

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

TUESDAY, MARCH 27, 2012

SESSION OF 2012

196TH OF THE GENERAL ASSEMBLY

No. 18

HOUSE OF REPRESENTATIVES

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

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

PRAYER

HON. THADDEUS KIRKLAND, member of the House of Representatives, offered the following prayer:

Good morning.

Let us pray:

Our Father and our God, as it was penned by Your servant, David, we ask, O God, that You would create in us a clean heart and renew within us a bright spirit – a spirit of love, a spirit of understanding, a spirit of cooperation, a spirit of peace – as we enter the halls of this House.

Our Father and our God, we ask that You would continue to bless us and watch over us as we go about the proceedings of the day; that You, O God, will provide us with wisdom and understanding from on high so that we might do that thing that is pleasing and right in Your sight.

God, we give You thanks because You provided us today with brand-new mercies, another day that we have never seen nor witnessed before, and that opportunity to get things right, and for that, O God, we are grateful.

Now we ask that You would be big in our lives, be big in this place, order our footsteps, guide our hearts, provide us with wisdom and understanding from on high so that we might do Your will and Your will only.

We ask this prayer in the mighty and precious name of Your son. With thanksgiving, our soul says 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 Monday, March 26, 2012, will be postponed until printed.

BILL REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

SB 539, PN 545

By Rep. MARSICO

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in driving after imbibing alcohol or utilizing drugs, further providing for grading and for penalties.

JUDICIARY.

COMMUNICATION FROM DEPARTMENT OF ENVIRONMENTAL PROTECTION

The SPEAKER. The Speaker acknowledges receipt of the Industrial Land Recycling Fund Annual Report to the General Assembly for fiscal year July 2010 to June 2011, submitted pursuant to Act 2 of 1995.

(Copy of communication is on file with the Journal clerk.)

SENATE MESSAGE

RECESS RESOLUTION FOR CONCURRENCE

The clerk of the Senate, being introduced, presented the following extract from the Journal of the Senate, which was read as follows:

In the Senate,
March 26, 2012

RESOLVED, (the House of Representatives concurring), Pursuant to Article II, Section 14 of the Pennsylvania Constitution, that when the Senate recesses this week, it reconvene on Monday, April 2, 2012, unless sooner recalled by the President Pro Tempore of the Senate; and be it further

RESOLVED, Pursuant to Article II, Section 14 of the Pennsylvania Constitution, that when the House of Representatives recesses this week, it reconvene on Monday, April 2, 2012, unless sooner recalled by the Speaker of the House of Representatives.

Ordered, That the clerk present the same to the House of Representatives for its concurrence.

On the question,
 Will the House concur in the resolution of the Senate?
 Resolution was concurred in.
 Ordered, That the clerk inform the Senate accordingly.

**BILL REPORTED FROM COMMITTEE,
 CONSIDERED FIRST TIME, AND TABLED**

SB 354, PN 1354 By Rep. METCALFE

An Act relating to compliance with the Federal REAL ID Act of 2005.

STATE GOVERNMENT.

LEAVES OF ABSENCE

The SPEAKER. The Speaker turns to leaves of absence. The majority whip has no additional request for leaves of absence.

The minority whip requests a leave of absence for the gentleman, Mr. THOMAS, from Philadelphia County for the day. Without objection, the leave will be granted.

MASTER ROLL CALL

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

The following roll call was recorded:

PRESENT—196

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

Daley	Helm	O'Neill	Turzai
Davidson	Hennessey	Oberlander	Vereb
Davis	Hess	Parker	Vitali
Day	Hickernell	Pashinski	Vulakovich
Deasy	Hornaman	Payne	Waters
DeLissio	Hutchinson	Payton	Watson
DeLozier	Josephs	Peifer	Wheatley
DeLuca	Kampf	Perry	White
Denlinger	Kauffman	Petrarca	Youngblood
DePasquale	Kavulich	Petri	
Dermody	Keller, F.	Pickett	Smith, S.,
DeWeese	Keller, M.K.	Preston	Speaker
DiGirolamo	Keller, W.		

ADDITIONS—0

NOT VOTING—0

EXCUSED—1

Thomas

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

GUESTS INTRODUCED

The SPEAKER. The House will come to order. I appreciate it if the members would take their seats. Hold the conversations down, please. I would like to introduce some of the guests that are with us. Will the members kindly hold the conversations down. I would appreciate the members holding the conversations down and please take your seats. Thank you.

Located to the left of the rostrum, we would like to welcome Anthony Pannucio, who is a guest of Representative Burns. Will our guest please rise. Welcome to the hall of the House.

Also to the left of the rostrum, I would like to welcome Linda Horner. She is here today as a guest of Representative Oberlander. Welcome to the hall of the House.

And also located here to the left of the rostrum, we would like to welcome Darren Miller, who swims to raise funds for the Forever Fund, which benefits families of children who need heart surgery at the Children's Hospital in Pittsburgh. Darren swam three of what are regarded as the seven toughest channel swims around the world. He swam the Catalina, English, and Molokai Channels, and he is preparing to swim the Irish and Tsugaru Channels, Cook Strait, and Strait of Gibraltar in what is known as the Ocean's Seven challenge. With Darren today are his parents, Frederick and Marcella Miller, and they are here today as guests of Representative Krieger and Representative Evankovich. Will our guests please rise – Mom and Dad, too; Mom and Dad, too.

And in the rear of the House, as a guest of Representative Milne, we would like to welcome Henry Briggs. Henry, welcome to the hall of the House. I am not sure where he is. Maybe he had to leave.

Also in the rear of the House, as a guest of Representative Josephs, we would like to welcome Carl Peridier. Carl, welcome to the hall of the House, over here to the door on the right. Welcome to the hall of the House.

Also in the rear of the House, we would like to welcome Girl Scout Troop 41492 and their leader, Col. Wendy Leland, and Colonel Leland is retiring this year after 32 years with the District of Columbia Army National Guard. And this group,

they are the guests of Representative Milne. Will they please rise. Welcome to the hall of the House.

And up in the gallery, we would like to welcome students from the various colleges and universities across the State that are participating in the Undergraduate Research Poster Conference. These students' posters are on display in the East Wing of the Capitol. Will our guests please rise. Welcome to the hall of the House.

Also in the balcony, as guests of Representative Doyle Heffley, we would like to welcome Diane Brownmiller, Mary Collins, and their parents of the Lehighon Middle School. Will our guests please rise. Maybe they had to leave, too. Oh, they are here. Welcome to the hall.

We have a couple of guest pages with us today. In the well of the House, we would like to welcome guest pages Andrew Lindhome and Thomas Kutz, who attend Cedar Cliff High School, and they are here today as the guests of Representative Delozier. Welcome to the hall of the House.

Also in the balcony, as the guest of the Luzerne County legislative delegation, I would like to welcome the new Luzerne County manager, Robert Lawton. Welcome to the hall of the House. Will the guest please rise.

ARCHBISHOP WOOD HIGH SCHOOL FOOTBALL TEAM PRESENTED

The SPEAKER. I would like to invite Representative O'Neill and the other legislators involved in a citation presentation representing Archbishop Wood High School. We would invite our guests to the rostrum for the purpose of presenting the citation to the school's football team.

The gentleman from Bucks County, Mr. O'Neill.

Mr. O'NEILL. Thank you, Mr. Speaker.

Mr. Speaker, I am pleased to stand here today with my fellow Representatives – Representative Farry, Representative Murt, Representative Petri, Representative Quinn, Representative Watson, and Representative Stephens – to recognize and congratulate a group of young men who have recently demonstrated athletic excellence at one of the highest levels. As the late Penn State football coach Joe Paterno once said, "When a team outgrows individual performance and learns team confidence, excellence becomes a reality." Those words embody the Archbishop Wood High School Football Team that is with us here today.

Each member of this team has a unique individual talent that they have learned to blend together as a team, creating an unstoppable force on the football field. When they played together, they did not give up their individual strengths. The Archbishop Wood Football Team allowed their talents to complement each other on the field.

I can honestly tell you that our dear friend in the back, Spizz, who has been a PIAA football official for 18-plus years, and our dear friend, Representative Adolph, who was a head football coach for 32 years, they will tell you that this is probably one of the best, if not the best, Pennsylvania high school football team they have ever seen play on the field, and I believe that is a true compliment.

These young athletes demonstrated the utmost confidence in themselves and their teammates, and because of their determination and their belief in each other, excellence became a reality at the end of the 2011 football season when they

captured the 2011 PIAA Class AAA State Championship title. There are few teams in the country that had a season like the remarkable Archbishop Wood Football Team, which is why these young men were ranked 13th on the RivalsHigh top 100 high school teams in the nation.

Under the guidance of head coach Steve Devlin, the Vikings strived tirelessly toward their State title. Along the way they exemplified the utmost in skill and sportsmanship in the pursuit of their ultimate goals.

After completing the regular season of 14 and 1, Archbishop Wood clinched the top prize after an extraordinary and dominating 52-to-0 win over Dauphin County's Bishop McDevitt in the championship game in Hersheypark Stadium. They finished the season with 699 points scored in just 15 games, which is the seventh highest total in PIAA history.

Joining me in the back of the House here today is Vikings head coach Steve Devlin; coach. Coach Devlin will be entering his sixth season as head coach. This year Coach Devlin was selected as ESPN's Coach of the Year and as Nike's Pennsylvania Coach of the Year. In his 5 years at the helm as head coach at Archbishop Wood, he has won 59 games and produced 5 Catholic League MVPs (most valuable players), 5 Maxwell Award winners, and 79 All Catholic football players.

Also joining us at the front of the House today are four outstanding players from the Archbishop Wood championship team.

Colin Thompson was selected to play in the Under Armour All-American game in Orlando, Florida, and has accepted a full scholarship to the University of Florida.

Desmon Peoples is a two-time first-team All-State football player as well as a two-time Philadelphia Catholic League MVP. He has been selected to play in the Big 33 All-Star game, and he will be attending on a full scholarship to Rutgers University.

Brandon Arcidiacono, we will just call him Arch; there is Brandon. Brandon is also a two-time All-State football player as well as a two-time— I am sorry. He has also been selected to play in the Big 33 game, and he will be attending Rutgers on a full scholarship.

And Joey Monaghan. Joey was the quarterback of this great offensive team, and he was selected first-team All-Star, and he will be playing at Dickinson College.

I also want to name another special member of the team who is standing in the back. He is a very special member of the team, and he is probably one of the most special members of the team that everyone on his team has a great love for, and that is John Shulby. John, stand up and say hi to everybody.

Mr. Speaker, there are five other members of the team who will be going on to play collegiate ball. We have Frank Taylor, who will be playing at Boston College; Nate Smith and Brandon Peoples, who have accepted scholarships to the Temple football program; Ryan McMullin, who will be playing at Villanova; Kyle Adkins has accepted Ursinus College; and Ulus Jordan, who will be playing at Kutztown University.

As you know very well, championship seasons are never solo accomplishments. It takes a unified team effort to lead a team to the championship and bring home a trophy, and because of this, all of us here today are proud of each other and are very proud of the members of the Archbishop Wood Football Team, their community, and their coaching staff.

Before I go any further, Representative Quinn.

Ms. QUINN. Thank you, Mr. Speaker.

I would like to thank Archbishop Wood Vikings, my alma mater, for coming out.

And John Shulby, it is appropriate that you are still standing in the back. John is the honorary captain of the team, and typically he leads the team out at every game. So another round of applause for John.

Mr. Speaker, in addition to being an Archbishop Wood alumna, my daughter is a senior at Archbishop Wood. I have had the privilege and pleasure of getting to know many of these student athletes, and I want to tell you that beyond the football field, they are involved in the honor society, student government, robotics, peer counseling. They do an awful lot of work with Athletes Helping Athletes. They have a volunteer fireman on the field. They are all over our community, and they are the pride of not just Archbishop Wood but the Bucks County area.

So thank you, Mr. Speaker and colleagues, for giving them the warm welcome that they deserve for their accomplishments this year.

The SPEAKER. Would all the members of the team please stand. Welcome to the hall of the House.

The gentleman, Mr. Murt, from Montgomery County is recognized in addition.

Mr. MURT. Very briefly, Mr. Speaker. Along with Representative Quinn, I also am a graduate, a proud graduate, of Archbishop Wood High School, and I want to offer my warmest wishes and congratulations to coach Steve Devlin and to all the young men, the student athletes, that are part of the Archbishop Wood football program.

As Representative Quinn mentioned, these young men have brought great accolades to the Archbishop Wood community, and their contributions to the Lower Bucks and the Eastern Montgomery County area and the Northeast Philadelphia area certainly transcend football. So congratulations and keep up the good work.

Thank you, Mr. Speaker.

Mr. O'NEILL. Thank you, Mr. Speaker.

Once again, I would like to ask the team to please rise. I can truly tell you that I would really like a round of applause for probably one of the greatest teams that ever stepped on the football field in Pennsylvania high school history.

Thank you, Mr. Speaker.

UNCONTESTED CALENDAR

RESOLUTIONS PURSUANT TO RULE 35

Miss MANN called up HR 614, PN 3181, entitled:

A Resolution honoring BAYADA Home Health Care for 37 years of providing in-home care.

* * *

Ms. OBERLANDER called up HR 616, PN 3183, entitled:

A Resolution designating April 2012 as "Esophageal Cancer Awareness and Prevention Month" in Pennsylvania.

On the question,

Will the House adopt the resolutions?

The following roll call was recorded:

YEAS—196

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

NAYS—0

NOT VOTING—0

EXCUSED—1

Thomas

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

STATEMENT BY MS. OBERLANDER

The SPEAKER. Is the lady from Clarion County, Ms. Oberlander, seeking recognition under unanimous consent relative to the resolution that just passed?

Ms. OBERLANDER. Yes, Mr. Speaker.

The SPEAKER. The lady is in order and may proceed.

Ms. OBERLANDER. Thank you, Mr. Speaker.

I offer my sincere gratitude to my colleagues for their affirmative vote on HR 616, designating April as "Esophageal Cancer Awareness and Prevention Month."

I also offer my heartfelt appreciation to Linda Horner, my constituent and wife of Richard Horner, who is a 4-year survivor of esophageal cancer. She is the driving force behind this resolution, and I applaud her tireless effort in raising awareness of this deadly disease.

Thank you, Mr. Speaker.

The SPEAKER. The Speaker thanks the lady. Thank you.

CALENDAR**RESOLUTION PURSUANT TO RULE 35**

Mr. WATERS called up **HR 632, PN 3252**, entitled:

A Resolution honoring Kathy Sledge for her steadfast commitment to community service through her active participation in organizations seeking to improve the lives of children in this Commonwealth and abroad.

On the question,
Will the House adopt the resolution?

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

Mr. WATERS. Thank you, Mr. Speaker.

Mr. Speaker, I rise today to introduce HR 632, which honors Kathy Sledge for her philanthropic work. Kathy is a native Philadelphian who is often recognized for her vocal talent as the lead vocalist for Sister Sledge, whose international hit song "We Are Family" reached number one on every popular music chart, earning the group a Grammy nomination.

In 1979 the Pittsburgh Pirates faced the Baltimore Orioles in the World Series. The Pirates adopted "We Are Family" as their rallying anthem. Needless to say, the Pittsburgh Pirates went on to win the World Series.

In 2001 "We Are Family" was voted the number two biggest record of all time. Whether performing with Sister Sledge or solo, Kathy has a unique ability to draw people together, making everyone realize what "We Are Family" means.

The SPEAKER. May I have the House come to order, please. I appreciate if the members would kindly take their seats and hold the conversations down.

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

Kathy has made vital contributions to preserving the arts in education for our youth. In 2007 Kathy founded the "Love Will Project." The "Love Will Project" films acts of humanity which restore, rebuild, and renew lives around the world. The project brings celebrities together to assist those in need. The goals of the "Love Will Project" include, one, rebuilding the Cobbs Cross Primary School Library in Antigua; two, refurbishing the facility with new books and Kindle readers, while creating an

environment which is conducive to learning; three, bringing love back into the academic process.

The "Love Will Project" began in Elkins Park Middle School in Elkins Park, Pennsylvania, through Kathy's "What Family Means to Me" program. "What Family Means to Me" is a program assisting youth within our educational system.

Kathy is an unsung hero who works to assist others through her program and efforts. She truly believes that love makes all the difference in the education of children across the Commonwealth, across the nation, and the world.

In addition to her charitable work, Kathy is actively involved in the community. She serves as an honorary spokesperson for the "1,000 Women for 1,000 Girls" mentoring program and was named Goodwill Ambassador for Antigua and Barbuda because of her work with the "Love Will Project." Kathy also serves on the board of directors of the We Are Family Foundation.

In recognition of her outstanding musical achievements, Kathy received an honorary doctorate from the Metropolitan College of New York, Doctorate of Humane Letters.

In December of 2011 Kathy received the David P. Richardson, Jr., Nation Builder Award for the Commonwealth of Pennsylvania, awarded by the National Black Caucus of State Legislators, NBCSL, in Chicago, Illinois.

I just want to add to these written remarks some additional accomplishments of the noteworthy effect the song "We Are Family" has had across the world. It was one of the first songs requested when the Wall of Berlin was torn down. It was also known as Nelson Mandela's song of hope during his imprisonment.

Mr. Speaker, it gives me great pleasure to welcome Kathy, her husband, family, and friends, who have joined us today to share in this recognition. Mr. Speaker, I turn the mike to you.

The SPEAKER. The Speaker thanks the gentleman.

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

The following roll call was recorded:

YEAS—196

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

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

NAYS—0

NOT VOTING—0

EXCUSED—1

Thomas

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

KATHY SLEDGE INTRODUCED

The SPEAKER. With that, it is now my pleasure to introduce Kathy Sledge to perform Sister Sledge's number one hit "We Are Family." Welcome to the reader's rostrum.

Ms. SLEDGE. Wow. Thank you so much.

It is an honor to be here, and I feel like I am making history to be able to sing "We Are Family" on the House floor. I also feel like it is a saving grace that everyone knows this song. So if you feel like singing along, okay.

The SPEAKER. Do not give them too much leeway there.

Ms. SLEDGE. Okay. I am ready anytime you are. We actually have music today, too. Okay. We know this, guys; everybody. In case you need to know how it goes, you just have to say – wait till it comes around – "We Are Family." That was a little practice. All right. Here we go.

("We Are Family" was sung by Kathy Sledge.)

Ms. SLEDGE. Thank you. I love you. God bless you. Thank you.

The SPEAKER. It was reported that even Representative George was dancing to that song.

The Speaker thanks the gentleman, Mr. Waters, and our special guest today. That was somewhat of a unique performance for us here on the floor of the House.

STATEMENT BY MR. MARKOSEK

The SPEAKER. For what purpose does the gentleman from Allegheny County, Mr. Markosek, rise? You are not going to try to sing, are you?

Mr. MARKOSEK. No, Mr. Speaker. Under unanimous consent, please.

The SPEAKER. The gentleman may proceed.

Mr. MARKOSEK. Mr. Speaker, the gentleman, Mr. Waters, Representative Waters, asked me to stand and give a little bit of background of the 1979 Pittsburgh Pirate team.

And first of all, let me just say that Chairman Adolph and I adopted "We Are Family" at the beginning of this term for the budget, so we are all set to go.

But I also want to say that in 1979, if my math is correct, 33 years ago, that that song was there and the Pirates won the World Series. I see Ms. Sledge here today, and I did not realize it at the time she was 10 years old. She looks pretty good. But in 1979 the Pirates were expected to be a good team and were a good team, and of course the song was out there and they adopted the "We Are Family" tune, and it really brought them together. It brought the entire city in the southwest of Pennsylvania together in many, many ways.

And the father of that family was a baseball player by the name of Willie Stargell, who was not only the best player on the team, but he was considered to be the mentor, the patriarch, and his fellow players and the media and all the fans referred to him as "Pops." So he was the father of the team at the time and of course the best player, the MVP of the National League. And they won, of course, the World Series, beating Baltimore in I believe seven games on the road in Baltimore, and came home, and of course we have had a good team ever since. Now we have a fledgling good team, and I am sure that we are going to have Kathy Sledge back here in the not too distant future to resing the family song for the future World Series champions, the Pittsburgh Pirates. And hope does ring eternal, Mr. Speaker, especially from all of those of us in the southwest.

And I just want to welcome Kathy Sledge to the Commonwealth of Pennsylvania, the home State of the Pittsburgh Pirates. Thank you.

BILL REMOVED FROM TABLE

The SPEAKER. The Speaker recognizes the majority leader, who moves that HB 2242 be removed from the tabled calendar.

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

BILL RECOMMENDED

The SPEAKER. The Speaker recognizes the majority leader, who moves that HB 2242 be recommitted to the Appropriations Committee.

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

APPROPRIATIONS COMMITTEE MEETING

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

Mr. ADOLPH. Thank you, Mr. Speaker.

The Appropriations family will meet immediately in the majority caucus room. Thank you.

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

REPUBLICAN CAUCUS

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

Ms. MAJOR. Thank you, Mr. Speaker.

I would like to announce that Republicans will caucus at 1 p.m. today. We would be prepared to come back on the floor at 1:30. So I would ask our Republican members to please report to caucus at 1 o'clock. Thank you.

DEMOCRATIC CAUCUS

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

Mr. FRANKEL. Thank you, Mr. Speaker.

The Democrats will also caucus at 1 o'clock; the Democrats will caucus at 1 o'clock. Thank you.

RECESS

The SPEAKER. Seeing no further business at this time, the House stands in recess until 1:30, unless sooner recalled by the Speaker.

RECESS EXTENDED

The time of recess was extended until 1:45.

AFTER RECESS

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

BILLS REREPORTED FROM COMMITTEE

HB 1057, PN 3269 By Rep. ADOLPH

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, in hunting and furtaking, further providing for penalties; and, in protection of property and persons, further providing for safety zones.

APPROPRIATIONS.

HB 1832, PN 3111 By Rep. ADOLPH

An Act amending the act of December 20, 1985 (P.L.457, No.112), known as the Medical Practice Act of 1985, further providing for physician assistants.

APPROPRIATIONS.

HB 1833, PN 3112 By Rep. ADOLPH

An Act amending the act of October 5, 1978 (P.L.1109, No.261), known as the Osteopathic Medical Practice Act, further providing for licenses, exemptions, nonresident practitioners, graduate students, biennial registration and continuing medical education.

APPROPRIATIONS.

HB 1913, PN 3211 By Rep. ADOLPH

An Act authorizing abatement of real estate taxes because of destruction or damage of property by Hurricane Irene or Tropical Storm Lee, or the refund of the amount of such taxes by certain political subdivisions; and authorizing reassessment of properties retroactive to August 1, 2011, and a limited moratorium on the increase of certain real estate taxes.

APPROPRIATIONS.

HB 1934, PN 3268 By Rep. ADOLPH

An Act amending the act of July 28, 1988 (P.L.556, No.101), known as the Municipal Waste Planning, Recycling and Waste Reduction Act, in recycling and waste reduction, further providing for municipal implementation of recycling programs.

APPROPRIATIONS.

HB 1970, PN 2722 By Rep. ADOLPH

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for vehicles exempt from registration and for limits on number of towed vehicles.

APPROPRIATIONS.

HB 2158, PN 3027 By Rep. ADOLPH

An Act designating the bridge carrying State Route 114 over Interstate 81 in Silver Spring Township, Cumberland County, as the Corporal Paul Walters Memorial Bridge.

APPROPRIATIONS.

HB 2192, PN 3077 By Rep. ADOLPH

An Act designating a bridge carrying U.S. Route 202 over an unnamed branch of the Neshaminy Creek in Doylestown Township, Bucks County, in honor of First Lieutenant Colby J. Umbrell.

APPROPRIATIONS.

HB 2246, PN 3195 By Rep. ADOLPH

An Act designating a bridge carrying U.S. Route 202 over the Neshaminy Creek in Doylestown Township, Bucks County, as the First Lieutenant Travis Lemma Manion Memorial Bridge.

APPROPRIATIONS.

SB 304, PN 281 By Rep. ADOLPH

An Act amending the act of January 8, 1960 (1959 P.L.2119, No.787), known as the Air Pollution Control Act, further providing for public review of State implementation plans.

APPROPRIATIONS.

SB 560, PN 728

By Rep. ADOLPH

An Act establishing the State Military College Legislative Appointment Initiative Program.

APPROPRIATIONS.

SB 730, PN 2034

By Rep. ADOLPH

An Act amending the act of May 1, 1933 (P.L.103, No.69), known as The Second Class Township Code, in corporate powers, further providing for real property and for personal property; and, in contracts, further providing for letting contracts.

APPROPRIATIONS.

SB 815, PN 2033

By Rep. ADOLPH

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for right to counsel; and providing for right to counsel in dependency and delinquency proceedings.

APPROPRIATIONS.

HOUSE RESOLUTION INTRODUCED AND REFERRED

No. 636 By Representatives MUSTIO, MARSHALL, PERRY, BARRAR, VULAKOVICH, KOTIK, READSHAW, BOBACK, BRENNAN, CLYMER, D. COSTA, DiGIROLAMO, GEIST, GEORGE, GIBBONS, GINGRICH, HEFFLEY, HESS, KAUFFMAN, KORTZ, LONGIETTI, MAHER, MAJOR, METCALFE, METZGAR, MILLARD, MIRABITO, MURT, PYLE, SAINATO, SAYLOR, SCAVELLO and SWANGER

A Resolution memorializing the President of the United States and Congress to reconsider closing the 911th Airlift Wing.

Referred to Committee on STATE GOVERNMENT, March 27, 2012.

HOUSE BILLS INTRODUCED AND REFERRED

No. 1997 By Representatives MATZIE, V. BROWN, CALTAGIRONE, CARROLL, DALEY, DEASY, DeLUCA, DONATUCCI, FABRIZIO, FARRY, FRANKEL, GIBBONS, HALUSKA, HARHAI, HESS, JOSEPHS, KIRKLAND, MAHONEY, MALONEY, MANN, McGEEHAN, MOUL, MURT, M. O'BRIEN, PRESTON, READSHAW, SAINATO and YOUNGBLOOD

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in juries and jurors, further providing for exemptions from jury duty.

Referred to Committee on JUDICIARY, March 27, 2012.

No. 1998 By Representatives MATZIE, V. BROWN, BROWNLEE, CALTAGIRONE, DeLUCA, DONATUCCI, FRANKEL, GEIST, JOSEPHS, KIRKLAND, MANN, DEASY, GIBBONS, McGEEHAN, MURT, M. O'BRIEN, PRESTON, READSHAW, SAINATO and YOUNGBLOOD

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in juries and jurors, further providing for compensation of and travel allowance for jurors.

Referred to Committee on JUDICIARY, March 27, 2012.

No. 2279 By Representatives EVANKOVICH, SACCONI, BLOOM, CUTLER, DePASQUALE, DUNBAR, EVERETT, GABLER, HARHAI, HARHART, HORNAMAN, HUTCHINSON, KAUFFMAN, F. KELLER, KORTZ, LAWRENCE, METCALFE, MULLERY, PETRARCA, REESE, ROAE, ROCK, SCHRODER, SIMMONS, SWANGER and VULAKOVICH

An Act amending the act of February 14, 2008 (P.L.6, No.3), known as the Right-to-Know Law, in preliminary provisions, further providing for definitions; and, in access, further providing for regulations and policies.

Referred to Committee on STATE GOVERNMENT, March 27, 2012.

No. 2280 By Representatives EVANKOVICH, SACCONI, BLOOM, CUTLER, DePASQUALE, DUNBAR, EVERETT, GABLER, HARHAI, HARHART, HORNAMAN, HUTCHINSON, KAUFFMAN, F. KELLER, KORTZ, LAWRENCE, METCALFE, MULLERY, PETRARCA, REESE, ROAE, ROCK, SCHRODER, SIMMONS, SWANGER and VULAKOVICH

An Act amending the act of June 30, 2011 (P.L.81, No.18), known as the Pennsylvania Web Accountability and Transparency (PennWATCH) Act, further providing for definitions and for searchable budget database.

Referred to Committee on STATE GOVERNMENT, March 27, 2012.

No. 2281 By Representatives BENNINGHOFF, AUMENT, BOBACK, BOYD, CREIGHTON, DALEY, DUNBAR, EVANKOVICH, GILLESPIE, GINGRICH, GRELL, GROVE, HARRIS, HESS, M. K. KELLER, KNOWLES, LAWRENCE, MILLARD, MOUL, QUINN, RAPP, SACCONI, SAYLOR, STERN, SWANGER, TALLMAN, TOOHIL, TRUITT and VULAKOVICH

An Act amending the act of December 5, 1936 (2nd Sp.Sess., 1937 P.L.2897, No.1), known as the Unemployment Compensation Law, further providing for qualifications required to secure compensation.

Referred to Committee on LABOR AND INDUSTRY, March 27, 2012.

No. 2282 By Representatives BAKER, HARPER, GINGRICH, PICKETT, DALEY, FARRY, GEIST, HESS, F. KELLER and MILLARD

An Act amending Titles 23 (Domestic Relations) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for procedures in domestic relations and litigation; repealing provisions relating to hearing by master, jury trial, mediation programs, fees and costs, review of programs, existing programs and consolidation of proceedings; conferring powers and duties on the unified judicial system, the Secretary of the Commonwealth and the Legislative Reference Bureau; establishing the Family Justice Account; and making editorial changes.

Referred to Committee on CHILDREN AND YOUTH,
March 27, 2012.

No. 2283 By Representatives BAKER, HARPER,
GINGRICH, PICKETT, DALEY, FARRY, GEIST, HESS,
F. KELLER and MILLARD

A Joint Resolution proposing integrated amendments to the Constitution of the Commonwealth of Pennsylvania, providing for hearing and deciding cases involving dissolution of marriage, custody, child support, spousal support, alimony, equitable division of marital property and related family law matters.

Referred to Committee on CHILDREN AND YOUTH,
March 27, 2012.

No. 2284 By Representatives BAKER, MILLER, PICKETT,
CAUSER, AUMENT, BOYD, CLYMER, COX,
CREIGHTON, DENLINGER, EVERETT, FLECK, GABLER,
GINGRICH, GROVE, HELM, HICKERNELL, KAUFFMAN,
F. KELLER, M. K. KELLER, LAWRENCE, MAJOR,
MALONEY, MARSICO, MILNE, MOUL, RAPP, ROAE,
SCHRODER, SONNEY, STEVENSON and TALLMAN

An Act amending the act of August 15, 1961 (P.L.987, No.442), known as the Pennsylvania Prevailing Wage Act, further providing for the definition of "public work."

Referred to Committee on LABOR AND INDUSTRY,
March 27, 2012.

No. 2285 By Representatives DELOZIER, GABLER,
DeLUCA, GIBBONS, GINGRICH, GODSHALL, HESS,
KILLION, QUIGLEY and GROVE

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, in Pennsylvania Uniform Transfers to Minors Act, further providing for court authorization of a transfer.

Referred to Committee on JUDICIARY, March 27, 2012.

SENATE BILLS FOR CONCURRENCE

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

SB 1036, PN 1301

Referred to Committee on FINANCE, March 27, 2012.

SB 1261, PN 1625

Referred to Committee on LOCAL GOVERNMENT,
March 27, 2012.

SB 1298, PN 1864

Referred to Committee on AGRICULTURE AND RURAL
AFFAIRS, March 27, 2012.

GUESTS INTRODUCED

The SPEAKER. If I could have the members' attention, there are a couple other guests that are with us this afternoon.

Located to the left of the rostrum, I would like to welcome Roni Patel and Sam Notoni, and they are guests of Representative Gene DiGirolamo. Will our guests please rise. Welcome to the hall of the House.

Also, I believe over here to the left of the rostrum, I would like to welcome, as guests of Representative Kirkland, Mayor John Linder of the city of Chester, and Ronald Starr, his chief of staff. Will our guests please rise. Welcome to the hall of the House.

CALENDAR CONTINUED

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **SB 1228, PN 1716**, entitled:

An Act amending the act of March 28, 1984 (P.L.150, No.28), known as the Automobile Lemon Law, further providing for presumption of a reasonable number of attempts.

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

* * *

The House proceeded to second consideration of **SB 473, PN 468**, entitled:

An Act amending Title 30 (Fish) of the Pennsylvania Consolidated Statutes, further providing for license fee for deployed Pennsylvania National Guard members and for resident license and fee exemptions.

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

* * *

The House proceeded to second consideration of **SB 743, PN 1843**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in terms and courses of study, further providing for teaching safe driving of motor vehicles.

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

Mr. **DeLUCA** offered the following amendment
No. **A09447**:

Amend Bill, page 1, line 5, by inserting after "thereto,"
providing for testing for controlled substances for
prospective employees; and
Amend Bill, page 2, lines 14 through 16, by striking out all of
said lines and inserting
Section 1. The act of March 10, 1949 (P.L.30, No.14), known as
the Public School Code of 1949, is amended by adding a section to

read:

Section 111.1. Testing for Controlled Substances for Prospective Employees.—(a) This section shall apply to all prospective employes of public and private schools, intermediate units and area vocational-technical schools, including independent contractors and their employes, except those employes and independent contractors and their employes who have no direct contact with children.

(b) Administrators of public and private schools, intermediate units and area vocational-technical schools shall require prospective employes to submit, upon offer of employment, a report of drug testing or a statement from a testing laboratory relating to the results of the controlled substance testing paid for by the applicant. The test and report shall be conducted and issued subsequent to the offer of employment and prior to the actual hiring date of the applicant. Administrators shall maintain a copy of the required information and shall require each applicant to produce the original document prior to employment. Administrators shall require contractors to produce the original document for each prospective employe of such contractor prior to employment.

(c) Beginning April 1, 2012, administrators shall require the applicant to submit upon offer of employment a copy of the controlled substances testing report in a manner prescribed by the Department of Education. When the applicant provides a copy of the controlled substances testing report, it shall be dated after offer of employment has been made. Administrators shall maintain a copy of the required information and shall require each applicant to produce a controlled substances testing report that shall be dated after the offer of employment has been made. The original controlled substances testing report shall be returned to the applicant.

(d) The State Board of Education shall, in the manner provided by law, promulgate the regulations necessary to carry out this section. The regulations shall provide for the information obtained pursuant to the drug testing mandated by this act.

(e) No person subject to this act shall be employed in a public or private school, intermediate unit or area vocational-technical school where the controlled substances testing report indicates the applicant has used a controlled substance without a prescription from a physician.

Section 2. Section 1519 of the act is amended by adding a subsection to read:

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

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

AMENDMENT WITHDRAWN

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

Mr. DeLUCA. Mr. Speaker, I am going to be withdrawing this amendment.

The SPEAKER. The Speaker thanks the gentleman.

Mr. DeLUCA. Thank you.

The SPEAKER. The amendment is withdrawn.

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

The SPEAKER. It is the Speaker's information that the gentleman from Washington County, Mr. White's amendment has been withdrawn. The Speaker thanks the gentleman.

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 1602, PN 2729**, entitled:

An Act amending the act of August 24, 1963 (P.L.1175, No.497), known as the Mechanics' Lien Law of 1963, further providing for right to lien and amount, for formal notice by subcontractor as condition precedent, for priority of lien and for discharge of lien on payment into court or entry of security.

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

Mr. **KILLION** offered the following amendment
No. **A09420**:

Amend Bill, page 1, line 3, by inserting after "providing" for definitions and

Amend Bill, page 1, lines 4 through 6, by striking out ", for formal notice by subcontractor as " in line 4, all of line 5 and "claim," in line 6 and inserting

; providing for State Construction Notices Directory and for notice of commencement and furnishing requirements; and further providing

Amend Bill, page 1, lines 14 through 16, by striking out all of said lines and inserting

Section 1. Section 201 of the act of August 24, 1963 (P.L.1175, No.497), known as the Mechanics' Lien Law of 1963, is amended by adding paragraphs to read:

Section 201. Definitions.—The following words, terms and phrases when used in this act shall have the meaning ascribed to them in this section, except where the context clearly indicates a different meaning:

* * *

(15) "Department" means the Department of Labor and Industry.

(16) "Directory" means the State Construction Notices Directory in section 501.1.

Section 2. Section 301 of the act is amended to read:

Amend Bill, page 2, lines 8 through 30; pages 3 through 6, lines 1 through 30; page 7, lines 1 through 17, by striking out all of said lines on said pages and inserting

(b) Subcontractor. A subcontractor does not have the right to a lien with respect to an improvement to a residential property if:

(1) the owner or tenant paid the full contract price to the contractor; and

(2) the property is or is intended to be used as the residence of the owner or tenant.

Section 3. The act is amended by adding sections to read:

Section 501.1. State Construction Notices Directory.—

(a) Establishment of Directory. The department shall establish an Internet website to be known as the State Construction Notices Directory.

(b) Third-party Administration. The department may contract with a third-party vendor to establish and administer the Internet website.

(c) Purpose of Directory. The directory shall:

(1) Serve primarily as a means for contractors and subcontractors to readily locate notices of commencement filed under section 501.2(a).

(2) Act as a central Statewide repository for notices filed under section 501.2.

(d) Operational Date. The department shall have the directory operational on July 1, 2013. The department may, however, establish a later effective date, if it provides sufficient reasons for the delay in the implementation of the program in a notice to the chairman and minority chairman of the Labor and Industry Committee of the Senate and the chairman and minority chairman of the Labor and Industry

Committee of the House of Representatives.

(e) Public Awareness. When appropriate, the department shall publish notice in the Pennsylvania Bulletin advising the public of plans for and the existence of the directory. The department shall take reasonable measures to inform the general public of the directory and its purpose.

(f) Directory Fees. The department may assess filing fees to owners filing notices under section 501.2(a) to cover the costs of administration. If a contracted third-party vendor is administering the website, the assessed fees must be designated in the contract. The department shall:

(1) Consider the fee levels in awarding a contract.

(2) Ensure the fee levels are as favorable as possible to users.

(g) Posting of Notices. The directory shall:

(1) Make public notices filed under section 501.2 in a job site specific format.

(2) Provide copies of the filings of notice of furnishing under section 501.2(b) to an owner who files a notice of commencement under section 501.2(a).

(3) Provide hard copy printing of electronic receipts for an individual filing evidencing the date and time of the individual filing and the content of the individual filing.

(4) List the notices of furnishing filed with a notice of commencement.

(h) Index. The directory must be primarily indexed by county and a notice of commencement filed with the directory shall be searchable by owner name, contractor name, property address or other identifying features that the department believes are necessary.

Section 501.2. Notice of Commencement and Furnishing Requirements.—

(a) Notice of Commencement.

(1) Prior to commencing labor or work or furnishing materials for an improvement on real property that may give rise to a mechanics' lien under this act, the owner or agent of the owner may file a notice of commencement with the State Construction Notices Directory. The notice must include the following:

(i) Name, address and e-mail address of the contractor.

(ii) Name and location of the project being constructed.

(iii) Legal description of the property upon which the improvements are being made.

(iv) Name, address and e-mail address of the legal record owner of the property.

(v) Name, address and e-mail address of the person other than the owner at whose direction the improvements are being made, if that person is not the true legal record owner of the property.

(vi) If applicable, the name, address and e-mail address of a surety for the performance and payment bonds.

(2) The owner shall conspicuously post a copy of the notice at the project site before physical work commences upon the property, and the owner shall take reasonable measures to insure that the copy of the notice of commencement remains posted at the project site for the duration of the project. For the purposes of this paragraph, the term "reasonable measures" means the reposting of notice by the owner within 48 hours after being notified in writing or e-mail that the notice is not posted.

(b) Notice of Furnishing. A subcontractor that performs work or services or provides material in furtherance of an improvement to property shall, if a notice of commencement has been properly and timely filed under subsection (a), as a condition of retaining lien rights under section 301:

(1) Have a positive duty to monitor the State Construction Notices Directory to identify appropriate notices of commencement.

(2) Substantially comply with the following to file a notice of furnishing:

(i) Subject to subparagraph (v)(A), the subcontractor shall file notice upon the owner within twenty (20) days after first performing work or services or first providing materials in connection with the improvement of the property.

(ii) The notice must be served in one of the following manners:

(A) Certified mail to the owner's address.

(B) Personal delivery to the owner. Evidence of delivery must be an acknowledgment signed by the owner.

(C) Filing of notice on State Construction Notices Directory.

(iii) The notice must contain, at a minimum, the following:

(A) A general description of the labor, skill, materials, fixtures, machinery or tools furnished.

(B) Name and address of the person supplying items in clause (A).

(C) Name and address of the person that contracted for the items in clause (A).

(D) A description sufficient to identify the property which is being improved.

(iv) Notice must be substantially in the following form:

Notice of Furnishing

(For use in connection with improvements to property other than public improvements)

TO:

(Name of owner)

(Address of owner)

Please take notice that the undersigned is performing certain work or labor or furnishing certain materials

to _____ (Name and address of other contracting party) in connection with the improvement to the real property located at _____. The labor, work or materials were performed or furnished first, or will be furnished first on _____ (date).

(Name and Address of Lien Claimant

By

(Name and capacity of party signing for lien claimant)

(Address of Signing Party)

(Date)

(v) Filing of a notice under this subsection preserves the lien rights of a subcontractor in compliance with this act as follows:

(A) For amounts owing for work and services performed and materials furnished from the date the work or services were first performed or materials were first furnished through the date of service of the notice of furnishing and thereafter.

(B) A notice delivered outside the time frame under subparagraph (i) preserves the right to file a lien which is only enforceable for the services or materials furnished within the period of twenty (20) days before the date on which notice is given and thereafter.

(vi) If a subcontractor does not substantially comply with this subsection, the subcontractor forfeits the right to file a lien claim.

(c) Construction. Subsection (b) may not be interpreted to affect the ability of a subcontractor or contractor to waive his lien rights under sections 401 and 402.

(d) Public policy.

(1) It is against public policy and unlawful for a contractor or subcontractor to request or require that a subcontractor not file a notice of furnishing as required to maintain his lien rights, in order that the subcontractor may enter into or maintain a contract for work or furnishing of materials on an improvement.

(2) A subcontractor has the right to file a lien for the work and services performed and the materials furnished under this act, irrespective of compliance with section 501.2(b), if he proves that the failure to comply with section 501.2(b) was directly the result of a contractor or subcontractor violating paragraph (1).

Section 4. Section 508 of the act, amended June 29, 2006 (P.L.210, No.52), is amended to read:

Amend Bill, page 9, line 15, by striking out "3" and inserting

5

Amend Bill, page 9, line 21, by inserting after "PROPERTY"

subject to section 301(b)

Amend Bill, page 9, line 24, by inserting after "OWNER"

or tenant

Amend Bill, page 9, line 27, by inserting after "OWNER"

or tenant

Amend Bill, page 9, line 28, by striking out "4" and inserting

6

Amend Bill, page 10, lines 2 through 5, by striking out all of said lines and inserting

(2) The addition of section 501.2 of the act shall take effect July 1, 2013, or on the date designated by the Department of Labor and Industry.

Section 7. This act shall take effect in 60 days.

On the question,

Will the House agree to the amendment?

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

Mr. KILLION. Thank you, Mr. Speaker.

Amendment 9420 is an amendment to HB 1602 that came out of committee. This amendment is a result of extensive negotiations with all the parties to make the bill better and stronger.

It really has two parts. The first deals with residential properties and protects our homeowners. What this amendment does is states that if a homeowner in a residential property that they live in pays a contractor in full, they cannot have a lien placed upon their property. There have been thousands upon thousands of Pennsylvania homeowners who have done the right thing and paid their bills only to find out many months or sometimes years later that a lien has been placed on their property.

Just recently in Westmoreland County after the tornadoes on March 23, a number of homeowners hired a roofing contractor to put roofs on their homes that were destroyed during this tornado. They checked the contractor. He had an A-plus, best rating. They had the work done. They paid him in full, and then several months later they came to find out that that contractor never paid the building supplier who supplied the shingles for these roofs. As a result of that, all these homeowners had liens placed on their houses ranging from \$2500 to \$4500, totaling \$64,000. They were unable to refinance their home or sell their home unless they were willing to pay for work they already did. This amendment takes care of that issue.

I worked closely, along with the staff, with the Pennsylvania Association of Realtors, who are in support of this amendment.

The second part deals with the mechanics' lien laws as they currently are and provides a vehicle for property owners to find out who is on their property. In 2006 we changed the Mechanics' Lien Law so— Excuse me, Mr. Speaker?

The SPEAKER. The Speaker would ask the members to kindly hold the conversations down and clear the aisles and please take your seats.

Mr. KILLION. Thank you, Mr. Speaker.

The SPEAKER. If we could have just a little bit of quiet, we would appreciate it. I thank the members.

The gentleman may proceed.

Mr. KILLION. Thank you, Mr. Speaker.

In 2006 we amended the Mechanics' Lien Law here in the House and the Senate to allow for sub-sub to file liens, and that was to protect their rights to payment. However, now property

owners, there could be dozens of people working on their property and they do not know they are there. What this legislation would do with this amendment is it would allow the property owner to file notice. Originally in the legislation it was done in the prothonotary's office. You had to go to the prothonotary's office to do it. This allows them to file notice of commencement. That then triggers all the subcontractors within 20 days to file a notice of furnishing. What happens then is the property owner is now aware of all the subcontractors and subcontractors on his property so that when the project is done, before he pays that final bill to the general contractor, he can simply go to this Internet site and see who was on his property and make sure they are paid. It is a win-win. It is a win for the property owner and it is a win for those doing work on that property.

In negotiations from the time the bill came out of the committee till now, we made several changes. One, first, and it is a key one, we modeled it after the State of Utah that has an Internet-based site. The original bill would have required all the subcontractors to travel to their county courthouse and file their notice of furnishment with the prothonotary. Now they simply go on this Web site, file it, and it is recorded. The owner knows you are there. At the end of the day, everyone gets paid. This is a win for the subcontractors as well as a win for the building owners.

I encourage a "yes" vote on amendment A9420.

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

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

Mr. VITALI. Thank you, Mr. Speaker.

Will the maker of the amendment stand for brief interrogation?

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

Mr. VITALI. Thank you for this amendment. I think my feeling is the same as yours in that I do want to protect the homeowner or the property owner who pays in full from liens.

What I am a little concerned about is, why is the homeowner required to do anything in order to be protected? Let me give you a scenario. Say you have a plot of land in Delaware County somewhere. A couple wants to buy that property; plunked the money down; the home is constructed. They pay \$300,000, \$500,000, whatever they pay for it. It did not occur to them to file anything at any time. They are just unsuspecting homeowners. Would they in that scenario need to file something in the process of all this in order to protect themselves?

Mr. KILLION. Absolutely not, and let me make that clear. I was trying to make that point at the very beginning. There are two parts. One deals with residential owner-occupied homes, residential owner-occupied homes, exactly what you are talking about. The second deals with commercial properties.

Mr. VITALI. Okay.

Mr. KILLION. With the residential owner-occupied homes, if they pay the bill, they cannot be liened. They do not need to file anything. They do not need to talk to anyone. All they need to do is pay their bill. They did what is right. They paid the contractor. If the contractor failed to pay his sub, well, they had a contract. That is between them. But the homeowner then does not have to pay twice. Filing the notice of commencement and notice of furnishing only deals with commercial properties.

Mr. VITALI. Okay. Thank you.

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

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

Mr. W. KELLER. Thank you, Mr. Speaker.

I agree with the gentleman from Delaware County. This amendment does make this bill better. I know he worked hard on this amendment. I just want to let him know that there will be two other amendments following this that will also make it better. So we are in favor of this amendment, and hopefully we will have some reciprocation on it also.

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

The following roll call was recorded:

YEAS—196

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

NAYS—0

NOT VOTING—0

EXCUSED—1

Thomas

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

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

Mr. W. KELLER offered the following amendment
No. A09444:

Amend Bill, page 3, lines 35 and 36 (A09420), by striking out "as a" in line 35 and "condition of retaining lien rights under section 301" in line 36

Amend Bill, page 4, lines 46 through 48 (A09420), by striking out all of said lines

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

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

Mr. W. KELLER. Thank you, Mr. Speaker.

Mr. Speaker, simply, this amendment would delete the language in the bill that would cause a subcontractor to lose his lien rights on nonresidential construction projects. This amendment would not affect the exemption on residential properties. We all know that the subcontractors and the sub-subcontractors are small businesses, and this would remove the hurdles that they would have to go through to put their liens in.

I believe this would help the small contractors and ask for a positive vote. Thank you, Mr. Speaker.

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

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

Mr. KILLION. Thank you, Mr. Speaker.

I rise in opposition to amendment 9444. My good friend from Philadelphia, who is a very good friend, I was hoping maybe he was listening when I was speaking earlier in why I believe his amendment actually would hurt the subcontractors. The bill as it is now, as it is written now with my amendment, they now have a better chance of getting paid because the owner of the property knows they exist. When we changed the law in 2006, we now have subs and subs of subs and subs and subs of subs all on the property. The owner does not know they are there. Now he can go to an Internet site, and before he makes that final payment to the general contractor, he can make sure everyone has been paid so he does not have to worry about liens being filed against his property.

Although I respect the gentleman from Philadelphia and I understand what he is trying to do, I firmly believe that the bill is better for the people he is trying to protect without his amendment.

I encourage a "no" vote on amendment A9444. 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 York County, Mr. Miller.

Mr. MILLER. Thank you, Mr. Speaker.

I rise to oppose this amendment not because I want to take on my cochair of the committee; we are good friends. But, Mr. Speaker, the prime sponsor of this bill has put it very, very well. This amendment actually will take away the ability of subs to be paid. If this bill stands the way it is written and the way it has been amended, subcontractors will have more protection than they have ever had before. And for that reason I ask for a "no" vote on this amendment. Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS-87

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

NAYS-109

Adolph	Farry	Lawrence	Reed
Aument	Fleck	Maher	Reese
Baker	Gabler	Major	Roae
Barrar	Geist	Maloney	Rock
Bear	Gillen	Marshall	Ross
Benninghoff	Gillespie	Marsico	Saccone
Bloom	Gingrich	Masser	Saylor
Boback	Godshall	Metcalfe	Scavello
Boyd	Grell	Metzgar	Schroder
Brooks	Grove	Miccarelli	Simmons
Brown, R.	Hackett	Micozzie	Sonney
Causar	Hahn	Millard	Stephens
Christiana	Harhart	Miller	Stern
Clymer	Harper	Milne	Stevenson
Cox	Harris	Moul	Swanger
Creighton	Heffley	Murt	Tallman
Culver	Helm	Mustio	Tobash
Cutler	Hennessey	O'Neill	Toepel

Day	Hess	Oberlander	Toohil
Delozier	Hickernell	Payne	Truitt
Denlinger	Hutchinson	Peifer	Turzai
DiGirolamo	Kampf	Perry	Vereb
Dunbar	Kauffman	Petri	Vulakovich
Ellis	Keller, F.	Pickett	Watson
Emrick	Keller, M.K.	Pyle	
Evankovich	Killion	Quigley	Smith, S., Speaker
Evans, J.	Knowles	Quinn	
Everett	Krieger	Rapp	

NOT VOTING-0

EXCUSED-1

Thomas

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

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

Mr. **GERGELY** offered the following amendment
No. **A09451**:

Amend Bill, page 1, lines 1 and 2 (A09420), by striking out all of said lines

Amend Bill, page 1, lines 5 through 23 (A09420), by striking out "and inserting" in line 5 and all of lines 6 through 23

Amend Bill, page 2, lines 3 through 51; pages 3 and 4, lines 1 through 51; page 5, lines 1 through 13 (A09420), by striking out all of said lines on said pages

Amend Bill, page 5, line 14 (A09420), by striking out "4" and inserting

2

Amend Bill, page 5, lines 16 through 18 (A09420), by striking out all of said lines

Amend Bill, page 5, lines 25 through 27 (A09420), by striking out all of said lines

Amend Bill, page 5, lines 30 through 32 (A09420), by striking out all of said lines

Amend Bill, page 5, line 33 (A09420), by striking out "7" and inserting

5

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

The SPEAKER. On that question, the Speaker recognizes the gentleman from Philadelphia County, Mr. Keller. The gentleman, Mr. Keller, on your amendment.

Mr. W. KELLER. I am sorry, Mr. Speaker. Representative Gergely has this amendment.

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

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

Mr. GERGELY. I am just not as great as the gentleman from Philadelphia.

Thank you, Mr. Speaker.

Mr. Speaker, I, too, stand in support of the two main components of the Killion amendment which protect the real

estate agents and the mortgage and the bankers, but I do stand in deference to the third component, which is the system for registry, and I think if it was such a successful system, he would have implemented it on the residential side as well as on the commercial side.

This is essentially a big-contractor-versus-subcontractor issue. In '06, as the Representative had explained, we created the waiver so that the subs could not waive out their lien rights. This protects that right, and we just disagree. What my amendment simply does is removes this system and continues to keep the component as it is now, similar to the residential component.

I ask for support of the House. 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 Delaware County, Mr. Killion.

Mr. KILLION. Thank you, Mr. Speaker.

And again, I have to rise to oppose amendment 9451.

As stated earlier and also regarding the residential homeowner, as the gentleman from Havertown stated, Havertown, Delaware County, stated, that to put that burden to go and have to file, even if it is on the Internet to make it a little easier on the homeowner, that is just an incredible burden. The homeowners, this is not anything they could be aware of. Whereas, on the commercial side, just like subcontractors in order to get the work, they have to bid for it, fill out bid forms. Often that is done on the Internet. They are competitive bids. They are a much more sophisticated group. They would understand how this process works.

And I am not going to go into it at length again, but as I said on the previous amendment, this actually helps them. It helps them at the end of the day that the owner of the property knows who did work and everyone will get paid, and we are going to save a lot of money on legal costs because there will be a lot less liens.

I respect the gentleman from Allegheny County. I understand what he is trying to do, but I firmly believe the bill is better served, and the folks, the subcontractors he is interested in, are better served without this amendment. I encourage a "no" vote. Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—86

Barbin	Deasy	Josephs	Pashinski
Bishop	DeLissio	Kavulich	Payton
Boyle, B.	DeLuca	Keller, W.	Petrarca
Boyle, K.	DePasquale	Kirkland	Preston
Bradford	Dermoddy	Kortz	Ravenstahl
Brennan	DeWeese	Kotik	Readshaw
Briggs	Donatucci	Kula	Roebuck
Brown, V.	Evans, D.	Longiotti	Sabatina
Brownlee	Fabrizio	Mahoney	Sainato
Burns	Frankel	Mann	Samuelson
Buxton	Freeman	Markosek	Santarsiero
Caltagirone	Galloway	Matzie	Santoni
Carroll	George	McGeehan	Smith, K.
Cohen	Gerber	Mirabito	Smith, M.
Conklin	Gergely	Mullery	Staback
Costa, D.	Gibbons	Mundy	Sturla

Costa, P.	Goodman	Murphy	Vitali
Cruz	Haluska	Myers	Waters
Curry	Hanna	Neuman	Wheatley
Daley	Harhai	O'Brien, M.	White
Davidson	Harkins	Parker	Youngblood
Davis	Hornaman		

NAYS—110

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

NOT VOTING—0

EXCUSED—1

Thomas

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

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

(Bill as amended will be reprinted.)

* * *

The House proceeded to second consideration of **HB 1915, PN 3215**, entitled:

A Supplement to the act of December 8, 1982 (P.L.848, No.235), entitled "An act providing for the adoption of capital projects related to the repair, rehabilitation or replacement of highway bridges to be financed from current revenue or by the incurring of debt and capital projects related to highway and safety improvement projects to be financed from current revenue of the Motor License Fund," itemizing public highway projects to be constructed by the Department of Transportation from current revenue in the Motor License Fund; and stating the estimated useful life of the projects.

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

* * *

The House proceeded to second consideration of **SB 110, PN 711**, entitled:

An Act amending Title 74 (Transportation) of the Pennsylvania Consolidated Statutes, further providing for the authority of the department; and providing for logging of certain aircraft flights.

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

Mr. **GEIST** offered the following amendment No. **A09378**:

Amend Bill, page 4, line 1, by inserting after "passengers,"
with the exception of Pennsylvania State Police security personnel.

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

The **SPEAKER**. On that question, the Speaker recognizes the gentleman from Blair County, Mr. Geist.

Mr. **GEIST**. Thank you, Mr. Speaker.

This amendment protects the State Police flight logs from being used and protects them, and I would ask for an affirmative vote.

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

The following roll call was recorded:

YEAS—196

Adolph	Donatucci	Killion	Pyle
Aument	Dunbar	Kirkland	Quigley
Baker	Ellis	Knowles	Quinn
Barbin	Emrick	Kortz	Rapp
Barrar	Evankovich	Kotik	Ravenstahl
Bear	Evans, D.	Krieger	Readshaw
Benninghoff	Evans, J.	Kula	Reed
Bishop	Everett	Lawrence	Reese
Bloom	Fabrizio	Longiotti	Roae
Boback	Farry	Maher	Rock
Boyd	Fleck	Mahoney	Roebuck
Boyle, B.	Frankel	Major	Ross
Boyle, K.	Freeman	Maloney	Sabatina
Bradford	Gabler	Mann	Saccone
Brennan	Galloway	Markosek	Sainato
Briggs	Geist	Marshall	Samuelson
Brooks	George	Marsico	Santarsiero
Brown, R.	Gerber	Masser	Santoni
Brown, V.	Gergely	Matzie	Saylor
Brownlee	Gibbons	McGeehan	Scavello
Burns	Gillen	Metcalfe	Schroder
Buxton	Gillespie	Metzgar	Simmons
Caltagirone	Gingrich	Miccarelli	Smith, K.
Carroll	Godshall	Micozzie	Smith, M.
Causser	Goodman	Millard	Sonney
Christiana	Grell	Miller	Staback
Clymer	Grove	Milne	Stephens
Cohen	Hackett	Mirabito	Stern
Conklin	Hahn	Moul	Stevenson
Costa, D.	Haluska	Mullery	Sturla

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

NAYS—0

NOT VOTING—0

EXCUSED—1

Thomas

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

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

Mr. **GEIST** offered the following amendment No. **A09436**:

Amend Bill, page 3, line 15, by striking out "executive and passenger"

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

The **SPEAKER**. On that question, the Speaker recognizes the gentleman from Blair County, Mr. Geist.

Mr. **GEIST**. Thank you, Mr. Speaker.

This strikes out the language "executive and passenger" to make it consistent with what we did in the last amendment. I would urge a "yes" vote.

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

The following roll call was recorded:

YEAS—195

Adolph	Donatucci	Keller, W.	Preston
Aument	Dunbar	Killion	Pyle
Baker	Ellis	Kirkland	Quigley
Barbin	Emrick	Knowles	Quinn
Barrar	Evankovich	Kortz	Rapp
Bear	Evans, D.	Kotik	Ravenstahl
Benninghoff	Evans, J.	Krieger	Readshaw
Bishop	Everett	Kula	Reed
Bloom	Fabrizio	Lawrence	Reese

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

NAYS-1

Vitali

NOT VOTING-0

EXCUSED-1

Thomas

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

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 560, PN 728**, entitled:

An Act establishing the State Military College Legislative Appointment Initiative Program.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

Mr. VITALI. Thank you, Mr. Speaker.

First of all, this legislation involves Valley Forge Military Academy, which is near but not in my district, and I would like at the outset, even though I am not going to be supportive of this legislation, to just sort of state for the record what a wonderful institution that is. I have probably been there maybe a half dozen to a dozen times over the years, and they have always been a very professional institution. The grounds are always well kept. They graduate a fine caliber of student, and my opposition to this has nothing to do with the fine entity that that institution is.

But I have some very serious concerns about this legislature getting involved in the admissions process of a private entity. We just did a little research, and I think it is easy to sort of mistake the Valley Forge Military Academy for an entity like Annapolis or West Point. They are government entities closely affiliated with the military, and their mission is to produce our officers and other military personnel, and it is appropriate that U.S. Congressmen have a part in admissions to the Naval Academy and West Point.

But despite the title of Valley Forge Military Academy and despite the trappings you see there, the children in military uniforms and the horses and the cannons and so forth, this is just a private school; this is just a private school. It is privately funded. It does not receive any funding from the State or Federal governments more than any other school. It is just a private school like St. Joe's Prep or Episcopal Academy. It is just a normal private school that has a military theme.

And so I am very concerned about this legislature getting involved in the admissions process. I think from the school's perspective it may be a good thing, because we as a General Assembly will be increasing the enrollment of a private school, but I am not really sure that is really what we should be doing.

I am a little concerned with regard to whether this legislation runs afoul of our laws and rules. I am looking at House rule 14 that talks about the prohibition of expenses for the advertisement, charitable advertisements, and I am just concerned if we in the General Assembly create these committees and advertise in our newsletters. Applications are available whether we in fact are violating House rule 14, which prohibits the use of our moneys for advertising of charitable institutions. I am concerned about that.

And I am concerned about, as I look at the bill itself, and again, this is just a private school, a private school, and it talks about that people we select will have, I will just quote the bill, a "...guaranteed initial enrollment..." and it says, "A State military college" – which is Valley Forge Military – "shall offer

initial enrollment...." So it is like we are giving ourselves power to select applicants to which, essentially, is a private school. It is really a private school. I have concerns about that. I just do not think it is our function as legislators to really be getting into the admissions process of private schools.

I am also concerned that although this applicability is stated broadly, it is legislation directed to one school, Valley Forge Military Academy. So I am also concerned that we as a legislature are just doing legislation to help out one school.

I just mentioned in passing somebody's name I will not mention, who has historical knowledge, and when this body was involved in appointments years ago, it did not have a good outcome. So I just think this needs a little more thought. This bill just needs a little more thought. I think we—

MOTION TO RECOMMIT

Mr. VITALI. So I am going to make a motion to recommit this to the Education Committee so that we can maybe give a little more thought to under what circumstances we want to get involved in the admissions process of a private school, and so I so move.

The SPEAKER. The gentleman from Delaware County, Mr. Vitali, has moved to recommit SB 560 to the Education Committee.

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

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

Mr. ADOLPH. Thank you, Mr. Speaker.

Mr. Speaker, I rise to oppose the motion to have this bill recommitted to the Education Committee.

Just by way of background, I just want to remind the members of this House that in the year 2010, this House passed this resolution 200 to 1. The gentleman who is proposing this motion voted in favor of that resolution, and actually, this bill is much stricter than the resolution.

So I do not mind debating the gentleman on the issues at hand, but this is a Senate bill. It has already gone through the legislative process, and I think that we should debate this bill today. It does not have to go back to the Education Committee. So I would ask the members to vote "no" on the motion to recommit. Thank you.

The SPEAKER. On the motion to recommit, the Speaker recognizes the gentleman from Cambria County, Mr. Barbin.

Mr. BARBIN. Thank you, Mr. Speaker.

I also rise in opposition to this motion. This bill was passed on the floor of the House in the last session, sponsored by Representative Drucker, whose district included Valley Forge. It is not unusual for States to encourage military service or military teaching. VMI (Virginia Military Institute) is a school which is supported by Virginia. It is a good thing that we have the Valley Forge Military Academy here. It provides military teaching on a 2-year basis that is affordable to students and it also allows the student, upon completion of the degree, to be immediately commissioned into the Army. This is something that we should be encouraging. We have discussed this at length in the last session and we should take a vote on it.

I ask for all members to oppose this motion.

The SPEAKER. The question is, will the bill be recommitted to the Education Committee?

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

Mr. VITALI. Just a brief correction. There is a difference, it has been pointed out to me by staff, between HR 565 and SB 560, and one key point is the language of guaranteed initial enrollment. This SB 560 is different than what we passed previously. It talks about guaranteed initial enrollment.

I think that we ought to take a real close look at what we are doing. I think this legislation is fraught with problems, and we ought to just slow down.

The SPEAKER. The question is, will the bill be recommitted to the Education Committee?

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

The following roll call was recorded:

YEAS—19

Briggs	Evans, D.	Kirkland	Samuelson
Burns	Freeman	Mundy	Sturla
Caltagirone	Hanna	Myers	Vitali
Curry	Hutchinson	Preston	Waters
DeWeese	Josephs	Roebuck	

NAYS—177

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

DePasquale	Keller, F.	Petrarca	Smith, S.,
Dermody	Keller, M.K.	Petri	Speaker
DiGirolamo	Keller, W.	Pickett	

NOT VOTING—0

EXCUSED—1

Thomas

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

On the question recurring,
Shall the bill pass finally?

PARLIAMENTARY INQUIRIES

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

Mr. VITALI. This will be a point of order, Mr. Speaker. Well, maybe a parliamentary inquiry would be better.

I had begun to discuss this with the Parliamentarian a little earlier in this session, but I had concerns with regard to rule 14, and in particular, that section that talks about "No money appropriated for members' and employees' expenses shall be used for contributions to charitable organizations or for charitable advertisements."

So my parliamentary inquiry is, would the contents of this bill requiring committee setup, selection, which necessarily involves advertisements, and the use of House staff, House expenditures, and so forth for a nonprofit entity such as Valley Forge Military Academy, would this run afoul of House rule 14?

And I guess there is a secondary question that deals again with House rule 14, which requires money to be used for legislative purposes or functions. So my concern is, would us creating a committee for selection of students, which is essentially a private institution, and using taxpayer money to do that be violative of House rule 14, which deals with members' expenses?

The SPEAKER. In response to the gentleman's inquiry, our rules do not carry the weight of law. Therefore, if this legislation were to be signed into law, it would be my interpretation that although it might conflict with the rule, that the law would then allow that activity that is otherwise arguably in conflict with the rule. Does that answer your question?

Mr. VITALI. Yes, I think it does.

I have a further parliamentary inquiry, if I may?

The SPEAKER. The gentleman may state his inquiry.

Mr. VITALI. I have a concern constitutionally or whether we have a right to pass a law which allows us to guarantee an appointment to a private entity. I am struggling for the provision of the Constitution, but does this legislature have the authority to pass a law that guarantees us the right to make what is called a guaranteed initial enrollment in an institution that is a private educational institution?

The SPEAKER. That question is really a question for the members to decide. It would not be upon my role under our rules to make a constitutional determination. Questions of constitutionality are decided by the body as a whole.

Mr. VITALI. Okay. My dilemma here is that I am struggling for a provision of the Constitution, although my gut sense tells me we are running afoul of a constitutional provision, because clearly we should not have the authority to do this. I just do not have the constitutional section to cite right now. Staff is working on that, but it might take a bit.

The SPEAKER. Is the gentleman seeking to continue on the subject before the House, which is final passage of SB 560?

Mr. VITALI. No, Mr. Speaker.

The SPEAKER. The Speaker thanks the gentleman.

REMARKS SUBMITTED FOR THE RECORD

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

On that question, the Speaker recognizes the gentleman from Clearfield County, Mr. Gabler.

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

As a Reserve officer in our nation's military, it is with great respect for the mission of the Valley Forge Military Academy and for our nation's military that I must regretfully oppose this bill, and I would like to submit my remarks for the record. Thank you very much.

The SPEAKER. The Speaker thanks the gentleman.

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

It is with great respect for our nation's military, the United States Army, and the Valley Forge Military Academy that I must regretfully oppose SB 560. Having served as a member of the U.S. Army Reserve for nearly 6 years and currently serving as a member of the Pennsylvania Army National Guard, I believe it is important that our military leaders be chosen in a proper way.

SB 560 would set up a legislative appointment program in which members of the Pennsylvania General Assembly would, through a selection committee, choose an applicant from their own legislative district to be appointed a guaranteed admission into the Valley Forge Military Academy. While I have confidence that many of my colleagues will do a good job in establishing a committee to make good decisions in this process, I do not believe we can guarantee that will be universal. The skills required to become a State Representative or State Senator have no bearing on whether or not they will make good appointments to a military academy to develop the best future military leaders.

Furthermore, I do not believe that the location of a student's residence should be a determining factor in their admission to a military academy. However, this bill would enable the appointment of one student per legislative district. What if there are two well-qualified applicants in one district and only less qualified candidates in a neighboring district? The current admissions and scholarship process ensures that the most qualified applicants will be admitted and receive scholarships. Under this bill, the less qualified applicant in the neighboring district gets the appointment, leaving less positions to be filled through the competitive regular admissions process.

The graduates of Valley Forge Military Academy have become honorable, distinguished military leaders in our country. Just as the honorable alumni of this institution have done for decades, today's and tomorrow's graduates will be asked to lead their comrades into battle. They will be trusted to make life-or-death decisions in combat situations. To approach the admissions process for this academy with anything less than the utmost respect for the importance of the decisions to be made does our fellow countrymen a disservice. For these reasons I must respectfully oppose SB 560. Thank you.

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

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

The Speaker recognizes the gentleman from Bucks County, Mr. Petri.

Mr. PETRI. Thank you, Mr. Speaker.

A couple issues have been raised by the previous speaker with respect to this bill. First of all, eligibility under the bill is determined by the institution. It is not determined by members of either the committee or the House, and therefore, I think that is what makes, Mr. Speaker, this matter authorized and allowed.

The second issue is with regard to cost. The school carries, the institution in this case, Mr. Speaker, pays the costs associated with it. The costs that are affiliated with a member's committee are minimal and de minimis.

Last session, Mr. Speaker, the House adopted HR 565, which established the Valley Forge Military College Legislative Appointment Initiative Program. That resolution authorized the House Ethics Committee to develop ethical guidelines to govern the operation of local selection committees. That measure, Mr. Speaker, passed 151 to 39, and the gentleman from Delaware County voted in favor of that resolution.

The guidelines have been promulgated by the Ethics Committee in February of 2010 and specifically provide that if a local selection committee met at a legislator's office, "nothing of more than a de minimis economic value appropriated under the General Appropriations Fund or other appropriations act" could be utilized for the activities of that local selection committee.

Last year HR 1 was adopted 200 to 1 on January 4. Again, the gentleman from Delaware County voted in favor of adoption of these rules.

Mr. Speaker, with respect to House rule 14, it specifically says, "No money appropriated for members' and employees' expenses shall be used for contributions to charitable organizations or for charitable advertisements. This paragraph shall not prevent a de minimis use of legislative resources, in connection with legislative activities, to benefit a bona fide charitable organization that serves a member's district."

Mr. Speaker, I would submit that SB 560 does a fantastic job at providing opportunities to our youth in our various districts to obtain a scholarship to a fine institution. I think the member who operates a local selection committee under those provisions and the guidelines established by the House Ethics Committee is in compliance with the specific language that we require of ourselves under House rule 14.

Therefore, I would urge the members to vote favorably on this measure and provide our local students an opportunity for higher education. Thank you, Mr. Speaker.

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

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

Mr. ADOLPH. Thank you, Mr. Speaker.

Mr. Speaker, I would like to talk about the point that this is not just your everyday private college and high school. Valley Forge Military College is only one of five colleges in all of this country and the only one in the northeast United States that offers a direct line to West Point.

I understand the gentleman's point from Delaware County regarding possible misuse of legislative funds and so forth, but that is impossible from this standpoint. Valley Forge Military College is paying for all the expenses. I have had three students from my legislative district apply for this scholarship. The first

two that applied since 2010 did not meet the academic standards that Valley Forge College demands of its students.

The legislator plays no role in the selection of these students. The committee selects the students. The Senate has made strict guidelines and our own House rule 14, which the gentleman from Bucks County went into detail explaining.

This Valley Forge Military College has great history. Norman Schwarzkopf is a graduate of Valley Forge Military College. We have had former members of this House, who served several times overseas, who are graduates of Valley Forge Military College. Former Representative Bryan Lentz and now State Senator Bob Mensch are graduates of Valley Forge Military College.

Valley Forge Military College is an outstanding asset to Delaware County, to Radnor Township, and to the Commonwealth of Pennsylvania. Like all military academies, because of the conflicts overseas, there are less and less folks that are going into the military. This is one way where those with less means and less education have a possibility to become a commissioned officer in our service.

So I ask my colleagues of this House to support SB 560. Thank you.

CONSTITUTIONAL POINT OF ORDER

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

On that question, is the gentleman from Delaware County seeking recognition for the second time on the bill?

Mr. VITALI. At this point I am going to make a motion.

I think we found our constitutional provision. Article III, section 7, which prohibits special legislation. This bill— Okay.

The SPEAKER. Will the gentleman suspend.

Let me call the question before the House for proper debate.

The gentleman from Delaware County, Mr. Vitali, raises the point of order that SB 560, PN 728, is unconstitutional.

The Speaker, under rule 4, is required to submit questions affecting the constitutionality of a bill to the House for decision, which the Chair now does.

On the question,

Will the House sustain the constitutionality of the bill?

The SPEAKER. The Chair recognizes the gentleman, Mr. Vitali, on that question.

Mr. VITALI. Thank you.

I am told it is Article III, section 7, of the Pennsylvania Constitution that prohibits special legislation; in other words, legislation aimed at one entity. I think the entity we can all agree here, at least by the admission of all the previous speakers in support, this is Valley Forge Military Academy. This legislation is aimed at one entity, Valley Forge Military Academy. The Constitution prohibits us from doing legislation aimed at one entity, and therefore I would move this be unconstitutional.

The SPEAKER. On the question of constitutionality?

Mr. TURZAI. Yes.

The SPEAKER. The gentleman from Allegheny County, the majority leader, Mr. Turzai, is recognized.

Mr. TURZAI. I would ask everybody to oppose the motion that it is unconstitutional. In fact, this legislation is constitutional. The definition of "State military colleges" is in

fact broadly defined: coeducational, postsecondary, 2-year institution, such that if any other— It is not special legislation. If there were any other institutions that should fit that, the opportunity would arise to fit that definition.

Thank you very much. I would ask everybody to please oppose the motion that it is unconstitutional.

PARLIAMENTARY INQUIRY

Mr. TURZAI. And, Mr. Speaker, point of parliamentary inquiry.

The SPEAKER. The gentleman may state his inquiry.

Mr. TURZAI. Sir, if we think it is constitutional, what do we vote? "Yes"?

The SPEAKER. Yes. I will state that as those voting "aye" would be voting to declare the bill to be constitutional; those voting "no"— We always frame the question that way in order to kind of keep us green as "yes" and red as "no."

On the question of constitutionality, those voting "aye" will vote to declare the bill to be constitutional; those voting "no" will vote to declare the bill to be unconstitutional.

On the question recurring,
Will the House sustain the constitutionality of the bill?

The following roll call was recorded:

YEAS—192

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

Deasy	Hornaman	Payton	Watson
DeLissio	Hutchinson	Peifer	Wheatley
Delozier	Kampf	Perry	White
DeLuca	Kauffman	Petrarca	Youngblood
Denlinger	Kavulich	Petri	
DePasquale	Keller, F.	Pickett	Smith, S., Speaker
Dermody	Keller, M.K.	Preston	
DeWeese	Keller, W.		

NAYS—4

Hanna	Josephs	Kirkland	Vitali
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NOT VOTING—0

EXCUSED—1

Thomas

The majority having voted in the affirmative, the question was determined in the affirmative and the constitutionality of the bill was sustained.

On the question recurring,
Shall the bill pass finally?

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

Mr. VITALI. Just some final comments at my second time at the mike.

The SPEAKER. The gentleman may proceed in recognition on the bill for the second time.

Mr. VITALI. I will be brief.

I just wanted to be clear. I totally agree with the other gentleman from Delaware County. This is a wonderful school. It has produced great leaders as have other private schools in the Philadelphia region. That is really not the issue. The real issue is, should we as a General Assembly be enmeshed in the admissions process of a private entity? And I say that the answer to that question is no. This is not the type thing we should be doing. So I would ask for a "no" vote. Thank you.

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—165

Adolph	Donatucci	Killion	Preston
Aument	Ellis	Kirkland	Pyle
Baker	Emrick	Knowles	Quigley
Barbin	Evans, D.	Kortz	Quinn
Barrar	Evans, J.	Kotik	Ravenstahl
Bear	Everett	Kula	Readshaw
Benninghoff	Fabrizio	Lawrence	Reed
Bishop	Farry	Longietti	Rock
Boback	Fleck	Maher	Roebuck
Boyd	Frankel	Mahoney	Ross
Boyle, B.	Freeman	Major	Sabatina
Boyle, K.	Galloway	Maloney	Saccone
Bradford	Geist	Mann	Sainato
Brennan	George	Markosek	Samuelson
Briggs	Gerber	Marsico	Santarsiero
Brown, R.	Gergely	Masser	Santoni

Brown, V.	Gibbons	Matzie	Saylor
Brownlee	Gillen	McGeehan	Scavello
Burns	Gingrich	Miccarelli	Simmons
Buxton	Godshall	Micozzie	Smith, K.
Caltagirone	Goodman	Millard	Smith, M.
Carroll	Hackett	Miller	Sonney
Christiana	Hahn	Milne	Staback
Clymer	Haluska	Mirabito	Stephens
Cohen	Hanna	Mullery	Stern
Conklin	Harhai	Mundy	Stevenson
Costa, D.	Harhart	Murphy	Sturla
Costa, P.	Harkins	Murt	Swanger
Cox	Harper	Mustio	Tallman
Cruz	Harris	Myers	Taylor
Curry	Heffley	Neuman	Tobash
Daley	Helm	O'Brien, M.	Toepel
Davidson	Hennessey	O'Neill	Toohil
Davis	Hess	Parker	Turzai
Deasy	Hickernell	Pashinski	Verb
DeLissio	Hornaman	Payne	Vulakovich
Delozier	Kampf	Payton	Waters
DeLuca	Kauffman	Peifer	Watson
DePasquale	Kavulich	Petrarca	Wheatley
Dermody	Keller, M.K.	Petri	White
DeWeese	Keller, W.	Pickett	Youngblood
DiGirolamo			

NAYS-31

Bloom	Evankovich	Krieger	Reese
Brooks	Gabler	Marshall	Roae
Causar	Gillespie	Metcalfe	Schroder
Creighton	Grell	Metzgar	Truitt
Culver	Grove	Moul	Vitali
Cutler	Hutchinson	Oberlander	
Day	Josephs	Perry	Smith, S.,
Denlinger	Keller, F.	Rapp	Speaker
Dunbar			

NOT VOTING-0

EXCUSED-1

Thomas

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

Ordered, That the clerk return the same to the Senate with the information that the House has passed the same without amendment.

* * *

The House proceeded to third consideration of **SB 304, PN 281**, entitled:

An Act amending the act of January 8, 1960 (1959 P.L.2119, No.787), known as the Air Pollution Control Act, further providing for public review of State implementation plans.

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

(Bill analysis was read.)

The SPEAKER. This bill has been considered on three different days and agreed to and is now on final passage.
The question is, shall the bill pass finally?
Agreeable to the provisions of the Constitution, the yeas and nays will now be taken.

The following roll call was recorded:

YEAS-196

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

NAYS-0

NOT VOTING-0

EXCUSED-1

Thomas

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

Ordered, That the clerk return the same to the Senate with the information that the House has passed the same without amendment.

* * *

The House proceeded to third consideration of **HB 1913, PN 3211**, entitled:

An Act authorizing abatement of real estate taxes because of destruction or damage of property by Hurricane Irene or Tropical Storm Lee, or the refund of the amount of such taxes by certain political subdivisions; and authorizing reassessment of properties retroactive to August 1, 2011, and a limited moratorium on the increase of certain real estate taxes.

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—196

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

Curry	Harris	Neuman	Toohil
Cutler	Heffley	O'Brien, M.	Truitt
Daley	Helm	O'Neill	Turzai
Davidson	Hennessey	Oberlander	Vereb
Davis	Hess	Parker	Vitali
Day	Hickernell	Pashinski	Vulakovich
Deasy	Hornaman	Payne	Waters
DeLissio	Hutchinson	Payton	Watson
Delozier	Josephs	Peifer	Wheatley
DeLuca	Kampf	Perry	White
Denlinger	Kauffman	Petrarca	Youngblood
DePasquale	Kavulich	Petri	
Dermody	Keller, F.	Pickett	Smith, S.,
DeWeese	Keller, M.K.	Preston	Speaker
DiGirolamo	Keller, W.		

NAYS—0

NOT VOTING—0

EXCUSED—1

Thomas

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

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

* * *

The House proceeded to third consideration of **HB 1832, PN 3111**, entitled:

An Act amending the act of December 20, 1985 (P.L.457, No.112), known as the Medical Practice Act of 1985, further providing for physician assistants.

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—195

Adolph	Donatucci	Keller, W.	Preston
Aument	Dunbar	Killion	Quigley
Baker	Ellis	Kirkland	Quinn
Barbin	Emrick	Knowles	Rapp
Barrar	Evankovich	Kortz	Ravenstahl
Bear	Evans, D.	Kotik	Readshaw
Benninghoff	Evans, J.	Krieger	Reed
Bishop	Everett	Kula	Reese
Bloom	Fabrizio	Lawrence	Roae
Boback	Farry	Longietti	Rock
Boyd	Fleck	Maher	Roebuck
Boyle, B.	Frankel	Mahoney	Ross
Boyle, K.	Freeman	Major	Sabatina

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

NAYS-1

Pyle

NOT VOTING-0

EXCUSED-1

Thomas

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.

VOTE CORRECTION

The SPEAKER. Is the gentleman from Armstrong County, Mr. Pyle, seeking recognition to correct the vote?

Mr. PYLE. I am, Mr. Speaker.

I apologize. My thumb accidentally hit the red button right before the recording. I do wish to be recorded as a positive vote on HB 1832. Thank you.

The SPEAKER. The gentleman's remarks will be noted for the record.

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1833, PN 3112**, entitled:

An Act amending the act of October 5, 1978 (P.L.1109, No.261), known as the Osteopathic Medical Practice Act, further providing for licenses, exemptions, nonresident practitioners, graduate students, biennial registration and continuing medical education.

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS-196

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

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

NAYS-0

NOT VOTING-0

EXCUSED-1

Thomas

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

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

* * *

The House proceeded to third consideration of **HB 1970, PN 2722**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for vehicles exempt from registration and for limits on number of towed vehicles.

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS-196

Adolph	Donatucci	Killion	Pyle
Aument	Dunbar	Kirkland	Quigley
Baker	Ellis	Knowles	Quinn
Barbin	Emrick	Kortz	Rapp
Barrar	Evankovich	Kotik	Ravenstahl
Bear	Evans, D.	Krieger	Readshaw
Benninghoff	Evans, J.	Kula	Reed
Bishop	Everett	Lawrence	Reese
Bloom	Fabrizio	Longietti	Roae
Boback	Farry	Maher	Rock
Boyd	Fleck	Mahoney	Roebuck
Boyle, B.	Frankel	Major	Ross
Boyle, K.	Freeman	Maloney	Sabatina
Bradford	Gabler	Mann	Saccone
Brennan	Galloway	Markosek	Sainato
Briggs	Geist	Marshall	Samuelson
Brooks	George	Marsico	Santarsiero

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

NAYS-0

NOT VOTING-0

EXCUSED-1

Thomas

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

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

* * *

The House proceeded to third consideration of **HB 2158, PN 3027**, entitled:

An Act designating the bridge carrying State Route 114 over Interstate 81 in Silver Spring Township, Cumberland County, as the Corporal Paul Walters Memorial Bridge.

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—196

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

NAYS—0

NOT VOTING—0

EXCUSED—1

Thomas

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

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

* * *

The House proceeded to third consideration of **HB 2192, PN 3077**, entitled:

An Act designating a bridge carrying U.S. Route 202 over an unnamed branch of the Neshaminy Creek in Doylestown Township, Bucks County, in honor of First Lieutenant Colby J. Umbrell.

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—196

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

DePasquale	Kavulich	Petri	
Dermody	Keller, F.	Pickett	Smith, S.,
DeWeese	Keller, M.K.	Preston	Speaker
DiGirolamo	Keller, W.		

NAYS-0

NOT VOTING-0

EXCUSED-1

Thomas

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

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

* * *

The House proceeded to third consideration of **HB 2246, PN 3195**, entitled:

An Act designating a bridge carrying U.S. Route 202 over the Neshaminy Creek in Doylestown Township, Bucks County, as the First Lieutenant Travis Lemma Manion Memorial Bridge.

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS-196

Adolph	Donatucci	Killion	Pyle
Aument	Dunbar	Kirkland	Quigley
Baker	Ellis	Knowles	Quinn
Barbin	Emrick	Kortz	Rapp
Barrar	Evankovich	Kotik	Ravenstahl
Bear	Evans, D.	Krieger	Readshaw
Benninghoff	Evans, J.	Kula	Reed
Bishop	Everett	Lawrence	Reese
Bloom	Fabrizio	Longiatti	Roae
Boback	Farry	Maher	Rock
Boyd	Fleck	Mahoney	Roebuck
Boyle, B.	Frankel	Major	Ross
Boyle, K.	Freeman	Maloney	Sabatina
Bradford	Gabler	Mann	Saccone
Brennan	Galloway	Markosek	Sainato
Briggs	Geist	Marshall	Samuelson
Brooks	George	Marsico	Santarsiero
Brown, R.	Gerber	Masser	Santoni
Brown, V.	Gergely	Matzie	Saylor
Brownlee	Gibbons	McGeehan	Scavello
Burns	Gillen	Metcalfe	Schroder
Buxton	Gillespie	Metzgar	Simmons
Caltagirone	Gingrich	Miccarelli	Smith, K.
Carroll	Godshall	Micozzie	Smith, M.

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

NAYS-0

NOT VOTING-0

EXCUSED-1

Thomas

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.

MOTION TO PROCEED TO CONSIDERATION UNDER RULE 24

The SPEAKER. Is the majority leader seeking recognition to make a motion?

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

I would move to proceed on four bills that were amended yesterday on second: SB 730, SB 815, HB 1057, and HB 1934. Again, a motion to proceed. They were passed respectively, the amendments, at 4:23, 4:18, 4:14, and 4:09 yesterday. We are just almost at the point of 24 hours, and we can continue to be expeditious here on the floor today.

A motion to proceed on those four bills, sir. Thank you.

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

The SPEAKER. On the motion to proceed, the gentleman from Allegheny County, Mr. Dermody, is recognized.

Mr. DERMODY. Thank you, Mr. Speaker.

Mr. Speaker, I support the motion to proceed and urge the members to vote for the motion to proceed. Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—186

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

NAYS—10

Cutler	Hutchinson	Mullery	Schroder
Davidson	Lawrence	Samuelson	Truitt
Grell	Milne		

NOT VOTING—0

EXCUSED—1

Thomas

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

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1934, PN 3268**, entitled:

An Act amending the act of July 28, 1988 (P.L.556, No.101), known as the Municipal Waste Planning, Recycling and Waste Reduction Act, in recycling and waste reduction, further providing for municipal implementation of recycling programs.

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—196

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

DeLozier	Josephs	Peifer	Wheatley
DeLuca	Kampf	Perry	White
Denlinger	Kauffman	Petrarca	Youngblood
DePasquale	Kavulich	Petri	
Dermody	Keller, F.	Pickett	Smith, S.,
DeWeese	Keller, M.K.	Preston	Speaker
DiGirolamo	Keller, W.		

NAYS—0

NOT VOTING—0

EXCUSED—1

Thomas

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

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

* * *

The House proceeded to third consideration of **HB 1057, PN 3269**, entitled:

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, in hunting and furtaking, further providing for penalties; and, in protection of property and persons, further providing for safety zones.

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—196

Adolph	Donatucci	Killion	Pyle
Aument	Dunbar	Kirkland	Quigley
Baker	Ellis	Knowles	Quinn
Barbin	Emrick	Kortz	Rapp
Barrar	Evankovich	Kotik	Ravenstahl
Bear	Evans, D.	Krieger	Readshaw
Benninghoff	Evans, J.	Kula	Reed
Bishop	Everett	Lawrence	Reese
Bloom	Fabrizio	Longiatti	Roae
Boback	Farry	Maher	Rock
Boyd	Fleck	Mahoney	Roebuck
Boyle, B.	Frankel	Major	Ross
Boyle, K.	Freeman	Maloney	Sabatina
Bradford	Gabler	Mann	Saccone
Brennan	Galloway	Markosek	Sainato
Briggs	Geist	Marshall	Samuelson
Brooks	George	Marsico	Santarsiero
Brown, R.	Gerber	Masser	Santoni
Brown, V.	Gergely	Matzie	Saylor
Brownlee	Gibbons	McGeehan	Scavello

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

NAYS—0

NOT VOTING—0

EXCUSED—1

Thomas

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

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

* * *

The House proceeded to third consideration of **SB 815, PN 2033**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for right to counsel; and providing for right to counsel in dependency and delinquency proceedings.

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—196

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

NAYS—0

NOT VOTING—0

EXCUSED—1

Thomas

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

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

* * *

The House proceeded to third consideration of **SB 730, PN 2034**, entitled:

An Act amending the act of May 1, 1933 (P.L.103, No.69), known as The Second Class Township Code, in corporate powers, further providing for real property and for personal property; and, in contracts, further providing for letting contracts.

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—195

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

DePasquale	Keller, F.	Petri	
Dermody	Keller, M.K.	Pickett	Smith, S.,
DeWeese	Keller, W.	Preston	Speaker
DiGirolamo			

NAYS-1

Evankovich

NOT VOTING-0

EXCUSED-1

Thomas

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. WHEATLEY

The SPEAKER. If I could have the members' attention.

There was an individual who sought recognition under unanimous consent, and I spoke with this individual in part because of some of the emotion that could be attached to some of the comments. And I would simply, as a personal request – I am certainly not taking any right away from any member of this House – ask the members to indulge this individual, if at all possible to give maximum courtesy in terms of the remarks that he would like to share with this House.

With that, I recognize the gentleman from Allegheny County, Mr. Wheatley, under unanimous consent.

Mr. WHEATLEY. Thank you, Mr. Speaker.

Mr. Speaker, I want to first say to you, I really appreciate your allowing me to have this moment. I know that as we spoke about this, the subject matter that I wanted to touch on has the potential to deviate from what my main intentions are. So I want to make sure that members know my purpose of saying this is not to inflame or to attack. It is really to put something on the record for the voices of folk whom I represent back home who have asked me about this situation and how they feel in this situation.

So with that being said, today I stand here before my colleagues to bring further attention to not only the recent tragedy that we are hearing and seeing on the television from the case in Florida but for the hundreds of other unnamed innocents who, for all intents and purposes, have tried to live a life as a law-abiding citizen and, for whatever reason, have fallen victim to some senseless act of violence, be they from Trayvon Martin in Sanford, Florida, to Jordan Miles in the city of Pittsburgh, or Johnny Gammage in Allegheny County. There are nameless other victims who have fallen prey to violence.

And what I started to think about when my constituents started to talk to me about what was going on in Florida and the law that allows for this to happen, the thing that has kind of grown on me and I wanted to express to you all as we start to look at laws and how we go about our daily work here in this chamber, there is from Thomas Hobbes this whole idea of a social contract and how, in this contract, those whom we

represent, they have given to us, empowered us to speak on their behalf. But the one thing that they or one of the more important things that they require from us is the fact that there is some protection and safety for them, for their pursuit of life, liberty, and happiness, and when that contract does not seemingly apply to all citizens, to all walks of life, then it puts a real strain on all of us. And when that happens, I think it is important for us as government, because people look to government, in the form that we have in this representative democracy, to really provide that overarching safety for them and their families.

And what I am feeling, and I am sure many whom I represent, because they have said it to me, is that there is a sense that they do not have that same level of protection. When I say "they," I am not putting a racial face to this yet, I am not putting a social economic face to it, because I believe many of us, as we walk through our own neighborhoods, we probably hear from our own citizens that for some reason, for some purpose, they themselves do not feel as if their government is providing that level of security for them.

Some of this might be jobs, but for others it might be the fact that they might think that they live under siege. And even from those agencies that are supposed to protect and serve, in many neighborhoods of the ones I represent, even the sense of security around safety from those individuals is not always there. And you may ask, why is that important? Why are we talking about it now? What makes the difference? The reason why it is now and why it is important is because I believe that as this deterioration continues, it puts all of our safety in jeopardy.

Now, I voted for Castle, the expansion of the Castle Doctrine, and one of the reasons I voted for it is precisely what I am talking about now. I live in a neighborhood that many of the constituents that I represent, they have been besieged under clouds of violence, but when they call 911, the response time is maybe not the same as they would want it to be. So because of that, it is hard for me to go back to them and say, you cannot protect your family when you feel threatened because you fear the fact that you might have to go before a court and go to jail.

Well, that was my rationale, because I, at the end of the day, felt like government was failing them. It was not an indictment of that individual; it was an indictment of our system, because ultimately we live in a society that we should not have to have citizens defend themselves. The law enforcement that they pay the tax dollars to should be able to help them.

But I do not want to digress here and I do not want people to get upset thinking I am taking a political shot at anyone. What I am basically trying to put out there is, we are at a time that we really have to take a step back, all of us, and look at how our laws apply to all citizens. Look at the implications and what it means when you have an individual, and for all intents and purposes, I do not care what this individual brings as baggage, but when they are simply walking down a street and the only thing that they have on them is candy and soda or a hoodie and they can be taken out of here, that is a problem for our society.

We are not assigning the facts of any case, because I can put that same thing in downtown Pittsburgh and have one of my honor students, who was leaving from school, who was approached by three individuals who were dressed like they were from a gang, he runs from them and he is beaten almost to death, and it is found out that these individuals were police officers who thought that he looked like a subject that they were investigating.

So this could happen to any one of us at any point in time, more so to individuals who look like me, which is why I say the social contract. I am going to keep going back to the social contract, because that is what binds us together in this country. And when more and more people feel like that social contract – I am talking about law-abiding, everyday, hardworking citizens who are just trying to make it – when that social contract seems to not include them, what we become dangerously close to having is all-out rebellion. Because when those folks feel like law enforcement does not protect them, their government does not speak for them, the system does not respond to them, you leave them no other choice but to try to take that on themselves.

Now, to some, that might not matter, but for me, I think as we continue our business, we should always be interested and have foresight in, how do we make sure, no matter where you come from, no matter how you look, what you wear, how you speak, that this contract applies to you?

So, Mr. Speaker, I thank you for giving me that leeway. I look forward to, as we move forward in this remaining session, as we talk about all the critical issues that we have to talk about, that we stay mindful and we stay working towards making sure our social contract in this Commonwealth applies to all of our citizens, they all get a just and fair day, and that we work with them to try to make sure that at the bare minimum, they live in safe, protected communities and their human rights and their rights as citizens are always going to be protected.

So thank you, Mr. Speaker, for that opportunity.

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

BILLS RECOMMITTED

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

HB 1602;
HB 1915;
SB 110;
SB 473;
SB 743; and
SB 1228.

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

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

BILLS REMOVED FROM TABLE

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

HB 1701;
HB 1916;
HB 2077; and
SB 405.

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 18;
HB 254; and
HB 490.

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

BILLS TABLED

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

HB 18;
HB 254; and
HB 490.

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

FINANCE COMMITTEE MEETING

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

Mr. DENLINGER. Thank you, Mr. Speaker.
For a committee announcement.

The SPEAKER. The gentleman is recognized for the purpose of making a committee announcement.

Mr. DENLINGER. Mr. Speaker, tomorrow, March 28, the House Finance Committee will meet at the call of the Chair to consider HB 2244. That meeting will occur in 60 East Wing tomorrow at the call of the Chair.

The SPEAKER. The Speaker thanks the gentleman.

The Finance Committee will meet tomorrow at the call of the Chair in room 60, East Wing.

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 this House, the Speaker recognizes the gentleman, Mr. Gillen, from Berks County, who moves that this House do now adjourn until Wednesday, March 28, 2012, at 11 a.m., e.d.t., unless sooner recalled by the Speaker.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 3:45 p.m., e.d.t., the House adjourned.