

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

TUESDAY, OCTOBER 16, 2012

SESSION OF 2012

196TH OF THE GENERAL ASSEMBLY

No. 63

HOUSE OF REPRESENTATIVES

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

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

PRAYER

The SPEAKER. This morning the prayer will be offered by Rabbi Peter Kessler, Temple Ohev Sholom, Harrisburg, Pennsylvania.

RABBI PETER KESSLER, Guest Chaplain of the House of Representatives, offered the following prayer:

(Prayer in Hebrew.)

Our God and God of our mothers and fathers, bless this group of men and women as they protect the law and inspire the good conduct of the people of our Commonwealth. Guide them in the decisions they make, and be with them as they protect the rights of the people of Pennsylvania. We thank You for Your divine wisdom and for the many blessings You have bestowed upon us all, and let us say 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, October 15, 2012, will be postponed until printed.

JOURNALS APPROVED

The SPEAKER. However, the following Journals are in print and, without objection, will be approved:

Monday, June 18, 2012;
Tuesday, June 19, 2012; and
Wednesday, June 20, 2012.

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:

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 Wednesday, November 14, 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 Tuesday, November 13, 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.

HOUSE RESOLUTION INTRODUCED AND REFERRED

No. 925 By Representatives METCALFE, HUTCHINSON, KAUFFMAN, MOUL, RAPP, SACCONI, SAYLOR, AUMENT, READSHAW and GABLER

A Resolution urging the President of the United States and the United States Secretary of State to expeditiously identify and bring to justice the Libyan militant extremists who committed the heinous crimes at the United States consulate in Benghazi, Libya, on September 11, 2012.

Referred to Committee on STATE GOVERNMENT, October 16, 2012.

SENATE BILLS FOR CONCURRENCE

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

SB 1346, PN 2208

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, October 16, 2012.

SB 1532, PN 2449

Referred to Committee on TRANSPORTATION, October 16, 2012.

LEAVES OF ABSENCE

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

The Speaker recognizes the minority whip, who requests a leave of absence for the gentleman, Mr. BRENNAN, from Northampton County for the day; the gentleman, Mr. Dwight EVANS, from Philadelphia County for the day; and the gentleman, Mr. GALLOWAY, from Bucks County for the day. Without objection, the leaves will be granted.

The members will please report to the floor. We are about to take the master roll call.

MASTER ROLL CALL

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

The following roll call was recorded:

PRESENT—196

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

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

ADDITIONS—0

NOT VOTING—0

EXCUSED—4

Brennan	Evans, D.	Galloway	Murt
---------	-----------	----------	------

LEAVES ADDED—6

Boyle, B.	Frankel	Miccarelli	Mustio
DePasquale	Mahoney		

LEAVES CANCELED—3

Frankel	Galloway	Mustio
---------	----------	--------

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

GUESTS INTRODUCED

The SPEAKER. If I could have the members' attention. I would appreciate you holding the conversations down. I would like to welcome some of the guests that are with us today.

Located to the left of the rostrum, we would like to welcome Amanda Groft and Emily Gouker. They are shadowing Representative Moul for the day. Will our guests please rise. Welcome to the hall of the House.

Also located to the left of the rostrum, as a guest of Representative Metzgar, we would like to welcome Brian Whipkey. Brian, please stand. Welcome to the hall of the House.

And also to my left, we would like to welcome Debbie Haffner, Tina Smith, and Nancy Mertz, and they are here today as guests of Representative Hahn. Welcome to the hall of the House.

Also, as guests of Representative Kampf, we would like to welcome Richard and Toni Linder. Welcome to the hall of the House, folks.

In addition, as a guest of Representative Jerry Stern, we would like to welcome Dawn Hicks, who is Mrs. Pennsylvania International 2011. The more important – hold one minute – the more important thing is she is just returning home from her second tour of duty in Afghanistan, a veteran of the U.S. Air Force. Thank you for your service, and welcome to the hall of the House.

In the rear of the House, as guests of Representative Knowles, we would like to welcome Nicholas Kweder and Eric Swankoski from the Marion Catholic High School. Will our guests please rise; located by the left door.

Also in the rear of the House, some students from Lincoln University: DeWayne Walker, Shakeerah Plummer, Brandon Harris, and Miles Jones. They are here today as guests of Representative Lawrence. Welcome to the hall of the House.

And as guests of Representative Mundy, we would like to welcome Jason Landau Goodman. He is the executive director of the Pennsylvania Student Equality Coalition. Welcome to the hall of the House; straight back.

And in the rear of the House, we would like to welcome Kaitlyn Miller, Miss Pennsylvania's Outstanding Teen 2012, and her mother, Mia Miller. They are here today as guests of Representative Mundy. And with them is Cassie Cerulli, Miss MidState, and she is a guest of Representative Mullery. Welcome to the hall of the House.

And guest pages with us today, we would like to welcome Alex and Myka Byers and Jacob and Jackson Kretzing. They are the guests of Representative Mark Keller, and they are the grandchildren of Barb Stokes, who is an employee here in the House of Representatives. Welcome to the hall of the House, kids.

Also in the well of the House, we would like to welcome Courtney Anne Todaro, who is a guest of Representative Curry. Welcome to the hall of the House.

And located in the rear of the House, as guests of Representative Waters, we would also like to welcome Harriet Robinson, Elaine Richardson, Michelle Harmon, Pamela Robinson-Johnson, Philistine Gaddy, Marcella Jones, and Gail Malaika, and as I mentioned, they are guests of Representative Waters. Welcome to the hall of the House.

The House will be at ease for a few moments until we get the Republicans out of caucus.

The House will come to order.

LEAVE OF ABSENCE CANCELED

The SPEAKER. The Speaker returns to leaves of absence and recognizes the presence of the gentleman from Bucks County, Mr. Galloway, on the floor of the House. Without objection, his name will be added back to the master roll call.

UNCONTESTED CALENDAR

RESOLUTIONS PURSUANT TO RULE 35

Mr. CLYMER called up **HR 902, PN 4190**, entitled:

A Resolution designating the month of October 2012 as "Archives Month" in Pennsylvania.

* * *

Ms. PICKETT called up **HR 906, PN 4194**, entitled:

A Resolution designating October 27, 2012, as "Make a Difference Day" in Pennsylvania.

* * *

Mr. STEVENSON called up **HR 908, PN 4196**, entitled:

A Resolution designating the month of November 2012 as "Pulmonary Hypertension Awareness Month" in Pennsylvania and commending the work of the Pulmonary Hypertension Association.

* * *

Mr. ADOLPH called up **HR 910, PN 4198**, entitled:

A Resolution designating the week of October 21 through 27, 2012, as "Respiratory Care Week" in Pennsylvania and commending respiratory therapists for their outstanding contributions to health care.

* * *

Mr. SCAVELLO called up **HR 912, PN 4200**, entitled:

A Resolution recognizing the outstanding delivery of medical services provided by nurse practitioners and observing the week of November 11 through 17, 2012, as "Nurse Practitioner Week" in Pennsylvania.

* * *

Mr. BRIGGS called up **HR 914, PN 4202**, entitled:

A Resolution honoring the community of Swedesburg on the occasion of its tricentennial.

* * *

Mr. WILLIAMS called up **HR 916, PN 4204**, entitled:

A Resolution designating the month of October 2012 as "Stop the Madness, Stop the Violence Month" in Pennsylvania.

* * *

Mr. SIMMONS called up **HR 920, PN 4208**, entitled:

A Resolution designating the month of November 2012 as "Hydrocephalus Awareness Month" in Pennsylvania.

* * *

Ms. BOBACK called up **HR 924, PN 4212**, entitled:

A Resolution recognizing December 12, 2012, as the 225th anniversary of Pennsylvania's statehood.

On the question,
Will the House adopt the resolutions?

The following roll call was recorded:

YEAS—197

Adolph	Dunbar	Kirkland	Quigley
Aument	Ellis	Knowles	Quinn
Baker	Emrick	Kortz	Rapp
Barbin	Evankovich	Kotik	Ravenstahl
Barrar	Evans, J.	Krieger	Readshaw
Bear	Everett	Kula	Reed
Benninghoff	Fabrizio	Lawrence	Reese
Bishop	Farry	Longietti	Roae

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

NAYS—0

NOT VOTING—0

EXCUSED—3

Brennan Evans, D. Murt

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

STATEMENT BY MR. SCAVELLO

The SPEAKER. The Speaker recognizes the gentleman from Monroe County, Mr. Scavello, under unanimous consent relative to one of the resolutions just adopted.

Mr. SCAVELLO. Thank you, Mr. Speaker.

Mr. Speaker, I rise today to offer HR 912, a resolution recognizing the outstanding delivery of medical services provided by nurse practitioners and observing the week of November 11 through 17 as "Nurse Practitioner Week" in Pennsylvania.

There are more than 125,000 licensed nurse practitioners in the United States providing high-quality, cost-effective, patient-centered health care. More than 8,000 nurse

practitioners graduate from nurse practitioner programs each year. That is because a growing shortage of physicians means that more and more patients are seen by nurse practitioners. Because they are in demand, the nurses are looking at ways to gain more independence from doctors. In fact, nurse practitioners can diagnose acute and chronic conditions, prescribe medications and other treatments, treat illnesses, and counsel patients on health-care issues.

In Monroe County, health-care practitioners of all types help make the Pocono Medical Center and Pocono Health System a great asset to our community and to the patients that it serves.

We are all proud of the quality of service we receive here, and nurse practitioners are an important component of the health-care system in Monroe and across our Commonwealth.

Mr. Speaker, it is with great pride that I have offered the resolution, and I thank the members for their unanimous vote.

Thank you, Mr. Speaker.

The SPEAKER. The Speaker thanks the gentleman.

RESOLUTION PLACED ON CALENDAR

The SPEAKER. Still on the uncontested House calendar, the Speaker refers HR 818, PN 3956, to the House calendar.

If I could have the members' attention, I would appreciate if the members would please take their seats, staff would clear the aisles.

**ISRAELI CONSUL GENERAL
YARON SIDEMAN PRESENTED**

The SPEAKER. We have another special guest with us that I did not introduce when I introduced some of the other guests with us. He is the Israeli Consul General, Yaron Sideman. The House is honored to have a very distinguished guest visiting us today, and to my left is Mr. Sideman. He is the Consul General of Israel to the Mid-Atlantic region, serving Pennsylvania, Ohio, Delaware, Kentucky, and southern New Jersey. He began his post on August 27, 2012, and is the highest ranking diplomatic official representing Israel in this region.

He is accompanied today by Elad Strohmayr, Deputy Consul General, and Matt Handel, chairman of the Pennsylvania Jewish Coalition.

I would now like to invite Consul General Sideman to the rostrum to address the House.

Mr. SIDEMAN. Thank you, Speaker Smith, for this very kind introduction.

Honorable Speaker Smith, distinguished House members, thank you for having me today and allowing me this great honor of speaking before you.

On Sunday morning the United States, the Commonwealth of Pennsylvania, and the State of Israel lost an outstanding statesman, a leader, a champion of freedom and of human rights, a relentless pursuer of peace in the Middle East, a dedicated and committed supporter of Israel-U.S. relations, and a dear and beloved friend of the State of Israel. Former U.S. Senator Arlen Specter, who passed away on the morning of October 14, will be greatly missed by many. The State of Israel joins family and friends, the Commonwealth of Pennsylvania, and the United States in mourning this grave loss.

The values of democracy, liberty, freedom, and human rights that Senator Specter espoused, championed, and promoted relentlessly throughout his career are the very same values that underline the special relationship between Israel and the United States. The uniqueness of this relationship has been a guiding principle of U.S. administrations ever since the State of Israel has been established. Quote, "I believe in Israel as an embodiment of the great ideals of our civilizations," end of quote, President Harry Truman. "The United States and Israel have enjoyed a friendship built on...commitment to democratic principles. Our continuing search for peace in the Middle East begins with recognition that ties uniting our two countries can never be broken," end of quote, President George W. Bush. "Israel is a stalwart ally of the United States. As the only true democracy in the Middle East, it is a source of admiration and inspiration to the American people," President Barack Obama.

The relationship between Israel and the United States is deeply rooted in these values. It is broad and bipartisan, yet deep and intimate. It knows no political boundaries, and it cuts across administrations and Israeli governments alike. It is strong. It is unshakable.

Together Israel and the United States face similar threats and challenges; chief among them is the challenge of radical elements in the Middle East and elsewhere, who will stop at nothing in an effort to destroy and undermine the values of freedom and democracy that tie us together.

In the Middle East today, ever since the turmoil that shook the region just over a year and a half ago, we are facing a period of uncertainty and instability that presents new and tasking challenges both to Israel as well as to the United States.

Israel and the United States are working hand in hand in order to meet those challenges. Just for example, a week from today Israeli and United States soldiers will conduct one of many joint military missile defense exercises, Austere Challenge 12, where hundreds of Israeli and U.S. troops will be participating together.

Fully recognizing the Herculean task ahead, this House has adopted significant resolutions addressing the threat of a nuclear Iran, as well as expressing support for the State of Israel. This House has shown that it, too, regards the Iranian threat as one in which the State should play an active role in support of the national security interests of the United States and the goal of peace and stability worldwide.

Israel and the United States not only face similar challenges but also share great opportunities. Like the United States, Israel is a diverse and pluralistic society. It is a hub of high tech and sciences. It has a highly developed cultural and art scene. It is a proud member of the international community as it strives to create a better world by sharing its know-how and expertise with other nations less privileged in the world.

I am proud and honored to represent the State of Israel in this region and to play my humble part in fostering what is probably Israel's most important asset: its relationship and friendship with the United States of America, and to expand those relationships in many vibrant and different areas including promoting economic ties, encouraging industrial research and development cooperation, promoting cultural exchanges, and in many more such areas.

Fostering a relationship as close and intimate as the one between our two nations begins by interacting with people and engaging them. It begins in fact right here in this chamber by

engaging the Representatives of the people, by engaging all of you.

I look forward to a continued working relationship with this respected body on the multiple challenges and opportunities ahead. I wish to thank you again, Speaker Smith, for affording me this opportunity to speak in front of this respected House, and I want to thank all of you for your friendship and for promoting the Israeli-U.S. bond. Thank you very much.

UNCONTESTED SUPPLEMENTAL CALENDAR A

RESOLUTION PURSUANT TO RULE 35

Mr. ROEBUCK called up **HR 927, PN 4229**, entitled:

A Resolution designating the week of October 21 through 27 as "National Chemistry Week" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—197

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

Denlinger	Kavulich	Petrarca	Youngblood
DePasquale	Keller, F.	Petri	
Dermody	Keller, M.K.	Pickett	Smith, S.,
DiGirolamo	Keller, W.	Preston	Speaker
Donatucci	Killion	Pyle	

NAYS—0

NOT VOTING—0

EXCUSED—3

Brennan	Evans, D.	Murt
---------	-----------	------

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

CALENDAR

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **SB 1225, PN 2411**, entitled:

An Act amending Title 24 (Education) of the Pennsylvania Consolidated Statutes, providing for public library code; and making related repeals.

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

* * *

The House proceeded to second consideration of **SB 1309, PN 2441**, entitled:

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in consolidated county assessment, further providing for appeals by taxing authorities.

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

The SPEAKER. For what purpose does the lady from Montgomery County, Ms. Harper, rise?

Ms. HARPER. Thank you, Mr. Speaker. I would like to make a motion – I do not know if it is appropriate right now – to revert to a prior printer's number on this bill.

The SPEAKER. The Speaker apologizes to the lady. I perhaps was moving fast.

DECISION OF CHAIR RESCINDED

The SPEAKER. Without objection, the Speaker rescinds the notice that SB 1309 was given second consideration.

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

BILL REVERTED TO PRIOR PRINTER'S NUMBER

The SPEAKER. The Chair recognizes the lady from Montgomery, Ms. Harper, on the bill.

Ms. HARPER. On my motion?

The SPEAKER. Yes.

Ms. HARPER. Thank you, Mr. Speaker.

I would like to make a motion that we revert to the prior printer's number on this bill to take it back to the way it was when the Senate passed it. Doing so will allow the bill to go directly to the Governor's desk and provide aid for our taxpayers. On the other hand, it would also keep an exception for cases involving tax revenue of more than \$10,000 a year. The net effect would be that if we allow commercial property owners who are getting reassessments lower now not to be challenged when the market rebounds, every one of our residential homeowners will pay more in the coming years. The Senate wisely included an exception for large properties that pay more than \$10,000 a year in school property taxes and allowed them to be challenged by the local school boards. Without this amendment, we are ultimately doing the opposite of what the bill seeks to do. The bill seeks to protect residential homeowners from large increases in their school property taxes, but if we do not make sure that school boards can challenge low commercial taxes, all we are doing is increasing the taxes on everybody else.

So the bill would be much better the way the Senate sent it to us and can go right to the Governor's desk if we revert to the prior printer's number, and I would request your support that we do so. Ultimately, that would be a much better bill.

Thank you, Mr. Speaker.

The SPEAKER. The lady, you may have stated it but the Speaker is not sure he heard it. Is that reverting to PN 2298?

Ms. HARPER. Well, Mr. Speaker, you called this bill so quickly I do not have my whole—

The SPEAKER. I just need to verify that that is—

Ms. HARPER. The printer's number as it came over from the Senate, that is what I am asking that we revert to; yes.

The SPEAKER. The lady from Montgomery County, Ms. Harper—

Ms. HARPER. Yes, Mr. Speaker, it is 2298; I am sorry.

The SPEAKER. Thank you.

The question before the House is to essentially amend SB 1309 by reverting to the prior printer's number, 2298.

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

The SPEAKER. On that question, the Speaker recognizes the gentleman from Lancaster County, Mr. Boyd.

Mr. BOYD. Thank you, Mr. Speaker.

As a member of the Finance Committee, the bill was amended in the Finance Committee, and what the gentlelady from Montgomery County is doing is undoing an amendment that was passed with I believe significant support by the Finance Committee.

And in effect what this amendment or this referral back to a prior printer's number would do is allow what some would argue or some would call spot assessment on large tax

properties while not allowing it on residential properties. Mr. Speaker, from my standpoint, for consistency's sake, if we believe that the practice of spot assessment is inappropriate for a taxpayer who pays an increase of less than \$10,000, then I think it is inappropriate for a taxpayer that is going to be spot assessed and pay more than \$10,000, and I would argue that referring to a prior printer's number is in fact not a good move.

The Finance Committee did its work. As we have often heard from leaders on both sides of the aisle, the majority leader and the minority leader, that the committees work their process for a reason. The bill was duly considered. It was amended by the Finance Committee, and I believe that it would be more appropriate to vote the bill as the Finance Committee with support from the majority Finance Committee chairman and I believe some members on the minority Finance Committee as they passed the bill to the House.

So I would argue that we should not revert to a prior printer's number. Thank you, Mr. Speaker.

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

Mr. GODSHALL. Thank you, Mr. Speaker.

I agree with going back to the prior printer's – reverting to the prior printer's number.

What has happened in the southeast in Montgomery County and in a number of the other counties and possibly around the State is there have been numerous, I mean numerous assessment reductions in the downturn that we have experienced over the last number of years. And some of those places where we had the downturn, where they had their assessments reduced, are now doing fine, and there has to be a way of bringing them up to where they should be, and if we do not, if we do not, the money that they should be paying is directly paid by the small guy or the homeowner. So what we are doing here is trying to relieve the homeowner of a burden that really is not his.

All we are asking is that everybody pays their fair share, and if the big guys do not pay their fair share, the little guys pay more. So it is a logical way of handling this situation, and I ask for a favorable vote.

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

Mr. VITALI. Thank you, Mr. Speaker.

I rise in support of the Harper motion.

I wanted to bring to the attention of the chamber the position of the Pennsylvania Association of School Business Officials, which also supports the Harper motion. And just by way of background, that is a statewide group of over 3,000 public officials, school board professionals working in finance, accounting operation facilities, and transportation. This group wrote a memo dated October 10, and they say as follows, and I am going to quote their letter. The "Pennsylvania Association of School Business Officials strongly urges Members of the House of Representatives to withhold support of Senate Bill 1309, unless the bill reverts to the Senate-approved version." Let me just repeat that: The "Pennsylvania Association of School Board Officials...urges Members of the House of Representatives to withhold support...unless the bill reverts to the Senate-approved version."

Now, I will also quote – I will jump around their letter a little bit – it talks about "The Senate wisely chose to amend the bill to allow taxing jurisdictions to pursue such appeals when the

aggregate additional revenue to be collected by the taxing... authority "...pursuant to an appeal..." is "...\$10,000 or more." That is supporting what the lady from Montgomery County is saying.

The bill talks about the loss of hundreds of millions of dollars in assessed value reductions awarded to businesses, and it talks about in this bill these breaks being given to multinational investment firms. They say, quote, "Senate Bill 1309 would result in significant revenue losses to school districts at the worst possible time."

So I just wanted to bring to the House's attention that this respected organization supports the Harper motion and cites the fact that it would result in substantial revenue losses to the school districts, increase the burden to homeowners unless we revert to the prior printer's number.

I urge support of this motion. Thank you.

The SPEAKER. On the motion to revert to prior printer's No. 2298, the Speaker recognizes the gentleman from Montgomery County, Mr. Briggs.

Mr. BRIGGS. Thank you, Mr. Speaker.

I support the gentlelady from Montgomery County's motion to revert to a prior printer's number. I think it is important that we send this bill directly to the Governor to protect our homeowners.

It is intentional that the Senate put in the \$10,000 threshold, and I would hope that we can get this out directly to the Governor and revert to the prior printer's number. Thank you.

The SPEAKER. On the motion, is the lady, Ms. Harper, seeking recognition for the second time? The lady is in order.

Ms. HARPER. Thank you, Mr. Speaker.

Many shopping centers and malls have been reassessed lower, which is appropriate because they are not valued at what they were valued at 5 years ago. But without reverting to the prior printer's number, when the value returns to those properties, they will stay low and the burden that they are now or have been paying will be spread among the individual taxpayers that this bill actually seeks to benefit. If you want to get the relief to the individual homeowners who are worried about property taxes, the way to do it is to revert to the prior printer's number and send the bill directly to the Governor while still reserving the right to challenge assessments that have been lowered during this recession when they revert to a better fair market value.

I would ask for your support so that we can send this bill directly to the Governor to help the individual homeowners and still be fair and share the burden of school taxes fairly with commercial properties that have been reassessed lower and pay more than \$10,000 a year in taxes.

Thank you, Mr. Speaker.

The SPEAKER. On the question, the motion to revert to the prior printer's number, 2298, those in favor— Is the gentleman, Mr. Boyd, seeking recognition for a second time? The gentleman is in order.

Mr. BOYD. I will just be very brief, Mr. Speaker. Thank you.

The word was thrown around "fairly," and I cannot imagine how it is fair that we have two standards for assessment. One, we are going to eliminate spot assessment for residential under a certain dollar value, and it is not even residential. It is under a certain dollar value. We are going to allow spot assessment on

property that is over a certain value. I cannot understand how that is fair. I am not even so sure, personally, it is constitutional with the uniformity clause, but I am not going to get into that argument. I am not a constitutional scholar, but just on the basis of fairness, it does not seem fair to me.

The practice of spot assessment does not seem fair to me in the first place. So I just would argue again that the intent of the original language before it was amended in the Senate and the \$10,000 threshold was put into it was to create an environment where school districts or taxing entities could not cherry pick certain properties that they felt that they could draw more revenue from, and I personally think that that is the way that this should be done, that that is the fair way that this should be executed, and that was somewhat the will of the Finance Committee.

I go back to the statement again by both the majority leader and the minority leader repeatedly in this legislative session. We have committees, and they are charged to do their work. The committee process, in this case, worked, and I believe it worked well, and I believe it demonstrated the will of the Finance Committee to bring the bill to the floor as it was passed out of Finance.

Thank you, Mr. Speaker.

The SPEAKER. On the motion to revert to prior printer's No. 2298, those in favor of the motion will vote "aye"; those opposed to the motion, vote "no."

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

(Members proceeded to vote.)

LEAVE OF ABSENCE

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

CONSIDERATION OF SB 1309 CONTINUED

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

The following roll call was recorded:

YEAS—134

Adolph	Donatucci	Kortz	Readshaw
Baker	Evans, J.	Kotik	Reed
Barbin	Everett	Kula	Roebuck
Barrar	Fabrizio	Lawrence	Ross
Bishop	Farry	Longiotti	Sabatina
Boback	Fleck	Maher	Sainato
Boyle, B.	Freeman	Mahoney	Samuelson
Boyle, K.	Galloway	Mann	Santarsiero
Bradford	Geist	Markosek	Santoni
Briggs	George	Matzie	Scavello
Brown, R.	Gerber	McGeehan	Schmotzer
Brown, V.	Gergely	Miccarelli	Smith, K.
Brownlee	Gibbons	Micozzie	Smith, M.
Burns	Gingrich	Milne	Staback
Buxton	Godshall	Mirabito	Stephens

Caltagirone	Goodman	Mullery	Stern
Carroll	Hackett	Mundy	Sturla
Clymer	Haluska	Murphy	Swanger
Cohen	Hanna	Mustio	Taylor
Conklin	Harhai	Myers	Thomas
Costa, D.	Harkins	Neilson	Tobash
Costa, P.	Harper	Neuman	Toepel
Cruz	Heffley	O'Brien, M.	Toohil
Curry	Helm	O'Neill	Vereb
Daley	Hennessey	Parker	Vitali
Davidson	Hess	Pashinski	Waters
Davis	Hornaman	Payton	Watson
Dean	James	Petrarca	Wheatley
Deasy	Josephs	Petri	White
DeLissio	Kavulich	Pickett	Williams
DeLuca	Keller, W.	Preston	Youngblood
DePasquale	Killion	Quigley	
Dermody	Kirkland	Quinn	Smith, S.,
DiGirolamo	Knowles	Ravenstahl	Speaker

NAYS—62

Aument	Ellis	Keller, M.K.	Peifer
Bear	Emrick	Krieger	Perry
Benninghoff	Evankovich	Mackenzie	Pyle
Bloom	Gabler	Major	Rapp
Boyd	Gillen	Maloney	Reese
Brooks	Gillespie	Marshall	Roae
Causer	Grell	Marsico	Rock
Christiana	Grove	Masser	Saccone
Cox	Hahn	Metcalfe	Saylor
Creighton	Harhart	Metzgar	Simmons
Culver	Harris	Millard	Sonney
Cutler	Hickernell	Miller	Stevenson
Day	Hutchinson	Moul	Tallman
Delozier	Kampf	Oberlander	Truitt
Denlinger	Kauffman	Payne	Turzai
Dunbar	Keller, F.		

NOT VOTING—0

EXCUSED—4

Brennan	Evans, D.	Frankel	Murt
---------	-----------	---------	------

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

The SPEAKER. The bill is reverted to the prior printer's number.

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

Bill as amended was agreed to.

(Bill as amended will be reprinted.)

GUESTS INTRODUCED

The SPEAKER. I would like to recognize some other guests that are with us. Located in the gallery, as guests of Representative Paul Costa, we would like to welcome the Western Pennsylvania School for the Deaf. Welcome to the hall of the House.

STATEMENT BY MR. P. COSTA

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

Mr. P. COSTA. Thank you, Mr. Speaker.

I want to thank you for introducing the Western Pennsylvania School for the Deaf, who is here with us today in the gallery. Anyone from southwestern Pennsylvania that has been to the school realizes how much great work they do and the kids that they work with. And if you have not been there yet, please make arrangements with me. I would love to give you a tour. It is phenomenal the work that they are doing with these kids, and now they have actually extended to children in the Scranton area. So if any of you want to have a tour or meet with the people of the Western Pennsylvania School for the Deaf, please do so.

And again, thank you for being here today.

Thank you, Mr. Speaker.

The SPEAKER. The Speaker thanks the gentleman.

If I could have the members' attention. I would appreciate you taking your seats and staff clearing the aisles. We are going to have a member farewell speech in a minute. I appreciate the members' attention.

**FAREWELL ADDRESS
BY MR. CREIGHTON**

The SPEAKER. I would like to invite to the rostrum the gentleman from Lancaster County, Mr. Creighton, for his farewell remarks to this House of Representatives. If we could have the members kindly take their seats and the staff clear the aisles, please.

Mr. Creighton.

Mr. CREIGHTON. Thank you, Mr. Speaker.

A synopsis of my farewell comments are one enormous thank you. Nearly 12 years ago I stood in this beautiful chamber taking our oath surrounded by family and new friends. I took an oath to support, obey, and defend the Constitution of the United States and the Constitution of Pennsylvania and to discharge the duties of my office with fidelity. It was a day I will never forget.

Today I say farewell to you, my friends and my mentors, and prepare to leave this chamber and this institution. It is another unforgettable day. Like many of you, I was no stranger to community involvement and service. I had experience in many walks of life – teaching, research, manufacturing, township supervising, and small business. However, when I was blessed with the opportunity to come here and serve the people of my district in this General Assembly, nothing could have prepared me for the challenges and the rewards that accompany this job.

I have been blessed by being able to give blessings. To be able to work every day with other men and women who are dedicated to improving our State and the lives of its citizens is a great honor and even greater responsibility. Being a Rep takes a sacrifice of family time and energy. So I would like to introduce my energy maker – my wife, Sandy. She is the greatest thing that has ever happened to me. All those dinners, receptions, rallies, she is there, always inspiring me every day. We are both proud of our three children. Tom III is a county commissioner in Lehigh County. He and Sue have two grandsons for us, Tom IV and Zachary. Our daughter is in the middle. She has a Ph.D. (doctor of philosophy) in psychology. She works in Canada,

Toronto. Our youngest son, Bob, and Nadine, who gave us twin grandsons 7 months ago. And we have the 2 1/2-year-old princess granddaughter, which is quite a job, taking care of her.

So I would like to talk about legislation a little bit. I really like my Governor. My Governor and I have very similar ideas and principles. I really like my House of Representatives. I have always looked forward to the Monday, the Tuesday that we start a session week. I really like my Speaker, with his cool demeanor. I really like my leader, who is always nice when you agree with the boss. I really like my delegation: John Bear, Scott Boyd, Dave Hickernell, Bryan Cutler, Gordon Denlinger, Ryan Aument, as we always seem to work for a like-mindedness on many issues, and we always seem to be pretty close together for Lancaster County. I really like my Senate: Senator Pileggi; Senator Stew Greenleaf, for his work in Justice and Mercy and prison reform; Mike Brubaker, Senator Mike Brubaker, a compassionate statesman from Lancaster; Lloyd Smucker has business acumen and savvy, from Lancaster; and especially John Eichelberger from Blair County, I really like. We were a team when we were in Local Government in the House and the Senate.

Local Government. I want to thank the Speaker for assigning me chairman of Local Government. In the first session I was a minority and in the second I was a majority; majority is much better. Bob Freeman is certainly the epitome of a great statesman. He was a mentor for me and truly committed to making PA a success. So thank you, Bob. Suzanne Stuck, always ready to answer any question, giving me the heads-up on many issues. And especially Don Grell; he is the complete expert on local government. He could read my mind when I am sort of off on some other idea. He had prepped me before the meetings, during the meetings, and after the meetings, so I was really his puppet. Don is just a great person in Local Government. The expertise of Don and Wanda Snader, John Fulton, and Amy Brinton were great assets. We have had a busy couple of years. We would be nothing without the good work behind the scenes. We the Reps get the glory many times, but the work of the researchers may not have been recognized. I thank Don and the team for all the awesome work you have done this session. We have in Local Government – which is sort of neat – we started to have luncheons together with the Senate. It seems like we had referred to our committee 179 bills, 71 from the House and 37 from the Senate. We discharged 108 bills out of committee, and 40 of those have been signed into law. So we are very proud of our record, what Don and Wanda have done and the whole team. Borough Code had languished for many years. Everybody sort of knew it should be done, but it was never done. So we got the key players together – the newspapers, the fire people, the police – and we sort of threatened to lock the door until they could come to a compromise. So we got Borough Code done. It was just an awesome kind of thing.

We could not have accomplished this without the excellent working relationship with Bob Freeman and Senator John Eichelberger. You know, I thought true power resided in here in this House with the chairmen, but it is when the chairmen of both the House and the Senate work together, there are a lot of great things that can happen. Thank you, Mr. Speaker, for allowing me to be the chair of Local Government. There he is.

I would like to thank my wonderful staff for their hard work and support: Judy Jackson, a warm face and smiling receptionist; Alecia Kloiber, my legal beagle, chief of staff, who

always seemed to get the tough issues; and Linda Martin, my project event coordinator. Well done, Linda. Great job. And Diane Dorman, who knows literally everybody in Manheim. I preach that our office, our office is a mission field. When people come in that door, they have a problem and they need us to help them solve it, so we take that extra step and try to get on the phone and try to march them through. They need an advocate to take the right steps. One of the most sincere compliments I have had, I asked a constituent why he came in, and he said, "Well, my friend told me that Tom could solve the problem." So I mean, we kept our office there to help people, help them through the tough times.

So I started a sheet with people that are, you hear the terminology "unforgettable characters." I started and the sheet got too big, but I sort of cut it down a little bit. The most unbelievable, unforgettable – it is all good; it is really good – is Bud George. Where is he? He is one of the most unforgettable characters I have ever met. Greg Vitali. I always listen when Greg gets up to speak because I learn something new. We totally disagree on almost everything. Bill DeWeese, my vocabulary teacher. Gaynor Cawley; I do not know if you remember him, but he was a supreme comedian. John Perzel, the field marshal. Tom Caltagirone, just a really great guy. Bill Keller, who came up with my nickname "Slide Rule." Great accolades have to go to Matt Ryan. He was a true statesman. LeRoy Zimmerman from Lancaster County, Gib Armstrong, Sam Rohrer, Jeff Coleman, Ron Miller. He had to put up with me for the last 4 years. And Rick Geist, Will Tallman, and Jaret Gibbons, who helped me with our community corrections centers. Louise Bishop, a true, true, saint. Mark Cohen; we have sponsored a bill together called the National Popular Vote. I would hope that someday this chamber will be able to argue the merits of that bill. Tony Barbush for getting me a scooter whenever I had my hip changed. So Paul Clymer, Tim Hennessey, Daryl Metcalfe – and we saw a sense yesterday of Daryl and Babette working together, and I was quite impressed. High-energy Mario Scavello, our field marshal, Karen Coates, and my Judiciary consultant, Dana Alwine.

During the last 12 years I have met some famous folks: Margaret Thatcher, George Bush, Bart Starr, Mitt Romney, and Tug McGraw. Those are sort of the famous people I have met. But my constituents have inspired me to work hard and to be tenacious when searching for solutions. I have one lady who calls me every week and tells me how to vote, and I really appreciate that. That is Verna Eckert. If you want some advice, she is great. My mother-in-law, Evy, she says, "I saw you on PCN (Pennsylvania Cable Network)." She is always watching that TV show, and I just appreciate her.

But my constituents have problems we are tenaciously searching for solutions for. And I have learned from all of you to be open-minded in my approach to issues and to cultivate and maintain a good working relationship even when we have differing views. Together we all have the power to make great changes. And I am proud to say that I have for 12 good years been a Representative for the people of the 37th Legislative District and a member of this awesome body. To all of you, my colleagues, thank you for your service, your dedication to Pennsylvania, your friendship. God bless you, and thank you for an unforgettable 12 years.

COMMEMORATIVE GAVEL PRESENTED

The SPEAKER. That was very good. Nice style on some of those names, those unforgettable characters. Stay here just a second. I have one thing to present to you, the commemorative gavel to help mark your time of service in the House. God bless you, and may the world treat you well in your coming years, you and your wife. Thank you.

Mr. CREIGHTON. Thank you.

STATEMENT BY MR. FREEMAN

The SPEAKER. Is the gentleman, Mr. Freeman, seeking recognition under unanimous consent?

Mr. FREEMAN. Yes, Mr. Speaker.

The SPEAKER. The gentleman is recognized.

Mr. FREEMAN. Thank you, Mr. Speaker.

Mr. Speaker, I just want to express my thanks, my gratitude to Chairman Creighton for his service to this House, to his constituents, and the people of Pennsylvania. It has truly been a privilege and a pleasure to work with him as the ranking Democratic chair on the committee. Tom and I had our differences from time to time over policy matters, but we were always courteous to each other. We both believe very strongly in the importance that the work we do in committee is to create a good policy product. Regardless of where you come down on the issue, you want to make sure that you are fashioning legislation that addresses a real problem and is done in an appropriate way, an inclusive way, and I am very grateful to him for being the outstanding chairman that he was. He truly has done a great service to our institution, and we owe him a debt of thanks and gratitude for the way in which he conducted himself.

As I mentioned, we had policy differences from time to time, but there were more efforts where we worked to collaborate, to really create a good policy product that addressed the needs of local government and of our constituents. I think in many respects we established a model of conduct within our committee of mutual respect, of civility, of inclusiveness of our rank-and-file members that could serve as an excellent model for how we should conduct ourselves in this chamber. This chamber has always been a partisan body. I experienced that from the first time I came down here in 1983, but unfortunately, I think it has gotten a little more partisan over time. I think it is important for us to be mindful of the fact that our main charge is to fashion good policy and to serve the people of this Commonwealth, and in Tom Creighton's service, we achieved that.

So my thanks to him. I will miss him. He has been a good colleague and a great friend, and I wish him well.

The SPEAKER. The Speaker thanks the gentleman.

RESOLUTION PURSUANT TO RULE 35

Mr. WATERS called up **HR 803, PN 3923**, entitled:

A Resolution honoring the life of business leader, attorney, author and historian, Edward W. Robinson, Jr., and extending condolences to his family and friends.

On the question,
Will the House adopt the resolution?

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

Mr. WATERS. Thank you, Mr. Speaker.

Mr. Speaker, today I take the opportunity to honor a man who lived a truly distinguished life, perhaps beyond what he could have ever imagined as an African-American kid growing up in the 1920s. Dr. Edward Robinson, Jr., a name that for many will forever be synonymous with teacher and leader, passed away on June 13, 2012, from complications with cancer.

Mr. Speaker, may I have some order?

He passed away on June 13, 2012, from complications with cancer and left behind a legacy that is too great to capture in the amount of time allotted for these remarks. He was a noted historian and a published author, but his greatest legacies are the contributions he made to the empowerment of countless African-American scholars, professionals, and politicians that he mentored and reared in the disciplines of success.

While eulogizing Dr. Robinson, one of his protégés said of him, "For generations, Robinson was directed toward one goal: to effect a positive change of attitude toward the ancestral value of people of African descent by the total world society through dramatically exposing the beauty, grandeur, and sophistication of ancient Egypt and the Songhai Empire."

While it would seem that a historian with a life goal to uncover the truths about the forgotten past would be preoccupied with the ancient, Robinson proved through his life that he was equally as concerned with the present and future progression of people of African descent as he was with the past.

As an author, he wrote works such as "Journey of the Songhai People" and " 'Twas the Night Before Kwanzaa." He also produced CDs (compact disks) and DVDs (digital video disks) such as "Black Rhapsody" and "The Songhai Princess." As a curriculum specialist, he designed an African-American history course for the Philadelphia School District to be taught to students in grades one through eight. Dr. Robinson will also be remembered as an attorney, a social activist, a civil servant, and a husband for 41 years to his surviving wife, Harriette Robinson, who is here with us today. His impacts on Philadelphia politics are too many to recount as he personally mentored many astute politicians from the area, including his nephew, the late State Representative David P. Richardson, who served the 201st Legislative District.

HR 803 is just a simple token of our appreciation for a lifetime of work in breaking down racial stereotypes and redefining the African-American experience in the city of Philadelphia, the State of Pennsylvania, and the country. Finally, Mr. Speaker, I would like to ask my colleagues for their support of the resolution honoring Dr. Edward W. Robinson, Jr., as he truly deserves it.

GUESTS INTRODUCED

Mr. WATERS. Mr. Speaker, I would like to welcome our guests who have joined us today in celebration of the life and legacy of Dr. Edward W. Robinson, Jr. We have his wife, Harriette C. Robinson; his daughters, Michelle Harman and Pamela Robinson-Johnson; his sister – who is the mother of the late State Representative David P. Richardson – who is here,

she is, we call her "Mom" Elaine Richardson; friends Philistine Gaddy, Marcella Jones, and Gail Malaika. Thank you, Mr. Speaker.

Mr. Speaker, I would like to ask everyone to join us in supporting HR 803, and with your permission, recognize the family and friends who have joined us today in honor of Resolution 803. Thank you, Mr. Speaker.

The SPEAKER. Will our guests please rise again.

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

(Members proceeded to vote.)

LEAVE OF ABSENCE CANCELED

The SPEAKER. The Speaker returns to leaves of absence and recognizes the gentleman from Allegheny County, Mr. Frankel, back on the floor of the House. His name will be added to the master roll call, without objection.

CONSIDERATION OF HR 803 CONTINUED

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

The following roll call was recorded:

YEAS—197

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

Day	Hornaman	Parker	Vitali
Dean	Hutchinson	Pashinski	Waters
Deasy	James	Payne	Watson
DeLissio	Josephs	Payton	Wheatley
Delozier	Kampf	Peifer	White
DeLuca	Kauffman	Perry	Williams
Denlinger	Kavulich	Petrarca	Youngblood
DePasquale	Keller, F.	Petri	
Dermody	Keller, M.K.	Pickett	Smith, S.,
DiGirolamo	Keller, W.	Preston	Speaker
Donatucci	Killion	Pyle	

NAYS—0

NOT VOTING—0

EXCUSED—3

Brennan Evans, D. Murt

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

RULES AND APPROPRIATIONS COMMITTEE MEETINGS

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

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

Mr. Speaker, I would like to announce a Rules Committee meeting in the majority leader's conference room. And then following the Rules Committee meeting, there will be an Appropriations Committee meeting in the majority caucus room. Thank you.

The SPEAKER. There will be a Rules Committee meeting in the majority leader's conference room followed by an Appropriations Committee meeting in the majority caucus room.

RECESS

The SPEAKER. The House stands in recess until 1:30, unless sooner recalled by the Speaker.

AFTER RECESS

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

SENATE MESSAGE

HOUSE AMENDMENTS CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to **SB 1298, PN 2410**.

BILL SIGNED BY SPEAKER

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

SB 1298, PN 2410

An Act amending the act of December 19, 1974 (P.L.973, No.319), known as the Pennsylvania Farmland and Forest Land Assessment Act of 1974, further providing for definitions, for roll-back taxes and special circumstances and for appeals.

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

BILLS REREPORTED FROM COMMITTEE

SB 86, PN 1680

By Rep. ADOLPH

An Act amending Titles 18 (Crimes and Offenses) and 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for dealing in proceeds of unlawful activities, for the unlawful disposition of motor vehicles and for investigation by police officers; and repealing the Motor Vehicle Chop Shop and Illegally Obtained and Altered Property Act.

APPROPRIATIONS.

SB 390, PN 2451

By Rep. ADOLPH

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in size, weight and load, further providing for width of vehicles.

APPROPRIATIONS.

SB 850, PN 2475

By Rep. ADOLPH

An Act amending Titles 18 (Crimes and Offenses), 42 (Judiciary and Judicial Procedure) and 61 (Prisons and Parole), of the Pennsylvania Consolidated Statutes, in authorized disposition of offenders, further providing for sentence for murder, murder of unborn child and murder of law enforcement officer and providing for sentence of persons under the age of 18 for murder, murder of an unborn child and murder of a law enforcement officer; in criminal history record information, further providing for expungement and for juvenile records; and providing for crime victims; in juvenile matters, further providing for short title and purposes of chapter, for definitions, for scope, for inspection of court files and records and for conduct of hearings; in sentencing, providing for sentencing for certain murders of infant persons and for sentences for second and subsequent offenses; in Pennsylvania Board of Probation and Parole, further providing for parole procedure.

APPROPRIATIONS.

SB 1144, PN 2077

By Rep. ADOLPH

An Act amending the act of July 2, 1996 (P.L.514, No.85), known as the Health Security Act, defining "covered dentist services"; and prohibiting insurers from setting fees for noncovered dentist services.

APPROPRIATIONS.

SB 1185, PN 2274

By Rep. ADOLPH

An Act amending the act of June 24, 1931 (P.L.1206, No.331), known as The First Class Township Code, providing for appointment of township treasurers and election of tax collectors; and further defining the duties and authority of the board of township commissioners.

APPROPRIATIONS.

SB 1200, PN 2476

By Rep. ADOLPH

An Act amending Title 62 (Procurement) of the Pennsylvania Consolidated Statutes, providing for public access to procurement records; further providing for competitive sealed proposals, for sole source procurement and for emergency procurement; providing for small business reserve program, for oversight and responsibility and for contracting with veteran-owned small businesses; and imposing duties on the Department of General Services and other Commonwealth purchasing agencies.

APPROPRIATIONS.

SB 1255, PN 2170

By Rep. ADOLPH

An Act amending Title 25 (Elections) of the Pennsylvania Consolidated Statutes, enacting the Uniform Military and Overseas Voters Act.

APPROPRIATIONS.

SB 1442, PN 2386

By Rep. ADOLPH

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, repealing and adding sections related to military justice; and establishing the State Military Justice Fund.

APPROPRIATIONS.

SB 1531, PN 2388

By Rep. ADOLPH

An Act amending Titles 51 (Military Affairs) and 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in State Veterans' Commission and Deputy Adjutant General for Veterans' Affairs, providing for funds for Veterans' Trust Fund; in registration of vehicles, providing for contributions to Veterans' Trust Fund; and, in registration of vehicles, further providing for special plates for veterans.

APPROPRIATIONS.

SB 1572, PN 2322

By Rep. ADOLPH

An Act amending the act of August 10, 1951 (P.L.1189, No.265), entitled, as amended, "An act regulating the appointment, promotion, suspension, reduction, removal and reinstatement of employes (except superintendents, assistant superintendents, inspectors, chief clerks and school guards) in bureaus of police in cities of the second class; and defining the powers and duties of civil service commissions in such cities for such purposes," further providing for qualifications for appointment in the competitive class of the civil service.

APPROPRIATIONS.

GUESTS INTRODUCED

The SPEAKER. I would like to recognize some guests that are with us. They are guests of Representative Mike Peifer: the fourth grade class of Wallenpaupack North Intermediate School.

They are visiting Harrisburg today for their annual tour. They are up in the gallery. Welcome to the hall of the House.

LEAVE OF ABSENCE

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

**BILLS ON CONCURRENCE
REPORTED FROM COMMITTEE****HB 135, PN 4060**

By Rep. TURZAI

An Act amending the act of November 22, 1978 (P.L.1166, No.274), referred to as the Pennsylvania Commission on Crime and Delinquency Law, further providing for definitions, for the Pennsylvania Commission on Crime and Delinquency, for powers and duties of the commission, for duties of the commission relative to criminal statistics, for duties of public agencies and officers in reporting criminal statistics, for the Juvenile Justice and Delinquency Prevention Committee, for powers and duties of the Juvenile Justice and Delinquency Prevention Committee, for Targeted Community Revitalization and Crime Prevention Advisory Committee and for powers and duties of Targeted Community Revitalization and Crime Prevention Advisory Committee; and providing for justice reinvestment grants.

RULES.

HB 1121, PN 4147

By Rep. TURZAI

An Act amending Titles 18 (Crimes and Offenses) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for the offense of recruiting criminal gang members and for sentencing for offenses committed in association with a criminal gang.

RULES.

HB 1417, PN 2634

By Rep. TURZAI

An Act amending Titles 18 (Crimes and Offenses), 30 (Fish) and 34 (Game) of the Pennsylvania Consolidated Statutes, in assault, further providing for the offense of aggravated assault; in enforcement, further providing for interference with officers of the Pennsylvania Game Commission and of the Pennsylvania Fish and Boat Commission; providing for the offense of assaulting an officer; further providing for jurisdiction and penalties and for disposition of fines and penalties; and, in game or wildlife protection, further providing for killing game or wildlife to protect person, for unlawful importation of game or wildlife, for unlawful taking and possession of protected birds, for possession or interference with active nests or eggs of birds, for unlawful sale of protected birds and plumage and for hunting or furtaking prohibited while under influence of alcohol or controlled substance.

RULES.

HB 1868, PN 4074

By Rep. TURZAI

An Act amending the act of May 3, 1933 (P.L.242, No.86), referred to as the Cosmetology Law, further providing for eligibility for examination and for limited licenses.

RULES.

HB 2467, PN 4079

By Rep. TURZAI

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in certificate of title and security interests, further providing for transfer of vehicle ownership and for certificate of salvage required.

RULES.

CALENDAR CONTINUED

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **SB 941, PN 2419**, entitled:

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

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

* * *

The House proceeded to second consideration of **SB 1402, PN 2415**, entitled:

An Act amending Title 30 (Fish) of the Pennsylvania Consolidated Statutes, further providing for the definition of "fishing," for organization of commission, for deputy waterways conservation officers and for volunteer program; providing for damage to property; further providing for control of property, for powers and duties of waterways conservation officers and deputies and for enforcement of other laws; providing for unlawful use of computer and for liability for conduct of another and for complicity; further providing for suspension of privileges pending payment of penalties, for misuse of property and waters, for littering, for possession and display of licenses, for lost fishing licenses, for institutional licenses, for exemptions from license requirements, for eel chute licenses, for net permits, for boat and net licenses for boundary lakes, for penalties, for fees, for boating education, for general boating regulations, for chemical testing to determine amount of alcohol or controlled substance and for period of registration; providing for unauthorized operation of boats, for permitting violations and for duties of operators involved in boating accidents; and making editorial changes.

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

The SPEAKER. It is the Speaker's understanding that the gentleman from Adams County, Mr. Tallman, and the gentleman from Carbon County, Mr. Heffley, have withdrawn their amendments.

The Speaker thanks the gentlemen.

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

**BILL ON CONCURRENCE
IN SENATE AMENDMENTS**

The House proceeded to concurrence in Senate amendments to **HB 1548, PN 4148**, entitled:

An Act regulating child labor; conferring powers and duties on the Department of Labor and Industry and the Department of Education; imposing penalties; and making a repeal.

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

The SPEAKER. Moved by the gentleman, Mr. Turzai, that the House concur in the amendments inserted by the Senate.

The Speaker now recognizes the gentleman from York County, Mr. Miller, for a brief description of Senate amendments.

Mr. MILLER. Thank you, Mr. Speaker.

HB 1548 started out in the Labor and Industry Committee as legislation to enact modern standards to regulate child performers in the entertainment industry. The Senate Labor and Industry Committee, with the agreement of the Department of Labor and Industry, Chairman Keller, and myself, amended the bill to insert language to completely rewrite the Child Labor Law. In addition, the Senate worked with entertainment industry interest groups to further improve language regulating child performers.

Thank you, Mr. Speaker.

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

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

The following roll call was recorded:

YEAS—196

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

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

NAYS—0

NOT VOTING—0

EXCUSED—4

Brennan	Evans, D.	Murt	Mustio
---------	-----------	------	--------

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

Ordered, That the clerk inform the Senate accordingly.

STATEMENT BY MR. TURZAI

The SPEAKER. The gentleman, Mr. Turzai, is seeking recognition relative to the legislation just adopted.

The gentleman is in order and may proceed.

Mr. TURZAI. Thank you, Mr. Speaker.

The good sponsor of this legislation is not with us; his father recently passed away. I wanted to just make it clear the hard work that he did with respect to this landmark legislation. The legislation rewrites Pennsylvania law governing child labor to make it as consistent as possible with Federal law, and in particular, to modernize provisions regulating child actors and performers.

Today's concurrence vote on this bill represents the culmination of much hard work amongst the majority and minority chairs of the House Labor and Industry Committee as well as the majority and minority chairs of the Senate Labor Committee. I must tell you that the good gentleman from Montgomery County led the way from start to finish. He has had a strong interest in establishing definitive standards for children who participate in modern entertainment mediums such as reality TV shows.

HB 1548 originated in this House as a bill to establish such standards. The legislation incorporates new entertainment standards that have been agreed to by the Department of Labor and Industry, entertainment industry representatives, and their

respective unions. And I must say that the legislation is pro-employer as well as protective of the child actors and performers and other child laborers in the sense that it protects the rights of those children and their families, but it also simplifies compliance for employers by ensuring our law is as consistent as possible with Federal law, and that it is straightforward with real safe harbors.

Again, I applaud the good gentleman from Montgomery County for his hard work.

BILL SIGNED BY SPEAKER

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

HB 1548, PN 4148

An Act regulating child labor; conferring powers and duties on the Department of Labor and Industry and the Department of Education; imposing penalties; and making a repeal.

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

GUESTS INTRODUCED

The SPEAKER. If could have the members' attention, please.

Although he has chosen not to make parting remarks from the rostrum, we do want to recognize and welcome the family of Representative Staback. Located to the left of the rostrum, the Chair welcomes the family of retiring member, Ed Staback. With him is his wife, Angie, along with son Randy, daughter-in-law Maura, and two granddaughters, Gabriella and Olivia. Ed is retiring this year after serving the 115th Legislative District, which is Lackawanna and Wayne Counties, for 28 years. Welcome to our guests.

COMMEMORATIVE GAVEL PRESENTED

The SPEAKER. I would ask the gentleman, Mr. Staback, to come forward and at least accept the ceremonial gavel to mark your years of service to this House.

I must admit, one of the great retirement speeches of all times.

FAREWELL ADDRESS BY MISS MANN

The SPEAKER. If I could have the members' attention. I would appreciate the members taking their seats. Staff will clear the aisles.

Another member who will be leaving this House at the end of November, I would like to welcome Representative Jennifer Mann to make some remarks to the House. Welcome to the podium.

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

I just have to say that the one fear I had about coming up here today was that I would have to follow Bud George and his farewell address, and I just did not want to do that because no one is as good as he is. I certainly look forward to his remarks,

but thank you for making sure I did not have to follow really a gentleman who is a true icon to have served here. And we certainly will miss you, Mr. Chairman, Bud George.

Now, many of you may know me as not being the most patient of people, and I get a little frustrated in prolonged House floor debates and redundant remarks, so I have always chosen the opportunity to get to the microphone very selectively over the years. So today I am going to make up for it. Truly, I will not.

But like many of you, I have listened to many farewell speeches over the years. Some have been funny, some have been gimmicky, some have been a little boring. Mine may not be necessarily funny, and I hope not boring, but it will be from my heart.

As I stand here today, I cannot help but think to where my life was 14 years ago. I was a young small business owner in pursuit of a childhood dream to serve my hometown, the city of Allentown, in elected office. I ran my business by day and knocked on doors, fundraised, participated in debates, doing whatever needed to be done to win at any and every free moment. I ran on the promise that I would always do what I believed was right regardless of the political consequences, and I believe I have.

It was important to me to make a difference, and I believe I have. I believe we all have an obligation beyond individual responsibility, an obligation to others: the elderly woman about to be evicted from her home who has no place to go, to an autistic young man about to turn 21 and lose his support services, to those who encounter challenges and turn to us for help. We have an obligation to our community, and it has been my privilege to serve the people of the 132d District, and to them I say thank you. Thank you for giving me the honor and privilege to serve you. I have never taken that trust you have placed in me for granted.

Now, I am proud to have played a role in increasing education funding in Allentown – to fight to ensure that children living in poverty have the same educational opportunities as children growing up in affluence. For strengthening laws that protect children from sexual predators, and providing law enforcement the tools they need to get deadly synthetic drugs off our streets. To championing economic development with the completion of Coca-Cola Park, home to the Phillies AAA affiliate, the Lehigh Valley IronPigs. I will mention that we are number one in all of minor league baseball in attendance. Downtown Allentown is undergoing a renaissance. You might not know it, but you soon will. Downtown right now we have over \$500 million in projects, construction projects underway. Wow, that is big stuff.

Friends, any success I have had has not come from my efforts alone. Everybody, my colleagues, you know this as well as anybody. It has been with the efforts of you, and specifically my friends in the Lehigh Valley delegation, a hardworking, smart, and regionally focused group who puts the interests of the Valley first. To you, I thank all of you. It is local elected officials who understand the power and necessity of intergovernmental cooperation. It is those in the private sector who have believed in our city and who have invested in its fate. But most of all, it is my family, friends, and staff who are seated at the back of this chamber who have stood by me and supported me, allowing me to live out this childhood dream and

accomplish great things for my hometown and the Lehigh Valley. I ask them to please stand and you all welcome them here today, please.

Lastly, I know we are all focused on returning that next phone call, bringing a constituent case to resolution, moving a bill to a vote as the clock on a session is about to expire, or maybe we are even thinking about the next election. But like me, you will someday stand here and reflect on your 10, 15, or 30 years, and you, too, will wonder where the time went. I simply remind you of how privileged we are to serve here, to represent the interests of those who send us, and we always need to put their needs first and do all we can to further our Commonwealth as a place we are all proud to call home.

Thank you very much. Thank you. Thank you very much.

COMMEMORATIVE GAVEL PRESENTED

The SPEAKER. I just want to take a moment and thank you for your years of service and give you this commemorative gavel to mark those years. God bless you, and good luck in the future.

Miss MANN. Thanks.

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **SB 201, PN 2384**, entitled:

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, in health and accident insurance, providing for coverage of prescriptions.

On the question,

Will the House agree to the bill on second consideration?

The SPEAKER. On the question of the bill, the Speaker recognizes the gentleman from Clinton County, Mr. Hanna.

The Speaker was unclear – there were two amendments, one timely, one late-filed – what the gentleman's intentions were.

Mr. HANNA. Mr. Speaker, I think they both would be timely today, but both amendments are withdrawn.

The SPEAKER. Both amendments have been withdrawn?

Mr. HANNA. That is correct, Mr. Speaker.

The SPEAKER. 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 **HB 2065, PN 3713**, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, providing for the Vets First Tax Credit Program to honor veterans for their service to our country and provide incentives for their employment.

On the question,

Will the House agree to the bill on second consideration?

Bill was agreed to.

**FAREWELL ADDRESS
BY MR. HORNAMAN**

The SPEAKER. Again, if I could have the members' attention. I would appreciate if the members would take their seats and staff would clear the aisles. If I could have the members' attention, please. If the members would kindly take their seats. Staff, please clear the aisles. Take the conversations to the anteroom if necessary.

With that, I would like to invite the gentleman from Erie, Mr. Hornaman, who also will be retiring from this legislative body at the end of this session. We would welcome him to the dais to make some parting remarks.

Mr. HORNAMAN. Thank you, Mr. Speaker.

Boy, you sure get a different perspective from up here. Maybe I should have stuck around a few years.

All right. A couple days ago, Monday, Monday morning I came to work. I am getting off the elevator at level C, getting here at 7:15 in the morning, not too many people around. I am walking across the East Wing Rotunda, and all of a sudden, I am awash with emotions, and I am saying to myself, am I really doing the right thing? Can I really walk away from this? And what about those people that have come to my office and said, "We need you, John. Do not retire. Come on now. You are young yet." You know, I even thought to myself walking across that rotunda, I really am going to miss this place. This has been one heck of a ride. Coming as it did in the latter phase of my life – we will not discuss ages – but there I was, 6-plus years ago, wonderful family, great wife, successful business, when I suddenly became upset with this General Assembly – no, really – and what I considered at that time to be shenanigans, which I think has the same derivative of malarkey. Okay.

My wife, at that time, who is my Abigail Adams, said to me, "Stop complaining about this stuff and do something about it." It is kind of like when Abigail said to John Adams, what do you mean you do not want to declare war on the French? We are already fighting the French. So on that fateful day, I made that fateful decision which brought me here to be a public servant for three terms. It has been exhilarating. It has been frustrating. But it has never been boring. And it has had its rewards, from helping constituents in the district office get through bureaucratic nightmares to finding funding for a washed-out road in Franklin Township to collecting and shipping personal items for the Project Support Our Troops. I have done things and I have helped with things that I never would have imagined 6 years ago. I have focused on veterans' issues, volunteer fire departments, energy, alternative energy, and it has been quite an education.

I have given everything to this job, because after having been self-employed most of my life, I knew that I had to be worthy of the fact that the taxpayer was signing my paycheck. And let me say this: I have come to really, really appreciate the "Man in the Arena" speech given by Teddy Roosevelt 100 years ago. Before this experience, when I was standing on the outside of that arena, I never had any concept of the demands, the pressures, and the sacrifices of this job, but I sure do now.

Okay, so if this job has been so rewarding, why leave now? Well, because after nearly 50 years in the workforce, my wife – Abigail Adams, a.k.a. JoAnn – and I, we are just ready to take a break. Some travel time, fix up the house, and maybe cruise down Route 66 in that '54 Chevy.

I have got to say thank you to so many people who have assisted me over these years. Thanks to my wife, not only for her drive and support, but also for her patience and gutsiness during tough campaigns, as well as her street smarts, quickly catching on to the workings of politics. Thanks to my daughters Pam and Amie, who always took time from their jobs and traveled to Erie from Florida and Pittsburgh to be with me and work the polls every election day. Thanks to my highly talented legislative assistant here in Harrisburg, Carla Walker, who agreed to come work for me after a single telephone interview – but only after she had my assurance that I had no intention of switching parties. This turned out to be a match made in heaven.

And thanks to my wonderful staff in the district office: Joy, Rhonda, Kim, and Sue. You have learned your jobs well and you care about the people who walk in those doors. And you get results and you solve problems, and those people leave with a smile on their face. Certainly, your efforts there, along with Carla's, have been a major factor in my reelections, and I have been blessed to have all of you in that district office.

I have got to say thank you to all of the friends, neighbors, and volunteers who helped me in my campaigns, and of course, all those who voted for me. Your faith and your confidence in me has certainly been a humbling experience. Finally, thanks to everybody here: legislators, staff, lobbyists, friends, and foe. You have all come together to create for me certainly the experience of a lifetime. I am going to miss it.

Thank you, Mr. Speaker.

COMMEMORATIVE GAVEL PRESENTED

The SPEAKER. Thank you, John.

Very heartfelt remarks, and we appreciate them. We appreciate your contribution to this House. We have a customary gavel for you to remember your years with here. God bless you. May the future with your wife and retirement be well served for you and treat you well.

You will not miss the drive to Erie.

**FAREWELL ADDRESS
BY MR. PERRY**

The SPEAKER. Next I would like to invite to the rostrum a young man from York County, Mr. Perry. He bumped his head along the way and decided to leave this House and maybe try to go to a bigger House, but beyond that, his aspirations, I do want to invite the gentleman, Mr. Perry, to give some parting remarks.

A great patriot of this country, Scott Perry.

Mr. PERRY. Thank you, Mr. Speaker.

I know some of you are, "Holy smokes, Perry is up at the rostrum." The Speaker has reminded me he has got a big hammer right on my head if I get out of line.

I want to begin with a few thank-yous. To the staff that have worked for the constituents of the 92d District, we started this thing together – and two of them cannot be here, the two district staff members, Dave and Jodi – but they are a great credit to my success. And to Lisa Seilhammer, who is— She interviewed me when I came here. She will be staying here after I leave, and I would say that anybody that could somehow acquire Lisa Seilhammer will do very well for yourself. Lisa, would you please take a bow. Thank you.

To the York County delegation: Stan, Ron, Keith, Will, and Eugene; none are finer. We are all fiercely independent and serve our districts well, but we work together. We have our disagreements, but we respect one another, and I do not think you could find a better delegation to be a part of. I salute you. Thank you very much for taking me in. To leadership on both sides of the aisle, it is a very, very tough job and I do not envy you. No person out here works for any one of these folks, but yet you find a way to move the agenda forward in Pennsylvania, and I think it is a great credit. To my many mentors and folks that I learned from, and I learned quite a bit. To Leader Turzai, in particular; we have had a lot of conversations. He has told me, "Perry, always wear a striped tie," being the paragon of fashion that he is. He said do not lecture people here. They know why they are here. They know what they think. Give them the facts as you see them and let them make their own decisions. A close friend is someone who is not afraid to disagree with you, and we have on occasion, but Mike is of the highest integrity, and when he gives you his word, you can count on it. Thank you very much, Mr. Leader.

I am going to miss a few, but you will get the point. So many other people have influenced me, and many of you probably did not know when I was watching, but I was. To Caltagirone, Grell, Killion, Galloway, Samuelson, Adolph, Parker, Keller, Reichley, Cutler, Truitt, and even Bud George – well, I did not say what they taught me, but they taught me something. Thank you very much. And all the legislative staff, all of them, but in particular for me Callahan, Coates, Corey, Hanson, DiLeo, and Taglang. Thank you for helping me make sense of this. And for folks like Wally, Cuppy, Spizz, Barbush, and all the unsung heroes that make things around here work, thank you very much for making some sense of what sometimes is very chaotic.

I have learned a few things since I have been here. I have been in the minority and the majority, and you can make a big difference from either place – a big difference. Each of you is passionate about the present and the future, and each of you took a risk to be here. From Adolph to Youngblood, you all offer your own perspective, and that is what makes this place great. Thank you for the friendships that we have formed, big and small. This place can be a daily test of your moral courage, and I have been tested in my life many ways, but I leave here better prepared for what lies ahead in my life. I still do believe that one person can make a difference.

Oftentimes as legislators, we measure our success by the name on the bill that makes it to the Governor's desk for a signature, but I would tell you that my experience has been that I have made as much of an impact as any in caucus by the few things that I have said on occasion, phone calls to leadership and other members, and by the amendment process. So I tell myself and I tell you, do not be discouraged by the times it did not go your way; be thankful for and draw strength from the times it did go your way. And this comes directly from Leader Turzai. There are different ways to get your point across – and I learned this my first couple days on the floor here – there are different ways to get your point across. Be gracious when you can. We mark our lives in a lot of firsts – you know, your first date, your child's first steps. I remember the first time I walked into this room and the overwhelming sense of pride and responsibility that I got. The first time I was admonished by the Speaker. I am a grown man and the Speaker calls me to the rostrum and he reaches down and he straightens up my tie for me and he scolds me roundly. I felt like I was 100 feet tall

because even at that moment when the Speaker was scolding me, I felt like I was changing the world. I remember when Bob Belfanti told me to go back to Iraq – and I knew he was just kidding in the sense that he was not – and again, I felt like even a little bit I was making a difference. And I really remember when the leader let me offer amendments in the Rules Committee, and how I felt that he and I were both making a difference in the world because in the past, let us face it, if one of us had done that, that would be the end of the things you were going to get accomplished in the legislature. I want to thank all the leadership for allowing me to be successful here.

Now I am looking at the things that I will be doing last, the last time I will walk into this room and feel the overwhelming sense of pride. It is kind of, it is overwhelming, that sense that you get that you are the voice of the people that brought you here. And all the little things, the little things like turning the key in your office that the taxpayers have provided. I, for one, Mr. Speaker, will miss the discussions in the aisles. These are all the little things that we do, and it does make me sad. What we do here is exceptional and it is humbling and it is meaningful, because see, since I was a little boy, I wanted to be something, part of something bigger than myself, and I dreamed the grandest of dreams. We did not have a lot. We had some faith in ourselves and faith in God above, but see, I am the son of a single mom, and I remember back when I was about 5, 6 years old, I found myself in the end of a two-man saw, a two-man saw. My brother was at the other end and we were cutting the wood that we were going to heat our house with that winter, the house that had no electricity and no plumbing. We went out to the outhouse, or the privy, that was over by the stable to do our business. And even though I dreamed great things, I told my mom when I was about 5 that I wanted to fly the helicopter that was flying overhead, and I told her to vote for Nixon, but maybe I should be the President. But at that moment, when I was on the two-man saw, elected officials were folks of privilege, and that was very far away from where I was. Well, I can tell you as I hold my little girl in my arms in the house that I helped build and I am charting my own course in the world, I think I am living the American dream. I think that the Founding Fathers who pledged their lives, their sacred honor, and their fortunes are doing it precisely for folks like you and me who started with almost nothing but could reach the highest heights.

I put myself through college, I started a business, commanded soldiers in combat, piloted magnificent machines, and pursued whatever fulfilled me because of the Founding Fathers. I was able to become what people in other nations may never be simply because our Fathers gave us life, liberty, and the opportunity to be our very best.

To my left – your right – my mom and my wife, my beautiful and capable wife. Would you please – so they do not have to clap 50 times – would you please stand up. Please stand up. Up. Thank you. Thank you. Thank you. Thank you.

I want to thank my mom. She let me make a lot of mistakes and do it my way, but she did the best she could. You know, I remember times when, look, she was a single woman. She had a job where she had to travel and the job would not let her have kids, so she hid my brother and me and we stayed at places where we barely knew the folks and the world was a different— It was, the world was a different place at that time. But she did what she had to do to get through, and I appreciate all the sacrifices on my behalf.

To my wife and my little girls, each of you knows the sacrifices that go into this job, and I thank them from the bottom of my heart. She is, my wife is the bedrock for me. She is my foundation, and she and my little girls allow me to do what I love to do.

I salute you. I salute you for working toward common good in this State, working for things in your district and all across our State. It is Boss's Day, so I want to thank the citizens from the 92d District for offering me this fabulous and awesome privilege to serve them, to have their trust and confidence. And most of all I would like to thank God for his overwhelming blessings.

It is exceptionally bittersweet to walk away from this thing that I and you have been granted, that greatest of privileges to serve our community at the highest levels, but for me it was never intended to be forever. I think it is great that we have a mix. Half of you are new since I got here, but it is good to have folks that have been here a little while to mentor the young folks, and it is great to have that new energy.

We can never be sure of what the future holds, but I know I will always be involved because I care very deeply about our Commonwealth and our nation. I hope you will let me visit sometime. As we say in the cavalry, I will see you on the high ground. Thank you for your indulgence, and I wish you Godspeed.

COMMEMORATIVE GAVEL PRESENTED

The SPEAKER. I want to thank you for your service here as well as your service to our country. We know as a veteran that you have been there and helped preserve some of those very freedoms you just spoke about. God bless you, and may I present you with a commemorative gavel to mark your time in the House.

Mr. PERRY. Thank you, Mr. Speaker.

LEAVE OF ABSENCE CANCELED

The SPEAKER. The Speaker returns to leaves of absence and recognizes the presence of the gentleman from Allegheny County, Mr. Mustio, on the floor of the House. Without objection, his name will be added to the master roll call.

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **SB 1261, PN 1625**, entitled:

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

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

* * *

The House proceeded to second consideration of **SB 775, PN 2417**, entitled:

An Act amending Title 44 (Law and Justice) of the Pennsylvania Consolidated Statutes, in DNA data and testing, further providing for policy, for definitions, for powers and duties of State Police, for State DNA Data Base, for State DNA Data Bank, for State Police recommendation of additional offenses, for procedural compatibility with FBI and for DNA sample required upon conviction, delinquency adjudication and certain ARD cases; providing for collection from persons accepted from other jurisdictions; further providing for procedures for withdrawal, collection and transmission of DNA samples, for procedures for conduct, disposition and use of DNA analysis; providing for request for modified DNA search; and further providing for DNA data base exchange, for expungement and for mandatory cost.

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

Mr. NEUMAN offered the following amendment
No. **A13537**:

Amend Bill, page 28, line 16, by inserting after "FOR"

criminal homicide,

Amend Bill, page 30, line 3, by striking out "**AND**" and inserting

or

Amend Bill, page 30, line 4, by inserting after "**SAMPLE**"

and fingerprints

Amend Bill, page 30, lines 17 and 18, by striking out "**ONE YEAR AFTER THE EFFECTIVE DATE OF**" in line 17 and "**THIS SUBSECTION**" in line 18 and inserting

July 1, 2014

Amend Bill, page 30, lines 21 and 22, by striking out "**TWO YEARS AFTER THE EFFECTIVE DATE OF**" in line 21 and "**THIS SUBSECTION**" in line 22 and inserting

July 1, 2015

Amend Bill, page 35, line 2, by striking out "**OR DNA RECORD**" and inserting

record or profile

Amend Bill, page 36, line 18, by striking out "**SHALL**" and inserting

may

Amend Bill, page 38, line 22, by inserting a bracket before "**SAMPLES**"

Amend Bill, page 38, line 22, by inserting after "**SAMPLES**"

] records or profiles

Amend Bill, page 39, line 2, by striking out "**SAMPLES AND**"

Amend Bill, page 39, line 3, by inserting after "**RECORDS**"

or profiles

Amend Bill, page 40, lines 1 through 15, by striking out all of said lines and inserting

(b) Removal by request.—A person whose DNA sample, record or profile has been included in the State DNA Data Bank or the State DNA Data Base under the former DNA Act, former provisions of 42 Pa.C.S. Ch. 47 (relating to DNA data and testing) or this chapter may make a written request to the State Police seeking removal of the person's DNA sample, record or profile from the State DNA Data Bank or the State DNA Data Base on the grounds that the sample, record or profile was collected or included by mistake. Within 60 days of receipt of a written request for removal, the State Police shall review the request and determine if the DNA sample, record or profile was included in the State DNA Data Bank or the State DNA Data Base by mistake;

(1) If the State Police determine that the DNA sample, record or profile was included by mistake, the request for removal shall be granted and the DNA sample, record and profile shall be destroyed within 30 days of the determination at no cost to the person making the request. The State Police shall provide written notice of the removal to the person and his attorney of record, if any, upon completion of the removal.

(2) If the State Police deny the request, written notice of the denial and reasons therein shall be provided to the person and his attorney of record, if any.

(3) If the State Police erroneously deny the request, the person may request expungement of the DNA sample, record or profile under subsection (b.1).

Amend Bill, page 41, line 24, by striking out "SUBSECTION (C)(1)" and inserting

this subsection

Amend Bill, page 42, line 1, by striking out "(C)" and inserting

(b.1)

Amend Bill, page 42, line 2, by striking out "AN" and inserting

the

Amend Bill, page 42, lines 2 and 3, by striking out "ISSUED

UNDER" in line 2 and "SUBSECTION (C)" in line 3

Amend Bill, page 42, line 6, by striking out "(C)" and inserting

(b.1)

Amend Bill, page 43, line 8, by striking out "IN 270 DAYS" and inserting

July 1, 2013

On the question,

Will the House agree to the amendment?

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

Mr. NEUMAN. Thank you, Mr. Speaker.

It is my understanding that this is an agreed-to amendment that will fix some technical problems with the bill, and I would ask for the members' support. Thank you.

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

The House will be at ease for a moment.

The House will come to order.

BILL PASSED OVER TEMPORARILY

The SPEAKER. I apologize. We will be going over this bill temporarily. We do intend to come back to it, and we would pick up exactly where we were.

* * *

The House proceeded to second consideration of **SB 349, PN 1827**, entitled:

An Act providing for the regulation of indoor tanning facilities; establishing the Indoor Tanning Regulation Fund; and providing for penalties.

On the question,

Will the House agree to the bill on second consideration?

BILL TABLED

The SPEAKER. On the question, for what purpose does lady from Lebanon County, Mrs. Swanger, rise?

Mrs. SWANGER. Thank you, Mr. Speaker.

I would like to at this time make a motion to table the bill. I think the bill is flawed. I think it needs some more work, and I think our—

The SPEAKER. Will the lady suspend. Let me call the question up and then I will return to you to—

Mrs. SWANGER. Okay.

The SPEAKER. —allow you to argue your reason.

The lady from Lebanon County, Mrs. Swanger, moves to table SB 349.

On the question,

Will the House agree to the motion?

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

Mrs. SWANGER. Thank you, Mr. Speaker.

I think this bill is flawed. I really think it needs more work. I think many of our members are conflicted because they are torn between wanting to support the interests of small business and yet provide for the safety of our children. I think there is also some question on the amount of penalty involved – I am sorry, not the penalty, the license fee involved as compared to license fees for cosmetologists.

So I really think the bill does need more work. I think we should table it until next session when we can thoroughly vet the bill and come up with a piece of legislation that can really protect our children. Thank you.

The SPEAKER. Under the rules, only the maker of the motion and the two floor leaders are permitted to debate the motion to table.

On that question, the Speaker recognizes the majority whip, Mr. Saylor.

Mr. SAYLOR. Thank you, Mr. Speaker.

I rise in support of the Representative's motion to table this bill. We also agree that it needs some additional work and would appreciate a vote to table this bill. Thank you.

The SPEAKER. On the question, those in favor of tabling SB 349 will vote "aye"; those opposed to tabling will vote "no."

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—126

Adolph	Farry	Lawrence	Reed
Aument	Fleck	Longiatti	Reese
Barrar	Gabler	Mackenzie	Roae
Benninghoff	Geist	Major	Rock
Bloom	Gerber	Maloney	Roebuck
Boback	Gillespie	Mann	Ross
Boyd	Gingrich	Marshall	Saccone
Brooks	Godshall	Marsico	Sainato
Brown, R.	Grell	Masser	Samuelson

Brown, V.	Grove	McGeehan	Saylor
Buxton	Hackett	Metcalfe	Simmons
Causser	Hahn	Metzgar	Sonney
Christiana	Haluska	Miccarelli	Staback
Clymer	Harhart	Micozzie	Stephens
Cohen	Harper	Millard	Stern
Cox	Harris	Miller	Stevenson
Creighton	Heffley	Milne	Swanger
Cruz	Helm	Moul	Tallman
Culver	Hennessey	Murphy	Taylor
Cutler	Hess	Mustio	Tobash
Daley	Hickernell	Myers	Toepel
Davidson	Hornaman	Oberlander	Toohil
Day	Hutchinson	Payne	Truitt
Delozier	Josephs	Payton	Turzai
Denlinger	Kampf	Perry	Vereb
DiGirolamo	Kauffman	Petrarca	Vitali
Dunbar	Keller, F.	Pickett	Waters
Ellis	Keller, M.K.	Preston	Watson
Emrick	Keller, W.	Pyle	Youngblood
Evankovich	Killion	Quigley	
Evans, J.	Knowles	Quinn	Smith, S.,
Everett	Krieger	Rapp	Speaker

NAYS—71

Baker	Deasy	James	Pashinski
Barbin	DeLissio	Kavulich	Peifer
Bear	DeLuca	Kirkland	Petri
Bishop	DePasquale	Kortz	Ravenstahl
Boyle, B.	Dermody	Kotik	Readshaw
Boyle, K.	Donatucci	Kula	Sabatina
Bradford	Fabrizio	Maher	Santarsiero
Briggs	Frankel	Mahoney	Santoni
Brownlee	Freeman	Markosek	Scavello
Burns	Galloway	Matzie	Schmotzer
Caltagirone	George	Mirabito	Smith, K.
Carroll	Gergely	Mullery	Smith, M.
Conklin	Gibbons	Mundy	Sturla
Costa, D.	Gillen	Neilson	Thomas
Costa, P.	Goodman	Neuman	Wheatley
Curry	Hanna	O'Brien, M.	White
Davis	Harhai	O'Neill	Williams
Dean	Harkins	Parker	

NOT VOTING—0

EXCUSED—3

Brennan	Evans, D.	Murt
---------	-----------	------

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

The SPEAKER. The House will come to order. The House will come to order.

SUPPLEMENTAL CALENDAR C

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 1144, PN 2077**, entitled:

An Act amending the act of July 2, 1996 (P.L.514, No.85), known as the Health Security Act, defining "covered dentist services"; and prohibiting insurers from setting fees for noncovered dentist services.

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—197

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

NAYS—0

NOT VOTING—0

EXCUSED—3

Brennan Evans, D. Murt

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 1442, PN 2386**, entitled:

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, repealing and adding sections related to military justice; and establishing the State Military Justice Fund.

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—197

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

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

NAYS—0

NOT VOTING—0

EXCUSED—3

Brennan Evans, D. Murt

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 1185, PN 2274**, entitled:

An Act amending the act of June 24, 1931 (P.L.1206, No.331), known as The First Class Township Code, providing for appointment of township treasurers and election of tax collectors; and further defining the duties and authority of the board of township commissioners.

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—197

Adolph	Dunbar	Kirkland	Quigley
Aument	Ellis	Knowles	Quinn
Baker	Emrick	Kortz	Rapp
Barbin	Evankovich	Kotik	Ravenstahl
Barrar	Evans, J.	Krieger	Readshaw
Bear	Everett	Kula	Reed
Benninghoff	Fabrizio	Lawrence	Reese

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

NAYS—0

NOT VOTING—0

EXCUSED—3

Brennan Evans, D. Murt

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 1572, PN 2322**, entitled:

An Act amending the act of August 10, 1951 (P.L.1189, No.265), entitled, as amended, "An act regulating the appointment, promotion, suspension, reduction, removal and reinstatement of employees (except superintendents, assistant superintendents, inspectors, chief clerks and school guards) in bureaus of police in cities of the second class; and defining the powers and duties of civil service commissions in such cities for such purposes," further providing for qualifications for appointment in the competitive class of the civil service.

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

The SPEAKER. On that question, the Speaker recognizes the gentleman from Allegheny County, Mr. Frankel.

The Speaker thanks the gentleman. He is not seeking to suspend the rules for consideration of amendment.

On the question recurring,
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 Allegheny County, Mr. Readshaw.

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

Mr. Speaker, SB 1572 has been legislation for, best as I can recall, 6 or 7 or 8 months now. And my concern for this is when it originally came out and throughout today – and the last 3 days, as a matter of fact – is I have been asking my colleagues whether they had a misconception about this bill. In the bill on line 2, or excuse me, page 2, line 15, it says "A city of the second class may require..." And I believe the "may" has been interpreted that this might go back or should go back to the local municipality, local government, where they would make the judgment as to whether this would go into effect or would not go into effect. Perhaps it was a misconception on my part, but as I was saying, as I spoke to many, many people during the course of the last 72 hours, it seems to have changed and the "may" is no longer as strong as was first interpreted. I cannot support this in its present condition today simply because I think that local government, second-class cities should have the choice as to whether they care to do this or not.

So I just wanted to make those comments for the record, Mr. Speaker. Thank you very much.

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

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

Mr. MAHER. Thank you, Mr. Speaker.

As it stands now, the city of Pittsburgh in the county of Allegheny is the only municipality in the entire State that does not have local control over the question of whether or not residency should be required of police officers. I believe that that power and authority should vest with the city of Pittsburgh, and I would ask your support on the bill. Thank you.

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

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

Mr. SCHMOTZER. Mr. Speaker, thank you.

Mr. Speaker, I think there is a lot of confusion on this bill. It was presented to me months ago that this was a bill that would go back to the mayor and the council of the city of Pittsburgh to then determine their own fate.

MOTION TO TABLE

Mr. SCHMOTZER. I am confused about this bill, and I would like to make a motion to table SB 1572 because I think there is a domino—

The SPEAKER. The gentleman will suspend.

Let me pose the question. You made the motion. I will return to you to make your argument as to why or not it should be tabled.

The gentleman from Allegheny County, Mr. Schmotzer, has moved that SB 1572 be laid on the table.

On the question,

Will the House agree to the motion?

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

Mr. SCHMOTZER. Mr. Speaker, I think this bill could have a domino effect on the employees of the city of Pittsburgh. The city of Pittsburgh has tremendous housing opportunities, and if the policemen are allowed to move out of the city, then what is to prevent the good firemen or the city employees to follow suit? I think one of the worst pieces of legislation that came out of this House years ago was when the House allowed the schoolteachers of the cities of Pittsburgh and Philadelphia to move out of the cities. I think if you make your money in those communities, you should live there. We have great housing, we have great health facilities, and we have great opportunities.

From my knowledge, the mayor is not— If I am correct, I do not think the city government back in Pittsburgh is for this bill. I think it is a confusing bill from how it was presented to us the last couple months of lobbying.

The SPEAKER. On the question of tabling the bill, the Speaker recognizes the majority whip, Mr. Saylor.

Mr. SAYLOR. Mr. Speaker, I would oppose tabling this bill. This bill came out of committee unanimously, and I would like to move this bill to the Governor's desk. So I ask for a vote not to table.

The SPEAKER. On the question, the Speaker recognizes the gentleman from Allegheny County, Mr. Frankel.

Mr. FRANKEL. Thank you, Mr. Speaker.

I want to support the motion to table this. Despite the comments of my colleague from across the aisle from Allegheny County, it is not clear to us that this bill leaves the authority of city government – city council and the mayor – to decide the issue of residency for police officers. We had originally received assurances that an arbitrator could not override an ordinance of the city, but apparently there is some lack of clarity with respect to that. We would like the opportunity to clarify or at least add language that would absolutely guarantee that an arbitrator could not override the ordinances of the city.

So I would ask the members of the House to join in tabling this so we can get the clarity that I think the city and certainly the delegation from the city were asking for. Thank you.

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—81

Bishop	DeLissio	Kirkland	Payton
Boyle, B.	DeLuca	Kortz	Petrarca
Boyle, K.	Dermody	Kotik	Preston
Bradford	Donatucci	Kula	Ravenstahl
Briggs	Fabrizio	Longietti	Readshaw
Brown, V.	Frankel	Mahoney	Roebuck
Brownlee	Freeman	Mann	Sabatina
Burns	George	Markosek	Sainato
Buxton	Gergely	Masser	Samuelson
Caltagirone	Gibbons	Matzie	Santoni
Carroll	Goodman	McGeehan	Schmotzer
Cohen	Haluska	Mirabito	Smith, K.
Conklin	Hanna	Mundy	Smith, M.
Costa, P.	Harhai	Murphy	Staback
Cruz	Harkins	Myers	Sturla
Curry	Hornaman	Neuman	Vitali
Daley	James	O'Brien, M.	Waters
Davidson	Josephs	Parker	White
Day	Kavulich	Pashinski	Williams
Dean	Keller, W.	Payne	Youngblood
Deasy			

NAYS—116

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

NOT VOTING—0**EXCUSED—3**

Brennan	Evans, D.	Murt
---------	-----------	------

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?

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

Mr. VITALI. Mr. Speaker, I rise to seek to interrogate someone on the bill, perhaps the chair of the Local Government Committee, where the bill emerged from, or some other willing person.

The SPEAKER. I am sorry, Mr. Vitali. I do not see anyone standing to be interrogated.

Mr. VITALI. I am wondering, maybe someone from the Allegheny County area, even a rank-and-file legislator, someone who can just explain the contents of this bill, maybe the chair of the Judiciary Committee or the— Trying to find someone who can—

The SPEAKER. The gentleman will suspend.

Sorry to inform you, I do not see anyone on the Democratic side of the aisle standing for interrogation either.

Does the gentleman seek to comment on the bill?

Mr. VITALI. Because we are about to vote on a bill, 203 of us, and someone should know the contents enough of this or we should not be voting on it. I just need to kind of ask some questions about what existing law is and how this would change it. Surely there is someone in this chamber who knows—

The SPEAKER. The gentleman will suspend.

Mr. VITALI. —those questions.

The SPEAKER. The gentleman will suspend.

Clearly, the question was posed, and I see no one on either side of the aisle that is willing to stand for interrogation. The gentleman is in order to speak to the final passage of the bill.

MOTION TO RECOMMIT

Mr. VITALI. I am going to make a motion to recommit, and I would like to speak to that motion.

The SPEAKER. Would the gentleman state a committee to which he would seek to recommit the bill.

Mr. VITALI. Local Government.

The SPEAKER. The gentleman from Delaware County, Mr. Vitali, moves to recommit SB 1572, PN 2322, to the Local Government 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. Vitali.

Mr. VITALI. Mr. Speaker, this may be a wonderful bill, but the problem is, I think this chamber clearly lacks some fundamental information about whether this is a wonderful bill or not. And as proof of that, I offer, you know, simply the inability to have some very basic questions answered. I mean, I have just gathered very quickly this deals with the residency requirements of police officers, presumably in the Allegheny County area. Not quite sure what current law is, not quite sure what this would change that to, not sure what the role of an arbitration panel would be in all of this. I think the real question is not so much that this is a bad bill, but we really do not know the contents of it. And I think unless and until, you know, someone is prepared to step forward and explain exactly what

we are voting on, we really should not be. If it seems evidenced by some of the questions of the prior speakers there is confusion about this, then we need to put this in a place where there can be some clarification.

So, you know, I think for those who watch this show on television, I mean, they have a right to understand and follow what we are voting on also. You know, the idea of voting on a bill without having any clue as to the contents is not the way we ought to be doing business here. So I would move that we recommit this to Local Government until we are in a position to fully understand the contents of the bill.

I also think we ought to hear about what some of the affected people hear about this. We have heard nothing in floor debate about the position of the city of Pittsburgh. We have heard nothing in this debate about the position of the police officers. I mean, to me it is— We need to know these things to move forward, and if we do not know that information now, maybe the committee, the Local Government Committee, is the place to get some of those answers. So I think better to go slow and correctly than quickly and incorrectly, so I would ask support of this motion.

The SPEAKER. On the question of recommitment, the Speaker recognizes the majority whip, Mr. Saylor.

Mr. SAYLOR. Thank you, Mr. Speaker.

Again, I repeat: This bill came out of Local Government unanimously. There are 36 words in this, and the word is "may." It is very clear. Again, Mr. Speaker, I think everybody understands what the word "may" means. And with the support of the Fraternal Order of Police, I think this is a bill we need to get to the Governor's Office as soon as possible, so I ask for defeat of the recommitment motion.

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

The following roll call was recorded:

YEAS—80

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

NAYS—117

Adolph	Evans, J.	Krieger	Rapp
Aument	Everett	Kula	Reed
Baker	Farry	Lawrence	Reese
Barbin	Fleck	Mackenzie	Roae
Barrar	Gabler	Maher	Rock

Bear	Galloway	Major	Ross
Benninghoff	Geist	Maloney	Sacone
Bloom	Gillen	Marshall	Santarsiero
Boback	Gillespie	Marsico	Saylor
Boyd	Gingrich	Masser	Scavello
Brooks	Godshall	Metcalfe	Simmons
Brown, R.	Grell	Metzgar	Sonney
Causar	Grove	Miccarelli	Stephens
Christiana	Hackett	Micozzie	Stern
Clymer	Hahn	Millard	Stevenson
Costa, D.	Harhart	Miller	Swanger
Cox	Harper	Milne	Tallman
Creighton	Harris	Moul	Taylor
Culver	Heffley	Mustio	Tobash
Curry	Helm	Neilson	Toepel
Cutler	Hennessey	O'Neill	Toohil
Davis	Hess	Oberlander	Truitt
Day	Hickernell	Payne	Turzai
Delozier	Hutchinson	Peifer	Vereb
Denlinger	Kampf	Perry	Watson
DiGirolamo	Kauffman	Petri	Wheatley
Dunbar	Keller, F.	Pickett	
Ellis	Keller, M.K.	Pyle	Smith, S., Speaker
Emrick	Killion	Quigley	
Evankovich	Knowles	Quinn	

NOT VOTING—0

EXCUSED—3

Brennan Evans, D. Murt

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?

The SPEAKER. I apologize. The gentleman, Mr. Vitali, is seeking further recognition?

Mr. VITALI. Yes, Mr. Speaker.

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

Mr. VITALI. Would the majority whip please stand for interrogation?

The SPEAKER. I believe the gentleman has already gone down this road.

Mr. VITALI. I think maybe if we can get his attention—

The SPEAKER. The gentleman will suspend.

You have already asked to interrogate anybody from the Republican side, anybody from the Democratic side, and they have declined.

Mr. VITALI. To be clear, the majority whip is declining interrogation on this?

The SPEAKER. The gentleman will suspend. You are out of order.

The question is, shall the bill pass finally?

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

Mr. DeLUCA. Thank you, Mr. Speaker.

Mr. Speaker, I was not going to speak on this, but I would be remiss if I did not alert this chamber to what will happen to the city of Pittsburgh if an arbitrator gives the okay for the city police officers to not have residency. Right now almost a third of the city has tax-exempt property. This is going to have

ramifications not only because the fact is it is not only going to affect the police officers there, it is also going to affect the firemen who have to live in the city. It is also going to affect the city employees. And if you have all these individuals moving out, then you are going to have a crisis that we have in Harrisburg here where there is no tax base, and you are going to create a problem in the western part of the State where the city of Pittsburgh will not be able to pay their bills.

If all the high-paying jobs move out, there will not be a tax base. This is not what this House wants to do. Even though that "may" provision is there, we should wait to find out to make sure that that "may" provision does not have ramifications to bankrupt a city in this Commonwealth of Pennsylvania. I am asking this body to take a look at this bill because it does have ramifications for the city of Pittsburgh, which has a lot of the tax-exempt property. And what happens if everybody moves out, there will not be any tax base. And I am surprised at some of the individuals who want to see this bill passed. Whether it came out of the Local Government Committee unanimously or not, it is a bad bill and we should make it better.

I personally think this is a very bad mistake and we are going to rue the day that we passed this legislation. Thank you, Mr. Speaker.

LEAVE OF ABSENCE

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

CONSIDERATION OF SB 1572 CONTINUED

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

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

Mr. FRANKEL. Thank you, Mr. Speaker.

I certainly share the concerns of my colleagues from Allegheny County and the city. And while I would like more clarification in this legislation, based on certainly the comments of the majority whip and my other colleague from Allegheny County from across the aisle, they view this as not a piece of legislation to override the wishes of city government. So it seems to me that the intention of the legislation is to empower the city to make the decision for itself and not to empower an arbitrator. So I would at least like to get on the record here that the discussions that we have had certainly with the F.O.P. (Fraternal Order of Police), with other members across the chamber here is that it is the intent of this legislation to allow the city, if it deems to through its city council and its mayor, the capacity to waive the residency requirement. But it is not the intention of this legislation to allow an arbitrator to override the intention.

I still am going to oppose this legislation because I would prefer clarity, but based on comments here today, clearly, the intent of this legislation is to empower the city and not an unelected arbitrator to make the determination with respect to residency. I think it is important to get that on the record.

Thank you, Mr. Speaker.

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

On that question, the Speaker recognizes the gentleman from Allegheny County, Mr. Maher, for the second time.

Mr. MAHER Thank you, Mr. Speaker.

I agree with my friend from the city of Pittsburgh. My understanding of the intent of this legislation is that the State will be ceding its control over this question to the city. And when it says "A city of the second class...", that would imply to me that we are talking about city council and the mayor and an ordinance appropriately enacted. And as my friends across the aisle may know, I was very receptive to an amendment that would have framed the words just that way. But the days on the calendar being as they are, and the conversations regarding this refinement only coming to my attention this morning, it made it, as a practical matter, impossible. I would have welcomed adding comma, "by ordinance," comma, after the word "may." I would agree. I read it the same way with or without, and therefore I think we just get back to the basic question: Should the city of Pittsburgh be the only municipality in the entire State that does not have the authority to control its own fate on this question? I think it should have the authority to control its own fate, and that is why I am voting "yes." Thank you, Mr. Speaker.

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

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

Mr. WHEATLEY. Thank you, Mr. Speaker.

Mr. Speaker, I was not going to stand up to speak on this, but after the prior speaker from Allegheny County spoke on the devastating effects that this may have on the city of Pittsburgh – I am a resident of the city of Pittsburgh. I live in a neighborhood and I represent neighborhoods in the city of Pittsburgh that for the most part would love to see better a police presence to help their neighborhoods become safe and secure. But I am voting in favor of this bill for a number of reasons. One, it is giving the city of Pittsburgh the authority, their own self-determination, to determine if it is in their best interest or not to allow for police officers to live inside of a city or to move outside of the city. I have talked about this on several occasions and nowhere can I find anywhere that shows me research that an officer will be better able to do their job, which is first to protect and serve the citizens of our city, just because they are required to live within the borders of the city. I think we should allow for those folks who are on the local level to have the ability to negotiate or to determine for themselves if this works for them or does not work for them.

We are the only city in the Commonwealth that does not have that opportunity and that option. We should be given that authority and that option, and Harrisburg should move out of the way. So I would encourage all of my colleagues to support this bill on final passage. 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—150

Adolph	Everett	Knowles	Preston
Aument	Farry	Krieger	Pyle
Baker	Fleck	Kula	Quigley
Barbin	Freeman	Lawrence	Quinn
Barrar	Gabler	Longietti	Rapp
Bear	Galloway	Mackenzie	Reed
Benninghoff	Geist	Maher	Reese
Bloom	George	Major	Roae
Boback	Gerber	Maloney	Rock
Boyd	Gibbons	Mann	Roebuck
Boyle, B.	Gillen	Markosek	Ross
Bradford	Gillespie	Marshall	Saccone
Briggs	Gingrich	Marsico	Sainato
Brooks	Godshall	Masser	Santarsiero
Brown, R.	Grell	McGeehan	Saylor
Brown, V.	Grove	Metcalfe	Scavello
Buxton	Hackett	Metzgar	Simmons
Causar	Hahn	Micozzie	Sonney
Christiana	Hanna	Millard	Stephens
Clymer	Harhai	Miller	Stern
Cox	Harhart	Milne	Stevenson
Creighton	Harper	Mirabito	Sturla
Culver	Harris	Moul	Swanger
Cutler	Heffley	Mullery	Tallman
Davidson	Helm	Mundy	Taylor
Davis	Hennessey	Mustio	Tobash
Day	Hess	Myers	Toepel
Dean	Hickernell	Neilson	Toohil
Delozier	Hornaman	O'Neill	Truitt
Denlinger	Hutchinson	Oberlander	Turzai
DePasquale	Josephs	Parker	Vereb
Dermody	Kampf	Payne	Vitali
DiGirolamo	Kauffman	Payton	Waters
Dunbar	Kavulich	Peifer	Watson
Ellis	Keller, F.	Perry	Wheatley
Emrick	Keller, M.K.	Petrarca	
Evankovich	Killion	Petri	Smith, S.,
Evans, J.	Kirkland	Pickett	Speaker

NAYS—46

Bishop	Daley	Keller, W.	Sabatina
Boyle, K.	Deasy	Kortz	Samuelson
Brownlee	DeLissio	Kotik	Santoni
Burns	DeLuca	Mahoney	Schmotzer
Caltagirone	Donatucci	Matzie	Smith, K.
Carroll	Fabrizio	Murphy	Smith, M.
Cohen	Frankel	Neuman	Staback
Conklin	Gergely	O'Brien, M.	Thomas
Costa, D.	Goodman	Pashinski	White
Costa, P.	Haluska	Ravenstahl	Williams
Cruz	Harkins	Readshaw	Youngblood
Curry	James		

NOT VOTING—0

EXCUSED—4

Brennan	Evans, D.	Miccarelli	Murt
---------	-----------	------------	------

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 1255, PN 2170**, entitled:

An Act amending Title 25 (Elections) of the Pennsylvania Consolidated Statutes, enacting the Uniform Military and Overseas Voters Act.

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

(Members proceeded to vote.)

VOTE STRICKEN

The SPEAKER. The clerk will strike the vote. The clerk will strike the vote, please.

The question is, shall the bill pass finally?

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

Ms. JOSEPHS. Thank you, Mr. Speaker.

Thank you for asking the clerk to strike the vote. I am in favor of this bill. I just want to say a few words about it. I am very pleased to support SB 1255. In the House State Government Committee, I did it there and I am very pleased to do it on the floor today.

This legislation simplifies voter registration and voting for all Pennsylvania military and overseas voters. By enacting a State law that aligns with Federal law, procedures for these voters will be much less confusing. Millions of military personnel and overseas civilians face a variety of obstacles to participating in American elections, including difficulties in registering to vote from abroad, ballots or ballot applications that never arrive, slow mail delivery times to and from overseas citizens, especially military personnel, and difficulties in obtaining information about issues and candidates.

On the Federal level, the Uniformed and Overseas Citizens Absentee Voting Act of 1986 and its amendment, the Military and Overseas Voter Empowerment Act, – its acronym is M-O-V-E, MOVE – were enacted to address these voter issues in Federal elections. After President Obama signed the MOVE legislation on October 28, 2009 – I was the majority chair of State Government at that time – I held a committee meeting, informational, with the Secretary of the Commonwealth, who then was Pedro Cortés, to learn about the new law and determine whether conforming State legislation would be necessary.

I am gratified that SB 1255 will address the needs and challenges of Pennsylvania citizens who are abroad during an election cycle, and our military personnel and their families. And it was reported from State Government Committee unanimously. I expect it to be voted unanimously on the floor today. It will demonstrate that Pennsylvania legislators are committed to removing barriers for all Pennsylvania voters regardless of any real or perceived political benefit to one party or another. Done.

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—196

Adolph	Dunbar	Kirkland	Quigley
Aument	Ellis	Knowles	Quinn
Baker	Emrick	Kortz	Rapp
Barbin	Evankovich	Kotik	Ravenstahl
Barrar	Evans, J.	Krieger	Readshaw
Bear	Everett	Kula	Reed
Benninghoff	Fabrizio	Lawrence	Reese
Bishop	Farry	Longietti	Roae
Bloom	Fleck	Mackenzie	Rock
Boback	Frankel	Maher	Roebuck
Boyd	Freeman	Mahoney	Ross
Boyle, B.	Gabler	Major	Sabatina
Boyle, K.	Galloway	Maloney	Saccione
Bradford	Geist	Mann	Sainato
Briggs	George	Markosek	Samuelson
Brooks	Gerber	Marshall	Santarsiero
Brown, R.	Gergely	Marsico	Santoni
Brown, V.	Gibbons	Masser	Saylor
Brownlee	Gillen	Matzie	Scavello
Burns	Gillespie	McGeehan	Schmotzer
Buxton	Gingrich	Metcalfe	Simmons
Caltagirone	Godshall	Metzgar	Smith, K.
Carroll	Goodman	Micozzie	Smith, M.
Causer	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	Mustio	Taylor
Cruz	Harper	Myers	Thomas
Culver	Harris	Neilson	Tobash
Curry	Heffley	Neuman	Toepel
Cutler	Helm	O'Brien, M.	Toohil
Daley	Hennessey	O'Neill	Truitt
Davidson	Hess	Oberlander	Turzai
Davis	Hickernell	Parker	Vereb
Day	Hornaman	Pashinski	Vitali
Dean	Hutchinson	Payne	Waters
Deasy	James	Payton	Watson
DeLissio	Josephs	Peifer	Wheatley
Delozier	Kampf	Perry	White
DeLuca	Kauffman	Petrarca	Williams
Denlinger	Kavulich	Petri	Youngblood
DePasquale	Keller, F.	Pickett	
Dermody	Keller, M.K.	Preston	Smith, S.,
DiGirolamo	Keller, W.	Pyle	Speaker
Donatucci	Killion		

NAYS-0

NOT VOTING-0

EXCUSED-4

Brennan Evans, D. Miccarelli Murt

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 86, PN 1680**, entitled:

An Act amending Titles 18 (Crimes and Offenses) and 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for dealing in proceeds of unlawful activities, for the unlawful disposition of motor vehicles and for investigation by police officers; and repealing the Motor Vehicle Chop Shop and Illegally Obtained and Altered Property Act.

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS-195

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

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

NAYS-1

Hess

NOT VOTING-0

EXCUSED-4

Brennan Evans, D. Miccarelli Murt

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 390, PN 2451**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in size, weight and load, further providing for width of vehicles.

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

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

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

This is a technical amendment. It replaces a word that was omitted when it was written. So I would urge a "yes" vote.

The SPEAKER. The gentleman, Mr. Geist, moves for immediate consideration of amendment A13705.

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

Mr. **GEIST** offered the following amendment No. **A13705**:

- Amend Bill, page 20, line 8, by inserting after "DRIVEN"
hauled
- Amend Bill, page 20, line 10, by inserting after "DRIVEN"
hauled

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

The **SPEAKER**. For the information of the members, although the bill is on third consideration, a technical amendment is in order.

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

The following roll call was recorded:

YEAS—196

Adolph	Dunbar	Kirkland	Quigley
Aument	Ellis	Knowles	Quinn
Baker	Emrick	Kortz	Rapp
Barbin	Evankovich	Kotik	Ravenstahl
Barrar	Evans, J.	Krieger	Readshaw
Bear	Everett	Kula	Reed
Benninghoff	Fabrizio	Lawrence	Reese
Bishop	Farry	Longietti	Roae
Bloom	Fleck	Mackenzie	Rock
Boback	Frankel	Maher	Roebuck
Boyd	Freeman	Mahoney	Ross
Boyle, B.	Gabler	Major	Sabatina
Boyle, K.	Galloway	Maloney	Saccone
Bradford	Geist	Mann	Sainato
Briggs	George	Markosek	Samuelson
Brooks	Gerber	Marshall	Santarsiero
Brown, R.	Gergely	Marsico	Santoni
Brown, V.	Gibbons	Masser	Saylor
Brownlee	Gillen	Matzie	Scavello
Burns	Gillespie	McGeehan	Schmotzer
Buxton	Gingrich	Metcalfe	Simmons
Caltagirone	Godshall	Metzgar	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	Mustio	Taylor
Cruz	Harper	Myers	Thomas
Culver	Harris	Neilson	Tobash
Curry	Heffley	Neuman	Toepel
Cutler	Helm	O'Brien, M.	Toohil
Daley	Hennessey	O'Neill	Truitt
Davidson	Hess	Oberlander	Turzai
Davis	Hickernell	Parker	Verb
Day	Hornaman	Pashinski	Vitali
Dean	Hutchinson	Payne	Waters
Deasy	James	Payton	Watson
DeLissio	Josephs	Peifer	Wheatley
Delozier	Kampf	Perry	White
DeLuca	Kaufman	Petrarca	Williams
Denlinger	Kavulich	Petri	Youngblood
DePasquale	Keller, F.	Pickett	
Dermody	Keller, M.K.	Preston	Smith, S.,
DiGirolamo	Keller, W.	Pyle	Speaker
Donatucci	Killion		

NAYS—0

NOT VOTING—0

EXCUSED—4

Brennan Evans, D. Miccarelli Murt

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

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

(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	Dunbar	Kirkland	Quigley
Aument	Ellis	Knowles	Quinn
Baker	Emrick	Kortz	Rapp
Barbin	Evankovich	Kotik	Ravenstahl
Barrar	Evans, J.	Krieger	Readshaw
Bear	Everett	Kula	Reed
Benninghoff	Fabrizio	Lawrence	Reese
Bishop	Farry	Longietti	Roae
Bloom	Fleck	Mackenzie	Rock
Boback	Frankel	Maher	Roebuck
Boyd	Freeman	Mahoney	Ross
Boyle, B.	Gabler	Major	Sabatina
Boyle, K.	Galloway	Maloney	Saccone
Bradford	Geist	Mann	Sainato
Briggs	George	Markosek	Samuelson
Brooks	Gerber	Marshall	Santarsiero
Brown, R.	Gergely	Marsico	Santoni
Brown, V.	Gibbons	Masser	Saylor
Brownlee	Gillen	Matzie	Scavello
Burns	Gillespie	McGeehan	Schmotzer
Buxton	Gingrich	Metcalfe	Simmons
Caltagirone	Godshall	Metzgar	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	Mustio	Taylor
Cruz	Harper	Myers	Thomas
Culver	Harris	Neilson	Tobash
Curry	Heffley	Neuman	Toepel
Cutler	Helm	O'Brien, M.	Toohil
Daley	Hennessey	O'Neill	Truitt
Davidson	Hess	Oberlander	Turzai
Davis	Hickernell	Parker	Verb

Day	Hornaman	Pashinski	Vitali
Dean	Hutchinson	Payne	Waters
Deasy	James	Payton	Watson
DeLissio	Josephs	Peifer	Wheatley
Delozier	Kampf	Perry	White
DeLuca	Kauffman	Petrarca	Williams
Denlinger	Kavulich	Petri	Youngblood
DePasquale	Keller, F.	Pickett	
Dermody	Keller, M.K.	Preston	Smith, S.,
DiGirolamo	Keller, W.	Pyle	Speaker
Donatucci	Killion		

NAYS—0

NOT VOTING—0

EXCUSED—4

Brennan	Evans, D.	Miccarelli	Murt
---------	-----------	------------	------

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 1531, PN 2388**, entitled:

An Act amending Titles 51 (Military Affairs) and 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in State Veterans' Commission and Deputy Adjutant General for Veterans' Affairs, providing for funds for Veterans' Trust Fund; in registration of vehicles, providing for contributions to Veterans' Trust Fund; and, in registration of vehicles, further providing for special plates for veterans.

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	Dunbar	Kirkland	Quigley
Aument	Ellis	Knowles	Quinn
Baker	Emrick	Kortz	Rapp
Barbin	Evankovich	Kotik	Ravenstahl
Barrar	Evans, J.	Krieger	Readshaw
Bear	Everett	Kula	Reed
Benninghoff	Fabrizio	Lawrence	Reese
Bishop	Farry	Longietti	Roae
Bloom	Fleck	Mackenzie	Rock

Boback	Frankel	Maher	Roebuck
Boyd	Freeman	Mahoney	Ross
Boyle, B.	Gabler	Major	Sabatina
Boyle, K.	Galloway	Maloney	Saccone
Bradford	Geist	Mann	Sainato
Briggs	George	Markosek	Samuelson
Brooks	Gerber	Marshall	Santarsiero
Brown, R.	Gergely	Marsico	Santoni
Brown, V.	Gibbons	Masser	Saylor
Brownlee	Gillen	Matzie	Scavello
Burns	Gillespie	McGeehan	Schmotzer
Buxton	Gingrich	Metcalfe	Simmons
Caltagirone	Godshall	Metzgar	Smith, K.
Carroll	Goodman	Micozzie	Smith, M.
Causser	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	Mustio	Taylor
Cruz	Harper	Myers	Thomas
Culver	Harris	Neilson	Tobash
Curry	Heffley	Neuman	Toepel
Cutler	Helm	O'Brien, M.	Toohil
Daley	Hennessey	O'Neill	Truitt
Davidson	Hess	Oberlander	Turzai
Davis	Hickernell	Parker	Vereb
Day	Hornaman	Pashinski	Vitali
Dean	Hutchinson	Payne	Waters
Deasy	James	Payton	Watson
DeLissio	Josephs	Peifer	Wheatley
Delozier	Kampf	Perry	White
DeLuca	Kauffman	Petrarca	Williams
Denlinger	Kavulich	Petri	Youngblood
DePasquale	Keller, F.	Pickett	
Dermody	Keller, M.K.	Preston	Smith, S.,
DiGirolamo	Keller, W.	Pyle	Speaker
Donatucci	Killion		

NAYS—0

NOT VOTING—0

EXCUSED—4

Brennan	Evans, D.	Miccarelli	Murt
---------	-----------	------------	------

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.

GUESTS INTRODUCED

The SPEAKER. I would like to take a moment to introduce a couple other guest pages that are with us. Located in the well of the House, we would like to welcome Representative Murphy's daughter, Kasey, and his son, Kevin, who are serving as guest pages today. Kasey is a sophomore at Scranton High School, and Kevin is a seventh grader at Northeastern Intermediate.

SUPPLEMENTAL CALENDAR D

BILL ON CONCURRENCE IN SENATE AMENDMENTS

The House proceeded to concurrence in Senate amendments to **HB 135, PN 4060**, entitled:

An Act amending the act of November 22, 1978 (P.L.1166, No.274), referred to as the Pennsylvania Commission on Crime and Delinquency Law, further providing for definitions, for the Pennsylvania Commission on Crime and Delinquency, for powers and duties of the commission, for duties of the commission relative to criminal statistics, for duties of public agencies and officers in reporting criminal statistics, for the Juvenile Justice and Delinquency Prevention Committee, for powers and duties of the Juvenile Justice and Delinquency Prevention Committee, for Targeted Community Revitalization and Crime Prevention Advisory Committee and for powers and duties of Targeted Community Revitalization and Crime Prevention Advisory Committee; and providing for justice reinvestment grants.

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

The SPEAKER. Moved by the gentleman, Mr. Sabatina, that the House concur in the amendments inserted by the Senate.

The Speaker recognizes the gentleman, Mr. Sabatina, for a brief description of Senate amendments.

Mr. SABATINA. Thank you, Mr. Speaker.

Mr. Speaker, HB 135 creates a fund and savings that is realized by the Justice Reinvestment Initiative. Basically, the amendments the Senate put in use \$100 million to fund victim service programs such as the automated victim notification system and victim services data collection, and for services to victims of juvenile offenders. Furthermore, it provides \$400,000 to the Sentencing Commission. It provides \$16 million in the next fiscal year and \$21 million the following year to different programs: namely, 43 percent to PCCD (Pennsylvania Commission on Crime and Delinquency) for grants for innovative policing, 21 percent for the Department of Corrections for contracts with counties for offender diversion programs, 26 percent for grants in consultation with the Board of Probation and Parole for county probation improvement and probation violation reduction efforts, 6 percent to PBPP for streamlining the parole process, and 4 percent to the Department of Corrections to coordinate the Safe Community Reentry Program.

For the next 2 fiscal years, 25 percent of the savings fund will be allocated for activities relating to sentencing, victim services, contracts for offender diversion, innovative policing, community reentry, and probation and county parole improvement, and I urge all the members for an affirmative vote on this bill. It is a pretty good bill. Thank you for your support.

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

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

Mr. DiGIROLAMO. Thank you, Mr. Speaker.

Mr. Speaker, I would like to commend my friend from Philadelphia, the prime sponsor of the bill, for this very, very important bill. This is the funding piece from the savings from

SB 100. I had an amendment prepared to offer on this bill, Mr. Speaker, but I realize the session days are short and this is too important of a piece of legislation to delay the voting on this bill.

But, Mr. Speaker, would I be in order to make a brief comment on my amendment?

The SPEAKER. I believe if you keep it brief and tie it to the legislation, we can give you a little leeway. Mr.

DiGIROLAMO. Thank you, Mr. Speaker.

And again, I will withdraw my amendment, but as I read the bill, Mr. Speaker, unfortunately, I do not see any money available for drug and alcohol treatment. And as we send these low-level prisoners back to our county probation offices, Mr. Speaker, I think it is critically important that there be money available for drug and alcohol treatment. And, Mr. Speaker, it is my hope that as these grants are distributed from PCCD, that they will recognize the importance of treatment for these prisoners and, Mr. Speaker, send some of this grant money back to our county probation offices where it can be used for drug and alcohol treatment.

Thank you, Mr. Speaker.

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

On that question, the Speaker recognizes the gentleman from Cumberland County, Mr. Grell.

Mr. GRELL. Thank you, Mr. Speaker.

Just very briefly, I would like to encourage all the members to support concurrence on HB 135. If you will recall, in June we passed the first half of the Justice Reinvestment Initiative in which we enacted measures that will generate savings in our corrections system. The second important part of that legislation was the reinvestment piece. That is what HB 135 is as it was amended by the Senate. As the gentleman from Philadelphia indicated, there are a series of allocations in this bill to provide the necessary resources to the counties and to the local police departments who will have – and probation and parole offices and victim services – who will have additional responsibilities under the reinvestment legislation.

So this was worked on very carefully by a lot of different parties. I thank the gentleman for withdrawing the motion to suspend and amend the bill. This is an excellent piece of legislation, and we should all wholeheartedly support it. Thank you, Mr. Speaker.

LEAVE OF ABSENCE

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

CONSIDERATION OF HB 135 CONTINUED

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

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

The following roll call was recorded:

YEAS—195

Adolph	Dunbar	Killion	Quigley
Aument	Ellis	Kirkland	Quinn
Baker	Emrick	Knowles	Rapp
Barbin	Evankovich	Kortz	Ravenstahl
Barrar	Evans, J.	Kotik	Readshaw
Bear	Everett	Krieger	Reed
Benninghoff	Fabrizio	Kula	Reese
Bishop	Farry	Lawrence	Roae
Bloom	Fleck	Longiotti	Rock
Boback	Frankel	Mackenzie	Roebuck
Boyd	Freeman	Maher	Ross
Boyle, B.	Gabler	Major	Sabatina
Boyle, K.	Galloway	Maloney	Saccone
Bradford	Geist	Mann	Sainato
Briggs	George	Markosek	Samuelson
Brooks	Gerber	Marshall	Santarsiero
Brown, R.	Gergely	Marsico	Santoni
Brown, V.	Gibbons	Masser	Saylor
Brownlee	Gillen	Matzie	Scavello
Burns	Gillespie	McGeehan	Schmotzer
Buxton	Gingrich	Metcalfe	Simmons
Caltagirone	Godshall	Metzgar	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	Mustio	Taylor
Cruz	Harper	Myers	Thomas
Culver	Harris	Neilson	Tobash
Curry	Heffley	Neuman	Toepel
Cutler	Helm	O'Brien, M.	Toohil
Daley	Hennessey	O'Neill	Truitt
Davidson	Hess	Oberlander	Turzai
Davis	Hickernell	Parker	Vereb
Day	Hornaman	Pashinski	Vitali
Dean	Hutchinson	Payne	Waters
Deasy	James	Payton	Watson
DeLissio	Josephs	Peifer	Wheatley
Delozier	Kampf	Perry	White
DeLuca	Kauffman	Petrarca	Williams
Denlinger	Kavulich	Petri	Youngblood
DePasquale	Keller, F.	Pickett	
Dermody	Keller, M.K.	Preston	Smith, S., Speaker
DiGirolamo	Keller, W.	Pyle	
Donatucci			

NAYS—0

NOT VOTING—0

EXCUSED—5

Brennan	Mahoney	Miccarelli	Murt
Evans, D.			

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

Ordered, That the clerk inform the Senate accordingly.

STATEMENT BY MR. GEIST

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

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

I want to congratulate everybody that worked on the farm bills. It was a long time, at least 10 years coming. I know that Representatives Hickernell, Maher, and others, and I want to praise the staff work of the Ag Committee, Transportation Committee, and the people in the Senate that all worked on this. And to see it finally pass here with no debate was awfully warming to my heart, and I just want to say thank you to everybody that worked on it.

The SPEAKER. The Speaker thanks the gentleman.

STATEMENT BY MR. CALTAGIRONE

The SPEAKER. I apologize. For what purpose does the gentleman from Berks County, Mr. Caltagirone, rise?

Mr. CALTAGIRONE. I would like to comment on the bill that we just passed.

The SPEAKER. The gentleman would be in order under unanimous consent.

I apologize if you had wanted to speak during the actual debate on the bill, but certainly the gentleman's remarks are open for consideration at this point in time.

Mr. CALTAGIRONE. Thank you, Mr. Speaker.

For the benefit of the members, this is a major piece of legislation. Chairman Marsico, Chairman Leach, Chairman Greenleaf, the Governor, Secretary Wetzel, many, many others helped in this crafting of the legislation, not the least of which the staffs of both sides, House and Senate. I think we have made a major breakthrough in putting money in the front end to help our counties, our police departments, and others in probation and parole to make this possible. I want to thank the members for the approval of that legislation.

Thank you, Mr. Speaker.

The SPEAKER. The Speaker thanks the gentleman.

JACKIE WHITCOMB PRESENTED

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

I want to take a moment, I guess indirectly as a point of personal privilege from the Speaker's perspective, in some ways. We have a member of our House Republican staff, someone who has worked on my staff for several years since I have been in leadership, that is retiring at the end of the month. And she has been one of the hardest working and dedicated employees that we have. She is someone who is not afraid to tell me when she thinks I am wrong, and I am sure she has maybe told some of you when she thought you were wrong. You know, with staff, you need people that are willing to state what they believe; not that either of us is right or wrong, but you certainly need people to tell you when they think you are maybe going in the wrong direction.

Jackie Whitcomb; 28 years she has worked for the House. She is going to be retiring, as I said, at the end the month. Someone who has done a lot of work. Her forte was in the

Appropriations area. In years gone by she handled some of those delicate grants that are so favored by constituents and despised by others. Jackie, please stand for the recognition of the House. Thank you for your years of service and for your friendship.

COMMEMORATIVE GAVEL PRESENTED

The SPEAKER. Oh, I almost forgot. Jackie asked for a commemorative gavel on the way out, too. She is special, so what Jackie wants, Jackie gets, even on the way out the door.

STATEMENT BY MR. THOMAS

The SPEAKER. For what purpose does the gentleman from Philadelphia, Mr. Thomas, rise?

Mr. THOMAS. Mr. Speaker, I rise to concur with your congratulatory remarks to Jackie Whitcomb. I have had a chance to intersect with her. She is a stellar employee and we are going to miss her. Thank you, Jackie.

FAREWELL ADDRESS BY MR. GERBER

The SPEAKER. The House will come to order. I would appreciate if the members would kindly take their seats and staff would clear the aisles. We would like to do another speech from a member that is leaving this body at the end of the session. If we could have the members' attention, please. Kindly take your seats. I would appreciate your attention. Thank you.

We would like to afford some time here to the gentleman from Montgomery County, Mr. Gerber, who has been here for 8 years, and is someone who has made an impact in this place. We want to wish you well in your future endeavors.

Please, the dais is yours.

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

Thank you to all of my colleagues for allowing me a few moments to address you and my staff and my family that are here with us in the chamber. I am sure our colleagues that are also nearing the end of their career share some of the emotions that I am experiencing right now. Your perspective certainly changes as you come closer to the end. For me, what has become very clear are those things about this experience that I will cherish: the education that we get with this opportunity to work in the heart of our democracy; the differences that you hope you have made in people's lives, both in your district and across the Commonwealth; and most of all, the relationships that you make here in this chamber. When you think of those three things – or at least when I think of those three things – it is an overwhelming sense of appreciation. You appreciate your constituents back in your district for giving you the opportunity to serve. You appreciate all those people that supported you in your campaigns, whether they were stuffing envelopes or contributing to your campaign, for having helped you get through those elections and again have the opportunity to serve.

I certainly appreciate all of you and the collegiality that you have extended over the years, the working together to get things done on behalf of our constituents. I appreciate my leaders and the opportunities they have given me to participate – those that are with us today, and some that are not, like Representative Veon, Representative DeWeese, Representative Eachus, and

Representative Evans, who could not be with us today. Our former Governor, Ed Rendell, many of you know has known me since I was a little boy. And as you know, he gave me a chance to participate with his front office early in my career, to have an opportunity to shape legislation and shape policy in ways that most new members just do not get a chance.

And it is not just Democrats. It is Republicans, too, Republicans that have extended a bipartisan hand. Representative Vereb from Montgomery County, always ready and able to talk about issues important to our constituents back home. Representative Christiana, with his work on the EITC (educational improvement tax credit) bill. Representative Ross, helping me years ago as we were fighting to implement a smoking ban. And some real gentlemen of the old school: Representative Geist, who was my first chairman on the Transportation Committee; Speaker Smith, who has always worked hard to maintain a collegial environment, not just as Speaker, but when he was leading his caucus; Senators Greenleaf and Rafferty, who obviously are not with us in this chamber, but were good friends of my father's and allowed me to inherit those relationships; Representative Maher, whose father worked with my late father many years ago on the Pennsylvania Securities Commission; Representative Harper, who was my State Representative when I was first voting and living in Lower Gwynedd Township; and Representative Godshall, with whom I have had the privilege of serving as a trustee at the State Employees' Retirement System for the last 6 years; and Leader Turzai, who worked with me early in my career to help pass legislation to make saving for college more affordable and to improve our business tax climate and to pass a bill to the Senate that would improve the quality of the food that we serve in our public schools. Those working relationships turn into friendships, and I look forward to maintaining those friendships over the years.

I appreciate all of you for working with me over the last 8 years as I have worked hard to try to have an impact. But as all of you know, anything that we do accomplish here is oftentimes the work product of our staff. If you would join me in giving a round of applause to my staff that has been with me for the last 8 years, some who have graduated onto better things, some that are still with me. If you all would stand in the back of the chamber, I would appreciate it.

I have pushed them very hard over the last 8 years, and we always had three phases of the game that we focused on: providing top-quality constituent service back in the district, working hard to bring project moneys back to our part of Montgomery County, and of course, working hard to advance legislation here in Harrisburg. And there were many times when other offices were empty and the lights were off and my staff was burning the midnight candle trying to help me advance initiatives that I thought were important to our district or important to our Commonwealth. To all of you, I thank you from the bottom of my heart for the hard work you have given our constituents in this Commonwealth over the last 8 years. Thank you.

And last but certainly not least, my family. I have with me today my in-laws, Lynn and Jon Aarons; my mother, Penny; my wife, Jessica; and my three kids, Benjamin, Sam, and Ali. Unfortunately, my father, whom many of you all knew, passed away a few years ago. Many of you were tremendously supportive of me and my family at that time, and that is certainly a memory I will cherish. My mom and dad instilled in

me and my brother and my sister a great commitment to public service, and while they never made a career of it, they were always involved in it. One of the lessons that I have learned from them is that while I may not be in elected office in a little over a month from now, I will still have opportunities to serve. I think sometimes when we are here in this chamber we may lose sight of that, but I look forward to serving in the way that my mom, my dad, and my grandparents did, even though they did not hold elected office.

And most importantly to my wife, Jessica. As we heard Representative Perry say earlier, our families, as we all know, make great sacrifices. And my wife is no different than anyone else's spouse here: the many hours, the many days away from home, all that time trying to raise three kids by herself. Honey, I say thank you, and I love you. And to Benjamin, Sam, and Ali, I look forward to being home more with you guys, and thank you for your patience with me and understanding why Daddy was always working all the time.

Mr. Speaker, thank you very much for the opportunity to address the chamber. To my colleagues, I thank all of you very much for everything you have done for me and the work you have done with me over the last 8 years. Thank you.

COMMEMORATIVE GAVEL PRESENTED

The SPEAKER. Mike, we thank you for your service. We appreciate your friendship and your years of service. I want to present you with this gavel to mark your years of service to the House.

STATEMENT BY MR. GEIST

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

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

We are losing a very fine man in this body and somebody who is very much a member's member in the General Assembly. We have a little surprise in a piece of legislation that is coming back over from the Senate. I think that a copy of that will be provided to Mike's mom and family, but there will be two bridge namings for his father and grandfather taking place in that bill, and we will be voting those a little bit later in the day. I just think it is great that he did that and did it for the family. It is an awfully nice way to go out of here. Congratulations.

The SPEAKER. The Speaker thanks the gentleman.

BILLS ON CONCURRENCE IN SENATE AMENDMENTS

The House proceeded to concurrence in Senate amendments to **HB 1121, PN 4147**, entitled:

An Act amending Titles 18 (Crimes and Offenses) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for the offense of recruiting criminal gang members and for sentencing for offenses committed in association with a criminal gang.

On the question,

Will the House concur in Senate amendments?

The SPEAKER. Moved by the gentleman, Mr. Turzai, that the House concur in the amendments inserted by the Senate.

The Speaker recognizes the gentleman from Dauphin County, Mr. Marsico, for a brief description of Senate amendments.

Mr. MARSICO. Thank you, Mr. Speaker.

The Senate made two additions. The one addition creates the offense of recruiting criminal gang members, and also changed the term from "criminal street gang" to "criminal gang." Those are the two additions.

I just want to say thanks to the members for the support. This was truly a bipartisan measure in both chambers. So once again, I thank the members and ask for an affirmative vote.

On the question recurring,

Will the House concur in Senate amendments?

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

The following roll call was recorded:

YEAS—195

Adolph	Dunbar	Killion	Quigley
Aument	Ellis	Kirkland	Quinn
Baker	Emrick	Knowles	Rapp
Barbin	Evankovich	Kortz	Ravenstahl
Barrar	Evans, J.	Kotik	Readshaw
Bear	Everett	Krieger	Reed
Benninghoff	Fabrizio	Kula	Reese
Bishop	Farry	Lawrence	Roae
Bloom	Fleck	Longietti	Rock
Boback	Frankel	Mackenzie	Roebuck
Boyd	Freeman	Maher	Ross
Boyle, B.	Gabler	Major	Sabatina
Boyle, K.	Galloway	Maloney	Saccone
Bradford	Geist	Mann	Sainato
Briggs	George	Markosek	Samuelson
Brooks	Gerber	Marshall	Santarsiero
Brown, R.	Gergely	Marsico	Santoni
Brown, V.	Gibbons	Masser	Saylor
Brownlee	Gillen	Matzie	Scavello
Burns	Gillespie	McGeehan	Schmotzer
Buxton	Gingrich	Metcalfe	Simmons
Caltagirone	Godshall	Metzgar	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	Mustio	Taylor
Cruz	Harper	Myers	Thomas
Culver	Harris	Neilson	Tobash
Curry	Heffley	Neuman	Toepel
Cutler	Helm	O'Brien, M.	Toohil
Daley	Hennessey	O'Neill	Truitt
Davidson	Hess	Oberlander	Turzai
Davis	Hickernell	Parker	Vereb
Day	Hornaman	Pashinski	Vitali
Dean	Hutchinson	Payne	Waters

Deasy	James	Payton	Watson
DeLissio	Josephs	Peifer	Wheatley
Delozier	Kampf	Perry	White
DeLuca	Kauffman	Petrarca	Williams
Denlinger	Kavulich	Petri	Youngblood
DePasquale	Keller, F.	Pickett	
Dermody	Keller, M.K.	Preston	Smith, S.,
DiGirolo	Keller, W.	Pyle	Speaker
Donatucci			

NAYS-0

NOT VOTING-0

EXCUSED-5

Brennan	Mahoney	Miccarelli	Murt
Evans, D.			

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

Ordered, That the clerk inform the Senate accordingly.

* * *

The House proceeded to concurrence in Senate amendments to **HB 1417, PN 2634**, entitled:

An Act amending Titles 18 (Crimes and Offenses), 30 (Fish) and 34 (Game) of the Pennsylvania Consolidated Statutes, in assault, further providing for the offense of aggravated assault; in enforcement, further providing for interference with officers of the Pennsylvania Game Commission and of the Pennsylvania Fish and Boat Commission; providing for the offense of assaulting an officer; further providing for jurisdiction and penalties and for disposition of fines and penalties; and, in game or wildlife protection, further providing for killing game or wildlife to protect person, for unlawful importation of game or wildlife, for unlawful taking and possession of protected birds, for possession or interference with active nests or eggs of birds, for unlawful sale of protected birds and plumage and for hunting or furtaking prohibited while under influence of alcohol or controlled substance.

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

The SPEAKER. Moved by the gentleman, Mr. Staback, that the House concur in the amendments inserted by the Senate.

The Speaker recognizes the gentleman, Mr. Staback, for a brief description of Senate amendments.

Mr. STABACK. Thank you, Mr. Speaker.

Mr. Speaker, HB 1417 amends Title 34, Title 30, and Title 18. It increases the penalties for assaulting a Game Commission wildlife conservation officer, as well as a Fish and Boat Commission waterways conservation officer. Mr. Speaker, the Senate made purely, purely editorial changes in the bill. Their changes were agreed to and had absolutely no impact on the crux of the bill itself. With that being said, I would ask for an affirmative vote on concurrence.

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

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

The following roll call was recorded:

YEAS-195

Adolph	Dunbar	Killion	Quigley
Aument	Ellis	Kirkland	Quinn
Baker	Emrick	Knowles	Rapp
Barbin	Evankovich	Kortz	Ravenstahl
Barrar	Evans, J.	Kotik	Readshaw
Bear	Everett	Krieger	Reed
Benninghoff	Fabrizio	Kula	Reese
Bishop	Farry	Lawrence	Roae
Bloom	Fleck	Longietti	Rock
Boback	Frankel	Mackenzie	Roebuck
Boyd	Freeman	Maher	Ross
Boyle, B.	Gabler	Major	Sabatina
Boyle, K.	Galloway	Maloney	Saccone
Bradford	Geist	Mann	Sainato
Briggs	George	Markosek	Samuelson
Brooks	Gerber	Marshall	Santarsiero
Brown, R.	Gergely	Marsico	Santoni
Brown, V.	Gibbons	Masser	Saylor
Brownlee	Gillen	Matzie	Scavello
Burns	Gillespie	McGeehan	Schmotzer
Buxton	Gingrich	Metcalfe	Simmons
Caltagirone	Godshall	Metzgar	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	Mustio	Taylor
Cruz	Harper	Myers	Thomas
Culver	Harris	Neilson	Tobash
Curry	Heffley	Neuman	Toepel
Cutler	Helm	O'Brien, M.	Toohil
Daley	Hennessey	O'Neill	Truitt
Davidson	Hess	Oberlander	Turzai
Davis	Hickernell	Parker	Vereb
Day	Hornaman	Pashinski	Vitali
Dean	Hutchinson	Payne	Waters
Deasy	James	Payton	Watson
DeLissio	Josephs	Peifer	Wheatley
Delozier	Kampf	Perry	White
DeLuca	Kauffman	Petrarca	Williams
Denlinger	Kavulich	Petri	Youngblood
DePasquale	Keller, F.	Pickett	
Dermody	Keller, M.K.	Preston	Smith, S.,
DiGirolo	Keller, W.	Pyle	Speaker
Donatucci			

NAYS-0

NOT VOTING-0

EXCUSED-5

Brennan	Mahoney	Miccarelli	Murt
Evans, D.			

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

Ordered, That the clerk inform the Senate accordingly.

* * *

The House proceeded to concurrence in Senate amendments to **HB 1868, PN 4074**, entitled:

An Act amending the act of May 3, 1933 (P.L.242, No.86), referred to as the Cosmetology Law, further providing for eligibility for examination and for limited licenses.

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

The SPEAKER. Moved by the gentleman, Mr. Gillespie, that the House concur in the amendments inserted by the Senate.

The Speaker recognizes the gentleman, Mr. Gillespie, for a brief description of Senate amendments.

Mr. GILLESPIE. Thank you, Mr. Speaker.

The Senate amended HB 1868 to remove the language allowing massage therapists to practice in cosmetology salons. Though this language had great merits as it relates to laws regulating this entity, I support the Senate amendment with the thought that it can be addressed and improved next session. I encourage an affirmative vote on this concurrence.

Thank you, Mr. Speaker.

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

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

The following roll call was recorded:

YEAS—194

Adolph	Donatucci	Keller, W.	Pyle
Aument	Dunbar	Killion	Quigley
Baker	Ellis	Kirkland	Quinn
Barbin	Emrick	Knowles	Rapp
Barrar	Evankovich	Kortz	Ravenstahl
Bear	Evans, J.	Kotik	Readshaw
Benninghoff	Everett	Krieger	Reed
Bishop	Fabrizio	Kula	Reese
Bloom	Farry	Lawrence	Roae
Boback	Fleck	Longietti	Rock
Boyd	Frankel	Mackenzie	Roebuck
Boyle, B.	Freeman	Maher	Ross
Boyle, K.	Gabler	Major	Sabatina
Bradford	Galloway	Maloney	Saccone
Briggs	Geist	Mann	Sainato
Brooks	George	Markosek	Samuelson
Brown, R.	Gerber	Marshall	Santarsiero
Brown, V.	Gergely	Marsico	Santoni
Brownlee	Gibbons	Masser	Saylor
Burns	Gillen	Matzie	Scavello
Buxton	Gillespie	McGeehan	Schmotzer
Caltagirone	Gingrich	Metcalfe	Simmons
Carroll	Godshall	Metzgar	Smith, K.
Causer	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	Mustio	Taylor
Culver	Harper	Myers	Thomas
Curry	Harris	Neilson	Tobash
Cutler	Heffley	Neuman	Toepel
Daley	Helm	O'Brien, M.	Truitt
Davidson	Hennessey	O'Neill	Turzai

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

NAYS—1

Toohil

NOT VOTING—0

EXCUSED—5

Brennan	Mahoney	Miccarelli	Murt
Evans, D.			

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

Ordered, That the clerk inform the Senate accordingly.

* * *

The House proceeded to concurrence in Senate amendments to **HB 2467, PN 4079**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in certificate of title and security interests, further providing for transfer of vehicle ownership and for certificate of salvage required.

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

The SPEAKER. Moved by the gentleman, Mr. Micozzie, that the House concur in the amendments inserted by the Senate.

The Speaker recognizes the gentleman, Mr. Micozzie, for a brief description of Senate amendments.

Mr. MICOZZIE. Thank you, Mr. Speaker.

I rise to urge your support for HB 2467, a bill that exempts insurers from the notary requirements in section 1111(a) of the Vehicle Code for salvaged vehicle titles and allows current power of attorney procedures to be used when a manufacturer's certificate of origin is not present at time of sale.

Mr. Speaker, HB 2467 brings Pennsylvania notary requirements in line with 41 other States and relieves consumers of burdensome and inconvenient requirements, which often delay and add costs to claims. Mr. Speaker, it allows the power of attorney procedures to be used when a vehicle is purchased in Pennsylvania but is being titled in another State. Mr. Speaker, removing the notary requirement will reduce the claim processing time. It is documented it takes days if not weeks for the document to be returned to the claim officer. This kind of delay does not protect the consumer, increases costs of the consumers to obtain a notarized copy, is frustrating to the consumer who is already without a vehicle, increases the costs of claims, and increases storage charges on the totaled vehicle.

If notary requirements are removed, the customer can sign an appropriate document the same day, the final payment of the vehicle is made in a timely manner, and all paper document requirements of the State are all completed.

Mr. Speaker, I request a "yes" vote on HB 2467. Thank you.

On the question recurring,

Will the House concur in Senate amendments?

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

The following roll call was recorded:

YEAS—195

Adolph	Dunbar	Killion	Quigley
Aument	Ellis	Kirkland	Quinn
Baker	Emrick	Knowles	Rapp
Barbin	Evankovich	Kortz	Ravenstahl
Barrar	Evans, J.	Kotik	Readshaw
Bear	Everett	Krieger	Reed
Benninghoff	Fabrizio	Kula	Reese
Bishop	Farry	Lawrence	Roae
Bloom	Fleck	Longietti	Rock
Boback	Frankel	Mackenzie	Roebuck
Boyd	Freeman	Maher	Ross
Boyle, B.	Gabler	Major	Sabatina
Boyle, K.	Galloway	Maloney	Saccone
Bradford	Geist	Mann	Sainato
Briggs	George	Markosek	Samuelson
Brooks	Gerber	Marshall	Santarsiero
Brown, R.	Gergely	Marsico	Santoni
Brown, V.	Gibbons	Masser	Saylor
Brownlee	Gillen	Matzie	Scavello
Burns	Gillespie	McGeehan	Schmotzer
Buxton	Gingrich	Metcalfe	Simmons
Caltagirone	Godshall	Metzgar	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	Mustio	Taylor
Cruz	Harper	Myers	Thomas
Culver	Harris	Neilson	Tobash
Curry	Heffley	Neuman	Toepel
Cutler	Helm	O'Brien, M.	Toohil
Daley	Hennessey	O'Neill	Truitt
Davidson	Hess	Oberlander	Turzai
Davis	Hickernell	Parker	Vereb
Day	Hornaman	Pashinski	Vitali
Dean	Hutchinson	Payne	Waters
Deasy	James	Payton	Watson
DeLissio	Josephs	Peifer	Wheatley
Delozier	Kampf	Perry	White
DeLuca	Kauffman	Petrarca	Williams
Denlinger	Kavulich	Petri	Youngblood
DePasquale	Keller, F.	Pickett	
Dermody	Keller, M.K.	Preston	Smith, S.,
DiGirolamo	Keller, W.	Pyle	Speaker
Donatucci			

NAYS—0

NOT VOTING—0

EXCUSED—5

Brennan Mahoney Miccarelli Murt
Evans, D.

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

Ordered, That the clerk inform the Senate accordingly.

BILLS SIGNED BY SPEAKER

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

HB 135, PN 4060

An Act amending the act of November 22, 1978 (P.L.1166, No.274), referred to as the Pennsylvania Commission on Crime and Delinquency Law, further providing for definitions, for the Pennsylvania Commission on Crime and Delinquency, for powers and duties of the commission, for duties of the commission relative to criminal statistics, for duties of public agencies and officers in reporting criminal statistics, for the Juvenile Justice and Delinquency Prevention Committee, for powers and duties of the Juvenile Justice and Delinquency Prevention Committee, for Targeted Community Revitalization and Crime Prevention Advisory Committee and for powers and duties of Targeted Community Revitalization and Crime Prevention Advisory Committee; and providing for justice reinvestment grants.

HB 1121, PN 4147

An Act amending Titles 18 (Crimes and Offenses) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for the offense of recruiting criminal gang members and for sentencing for offenses committed in association with a criminal gang.

HB 1417, PN 2634

An Act amending Titles 18 (Crimes and Offenses), 30 (Fish) and 34 (Game) of the Pennsylvania Consolidated Statutes, in assault, further providing for the offense of aggravated assault; in enforcement, further providing for interference with officers of the Pennsylvania Game Commission and of the Pennsylvania Fish and Boat Commission; providing for the offense of assaulting an officer; further providing for jurisdiction and penalties and for disposition of fines and penalties; and, in game or wildlife protection, further providing for killing game or wildlife to protect person, for unlawful importation of game or wildlife, for unlawful taking and possession of protected birds, for possession or interference with active nests or eggs of birds, for unlawful sale of protected birds and plumage and for hunting or furtaking prohibited while under influence of alcohol or controlled substance.

HB 1868, PN 4074

An Act amending the act of May 3, 1933 (P.L.242, No.86), referred to as the Cosmetology Law, further providing for eligibility for examination and for limited licenses.

HB 2467, PN 4079

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in certificate of title and security interests, further providing for transfer of vehicle ownership and for certificate of salvage required.

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

The SPEAKER. The House will come to order.

CALENDAR CONTINUED

CONSIDERATION OF SB 775 CONTINUED

The SPEAKER. Return to today's House calendar, and return to consideration of SB 775, PN 2417, on page 3 of today's House calendar.

And on consideration of that, when we went over it temporarily, the question before the House was amendment A13537, which had been offered by the gentleman from Washington County, Mr. Neuman.

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

The SPEAKER. And on that question, I recognize the gentleman from Washington County, Mr. Neuman.

Mr. NEUMAN. Thank you, Mr. Speaker.

I guess I would first like to know if this is still an agreed-to amendment before I go into it? As I understood after committee, this was an agreed-to amendment. It is technical in nature. It fixes some problems, some language problems, and very small substantive problems with the bill, so from my point of view, my understanding is it was an agreed-to amendment. Unless somebody is not agreeing to it anymore, I would ask that members support it.

The SPEAKER. It would appear it was agreeable.
The question is, shall we agree to the amendment?

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

Mr. MARSICO. Thank you, Mr. Speaker.

Yes, the gentleman is correct. This is an agreed-to amendment. I ask for an affirmative vote.

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

The following roll call was recorded:

YEAS—195

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

Burns	Gillespie	McGeehan	Schmotzer
Buxton	Gingrich	Metcalfe	Simmons
Caltagirone	Godshall	Metzgar	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	Mustio	Taylor
Cruz	Harper	Myers	Thomas
Culver	Harris	Neilson	Tobash
Curry	Heffley	Neuman	Toepel
Cutler	Helm	O'Brien, M.	Toohil
Daley	Hennessey	O'Neill	Truitt
Davidson	Hess	Oberlander	Turzai
Davis	Hickernell	Parker	Vereb
Day	Hornaman	Pashinski	Vitali
Dean	Hutchinson	Payne	Waters
Deasy	James	Payton	Watson
DeLissio	Josephs	Peifer	Wheatley
Delozier	Kampf	Perry	White
DeLuca	Kauffman	Petrarca	Williams
Denlinger	Kavulich	Petri	Youngblood
DePasquale	Keller, F.	Pickett	
Dermody	Keller, M.K.	Preston	Smith, S., Speaker
DiGirolamo	Keller, W.	Pyle	
Donatucci			

NAYS—0

NOT VOTING—0

EXCUSED—5

Brennan	Mahoney	Miccarelli	Murt
Evans, D.			

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. **WATERS** offered the following amendment
No. **A13491**:

Amend Bill, page 27, line 24, by inserting after "OFFENSES"
and annual report
Amend Bill, page 27, line 25, by inserting before "THE" where it occurs the first time
(a) Recommendation.—
Amend Bill, page 28, by inserting between lines 2 and 3
(b) Annual report.—No later than August 1 of each year, the commissioner shall submit to the Governor's Office, the majority and minority chairmen of the Senate Judiciary Committee and the majority and minority chairmen of the House Judiciary Committee, a written report containing information regarding the collection and testing of DNA samples under the provisions of this chapter. The report must include, but need not be limited to, the following information pertaining to the previous fiscal year:
(1) The number of DNA samples collected at arrest.
(2) The number of DNA samples collected at arrest that contributed to the filing of charges in or the closing of investigations related to previously unsolved offenses.

(3) The number of acquittals, convictions and dismissals in cases where DNA samples collected at arrest contributed to the filing of charges in previously unsolved offenses.

(4) The age, ethnicity, race and sex of arrestees from whom DNA samples were collected at arrest and upon conviction.

(5) The fiscal impact on the State Police of collecting DNA samples from persons convicted of offenses.

(6) The fiscal impact on the State Police of collecting DNA samples from arrestees.

(7) The number of DNA samples collected at arrest that were expunged from the Statewide DNA Data Base by request, by court order, as a result of acquittal, as a result of charges never having been filed and because charges filed were dismissed.

(8) The average length of time between the collection of DNA samples from arrestees and from those convicted of offenses and the completion of forensic DNA testing of each of those categories of DNA samples.

(9) Recommendations, if any, under this section for the inclusion of additional offenses for which DNA samples must be collected or recommendations for the removal of specific offenses from the categories requiring the collection of DNA samples from arrestees or persons convicted of crimes.

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

The SPEAKER. The House will be at ease for a moment.

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

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

Mr. CALTAGIRONE. Thank you, Mr. Speaker.

On behalf of member Ron Waters from Philadelphia, who is a member of the Judiciary Committee, this is an agreed-to amendment, and I would appreciate an affirmative vote.

Thank you, Mr. Speaker.

The SPEAKER. The Speaker thanks the gentleman.

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

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

Mr. MARSICO. Thank you, Mr. Speaker.

This is an agreed-to amendment. I ask for an affirmative vote. Thank you.

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

The following roll call was recorded:

YEAS—195

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

Briggs	George	Markosek	Samuelson
Brooks	Gerber	Marshall	Santarsiero
Brown, R.	Gergely	Marsico	Santoni
Brown, V.	Gibbons	Masser	Saylor
Brownlee	Gillen	Matzie	Scavello
Burns	Gillespie	McGeehan	Schmotzer
Buxton	Gingrich	Metcalfe	Simmons
Caltagirone	Godshall	Metzgar	Smith, K.
Carroll	Goodman	Micozzie	Smith, M.
Causer	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	Mustio	Taylor
Cruz	Harper	Myers	Thomas
Culver	Harris	Neilson	Tobash
Curry	Heffley	Neuman	Toepel
Cutler	Helm	O'Brien, M.	Toohil
Daley	Hennessey	O'Neill	Truitt
Davidson	Hess	Oberlander	Turzai
Davis	Hickernell	Parker	Vereb
Day	Hornaman	Pashinski	Vitali
Dean	Hutchinson	Payne	Waters
Deasy	James	Payton	Watson
DeLissio	Josephs	Peifer	Wheatley
DeLozier	Kampf	Perry	White
DeLuca	Kauffman	Petrarca	Williams
Denlinger	Kavulich	Petri	Youngblood
DePasquale	Keller, F.	Pickett	
Dermody	Keller, M.K.	Preston	Smith, S., Speaker
DiGirolo	Keller, W.	Pyle	
Donatucci			

NAYS—0

NOT VOTING—0

EXCUSED—5

Brennan	Mahoney	Miccarelli	Murt
Evans, D.			

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?

Mr. NEUMAN offered the following amendment No. **A13549**:

Amend Bill, page 1, lines 12 and 13, by striking out " PROVIDING FOR REQUEST FOR MODIFIED DNA SEARCH; " in line 12 and "AND FURTHER PROVIDING" in line 13 and inserting and

Amend Bill, page 21, line 8, by striking out "ARRESTED, CHARGED OR"

Amend Bill, page 21, lines 10 through 14, by striking out all of said lines

Amend Bill, page 21, lines 21 and 22, by striking out "ARRESTED FOR." in line 21 and "CHARGED WITH." in line 22

Amend Bill, page 25, lines 20 through 27, by striking out all of said lines

Amend Bill, page 27, line 14, by striking out "ARRESTEES"

AND"

Amend Bill, page 30, lines 2 through 24, by striking out all of said lines

Amend Bill, page 31, line 2, by striking out the bracket before "A]"

Amend Bill, page 31, lines 2 and 3, by striking out "] AN" in line 2 and "ARREST," in line 3

Amend Bill, page 35, lines 7 through 30; page 36, lines 1 through 30; page 37, lines 1 through 17, by striking out all of said lines on said pages

Amend Bill, page 37, line 18, by striking out "5" and inserting 4

Amend Bill, page 39, lines 1 through 4, by striking out all of said lines

Amend Bill, page 40, lines 27 through 30; page 41, lines 1 through 12, by striking out all of said lines on said pages and inserting

(ii) there has been a judgment of acquittal on the charge for which the DNA sample was taken; or

(iii) the DNA sample, record or profile was

Amend Bill, page 41, line 18, by striking out "ARRESTED, CHARGED,"

Amend Bill, page 43, line 8, by striking out "6" and inserting 5

On the question,

Will the House agree to the amendment?

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

Mr. NEUMAN. Thank you, Mr. Speaker.

This amendment is, in my mind, very commonsense. This would take the DNA collection out of the realm when the person is arrested until after they are convicted. And if somebody is arrested and then is found acquitted, then there is a petition process to get the DNA sample off the records. This would streamline that process and just say upon conviction, a convicted person, then the DNA would be collected and stored in a database, and would save the Commonwealth hundreds of thousands, if not millions, of dollars of wasted taxpayer money because we are taking DNA samples from people that are arrested and not convicted.

So this amendment would simply change when the DNA sample is taken and recorded and put into a database. Currently it is upon arrest. My amendment would take it to conviction.

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 Montgomery County, Mr. Stephens.

Mr. STEPHENS. Thank you, Mr. Speaker.

Mr. Speaker, this piece of legislation is very important for our crimefighters here in Pennsylvania. Two specific studies address the issue of collecting DNA at the time of arrest, one out of Chicago and one out of Denver. In the Chicago study, 60 violent crimes would have been prevented, including 53 murders and rapes, had DNA been collected at that time of the arrest. And in the Denver study – in the end, they analyzed 5 individuals – 52 violent crimes, including 3 murders and 19 sexual assaults, would have been prevented if DNA had been taken at the time the individual was arrested.

I think it is important to remember that, fortunately for us, our prosecution rate when it comes to violent sex offenses and murders – which is all we are talking about here, violent sex offenses and murders – is extremely high, and in the end, when you are talking about a conviction rate well in excess of 90 percent, most of these folks are going to have their DNA taken ultimately anyway as a result of the conviction.

The other point that I think is important to note is we already collect fingerprints at the time of the arrest. We already take a photo at the time of the arrest. Those things under current law stay in place, frankly, even if you are acquitted. If you are arrested, they take your fingerprints. If you are acquitted, your fingerprints remain on file, and I think it is very important to note that this treats DNA no differently. It allows for our law enforcement officials to be able to more thoroughly investigate and prevent murders and violent sexual assaults, which is all this bill addresses. So for that reason, Mr. Speaker, I urge the members for an affirmative vote.

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

On that question, the Speaker—

Did the gentleman, Mr. Stephens, want to amend his comment?

Mr. STEPHENS. Thank you, Mr. Speaker.

I meant a negative vote; I apologize.

The SPEAKER. The Parliamentarian and I were just kind of wondering.

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

On that question, the Speaker recognizes the gentleman from Westmoreland County, Mr. Krieger.

Mr. KRIEGER. Thank you, Mr. Speaker.

I would like to begin my remarks by asking a rhetorical question. What is the difference between an arrestee and your mother, your father, your son, your daughter? What is the legal difference between an arrestee and any one of us? And the answer is, there is none. There is something established under a law that has been here for centuries. It is called, we are innocent until proven guilty.

Now, there is certainly the case that there are sometimes it will be solved. I do not disagree with the previous speaker when he states that, but there are many other things we could do to also go down that path. We could have DNA samples from everybody. We certainly would solve more crimes in that manner. We could take fingerprints from everybody from the time they are born. That, of course, is a slippery-slope argument, and I know many will laugh and think that is silly, but I will tell you it is absolutely the case, and I will give you two examples. Actually, I will give you the best example. When I was talking and thinking about this bill, time and time again it was mentioned to me, well, you can vote for it because the Federal government already requires something similar. So you can see the path we are already on. It will be not just arrests for criminal homicide. We can certainly solve crimes as we do arrests for other crimes as well. Where will it end?

And it is not a comfortable thing to stand here on this side of the aisle and speak as I am speaking, but I feel compelled to do it. We have a Constitution. We have certain rights in this nation we have believed in for centuries. We have to maintain those even when it is difficult, like a time like this.

So I would ask for an affirmative vote for this amendment. 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. Sabatina.

Mr. SABATINA. Thank you, Mr. Speaker.

I rise in support of the gentleman from Washington County's amendment.

Basically, it boils down to this: SB 775 allows your DNA collection upon arrest, upon arrest. You could get arrested for anything. You can get wrongly arrested, falsely arrested. It happens every day. What the gentleman from Washington County's amendment does is allows for DNA collection upon conviction, after the fact, after a jury of your peers has found you guilty beyond a reasonable doubt. That is what we are talking about today. We are talking about the erosion of some personal freedoms, and I think as the gentleman, the previous speaker, said, it is a slippery slope. Today we are collecting DNA from arrestees, and I shudder to think what could happen tomorrow.

So I urge an affirmative vote for the gentleman's amendment. 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. Cohen.

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, I join Mr. Sabatina and Mr. Neuman in urging a "yes" vote.

There are great questions of constitutionality in not making a distinction between arrestees and convictions. A couple years ago a California court, I think at the beginning of 2011, declared an arrest collection of DNA to be unconstitutional. That is, obviously, being appealed higher in the Federal judicial system, but whatever the ultimate outcome at the Federal level in terms of the constitutionality of this, it is certainly better to avoid the slippery slope of widespread interference with individual liberties.

I think a "yes" vote is a safer vote. A "yes" vote is a more targeted vote at the correct use of DNA samples.

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

On the question, the Speaker recognizes the gentleman from Montgomery County, Mr. Stephens, for the second time.

Mr. STEPHENS. Thank you, Mr. Speaker.

I just did want to address a couple of my good colleague's concerns as it relates to the difference between a family member and an arrestee. I think it is important for the members to know that this bill is limited to those who have been arrested for murder or a violent sexual offense. So there is a big difference, because none of my family members have been arrested and had probable cause determined by an independent judicial official to determine that they in fact should move forward through the criminal justice process for one of those very serious charges.

So the fact that we are dealing with the most severe charges in the Crimes Code, in my opinion, Mr. Speaker, and the fact that an independent judicial official has determined that probable cause existed to move forward with the arrest I think makes the distinction very clear between an ordinary citizen, an ordinary family member, and someone who would have been charged with murder.

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 Allegheny County, Mr. Turzai.

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

Sir, I rise in opposition to this particular amendment and in support of the underlying bill. Essentially, this particular amendment does eviscerate what the underlying bill's purpose is. This bill, supported by the district attorneys in this State, the Pennsylvania State Police, the Office of Attorney General, there is a reason that they support the underlying bill and oppose this particular amendment.

I was a former prosecutor, and it is about accumulating evidence and protecting citizens in the future. It is applicable to homicide cases and to felony sex offenses, the underlying bill – this amendment would eviscerate that – and it says that after an arrest, you can collect DNA evidence. If you do not do that, you are tying your hands, making it more difficult to in fact stop a perpetrator that you know particularly who is a serial criminal in homicide and felony sex offenses.

The Pennsylvania Coalition Against Rape supports this particular underlying bill and would not want to see this particular amendment, because the whole point of this is to be able to give law enforcement a tool – the additional tool, really – to prevent future crimes by a serial perpetrator. So it is not being applied to all crimes. It is being applied to crimes where DNA evidence can in fact prevent additional crimes from occurring, which is why you want to be able to do it after the point of arrest. Keep in mind, to make an arrest, you have to have probable cause. If in fact you think as a person that was arrested that that probable cause was not there, you have a variety of remedies including the suppression of evidence prior to your arrest. You can suppress that. You also have civil right lawsuits as a remedy if there was not adequate probable cause prior to your arrest.

So the fact of the matter is, to the extent that we are protecting the rights of the defendant or the charged, those are already in place through the suppression rule and through civil liability suits, amongst other remedies. Prohibiting the district attorney, the Attorney General, the Pennsylvania State Police, and other police agencies from the ability to collect DNA evidence at this point in homicides and felony sex offenses so that you can stop perpetrators from continuing to do those crimes, that is what the underlying bill does and it is what the amendment eviscerates, it takes away.

So I oppose the amendment. I rise to oppose the amendment because it defeats the purpose of the underlying bill, which again is supported by the D.A.s, the Attorney General, the Pennsylvania State Police, and the Pennsylvania Coalition Against Rape. It is why the good Senator from Delaware County has been out front on this particular bill and sent it over to us to consider.

I do understand the rights of the accused; I absolutely do understand that. And we do not want people to run roughshod over our rights, but it is a balance and has always been a balance in our system as to how do you accumulate the evidence to prosecute somebody who has committed a crime or to stop that person from committing further crimes in the future, particularly these serial offenders, versus the protection of our rights under the Constitution? The suppression remedy has always been designed to suppress any evidence prior to the

arrest, because it has to be based on probable cause, and if it was insufficient, you can get that evidence thrown out of court and/or you can file a civil liability suit at a later point in time.

I would urge that everybody oppose the Neuman amendment and support the underlying bill.

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

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

Mr. D. COSTA. Thank you, Mr. Speaker.

I rise in support of this amendment.

With all due respect to the majority leader – and I worked with him when he was in the district attorney's office, as a former police officer – I think we are taking a shotgun approach to this thing. I think we are going to waste a lot of money, because any DNA as a police officer that I want, I can get a court order to get that DNA, and I think what we are doing is we are doing everyone when we do not need to be doing everyone. It is going to cost the Commonwealth a lot of money that we do not need to spend when we already have the tools available to us in law enforcement.

So I ask my colleagues on both sides of the aisle to support this amendment. I think it will make it a better bill. Thank you very much, Mr. Speaker.

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

On that question, the Speaker recognizes the gentleman from Somerset County, Mr. Metzgar.

Mr. METZGAR. Thank you, Mr. Speaker.

I rise in support of this amendment for one reason. The purpose of this bill without the amendment is to get around a safeguard, and that safeguard is a warrant. If you want a DNA sample from any of the people subject to this particular bill, get a warrant. But what this does is it gets you around the warrant requirements and the safeguards that are there to protect all of us by giving you the ability to take their DNA – anyone's DNA, our DNA – by simply arresting, just saying that they have probable cause, reasonable belief that the person committed a crime. That is all this amendment will do is just put it back so that that warrant is there to protect us.

Thank you, Mr. Speaker. Please support the amendment.

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

The gentleman from Washington County, Mr. Neuman, for the second time.

Mr. NEUMAN. Thank you, Mr. Speaker.

I would say that the underlying purpose of this bill is to get DNA from criminals and be able to use that DNA for future cases. Now, do not let that skew you from your opinion of this bill that if somebody is charged with rape or somebody is charged with murder and there is DNA evidence that they need, they can still get it from that person. They go through a search warrant, the proper procedures. If there is a rape or murder and they are able to secure a valid DNA sample from the crime scene, that person's DNA is going to be taken. This is about a database, this is about a data bank to save people's DNA for future crimes. And I would argue the serial rapist, the serial murderer, those DNAs will be collected under my amendment because they are convicted, and the people that are acquitted of crimes have essentially an automatic right of appeal to get their DNA off the database; however, it costs them money. They have to go through a petition process and generally have to hire

an attorney when their DNA should have never been collected to begin with because they were falsely arrested or falsely accused. My amendment allows the law enforcement to collect criminals' DNA. It does not stop that. That is the key point. We will get to the purpose of this bill with my amendment and save the Commonwealth millions of dollars all at the same time.

And the other thing, our system is so behind right now in DNA samples. We are about a year behind. This is going to flood our system with people that are accused, not convicted, with DNA samples, instead of going after the people we should be going after, the criminals, the ones that are convicted.

So I ask this House to support my amendment and have the DNA of criminals kept for future crimes. Thank you, Mr. Speaker.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—132

Aument	DePasquale	Krieger	Pyle
Bear	Dermody	Lawrence	Rapp
Bishop	Donatucci	Longiotti	Ravenstahl
Bloom	Dunbar	Mackenzie	Readshaw
Boyd	Ellis	Maher	Reed
Boyle, B.	Evankovich	Maloney	Reese
Boyle, K.	Fabrizio	Mann	Roae
Bradford	Frankel	Markosek	Roebuck
Briggs	Freeman	Marshall	Sabatina
Brooks	Gabler	Masser	Saccone
Brown, V.	Galloway	Matzie	Sainato
Brownlee	George	McGeehan	Samuelson
Burns	Gerber	Metcalfe	Santarsiero
Buxton	Gergely	Metzgar	Santoni
Caltagirone	Gibbons	Micozzie	Scavello
Carroll	Gillen	Milne	Schmotzer
Causer	Goodman	Mirabito	Smith, K.
Clymer	Grove	Moul	Smith, M.
Cohen	Hahn	Mullery	Sonney
Conklin	Haluska	Mundy	Staback
Costa, D.	Hanna	Murphy	Stern
Costa, P.	Harhai	Mustio	Sturla
Cox	Harkins	Myers	Taylor
Cruz	Hess	Neilson	Thomas
Curry	Hornaman	Neuman	Vitali
Cutler	Hutchinson	O'Brien, M.	Waters
Daley	James	Oberlander	Wheatley
Davidson	Josephs	Parker	White
Davis	Kavulich	Pashinski	Williams
Day	Keller, F.	Payne	Youngblood
Dean	Keller, W.	Payton	
Deasy	Kirkland	Perry	Smith, S.,
DeLissio	Kortz	Preston	Speaker
DeLuca	Kotik		

NAYS—63

Adolph	Farry	Kauffman	Rock
Baker	Fleck	Keller, M.K.	Ross
Barbin	Geist	Killion	Saylor
Barrar	Gillespie	Knowles	Simmons
Benninghoff	Gingrich	Kula	Stephens
Boback	Godshall	Major	Stevenson
Brown, R.	Grell	Marsico	Swanger
Christiana	Hackett	Millard	Tallman
Creighton	Harhart	Miller	Tobash
Culver	Harper	O'Neill	Toepel
Delozier	Harris	Peifer	Toohil
Denlinger	Heffley	Petrarca	Truitt
DiGirolamo	Helm	Petri	Turzai

Emrick	Hennessey	Pickett	Vereb
Evans, J.	Hickernell	Quigley	Watson
Everett	Kampf	Quinn	

NOT VOTING—0

EXCUSED—5

Brennan	Mahoney	Miccarelli	Murt
Evans, D.			

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?

Mr. **NEUMAN** offered the following amendment No. **A13613**:

Amend Bill, page 1, lines 12 and 13, by striking out "; PROVIDING FOR REQUEST FOR MODIFIED DNA SEARCH; " in line 12 and "AND FURTHER PROVIDING" in line 13 and inserting and

Amend Bill, page 21, line 8, by striking out "ARRESTED, CHARGED OR"

Amend Bill, page 21, lines 10 through 14, by striking out all of said lines

Amend Bill, page 21, lines 21 and 22, by striking out "ARRESTED FOR," in line 21 and "CHARGED WITH," in line 22

Amend Bill, page 27, line 14, by striking out "ARRESTEES AND"

Amend Bill, page 30, lines 2 through 24, by striking out all of said lines

Amend Bill, page 31, line 2, by striking out the bracket before "A]"

Amend Bill, page 31, lines 2 and 3, by striking out "] AN" in line 2 and "ARREST," in line 3

Amend Bill, page 39, lines 1 through 4, by striking out all of said lines

Amend Bill, page 40, lines 27 through 30; page 41, lines 1 through 12, by striking out all of said lines on said pages and inserting
(ii) there has been a judgment of acquittal on the charge for which the DNA sample was taken; or

(iii) the DNA sample, record or profile was

Amend Bill, page 41, line 18, by striking out "ARRESTED, CHARGED,"

On the question,

Will the House agree to the amendment?

AMENDMENT WITHDRAWN

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

The gentleman indicates the amendment is withdrawn, and it is the Speaker's understanding that the other amendments to the bill have also been withdrawn.

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 C CONTINUED

MOTION TO PROCEED TO CONSIDERATION UNDER RULE 24

The SPEAKER. The Speaker returns to today's House calendar supplemental C and recognizes the majority leader, Mr. Turzai.

Mr. **TURZAI**. Mr. Speaker, SB 850 is on third consideration. We debated it at length, and I would ask that we move to suspend the rules to move SB 850.

The SPEAKER. The gentleman, Mr. Turzai, I believe has moved to proceed under rule 24?

Mr. **TURZAI**. Yes, sir; a move to proceed under rule 24 with respect to SB 850, sir.

The SPEAKER. For the immediate consideration of SB 850.

The gentleman, Mr. Turzai, has moved, under rule 24, the motion to proceed on SB 850.

On the question,

Will the House agree to the motion?

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

Mr. **DERMODY**. Thank you, Mr. Speaker.

Mr. Speaker, I would ask the members to support the motion to proceed.

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—169

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

Culver	Harper	O'Brien, M.	Toepel
Curry	Harris	O'Neill	Toohil
Daley	Heffley	Oberlander	Turzai
Davis	Helm	Parker	Vereb
Day	Hennessey	Pashinski	Waters
Dean	Hickernell	Payne	Watson
Deasy	Hornaman	Payton	Wheatley
DeLissio	James	Peifer	Williams
DeLuca	Kampf	Perry	Youngblood
Denlinger	Kauffman	Petrarca	
DePasquale	Kavulich	Petri	Smith, S., Speaker
Dermody	Keller, F.	Pickett	
DiGirolamo	Keller, M.K.	Preston	

NAYS—26

Bishop	Gillen	Mackenzie	Samuelson
Brownlee	Grell	Metzgar	Tallman
Causer	Hess	Mullery	Thomas
Cutler	Hutchinson	Neuman	Truitt
Davidson	Josephs	Rapp	Vitali
Delozier	Kotik	Roae	White
Freeman	Lawrence		

NOT VOTING—0

EXCUSED—5

Brennan	Mahoney	Miccarelli	Murt
Evans, D.			

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

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 850, PN 2475**, entitled:

An Act amending Titles 18 (Crimes and Offenses), 42 (Judiciary and Judicial Procedure) and 61 (Prisons and Parole), of the Pennsylvania Consolidated Statutes, in authorized disposition of offenders, further providing for sentence for murder, murder of unborn child and murder of law enforcement officer and providing for sentence of persons under the age of 18 for murder, murder of an unborn child and murder of a law enforcement officer; in criminal history record information, further providing for expungement and for juvenile records; and providing for crime victims; in juvenile matters, further providing for short title and purposes of chapter, for definitions, for scope, for inspection of court files and records and for conduct of hearings; in sentencing, providing for sentencing for certain murders of infant persons and for sentences for second and subsequent offenses; in Pennsylvania Board of Probation and Parole, further providing for parole procedure.

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, is the gentleman from Philadelphia, Mr. Thomas, seeking recognition? Were you seeking recognition on final passage of this bill? The gentleman is in order.

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, I would just like to make sure that each of my colleagues on both sides of the aisle has a clear picture of what is going on here.

You know, under Pennsylvania law, the minimum age at which you can be an adjudicated delinquent is 10 years of age. Youth under the age of 10 who commit delinquent acts are defined as "dependent children." Anyone charged with murder is automatically excluded from juvenile court jurisdiction regardless of age. A juvenile may request a hearing to show why it is in the public interest for his or her case to be heard in juvenile court. If the request is denied, the juvenile is tried in criminal court. Pennsylvania's Juvenile Act; if convicted of first or second-degree murder, the juvenile faces the mandatory sentence of life without opportunity for parole.

The total number of juveniles incarcerated in Pennsylvania on life without parole is around 450 people. With this number of people serving life without parole, Pennsylvania has more teenagers, juveniles serving life sentences for crimes committed as juveniles than any other jurisdiction in the world, any other jurisdiction in the world. We are talking about Afghanistan, Pakistan, Africa, Europe. Nowhere else in the world have this many young people behind bars without parole.

Of the 473 individuals serving these sentences, offense dates have been located for 418 of them. Based on the 418, the median age at the time of the offense was 16 years of age, median age. Approximately 58 to 59 percent of individuals serving behind-bars-without-parole sentences in Pennsylvania are from Philadelphia, 58 to 59 percent. Approximately 71 percent of these individuals are African-American. Over 95 percent of individuals serving these sentences are male. The yearly cost to house these inmates is \$32,986. The Department of Corrections requested an annual budget of \$1.8 billion for 2011-2012. The rough cost calculation of the cost for individuals in prison without parole was conducted based on three different life expectancies — 60, 65, and 70 years old — based on present-day costs. At 60 years old, the average cost will be \$1,331,000. At 65 years of age, it will be \$1,496,000 to take care of these individuals. At 70 it will be \$1.6 million. The total costs, given the number of juveniles in prison without parole, are approximately \$630 million, \$708 million, and \$785 million respectively.

Mr. Speaker, because of this situation in Pennsylvania, the United States Supreme Court has concluded that this is tantamount to cruel and unusual punishment, in violation of the Eighth Amendment of the United States Constitution.

Locking juveniles up beyond a statutory — As you know, in Pennsylvania and in most States, the statutory life for homicide, first- or second-degree homicide is 20 years. Locking juveniles up without an opportunity of parole has been concluded to be cruel and unusual, in violation of the Eighth Amendment. And, Mr. Speaker, SB 850 attempts to correct that, but the question is, is this correction — This attempted correction is also tantamount to cruel and unusual punishment, because in the case of SB 850, 10 to 14 years of age under this prescription

must serve at least 25 years. If you are 15 to 17 years of age, the minimum amount of years is 35 years, and the prescription says that you will have an opportunity to make an application for parole at the end of 25 or 35 years, but it also implies that the initial application for parole will be denied and so you will have to serve another 5 years. So that 25 years will become 30 years. The 35 years will become 40 years for 15 to 17 years of age.

And so the question, the question before us is whether or not 25, 35, or 30 and 40 years, are also tantamount to cruel and unusual.

CONSTITUTIONAL POINT OF ORDER

Mr. THOMAS. I rise to declare SB 850 unconstitutional under both the Eighth Amendment of the United States Constitution and also the Pennsylvania Constitution, because in both cases—

The SPEAKER. Will the gentleman suspend.

Let me pose your constitutional question, and then I will recognize you to argue that constitutionality.

The gentleman, Mr. Thomas, raises the point of order that SB 850, PN 2475, 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 Speaker recognizes the gentleman, Mr. Thomas.

Mr. THOMAS. Mr. Speaker, SB 850 is unconstitutional based on the outcome of *Miller v. Alabama*, a case that was decided in March of this year, which determined that any time juveniles are incarcerated without an opportunity for parole is cruel and unusual, and thereby in violation of the 8th Amendment to the United States Constitution, and similarly through the 14th Amendment in Pennsylvania.

The fact that we provide parole after 25 or 35 years does not avoid the outcome in *Miller v. Alabama*, because what the United States Supreme Court in *Miller v. Alabama* is saying in effect is: Pennsylvania, are you saying that you cannot do anything with juveniles between 14 and 17 years of age other than to put them away for the rest of their natural life, or in the context of SB 850, put 10- to 14-year-olds away for at least 25 years and 15 to 17 years of age, put them away for 35 years? We can do better than that. We can do better than that. We can do better than that.

We do not excuse these juveniles from the crimes that they have committed; they should be punished. But at what point does the punishment—

The SPEAKER. Will the gentleman suspend.

The gentleman is back to arguing the bill and needs to focus on why or why it is not constitutional.

Mr. THOMAS. Because, Mr. Speaker, SB 850 is in violation of the Eighth Amendment of the United States Constitution. It is violative because, in the case of 10- to 14-year-olds, it is beyond the statutory life period. In the case of 15- to 17-year-olds, it is beyond the statutory period, and there is no rational basis for locking – for keeping 10- to 14-year-olds locked up for 25 years without an opportunity to make application for parole. Nor is

there any rational basis other than cruel and unusual punishment to put a 15- to 17-year-old away for 35 years and then say to them, in 5 years you can make an application for parole at the end of 25 or 35, but you will not be granted an opportunity for parole until after you have served an additional 5 years. These are years beyond the statutory life period of 20 years. This is cruel and unusual and violative of the Constitution.

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

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

Miller v. Alabama, a Supreme Court decision in June of this year, is what is at issue, based on the good gentleman from Philadelphia's motion. In fact, this bill is in response to *Miller v. Alabama*. Prior to this proposal, Pennsylvania statute says that there is automatic life without parole for first- and second-degree murders for juveniles. In response to that, what most jurisdictions across the State – across the country; excuse me – have been doing is eliminating automatic life without parole and setting discretion within the judge, with minimums, and for 15 or older, the court would have the discretion to sentence the offender to life with parole eligibility beginning after 35 years. For those under 15, it could begin after 25 years, and that is for first-degree murder.

For second-degree murder, it is completely off, and the discretion is within the hands of the judge. This is a lessening of the existing statute in response to *Miller v. Alabama*, and that is why this is in fact constitutional. We are responding to *Miller v. Alabama* and changing the law to reflect that Supreme Court opinion.

Thank you. This is constitutional.

The SPEAKER. On the question of constitutionality, the Speaker recognizes the gentleman from Cambria County, Mr. Barbin.

Mr. BARBIN. Thank you, Mr. Speaker.

I rise in opposition to the motion for constitutionality made by the good gentleman. The error in this motion is seen easiest by taking a look at where the good gentleman would set the line. The good gentleman does believe that 35 years is too long or that the line of 25 years is too long, but he admits that there was a life taken, and because there was a life taken, he asked us to create the line where he would draw the line. Well, that is what legislation is all about: the collective judgment of where the line is supposed to be drawn. That is the rational basis that makes the law constitutional. As for me, the life that I am going to look at when we say is this— It is not only constitutional, but it is a good law and it is a good law because collectively we have said 35 years is a fair amount of time to serve if you have taken someone else's life.

Now, to me it is not about constitutionality. The law prior was life without parole. Addressing that, we say it is not life without parole. I am not going to agree that it should be 5 years for the taking of a life; I think life is more precious than that. But because there is a difference of opinion, that is where the rational basis comes in. That is why you have a General Assembly. That is why you have a final vote on passage of what the standard should be. This is not a question of unconstitutionality. This is a question that offends your personal conscience as to how long someone that murders someone should remain in prison. As for me, 35 years is appropriate. As for me, 25 years is appropriate, and if I am wrong, God will judge me, but the collective voice of the General Assembly is a rational basis.

LEAVE OF ABSENCE

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

CONSIDERATION OF SB 850 CONTINUED

The SPEAKER. The gentleman, Mr. Thomas, under the rules of the House, each member is only permitted to debate constitutionality one time. Each member is only allowed to debate constitutionality one time under the rules of the House, and you had been recognized on constitutionality.

Mr. THOMAS. Mr. Speaker, I am not debating the constitutionality. I am—

The SPEAKER. For what purpose then does the gentleman rise?

Mr. THOMAS. Mr. Speaker, just to clarify the record; personal privilege to clarify the record.

The SPEAKER. I believe you are still wanting to debate the constitutionality.

Mr. THOMAS. No; I am just going to provide a fact and then I will let the record speak for that. I am not going to debate.

The SPEAKER. The gentleman is not in order to debate the constitutionality any further under our rules of the House.

Mr. THOMAS. Well, that is correct, and I appreciate that. I just need the record to reflect—

The SPEAKER. Will the gentleman suspend.

The gentleman is not in order.

The question is constitutionality of SB 850. 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—166

Adolph	Emrick	Keller, F.	Preston
Aument	Evankovich	Keller, M.K.	Pyle
Baker	Evans, J.	Killion	Quigley
Barbin	Everett	Knowles	Quinn
Barrar	Fabrizio	Kortz	Rapp
Bear	Farry	Kotik	Ravenstahl
Benninghoff	Fleck	Krieger	Readshaw
Bloom	Frankel	Kula	Reed
Boback	Freeman	Lawrence	Reese
Boyd	Gabler	Longietti	Roae
Boyle, B.	Galloway	Mackenzie	Rock
Boyle, K.	Geist	Maher	Ross
Bradford	George	Major	Saccone
Brooks	Gerber	Maloney	Sainato
Brown, R.	Gergely	Mann	Samuelson
Burns	Gibbons	Markosek	Santarsiero
Buxton	Gillen	Marshall	Santoni
Caltagirone	Gillespie	Marsico	Saylor
Carroll	Gingrich	Masser	Scavello
Causar	Godshall	Matzie	Simmons
Christiana	Goodman	Metcalfe	Smith, K.
Clymer	Grell	Metzgar	Smith, M.
Conklin	Grove	Micozzie	Sonney
Costa, D.	Hackett	Millard	Staback

Costa, P.	Hahn	Miller	Stephens
Cox	Haluska	Milne	Stern
Creighton	Hanna	Mirabito	Stevenson
Culver	Harhai	Moul	Sturla
Cutler	Harhart	Mullery	Swanger
Daley	Harkins	Mundy	Tallman
Davis	Harper	Murphy	Taylor
Day	Harris	Mustio	Tobash
Dean	Heffley	Neilson	Toepel
Deasy	Helm	Neuman	Toohil
DeLissio	Hennessey	O'Neill	Truitt
Delozier	Hess	Oberlander	Turzai
DeLuca	Hickernell	Payne	Vereb
Denlinger	Hornaman	Peifer	Watson
Dermody	Hutchinson	Perry	White
DiGirolamo	Kampf	Petrarca	
Dunbar	Kauffman	Petri	Smith, S., Speaker
Ellis	Kavulich	Pickett	

NAYS—28

Bishop	Davidson	Myers	Schmotzer
Briggs	Donatucci	O'Brien, M.	Thomas
Brown, V.	James	Parker	Vitali
Brownlee	Josephs	Pashinski	Waters
Cohen	Keller, W.	Payton	Wheatley
Cruz	Kirkland	Roebuck	Williams
Curry	McGeehan	Sabatina	Youngblood

NOT VOTING—0

EXCUSED—6

Brennan	Evans, D.	Miccarelli	Murt
DePasquale	Mahoney		

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

Mr. DeLUCA. Thank you, Mr. Speaker.

Mr. Speaker, I support SB 850, and I want to disagree with my colleague from Philadelphia, because the fact is, when we talk about these individuals, these individuals are going to get a break. Instead of being in prison for the rest of their life, they are going to have part of their life given back to them if they behave. If you have a 14-year-old, you add 35 years, 49. That is not old today, Mr. Speaker.

Secondly, we talk about cruel and unusual punishment. Tell that to the victim whom they might have murdered or raped or the families who never get over that the rest of their lives. I call that cruel and unjust punishment. We need to talk about the victims. We talk about what it is going to cost our prison system. Well, let us see what it costs our families. Let us see what it costs society or costs the family who, God forbid, had one of their loved ones murdered or is a paraplegic in a chair for the rest of their life.

You know, because they are young does not mean that they should not have responsibility. And they are getting a break, Mr. Speaker. Believe me, when they are coming out at that young age, that is a break because the Supreme Court really gave them a break, because nobody is coming back when you

are 6 feet under the ground, and I call that cruel and unusual punishment.

Therefore, I am strongly supporting SB 850. Thank you, Mr. Speaker.

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

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

Excuse me, Mr. Thomas. Let me go to another member and I will come back to you.

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

Mr. WHEATLEY. Thank you, Mr. Speaker.

Mr. Speaker, I know the hour is getting late and many members have other things they want to do, but I think it is critical for us to really take a look at what we are trying to do here.

There was mention about the victims, and whenever you talk about violent crimes, of course we do not want to forget about the victim, and the act of losing a life is one of the most tragic that can ever happen. But at the end of the day, we still have a society that we have to realize that there is another ledger; not only are there perpetrators of the crime but the perpetrator's family. And when you talk about sending an individual that is 14 years old, sending them to prison and not letting them come back to those communities for 25 or 35 years, let us imagine what that looks like when that individual does come back: 39, 49 years of age, they are now back in communities, and some communities have to deal with the reality of what now?

And when we have a societal premise that does not really believe in rehabilitation, an individual has gone through 25 or 35 years and then they do not have a second chance when they hit the streets of these communities, then, ultimately, what we are doing is providing permanent and, for many of us, long-lasting impacts that are never correctable.

So again, I understand the need to balance punishment for violent crimes that really there is no justification and there is no balance to when someone loses a life. But at the same time, as one of the previous speakers talked about, in our General Assembly row, we have to find balance and where the collective mentalities are, you eventually will see these individuals back on the streets and communities and they will no longer be minors. They will be 39-year-old, 49-year-old individuals with no skills – with very little skills; pardon me, very little skills – with stigma and stereotypes that will prevent them, possibly, from being productive citizens at that point. So we need to be very sensitive to how we balance that.

And so again, I do not know the correct answer. I know for many of us it is the easy win to say we are not letting criminals back on the streets any time soon, but the hard reality when we make these types of laws is, eventually these individuals come back, and what happens when they come back?

So again, I would ask members to really take their time with this piece of legislation and not just rush to the great-sounding political football win of, yeah, we make sure these individuals are going to spend 25 and 35 years of their life in prison for a crime that they might create. I think it goes deeper than that, and we should take our time with that, and because of that I do not think this is the proper moment to vote this bill; however, I know I am probably in the minority in saying that. But I want to go on record and say that we should really take some more time to really get this right and not do it for rush.

So with that being said, I would ask for the members to not support SB 850 on final passage. Thank you.

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

On that question, the Speaker recognizes the gentleman from Philadelphia County, Mr. Thomas, for the second time.

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, let the record be clear about a couple things. Number one, according to a Pennsylvania juvenile commission and some national people, at least one-third, the young people that we are talking about, the 400-and-some young people that are behind bars without parole, worse than anywhere else in the world. You cannot offer a rationale for that kind of statistic. I do not support and I do not uphold the crimes that these individuals committed, but, Mr. Speaker, according to the data, only a third, at least a third of the 450 people that are behind bars without parole are individuals who did not kill anybody. Let me say that: A third of the children that we have behind bars without parole did not kill anybody, did not commit first-degree murder, did not commit second-degree murder. They happened to be with some kids that were doing some bad things.

And to my colleagues that want to talk about these kids, I do not think that there is anybody in this chamber that has kids that have not hung out with other kids that we did not think were the right kids to be hanging around with. And so we have got a third of these kids who just got caught up at the wrong time with the wrong circumstances. In most cases, it was felony murder rules that started out with maybe a simple robbery that ended up in somebody getting killed, but the data indicates that at least a third did not kill, did not commit first-degree murder or second-degree murder.

Secondly, the only reason we are having this conversation is because Pennsylvania stands out from the rest of the world. Let me say that again: The only reason we are having this conversation is because this great State, the Keystone State, stands out from Afghanistan, Pakistan, Africa, anywhere in the world. The situation in Pennsylvania is worse than anyplace else.

Thirdly, Justice Elena Kagan, the last justice appointed to the United States Supreme Court, wrote the majority opinion that Justice Roberts and other members of the United States Supreme Court, they joined her in her opinion, and all she is saying is that before you lock these kids up without taking in consideration the totality of circumstances, and in another case, *Graham v. Florida*, the court says that we should be prevented from meting out punishment from considering "...juveniles have lessened culpability..." and what that means is the culpability of a 14-year-old is different from Representative DeLuca. There is less culpability, arguably, with these children.

Fourthly, there is a greater capacity for change. A 10-year-old has a greater capacity to change rather than a Curt Thomas at 60 years of age. That is what the court is saying, that you cannot throw these kids away, throw away the key, or come up with rules beyond the State's statutory life without considering culpability, without considering capacity for change, without taking in consideration the circumstances which led to the death of an individual, and at least a third of them were not responsible for taking a life.

Mr. Speaker, we are not asking, we are not asking that these 450 kids be let off the hook; they need to be punished. But at some point we have to ask ourselves, who are we? Who are we? Who are we? We are human beings who believe in the dignity

of life. And all we are saying, the prescription as outlined in SB 850 does not take into consideration the guidelines outlined in *Miller v. Alabama*, and I stand here tonight and I promise you that if SB 850 becomes law, there will be a lot of lawyers going to the courthouse tomorrow morning, because SB 850 under its current construct is violative of the Eighth Amendment of the United States Constitution. It is cruel and unusual, and you can provide no argument, we can provide no argument. Why 35 years? Why not 50 years? Why not 60 years? We have no rational basis for why we need to lock a 15- to 17-year-old up for 35 years, then allow them to make application for parole but deny the parole application on its first presentation and have to do another 5 years. So that 35 years is really 40 years. With the 10- to 14-year-olds, it is not just 25 years. It is 30 years. And we have no rational basis for upholding why we are choosing 40 and 30 as opposed to locking them up for the rest of their life, let them die behind prison, and in many cases, some of them after 30 and 40 years will be dead; they will be dead, and what will we be saying about who we are?

William Penn, Jefferson, Lincoln, all of us asked the question at one time or another. When we look at who we are, we will be measured by, what do we do with those at the dawn of life and those in the twilight of their life? We are talking about babies, we are talking about kids who cannot be excused for what they did, but we have no reason to impose cruel and unusual punishment without rehabilitation or without some commitment to make sure that whenever these kids come out or whenever they make an application for parole, that we have done something about the circumstances which gave rise to their bad company and/or their bad behavior. We have a responsibility to do that.

And please, this is my State. I love it. I do not want to be labeled with being worse than any place else on planet Earth. There is something wrong with that picture. Vote "no" on SB 850.

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—174

Adolph	Evankovich	Keller, W.	Pickett
Aument	Evans, J.	Killion	Pyle
Baker	Everett	Knowles	Quigley
Barbin	Fabrizio	Kortz	Quinn
Barrar	Farry	Kotik	Rapp
Bear	Fleck	Krieger	Ravenstahl
Benninghoff	Frankel	Kula	Readshaw
Bloom	Freeman	Lawrence	Reed
Boback	Gabler	Longietti	Reese
Boyd	Galloway	Mackenzie	Roe
Boyle, B.	Geist	Maher	Rock
Boyle, K.	George	Major	Sabatina
Bradford	Gerber	Maloney	Saccone
Briggs	Gergely	Mann	Sainato
Brooks	Gibbons	Markosek	Samuelson
Brown, R.	Gillen	Marshall	Santarsiero
Burns	Gillespie	Marsico	Santoni
Buxton	Gingrich	Masser	Saylor
Caltagirone	Godshall	Matzie	Scavello
Carroll	Goodman	McGeehan	Simmons
Causser	Grell	Metcalfe	Smith, K.

Christiana	Grove	Metzgar	Smith, M.
Clymer	Hackett	Micozzie	Sonney
Cohen	Hahn	Millard	Staback
Conklin	Haluska	Miller	Stephens
Costa, D.	Hanna	Milne	Stern
Costa, P.	Harhai	Mirabito	Stevenson
Cox	Harhart	Moul	Sturla
Culver	Harkins	Mullery	Swanger
Cutler	Harper	Mundy	Tallman
Daley	Harris	Murphy	Taylor
Davis	Heffley	Mustio	Tobash
Day	Helm	Neilson	Toepel
Dean	Hennessey	Neuman	Toohil
Deasy	Hess	O'Brien, M.	Truitt
Delozier	Hickernell	O'Neill	Turzai
DeLuca	Hornaman	Oberlander	Vereb
Denlinger	Hutchinson	Parker	Vitali
Dermody	James	Pashinski	Waters
DiGirolamo	Kampf	Payne	Watson
Donatucci	Kauffman	Peifer	White
Dunbar	Kavulich	Perry	
Ellis	Keller, F.	Petrarca	Smith, S.,
Emrick	Keller, M.K.	Petri	Speaker

NAYS—20

Bishop	Curry	Myers	Schmotzer
Brown, V.	Davidson	Payton	Thomas
Brownlee	DeLissio	Preston	Wheatley
Creighton	Josephs	Roebuck	Williams
Cruz	Kirkland	Ross	Youngblood

NOT VOTING—0

EXCUSED—6

Brennan	Evans, D.	Miccarelli	Murt
DePasquale	Mahoney		

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.

MOTION TO PROCEED TO CONSIDERATION UNDER RULE 24

The SPEAKER. The Speaker recognizes the majority leader, Mr. Turzai.

Mr. TURZAI. Mr. Speaker, we would move to proceed on SB 1200. It was debated at length yesterday. Some amendments were passed here on second yesterday, and we would move to take a vote on that now to immediately proceed on SB 1200.

The SPEAKER. The gentleman, Mr. Turzai, has moved to exercise rule 24, a motion to proceed for immediate consideration of SB 1200, PN 2476, on page 3 of today's House calendar supplemental C.

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

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

Mr. HANNA. Mr. Speaker, we would urge a "yes" vote on the motion.

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

(Members proceeded to vote.)

LEAVE OF ABSENCE

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

MOTION TO PROCEED TO CONSIDERATION UNDER RULE 24 CONTINUED

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

The following roll call was recorded:

YEAS—177

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

NAYS—16

Causar	Grell	Mullery	Samuelson
Cutler	Hutchinson	Neilson	Tallman
Davidson	Lawrence	Neuman	Truitt
Delozier	Metzgar	Roae	White

NOT VOTING—0

EXCUSED—7

Boyle, B. Brennan	DePasquale Evans, D.	Mahoney Miccarelli	Murt
----------------------	-------------------------	-----------------------	------

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

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 1200, PN 2476**, entitled:

An Act amending Title 62 (Procurement) of the Pennsylvania Consolidated Statutes, providing for public access to procurement records; further providing for competitive sealed proposals, for sole source procurement and for emergency procurement; providing for small business reserve program, for oversight and responsibility and for contracting with veteran-owned small businesses; and imposing duties on the Department of General Services and other Commonwealth purchasing agencies.

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—193

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

Burns	Gillespie	McGeehan	Schmotzer
Buxton	Gingrich	Metcalfe	Simmons
Caltagirone	Godshall	Metzgar	Smith, K.
Carroll	Goodman	Micozzie	Smith, M.
Causer	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	Mustio	Taylor
Cruz	Harper	Myers	Thomas
Culver	Harris	Neilson	Tobash
Curry	Heffley	Neuman	Toepel
Cutler	Helm	O'Brien, M.	Toohil
Daley	Hennessey	O'Neill	Truitt
Davidson	Hess	Oberlander	Turzai
Davis	Hickernell	Parker	Vereb
Day	Hornaman	Pashinski	Vitali
Dean	Hutchinson	Payne	Waters
Deasy	James	Payton	Watson
DeLissio	Josephs	Peifer	Wheatley
Delozier	Kampf	Perry	White
DeLuca	Kauffman	Petrarca	Williams
Denlinger	Kavulich	Petri	Youngblood
Dermody	Keller, F.	Pickett	
DiGirolamo	Keller, M.K.	Preston	Smith, S.,
Donatucci	Keller, W.	Pyle	Speaker
Dunbar	Killion	Quigley	

NAYS-0

NOT VOTING-0

EXCUSED-7

Boyle, B.	DePasquale	Mahoney	Murt
Brennan	Evans, D.	Miccarelli	

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.

CALENDAR CONTINUED

BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of **SB 943, PN 2420**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in financial matters, imposing an alcohol offense prevention fee in certain municipalities.

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

Mr. **MARSICO** offered the following amendment No. **A13385**:

- Amend Bill, page 1, line 18, by inserting after "18"
(relating to crimes and offenses)
- Amend Bill, page 2, line 20, by inserting after "30"
(relating to fish)

- Amend Bill, page 2, line 28, by inserting after "75"
(relating to vehicles)
- Amend Bill, page 3, line 11, by inserting after "OFFENSES"
under Title 18

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

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

Mr. **MARSICO**. Thank you, Mr. Speaker.

This is a very good agreed-to amendment. I ask for an affirmative vote.

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

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

Mr. **CALTAGIRONE**. Thank you, Mr. Speaker.

I would concur with Chairman Marsico. This is agreed to, and I would appreciate an affirmative vote. Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS-193

Adolph	Ellis	Kirkland	Quinn
Aument	Emrick	Knowles	Rapp
Baker	Evankovich	Kortz	Ravenstahl
Barbin	Evans, J.	Kotik	Readshaw
Barrar	Everett	Krieger	Reed
Bear	Fabrizio	Kula	Reese
Benninghoff	Farry	Lawrence	Roae
Bishop	Fleck	Longiatti	Rock
Bloom	Frankel	Mackenzie	Roebuck
Boback	Freeman	Maher	Ross
Boyd	Gabler	Major	Sabatina
Boyle, K.	Galloway	Maloney	Saccone
Bradford	Geist	Mann	Sainato
Briggs	George	Markosek	Samuelson
Brooks	Gerber	Marshall	Santarsiero
Brown, R.	Gergely	Marsico	Santoni
Brown, V.	Gibbons	Masser	Saylor
Brownlee	Gillen	Matzie	Scavello
Burns	Gillespie	McGeehan	Schmotzer
Buxton	Gingrich	Metcalfe	Simmons
Caltagirone	Godshall	Metzgar	Smith, K.
Carroll	Goodman	Micozzie	Smith, M.
Causer	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	Mustio	Taylor
Cruz	Harper	Myers	Thomas
Culver	Harris	Neilson	Tobash
Curry	Heffley	Neuman	Toepel
Cutler	Helm	O'Brien, M.	Toohil
Daley	Hennessey	O'Neill	Truitt
Davidson	Hess	Oberlander	Turzai
Davis	Hickernell	Parker	Vereb
Day	Hornaman	Pashinski	Vitali
Dean	Hutchinson	Payne	Waters
Deasy	James	Payton	Watson
DeLissio	Josephs	Peifer	Wheatley

Delozier	Kampf	Perry	White
DeLuca	Kauffman	Petrarca	Williams
Denlinger	Kavulich	Petri	Youngblood
Dermody	Keller, F.	Pickett	
DiGirolamo	Keller, M.K.	Preston	Smith, S.,
Donatucci	Keller, W.	Pyle	Speaker
Dunbar	Killion	Quigley	

NAYS—0

NOT VOTING—0

EXCUSED—7

Boyle, B.	DePasquale	Mahoney	Murt
Brennan	Evans, D.	Miccarelli	

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

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

Bill as amended was agreed to.

(Bill as amended will be reprinted.)

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

HB 1931, PN 2622 By Rep. HESS

An Act amending Title 7 (Banks and Banking) of the Pennsylvania Consolidated Statutes, further providing for exceptions to license requirements.

COMMERCE.

ANNOUNCEMENT BY SPEAKER

The SPEAKER. The House will please come to order.
For the information of the members, there will be no further votes this evening.

I do want to remind the members we will be starting session at 10 o'clock tomorrow morning. We have the unveiling of Speaker McCall's portrait, so we are moving the start time up to 10 o'clock tomorrow, but there will be no further votes this evening.

REPUBLICAN CAUCUS

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

Ms. MAJOR. Thank you, Mr. Speaker.

I would like to announce that Republicans will caucus Wednesday morning at 9:30. I would ask Republicans to please report to our caucus room at 9:30, and we would be prepared to come to the floor at 10.

Thank you, Mr. Speaker.

The SPEAKER. The gentleman, Mr. Frankel, from Allegheny County, a caucus announcement?

REMARKS SUBMITTED FOR THE RECORD

The SPEAKER. For what purpose does the lady from Luzerne County, Ms. Toohil, rise?

Ms. TOOHIL. Mr. Speaker, I would like to submit remarks for the record on HB 1121.

The SPEAKER. The lady will submit them to the clerk and they will be noted in the record.

Ms. TOOHIL submitted the following remarks for the Legislative Journal:

"Allegheny County Pursues Grants to Fight Youth Gangs" (source: Post-Gazette.com)

"Gang Violence in Reading an Issue" (source: wfmz.com/news)

"Gang Members Sentenced in Home Invasions of Asian Salon Owners" (source: Philly.com)

"Suspected Coatesville Gang Leader to Appear in Court" (source: dailylocal.com)

My local paper, the Standard Speaker, recently described the horrific crime committed against a 15-year-old schoolgirl who was beaten as part of a gang initiation.

These headlines put into stark relief something we already know: Criminal gangs litter our streets with drugs and violent crime. They target our children and young people for recruitment. They enforce their criminal enterprise through threats and violence. And they are on the rise.

According to the National Gang Intelligence Center, criminal gangs are growing in strength and number.

In 2009 the National Gang Intelligence Center released its second National Gang Threat Assessment. The news was not good. The 2009 study documented the proliferation of gangs in the United States, including their migratory patterns.

In 2011 the National Gang Intelligence Center issued its follow-up study. The "2011 National Gang Threat Assessment – Emerging Trends" is a document that will send shivers down the spine of any lawmaker, of any teacher, of any parent, and of any person who cares about the safety of their community. The words in the report speak for themselves: "Gangs are expanding, evolving and posing an increased threat to U.S. communities nationwide. Many gangs are sophisticated criminal networks with members who are violent, distribute wholesale quantities of drugs, and develop and maintain working relationships with members and associates, and transnational criminal/drug trafficking organizations. Gangs are becoming more violent while engaging in less typical and lower-risk crime.... Gangs are more adaptable, organized, sophisticated, and opportunistic, exploiting new and advanced technology as a means to recruit, communicate discretely, target their rivals, and perpetuate criminal activity...."

The 2011 National Gang Threat Assessment counts 1.4 million active criminal gang members in the United States. This number represents an alarming uptick in only 2 years: The National Gang Threat Assessment counted 1 million gang members in 2009.

The National Gang Intelligence Center attributes the 40-percent increase in gang membership to the following factors: one, more aggressive recruitment by gangs; two, the formation of new gangs; three, collaboration with rival gangs; and four, new opportunities for drug trafficking.

The greatest growth in gang membership has occurred in the northeastern portion of the United States and in the southeastern portion of the United States. The study notes that criminal gangs are

responsible on average for not less than 48 percent of violent crime in most jurisdictions. That percentage can rise to as high as 90 percent in some areas.

According to the 2011 National Gang Threat Assessment, policymakers, law enforcement, and citizens are looking at these trends:

- Gangs are aggressively recruiting new members, including juveniles.
- Gangs are advancing beyond their traditional roles of local retail drug distributors in cities to become more adaptable, organized, and influential in large-scale drug trafficking.
- Gang members are migrating from urban areas to suburban areas and rural communities in order to recruit new members, to expand their drug distribution territories, and to form new alliances.

I sponsored legislation in the House to help combat criminal gangs, HB 2507, but I am here today to ask my colleagues to vote in favor of HB 1121, a bill which is back on concurrence from the Senate.

When HB 1121 left the House, it contained a sentencing enhancement for crimes of violence and drug trafficking when committed to further the interests of a criminal gang. That measure passed the House 195-0 on May 4, 2011. The Senate inserted amendments which were recommended by prosecutors. The bill now contains a specific criminal offense of recruiting criminal gang members in addition to the sentencing enhancement. The offense has a grading which increases with the severity of the violent methods employed to keep a person in a gang or to prevent a person from leaving.

Currently it is not illegal in the Commonwealth to recruit gang members. Prosecutors have asked the General Assembly to follow the lead of other States like Alaska, Arkansas, Alabama, California, Delaware, Florida, Georgia, Idaho, Illinois, Indiana, Iowa, Kansas, Louisiana, Michigan, Montana, Nebraska, Nevada, New Hampshire, New Jersey, Oklahoma, South Carolina, Virginia, Washington State, and Wisconsin by creating a separate offense for recruitment of gang members.

For the sake of our children, for our communities, and for ourselves, I ask for your support on concurrence in Senate amendments to HB 1121.

DEMOCRATIC CAUCUS

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

Mr. FRANKEL. Thank you, Mr. Speaker.

If I could have the Democrats attention, please. We will have a caucus tomorrow at 9:30, a Democratic caucus tomorrow morning at 9:30. Thank you.

BILLS RECOMMITTED

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

HB 2065;
SB 201;
SB 775;
SB 941;
SB 943;

SB 1225;
SB 1261;
SB 1309; and
SB 1402.

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

BILL REMOVED FROM TABLE

The SPEAKER. The Speaker recognizes the majority leader, who moves that SB 349 be removed from the tabled calendar and placed on the active calendar.

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

RESOLUTION

Mr. TURZAI called up **HR 462, PN 2577**, entitled:

A Resolution honoring the life and legacy of Mr. Joseph Anthony Vento and extending condolences to his family and friends.

On the question,
Will the House adopt the resolution?

RESOLUTION TABLED

The SPEAKER. The Speaker recognizes the majority leader, who moves that HR 462 be removed from the active calendar and placed on the tabled calendar.

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

RESOLUTION REMOVED FROM TABLE

The SPEAKER. The Speaker recognizes the majority leader, who moves that HR 462 be removed from the tabled calendar and placed on the active calendar.

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

BILLS AND RESOLUTIONS PASSED OVER

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

ADJOURNMENT

The SPEAKER. Seeing no further business, the Speaker recognizes the lady from Northumberland County, Ms. Culver, who moves that this House do adjourn until Wednesday, October 17, 2012, at 10 a.m., e.d.t., unless sooner recalled by the Speaker.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 5:32 p.m., e.d.t., the House adjourned.