

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

WEDNESDAY, OCTOBER 23, 2013

SESSION OF 2013

197TH OF THE GENERAL ASSEMBLY

No. 68

HOUSE OF REPRESENTATIVES

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

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

PRAYER

HON. KAREN BOBACK, member of the House of Representatives, offered the following prayer:

Merciful Father, thank You for this glorious day and for the ability to sing Your praises in this magnificent forum. Today and every day we express our gratitude for the gifts You have given and continue to bestow upon us – the gift of wisdom, may all our decisions be wise; the gift of fortitude, may we always be governed by our convictions; the gift of understanding, may we do our best to understand those who approach us with their needs; the gift of forgiveness, may we forgive those who trespass against us; the gift of knowledge, may we rely on this gift when we compose and vote on legislation that will affect those we serve; and most of all, thank You for love, for this represents You, dear God. May this be the gift that governs all our actions.

In Your holy name we pray. Amen.

PLEDGE OF ALLEGIANCE

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

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, the approval of the Journal of Tuesday, October 22, 2013, will be postponed until printed.

BILL REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

SB 802, PN 1524 (Amended) By Rep. SCAVELLO

An Act amending the act of June 18, 1998 (P.L.655, No.85), known as the Boiler and Unfired Pressure Vessel Law, further providing for definitions, for design and construction, for construction of act, for registration of boilers and unfired pressure vessels, for shop inspection, for repairs and alterations and for field inspection; repealing provisions relating to issuance of certificates of operation, inspector commissions and fees for examination, enforcement, placement of

equipment out of service, regulatory authority, right of entry, accident report, fees, procedure in prosecutions and penalties; and providing for field inspection frequency, for certificates of operation, for inspector commissions and for authorized private inspection agencies, for powers of department, for department investigation, for accident report, for fees, for department enforcement and for administrative penalties.

LABOR AND INDUSTRY.

BILL REPORTED AND REREFERRED TO COMMITTEE ON PROFESSIONAL LICENSURE

HB 1338, PN 1727 By Rep. SCAVELLO

An Act providing for certification of chimney reliners by the Department of Labor and Industry; and imposing penalties.

Reported from Committee on LABOR AND INDUSTRY with request that it be rereferred to Committee on PROFESSIONAL LICENSURE.

The SPEAKER. Without objection, the bill will be so rereferred.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED
FOR CONCURRENCE AND
REFERRED TO COMMITTEE ON RULES

The clerk of the Senate, being introduced, returned **HB 925, PN 2552**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

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 379, PN 1279

An Act providing for benevolent gestures relating to medical professional liability insurance.

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

**HOUSE BILLS
INTRODUCED AND REFERRED**

No. 1792 By Representatives SCHLOSSBERG, MCNEILL, SCHREIBER, BROWNLEE, TRUITT, SWANGER, D. MILLER, MURT, PAINTER and READSHAW

An Act establishing the State Employee Incentive Award.

Referred to Committee on STATE GOVERNMENT, October 23, 2013.

No. 1799 By Representatives WATERS, PARKER, V. BROWN, CLAY, COHEN, KIRKLAND, KINSEY and BROWNLEE

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for motion for departure from mandatory sentence.

Referred to Committee on JUDICIARY, October 23, 2013.

No. 1801 By Representatives DAVIDSON, COHEN, HELM, BISHOP, CALTAGIRONE, BIZZARRO, V. BROWN, MIRANDA, DAVIS, SCHLOSSBERG, YOUNGBLOOD, THOMAS, READSHAW, VEREB, FREEMAN, TOOHIL, MILLARD, MUNDY, CLAY, GROVE, KINSEY, SWANGER, STERN, TAYLOR, WATSON, FLYNN, PASHINSKI, MIRABITO, HAGGERTY, W. KELLER, HENNESSEY, MURT and DeLUCA

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for the Office for Safe Schools; in State Board of Education, further providing for powers and duties of the board.

Referred to Committee on EDUCATION, October 23, 2013.

No. 1802 By Representatives DAVIDSON, COHEN, SCHLOSSBERG and MURT

An Act establishing the Commission on Realignment and Restructuring of State Government within the Office of the Governor; and providing for the composition, powers and duties and expiration of the commission.

Referred to Committee on STATE GOVERNMENT, October 23, 2013.

No. 1803 By Representatives DAVIDSON, SCHLOSSBERG, MUNDY, MIRANDA, V. BROWN, YOUNGBLOOD, GODSHALL, COHEN, WHITE, CALTAGIRONE, QUINN, THOMAS, PASHINSKI, TOOHIL and MILLARD

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for exceptions to governmental immunity.

Referred to Committee on JUDICIARY, October 23, 2013.

No. 1804 By Representatives DAVIDSON, PARKER, YOUNGBLOOD, V. BROWN, COHEN, WHITE, CALTAGIRONE, CRUZ, THOMAS, DAVIS, STERN, MILLARD and KAVULICH

An Act amending the act of December 17, 1968 (P.L.1224, No.387), known as the Unfair Trade Practices and Consumer Protection Law, further providing for unfair practices.

Referred to Committee on CONSUMER AFFAIRS, October 23, 2013.

No. 1805 By Representatives DAVIDSON, MULLERY, DAVIS, COHEN, TRUITT, KIRKLAND, THOMAS and MURT

An Act amending Title 62 (Procurement) of the Pennsylvania Consolidated Statutes, further providing for application of part and for definitions; providing for public access to procurement information and for prohibited contracts; further providing for procurement responsibility, for powers and duties, for Board of Commissioners of Public Grounds and Buildings, for methods of source selection, for competitive sealed bidding, for competitive electronic auction bidding, for competitive sealed proposals, for small procurements, for sole source procurement, for emergency procurement, for multiple awards, for competitive selection procedures for certain services, for selection procedure for insurance and notary bonds, for cost or pricing data, for record of certain actions, for procurement of design professional services and for cooperative purchasing authorized; and making editorial changes.

Referred to Committee on STATE GOVERNMENT, October 23, 2013.

No. 1806 By Representatives DAVIDSON, PAINTER, MUNDY, YOUNGBLOOD, HARHART, DAVIS, HAGGERTY, MAHONEY, TRUITT, STEPHENS, KIRKLAND, CALTAGIRONE, BARRAR, GILLEN, COX, TOOHIL, MILLARD and SCAVELLO

An Act amending Title 4 (Amusements) of the Pennsylvania Consolidated Statutes, in table games, further providing for table game taxes.

Referred to Committee on GAMING OVERSIGHT, October 23, 2013.

No. 1807 By Representatives GROVE, JAMES, AUMENT, PICKETT, EVERETT, FEE, SWANGER, BARRAR, R. MILLER, HELM, TALLMAN, MASSER, QUINN, MILNE, BLOOM, MARSICO and DENLINGER

An Act providing Statewide uniformity regarding vacation and other forms of leave mandated by political subdivisions.

Referred to Committee on LABOR AND INDUSTRY, October 23, 2013.

LEAVES OF ABSENCE

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

The Speaker recognizes the minority whip, who requests a leave of absence for the gentleman, Mr. FRANKEL, from Allegheny County; the gentleman, Mr. GAINNEY, from Allegheny County; and the gentleman, Mr. O'BRIEN, from Philadelphia County for the day. Without objection, the leaves will be granted.

MASTER ROLL CALL

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

The following roll call was recorded:

PRESENT—198

Adolph	Emrick	Kortz	Pickett
Aument	English	Kotik	Pyle
Baker	Evankovich	Krieger	Quinn
Barbin	Evans	Kula	Rapp
Barrar	Everett	Lawrence	Ravenstahl
Benninghoff	Fabrizio	Longietti	Readshaw
Bishop	Farina	Lucas	Reed
Bizzarro	Farry	Mackenzie	Reese
Bloom	Fee	Maher	Regan
Boback	Fleck	Mahoney	Roae
Boyle, B.	Flynn	Major	Rock
Boyle, K.	Freeman	Maloney	Roebuck
Bradford	Gabler	Markosek	Ross
Briggs	Galloway	Marshall	Rozzi
Brooks	Gergely	Marsico	Sabatina
Brown, R.	Gibbons	Masser	Saccone
Brown, V.	Gillen	Matzie	Sainato
Brownlee	Gillespie	McCarter	Samuelson
Burns	Gingrich	McGeehan	Sankey
Caltagirone	Goodman	McGinnis	Santarsiero
Carroll	Greiner	McNeill	Saylor
Causser	Grell	Mentzer	Scavello
Christiana	Grove	Metcalfe	Schlossberg
Clay	Hackett	Metzgar	Schreiber
Clymer	Haggerty	Miccarelli	Simmons
Cohen	Hahn	Micozzie	Sims
Conklin	Haluska	Millard	Smith
Corbin	Hanna	Miller, D.	Snyder
Costa, D.	Harhai	Miller, R.	Sonney
Costa, P.	Harhart	Milne	Stephens
Cox	Harkins	Mirabito	Stern
Cruz	Harper	Miranda	Stevenson
Culver	Harris, A.	Molchany	Sturla
Cutler	Harris, J.	Moul	Swanger
Daley, M.	Heffley	Mullery	Tallman
Daley, P.	Helm	Mundy	Taylor
Davidson	Hennessey	Murt	Thomas
Davis	Hickernell	Mustio	Tobash
Day	James	Neilson	Toepel
Dean	Kampf	Neuman	Toohil
Deasy	Kauffman	O'Neill	Truitt
DeLissio	Kavulich	Oberlander	Turzai
Delozier	Keller, F.	Painter	Vereb
DeLuca	Keller, M.K.	Parker	Vitali
Denlinger	Keller, W.	Pashinski	Waters
Dermody	Killion	Payne	Watson
DiGirolamo	Kim	Peifer	Wheatley
Donatucci	Kinsey	Petrarca	White
Dunbar	Kirkland	Petri	Youngblood
Ellis	Knowles		

ADDITIONS—0**NOT VOTING—0****EXCUSED—4**

Frankel	Gainey	Godshall	O'Brien
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LEAVES ADDED—9

Barbin	Maloney	Moul	Petri
Fleck	McGeehan	O'Neill	Wheatley
Grell			

LEAVES CANCELED—4

Godshall	Grell	Frankel	O'Neill
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The SPEAKER. One hundred and ninety-eight members having voted on the master roll call, a quorum is present.

GUESTS INTRODUCED

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

Located to the left of the rostrum, we would like to welcome Sabrina Miller, who is here today shadowing Representative Cutler. Will our guest please rise. Welcome to the hall of the House.

Also located to the left of the rostrum, we would like to welcome a guest of Representative Toohil, Casey Petty. Casey is a senior at Penn State Hazleton. Will our guest please rise. Welcome to the hall of the House.

Also to the left of the rostrum, we would like to welcome Ashley Sheaffer. She is a student at Penn State Harrisburg majoring in English and political science, and she is here today as a guest of Representative Swanger. Will the guest please rise. Welcome to the hall of the House.

In conjunction with one of the resolutions that we are going to be running later this morning, located to the left of the rostrum, we would like to welcome Richard Hrivnak, mayor of Plum Borough. Under his leadership, the borough has been honored as the sixth safest city in the United States. The mayor is here with his wife, Charlene, and their son, Richard, and they are here today as guests of Representative DeLuca and Representative Markosek. And also with them we have Senator Jim Brewster with us in the hall of the House. Welcome to the hall of the House.

As guests of Representative Simmons, I would like to welcome the family members and friends of former volunteer firefighter William Valentin. We are pleased to have with us his parents, William and Dolores Valentin; brothers, Todd and Mark Bean; sister-in-law, Candice Bean; sister, Tania Rosenberger; and fire chief, Daniel Baer. They are all located here to the left. Welcome to the hall of the House.

In the rear of the House, we would like to welcome a group of undergraduate students from the 14 State-owned universities who are part of the fall Harrisburg internship semester. Will our guests please raise, straight back in the middle. Welcome to the hall of the House.

And as guests of Representative Donatucci, we would like to welcome Carol Bangura, chief development officer of Schools Without Borders, and along with her is Bengie Blake. Will our guests please rise. Welcome to the hall of the House; in the rear of the House.

UNCONTESTED CALENDAR

RESOLUTIONS PURSUANT TO RULE 35

Mrs. R. BROWN called up **HR 79, PN 707**, entitled:

A Resolution recognizing November 2013 as "Carbon Monoxide Awareness Month" in Pennsylvania.

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Mr. BAKER called up **HR 465, PN 2375**, entitled:

A Resolution designating the month of November 2013 as "COPD Awareness Month" in Pennsylvania.

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Mr. NEILSON called up **HR 485, PN 2444**, entitled:

A Resolution designating the month of November 2013 as "Pancreatic Cancer Awareness Month" in Pennsylvania.

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Mr. SABATINA called up **HR 490, PN 2449**, entitled:

A Resolution commemorating the 30th anniversary of the terrorist bombing of the United States Marine Corps barracks in Beirut, Lebanon.

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Mr. EVERETT called up **HR 510, PN 2519**, entitled:

A Resolution recognizing November 2013 as "Infant Safe Sleep Month" in Pennsylvania.

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Ms. DONATUCCI called up **HR 513, PN 2530**, entitled:

A Resolution recognizing the week of October 21 through 25, 2013, as "National Medical Assistants Recognition Week" in Pennsylvania and celebrating the important healing and care done by medical assistants in this Commonwealth.

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Ms. DONATUCCI called up **HR 514, PN 2531**, entitled:

A Resolution recognizing October 11, 2013, as the "Day of the Girl" in Pennsylvania.

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Ms. DONATUCCI called up **HR 519, PN 2535**, entitled:

A Resolution recognizing October 2013 as "National Breast Cancer Awareness Month" in Pennsylvania and recognizing October 18, 2013, as "Mammography Day" in Pennsylvania to promote awareness of breast cancer issues and encourage women and men to take action to protect themselves against breast cancer.

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Mr. ROEBUCK called up **HR 523, PN 2561**, entitled:

A Resolution designating the week of October 20 through 26, 2013, as "National Chemistry Week" in Pennsylvania.

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Ms. HARPER called up **HR 525, PN 2562**, entitled:

A Resolution designating Friday, November 8, 2013, as "Pennsylvania Veterans Day of Caring."

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Ms. KIM called up **HR 526, PN 2563**, entitled:

A Resolution recognizing the month of October 2013 as "Filipino-American History Month" in Pennsylvania.

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Ms. KIM called up **HR 528, PN 2565**, entitled:

A Resolution honoring the service and sacrifice of our nation's Korean veterans of the Vietnam War.

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Ms. KIM called up **HR 529, PN 2566**, entitled:

A Resolution recognizing October 16, 2013, as "National Feral Cat Day."

On the question,

Will the House adopt the resolutions?

The following roll call was recorded:

YEAS—198

Adolph	Emrick	Kortz	Pickett
Aument	English	Kotik	Pyle
Baker	Evankovich	Krieger	Quinn
Barbin	Evans	Kula	Rapp
Barrar	Everett	Lawrence	Ravenstahl
Benninghoff	Fabrizio	Longietti	Readshaw
Bishop	Farina	Lucas	Reed
Bizzarro	Farry	Mackenzie	Reese
Bloom	Fee	Maier	Regan
Boback	Fleck	Mahoney	Roae
Boyle, B.	Flynn	Major	Rock
Boyle, K.	Freeman	Maloney	Roebuck
Bradford	Gabler	Markosek	Ross
Briggs	Galloway	Marshall	Rozzi
Brooks	Gergely	Marsico	Sabatina
Brown, R.	Gibbons	Masser	Saccone
Brown, V.	Gillen	Matzie	Sainato
Brownlee	Gillespie	McCarter	Samuelson
Burns	Gingrich	McGeehan	Sankey
Caltagirone	Goodman	McGinnis	Santarsiero
Carroll	Greiner	McNeill	Saylor
Causer	Grell	Mentzer	Scavello
Christiana	Grove	Metcalfe	Schlossberg
Clay	Hackett	Metzgar	Schreiber
Clymer	Haggerty	Miccarelli	Simmons
Cohen	Hahn	Micozzie	Sims
Conklin	Haluska	Millard	Smith
Corbin	Hanna	Miller, D.	Snyder

Costa, D.	Harhai	Miller, R.	Sonney
Costa, P.	Harhart	Milne	Stephens
Cox	Harkins	Mirabito	Stern
Cruz	Harper	Miranda	Stevenson
Culver	Harris, A.	Molchany	Sturla
Cutler	Harris, J.	Moul	Swanger
Daley, M.	Heffley	Mullery	Tallman
Daley, P.	Helm	Mundy	Taylor
Davidson	Hennessey	Murt	Thomas
Davis	Hickernell	Mustio	Tobash
Day	James	Neilson	Toepel
Dean	Kampf	Neuman	Toohil
Deasy	Kauffman	O'Neill	Truitt
DeLissio	Kavulich	Oberlander	Turzai
Delozier	Keller, F.	Painter	Vereb
DeLuca	Keller, M.K.	Parker	Vitali
Denlinger	Keller, W.	Pashinski	Waters
Dermody	Killion	Payne	Watson
DiGirolamo	Kim	Peifer	Wheatley
Donatucci	Kinsey	Petrarca	White
Dunbar	Kirkland	Petri	Youngblood
Ellis	Knowles		

NAYS—0

NOT VOTING—0

EXCUSED—4

Frankel	Gainey	Godshall	O'Brien
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The majority having voted in the affirmative, the question was determined in the affirmative and the resolutions were adopted.

STATEMENT BY MS. DONATUCCI

The SPEAKER. The Speaker recognizes the lady from Philadelphia County, Ms. Donatucci, under unanimous consent relative to one of the resolutions just adopted.

Ms. DONATUCCI. Thank you, Mr. Speaker.

Mr. Speaker, on December 19, 2011, the United Nations General Assembly adopted a resolution declaring October 11 as "International Day of the Girl Child" each year. The day is to be set aside as a day to recognize girls' rights and the unique challenges girls face around the world. The United States and 97 other countries supported and cosponsored this resolution.

Mr. Speaker, we live in a world today where the welfare and safety of young girls is constantly threatened. Around the globe human trafficking, prostitution, and forced arranged marriages are major threats to young women. The Day of the Girl campaign focuses attention on the need to address the challenges girls face and to promote girls' empowerment and the fulfillment of their human rights.

This resolution will also honor all those involved in the Day of the Girl in Pennsylvania, including Girls on the Run, the Girl Scouts, the Women and Girls Foundation, the Girls Coalition of Southwestern Pennsylvania, and other organizations throughout the State that celebrated the second annual Day of the Girl, which included the second Day of the Girl summit in Pittsburgh.

I want to thank all of my colleagues in this chamber for voting "yes" on this resolution. Thank you, Mr. Speaker.

The SPEAKER. The Speaker thanks the lady.

STATEMENT BY MR. ROEBUCK

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

Mr. ROEBUCK. Thank you, Mr. Speaker.

I just want to rise to thank my colleagues for their favorable vote on the resolution on National Chemistry Week. This is an effort by the American Chemical Society to promote the central importance of chemistry in the life of the Commonwealth, particularly focusing on young people as we encourage them to pursue education in areas of science, technology, engineering, and math, and this helps to further that endeavor.

I thank my colleagues for their vote on this resolution. Thank you.

STATEMENT BY MS. HARPER

The SPEAKER. The Speaker recognizes the lady from Montgomery County, Ms. Harper, under unanimous consent relative to one of the resolutions just adopted.

Ms. HARPER. Thank you, Mr. Speaker, and thank you, members of the House, for unanimously approving HR 525.

As we all know, Monday, November 11, is Veterans Day. Many schools will hold programs to teach children about the importance of thanking our veterans for the sacrifices that they have made and to remember those who made the ultimate sacrifice.

The resolution that we just passed, however, establishes Friday, November 8, as Pennsylvania Veterans Day of Caring. The goal is to encourage our fellow Pennsylvanians to go beyond the celebrations and to back up our thanks to our veterans with action. This idea was brought to me by one of my constituents, Dave Kobe, who was helping a veteran in the Wounded Warrior Project when he noticed that the veteran's own yard was in need of a little help. Dave volunteered to help the veteran clean up the yard, and the veteran was grateful. Dave believes that a simple act of kindness that meant a great deal to one veteran could be repeated across the Commonwealth.

Pennsylvania is home to nearly 1 million veterans. These men and women have served our country and have sacrificed for us. Pennsylvania Veterans Day of Caring encourages us to back up our thanks with actions by doing an act of kindness to a veteran on Friday, November 8, in honor of their service.

Thank you very much, and thank you, Mr. Speaker.

The SPEAKER. The Speaker thanks the lady.

STATEMENT BY MR. SABATINA

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

Mr. SABATINA. Thank you, Mr. Speaker.

I was trying to get everybody's attention.

Thirty years ago today, on the morning of Sunday, October 23, 1983, shortly after 6 a.m., a 19-ton yellow Mercedes-Benz truck drove to the Beirut International Airport where the United States 24th Marine Amphibious Unit was deployed.

After circling the parking lot, the driver accelerated and crashed through a 5-foot-high barrier, passed several sentry posts, and smashed into the lobby of the building serving as the barracks for the 1st Battalion 8th Marines. The truck exploded, detonating a bomb that was later believed to be the equivalent of approximately 21,000 pounds of TNT (trinitrotoluene). The powerful explosion leveled the four-story Marine Barracks, killing 241 American servicemen and wounding 128 more brave Americans. This terrorist attack was the deadliest single-day death toll for the United States Marine Corps since World War II's Battle of Iwo Jima and the deadliest single-day death toll for the United States military since the first day of the Vietnam war's Tet Offensive.

Thirty years after the horrific bombing, terrorism continues to be a threat to the international community. Our young men and women in the Armed Forces continue to preserve freedom by fighting terrorism around the world. They face the daily threat of suicide bombers who wish to destroy the good our service men and women are trying to accomplish. On this tragic day 30 years ago, we lost hundreds of brave men and women, including many of our own Pennsylvanians. With that in mind, I ask you all to join me in commemorating the 30th anniversary of the terrorist bombing of the United States Marine Corps Barracks in Beirut. The sacrifice of those soldiers must not be forgotten.

I am going to read a list of the servicemen who were from Pennsylvania: Moses Arnold, Philadelphia; John J. Bonk, Jr., Philadelphia; Curtis J. Cooper, North Wales, Pennsylvania; William D. Elliot, Lancaster, Pennsylvania; Richard A. Fluegel, Erie, Pennsylvania; Robert B. Greaser, Lansdale, Pennsylvania; Thomas A. Hairston from Philadelphia; Keith J. Laise from East Stroudsburg; James McDonough from New Castle; Richard Morrow from Clairton; John Muffler from Philadelphia; Rafael Pomalestorres from Philadelphia; Rui A. Relvas, Philadelphia; Louis J. Rotondo, Philadelphia; John W. Spearing, Lancaster; Steven B. Wentworth, Reading; Allen D. Wesley, Philadelphia; and Capt. Walter E. Wint from Wilkes-Barre, Pennsylvania, who graduated with Representative Kortz from IUP (Indiana University of Pennsylvania).

If we can all say a prayer for those in honor of their sacrifice for our country and also a prayer for our men and women overseas that continue to fight. Thank you.

The SPEAKER. The Speaker would ask all members and guests to please rise in a moment of silence and prayer in respect for our fallen Marines.

(A moment of silence was observed.)

The SPEAKER. The Speaker thanks the gentleman.

UNCONTESTED SUPPLEMENTAL CALENDAR A

RESOLUTIONS PURSUANT TO RULE 35

Mr. FRANKEL called up **HR 531, PN 2582**, entitled:

A Resolution recognizing the week of October 28 through November 1, 2013, as "No Place for Hate Week" in Pennsylvania and commending the Anti-Defamation League for its outstanding efforts to promote peace, brotherhood and goodwill on the 100th anniversary of its founding.

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Mr. WATERS called up **HR 532, PN 2583**, entitled:

A Resolution designating the week of October 7 through 13, 2013, as "National Midwifery Week" in Pennsylvania.

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Mr. SANTARSIERO called up **HR 535, PN 2584**, entitled:

A Resolution recognizing October 30, 2013, as "Daughters of the Nile Day" in Pennsylvania in honor of the 100th anniversary of the Daughters of the Nile.

On the question,
Will the House adopt the resolutions?

The following roll call was recorded:

YEAS—198

Adolph	Emrick	Kortz	Pickett
Aument	English	Kotik	Pyle
Baker	Evankovich	Krieger	Quinn
Barbin	Evans	Kula	Rapp
Barrar	Everett	Lawrence	Ravenstahl
Benninghoff	Fabrizio	Longietti	Readshaw
Bishop	Farina	Lucas	Reed
Bizzarro	Farry	Mackenzie	Reese
Bloom	Fee	Maher	Regan
Boback	Fleck	Mahoney	Roae
Boyle, B.	Flynn	Major	Rock
Boyle, K.	Freeman	Maloney	Roebuck
Bradford	Gabler	Markosek	Ross
Briggs	Galloway	Marshall	Rozzi
Brooks	Gergely	Marsico	Sabatina
Brown, R.	Gibbons	Masser	Saccone
Brown, V.	Gillen	Matzie	Sainato
Brownlee	Gillespie	McCarter	Samuelson
Burns	Gingrich	McGeehan	Sankey
Caltagirone	Goodman	McGinnis	Santarsiero
Carroll	Greiner	McNeill	Saylor
Causer	Grell	Mentzer	Scavello
Christiana	Grove	Metcalfe	Schlossberg
Clay	Hackett	Metzgar	Schreiber
Clymer	Haggerty	Miccarelli	Simmons
Cohen	Hahn	Micozzie	Sims
Conklin	Haluska	Millard	Smith
Corbin	Hanna	Miller, D.	Snyder
Costa, D.	Harhai	Miller, R.	Sonney
Costa, P.	Harhart	Milne	Stephens
Cox	Harkins	Mirabito	Stern
Cruz	Harper	Miranda	Stevenson
Culver	Harris, A.	Molchany	Sturla
Cutler	Harris, J.	Moul	Swanger
Daley, M.	Heffley	Mullery	Tallman
Daley, P.	Helm	Mundy	Taylor
Davidson	Hennessey	Murt	Thomas
Davis	Hickernell	Mustio	Tobash
Day	James	Neilson	Toepel
Dean	Kampf	Neuman	Toohil
Deasy	Kauffman	O'Neill	Truitt
DeLissio	Kavulich	Oberlander	Turzai
Delozier	Keller, F.	Painter	Vereb
DeLuca	Keller, M.K.	Parker	Vitali
Denlinger	Keller, W.	Pashinski	Waters
Dermody	Killion	Payne	Watson
DiGirolamo	Kim	Peifer	Wheatley
Donatucci	Kinsey	Petrarca	White
Dunbar	Kirkland	Petri	Youngblood
Ellis	Knowles		

NAYS—0

NOT VOTING—0

EXCUSED—4

Frankel Gainey Godshall O'Brien

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

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

The gentleman waives off. Thank you.

CALENDAR

RESOLUTIONS PURSUANT TO RULE 35

Mr. DeLUCA called up **HR 516, PN 2533**, entitled:

A Resolution honoring Plum Borough on being recognized by NeighborhoodScout as the 6th safest city in the United States.

On the question,
Will the House adopt the resolution?

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

Mr. DeLUCA. Thank you, Mr. Speaker.

Mr. Speaker, I want to thank the House for voting for HR 516. Myself, Representative Micozzie, and Representative Dermody, we are proud to honor this resolution today to honor Plum Borough on being recognized as the sixth safest city in the United States. Please make note of what I just said. I did not say the sixth safest city in Pennsylvania, but I said the sixth safest city in the entire United States.

Mr. Speaker, we cannot turn on our TV or read the newspapers without headlines announcing violent crimes in our cities almost every day. Today it is refreshing to see that in this day and age, when crime is at an all-time high, we can honor one of our own communities for being one of the safest.

Plum Borough is the second largest borough in the State, containing a population of approximately 27,000. Plum Borough was founded as Plum Township in 1788. It is one of Allegheny County's first seven townships. It was reorganized as a borough in 1956. The historical development of Plum Borough was closely tied to the industries which developed there, including coal mining, aluminum powder manufacturing, gas and oil production.

Here today on my left, as the Speaker recognized them, are the mayor of Plum with his lovely wife, Charlene, and their son, Richie, plus Senator Brewster, who is over there, who is sponsoring a resolution in the Senate honoring Plum. The mayor is a lifetime resident of Plum and has been the mayor since 2006. Under his leadership, all entities came together – borough officials, law enforcement, and residents – to make Plum a safe community.

With that, I would also like to have Representative Markosek, who also shares Plum with me, to say a few words. Representative Markosek.

The SPEAKER. On the resolution, the Speaker recognizes the gentleman from Allegheny County, Mr. Markosek.

Mr. MARKOSEK. Thank you, Mr. Speaker.

Mr. Speaker, HR 516 honors Plum Borough, Allegheny County, for being recognized by NeighborhoodScout as the sixth safest city in the United States of America. Plum Borough is considered to be safer than 79 percent of cities nationwide. If you have never heard of NeighborhoodScout, it is a national research company that ranks the most dangerous cities and the safest cities in the United States as well as America's best public schools. The company ranks the safest cities based on the total number of crimes per 1,000 residents. So for Plum Borough, Allegheny County, to make the list, it is really quite an accomplishment.

Some say that it takes a village to raise a child. It also takes a village to curtail crime in our neighborhoods. It takes a partnership between local officials, law enforcement, the fire department, EMS (emergency medical services), vigilant residents, and if I might add, legislators and Senators who represent those areas.

I would like to recognize, as already Representative DeLuca had mentioned, the mayor, Rich Hrivnak; his wife, Charlene; and their son, Richie, who are here; and of course our good friend, Senator Brewster, who is here as well. I would also like to indicate the police department under Chief Frank Monaco and the 25 police officers in Plum Borough for their sacrifice and commitment to protecting their community. And last but not least, the residents of Plum Borough. Without their watchfulness, dedication, and cooperation, Plum Borough would not be the safe city that it is today.

It has been an honor to represent Plum Borough and its more than 27,000 residents for the past 31 years as I have done. Please join me today in honoring Plum Borough for its accomplishment, being recognized the sixth safest city in all of the United States of America. Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—198

Adolph	Emrick	Kortz	Pickett
Aument	English	Kotik	Pyle
Baker	Evankovich	Krieger	Quinn
Barbin	Evans	Kula	Rapp
Barrar	Everett	Lawrence	Ravenstahl
Benninghoff	Fabrizio	Longietti	Readshaw
Bishop	Farina	Lucas	Reed
Bizzarro	Farry	Mackenzie	Reese
Bloom	Fee	Maher	Regan
Boback	Fleck	Mahoney	Roae
Boyle, B.	Flynn	Major	Rock
Boyle, K.	Freeman	Maloney	Roebuck
Bradford	Gabler	Markosek	Ross
Briggs	Galloway	Marshall	Rozzi
Brooks	Gergely	Marsico	Sabatina
Brown, R.	Gibbons	Masser	Saccone
Brown, V.	Gillen	Matzie	Sainato
Brownlee	Gillespie	McCarter	Samuelson

Burns	Gingrich	McGeehan	Sankey
Caltagirone	Goodman	McGinnis	Santarsiero
Carroll	Greiner	McNeill	Saylor
Causser	Grell	Mentzer	Scavello
Christiana	Grove	Metcalfe	Schlossberg
Clay	Hackett	Metzgar	Schreiber
Clymer	Haggerty	Miccarelli	Simmons
Cohen	Hahn	Micozzie	Sims
Conklin	Haluska	Millard	Smith
Corbin	Hanna	Miller, D.	Snyder
Costa, D.	Harhai	Miller, R.	Sonney
Costa, P.	Harhart	Milne	Stephens
Cox	Harkins	Mirabito	Stern
Cruz	Harper	Miranda	Stevenson
Culver	Harris, A.	Molchany	Sturla
Cutler	Harris, J.	Moul	Swanger
Daley, M.	Heffley	Mullery	Tallman
Daley, P.	Helm	Mundy	Taylor
Davidson	Hennessey	Murt	Thomas
Davis	Hickernell	Mustio	Tobash
Day	James	Neilson	Toepel
Dean	Kampf	Neuman	Toohil
Deasy	Kauffman	O'Neill	Truitt
DeLissio	Kavulich	Oberlander	Turzai
Delozier	Keller, F.	Painter	Vereb
DeLuca	Keller, M.K.	Parker	Vitali
Denlinger	Keller, W.	Pashinski	Waters
Dermody	Killion	Payne	Watson
DiGirolamo	Kim	Peifer	Wheatley
Donatucci	Kinsey	Petrarca	White
Dunbar	Kirkland	Petri	Youngblood
Ellis	Knowles		

NAYS-0

NOT VOTING-0

EXCUSED-4

Frankel	Gainey	Godshall	O'Brien
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The majority having voted in the affirmative, the question was determined in the affirmative and the resolution was adopted.

* * *

Mr. SIMMONS called up **HR 530, PN 2567**, entitled:

A Resolution honoring the life of William Valentin, Jr., and extending condolences to his family.

On the question,
Will the House adopt the resolution?

The SPEAKER. On that question, the Speaker recognizes the gentleman from Lehigh County, Mr. Simmons.

Mr. SIMMONS. Thank you, Mr. Speaker.

Today I rise with great sadness to recognize a fallen firefighter from my district who died all too young. Twenty-two-year-old William Valentin, Jr., was a dedicated volunteer with the Coopersburg Fire Company in Lehigh County, who tragically lost his life in a car accident on September 10.

Willie, as he was known, had a passion for firefighting. According to his fellow volunteers, this young man's calling in life was to help others. He was always one of the first on the scene when the fire alarm sounded, no matter what time of the day or night.

Willie is sadly missed by all, mostly by his family and his many friends and his coworkers at Central Transport in Bath, where he was employed as a diesel mechanic. I am sure he will forever be remembered for his dedication to helping to save others.

Mr. Speaker, if I may, I would like the family, friends, and coworkers who have joined me here today to stand up for a round of applause.

Being a volunteer firefighter takes courage and commitment. As we stand here today and honor Willie's memory, I am personally thankful that there are still many young brave men and women out there that respond to our community by becoming first responders. They put their lives on the line to protect us, and for this we are grateful.

Mr. Speaker, I ask that members join with William Valentin, Jr.'s family and his fellow firefighters in honoring the memory of this fine young firefighter by unanimously passing this resolution.

Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS-198

Adolph	Emrick	Kortz	Pickett
Aument	English	Kotik	Pyle
Baker	Evankovich	Krieger	Quinn
Barbin	Evans	Kula	Rapp
Barrar	Everett	Lawrence	Ravenstahl
Benninghoff	Fabrizio	Longietti	Readshaw
Bishop	Farina	Lucas	Reed
Bizzarro	Farry	Mackenzie	Reese
Bloom	Fee	Maher	Regan
Boback	Fleck	Mahoney	Roae
Boyle, B.	Flynn	Major	Rock
Boyle, K.	Freeman	Maloney	Roebuck
Bradford	Gabler	Markosek	Ross
Briggs	Galloway	Marshall	Rozzi
Brooks	Gergely	Marsico	Sabatina
Brown, R.	Gibbons	Masser	Saccone
Brown, V.	Gillen	Matzie	Sainato
Brownlee	Gillespie	McCarte	Samuelson
Burns	Gingrich	McGeehan	Sankey
Caltagirone	Goodman	McGinnis	Santarsiero
Carroll	Greiner	McNeill	Saylor
Causser	Grell	Mentzer	Scavello
Christiana	Grove	Metcalfe	Schlossberg
Clay	Hackett	Metzgar	Schreiber
Clymer	Haggerty	Miccarelli	Simmons
Cohen	Hahn	Micozzie	Sims
Conklin	Haluska	Millard	Smith
Corbin	Hanna	Miller, D.	Snyder
Costa, D.	Harhai	Miller, R.	Sonney
Costa, P.	Harhart	Milne	Stephens
Cox	Harkins	Mirabito	Stern
Cruz	Harper	Miranda	Stevenson
Culver	Harris, A.	Molchany	Sturla
Cutler	Harris, J.	Moul	Swanger
Daley, M.	Heffley	Mullery	Tallman
Daley, P.	Helm	Mundy	Taylor
Davidson	Hennessey	Murt	Thomas
Davis	Hickernell	Mustio	Tobash
Day	James	Neilson	Toepel
Dean	Kampf	Neuman	Toohil
Deasy	Kauffman	O'Neill	Truitt
DeLissio	Kavulich	Oberlander	Turzai
Delozier	Keller, F.	Painter	Vereb
DeLuca	Keller, M.K.	Parker	Vitali

Denlinger	Keller, W.	Pashinski	Waters
Dermody	Killion	Payne	Watson
DiGirolamo	Kim	Peifer	Wheatley
Donatucci	Kinsey	Petrarca	White
Dunbar	Kirkland	Petri	Youngblood
Ellis	Knowles		

NAYS—0

NOT VOTING—0

EXCUSED—4

Frankel	Gainey	Godshall	O'Brien
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The majority having voted in the affirmative, the question was determined in the affirmative and the resolution was adopted.

STATEMENT BY MR. WATERS

The SPEAKER. The Speaker recognizes the gentleman from Philadelphia County, Mr. Waters, under unanimous consent relative to one of the resolutions adopted earlier today.

Mr. WATERS. Thank you, Mr. Speaker.

Mr. Speaker, I would like to thank the members of the General Assembly for voting in favor of HR 532.

This resolution is important to me in many ways. As we all know, as members of the House it is not always easy to get a bill signed into law, but for me, this is the first bill actually signed into law that I am very proud of, which expanded the scope of practice for nurse midwives. Forty-nine other States have already had this implemented in their States, and the nurses in Pennsylvania are very proud that we also had implemented this practice, allowing nurse midwives to deliver quality health-care services to expectant mothers and services after the child was born to make sure the child had a healthy beginning.

So thank you, Mr. Speaker, and I thank the members of the General Assembly.

The SPEAKER. The Speaker thanks the gentleman.

APPROPRIATIONS COMMITTEE MEETING

The SPEAKER. The Speaker recognizes the gentleman from Delaware County, Mr. Adolph, for a committee announcement.

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

Mr. Speaker, there will be a House Appropriations Committee meeting immediately at the break in the majority caucus room. Thank you.

The SPEAKER. The House will be at ease for 10 or 15 minutes to allow the Appropriations Committee to meet immediately.

The House will come to order.

BILLS REREPORTED FROM COMMITTEE

HB 21, PN 114

By Rep. ADOLPH

An Act amending the act of July 9, 1976 (P.L.817, No.143), known as the Mental Health Procedures Act, in criminal justice determinations, further providing for incompetence and for procedure.

APPROPRIATIONS.

HB 162, PN 2579

By Rep. ADOLPH

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, in adoption, further providing for definitions and for original birth record.

APPROPRIATIONS.

HB 1425, PN 1859

By Rep. ADOLPH

An Act amending the act of May 3, 1933 (P.L.242, No.86), referred to as the Cosmetology Law, providing for authorization of school of cosmetology as institution of postsecondary education.

APPROPRIATIONS.

HB 1426, PN 1860

By Rep. ADOLPH

An Act amending the act of June 19, 1931 (P.L.589, No.202), referred to as the Barbers' License Law, providing for authorization of barber school as institution of postsecondary education.

APPROPRIATIONS.

HB 1529, PN 2039

By Rep. ADOLPH

An Act amending the act of May 1, 1933 (P.L.103, No.69), known as The Second Class Township Code, further providing for filing and recording of ordinances.

APPROPRIATIONS.

HB 1530, PN 2040

By Rep. ADOLPH

An Act amending the act of June 24, 1931 (P.L.1206, No.331), known as The First Class Township Code, further providing for filing and recording of ordinances.

APPROPRIATIONS.

HB 1574, PN 2502

By Rep. ADOLPH

An Act amending the act of December 29, 1972 (P.L.1701, No.364), known as the Health Maintenance Organization Act, further providing for purpose, for definitions, for required services, for board of directors, for contracts with practitioners, hospitals and insurance companies, for right to serve or benefits when outside the state, for supervision and for reports and examinations; and providing for applicability to limited liability companies.

APPROPRIATIONS.

HB 1575, PN 2503

By Rep. ADOLPH

An Act amending Title 15 (Corporations and Unincorporated Associations) of the Pennsylvania Consolidated Statutes, further providing for purposes of limited liability companies.

APPROPRIATIONS.

HB 1617, PN 2228

By Rep. ADOLPH

An Act amending the act of May 25, 1945 (P.L.1050, No.394), known as the Local Tax Collection Law, further providing for collection by legal representatives of deceased tax collectors.

APPROPRIATIONS.

HB 1644, PN 2267

By Rep. ADOLPH

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

APPROPRIATIONS.

SB 277, PN 1497

By Rep. ADOLPH

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for commercial driver's license qualification standards.

APPROPRIATIONS.

**BILLS REPORTED FROM COMMITTEES,
CONSIDERED FIRST TIME, AND TABLED**

HB 1728, PN 2418

By Rep. CLYMER

An Act providing for the display of the national motto "In God We Trust" in classrooms and other areas in public school buildings.

EDUCATION.

HB 1750, PN 2485

By Rep. MAHER

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for the offense of cruelty to animals.

AGRICULTURE AND RURAL AFFAIRS.

HB 1797, PN 2575

By Rep. MAHER

An Act amending Title 3 (Agriculture) of the Pennsylvania Consolidated Statutes, in weights and measures, further providing for potatoes.

AGRICULTURE AND RURAL AFFAIRS.

SB 82, PN 1523 (Amended)

By Rep. MAHER

An Act amending the act of December 17, 1968 (P.L. 1224, No. 387), known as the Unfair Trade Practices and Consumer Protection Law, further providing for dog purchaser protection.

AGRICULTURE AND RURAL AFFAIRS.

**RESOLUTION REPORTED
FROM COMMITTEE**

HR 108, PN 865

By Rep. CLYMER

A Resolution directing the Legislative Budget and Finance Committee to study school districts' establishment and implementation of character education programs pursuant to section 1502-E of the act of March 19, 1949 (P.L.30, No.14), known as the Public School Code of 1949, and the Department of Education's fulfillment of its duties and powers pursuant to section 1503-E of the act and make recommendations with respect to character education for elementary and secondary students in this Commonwealth.

EDUCATION.

SUPPLEMENTAL CALENDAR B**BILLS ON THIRD CONSIDERATION**

The House proceeded to third consideration of **SB 277, PN 1497**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for commercial driver's license qualification standards.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

Mr. MICOZZIE. Thank you, Mr. Speaker.

SB 277 was introduced by Senator Vogel and passed the Senate by 48 to nothing.

This expands on a program we began in 2008 to permit ex-military personnel to have a PENNDOT CDL (commercial driver's license) test waived.

SB 277 extends this program to more veterans who have operated an appropriate military vehicle for at least 2 years prior to applying for a CDL license. They now have 5 years to apply after they have separated from the service. I thank the gentleman from Philadelphia, Mr. McGeehan, for offering the amendment in committee to set the 5-year provision.

I would ask for an affirmative vote on SB 277. Thank you, Mr. Speaker.

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—198

Adolph	Emrick	Kortz	Pickett
Aument	English	Kotik	Pyle
Baker	Evankovich	Krieger	Quinn
Barbin	Evans	Kula	Rapp
Barrar	Everett	Lawrence	Ravenstahl
Benninghoff	Fabrizio	Longietti	Readshaw
Bishop	Farina	Lucas	Reed
Bizzarro	Farry	Mackenzie	Reese
Bloom	Fee	Maher	Regan
Boback	Fleck	Mahoney	Roae
Boyle, B.	Flynn	Major	Rock
Boyle, K.	Freeman	Maloney	Roebuck
Bradford	Gabler	Markosek	Ross
Briggs	Galloway	Marshall	Rozzi
Brooks	Gergely	Marsico	Sabatina
Brown, R.	Gibbons	Masser	Saccone

Brown, V.	Gillen	Matzie	Sainato
Brownlee	Gillespie	McCarter	Samuelson
Burns	Gingrich	McGeehan	Sankey
Caltagirone	Goodman	McGinnis	Santarsiero
Carroll	Greiner	McNeill	Saylor
Causer	Grell	Mentzer	Scavello
Christiana	Grove	Metcalfe	Schlossberg
Clay	Hackett	Metzgar	Schreiber
Clymer	Haggerty	Miccarelli	Simmons
Cohen	Hahn	Micozzie	Sims
Conklin	Haluska	Millard	Smith
Corbin	Hanna	Miller, D.	Snyder
Costa, D.	Harhai	Miller, R.	Sonney
Costa, P.	Harhart	Milne	Stephens
Cox	Harkins	Mirabito	Stern
Cruz	Harper	Miranda	Stevenson
Culver	Harris, A.	Molchany	Sturla
Cutler	Harris, J.	Moul	Swanger
Daley, M.	Heffley	Mullery	Tallman
Daley, P.	Helm	Mundy	Taylor
Davidson	Hennessey	Murt	Thomas
Davis	Hickernell	Mustio	Tobash
Day	James	Neilson	Toepel
Dean	Kampf	Neuman	Toohil
Deasy	Kauffman	O'Neill	Truitt
DeLissio	Kavulich	Oberlander	Turzai
Delozier	Keller, F.	Painter	Vereb
DeLuca	Keller, M.K.	Parker	Vitali
Denlinger	Keller, W.	Pashinski	Waters
Dermody	Killion	Payne	Watson
DiGirolamo	Kim	Peifer	Wheatley
Donatucci	Kinsey	Petrarca	White
Dunbar	Kirkland	Petri	Youngblood
Ellis	Knowles		

NAYS-0

NOT VOTING-0

EXCUSED-4

Frankel	Gainey	Godshall	O'Brien
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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 **HB 1574, PN 2502**, entitled:

An Act amending the act of December 29, 1972 (P.L.1701, No.364), known as the Health Maintenance Organization Act, further providing for purpose, for definitions, for required services, for board of directors, for contracts with practitioners, hospitals and insurance companies, for right to serve or benefits when outside the state, for supervision and for reports and examinations; and providing for applicability to limited liability companies.

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-194

Adolph	Emrick	Kotik	Pyle
Aument	English	Krieger	Quinn
Baker	Evankovich	Kula	Rapp
Barbin	Evans	Lawrence	Ravenstahl
Barrar	Everett	Longietti	Readshaw
Benninghoff	Fabrizio	Lucas	Reed
Bishop	Farina	Mackenzie	Reese
Bizzarro	Farry	Maher	Regan
Bloom	Fee	Mahoney	Roac
Boback	Fleck	Major	Rock
Boyle, B.	Flynn	Maloney	Roebuck
Boyle, K.	Gabler	Markosek	Ross
Bradford	Galloway	Marshall	Rozzi
Briggs	Gergely	Marsico	Sabatina
Brooks	Gibbons	Masser	Saccone
Brown, R.	Gillen	Matzie	Sainato
Brown, V.	Gillespie	McCarter	Samuelson
Brownlee	Gingrich	McGeehan	Sankey
Burns	Goodman	McGinnis	Santarsiero
Caltagirone	Greiner	McNeill	Saylor
Carroll	Grell	Mentzer	Scavello
Causer	Grove	Metcalfe	Schlossberg
Christiana	Hackett	Metzgar	Schreiber
Clay	Haggerty	Miccarelli	Simmons
Clymer	Hahn	Micozzie	Sims
Cohen	Haluska	Millard	Smith
Conklin	Hanna	Miller, D.	Snyder
Corbin	Harhai	Miller, R.	Sonney
Costa, D.	Harhart	Milne	Stephens
Costa, P.	Harkins	Mirabito	Stern
Cox	Harper	Miranda	Stevenson
Cruz	Harris, A.	Molchany	Sturla
Culver	Heffley	Moul	Swanger
Cutler	Helm	Mullery	Tallman
Daley, M.	Hennessey	Mundy	Taylor
Daley, P.	Hickernell	Murt	Thomas
Davidson	James	Mustio	Tobash
Davis	Kampf	Neilson	Toepel
Day	Kauffman	Neuman	Toohil
Dean	Kavulich	O'Neill	Truitt
Deasy	Keller, F.	Oberlander	Turzai
Delozier	Keller, M.K.	Parker	Vereb
DeLuca	Keller, W.	Pashinski	Vitali
Denlinger	Killion	Payne	Waters
Dermody	Kim	Peifer	Watson
DiGirolamo	Kinsey	Petrarca	Wheatley
Donatucci	Kirkland	Petri	White
Dunbar	Knowles	Pickett	Youngblood
Ellis	Kortz		

NAYS-4

DeLissio	Freeman	Harris, J.	Painter
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NOT VOTING-0

EXCUSED-4

Frankel	Gainey	Godshall	O'Brien
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the bill passed finally.

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

* * *

The House proceeded to third consideration of **HB 1575, PN 2503**, entitled:

An Act amending Title 15 (Corporations and Unincorporated Associations) of the Pennsylvania Consolidated Statutes, further providing for purposes of limited liability companies.

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—192

Adolph	Ellis	Kortz	Pickett
Aument	Emrick	Kotik	Pyle
Baker	English	Krieger	Quinn
Barbin	Evankovich	Kula	Rapp
Barrar	Evans	Lawrence	Ravenstahl
Benninghoff	Everett	Longietti	Readshaw
Bishop	Fabrizio	Lucas	Reed
Bizzarro	Farina	Mackenzie	Reese
Bloom	Farry	Maher	Regan
Boback	Fee	Mahoney	Roae
Boyle, B.	Fleck	Major	Rock
Boyle, K.	Flynn	Maloney	Roebuck
Bradford	Gabler	Markosek	Ross
Briggs	Galloway	Marshall	Rozzi
Brooks	Gergely	Marsico	Sabatina
Brown, R.	Gibbons	Masser	Saccone
Brown, V.	Gillen	Matzie	Sainato
Brownlee	Gillespie	McCarter	Samuelson
Burns	Gingrich	McGeehan	Sankey
Caltagirone	Goodman	McGinnis	Santarsiero
Carroll	Greiner	McNeill	Saylor
Causser	Grell	Mentzer	Scavello
Christiana	Grove	Metcalfe	Schlossberg
Clay	Hackett	Metzgar	Schreiber
Clymer	Haggerty	Miccarelli	Simmons
Cohen	Hahn	Micozzie	Sims
Conklin	Haluska	Millard	Smith
Corbin	Harhai	Miller, D.	Snyder
Costa, D.	Harhart	Miller, R.	Sonney
Costa, P.	Harkins	Milne	Stephens
Cox	Harper	Mirabito	Stern
Cruz	Harris, A.	Miranda	Stevenson
Culver	Heffley	Molchany	Sturla
Cutler	Helm	Moul	Swanger
Daley, M.	Hennessey	Mullery	Tallman
Daley, P.	Hickernell	Mundy	Taylor
Davidson	James	Murt	Thomas
Davis	Kampf	Mustio	Tobash
Day	Kauffman	Neilson	Toepel

Dean	Kavulich	Neuman	Toohil
Deasy	Keller, F.	O'Neill	Trutt
DeLozier	Keller, M.K.	Oberlander	Turzai
DeLuca	Keller, W.	Parker	Vereb
Denlinger	Killion	Pashinski	Waters
Dermody	Kim	Payne	Watson
DiGirolamo	Kinsey	Peifer	Wheatley
Donatucci	Kirkland	Petrarca	White
Dunbar	Knowles	Petri	Youngblood

NAYS—6

DeLissio	Hanna	Painter	Vitali
Freeman	Harris, J.		

NOT VOTING—0

EXCUSED—4

Frankel	Gainey	Godshall	O'Brien
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the bill passed finally.

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

* * *

The House proceeded to third consideration of **HB 21, PN 114**, entitled:

An Act amending the act of July 9, 1976 (P.L.817, No.143), known as the Mental Health Procedures Act, in criminal justice determinations, further providing for incompetence and for 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?

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

The following roll call was recorded:

YEAS—198

Adolph	Emrick	Kortz	Pickett
Aument	English	Kotik	Pyle
Baker	Evankovich	Krieger	Quinn
Barbin	Evans	Kula	Rapp
Barrar	Everett	Lawrence	Ravenstahl
Benninghoff	Fabrizio	Longietti	Readshaw
Bishop	Farina	Lucas	Reed
Bizzarro	Farry	Mackenzie	Reese
Bloom	Fee	Maher	Regan
Boback	Fleck	Mahoney	Roae
Boyle, B.	Flynn	Major	Rock
Boyle, K.	Freeman	Maloney	Roebuck
Bradford	Gabler	Markosek	Ross
Briggs	Galloway	Marshall	Rozzi
Brooks	Gergely	Marsico	Sabatina
Brown, R.	Gibbons	Masser	Saccone

Brown, V.	Gillen	Matzie	Sainato
Brownlee	Gillespie	McCarter	Samuelson
Burns	Gingrich	McGeehan	Sankey
Caltagirone	Goodman	McGinnis	Santarsiero
Carroll	Greiner	McNeill	Saylor
Causer	Grell	Mentzer	Scavello
Christiana	Grove	Metcalfe	Schlossberg
Clay	Hackett	Metzgar	Schreiber
Clymer	Haggerty	Miccarelli	Simmons
Cohen	Hahn	Micozzie	Sims
Conklin	Haluska	Millard	Smith
Corbin	Hanna	Miller, D.	Snyder
Costa, D.	Harhai	Miller, R.	Sonney
Costa, P.	Harhart	Milne	Stephens
Cox	Harkins	Mirabito	Stern
Cruz	Harper	Miranda	Stevenson
Culver	Harris, A.	Molchany	Sturla
Cutler	Harris, J.	Moul	Swanger
Daley, M.	Heffley	Mullery	Tallman
Daley, P.	Helm	Mundy	Taylor
Davidson	Hennessey	Murt	Thomas
Davis	Hickernell	Mustio	Tobash
Day	James	Neilson	Toepel
Dean	Kampf	Neuman	Toohil
Deasy	Kauffman	O'Neill	Truitt
DeLissio	Kavulich	Oberlander	Turzai
Delozier	Keller, F.	Painter	Vereb
DeLuca	Keller, M.K.	Parker	Vitali
Denlinger	Keller, W.	Pashinski	Waters
Dermody	Killion	Payne	Watson
DiGirolamo	Kim	Peifer	Wheatley
Donatucci	Kinsey	Petrarca	White
Dunbar	Kirkland	Petri	Youngblood
Ellis	Knowles		

NAYS-0

NOT VOTING-0

EXCUSED-4

Frankel	Gainey	Godshall	O'Brien
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the bill passed finally.

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

* * *

The House proceeded to third consideration of **HB 1529, PN 2039**, entitled:

An Act amending the act of May 1, 1933 (P.L.103, No.69), known as The Second Class Township Code, further providing for filing and recording of ordinances.

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-198

Adolph	Emrick	Kortz	Pickett
Aument	English	Kotik	Pyle
Baker	Evankovich	Krieger	Quinn
Barbin	Evans	Kula	Rapp
Barrar	Everett	Lawrence	Ravenstahl
Benninghoff	Fabrizio	Longietti	Readshaw
Bishop	Farina	Lucas	Reed
Bizzarro	Farry	Mackenzie	Reese
Bloom	Fee	Maher	Regan
Boback	Fleck	Mahoney	Roae
Boyle, B.	Flynn	Major	Rock
Boyle, K.	Freeman	Maloney	Roebuck
Bradford	Gabler	Markosek	Ross
Briggs	Galloway	Marshall	Rozzi
Brooks	Gergely	Marsico	Sabatina
Brown, R.	Gibbons	Masser	Saccone
Brown, V.	Gillen	Matzie	Sainato
Brownlee	Gillespie	McCarter	Samuelson
Burns	Gingrich	McGeehan	Sankey
Caltagirone	Goodman	McGinnis	Santarsiero
Carroll	Greiner	McNeill	Saylor
Causer	Grell	Mentzer	Scavello
Christiana	Grove	Metcalfe	Schlossberg
Clay	Hackett	Metzgar	Schreiber
Clymer	Haggerty	Miccarelli	Simmons
Cohen	Hahn	Micozzie	Sims
Conklin	Haluska	Millard	Smith
Corbin	Hanna	Miller, D.	Snyder
Costa, D.	Harhai	Miller, R.	Sonney
Costa, P.	Harhart	Milne	Stephens
Cox	Harkins	Mirabito	Stern
Cruz	Harper	Miranda	Stevenson
Culver	Harris, A.	Molchany	Sturla
Cutler	Harris, J.	Moul	Swanger
Daley, M.	Heffley	Mullery	Tallman
Daley, P.	Helm	Mundy	Taylor
Davidson	Hennessey	Murt	Thomas
Davis	Hickernell	Mustio	Tobash
Day	James	Neilson	Toepel
Dean	Kampf	Neuman	Toohil
Deasy	Kauffman	O'Neill	Truitt
DeLissio	Kavulich	Oberlander	Turzai
Delozier	Keller, F.	Painter	Vereb
DeLuca	Keller, M.K.	Parker	Vitali
Denlinger	Keller, W.	Pashinski	Waters
Dermody	Killion	Payne	Watson
DiGirolamo	Kim	Peifer	Wheatley
Donatucci	Kinsey	Petrarca	White
Dunbar	Kirkland	Petri	Youngblood
Ellis	Knowles		

NAYS-0

NOT VOTING-0

EXCUSED-4

Frankel	Gainey	Godshall	O'Brien
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the bill passed finally.

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

* * *

The House proceeded to third consideration of **HB 1530, PN 2040**, entitled:

An Act amending the act of June 24, 1931 (P.L.1206, No.331), known as The First Class Township Code, further providing for filing and recording of ordinances.

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—198

Adolph	Emrick	Kortz	Pickett
Aument	English	Kotik	Pyle
Baker	Evankovich	Krieger	Quinn
Barbin	Evans	Kula	Rapp
Barrar	Everett	Lawrence	Ravenstahl
Benninghoff	Fabrizio	Longietti	Readshaw
Bishop	Farina	Lucas	Reed
Bizzarro	Farry	Mackenzie	Reese
Bloom	Fee	Maher	Regan
Boback	Fleck	Mahoney	Roae
Boyle, B.	Flynn	Major	Rock
Boyle, K.	Freeman	Maloney	Roebuck
Bradford	Gabler	Markosek	Ross
Briggs	Galloway	Marshall	Rozzi
Brooks	Gergely	Marsico	Sabatina
Brown, R.	Gibbons	Masser	Saccone
Brown, V.	Gillen	Matzie	Sainato
Brownlee	Gillespie	McCarter	Samuelson
Burns	Gingrich	McGeehan	Sankey
Caltagirone	Goodman	McGinnis	Santarsiero
Carroll	Greiner	McNeill	Saylor
Causer	Grell	Mentzer	Scavello
Christiana	Grove	Metcalf	Schlossberg
Clay	Hackett	Metzgar	Schreiber
Clymer	Haggerty	Miccarelli	Simmons
Cohen	Hahn	Micozzie	Sims
Conklin	Haluska	Millard	Smith
Corbin	Hanna	Miller, D.	Snyder
Costa, D.	Harhai	Miller, R.	Sonney
Costa, P.	Harhart	Milne	Stephens
Cox	Harkins	Mirabito	Stern
Cruz	Harper	Miranda	Stevenson
Culver	Harris, A.	Molchany	Sturla
Cutler	Harris, J.	Moul	Swanger
Daley, M.	Heffley	Mullery	Tallman
Daley, P.	Helm	Mundy	Taylor
Davidson	Hennessey	Murt	Thomas
Davis	Hickernell	Mustio	Tobash
Day	James	Neilson	Toepel
Dean	Kampf	Neuman	Toohil
Deasy	Kauffman	O'Neill	Truitt
DeLissio	Kavulich	Oberlander	Turzai
Delozier	Keller, F.	Painter	Vereb
DeLuca	Keller, M.K.	Parker	Vitali
Denlinger	Keller, W.	Pashinski	Waters
Dermody	Killion	Payne	Watson
DiGirolamo	Kim	Peifer	Wheatley

Donatucci	Kinsey	Petrarca	White
Dunbar	Kirkland	Petri	Youngblood
Ellis	Knowles		

NAYS—0

NOT VOTING—0

EXCUSED—4

Frankel	Gainey	Godshall	O'Brien
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the bill passed finally.

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

* * *

The House proceeded to third consideration of **HB 1617, PN 2228**, entitled:

An Act amending the act of May 25, 1945 (P.L.1050, No.394), known as the Local Tax Collection Law, further providing for collection by legal representatives of deceased tax collectors.

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—198

Adolph	Emrick	Kortz	Pickett
Aument	English	Kotik	Pyle
Baker	Evankovich	Krieger	Quinn
Barbin	Evans	Kula	Rapp
Barrar	Everett	Lawrence	Ravenstahl
Benninghoff	Fabrizio	Longietti	Readshaw
Bishop	Farina	Lucas	Reed
Bizzarro	Farry	Mackenzie	Reese
Bloom	Fee	Maher	Regan
Boback	Fleck	Mahoney	Roae
Boyle, B.	Flynn	Major	Rock
Boyle, K.	Freeman	Maloney	Roebuck
Bradford	Gabler	Markosek	Ross
Briggs	Galloway	Marshall	Rozzi
Brooks	Gergely	Marsico	Sabatina
Brown, R.	Gibbons	Masser	Saccone
Brown, V.	Gillen	Matzie	Sainato
Brownlee	Gillespie	McCarter	Samuelson
Burns	Gingrich	McGeehan	Sankey
Caltagirone	Goodman	McGinnis	Santarsiero
Carroll	Greiner	McNeill	Saylor
Causer	Grell	Mentzer	Scavello
Christiana	Grove	Metcalf	Schlossberg

Clay	Hackett	Metzgar	Schreiber
Clymer	Haggerty	Miccarelli	Simmons
Cohen	Hahn	Micozzie	Sims
Conklin	Haluska	Millard	Smith
Corbin	Hanna	Miller, D.	Snyder
Costa, D.	Harhai	Miller, R.	Sonney
Costa, P.	Harhart	Milne	Stephens
Cox	Harkins	Mirabito	Stern
Cruz	Harper	Miranda	Stevenson
Culver	Harris, A.	Molchany	Sturla
Cutler	Harris, J.	Moul	Swanger
Daley, M.	Heffley	Mullery	Tallman
Daley, P.	Helm	Mundy	Taylor
Davidson	Hennessey	Murt	Thomas
Davis	Hickernell	Mustio	Tobash
Day	James	Neilson	Toepel
Dean	Kampf	Neuman	Toohil
Deasy	Kauffman	O'Neill	Truitt
DeLissio	Kavulich	Oberlander	Turzai
Delozier	Keller, F.	Painter	Vereb
DeLuca	Keller, M.K.	Parker	Vitali
Denlinger	Keller, W.	Pashinski	Waters
Dermody	Killion	Payne	Watson
DiGirolamo	Kim	Peifer	Wheatley
Donatucci	Kinsey	Petrarca	White
Dunbar	Kirkland	Petri	Youngblood
Ellis	Knowles		

NAYS-0

NOT VOTING-0

EXCUSED-4

Frankel	Gainey	Godshall	O'Brien
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the bill passed finally.

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

LEAVE OF ABSENCE

The SPEAKER. The Speaker recognizes the majority whip, who requests a leave of absence for the gentleman from Cumberland County, Mr. GRELL, for the remainder of the day. Without objection, the leave will be granted.

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1425, PN 1859**, entitled:

An Act amending the act of May 3, 1933 (P.L.242, No.86), referred to as the Cosmetology Law, providing for authorization of school of cosmetology as institution of postsecondary education.

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?
Agreeable to the provisions of the Constitution, the yeas and nays will now be taken.

The following roll call was recorded:

YEAS-197

Adolph	Emrick	Kortz	Pickett
Aument	English	Kotik	Pyle
Baker	Evankovich	Krieger	Quinn
Barbin	Evans	Kula	Rapp
Barrar	Everett	Lawrence	Ravenstahl
Benninghoff	Fabrizio	Longietti	Readshaw
Bishop	Farina	Lucas	Reed
Bizzarro	Farry	Mackenzie	Reese
Bloom	Fee	Maher	Regan
Boback	Fleck	Mahoney	Roae
Boyle, B.	Flynn	Major	Rock
Boyle, K.	Freeman	Maloney	Roebuck
Bradford	Gabler	Markosek	Ross
Briggs	Galloway	Marshall	Rozzi
Brooks	Gergely	Marsico	Sabatina
Brown, R.	Gibbons	Masser	Saccone
Brown, V.	Gillen	Matzie	Sainato
Brownlee	Gillespie	McCarter	Samuelson
Burns	Gingrich	McGeehan	Sankey
Caltagirone	Goodman	McGinnis	Santarsiero
Carroll	Greiner	McNeill	Saylor
Causar	Grove	Mentzer	Scavello
Christiana	Hackett	Metcalfe	Schlossberg
Clay	Haggerty	Metzgar	Schreiber
Clymer	Hahn	Miccarelli	Simmons
Cohen	Haluska	Micozzie	Sims
Conklin	Hanna	Millard	Smith
Corbin	Harhai	Miller, D.	Snyder
Costa, D.	Harhart	Miller, R.	Sonney
Costa, P.	Harkins	Milne	Stephens
Cox	Harper	Mirabito	Stern
Cruz	Harris, A.	Miranda	Stevenson
Culver	Harris, J.	Molchany	Sturla
Cutler	Heffley	Moul	Swanger
Daley, M.	Helm	Mullery	Tallman
Daley, P.	Hennessey	Mundy	Taylor
Davidson	Hickernell	Murt	Thomas
Davis	James	Mustio	Tobash
Day	Kampf	Neilson	Toepel
Dean	Kauffman	Neuman	Toohil
Deasy	Kavulich	O'Neill	Truitt
DeLissio	Keller, F.	Oberlander	Turzai
Delozier	Keller, M.K.	Painter	Vereb
DeLuca	Keller, W.	Parker	Vitali
Denlinger	Killion	Pashinski	Waters
Dermody	Kim	Payne	Watson
DiGirolamo	Kinsey	Peifer	Wheatley
Donatucci	Kirkland	Petrarca	White
Dunbar	Knowles	Petri	Youngblood
Ellis			

NAYS-0

NOT VOTING-0

EXCUSED-5

Frankel	Godshall	Grell	O'Brien
Gainey			

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

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

* * *

The House proceeded to third consideration of **HB 1426, PN 1860**, entitled:

An Act amending the act of June 19, 1931 (P.L.589, No.202), referred to as the Barbers' License Law, providing for authorization of barber school as institution of postsecondary education.

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—197

Adolph	Emrick	Kortz	Pickett
Aument	English	Kotik	Pyle
Baker	Evankovich	Krieger	Quinn
Barbin	Evans	Kula	Rapp
Barrar	Everett	Lawrence	Ravenstahl
Benninghoff	Fabrizio	Longietti	Readshaw
Bishop	Farina	Lucas	Reed
Bizzarro	Farry	Mackenzie	Reese
Bloom	Fee	Maher	Regan
Boback	Fleck	Mahoney	Roae
Boyle, B.	Flynn	Major	Rock
Boyle, K.	Freeman	Maloney	Roebuck
Bradford	Gabler	Markosek	Ross
Briggs	Galloway	Marshall	Rozzi
Brooks	Gergely	Marsico	Sabatina
Brown, R.	Gibbons	Masser	Saccone
Brown, V.	Gillen	Matzie	Sainato
Brownlee	Gillespie	McCarter	Samuelson
Burns	Gingrich	McGeehan	Sankey
Caltagirone	Goodman	McGinnis	Santarsiero
Carroll	Greiner	McNeill	Saylor
Causar	Grove	Mentzer	Scavello
Christiana	Hackett	Metcalfe	Schlossberg
Clay	Haggerty	Metzgar	Schreiber
Clymer	Hahn	Miccarelli	Simmons
Cohen	Haluska	Micozzie	Sims
Conklin	Hanna	Millard	Smith
Corbin	Harhai	Miller, D.	Snyder
Costa, D.	Harhart	Miller, R.	Sonney
Costa, P.	Harkins	Milne	Stephens
Cox	Harper	Mirabito	Stern
Cruz	Harris, A.	Miranda	Stevenson
Culver	Harris, J.	Molchany	Sturla
Cutler	Heffley	Moul	Swanger
Daley, M.	Helm	Mullery	Tallman
Daley, P.	Hennessey	Mundy	Taylor
Davidson	Hickernell	Murt	Thomas
Davis	James	Mustio	Tobash
Day	Kampf	Neilson	Toepel
Dean	Kauffman	Neuman	Toohil
Deasy	Kavulich	O'Neill	Truitt
DeLissio	Keller, F.	Oberlander	Turzai
Delozier	Keller, M.K.	Painter	Vereb

DeLuca	Keller, W.	Parker	Vitali
Denlinger	Killion	Pashinski	Waters
Dermody	Kim	Payne	Watson
DiGirolamo	Kinsey	Peifer	Wheatley
Donatucci	Kirkland	Petrarca	White
Dunbar	Knowles	Petri	Youngblood
Ellis			

NAYS—0

NOT VOTING—0

EXCUSED—5

Frankel	Godshall	Grell	O'Brien
Gainey			

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

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

* * *

The House proceeded to third consideration of **HB 1644, PN 2267**, 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 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	Emrick	Kortz	Pickett
Aument	English	Kotik	Pyle
Baker	Evankovich	Krieger	Quinn
Barbin	Evans	Kula	Rapp
Barrar	Everett	Lawrence	Ravenstahl
Benninghoff	Fabrizio	Longietti	Readshaw
Bishop	Farina	Lucas	Reed
Bizzarro	Farry	Mackenzie	Reese
Bloom	Fee	Maher	Regan
Boback	Fleck	Mahoney	Roae
Boyle, B.	Flynn	Major	Rock
Boyle, K.	Freeman	Maloney	Roebuck
Bradford	Gabler	Markosek	Ross
Briggs	Galloway	Marshall	Rozzi
Brooks	Gergely	Marsico	Sabatina
Brown, R.	Gibbons	Masser	Saccone
Brown, V.	Gillen	Matzie	Sainato
Brownlee	Gillespie	McCarter	Samuelson
Burns	Gingrich	McGeehan	Sankey
Caltagirone	Goodman	McGinnis	Santarsiero

Carroll	Greiner	McNeill	Saylor
Causser	Grove	Mentzer	Scavello
Christiana	Hackett	Metcalfe	Schlossberg
Clay	Haggerty	Metzgar	Schreiber
Clymer	Hahn	Miccarelli	Simmons
Cohen	Haluska	Micozzie	Sims
Conklin	Hanna	Millard	Smith
Corbin	Harhai	Miller, D.	Snyder
Costa, D.	Harhart	Miller, R.	Sonney
Costa, P.	Harkins	Milne	Stephens
Cox	Harper	Mirabito	Stern
Cruz	Harris, A.	Miranda	Stevenson
Culver	Harris, J.	Molchany	Sturla
Cutler	Heffley	Moul	Swanger
Daley, M.	Helm	Mullery	Tallman
Daley, P.	Hennessey	Mundy	Taylor
Davidson	Hickernell	Murt	Thomas
Davis	James	Mustio	Tobash
Day	Kampf	Neilson	Toepel
Dean	Kauffman	Neuman	Toohil
Deasy	Kavulich	O'Neill	Truitt
DeLissio	Keller, F.	Oberlander	Turzai
Delozier	Keller, M.K.	Painter	Vereb
DeLuca	Keller, W.	Parker	Vitali
Denlinger	Killion	Pashinski	Waters
Dermody	Kim	Payne	Watson
DiGirolamo	Kinsey	Peifer	Wheatley
Donatucci	Kirkland	Petrarca	White
Dunbar	Knowles	Petri	Youngblood
Ellis			

NAYS—0

NOT VOTING—0

EXCUSED—5

Frankel	Godshall	Grell	O'Brien
Gainey			

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

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

REPUBLICAN CAUCUS

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

Ms. MAJOR. Thank you, Mr. Speaker.

I would like to announce Republicans will caucus immediately. I would ask our Republican members to please report to our caucus room immediately. We would be prepared to come back on the floor at 1:30.

Thank you, Mr. Speaker.

DEMOCRATIC CAUCUS

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

Mr. DERMODY. Yes, Mr. Speaker.

The SPEAKER. The gentleman is in order.

Mr. DERMODY. Thank you, Mr. Speaker.

Mr. Speaker, the Democrats will also caucus immediately; will caucus immediately. Thank you, Mr. Speaker.

RECESS

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

RECESS EXTENDED

The time of recess was extended until 2 p.m.; further extended until 2:30 p.m.; further extended until 3 p.m.

AFTER RECESS

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

HOUSE RESOLUTION INTRODUCED AND REFERRED

No. 533 By Representatives WATERS, B. BOYLE, BRIGGS, BISHOP, O'NEILL, MUNDY, O'BRIEN, MCNEILL, CLAY, KOTIK, KORTZ, CALTAGIRONE, COHEN, READSHAW, MURT, M. DALEY, FLECK and THOMAS

A Resolution discouraging the use of the "N" word.

Referred to Committee on RULES, October 23, 2013.

SENATE BILLS FOR CONCURRENCE

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

SB 497, PN 1293

Referred to Committee on URBAN AFFAIRS, October 23, 2013.

SB 894, PN 1504

Referred to Committee on JUDICIARY, October 23, 2013.

SB 1066, PN 1344

Referred to Committee on TRANSPORTATION, October 23, 2013.

SB 1068, PN 1348

Referred to Committee on GAME AND FISHERIES, October 23, 2013.

SB 1097, PN 1367

Referred to Committee on TRANSPORTATION, October 23, 2013.

SENATE MESSAGE**HOUSE BILL
CONCURRED IN BY SENATE**

The clerk of the Senate, being introduced, returned **HB 88, PN 529**, with information that the Senate has passed the same without amendment.

SENATE MESSAGE**AMENDED HOUSE BILLS RETURNED
FOR CONCURRENCE AND
REFERRED TO COMMITTEE ON RULES**

The clerk of the Senate, being introduced, returned **HB 290, PN 2581**, and **HB 1098, PN 2580**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

SENATE MESSAGE**AMENDED SENATE BILL RETURNED
FOR CONCURRENCE AND
REFERRED TO COMMITTEE ON RULES**

The clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives by amending said amendments to **SB 358, PN 1516**.

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

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 277, PN 1497; SB 648, PN 1476; SB 680, PN 1517; and SB 732, PN 1489**.

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 88, PN 529

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, in rights and immunities, further providing for leaves of absence for certain government employees.

SB 277, PN 1497

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for commercial driver's license qualification standards.

SB 648, PN 1476

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, in enforcement, further providing for liability for actions of others.

SB 680, PN 1517

An Act providing for the capital budget for the fiscal year 2013-2014; itemizing public improvement projects, furniture and equipment projects, transportation assistance projects, redevelopment assistance capital projects, flood control projects, Keystone Recreation, Park and Conservation Fund projects, State forestry bridge projects, State ATV/Snowmobile Fund projects, Pennsylvania Fish and Boat Commission projects, Manufacturing Fund projects, Oil and Gas Lease Fund projects, Environmental Stewardship Fund projects, highway bridge projects and State Stores Fund current revenue projects to be constructed or acquired or assisted by the Department of General Services, the Department of Community and Economic Development, the Department of Conservation and Natural Resources, the Department of Environmental Protection, the Department of Transportation or the Pennsylvania Fish and Boat Commission, together with their estimated financial costs; authorizing the incurring of debt without the approval of the electors for the purpose of financing the projects to be constructed, acquired or assisted by the Department of General Services, the Department of Community and Economic Development, the Department of Conservation and Natural Resources, the Department of Environmental Protection, the Department of Transportation or the Pennsylvania Fish and Boat Commission; stating the estimated useful life of the projects; and making appropriations.

SB 732, PN 1489

An Act amending the act of December 22, 1983 (P.L.306, No.84), known as the Board of Vehicles Act, further providing for reimbursement for parts and service and for unlawful acts by manufacturers or distributors.

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

LEAVES OF ABSENCE CANCELED

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

Additionally, the Speaker recognizes the presence of the gentleman from Allegheny County, Mr. Frankel, on the floor of the House. Without objection, his name will be added back to the master roll call.

The Speaker recognizes the presence of the gentleman from Cumberland County, Mr. Grell, on the floor of the House. Without objection, his name will be added back to the master roll call.

LEAVES OF ABSENCE

The SPEAKER. Additionally, the Speaker recognizes the majority whip, who requests a leave of absence for the gentleman from Bucks County, Mr. O'NEILL, for the remainder of the day. Without objection, the leave will be granted.

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

SUPPLEMENTAL CALENDAR B CONTINUED

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 162, PN 2579**, entitled:

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, in adoption, further providing for definitions and for original birth record.

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	Emrick	Kinsey	Petri
Aument	English	Kirkland	Pickett
Baker	Evankovich	Knowles	Pyle
Barbin	Evans	Kortz	Quinn
Barrar	Everett	Kotik	Rapp
Benninghoff	Fabrizio	Krieger	Ravenstahl
Bishop	Farina	Kula	Readshaw
Bizzarro	Farry	Lawrence	Reed
Bloom	Fee	Longiotti	Reese
Boback	Fleck	Lucas	Regan
Boyle, B.	Flynn	Mackenzie	Roae
Boyle, K.	Frankel	Maher	Rock
Bradford	Freeman	Mahoney	Roebuck
Briggs	Gabler	Major	Ross
Brooks	Galloway	Maloney	Rozzi
Brown, R.	Gergely	Markosek	Sabatina
Brown, V.	Gibbons	Marshall	Saccone
Brownlee	Gillen	Marsico	Sainato
Burns	Gillespie	Masser	Samuelson
Caltagirone	Gingrich	Matzie	Sankey
Carroll	Godshall	McCarter	Santarsiero
Causar	Goodman	McGinnis	Saylor
Christiana	Greiner	McNeill	Scavello
Clay	Grell	Mentzer	Schlossberg
Clymer	Grove	Metcalfe	Schreiber
Cohen	Hackett	Metzgar	Simmons
Conklin	Haggerty	Miccarelli	Sims
Corbin	Hahn	Micozzie	Smith
Costa, D.	Haluska	Millard	Snyder
Costa, P.	Hanna	Miller, D.	Sonney
Cox	Harhai	Miller, R.	Stephens
Cruz	Harhart	Milne	Stern
Culver	Harkins	Mirabito	Stevenson
Cutler	Harper	Miranda	Sturla
Daley, M.	Harris, A.	Molchany	Swanger
Daley, P.	Harris, J.	Moul	Tallman
Davidson	Heffley	Mullery	Taylor
Davis	Helm	Mundy	Thomas
Day	Hennessey	Murt	Tobash
Dean	Hickernell	Mustio	Toepel
Deasy	James	Neilson	Toohil
DeLissio	Kampf	Neuman	Truitt
DeLozier	Kauffman	Oberlander	Turzai
DeLuca	Kavulich	Painter	Vereb

Denlinger	Keller, F.	Parker	Vitali
Dermody	Keller, M.K.	Pashinski	Waters
DiGirolamo	Keller, W.	Payne	Watson
Donatucci	Killion	Peifer	White
Dunbar	Kim	Petrarca	Youngblood
Ellis			

NAYS—0

NOT VOTING—0

EXCUSED—5

Gainey	O'Brien	O'Neill	Wheatley
McGeehan			

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

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

CALENDAR CONTINUED

BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 982, PN 2431**, entitled:

An Act amending the act of August 24, 1963 (P.L.1175, No.497), known as the Mechanics' Lien Law of 1963, providing for the definition of "costs of construction"; and further providing for right to lien and amount, for priority of lien and for discharge of lien on payment into court or entry of security.

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

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 Bucks County, Mr. PETRI, for the remainder of the day. Without objection, the leave will be granted.

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 1410, PN 2514**, entitled:

An Act designating the interchange of US Route 119 and US Route 22 in Burrell Township, Indiana County, as the Staff Sergeant Glen H. Stivison, Jr., Memorial Interchange.

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

* * *

The House proceeded to second consideration of **HB 1665, PN 2288**, entitled:

An Act designating a portion of State Route 4007 in the Borough of Indiana, Indiana County, as the James Nance Memorial Highway.

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 546, PN 510**, entitled:

An Act designating the bridge carrying State Route 88 over the Ten Mile Creek connecting Jefferson Township, Greene County, and East Bethlehem Township, Washington County, as the Lieutenant General William M. Keys Bridge.

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 851, PN 909**, entitled:

An Act designating a bridge to be constructed on that portion of State Route 222 over the Amtrak rail lines in the City of Lancaster, Lancaster County, replacing the Litzitz Pike Bridge, as the Thaddeus Stevens Bridge.

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

RESOLUTION

Mr. SIMMONS called up **HR 456, PN 2350**, entitled:

A Resolution memorializing the Congress of the United States to establish a special committee to investigate and report on the National Security Agency's surveillance program and recommend any necessary reforms to the Patriot Act or the conduct of the National Security Agency, the Federal Bureau of Investigation and any other agencies involved in this program.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—194

Adolph	Emrick	Kinsey	Pickett
Aument	English	Kirkland	Pyle
Baker	Evankovich	Knowles	Quinn
Barbin	Evans	Kortz	Rapp
Barrar	Everett	Kotik	Ravenstahl
Benninghoff	Fabrizio	Krieger	Readshaw
Bishop	Farina	Kula	Reed
Bizzarro	Farry	Lawrence	Reese
Bloom	Fee	Longietti	Regan
Boback	Fleck	Lucas	Roae
Boyle, B.	Flynn	Mackenzie	Rock
Boyle, K.	Frankel	Maher	Roebuck
Bradford	Freeman	Mahoney	Ross
Briggs	Gabler	Major	Rozzi
Brooks	Galloway	Maloney	Sabatina

Brown, R.	Gergely	Markosek	Saccone
Brown, V.	Gibbons	Marshall	Sainato
Brownlee	Gillen	Marsico	Samuelson
Burns	Gillespie	Masser	Sankey
Caltagirone	Gingrich	Matzie	Santarsiero
Causer	Godshall	McCarter	Saylor
Christiana	Goodman	McGinnis	Scavello
Clay	Greiner	McNeill	Schlossberg
Clymer	Grell	Mentzer	Schreiber
Cohen	Grove	Metcalfe	Simmons
Conklin	Hackett	Metzgar	Sims
Corbin	Haggerty	Micozzie	Smith
Costa, D.	Hahn	Millard	Snyder
Costa, P.	Haluska	Miller, D.	Sonney
Cox	Hanna	Miller, R.	Stephens
Cruz	Harhai	Milne	Stern
Culver	Harhart	Mirabito	Stevenson
Cutler	Harkins	Miranda	Sturla
Daley, M.	Harper	Molchany	Swanger
Daley, P.	Harris, A.	Moul	Tallman
Davidson	Harris, J.	Mullery	Taylor
Davis	Heffley	Mundy	Thomas
Day	Helm	Murt	Tobash
Dean	Hennessey	Mustio	Toepel
Deasy	Hickernell	Neilson	Toohil
DeLissio	James	Neuman	Truitt
Delozier	Kampf	Oberlander	Turzai
DeLuca	Kauffman	Painter	Vereb
Denlinger	Kavulich	Parker	Vitali
Dermody	Keller, F.	Pashinski	Waters
DiGirolamo	Keller, M.K.	Payne	Watson
Donatucci	Keller, W.	Peifer	White
Dunbar	Killion	Petrarca	Youngblood
Ellis	Kim		

NAYS—2

Carroll	Miccarelli
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NOT VOTING—0

EXCUSED—6

Gainey	O'Brien	Petri	Wheatley
McGeehan	O'Neill		

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

BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 1341, PN 1735**, entitled:

An Act designating a bridge on that portion of State Route 263 over the Pennypack Creek, Borough of Hatboro, Montgomery County, as the SP4 Robert Preston Ruttle, Jr., Memorial Highway.

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

Mr. MURT offered the following amendment No. **A02895**:

Amend Bill, page 1, lines 1 and 2, by striking out "a bridge on that portion of State Route 263 over the Pennypack Creek" and inserting

Byerry Avenue from Warminster Road to York Road

Amend Bill, page 1, line 3, by striking out "Bridge" and inserting Highway

Amend Bill, page 1, line 15, by striking out "The bridge located on State Route 263" and inserting
 Byerry Avenue from Warminster Road to York Road
 Amend Bill, page 2, line 1, by striking out "over the Pennypack Creek"
 Amend Bill, page 2, line 3, by striking out "Bridge" and inserting
 Highway
 Amend Bill, page 2, line 5, by striking out "bridge" and inserting
 highway
 Amend Bill, page 2, line 6, by striking out "bridge" and inserting
 highway

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

The SPEAKER. On that question, the Speaker recognizes the gentleman from Montgomery County, Mr. Murt, for a brief description of the amendment.

Mr. MURT. Thank you, Mr. Speaker.

Mr. Speaker, the amendment under consideration makes a slight revision in the bill to comply with the wishes of the borough of Hatboro. Instead of naming a bridge for the fallen soldier who died in 1969 in the Vietnam war, they are renaming a portion of Byberry Avenue in the borough of Hatboro.

Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—196

Adolph	Ellis	Kim	Petrarca
Aument	Emrick	Kinsey	Pickett
Baker	English	Kirkland	Pyle
Barbin	Evankovich	Knowles	Quinn
Barrar	Evans	Kortz	Rapp
Benninghoff	Everett	Kotik	Ravenstahl
Bishop	Fabrizio	Krieger	Readshaw
Bizzarro	Farina	Kula	Reed
Bloom	Farry	Lawrence	Reese
Boback	Fee	Longiotti	Regan
Boyle, B.	Fleck	Lucas	Roae
Boyle, K.	Flynn	Mackenzie	Rock
Bradford	Frankel	Maher	Roebuck
Briggs	Freeman	Mahoney	Ross
Brooks	Gabler	Major	Rozzi
Brown, R.	Galloway	Maloney	Sabatina
Brown, V.	Gergely	Markosek	Saccone
Brownlee	Gibbons	Marshall	Sainato
Burns	Gillen	Marsico	Samuelson
Caltagirone	Gillespie	Masser	Sankey
Carroll	Gingrich	Matzie	Santarsiero
Causser	Godshall	McCarter	Saylor
Christiana	Goodman	McGinnis	Scavello
Clay	Greiner	McNeill	Schlossberg
Clymer	Grell	Mentzer	Schreiber
Cohen	Grove	Metcalfe	Simmons
Conklin	Hackett	Metzgar	Sims
Corbin	Haggerty	Miccarelli	Smith
Costa, D.	Hahn	Micozzie	Snyder
Costa, P.	Haluska	Millard	Sonney
Cox	Hanna	Miller, D.	Stephens
Cruz	Harhai	Miller, R.	Stern
Culver	Harhart	Milne	Stevenson
Cutler	Harkins	Mirabito	Sturla
Daley, M.	Harper	Miranda	Swanger
Daley, P.	Harris, A.	Molchany	Tallman
Davidson	Harris, J.	Moul	Taylor

Davis	Heffley	Mullery	Thomas
Day	Helm	Mundy	Tobash
Dean	Hennessey	Murt	Toepel
Deasy	Hickernell	Mustio	Toohil
DeLissio	James	Neilson	Truitt
Delozier	Kampf	Neuman	Turzai
DeLuca	Kauffman	Oberlander	Vereb
Denlinger	Kavulich	Painter	Vitali
Dermody	Keller, F.	Parker	Waters
DiGirolamo	Keller, M.K.	Pashinski	Watson
Donatucci	Keller, W.	Payne	White
Dunbar	Killion	Peifer	Youngblood

NAYS—0

NOT VOTING—0

EXCUSED—6

Gainey	O'Brien	Petri	Wheatley
McGeehan	O'Neill		

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.)

RULES COMMITTEE MEETING

The SPEAKER. The Speaker recognizes the gentleman from Allegheny County, Mr. Turzai, for an announcement.

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

There will be an immediate Rules Committee meeting in the majority leader's conference room. There will be an immediate meeting of Rules in the majority leader's conference room. Thank you.

The SPEAKER. The Rules Committee will meet immediately in the majority leader's conference room.

The House will be at ease for 15, 20 minutes for the duration of the Rules Committee meeting.

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. O'Neill, on the floor of the House. Without objection, his name will be added back to the master roll call.

**BILLS ON CONCURRENCE
 REPORTED FROM COMMITTEE**

HB 290, PN 2581

By Rep. TURZAI

An Act amending the act of December 19, 1988 (P.L.1262, No.156), known as the Local Option Small Games of Chance Act, further providing for definitions and for games of chance permitted;

providing for prohibition regarding pools; further providing for prize limits and for limited sales; providing for raffle sales; further providing for distributor licenses, for registration of manufacturers, for regulations of department, for licensing of eligible organizations to conduct games of chance, for special permits, for revocation of licenses and for enforcement; and providing for pool selling.

RULES.

HB 925, PN 2552

By Rep. TURZAI

An Act designating each of the bridges that carry Lincoln Highway over Electric Avenue, in North Braddock Borough, Allegheny County, State Bridge No. 02 0030 0230 0001 and State Bridge No. 02 0030 0231 0000, as the AMVETS Memorial Bridge; designating a portion of Pennsylvania Route 662 in Ruscombmanor Township, Berks County, as the Chief Warrant Officer 2 Jarett M. Yoder Highway; designating a certain interchange in Greene County as the Sergeant Michael Todd May, Interchange; and designating the Murtland Avenue Exit from Interstates 79 and 70 onto State Route 19 in Washington, Washington County, as the Lance Corporal Ryan J. Kovacicek, USMC, Exit.

RULES.

HB 1098, PN 2580

By Rep. TURZAI

An Act amending the act of December 19, 1988 (P.L.1262, No.156), known as the Local Option Small Games of Chance Act, further providing for definitions, for games of chance permitted, for distributor licenses, for major league sports drawing, for club licensee, for distribution of proceeds, for records and for raffle tickets; providing for background checks; further providing for enforcement; providing for tavern gaming and for a transfer; and making an editorial change.

RULES.

SB 358, PN 1516

By Rep. TURZAI

An Act requiring the notification of breast density to patients who receive a mammogram.

RULES.

SUPPLEMENTAL CALENDAR C

BILL ON CONCURRENCE IN SENATE AMENDMENTS

The House proceeded to consideration of concurrence in Senate amendments to **HB 925, PN 2552**, entitled:

An Act designating each of the bridges that carry Lincoln Highway over Electric Avenue, in North Braddock Borough, Allegheny County, State Bridge No. 02 0030 0230 0001 and State Bridge No. 02 0030 0231 0000, as the AMVETS Memorial Bridge; designating a portion of Pennsylvania Route 662 in Ruscombmanor Township, Berks County, as the Chief Warrant Officer 2 Jarett M. Yoder Highway; designating a certain interchange in Greene County as the Sergeant Michael Todd May, Interchange; and designating the Murtland Avenue Exit from Interstates 79 and 70 onto State Route 19 in Washington, Washington County, as the Lance Corporal Ryan J. Kovacicek, USMC, Exit.

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

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

The Speaker now recognizes the gentleman, Mr. Paul Costa, for a brief description of the Senate amendments.

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

The bill, when it went over to the Senate, was a bill that named the bridge going over Electric Avenue in North Braddock as the AMVETS Bridge. When it came back, in addition to that, there is a section of Route 662 in Berks County that will be designated as the Chief Warrant Officer 2 Jarett M. Yoder Highway. There is also an exit, the Murtland Avenue Exit, on Interstate 79 and Interstate 70 onto Route 19 in Washington County to be designated as the Lance Corporal Ryan J. Kovacicek, USMC, Exit. And then the third change was the interchange of Interstate 79 at Mount Morris in Greene County will now be designated as the Sergeant Michael Todd May Interchange.

So those are the changes. I support all of them, and I would hope that we would all vote for this. 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 Delaware County, Mr. Micozzie.

Mr. MICOZZIE. Thank you, Mr. Speaker.

Mr. Speaker, adding designations for our fallen servicemen honors their sacrifice for our great nation. Therefore, I would ask for an affirmative vote on concurrence with the Senate on HB 925. Thank you, Mr. Speaker.

LEAVES OF ABSENCE

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

CONSIDERATION OF HB 925 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

Table with 4 columns of names: Adolph, Aument, Baker, Barbin, Barrar, Benninghoff, Bishop, Bizzarro, Bloom, Boback, Boyle, B., Boyle, K., Bradford, Briggs, Brooks, Brown, R., Brown, V., Brownlee, Ellis, Emrick, English, Evankovich, Evans, Everett, Fabrizio, Farina, Farry, Fee, Flynn, Frankel, Freeman, Gabler, Galloway, Gergely, Gibbons, Gillen, Kinsey, Kirkland, Knowles, Kortz, Kotik, Krieger, Kula, Lawrence, Longietti, Lucas, Mackenzie, Maher, Mahoney, Major, Markosek, Marshall, Marsico, Masser, Pickett, Pyle, Quinn, Rapp, Ravenstahl, Readshaw, Reed, Reese, Regan, Roae, Rock, Roebuck, Ross, Rozzi, Sabatina, Saccone, Sainato, Samuelson

Burns	Gillespie	Matzie	Sankey
Caltagirone	Gingrich	McCarter	Santarsiero
Carroll	Godshall	McGinnis	Saylor
Causer	Goodman	McNeill	Scavello
Christiana	Greiner	Mentzer	Schlossberg
Clay	Grell	Metcalfe	Schreiber
Clymer	Grove	Metzgar	Simmons
Cohen	Hackett	Miccarelli	Sims
Conklin	Haggerty	Micozzie	Smith
Corbin	Hahn	Millard	Snyder
Costa, D.	Haluska	Miller, D.	Sonney
Costa, P.	Hanna	Miller, R.	Stephens
Cox	Harhai	Milne	Stern
Cruz	Harhart	Mirabito	Stevenson
Culver	Harkins	Miranda	Sturla
Cutler	Harper	Molchany	Swanger
Daley, M.	Harris, A.	Moul	Tallman
Daley, P.	Harris, J.	Mullery	Taylor
Davidson	Heffley	Mundy	Thomas
Davis	Helm	Murt	Tobash
Day	Hennessey	Mustio	Toepel
Dean	Hickernell	Neilson	Toohil
Deasy	James	Neuman	Truitt
DeLissio	Kampf	O'Neill	Turzai
Delozier	Kauffman	Oberlander	Verab
DeLuca	Kavulich	Painter	Vitali
Denlinger	Keller, F.	Parker	Waters
Dermody	Keller, M.K.	Pashinski	Watson
DiGirolamo	Keller, W.	Payne	White
Donatucci	Killion	Peifer	Youngblood
Dunbar	Kim	Petrarca	

NAYS-0

NOT VOTING-0

EXCUSED-7

Fleck	Maloney	O'Brien	Wheatley
Gainey	McGeehan	Petri	

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.

**BILL ON CONCURRENCE
IN SENATE AMENDMENTS
TO HOUSE AMENDMENTS**

The House proceeded to consideration of concurrence in Senate amendments to House amendments to **SB 358, PN 1516**, entitled:

An Act requiring the notification of breast density to patients who receive a mammogram.

On the question,

Will the House concur in Senate amendments to House amendments?

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

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

Mr. BAKER. Thank you very much, Mr. Speaker.
The Senate merely removed the statistical information within the bill, and the bill was amended to allow any written communication which provided results of the mammograms to include the notice, not simply the report from the mammogram.
This bill is strongly supported by the Pennsylvania Breast Cancer Coalition, and I appreciate the members' support.

On the question recurring,
Will the House concur in Senate amendments to House 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	Ellis	Kinsey	Pickett
Aument	Emrick	Kirkland	Pyle
Baker	English	Knowles	Quinn
Barbin	Evankovich	Kortz	Rapp
Barrar	Evans	Kotik	Ravenstahl
Benninghoff	Everett	Krieger	Readshaw
Bishop	Fabrizio	Kula	Reed
Bizzarro	Farina	Lawrence	Reese
Bloom	Farry	Longietti	Regan
Boback	Fee	Lucas	Roae
Boyle, B.	Flynn	Mackenzie	Rock
Boyle, K.	Frankel	Maher	Roebuck
Bradford	Freeman	Mahoney	Ross
Briggs	Gabler	Major	Rozzi
Brooks	Galloway	Markosek	Sabatina
Brown, R.	Gergely	Marshall	Saccone
Brown, V.	Gibbons	Marsico	Sainato
Brownlee	Gillen	Masser	Samuelson
Burns	Gillespie	Matzie	Sankey
Caltagirone	Gingrich	McCarter	Santarsiero
Carroll	Godshall	McGinnis	Saylor
Causer	Goodman	McNeill	Scavello
Christiana	Greiner	Mentzer	Schlossberg
Clay	Grell	Metcalfe	Schreiber
Clymer	Grove	Metzgar	Simmons
Cohen	Hackett	Miccarelli	Sims
Conklin	Haggerty	Micozzie	Smith
Corbin	Hahn	Millard	Snyder
Costa, D.	Haluska	Miller, D.	Sonney
Costa, P.	Hanna	Miller, R.	Stephens
Cox	Harhai	Milne	Stern
Cruz	Harhart	Mirabito	Stevenson
Culver	Harkins	Miranda	Sturla
Cutler	Harper	Molchany	Swanger
Daley, M.	Harris, A.	Moul	Tallman
Daley, P.	Harris, J.	Mullery	Taylor
Davidson	Heffley	Mundy	Thomas
Davis	Helm	Murt	Tobash
Day	Hennessey	Mustio	Toepel
Dean	Hickernell	Neilson	Toohil
Deasy	James	Neuman	Truitt
DeLissio	Kampf	O'Neill	Turzai
Delozier	Kauffman	Oberlander	Verab
DeLuca	Kavulich	Painter	Vitali
Denlinger	Keller, F.	Parker	Waters
Dermody	Keller, M.K.	Pashinski	Watson
DiGirolamo	Keller, W.	Payne	White
Donatucci	Killion	Peifer	Youngblood
Dunbar	Kim	Petrarca	

NAYS-0

NOT VOTING-0

EXCUSED—7

Fleck	Maloney	O'Brien	Wheatley
Gainey	McGeehan	Petri	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments to House 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 925, PN 2552

An Act designating each of the bridges that carry Lincoln Highway over Electric Avenue, in North Braddock Borough, Allegheny County, State Bridge No. 02 0030 0230 0001 and State Bridge No. 02 0030 0231 0000, as the AMVETS Memorial Bridge; designating a portion of Pennsylvania Route 662 in Ruscombanor Township, Berks County, as the Chief Warrant Officer 2 Jarett M. Yoder Highway; designating a certain interchange in Greene County as the Sergeant Michael Todd May, Interchange; and designating the Murtland Avenue Exit from Interstates 79 and 70 onto State Route 19 in Washington, Washington County, as the Lance Corporal Ryan J. Kovacicek, USMC, Exit.

SB 358, PN 1516

An Act requiring the notification of breast density to patients who receive a mammogram.

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

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 Cambria County, Mr. BARBIN, for the remainder of the day. Without objection, the leave will be granted.

CALENDAR CONTINUED**BILL ON SECOND CONSIDERATION**

The House proceeded to second consideration of **HB 397, PN 1942**, entitled:

An Act providing for limited immunity for persons that sponsor farm-related tourism activities.

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

Mr. **NEUMAN** offered the following amendment No. **A04048**:

Amend Bill, page 3, by inserting between lines 17 and 18 Section 4. Exceptions.

This act shall not apply to injury to or death of a person under 18 years of age.

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

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

Mr. NEUMAN. Thank you, Mr. Speaker.

HB 397 has some major fatal flaws in it, and my amendment will address one of those flaws. Essentially, HB 397 would give immunity to any agritourism – anybody that is injured on a farm if it is considered agritourism.

My amendment would make an exception for minors. So anyone under the age of 18, if they are injured based on the negligence of the farm operator, they would be able to recover for those injuries. It is important that you recognize that the exception is only if it is on the negligence on behalf of the farm operator. This means that the child is being injured at no fault of his own but at the negligence of the farm operator.

So I would ask for support on amendment 04048 to protect our children from dangers that may occur or negligence that may occur that cause injury or even death while they are on a farm doing farm agritourism activities. So I ask for support on this amendment. Thank you, Mr. Speaker.

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

On that question, the Speaker recognizes the gentleman from Perry County, Mr. Mark Keller.

Mr. M. KELLER. Thank you, Mr. Speaker.

Amendment A04048, it will necessarily strike a line because the bill only applies to those who are capable of voluntary and intelligent participation, thus excluding those too young or incapable to give the voluntary consent.

Also, back in 1966 under the recreation and land use management, this was fully addressed.

I would ask a "no" vote on amendment A04048. Thank you.

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

On that question, the Speaker recognizes the gentleman from Chester County, Mr. Hennessey.

Mr. HENNESSEY. Thank you, Mr. Speaker.

I rise to speak in favor of the amendment, A4048, I believe it is. My eyes are failing me here.

The express purpose of this bill, the underlying bill, is to create immunity for an operator of an attraction for which the operator is generally making a profit. These are attractions that, frankly, appeal to our children. We should not be creating immunities for situations where our children may be hurt. On the other hand, on the contrary; we ought to be making sure that our children are properly protected, and it would seem to me the amendment accomplishes that to an extent, whereas the bill itself fails in that regard.

I would suggest that we vote in favor of the amendment, 4048. Thank you.

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

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

Mr. M. KELLER. Thank you, Mr. Speaker.

Just to make things perfectly clear here to the members, it is the fact that this does not exempt you totally from a lawsuit.

The operator still has to have liability insurance. They have to have that, and it is only on – one second, please – it is only negligence from personal lawsuits.

I still encourage the members to vote "no" on amendment A04048. Thank you.

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

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

Mr. NEUMAN. Thank you, Mr. Speaker.

The subjective standard that the maker of the bill made is just that, it is subjective. We need to protect all minors. We cannot leave this to the discretion. We need to make sure that anybody under the age of 18 is protected. You have to understand that negligence is a serious accusation. Negligence harms and injures and sometimes kills people and kills people under the age of 18. The gentleman, the good chairman of the Aging Committee, is exactly right. We need to make sure that we are protecting our children in every way, especially from activities that are attracting children.

So I encourage a "yes" vote, immunity from negligence. This means that this child, it is not the fault of the child. The child was not injured or the child does not die at the fault of the child. It is the fault of whomever they are seeking damages from. So I would encourage a "yes" vote to protect our children from this immunity and make sure that we hold our children to the – hold anybody to the highest standards whenever we are dealing with children. Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—114

Bishop	Donatucci	Kotik	Pashinski
Bizzarro	Ellis	Krieger	Petrarca
Boyle, B.	English	Kula	Quinn
Boyle, K.	Evans	Longietti	Rapp
Bradford	Fabrizio	Mahoney	Ravenstahl
Briggs	Farina	Markosek	Readshaw
Brown, R.	Farry	Marshall	Roebuck
Brown, V.	Flynn	Matzie	Rozzi
Brownlee	Frankel	McCarter	Sabatina
Burns	Freeman	McNeill	Sainato
Caltagirone	Galloway	Metcalfe	Samuelson
Carroll	Gergely	Metzgar	Santarsiero
Christiana	Gibbons	Miccarelli	Scavello
Clay	Goodman	Micozzie	Schlossberg
Cohen	Hackett	Millard	Schreiber
Conklin	Haggerty	Miller, D.	Sims
Costa, D.	Haluska	Milne	Snyder
Costa, P.	Hanna	Mirabito	Stephens
Cruz	Harhai	Miranda	Sturla
Daley, M.	Harkins	Molchany	Swanger
Daley, P.	Harper	Mullery	Taylor
Davidson	Harris, J.	Mundy	Thomas
Davis	Hennessey	Murt	Toepel
Dean	Kavulich	Mustio	Vereb
Deasy	Keller, W.	Neilson	Vitali
DeLissio	Kim	Neuman	Waters
DeLuca	Kinsey	Painter	White
Dermody	Kirkland	Parker	Youngblood
DiGirolamo	Kortz		

NAYS—80

Adolph	Everett	Keller, M.K.	Reed
Aument	Fee	Killion	Reese
Baker	Gabler	Knowles	Regan
Barrar	Gillen	Lawrence	Roae
Benninghoff	Gillespie	Lucas	Rock
Bloom	Gingrich	Mackenzie	Ross
Boback	Godshall	Maher	Saccone
Brooks	Greiner	Major	Sankey
Causar	Grell	Marsico	Saylor
Clymer	Grove	Masser	Simmons
Corbin	Hahn	McGinnis	Smith
Cox	Harhart	Mentzer	Sonney
Culver	Harris, A.	Miller, R.	Stern
Cutler	Heffley	Moul	Stevenson
Day	Helm	O'Neill	Tallman
Delozier	Hickernell	Oberlander	Tobash
Denlinger	James	Payne	Toohil
Dunbar	Kampf	Peifer	Truitt
Emrick	Kauffman	Pickett	Turzai
Evankovich	Keller, F.	Pyle	Watson

NOT VOTING—0

EXCUSED—8

Barbin	Gainey	McGeehan	Petri
Fleck	Maloney	O'Brien	Wheatley

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

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

Mr. NEUMAN offered the following amendment
No. **A04036**:

Amend Bill, page 3, by inserting between lines 17 and 18
Section 4. Exceptions.

This act may not apply to injury to or death of a person with a mental health condition, intellectual disability or physical disability.

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.

Just as important as it is to protect our children, we also need to protect persons that have a physical or mental disability. It is imperative that we understand that whenever, in any activity that we do, if negligence happens and it injures somebody, you cannot have immunity, especially whenever you are dealing with persons of mental or physical disabilities.

So, Mr. Speaker, I ask, just like the last bill how we protected children, that we also protect persons in our society that we always protect and we try to protect, and I encourage a "yes" vote on amendment 04036. 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 Chester County, Mr. Hennessey.

Mr. HENNESSEY. Thank you, Mr. Speaker.

I rise again in support of this amendment.

In the last vote we were taking a step toward protecting children. Here we are protecting the mentally disabled, the physically disabled. We have an obligation to protect them from this kind of situation, especially when we are dealing with attractions that are run for profit and trying— If somebody is trying to make a buck, we should not be subjecting these people with mental or physical disabilities to this kind of danger.

So I would support the immunity offered by amendment 4036 and ask for a vote of approval. Thank you.

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

Is the gentleman from Perry County, Mr. Mark Keller, seeking recognition on the amendment?

Mr. M. KELLER. Thank you, Mr. Speaker.

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

Mr. M. KELLER. All right; this unnecessarily strikes a line, because the bill only applies to those who are capable of voluntarily and intelligently participating, thus excluding those too incapacitated to give such voluntary notice. So I do not know how you draw a line between whether you are capable or not capable.

Again, I would encourage a "no" vote on this amendment.

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

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

Mr. CUTLER. Thank you, Mr. Speaker.

Very briefly, I rise in opposition to this amendment offered by the gentleman from Washington County because I believe that within the context of the bill, that this is already covered.

As the prime sponsor of the bill has already explained, in order for this bill to apply and this defense to be used, you have to be an individual that could not in fact be able to consent to this activity in the first place. If you are an individual that is mentally incapacitated in some manner, as this gentleman's amendment would apply, you would not by definition be a person that is defined on page 3, line 14, "THE PARTICIPANT" who "VOLUNTARILY AND intelligently undertakes participation in the agritourism activity." By definition, Mr. Speaker, this group of individuals is already included.

I believe that his amendment unnecessarily complicates the bill. I believe that the protections are already afforded in the bill, and I would encourage a "no" vote. Thank you, Mr. Speaker.

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

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

Mr. J. HARRIS. Thank you, Mr. Speaker.

Mr. Speaker, today I rise to support amendment 04036.

Mr. Speaker, there are different levels to mental disability, and I think, quite honestly, there could be folks who have mental disabilities who still have the cognizant ability to make a decision on whether they are getting on a hayride or whether they are picking pumpkins from a pumpkin patch.

So I would have to support this amendment, because I believe the legislation as it is would not protect these individuals because there is a wide spectrum when you are

talking about mental disabilities that we are not taking into consideration in this legislation unless we accept the Neuman amendment. Thank you, Mr. Speaker.

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

On that question, the Speaker recognizes the gentleman from Washington County, Mr. Neuman, for the second time.

Mr. NEUMAN. Thank you, Mr. Speaker.

Once again we are dealing with a subjective standard. My amendment takes it out of the discretion of persons that are legally able to make decisions and ones that are not legally able to make decisions. This allows for mental and physical, people with physical disabilities an exemption from this immunity bill. So it is important that we recognize that just because legally you can or cannot make a decision on your own does not mean you do or do not have the mental or physical disability. There is a clear distinction.

This amendment actually makes the bill a lot stronger and clears up a lot of discrepancies, and I encourage that the body stand up for persons with disabilities and vote "yes" on my amendment. Thank you, Mr. Speaker.

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

Is the gentleman, Mr. Keller, seeking recognition for the second time?

Mr. M. KELLER. Thank you, Mr. Speaker.

The SPEAKER. The gentleman is in order.

Mr. M. KELLER. If you read the amendment as it is written, it says about "...mental health condition." Mental health condition? I am depressed. Now I cannot make a decision? Vote "no."

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

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

Mr. KORTZ. Thank you, Mr. Speaker.

I rise in support of the Neuman amendment, because it also states in there you could have a physical disability. So, I mean, part of the argument we have heard here is that they cannot make an intelligent decision. Well, someone that is physically disabled can make that intelligent decision, yes, I want to go on that hayride or I want to go on that tractor pull, but maybe they are missing some limbs and maybe this is not set up quite right to protect them and they can fall off that hayride or fall off that tractor. So they can still make a cognizant decision, yes, I want to participate, but they are still injured; that person would have no recourse.

So I would say, let us vote for the Neuman amendment and put the protection in that is necessary to protect people that are disabled, whether it is mental or physical. Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—121

Barrar	Dermody	Keller, W.	Parker
Benninghoff	DiGirolamo	Kim	Pashinski
Bishop	Donatucci	Kinsey	Petrarca
Bizzarro	Ellis	Kirkland	Quinn

Boback	Emrick	Kortz	Rapp
Boyle, B.	Evans	Kotik	Ravenstahl
Boyle, K.	Fabrizio	Kula	Readshaw
Bradford	Farina	Longietti	Rock
Briggs	Farry	Mackenzie	Roebuck
Brown, V.	Flynn	Mahoney	Rozzi
Brownlee	Frankel	Markosek	Sabatina
Burns	Freeman	Marshall	Sainato
Caltagirone	Gabler	Matzie	Samuelson
Carroll	Galloway	McCarter	Santarsiero
Christiana	Gergely	McNeill	Scavello
Clay	Gibbons	Metcalfe	Schlossberg
Cohen	Gillen	Metzgar	Schreiber
Conklin	Goodman	Miccarelli	Sims
Costa, D.	Grell	Micozzie	Snyder
Costa, P.	Hackett	Miller, D.	Stephens
Cox	Haggerty	Mirabito	Sturla
Cruz	Haluska	Miranda	Swanger
Daley, M.	Hanna	Molchany	Taylor
Daley, P.	Harhai	Mullery	Thomas
Davidson	Harkins	Mundy	Toepel
Davis	Harper	Murt	Vereb
Dean	Harris, J.	Mustio	Vitali
Deasy	Hennessey	Neilson	Waters
DeLissio	Kauffman	Neuman	White
Delozier	Kavulich	Painter	Youngblood
DeLuca			

NAYS—73

Adolph	Gingrich	Lucas	Reese
Aument	Godshall	Maher	Regan
Baker	Greiner	Major	Roa
Bloom	Grove	Marsico	Ross
Brooks	Hahn	Masser	Saccone
Brown, R.	Harhart	McGinnis	Sankey
Causar	Harris, A.	Mentzer	Saylor
Clymer	Heffley	Millard	Simmons
Corbin	Helm	Miller, R.	Smith
Culver	Hickernell	Milne	Sonney
Cutler	James	Moul	Stern
Day	Kampf	O'Neill	Stevenson
Denlinger	Keller, F.	Oberlander	Tallman
Dunbar	Keller, M.K.	Payne	Tobash
English	Killion	Peifer	Toohil
Evankovich	Knowles	Pickett	Truitt
Everett	Krieger	Pyle	Turzai
Fee	Lawrence	Reed	Watson
Gillespie			

NOT VOTING—0

EXCUSED—8

Barbin	Gainey	McGeehan	Petri
Fleck	Maloney	O'Brien	Wheatley

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. **A04049**:

Amend Bill, page 3, by inserting between lines 17 and 18 Section 4. Exception.

This act shall not apply to injury to or death of a person over 65 years of age.

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 similar to the last two and makes an exception for persons over the age of 65.

Once again, I think it is vitally important that we protect our senior citizens, protect people that may not be able to make a decision to go on these rides. But once again, do not lose focus of the fact, this is immunity from negligence. This is a serious, serious thing. We use negligence a lot in normal terms, but in legal terms "negligence" is a very serious thing, and I think that we need to protect our senior citizens from negligence. We need to protect, just like we protect our children, just like we protected persons with disabilities, we also need to protect our senior citizens from any negligence that may happen while they are on a farm doing farm agritourism activities. Thank you, Mr. Speaker.

LEAVE 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 from Adams County, Mr. MOUL, for the rest of the day. Without objection, the leave will be granted.

CONSIDERATION OF HB 397 CONTINUED

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

On that question, the Speaker recognizes the gentleman from Perry County, Mr. Mark Keller.

Mr. M. KELLER. Mr. Speaker, I cannot believe that when I turn 66, I am incompetent of making a decision. That is all I have to say.

Vote "no" on the Neuman amendment.

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

On that question, the Speaker recognizes the gentleman from Adams County, Mr. Tallman.

Mr. TALLMAN. Thank you, Mr. Speaker.

I agree with just what the gentleman said from Perry County. I am age 66 and I cannot make decisions? Thank you. Vote "no."

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

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

Mr. NEUMAN. You are missing the whole point. The reason for the amendment is because you can make that decision. If you could not make that decision, then the bill already covers you because you are incapable of making the decision. So this is because I understand our senior citizens can make decisions for themselves, but they need to be protected from negligence. The point, if they are incapable of making a decision, the bill already covers that. This is for senior citizens that are capable of making a decision, senior citizens that we need to protect from negligence. Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—97

Bishop	Dermody	Kinsey	Painter
Bizzarro	DiGirolamo	Kirkland	Parker
Boyle, B.	Donatucci	Kortz	Pashinski
Boyle, K.	Evans	Kotik	Petrarca
Bradford	Fabrizio	Kula	Ravenstahl
Briggs	Farina	Longietti	Readshaw
Brown, V.	Flynn	Mahoney	Roebuck
Brownlee	Frankel	Markosek	Rozzi
Burns	Freeman	Matzie	Sabatina
Caltagirone	Galloway	McCarter	Sainato
Carroll	Gergely	McNeill	Samuelson
Clay	Gibbons	Metzgar	Santarsiero
Cohen	Goodman	Miccarelli	Schlossberg
Conklin	Haggerty	Micozzie	Schreiber
Costa, D.	Haluska	Miller, D.	Sims
Costa, P.	Hanna	Mirabito	Snyder
Cruz	Harhai	Miranda	Stephens
Daley, M.	Harkins	Molchany	Sturla
Daley, P.	Harper	Mullery	Taylor
Davidson	Harris, J.	Mundy	Thomas
Davis	Hennessey	Murt	Vitali
Dean	Kavulich	Mustio	Waters
Deasy	Keller, W.	Neilson	White
DeLissio	Kim	Neuman	Youngblood
DeLuca			

NAYS—96

Adolph	Everett	Knowles	Reed
Aument	Farry	Krieger	Reese
Baker	Fee	Lawrence	Regan
Barrar	Gabler	Lucas	Roea
Benninghoff	Gillen	Mackenzie	Rock
Bloom	Gillespie	Maher	Ross
Boback	Gingrich	Major	Saccone
Brooks	Godshall	Marshall	Sankey
Brown, R.	Greiner	Marsico	Saylor
Causar	Grell	Masser	Scavello
Christiana	Grove	McGinnis	Simmons
Clymer	Hackett	Mentzer	Smith
Corbin	Hahn	Metcalfe	Sonney
Cox	Harhart	Millard	Stern
Culver	Harris, A.	Miller, R.	Stevenson
Cutler	Heffley	Milne	Swanger
Day	Helm	O'Neill	Tallman
Delozier	Hickernell	Oberlander	Tobash
Denlinger	James	Payne	Toepel
Dunbar	Kampf	Peifer	Toohil
Ellis	Kauffman	Pickett	Truitt
Emrick	Keller, F.	Pyle	Turzai
English	Keller, M.K.	Quinn	Vereb
Evankovich	Killion	Rapp	Watson

NOT VOTING—0

EXCUSED—9

Barbin	Maloney	Moul	Petri
Fleck	McGeehan	O'Brien	Wheatley
Gainey			

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. **BRADFORD** offered the following amendment No. **A04032**:

Amend Bill, page 3, by inserting between lines 17 and 18 Immunity under this act may not be provided to any agritourism operator who serves or provides food or beverages to participants in violation of 3 Pa.C.S. Ch. 57 (relating to food protection) or any other law or regulation providing for food or beverage safety.

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

The **SPEAKER**. On that question, the Speaker recognizes the gentleman from Montgomery County, Mr. Bradford.

Mr. **BRADFORD**. Thank you, Mr. Speaker.

I rise to put forward amendment 4032. The gentleman from Washington County has rightfully protected certain classes of people – children, our seniors, and those with an intellectual disability – but the next logical step is if we are going to start providing these immunities, that there are certain classes of business that, frankly, have nothing to do with farming but have everything to do with profitmaking industries and businesses. In this case, in this particular amendment we have de facto restaurants, bakeries, apple cider donut stands. While they are all valuable parts of our community and our economy, they are not in any way worthy of stripping those who are injured or fallen ill from the ability to get recourse for their injuries.

This has everything to do with protecting victims and nothing to do with promoting agritourism. This is simply an end run around civil justice laws. This amendment would make sure that we provide access to the courts for those injured by those who purvey these products.

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

Is the gentleman, Mr. Keller, seeking recognition on the amendment?

Mr. **M. KELLER**. Yes.

The **SPEAKER**. The gentleman, Mr. Keller, from Perry County is recognized on the amendment.

Mr. **M. KELLER**. All right; I am going to give you a scenario, Mr. Speaker, and this is how it is. I am visiting an apple orchard and I have just toured how this farming operation takes place here. As the orchard grower, I am not allowed to offer you a free apple? That is basically what this amendment says.

So, you know, I would encourage a "no" vote on amendment A04032.

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

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

Mr. **NEUMAN**. Thank you, Mr. Speaker.

The only way that scenario works is if in some way that apple is negligent. This is about negligence. This is not about stopping frivolous lawsuits, because frivolous lawsuits are frivolous. They get filed. They are frivolous lawsuits. We need

to stop those, but this does not do it. This is about negligence. This is about a potential huge profitmaking industry performing an act that causes injuries due to negligence and a person cannot recover.

I urge support of the Bradford amendment, because unless I am giving an apple that a wicked witch is giving that causes negligence, then that person is not – it is not covered and the suit will be thrown out of court.

So, Mr. Speaker, I urge support of the Bradford amendment. Thank you.

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

On that question, the Speaker recognizes the gentleman from Chester County, Mr. Hennessey.

Mr. HENNESSEY. Thank you, Mr. Speaker.

I rise in support of the amendment.

What we are talking about here is, how far should immunity be granted, if at all. Here we are talking about whether or not we should immunize an operator who is providing, serving or providing, I think the wording of the amendment says, food which violates our food protection laws. If the operator is violating existing food protection laws, it does not seem to me that he deserves the immunity that is offered in the bill.

Please vote in favor of the amendment.

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

The following roll call was recorded:

YEAS—101

Bishop	DiGirolamo	Kim	Neuman
Bizzarro	Donatucci	Kinsey	Painter
Boyle, B.	English	Kirkland	Parker
Boyle, K.	Evans	Kortz	Pashinski
Bradford	Fabrizio	Kotik	Ptrarca
Briggs	Farina	Krieger	Ravenstahl
Brown, V.	Farry	Kula	Readshaw
Brownlee	Flynn	Longietti	Roebuck
Burns	Frankel	Mahoney	Rozzi
Caltagirone	Freeman	Markosek	Sabatina
Carroll	Galloway	Matzie	Sainato
Clay	Gergely	McCarter	Samuelson
Cohen	Gibbons	McNeill	Santarsiero
Conklin	Goodman	Metzgar	Scavello
Costa, D.	Hackett	Miccarelli	Schlossberg
Costa, P.	Haggerty	Micozzie	Schreiber
Cruz	Haluska	Miller, D.	Sims
Daley, M.	Hanna	Mirabito	Snyder
Daley, P.	Harhai	Miranda	Sturla
Davidson	Harkins	Molchany	Taylor
Davis	Harper	Mullery	Thomas
Dean	Harris, J.	Mundy	Vitali
Deasy	Hennessey	Murt	Waters
DeLissio	Kavulich	Mustio	White
DeLuca	Keller, W.	Neilson	Youngblood
Dermody			

NAYS—92

Adolph	Everett	Lawrence	Reese
Aument	Fee	Lucas	Regan
Baker	Gabler	Mackenzie	Roae
Barrar	Gillen	Maher	Rock
Benninghoff	Gillespie	Major	Ross
Bloom	Gingrich	Marshall	Saccone
Boback	Godshall	Marsico	Sankey
Brooks	Greiner	Masser	Saylor

Brown, R.	Grell	McGinnis	Simmons
Causer	Grove	Mentzer	Smith
Christiana	Hahn	Metcalfe	Sonney
Clymer	Harhart	Millard	Stephens
Corbin	Harris, A.	Miller, R.	Stern
Cox	Heffley	Milne	Stevenson
Culver	Helm	O'Neill	Swanger
Cutler	Hickernell	Oberlander	Tallman
Day	James	Payne	Tobash
Delozier	Kampf	Peifer	Toepel
Denlinger	Kauffman	Pickett	Toohil
Dunbar	Keller, F.	Pyle	Truitt
Ellis	Keller, M.K.	Quinn	Turzai
Emrick	Killion	Rapp	Vereb
Evankovich	Knowles	Reed	Watson

NOT VOTING—0

EXCUSED—9

Barbin	Maloney	Moul	Petri
Fleck	McGeehan	O'Brien	Wheatley
Gainey			

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. **BRADFORD** offered the following amendment No. **A04033**:

Amend Bill, page 3, by inserting between lines 17 and 18 Section 4. Exceptions.

Immunity under this act may not be provided to any agritourism operator who offers lodging for a fee on the premises where the agritourism activity takes place.

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

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

Mr. BRADFORD. Thank you, Mr. Speaker.

Again, this amendment, like the prior one, deals with those sectors of our economy that provide lodging. As we know, some of these agritourist locations that have been spelled out are really bed and breakfasts. They are little country inns. They owe a duty of care to anyone who comes through their door or would stay in their facility. They are beautiful prized parts of our countryside. We want them safe and we want them to provide the duty of care that any other bed and breakfast would provide in Pennsylvania.

This is simply stating that they should not be excluded from the responsibility that any bed and breakfast would provide in Pennsylvania and they owe a duty of care to anyone who would stay on the premises, and that is what this amendment intends to do.

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 Perry County, Mr. Mark Keller.

Mr. M. KELLER. Thank you, Mr. Speaker.

I am trying to think through what was just said there. I cannot figure out the rationality between what is the difference between going to pick pumpkins in a pumpkin patch and somebody that has a bed and breakfast on what you are trying to get at. I am having a hard time understanding what the difference is between those items.

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

Do you want a second shot at it? Sometimes when you are winning, the less you say, the better it goes, but have at it.

The Speaker recognizes the gentleman, Mr. Bradford, for the second time.

Mr. BRADFORD. I want to defer to the Speaker, my leader, on all issues these days, and I will let you go with that advice. So thank you, Mr. Speaker.

The SPEAKER. Just an observation.

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

The following roll call was recorded:

YEAS—103

Barrar	DeLuca	Kinsey	Painter
Bishop	Dermody	Kirkland	Parker
Bizzarro	DiGirolamo	Kortz	Pashinski
Boyle, B.	Donatucci	Kotik	Peifer
Boyle, K.	Evans	Kula	Petrarca
Bradford	Fabrizio	Longietti	Ravenstahl
Briggs	Farina	Maher	Readshaw
Brown, R.	Farry	Mahoney	Roebuck
Brown, V.	Flynn	Markosek	Rozzi
Brownlee	Frankel	Marshall	Sabatina
Burns	Freeman	Matzie	Sainato
Caltagirone	Galloway	McCarter	Samuelson
Carroll	Gergely	McNeill	Santarsiero
Clay	Gibbons	Metzgar	Scavello
Cohen	Goodman	Miccarelli	Schlossberg
Conklin	Hackett	Micozzie	Schreiber
Costa, D.	Haggerty	Miller, D.	Sims
Costa, P.	Haluska	Mirabito	Snyder
Cruz	Hanna	Miranda	Sturla
Daley, M.	Harhai	Molchany	Taylor
Daley, P.	Harkins	Mullery	Thomas
Davidson	Harper	Mundy	Vitali
Davis	Harris, J.	Murt	Waters
Dean	Kavulich	Mustio	White
Deasy	Keller, W.	Neilson	Youngblood
DeLissio	Kim	Neuman	

NAYS—90

Adolph	Fee	Krieger	Regan
Aument	Gabler	Lawrence	Roe
Baker	Gillen	Lucas	Rock
Benninghoff	Gillespie	Mackenzie	Ross
Bloom	Gingrich	Major	Saccone
Boback	Godshall	Marsico	Sankey
Brooks	Greiner	Masser	Saylor
Causser	Grell	McGinnis	Simmons
Christiana	Grove	Mentzer	Smith
Clymer	Hahn	Metcalfe	Sonney
Corbin	Harhart	Millard	Stephens
Cox	Harris, A.	Miller, R.	Stern
Culver	Heffley	Milne	Stevenson
Cutler	Helm	O'Neill	Swanger

Day	Hennessey	Oberlander	Tallman
Delozier	Hickernell	Payne	Tobash
Denlinger	James	Pickett	Toepel
Dunbar	Kampf	Pyle	Toohil
Ellis	Kauffman	Quinn	Truitt
Emrick	Keller, F.	Rapp	Turzai
English	Keller, M.K.	Reed	Vereb
Evankovich	Killion	Reese	Watson
Everett	Knowles		

NOT VOTING—0

EXCUSED—9

Barbin	Maloney	Moul	Petri
Fleck	McGeehan	O'Brien	Wheatley
Gainey			

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. BRADFORD offered the following amendment No. A04035:

Amend Bill, page 3, by inserting between lines 17 and 18 Section 4. Exceptions.

Immunity under this act may not be provided to any agritourism operator where the agritourism operator or his agent sells or provides alcoholic beverages to participants.

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

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

Mr. BRADFORD. Thank you, Mr. Speaker.

Like the prior amendment, this again goes more towards those establishments that are like wineries, those who serve alcoholic beverages. Obviously, there have been documented tragedies of those under the influence of alcohol or those serving alcohol from these types of establishments. Again, there should be no exclusion from the duty of care that we would provide from any other establishment that provides alcoholic beverages.

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

The following roll call was recorded:

YEAS—122

Baker	Delozier	Keller, W.	Painter
Bishop	DeLuca	Kim	Parker
Bizzarro	Dermody	Kinsey	Pashinski
Bloom	DiGirolamo	Kirkland	Peifer
Boyle, B.	Donatucci	Kortz	Petrarca
Boyle, K.	English	Kotik	Ravenstahl
Bradford	Evans	Krieger	Readshaw
Briggs	Fabrizio	Kula	Reese
Brooks	Farina	Longietti	Rock

Brown, R.	Farry	Mahoney	Roebuck
Brown, V.	Flynn	Markosek	Rozzi
Brownlee	Frankel	Marshall	Sabatina
Burns	Freeman	Matzie	Sainato
Caltagirone	Galloway	McCarter	Samuelson
Carroll	Gergely	McNeill	Santarsiero
Christiana	Gibbons	Metzgar	Scavello
Clay	Gillen	Miccarelli	Schlossberg
Clymer	Goodman	Micozzie	Schreiber
Cohen	Grell	Millard	Sims
Conklin	Hackett	Miller, D.	Snyder
Costa, D.	Haggerty	Milne	Stephens
Costa, P.	Haluska	Mirabito	Sturla
Cox	Hanna	Miranda	Taylor
Cruz	Harhai	Molchany	Thomas
Daley, M.	Harkins	Mullery	Toepel
Daley, P.	Harper	Mundy	Vitali
Davidson	Harris, J.	Murt	Waters
Davis	Hennessey	Mustio	Watson
Dean	James	Neilson	White
Deasy	Kauffman	Neuman	Youngblood
DeLissio	Kavulich		

NAYS-71

Adolph	Gillespie	Mackenzie	Roae
Aument	Gingrich	Maher	Ross
Barrar	Godshall	Major	Saccone
Benninghoff	Greiner	Marsico	Sankey
Boback	Grove	Masser	Saylor
Causar	Hahn	McGinnis	Simmons
Corbin	Harhart	Mentzer	Smith
Culver	Harris, A.	Metcalfe	Sonney
Cutler	Heffley	Miller, R.	Stern
Day	Helm	O'Neill	Stevenson
Denlinger	Hickernell	Oberlander	Swanger
Dunbar	Kampf	Payne	Tallman
Ellis	Keller, F.	Pickett	Tobash
Emrick	Keller, M.K.	Pyle	Toohil
Evankovich	Killion	Quinn	Truitt
Everett	Knowles	Rapp	Turzai
Fee	Lawrence	Reed	Vereb
Gabler	Lucas	Regan	

NOT VOTING-0

EXCUSED-9

Barbin	Maloney	Moul	Petri
Fleck	McGeehan	O'Brien	Wheatley
Gainey			

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?

Mrs. DEAN offered the following amendment No. **A04045**:

Amend Bill, page 1, line 7, by striking out "Immunity" and inserting

Protection

Amend Bill, page 1, line 13, by striking out "regardless of whether a" and inserting where no

Amend Bill, page 2, line 19, by striking out "Immunity" and inserting

Protection

Amend Bill, page 2, line 20, by striking out "Immunity" and inserting

Protection

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

protected

Amend Bill, page 3, line 14, by striking out "VOLUNTARILY AND intelligently" and inserting

knowingly, voluntarily, intelligently and unreasonably

Amend Bill, page 3, by inserting between lines 17 and 18

Section 4. Burden of proof.

The burden of proof of establishing the protection under this act shall be on the defendant.

On the question,

Will the House agree to the amendment?

The SPEAKER. For the information of the members, that amendment had been filed by the gentleman from Cambria County, Mr. Barbin, who is on leave, and so it is being offered by Representative Dean.

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

On that question, the Speaker recognizes the lady from Montgomery County, Mrs. Dean.

Mrs. DEAN. Thank you, Mr. Speaker.

I rise in support of and to offer amendment A04045.

I think this is a commonsense improvement to the underlying bill, and it will be protecting – it will offer protection to the operator who does not charge a fee. If you take a look at the underlying bill, this immunity would be offered to any operator whether or not they charge a fee, but I think for those who charge a fee, I think we can all agree that they ought to owe a duty of care to those whom they charge. So this amendment simply says that for those who do not charge a fee, they would be offered protection, not immunity, but protection from liability.

And it also is clearer on the notion of someone voluntarily or intelligently. I think we saw in some of the earlier discussion that that is pretty muddled. So what this amendment does is it adds the words "knowingly," "voluntarily," "intelligently," or "unreasonably" offering their approval.

I ask for a "yes" vote on this commonsense improvement to the underlying bill.

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

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

Mr. CUTLER. Thank you, Mr. Speaker.

I rise in opposition to the gentlelady's proposed amendment for the following reason, Mr. Speaker: If it were to be accepted, it would effectively gut the bill as drafted, Mr. Speaker, and it hinges on one word. It is the "unreasonable" word; "unreasonably" that it is hinged on at the end of the proposed amendment.

Mr. Speaker, if we would go back to the knowingly, voluntarily, intelligently, and unreasonably articulated standard, it is a general standard of negligence. In that case, Mr. Speaker, there would be no need for this bill, because that is already existing case law. Therefore, there would be no need for an exemption or a protection as provided by this proposed bill that the gentleman from Perry County is working on, and therefore I would urge opposition to the gentlelady's amendment. Thank you, Mr. Speaker.

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

On that question, the Speaker recognizes the lady, Mrs. Dean, for a second time.

Mrs. DEAN. I appreciate my colleague's comments regarding the definition, but I think, actually, this clarifies the definition. Instead of just simply saying knowingly and intelligently, we can see how unreasonable it will be for somebody standing at a pumpkin patch or a hayride to figure out the intelligently.

So I ask for a "yes" vote on my amendment. Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—97

Bishop	DeLuca	Keller, W.	Neuman
Bizzarro	Dermody	Kim	Painter
Boyle, B.	DiGirolamo	Kinsey	Parker
Boyle, K.	Donatucci	Kirkland	Pashinski
Bradford	Evans	Kortz	Petrarca
Briggs	Fabrizio	Kotik	Ravenstahl
Brown, V.	Farina	Kula	Readshaw
Brownlee	Flynn	Longietti	Roebuck
Burns	Frankel	Mahoney	Rozzi
Caltagirone	Freeman	Markosek	Sabatina
Carroll	Galloway	Matzie	Sainato
Christiana	Gergely	McCarter	Samuelson
Clay	Gibbons	McNeill	Santarsiero
Cohen	Goodman	Metzgar	Scavello
Conklin	Hackett	Miccarelli	Schlossberg
Costa, D.	Haggerty	Micozzie	Schreiber
Costa, P.	Haluska	Miller, D.	Sims
Cruz	Hanna	Mirabito	Snyder
Daley, M.	Harhai	Miranda	Sturla
Daley, P.	Harkins	Molchany	Thomas
Davidson	Harper	Mullery	Vitali
Davis	Harris, J.	Mundy	Waters
Dean	Hennessey	Murt	White
Deasy	Kavulich	Neilson	Youngblood
DeLissio			

NAYS—96

Adolph	Farry	Lawrence	Reese
Aument	Fee	Lucas	Regan
Baker	Gabler	Mackenzie	Roae
Barrar	Gillen	Maher	Rock
Benninghoff	Gillespie	Major	Ross
Bloom	Gingrich	Marshall	Saccone
Boback	Godshall	Marsico	Sankey
Brooks	Greiner	Masser	Saylor
Brown, R.	Grell	McGinnis	Simmons
Causar	Grove	Mentzer	Smith
Clymer	Hahn	Metcalfe	Sonney
Corbin	Harhart	Millard	Stephens
Cox	Harris, A.	Miller, R.	Stern
Culver	Heffley	Milne	Stevenson
Cutler	Helm	Mustio	Swanger
Day	Hickernell	O'Neill	Tallman
Delozier	James	Oberlander	Taylor
Denlinger	Kampf	Payne	Tobash
Dunbar	Kauffman	Peifer	Toepel
Ellis	Keller, F.	Pickett	Toohil
Emrick	Keller, M.K.	Pyle	Truitt
English	Killion	Quinn	Turzai
Evankovich	Knowles	Rapp	Vereb
Everett	Krieger	Reed	Watson

NOT VOTING—0

EXCUSED—9

Barbin	Maloney	Moul	Petri
Fleck	McGeehan	O'Brien	Wheatley
Gainey			

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?

Mrs. DEAN offered the following amendment No. A04047:

Amend Bill, page 3, by inserting between lines 17 and 18 (c) Exceptions.—This chapter does not preclude or limit the liability of an agritourism operator who:

(1) (i) Has actual knowledge or reasonably should have known of:

(A) a dangerous condition on the land, facilities or equipment used in the agritourism activity; or

(B) the dangerous propensity of a particular animal used in the agritourism activity; and

(ii) does not make the danger known to the participant and the danger proximately causes injury, damage or death to the participant.

(2) Fails to properly train, or improperly or inadequately trains, employees or unpaid workers who are actively involved in agritourism activities and an act or omission of the employee proximately causes injury, damage or death to the participant.

(3) Commits an act or omission that:

(i) constitutes gross negligence for the safety of the participant; and

(ii) caused the injury or death of the participant.

(4) Intentionally injures the participant.

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

The SPEAKER. On that question, the Speaker recognizes the lady from Montgomery County, Mrs. Dean.

Mrs. DEAN. Thank you, Mr. Speaker.

I offer amendment A04047. Again, I hope that everyone will see that this is a very important commonsense cleanup of the underlying bill because it offers one exception. I do not think we should be offering immunity or protection from liability or for protection from owing a duty of care to people who come to your agritourism event when you have knowledge, if the operator, only if the operator has knowledge or should have known of a dangerous condition, whether it is a danger that the person could see or not. If the underlying operator does not have liability for known dangers or failure to train his own folks, then we would really be putting people at grave risk.

So I ask for a "yes" vote for knowing or should have known dangerous condition or failure to train. Thank you.

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

On that question, the Speaker recognizes the gentleman from Luzerne County, Mr. Mullery.

Mr. MULLERY. Thank you, Mr. Speaker.

I rise in support of amendment A04047 as this amendment seeks to exclude language that under current law we provide protection to trespassers on private land for. So if we do that under current law for trespassers, certainly this is a provision that we should provide protection for business invitees to our agritourism facilities. Thank you, Mr. Speaker.

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

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

Mr. CUTLER. Thank you, Mr. Speaker.

Again, I rise in opposition to the gentelady's proposed amendment.

Mr. Speaker, this is almost verbatim existing law regarding negligence, Mr. Speaker. "Reasonably should have known" is the standard when it comes to the idea of the duty of care that is owed to individuals, as the gentleman previously articulated, Mr. Speaker, but I would like to offer a scenario where this would become problematic. Mr. Speaker, as a farmer, if I plow my field, I would reasonably know or should know that it would leave a furrow at the edge of the field. Mr. Speaker, however, if you are walking along the edge of that field, the entire question involving the case would then become, do I have a duty to fill in that furrow or otherwise block off that furrow if you are going to be walking along that field to pick those pumpkins? Mr. Speaker, it is those items like rocks in the field and uneven ground and those other things that are oftentimes the points of those frivolous suits. Mr. Speaker, while it is often pictures that are painted of open machinery or open pits that are often problematic, it is often issues that are much more mundane that often get included in those suits that the gentleman's bill is seeking to protect the farmers from.

Mr. Speaker, I would offer that this is existing law. If it were to be included, the bill would essentially have no effect. Therefore, I respectfully urge opposition of the gentelady's proposed amendment. Thank you.

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

On that question, the Speaker recognizes the lady from Montgomery County, Ms. Harper.

Ms. HARPER. Thank you, Mr. Speaker.

I rise in support of the gentelady's amendment.

To the extent that this is existing law, we do not want to change it. We want to leave it in the law where it belongs.

I have to say the amendment speaks in terms of people who know the propensity of an animal to be dangerous or vicious and they are not given immunity under this bill. We actually had that situation at a farm in my district that was an agritainment farm. A dog mauled a little child, 3 years old, and it was the second 3-year-old child that had been mauled and had facial injuries from the dog. The farmer knew that the dog had those propensities, and for reasons known only to him, even though he invited all these people and their children onto his property to pick pumpkins and all the rest of it, he did not tie the dog up. I do not believe he should be immune in that situation. The little girl was terribly injured, and the courts exist to provide recompense and to remind people to keep the dog tied up so that they do not have situations.

So I support the gentelady's amendment because it keeps in the law a very important provision in the law. Thank you.

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

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

Mr. NEUMAN. Thank you, Mr. Speaker.

I rise in support of the Dean amendment.

It is imperative that we understand, frivolous lawsuits are not negligence. Negligence injures people. Frivolous lawsuits get thrown out of court. This does not stop frivolous lawsuits from being filed and thrown out of court. We are talking about negligence. So I would ask that you support this amendment to protect people from negligence. 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 Chester County, Mr. Hennessey.

Mr. HENNESSEY. Thank you, Mr. Speaker.

I rise in support of the amendment.

Frankly, extending immunity or offering immunity where negligence is apparent, really, it is something we should do only very selectively.

This still makes sense. If somebody knows of a dangerous condition or a dangerous predilection of an animal to be violent or act up and be cantankerous and it could cause harm, we should not be immunizing them. This amendment to the extent that it in fact restates the existing law, there is no harm in that. We should not create a new statute which might mislead people when the existing law drawn from elsewhere would tell them they still had a claim. This clarifies the law.

We ought to vote for it because it makes sense not to immunize people who know of dangerous situations and allow them to occur. Thank you.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—116

Bishop	Dermody	Kinsey	Parker
Bizzarro	DiGirolamo	Kirkland	Pashinski
Boback	Donatucci	Kortz	Payne
Boyle, B.	Evans	Kotik	Petrarca
Boyle, K.	Fabrizio	Kula	Quinn
Bradford	Farina	Longietti	Ravenstahl
Briggs	Farry	Mackenzie	Readshaw
Brown, R.	Flynn	Mahoney	Roebuck
Brown, V.	Frankel	Markosek	Rozzi
Brownlee	Freeman	Marshall	Sabatina
Burns	Galloway	Matzie	Sainato
Caltagirone	Gergely	McCarter	Samuelson
Carroll	Gibbons	McNeill	Santarsiero
Christiana	Gillen	Metzgar	Scavello
Clay	Goodman	Miccarelli	Schlossberg
Cohen	Grell	Micozzie	Schreiber
Conklin	Hackett	Millard	Sims
Costa, D.	Haggerty	Miller, D.	Snyder
Costa, P.	Hahn	Milne	Stephens
Cox	Haluska	Mirabito	Sturla
Cruz	Hanna	Miranda	Taylor
Daley, M.	Harhai	Molchany	Thomas
Daley, P.	Harkins	Mullery	Tobash
Davidson	Harper	Mundy	Vereb
Davis	Harris, J.	Murt	Vitali

Dean	Hennessey	Mustio	Waters
Deasy	Kavulich	Neilson	Watson
DeLissio	Keller, W.	Neuman	White
DeLuca	Kim	Painter	Youngblood

NAYS—77

Adolph	Everett	Knowles	Reese
Aument	Fee	Krieger	Regan
Baker	Gabler	Lawrence	Roae
Barrar	Gillespie	Lucas	Rock
Benninghoff	Gingrich	Maher	Ross
Bloom	Godshall	Major	Saccone
Brooks	Greiner	Marsico	Sankey
Causar	Grove	Masser	Saylor
Clymer	Harhart	McGinnis	Simmons
Corbin	Harris, A.	Mentzer	Smith
Culver	Heffley	Metcalfe	Sonney
Cutler	Helm	Miller, R.	Stern
Day	Hickernell	O'Neill	Stevenson
Delozier	James	Oberlander	Swanger
Denlinger	Kampf	Peifer	Tallman
Dunbar	Kauffman	Pickett	Toepel
Ellis	Keller, F.	Pyle	Toohil
Emrick	Keller, M.K.	Rapp	Truitt
English	Killion	Reed	Turzai
Evankovich			

NOT VOTING—0

EXCUSED—9

Barbin	Maloney	Moul	Petri
Fleck	McGeehan	O'Brien	Wheatley
Gainey			

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

On the question recurring,

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

Bill as amended was agreed to.

(Bill as amended will be reprinted.)

BILLS RECOMMITTED

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

HB 397;
 HB 982;
 HB 1341;
 HB 1410;
 HB 1665;
 SB 546; and
 SB 851.

On the question,

Will the House agree to the motion?

Motion was agreed to.

BILLS REMOVED FROM TABLE

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

HB 112;
 HB 710;
 HB 1154;
 HB 1420;
 HB 1734; and
 SB 731.

On the question,

Will the House agree to the motion?

Motion was agreed to.

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 317, PN 747**, entitled:

An Act amending Title 44 (Law and Justice) of the Pennsylvania Consolidated Statutes, establishing the Pharmaceutical Accountability Monitoring System; and imposing penalties.

On the question,

Will the House agree to the bill on second consideration?

BILL TABLED

The SPEAKER. The Speaker recognizes the majority leader, who moves that HB 317 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.

BILL REMOVED FROM TABLE

The SPEAKER. The Speaker recognizes the majority leader, who moves that HB 317 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.

* * *

The House proceeded to second consideration of **HB 980, PN 1121**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for fund balance limits and for moratorium on establishment of new cyber charter schools.

On the question,

Will the House agree to the bill on second consideration?

BILL TABLED

The SPEAKER. The Speaker recognizes the majority leader, who moves that HB 980 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.

BILL REMOVED FROM TABLE

The SPEAKER. The Speaker recognizes the majority leader, who moves that HB 980 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.

STATEMENT BY MR. BENNINGHOFF**REMARKS SUBMITTED FOR THE RECORD**

The SPEAKER. The Speaker recognizes the gentleman from Centre County, Mr. Benninghoff, under unanimous consent.

Mr. BENNINGHOFF. Very briefly, Mr. Speaker. I just wanted to take a moment to thank the members for their support on HB 162.

And on behalf of myself and many other adoptees of Pennsylvania, you came here to change some lives, and I have to tell you the message I have received, they are very grateful.

I will submit my other comments for the record.

Thank you, Mr. Speaker, and to all the members and the two chairwomen that made this happen. Thank you.

The SPEAKER. The gentleman will deliver his remarks to the clerk and they will be noted in the record.

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

Mr. Speaker, I would like to submit comments for the record on HB 162. I rise to support this legislation not only as the prime sponsor but as an adoptee myself. HB 162 would allow all Pennsylvanians the same access to their original birth certificate.

In 1984 our Commonwealth sealed the adoptees' records prohibiting them from obtaining their original birth certificate. The Internet, along with other Web sites like ancestry.com, gives adoptees the ability to research their families and most often locate their living parents.

HB 162 is not just about finding one's family but about answering the age-old question of "who am I?" Most people want to know their origin or ethnic background as well as those who want to learn of their parents. For some, it is simply about being able to see their name along with their parents on the one legal document that legitimize their existence, just like all other Pennsylvanians.

Natural born and foster children, regardless of how many sets of foster parents they may have had, are legally allowed access to their original birth certificate. Pennsylvania's adoptees should be granted no less. HB 162 will give adoptees that basic right upon their 19th birthday, and I rise to ask my colleagues on the House floor for their support.

In closing, I want to thank the majority and minority chairs, Kathy Watson and Louise Bishop, respectively, for all their support and the committee's bipartisan unanimous votes to move HB 162 out of committee. Thank you Mr. Speaker.

BILLS AND RESOLUTIONS PASSED OVER

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

ADJOURNMENT

The SPEAKER. The Speaker now recognizes the gentleman, Mr. Clay, from Philadelphia County, who moves that this House do adjourn until Tuesday, November 12, 2013, at 1 p.m., e.s.t., unless sooner recalled by the Speaker.

On the question,
Will the House agree to the motion?
Motion was agreed to, and at 5:25 p.m., e.d.t., the House adjourned.