Commonwealth.

Mr. Speaker, I would mention a concern I have expressed previously with the Senate's amended language. Although I am pleased this legislation contains a one-passenger limit for teens during their first 6 months of being licensed, I have concern that police officers may not be able to determine, just from seeing a car with a teen driver go past, how long that driver has had his or her license. However, I am reassured that the Senate's addition of a biennial report on how the implementation of this legislation is working will provide good statistical data which will tell us if any revisions to its language need to be made.

Mr. Speaker, this legislation represents a coordinated effort between the House and the Senate to see that our teens are safer on Pennsylvania's roadways, to give parents the support they need to keep their teens, their passengers, and other motorists safe.

I encourage every member of this chamber to cast an affirmative vote on this important piece of public safety legislation. Thank you.

## FILMING PERMISSION

The SPEAKER. The Speaker grants permission to Mark Pynes of the Patriot-News for the purpose of taking still photos on the floor of the House during debate on SB 1151.

## SUPPLEMENTAL CALENDAR A

### BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 1151, PN 1605**, entitled:

An Act amending the act of July 10, 1987 (P.L.246, No.47), known as the Municipalities Financial Recovery Act, further providing for purpose and legislative intent; providing for fiscal emergencies in third class cities and for receivership for third class cities; and making editorial changes.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

For the information of the members, by rule we cannot vote this bill until 2:38; however, I was going to call it up and if there was any debate on it, we could dispense with, you know, work our way through that, and then if someone wanted to exercise the motion to proceed, we could expedite that if that is of the members' choosing.

So the question before the House is, shall the bill pass finally?

**MOTION TO PROCEED TO CONSIDERATION  
UNDER RULE 24**

The SPEAKER. Is the gentleman, the majority leader, Mr. Turzai, seeking recognition on the bill?

Mr. TURZAI. Yes, sir.

Sir, just assuming that there is no debate – if anybody does have debate, please, I will defer – but I will move to proceed on SB 1151 so that we can move forward on this important piece of legislation. As I said, if anybody does wish to have a floor remark with respect to this bill, I will defer on this motion, but I am prepared to do the motion to proceed, sir.

The SPEAKER. Pursuant to our rules, the majority leader has moved to move the motion to proceed, which requires a two-thirds vote.

The question before the House is, shall the House proceed to a vote on SB 1151?

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

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

Mr. DERMODY. Thank you, Mr. Speaker.

Mr. Speaker, I also urge the members to support the motion to proceed. Thank you.

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

The following roll call was recorded:

**YEAS—181**

Adolph	Dunbar	Kirkland	Reed
Aument	Ellis	Knowles	Reese
Baker	Evankovich	Kotik	Reichley
Barbin	Evans, D.	Krieger	Roae
Bear	Evans, J.	Kula	Rock
Benninghoff	Everett	Longietti	Roebuck
Bishop	Fabrizio	Maher	Ross
Bloom	Farry	Major	Sabatina
Boback	Fleck	Maloney	Saccone
Boyd	Frankel	Markosek	Sainato
Boyle, B.	Freeman	Marshall	Santarsiero
Boyle, K.	Gabler	Marsico	Santoni
Brennan	Geist	Masser	Saylor
Brooks	George	Matzie	Scavello
Brown, R.	Gergely	McGeehan	Schroder

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

**NAYS—13**

Bradford	Emrick	Lawrence	Mullery
Briggs	Galloway	Metzgar	Samuelson
Cutler	Grell	Milne	Shapiro
DePasquale			

**NOT VOTING—0**

**EXCUSED—9**

Barrar	Kortz	Mann	Quinn
Gerber	Mahoney	O'Brien, D.	Wheatley
Godshall			

A majority of the members required by the rules having voted in the affirmative, the question was determined in the affirmative and the motion was agreed to.

On the question recurring,  
Shall the bill pass finally?

The SPEAKER. For the information of the members, when a motion to proceed is used, that does not shut off any debate, in case there was some confusion. It is not the same as moving the previous question that shuts off debate. We are free to debate this bill until the cows come home if you want. Just wanted to clarify that. I just wanted to clarify that, just the way something was said, I was afraid it might have led to a misconception that we were immediately going to a vote on this.

On the question recurring,  
Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—185

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

NAYS—9

Bradford	Freeman	Krieger	Samuelson
DePasquale	Kavulich	Metzgar	Shapiro
Emrick			

NOT VOTING—0

EXCUSED—9

Barrar	Kortz	Mann	Quinn
Gerber	Mahoney	O'Brien, D.	Wheatley
Godshall			

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.

**STATEMENT BY MR. GRELL**

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

Mr. GRELL. Thank you, Mr. Speaker.

I did most of my talking yesterday, so I just want to take this opportunity to thank all of my colleagues for this broad bipartisan support of this amendment. I especially want to thank Chairman Ross, Chairman Marsico, and Representative Buxton for their assistance in crafting this legislation, the amendment, and enabling it to move through the House very promptly.

Also, I want to thank Christine Goldbeck from the Urban Affairs Committee for yeoman's work over the course of the summer in getting this bill ready.

Finally, I want to thank Senator Piccola's office and the Governor's Office also for their assistance.

I think this legislation and the vote today sends a strong message to the elected leaders of Harrisburg and any other distressed city that part of Act 47 assistance is an obligation on the part of the elected officials to implement a recovery plan.

Be assured that we did not take this action lightly, and we certainly hope that the elected officials in Harrisburg and elsewhere in similar circumstances will move to determine their own destiny and avoid a receiver by adopting a recovery plan.

I appreciate the support of my amendment yesterday and final passage of the bill today. Thank you, Mr. Speaker.

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

**BILL SIGNED BY SPEAKER**

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

**HB 9, PN 2179**

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for junior driver's license, for learners' permits, for suspension of operating privilege, for department to compile, tabulate and analyze accident reports and for restraint systems.

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

**BILLS RECOMMITTED**

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

HB 823;  
HB 1192;  
HB 1236;  
HB 1237;  
HB 1438;  
HB 1582;  
HB 1610; and  
SB 389.

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 210;  
HB 1294; and  
HB 1349.

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

#### **RESOLUTION REMOVED FROM UNCONTESTED CALENDAR**

The SPEAKER. The Speaker states for the record that HR 399 should be removed from the uncontested calendar and referred to the active calendar.

#### **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. Bloom, from Cumberland County, who moves that this House do adjourn until Monday, October 3, 2011, at 1 p.m., e.d.t., unless sooner recalled by the Speaker.

On the question,  
Will the House agree to the motion?  
Motion was agreed to, and at 1:17 p.m., e.d.t., the House adjourned.