

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

WEDNESDAY, NOVEMBER 2, 2011

SESSION OF 2011

195TH OF THE GENERAL ASSEMBLY

No. 72

HOUSE OF REPRESENTATIVES

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

THE SPEAKER (SAMUEL H. SMITH) PRESIDING

PRAYER

The SPEAKER. This morning the prayer will be offered by the Reverend Ronald Brock, Peniel Praise Community Church, Johnstown, PA. Reverend Brock was formerly a Chaplain to the Tennessee House of Representatives.

REV. RONALD BROCK, Guest Chaplain of the House of Representatives, offered the following prayer:

Let us pray:

Our Father which art in heaven, we come before You on this brisk, magnificent, and beautiful fall day to humbly thank You for Your unmerited favor, undying love, and endless mercy that is new every morning. We thank You for America, the land of the free and the home of the brave. We thank You for our State, Pennsylvania, and the fact that our home is the very cradle of democracy and the Constitution. We thank You for our troops who serve at home and overseas, especially the men and women who have sacrificed so much in Iraq and Afghanistan. We pray for their safety and soon return home to their respective families and loved ones.

I pray today for Pennsylvania's House of Representatives – the leaders, the legislators, and the lawmakers. I thank You for these patriots who have decided, before there are any discussions, debates, or decisions, they have elected to pause and ask direction and guidance from You, Almighty God, and Your son, who is the savior of the world. Thank You from the bottom of my heart. 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, November 1, 2011, will be postponed until printed.

ANNOUNCEMENT BY SPEAKER

The SPEAKER. The Speaker gives permission to the Finance Committee to continue their meeting, and consequently, there will be no recorded votes on the floor of the House until that meeting is concluded.

BILLS REPORTED FROM COMMITTEES, CONSIDERED FIRST TIME, AND TABLED

HB 63, PN 2699 (Amended)

By Rep. STERN

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in snowmobiles and all-terrain vehicles, further providing for registration of snowmobile or ATV, for certificate of title for snowmobile or ATV, for fees and for records; and providing for vintage snowmobile permits.

TOURISM AND RECREATIONAL DEVELOPMENT.

HB 120, PN 2692 (Amended)

By Rep. SCHRODER

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

GAMING OVERSIGHT.

HB 121, PN 2693 (Amended)

By Rep. SCHRODER

An Act amending Title 4 (Amusements) of the Pennsylvania Consolidated Statutes, further providing for general and specific powers; and providing for child endangerment protection.

GAMING OVERSIGHT.

HB 169, PN 2694 (Amended)

By Rep. SCHRODER

An Act amending the act of December 19, 1988 (P.L.1262, No.156), known as the Local Option Small Games of Chance Act, further providing for legislative intent, for definitions, for games of chance permitted and for prize limits, for limits on sales, for distributor licenses, for registration of manufacturers, for regulations, for licensing of eligible organizations and for special permits; providing for club licensees; further providing for revocation of licenses, for local option, for advertising and for penalties; and making editorial changes.

GAMING OVERSIGHT.

HB 415, PN 2695 (Amended)

By Rep. ROSS

An Act amending the act of June 27, 2006 (1st Sp.Sess., P.L.1873, No.1), known as the Taxpayer Relief Act, in senior citizen property tax and rent rebate assistance, prohibiting certain use of rent rebates.

URBAN AFFAIRS.

HB 1526, PN 2696 (Amended)

By Rep. ROSS

An Act amending the act of April 6, 1951 (P.L.69, No.20), known as The Landlord and Tenant Act of 1951, providing for death of a tenant.

URBAN AFFAIRS.

HB 1749, PN 2238

By Rep. STERN

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

TOURISM AND RECREATIONAL DEVELOPMENT.

HB 1884, PN 2450

By Rep. METCALFE

An Act authorizing the Department of General Services, with the approval of the Department of Military and Veterans Affairs and the Governor, to grant and convey to the Borough of Tyrone certain land and improvements situate in the Borough of Tyrone, Blair County, known as the Tyrone Armory.

STATE GOVERNMENT.

HOUSE BILLS INTRODUCED AND REFERRED

No. 1891 By Representatives MARSICO, AUMENT, BRENNAN, CREIGHTON, DENLINGER, ELLIS, GERGELY, GINGRICH, GROVE, HACKETT, HARHART, HEFFLEY, KAUFFMAN, M. K. KELLER, KILLION, KULA, MILLER, MURT, MUSTIO, READSHAW, ROEBUCK, SABATINA, SONNEY, STERN, STEVENSON, SWANGER, TOEPEL, WATERS and YOUNGBLOOD

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for bowling center operator civil immunity.

Referred to Committee on JUDICIARY, November 2, 2011.

No. 1959 By Representatives CALTAGIRONE, MURPHY, GEORGE, BISHOP, BOBACK, V. BROWN, COHEN, DALEY, DONATUCCI, EVERETT, HARKINS, HORNAMAN, JOSEPHS, MAHONEY, MANN, SCHRODER, THOMAS, YOUNGBLOOD, QUINN and DeWEESE

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, in rates and ratemaking, providing for service outages by electric utilities.

Referred to Committee on CONSUMER AFFAIRS, November 2, 2011.

SENATE BILL FOR CONCURRENCE

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

SB 1095, PN 1736

Referred to Committee on AGING AND OLDER ADULT SERVICES, November 2, 2011.

LEAVES OF ABSENCE

The SPEAKER. Are there requests for leaves of absence?

The Speaker recognizes the majority whip, who requests a leave of absence for the gentleman, Mr. MICOZZIE, from Delaware County for the day; the gentleman, Mr. KILLION, from Delaware County for the day; and the gentleman, Mr. Dennis O'BRIEN, from Philadelphia 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. MAHONEY, from Fayette County for the day; the gentleman, Mr. Dwight EVANS, from Philadelphia County for the day; the gentleman, Mr. JOHNSON, from Philadelphia County for the day; and the gentleman, Mr. DALEY, from Washington 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	Dunbar	Kortz	Readshaw
Aument	Ellis	Kotik	Reed
Baker	Emrick	Krieger	Reese
Barbin	Evankovich	Kula	Reichley
Barrar	Evans, J.	Lawrence	Roae
Bear	Everett	Longietti	Rock
Benninghoff	Fabrizio	Maher	Roebuck
Bishop	Farry	Major	Ross
Bloom	Fleck	Maloney	Sabatina
Boback	Frankel	Mann	Saccione
Boyd	Freeman	Markosek	Sainato
Boyle, B.	Gabler	Marshall	Samuelson
Boyle, K.	Galloway	Marsico	Santarsiero
Bradford	Geist	Masser	Santoni
Brennan	George	Matzie	Saylor
Briggs	Gerber	McGeehan	Scavello
Brooks	Gergely	Metcalfe	Schroder
Brown, R.	Gibbons	Metzgar	Shapiro
Brown, V.	Gillen	Miccarelli	Simmons
Brownlee	Gillespie	Millard	Smith, K.
Burns	Gingrich	Miller	Smith, M.
Buxton	Godshall	Milne	Sonney
Caltagirone	Goodman	Mirabito	Staback
Carroll	Grell	Moul	Stephens
Causer	Grove	Mullery	Stern
Christiana	Hackett	Mundy	Stevenson
Clymer	Hahn	Murphy	Sturla
Cohen	Haluska	Murt	Swanger
Conklin	Hanna	Mustio	Tallman
Costa, D.	Harhai	Myers	Taylor
Costa, P.	Harhart	Neuman	Thomas
Cox	Harkins	O'Brien, M.	Tobash
Creighton	Harper	O'Neill	Toepel
Cruz	Harris	Oberlander	Toohil
Culver	Heffley	Parker	Truitt
Curry	Helm	Pashinski	Turzai
Cutler	Hennessey	Payne	Vereb
Davidson	Hess	Payton	Vitali
Davis	Hickernell	Peifer	Vulakovich
Day	Hornaman	Perry	Wagner
Deasy	Hutchinson	Petrarca	Waters
DeLissio	Josephs	Petri	Watson
DeLozier	Kampf	Pickett	Wheatley
DeLuca	Kauffman	Preston	White

Denlinger	Kavulich	Pyle	Williams
DePasquale	Keller, F.	Quigley	Youngblood
Dermody	Keller, M.K.	Quinn	
DeWeese	Keller, W.	Rapp	Smith, S.,
DiGirolamo	Kirkland	Ravenstahl	Speaker
Donatucci	Knowles		

ADDITIONS—0

NOT VOTING—0

EXCUSED—7

Daley	Johnson	Mahoney	O'Brien, D.
Evans, D.	Killion	Micozzie	

LEAVES ADDED—1

Samuelson

LEAVES CANCELED—1

Samuelson

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

GUESTS INTRODUCED

The SPEAKER. If I could have the members' attention, I wanted to introduce a few of the guests that are with us.

The first two guests are seated here to the left of the Speaker – Larry Scott and Rodney Hatfield. They are guests of Representative Barbin, and they are traveling with our Guest Chaplain today. So welcome to the hall of the House, gentlemen.

Also over to the left of the rostrum, we would welcome Ben Simon. He is a senior at Fox Chapel High School, and today he is shadowing Representative Turzai for the day. Welcome to the hall of the House.

And as guests of Representative Todd Stephens, we have the Keith Valley Middle School enrichment students. They are up in the gallery. Give us a wave. Welcome to the hall of the House.

BILL REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

HB 1950, PN 2689

By Rep. BENNINGHOFF

An Act amending Titles 27 (Environmental Resources) and 58 (Oil and Gas) of the Pennsylvania Consolidated Statutes, requiring rents and royalties from oil and gas leases of Commonwealth land to be placed in a special fund to be used for conservation, recreation, dams, flood control and certain interfund transfers; authorizing the Secretary of Conservation and Natural Resources to determine the need for and location of such projects and to acquire the necessary land; providing for interfund transfers; authorizing counties to impose and collect an unconventional gas well impact fee; providing for distribution of fees and for the Oil and Gas Lease Fund; consolidating the Oil and Gas Act; and repealing an act relating to the establishment of the Oil and Gas Lease Fund and the Oil and Gas Act.

FINANCE.

The SPEAKER. The House will come to order.

UNCONTESTED CALENDAR

RESOLUTIONS PURSUANT TO RULE 35

Mr. READSHAW called up **HR 419, PN 2442**, entitled:

A Resolution designating the week of November 13, 2011, as "American Education Week" in Pennsylvania.

* * *

Mr. READSHAW called up **HR 420, PN 2443**, entitled:

A Resolution recognizing the week of November 13, 2011, as "Hunger and Homelessness Awareness Week" in Pennsylvania.

* * *

Mr. BEAR called up **HR 493, PN 2679**, entitled:

A Resolution honoring all Pennsylvania veterans who served during war and peace on the occasion of Veterans Day, November 11, 2011.

* * *

Mr. WHEATLEY called up **HR 494, PN 2680**, entitled:

A Resolution recognizing the Montford Point Marines, who were the first African-American Marines in the United States, for receiving the Congressional Gold Medal.

* * *

Mr. MILLER called up **HR 495, PN 2681**, entitled:

A Resolution designating the week of November 14 through 18, 2011, as "Juvenile Detention Centers Week" in Pennsylvania.

On the question,
Will the House adopt the resolutions?

The following roll call was recorded:

YEAS—196

Adolph	Dunbar	Kortz	Readshaw
Aument	Ellis	Kotik	Reed
Baker	Emrick	Krieger	Reese
Barbin	Evankovich	Kula	Reichley
Barrar	Evans, J.	Lawrence	Roae
Bear	Everett	Longietti	Rock
Benninghoff	Fabrizio	Maher	Roebuck
Bishop	Farry	Major	Ross
Bloom	Fleck	Maloney	Sabatina
Boback	Frankel	Mann	Saccone
Boyd	Freeman	Markosek	Sainato
Boyle, B.	Gabler	Marshall	Samuelson
Boyle, K.	Galloway	Marsico	Santarsiero
Bradford	Geist	Masser	Santoni
Brennan	George	Matzie	Saylor
Briggs	Gerber	McGeehan	Scavello
Brooks	Gergely	Metcalfe	Schroder
Brown, R.	Gibbons	Metzgar	Shapiro
Brown, V.	Gillen	Miccarelli	Simmons
Brownlee	Gillespie	Millard	Smith, K.
Burns	Gingrich	Miller	Smith, M.
Buxton	Godshall	Milne	Sonney
Caltagirone	Goodman	Mirabito	Staback
Carroll	Grell	Moul	Stephens

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

NAYS—0

NOT VOTING—0

EXCUSED—7

Daley	Johnson	Mahoney	O'Brien, D.
Evans, D.	Killion	Micozzie	

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

The SPEAKER. The House will please come to order. The members will please take their seats. Hold the conversations down.

STATEMENT BY MR. BARRAR

The SPEAKER. The Speaker recognizes the gentleman from Delaware County, Mr. Barrar, under unanimous consent.

Mr. BARRAR. Thank you, Mr. Speaker.

Mr. Speaker, I wanted to call the members' attention to several of the resolutions that were just passed. One of the resolutions that we just did is the Veterans Day resolution for November 11, and that is a resolution thanking the veterans for their service to our country. Another one of the resolutions we did was Pearl Harbor Remembrance Day, and yesterday we did the Marine Corps, the celebration of the Marine Corps birthday resolution.

I was wondering, Mr. Speaker, if it would be proper to ask all our veterans in the House to please stand and be recognized and thanked by the House.

The SPEAKER. I think we can do that.

If we would have all the members please take their seats. I have to get them in their seats first. Will the members please take their seats.

The gentleman from Delaware County, in recognition of Veterans Day, essentially, wanted us to recognize our veterans that are among the members of the House. So would all veterans please rise.

(All veterans stood.)

Mr. BARRAR. May I make additional comments?

The SPEAKER. The gentleman, Mr. Barrar, may continue.

Mr. BARRAR. Mr. Speaker, this is such an important day, being a veteran, for me that we recognize them. So many times I have sat on this floor and watched other members bring veterans into this group that had been wounded and we have honored so many of our soldiers who have given so much to us, who have given their lives, and I just wanted to make sure that this holiday does not pass without at least a moment of reflection upon their service and the proud tradition we have in this House of honoring all our veterans that have given us so much.

All we have here is only possible because of what our soldiers, our military have done for us. Our rights that are protected are all because of the veteran, and I want to say thank you to all the veterans in the Commonwealth of Pennsylvania and our great nation.

Thank you, Mr. Speaker.

The SPEAKER. The Speaker thanks the gentleman.

STATEMENT BY MR. BARBIN

The SPEAKER. The Speaker recognizes the gentleman from Cambria County, Mr. Barbin, under unanimous consent.

Mr. BARBIN. Thank you, Mr. Speaker.

I would like to also join in congratulating the maker of the resolution on this tribute to all of our veterans who have served.

And I also would like to specifically point out that in the last session our recently retired chairman of the Veterans Affairs Committee, Anthony Melio, was a member of the Navy and had sponsored this resolution in the past. So to Chairman Melio, you are gone, but you are not forgotten.

The SPEAKER. The Speaker thanks the gentleman.

STATEMENT BY MR. WHEATLEY

The SPEAKER. The Speaker recognizes the gentleman from Allegheny County, Mr. Wheatley, under unanimous consent.

Mr. WHEATLEY. Thank you, Mr. Speaker.

November 10, 1775, was the start of a great, great organization of fighting men and women.

Today I stand here as a former active-duty Marine, but more importantly, I stand here as a benefactor to men and women who have sacrificed so much for our country and for so many years have gone unrecognized and unhonored. Today with your help, we did recognize some men, with our HR 494, who served as my predecessors, who opened up the doors for me and men and women like me to become Marines.

Because of their commitment and dedication, I am proud to stand here before you and to actually be a part of recognizing the men from Montford Point, who were recently honored by receiving this nation's great, highest civilian award, the

Congressional Gold Medal, for their service. These warrior soldiers, known as the Montford Point Marines of World War II, simultaneously were acknowledged and celebrated.

On June 25, 1941, President Franklin D. Roosevelt issued an Executive order establishing the Fair Employment Practices Commission, which opened the doors for African-Americans to join our military forces. In 1941 these men joined the United States Marine Corps and were stationed on Camp Lejeune. Camp Lejeune, the same place 50 years later, almost 50 years later, is where I was honored and had the privilege of serving. When they arrived in Camp Lejeune, unable to serve with their counterparts in the regular base camp of Camp Lejeune, they were put into a camp, Montford, the Montford Point Marines; 19,000 men came through Montford. They sacrificed, they faced enormous, enormous amounts of racism and physical endurance, but they stayed fast, they endured because they were committed to the same principle that I and other Marines who joined to serve were committed to, that was the honor and our commitment to uphold the standards of this country.

Montford Point was closed in 1949 and was later renamed "Camp Johnson" after one of our trainees, who eventually had gone on and distinguished himself in service, Sgt. Maj. Gilbert "Hashmark" Johnson.

Pennsylvania also had many men who came through Montford Point. Some of the few included Edgar Huff of the 16th Platoon, who was one of the very first recruits at Montford Point; Kenneth W. Reed from Philadelphia, who first served in the Army and then later joined the United States Marines at Montford; Dale R. Wright, who served in the Central Pacific Theater during World War II and was honorably discharged as a staff sergeant. These men served our country with honor and determination and dedication, continuing to show and prove for men and women like myself that no matter what you are confronted with, no matter what the obstacles and challenges may be, you can, you must, and you will succeed.

Now, I had a lengthy speech that I was going to say to you today, but I cannot, because for me this has very significant, has very significant importance, because every now and again I question why in fact I do what I do and what are the end results. And I know I am not the only one who does this, but it is because of the legacy of men like those who served at Montford Point and it is because of what I think the Marine Corps did for a young, energetic, but very much undisciplined individual like me that I carry the torch. And I think I have the obligation to not only you out there but the citizens of this Commonwealth, that we are here to do more than just promote ourselves. We are here to promote this country and its values, and it is every day when I am reminded about the sacrifices of people like these that it reignites a fire in me.

And so with that being said, I want to leave you with this, and my friend, Bill, I think you said it a little bit yesterday. I missed the dedication in honor of the Marine Corps birthday, but in honor of the Marine Corps birthday – I did run in the Marine Corps Marathon, and while I was there, again the fire was lit, the same one that was lit in me when I joined the corps – and because of that, I am going to leave you with this first stanza of the Marine Corps Hymn. Now, my friend in the back, Kirkland, advised me not to sing to you all because I cannot sing, but this is heartfelt, and I believe these words resonated in these men from Montford Point, and they resonate in every man and woman who comes through the halls of our doors and who are honored and privileged to serve under our banner.

From the Halls of Montezuma
To the Shores of Tripoli;
We fight our country's battles
In the air, on land and sea;
First to fight for right and freedom
And to keep our honor clean;
We are proud to claim the title
of United States Marine.

Oorah!

STATEMENT BY MR. GEIST

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

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

We all over here can hardly wait to hear Representative Readshaw's version.

The SPEAKER. We cannot say that the gentleman, Mr. Wheatley, is not courageous.

STATEMENT BY MR. MICCARELLI

The SPEAKER. The gentleman from Delaware County, Mr. Miccarelli, is recognized under unanimous consent.

Mr. MICCARELLI. Thank you, Mr. Speaker.

I would just like to make some remarks on the resolution that was just passed.

I would like to thank you, Mr. Speaker, and I also would like to thank the chairman of the Veterans Affairs Committee, the gentleman from Delaware County, for his fine words, and I think I can speak for everyone when we thank Representative Wheatley for that fine rendition of our sister service's hymn.

Since the beginning of hostilities in Afghanistan in 2001, the American public has supported our troops in a way not seen since World War II. Due to the changing nature of the conflicts we find ourselves in, ticker-tape parades have been replaced with welcome home parties with family, friends, and neighbors at our local VFWs (Veterans of Foreign Wars) and American Legions. I attend every party I can, Mr. Speaker, and I am proud to say that Delaware County has an extremely high number of veterans. Mr. Speaker, each of us in this House has been to a welcome home party for a veteran. Many of them are attended by our cops and our fire companies, themselves heroes making time for someone else who has done so much.

Another group we often see at these welcome home celebrations are a group of people who in the 1960s and 1970s came home to a very different country. Our Vietnam veterans did not come home to the public celebrations, and many were often too nervous to even wear their own uniforms. But in 2006 when my unit arrived home from Iraq, our unit got off the plane to find many of those same veterans forming two rows of American flags marking the path for our few steps back on American soil.

Largely through the efforts of these Vietnam veterans, our country is different today. The public is in strong support of our troops, and they want us, as their elected officials, to make sure that our troops and our veterans are given opportunities to succeed when they come home. They want us to make sure that our troops and our veterans are compensated fairly at home and abroad for the hard work that they put in.

Our National Guard in Pennsylvania is our force, Mr. Speaker. In Iraq and Afghanistan, the Pennsylvania National Guard was there. Through the storms in our Commonwealth, the Pennsylvania National Guard was there. However, Mr. Speaker, as we stand here today and praise our veterans, we do so knowing that there has not been a minimum pay increase for our guardsmen on State active duty since 1996. We need to fix that, Mr. Speaker.

If you ask any veteran what is the most important thing to him or her, they will undoubtedly tell you one of two things – their country comes first, and their fellow troops always. Today we must not only recognize what our troops have done, Mr. Speaker, but what they continue to do for each and every one of us. Thank you.

The SPEAKER. The Speaker thanks the gentleman.

CALENDAR

RESOLUTION PURSUANT TO RULE 35

Mr. PETRI called up **HR 443, PN 2514**, entitled:

A Resolution honoring Master Sergeant Kenneth B. Elwell, of Bucks County, who was killed in Afghanistan on July 17, 2011.

On the question,
Will the House adopt the resolution?

The SPEAKER. On that question, the Speaker recognizes the gentleman, Mr. Petri, from Bucks County.

Mr. PETRI. Mr. Speaker, I am very proud that an institution like the House of Representatives in Pennsylvania would take the time, important time, to honor our veterans. I was up at this mike once before, and like all of you regretted having to do it, and here I am a second time.

Nonetheless, I do think it is important, whether our families of fallen soldiers can be here or not, that we place their names into the record as a lasting tribute to their service to our fine and wonderful country.

Mr. Speaker, members of the House, and honored guests, I rise in honor and in memory of yet another proud serviceman who has made the ultimate sacrifice in service to our country. First Sgt. Kenneth B. Elwell of Holland, Bucks County, Pennsylvania, was a member of the 21st Infantry Regiment, 1st Stryker Brigade Combat Team, 25th Infantry Division, stationed in Fort Wainwright, Alaska. He was killed on July 17, 2011, in Kandahar Province, Afghanistan, when his unit came under attack by enemy forces. He was 33 years of age, far too young.

Elwell was a 1997 graduate of Council Rock High School where he was an outstanding soccer player. He played for the Ukrainian Nationals Team, Fox Chase and Northampton Soccer Clubs.

Upon graduation he fulfilled his lifelong dream of entering the U.S. Army. During his 14-year military career, he served in Bosnia, South Korea, and then 2 years in Iraq, and then his final tour of duty in Afghanistan.

To date, Mr. Speaker, more than 6200 U.S. servicemen and servicewomen have given their lives in Iraq and Afghanistan. Each one leaves behind loved ones whose lives will never be the same upon learning that their husband, wife, father, mother, son, or daughter will not be returning to them. Yes, these

families sacrifice, too, and we should give remembrance to them. Their loss is immeasurable and lasts a lifetime.

First Sgt. Kenneth Elwell leaves behind a wife of 9 years, Kristen Mirabella Elwell; and their two children, Elise and Nickolas. Elwell is also survived by his mother, Janice Smith Elwell; his brothers, Michael, Mahlon, and Scott; his sister, Susan; an uncle; nieces; nephews; and cousins.

Please join me in honoring this proud and selfless soldier who gave all that he had in order that we may live in peace. I ask for your support of HR 443. Thank you.

The SPEAKER. Members and all guests will please rise as a sign of respect for our fallen soldier and in a moment of prayer for his family and friends.

(Whereupon, the members of the House and all visitors stood in a moment of silence in solemn respect to the memory of M. Sgt. Kenneth B. Elwell.)

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

The following roll call was recorded:

YEAS—196

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

Dermody	Keller, M.K.	Quinn	
DeWeese	Keller, W.	Rapp	Smith, S.,
DiGirolamo	Kirkland	Ravenstahl	Speaker
Donatucci	Knowles		

NAYS—0

NOT VOTING—0

EXCUSED—7

Daley	Johnson	Mahoney	O'Brien, D.
Evans, D.	Killion	Micozzie	

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

APPROPRIATIONS COMMITTEE MEETING

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

Mr. ADOLPH. Thank you, Mr. Speaker.

Mr. Speaker, I would like to call a meeting of the House Appropriations Committee in the majority caucus room at the break. Thank you.

The SPEAKER. The Appropriations Committee will meet in the majority caucus room at the break.

REPUBLICAN CAUCUS

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

Ms. MAJOR. Thank you, Mr. Speaker.

I would like to announce that Republicans will caucus at 12 noon. I would ask our Republican members to please report to the caucus room at noon, and we would be prepared to come back to the floor at 1 o'clock. Thank you.

DEMOCRATIC CAUCUS

The SPEAKER. The Speaker recognizes the gentleman from Allegheny County, Mr. Frankel, for a caucus announcement.

Mr. FRANKEL. Thank you, Mr. Speaker.

Democrats will caucus at 12 o'clock; Democrats will caucus at 12 noon. Thank you.

RECESS

The SPEAKER. This House stands in recess until 1 p.m., unless sooner recalled by the Speaker.

AFTER RECESS

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

BILLS REREPORTED FROM COMMITTEE

HB 298, PN 1815

By Rep. ADOLPH

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, providing for autopsies.

APPROPRIATIONS.

HB 1503, PN 2690

By Rep. ADOLPH

An Act amending Title 12 (Commerce and Trade) of the Pennsylvania Consolidated Statutes, providing for an angel investment tax credit.

APPROPRIATIONS.

HOUSE BILLS INTRODUCED AND REFERRED

No. 1915 By Representatives BOBACK, BAKER, CALTAGIRONE, CARROLL, D. COSTA, EVERETT, FARRY, GINGRICH, MAJOR, MANN, MILLARD, MULLERY, MUNDY, MYERS, PICKETT, SCAVELLO, CULVER, TOOHIL, VULAKOVICH and YOUNGBLOOD

An Act providing for the adoption of capital projects related to the repair, rehabilitation or replacement of highway bridges and for the adoption of specific flood mitigation projects or disaster assistance projects to be financed from debt incurred under clause (1) of subsection (a) of section 7 of Article VIII of the Constitution of Pennsylvania.

Referred to Committee on TRANSPORTATION, November 2, 2011.

No. 1958 By Representatives MARSICO, CALTAGIRONE, STEPHENS, DePASQUALE, S. H. SMITH, TURZAI, SAYLOR, MAJOR, VEREB, ADOLPH, STEVENSON, REED, MANN, AUMENT, BAKER, BARBIN, BENNINGHOFF, BISHOP, BOBACK, BOYD, B. BOYLE, BRADFORD, BRIGGS, BROOKS, R. BROWN, CARROLL, CAUSER, CHRISTIANA, CLYMER, D. COSTA, CREIGHTON, CUTLER, DAVIS, DAY, DEASY, DELOZIER, DENLINGER, DiGIROLAMO, DONATUCCI, ELLIS, EMRICK, EVANKOVICH, J. EVANS, EVERETT, FABRIZIO, GABLER, GEIST, GIBBONS, GILLESPIE, GINGRICH, GOODMAN, GRELL, GROVE, HACKETT, HAHN, HARHART, HARKINS, HARPER, HARRIS, HENNESSEY, HESS, HICKERNELL, KAUFFMAN, F. KELLER, M. K. KELLER, KILLION, KNOWLES, KORTZ, KRIEGER, KULA, LONGIETTI, MARSHALL, METCALFE, MICCARELLI, MICOZZIE, MILLARD, MILLER, MILNE, MOUL, MURPHY, MURT, OBERLANDER, O'NEILL, PARKER, PASHINSKI, PERRY, PETRARCA, PICKETT, PYLE, QUIGLEY, QUINN, RAPP, READSHAW, REESE, REICHLEY, ROCK, SABATINA, SACCONI, SAINATO, SANTARSIERO, SANTONI, SCAVELLO, CULVER, SCHRODER, SIMMONS, SONNEY, STERN, SWANGER, TAYLOR, TOEPEL, TOOHIL, VULAKOVICH and WATSON

An Act amending Titles 18 (Crimes and Offenses), 23 (Domestic Relations), 42 (Judiciary and Judicial Procedure), 44 (Law and Justice) and 61 (Prisons and Parole) of the Pennsylvania Consolidated Statutes, extensively revising provisions relating to registration of sexual offenders pursuant to Federal mandate; and making editorial changes.

Referred to Committee on JUDICIARY, November 2, 2011.

SENATE BILL FOR CONCURRENCE

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

SB 444, PN 1737

Referred to Committee on GAMING OVERSIGHT, November 2, 2011.

LEAVE OF ABSENCE

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

The members will please report to the floor.

The House will come to order.

CALENDAR CONTINUED

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 1343, PN 2575**, entitled:

An Act authorizing State-owned universities and the employees thereof to enter into certain agreements with affiliated entities; providing for doctoral degrees; and repealing the State College Faculty Compensation Law and other related laws.

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

Mr. **BAKER** offered the following amendment No. **A05986**:

Amend Bill, page 8, by inserting between lines 20 and 21
CHAPTER 9

FACULTY PROVISIONS

Section 901. College year and classifications.

(a) Pay periods.—

(1) Each person, regardless of the date of appointment, appointed to a position as an administrator or member of the faculty of a State university within the classifications stated in this section may be paid for services rendered during the regular nine month college year.

(2) Each person employed for the full nine-month college year may receive either 20 or 26 biweekly salary payments.

(3) In no case shall any faculty member receive more compensation in 26 pays than the faculty member would have received in 20 pays.

(4) Each person employed during any period beyond the

regular nine-month college year shall be paid at the same rate of compensation that the person received or would have been entitled to receive during the regular college year.

(b) List of classifications.—The classifications under subsection (a) shall be as follows:

(1) Professor qualifications, an earned doctor's degree, at least seven years of teaching experience.

(2) Associate professor qualifications, a minimum of an earned doctor's degree or a master's degree plus 40 semester hours of graduate credit or a total of 70 semester hours of graduate credit including a master's degree or all course work completed toward a doctorate as certified by the university where the work is being taken or equivalent experience, at least five years of teaching experience.

(3) Assistant professor qualifications, a minimum of master's degree plus ten semester hours of graduate credit or equivalent experience.

(4) Instructor qualifications, a minimum of bachelor's degree plus 15 semester hours of graduate credit.

(c) Considerations for classifications.—

(1) Graduate degrees and preparation to meet the classifications of this section must be earned in fields related to the service rendered to the university.

(2) Upon the recommendation of the president of a State university, the board may accept other education and experience qualifications than those mandated in this act for temporary appointments.

Section 902. Leaves of absence.

(a) Eligibility.—

(1) Upon recommendation of the president of a State-owned university, a leave of absence for a period not to exceed 18 college calendar weeks with full pay or a leave of absence for a period not to exceed 36 calendar weeks with half pay, for restoration of health, study, travel or other appropriate purposes, may be granted to any member of the faculty of any university which is part of the system who has completed seven or more years of satisfactory services as a member of the faculty of one or more universities in the system. Provided, that at least five consecutive years of such service shall have been rendered to the university from which the leave is sought.

(2) At the option of the employee, if the university operates on a system of units other than semesters, the employee may be granted a period corresponding to one or more units, within the previous restriction of total weeks.

(3) Leaves may be granted for any part of the calendar year.

(4) After completion of the requisite seven years, one leave of absence shall be allowed for each additional seven years of service upon recommendation and approval by the president of the State-owned university.

(5) Leaves shall be accumulated so that no one shall lose entitlement because of failure to use leave, but no one shall be entitled to use more than 36 weeks of accumulated leave in succession.

(6) The board may grant a leave of absence to other system employees on the same basis as faculty members, as defined in this act.

(b) Return to employment.—

(1) No leave of absence shall be granted unless the person agrees, in writing, to return to the person's employment with the university for a period of not less than one year immediately following the expiration of the leave of absence.

(2) The president of the State-owned university, with the approval of the chancellor, may waive the requirement to return to the university if both agree that it is in the best interest of the university to waive the requirement to return. The agreement to waive the requirement must be in writing and signed.

(c) Effect of leave of absence.—

(1) No such leave of absence shall be considered a termination or breach of the contract of employment and the person on leave of absence shall be returned to the same position he or she occupied prior thereto.

(2) Every employee, while on such leave of absence, shall be considered to be in regular full-time daily attendance in the position from which the leave was taken during the period of leave, for the purpose of determining the employee's length of service and the right to receive increments.

(3) Every person on leave of absence shall retain the right to make contributions as a member of either the State Employees' Retirement Fund or the Public School Employees' Retirement Fund and continue the person's membership in whichever system the person currently holds membership.

(d) Policies.—Each State-owned university shall have the right to make such policies as it may deem necessary to make sure that employees on leave shall utilize such leave properly for the purpose for which it was granted, requiring reports from the employee or employees on leave in such manner as it may deem necessary.

(e) Construction.—Nothing in this section shall be construed to prevent any person on leave of absence from receiving a grant for further study from any institution of learning other than the State-owned university by which employed.

Section 903. Faculty salaries in cases of sickness or death.

(a) Sickness.—

(1) In any college year, whenever a member of a faculty of any State-owned university is prevented by illness or accidental injury from following the member's occupation, during the regular college year, or at any other time when performing the member's duties as a faculty member, there shall be paid to the employee the full salary to which the employee may be entitled as if the employee were actually engaged in the performance of duty for a period of 15 days. Sundays, holidays and vacation periods shall not be counted as days lost.

(2) Such leave shall be cumulative from year to year but shall not exceed 90 days' leave with full pay in any one year.

(3) Notwithstanding provisions of paragraphs (1) and (2), no faculty member's salary shall be paid, if the accidental injury is incurred while the employee is engaged in remunerative work unrelated to school duties.

(4) Until such time as an employee has accumulated 90 days' leave, the provisions of this section shall not preclude the granting of additional sick leave by administrative action.

(b) Death.—Whenever a member of a faculty of any State-owned university shall be absent from duty because of a death in the immediate family of the employee, there shall be no deduction in salary of the employee for an absence not in excess of three days. Members of the immediate family shall consist of father, mother, brother, sister, son, daughter, husband, wife or parent-in-law and include any near relative who resides in the same household or any person with whom the employee resides.

(c) Payment of compensation.—All compensation required to be paid under the provisions of this section shall be paid to the employee in the same manner and at the same time the employee would have received the employee's salary if actually engaged in the performance of the employee's duties.

Section 904. Effect on existing arbitration awards.

The precedential effect of any arbitration award or opinion issued or pending prior to the effective date of this section pursuant to a collective bargaining agreement authorized by the act of July 23, 1970 (P.L.563, No.195), known as the Public Employee Relations Act, shall not be diminished, altered or in any manner limited by any repeal made in this act.

Amend Bill, page 8, line 21, by striking out "9" and inserting

11

Amend Bill, page 8, line 23, by striking out "901" and inserting 1101

Amend Bill, page 9, line 9, by striking out "902" and inserting 1102

On the question,

Will the House agree to the amendment?

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

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

Mr. Speaker, this is an agreed-to amendment between the State System of Higher Education and APSCUF (Association of Pennsylvania State College and University Faculties). We have worked long and hard to get this amendment in place and appreciate the bipartisan support of both sides of the aisle. 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 County, Mr. Hanna.

Mr. HANNA. Thank you, Mr. Speaker.

I rise to support the amendment. As indicated by Chairman Baker, it is an agreed-to amendment to a very important bill to the State System of Higher Education, and I urge a "yes" vote. Thank you, Mr. Speaker.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—195

Adolph	Dunbar	Knowles	Ravenstahl
Aument	Ellis	Kortz	Readshaw
Baker	Emrick	Kotik	Reed
Barbin	Evankovich	Krieger	Reese
Barrar	Evans, J.	Kula	Reichley
Bear	Everett	Lawrence	Roae
Benninghoff	Fabrizio	Longietti	Rock
Bishop	Farry	Maher	Roebuck
Bloom	Fleck	Major	Ross
Boback	Frankel	Maloney	Sabatina
Boyd	Freeman	Mann	Saccone
Boyle, B.	Gabler	Markosek	Sainato
Boyle, K.	Galloway	Marshall	Santarsiero
Bradford	Geist	Marsico	Santoni
Brennan	George	Masser	Saylor
Briggs	Gerber	Matzie	Scavello
Brooks	Gergely	McGeehan	Schroder
Brown, R.	Gibbons	Metcalfe	Shapiro
Brown, V.	Gillen	Metzgar	Simmons
Brownlee	Gillespie	Miccarelli	Smith, K.
Burns	Gingrich	Millard	Smith, M.
Buxton	Godshall	Miller	Sonney
Caltagirone	Goodman	Milne	Staback
Carroll	Grell	Mirabito	Stephens
Causer	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	Toohill
Culver	Heffley	Oberlander	Truitt
Curry	Helm	Parker	Turzai
Cutler	Hennessey	Pashinski	Vereb
Davidson	Hess	Payne	Vitali

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

NAYS—0

NOT VOTING—0

EXCUSED—8

Daley	Johnson	Mahoney	O'Brien, D.
Evans, D.	Killion	Micozzie	Samuelson

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 **SB 834, PN 1669**, 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?

The SPEAKER. It is the Speaker's understanding that the gentleman, Mr. Hanna, has withdrawn his amendment.

On the question recurring,

Will the House agree to the bill on second consideration?

Bill was agreed to.

* * *

The House proceeded to second consideration of **HB 1317, PN 1770**, entitled:

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, providing for electronic prior approval for Medicaid.

On the question,

Will the House agree to the bill on second consideration?

Mr. MYERS offered the following amendment No. **A05935**:

Amend Bill, page 1, line 12, by striking out "60" and inserting one hundred twenty

Amend Bill, page 1, line 13, by striking out "all" and inserting any

Amend Bill, page 1, line 14, by inserting after "drugs" where it occurs the first time requiring prior approval

On the question,

Will the House agree to the amendment?

The SPEAKER. On that question, the Speaker recognizes the gentleman from Philadelphia, Mr. Myers.

Mr. MYERS. Thank you, Mr. Speaker.

Mr. Speaker, I am going to withdraw this amendment.

Mr. Speaker, we have a number of amendments that we are going to withdraw, and we are just trying to get them in order.

The SPEAKER. The Speaker understands. I believe the gentleman from Lancaster is trying to get a clarification.

GUESTS INTRODUCED

The SPEAKER. While we have a moment, the Speaker would like to introduce a few special guests that are with us today. Seated in the back of the House is Edna George, Susan George, Candace George Lane, and David Wulderk, obviously family of Representative Bud George. Welcome to the hall of the House, and thank you for the pickle relish. They are here today because Representative George's granddaughter, Jordan Lane, is being sworn into the Pennsylvania Bar today. So congratulations to Jordan as well.

CONSIDERATION OF HB 1317 CONTINUED

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

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

Mr. MYERS. Which amendment do we have up?

The SPEAKER. The Speaker has already called up amendment A05935 and it has been read, although you were considering withdrawing and moving another amendment. The Speaker's understanding is that this is one of the amendments that you were going to continue to offer, so that amendment is before the House, 5935. That is the question before the House at this moment, and the gentleman from Philadelphia is recognized.

Mr. MYERS. Thank you, Mr. Speaker.

Mr. Speaker, this amendment simply helps clarify some of the intent of the public policy that we were addressing, which was making medical drugs available in some cases with prior authorization and in some cases without prior authorization, and we wanted to clarify when authorization was needed and by whom.

This is an agreed-upon amendment. And to that I would like to speak again like I did last week that when we decide to sit down and talk to one another and find out what our differences are and then work on the differences, we could come up with a good relationship, working bipartisan.

Last week it was us older guys. This week it is our younger colleague. But the mission, in the vernacular of the day, the important thing is to take the hill. We wanted to take the hill; therefore, we all were willing to do what we had to do to get a bipartisan agreement, which we have before us.

Mr. Speaker, I would ask that we vote affirmatively on A5935. 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 Lancaster County, Mr. Cutler.

Mr. CUTLER. Thank you, Mr. Speaker.

I would first like to thank the minority chairman for his passion and commitment to the issue. It certainly was a pleasure working with both him and the majority chairman in committee on this issue.

As he indicated, this is an agreed-to amendment. But I would be remiss if I did not also thank the gentleman from Allegheny County, who gave us that stirring song this morning. He has been integral in moving this bill forward, both last session and this session, and he was also working on this amendment. And I am proud to say that we did work in a bipartisan way and would appreciate the members' support on this amendment.

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

The following roll call was recorded:

YEAS—194

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

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

NAYS—1

Metzgar

NOT VOTING—0

EXCUSED—8

Daley	Johnson	Mahoney	O'Brien, D.
Evans, D.	Killion	Micozzie	Samuelson

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

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

Ms. **DeLISSIO** offered the following amendment
No. **A05937**:

Amend Bill, page 1, line 14, by striking out "Nonpreferred" and inserting

Preferred and nonpreferred

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

The SPEAKER. For the information of the members, that will be showing up on your system under the name of Representative Myers; however, the lady, Ms. DeLissio, is actually offering the amendment.

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

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

Ms. DeLISSIO. Thank you, Mr. Speaker.

This amendment is simply to clean up some language in the bill. Psychiatrists in this legislation are exempt. This language allows them to be exempt from preferred drugs as well as nonpreferred drugs.

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

On that question, the Speaker recognizes the gentleman from Lancaster, Mr. Cutler.

Mr. CUTLER. Thank you, Mr. Speaker.

Again, this is an agreed-to amendment. I would appreciate the members' support on it and appreciate the lady's and the

chairman's work on this issue as well and would appreciate an affirmative vote. Thank you.

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

The following roll call was recorded:

YEAS—195

Adolph	Dunbar	Knowles	Ravenstahl
Aument	Ellis	Kortz	Readshaw
Baker	Emrick	Kotik	Reed
Barbin	Evankovich	Krieger	Reese
Barrar	Evans, J.	Kula	Reichley
Bear	Everett	Lawrence	Roae
Benninghoff	Fabrizio	Longietti	Rock
Bishop	Farry	Maher	Roebuck
Bloom	Fleck	Major	Ross
Boback	Frankel	Maloney	Sabatina
Boyd	Freeman	Mann	Saccone
Boyle, B.	Gabler	Markosek	Sainato
Boyle, K.	Galloway	Marshall	Santarsiero
Bradford	Geist	Marsico	Santoni
Brennan	George	Masser	Saylor
Briggs	Gerber	Matzie	Scavello
Brooks	Gergely	McGeehan	Schroder
Brown, R.	Gibbons	Metcalf	Shapiro
Brown, V.	Gillen	Metzgar	Simmons
Brownlee	Gillespie	Miccarelli	Smith, K.
Burns	Gingrich	Millard	Smith, M.
Buxton	Godshall	Miller	Sonney
Caltagirone	Goodman	Milne	Staback
Carroll	Grell	Mirabito	Stephens
Causar	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	Vereb
Davidson	Hess	Payne	Vitali
Davis	Hickernell	Payton	Vulakovich
Day	Hornaman	Peifer	Wagner
Deasy	Hutchinson	Perry	Waters
DeLissio	Josephs	Petrarca	Watson
Delozier	Kampf	Petri	Wheatley
DeLuca	Kauffman	Pickett	White
Denlinger	Kavulich	Preston	Williams
DePasquale	Keller, F.	Pyle	Youngblood
Dermody	Keller, M.K.	Quigley	
DeWeese	Keller, W.	Quinn	Smith, S.,
DiGirolamo	Kirkland	Rapp	Speaker
Donatucci			

NAYS—0

NOT VOTING—0

EXCUSED—8

Daley	Johnson	Mahoney	O'Brien, D.
Evans, D.	Killion	Micozzie	Samuelson

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

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

Bill as amended was agreed to.

(Bill as amended will be reprinted.)

SUPPLEMENTAL CALENDAR A

BILL ON THIRD CONSIDERATION

The SPEAKER. The Speaker turns to today's House calendar supplemental A and recognizes the gentleman from York County, Mr. Saylor, who calls up HB 1503, PN 2690, on page 1 of today's House calendar supplemental A. The question is—
The Speaker rescinds that announcement.

HB 1503 has a time constraint before we can vote it.

* * *

The House proceeded to third consideration of **HB 298, PN 1815**, entitled:

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, providing for autopsies.

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

Mr. **GODSHALL** offered the following amendment
No. **A06004**:

Amend Bill, page 2, line 8, by inserting after "decedent"
taken during the autopsy

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

The SPEAKER. For the information of the members, this amendment is a technical amendment. Therefore, it is permissible even though the bill is on third consideration.

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

The following roll call was recorded:

YEAS—195

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

Bloom	Fleck	Major	Ross
Boback	Frankel	Maloney	Sabatina
Boyd	Freeman	Mann	Saccone
Boyle, B.	Gabler	Markosek	Sainato
Boyle, K.	Galloway	Marshall	Santarsiero
Bradford	Geist	Marsico	Santoni
Brennan	George	Masser	Saylor
Briggs	Gerber	Matzie	Scavello
Brooks	Gergely	McGeehan	Schroder
Brown, R.	Gibbons	Metcalfe	Shapiro
Brown, V.	Gillen	Metzgar	Simmons
Brownlee	Gillespie	Miccarelli	Smith, K.
Burns	Gingrich	Millard	Smith, M.
Buxton	Godshall	Miller	Sonney
Caltagirone	Goodman	Milne	Staback
Carroll	Grell	Mirabito	Stephens
Causar	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	Veréb
Davidson	Hess	Payne	Vitali
Davis	Hickernell	Payton	Vulakovich
Day	Hornaman	Peifer	Wagner
Deasy	Hutchinson	Perry	Waters
DeLissio	Josephs	Petrarca	Watson
Delozier	Kampf	Petri	Wheatley
DeLuca	Kauffman	Pickett	White
Denlinger	Kavulich	Preston	Williams
DePasquale	Keller, F.	Pyle	Youngblood
Dermody	Keller, M.K.	Quigley	
DeWeese	Keller, W.	Quinn	Smith, S.,
DiGirolamo	Kirkland	Rapp	Speaker
Donatucci			

NAYS—0

NOT VOTING—0

EXCUSED—8

Daley	Johnson	Mahoney	O'Brien, D.
Evans, D.	Killion	Micozzie	Samuelson

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 third consideration as amended?

Bill as amended was agreed to.

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—195

Adolph	Dunbar	Knowles	Ravenstahl
Aument	Ellis	Kortz	Readshaw
Baker	Emrick	Kotik	Reed
Barbin	Evankovich	Krieger	Reese
Barrar	Evans, J.	Kula	Reichley
Bear	Everett	Lawrence	Roae
Benninghoff	Fabrizio	Longietti	Rock
Bishop	Farry	Maher	Roebuck
Bloom	Fleck	Major	Ross
Boback	Frankel	Maloney	Sabatina
Boyd	Freeman	Mann	Saccone
Boyle, B.	Gabler	Markosek	Sainato
Boyle, K.	Galloway	Marshall	Santarsiero
Bradford	Geist	Marsico	Santoni
Brennan	George	Masser	Saylor
Briggs	Gerber	Matzie	Scavello
Brooks	Gergely	McGeehan	Schroder
Brown, R.	Gibbons	Metcalfe	Shapiro
Brown, V.	Gillen	Metzgar	Simmons
Brownlee	Gillespie	Miccarelli	Smith, K.
Burns	Gingrich	Millard	Smith, M.
Buxton	Godshall	Miller	Sonney
Caltagirone	Goodman	Milne	Staback
Carroll	Grell	Mirabito	Stephens
Causar	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	Veréb
Davidson	Hess	Payne	Vitali
Davis	Hickernell	Payton	Vulakovich
Day	Hornaman	Peifer	Wagner
Deasy	Hutchinson	Perry	Waters
DeLissio	Josephs	Petrarca	Watson
Delozier	Kampf	Petri	Wheatley
DeLuca	Kauffman	Pickett	White
Denlinger	Kavulich	Preston	Williams
DePasquale	Keller, F.	Pyle	Youngblood
Dermody	Keller, M.K.	Quigley	
DeWeese	Keller, W.	Quinn	Smith, S.,
DiGirolamo	Kirkland	Rapp	Speaker
Donatucci			

NAYS—0

NOT VOTING—0

EXCUSED—8

Daley	Johnson	Mahoney	O'Brien, D.
Evans, D.	Killion	Micozzie	Samuelson

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

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

The SPEAKER. The House will be at ease for a few more minutes.

The House will come to order.

ANNOUNCEMENT BY SPEAKER

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

BILLS RECOMMITTED

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

HB 1317;
HB 1343; and
SB 834.

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 149;
HB 955;
HB 1140; and
HB 1950.

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

REPUBLICAN CAUCUS

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

Ms. MAJOR. Thank you, Mr. Speaker.

I would like to announce that Republicans will caucus immediately at the adjournment. I would ask our Republican members to please report to our caucus room for a brief caucus meeting. Thank you.

STATEMENT BY MR. DeWEESE

The SPEAKER. The gentleman from Greene County, Mr. DeWeese, is recognized under unanimous consent.

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

Just to point out to the Speaker especially, as the chief steward of our setting, I have numerous constituents in my district, Mr. Speaker, who deal with disabilities each day, and the rigorous exercise of fiscal constraint by the Commonwealth

has eliminated, or at least potentially eliminated, the delivery of home health-care services, prospectively, for some of the men and women who live in my district who need home health-care assistance. And I would only ask that the Speaker and the appropriate committee chairmen in the majority during our absence of the next 2 weeks from Harrisburg give keen oversight to the delivery of home health-care services and to make certain that the Department of Public Welfare is on top of this challenge, because, Mr. Speaker, day in and day out for the last week or so, my offices and my phone and e-mail have been crowded with honest entreaties asking that the State deliver the financial help that is in the budget but somehow delayed for the folks with disabilities. If it is in my district, Mr. Speaker, I am going to opine that it is in a lot of other districts.

So I only bring that to the attention of the Chair and to the knowledge of the appropriate committee chairmen on the Republican side of the aisle. Thank you very much.

LEAVE OF ABSENCE CANCELED

The SPEAKER. The Speaker recognizes the presence of the gentleman from Northampton County, Mr. Samuelson, on the floor. His name will be added back to the master roll call.

REMARKS SUBMITTED FOR THE RECORD

The SPEAKER. For what purpose does the gentleman from Dauphin County, Mr. Marsico, rise?

Mr. MARSICO. Mr. Speaker, to submit remarks for the record.

The SPEAKER. The gentleman may submit the remarks to the clerk, and they will be placed upon the record.

Mr. MARSICO. Thank you, Mr. Speaker.

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

Thank you, Mr. Speaker.

It has been 8 months since we began the critical process of getting the Megan's Law loophole legislation enacted. After 8 months of this legislation going nowhere in the Senate, we all know it is time to get this done.

Convicted sexual offenders continue to roam the Commonwealth with absolutely no accountability. With that in mind, as chairman of the House Judiciary Committee, I took it upon myself to use another vehicle to move this legislation and give it another chance of passage by amending and passing SB 818 through the House Judiciary Committee last week, with the Megan's Law loophole language in the amendment. The amendment to SB 818 mimicked the language found in our Megan's Law loophole legislation, which is HB 68, sponsored by Representative Garth Everett, and HB 75, of which I was the prime sponsor.

On February 9 of this year, HB 68 passed unanimously, and HB 75 received a vote of 197-1. These bills and the language in the amendment on SB 818 include the requirement for sex offenders without a residence to register every 30 days with the Pennsylvania State Police as transients. It would also provide for specific criminal sentences for sex offenders who fail to comply with registration requirements.

I think we all know that it is absolutely crucial for us to get this Megan's Law loophole legislation enacted as quickly as possible. This was and should continue to be our first priority this legislative session.

Obviously, we have had and continue to have bipartisan support for this legislation. The Pennsylvania District Attorneys Association

assisted us with drafting language that would finally make it illegal for convicted sexual predators to continue to roam the Commonwealth with absolutely no accountability. It is truly unfortunate that this critical legislation has not yet gone to the Governor's desk for final enactment.

Needless to say, I am thrilled that our amendment received the support it deserved in committee and am confident it will receive the same support on the floor of the House through a majority vote on SB 818. Obviously, nothing is more important than protecting the children in our Commonwealth, and without this legislation, our children are in serious jeopardy.

I am confident that the full House will swiftly pass this legislation once again and am hopeful that the Senate will see the dire need for this legislation and expeditiously concur. All of Pennsylvania's legislators need to be doing all that we can to combat sexual predators who stalk and prey on our children. It is really as simple as that. That is why I ask for an affirmative vote on SB 818, so that we can give the Senate another chance to act. We cannot afford to let Pennsylvania be a safe haven for sexual predators any longer. It is about time we close the loopholes. Thank you.

BILLS AND RESOLUTIONS PASSED OVER

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

ADJOURNMENT

The SPEAKER. The Speaker recognizes the gentleman, Mr. Gillen, from Berks County, who moves that this House do adjourn until Thursday, November 3, 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 1:54 p.m., e.d.t., the House adjourned.