

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

TUESDAY, APRIL 12, 2016

SESSION OF 2016

200TH OF THE GENERAL ASSEMBLY

No. 22

HOUSE OF REPRESENTATIVES

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

**THE SPEAKER (MIKE TURZAI)
PRESIDING**

PRAYER

HON. JOANNA McCLINTON, member of the House of Representatives, offered the following prayer:

Lord Jesus, we thank You and praise You, for this is the day that You have made. We are rejoicing and we are glad. Father, we are so grateful for a new day. This day was not promised to us, yet and still we are here. We recognize we are here today because of Your grace, Your mercy, because of Your faithfulness. Every morning we are blessed with new mercies, and for that our hearts say thank You.

Lord, we thank You for all of Your blessings. We thank You for life, health, strength, for food on our table and clothes on our backs. Father, we thank You for, most importantly, the opportunity and privilege to serve and to lead in Pennsylvania.

Father, we pray right now for each and every one of our colleagues, that You touch us, God, from the top of our heads to the bottom of our feet. You know what we stand in need of. You know what we need in our homes, You know what we need in our families, You know what we need in our districts, You know what our constituents need. So it is our prayer today that we would be a vessel of hope, that we would give ourselves away so that You can use us.

We pray that You would give us the ability to transcend every sort of divide, that we could be an example all across the nation of what we are able to do in the wells of this House. Lord, we just thank You right now. We give Your name the praise because You told us in Your Word that in all things You will work together for the good of those that love You and are called according to Your purpose.

We thank You right now, in Jesus' name. 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, April 11, 2016, will be postponed until printed.

BILLS REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

HB 245, PN 3167 (Amended)

By Rep. O'NEILL

An Act amending the act of December 31, 1965 (P.L.1257, No.511), known as The Local Tax Enabling Act, in local taxes, further providing for definitions, for payroll tax, for payment of tax to other political subdivisions or states as credit or deduction and withholding tax and for tax limitations; in consolidated collection of local income taxes, further providing for definitions, for declaration and payment of income taxes, for tax collection committees, for powers and duties of Department of Community and Economic Development, for powers and duties of tax officer and for withholding and remittance; and, in collection of delinquent taxes, further providing for penalties and for costs of collection of delinquent per capita, occupation, occupational privilege, emergency and municipal services, local services and income taxes.

FINANCE.

SB 356, PN 1689 (Amended)

By Rep. O'NEILL

An Act amending the act of December 31, 1965 (P.L.1257, No.511), known as The Local Tax Enabling Act, in consolidated collection of local income taxes, providing for the definition of "farming" and further providing for declaration and payment of income taxes and for withholding and remittance.

FINANCE.

HOUSE RESOLUTION INTRODUCED AND REFERRED

No. 808 By Representatives ORTITAY, R. BROWN, V. BROWN, DAVIS, EVERETT, GIBBONS, PHILLIPS-HILL, LONGIETTI, MARSHALL, MILLARD, MILNE, PICKETT, RADER, ROSS, THOMAS, WARD, WARNER and READSHAW

A Concurrent Resolution establishing a task force on voting system technology modernization and creating an advisory committee.

Referred to Committee on STATE GOVERNMENT, April 12, 2016.

**HOUSE BILLS
INTRODUCED AND REFERRED**

No. 1989 By Representatives ROEBUCK, FREEMAN, MILLARD, LEWIS, SCHLOSSBERG, THOMAS, JAMES, MURT, CALTAGIRONE, O'BRIEN, V. BROWN, DAVIS, READSHAW, D. COSTA, ROZZI, KINSEY, NEILSON, BULLOCK, MILNE, SCHREIBER, GILLEN and LONGIETTI

An Act amending Title 24 (Education) of the Pennsylvania Consolidated Statutes, in membership, contributions and benefits, further providing for termination of annuities.

Referred to Committee on EDUCATION, April 12, 2016.

No. 1990 By Representatives MAJOR, HELM, YOUNGBLOOD, PICKETT, MILLARD, D. COSTA, DiGIROLAMO, EVERETT and WARD

An Act authorizing the Department of General Services, with the approval of the Pennsylvania Historical and Museum Commission and the Governor, to grant and convey to Associate Members of Old Mill Village Museum, Inc., certain lands situate in New Milford Township, Susquehanna County.

Referred to Committee on STATE GOVERNMENT, April 12, 2016.

No. 1991 By Representative SCHEMEL

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

Referred to Committee on LOCAL GOVERNMENT, April 12, 2016.

No. 1992 By Representative SCHEMEL

An Act amending Title 11 (Cities) of the Pennsylvania Consolidated Statutes, further providing for municipal authorities and cooperation with other political subdivisions.

Referred to Committee on LOCAL GOVERNMENT, April 12, 2016.

No. 1993 By Representatives KAMPF, MALONEY, MUSTIO, A. HARRIS, KILLION, MILLARD, HARHAI, GILLEN, ROTHMAN, MARSICO, REGAN, BARRAR, HELM and BENNINGHOFF

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

Referred to Committee on URBAN AFFAIRS, April 12, 2016.

SENATE BILL FOR CONCURRENCE

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

SB 1040, PN 1333

Referred to Committee on TRANSPORTATION, April 12, 2016.

LEAVES OF ABSENCE

The SPEAKER. The majority whip requests leaves of absence for the following: Representative Mike VEREB of Montgomery County for the day. Without objection, that will be granted.

The minority whip requests leaves of absence for the following: Representative SANTARSIERO of Bucks County for the day, Representative THOMAS of Philadelphia County for the day, Representative Peter DALEY of Washington County for the day, Representative SAVAGE of Philadelphia County for the day, Representative EVANS of Philadelphia County for the day, and Representative KRUEGER-BRANEKY of Delaware County for the day. Without objection, that will be granted.

MASTER ROLL CALL

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

(Members proceeded to vote.)

LEAVE OF ABSENCE

The SPEAKER. Representative DiGIROLAMO should be placed for the day on leave at the request of the majority whip. Without objection, that will be granted.

MASTER ROLL CALL CONTINUED

The following roll call was recorded:

PRESENT—195

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

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

ADDITIONS—0

NOT VOTING—0

EXCUSED—8

Daley, P.	Evans	Santarsiero	Thomas
DiGirolamo	Krueger	Savage	Vereb

LEAVES ADDED—5

Brown, V.	Peifer	Pyle	Schlossberg
Fee			

LEAVES CANCELED—5

Daley, P.	Santarsiero	Schlossberg	Vereb
Fee			

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

SENATE MESSAGE

HOUSE RESOLUTION
CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, informed that the Senate has concurred in **HR 783, PN 3091**.

SENATE MESSAGE

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

The clerk of the Senate, being introduced, returned **HB 794, PN 3162**, and **HB 1329, PN 2973**, 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,
April 11, 2016

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, May 9, 2016, 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 Senate recesses the week of May 9, 2016, it reconvene on Monday, May 16, 2016, 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, May 2, 2016, unless sooner recalled by the Speaker of the House of Representatives; and be it further

RESOLVED, Pursuant to Article II, Section 14 of the Pennsylvania Constitution, that when the House of Representatives recesses the week of May 2, 2016, it reconvene on Monday, May 16, 2016, 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.

LEAVE OF ABSENCE

The SPEAKER. The minority whip has indicated that Representative SCHLOSSBERG would like to be placed on leave for the remainder of the day. Without objection, that will be granted.

FILMING PERMISSION

The SPEAKER. PennLive, Sean Simmers, will be here to take still photos. He wants to get some photos of the championship Cumberland Valley Girls Basketball Team when the citation is presented. So we will be giving permission to this individual from PennLive to be on the House floor. Thank you.

CUMBERLAND VALLEY HIGH SCHOOL
GIRLS BASKETBALL TEAM
PRESENTED

The SPEAKER. Representative Rothman, Representative Bloom, and Representative Regan are all invited to the rostrum for the purpose of presenting a citation to one of our championship teams. Members, if you could please take your seats. Thank you.

Now, I realize this particular championship team did not have to travel as far, but we are so excited to have them here with us. As you know, whenever we have the championship teams here, we do like to give them an opportunity to be heard.

And then I think we have one of the boys basketball championship teams here as well today, so this is very exciting. Representative Regan said we might get them to mix it up here a little bit later in a basketball game.

Representative Rothman, the floor is yours, sir.

Mr. ROTHMAN. Mr. Speaker, I would bet on these ladies.

I want to take a moment today to congratulate the members of the girls Cumberland Valley Basketball Team for winning the 2016 PIAA AAAA State Championship.

Mr. Speaker, this achievement is truly remarkable. This is the Cumberland Valley Girls Basketball Team's third consecutive State championship, a truly noteworthy feat for any sports program across the Commonwealth.

Congratulations to all the members of the team, including the seniors who are also captains: Morgan Frazier, Morgan Baughman, and Kelly Jekot, who in February capped off her basketball career by scoring her 2000th point as a Cumberland Valley Eagle. Kelly has also been named the Gatorade Girls Basketball Player of the Year for 2 consecutive years. In the fall she will be attending Villanova University to play on the women's basketball team and to bring a championship to that school like their men's team did earlier this month. Also with us today is her younger sister, Katie, who is also a captain, and after she graduates she will be attending St. Joseph's University where she will be a Hawk.

We also have in the back other members of the team: Addison Kirkpatrick, Mackenzie Torresin, Jess Tonrey, Lydia Schwalm, Sarah Lehman, and Sarah Morris; sophomores Allison Hinish and Mackenzie Zimmerman; and freshman Melanie Miller. The team managers are Jenna Mauriello and McKenna Klineyoung; coach Bill Wolf and assistant coaches Jill Kalback, Phil Gillis, Jim Poole, and Denny Bavaria, as well as athletic director Mike Craig.

Mr. Speaker, to the seniors who are graduating this year, I know they will succeed in future endeavors because the skills they learned together as a team are skills that you will carry with you throughout your lives. Hard work, determination, passion, and a willingness to work together will help you achieve whatever your dreams may be.

This team continues to make our community proud, and the Cumberland Valley Girls Basketball Team can be proud of their outstanding achievements.

Colleagues, please join me in a round of applause for the 2016 PIAA AAAA Girls Basketball Champions, the Cumberland Valley Eagles.

The SPEAKER. Thank you, Representative Rothman and Representatives Bloom and Regan.

Do either of you wish to speak? Okay. Thank you.

ALIQUIPPA HIGH SCHOOL BOYS BASKETBALL TEAM PRESENTED

The SPEAKER. And my neighbor, Representative Rob Matzie, out west. Representative Matzie is invited to the rostrum for the purpose of presenting a citation to another of our State's fine championship basketball teams.

Representative Matzie, the rostrum is yours, sir.

These young men and their coach traveled quite some distance, a good 4 hours to be here today and another 4 hours back, and we are so pleased to welcome them to the House floor.

Representative Matzie, the floor is yours, sir.

Mr. MATZIE. Thank you, Mr. Speaker.

It is my absolute pleasure to recognize the 2016 PIAA Class AA Boys State Basketball Champions, the Aliquippa Quips.

Last month, right up the road at the Giant Center in Hershey, these young men defeated Mastery Charter North by an impressive 68-to-49 margin, capping a perfect season – that is right, perfect 14 and 0 in conference play and 30 and 0 overall.

I would like to take a second to note how special and how rare that perfect season was. Aliquippa is only the 13th team from the Western Pennsylvania Interscholastic Athletic League and only the 33d team statewide to achieve a perfect season.

In recognition of their accomplishment, the Pittsburgh Post-Gazette rightly observed that the names of Chucky Humphries, first-team All-State; Jassir Jordan, first-team All-State; Sheldon Jeter, Kaezon Pugh, and Robert Crute, the team's five starters, will live in Aliquippa lore.

Now, as many of you know, prior to me entering public service – and I still continue – I had the great pleasure of being a high school football and basketball announcer on the radio, and I had the great privilege of calling the 1989 and the 1994 State champion Aliquippa teams and was an observer in '97 and, of course, here in '16 when they won the AA title.

Now, the high praise with the lore that comes with this team is impressive because it includes names like Ditka, Gilbert, Walker, Law, and Revis; high praise, indeed.

Great teams are usually led by great coaches. Head coach Nick Lackovich, the PIAA AA Coach of the Year, and his several assistants, including Dwight Hines, who is here today, fit that description, instilling in these young men a desire to succeed, but to do so with sportsmanship and class.

It is said that the true measure of character is how one gets back up after they have been knocked down. After a near miss at a State championship last year, these Quips bounced back up and captured basketball gold. They are a source of inspiration and pride for the entire Aliquippa community, and it is an honor to have them in the House chamber today.

With great success comes great expectations, and I expect the Quips will put another strong team on the floor in 2016-17. As Coach Lackovich can tell you, the supporters of Aliquippa basketball do not expect anything unreasonable, just another championship.

And as we like to say in Aliquippa, "They don't rebuild, they reload."

Once again, I would like to congratulate the team for their stellar, undefeated season and State championship.

Thank you, Mr. Speaker.

The SPEAKER. And the rest of the team, as you know, is in the back standing up, so it is great to see you here too. Thank you so much.

And, Representative Matzie, thank you so much, sir.

GUESTS INTRODUCED

The SPEAKER. Representative Santora has a guest with us today, Tracy Dahn. Tracy, if you will stand up. Thanks so much for being with us today. Tracy is a student at Temple University

and is also a professional social worker. It is great to have you with us today. Thank you for being here.

Representative Justin Simmons has a guest, Megan Marsh. Megan, if you will stand. Megan is 18 years old, and, folks, listen to this, this young lady has raised over \$50,000 over the past 9 years to find a cure for blindness. She talks with children and young adults who are newly diagnosed and offers them support. With Megan today is her mom, Lori Marsh, and I know that Representative Justin Simmons has additional friends and family members of the Marshes seated in the rear of the House, if they would stand, too, wherever they might be, the Marsh family. Thank you so much. And everybody please give this young lady a great big round of applause.

Adam Ravenstahl has some guests with the Epilepsy Foundation that are here today in the Capitol – they are in the rear of the House – Brigitte Jackson and her family and Peter Soergel and his family. Please rise. Thank you so much for being with us today. We appreciate all that you do. Great to have you here.

We had some family members here yesterday of Warren Kampf. Today Representative Tom Murt welcomes his nephew, Thomas Cook, and I think Thomas is here with his mom and dad, Nancy and Tommy. Are they guests of Representative Neilson? Oh, for both. Representative Neilson and Representative Murt have guests here today, and if everybody could stand, we would greatly appreciate it. Thank you for being with us.

Representative Marcy Toepel has students from Montgomery County Community College. They are participating in a shadowing program with a representative in her office. If they will please stand: Marissa Kampe, Taylor Gordon, Sadie Magro, Torey Magziak, Tiffany Zerbe, and Lane Alderfer. Thank you so much for joining Representative Toepel in the House chamber today.

Representative Duane Milne has in the rear of the House these individuals from Immaculata University – if you will please stand – Courtney Jones, Elizabeth McBride, Gladys Jones, Leah Briner, Molly Truitt, and Laura Chisholm from the great university, Immaculata University, home of many basketball championships over the years. They are guests of Representative Duane Milne. Thank you for being with us today.

Representative Brandon Neuman has invited a St. Vincent College student, Mark Mascara – if Mark could rise. He is studying political science and is a good friend and guest of Representative Brandon Neuman. Thank you for being here today.

In the gallery today Representative Paul Costa and Representative Rob Matzie have students from Point Park University in downtown Pittsburgh. If you could get a chance to see the expanding campus right in the heart of Pittsburgh, I welcome you to do so. It has really grown leaps and bounds. And we have Alexis Sherman, Amber Mole, Blaine King, Amedea Baldoni, Gabe Dubin, and Robert Bertha, and they are guests of Representatives Paul Costa and Rob Matzie. Please stand and thank you very much for being with us. Thank you.

Representative Sheryl Delozier welcomes, in the well of the House, a guest page, Jenna Bohrer from Mechanicsburg Area High School. Jenna, thank you for being with us today.

In the well of the House, the Chair welcomes guest pages from Representative Tina Pickett's district. They are from the North Rome Christian School, Nicholas Schmiege and Nathan Pitcher. Thank you so much, young men, for being with us today.

In the rear of the House, Samantha Muller is a senior at East Stroudsburg University majoring in political science, and she works with Representative David Parker's Stroudsburg office, and Eileen Porte from Representative Parker's district office is accompanying her. If you could both stand, we would greatly appreciate it. Thank you very much for being with us today.

Kyle Scheaffer, who is a student at Elizabethtown College and a constituent from the Lehigh Valley, is shadowing Representative Mackenzie and is a constituent of Representative Craig Staats' office. So we really appreciate Kyle for being here. Please stand and welcome to the chamber of the House. Thank you.

Representative Karen Boback has in the gallery Dallas High School Economics Competition Club and their adviser, Tim Gilroy. If you could all please rise, those in the competition. Great to have you here today. Thank you for coming down from Dallas.

Representative Donna Oberlander welcomes these guests: Linda Horner, Twila Steele, and Katherine Steele. If you could please rise. It is great to have you here in the Capitol today. Thank you so much for being here.

And Representative Bryan Cutler and Representative Mike Sturla have to the left of the rostrum the Franklin and Marshall College's men's basketball coach, Glenn Robinson, and his wife, Kathy. If you could please rise. Thank you so much for being here today. Outstanding institution.

STATEMENT BY MR. STURLA

The SPEAKER. Representative Cutler and Representative Sturla, the floor is yours, sir.

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, I hope everybody will join us in congratulating Coach Robinson on his 900th career win against Swarthmore earlier this year. He is one of only four coaches in the NCAA (National Collegiate Athletic Association) which has accomplished this. They include Mike Krzyzewski, Herb Magee, and Bobby Knight, names I am sure you are all familiar with.

He has been at Franklin and Marshall since 1968. He has won the National Association of Basketball Coaches Coach of the Year Award 12 times. The NCAA Division III tournament, he has been there 23 times, most recently in 2012, with 16 Sweet 16 appearances and 10 Elite Eight finishes.

And here is the great part about this: His students have a near-perfect graduation rate, proving that his success goes well beyond the basketball court.

I was hoping that the Aliquippa Quips could stay a little longer so that they had a chance to be recruited, because we could use some championship players again also, but I will leave that up to the coach to track them down somewhere in the Capitol.

But again, congratulations on your coaching accomplishments, Coach Robinson.

STATEMENT BY MR. CUTLER

The SPEAKER. Representative Cutler.

Mr. CUTLER. Thank you, Mr. Speaker.

Mr. Speaker, I just wanted to add my congratulations to the coach as well. I had the privilege of knowing him both as a friend and as a neighbor, and one of the things that I have always been impressed in his approach is that combined success, both on the court and the way that he drives his students to be equally successful in the classroom.

And I want to congratulate you. You are in a very elite crowd, and I am sure that as you continue, you will continue to lead both at school and in our community. Thank you for what you do.

Thank you, Mr. Speaker.

The SPEAKER. Coach, thank you for being here today, Mrs. Robinson as well, and congratulations. That is outstanding. We wish you continued success.

CALENDAR

RESOLUTIONS PURSUANT TO RULE 35

Mr. CUTLER called up **HR 707, PN 2900**, entitled:

A Resolution honoring Franklin and Marshall College's men's basketball coach, Glenn Robinson, for achieving 900 basketball game victories.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—194

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

Dawkins	Hill	Nelson	Toohil
Day	Irvin	Nesbit	Topper
Dean	James	Neuman	Truitt
Deasy	Jozwiak	O'Brien	Vitali
DeLissio	Kampf	O'Neill	Ward
Delozier	Kaufman	Oberlander	Warner
DeLuca	Kauffman	Ortitay	Watson
Dermody	Kavulich	Parker, D.	Wentling
Diamond	Keller, F.	Pashinski	Wheatley
Donatucci	Keller, M.K.	Payne	Wheeland
Driscoll	Keller, W.	Peifer	White
Dunbar	Killion	Petrarca	Youngblood
Dush	Kim	Petri	Zimmerman
Ellis	Kinsey	Pickett	
Emrick	Kirkland	Pyle	Turzai,
English	Klunk	Quigley	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—9

Daley, P.	Krueger	Savage	Thomas
DiGirolamo	Santarsiero	Schlossberg	Vereb
Evans			

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

* * *

Mr. BOYLE called up **HR 729, PN 2936**, entitled:

A Resolution recognizing the 100th anniversary of the Easter Rising in Ireland.

On the question,
Will the House adopt the resolution?

The SPEAKER. Representative Boyle is recognized on the question as to whether we should adopt the resolution.

Representative Boyle, the floor is yours.

Mr. BOYLE. I urge passage of this resolution in honor of the Irish independence movement, which 100 years ago on April 24 successfully began a campaign that eventually drove Britain from about 80 percent of the island of Ireland. Interestingly enough, Irish independence was the first successful military coup to British rule between 1776 and 1916. So there was a very long time between the American independence from the British Empire and the next British colony to leave the British Empire.

So I urge passage of this resolution. Thank you.

The SPEAKER. Thank you, Representative.

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

The following roll call was recorded:

YEAS—194

Acosta	Evankovich	Knowles	Quinn
Adolph	Everett	Kortz	Rader
Artis	Fabrizio	Kotik	Rapp
Baker	Farina	Lawrence	Ravenstahl

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

NAYS—0

NOT VOTING—0

EXCUSED—9

Daley, P.	Krueger	Savage	Thomas
DiGirolamo	Santarsiero	Schlossberg	Vereb
Evans			

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

UNCONTESTED CALENDAR

RESOLUTIONS PURSUANT TO RULE 35

Mr. BURNS called up **HR 623, PN 2679**, entitled:

A Resolution recognizing the month of April 2016 as "Occupational Therapy Month" in Pennsylvania.

* * *

Ms. HARPER called up **HR 714, PN 2907**, entitled:

A Resolution designating the week of April 11 through 15, 2016, as "Local Government Week" in Pennsylvania.

* * *

Ms. OBERLANDER called up **HR 720, PN 2913**, entitled:

A Resolution designating the month of April 2016 as "Esophageal Cancer Awareness and Prevention Month" in Pennsylvania.

* * *

Mr. BAKER called up **HR 731, PN 2938**, entitled:

A Resolution recognizing April 16, 2016, as "World Voice Day" in Pennsylvania.

* * *

Mr. MURT called up **HR 769, PN 3099**, entitled:

A Resolution recognizing the week of April 17 through 23, 2016, as "Shaken Baby Syndrome Awareness Week" in Pennsylvania.

* * *

Mr. WHEATLEY called up **HR 790, PN 3144**, entitled:

A Resolution recognizing the month of April 2016 as "National Jazz Month" in Pennsylvania.

* * *

Mr. MURT called up **HR 792, PN 3111**, entitled:

A Resolution designating May 1, 2016, as "The Battle of the Crooked Billet Day" in Pennsylvania.

* * *

Mr. FLYNN called up **HR 801, PN 3128**, entitled:

A Resolution designating the week of April 17 through 23, 2016, as "Pennsylvania Family Center Network Week" in Pennsylvania.

* * *

Mrs. DEAN called up **HR 803, PN 3146**, entitled:

A Resolution recognizing April 30, 2016, as "National Prescription Drug Take-Back Day" in Pennsylvania.

* * *

Mr. FABRIZIO called up **HR 804, PN 3147**, entitled:

A Resolution recognizing the month of April 2016 as "Parkinson's Disease Awareness Month" in Pennsylvania.

* * *

Mr. O'NEILL called up **HR 807, PN 3149**, entitled:

A Resolution designating April 16, 2016, as "4p-/Wolf-Hirschhorn Syndrome Awareness Day" in Pennsylvania.

On the question,
Will the House adopt the resolutions?

The following roll call was recorded:

YEAS—194

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

NAYS—0

NOT VOTING—0

EXCUSED—9

Daley, P.	Krueger	Savage	Thomas
DiGirolamo	Santarsiero	Schlossberg	Vereb
Evans			

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

The SPEAKER. We have a number of members who wish to be recognized on a number of the resolutions. I am just going to take them in order by the number.

STATEMENT BY MR. BURNS

The SPEAKER. Representative Burns is recognized on HR 623.

Members, Representative Burns has the floor. If you could please take your seats and give him your attention, I would certainly appreciate it.

Representative Burns, you may proceed, sir.

Mr. BURNS. Thank you, Mr. Speaker.

Both the American Occupational Therapy Association and the Pennsylvania Occupational Therapy Association have declared the month of April 2016 to be known as "Occupational Therapy Month."

The profession of occupational therapy helps people overcome the effects of illness, injury, and other conditions that keep them from living life to the fullest. Occupational therapy practitioners help citizens achieve participation in their favorite everyday activities. Through the use of client-centered evaluation and intervention strategies, the services of occupational therapies are available to citizens of Pennsylvania through hospitals, rehabilitation hospitals, home health agencies, schools, clinics, psychiatric facilities, community-based service centers, and nursing homes.

The health and productivity of the citizens of Pennsylvania depend on the effectiveness and use of health-care resources, including the important services of occupational therapists and occupational therapy assistants.

I ask that you join me today and all citizens to recognize the achievements and contributions of these valued health-care professionals. Thank you.

The SPEAKER. Thank you, Representative Burns.

STATEMENT BY MS. HARPER

The SPEAKER. Representative Kate Harper is recognized on HR 714.

Members, if you can, please take your seats and let us give our attention to Chairman Harper on HR 714.

Ms. HARPER. Thank you, Mr. Speaker.

I would like to thank my colleagues for a unanimous vote decreeing this week "Local Government Week" in Pennsylvania. We have 4,500 local governments. If you count all of the counties, of which there are 67, there are 50 cities, there are almost 1,500 townships of the second class, 100 townships of the first class, 500 school districts, 950 boroughs, 1 incorporated town, and more than 1,500 municipal authorities. Literally, thousands of our fellow citizens serve these local government units, often without pay or at some minimal stipend, doing the business that make our communities function.

So this is a good week to honor them. Please go home and say hello to somebody who sits on the borough council or the township planning commission and thank them for their service. And thank you for your unanimous vote naming this week "Local Government Week" in the Commonwealth of Pennsylvania.

Thank you, Mr. Speaker.

The SPEAKER. Thank you.

STATEMENT BY MS. OBERLANDER

The SPEAKER. Representative Donna Oberlander is recognized to speak on HR 720.

Ms. OBERLANDER. Thank you, Mr. Speaker.

Mr. Speaker, I rise today to thank my esteemed colleagues for their support in unanimous passage of HR 720, naming April 2016 as "Esophageal Cancer Awareness and Prevention Month" in Pennsylvania.

As the Speaker mentioned, I am joined by my constituents, Linda Horner; her sister, Jean Steele; and her mother, Katherine Steele. For the past 6 years, Linda has made the 6-hour round trip to Harrisburg to be here as we pass this resolution.

You may ask yourself, why? Well, I am going to tell you. Because Linda's husband, Richard, is a survivor of esophageal cancer, one of the most deadly cancers, where only one in five survive for more than 5 years after their diagnosis.

The SPEAKER. Representative Oberlander, just suspend for a moment, please. Thank you.

Members, if you could please take your seats. Thank you. Representative Oberlander has guests here today with respect to esophageal cancer, and if we could just take our seats, and I am just going to ask Representative Oberlander to proceed, and I apologize for interrupting.

Ms. OBERLANDER. Thank you.

And thankfully, Richard is celebrating his seventh year of survival.

But early detection and awareness can further improve the chances, so that is why we do this resolution each year. That is why these outstanding folks feel the need to be here. I appreciate your unanimous support.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, Representative.

On HR 769 Representative Tom Murt is recognized. We will go over that at this time.

Representative Wheatley is recognized to speak on HR 790. We will be going over that.

STATEMENT BY MRS. DEAN

The SPEAKER. Representative Dean is recognized to speak on HR 803.

Mrs. DEAN. Thank you, Mr. Speaker.

And I thank all of my colleagues for your unanimous support of HR 803, recognizing April 30, 2016, as "National Prescription Drug Take-Back Day" in Pennsylvania.

In 2010 the Drug Enforcement Administration began teaming with local agencies and local towns to encourage people to safely rid their homes and medicine cabinets of potentially dangerous expired, unused, unwanted prescription drugs. Since the first "National Prescription Drug Take-Back Day," the DEA and its partners, our very towns, have collected 5.5 million pounds of prescription drugs, approximately 2.7 tons of prescription medication that we were able to get off the street and out of our houses.

This initiative addresses a vital public safety and public policy health issue. According to the DEA and according to

what we now know, unwanted and unused or expired medications that languish in our homes or stay in our medicine cabinets are highly susceptible to diversion and abuse. The DEA warns that a majority of abused prescription drugs are obtained from family members, including from our own home medicine cabinets.

We are all aware that here in Pennsylvania and across the country, there is a heroin epidemic affecting all of our families. According to the American Society of Addiction Medicine, four in five new heroin users started out misusing prescription medications. The rate of heroin overdose deaths has nearly quadrupled from the year 2000 to the year 2013.

So I sincerely thank all of you for joining me in recognizing April 30, 2016, as "National Prescription Drug Take-Back Day" in Pennsylvania and in each of our communities.

Thank you very much, Mr. Speaker.

The SPEAKER. Thank you, Representative.

REPORT OF COMMITTEE ON COMMITTEES

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

The following report was read:

COMMITTEE ON COMMITTEES

SUPPLEMENTAL REPORT

In the House of Representatives,
April 12, 2016

Resolved that,

Representative Neilson, Philadelphia County, is elected a member of the Transportation Committee.

Respectfully submitted,
Rep. Mike O'Brien
Chairman
Committee on Committees

On the question,

Will the House adopt the resolution?

Resolution was adopted.

UNCONTESTED CALENDAR CONTINUED

RESOLUTION PURSUANT TO RULE 35

Mr. SIMS called up **HR 802, PN 3129**, entitled:

A Resolution designating April 12, 2016, as "Equal Pay Day" in Pennsylvania.

On the question,

Will the House adopt the resolution?

The following roll call was recorded:

YEAS—194

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

NAYS—0

NOT VOTING—0

EXCUSED—9

Daley, P.	Krueger	Savage	Thomas
DiGirolamo	Santarsiero	Schlossberg	Vereb
Evans			

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

STATEMENT BY MR. SIMS

The SPEAKER. Representative Brian Sims is recognized on the resolution, and I do understand that Representative Watson wishes to be recognized subsequently.

You may proceed, sir.

Mr. SIMS. Thank you, Mr. Speaker.

Mr. Speaker, I rise to thank my colleagues for their unanimous support for HR 802, designating today, April 12, 2016, as "Equal Pay Day." This date symbolizes how far into this year that the average American woman had to work to earn what the average American man did last year. And although Pennsylvania's Equal Pay Law was passed more than 50 years ago, women and their families continue to suffer the consequences of unequal pay.

In 2014 female full-time workers earned only 79 cents for every dollar earned by men. While a greater number of women have obtained higher paying positions traditionally dominated by men, women as a whole continue to work in lower paying occupations, magnifying the effects of gender-based wage disparities.

Mr. Speaker, earning a lower wage over the course of a career damages women's financial security, reducing the amount of their pensions and lowering their contributions to Social Security. Equal pay legislation can begin to combat this problem. In fact, we have been trying to address this issue since 1953. It strengthens the security of today's families and eases retirement costs, which in turn enhances Pennsylvania's economy.

Let us use this day to reflect on the impact this disparity has on the women and girls around us and reexamine what we can do here in this body to fix this.

Again, Mr. Speaker, I thank my colleagues for their unanimous support of HR 802.

The SPEAKER. Thank you, sir.

STATEMENT BY MRS. WATSON

The SPEAKER. Representative Watson, on the resolution.

Mrs. WATSON. Thank you, Mr. Speaker.

Thank you, colleagues, for your attention.

It seemed appropriate that on Equal Pay Day talking about women and their pay, that you hear from a woman. Sadly, you have heard from this woman for the last 13 years, and if you have not noticed, to my colleagues, I am getting a lot older, so I cannot keep doing this. We need to really work on this. That does not deserve a round of applause.

But indeed, in a very serious vein I rise today, April 12, to speak on the issue of really what it is called, pay equity. This is National Equal Pay Day. You heard from my colleague from Philadelphia some of the statistics. We now know that as of now the gap is 22 cents per hour. Women earn 22 cents less. That 22 cents sounds very small, but sadly, it adds up over the course of a woman's working years. It is the impact of thousands of dollars in lost wages and salaries, all because the worker is female.

Now, that seems in this day and age, 2016, astonishing, and we all know it is incredibly unfair. It is important to note, Mr. Speaker—

The SPEAKER. Representative, please suspend.

Mrs. WATSON. Certainly.

The SPEAKER. Members, prior to the break – we only have two speakers left; Representative Watson is one of them – if everybody could please take their seats, and I would ask that you take any conversations to the rooms outside the House floor.

And, Representative Wheatley, you will follow Representative Watson. You were going to speak on a resolution, and I will call you next.

Representative Watson, the floor is yours.

Mrs. WATSON. Thank you, Mr. Speaker.

It is important to note that the wage gap persists at all levels of education. In 2011 the typical woman in the United States with a high school diploma working full-time, year-round, was paid only 74 cents for every dollar that was paid to her male counterpart. Among people with a bachelor's degree, the figure was also 74 cents. In fact, the typical woman who has received an associate's degree still is not paid as much as the typical man who only graduated from high school. The inequities persist.

Even though, as we said, that the gap in the wages is a small amount when you look at it per hour, it adds up over a career. A typical woman who worked full-time, year-round, would lose about \$443,000 in a 40-year period due to the wage gap. A woman would have to work almost 12 years longer to make up that \$443,000 gap.

It is interesting to note that, as I said, I have been doing this for 13 years, but times have changed, and hopefully we are moving in the right direction, because within the past few weeks the issue of pay equity hit the headlines, not on the front page, not in a column, but on the sports pages, because five members of the U.S. Women's National Soccer Team, including women who are indeed household names like Hope Solo, filed a wage discrimination action against the U.S. Soccer Federation with the Equal Employment Opportunity Commission. And despite claims from employers that money is just not there, well, the ample evidence proves otherwise, considering that the women's soccer team generated nearly \$20 million more revenue last year than the men's team, but the women are paid one-quarter of what the men received. So I would suggest to you that this equal pay hits all levels – all levels of education, all levels of opportunity.

So as we mark this year's Equal Pay Day, I want to remind everyone that the issue also crosses the political aisle, and it should not be mired with other pay issues or anything. Fair pay for women not only helps provide better financial security for families of working women, but it also helps our bottom line, "our" meaning those who are legislators and those of us who are responsible with putting together a budget and spending the State's taxpayer dollars.

We have heard the saying that a rising tide lifts all boats, and when working women make as much as their male counterparts, they will be further contributing to our Commonwealth. They will pay more in income taxes, along with sales and use taxes, and ideally, they will be less likely to rely on government programs and services for such items as health insurance or child care. And for those at the end of their careers, the wage gap translates into less retirement savings. So indeed with a better retirement, it means that seniors will not need all of the services that we currently provide.

Paying women a fair wage or salary for their work, it really is common sense, and I am hopeful that in the near future

I certainly will not stand here, but we do not have to mark this date, women are paid equally to men, and guess what, they all pay their taxes and we are all for that; I know we are.

So this is why we need to bring greater awareness to the issue on a day like today, and actually on every day in our jobs as lawmakers, to ensure that the laws we have in place are appropriate to deal with pay equity issues, and if they are not, we will study them and then we will fix them.

Thank you, Mr. Speaker, for your indulgence. Thank you, Mr. Speaker, for the opportunity to speak.

The SPEAKER. Thank you, Representative.

Representative Wheatley waives off.

RULES AND APPROPRIATIONS COMMITTEE MEETINGS

The SPEAKER. The Chair recognizes Representative Adolph for an announcement.

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

Mr. Speaker, there will be a Rules Committee meeting in the Republican Appropriations conference room immediately, and then about 12:15 there will be an Appropriations Committee meeting in the majority caucus room.

Thank you very much.

The SPEAKER. Thank you, sir.

There will be a Rules Committee meeting in the Republican Appropriations conference room immediately, and then about 12:15 there will be an Appropriations Committee meeting in the majority caucus room.

REPUBLICAN CAUCUS

The SPEAKER. Representative Sandra Major, the caucus chair, 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 p.m. We would be prepared to come back on the floor, Mr. Speaker, at 2 o'clock. Thank you.

The SPEAKER. Thank you, Representative Major.

DEMOCRATIC CAUCUS

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

Mr. FRANKEL. Thank you, Mr. Speaker.

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

ANNOUNCEMENT BY MRS. DEAN

The SPEAKER. Representative Madeleine Dean, for an announcement.

Mrs. DEAN. Thank you, Mr. Speaker.

I rise to give notice that I intend to call up House Discharge Resolution No. 6 to discharge HB 500 on Monday, May 2. HB 500 calls for a tax on the severance of shale gas.

So I rise to give that notice, Mr. Speaker.

The SPEAKER. Thank you, Representative Dean.

Does anybody else wish to be recognized?

RECESS

The SPEAKER. The House will stand in recess until 2 p.m., unless sooner recalled by the Speaker.

AFTER RECESS

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

BILL REREPORTED FROM COMMITTEE**HB 1947, PN 3163**

By Rep. ADOLPH

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in limitation of time, further providing for infancy, insanity or imprisonment, for no limitation applicable and for other offenses; and, in matters affecting government units, further providing for exceptions to sovereign immunity and for exceptions to governmental immunity.

APPROPRIATIONS.

**BILLS ON CONCURRENCE
REPORTED FROM COMMITTEE****HB 794, PN 3162**

By Rep. REED

An Act amending the act of August 9, 1955 (P.L.323, No.130), known as The County Code, in preliminary provisions, further providing for applicability; in fiscal affairs, repealing provisions relating to authorization of excise tax, further providing for authorization of 5% hotel tax, repealing provisions relating to authorization of hotel tax and providing for hotel room rental tax in third through eighth class counties, for certification of recognized tourist promotion agencies and for hotel room rental in second class and second class A counties; and repealing related provisions of Title 53 of the Pennsylvania Consolidated Statutes regarding hotel room rental in second class A counties.

RULES.

HB 1329, PN 2973

By Rep. REED

An Act requiring certain hospitals to allow patients an opportunity to designate caregivers in patients' medical records and imposing duties on hospitals.

RULES.

LEAVES OF ABSENCE CANCELED

The SPEAKER. Representative Schlossberg is on the House floor and should be placed back on the master roll.

And Representative Mike Vereb is back on the House floor and should be placed back on the master roll.

CALENDAR CONTINUED**BILLS ON SECOND CONSIDERATION**

The House proceeded to second consideration of **HB 1843, PN 2840**, entitled:

An Act amending Title 4 (Amusements) of the Pennsylvania Consolidated Statutes, in administration and enforcement, further providing for compulsive and problem gambling program.

On the question,

Will the House agree to the bill on second consideration?

The SPEAKER. There are no amendments.

On the question recurring,

Will the House agree to the bill on second consideration?

Bill was agreed to.

* * *

The House proceeded to second consideration of **SB 1022, PN 1306**, entitled:

An Act authorizing the Department of General Services, with the approval of the Department of Human Services and the Governor, to grant and convey to the Municipal Authority of the Township of South Heidelberg, Berks County, or its assigns, a permanent sanitary sewer easement and a temporary construction easement situate in South Heidelberg Township, Berks County.

On the question,

Will the House agree to the bill on second consideration?

The SPEAKER. There are no amendments.

On the question recurring,

Will the House agree to the bill on second consideration?

Bill was agreed to.

* * *

The House proceeded to second consideration of **SB 1068, PN 1405**, entitled:

An Act authorizing the release of Project 70 restrictions on certain lands owned by the City of Lancaster, Lancaster County, in exchange for the imposition of Project 70 restrictions on other lands owned by the City of Lancaster, Lancaster County, and other consideration.

On the question,

Will the House agree to the bill on second consideration?

The SPEAKER. There are no amendments to the bill.

On the question recurring,

Will the House agree to the bill on second consideration?

Bill was agreed to.

* * *

The House proceeded to second consideration of **HB 1877, PN 3014**, entitled:

An Act amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, in grants to fire companies and volunteer services, further providing for scope of chapter, for definitions, for award of grants for volunteer fire companies, for establishment, for award of grants for emergency medical services companies, for the Volunteer Fire Company Grant Program, for the Volunteer Ambulance

Service Grant Program, for allocation of appropriated funds, for expiration of authority and for special provisions; and making an editorial change.

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

The SPEAKER. The gentleman, Representative Sturla, has offered amendment 6272, which the clerk will once again read.

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

The clerk read the following amendment No. **A06272**:

Amend Bill, page 3, by inserting between lines 29 and 30 "Firehouse." A station under the control of a fire company that contains firefighting apparatus and equipment and is used by firefighters to provide fire protection or rescue services. The State Fire Commissioner shall have final determination as to whether a station is a firehouse.

Amend Bill, page 6, line 1, by striking out "PARAGRAPH" and inserting

paragraphs

Amend Bill, page 6, line 1, by inserting after "(3)" and (4)

Amend Bill, page 6, by inserting between lines 16 and 17

(4) If a fire company has more than one firehouse, grants shall be not less than \$2,500 and not more than \$15,000 per firehouse.

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

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

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, what this amendment does is begins to level the playing field for fire departments throughout the State of Pennsylvania, and when I say "begins to," it does not really even come close to leveling the playing field, but it at least starts it in the right direction.

So let me back up a little bit and explain why I think it is necessary to have an amendment like this. This program originally was \$25 million per year for volunteer departments and a few years ago got expanded to \$30 million a year and includes municipal fire departments as well as volunteer fire departments that qualify for a grant of anywhere between \$2500 and \$15,000 per year. Now, the average grant in this past year was a little over \$12,000 to each fire company. Here is the concern. There are only 42 municipal fire departments in the entire State of Pennsylvania, and so last year those 42 fire departments, which cover 25 percent of the State's population, got a little less than \$490,000 in grant money. The remaining 75 percent of the State's population, which is covered by a multitude of volunteer fire companies, got \$29.5 million. So the municipal departments, which represent 25 percent of the State's population, provide fire protection for 25 percent of the State's population, got less than 2 percent of the funds and the departments that cover 75 percent of the State's population got more than 98 percent of the funds.

To make matters worse – I will use probably one of the most egregious examples – the Greensburg Volunteer Fire Department, which has one Web site, lists itself as having six separate fire departments. Hose Co. No. 1 got \$11,791.59; Hose Co. No. 3, \$11,791.59; Hose Co. No. 6, \$12,899.68; Hose Co. No. 7, \$14,007.69; Hose Co. No. 8, \$13,730.67; and Truck Co. No. 2, \$13,453.66. One community, one department that claimed they were six departments got \$77,674.84 in grant money last year. It is a municipality with about 15,000 people in it. If you have a volunteer fire company that has more than one house but only qualifies as one department, you got shortchanged. If you have a municipal department that has more than one house, as is the case with almost every municipal department, you got shortchanged also.

Mr. Speaker, even if my amendment becomes law, the municipal fire departments, the people that are served by the municipal fire departments will on average be getting about \$1 per constituent in grant money. So \$1 per capita to those people that are served by a municipal fire department. If you live in an area where you are served by a volunteer department, the grant dollars will equal \$3 per capita. That is all I am asking for. I am not asking for equity here. I am not asking for dollar for dollar for constituents. I am asking for \$1 in grant money for every constituent that is served by a paid fire department in exchange for \$3 per capita for every constituent that is served by a volunteer department.

Now, I have heard the argument that, "Well, this will take money away from the volunteer fire departments." Mr. Speaker, this amendment would take away less dollars from the volunteer fire departments than the bill itself does, because the bill itself takes money and allocates it to EMS (emergency medical services) departments now and that will actually take more money away from the volunteer fire companies than my amendment does. The bill itself takes more money away from volunteer fire companies than my amendment does.

Mr. Speaker, I have heard the argument that, "Well, those municipalities that have paid fire departments, they have the ability to tax their constituents." Mr. Speaker, so does every other municipality that is served by a volunteer fire department. They have the ability to impose a fire tax, and in fact, a third of them do impose a fire tax and then still get the grant money on top of that.

Mr. Speaker—

The SPEAKER. Representative Sturla, please suspend just for a moment, please.

Members, please take your seats. Thank you, everybody.

Representative Sturla, you may conclude.

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, this is really about a matter of equity. Mr. Speaker, last year Philadelphia and Pittsburgh did not even bother to apply, because in Philadelphia, if you took the \$15,000 and split it among the 63 firehouses, it is less than \$200 per firehouse, whereas, compared to Greensburg, you are getting \$77,000 or more than \$12,000 per firehouse. Philadelphia has 63 firehouses; Pittsburgh has 29 firehouses; Reading and Scranton each have 7; Allentown and Erie each have 6; Bethlehem, Lebanon, York, 4; Lancaster, 3. Mr. Speaker, this is about fairness.

Now, I understand that we want more money for this fund, and so do I, and I have asked the chairman if he would commit that if we get more money, we would allow it to be distributed by firehouse, and I am hoping that today he will commit to that, because if he will, I will withdraw this amendment. This is not about trying to take money from anybody. It is about trying to get money for people that desperately need it.

Mr. Speaker, when people from my district go to the local firemen's parades, we see the volunteer companies that surround my district with new equipment that is in the million-dollar range, and then they see the municipal fire department's equipment come through and it is the used equipment that they bought from the volunteer company that surrounds them. Mr. Speaker, these grants are supposed to be used to equip fire departments with the tools they need to go fight fires. They are not for buying 52-inch flat-screen TVs. They are not for buying exercise equipment. We have firehouses that do not have appropriate breathing apparatus. We have firehouses that need new hoses, and when my municipality goes to borrow money, they borrow it at 6 percent interest. When my municipality goes to fund these things, they raise taxes.

This is about basic fairness, Mr. Speaker, and I would encourage a "yes" vote.

The SPEAKER. Representative Barrar, on the amendment.

Mr. BARRAR. Thank you, Mr. Speaker.

Could I ask the maker of this amendment to stand for brief interrogation?

The SPEAKER. The gentleman has indicated he will so stand.

Mr. BARRAR. Mr. Speaker, we have been trying to tally the number of companies that this would encompass. Do you have an exact figure of how many new firehouses would come into this grant program?

Mr. STURLA. Mr. Speaker, I have a list of the ones in municipal departments because I could call all 42 of those departments. What I do not have, because even the Fire Commissioner cannot supply me, is the list of what volunteer companies might have multiple firehouses, but I do know that some of the ones that do have multiple firehouses are already getting this money as if they were a separate fire department.

Mr. BARRAR. Do you know what the total new— The number of firehouses that you are proposing, what is the amount that it will cost this grant program overall?

Mr. STURLA. Mr. Speaker, because there are 42 career fire departments which qualify for one now, those departments have a total of 191 stations, so what we would be talking about is an additional 149 eligible units.

Mr. BARRAR. Thank you, Mr. Speaker.

Mr. Speaker, on the bill, if I can?

The SPEAKER. Yes, sir; I am sorry. You are in order and you may proceed.

Mr. BARRAR. Thank you, Mr. Speaker.

Mr. Speaker, this grant program was initiated to help our volunteer fire companies throughout the State of Pennsylvania. About 4 years ago Representative Sturla and a few other Representatives came to me and asked me if our committee would consider bringing in some of the career fire companies into the grant program, which we agreed to.

Mr. Speaker, if we expand this program the way the maker of this amendment is asking us to – okay? – every volunteer firehouse, every fire company in the State of Pennsylvania will

be receiving less, about \$2,000 less than what they were receiving back in 2012. Before we expanded the program, we were able to get an additional \$5 million into the program. All that money, that new money, that \$5 million will all go to the companies that he is proposing. Your volunteer fire companies will get \$2,000 less per fire station.

So I would ask the members to oppose this amendment. It is going to have – I think it will have a very detrimental effect on your volunteer fire companies.

Thank you, Mr. Speaker.

The SPEAKER. Representative Jerry Knowles, on the amendment.

Mr. KNOWLES. Thank you, Mr. Speaker.

Mr. Speaker, I stand in strong opposition to this amendment. As the chairman had noted, this program was created for volunteer fire companies, struggling fire companies struggling to keep their doors open, the volunteers that many of us in this chamber represent. I think it is important, Mr. Speaker, to note that the volunteer firemen in this State save the taxpayers of these small communities somewhere between \$8 billion and \$10 billion, with a "b," billion dollars.

As the chairman had noted, for those of you that live in rural areas, I will tell you that what you are going to do is you are really going to roll this thing back. They are probably going to get, you know, \$10,000 instead of getting \$15,000. So you are going to suffer, those of you who represent rural areas.

And come on, Mr. Speaker. That is lunch in Philadelphia; that is lunch in Philadelphia. That is meaningless to the city of Philadelphia and to the city of Lancaster. It is beyond me why you would do this to the volunteer firemen who volunteer their time to protect their communities, who volunteer their time to keep the doors open. They are not getting paid; they are not getting paid. They volunteer.

So again, I would strongly urge all of you, particularly those of you and most of you— Volunteers are what we have, Mr. Speaker. If you want to hurt your volunteers, vote for this amendment. Thank you, Mr. Speaker.

The SPEAKER. We have Representative Barbin and then Representative Nelson and then Representative Gillen on the amendment.

Representative Barbin.

LEAVE OF ABSENCE CANCELED

The SPEAKER. Also, just before you proceed, Representative Santarsiero is on the House floor and should be placed back on the master roll.

LEAVE OF ABSENCE

The SPEAKER. And Representative Mindy FEE has requested to be placed on leave. Without objection, that will be granted.

CONSIDERATION OF HB 1877 CONTINUED

The SPEAKER. Representative Barbin, you may proceed.

Mr. BARBIN. Thank you, Mr. Speaker.

I rise in opposition to this amendment, and I believe that probably 180 other members of the House on both sides are in opposition to this amendment.

What this amendment does is to take away a long effort on behalf of the Veterans Committee to find an answer to the— We used to have 500,000 volunteer firemen. We now have 50,000. There are moneys available from the Gaming Fund, which we have argued for additional funds as an additional way of keeping these volunteer firemen, these ambulance associations in business so that we have a cumulative \$6 billion tax benefit. That is what we save by having these volunteer groups. Up until the last increase from the Gaming Fund to the volunteer fire service grants, we did not have any discussion of paid companies being involved or being eligible for these grants. This issue came up many times in our committee on a bipartisan basis. We decided that we would provide a small amount of the \$5 million increase to paid companies to provide them with some additional funding for equipment and supplies with the agreement that there would be no additional requests taking moneys from those limited funds. What we have today is not the city of Philadelphia asking for the money, not the city of Pittsburgh asking for the money; we have the city of Lancaster through its duly elected Representative asking for the money.

Now, if this did not have such negative consequences on all other volunteer fire companies, I would not be standing in opposition to this amendment, but it does. This is no different than me, as the Representative of the city of Johnstown, for saying I demand this legislature to give Johnstown the \$70 million worth of flood tax that they have collected for the last 80 years and used for General Fund purposes. It was passed for the purpose of rehabilitating Johnstown after the flood. We got it for 1 year and it went to the General Fund afterwards. That is what this amendment does.

There is no good reason in the world for anybody to vote for this amendment other than somebody from Lancaster. I respectfully ask everyone to vote in opposition to this amendment.

The SPEAKER. Representative Nelson.

Mr. NELSON. Thank you, Mr. Speaker.

I wanted to take a moment and address the Representatives in the House and urge them to vote against this amendment.

The gentleman specifically called out the good volunteers of the Greensburg fire stations, and I spoke with one of the fire captains just last week. These moneys are significant to the volunteers in our community. Their equipment has a 10-year life span for bunker gear. The issue of having volunteers even alone and available to make hundreds of calls through the middle of the night, to staff for training, and the thousands of hours that the good people of our community put in, this amendment takes money from rural volunteer fire departments and puts it into the well-lined pockets of paid fire departments, and I urge you to vote against it. Thank you very much.

THE SPEAKER PRO TEMPORE (MATTHEW E. BAKER) PRESIDING

The SPEAKER pro tempore. The Chair thanks the gentleman.

GUESTS INTRODUCED

The SPEAKER pro tempore. Located to the left of the Speaker, as guests of Leader Dave Reed, the Chair would like to introduce some guests – Ben, Amy, Anna, Meghan, Sam, Emma

DiStefano – and Ben was Representative Reed's varsity baseball coach. Please rise and be recognized.

CONSIDERATION OF HB 1877 CONTINUED

The SPEAKER pro tempore. The Chair recognizes the gentleman, Representative Gillen, on the amendment.

Mr. GILLEN. Thank you, Mr. Speaker.

I represent a portion of Lancaster County, and since Lancaster has been invoked in this discussion and important debate, I have decided to take a very brief and informal survey of the 11 Representatives that represent Lancaster County either wholly or within the county, as my good colleague who represents Lancaster City or partially represents, and I only recognize one that would actually support this amendment, and so I join my colleagues on both sides of the aisle encouraging the defeat of this amendment.

We have a very proud tradition in the Commonwealth of Pennsylvania of volunteer fire departments, and this parent bill certainly does a great deal to augment that important volunteer work. We have the oldest volunteer fire department in the United States of America. In fact, we have got over 2400, nearly 2500 fire departments, and on a very bipartisan basis – and I expect the defeat of this amendment will be bipartisan – I want to support the administration of the Commonwealth of Pennsylvania and the Office of the State Fire Commissioner, who would ask for the defeat of the amendment as well. I want to support colleagues throughout the entire Commonwealth of Pennsylvania who represent rural districts, for this six, eight, ten, twelve thousand dollars is extraordinarily meaningful in their budget.

So I commend my colleague from Delaware County for the parent bill, HB 1877, and would urge the defeat of amendment 6272. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

Mr. Sturla, you are seeking recognition for the second time?

You are in order and may proceed.

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, if I could just correct some of the inaccuracies that were put out there.

There was the notion set forth that if in fact this amendment passes, that all of the \$5 million that was added several years ago would go to municipal fire departments. That is in fact false. What this amendment does is says that these municipalities, along with any other volunteer fire department that has more than one firehouse, would qualify for additional funding. They would qualify for funding on a per-firehouse basis, not on a per-department basis, and the career fire departments would only qualify for an additional 150 houses, 149 to be exact. So that does not even begin to – unless you want to start giving them \$50,000 grants, which no one is proposing to do in this – that does not begin to get you near the \$5 million mark.

Mr. Speaker, it was pointed out that this money comes from the Gaming Fund, much of which is generated in municipalities that do not qualify for even a reasonable share of these dollars. The money is coming out of Philadelphia and Pittsburgh, and those municipalities, at best, can tap into one grant, which last year averaged a little over \$12,000.

Mr. Speaker, I was told that this is just lunch for paid fire departments. I ask you to tell that to my paid professional firefighters, one of which was honored on the floor here just yesterday by Representative White when she talked about the brave professional firefighter who was killed in action.

I was told that there is a proud tradition of volunteer firefighters in the State of Pennsylvania, and I have voted for those volunteers every time that that vote has come up on the floor of the House. Now I am asking that you give not an equal shake but a reasonable shake to professional firefighters throughout the State, and I am being greeted by some who say, "Not a chance. Not funding those" – what was it called? – "well-lined pockets of the professional firefighting departments."

Mr. Speaker, I would invite any of you to visit any paid fire department and tell me whether their equipment is as good as the equipment in your volunteer firehouse. I challenge you.

Mr. Speaker, I was struck by the notion that the volunteers save local taxpayers billions of dollars, and in those municipalities where the volunteer fire companies exist, they save those citizens billions of local tax dollars. I would hope you would be equally struck by the fact that in those municipalities where we pay for our fire service, we spend billions of dollars to support those firefighters and then give up the portion of the Gaming Fund that is necessary to provide volunteer fire departments with access to loans and grants.

And finally, Mr. Speaker, I will just reemphasize again that if you want to say we are taking money, that this amendment takes money away from the volunteer fire departments, the bill itself, not the amendment, the bill itself takes more money away from volunteer fire departments than this amendment does, the bill itself takes money away from volunteer fire departments and gives it to EMS companies. That means less money to the volunteer fire company because some now is going to an EMS company.

Mr. Speaker, this is a matter of fairness, and I would ask for an affirmative vote.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Chairman Barrar, for the second time.

Mr. BARRAR. Thank you, Mr. Speaker.

Mr. Speaker, I ask the members to vote "no" on this.

I did have a discussion with the maker of the amendment a couple months ago. He had asked me at that time, he said if there was an opportunity to bring more money into this grant program, would I be open to the idea of bringing in these additional firehouses, which I said, yes, I would be open to a discussion. Then the idea of having the discussion turned to an absolute commitment to put the firehouses into the bill, and I said, no, I was not going to make an absolute commitment that we would put those firehouses into the grant program.

We have created this program because back in 2012 and when this grant program was started about 10, 15 years ago, we had firehouses, volunteer fire companies all over the State of Pennsylvania. There were numerous stations that were shutting their doors. We passed this grant program to help our volunteer fire companies stay open. Okay? A couple years ago, 4 years ago, members came to me and asked me just to bring in a few of the paid, the career fire departments into this grant program, which we agreed to, and now I feel that that was disingenuous. It was probably a mistake on my part, because we let the camel

get his nose under the tent and now they want to take not just a piece of the pie, they want to take a much bigger piece of the pie than what they were getting.

I think it is important that we shore up our volunteer fire companies. Vote "no" on this amendment because it will cost your volunteer fire companies about \$2,000 in the grant that they are currently getting from the State of Pennsylvania. I would ask the members to vote "no" on the Sturla amendment. Thank you, Mr. Speaker.

AMENDMENT WITHDRAWN

The SPEAKER pro tempore. For what purpose does the gentleman, Mr. Sturla, rise?

Mr. STURLA. Mr. Speaker, given the statement that was just made by the chairman, I am willing to withdraw this amendment so that we can all work together to try and get more money into this fund. That is the first time I have heard that commitment, and I will withdraw this amendment and hope that we can work together to get more money into this fund.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The amendment is withdrawn.

On the question recurring,

Will the House agree to the bill on second consideration?

Bill was agreed to.

THE SPEAKER (MIKE TURZAI) PRESIDING

The SPEAKER. Members, we are going to stay at ease for just a moment here.

GUEST INTRODUCED

The SPEAKER. And to my left, a guest of Representative Eli Evankovich, Adam Brnardic, a longtime friend of myself and Representative Evankovich and a number of other members from out west. So, Adam, we greatly welcome you here today. Come on up and we will take a photo.

BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 1084, PN 2316**, entitled:

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

On the question,

Will the House agree to the bill on second consideration?

The SPEAKER. Representative Dermody did have a number of amendments.

Representative Dermody, I understand you have two amendments, 6690 and 6695, but they will be withdrawn. Yes, sir. Thank you.

So there are no amendments to HB 1084.

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

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1600, PN 2974**, entitled:

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, in veteran-owned small businesses, further providing for definitions and for regulations and providing for business fee exemption.

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

Mr. **GABLER** offered the following amendment No. **A06714**:

Amend Bill, page 7, by inserting between lines 28 and 29 "Reservist." A member of a United States Armed Forces reserve component or National Guard.

"Reservist-owned small business." A business owned and controlled by a member of a United States Armed Forces reserve component or National Guard.

Amend Bill, page 7, line 30, by inserting after "veteran-owned" or reservist-owned

Amend Bill, page 8, line 2, by inserting after "veteran" or reservist

Amend Bill, page 8, line 3, by inserting after "veteran's" or reservist's

Amend Bill, page 8, by inserting between lines 6 and 7

(4) A valid Department of Defense-issued military identification card.

Amend Bill, page 8, line 12, by inserting after "veteran" or reservist

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

RULES SUSPENDED

The SPEAKER. Now, for the House to agree to that amendment, there would have to be a motion to suspend, and at this time the Chair calls on Representative Gabler with respect to a motion.

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

At this point I do rise to ask the House to suspend the rules in order to offer amendment 6714.

I want to commend the prime sponsor of this bill for coming up with an excellent program that provides an incentive for veterans to start a business in Pennsylvania.

On second consideration, as we were discussing this, we found a way that we could make this bill even better. You see, as currently drafted the underlying bill requires a DD-214, an NGB-22, or a VA (Veterans' Administration) identification card in order to qualify for the benefits of this program. A reservist, somebody continuing to serve in the Army Reserve, the National Guard, would not have those documents yet, and so in order to provide active, currently serving members of our Reserve component of our military the opportunity to access this program as well, I would like to offer this amendment.

I would ask all the members of the House to please vote in the affirmative. Thank you very much.

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

The SPEAKER. On the motion to suspend, Representative Mackenzie.

Mr. MACKENZIE. Thank you, Mr. Speaker.

I would like to commend Representative Gabler for his suggested amendment that would require a suspension of the rules, and so I would support that suspension and ask all the members to vote "yes" so that we can consider Representative Gabler's amendment. Thank you.

The SPEAKER. Representative Dermody, on that motion, sir.

Mr. DERMODY. Thank you, Mr. Speaker.

Mr. Speaker, I would also urge the members to support the motion to suspend the rules.

The SPEAKER. Thank you, sir.

Does anybody else wish to be recognized on the motion?

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

The following roll call was recorded:

YEAS—187

Acosta	English	Klunk	Readshaw
Adolph	Evankovich	Knowles	Reed
Artis	Everett	Kortz	Reese
Baker	Fabrizio	Lawrence	Regan
Barbin	Farina	Lewis	Roae
Barrar	Farry	Longietti	Roebuck
Benninghoff	Flynn	Mackenzie	Ross
Bizzarro	Frankel	Maher	Rothman
Bloom	Freeman	Mahoney	Rozzi
Boback	Gabler	Major	Saccone
Boyle	Gainey	Maloney	Sainato
Bradford	Galloway	Markosek	Samuelson
Briggs	Gergely	Marshall	Sankey
Brown, R.	Gibbons	Marsico	Santarsiero
Brown, V.	Gillespie	Masser	Santora
Bullock	Gingrich	McCarter	Saylor
Burns	Godshall	McClinton	Schemel
Caltagirone	Goodman	McGinnis	Schlossberg
Carroll	Greiner	McNeill	Schreiber
Causer	Grove	Mentzer	Schweyer
Christiana	Hahn	Metcalfe	Simmons
Cohen	Hanna	Miccarelli	Sims
Conklin	Harhai	Millard	Snyder
Corbin	Harhart	Miller, B.	Sonney
Costa, D.	Harkins	Milne	Staats
Costa, P.	Harper	Moul	Stephens
Cox	Harris, A.	Murt	Sturla
Cruz	Harris, J.	Mustio	Tallman
Culver	Heffley	Neilson	Taylor
Cutler	Helm	Nelson	Tobash
Daley, M.	Hennessey	Nesbit	Toepel
Davidson	Hickernell	O'Brien	Toohil
Davis	Hill	O'Neill	Topper
Dawkins	Irvin	Oberlander	Vereb
Day	James	Ortitay	Vitali
Dean	Jozwiak	Parker, D.	Ward
Deasy	Kampf	Pashinski	Warner
DeLissio	Kaufner	Payne	Watson
Delozier	Kauffman	Peifer	Wentling
DeLuca	Kavulich	Petrarca	Wheatley

Dermody	Keller, F.	Petri	Wheeland
Diamond	Keller, M.K.	Pickett	White
Donatucci	Keller, W.	Pyle	Youngblood
Driscoll	Killion	Quigley	Zimmerman
Dunbar	Kim	Quinn	
Dush	Kinsey	Rader	Turzai,
Ellis	Kirkland	Rapp	Speaker
Emrick			

NAYS-9

Gillen	Metzgar	Mullery	Ravenstahl
Kotik	Miller, D.	Neuman	Truitt
Matzie			

NOT VOTING-0

EXCUSED-7

Daley, P.	Evans	Krueger	Thomas
DiGirolamo	Fee	Savage	

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.

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

The SPEAKER. Representative Gabler, we will be able to vote on that amendment tomorrow – or we can vote the amendment today, but to final passage, we will now have to do tomorrow.

So we are going to proceed to the amendment, and the Chair recognizes you on the amendment, 2974.

Mr. GABLER. Mr. Speaker, that is amendment 6714.

The SPEAKER. You are correct; PN 2974, amendment 6714. Thank you, sir.

You may proceed.

Mr. GABLER. Thank you, Mr. Speaker.

As I mentioned in the previous motion, what this will do is this will add current members of the Reserve component of the Armed Forces as members who can access the benefits of the program provided for in the underlying bill.

I want to thank the prime sponsor for working with me on this, for his support. I would like to ask the members of the House for your affirmative vote on this amendment. Thank you very much.

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

The following roll call was recorded:

YEAS-196

Acosta	Everett	Lawrence	Ravenstahl
Adolph	Fabrizio	Lewis	Readshaw
Artis	Farina	Longietti	Reed
Baker	Farry	Mackenzie	Reese
Barbin	Flynn	Maher	Regan
Barrar	Frankel	Mahoney	Roae
Benninghoff	Freeman	Major	Roebuck
Bizzarro	Gabler	Maloney	Ross

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

NAYS-0

NOT VOTING-0

EXCUSED-7

Daley, P.	Evans	Krueger	Thomas
DiGirolamo	Fee	Savage	

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

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

Bill as amended was agreed to.

The SPEAKER. The bill as amended will be reprinted.

BILL PASSED OVER

The SPEAKER. The bill will be over until tomorrow.

SUPPLEMENTAL CALENDAR B

BILL ON CONCURRENCE
IN SENATE AMENDMENTS

The House proceeded to consideration of concurrence in Senate amendments to **HB 1329, PN 2973**, entitled:

An Act requiring certain hospitals to allow patients an opportunity to designate caregivers in patients' medical records and imposing duties on hospitals.

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

The SPEAKER. Moved by Representative Hal English that the House concur in the amendments inserted by the Senate.

The Chair now recognizes Representative English for a brief description of the underlying bill, the Senate amendments to that bill, and any remarks that he has on the bill as amended.

Representative English, you may proceed.

Mr. ENGLISH. Thank you, Mr. Speaker.

I approve the changes that the Senate provided to improve this bill.

Mr. Speaker, I want to thank the members of this body who passed this bill last year and my colleagues in the Senate who did the same yesterday.

HB 1329, the Caregiver Advise, Record and Enable Act, otherwise known as the CARE Act, is our very first bill with myself as the prime sponsor that has been brought before the House and Senate.

And briefly, I was approached last year by advocates and caregivers back in the district.

The SPEAKER. Representative, just suspend for a second, please.

Members, if you will please take your seats. Any conversations please take to the rooms off the House floor. Every bill is important, but this bill is about to become law. It will be Representative English's first bill signed into law, and I would like to give him the attention.

Representative English, please proceed.

All members, please take your seats.

Mr. ENGLISH. Thank you, Mr. Speaker.

I was approached last year by the advocates and caregivers back in the district, and as they began to discuss the CARE Act being introduced across the nation, I agreed that we needed it here in Pennsylvania. I contacted and worked with my good friends, Chairman Tim Hennessey and Chairman Steve Samuelson, and we worked together to get HB 1329 where it is today.

The CARE Act empowers caregivers by ensuring that they are part of the hospital discharge process by receiving detailed instructions on after-care assistance tasks. It is our hope that by giving caregivers better tools, more knowledge, and a good medical support system to care for their loved ones, we can keep them at home to prevent future hospital readmissions.

I want to thank the many volunteers of AARP; the Hospital & Healthsystem of PA, otherwise known as HAP; and the Pennsylvania Nurses Association for their help in developing HB 1329. And most of all, Mr. Speaker, I wish to thank the caregivers who work tirelessly, sacrificing themselves for the

love and care for others. Many of them, as you know, put in long hours at full-time jobs, balancing their own family household needs, while still managing the care for their parents and spouses. They are the true unsung heroes today and every day. Thank you, Mr. Speaker, for helping them today.

I request your support on concurrence to send this to the Governor.

The SPEAKER. Thank you, sir.

On the question recurring,

Will the House concur in Senate amendments?

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

The following roll call was recorded:

YEAS—196

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

NAYS—0

NOT VOTING—0

EXCUSED—7

Daley, P. DiGirolamo	Evans Fee	Krueger Savage	Thomas
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the clerk inform the Senate accordingly.

BILL SIGNED BY SPEAKER

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

HB 1329, PN 2973

An Act requiring certain hospitals to allow patients an opportunity to designate caregivers in patients' medical records and imposing duties on hospitals.

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

LEAVE OF ABSENCE CANCELED

The SPEAKER. The Chair sees Representative Fee is on the House floor and should be placed back on the master roll.

SUPPLEMENTAL CALENDAR A

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1947, PN 3163**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in limitation of time, further providing for infancy, insanity or imprisonment, for no limitation applicable and for other offenses; and, in matters affecting government units, further providing for exceptions to sovereign immunity and for exceptions to governmental immunity.

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?

We will not be able to vote on this bill until 4:13 p.m., but we can begin debate.

Representative Russ Diamond, I believe, has a motion. No motion.

Representative Diamond, you are recognized on the bill.

Mr. DIAMOND. Thank you, Mr. Speaker, and thank you to my colleagues for your attention.

Mr. Speaker, this is an issue – HB 1947 addresses an issue which I find troubling beyond belief, the sexual abuse of children. It is one of the most hideous crimes that I can imagine.

I want to commend my friend from Berks County for standing up, for being brave, for talking about his own personal experience, and for not being ashamed about it. He deserves our respect, he deserves our admiration for standing up for his fellow Pennsylvanians who have gone through what we heard yesterday has to be one of the most traumatic things that can ever happen to any child. My heart breaks when I think of any child going through this. I cannot imagine – I do not have any children myself – I cannot imagine what I would do if this happened to one of my children, but I know that if I were a parent and even now not being a parent, when I hear about this happening to children, I would personally like to chase the perpetrator to the ends of the earth, drag them back, string them up, and let the victims have their way with them. That is my emotions talking, and we do not make law by emotion. We have to follow the rule of law. We have to follow a logical, legal path to make law. I want to address these perpetrators. I want them to be punished for what they did to innocent children.

However, the amendment that was offered yesterday and approved by this body raises a serious constitutional conundrum for me, and it raises an issue, because it is retroactive, it raises an issue with the Pennsylvania Constitution's remedies clause. Now, the remedies clause is sort of obscure and it is hard to understand the full weight of the remedies clause of the Pennsylvania Constitution simply by reading the language of the Constitution, because this is something that has been set by court precedent and it is over 100 years now we have been following the remedies clause.

To my untrained legal eye, HB 1947 as amended looks like it violates the remedies clause, and I am sure that there are lawyers who can explain this a lot better than me, but what I understand the remedies clause to be is this. It is that once a statute of limitations has expired, the Supreme Court has ruled that there is a certain vested right that has been earned by a potential offender, and let me say I am not in favor of giving rights to these offenders. I am not. However, we often see people use the rights they have horribly, yet we do not move to strike their rights, and I can give you plenty of examples of how that happens. So the remedies clause is a bit obscure in trying to understand it, and I know I am kind of— I like the Constitution. I like to read it. I like to understand what it means. This remedies clause, to me, is a bit unfamiliar, and it has only come to my attention recently, and I wonder, Mr. Speaker, how many other members are not completely familiar with the remedies clause and how it might apply to HB 1947 as amended, but I think it is important that we have time to think about that.

I have got a couple letters here from very, very respected legal scholars on this issue, and they say that what we have done with HB 1947 as amended would absolutely violate the remedies clause. We have a duty here in the legislature. We cannot just say, well, let us let the courts sort it out. We are a coequal branch. We have all taken an oath to the Constitution, and it is our duty, it falls upon us to decide whether something is constitutional or not before we pass it out. And here is why that is important, Mr. Speaker, because once we pass a bill out of this chamber, out of the General Assembly, the courts in

Pennsylvania will assume that we acted in a constitutional manner. So it is up to us to take the time to decide whether what we have done by amending HB 1947 is constitutional or not. We have that duty here. We cannot just leave it to the courts to figure out.

And while I am not convinced enough, I could stand here and ask for a motion on constitutionality. I think that would be shortsighted and would be insulting to all my colleagues who need to make up their own minds. I think we need to move on this issue of going after child sexual predators who have caused irreparable harm to many of our citizens. I think we need to move forward. We need to punish those offenders to the fullest extent we can. However, I think we need to do it in a constitutional manner, and I think we need to have time to decide, for every member to examine the remedies clause and use their own best judgment as to whether HB 1947 as amended does comply with the remedies clause.

MOTION TO POSTPONE

Mr. DIAMOND. So at this time, Mr. Speaker, I am going to move that final consideration on HB 1947 be postponed until May 17. That gives us 30 days, Mr. Speaker.

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

The SPEAKER. Representative Rozzi, on the motion to postpone until May 17.

Mr. ROZZI. Mr. Speaker, I rise in opposition to the motion to postpone, which is based on the constitutionality of HB 1947.

Mr. Speaker, the arguments against constitutionality of retroactive civil statute of limitations reforms are both inaccurate and outdated. While it is true that there was a 1908 Pennsylvania Supreme Court case that had dicta indicating that a defendant has vested rights in expired claims, the Pennsylvania courts and indeed the United States Supreme Court have both expressly departed from that line of thinking and upheld that a defendant has no vested rights in an expired civil statute of limitations and that retroactive reforms of statute of limitations are permissible provided that the legislature is clear in its intent for retroactivity.

Let us begin with a 1994 U.S. Supreme Court case in *Landgraf v. USI Film Products*. In *Landgraf* the Court explained that "Retroactivity provisions often serve entirely...legitimate purposes.... However, a requirement that Congress first make its intention clear helps ensure that Congress itself has determined that the benefits of retroactivity outweigh the potential for disruption or unfairness." *Landgraf* was a groundbreaking case, and outdated pre-*Landgraf* case law is of little practical guidance regarding the modern legislative and judicial understandings of the application of procedural revival statutes and possible vested rights analyses. Despite its national significance, the Pennsylvania courts actually predated *Landgraf* in categorically changing their opinion of the validity of retroactive civil statute of limitations reform.

In the 1987 Pennsylvania Superior Court case of *Larthey v. Bland*, the court first cited our own Pennsylvania Statutory Construction Act of 1972, section 1926, which provides, "...no statute may be construed to be retroactive unless clearly and manifestly so intended by the General

Assembly...." Mr. Speaker, that is an express prescription by the General Assembly that retroactive application of the statute of limitations is permissible. The court in *Larthey* went on to explain that as long as the General Assembly met the requirements of a clear and manifest intent that an act be applied retroactively, it would be permissible to do so. The court explained that an explicit use of the word "retroactive" would meet that requirement.

Mr. Speaker, HB 1947 contains both the word "retroactive" and an explicit intent in section 4 of the bill, which reads, "THE AMENDMENT OF 42 PA.C.S. § 5533...SHALL BE APPLIED RETROACTIVELY, INCLUDING TO REVIVE AN ACTION WHICH WAS BARRED BY A STATUTE OF LIMITATIONS PRIOR TO THE EFFECTIVE DATE OF THIS SECTION."

As you can see, Mr. Speaker, the U.S. Supreme Court, the Pennsylvania courts, and the Pennsylvania General Assembly have all provided that retroactive reforms to civil statute of limitations are permissible. What we have then before us is a procedural attempt to do what has been done to these victims of childhood sexual abuse all along, an attempt to deny them the justice they deserve. The key here is that defendants in these cases knew full well when they endangered and sexually and emotionally abused these children that they were violating the law. There is no unfair surprise in holding rapists of children and those who have covered up for those rapists liable for their actions. This revival does nothing more than impose on those child abusers and those who covered it up for them the liability they imposed on themselves throughout their own despicable actions.

Please join me in opposing this motion to postpone. These victims have been through enough. They have been abused. They have been lied to. Their stories have been covered up, and there has been institutional and public corruption that has denied them justice. It is time to put an end to that. It is time to stand up for the children. And you do not think I am ashamed?

The SPEAKER. Representative, we will just suspend for a second.

We are on a motion to postpone. We certainly are appreciative of your perspective.

Does anybody else wish to speak on the motion to postpone?

Mr. ROZZI. Thank you, Mr. Speaker.

The SPEAKER. Representative Barbin, on the motion to postpone.

Members, if I might, just as we proceed because this is not a motion on constitutionality, although the arguments on both sides were certainly put forth, "Debate on the motion to postpone shall be confined to the question of the postponement and shall not include discussion of the main question." So please, just on the motion to postpone, and then we will proceed to that vote.

Representative Barbin.

Mr. BARBIN. Thank you, Mr. Speaker.

I only will provide this for the benefit of the Assembly in deciding whether the motion to postpone has merit. I am reading from the Constitution, section 11, which is the underlying dispute. It is titled "Courts to be open; suits against the Commonwealth." Section 11, "All courts shall be open; and every man for an injury done him in his lands, goods, person or reputation shall have remedy by due course of law, and right and justice administered without sale, denial or delay. Suits may be brought against the Commonwealth in such manner, in such courts and in such cases as the Legislature may by law direct."

The issue on this motion to postpone is, does the legislature have the right in the manner that is proposed, in the courts that it is proposed, in the cases that it is proposed to direct a revival remedy? I think it is clear.

I ask for a "no" vote on the motion to postpone.

The SPEAKER. Representative Santarsiero and then followed by Representative Vereb and then followed by Representative Marsico.

Representative Santarsiero, the floor is yours, sir.

Mr. SANTARSIERO. Thank you, Mr. Speaker.

I rise in opposition to the motion to postpone. The motion to postpone would actually accomplish nothing in this case.

The fact of the matter is, the underlying provision, which was part of the amendment passed overwhelmingly yesterday by the House, would not in fact violate the Constitution, either the Federal or State Constitutions. It does not create a new cause of action. It does not create new grounds for liability. It merely allows for a revival of the preexisting cause of action, the preexisting grounds for a civil liability. And in fact, as my colleague from Berks County has recounted earlier, the precedent, both at the State and the Federal levels, has clearly been the trend toward allowing such a revival on the grounds that it is procedural in nature and not substantive. So we are left then with this motion, and given the fact that there really is not a constitutional infirmity here with the legislation that has been passed through second consideration to this point, it is hard to understand how there could be any advantage in postponing consideration of this bill on third consideration at this point.

And so for that reason, Mr. Speaker, and in light of the very powerful statement that my colleague from Berks County has made and made well in making it clear that justice has been delayed long enough, it is time for this General Assembly to act, for this House to act, and to allow this bill to be considered on third consideration and hopefully sent to the Senate. Thank you.

The SPEAKER. Thank you, sir.

Representative Mike Vereb.

Mr. VEREB. Thank you, Mr. Speaker.

I rise to oppose the motion to postpone.

The question is, can this body get out of its own way?

Yesterday, Mr. Speaker, on this amendment that passed, I believe it was 167 members, this was not a buzzer-beater. We were not waiting to get to 102. I think the will of the body by yesterday's vote has been shown. I think any attempt to delay that with procedural gymnastics after the deep thought and work by the good gentleman from Berks and by our chairman of the Judiciary Committee in moving this bill in a way that they thought was best, not only for the institution but for our victims, further delay is not going to answer the questions that have already been asked for years on trying to send this bill to the Senate. It is time to do the will of the 167 members that voted yesterday for this, Mr. Speaker.

I encourage everyone to vote "no," go with the will, and send this bill to the Senate and let them take a crack at it. Thank you.

The SPEAKER. Representative Marsico, on the motion to postpone.

Mr. MARSICO. Thank you, Mr. Speaker.

I also rise to oppose the motion to postpone and ask for a "no" vote. Thank you.

The SPEAKER. Thank you, sir.

Representative Petri, on the motion to postpone.

Mr. PETRI. Thank you, Mr. Speaker and members.

I also rise to oppose the motion to postpone. There has been enough delay and this case has already been stated very eloquently by the maker of the bill and the suffering has continued.

But the real issue that we are addressing in the bill is the statute of limitations, and the whole argument about a statute of limitations is that memories fade, and as time goes on, it is tougher and tougher every day to have a fair trial. Now, both the accuser and accused – in this case they will be civil cases – deserve to have a fair trial and postponement actually works the opposite in making sure someone will have a fair trial.

The maker of the motion asked and suggested that those that had violated should be punished, and he is correct. But we must remember that in some of these cases the individuals— First of all, the criminal opportunities are gone; they can never be resurrected. So we are talking about civil opportunities. In the case of civil opportunities, delaying the vote does not help. Many individuals who are subject to these potential claims have taken a vow of poverty. And there is a longstanding principle in Pennsylvania called respondeat superior, which simply means that those supervisors are responsible for the actions of their subordinates, and that is what this is about.

I urge the members to vote against the motion to delay.

The SPEAKER. Representative Dush, on the motion to postpone.

Mr. DUSH. Thank you, Mr. Speaker.

As somebody who has held the hand and fingerprinted a guy that got his 12-year-old daughter pregnant, killed the baby, did it again at 14, I understand the rage against these people.

However, again, my main thing that I have ever run on with my constituents back home is constitutionality and being a constitutionalist. The reason I rise in support of this motion is that I am getting conflicting messages back home as to the constitutionality question on this amendment, and I want some time to actually take a look at it. I do not think the 30 days as going to the date certain is a problem. It is not that far down the road.

And it is not, as was characterized, I do not think calling into question the maker of this amendment's purpose served any purpose because I know why he got up and spoke. It is not for the purpose that was suggested. The maker of this bill has got a lot of legitimate— And the people who this bill is meant to help, there are a lot of legitimate things that have to be taken care of and taken a look at.

But I think that the maker of this motion has a legitimate question, and I would also ask for support of this motion. Thank you.

The SPEAKER. Before the maker of the motion has an opportunity to speak a second time, does anybody else wish to be recognized on the motion to postpone?

Representative Diamond, if you wish, you may proceed.

Mr. DIAMOND. Thank you, Mr. Speaker.

On the motion. Mr. Speaker, I am not asking anyone to make a constitutionality determination today. I am simply asking for the time so that all our colleagues can make a personal determination on constitutionality on this. I think that 30 days is enough time.

Mr. Speaker, I absolutely, positively, want to offer my sincerest apologies to my good friend from Berks County. If you thought by any reason I was trying to delay justice, you are absolutely wrong. I am trying to do the right thing here, sir.

The SPEAKER. Thank you, sir.

Those in favor of the motion to postpone will vote— I apologize. You may proceed, Representative Diamond.

Mr. DIAMOND. I just wanted to call to the members' attention the timing of the introduction and the hearing before us – this is another reason to postpone, Mr. Speaker – of HB 1947. It was introduced on April 4. It has two cosponsors. There was never a cosponsorship memo sent out. I could not find one online for it.

By contrast, last week there was a motion to postpone the bill with a number one higher, 1948, which by the way, had a cosponsorship memo since November 30, 2015, had 101 cosponsors, and there were 73 members of this House who voted to postpone that bill because they did not have enough time to understand the issue, did not have enough time to understand the language.

I am asking for that same consideration that those 73 members of this House voted in favor of on HB 1948. HB 1947 we have had just about the same amount of time to understand. There is a serious constitutionality issue that I believe every member needs to find out for themselves.

And, Mr. Speaker, I ask, respectfully, for a "yes" vote on postponement for 30 days so that we can come back with certainty to go after these heinous perpetrators. Thank you, Mr. Speaker.

The SPEAKER. Thank you, Representative, and I apologize for interrupting. I had thought you had concluded, and I apologize.

We have in front of us the motion to postpone HB 1947 to a date certain of May 17, I believe.

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

The following roll call was recorded:

YEAS—11

Cutler	English	Miller, B.
Diamond	Gabler	Nelson
Dush	Klunk	Truitt

NAYS—186

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

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

NOT VOTING—0

EXCUSED—6

Daley, P.	Evans	Savage	Thomas
DiGirolamo	Krueger		

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

On the question recurring,
Shall the bill pass finally?

The SPEAKER. Does anybody else wish to be recognized on the bill itself?

Representative Vitali followed by Representative Schemel.
Representative Vitali, the floors is yours.

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

The SPEAKER. Representative Marsico, the maker of the bill, has indicated he will stand for brief interrogation. You may proceed.

Mr. VITALI. One thing I wanted to be clear on are the sovereign immunity implications of the bill and governmental immunity. As it relates to, let us say, the public school districts or, you know, our local government entities, or other governmental entities, how does— I see provisions in here relating to sovereign immunity and local governments. How does this change sovereign immunity with regard to schools and so forth?

Mr. MARSICO. It would waive sovereign immunity after the bill is enacted.

Mr. VITALI. I am sorry; say that one more time.

Mr. MARSICO. It would waive sovereign immunity after the bill is enacted.

Mr. VITALI. So in other words, that means with regard to, let us say, a local school district?

Mr. MARSICO. That is correct; yes.

Mr. VITALI. So that means our local school district now could not be sued and could not be— A huge monetary judgment could not be awarded against them now with regard to

a claim of, you know, one of their employees engaging in sexual assault of some sort on a child. But once this bill is passed, then they are exposed for acts which occur after this bill to civil monetary judgments. Is that essentially it?

Mr. MARSICO. That is correct.

Mr. VITALI. Okay. I just wanted to be clear about, and under current law right now, someone who claims to be the victim of sexual abuse as a child, under current law, the statute of limitations allows their case to be prosecuted by a prosecutor up until they are age 50. In other words, they can, under current law, a case can be brought against someone who allegedly did this until the alleged victim is 50 years old. Is that right?

Mr. MARSICO. That is correct.

Mr. VITALI. So under current law, let us say if you claimed to be abused when you were 10, you would have, under current law, 40 years under current law to bring a criminal action. Actually, you do not bring the criminal action; the district attorney does. So a criminal action could be brought for 40 years if you claim to have been abused as a 10-year-old under current law. Am I getting this right?

Mr. MARSICO. You are right again; yes.

Mr. VITALI. Okay. And we are basically saying if we pass this bill, we are going to take away all sovereign immunity, so you could, let us say, be a 70-year-old and say, you know, my dad who is 90 or whatever, you know, 60 years ago did this. So you are totally eliminating, in certain cases, the statute of limitations. A person could be an octogenarian and still bring this case.

Mr. MARSICO. Well, you are eliminating sovereign immunity, but the statute of limitations will still be 50.

Mr. VITALI. Right. Okay. I moved on from the statute of limitations issue – I mean, the sovereign immunity issue. So the ability to bring a criminal case, right now you can do it up until you are age 50, but if this bill passes, there is no limit. Is that correct?

Mr. MARSICO. The criminal case would then be unlimited.

Mr. VITALI. Okay.

Mr. MARSICO. Is that your question?

Mr. VITALI. In the paragraph that talks about that, looks like it is on page 2, lines like 10 through about 24, it covers a lot— Could you outline all the different circumstances under which the statute of limitations is being eliminated? It talks about involuntary—

Mr. MARSICO. You want me to—

Mr. VITALI. —servitude—

Mr. MARSICO. Do you want me to—

Mr. VITALI. —and trafficking and—

Mr. MARSICO. You want me to outline all the crimes—

Mr. VITALI. Well, I mean just generally, I mean—

Mr. MARSICO. It is on page 2 in the bill. You can read it yourself.

Mr. VITALI. It is more than just—

The SPEAKER. Sir—

Mr. VITALI. —the incident—

The SPEAKER. Sir, please suspend.

Members, please take your seats. Members, please take your seats.

Representative Vitali, I apologize, but the rules are quite clear that interrogation has to be only with respect to aspects of the legislation that you yourself do not know the answer to.

Mr. VITALI. And believe me, I do not, because I am looking at nine different sections of the Crimes Code, none of which are

spelled out here, and I do not know, you know, what "relating to involuntary servitude" means or "trafficking." So this is more than just, you know, the altar boy being molested, I mean that we are raising the statute of limitations on, is it not?

Okay. You seem a little confused. It is page 2, lines 10 through 25.

The SPEAKER. Representative. Representative Vitali, please. There are no characterizations with respect to any other members. You yourself in remarks on the bill, pro or against, can enumerate what you understand to be the changes to the statute of limitations. If you have a specific question, you may ask it, but I am not going to permit further interrogation or characterization.

Mr. VITALI. Right. Okay. So let me just— So I can move it along, you will agree that the statute that is being raised waives with regard to about seven or eight or nine different sections of the Crimes Code. Would you agree to that?

Mr. MARSICO. Yes. That is pointed out on page 2 and page 3 of the bill.

Mr. VITALI. Okay. I am trying to get at, you know, I get when you are a kid and you are raped, it is an incredibly terrible thing and it takes some time to sort it all out. But it just seems like a lot of these circumstances we have been describing, the tragic case of the current House member and so forth, and the various Altoona and so forth, it seems like the age 50, that the age 50 statute of limitations, it seems like it would cover that, a lot of what we are talking about, would it not? I mean, I am trying to say, why are we going so far beyond this?

The SPEAKER. Representative Vitali—

Mr. MARSICO. What we are doing is, Mr. Speaker—

The SPEAKER. Go ahead, Representative Marsico. You may answer, then I am going to interject.

Mr. MARSICO. If the district attorney can prove the case, it will be a criminal case, so it is left up to the discretion of the district attorney.

POINT OF ORDER

The SPEAKER. At this time Representative Barbin has a point of inquiry.

Representative Barbin, please proceed.

Mr. BARBIN. I rise on a point of privilege.

This is supposed to be interrogation, and what is going on now is a floating interrogation/comment. I think if we are going to move forward, we need to have questions asked, then he needs to stop asking questions, and then he has to make his comments. Otherwise, we are going to be here all day.

The SPEAKER. Representative Barbin, I think it is a fair point.

Representative Vitali, the good gentleman succinctly stated what I was getting at earlier. If you wish to comment on the bill, you certainly have that opportunity and I will call upon you to do so.

Mr. VITALI. Thank you.

The SPEAKER. If you have precise questions, you can ask those precise questions, but you are going back and forth between commentary and very, I would say, I apologize, but amorphous questions. If you have very specific questions, the good gentleman has agreed to stand for interrogation. But if you wish to comment on the bill, I will call on you to comment on the bill.

Mr. VITALI. Okay. That concludes my interrogation. I will comment on the bill.

The SPEAKER. Representative Vitali, on the bill.

Mr. VITALI. I mean, I think here is my concern, if every person accused of child molestation was guilty, I think this would be a great law. I think if every person accused was guilty, removing the statute of limitations is great. But the problem is, everyone accused is not guilty. There are a few people every once in a while who are falsely accused. And we have to look at, and of course, everyone in this country and everyone under our great system of justice is presumed to be innocent. So we have to look at this not as we need to raise this statute of limitations to get those, you know, those dastardly perpetrators, but we have to look at this in terms of creating a system of justice that does not make mistakes.

I wanted to just quote two jurists. One is Sir William Blackstone, an English jurist, and it is a famous quote, anyone who has gone to law school and has taken a course in criminal procedure has heard this: "...better that ten guilty persons escape, than...one innocent suffer"; "...better that ten guilty persons escape, than...one innocent suffer." And I also wanted to quote John Adams, one of our Founding Fathers, and he sort of expands upon the rationale for that, for that axiom. And it is a little bit long, but just eight lines; bear with me. "It is more important that innocence be protected than it is that guilt be punished, for guilt and crimes are so frequent in this world that they cannot all be punished. But if innocence itself is brought to the bar and condemned, perhaps to die, then the citizen will say, 'whether I do good or whether I do evil is immaterial, for innocence itself is no protection,' and if such an idea as that were to take hold in the mind of the citizen that would be the end of security whatsoever."

And I think what we are just trying to do with statutes of limitations is to put into place certain structures that prevent innocent people from being convicted, and the price we pay for that, the price we pay for me and you and everyone in this room and everyone out there in this State to be secure in the fact that there is a very high likelihood they will be wrongfully convicted, the price we pay for the security of knowing that if we lead a good life we will not go to jail, the price we pay is some guilty people will get set free. That is the price we pay.

And that along with other protections in law that the layman sometimes has a problem understanding, that is one of the reasons behind the statute of limitations.

I think the problem, I think the problem is this, you know—

The SPEAKER. Representative, please suspend for just a moment.

Members, Representative Vitali is speaking on the bill. He should have the opportunity to be heard.

Representative Vitali, you may proceed to, if you could move to your conclusion, but you should have the floor and if everybody could please take their seats. If members could please take their seats, and if all conversations could be off the floor of the House.

Mr. VITALI. Thank you.

The SPEAKER. You may proceed.

Mr. VITALI. I mean, that is the problem. Right now a person who allegedly is assaulted has until age 50. The problem even at that point, but longer, is this: If you are in fact innocent, if it is your brother or your dad or your neighbor and some neighborhood kid said, yeah, 40 years ago, 40 years ago that man molested me; 40 years ago. And you have to prove it, you

know. It might be that, well, I did not molest that kid; I do not even know what day he is talking about. Or I can prove for sure I was not molesting that kid because I took my dad to a restaurant that day. But guess what? Forty years later your dad might be dead, the restaurant might have been replaced by a strip mall. You know, maybe the receipt you had for your lunch there was long gone. You know, people who were in the restaurant have no— You just have no way to create an alibi defense. So you have just lost one of those safeguards to prove your innocence.

Honestly, and I do not— I feel for people who are in this situation. I have no, no way to really feel what they have gone through. But by age 50 I think that is enough. That is enough to either say he did that to me or just move along. I think the statute of limitations by the time a person becomes 50 should not be lifted. I think the current law sufficiently protects the examples we have been talking about today, and to remove that, I think, again, takes one of those basic safeguards that make our society a better place. Thank you.

LEAVES OF ABSENCE

The SPEAKER. Representative Jeff PYLE has requested to be placed on leave, and Representative Mike PEIFER has requested to be placed on leave. Without objection, those will be granted.

LEAVE OF ABSENCE CANCELED

The SPEAKER. Representative Pete Daley is on the House floor and should be placed back on the master roll.

CONSIDERATION OF HB 1947 CONTINUED

The SPEAKER. Representative Paul Schemel.

Mr. SCHEMEL. Thank you, Mr. Speaker.

I believe that we were all horrified to hear Representative Rozzi's account, detailing the abuse that he and his friend endured at the hands of a Catholic priest. As both a Catholic and a human being, I am disgusted. I am also grateful for the courage which Mark and other victims have exhibited; courage which is responsible for bringing these crimes to light.

As a father with six children, the threat of sexual abuse of minors is of paramount concern to me. My kids range in age from 6 to 19, and they are all active in church, youth groups like the Boy Scouts, and school athletics. Unlike my own childhood, children today live in an environment of far greater supervision. Kids are seldom alone, if ever, with adults. Today's churches are places of background checks, ID badges, policies, and posters informing everyone to report any suspected abuse directly to child protective services or the police. We have learned from the mistakes and misdeeds of the past, and our children are safer for it.

When we hear descriptions of child abuse, like we did of Representative Rozzi's yesterday, we have a natural impulse to want to punish the perpetrators of these crimes, and well, we should, for they committed unspeakable acts. Under the current law, victims have 32 to 50 years to bring a criminal claim against an abuser or against individuals who aided or enabled the abuser. This legislation would extend that time period through the life of the victim.

In addition to criminal charges, there is also civil liability, suing abusers for money damages. Of course, this also applies to the institutions for which the abusers worked. Currently a victim has 12 to 30 years to bring such a claim. The proposed bill will extend that by 20 years and make that timeframe retroactive so that claims that are already time-barred by the statute of limitations can be brought back. This flies in the face of the recommendations of the independent Heckler task force, which investigated the Sandusky case. The task force recommended no changes in Pennsylvania's statute of limitations, asserting that the current statute is adequate and already among the most generous in the nation.

For victims, civil suits are a means of achieving justice, punishing offenders and bringing about reform. I can only imagine that the money that comes from such suits in and of itself does little to heal their wounds. In the case of an abuser, it is easy to see a connection between their actions and the money damages that they should pay. However, in the case of an institution, that connection is perhaps more tenuous.

In the present case, nobody is asserting that we decrease in any way the civil penalties to which institutions are currently subject. But with the proposed change to the law, claims can be brought against churches, youth organizations, and public entities like schools 32 to 50 years after the actual abuse took place. So who are these churches, youth organizations, and public entities today? In nearly every case the actual abuser is either retired or dead, and the same for the small group of bishops and leaders who secretly mishandled the cases. Over the ensuing years, organizations have instituted needed reforms to provide for the safety of minors. But money damages will be paid by today's parishioners who had nothing to do with offenses from decades ago.

Although civil claims represent justice for victims, they are also big business for a small class of specialized law firms. Since the sexual abuse scandals in the Catholic Church first came to light in the 1990s, the Catholic dioceses in the United States have paid a reported \$4 billion in claims. Lawyers representing those victims took fees of 25 to 40 percent. In total, 10 dioceses have been forced into bankruptcy. In neighboring Delaware, the Diocese of Wilmington filed for bankruptcy after that State's enactment of a retroactive expanded statute of limitations. Following the bankruptcy filing, trial lawyers representing victims proceeded to file claims against individual parish churches where alleged abusers were once pastors. Imagine, if you will, your own church or synagogue facing a costly legal claim stemming from abuse carried out by a pastor 30 or more years ago. How many of us came to Harrisburg with the intent of making our Commonwealth more litigious?

But this proposed legislation does not stop with the usual suspects. By waiving sovereign immunity, we will pull public entities in the cross hairs of the trial bar. Even with the proposed quarter of a million dollar per claim limit, which itself is somewhat mystifying, public schools will be ripe picking. Keep in mind that despite the attention that the Catholic Church receives, the majority of the claims over the past decade have been from public schools. Easily searchable public records indicate that there have been 918 such reports over the last 7 years in Pennsylvania, 174 of which involved outright sexual relations, which is even greater than the level of sexual conduct described so vividly by Representative Rozzi yesterday. That is a potential liability of over \$43 million just from the most extreme claims. Extend those claims back 44 years and we can

expect a landslide of lawsuits. Are you prepared to discuss with your local school district that you enabled this onslaught, or to the local taxpayers who will be writing the checks to cover these lawsuits?

It is difficult, Mr. Speaker, to be against legislation which purports to punish child abusers and bring justice for their victims. Unquestionably, good people of good will can be on both sides of this argument. But sometimes legislation with good intentions can still have bad outcomes. I have heard several people in this chamber quietly admit that they do not like this bill but feel that it looks too bad for them to vote against it. Mr. Speaker, the 64,000 people who elected each of us did so with one thing, one thing that we can do that they cannot, and that is to make sound policy decisions and vote. It means explaining to constituents why you voted the way you did. But at the end of the day, we have to walk out of this chamber and 12 1/2 million people have to live with the policy that we have created.

I implore you to think with your heads, not merely with your hearts. This is about making policy with far-reaching consequences. Mr. Speaker, this is a well-intentioned bill, but a bad bill, and I urge a "no" vote on HB 1947. Thank you, Mr. Speaker.

The SPEAKER. Thank you, Representative.
Representative McCarter, on the bill.

Mr. McCARTER. Thank you, Mr. Speaker.

In this bill we are concerned with the most grievous acts committed against the most vulnerable children in our society; acts that have historically been hidden away by adults to protect the guilty and further wound and endanger the innocent; acts as we know that are so heinous that they leave most of us speechless. But today, today is the day to find our collective voice. We have no duty in this hour other than to atone for what has happened on our watch – what we have allowed to happen on our watch.

We as a society have identified several criminal acts such as murder, extermination, enslavement, torture, rape, and persecution against an identifiable group as crimes against humanity. We have acted on those actions in international tribunals in Nuremberg and through the International Court in The Hague. Some might say that the crimes we are talking about here today do not rise to that level. I would disagree. As seen so vividly in the grand jury reports from Johnstown and Philadelphia, crimes committed against defenseless children by men of the cloth, coaches, teachers, and other people in positions of power rise to the level of crimes against humanity, especially when their organizations, whether churches or schools, use their influence to hide the crimes, obstruct the administration of justice, and blindly defend the perpetrators instead of showing compassion for the victims.

Thanks to the extremely courageous testimony of our colleagues who opened up their personal history, their very arteries, for our edification and the greater good, we can collectively begin to grasp the depth and the intensity of the enduring nature of that pain. We here today must acknowledge it, lift it to light, and now temper it with the balm of justice. While this bill is not the most desirable because it limits the ability to seek justice to those within a certain age group, it is a start, and we need a start.

This scourge does not reside solely within the Catholic Church. We in Pennsylvania know this all too well. It is in the locker rooms; it is in the living rooms. It flourishes anywhere

where an imbalance of power, especially over children, exists. We must begin to fix that imbalance. We must empower the victims to bring their stories forward, and we must atone for the fact that for far too long we, the powerful, averted our eyes and hardened our hearts.

Today, Mr. Speaker, we say no more. Vote "yes" on HB 1947. Thank you, Mr. Speaker.

THE SPEAKER PRO TEMPORE (MATTHEW E. BAKER) PRESIDING

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Santora, on final passage. Waives off. Thank you.

The gentleman, Mr. Petri, is recognized on final passage. Waives off. Thank you, sir.

The gentleman, Mr. Caltagirone, is recognized on final passage.

Mr. CALTAGIRONE. Thank you, Mr. Speaker.

Today I am announcing after many hours of soul-searching, praying, and deliberations that I have decided to come out in support of my good friend, State Representative Mark Rozzi, in his efforts to combat child sexual abuse within Pennsylvania. I feel compelled to act and do what I can to move the legislation forward that will help protect our children – past, present, and future. I will spend my remaining time in the legislature protecting children. To that end, I support the removal of time limits for criminal charges in civil matters, as well as a limited window for civil action to be filed by past victims of childhood sexual abuse.

I have based my entire career on helping the most vulnerable amongst us, and supporting Representative Rozzi, a victim of child sex abuse, is my way of keeping my commitment to always protecting children. I have been standing by and have watched the steady stream of horrifying stories of historic institutional child sexual abuse coming out of some of the most trusted institutions in the world, and I can no longer sit quietly.

I am proud of the work that we have accomplished when I was minority chairman of the House Judiciary Committee. We enacted practically all of the recommendations of the Task Force on Child Protection to address child sexual abuse. However, I have concluded that we need to do more, and thoughts and prayers for these victims and families is no longer enough without concrete action. We need to enact new laws that will send the strongest message possible: If you commit heinous crimes against children, if you ever cover up for pedophiles, if you lurk in the shadows waiting for the time to run out, we are coming for you; there is nowhere to hide and the passage of time will not save you from answering for your crimes against humanity.

My heart breaks for the innocence lost by so many children. My soul aches for the broken spirits hurt by such heinous and despicable acts that were perpetrated by too many. Enough is enough. Today I implore the leaders and the members of the House and Senate and the Governor to come out in support of Representative Rozzi's efforts and finally make these individuals and institutions pay for their crimes. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Barbin, on final passage.

Mr. BARBIN. I rise in support of this bill. It is not perfect, but it is movement to take care of a wrong that we have left unaddressed for over 30 years.

On the criminal side, what it does is, it says from the day of its enactment forward, a victim's lifetime will be the period that they can bring forward a criminal case. It cannot go backwards in criminal actions. It will be from the day that the Governor signs the bill.

On the civil side it does two things. Number one, it says that a person who was timed out at age 20, and a lot of them were because there was a 2-year civil statute of negligence, those people will have the right to a revived action, who were timed out, to file. It also says that the people that were timed out when we addressed the issue again and changed the civil statute to 30, those people who were timed out will have a chance to file. It says that there will be the revival of an action for that purpose.

As it relates to government immunity and sovereign immunity, I would say this. The issue of government immunity and sovereign immunity has been dealt by this legislature many times. We have caps already in the law because we want to limit the impact to taxpayers for actions that were taken by government employees.

But here is the theory. It goes back to the seventies. There was a case, Justice Musmanno, one of our greatest justices, said in a decision involving a dead horse, that you cannot— "...it would be strange indeed if, although one can sue a corporation, bank, railroad, his neighbor, even his brother, sister, father or mother, he could not sue the government. In a government founded on the proposition that all men are...equal, it would be an anomaly that one can obtain redress from everyone but the entity supposed and intended to be answerable to all...citizens."

The fact of the matter is, we can do what we have done before. We can change the civil statute of limitations from 2 years from your 18th birthday to 12 years from your 18th birthday, to 22 years from your 18th birthday. We chose today, with the bill that was brought out of committee, to say we are going to treat this as a crime as bad as murder. Murder does not have a statute of limitations. This is the killing of a child's soul.

So the criminal statute, there is nothing wrong with this. We should have done it a long time ago. On the civil statute, there is nothing wrong with us deciding because these injuries were never addressed. We are going to make that period of time larger.

It is a fair statement to say when this bill goes over to the Senate, that maybe the Senate should put in place some additional tools to make sure that those people who bring older cases up, make sure that they meet standards, but that is generally for the courts to do, not for the legislature. The Senate could decide to put in an amendment that says we are going to have a certificate of merit, and then the court would generally follow that by writing up a certificate of merit for these types of cases. That is not a reason to not allow people who did not have a chance to say this happened to me to have an attempt to get this out of their life and let them get on with their life.

The last thing on sovereign immunity is, you may not say that the taxpayers' right is so high that we cannot go back and make the schools or any State institution that has custody of a child as responsible as we are making any other private entity. If we do that, we are doing exactly what the grand jury said should not have been done in the Diocese of Altoona-Johnstown. You

cannot say because something might cost you more that you are not going to handle the same problem.

If we are going to fix the problem, let us fix it. This bill fixes it. Public, private, personal, everybody is under the same rules. This is something we should move forward to the Senate. This is a good bill, and this finally redresses the issue of a child sexual victim having a voice. If you are in favor of moving this bill forward today, you give the child sexual victim a voice.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Regan, on final passage.

Mr. REGAN. Thank you, Mr. Speaker.

Mr. Speaker, I just keep coming back to the fact that the powers that be when they were made aware of these heinous crimes being committed, the reaction to that was to cover it up, move the predators to another location where they just reoffended.

Little kids who were trusting, vulnerable, innocent, and were victimized under the cover of religion, could there possibly be a more heinous crime? Could there possibly be?

Unfortunately, I witnessed many times that when crimes are committed, there are ancillary effects which are uncontrollable. Families are always destroyed. People are always left behind picking up the pieces. That may be the case here. But these victims need their day in court. This is the only way it is going to bring closure, and our courts are prepared and equipped to handle it. This is the only way that we can close out this unfortunate chapter of this very, very, very heinous, heinous event.

Please vote "yes." Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Neuman, on final passage.

Mr. NEUMAN. Thank you, Mr. Speaker.

I rise in support of HB 1947. I think it is an important step forward for this Commonwealth to take to make sure that victims have full access to the judicial system.

And I must respond to some of the comments made from the gentleman in Franklin County. When it comes to institutions in the private sector, the only way that you are held liable is if you did something, if you were negligent yourself, if you were negligent in hiring somebody that had a background that you should not have hired, if you were negligent in covering up the fact that people were being abused within your company. This is not just a blanket assault to allow anybody to be sued. This allows for victims to access the people that covered it up, the people that did it directly, and it allows victims access to the courts.

In terms of sovereign immunity in the public sector, there is even an extra protection. You have to be grossly negligent in what your actions of coverup or hiring and those types of things. If these heinous crimes happen in the public sector or the private sector, the institutions themselves have to have an overt action to cover up, to ignore, to do something to be negligent, and if you are in the public sector, do something to be grossly negligent.

To say that this bill is not good because it is going to open up to the courts, the public sector and private sector, open them up to the courts in litigation for civil cases, well, they deserve to be litigated against if they were negligent in allowing people to be sexually assaulted. This does not open up the courts and the floodgates to allow for lawsuits of innocent people and

frivolous lawsuits that the gentleman from Franklin County alluded to. This allows victims full access to the civil side, allows victims still limited access to the civil side and full access for the criminal side.

And I encourage everyone to stand up to make the Commonwealth's system better, the judicial system better, so that victims have full access to be able to recover everything that they deserve. Thank you.

THE SPEAKER (MIKE TURZAI) PRESIDING

The SPEAKER. Thank you.

Representative Jamie Santora.

Mr. SANTORA. Thank you, Mr. Speaker.

I sat and listened today and a lot of questions arose and concern. The bill is probably the most important bill that I will vote on this session, some people will say with the exception of budgets. I do not even know if that is necessarily true.

The concern I have is who is being held responsible at the end of the day. Churches are owned by the parishioners, not the priests, not the ministers, not the pastors. They are there to serve us, and in the past and some in the present have done a real poor job of it.

My understanding is, going back, sovereign immunity is still in place; it is just going forward that it is not. So government is off the hook looking back. At the end of the day, there is an unequal balance here when it comes to that. We are going to see a lot of people— Who did we, at the end of the day, make responsible for this? Is it every individual member of each church, every individual member of each parish and archdiocese? If that is the case, I hope the Senate will fix this bill, because again, I believe it lies on those who did these heinous acts. They need to be held accountable, those individuals, those who covered it up, need to be held accountable. But what I called a flock does not need to be held accountable. And I hope that that is fixed.

I am going to support this bill today, because ultimately, it is the right thing to do. But again, it is a very difficult decision because we are hurting, potentially hurting millions of people across Pennsylvania if there is a ripple effect. Thank you, Mr. Speaker.

The SPEAKER. Thank you, Representative.

Representative Dan Miller, on the bill.

Mr. D. MILLER. Thank you, Mr. Speaker.

And I want to appreciate a lot of the commenters who have come up today who have helped to try and clarify where we have some confusion. Obviously, I think we have heard and I hope it answered some people's questions, regarding on the criminal side, what we are doing.

I feel compelled, though, to offer some thoughts on the organizational, the civil side. I do think some people are concerned and I do not necessarily believe they should be, because again, we are looking for something higher than a crime committed, was committed, at a particular location. Let me give you an example. I think it was pretty recently, and I do not know all the allegations for it, but in this very building we had two people arrested for some type of drug trade or possession of drugs somehow in some way to do with this building. That just happened. What has not happened has some sort of effort here legally to bring the institution in. Now, maybe

there are more facts to be heard; I do not know. But just because a crime occurred at a location does not mean the organization has been brought in. We are looking for something else. An example – you knew, you transferred, you hid. If you do that, you are going to have a problem. You should have a problem.

Every organization we are talking about here, they should be doing their own evaluation. I will tell you what is going to help, if you are in an organization that has concerns, do your own internal investigation. If you uncover something that happened, turn it in, come forward. That is your best way to mitigate your situation right now.

Once this becomes law, and hopefully people are doing it right now anyhow, but once it becomes law, if you are concerned about the payout that some people have to contribute to for an organization, how about you demand the policies that your organization governs itself with? How about you be sure that your administrators are following it to the tee? And how about when you find something is wrong, you turn it in?

I know we have plenty of law enforcement officials right here who will help you with phone numbers depending on where you are. There is a way to handle the situation properly. The reality of it is, too many organizations have uncovered problems and not turned it in. Obviously, too many of them have transferred. So whether you are talking about a public school district, yes, we have problems that are with children. Now, children have been assaulted in too many, but many organizations. If the public school district turns around, finds out that a teacher did something, and then transfers the teacher to the middle school, what do you think is going to happen? And the same thing works in a private setting. It is not that difficult.

If you believe that an organization should systematically protect children, this is an easy vote. I do not understand the debate on it really. If you want the organizations to protect children systematically, to put in policies that their administration, their board, their supervisors, all the way down to the bottom of the level follow, then support this bill.

It will help those organizations who for some reason have not been modernized to think this way, and it will help those perhaps who need to take another look to reevaluate maybe what their organization did 20 years ago.

If you uncover the problem— We just got done in the Children and Youth Committee this past session saying, all these background checks, how can we protect children? That has been a big focus of the leadership of the Children and Youth Committee. That is what we have been telling people to do. And now we are going to say or some are confused, "Well, you know, maybe the organization here should get a pass." No. No. We need them to be involved in this scenario, in this situation, to help protect children. It is as simple as that. And if you cannot do it, you probably should not be around kids, and yes, there is a price to be paid for that, and everybody who helped hide it is going to be found liable for it.

Mr. Speaker, I think we have done a good job in explaining the civil and the criminal sides of this issue here with it. I think this bill has been amended in a way that should be suitable, I believe, for everyone here. I strongly hope that we would see a unanimous passage of this bill here today, and obviously, I rise in support of HB 1947. Thank you, Mr. Speaker.

The SPEAKER. Representative Burns.

Mr. BURNS. Thank you.

You know, my district is in the center of the Altoona-Johnstown Diocese. I am a Catholic and a graduate of Bishop McCort High School where the alleged crimes were committed. These victims were my friends, they were my classmates, and I am standing here today to represent them and the hundreds, I repeat, hundreds of other victims, due to the grand jury report, that finally have an opportunity to get justice.

I need to tell you a little bit about what is going on in Cambria County, why they have not had justice so far. They have not had justice so far because in the grand jury report the police were picked by the bishop. I am not making this up. It is in the report. I will repeat it, the bishop picked the police chief. He interviewed the police officers. He determined who was going to prosecute them.

And then we find out that parents complained to the D.A.'s office about an incident back in 1985 and they went to the D.A. The D.A. met with the bishop and the D.A.'s words were, "You have to understand, this is..." a "...Catholic county." I cannot make sense of it either.

However, I can tell you these victims were denied justice on that day. They were denied justice because they had no one to turn to, and when they went to the D.A.'s office, they were told, you are not going to find an attorney to take this case for 200 miles, so you might as well take the settlement.

And let me read to you a little bit about the settlement. The levels of abuse – they had a chart, a payout chart, so they could determine what they should be paying so they did not overpay, and this is exactly why this legislation is needed today. The chart reads: Above clothing and genital fondling, \$10,000-\$25,000 payout; fondling under the clothes and masturbation, \$15,000-\$40,000 payout; oral sex, \$25,000-\$75,000 payment; sodomy and intercourse, \$50,000-\$175,000.

Now, the minute they came up with that chart they knew this was going to be an issue. They knew this was a problem that they had to deal with. We have to, we have to get justice for the victims. Like I said, these are my classmates and they are my friends, and I am prepared to stand shoulder to shoulder with Representative Rozzi and see this thing through, and I would appreciate your vote because the hundreds of victims back in Cambria County never had a chance at justice and we owe that to them.

And, you know, I am speaking about Cambria County, but this is across the State. This issue just is not in the, it just is not in the Catholic Church. If it can be a defensive coordinator at Penn State, it can be the pitchman at Subway, it can be the person who baptized your son or daughter. It is everywhere, and we have to address the problem and this is a great first step. Thank you.

The SPEAKER. Representative DeLissio.

Ms. DeLISSIO. Thank you, Mr. Speaker.

Thank you, Mr. Speaker.

The SPEAKER. I am sorry. State it again, Representative DeLissio.

Ms. DeLISSIO. I said, "thank you, Mr. Speaker."

The SPEAKER. You are welcome.

Ms. DeLISSIO. It is a little hard to hear; I agree.

The SPEAKER. Okay. Do you want to interrogate?

Ms. DeLISSIO. No.

The SPEAKER. Okay. You wish to speak on the bill?

Ms. DeLISSIO. Correct.

The SPEAKER. Please proceed.

Ms. DeLISSIO. Thank you.

Mr. Speaker, I have two comments. The one comment is one of our colleagues earlier commented on bankruptcies that were filed by various dioceses around the country in response to civil lawsuit windows being opened up, and even though I am not an attorney, if I remember correctly from what I have read, these were voluntary bankruptcies, not involuntary bankruptcies, and there is a difference, and I think a voluntary bankruptcy happens as part of a broader strategy to help to defend an entity and to mitigate its impact. So they may have made that choice to file for bankruptcy, but that was as a result of trying to find the best—

The SPEAKER. The gentlewoman will please suspend.

Members, if we could, we have four speakers left who wish to talk on the bill. Representative DeLissio being one of the four, followed by Representative Dean, Representative Flynn, and then Representative Rozzi.

I would ask everybody to please take their seats.

I had earlier stated that we could vote on this at 4:13. In fact, the Parliamentarian has indicated that it will be 4:31 p.m. that we can take the vote, 4:31.

I would like to give Representative DeLissio an opportunity to be heard. So if all members could please take your seats, and if there are any conversations, if you could please take it to the rooms off the chamber floor.

Representative DeLissio, you may proceed.

Ms. DeLISSIO. Thank you, Mr. Speaker.

So as I was mentioning, there is a difference between involuntary and voluntary bankruptcies. These were voluntary bankruptcies. It was part of a strategy and part of a response. Just to be clear about that.

The other item I want to mention is I just circulated again – I did this yesterday; I did it again today – an article that I found in the March 23 Philadelphia Inquirer titled "I only answer to God. Bishops don't..." scare "...me," and I think this article talks about how these survivors did not have the opportunity for justice in the Altoona-Johnstown area. And if anybody has any lingering questions about where they and how they may vote on this issue, I urge them to read that very brief article.

Thank you, Mr. Speaker.

The SPEAKER. Thank you very much, Representative DeLissio.

Representative Dean.

Mrs. DEAN. Thank you, Mr. Speaker. Thank you very much.

I rise in support of HB 1947, and I honor the courage and tenacity of my colleague from Berks County and our other colleague, the former colleague from Philadelphia County.

Let us remember what we are talking about, the horror of children being sexually abused by adults and then those adults and others who were their supervisors thwarted those children's ability to come forward and make any claim, let alone make a claim during a valid statute of limitations. It is adults that kept this in the darkness – the perpetrators and their supervisors.

Just very briefly, to some of the arguments that we have heard, whether from the Catholic Conference or elsewhere, that there is a fear of false claims or that the evidence is too old, lost, dead, moved. The burden remains on the plaintiff. The burden remains on the survivor. Added to that burden is the number of years that has passed.

And to the other argument that churches, institutions, simply cannot afford this. For example, the Pennsylvania Catholic Conference says, and I quote, "Pennsylvania's 3 million Catholics cannot afford to defend their parishes and Catholic schools from expensive and indefensible lawsuits."

Benjamin Cardozo School of Law says this to that claim: "The Catholic cases are typically proven by the dioceses' own, copious records documenting the abuse and the cover-up." As our colleague just told us, the payout schedule for the crimes committed. It is documentation of the crime. And Cardozo School of Law goes on to say, "They are only 'indefensible' because of the failures of the hierarchy to protect children from known predators."

Mr. Speaker, I would say that is the bankruptcy of anybody who covered up sexual abuse of children or who continues to do it today.

I will end on this note. I am a Catholic, and my faith often uses the image of dark and light, of darkness or doors closed or of sunlight and exposing the truth. This measure today will help us go into the light, to stop the coverup, to stop the denial, to stop telling children you have no right to tell us what happened to you no matter how bad it was. A vote for this is a vote for the light. A vote for this is a vote for all of our children.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, Representative.

Representative Flynn waives off.

Prior to the maker of the amendment that was incorporated into the bill or to the maker of the bill speaking, do any other members wish to speak on the bill?

Representative Rozzi, the floor is yours.

Members, I would ask you to please take your seats. We will be able to vote on this bill at 4:31.

Representative Rozzi, the floor is yours.

Mr. ROZZI. I will keep an eye on the clock. Nobody wants to get this over more than me.

First, there has to be some thank-yous handed out. First, I would like to address Chairman Marsico. Thank you. You are a true leader. Our kids of this Commonwealth – past, present, and future – thank you. I know what we have done here is not easy, and doing the right thing sometimes is not, but you have given the children of this Commonwealth hope, and for that I am ever grateful.

I would like to thank my leader, Dermody, for supporting me and believing in me and encouraging me to do what I thought was right.

I would also like to thank the Speaker. Your willingness to see this issue through, again, gives hope to the children of this Commonwealth that justice and the truth can be delivered.

I also would like to thank the majority leader. Your moral compass has guided you and I believe it has always guided you, because you have continuously done the right thing for this body, whether or not – we might not agree on everything, but your willingness to bring up this tough issue shows the leader that you are. You did not have to do this, but I know that you truly care about the children of this Commonwealth, and leadership like that I know probably will not end in this House of Representatives. You will continue, because the people of Pennsylvania look for a leader who is not afraid to stand up for what is right. And from all the victims of Pennsylvania, we say thank you.

We all take our own personal journey to get to the House of Representatives. We all have a different course. There is never a straight line from A to B. If you would have asked me in 2008 or 2007 that I would have been elected to serve the people of the 126th, I would have said that you were crazy.

But my life did change. I hope my wife is not watching right now, because sometimes I forget our wedding date, but the date that my second childhood friend killed himself, March 26, 2009, is forever ingrained in my head. When he took the gun and he put it to his chest and he killed himself, that is the day that I knew that I let down all the children of my parochial school at Holy Guardian Angels.

I have tremendous guilt that I did not speak up sooner; that if I did, could I have saved other lives? But when I did speak up, I had over 40 boys from my parochial school step up and say that they were sexually abused by this monster. And when I started to track where he was, we actually had more victims come out and say that they were abused or "My brother committed suicide. We never knew why, but he was an altar boy with Father Graff."

You know, they moved Father Graff out of my grade school in 1988 and they sent him to a sexual abuse rehab center. That sexual abuse rehab center was established by the Catholic Church in 1947. They sent him to Jemez Springs, New Mexico, the Servants of the Paraclete. And guess what? Partly because he did not self-admit that he was abusing kids – and yes, he was an alcoholic too – they put him into the Amarillo Diocese where he abused 20 more children. I put his numbers at close to 200.

How was I supposed to know that he was at 10 to 12 different parishes before he even came to my school? Some of his first accusations arose like in 1957. I was abused in '84. They knew it. And the day that I ran out of that rectory with my childhood friend, he threatened us, he threatened Tom. We better keep our mouths shut or he is going to destroy our family. Put yourself in my position as a 13-year-old boy, what you would do. What would you do? Do you go home and tell your parents that, "Yeah; he had us drinking alcohol, showing us porn, teaching us about sex, taking pictures of our privates." He was teaching me about sex, putting me in different sexual positions because I needed to know them.

You know, when I did run out of that shower and I looked at my friend, we just ran, picked up our clothes and ran out the door and ran downstairs as we were getting dressed. People in that rectory had to know what was going on, but nobody cared.

I can remember running home, actually stopped along the path home and hid in bushes because I thought he was coming after me, and I waited some time in the bushes hoping that he would not find me.

I have struggled every day of my life. All I want is justice and I want justice for all my friends who have been sexually abused. They knew what they did, they covered it up, and now they need to be held accountable. That is the bottom line.

You know, many members have come up to me and, you know, thanked me and encouraged me to continue to speak out, but it is so tough. I do not want to be here in front of you telling you what happened to me. I am ashamed. I am embarrassed. I do feel guilty. I know that I did not ask for it and I know all my other childhood friends did not ask for it.

We have an opportunity here today to do the right thing for Pennsylvania, for victims of sexual abuse – past, present, and future. Like my one friend, my colleague, Dan Miller, said, this is not a hard vote; this is an easy vote. If you think it is a hard

vote, like I told my caucus yesterday, then maybe you do not belong in the House of Representatives, because we vote on tough stuff all the time.

But this issue here has affected so many lives. We ask people maybe, you know, why does Johnstown have an incredible heroin epidemic? We spend \$46 million a year in this State on our drug and alcohol programs. Do you ever wonder why?

I also want to thank my good friend and colleague, Representative Murt. Tom has been by my side and fought with me in all the maneuvers yesterday. I want to thank you for giving us this opportunity to be able to move this bill forward. The victims thank you and I thank you.

The victims have waited long enough. It is time to vote.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, Representative Rozzi.

LEAVE OF ABSENCE

The SPEAKER. Representative Vanessa BROWN has requested to be placed on leave. Without objection, that will be granted.

CONSIDERATION OF HB 1947 CONTINUED

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—180

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

DeLissio	Kaufer	O'Neill	Warner
Delozier	Kauffman	Ortitay	Watson
DeLuca	Kavulich	Parker, D.	Wentling
Dermody	Keller, F.	Pashinski	Wheatley
Donatucci	Keller, M.K.	Payne	Wheeland
Driscoll	Keller, W.	Petrarca	White
Dunbar	Killion	Petri	Youngblood
Ellis	Kim	Pickett	
Emrick	Kinsey	Quigley	Turzai,
English	Kirkland	Quinn	Speaker
Evanovich	Klunk		

NAYS—15

Bloom	Gabler	Oberlander	Vitali
Cutler	Greiner	Schemel	Ward
Diamond	McGinnis	Topper	Zimmerman
Dush	Miller, B.	Truitt	

NOT VOTING—0

EXCUSED—8

Brown, V.	Evans	Peifer	Savage
DiGirolamo	Krueger	Pyle	Thomas

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

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

STATEMENT BY MR. MURT

The SPEAKER. Representative Murt, on unanimous consent.

Mr. MURT. Thank you, Mr. Speaker.

Mr. Speaker, I would like to submit some remarks regarding two resolutions that we voted on affirmatively earlier today.

The SPEAKER. Representative Murt, if you wish to speak on those, you are more than welcome. We were looking for you earlier. If you wish to speak on those resolutions, I am perfectly okay with that.

Mr. MURT. Thank you, Mr. Speaker.

Mr. Speaker, I will speak on one of those resolutions and the other one I will submit.

The SPEAKER. You may proceed.

Mr. MURT. Thank you, Mr. Speaker.

Mr. Speaker, everyone is aware of the historical role that Philadelphia played in the conception and birth of American independence. What is often unappreciated is the pivotal role of the people living in the countryside around the city of Philadelphia and the role they played in preserving our young nation.

On the night of April 30, 1778, the British, in control of Philadelphia, marched out of the city with 850 men on foot and on horses. Their destination was the Billet, what is now known today as Hatboro, Pennsylvania. Their mission was to stop the American militia from disrupting the British supply lines into Philadelphia. Their other objective was to capture the leader of the militia, Gen. John Lacey, and decimate the 300 militiamen encamped with Lacey at the Billet in Hatboro.

The British marched through the Fox Chase area of Philadelphia, Mr. Speaker, up Huntingdon Pike, where they split. The Queen's Rangers, a Loyalist regiment, continued up

Second Street Pike and the 500 British regulars went left toward Old York Road. The plan was to have the British regulars wait in ambush along the Horsham Meeting Road, near the Old Mill Inn, in Hatboro. The Queen's Rangers were to drive the militia into the waiting British troops, in what is known as the pincer movement. The militia was expected to retreat along the Horsham Meeting Road, which leads to Valley Forge that would have exposed the Continental Army.

Gen. John Lacey, the youngest appointed general under General Washington's command, was a native of Bucks County and knew the area better than any of the British soldiers. During the battle that commenced on May 1, 1778, 26 militiamen were killed, 9 wounded, and 58 captured. But most importantly, General Lacey saved hundreds of lives by moving his united militia north into Bucks County, into Warminster and Warwick, away from General Washington's men.

While the British reported no casualties, they never achieved their objectives. The militia continued disrupting supplies and General Lacey was never captured. While the British would claim this as a military victory, it was clearly a British failure thanks to the quick thinking and leadership of Gen. John Lacey. He is truly one of the unappreciated heroes of the American Revolution.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, Representative Murt, and on the other resolution I know you are going to be submitting remarks, so please do.

REMARKS SUBMITTED FOR THE RECORD

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

In 2006 Pennsylvania became an example to the rest of the nation when it became the first State to provide hospital-based education on shaken baby syndrome in 100 percent of all birthing and children's hospitals.

In the United States every year, as many as 3,750 infants and young children are diagnosed with shaken baby syndrome. Tragically, one-third of those victims die as a result of direct brain injuries. That is why it is so important that we acknowledge April 17 through 23 as "Shaken Baby Syndrome Week" in Pennsylvania as a way to educate parents, other extended families, and babysitters on how delicate young children are.

Shaken baby syndrome is caused by vigorous shaking of an infant or young child by the arms, legs, chest, or shoulders. Forceful shaking can result in brain damage leading to intellectual or developmental disabilities, speech and learning disabilities, paralysis, seizures, hearing loss, and even death. It may cause bleeding around the brain and eyes, resulting in blindness. A baby's head and neck are especially vulnerable to injury because the head is so large and the neck muscles are still weak. In addition, the baby's brain and blood vessels are very fragile and easily damaged by whiplash motions, such as shaking, jerking, and jolting. Shaken baby syndrome is difficult to diagnose, unless someone accurately describes what happens.

Dr. John Caffey, who first described shaken baby syndrome in 1972, called for a massive public education program to describe the dangers of shaking infants. Some experts believe that the shaking is primarily the result of an angry adult who loses self-control and that the perpetrator is aware of the potential harm to the child. Others believe a lack of knowledge about the dangers of shaking is a contributing factor and that most people do not intend to harm or kill children by shaking them. That is why physicians, social workers, educators, attorneys, families, and others should collaborate to educate the public about

preventing shaken baby syndrome. Other proposed strategies to reduce the problem include identifying families at high risk for abuse and providing supports to reduce stress and funding and monitoring high-quality child care so that parents leave their children with safe caregivers.

My hope is that by recognizing shaken baby syndrome, we as legislators will draw attention to the hundreds of children hurt or killed by thoughtless parents and guardians. This is an injury that can be avoided.

I thank my colleagues for their support.

REMARKS SUBMITTED FOR THE RECORD

The SPEAKER. Representative Matt Gabler, on unanimous consent.

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

With regards to HB 1947, I would like to submit remarks for the record.

The SPEAKER. Yes, sir. They will be accepted.

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

The nature of legislating means we must contend with complex issues. Anyone who argues that these decisions are easy, or that the issues are straightforward, is misleading and oversimplifying.

I believe it is safe to say that there is not one member of this chamber who is okay with child sexual abuse. In fact, it is a safe statement to say that each and every member of this chamber is disgusted, appalled, and horrified that these monsters could ever do such unspeakable acts to any child.

With regard to complex issues, here is the question. Is it possible to reduce this vote to a question of support for victims? Some would like to oversimplify by arguing that a "yes" vote is for victims and a "no" vote is against victims. Such an oversimplification does a great injustice to the Commonwealth and our legal system. The underlying question, whether or not to retroactively extend the statute of limitations for certain legal cases, has far-reaching implications, especially in the civil realm.

Nobody disputes that the individuals who committed these crimes should be punished. They should be gravely punished. Will this bill accomplish that? If the perpetrator is no longer around but the organization still is, who is going to pay? I believe that this bill creates a new class of victims. Who pays when a civil judgment is brought against an organization? In the case of the church, it is not the bishop. It is not the priest. It is the parishioners. Who will suffer when these sensational lawsuits come forward? It will be parishes, schools, and hospitals, who may be forced to lay off teachers, doctors, and nurses. And once all the legal cases are heard, will the victims be whole? They may have more money in their pockets, but they can never be made whole.

This bill should have been focused on individual liability. Instead, our community organizations will be opened up to great liability. Our communities will be weaker when this bill becomes law.

For these reasons I will be voting "no." Thank you very much.

SUPPLEMENTAL CALENDAR B CONTINUED

BILL ON CONCURRENCE IN SENATE AMENDMENTS

The House proceeded to consideration of concurrence in Senate amendments to **HB 794, PN 3162**, entitled:

An Act amending the act of August 9, 1955 (P.L.323, No.130), known as The County Code, in preliminary provisions, further providing for applicability; in fiscal affairs, repealing provisions relating to authorization of excise tax, further providing for authorization of 5% hotel tax, repealing provisions relating to authorization of hotel tax and providing for hotel room rental tax in third through eighth class counties, for certification of recognized tourist promotion agencies and for hotel room rental in second class and second class A counties; and repealing related provisions of Title 53 of the Pennsylvania Consolidated Statutes regarding hotel room rental in second class A counties.

On the question,

Will the House concur in Senate amendments?

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

The Chair now recognizes Representative Gillespie for a brief description of the underlying bill, the Senate amendments, and any comments he wishes to make.

Representative Gillespie.

Mr. GILLESPIE. Thank you, Mr. Speaker.

The bill was amended with language changes agreed to by the stakeholders, including a match requirement for grant, conflict-of-interest provisions, and language providing penalties for tourist agencies that do not submit their annual report or financial report.

Second class A counties were added. They will now have the option to stay at 3 percent or increase to 5 percent. This was developed by the stakeholders, in particular, the Hotel and Lodging Association, to ensure that the three counties will have similar spending language to the other 54 counties.

Finally, the Senate added a change to the Dauphin County room tax law which adjusts the regional sports facility from 10,000 to 14,000 seats to 2,500 to 14,000.

Mr. Speaker, I respectfully ask for an affirmative vote. Thank you.

The SPEAKER. Thank you, Representative Gillespie.

On the question recurring,

Will the House concur in Senate amendments?

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

The following roll call was recorded:

YEAS—138

Acosta	Donatucci	Kavulich	Quinn
Adolph	Driscoll	Keller, W.	Rader
Artis	English	Killion	Ravenstahl
Barbin	Everett	Kim	Readshaw
Barrar	Fabrizio	Kinsey	Reed
Benninghoff	Farina	Kirkland	Regan
Bizzarro	Farry	Klunk	Roebuck
Boback	Fee	Knowles	Ross
Boyle	Flynn	Kortz	Rozzi
Bradford	Frankel	Kotik	Sainato
Briggs	Freeman	Longietti	Samuelson
Brown, R.	Gainey	Mahoney	Santarsiero
Bullock	Galloway	Major	Saylor
Caltagirone	Gergely	Markosek	Schlossberg
Carroll	Gibbons	Marsico	Schreiber
Causar	Gillespie	Matzie	Schweyer
Cohen	Godshall	McCarter	Simmons

Conklin	Goodman	McClinton	Sims
Corbin	Greiner	McNeill	Snyder
Costa, D.	Grove	Mentzer	Sonney
Costa, P.	Hahn	Miccarelli	Staats
Cruz	Hanna	Millard	Sturla
Cutler	Harhai	Miller, D.	Tallman
Daley, M.	Harkins	Moul	Taylor
Daley, P.	Harper	Murt	Tobash
Davidson	Harris, A.	Mustio	Ward
Davis	Harris, J.	Neilson	Watson
Dawkins	Heffley	Nesbit	Wentling
Dean	Helm	Neuman	Wheatley
Deasy	Hennessey	O'Brien	White
DeLissio	Hickernell	Oberlander	Youngblood
Delozier	Hill	Parker, D.	Zimmerman
DeLuca	Irvin	Pashinski	
Dermody	James	Payne	Turzai,
Diamond	Kampf	Petri	Speaker

NAYS—57

Baker	Harhart	Metcalfe	Rothman
Bloom	Jozwiak	Metzgar	Saccone
Burns	Kaufert	Miller, B.	Sankey
Christiana	Kauffman	Milne	Santora
Cox	Keller, F.	Mullery	Schemel
Culver	Keller, M.K.	Nelson	Stephens
Day	Lawrence	O'Neill	Toepel
Dunbar	Lewis	Ortitay	Toohil
Dush	Mackenzie	Petrarca	Topper
Ellis	Maher	Pickett	Truitt
Emrick	Maloney	Quigley	Vereb
Evankovich	Marshall	Rapp	Vitali
Gabler	Masser	Reese	Warner
Gillen	McGinnis	Roae	Wheeland
Gingrich			

NOT VOTING—0

EXCUSED—8

Brown, V.	Evans	Peifer	Savage
DiGirolamo	Krueger	Pyle	Thomas

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

Ordered, That the clerk inform the Senate accordingly.

The SPEAKER. There are no further votes for today at this time.

HOUSE BILL INTRODUCED AND REFERRED

No. 1999 By Representative ADOLPH

An Act to provide from the General Fund for the expenses of the Executive and Judicial Departments, the State Government Support Agencies and the General Assembly of the Commonwealth, the public debt and the public schools for the fiscal year July 1, 2016, to June 30, 2017, for certain institutions and organizations and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2016; to provide appropriations from the State Lottery Fund, the Tobacco Settlement Fund, the Aviation Restricted Account, the Hazardous Material Response Fund, The State Stores Fund, the Milk Marketing Fund, the Home Investment Trust Fund, the Emergency Medical Services Operating Fund, the Tuition Account Guaranteed Savings Program Fund, the Banking Fund, the Firearm

Records Check Fund, the Ben Franklin Technology Development Authority Fund, the Oil and Gas Lease Fund, the Home Improvement Account, the Cigarette Fire Safety and Firefighter Protection Act Enforcement Fund, the Insurance Regulation and Oversight Fund, the Pennsylvania Racehorse Development Restricted Receipt Account, the Justice Reinvestment Fund and the Multimodal Transportation Fund to the Executive Department; to provide appropriations from the Judicial Computer System Augmentation Account to the Judicial Department for the fiscal year July 1, 2016, to June 30, 2017; to provide appropriations from the Motor License Fund for the fiscal year July 1, 2016, to June 30, 2017, for the proper operation of several departments of the Commonwealth and the Pennsylvania State Police authorized to spend Motor License Fund money; and to provide for the appropriation of Federal funds to the Executive and Judicial Departments of the Commonwealth and for the payment of bills remaining unpaid at the close of the fiscal year ending June 30, 2016.

Referred to Committee on APPROPRIATIONS, April 12, 2016.

BILL SIGNED BY SPEAKER

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

HB 794, PN 3162

An Act amending the act of August 9, 1955 (P.L.323, No.130), known as The County Code, in preliminary provisions, further providing for applicability; in fiscal affairs, repealing provisions relating to authorization of excise tax, further providing for authorization of 5% hotel tax, repealing provisions relating to authorization of hotel tax and providing for hotel room rental tax in third through eighth class counties, for certification of recognized tourist promotion agencies and for hotel room rental in second class and second class A counties; and repealing related provisions of Title 53 of the Pennsylvania Consolidated Statutes regarding hotel room rental in second class A counties.

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

CONCURRENT RESOLUTION SIGNED BY SPEAKER

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

HR 783, PN 3091

A Concurrent Resolution further providing for submission to the electorate of a constitutional amendment on retirement for justices, judges and justices of the peace.

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

BILLS RECOMMENDED

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

HB 1084;
 HB 1843;
 HB 1877;
 SB 1022; and
 SB 1068.

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 1437;
 HB 1640; and
 HB 1827.

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

CALENDAR CONTINUED

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 316**, **PN 1524**, entitled:

An Act amending Title 62 (Procurement) of the Pennsylvania Consolidated Statutes, in general provisions, providing for public access to procurement records; and, in source selection and contract formation, further providing for sole source procurement and for emergency procurement and providing for legal services contracts.

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

BILL TABLED

The SPEAKER. The Chair recognizes the majority leader, who moves that SB 316 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 Chair recognizes the majority leader, who moves that SB 316 be removed from the tabled calendar and placed on the active calendar.

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

RESOLUTION REMOVED FROM UNCONTESTED CALENDAR

The SPEAKER. The Speaker states for the record that HR 795 should be removed from the uncontested calendar and placed on the House calendar.

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 Parke Wentling moves that the House be adjourned until 11 a.m., e.d.t., tomorrow, Wednesday, April 13, 2016, unless sooner recalled by the Speaker.

On the question,
 Will the House agree to the motion?
 Motion was agreed to, and at 4:41 p.m., e.d.t., the House adjourned.