

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

TUESDAY, OCTOBER 6, 2015

SESSION OF 2015

199TH OF THE GENERAL ASSEMBLY

No. 69

HOUSE OF REPRESENTATIVES

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

THE SPEAKER (MIKE TURZAI) PRESIDING

PRAYER

HON. MATTHEW E. BAKER, member of the House of Representatives, offered the following prayer:

Thank you, Mr. Speaker.
Let us pray together.

Eternal God, we give You thanks for giving us another day. We pause now in Your presence, Your holy presence, and acknowledge our dependence on You.

We ask Your blessing upon the men and women of this, the people's House, both members and staff. Keep them aware of Your presence as they face the tasks of the day, that no burden be too heavy, no duty too difficult, and no work too wearisome. Help them and, indeed, help us all to obey Your law, to do Your will, and to walk in Your way. Grant that they might be good in thought, gracious in word, generous in deed, and great in spirit.

Make this a glorious day in which all are glad to be alive, eager to work, and ready to serve our great nation and State and all our fellow brothers and sisters. May all that is done this day be for Your greater honor and glory. In Jesus' name we pray. Amen.

PLEDGE OF ALLEGIANCE

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

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, the approval of the Journal of Monday, October 5, 2015, will be postponed until printed.

ACTUARIAL NOTE

The SPEAKER. The Speaker acknowledges receipt of an actuarial note for HB 1084, PN 1394.

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

BILLS REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

HB 967, PN 2312 (Amended) By Rep. CAUSER

An Act amending Title 3 (Agriculture) of the Pennsylvania Consolidated Statutes, providing for industrial hemp research; imposing powers and duties on the Department of Agriculture and the Legislative Reference Bureau; imposing criminal and civil penalties; abrogating a regulation; and making a related repeal.

AGRICULTURE AND RURAL AFFAIRS.

HB 1265, PN 2313 (Amended) By Rep. CAUSER

An Act amending the act of April 28, 1937 (P.L.417, No.105), known as the Milk Marketing Law, in preliminary provisions, further providing for definitions; and, in milk pricing, further providing for terms and method of payment.

AGRICULTURE AND RURAL AFFAIRS.

LEAVES OF ABSENCE

The SPEAKER. Are there any requests for leaves of absence? Any requests for leaves of absence?

The majority whip has indicated that Representative Mark KELLER from Perry County would like to be marked on leave for the day. Without objection, that request will be granted.

The minority whip requests leave of absence for Representative DeLUCA of Allegheny County for the day and Representative NEUMAN of Washington County for the day. Without objection, those leaves of absence will be granted.

MASTER ROLL CALL

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

The following roll call was recorded:

PRESENT—199

Acosta	Everett	Krieger	Ravenstahl
Adolph	Fabrizio	Krueger	Readshaw
Baker	Farina	Lawrence	Reed
Barbin	Farry	Lewis	Reese
Barrar	Fee	Longietti	Regan
Benninghoff	Flynn	Mackenzie	Roae
Bishop	Frankel	Maher	Roebuck
Bizzarro	Freeman	Mahoney	Ross
Bloom	Gabler	Major	Rothman

Boback	Gainey	Maloney	Rozzi
Boyle	Galloway	Markosek	Sacone
Bradford	Gergely	Marshall	Sainato
Briggs	Gibbons	Marsico	Samuelson
Brown, R.	Gillen	Masser	Sankey
Brown, V.	Gillespie	Matzie	Santarsiero
Bullock	Gingrich	McCarter	Santora
Burns	Godshall	McClinton	Saylor
Caltagirone	Goodman	McGinnis	Schemel
Carroll	Greiner	McNeill	Schlossberg
Causser	Grove	Mentzer	Schreiber
Christiana	Hahn	Metcalfe	Schweyer
Cohen	Hanna	Metzgar	Simmons
Conklin	Harhai	Miccarelli	Sims
Corbin	Harhart	Millard	Snyder
Costa, D.	Harkins	Miller, B.	Sonney
Costa, P.	Harper	Miller, D.	Staats
Cox	Harris, A.	Milne	Stephens
Cruz	Harris, J.	Moul	Sturla
Culver	Heffley	Mullery	Tallman
Cutler	Helm	Murt	Taylor
Daley, M.	Hennessey	Mustio	Thomas
Daley, P.	Hickernell	Neilson	Tobash
Davidson	Hill	Nesbit	Toepel
Davis	Irvin	O'Brien	Toohil
Dawkins	James	O'Neill	Topper
Day	Jozwiak	Oberlander	Truitt
Dean	Kampf	Ortitay	Vereb
Deasy	Kaufer	Parker, C.	Vitali
DeLissio	Kauffman	Parker, D.	Ward
Delozier	Kavulich	Pashinski	Warner
Dermody	Keller, F.	Payne	Watson
Diamond	Keller, W.	Peifer	Wentling
DiGirolamo	Killion	Petrarca	Wheatley
Donatucci	Kim	Petri	Wheeland
Driscoll	Kinsey	Pickett	White
Dunbar	Kirkland	Pyle	Youngblood
Dush	Klunk	Quigley	Zimmerman
Ellis	Knowles	Quinn	
Emrick	Kortz	Rader	Turzai,
Evankovich	Kotik	Rapp	Speaker
Evans			

ADDITIONS—0

NOT VOTING—0

EXCUSED—4

DeLuca English Keller, M.K. Neuman

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

GUESTS INTRODUCED

The SPEAKER. Located to the left of the rostrum, the Chair welcomes Geraldine Falk, regent, who is with the Bethlehem Chapter of the National Society Daughters of the American Revolution. Geraldine is the guest of Representative Marcia Hahn and Representative Julie Harhart. Would you please give her a big round of welcome and applause. Thank you.

Located to the left of the rostrum, the Chair welcomes Isabella, Victoria, and Sophia Hanson and Lacie Pierce. If you could please stand. The girls coauthored a book entitled "How to Move 100 Rhinos." That publication received an honorable mention in the National Scholastic "Kids Are Authors" competition. These young ladies are the guests of Representative Steve Barrar. Welcome. Thank you for being with us today.

Located in the rear of the House, the Chair welcomes – and if she will please stand – Danielle Moore. Danielle is a student at Lafayette College, and she is the guest of Representative Tom Murt. Welcome. Thank you for being with us, Danielle.

Located in the rear of the House, the Chair welcomes Skye Nickalls and Vince Rongione, if you can please stand. They are the guests of Representative Krueger-Braneky. Thank you so much for being with us today.

Located in the rear of the House, the Chair welcomes Dallas Gephart. Dallas is standing there, and he is with Representative Sankey for the day. Welcome.

UNCONTESTED CALENDAR

RESOLUTIONS PURSUANT TO RULE 35

Mrs. DAVIS called up **HR 462, PN 2152**, entitled:

A Resolution designating October 9, 2015, as "PANDAS Awareness Day" in Pennsylvania to inform and bring greater awareness of Pediatric Autoimmune Neuropsychiatric Disorders Associated with Streptococcal Infections (PANDAS) to the general public and medical community.

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Ms. DONATUCCI called up **HR 488, PN 2197**, entitled:

A Resolution recognizing October 11, 2015, as the "Day of the Girl" in Pennsylvania.

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Ms. DONATUCCI called up **HR 490, PN 2199**, entitled:

A Resolution recognizing the month of October 2015 as "National Breast Cancer Awareness Month" in Pennsylvania and October 16, 2015, as "National Mammography Day" in Pennsylvania to promote awareness of breast cancer issues and encourage women and men to take action to protect themselves against breast cancer.

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Mr. GOODMAN called up **HR 511, PN 2261**, entitled:

A Resolution designating the month of October 2015 as "Fire Prevention Month" in Pennsylvania and recognizing October 4 through 10, 2015, as "National Fire Prevention Week" in Pennsylvania.

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Mr. SCHWEYER called up **HR 513, PN 2262**, entitled:

A Resolution designating the week of October 4 through 10, 2015, as "Pennsylvania Dutch (Deutsch) Heritage Week" in Pennsylvania.

* * *

Mr. KRIEGER called up **HR 516, PN 2280**, entitled:

A Resolution designating October 6, 2015, as "Demi Brae Cuccia Day" in Pennsylvania.

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Ms. OBERLANDER called up **HR 517, PN 2281**, entitled:

A Resolution recognizing the 75th anniversary of the American Diabetes Association.

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Ms. HAHN called up **HR 518, PN 2282**, entitled:

A Resolution commemorating the 125th anniversary of the Daughters of the American Revolution.

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Mr. SAYLOR called up **HR 519, PN 2283**, entitled:

A Resolution designating October 10, 2015, as "Put the Brakes on Fatalities Day" in Pennsylvania.

* * *

Ms. BOBACK called up **HR 528, PN 2296**, entitled:

A Resolution designating October 23, 2015, as "World Polio Day" in Pennsylvania.

On the question,
Will the House adopt the resolutions?

The following roll call was recorded:

YEAS—199

Acosta	Everett	Krieger	Ravenstahl
Adolph	Fabrizio	Krueger	Readshaw
Baker	Farina	Lawrence	Reed
Barbin	Farry	Lewis	Reese
Barrar	Fee	Longietti	Regan
Benninghoff	Flynn	Mackenzie	Roae
Bishop	Frankel	Maher	Roebuck
Bizzarro	Freeman	Mahoney	Ross
Bloom	Gabler	Major	Rothman
Boback	Gainey	Maloney	Rozzi
Boyle	Galloway	Markosek	Saccone
Bradford	Gergely	Marshall	Sainato
Briggs	Gibbons	Marsico	Samuelson
Brown, R.	Gillen	Masser	Sankey
Brown, V.	Gillespie	Matzie	Santarsiero
Bullock	Gingrich	McCarter	Santora
Burns	Godshall	McClinton	Saylor
Caltagirone	Goodman	McGinnis	Schemel
Carroll	Greiner	McNeill	Schlossberg
Causar	Grove	Mentzer	Schreiber
Christiana	Hahn	Metcalfe	Schweyer
Cohen	Hanna	Metzgar	Simmons
Conklin	Harhai	Miccarelli	Sims
Corbin	Harhart	Millard	Snyder
Costa, D.	Harkins	Miller, B.	Sonney
Costa, P.	Harper	Miller, D.	Staats
Cox	Harris, A.	Milne	Stephens
Cruz	Harris, J.	Moul	Sturla
Culver	Heffley	Mullery	Tallman
Cutler	Helm	Murt	Taylor
Daley, M.	Hennessey	Mustio	Thomas
Daley, P.	Hickernell	Neilson	Tobash
Davidson	Hill	Nesbit	Toepel
Davis	Irvin	O'Brien	Toohil
Dawkins	James	O'Neill	Topper
Day	Jozwiak	Oberlander	Truitt
Dean	Kampf	Ortitay	Vereb
Deasy	Kaufer	Parker, C.	Vitali

DeLissio	Kauffman	Parker, D.	Ward
Delozier	Kavulich	Pashinski	Warner
Dermody	Keller, F.	Payne	Watson
Diamond	Keller, W.	Peifer	Wentling
DiGirolamo	Killion	Petrarca	Wheatley
Donatucci	Kim	Petri	Wheeland
Driscoll	Kinsey	Pickett	White
Dunbar	Kirkland	Pyle	Youngblood
Dush	Klunk	Quigley	Zimmerman
Ellis	Knowles	Quinn	
Emrick	Kortz	Rader	Turzai,
Evankovich	Kotik	Rapp	Speaker
Evans			

NAYS—0

NOT VOTING—0

EXCUSED—4

DeLuca	English	Keller, M.K.	Neuman
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The majority having voted in the affirmative, the question was determined in the affirmative and the resolutions were adopted.

The SPEAKER. At this time we are going to recognize members with respect to certain of those resolutions.

STATEMENT BY MS. HAHN

The SPEAKER. Representative Hahn is recognized to speak on HR 518.

Members, if you could please take your seats. Members, please take your seats. Members, please take your seats. Please take any conversations to the anterooms outside of the chamber. Members, if you could please take your seats.

Representative Hahn, the floor is yours.

Ms. HAHN. Thank you, Mr. Speaker.

Mr. Speaker, I rise to thank my colleagues for their support of HR 518, which celebrates the 125th anniversary of the Daughters of the American Revolution. DAR, as it is often referred to, is a women's service organization dedicated to promoting historic preservation, education, patriotism, and honoring the patriots of the Revolutionary War.

Founded in 1890, DAR has 177,000 members in the 3,000 chapters across the country and internationally. Any woman 18 years of age or older who can prove lineal descent from a patriot of the American Revolution is eligible for membership regardless of race, religion, or ethnic background.

Its annual convention is held at the DAR Constitution Hall, which opened in Washington, DC, in 1929.

The group's projects include restoration and maintenance of historical sites; locating, restoring, and marking Revolutionary War patriot gravesites and headstones; and placing monuments around the world to memorialize people and events throughout American history.

As a proud member of the Bethlehem, Pennsylvania, chapter of the National Society Daughters of the American Revolution since 2010, I would like to introduce a representative of the Daughters of the American Revolution. As the Speaker noted before, Geraldine Falk is here. She is the regent of the Bethlehem, Pennsylvania, chapter. Please join me in welcoming her to the hall of the House.

And thank you again for your support of HR 518. Thank you, Mr. Speaker.

The SPEAKER. Thank you, Representative.

STATEMENT BY MR. KRIEGER

The SPEAKER. Representative Tim Krieger is recognized to speak on HR 516. Representative Krieger, the floor is yours.

Mr. KRIEGER. Thank you, Mr. Speaker.

Hopefully everyone in the chamber recognizes strong families are the foundation of every safe and healthy community. Teen dating violence patterns are similar to adult domestic violence with widespread effects on individuals, families, schools, businesses, and health-care systems. Teen dating violence includes physical, emotional, and sexual assault and harassment via texting, electronic mail, or instant messaging.

At least 40 percent of our young people between 11 and 12 years of age report that their friends have been victims of verbal abuse in relationships. Among teenagers in dating relationships, 30 percent have been text-messaged up to 30 times an hour by an obsessive-compulsive partner to find out where they are, what they are doing, with whom they are with.

With all those points in mind, I rise with a heavy heart today to once again offer this resolution to designate October 6, 2015, as "Demi Brae Cuccia Day" in Pennsylvania. Demi Brae Cuccia was fatally stabbed in her Monroeville home by her ex-boyfriend on August 15, 2007. She was born August 14, 1991, and was the daughter of Gary and Jodi Cuccia, who are honoring her memory by their creation of the Demi Brae Cuccia Awareness Organization. This resolution is being offered in recognition and, most importantly, to raise awareness of the tragic impact of teen dating violence on the health and well-being of our families and communities.

And I would like to thank the members for their unanimous support of HR 516.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, Representative.

STATEMENT BY MR. SCHWEYER

The SPEAKER. Representative Schweyer is recognized to speak on HR 513.

Mr. SCHWEYER. Thank you, Mr. Speaker.

Mr. Speaker, thank you for the opportunity to address this esteemed body about HR 513, which designates this week, October 4 through October 10, as Pennsylvania Dutch or Pennsylvania Deutsch Heritage Week in our Commonwealth.

Throughout the Lehigh Valley, from which I hail, and in many other areas of our Commonwealth, we are fortunate to have as a significant part of our heritage the Pennsylvania Germans. Many of these folks arrived before 1800 for reasons so familiar to each and every immigrant group: to escape religious persecution and to seek a better life overall.

On October 6, 1683, the first major emigration of Germans to America resulted in the founding of the Borough of Germantown in Philadelphia County. From there they branched out across the State, in particular the eastern part of Pennsylvania.

More commonly known as Pennsylvania Dutch or Pennsylvania Deutsch, this community is filled with people known for possessing an impressive work ethic, a strong social conscience, and a true sense of both family and community. They were farmers and laborers, entrepreneurs and clergy members, and those traits I just mentioned ensured that they would be successful and that their communities and families would thrive.

Pennsylvania Dutch heritage is inescapable in our State. One simply needs only to travel any country road through Lehigh, Northampton, Berks, Lebanon, Lancaster, and other counties and see hex signs on the side of a barn. The folk art and music is one of a kind, and their impact on our language and dialect is obvious.

At one time over one-third of Pennsylvania's population spoke Pennsylvania Dutch, which is, of course, very similar to German. Pennsylvania Germans have contributed greatly to the culture of this Commonwealth, and organizations like the Pennsylvania German Society, organized in 1891, have published a number of materials relative to the history and folklore of these proud people.

As someone who counts Pennsylvania Dutch as part of my ancestry – Mr. Speaker, my last name is Schweyer – I can tell you that we are extremely proud of our heritage but also patriotic and always have been. This is true going back to the very founding of our nation as the Pennsylvania German community was generally very supportive of the war for independence.

There is much to admire about the Pennsylvania Dutch and their impact on our Commonwealth and our nation, and the time is right to honor and reflect upon their legacy.

I thank you, Mr. Speaker, once again, for the chance to speak today, and I thank every member of the House for your affirmative vote on HR 513. Thank you.

The SPEAKER. Thank you, Representative.

STATEMENT BY MS. BOBACK

The SPEAKER. Representative Karen Boback is recognized on HR 528.

Ms. BOBACK. Thank you, Mr. Speaker.

Thank you, colleagues, for your unanimous vote on HR 528 designating October 23, 2015, as "World Polio Day."

As a Rotarian and a proud Paul Harris Fellow, this cause is particularly important to me. Rotary International launched their effort, along with the United States Centers for Disease Control and Prevention and the U.N. Children's Fund, to eradicate polio in 1985 by immunizing the children of the world against polio. Polio cases, therefore, have dropped by 99 percent. You heard it correctly, by 99 percent since 1988, and we are now on the cusp of completely eliminating this dreaded disease. Can you imagine accomplishing this in our lifetime? I remember as a little girl getting my polio vaccine, and I am sure many of you do too.

So let us finish this fight and ensure that children across the globe are never plagued by polio. Thank you for your support.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, Representative.

STATEMENT BY MS. OBERLANDER

The SPEAKER. Representative Donna Oberlander is recognized on HR 517.

Ms. OBERLANDER. Thank you, Mr. Speaker.

As the majority chair of the Diabetes Caucus, I thank the members for their unanimous support of HR 517, which recognizes the American Diabetes Association on their 75th anniversary.

The ADA is celebrating discovery, innovation, and progress. The association, founded by 26 physicians, remained a health-care professional's organization until 1970 when it welcomed general members. Since that time it has grown its network to include over 1 million volunteers.

Today we celebrate the significant milestones and progress in diabetes treatment, the management and quality of life for those with diabetes, and the association's role in improving the lives of those affected by diabetes. Congratulations to this worthy organization. May it continue its great work.

And thank you, members, for your support.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, Representative.

UNCONTESTED SUPPLEMENTAL CALENDAR A

RESOLUTION PURSUANT TO RULE 35

Ms. PICKETT called up **HR 529, PN 2311**, entitled:

A Resolution designating Wednesday, October 14, 2015, as "Pennsylvania Job Corps Day" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—199

Acosta	Everett	Krieger	Ravenstahl
Adolph	Fabrizio	Krueger	Readshaw
Baker	Farina	Lawrence	Reed
Barbin	Farry	Lewis	Reese
Barrar	Fee	Longietti	Regan
Benninghoff	Flynn	Mackenzie	Roe
Bishop	Frankel	Maher	Roebuck
Bizzarro	Freeman	Mahoney	Ross
Bloom	Gabler	Major	Rothman
Boback	Gainey	Maloney	Rozzi
Boyle	Galloway	Markosek	Saccone
Bradford	Gergely	Marshall	Sainato
Briggs	Gibbons	Marsico	Samuelson
Brown, R.	Gillen	Masser	Sankey
Brown, V.	Gillespie	Matzie	Santarsiero
Bullock	Gingrich	McCarter	Santora
Burns	Godshall	McClinton	Saylor
Caltagirone	Goodman	McGinnis	Schemel
Carroll	Greiner	McNeill	Schlossberg
Causar	Grove	Mentzer	Schreiber
Christiana	Hahn	Metcalfe	Schweyer
Cohen	Hanna	Metzgar	Simmons
Conklin	Harhai	Miccarelli	Sims
Corbin	Harhart	Millard	Snyder
Costa, D.	Harkins	Miller, B.	Sonney
Costa, P.	Harper	Miller, D.	Staats
Cox	Harris, A.	Milne	Stephens
Cruz	Harris, J.	Moul	Sturla
Culver	Heffley	Mullery	Tallman

Cutler	Helm	Murt	Taylor
Daley, M.	Hennessey	Mustio	Thomas
Daley, P.	Hickernell	Neilson	Tobash
Davidson	Hill	Nesbit	Toepel
Davis	Irvin	O'Brien	Toohil
Dawkins	James	O'Neill	Topper
Day	Jozwiak	Oberlander	Truitt
Dean	Kampf	Ortitay	Vereb
Deasy	Kaufert	Parker, C.	Vitali
DeLissio	Kauffman	Parker, D.	Ward
Delozier	Kavulich	Pashinski	Warner
Dermody	Keller, F.	Payne	Watson
Diamond	Keller, W.	Peifer	Wentling
DiGirolamo	Killion	Petrarca	Wheatley
Donatucci	Kim	Petri	Wheeland
Driscoll	Kinsey	Pickett	White
Dunbar	Kirkland	Pyle	Youngblood
Dush	Klunk	Quigley	Zimmerman
Ellis	Knowles	Quinn	
Emrick	Kortz	Rader	Turzai,
Evankovich	Kotik	Rapp	Speaker
Evans			

NAYS—0

NOT VOTING—0

EXCUSED—4

DeLuca	English	Keller, M.K.	Neuman
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The majority having voted in the affirmative, the question was determined in the affirmative and the resolution was adopted.

The SPEAKER. Turning to today's House calendar. Members, this will be a condolence resolution, so I would very much ask that everybody please take their seats. If there are any conversations, please take them to the anteroom.

CALENDAR

RESOLUTION PURSUANT TO RULE 35

Mr. VEREB called up **HR 501, PN 2291**, entitled:

A Resolution expressing profound sorrow and heartfelt condolences on the passing of Brian Kadunc and recognizing his contributions to the House of Representatives and this Commonwealth.

On the question,
Will the House adopt the resolution?

The SPEAKER. The Speaker recognizes Representative Mike Vereb.

Mr. VEREB. Thank you, Mr. Speaker.

I rise today about an employee who was also a dear friend. As many of you know, Brian Kadunc, who worked with me since 2007, passed away last month. Brian had traveled through Virginia and North Carolina to tour battlefields, which was one of his hobbies. He suffered a heart attack, and after weeks of emergency medical care, he passed away.

While most people in Pennsylvania probably have never heard Brian's name, his work has directly affected them. Brian played an instrumental role in helping me to write, introduce, and eventually pass Pennsylvania's sudden cardiac arrest law.

This law was the first of its kind in the entire United States. Thanks to this law, youth athletes, coaches, assistants, referees, officials now must receive training about sudden cardiac arrest. I have no doubt that Brian's work on this law will save lives in Pennsylvania.

One of the tragic ironies of Brian's passing is that it gave me an opportunity to meet his family, who lives in Chagrin Falls, Ohio. After Brian suffered his heart attack but before he passed away, I traveled several times to North Carolina to be with him and his family. I got to know his father, James; his mother, Catherine; and his sister, Melinda. We shared stories about Brian and laughed about our fond memories of him.

Mr. Speaker, I could stand here and tell you that Brian is a proud graduate of Villanova University. I could tell you he was a devoted Wildcats fan, but he would never turn down a Temple Owl's ticket either. I could tell you Brian served as an employee of the House for 10 years. But these simple facts do not convey the true essence of Brian. To truly know Brian, you had to see him smile.

Now, as many of you know, our former Speaker, Sam Smith, was from Punxsutawney, and I think everyone, at least in my caucus, knows Sam did not go a day without a good ribbing from me or some type of practical joke. I met with my coach, Leader Dermody, for our softball game from last year and I informed him that a groundhog would be showing up at the softball game to terrorize Sam, who was coaching the other team. Now, Brian was not in that groundhog costume and nor was I, but the reaction to that groundhog was watching Brian in the dugout seeing his creative prank work to, one more time, give a shot to Sam that said that would be his last softball game with us.

The essence of Brian Kadunc was simple. He operated in the background, but his efforts produced results. He was quick to laugh and went out of his way to make others laugh with him.

Mr. Speaker, Brian was taken from all of us far sooner than any of us would have liked at age 38. However, we are grateful for the time we enjoyed with him and the impact he had on all of our lives.

In the rear of the House there are several friends, family, and coworkers that are with us. Mr. Speaker, it is appropriate if they could rise and be recognized. And to my left, the left of the Speaker, I have my staff from here and in Collegeville: Kandy Heckman, Laura Smith, Dan Massing, Julianne Naccarato. We also have friends of the family, John Mead and MaryPat Mead, and a dear friend of Brian's, Christi Dolan Martone.

I would like to thank Brian's family for commuting here today for this very important day for all of us, and at this time I would ask James Kadunc, his father; Catherine Kadunc, his mother; and his sister, Melinda, to please rise and be recognized.

I would also like to thank my many colleagues for supporting this resolution and for the outpouring of support you have shown in the aftermath of this tragic event.

This resolution marks one last sign of appreciation from the institution Brian served for so many years. We hope that it provides his family with some measure of comfort to know that Brian's life every day impacted so many lives here in the Commonwealth.

I, obviously, ask for an affirmative vote, and I thank you, Mr. Speaker, for your time.

The SPEAKER. Thank you, Representative.

Members, at this time I would ask that you all rise for a moment of silence given the passing of Brian.

(Whereupon, the members of the House and all visitors stood in a moment of silence in solemn respect to the memory of Brian Kadunc.)

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

The following roll call was recorded:

YEAS—199

Acosta	Everett	Krieger	Ravenstahl
Adolph	Fabrizio	Krueger	Readshaw
Baker	Farina	Lawrence	Reed
Barbin	Farry	Lewis	Reese
Barrar	Fee	Longietti	Regan
Benninghoff	Flynn	Mackenzie	Roae
Bishop	Frankel	Maher	Roebuck
Bizzarro	Freeman	Mahoney	Ross
Bloom	Gabler	Major	Rothman
Boback	Gainey	Maloney	Rozzi
Boyle	Galloway	Markosek	Saccone
Bradford	Gergely	Marshall	Sainato
Briggs	Gibbons	Marsico	Samuelson
Brown, R.	Gillen	Masser	Sankey
Brown, V.	Gillespie	Matzie	Santarsiero
Bullock	Gingrich	McCarter	Santora
Burns	Godshall	McClinton	Saylor
Caltagirone	Goodman	McGinnis	Schemel
Carroll	Greiner	McNeill	Schlossberg
Causer	Grove	Mentzer	Schreiber
Christiana	Hahn	Metcalfe	Schweyer
Cohen	Hanna	Metzgar	Simmons
Conklin	Harhai	Miccarelli	Sims
Corbin	Harhart	Millard	Snyder
Costa, D.	Harkins	Miller, B.	Sonney
Costa, P.	Harper	Miller, D.	Staats
Cox	Harris, A.	Milne	Stephens
Cruz	Harris, J.	Moul	Sturla
Culver	Heffley	Mullery	Tallman
Cutler	Helm	Murt	Taylor
Daley, M.	Hennessey	Mustio	Thomas
Daley, P.	Hickernell	Neilson	Tobash
Davidson	Hill	Nesbit	Toepel
Davis	Irvin	O'Brien	Toohil
Dawkins	James	O'Neill	Topper
Day	Jozwiak	Oberlander	Truitt
Dean	Kampf	Ortitay	Vereb
Deasy	Kaufner	Parker, C.	Vitali
DeLissio	Kauffman	Parker, D.	Ward
Delozier	Kavulich	Pashinski	Warner
Dermody	Keller, F.	Payne	Watson
Diamond	Keller, W.	Peifer	Wentling
DiGirolamo	Killion	Petrarca	Wheatley
Donatucci	Kim	Petri	Wheeland
Driscoll	Kinsey	Pickett	White
Dunbar	Kirkland	Pyle	Youngblood
Dush	Klunk	Quigley	Zimmerman
Ellis	Knowles	Quinn	
Emrick	Kortz	Rader	Turzai,
Evankovich	Kotik	Rapp	Speaker
Evans			

NAYS—0

NOT VOTING—0

EXCUSED—4

DeLuca English Keller, M.K. Neuman

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

The SPEAKER. May God bless Brian and his family. Thank you, members.

APPROPRIATIONS COMMITTEE MEETING

The SPEAKER. The Appropriations chairman, Bill Adolph, is recognized for an 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 Appropriations Committee in the majority caucus room.

REPUBLICAN CAUCUS

The SPEAKER. Representative Sandra Major, the majority caucus chair.

Ms. MAJOR. Thank you, Mr. Speaker.

I would like to announce Republicans will caucus today at 11:45. I would ask our Republican members to please report to our caucus room at 11:45. We would be prepared to come back on the floor, Mr. Speaker, at 12:30. Thank you.

DEMOCRATIC CAUCUS

The SPEAKER. Representative Dan Frankel, the minority caucus chair.

Mr. FRANKEL. Thank you, Mr. Speaker.

Democrats will also caucus at 11:45. Democrats will caucus at 11:45.

RECESS

The SPEAKER. Members, the chamber will stand in recess until 12:30 p.m., unless sooner recalled by the Speaker. Thank you.

AFTER RECESS

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

CALENDAR CONTINUED**BILLS ON SECOND CONSIDERATION**

The House proceeded to second consideration of **HB 470**, **PN 2276**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in other criminal provisions, further providing for supervisory relationship to offenders.

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 623**, **PN 723**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in authorized disposition of offenders, prohibiting Accelerated Rehabilitative Disposition for child sexual offenses.

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 323**, **PN 2275**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in jurisdiction of appellate courts, providing for commerce court program; and, in organization and jurisdiction of courts of common pleas, providing for commerce courts.

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

Mr. **BIZZARRO** offered the following amendment No. **A03452**:

Amend Bill, page 1, line 6, by inserting after "COURTS" and for veteran and service member courts

Amend Bill, page 6, by inserting between lines 8 and 9 § 918. Veteran and service member courts.

(a) Establishment.—The president judge of each court of common pleas shall establish, in consultation with the district attorney of the county, a veteran and service member court for veterans and service members charged with a misdemeanor or felony offense, other than a crime of violence. The court shall be established using available funds.

(b) Joint court.—Two or more president judges may jointly form a veteran and service member court, in consultation with the district attorney from each county represented by the joint court.

(c) Discretion of president judge.—At the discretion of the president judge, the court shall be either a separate court or problem-solving court, within the court of common pleas.

(d) Local rules.—The court shall adopt local rules for the administration of the court and its related treatment services. The local rules must be consistent with this section and the rules established by the Supreme Court of Pennsylvania.

(e) Existing courts.—If a court of common pleas has an existing veteran and service member court before the effective date of this section, the veteran and service member court shall continue and is not subject to this section.

(f) Eligibility.—A defendant is eligible for participation in a court if:

(1) the defendant agrees to plead guilty to the charges;

(2) the prosecutor consents to the defendant's participation; and

(3) the court finds that the defendant:

(i) is a veteran or current member of the United States Armed Forces, including the reserves, National Guard or State guard; and

(ii) suffers from a brain injury, mental illness or mental disorder, including post-traumatic stress disorder, that:

(A) resulted from the defendant's military service in a combat zone or other similar hazardous duty area; and

(B) materially affected the defendant's criminal conduct at issue in the case.

(g) Exclusion.—A defendant shall be excluded from a court if any of the following apply:

(1) The crime committed is a crime of violence.

(2) The defendant does not demonstrate a willingness to participate in a treatment program.

(3) The defendant previously participated in or was discharged from a veteran and service member court.

(h) Verification.—Proof of matters described in subsections (f) and (g) may be submitted to the court in which the criminal case is pending in a form the court determines to be appropriate, including:

(1) a military service or medical record;

(2) a previous determination of a disability by a veterans' organization or by the United States Department of Veterans Affairs;

(3) testimony or an affidavit of other veterans or service members; and

(4) a prior determination of eligibility for benefits by a State or county veterans' office.

The court's findings must accompany a docketed case.

(i) Procedure.—The following apply:

(1) The court shall order the defendant to submit to a mental health and drug and alcohol screening and assessment through the United States Department of Veterans Affairs or the department. A report based on the mental health and drug and alcohol screening and assessment shall be submitted to the court and shall include treatments and rehabilitative interventions for the defendant for consideration by the court or correctional programs. A mental health and drug and alcohol screening and assessment may not be ordered if the court finds that the defendant has undergone a screening and assessment within the previous 60 days.

(2) The court shall inform the defendant that, if the defendant fails to meet the conditions of the court, eligibility to participate in the court shall be revoked and the defendant shall be sentenced as provided under the law.

(3) The defendant shall execute a written agreement with the court as to his participation in the court and shall agree to the terms and conditions of the court, including the possibility of sanctions or incarceration for failing to abide by or comply with the terms of the court.

(4) In addition to any other conditions authorized under law, the court shall order the defendant to complete the treatment recommendations. A failure by the defendant to complete the treatment recommendations may result in the defendant's being charged with sanctions, removal from the court and incarceration.

(j) Mental health and substance abuse treatment.—The following apply:

(1) The court shall collaborate with a network of substance abuse treatment programs representing a continuum of graduated substance abuse treatment options commensurate with the needs of defendants, including programs with the United States Department of Veterans Affairs, the Commonwealth, the department and community-based programs.

(2) The court shall collaborate with a network of mental health treatment programs representing a continuum of treatment

options commensurate with the needs of the defendant and available resources, including programs with the United States Department of Veterans Affairs, the Commonwealth, the department and community-based programs.

(3) The court shall employ additional services or interventions as it deems necessary on a case-by-case basis.

(k) Violations, termination and discharge.—

(1) The court shall impose reasonable sanctions under the written agreement executed under subsection (i)(3), including incarceration or dismissal of the defendant from the court, if the court finds from the evidence presented, including a report or proffer of proof, from a court professional, that the defendant:

(i) is not performing satisfactorily in the assigned treatment and rehabilitative interventions;

(ii) is not benefiting from education, treatment or rehabilitation;

(iii) engaged in criminal conduct rendering him unsuitable for the court; and

(iv) otherwise violated the terms and conditions of the court or his sentence or is unable to participate for any reason.

(2) Upon successful completion of the terms and conditions of the court, the court shall:

(i) dismiss the original charges against the defendant; and

(ii) terminate the defendant's sentence or otherwise discharge the defendant from further proceedings against him in the original prosecution.

(l) Funding.—The following apply:

(1) A court shall collect from a participant in the court:

(i) a fee of \$1,000; and

(ii) a testing, counseling and treatment fee in an amount necessary to cover the costs of testing, counseling or treatment performed or provided under the supervision of the court.

(2) At the discretion of the judge administering the program, a fee collected under this section may be paid on a periodic basis or a deferred payment schedule.

(3) A fee collected under this subsection may only be used for a purpose specific to the court.

(m) Definitions.—As used in this section, the following words and phrases shall have the meanings given to them in this subsection unless the context clearly indicates otherwise:

"Court." The veteran and service member court established under this section.

"Court professional." A prosecutor, defense attorney, probation officer or treatment provider involved with a program supervised by the court.

"Crime of violence." An offense under any of the following:

(1) 18 Pa.C.S. § 2502 (relating to murder);

(2) 18 Pa.C.S. § 2701 (relating to simple assault);

(3) 18 Pa.C.S. § 3121 (relating to rape);

(4) 18 Pa.C.S. § 3124.1 (relating to sexual assault); and

(5) 18 Pa.C.S. § 3701 (relating to robbery).

"Department." The Department of Military and Veterans Affairs.

"Service member." A person who is currently serving in the Army, Air Force, Marines, Navy or Coast Guard on active duty or reserve status or in the National Guard.

"Veteran." A person who served in the armed forces and was discharged or released from service under conditions that were not dishonorable.

Amend Bill, page 6, line 9, by striking out "in 60 days." and inserting

as follows:

(1) This section shall take effect immediately.

(2) The addition of 42 Pa.C.S. § 918 shall take effect in 120 days.

(3) The remainder of this act shall take effect in 60 days.

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

The SPEAKER. On the question, Representative Bizzarro.

**BILL AND AMENDMENT
PASSED OVER TEMPORARILY**

The SPEAKER. We will go over the bill and the amendment.

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 820, PN 2279**, entitled:

An Act amending the act of December 4, 1996 (P.L.911, No.147), known as the Telemarketer Registration Act, further providing for definitions, for unlawful acts and penalties and for unwanted telephone solicitation calls prohibited.

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

Acosta	Everett	Krieger	Ravenstahl
Adolph	Fabrizio	Krueger	Readshaw
Baker	Farina	Lawrence	Reed
Barbin	Farry	Lewis	Reese
Barrar	Fee	Longietti	Regan
Benninghoff	Flynn	Mackenzie	Roae
Bishop	Frankel	Maher	Roebuck
Bizzarro	Freeman	Mahoney	Ross
Bloom	Gabler	Major	Rothman
Boback	Gainey	Maloney	Rozzi
Boyle	Galloway	Markosek	Saccone
Bradford	Gergely	Marshall	Sainato
Briggs	Gibbons	Marsico	Samuelson
Brown, R.	Gillen	Masser	Sankey
Brown, V.	Gillespie	Matzie	Santarsiero
Bullock	Gingrich	McCarter	Santora
Burns	Godshall	McClinton	Saylor
Caltagirone	Goodman	McGinnis	Schemel
Carroll	Greiner	McNeill	Schlossberg
Causar	Grove	Mentzer	Schreiber
Christiana	Hahn	Metcalfe	Schweyer
Cohen	Hanna	Metzgar	Simmons
Conklin	Harhai	Miccarelli	Sims
Corbin	Harhart	Millard	Snyder
Costa, D.	Harkins	Miller, B.	Sonney
Costa, P.	Harper	Miller, D.	Staats
Cox	Harris, A.	Milne	Stephens
Cruz	Harris, J.	Moul	Sturla
Culver	Heffley	Mullery	Tallman
Cutler	Helm	Murt	Taylor
Daley, M.	Hennessey	Mustio	Thomas

Daley, P.	Hickernell	Neilson	Tobash
Davidson	Hill	Nesbit	Toepel
Davis	Irvin	O'Brien	Toohil
Dawkins	James	O'Neill	Topper
Day	Jozwiak	Oberlander	Truitt
Dean	Kampf	Ortitay	Vereb
Deasy	Kaufert	Parker, C.	Vitali
DeLissio	Kauffman	Parker, D.	Ward
Delozier	Kavulich	Pashinski	Warner
Dermody	Keller, F.	Payne	Watson
Diamond	Keller, W.	Peifer	Wentling
DiGirolamo	Killion	Petrarca	Wheatley
Donatucci	Kim	Petri	Wheeland
Driscoll	Kinsey	Pickett	White
Dunbar	Kirkland	Pyle	Youngblood
Dush	Klunk	Quigley	Zimmerman
Ellis	Knowles	Quinn	
Emrick	Kortz	Rader	Turzai,
Evankovich	Kotik	Rapp	Speaker
Evans			

NAYS—0

NOT VOTING—0

EXCUSED—4

DeLuca English Keller, M.K. Neuman

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.

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

HB 1084, PN 2316 (Amended) By Rep. METCALFE

An Act amending Title 24 (Education) of the Pennsylvania Consolidated Statutes, in preliminary provisions relating to retirement for school employees, further providing for definitions.

STATE GOVERNMENT.

BILLS REREPORTED FROM COMMITTEE

HB 46, PN 2310 By Rep. ADOLPH

An Act providing for unannounced inspections of certain facilities and persons that provide child day care; conferring powers and duties on the Department of Human Services; repealing provisions of the Public Welfare Code relating to registration provisions; and abrogating a regulation.

APPROPRIATIONS.

HB 969, PN 1211 By Rep. ADOLPH

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in computer offenses, providing for the offense of phishing and for protection from liability under certain circumstances.

APPROPRIATIONS.

HB 1310, PN 1774

By Rep. ADOLPH

An Act amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, in emergency telephone service, providing for prohibited release of information.

APPROPRIATIONS.

SB 925, PN 1303

By Rep. ADOLPH

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in licensing of drivers, further providing for qualification for school bus driver endorsement; and, in commercial drivers, further providing for definitions, for employer responsibilities, for commercial driver's license qualification standards, for nonresident CDL, for commercial driver's license and for disqualification.

APPROPRIATIONS.

The SPEAKER. Members, at this time if you could please take your seats.

FORMER MEMBER WELCOMED

The SPEAKER. I have with us today a former member, Representative Jim Kelly. If you would please rise, sir.

Jim actually represented the 28th District, which I presently represent, and Jim served three terms in the State House from 1971 to 1976. He also worked with the United States Representative and then United States Senator Richard Schweiker, and then was also Deputy Assistant Secretary in the United States Department of Commerce under President Reagan. He is president and CEO (chief executive officer) of a company – and I think I am saying it right – SynXis, and also president and CEO of a company known as Flight Explorer.

We welcome him to the House, and it is just great to have you here again today, Jim. Thank you very, very much.

CONSIDERATION OF HB 323 CONTINUED

The SPEAKER. Returning to HB 323, PN 2275.

**CONSIDERATION OF
AMENDMENT A03452 CONTINUED**

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

AMENDMENT WITHDRAWN

The SPEAKER. It is my understanding, from Representative Bizzarro, that amendment 3452 has been withdrawn. That has been withdrawn.

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

The SPEAKER. Representative Grove calls up amendment 3521. Now, that is a late-filed amendment and Representative Grove will be moving to suspend, I understand.

Okay. My understanding is, from Representative Grove, amendment 3521 has been withdrawn? Yes. Amendment 3521 has been withdrawn.

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

SUPPLEMENTAL CALENDAR B

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 969, PN 1211**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in computer offenses, providing for the offense of phishing and for protection from liability under certain circumstances.

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

Acosta	Everett	Krieger	Ravenstahl
Adolph	Fabrizio	Krueger	Readshaw
Baker	Farina	Lawrence	Reed
Barbin	Farry	Lewis	Reese
Barrar	Fee	Longietti	Regan
Benninghoff	Flynn	Mackenzie	Roae
Bishop	Frankel	Maher	Roeback
Bizzarro	Freeman	Mahoney	Ross
Bloom	Gabler	Major	Rothman
Boback	Gainey	Maloney	Rozzi
Boyle	Galloway	Markosek	Saccone
Bradford	Gergely	Marshall	Sainato
Briggs	Gibbons	Marsico	Samuelson
Brown, R.	Gillen	Masser	Sankey
Brown, V.	Gillespie	Matzie	Santarsiero
Bullock	Gingrich	McCarter	Santora
Burns	Godshall	McClinton	Saylor
Caltagirone	Goodman	McGinnis	Schemel
Carroll	Greiner	McNeill	Schlossberg
Causer	Grove	Mentzer	Schreiber
Christiana	Hahn	Metcalfe	Schweyer
Cohen	Hanna	Metzgar	Simmons
Conklin	Harhai	Miccarelli	Sims
Corbin	Harhart	Millard	Snyder
Costa, D.	Harkins	Miller, B.	Sonney
Costa, P.	Harper	Miller, D.	Staats
Cox	Harris, A.	Milne	Stephens
Cruz	Harris, J.	Moul	Sturla
Culver	Heffley	Mullery	Tallman
Cutler	Helm	Murt	Taylor
Daley, M.	Hennessey	Mustio	Thomas
Daley, P.	Hickernell	Neilson	Tobash
Davidson	Hill	Nesbit	Toepel
Davis	Irvin	O'Brien	Toohil
Dawkins	James	O'Neill	Topper
Day	Jozwiak	Oberlander	Truitt
Dean	Kampf	Ortity	Vereb
Deasy	Kaufner	Parker, C.	Vitali

DeLissio	Kauffman	Parker, D.	Ward
Delozier	Kavulich	Pashinski	Warner
Dermody	Keller, F.	Payne	Watson
Diamond	Keller, W.	Peifer	Wentling
DiGirolamo	Killion	Petrarca	Wheatley
Donatucci	Kim	Petri	Wheeland
Driscoll	Kinsey	Pickett	White
Dunbar	Kirkland	Pyle	Youngblood
Dush	Klunk	Quigley	Zimmerman
Ellis	Knowles	Quinn	
Emrick	Kortz	Rader	Turzai,
Evankovich	Kotik	Rapp	Speaker
Evans			

NAYS-0

NOT VOTING-0

EXCUSED-4

DeLuca	English	Keller, M.K.	Neuman
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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 1310, PN 1774**, entitled:

An Act amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, in emergency telephone service, providing for prohibited release of information.

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

Acosta	Everett	Krieger	Ravenstahl
Adolph	Fabrizio	Krueger	Readshaw
Baker	Farina	Lawrence	Reed
Barbin	Farry	Lewis	Reese
Barrar	Fee	Longietti	Regan
Benninghoff	Flynn	Mackenzie	Roae
Bishop	Frankel	Maher	Roebuck
Bizzarro	Freeman	Mahoney	Ross
Bloom	Gabler	Major	Rothman
Boback	Gainey	Maloney	Rozzi
Boyle	Galloway	Markosek	Saccone
Bradford	Gergely	Marshall	Sainato

Briggs	Gibbons	Marsico	Samuelson
Brown, R.	Gillen	Masser	Sankey
Brown, V.	Gillespie	Matzie	Santarsiero
Bullock	Gingrich	McCarter	Santora
Burns	Godshall	McClinton	Saylor
Caltagirone	Goodman	McGinnis	Schemel
Carroll	Greiner	McNeill	Schlossberg
Causser	Grove	Mentzer	Schreiber
Christiana	Hahn	Metcalfe	Schweyer
Cohen	Hanna	Metzgar	Simmons
Conklin	Harhai	Miccarelli	Sims
Corbin	Harhart	Millard	Snyder
Costa, D.	Harkins	Miller, B.	Sonney
Costa, P.	Harper	Miller, D.	Staats
Cox	Harris, A.	Milne	Stephens
Cruz	Harris, J.	Moul	Sturla
Culver	Heffley	Mullery	Tallman
Cutler	Helm	Murt	Taylor
Daley, M.	Hennessey	Mustio	Thomas
Daley, P.	Hickernell	Neilson	Tobash
Davidson	Hill	Nesbit	Toepel
Davis	Irvin	O'Brien	Toohil
Dawkins	James	O'Neill	Topper
Day	Jozwiak	Oberlander	Truitt
Dean	Kampf	Ortitay	Vereb
Deasy	Kaufer	Parker, C.	Vitali
DeLissio	Kauffman	Parker, D.	Ward
Delozier	Kavulich	Pashinski	Warner
Dermody	Keller, F.	Payne	Watson
Diamond	Keller, W.	Peifer	Wentling
DiGirolamo	Killion	Petrarca	Wheatley
Donatucci	Kim	Petri	Wheeland
Driscoll	Kinsey	Pickett	White
Dunbar	Kirkland	Pyle	Youngblood
Dush	Klunk	Quigley	Zimmerman
Ellis	Knowles	Quinn	
Emrick	Kortz	Rader	Turzai,
Evankovich	Kotik	Rapp	Speaker
Evans			

NAYS-0

NOT VOTING-0

EXCUSED-4

DeLuca	English	Keller, M.K.	Neuman
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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.

CALENDAR CONTINUED

BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 1348, PN 2260**, entitled:

An Act amending Title 65 (Public Officers) of the Pennsylvania Consolidated Statutes, in lobbying disclosure, further providing for prohibited activities, for penalties and for registration fees, fund established, system and regulations.

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

Mr. COHEN offered the following amendment No. A03450:

Amend Bill, page 1, line 7, by striking out "13A09(c)(1)" and inserting

13A09(a)(1) and (c)(1)

Amend Bill, page 2, by inserting between lines 5 and 6

(a) Notice of alleged noncompliance.—

(1) The commission shall issue a notice of alleged noncompliance to a person that has failed to register or report as required by this chapter. The required registration and reporting deadlines shall be extended for the duration of any emergency, natural disaster or other such event that directly affects the person required to register or report.

On the question,

Will the House agree to the amendment?

The SPEAKER. On that question, the Chair recognizes Representative Cohen.

Mr. COHEN. Thank you, Mr. Speaker.

The SPEAKER. Members, please give Representative Cohen your attention. All members, please take your seats. Any conversations I would request that you take to the anterooms outside the chamber. Members, please take your seats. Just wait for a second, Representative. Members, if you could please take your seats.

Representative Cohen, on the amendment.

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, this underlying bill deals with fines to lobbyists who miss reporting deadlines. It significantly raises the fines. Now, the problem with this legislation is that not all organizations are equal. Some lobbying organizations have hundreds of people, and filling out a lobbyist registration form for them is a very minor task. Other lobbying organizations are much smaller. They may have only one person, and these one-person lobbying groups are vulnerable to events. Somebody may get sick, somebody may have a family emergency, and that limits their ability to comply.

Now, this issue was brought to my attention from Barry Kauffman of Common Cause. Mr. Kauffman's organization is typical of many organizations in the Commonwealth which have a small financial base and a very limited staff. Mr. Kauffman writes, "However, this bill will have unintended consequences that need to be addressed before a final committee vote is taken. Lobbying disclosure requirements, including penalties, should not act to meaningfully reduce the number or types of voices who attempt to provide opinions and ideas to legislators and other policymakers. The increase in fines for late filings will have some impact even on the multi-million...or multi-billion dollar entities that lobby state government. But they could have devastating impacts on smaller entities...which have budgets well under \$100,000 per year.

"These penalties also fail to address situations in which a small organization may have only one staff person. If that staff person has a heart attack near a filing deadline, or is on an extended leave from work due to cancer treatments, they may miss a filing deadline even though fully intended to comply. There should be a provision that permits a person or organization to request that the Secretary to grant a filing extension due to medical emergency or similar emergency...."

That is what this amendment does, Mr. Speaker. It allows the required registration and reporting deadlines shall be extended for the duration of any emergency, natural disaster, or other such event that directly affects the person required to register a report. If there is any ambiguity in this legislation, that ambiguity can be dealt with by regulation, but this is an attempt to make it meaningful.

Now, Mr. Cutler has introduced his bill numerous times in the past. It has passed the House in four successive sessions and not ever passed the Senate. I believe this language will make the bill more palatable to members in the Senate, more palatable to the Governor, more palatable to the small lobbying community, and actually increase the chances for its passage.

I urge support for this amendment.

The SPEAKER. Representative Cutler.

Mr. CUTLER. Thank you, Mr. Speaker.

Mr. Speaker, while I am sympathetic to the gentleman's concerns regarding his proposed amendment, I actually have larger concerns with how the amendment is actually drafted.

When viewing the amendment, as proposed on lines 8 through 11, it reads in part, "The required registration and reporting deadlines shall be extended for the duration of any emergency, natural disaster or other such event that directly affects the person required to register or report."

Mr. Speaker, unfortunately, while all of those items are completely excusable and understandable, the way that the amendment is drafted does not give the department any discretion – it "shall be" waived.

My second concern, Mr. Speaker, is when you look at the terms "emergency, natural disaster" or the catchall at the end "other such event that directly affects the person," none of these terms are defined. I would argue, Mr. Speaker, that in actuality when this would be applied in real life, that it would actually harm and allow for any excuse to be used, because any item such as the "other such event" could be used to justify missing a filing deadline and therefore would make our current reporting and corrections system less enforceable.

Mr. Speaker, additionally, when you look at the bill as drafted and the law as it currently stands, I would argue that they already have this kind of latitude, because on page 2, line 1, the fine is listed as the "amount not to exceed," and lines 9 through 10 of the same page, "penalty not exceeding...." The judges already have discretion to levy a zero-dollar fine in an event such as the gentleman outlined.

Mr. Speaker, because of the lack of definitions and clarity in terms of what would be covered, in addition to the mandatory nature of the extension, I would respectfully request that the amendment be withdrawn. I would be happy to work on some alternate language as it heads to the Senate, but absent that, I would request a "no" vote. Thank you.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—81

Acosta	Dawkins	Harkins	O'Brien
Barbin	Dean	Harris, J.	Parker, C.
Bishop	Deasy	Kavulich	Pashinski
Bizzarro	DeLissio	Keller, W.	Petrarca

Boyle	Dermody	Kim	Ravenstahl
Bradford	Donatucci	Kinsey	Readshaw
Briggs	Driscoll	Kirkland	Roebuck
Brown, V.	Evans	Kortz	Rozzi
Bullock	Fabrizio	Kotik	Sainato
Burns	Farina	Krueger	Samuelson
Caltagirone	Flynn	Longietti	Santarsiero
Carroll	Frankel	Mahoney	Schlossberg
Cohen	Freeman	Markosek	Schreiber
Conklin	Gainey	Matzie	Schweyer
Costa, D.	Galloway	McCarter	Sims
Costa, P.	Gergely	McClinton	Snyder
Cruz	Gibbons	McNeill	Sturla
Daley, M.	Goodman	Miller, D.	Thomas
Daley, P.	Hanna	Mullery	Wheatley
Davidson	Harhai	Neilson	Youngblood
Davis			

NAYS—118

Adolph	Greiner	Masser	Ross
Baker	Grove	McGinnis	Rothman
Barrar	Hahn	Mentzer	Saccone
Benninghoff	Harhart	Metcalfe	Sankey
Bloom	Harper	Metzgar	Santora
Boback	Harris, A.	Miccarelli	Saylor
Brown, R.	Heffley	Millard	Schemel
Causser	Helm	Miller, B.	Simmons
Christiana	Hennessey	Milne	Sonney
Corbin	Hickernell	Moul	Staats
Cox	Hill	Murt	Stephens
Culver	Irvin	Mustio	Tallman
Cutler	James	Nesbit	Taylor
Day	Jozwiak	O'Neill	Tobash
DeLozier	Kampf	Oberlander	Toepel
Diamond	Kaufer	Ortitay	Toohil
DiGirolamo	Kauffman	Parker, D.	Topper
Dunbar	Keller, F.	Payne	Truitt
Dush	Killion	Peifer	Vereb
Ellis	Klunk	Petri	Vitali
Emrick	Knowles	Pickett	Ward
Evankovich	Krieger	Pyle	Warner
Everett	Lawrence	Quigley	Watson
Farry	Lewis	Quinn	Wentling
Fee	Mackenzie	Rader	Wheeland
Gabler	Maher	Rapp	White
Gillen	Major	Reed	Zimmerman
Gillespie	Maloney	Reese	
Gingrich	Marshall	Regan	Turzai,
Godshall	Marsico	Roae	Speaker

NOT VOTING—0

EXCUSED—4

DeLuca	English	Keller, M.K.	Neuman
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Less than the majority having voted in the affirmative, the question was determined in the negative and the amendment was not agreed to.

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

Ms. DALEY offered the following amendment No. **A03464**:

Amend Bill, page 2, line 1, by striking out the bracket before "\$2,000"

Amend Bill, page 2, line 1, by striking out the bracket after "\$2,000" and inserting
or, in the case of a lobbyist or principal that has an annual budget in excess of \$100,000, not to exceed

Amend Bill, page 2, line 10, by striking out the bracket before "\$50"
Amend Bill, page 2, line 10, by inserting a bracket before the period after "day"
Amend Bill, page 2, line 10, by inserting after "day.] "
or, in the case of a lobbyist or principal that has an annual budget in excess of \$100,000, not to exceed

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

The SPEAKER. On that question, the Chair recognizes Representative Daley. Please hold, Representative.

Members, please take your seats.
Representative Daley, the floor is yours.
Ms. DALEY. Thank you, Mr. Speaker.

So I introduced amendment A03464 to HB 1348, and I introduced the amendment because of concerns for unintended consequences related to the dollar levels and the reporting requirements. So I am not looking to excuse any lobbyist or to treat any lobbyist differently, but I think we all understand that some lobbyists have very large budgets and some have smaller budgets.

I would like to just ask, Mr. Speaker, how the maker of this bill would see his bill without the amendment affecting the smaller lobbyists with smaller budgets.

The SPEAKER. Representative Daley, you want to interrogate the maker?

Ms. DALEY. Yes. Thank you.
The SPEAKER. He is agreeable to that.

Ms. DALEY. Thank you.
Mr. CUTLER. Thank you, Mr. Speaker.

Mr. Speaker, I would argue that there is actually more discretion in the bill as currently drafted. Referencing the comments from the last amendment debate, in each case, it is an amount not to exceed the \$4,000 or not to exceed the \$50 for the first 10 days. So again, I believe that they would have broader discretion under the bill as drafted, whereas when you look at the amendment as drafted, picking the \$100,000 budget, that would actually limit judicial discretion. We want to give them as much discretion as possible in cases like this, quite frankly, to address both the filing concerns as well as the issues that the prior gentleman raised. My fear would be that, as drafted, it would actually limit the ability to scale the fine to the related offense.

Ms. DALEY. Thank you. Thank you, Mr. Speaker.

So I would stand by this amendment and I would just ask that you consider the unintended consequences of passing this bill.

We all know that lobbyists come in all sizes, large and small, and the lobbying disclosure requirements, including penalties, should not act to meaningfully reduce the number or types of voices who attempt to provide opinions and ideas to legislators and other policymakers.

So I would ask for an affirmative vote on this amendment. Thank you.

The SPEAKER. Thank you.
Representative Cutler, on the amendment, sir.

Mr. CUTLER. Thank you, Mr. Speaker.

Mr. Speaker, I appreciate the gentlelady's concerns that she raises and the disparate impact that this could have on a variety of organizations. However, as I expressed during the

interrogation, I personally believe that we have ultimate judicial discretion now based on the current fine structure and we are only looking to utilize that same discretion to the extent with the new fines.

Additionally, Mr. Speaker, I think it is of greater concern that in terms of the budget, in terms of the \$100,000 budget and the smaller organizations or even volunteer organizations, one of the fundamental problems that we would have in implementation of this amendment in the real world would be the fact that their budgets are not currently a reportable item, so you would add to the reporting requirements. The next question, naturally, is, what items would fall into the budget if they have multiple principals? Is it the aggregate budget or only the budget for the related item that they are lobbying on?

Unfortunately, while I understand the gentelady's concerns, I think that this amendment would, one, remove judicial discretion, and two, further complicate the nature of reporting. I think that the foundation of our system is the equality of all in regards to the law, and therefore, I would urge a "no" vote on this amendment and we should treat everyone equally. Thank you.

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

The following roll call was recorded:

YEAS—82

Table with 4 columns of names: Acosta, Barbin, Bishop, Bizzarro, Boyle, Bradford, Briggs, Brown, V., Bullock, Burns, Caltagirone, Carroll, Cohen, Conklin, Costa, D., Costa, P., Cruz, Daley, M., Daley, P., Davidson, Davis, Dawkins, Dean, Deasy, DeLissio, Dermody, Donatucci, Driscoll, Evans, Fabrizio, Farina, Flynn, Frankel, Freeman, Gainey, Galloway, Gergely, Gibbons, Goodman, Hanna, Harhai, Harkins, Harris, J., Kavulich, Keller, W., Kim, Kinsey, Kirkland, Kortz, Kotik, Krueger, Longietti, Mahoney, Markosek, Matzie, McCarter, McClinton, McNeill, Miller, D., Mullery, Neilson, O'Brien, Parker, C., Pashinski, Petrarca, Ravenstahl, Readshaw, Roebuck, Rozzi, Sainato, Samuelson, Santarsiero, Schlossberg, Schreiber, Schweyer, Sims, Snyder, Sturla, Thomas, Vitali, Wheatley, Youngblood.

NAYS—117

Table with 4 columns of names: Adolph, Baker, Barrar, Benninghoff, Bloom, Boback, Brown, R., Causer, Christiana, Corbin, Cox, Culver, Cutler, Day, Delozier, Diamond, DiGirolamo, Greiner, Grove, Hahn, Harhart, Harper, Harris, A., Heffley, Helm, Hennessey, Hickernell, Hill, Irvin, James, Jozwiak, Kampf, Kaufer, Kauffman, Masser, McGinnis, Mentzer, Metcalfe, Metzgar, Miccarelli, Millard, Miller, B., Milne, Moul, Murt, Mustio, Nesbit, O'Neill, Oberlander, Ortitay, Parker, D., Ross, Rothman, Saccone, Sankey, Santora, Saylor, Schemel, Simmons, Sonney, Staats, Stephens, Tallman, Taylor, Tobash, Toepel, Toohil, Topper.

Table with 4 columns of names: Dunbar, Dush, Ellis, Emrick, Evankovich, Everett, Farry, Fee, Gabler, Gillen, Gillespie, Gingrich, Godshall, Keller, F., Killion, Klunk, Knowles, Krieger, Lawrence, Lewis, Mackenzie, Maher, Major, Maloney, Marshall, Marsico, Payne, Peifer, Petri, Pickett, Pyle, Quigley, Quinn, Rader, Rapp, Reed, Reese, Regan, Roae, Truitt, Vereb, Ward, Warner, Watson, Wentling, Wheeland, White, Zimmerman, Turzai, Speaker.

NOT VOTING—0

EXCUSED—4

Table with 4 columns of names: DeLuca, English, Keller, M.K., Neuman.

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

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

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 321, PN 341**, entitled:

An Act amending the act of April 16, 1992 (P.L.155, No.28), known as the Assessors Certification Act, repealing provisions relating to nonapplicability and providing for certification.

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

Table with 4 columns of names: Acosta, Adolph, Baker, Barbin, Barrar, Benninghoff, Bishop, Bizzarro, Bloom, Boback, Bradford, Briggs, Brown, R., Brown, V., Everett, Fabrizio, Farina, Farry, Fee, Flynn, Frankel, Freeman, Gabler, Gainey, Galloway, Gergely, Gibbons, Gillen, Gillespie, Krieger, Krueger, Lawrence, Lewis, Longietti, Mackenzie, Maher, Mahoney, Major, Maloney, Markosek, Marshall, Marsico, Masser, Matzie, Ravenstahl, Readshaw, Reed, Reese, Regan, Roae, Roebuck, Ross, Rothman, Rozzi, Saccone, Sainato, Samuelson, Sankey, Santarsiero.

Bullock	Gingrich	McCarter	Santora
Burns	Godshall	McClinton	Saylor
Caltagirone	Goodman	McGinnis	Schemel
Carroll	Greiner	McNeill	Schlossberg
Causer	Grove	Mentzer	Schreiber
Christiana	Hahn	Metcalfe	Schweyer
Cohen	Hanna	Metzgar	Simmons
Conklin	Harhai	Miccarelli	Sims
Corbin	Harhart	Millard	Snyder
Costa, D.	Harkins	Miller, B.	Sonney
Costa, P.	Harper	Miller, D.	Staats
Cox	Harris, A.	Milne	Stephens
Cruz	Harris, J.	Moul	Sturla
Culver	Heffley	Mullery	Tallman
Cutler	Helm	Murt	Taylor
Daley, M.	Hennessey	Mustio	Thomas
Daley, P.	Hickernell	Neilson	Tobash
Davidson	Hill	Nesbit	Toepel
Davis	Irvin	O'Brien	Toohil
Dawkins	James	O'Neill	Topper
Day	Jozwiak	Oberlander	Truitt
Dean	Kampf	Ortitay	Vereb
Deasy	Kaufner	Parker, C.	Vitali
DeLissio	Kauffman	Parker, D.	Ward
Delozier	Kavulich	Pashinski	Warner
Dermody	Keller, F.	Payne	Watson
Diamond	Keller, W.	Peifer	Wentling
DiGirolamo	Killion	Petrarca	Wheatley
Donatucci	Kim	Petri	Wheeland
Driscoll	Kinsey	Pickett	White
Dunbar	Kirkland	Pyle	Youngblood
Dush	Klunk	Quigley	Zimmerman
Ellis	Knowles	Quinn	
Emrick	Kortz	Rader	Turzai,
Evankovich	Kotik	Rapp	Speaker
Evans			

NAYS-0

NOT VOTING-0

EXCUSED-4

DeLuca	English	Keller, M.K.	Neuman
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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.

MOTION TO PROCEED TO CONSIDERATION UNDER RULE 24

The SPEAKER. Turning to Majority Leader Reed for a motion.

Mr. REED. Thank you, Mr. Speaker.

I would make a motion to proceed for the immediate consideration of HB 46 and SB 925. Thank you.

The SPEAKER. Thank you.

On the question,

Will the House agree to the motion?

The SPEAKER. Representative Dermody, the minority leader, on the motion.

Mr. DERMODY. Thank you, Mr. Speaker.

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

The SPEAKER. Thank you.

It is my understanding that HB 46 was passed at 3:04 yesterday and that SB 925 was passed at 3:02 yesterday. So the motion before us is to proceed on these two bills.

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

YEAS-190

Acosta	Evankovich	Knowles	Rader
Adolph	Evans	Kortz	Rapp
Baker	Everett	Kotik	Ravenstahl
Barbin	Fabrizio	Krieger	Readshaw
Barrar	Farina	Krueger	Reed
Benninghoff	Farry	Lawrence	Reese
Bishop	Fee	Lewis	Regan
Bizzarro	Flynn	Longietti	Roebuck
Bloom	Frankel	Mackenzie	Ross
Boback	Freeman	Maher	Rothman
Boyle	Gabler	Mahoney	Rozzi
Bradford	Gainey	Major	Saccone
Briggs	Galloway	Maloney	Sainato
Brown, R.	Gergely	Markosek	Sankey
Brown, V.	Gibbons	Marshall	Santarsiero
Bullock	Gillespie	Marsico	Santora
Burns	Gingrich	Masser	Saylor
Caltagirone	Godshall	Matzie	Schemel
Carroll	Goodman	McCarter	Schlossberg
Causer	Greiner	McClinton	Schreiber
Christiana	Grove	McGinnis	Schweyer
Cohen	Hahn	McNeill	Simmons
Conklin	Hanna	Mentzer	Sims
Corbin	Harhai	Metcalfe	Snyder
Costa, D.	Harhart	Miccarelli	Sonney
Costa, P.	Harkins	Millard	Staats
Cox	Harper	Miller, B.	Stephens
Cruz	Harris, A.	Miller, D.	Sturla
Culver	Harris, J.	Moul	Taylor
Cutler	Heffley	Murt	Thomas
Daley, M.	Helm	Mustio	Tobash
Daley, P.	Hennessey	Neilson	Toepel
Davis	Hickernell	Nesbit	Toohil
Dawkins	Hill	O'Brien	Topper
Day	Irvin	O'Neill	Vereb
Dean	James	Oberlander	Vitali
Deasy	Jozwiak	Ortitay	Ward
DeLissio	Kampf	Parker, C.	Warner
Delozier	Kaufner	Parker, D.	Watson
Dermody	Kauffman	Pashinski	Wentling
Diamond	Kavulich	Payne	Wheatley
DiGirolamo	Keller, F.	Peifer	Wheeland
Donatucci	Keller, W.	Petrarca	White
Driscoll	Killion	Petri	Youngblood
Dunbar	Kim	Pickett	Zimmerman
Dush	Kinsey	Pyle	
Ellis	Kirkland	Quigley	Turzai,
Emrick	Klunk	Quinn	Speaker

NAYS-9

Davidson	Milne	Roae	Tallman
Gillen	Mullery	Samuelson	Truitt
Metzgar			

NOT VOTING-0

EXCUSED—4

DeLuca English Keller, M.K. Neuman

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

SUPPLEMENTAL CALENDAR B CONTINUED

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 46, PN 2310**, entitled:

An Act providing for unannounced inspections of certain facilities and persons that provide child day care; conferring powers and duties on the Department of Human Services; repealing provisions of the Public Welfare Code relating to registration provisions; and abrogating a regulation.

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—198

Acosta	Evans	Krieger	Ravenstahl
Adolph	Everett	Krueger	Readshaw
Baker	Fabrizio	Lawrence	Reed
Barbin	Farina	Lewis	Reese
Barrar	Farry	Longietti	Regan
Benninghoff	Fee	Mackenzie	Roae
Bishop	Flynn	Maher	Roebuck
Bizzarro	Frankel	Mahoney	Ross
Bloom	Freeman	Major	Rothman
Boback	Gabler	Maloney	Rozzi
Boyle	Gainey	Markosek	Saccone
Bradford	Galloway	Marshall	Sainato
Briggs	Gergely	Marsico	Samuelson
Brown, R.	Gibbons	Masser	Sankey
Brown, V.	Gillespie	Matzie	Santarsiero
Bullock	Gingrich	McCarter	Santora
Burns	Godshall	McClinton	Saylor
Caltagirone	Goodman	McGinnis	Schemel
Carroll	Greiner	McNeill	Schlossberg
Causar	Grove	Mentzer	Schreiber
Christiana	Hahn	Metcalfe	Schweyer
Cohen	Hanna	Metzgar	Simmons
Conklin	Harhai	Miccarelli	Sims
Corbin	Harhart	Millard	Snyder
Costa, D.	Harkins	Miller, B.	Sonney
Costa, P.	Harper	Miller, D.	Staats
Cox	Harris, A.	Milne	Stephens
Cruz	Harris, J.	Moul	Sturla
Culver	Heffley	Mullery	Tallman
Cutler	Helm	Murt	Taylor
Daley, M.	Hennessey	Mustio	Thomas

Daley, P.	Hickernell	Neilson	Tobash
Davidson	Hill	Nesbit	Toepel
Davis	Irvin	O'Brien	Toohil
Dawkins	James	O'Neill	Topper
Day	Jozwiak	Oberlander	Truitt
Dean	Kampf	Ortitay	Vereb
Deasy	Kaufert	Parker, C.	Vitali
DeLissio	Kauffman	Parker, D.	Ward
Delozier	Kavulich	Pashinski	Warner
Dermody	Keller, F.	Payne	Watson
Diamond	Keller, W.	Peifer	Wentling
DiGirolamo	Killion	Petrarca	Wheatley
Donatucci	Kim	Petri	Wheeland
Driscoll	Kinsey	Pickett	White
Dunbar	Kirkland	Pyle	Youngblood
Dush	Klunk	Quigley	Zimmerman
Ellis	Knowles	Quinn	
Emrick	Kortz	Rader	Turzai,
Evankovich	Kotik	Rapp	Speaker

NAYS—1

Gillen

NOT VOTING—0

EXCUSED—4

DeLuca English Keller, M.K. Neuman

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.

REMARKS SUBMITTED FOR THE RECORD

The SPEAKER. Representative Godshall is recognized on unanimous consent.

Mr. GODSHALL. Thank you, Mr. Speaker.

I have some comments that I would like to submit for the record, please. Thank you.

The SPEAKER. Thank you, sir. They will be accepted.

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

HB 46 creates a freestanding act which allows the Department of Human Services to conduct unannounced inspections of both child day-care centers and family day-care centers. This would bring the State into compliance with the new child care and development block grant reauthorization which also requires annual and unannounced inspections. Further, this act would license family day-care centers, which are only currently required to register with the department.

Research has shown that unannounced inspections, or the availability of unannounced inspections, results in much stricter compliance with the health and safety regulations for day-care facilities. There are already 25 States which require unannounced inspections of all day-care facilities, although all States will be required to do so in order to keep the child-care subsidy funds.

Finally, this act will require the department to conduct an inspection of the day-care facility within 24 hours of a complaint which alleges a serious or immediate risk to the health or safety of a child, or after a serious injury or death of a child.

Please join me in protecting the Commonwealth's children with this commonsense and necessary piece of legislation.

STATEMENT BY MR. MARKOSEK

The SPEAKER. Representative Markosek, on unanimous consent.

Mr. MARKOSEK. Thank you, Mr. Speaker.

Mr. Speaker, if this is the appropriate time, I would just like to indicate that yesterday Representative Greg Vitali was on leave. It was the first time that he missed a session day in almost 23 years. As we all know, I myself am very much interested in those kinds of records, so I just wanted to point that out to the General Assembly that Representative Vitali had an almost 23-year perfect attendance record.

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 925, PN 1303**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in licensing of drivers, further providing for qualification for school bus driver endorsement; and, in commercial drivers, further providing for definitions, for employer responsibilities, for commercial driver's license qualification standards, for nonresident CDL, for commercial driver's license and for disqualification.

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

Acosta	Everett	Krieger	Ravenstahl
Adolph	Fabrizio	Krueger	Readshaw
Baker	Farina	Lawrence	Reed
Barbin	Farry	Lewis	Reese
Barrar	Fee	Longietti	Regan
Benninghoff	Flynn	Mackenzie	Roae
Bishop	Frankel	Maher	Roebuck
Bizzarro	Freeman	Mahoney	Ross
Bloom	Gabler	Major	Rothman
Boback	Gainey	Maloney	Rozzi
Boyle	Galloway	Markosek	Saccone
Bradford	Gergely	Marshall	Sainato
Briggs	Gibbons	Marsico	Samuelson
Brown, R.	Gillen	Masser	Sankey
Brown, V.	Gillespie	Matzie	Santarsiero
Bullock	Gingrich	McCarter	Santora
Burns	Godshall	McClinton	Saylor
Caltagirone	Goodman	McGinnis	Schemel
Carroll	Greiner	McNeill	Schlossberg
Causar	Grove	Mentzer	Schreiber
Christiana	Hahn	Metcalfe	Schweyer
Cohen	Hanna	Metzgar	Simmons
Conklin	Harhai	Miccarelli	Sims
Corbin	Harhart	Millard	Snyder
Costa, D.	Harkins	Miller, B.	Sonney

Costa, P.	Harper	Miller, D.	Staats
Cox	Harris, A.	Milne	Stephens
Cruz	Harris, J.	Moul	Sturla
Culver	Heffley	Mullery	Tallman
Cutler	Helm	Murt	Taylor
Daley, M.	Hennessey	Mustio	Thomas
Daley, P.	Hickernell	Neilson	Tobash
Davidson	Hill	Nesbit	Toepel
Davis	Irvin	O'Brien	Toohil
Dawkins	James	O'Neill	Topper
Day	Jozwiak	Oberlander	Truitt
Dean	Kampf	Ortitay	Vereb
Deasy	Kaufner	Parker, C.	Vitali
DeLissio	Kauffman	Parker, D.	Ward
Delozier	Kavulich	Pashinski	Warner
Dermody	Keller, F.	Payne	Watson
Diamond	Keller, W.	Peifer	Wentling
DiGirolamo	Killion	Petrarca	Wheatley
Donatucci	Kim	Petri	Wheeland
Driscoll	Kinsey	Pickett	White
Dunbar	Kirkland	Pyle	Youngblood
Dush	Klunk	Quigley	Zimmerman
Ellis	Knowles	Quinn	
Emrick	Kortz	Rader	Turzai,
Evankovich	Kotik	Rapp	Speaker
Evans			

NAYS—0

NOT VOTING—0

EXCUSED—4

DeLuca	English	Keller, M.K.	Neuman
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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.

REPORT OF COMMITTEE ON COMMITTEES

The SPEAKER. The clerk will read the following supplemental report from the Committee on Committees.

The following report was read:

Committee on Committees
Supplemental Report

In the House of Representatives
October 6, 2015

RESOLVED, That

Representative Sue Helm, Dauphin and Lebanon Counties, resigned as a member of the Professional Licensure Committee.

Representative Rosemary Brown, Monroe and Pike Counties, resigned as a member of the Commerce Committee and is elected as a member of the Professional Licensure Committee.

Representative Marcia Hahn, Northampton County, resigned as a member of the Gaming Oversight Committee.

Representative Nick Miccarelli, Delaware County, resigned as a member of the Urban Affairs Committee and is elected as a member of the Gaming Oversight Committee.

Representative Rob Kauffman, Franklin County, is elected as a member of the Urban Affairs Committee.

Representative Jerry Knowles, Berks, Carbon and Schuylkill Counties, resigned as a member of the Gaming Oversight Committee and is elected as a member of the Urban Affairs Committee.

Representative Kurt Masser, Montour, Columbia and Northumberland Counties, resigned as a member of the Urban Affairs Committee and is elected as a member of the Gaming Oversight Committee.

Representative Steven Mentzer, Lancaster County, resigned as a member of the Gaming Oversight Committee and is elected as a member of the Labor and Industry Committee.

Representative Jason Ortity, Allegheny and Washington Counties, resigned as a member of the Labor and Industry Committee and is elected as a member of the Gaming Oversight Committee.

Representative Jeff Wheeland, Lycoming County, is elected as a member of the Commerce Committee.

Representative Jamie Santora, Delaware County, resigned as a member of the Children and Youth Committee and is elected as a member of the Gaming Oversight Committee.

Representative Greg Rothman, Cumberland County, resigned as a member of the Gaming Oversight Committee and is elected as a member of the Children and Youth Committee.

Respectfully submitted,
Robert Godshall, Chairman
Committee on Committees

On the question,
Will the House adopt the resolution?
Resolution was adopted.

GAMING OVERSIGHT COMMITTEE MEETING

The SPEAKER. Turning to the committee announcements, Representative John Payne, chair of Gaming Oversight, is recognized.

Mr. PAYNE. Thank you, Mr. Speaker.

Mr. Speaker, the committee will have a hearing tomorrow. It is being moved from 9:30 to 8 a.m., Gaming Oversight Committee hearing is 8 a.m. in 205 Ryan, and we will provide coffee and toothpicks for those that need it. Thank you.

The SPEAKER. The Gaming Oversight Committee hearing is at 8 a.m. tomorrow in 205 Ryan.

HEALTH COMMITTEE MEETING

The SPEAKER. Representative Matt Baker, chairman of the Health Committee, for a committee announcement.

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

Mr. Speaker, given the advent that session will begin at 9 a.m. in the morning, we are moving the Health Committee

meeting to the call of the Chair tomorrow, same room – 60 East Wing.

Thank you very much, Mr. Speaker.

The SPEAKER. The Health Committee meeting is being moved to the call of the Chair tomorrow, same room – 60 East Wing.

COMMITTEE MEETING POSTPONED

The SPEAKER. Representative Tim Hennessey, the chair of Aging and Older Adult Services, for an announcement.

Mr. HENNESSEY. Thank you, Mr. Speaker.

Mr. Speaker, in light of tomorrow's session schedule, the House Aging and Older Adult Services Committee meeting, which was scheduled for 9:30, will be canceled and rescheduled for October 21. Thank you.

The SPEAKER. Thank you, sir.

REPUBLICAN CAUCUS

The SPEAKER. Sandra Major, the majority caucus chair, for an announcement.

Ms. MAJOR. Thank you, Mr. Speaker.

I would like to announce Republicans will caucus today at 3:30. I would ask our Republican members to please report to our caucus room today at 3:30 p.m. Thank you.

The SPEAKER. Thank you very much.

DEMOCRATIC CAUCUS

The SPEAKER. Representative Dan Frankel, the minority caucus chair, for an announcement.

Mr. FRANKEL. Thank you, Mr. Speaker.

Democrats will caucus at 2 o'clock, 2 o'clock. I had indicated earlier it was going to be 3 p.m., but please report to caucus at 2 o'clock. Thank you.

BILLS RECOMMENDED

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

HB 323;
HB 470;
HB 623; and
HB 1348.

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

BILLS REMOVED FROM TABLE

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

HB 1170;
HB 1201;
HB 1202;
HB 1317;
HB 1341;
HB 1540;
SB 765; and
SB 890.

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

BILL REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader, who moves that SB 747 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.

BILL TABLED

The SPEAKER. The Chair recognizes the majority leader, who moves that SB 747 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.

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. Representative Kathy Watson moves that the House now be adjourned until Wednesday, October 7, 2015, at 9 a.m., e.d.t., unless sooner recalled by the Speaker.

On the question,
Will the House agree to the motion?
Motion was agreed to, and at 1:14 p.m., e.d.t., the House adjourned.