

# COMMONWEALTH OF PENNSYLVANIA

## LEGISLATIVE JOURNAL

TUESDAY, JUNE 10, 2014

SESSION OF 2014

198TH OF THE GENERAL ASSEMBLY

No. 35

### 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, bless the work of the members of this Assembly as we consider legislation that will affect the workings of this great State.

Keep us mindful of our purpose, to protect and preserve the goodness of what we call our Commonwealth. May we be unwavering in our convictions to provide for the common good, and may our decisions be based on the needs of the people we serve. Fill our hearts with sincerity, and enable us to see the way to Your light and Your truth, knowing that the votes we make today have the power to affect future generations.

And, dear Lord, keep us mindful that in our capacity as legislators we represent You first and then those who sent us to this great House.

In Your name we humbly say, Amen.

#### PLEDGE OF ALLEGIANCE

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

#### JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, the approval of the Journal of Monday, June 9, 2014, will be postponed until printed.

#### BILLS REPORTED FROM COMMITTEES, CONSIDERED FIRST TIME, AND RECOMMITTED TO COMMITTEE ON RULES

**HB 2041, PN 3693** (Amended) By Rep. GODSHALL

An Act prohibiting employees of the Commonwealth from using nonsecured Internet connections.

CONSUMER AFFAIRS.

**HB 2234, PN 3694** (Amended)

By Rep. ROSS

An Act amending Titles 15 (Corporations and Unincorporated Associations) and 54 (Names) of the Pennsylvania Consolidated Statutes, modernizing the law on corporations and unincorporated associations by doing the following: Adding provisions applicable to associations generally on names, mergers, interest exchanges, conversions, divisions, domestications and registration of foreign associations to do business. Extensively revising preliminary provisions on general provisions, entities generally, entity transactions and foreign associations. As to business corporations, extensively revising: preliminary provisions on definitions, equitable relief and applicability; general incorporation provisions on names, articles of incorporation, applicability and notice to demand payment; management and ownership provisions on shareholder action; fundamental change provisions on omissions, termination, de facto transaction, proposals, special treatment of shares, submission of matters to shareholders, liabilities, merger, share exchange, sale of assets, division, conversion, voluntary dissolution and winding up; nonstock corporation provisions on application; statutory close corporation provisions on application; registered corporation provisions on call of special meetings of shareholders, shareholder transactions and management adoption of merger plans; management corporation provisions on application and bylaw and fundamental change procedures; professional corporation provisions on application and corporate name; insurance corporation provisions on application; benefit corporation provisions on applicability and election of status; and foreign business corporation provisions on admission, excluded activities, names, commencing business, certificates of authority, termination, address change after withdrawal, name registration, penalties, powers and duties, registered offices and domestication. As to nonprofit corporations, extensively revising: general provisions on definitions and applicability; incorporation provisions on corporate name, changes and reservation; management and ownership provisions on action; fundamental change provisions on filed plans, statement of termination, proposal of fundamental transactions, authorization, plans, notice, procedure, foreign corporations, articles, filing, effectiveness, resulting effect, merger, voluntary transfer of assets, division and conversion; and foreign nonprofit corporate provisions on admission, excluded activities, names, commencing business, certificates of authority, organic change, termination, address change after withdrawal, name registration, penalties, powers and duties, registered offices and domestication. As to cooperative corporations, extensively revising workers cooperative corporation provisions on definitions, nature and articles and terminating provisions on generation choices for customers of electric cooperatives. As to partnerships and limited liability companies, extensively revising: registered limited liability partnership provisions on name and foreign partnerships; limited partnership provisions on definitions, name, cancellation of certificate, merger and consolidation, nonjudicial dissolution, division and foreign limited partnerships; and limited liability company provisions on definitions, name, election, merger and consolidation, division and foreign companies. As to unincorporated associations, extensively revising: preliminary provisions on definitions; and professional associations provisions on applicability. As to business trusts, extensively revising provisions on creation, status and termination, on documentation and on foreign business trusts. In names: as to fictitious names, further providing for scope and registration; and as to corporate and associational names, further providing for a register and for decennial filings. Making editorial changes.

## COMMERCE.

**HB 2295, PN 3621**

By Rep. GODSHALL

An Act amending the act of December 14, 1982 (P.L.1211, No.279), entitled "An act providing for ridesharing arrangements and providing that certain laws shall be inapplicable to ridesharing arrangements," providing for a short title; further providing for definitions and for motor carrier laws not applicable to ridesharing; and making editorial changes.

## CONSUMER AFFAIRS.

**BILLS REPORTED FROM COMMITTEES,  
CONSIDERED FIRST TIME, AND TABLED****SB 75, PN 2118 (Amended)**

By Rep. MARSICO

An Act amending Titles 18 (Crimes and Offenses) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, extensively revising the law on human trafficking in the areas of prosecution, prevention, victim protection, evidentiary confidentiality, limitation of actions and victim impact statements; and making editorial changes.

## JUDICIARY.

**SB 799, PN 1985**

By Rep. GODSHALL

An Act amending the act of December 20, 1982 (P.L.1404, No.325), known as the Self-Service Storage Facility Act, further providing for definitions, for enforcement of lien, for notice and for limitation on liability of owner.

## CONSUMER AFFAIRS.

**HOUSE RESOLUTION  
INTRODUCED AND REFERRED**

**No. 893** By Representatives HACKETT, BARRAR, V. BROWN, CALTAGIRONE, COHEN, KIRKLAND, MATZIE, MILLARD, MURT, READSHAW, THOMAS, WATSON and VEREB

A Resolution urging the United States Department of Transportation and the National Transportation Safety Board to conduct a comprehensive inspection of all railroads in this Commonwealth to ensure that the railroads are capable of withstanding the increased traffic that is occurring due to the transportation of crude oil.

Referred to Committee on TRANSPORTATION, June 10, 2014.

**HOUSE BILLS  
INTRODUCED AND REFERRED**

**No. 2331** By Representatives KILLION, HEFFLEY, WATSON, LUCAS, MILLARD, R. MILLER and GINGRICH

An Act amending the act of February 17, 1994 (P.L.73, No.7), known as the Contractor and Subcontractor Payment Act, further providing for definitions, for application of act, for owner's payment obligations, for owner's withholding of payment for good faith claims, for contractor's and subcontractor's payment obligations, for errors in documentation, for retainage and for contractor's withholding of payment for good faith claims.

Referred to Committee on LABOR AND INDUSTRY, June 10, 2014.

**No. 2332** By Representatives HELM, KORTZ, QUINN, DAVIS, READSHAW, KOTIK, O'NEILL, THOMAS, McNEILL, V. BROWN, LUCAS, D. COSTA, SWANGER, ENGLISH, COHEN, GINGRICH, GIBBONS, DAY, BOBACK, GODSHALL, MAHER, WATSON, MURT, SAYLOR, KILLION, R. MILLER, DeLUCA, GERGELY, CLAY, FLECK, MOUL, KNOWLES and YOUNGBLOOD

An Act regulating home inspectors; providing for funds, for licensure, for disciplinary action, for remedies and for penalties; and making a related repeal.

Referred to Committee on PROFESSIONAL LICENSURE, June 10, 2014.

**No. 2333** By Representatives SACCONI, KRIEGER, MULLERY, C. HARRIS, MAHER, EVANKOVICH, KOTIK, MUSTIO, METCALFE and SWANGER

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, in hunting and furtaking, further providing for unlawful devices and methods.

Referred to Committee on GAME AND FISHERIES, June 10, 2014.

**No. 2334** By Representative ADOLPH

A Supplement to the act of April 1, 1863 (P.L.213, No.227), entitled "An act to accept the grant of Public Lands, by the United States, to the several states, for the endowment of Agricultural Colleges," making appropriations for carrying the same into effect; providing for a basis for payments of such appropriations, for a method of accounting for the funds appropriated and for certain fiscal information disclosure; and making an appropriation from a restricted account within the Agricultural College Land Scrip Fund.

Referred to Committee on APPROPRIATIONS, June 10, 2014.

**No. 2335** By Representative ADOLPH

A Supplement to the act of July 28, 1966 (3rd Sp.Sess., P.L.87, No.3), known as the University of Pittsburgh—Commonwealth Act, making appropriations for carrying the same into effect; and providing for a basis for payments of such appropriations, for a method of accounting for the funds appropriated and for certain fiscal information disclosure.

Referred to Committee on APPROPRIATIONS, June 10, 2014.

**No. 2336** By Representative ADOLPH

A Supplement to the act of November 30, 1965 (P.L.843, No.355), known as the Temple University—Commonwealth Act, making an appropriation for carrying the same into effect; providing for a basis for payments of such appropriation; and providing a method of accounting for the funds appropriated and for certain fiscal information disclosure.

Referred to Committee on APPROPRIATIONS, June 10, 2014.

**No. 2337** By Representative ADOLPH

A Supplement to the act of July 7, 1972 (P.L.743, No.176), known as the Lincoln University-Commonwealth Act, making an appropriation for carrying the same into effect; providing for a basis for payments of the appropriation; and providing a method of accounting for the funds appropriated and for certain fiscal information disclosure

Referred to Committee on APPROPRIATIONS, June 10, 2014.

**No. 2338** By Representative ADOLPH

An Act making appropriations to the Trustees of the University of Pennsylvania.

Referred to Committee on APPROPRIATIONS, June 10, 2014.

**No. 2340** By Representatives KAMPF, TOBASH and ROSS

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, providing for medical professional liability reciprocal exchange-to-stock conversion.

Referred to Committee on INSURANCE, June 10, 2014.

**SENATE BILLS FOR CONCURRENCE**

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

**SB 803, PN 2075**

Referred to Committee on FINANCE, June 10, 2014.

**SB 1314, PN 1905**

Referred to Committee on TRANSPORTATION, June 10, 2014.

**SB 1377, PN 2054**

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, June 10, 2014.

**SENATE MESSAGE****HOUSE BILLS  
CONCURRED IN BY SENATE**

The clerk of the Senate, being introduced, returned **HB 119, PN 119**, and **HB 1873, PN 2741**, with information that the Senate has passed the same without amendment.

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

The clerk of the Senate, being introduced, returned **HB 198, PN 3630**, with information that the Senate has passed the same

with amendment in which the concurrence of the House of Representatives is requested.

**SENATE MESSAGE****RECESS RESOLUTION  
FOR CONCURRENCE**

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

In the Senate,  
June 9, 2014

RESOLVED, (the House of Representatives concurring), Pursuant to Article II, Section 14 of the Pennsylvania Constitution, that when the Senate recesses this week, it reconvene on Monday, June 16, 2014, unless sooner recalled by the President Pro Tempore of the Senate; and be it further

RESOLVED, Pursuant to Article II, Section 14 of the Pennsylvania Constitution, that when the House of Representatives recesses this week, it reconvene on Monday, June 16, 2014, unless sooner recalled by the Speaker of the House of Representatives.

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

On the question,

Will the House concur in the resolution of the Senate?

Resolution was concurred in.

Ordered, That the clerk inform the Senate accordingly.

**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 119, PN 119**

An Act establishing an emergency medical services memorial flag; and imposing duties on the Pennsylvania Emergency Health Services Council and the Bureau of Emergency Medical Services in the Department of Health.

**HB 1873, PN 2741**

An Act authorizing the release of restrictions on use and alienation imposed by the Project 70 Land Acquisition and Borrowing Act on certain land owned by the Pennsylvania Fish and Boat Commission in Benner Township, Centre County.

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

**ACTUARIAL NOTE**

The SPEAKER. The Speaker acknowledges receipt of the actuarial note for amendment No. 7165 to HB 1353, PN 2152, as amended by amendment No. 6917.

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

**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. ROSS, from Chester County for the day, and the gentleman, Mr. HACKETT, from Delaware County for the day. Without objection, the leaves will be granted.

The Speaker recognizes the minority whip, who requests a leave of absence for the gentleman, Mr. McNEILL, from Lehigh County for the day; the gentleman, Mr. WHITE, from Washington County for the day; the gentleman, Mr. HAGGERTY, from Lackawanna County for the day; and the gentleman, Mr. SANTARSIERO, from Bucks County for the day. Without objection, the leaves will be granted.

**MASTER ROLL CALL**

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

The following roll call was recorded:

**PRESENT—197**

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

Denlinger	Keller, M.K.	Painter	Vitali
Dermody	Keller, W.	Parker	Waters
DiGirolamo	Killion	Pashinski	Watson
Donatucci	Kim	Payne	Wheatley
Dunbar	Kinsey	Peifer	Youngblood
Ellis			

**ADDITIONS—0****NOT VOTING—0****EXCUSED—6**

Hackett	McNeill	Santarsiero	White
Haggerty	Ross		

**LEAVES ADDED—1**

Micozzie

**LEAVES CANCELED—3**

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

The House will come to order.

I would appreciate if the members would clear the aisles. Hold the conversations down. I would like to introduce some of the guests that are with us today. I would appreciate the members' attention and courtesy. Thank you.

**GUESTS INTRODUCED**

The SPEAKER. Located to the left of the rostrum, we would like to welcome Representative Snyder's daughter, Maddie Warrick. Please rise. Welcome to the hall of the House.

Also to the left of the rostrum, we would like to welcome two PIAA Class AAA State champion track and field athletes from Carlisle High School. Zach Brehm is the State champion in the 1600-yard dash, and Deshawn Millington won the triple jump, and they are here today as guests of Representative Bloom. Will our guests please rise. Welcome to the hall of the House.

**FORMER MEMBER WELCOMED**

The SPEAKER. Also to the left of the rostrum, we would like to welcome former State Representative Kevin Blaum, who served the 121st Legislative District from 1981 through 2006. He is a recent inductee into the Wilkes-Barre/Scranton Penguins Hall of Fame for his efforts to secure funding for the arena in the northeastern part of Pennsylvania. Since his retirement he has been an associate director of admissions and director of financial aid at Wyoming Seminary. He is here today officially as a guest of Representative Mundy, but as a former member, he is always welcomed back. Kevin, welcome back to the hall of the House.

### GUESTS INTRODUCED

The SPEAKER. Also to the left of the rostrum, we would like to welcome the family of the late Francis James Keenan, who will be honored this morning with a resolution. The guests of Representative Kavulich include Mr. Keenan's mother, Diane Keenan; his sister, Candis Nesgoda; his brother, Jeffrey Lozinger, and his wife, Noel; and his uncle, Edmund Carr, and his wife, Darlene. Will our guests please rise. Welcome to the hall of the House.

In the rear of the House, we would like to welcome the MATHCOUNTS team from Valley Forge Middle School and Tredyffrin-Easttown Middle School. These exceptional math students are here today as guests of Representative Kampf. Will our guests please rise. Welcome to the hall of the House.

Also in the rear of the House, we would like to welcome the North Penn High School State Champion Academic Decathlon Team. This is the second year the team has won the championship under the guidance of adviser Nancy Craig, and the team is comprised of Aubrey Kenderdine, Maisha Islam, Christopher Sibel, Damian Dhanaraj, Jerry Zhao, Serena Jiang, Noah Lamb, and Yang Yue. They are here today as guests of Representative Stephens. Will our guests please rise. Welcome to the hall of the House.

And as guests of Representative Rozzi, located in the rear of the House, we would like to welcome Justin Perry and Andrew Leib. Will our guests please rise. Welcome to the hall of the House.

Representative Masser has joining him as guests today Mike Yeager and Paul Caputo. Welcome to the hall of the House. Please rise, over here on the right.

Up in the gallery, we would like to welcome students and adults from the ECHO Christian Academy, and they are here today as guests of Representative Corbin. Will our guests please rise in the gallery and give us a wave. Welcome to the hall of the House.

A couple guest pages with us today, located in the well of the House, we would like to welcome guest page Shannon Rubincan. She is here with her mother, Sherrie, who is seated in the rear of the House, and they are here today as guests of Representative Lawrence. Welcome to the hall of the House.

Ryan Ward is a junior at Hazleton Academy of Sciences, is also serving as a guest page, and is here as a guest of Representative Toohil. Welcome to the hall of the House.

And Morgan Dux is shadowing Representative Peifer for the day and serving as a guest page. Welcome to the hall of the House.

And finally, Representative Bloom is hosting guest page Garrett Rolle. Welcome to the hall of the House.

To the left of the rostrum, we would also like to welcome Miss Pennsylvania International Sable Butler. She is here with her parents, Sidd and Barbara, who are located in the rear of the House, and they are here today as guests of Representative McNeill and Representative Scavello. Welcome to the hall of the House.

### STATEMENT BY MR. SCAVELLO

The SPEAKER. The gentleman from Monroe County, Mr. Scavello, is seeking recognition under unanimous consent relative to the guests that were just introduced.

Mr. SCAVELLO. Thank you, Mr. Speaker.

On behalf of myself and Representative McNeill, who has taken ill and wanted to be here in the worst way to meet Sable, I am proud to introduce Miss Pennsylvania U.S. International, Sable Butler. Sable is 25 years old and is a licensed cosmetologist and cosmetology teacher. She is also a print-and-runway model and was recently featured in her first television commercial.

Before she moved to Catasauqua, she attended Swiftwater Intermediate School and then graduated with honors from Pocono Mountain East High School. From there she graduated from the Stroudsburg School of Cosmetology and completed her cosmetology teaching studies at TONI&GUY Hairdressing Academy in Allentown.

She is an active member at Templo El Refugio, a church of all nations, in Bethlehem. And she also serves as a youth leader for Warriors of the Kingdom and is an avid volunteer and mentor for cosmetology students at the Monroe County Career and Technical Institute. Sable was previously recognized for her volunteerism with a Commonwealth citation.

And over the next year Sable Butler will represent the Commonwealth as Miss Pennsylvania U.S. International. At the end of the month she will go on to compete against other State delegates at the national 2014 Miss U.S. International pageant in Florida. The winner of the event will go on to compete against 70 other women from their respective countries in the international finals in Japan.

On behalf of the House of Representatives, I wish Sable the best of luck this month and much success as you serve as Miss Pennsylvania U.S. International. And, Sable, we hope to see you back on the House floor when you are Miss U.S. International.

Thank you, Mr. Speaker.

The SPEAKER. The Speaker thanks the gentleman.

### GUEST INTRODUCED

The SPEAKER. And last but not least, I would like to welcome to the hall of the House James Anderson, who recently retired as the executive director of the Juvenile Court Judges' Commission. He is located to the left of the rostrum. He is here today as a guest of Representatives Grell, Marsico, and Caltagirone. Will our guest please rise. Welcome to the hall of the House.

### STATEMENT BY MR. GRELL

The SPEAKER. The gentleman from Cumberland County, Mr. Grell, is recognized under unanimous consent relative to the guest just introduced.

Mr. GRELL. Thank you, Mr. Speaker.

Mr. Speaker and colleagues, I rise to take just a moment to recognize a distinguished guest we have here today, whom some of you know and whom I have had the pleasure to work with for many years.

Jim Anderson began serving the Commonwealth at the Juvenile Court Judges' Commission in 1978 and rapidly advanced through the commission to become its executive director in 1986, where he has served with distinction until his very recent retirement. In fact, I do not think he is done yet for another couple days, officially.

But throughout his term as executive director of the JCJC, he has worked diligently and he has provided great leadership to the commission to reform and improve our State's system of juvenile justice. His work has been recognized by the National Council of Juvenile and Family Court Judges. Under his leadership, the commission's legislative program has received awards for having the country's Outstanding Judicial Legislative Program and the nation's Outstanding Education Program in Juvenile Justice. He has also been recognized by a number of prestigious organizations, including the John D. and Catherine T. MacArthur Foundation and the Juvenile Law Center. He has also overseen the Center for Juvenile Justice Training and Research at Shippensburg University for many years, elevating the work of our judges and others serving our communities as juvenile justice professionals.

He has been involved in every major legislative initiative relating to juvenile justice and child welfare that has come through this body over the past three decades, and his expertise and credibility in the field have made the work of this General Assembly much more productive and successful. His leadership and presence will be sorely missed, but his legacy of reform will remain enshrined in Pennsylvania law for many generations to come.

Fortunately, his successor as executive director, Keith Snyder, is homegrown, having come up through the JCJC, and he also happens to be a resident of the 87th Legislative District.

Jim Anderson has served the citizens of the Commonwealth of Pennsylvania in the greatest tradition of public service, and I am honored to be joined by the chairs of the House Judiciary Committee, Chairman Marsico and Chairman Caltagirone, in saying just a few kind words in recognition of his dedicated service.

Mr. Speaker, ladies and gentlemen, please join me in thanking Jim Anderson for a career of service to Pennsylvania's youth. Thank you, Mr. Speaker.

The SPEAKER. The Speaker thanks the gentleman.

### **CENTRAL BUCKS HIGH SCHOOL SOUTH TRACK AND FIELD TEAM PRESENTED**

The SPEAKER. I invite Representative Watson to the rostrum for the purpose of presenting a citation to five State champions from the Central Bucks South Girls Track and Field Team.

The lady, Mrs. Watson, may proceed.

Mrs. WATSON. Thank you, Mr. Speaker.

Good morning, colleagues. Today I am pleased to be joined by five young women behind me. We are recognizing them for their State championship victories at the 2014 PIAA Track and Field Championships held recently at Shippensburg University. These young women, who are all students at Central Bucks High School South, one of the three high schools in the Central Bucks district and located directly in my hometown, competed to the best of their abilities, but of course they always do, and four of them smashed a State record in the 4-x-800-meter relay and the fifth young lady won her second State title in the discus.

So please allow me to publicly congratulate, first, the relay members – senior Kaitlin Poiesz, junior Amber Stratz, senior Alexa Kwapinski, and junior Brianna Stratz. And they are joined by that two-time discus champ, Taylor Hojnacki. These five young women, led by their coach who is up here, Rachel

Beck – though I recognize it is hard to tell who is the coach and who are the students. Rachel, the coach, informed me that this is her 17th year – 4 years as a coach and all the other years as a student and participant in track and field.

But anyway, they showed their strength and the strength of CB South, good coaching, great parenting, and their own determination when they hit the oval at Shippensburg. The relay team, please note, broke a State record with a time of 8:51.49 and they shaved nearly 13 seconds off another fast time just weeks before.

Taylor, well, she just did it again. She defended her title by throwing the discus 140 feet 7 inches.

However, as we all know, championship seasons are never solo accomplishments. These young ladies would admit that. It takes a unified team effort to lead a team to the championship and bring home the trophy, or in this case, note the medals that the young ladies have that they are wearing around their neck. And note, it just seems to me to be an injustice, but the coach does all of that and never gets a medal. It does not seem right.

Because of all of those folks involved and everyone here today is proud of the CB South 3200 relay team and Taylor for her discus throw, the entire coaching staff, and certainly the dedication of their parents, the coaches together to put this all together, to get them to practice, to encourage them to go on, and for them to do so well.

Now, what we have this morning, ladies and gentlemen, is a citation for each young lady, but different than those medals, we actually have a citation for the coach because you are far more generous and recognize the importance of good coaching.

So then I would like, on behalf of the House of Representatives, to extend our heartfelt congratulations to all of you, as well as those who assisted the team. You had a stellar season. You won a championship. We are very proud of you, and indeed, we wanted you to be here so we could say all of that in person. We commend you for your skillful use of your abilities, your unflagging dedication in pursuit of both your academic excellence and your athletic excellence. We offer best wishes for success in all of your future endeavors.

I should note because I was so pleased that our discus champion will be attending my alma mater next year, the University of Pennsylvania. Penn loves strong women, so that is a good thing.

Congratulations to all of you. To our two younger members who will be returning, I will be happy to host you next year when you have the next team that goes to victory.

Thank you, Mr. Speaker.

Colleagues, would you please show them our approval by a round of applause.

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

The House will come to order.

### **UNCONTESTED CALENDAR**

#### **RESOLUTIONS PURSUANT TO RULE 35**

Mr. MURT called up **HR 805, PN 3418**, entitled:

A Resolution recognizing the year 2014 as the 50th anniversary of the passage of the Civil Rights Act of 1964.

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Mr. MIRABITO called up **HR 879, PN 3635**, entitled:

A Resolution recognizing June 14, 2014, as "National Flag Day" in Pennsylvania.

On the question,  
Will the House adopt the resolutions?

(Members proceeded to vote.)

**LEAVE OF ABSENCE CANCELED**

The SPEAKER. The Speaker returns to leaves of absence and recognizes the presence of the gentleman, Mr. Ross, on the floor of the House. Without objection, his name will be added back.

**LEAVE OF ABSENCE**

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

**CONSIDERATION OF  
RESOLUTIONS PURSUANT TO RULE 35  
CONTINUED**

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

The following roll call was recorded:

YEAS—197

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

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

NAYS—0

NOT VOTING—0

EXCUSED—6

Hackett	McNeill	Santarsiero	White
Haggerty	Micozzie		

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

**STATEMENT BY MR. MURT**

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

Mr. MURT. Thank you, Mr. Speaker.

Mr. Speaker, when signing the Civil Rights Act of 1964, President Lyndon Johnson stated that the law "...does not restrict the freedom of any American, so long as he respects the rights of others. It does not give special treatment to any citizen... It does say that...those who are equal before God shall now also be equal in the polling booths, in the classrooms, in the factories, and in hotels, restaurants, movie theaters, and other places that provide service to the public... This Civil Rights Act is a challenge to all of us to go to work in our communities and our States, in our homes and in our hearts, to eliminate the last vestiges of injustice in our beloved country." End of quote.

Mr. Speaker, those words are as true today as they were when they were spoken 50 years ago by President Lyndon Johnson. Sadly, it took almost 100 years after the end of the American Civil War to pass legislation that addressed discrimination in any meaningful way.

The Civil Rights Act of 1964 set a standard for civil rights protection across all 50 States. The act prohibits discrimination on the basis of race, color, religion, sex, or national origin, and brought an end to the tumultuous era of racial segregation. Its passage set the precedent that discrimination would no longer be codified and was further expanded in 1965 to encompass equal voting rights for all citizens.

Civil rights laws protect people's rights as defined by the U.S. Constitution and the Bill of Rights. The Civil Rights Act puts steel into the Bill of Rights by forbidding discrimination in public accommodations. Tragically, while this legislation was becoming law, young men of color, who were not fortunate enough to go to college or who were not clever enough to get into the National Guard, had to serve in combat in the Vietnam war in grossly disproportionate numbers.

Although civil rights had a long history as a political legislative issue, the 1960s marked a period of intense activity by the Federal government to protect minority rights.

The act, however, did not resolve all problems of discrimination, but it opened the door to further progress by lessening racial restrictions on the use of public facilities, providing more job opportunities, strengthening voting laws, and limiting Federal funding of discriminatory aid programs.

As we celebrate the 50th anniversary of this historic moment, let us recommit to the values that motivated those who fought for and passed this legislation. Thank you, Mr. Speaker.

The SPEAKER. The Speaker thanks the gentleman.

### STATEMENT BY MS. BROWN

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

Ms. V. BROWN. Thank you, Mr. Speaker.

Mr. Speaker, I would like to ask for permission for other members of the Pennsylvania legislative caucus to come up and help me with these remarks.

The SPEAKER. They are welcome to stand behind you. If they want recognized, I will recognize each individually.

Ms. V. BROWN. Okay. All right.

The SPEAKER. The lady may proceed.

Ms. V. BROWN. Good morning to everyone.

First and foremost, I would like to thank Representative Murt for introducing this resolution and commemorating one of the nation's most important and pivotal laws.

As one of the chamber's few racial minority legislators, in my current role as chairwoman of the Pennsylvania Legislative Black Caucus, I would like to take an opportunity to say a few words about both the significance and the impact of the Civil Rights Act of 1964.

As many of you are aware and have personally experienced, the 1950s and 1960s were marked with the institutional segregation, a period of great social unrest and widespread discrimination.

Prior to the enactment of the Civil Rights Act of 1964, both racial and other minorities were treated and regarded as virtually second-class citizens. The abundant opportunities that exist for racial and other minorities today were few and far in between. In other words, for many racial and other minorities, prosperity and attainment of the American dream was only truly recognized during an unconscious state – that is, during one's dreams. However, the Civil Rights Act of 1964 was significant in that it provided for clearer and more specific protections for minorities as opposed to merely hoping and relying upon favorable interpretation of the 14th Amendment by the courts.

Simply put, the Civil Rights Act of 1964 assisted in vindicating the societal struggles and the indignities of America's minority population. This legislation proved to be overwhelmingly effective in putting racial and other minorities on equal footing and allowing them to realistically seize the American reality and not just a dream about a greater and more equitable America.

Over the course of these past 50 years, both racial and other minorities have made tremendous strides within our society, as it is evidenced by the nation's current Commander in Chief. However, it is vitally important that we remember that there is still a great amount of progress to be made in achieving a more tolerable and discrimination-free society.

Therefore, I once again would like to thank Representative Murt for bringing the milestone of this to the forefront and for recognizing that our country as a whole would not be as prosperous and as strong as it had been if it had not been for the Civil Rights Act of 1964, if we had not enacted it into law. And I would like to thank the House for voting unanimously for this resolution today, and again, I thank Representative Murt and my colleagues.

Thank you so much, Mr. Speaker.

The SPEAKER. The Speaker thanks the lady.

### STATEMENT BY MR. MIRABITO

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

Mr. MIRABITO. Thank you, Mr. Speaker.

Mr. Speaker, this Saturday, June 14, is Flag Day. When the Continental Congress established an official flag for our nation and passed the first Flag Act on June 14, 1777, they did so with the hope that this nation would live up to the profound meaning behind its design.

The flag is a symbol of liberty, freedom, and sacrifice. White signifies purity and innocence, red signifies hardiness and valor, and blue signifies vigilance, perseverance, and justice. These adjectives are more than just words. Rather, they form the foundation of the heart of our nation.

The celebration of Flag Day came about as a result of a teacher, B.J. Cigrand, from Wisconsin, who in 1885 had his students observe the 108th anniversary of the flag's official adoption, and it was citizen groups in Pennsylvania, New York, and Illinois who continued local celebrations for 30 years.

Finally, in 1916 President Wilson officially established Flag Day by proclamation. And while Flag Day is not an official Federal holiday, it remains an important day of reflection in our nation, a day when we celebrate our country's most inspirational symbol.

As members of the House of Representatives, we say the Pledge of Allegiance to the flag at the start of every legislative session. By doing so, we acknowledge the important symbolic value of the flag. I want to thank my colleagues for supporting HR 879 honoring the flag, and thank you for thinking about the deep meaning it has.

The SPEAKER. The Speaker thanks the gentleman.



**UNCONTESTED SUPPLEMENTAL CALENDAR A**

**RESOLUTION PURSUANT TO RULE 35**

Mr. B. BOYLE called up **HR 892, PN 3692**, entitled:

A Resolution expressing condolences to the people of Turkey and the families and friends of the miners who lost their lives in the tragic mine explosion in Soma, Turkey.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

**YEAS—197**

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

**NAYS—0**

**NOT VOTING—0**

**EXCUSED—6**

Hackett	McNeill	Santarsiero	White
Haggerty	Micozzie		

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

**CALENDAR**

**RESOLUTION PURSUANT TO RULE 35**

Mr. KAVULICH called up **HR 853, PN 3546**, entitled:

A Resolution celebrating the lives of Francis James Keenan and Jarod VonRueden and expressing condolences to their families upon their untimely and tragic passing.

On the question,  
Will the House adopt the resolution?

The SPEAKER. On that question, the Speaker recognizes the gentleman from Lackawanna County, Mr. Kavulich.

Mr. KAVULICH. Thank you, Mr. Speaker.

Mr. Speaker, the French Nobel Prize winner Anatole France once said, "To accomplish great things, you must not only act, but also dream. Not only plan, but also believe. Let the spirit of passion and possibility ignite a fire within you to do something worthwhile today, and do not forget to spread your enthusiasm to those around you."

Mr. Speaker, today we celebrate the life and accomplishments of two young men who lived those exact words. Francis James Keenan of Clarks Summit and Jarod VonRueden of Wisconsin, who passed away on December 31, 2013, after reaching the summit of Mount Aconcagua in the Andes Mountain range.

Today HR 853 recognizes not only their climbing successes but also their personal achievements. While they were taken from their families and friends much too soon, we also express our deepest sympathy to all who still mourn their losses.

Francis Keenan had many successful climbs, conquering Mount Rainier in Washington State, Mount Cotopaxi in Ecuador, Mount Cayambe in Ecuador, Mount Orizaba in Mexico, Mount Baker in Washington State, Mount Shasta in California, Mount Shuksan in Washington State, Mount Adams in Washington, and also Mount Chimborazo in Ecuador.

In addition to climbing, he was a Civil War history enthusiast who won National History Day regional, State, and national competitions for his participation in various Civil War reenactments. He devoted his time to assist with the Pennsylvania Gettysburg Monuments Project, having an essay on his grandfather's World War II exploits published as part of Tom Brokaw's book "Hometown Heroes." He participated in the National Leadership Forum on foreign intelligence at the invitation of Adm. William J. Crowe, and he attended Johns Hopkins University.

Jarod VonRueden was also a skilled climber who successfully climbed Alaska's Mount McKinley and various peaks in Ecuador.

## FAMILY INTRODUCED

Mr. KAVULICH. I also wish to again recognize the family of Francis James Keenan. They are here with us today to the left of the Speaker. I want to thank them and other members of their family in the back of the House who traveled here to honor Francis. Those in attendance include Francis's mother, Diane Lozinger-Keenan; his sisters, Candis Nesgoda and Diane Carson; his brother, Jeffrey Lozinger, and Jeffrey's wife, Noel; his uncle, Edmund Carr, and Edmund's wife, Darlene.

Mrs. Keenan made a special request that I offer the following remarks for the record and for the House on her behalf.

Mrs. Keenan states she wishes to express a special thanks to Francis's uncle, Edmund Carr, for all the love he had for Frank and for all he did to get the body of Frank back home. She said Frank loved and respected his uncle, Edmund Carr, throughout his life.

She also wanted to express a sincere thank-you to Frank's cousin, Robert Schmidt, for all that he had done for Frank, especially at Frank's service, and to longtime friend, Christine Blumenfeld, for all her support during this difficult time.

Mrs. Keenan also wanted to thank everyone in the Pennsylvania House of Representatives for this tribute to both men, who lost their lives in this tragic accident after summiting the 23,000-foot peak.

Mrs. Keenan wanted to finally state, and I quote, "May Francis and Jarod forever rest in peace. We will love and remember you both always." Frank's favorite saying was, quote, "Life's not the breaths you take, but the moments that take your breath away."

And our colleague here in the Pennsylvania House, Representative Harry Readshaw, also had a relationship with Francis, and he would like to make some remarks now as well. Mr. Speaker?

The SPEAKER. Has the gentleman concluded?

The question is, will the House adopt the resolution?

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

Mr. READSHAW. Thank you, Mr. Speaker.

I would like to share with the members and the family some excerpts from an article that I will be submitting to the Civil War News for publication, and these are not the article in entirety but just a few excerpts.

As a youngster, Francis James Keenan became an avid student of the Civil War, which led to his exceptional research and writing about the conflict and participation in reenacting. That included support for the Pennsylvania monuments at Gettysburg Project.

In 1998, at the age of 13, Frank was invited to address the State House session about the Civil War. You would not have believed he was just 13 years old. His presentation was fluent and it was elegant, and most impressive of all, he did it without a single note.

At his conclusion House members rose to give him a standing ovation, and he was presented with a legislative citation and recognition of his achievements. He was indeed an inspiration to the cause of remembrance and preservation, and I am personally glad this resolution will record how special he was and how he tackled every challenge with zeal. We have lost an exceptional young man, and our sympathy is extended to the entire family.

Just this morning as I greeted his mother, she presented me with a check for the Pennsylvania Monuments Project for the 107th Pennsylvania Monument, which Frank had adopted in 1998. He had raised funds to be dedicated to that monument, and on behalf of his mother, I will certainly see that the National Park Service receives that money that will be in Frank's remembrance and dedicated to the 107th Pennsylvania.

Thank you very much, Mr. Speaker.

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

The following roll call was recorded:

## YEAS—197

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

NAYS—0

NOT VOTING—0

## EXCUSED—6

Hackett            McNeill            Santarsiero            White  
Haggerty            Micozzie

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

**VOTE CORRECTION**

The SPEAKER. The lady from Bucks County, Ms. Quinn, is seeking recognition for the correction of the record.

Ms. QUINN. Yes. Thank you, Mr. Speaker.

Yesterday I was voted in the affirmative on HB 2106. I would like to correct the record and be recorded as a negative vote.

The SPEAKER. The lady's remarks will be noted in the record.

**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 an immediate meeting of the House Appropriations Committee in the majority caucus room. Thank you.

The SPEAKER. There will be an immediate meeting of the House Appropriations Committee in the majority caucus room.

**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 today at 1 p.m. I would ask our Republican members to please report to our caucus room at 1 o'clock. We would be prepared to come back on the floor at 3 p.m.

Thank you, Mr. Speaker.

**DEMOCRATIC CAUCUS**

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

Mr. FRANKEL. Thank you, Mr. Speaker.

Democrats will also caucus at 1 p.m. Democrats will caucus at 1 p.m. Thank you.

**RECESS**

The SPEAKER. This House stands in recess until 3 p.m., unless sooner recalled by the Speaker.

**RECESS EXTENDED**

The time of recess was extended until 3:15 p.m.; further extended until 3:30 p.m.; further extended until 4 p.m.

**AFTER RECESS**

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

**BILLS REREPORTED FROM COMMITTEE****HB 1340, PN 1729**

By Rep. ADOLPH

An Act designating a bridge carrying State Route 1008 known as Pompey Hill Road, over the Stonycreek River in Quemahoning and Stonycreek Townships, Somerset County, as the Private John W. Mostoller Bridge.

## APPROPRIATIONS.

**HB 1477, PN 2162**

By Rep. ADOLPH

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, in liquor and alcohol, further providing for interlocking business prohibited; in malt and brewed beverages, further providing for number and kinds of licenses allowed same licensee and for interlocking business prohibited; and, in distilleries, wineries, bonded warehouses, bailees for hire and transporters for hire, further providing for limited wineries.

## APPROPRIATIONS.

**HB 1733, PN 3689**

By Rep. ADOLPH

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in licensing of drivers, further providing for suspension of operating privilege; and, in miscellaneous provisions, further providing for the offense of homicide by vehicle while driving under influence.

## APPROPRIATIONS.

**SB 1115, PN 2114**

By Rep. ADOLPH

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, in educational assistance program, further providing for definitions and for amount of grants.

## APPROPRIATIONS.

**SB 1225, PN 1695**

By Rep. ADOLPH

An Act designating the McKeesport-Duquesne Bridge off-ramp, State Ramp 8086, leading to State Route 148 in the City of McKeesport, Allegheny County, as the Officer Frank Miller, Jr., Memorial Ramp.

## APPROPRIATIONS.

**LEAVE OF ABSENCE CANCELED**

The SPEAKER. The Speaker turns to leaves of absence and recognizes the presence of the gentleman, Mr. Santarsiero, from Bucks County on the floor of the House, as well as the gentleman from Lackawanna County, Mr. Haggerty. Without objection, their names will be added back to the roll call.

**ACTUARIAL NOTE**

The SPEAKER. The Speaker acknowledges receipt of the actuarial note for amendment No. 7447 to HB 1353, PN 2152, as amended by amendment No. 6917.

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

**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:

**SB 707, PN 712**

An Act amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, further providing for funds of volunteer firefighters' relief associations.

**SB 923, PN 1515**

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, further providing for military family relief assistance.

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

**CALENDAR CONTINUED****BILLS ON SECOND CONSIDERATION**

The House proceeded to second consideration of **HB 2264, PN 3648**, entitled:

An Act amending the act of July 10, 1984 (P.L.688, No.147), known as the Radiation Protection Act, in fees, further providing for nuclear facility and transport fees.

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 177, PN 2099**, entitled:

An Act establishing a task force on Lyme disease and related maladies; and providing for powers and duties of the task force, the Department of Health, the Department of Conservation and Natural Resources and the Pennsylvania Game Commission to execute surveillance, prevention and education strategies.

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 2242, PN 3627**, entitled:

An Act amending the act of December 20, 1985 (P.L.457, No.112), known as the Medical Practice Act of 1985, further providing for definitions and for prosthetists, orthotists, pedorthists and orthotic fitters.

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

Ms. **TOOHIL** offered the following amendment **No. A07355**:

Amend Bill, page 4, line 1, by striking out "MAY" and inserting shall

Amend Bill, page 5, lines 20 through 22, by striking out "COMPLIES WITH" in line 20 and all of lines 21 and 22 and inserting an individual who holds a national certification as a prosthetist

Amend Bill, page 5, lines 25 through 30; page 6, line 1, by striking out all of said lines on said pages

Amend Bill, page 6, by inserting between lines 11 and 12

(iii) Has been dispensing over-the-counter prostheses, orthoses or pedorthic devices for two consecutive years occurring within the five years immediately prior to the effective date of this section.

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

The SPEAKER. On that question, the Speaker recognizes the lady, Ms. Toohil.

Ms. TOOHIL. Thank you, Mr. Speaker.

This is an agreed-to amendment. It will move durable medical equipment providers, referred to as "DMEs," who have 2 years of experience to the pedorthists or orthotic fitters licensure. These are the lower level licenses which are appropriate for the dispensing of diabetic shoes and inserts.

Additionally, it removes language which could result in the licenses being issued under Act 90 becoming void.

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

The following roll call was recorded:

**YEAS—199**

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

Brown, V.	Gergely	Marsico	Sainato
Brownlee	Gibbons	Masser	Samuelson
Burns	Gillen	Matzie	Sankey
Caltagirone	Gillespie	McCarter	Santarsiero
Carroll	Gingrich	McGeehan	Saylor
Causser	Godshall	McGinnis	Scavello
Christiana	Goodman	Mentzer	Schlossberg
Clay	Greiner	Metcalfe	Schreiber
Clymer	Grell	Metzgar	Simmons
Cohen	Grove	Miccarelli	Sims
Conklin	Haggerty	Millard	Smith
Corbin	Hahn	Miller, D.	Snyder
Costa, D.	Haluska	Miller, R.	Sonney
Costa, P.	Hanna	Milne	Stephens
Cox	Harhai	Mirabito	Stern
Cruz	Harhart	Miranda	Stevenson
Culver	Harkins	Molchany	Sturla
Cutler	Harper	Moul	Swanger
Daley, M.	Harris, A.	Mullery	Tallman
Daley, P.	Harris, J.	Mundy	Taylor
Davidson	Heffley	Murt	Thomas
Davis	Helm	Mustio	Tobash
Day	Hennessey	Neilson	Toepel
Dean	Hickernell	Neuman	Toohil
Deasy	James	O'Brien	Topper
DeLissio	Kampf	O'Neill	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	Wheatley
Dunbar	Kim	Petrarca	Youngblood
Ellis	Kinsey	Petri	

NAYS—0

NOT VOTING—0

EXCUSED—4

Hackett	McNeill	Micozzie	White
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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?

The SPEAKER. On that question, the Speaker recognizes the lady from Luzerne County, Ms. Toohil— Are you offering this?

Rescind that. The second amendment has been withdrawn.

On the question recurring,

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

Bill as amended was agreed to.

(Bill as amended will be reprinted.)

\* \* \*

The House proceeded to second consideration of **HB 2167, PN 3634**, entitled:

An Act amending the act of December 22, 2005 (P.L.474, No.94), known as the Breach of Personal Information Notification Act, further providing for notification of breach.

On the question,

Will the House agree to the bill on second consideration?

Mr. **MARSICO** offered the following amendment No. **A07423**:

Amend Bill, page 2, line 21, by inserting after "agencies" under the Governor's jurisdiction

On the question,

Will the House agree to the amendment?

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

Mr. MARSICO. Thank you, Mr. Speaker.

This amendment narrows the effect of the data storage policy to be developed by the Office of Administration to affect only those State agencies under the Governor's jurisdiction. I would ask for a positive vote.

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

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

Mr. CALTAGIRONE. Thank you, Mr. Speaker.

I would urge the members to support this amendment. It is agreed to. Thank you.

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

Those in favor— Excuse me. I apologize.

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

Mrs. SWANGER. Thank you, Mr. Speaker.

This is an agreed-to amendment, and I would urge all my colleagues to vote in favor. Thank you.

The SPEAKER. The Speaker thanks the lady.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—199

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

Briggs	Gabler	Maloney	Rozzi
Brooks	Gainey	Markosek	Sabatina
Brown, R.	Galloway	Marshall	Saccone
Brown, V.	Gergely	Marsico	Sainato
Brownlee	Gibbons	Masser	Samuelson
Burns	Gillen	Matzie	Sankey
Caltagirone	Gillespie	McCarter	Santarsiero
Carroll	Gingrich	McGeehan	Saylor
Causer	Godshall	McGinnis	Scavello
Christiana	Goodman	Mentzer	Schlossberg
Clay	Greiner	Metcalfe	Schreiber
Clymer	Grell	Metzgar	Simmons
Cohen	Grove	Miccarelli	Sims
Conklin	Haggerty	Millard	Smith
Corbin	Hahn	Miller, D.	Snyder
Costa, D.	Haluska	Miller, R.	Sonney
Costa, P.	Hanna	Milne	Stephens
Cox	Harhai	Mirabito	Stern
Cruz	Harhart	Miranda	Stevenson
Culver	Harkins	Molchany	Sturla
Cutler	Harper	Moul	Swanger
Daley, M.	Harris, A.	Mullery	Tallman
Daley, P.	Harris, J.	Mundy	Taylor
Davidson	Heffley	Murt	Thomas
Davis	Helm	Mustio	Tobash
Day	Hennessey	Neilson	Toepel
Dean	Hickernell	Neuman	Toohil
Deasy	James	O'Brien	Topper
DeLissio	Kampf	O'Neill	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	Wheatley
Dunbar	Kim	Petrarca	Youngblood
Ellis	Kinsey	Petri	

NAYS-0

NOT VOTING-0

EXCUSED-4

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

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

(Bill as amended will be reprinted.)

\* \* \*

The House proceeded to second consideration of **HB 1747, PN 2555**, entitled:

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, further providing for definitions, for sales by liquor licensees and restrictions, for retail dispensers' restrictions on purchases and sales, for breweries and for unlawful acts relative to liquor, malt and brewed beverages and licensees.

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

The SPEAKER. For the information of the members, the information provided to the Speaker says that the amendments have been withdrawn.

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

**BILL ON THIRD CONSIDERATION**

The House proceeded to third consideration of **SB 703, PN 708**, entitled:

An Act amending the act of July 3, 1947 (P.L.1242, No.507), entitled "An act relating to police and firemen's pension funds in cities of the second class A, and directing such cities to appropriate certain moneys thereto, and requiring reports and audits," further providing for credit for military service.

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-199**

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

Costa, D.	Haluska	Miller, R.	Sonney
Costa, P.	Hanna	Milne	Stephens
Cox	Harhai	Mirabito	Stern
Cruz	Harhart	Miranda	Stevenson
Culver	Harkins	Molchany	Sturla
Cutler	Harper	Moul	Swanger
Daley, M.	Harris, A.	Mullery	Tallman
Daley, P.	Harris, J.	Mundy	Taylor
Davidson	Heffley	Murt	Thomas
Davis	Helm	Mustio	Tobash
Day	Hennessey	Neilson	Toepel
Dean	Hickernell	Neuman	Toohil
Deasy	James	O'Brien	Topper
DeLissio	Kampf	O'Neill	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	Wheatley
Dunbar	Kim	Petrarca	Youngblood
Ellis	Kinsey	Petri	

NAYS—0

NOT VOTING—0

EXCUSED—4

Hackett	McNeill	Micozzie	White
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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 without amendment.

## SUPPLEMENTAL CALENDAR B

### BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1733, PN 3689**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in licensing of drivers, further providing for suspension of operating privilege; and, in miscellaneous provisions, further providing for the offense of homicide by vehicle while driving under influence.

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

Mr. VITALI. Would the maker stand for brief interrogation?

The SPEAKER. The gentleman, Mr. Moul, indicates he will stand for interrogation.

Mr. VITALI. Just wanted to—

The SPEAKER. Just pause one minute. The gentleman, Mr. Vitali, will pause one minute.

I would appreciate if the members would kindly hold the conversations down. Especially with interrogation, it is sometimes hard to hear. Please hold the conversations down. Thank you.

The gentleman, Mr. Vitali, may proceed with interrogation.

Mr. VITALI. Could you just give a brief explanation of what the bill does particularly with regard to the mandatory sentencing provisions?

Mr. MOUL. Yes, Mr. Speaker.

The gist of the bill is that if you have a previous DUI (driving under the influence) and you are involved in a fatality that you caused because you are driving under the influence, instead of a 3-year mandatory minimum, you will serve a 5-year mandatory minimum because it is your second DUI.

You did not learn your lesson the first time. Three years is not enough. If you did not learn your lesson the first time, you kill somebody and your DUI – second time, it is mandatory 5 years with this bill.

I lost a very valuable person in my district because of this exact situation. The family asked me to do something. This is the very least I could do for them.

Mr. VITALI. Okay. I am trying— Could this be a situation, for example – I want to make sure I have the right legislation straight. Let us say, in each of these DUIs, is this the bill where each of these DUIs are run consecutively as opposed to concurrently? Do I have the right bill? Do they run consecutively, the DUIs? In other words—

Mr. MOUL. I am not sure I understand your question, Mr. Speaker.

Mr. VITALI. Let me just maybe give you a fact scenario. Let us say a father is driving his wife and two kids home from a wedding or some other festival, and he did in fact in his youth have another DUI. Now he hits a telephone pole and his family is killed – three people killed. In this case, would the dad be subject to a mandatory 15 years in jail in that situation?

Mr. MOUL. Absolutely.

Mr. VITALI. Okay.

Mr. MOUL. He would serve 5 years for each one consecutively.

Mr. VITALI. Got you. Okay.

Mr. MOUL. Right now it would be 3 years for each one consecutively. We are just raising that by 2 years to 5 years for each one consecutively because this would be his second or more DUI.

Mr. VITALI. Got it. Okay. That concludes my interrogation. If I could just speak on the bill.

Mr. MOUL. Thank you, Mr. Speaker.

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

Mr. VITALI. Right. First of all, no doubt you are taking on a very important issue and I salute you for that. Drunk driving is a very serious matter, has to be cracked down on. People who drive while intoxicated need to be punished severely, and people who not only drive drunk but do grievous damage have to be punished seriously. No doubt about it.

My only concern with this bill is, again, not to be a broken record, but the ability – taking the ability away from a good judge who wants to do the right thing from being able to administer justice.

I would submit to you that if we had this situation where you have a wanton person who viciously kills others and, you know, 15 years without batting an eye is an appropriate sentence. A judge should give him more than that. But maybe in the fact scenario we just described or maybe more likely a teenager driving his friends home from senior week or something like that gets into this one-car accident scenario where he is, you know— Frankly, what that person has to live with the rest of their lives – and I know people like that, too, who have killed while driving, and believe me, just the fact that they have done that is a fairly incredible punishment.

But again the issue of, in that particular circumstance, where you are a teenager and/or a young adult and you kill a bunch of friends in a one-car accident and, you know, saying you have to go in that situation to jail for 10 years or 15 years, you know, I just think that it is too much, and that is a judgment call for all of us to make, but I just think in this scenario maybe just too much. I think running them consecutive might be too much. Five years per might be too much.

I just think it might be – should be a judge in each of those cases to think about that. And then there is the economic arguments we have talked about – \$30,000 a year each year you incarcerate someone, limited cell space, Pennsylvania shipping out its criminals to other States because they cannot afford, our bursting corrections budget which is taking away money from schools and all that. I think we just need to be a little more smart with the way we sentence.

I sympathize with you wanting to, you know, let your friend know that you are thinking of them, but I just have concerns with this. Thank you, Mr. Speaker.

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

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

Mr. MOUL. Thank you, Mr. Speaker.

Let me just answer a few of the statements that have been made.

First of all, especially with juveniles under 21, the prosecutor has the discretion as to whether he wants to make a deal before it even goes in front of a judge. If it does go in front of a judge, if it is your second DUI and you take lives – a life or lives, when you say that 15 years for killing three people while you are drunk driving might be too much, put yourself in the shoes of the family, and they are going to live the rest of their lives without their mother, their children, their family, whoever it might be that are involved in that crash. I would say 15 years for killing three people on DUI, you got off very easy, Mr. Speaker.

We set mandatory minimums and guidelines for judges to follow all the time. That is what we do here. We have a situation where people do not learn their lesson when they are driving drunk, when they have a DUI, and then they go out and subsequently have another DUI fatality, they did not learn their lesson.

I say let us pass this bill, raise the mandatory minimum by 2 years for each of the fatalities, and let us make some good come out of something that is really, really bad that has happened in the past.

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—193

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

NAYS—6

Evans	McCarter	Vitali	Wheatley
Haluska	Mundy		

NOT VOTING—0

EXCUSED—4

Hackett	McNeill	Micozzie	White
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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 1477, PN 2162**, entitled:

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, in liquor and alcohol, further providing for interlocking business prohibited; in malt and brewed beverages, further providing for number and kinds of licenses allowed same licensee and for interlocking business prohibited; and, in distilleries, wineries, bonded warehouses, bailees for hire and transporters for hire, further providing for limited wineries.

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—199

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

NAYS—0

NOT VOTING—0

EXCUSED—4

Hackett	McNeill	Micozzie	White
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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 1340, PN 1729**, entitled:

An Act designating a bridge carrying State Route 1008 known as Pompey Hill Road, over the Stonycreek River in Quemahoning and Stonycreek Townships, Somerset County, as the Private John W. Mostoller Bridge.

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—199

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

Christiana	Goodman	Mentzer	Schlossberg
Clay	Greiner	Metcalfe	Schreiber
Clymer	Grell	Metzgar	Simmons
Cohen	Grove	Miccarelli	Sims
Conklin	Haggerty	Millard	Smith
Corbin	Hahn	Miller, D.	Snyder
Costa, D.	Haluska	Miller, R.	Sonney
Costa, P.	Hanna	Milne	Stephens
Cox	Harhai	Mirabito	Stern
Cruz	Harhart	Miranda	Stevenson
Culver	Harkins	Molchany	Sturla
Cutler	Harper	Moul	Swanger
Daley, M.	Harris, A.	Mullery	Tallman
Daley, P.	Harris, J.	Mundy	Taylor
Davidson	Heffley	Murt	Thomas
Davis	Helm	Mustio	Tobash
Day	Hennessey	Neilson	Toepel
Dean	Hickernell	Neuman	Toohil
Deasy	James	O'Brien	Topper
DeLissio	Kampf	O'Neill	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	Wheatley
Dunbar	Kim	Petrarca	Youngblood
Ellis	Kinsey	Petri	

NAYS—0

NOT VOTING—0

EXCUSED—4

Hackett	McNeill	Micozzie	White
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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 **SB 1225, PN 1695**, entitled:

An Act designating the McKeesport-Duquesne Bridge off-ramp, State Ramp 8086, leading to State Route 148 in the City of McKeesport, Allegheny County, as the Officer Frank Miller, Jr., Memorial Ramp.

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—199

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

NAYS—0

NOT VOTING—0

EXCUSED—4

Hackett	McNeill	Micozzie	White
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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 without amendment.

\* \* \*

The House proceeded to third consideration of **SB 1115, PN 2114**, entitled:

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, in educational assistance program, further providing for definitions and for amount of grants.

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—199

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

NAYS—0

NOT VOTING—0

EXCUSED—4

Hackett	McNeill	Micozzie	White
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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.

CALENDAR CONTINUED

BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 1822, PN 3649**, entitled:

An Act amending the act of September 27, 1961 (P.L.1700, No.699), known as the Pharmacy Act, providing for nonresident pharmacies.

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

Mr. **DeLUCA** offered the following amendment  
No. **A07408**:

Amend Bill, page 1, line 6, by striking out all of said line and inserting  
further providing for definitions; providing for registration and permits for pharmacy technicians and for certain regulations; further providing for multiple licensure, for permit to conduct a pharmacy; providing for nonresident pharmacies; and further providing for refusal to grant, revocation and suspension, for State Board of Pharmacy, for hearings and suspensions and for injunction.

Amend Bill, page 1, line 11, by striking out "a clause" and inserting  
clauses

Amend Bill, page 1, by inserting between lines 12 and 13  
\* \* \*

(10.1) "Pharmacy technician" means an individual who is registered by the Sate Board of Pharmacy under section 2.1 to assist in the practice of pharmacy.

(10.2) "Pharmacy technician trainee" means an individual who holds a temporary permit issued by the State Board of Pharmacy under section 2.1.

(10.3) "Direct and personal supervision of a pharmacist" means:  
(i) review by the pharmacist of the prescription or drug order prior to dispensing;

(ii) verification by the pharmacist of the final product; and  
(iii) availability of the pharmacist on the premises to direct the work of the supervised individual and to respond to questions or problems.

Amend Bill, page 1, by inserting between lines 17 and 18 Section 2. The act is amended by adding sections to read:

Section 2.1. Registration and Permits for Pharmacy

Technicians.—(a) The board may register as a pharmacy technician a person who:

(1) Pays an application fee prescribed by the board through regulation.

(2) Files an application for registration, subscribed by the individual under oath or affirmation, containing information the board requires.

(3) Except as set forth in subsection (b), complies with all of the following:

(i) Is not less than eighteen years of age and is a legal resident of the United States.

(ii) Has a high school diploma or its equivalent.

(iii) Has satisfied the board that the applicant is of good moral character and is not unfit or unable to practice as a pharmacy technician by reason of the extent or manner of the applicant's use of alcoholic beverages or controlled substances or by reason of a physical or mental disability.

(iv) has completed a pharmacy technician training program approved by the board.

(v) Has received certification from a nationally recognized certifying agency approved by the board.

(vi) Has successfully completed an examination approved by the board and administered in accordance with the requirements set forth in

section 812.1(a) of the act of April 9, 1929 (P.L.

177, No.175), known as "The Administrative Code of 1929."

(vii) Has not been convicted of a felonious act prohibited by the act of April 14, 1972 (P.L.233, No.64), known as "The Controlled Substance, Drug, Device and Cosmetic Act," or convicted of a felony relating to a controlled substance in a court of law of the United States or any other state, territory or country unless:

(A) at least ten years have elapsed from the date of conviction; and

(B) the applicant satisfactorily demonstrates to the board that the applicant has made significant progress in personal rehabilitation since the conviction such that licensure of the applicant should not be expected to create a substantial risk of harm to the health and safety of patients or the public or a substantial risk of further criminal violations.

As used in this clause, the term "convicted" shall include a judgment, an admission of guilt or a plea of nolo contendere. An applicant's statement on the application declaring the absence of a conviction shall be deemed satisfactory evidence of the absence of a conviction, unless the board has some evidence to the contrary.

(b) The following exceptions shall apply:

(1) Notwithstanding subsection (a)(3)(iv) and (v), the board shall register all of the following:

(i) An individual who, at the time of filing an application, has proof of registration, certification or licensure or its equivalent as a pharmacy technician in another state, territory or possession of the United States that has registration, certification, licensure or equivalent requirements comparable to those set forth in this section and regulations of the board.

(ii) An individual who:

(A) applies for registration within two years after the effective date of this section; and

(B) on the effective date of this section maintains a current certification by a nationally recognized pharmacy technician association.

(2) Notwithstanding subsection (a)(3)(ii), (iv) and (v), the board shall issue registration to an individual who:

(i) Has been employed as a pharmacy technician for a minimum of two thousand hours during the three years immediately preceding the enactment of this act.

(ii) Demonstrates to the satisfaction of the board proof of practice as a pharmacy technician for at least two thousand hours immediately prior to the date of application.

(c) A registration shall authorize the registrant to assist in the practice of pharmacy under the direct and personal supervision of a pharmacist.

(d) A registration is subject to biennial renewal. The board shall establish by regulation a fee for renewal.

(e) No person is required to be registered as a pharmacy technician under this section until two years after the board has promulgated regulations under section 2.2.

(f) The following apply to pharmacy technician trainees:

(1) The board may issue a temporary permit to practice as a pharmacy technician trainee to an applicant who is seventeen years of age or older and meets the requirements of subsection (a)(3)(ii) and (iii) and complies with the following:

(i) The applicant is a student enrolled in a board-approved pharmacy technician training program and as part of the program may be required to serve an externship or internship.

(ii) The individual is employed by a pharmacy and participates in a board-approved pharmacy technician training program that may include an externship or internship program.

(2) A temporary practice permit shall be issued for one year and may be extended for a single six-month period upon verification to the satisfaction of the board that the trainee has completed the board-approved training program.

(3) A temporary permit shall not be reissued.

(4) A temporary permit shall authorize the permittee to perform the duties of a pharmacy technician under the direct and personal supervision of a pharmacist.

(g) A pharmacy technician shall wear a name tag that clearly identifies the temporary permit holder with the title "pharmacy technician trainee."

(h) This section shall not apply to a student who is enrolled in an accredited school of pharmacy and who is in good standing.

Section 2.2. Certain regulations and enforcement.—The board shall promulgate regulations to implement the addition of section 2.1 within eighteen months of the effective date of this section. The addition of section 2.1 shall not be enforceable by the board until the publication of final regulations.

Section 3. Section 3.2 of the act, added December 20, 1985 (P.L.433, No.111), is amended to read:

Section 3.2. Reporting of Multiple Licensure, Registration or its Equivalent.—Any [licensed] pharmacist or pharmacy technician in this Commonwealth who is also registered, certified or licensed [to practice pharmacy] in any other state, territory or country shall report this information to the board on the biennial registration application. Any disciplinary action taken in other states, territories and countries shall be reported to the board on the biennial registration application or within ninety days of final disposition, whichever is sooner. Multiple registration, certification or licensure shall be noted by the board on the [pharmacist's] licensee's or registrant's record, and such state, territory or country shall be notified by the board of any disciplinary actions taken against [said pharmacist] that licensee or registrant in this Commonwealth.

Amend Bill, page 1, line 18, by striking out "2" and inserting 4

Amend Bill, page 2, line 13, by striking out "3" and inserting 5

Amend Bill, page 5, lines 10 through 13, by striking out all of said lines and inserting

Section 6. Section 5(c) of the act, amended December 20, 1985 (P.L.433, No.111), is amended, subsection (b) is amended by adding a clause and the section is amended by adding a subsection to read:

Section 5. Refusal to Grant, Revocation and Suspension.—\* \* \*

(a.1) The board shall have the power to refuse, revoke or suspend the registration of any pharmacy technician upon proof satisfactory to it that the pharmacy technician has done any of the following:

(1) Procured a personal registration through fraud, misrepresentation or deceit.

(2) Has been found guilty, pleaded guilty, entered a plea of nolo contendere, or has received probation without verdict, disposition in lieu of trial or an Accelerated Rehabilitation Disposition in the disposition of felony charges, to any offense in connection with the practice of pharmacy or any offense involving moral turpitude before any court of record of any jurisdiction.

(3) Is unfit to practice as a pharmacy technician because of intemperance in the use of alcoholic beverages, controlled substances or any other substance which impairs the intellect and judgment to such an extent as to impair the performance of professional duties.

(4) Is unfit or unable to practice as a pharmacy technician by reason of a physical or mental disease or disability. In enforcing this clause, the board shall, upon probable cause, have authority to compel a pharmacy technician to submit to a mental or physical examination by physicians or psychologists approved by the board. Failure of a pharmacy technician to submit to an examination when directed by the board, unless due to circumstances beyond the pharmacy technician's control, shall constitute an admission of the allegations against the pharmacy technician, consequent upon which a default and final order may be entered without the taking of testimony or presentation of evidence. A pharmacy technician affected under this clause shall at reasonable intervals be afforded an opportunity to demonstrate the ability to resume a competent practice as a pharmacy technician with reasonable skill and safety to patients.

(5) Has had a registration, certification or license to practice as a pharmacy technician denied, revoked or suspended by an appropriate pharmacy technician registration, certification or licensing authority or has received disciplinary action from an appropriate pharmacy technician registration, certification or licensing authority.

(6) Has acted in such a manner as to present an immediate and clear danger to the public health or safety.

(7) Is guilty of incompetence, gross negligence or other malpractice, or the departure from, or failure to conform to, the standards of acceptable and prevailing pharmacy technician practice, in which case actual injury need not be established.

Amend Bill, page 5, lines 22 and 23, by striking out all of said lines and inserting

(c) When the board finds that the registration, certification or license [of any pharmacist] may be refused, revoked or suspended under the terms of subsection (a) or (a.1), the board may:

(1) Deny the application for a registration, certification or license.

(2) Administer a public reprimand.

(3) Revoke, suspend, limit or otherwise restrict a registration, certification or license as determined by the board.

(4) Require a licensee to submit to the care, counseling or treatment of a physician or a psychologist designated by the board. This clause does not apply to a pharmacy technician.

(5) Suspend enforcement of its finding thereof and place a licensee on probation with the right to vacate the probationary order for noncompliance.

(6) Restore or reissue, in its discretion, a suspended license [to practice pharmacy] or registration and impose any disciplinary or corrective measure which it might originally have imposed.

\* \* \*

Section 7. Section 6(k) of the act, amended December 20, 1985 (P.L.433, No.111), is amended to read:

Section 6. State Board of Pharmacy.—\* \* \*

(k) The board shall have the power, and it shall be its duty:

(1) To regulate the practice of pharmacy and of pharmacy technicians;

(2) To determine the nature of examinations for all applicants for [pharmacists'] licenses;

(3) To examine, inspect and investigate all applications and all applicants for licensure as pharmacists, pharmacies or registration as pharmacy interns and pharmacy technicians, and to grant certificates of licensure or registration to all applicants whom it shall judge to be properly qualified;

(4) With the approval of the Commissioner of Professional and Occupational Affairs, to prepare position descriptions, employ inspectors who shall be licensed pharmacists and employ appropriate consultants to assist it for any purposes which it may deem necessary, provided that the board may not delegate any of its final decisionmaking responsibilities to any consultant;

(5) To investigate or cause to be investigated all violations of the provisions of this act and its regulations and to cause prosecutions to be instituted in the courts upon advice from the Attorney General;

(6) To make or order inspections of all pharmacies, except health care facilities, as defined in the act of July 19, 1979 (P.L.130, No.48), known as the "Health Care Facilities Act," and which are periodically inspected by the Department of Health in accordance with the standards in this act and the board's regulations promulgated thereto: Provided, That the Department of Health shall forward a copy of their inspection report to the board noting any violations of the act: And, provided further, That, if a violation is reported, the board shall have the power to inspect such pharmacies and take appropriate action as specified in this act; and to make or order inspections of other places in which drugs or devices are stored, held, compounded, dispensed or sold to a consumer, to take and analyze any drugs or devices and to seize and condemn any drugs or devices which are adulterated, misbranded or stored, held, dispensed, distributed or compounded in violation of the provisions of this act or the provisions of the act of April 14, 1972 (P.L.233, No.

64), known as "The Controlled Substance, Drug, Device and Cosmetic Act";

(7) To conduct hearings for the revocation or suspension of licenses, permits or registrations, for which hearings the board shall have the power to subpoena witnesses;

(8) To assist the regularly constituted enforcement agencies of this Commonwealth in enforcing all laws pertaining to drugs, controlled substances, and practice of pharmacy;

(8.1) To approve programs for the training of pharmacy technicians; and

(9) To promulgate rules and regulations to effectuate the purposes of this act and to regulate the distribution of drugs and devices and the practice of pharmacy for the protection and promotion of the public health, safety and welfare.

\* \* \*

Section 8. Section 7 of the act is amended by adding a subsection to read:

Section 7. Hearings and Suspensions.—\* \* \*

(e) Notwithstanding any other provision, subsections (d.3), (d.4), (d.5), (d.6), (d.7) and (d.8) shall not apply to pharmacy technicians, except as those subsections relate to the professional health monitoring program.

Section 9. Section 8.1 of the act, added December 20, 1985 (P.L.433, No.111), is amended to read:

Section 8.1. Injunction.—It shall be unlawful for any person to practice or attempt to offer to practice pharmacy or as a pharmacy technician, as defined in this act, without having at the time of so doing a valid, unexpired, unrevoked and unsuspended license or registration issued under this act. The unlawful practice of pharmacy as defined in this act may be enjoined by the courts on petition of the board or the Commissioner of Professional and Occupational Affairs. In any such proceeding it shall not be necessary to show that any person is individually injured by the actions complained of. If it is found that the respondent has engaged in the unlawful practice of pharmacy, the court shall enjoin him or her from so practicing unless and until he or she has been duly licensed. Procedure in such cases shall be the same as in any other injunction suit. The remedy by injunction hereby given is in addition to any other civil or criminal prosecution and punishment.

Section 20. This act shall take effect in 60 days.

On the question,

Will the House agree to the amendment?

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

Mr. DeLUCA. Thank you, Mr. Speaker.

Mr. Speaker, amendment 07408 is a bill that we passed twice in this House of Representatives, working along with a former colleague of ours, Representative Civera, who used to be the chairman of the Professional Licensure Committee. It was a bill that passed 153 to 33. It had bipartisan support. Myself, Representative Civera, and Representative Micozzie worked on this piece of legislation for over 8 years before we brought it up here, tried to get all the parties together, and we thought we came up with a good compromise. But unfortunately, going over to the Senate, for one reason or another, they never brought it up. So once again I would hope that we would put this amendment in this bill, and maybe the third time would be the charm. What we are doing is trying to protect the citizens of Pennsylvania. Right now there are no regulations that require pharmacy technicians to be registered with the Board of Pharmacy.

In 2008 there were 326,000 pharmacy techs in the United States. That is the last figure we could get. In 2008 there were over 15,000 in Pennsylvania. Let me say that the reason this was brought to my attention years ago, we almost had a catastrophe back in my district where a lady came in to see me and her mother was given the wrong dosage of a prescription that was filled in a drugstore. Thank God they caught it or it could have been very dire consequences for her loved one.

What this amendment does is require that a person be 18 years of age and a legal resident of the United States. Also, they must have a high school diploma or equivalent. Right now you do not need that. Right now to be a pharmacy technician, you can go into any of these pharmacy programs that the pharmacies have. In 4 to 6 weeks, they will give you their own certificate. It also has to satisfy the board that the applicant is of good moral character and is not unfit or unable to practice as a pharmacy technician by reason of the extent or manner of the applicant's use of alcoholic beverages or controlled substances or by any reason of a physical or mental disability, has completed a pharmacy technician training program approved by the board, has received certification from a nationally recognized certifying agency approved by the board, has not been convicted of a felonious act prohibited by the Controlled Substance, Drug, Device and Cosmetic Act, or convicted of a felony relating to a controlled substance in any other State or country.

There are exceptions: an individual who, at the time of filing an application, has proof of registration, certification, or licensure, or its equivalent as a pharmacy technician in another state that has registration, certification, licensure, or equivalent requirements comparable to Pennsylvania, or an individual who has current certification by a nationally recognized pharmacy technician association. There also is a grandfather clause for individuals who have been pharmacy technicians for 3 years immediately or has 2,000 hours before the enactment of this provision.

Let me say, Mr. Speaker, right now there are no provisions. Pharmacy technicians have to be supervised by a pharmacist. Other States require a ratio. Some, one pharmacist to two techs. Some, one pharmacist for four techs. In Pennsylvania we could have a pharmacist who is supervising 10 technicians. There is no way that an individual pharmacist can possibly check every one of those prescriptions before it goes out, which they are

required to do. Now, we have passed legislation to try to curtail hospital infection rates. Pharmaceuticals are another avenue that not only cost us lives but cost us money in health care. We register beauticians. We register barbers. We register other professions, but people who are filling prescriptions in our neighborhoods and our communities do not have to have – are not required to be registered by the Commonwealth of Pennsylvania. I find that outrageous.

Secondly, 43 States have some type of registration. It is about time that Pennsylvania join the other 43 and have some type of legislation registration for pharmacy technicians that are growing more and more over the years. I would ask for an affirmative 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 Franklin County, Mr. Kauffman.

Mr. KAUFFMAN. Thank you, Mr. Speaker.

And I thank the speaker for his very thorough discussion of the amendment and the issue, and I appreciate his passion on that.

### GERMANENESS QUESTIONED

Mr. KAUFFMAN. But I rise today to raise the question of germaneness of A07408 to HB 1822. The underlying bill, the subject—

The SPEAKER. The gentleman will suspend.

I believe the gentleman has raised the question of germaneness. I need to pose that question to the House.

Mr. KAUFFMAN. Yes, sir.

The SPEAKER. Pause one minute.

The gentleman from Franklin County, Mr. Kauffman, has raised the question as to whether amendment A07408 is germane. Under House rule 27, questions involving whether an amendment is germane to the subject shall be decided by the House.

On the question,

Will the House sustain the germaneness of the amendment?

The SPEAKER. On that question, I now recognize the gentleman from Franklin, Mr. Kauffman.

Mr. KAUFFMAN. Thank you, Mr. Speaker.

The underlying bill here deals with out-of-State pharmacies. Although, you know, I appreciate the issue that is being explained here through this amendment, it is an entirely new subject. It does not deal with anything in the underlying bill. It does not amend anything in the underlying bill. It starts to deal with a new subject of licensing pharmacy techs within Commonwealth pharmacies. And thus, it does not bear any reference to the underlying bill, HB 1822. So therefore, I think it is very simply not germane. It may be a great issue for its own freestanding bill as it has in the past, but it does not belong in HB 1822.

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

Mr. DeLUCA. Mr. Speaker, I disagree with my colleague on the other side there. What we are doing, you are registering an out-of-State pharmacy with the Board of Pharmacy, if I am

correct, what the bill does. We are doing the same thing with technicians. We are requiring pharmacy technicians to be registered with the Board of Pharmacy. I do not know how germane it can be. We are both doing the same thing in the same subject, the Board of Pharmacy. You are regulating out-of-State pharmacies with the Board of Pharmacy. We are registering technicians with the Board of Pharmacy. How could they not be germane?

Mr. Speaker, I oppose the amendment because— I would ask for a germane vote because this is germane to the subject.

The SPEAKER. On the question of germaneness, those who believe the amendment is germane will vote "aye"; those who believe the amendment is not germane will vote "no."

On the question recurring,  
Will the House sustain the germaneness of the amendment?

The following roll call was recorded:

**YEAS—91**

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

**NAYS—108**

Adolph	Fleck	Mackenzie	Reed
Aument	Gabler	Maher	Reese
Baker	Gillen	Major	Regan
Barrar	Gillespie	Maloney	Roe
Benninghoff	Gingrich	Marshall	Rock
Bloom	Godshall	Marsico	Ross
Boback	Greiner	Masser	Saccone
Brooks	Grell	McGinnis	Sankey
Brown, R.	Grove	Mentzer	Saylor
Causar	Hahn	Metcalfe	Scavello
Christiana	Harhart	Metzgar	Simmons
Clymer	Harper	Miccarelli	Smith
Corbin	Harris, A.	Millard	Sonney
Cox	Heffley	Miller, R.	Stephens
Culver	Helm	Milne	Stern
Cutler	Hennessey	Moul	Stevenson
Day	Hickernell	Murt	Swanger
Delozier	James	Mustio	Tallman
Denlinger	Kampf	O'Neill	Taylor
DiGirolo	Kauffman	Oberlander	Tobash
Dunbar	Keller, F.	Payne	Toepel
Ellis	Keller, M.K.	Peifer	Toohil
Emrick	Killion	Petri	Topper
Evankovich	Knowles	Pickett	Truitt
Everett	Krieger	Pyle	Turzai

Farry	Lawrence	Quinn	Vereb
Fee	Lucas	Rapp	Watson

NOT VOTING—0

EXCUSED—4

Hackett	McNeill	Micozzie	White
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Less than the majority having voted in the affirmative, the question was determined in the negative and the amendment was declared not germane.

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

The SPEAKER. The House will come to order.

**STATEMENT BY MR. DERMODY**

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

Mr. DERMODY. Thank you, Mr. Speaker.

Mr. Speaker, I would like to note a very special milestone today that we are celebrating. I would like to note that today is the 40th anniversary of Mark Cohen's service in the House of Representatives. He is beginning his 41st year.

Mr. Speaker, that is the second longest serving Representative in the history of the Commonwealth. Thank you, Mr. Speaker.

The SPEAKER. The Speaker thanks the gentleman.

**BILLS RECOMMITTED**

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

- HB 1747;
- HB 1822;
- HB 2167;
- HB 2242;
- HB 2264; and
- SB 177.

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 623;
- SB 771;
- SB 1090; and
- SB 1102.

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 HB 2089 and HB 2091 be removed from the tabled calendar and placed on the active calendar.

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

### **BILLS TABLED**

The SPEAKER. The Speaker recognizes the majority leader, who moves that HB 2089 and HB 2091 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 ON SECOND CONSIDERATION**

The House proceeded to second consideration of **SB 704, PN 709**, entitled:

An Act amending the act of September 23, 1959 (P.L.970, No.400), referred to as the Second Class A City Employee Pension Law, further providing for credit for military service.

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 SB 704 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 SB 704 be removed from the tabled calendar and placed on the active calendar.

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

### **BILLS AND RESOLUTIONS PASSED OVER**

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

### **ADJOURNMENT**

The SPEAKER. Seeing no further business before this House, the Speaker recognizes the gentleman, Mr. Sankey, from Clearfield County, who moves that this House do now adjourn until Wednesday, June 11, 2014, at 11 a.m., e.d.t., unless sooner recalled by the Speaker.

On the question,  
Will the House agree to the motion?  
Motion was agreed to, and at 5:12 p.m., e.d.t., the House adjourned.