

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

WEDNESDAY, SEPTEMBER 30, 2015

SESSION OF 2015

199TH OF THE GENERAL ASSEMBLY

No. 67

HOUSE OF REPRESENTATIVES

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

**THE SPEAKER (MIKE TURZAI)
PRESIDING**

PRAYER

HON. THOMAS P. MURT, member of the House of Representatives, offered the following prayer:

Please bow your heads.

God of all, we pray for our nation with hopes that those elected to lead at every level will work now for Your people. We pray these men and women will humble themselves to the sacred task of governing for the people who cast votes, not necessarily for the corporations and the wealthy individuals who pay for influence.

We pray for legislators who will care about jobs for the unemployed and the underemployed, education and opportunity for children, and health care for all, especially the most vulnerable among us. We pray for laws that will protect and respect the earth – this planet created to be a home for all humanity, not just a thing to be owned and exploited for profit by a few.

We pray for regulations that will harness the hubris and greed of the finance sector. We pray for governance that knows the difference between a financial system and an economy. We pray for wisdom, not rhetoric; generosity, not indifference; and justice, not patronage.

We want legislators working across the aisle, not erecting barriers like the border walls that imprison even those who seek to keep others out. We pray for leaders gifted in diplomacy, blessed with character and integrity, leaders who know our security comes from relationships of trust and communication.

For our part give us the patience to give our leaders a chance to govern with grace, compassion, justice, and love. Let us support sincere effort and celebrate wise compromise. Make us accountable to our faith and so hold those we elect accountable to serve all the people.

May we never cease to pray and to hope and to work for justice for all. Amen.

PLEDGE OF ALLEGIANCE

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

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, the approval of the Journal of Tuesday, September 29, 2015, will be postponed until printed.

COMMUNICATION FROM DEPARTMENT OF GENERAL SERVICES

The SPEAKER. The Speaker acknowledges receipt of the Act 77 annual report for fiscal year 2014-2015 from the Department of General Services.

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

SENATE MESSAGE

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

The clerk of the Senate, being introduced, returned **HB 823, PN 2181**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

SENATE MESSAGE

HOUSE AMENDMENTS CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to **SR 149, PN 1128**.

SENATE MESSAGE

HOUSE AMENDMENTS CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to **SB 513, PN 1139, and SB 875, PN 1187**.

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

HB 1348, PN 2260 (Amended) By Rep. METCALFE

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

STATE GOVERNMENT.

**HOUSE RESOLUTIONS
INTRODUCED AND REFERRED**

No. 514 By Representatives TAYLOR, MILLARD, MURT, HEFFLEY, HELM, W. KELLER, M. K. KELLER, GIBBONS, SONNEY, DAVIS, V. BROWN, MAHONEY, THOMAS, YOUNGBLOOD, O'BRIEN, DRISCOLL, D. COSTA, ROZZI, WATSON, JOZWIAK, VEREB, WHITE and COHEN

A Resolution urging the Congress of the United States to pass legislation to increase the current liability limit on damages resulting from passenger rail accidents.

Referred to Committee on TRANSPORTATION, September 30, 2015.

No. 515 By Representatives CRUZ, YOUNGBLOOD, C. PARKER, SIMS, V. BROWN, O'BRIEN, BULLOCK, KINSEY, MCCLINTON, COHEN, DRISCOLL and ROZZI

A Resolution recognizing the General Operating Rules of the House of Representatives and providing for the enforcement of the General Operating Rules of the House within the conduct of standing committee business and action by the Speaker.

Referred to Committee on RULES, September 30, 2015.

**HOUSE BILLS
INTRODUCED AND REFERRED**

No. 1559 By Representatives MURT, DRISCOLL, KINSEY, McNEILL, ROZZI, SCHLOSSBERG, SCHWEYER, THOMAS and COHEN

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

Referred to Committee on INSURANCE, September 30, 2015.

No. 1572 By Representative SANTARSIERO

An Act amending the act of September 30, 1983 (P.L.160, No.39), known as the Public Official Compensation Law, further providing for the compensation of members of the General Assembly.

Referred to Committee on STATE GOVERNMENT, September 30, 2015.

No. 1573 By Representatives BRIGGS, DEAN, W. KELLER, THOMAS, ROZZI, SCHLOSSBERG, WATSON, O'BRIEN, FRANKEL, ROEBUCK and COHEN

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, in special licenses and permits, further providing for exotic wildlife dealer permits.

Referred to Committee on GAME AND FISHERIES, September 30, 2015.

No. 1574 By Representatives MARSICO, BISHOP, HELM, ENGLISH, BOBACK, MILLARD, V. BROWN, FARINA, REGAN, DRISCOLL, MURT, READSHAW, D. COSTA, KOTIK, McNEILL, KILLION, JOZWIAK, COHEN, A. HARRIS, JAMES, COX, BARBIN, SCHWEYER, WARD, WHITE, WATSON, DeLUCA, M. K. KELLER, GROVE, PHILLIPS-HILL, VEREB, PETRI, GINGRICH, BAKER, SAYLOR, D. PARKER, PICKETT, RADER, STEPHENS, RAPP, TOEPEL, EVERETT, KORTZ, DELOZIER, TOOHL, SAMUELSON, O'NEILL, PYLE and CALTAGIRONE

An Act amending the act of December 15, 1986 (P.L.1595, No.175), known as the Anthiazing Law, further providing for definitions and for enforcement.

Referred to Committee on JUDICIARY, September 30, 2015.

No. 1575 By Representatives ELLIS and JAMES

An Act amending the act of November 10, 1999 (P.L.491, No.45), known as the Pennsylvania Construction Code Act, in exemptions, applicability and penalties, further providing for exemptions.

Referred to Committee on LABOR AND INDUSTRY, September 30, 2015.

No. 1576 By Representatives SCHWEYER, FRANKEL, ROZZI, O'BRIEN, ACOSTA, SIMS, SCHLOSSBERG, BOYLE, BIZZARRO, SCHREIBER, McNEILL, YOUNGBLOOD, COHEN, C. PARKER, KINSEY and BRIGGS

An Act establishing the LGBT Senior Community Grant Program; conferring powers and imposing duties on the Department of Aging; and making an appropriation.

Referred to Committee on AGING AND OLDER ADULT SERVICES, September 30, 2015.

No. 1577 By Representatives DUSH, BENNINGHOFF, CAUSER, COHEN, D. COSTA, COX, DAVIS, DiGIROLAMO, DRISCOLL, ELLIS, FARINA, GOODMAN, GROVE, HAHN, A. HARRIS, HEFFLEY, HENNESSEY, IRVIN, KIM, LONGIETTI, MAJOR, McNEILL, MILLARD, MURT, NEILSON, O'NEILL, OBERLANDER, PICKETT, SAINATO, SANKEY, SAYLOR, SCHWEYER, THOMAS, VEREB, WARD and WHEELAND

An Act designating a bridge on that portion of State Route 580, over the west branch of the Susquehanna River, Cherry Tree Borough, Indiana County, as the Airman Second Class Gerald Emmett Johnson Memorial Bridge.

Referred to Committee on TRANSPORTATION, September 30, 2015.

No. 1578 By Representatives FEE, BLOOM, R. BROWN, CARROLL, CAUSER, COHEN, CUTLER, DAVIS, DIAMOND, FARRY, GIBBONS, GINGRICH, GREINER, GROVE, HICKERNELL, KAUFER, KILLION, MENTZER, MICCARELLI, MILLARD, B. MILLER, PICKETT, ROZZI, SAYLOR, WARD, WATSON, ZIMMERMAN and SANTORA

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for the E-chievement Program.

Referred to Committee on EDUCATION, September 30, 2015.

No. 1579 By Representatives RAPP, WENTLING, LONGIETTI, BARRAR, SAINATO, VEREB, BIZZARRO, TALLMAN, D. COSTA, McGINNIS, BAKER, HICKERNELL, COX, BENNINGHOFF, READSHAW, HENNESSEY, PICKETT, HARHART, YOUNGBLOOD, COHEN, KINSEY, MURT, PASHINSKI, THOMAS, DIGIROLAMO, DRISCOLL, NEILSON, WHEELAND, CAUSER, MILLARD, ELLIS, HAHN, BISHOP, MAHONEY, PAYNE, GROVE, SONNEY, DUSH, KNOWLES, WARD, GOODMAN, CALTAGIRONE, A. HARRIS, SAYLOR, MAJOR, NESBIT and O'NEILL

An Act designating a bridge on that portion of State Route 62 over the Allegheny River, Tionesta Borough, Forest County, as the Lt. Col. Michael McLaughlin/AMVETS Post 113 Memorial Bridge.

Referred to Committee on TRANSPORTATION, September 30, 2015.

No. 2012 By Representatives BIZZARRO, WARD, SCHLOSSBERG, YOUNGBLOOD, READSHAW, MILLARD, MURT, ROZZI, WATSON, DRISCOLL, KINSEY, DAVIS, J. HARRIS, D. COSTA, V. BROWN, SONNEY, THOMAS, MAHONEY, FARINA, HARHAI, FARRY, DeLUCA, VEREB, SCHWEYER, COHEN, BISHOP, BOBACK and KORTZ

An Act amending the act of September 9, 1965 (P.L.497, No.251), known as the Newborn Child Testing Act, further providing for newborn child screening and follow-up program.

Referred to Committee on HEALTH, September 30, 2015.

BILLS SIGNED BY SPEAKER

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

SB 513, PN 1139

An Act amending the act of July 7, 1980 (P.L.380, No.97), known as the Solid Waste Management Act, in residual waste, further providing for transportation of residual waste; and abrogating a regulation.

SB 875, PN 1187

An Act providing for the use of treated mine water for oil and gas development.

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

LEAVES OF ABSENCE

The SPEAKER. We are going to turn to leaves of absence.

The majority whip, Bryan Cutler, has indicated that Representative O'NEILL of Bucks County will be marked on leave for the day. That request is granted, without objection.

The minority whip, Mike Hanna, indicates that Representative Pete DALEY of Washington County, Representative Tony DeLUCA of Allegheny County, and Representative FREEMAN of Northampton County each request to be marked on leave for the day. Without objection, those leaves will be granted.

MASTER ROLL CALL

The SPEAKER. We are going to turn to the master roll call. Members will proceed to vote.

The following roll call was recorded:

PRESENT—196

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

Driscoll	Kim	Petri	White
Dunbar	Kinsey	Pickett	Youngblood
Dush	Kirkland	Pyle	Zimmerman
Ellis	Klunk	Quigley	
Emrick	Knowles	Quinn	Turzai,
English	Kortz	Rader	Speaker
Evankovich	Kotik		

ADDITIONS—0

NOT VOTING—0

EXCUSED—7

Daley, P.	Freeman	O'Neill	Watson
DeLuca	Gingrich	Taylor	

LEAVES ADDED—3

Galloway	McGinnis	Miller, D.
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The SPEAKER. One hundred and ninety-six members having voted on the master roll call, a quorum is present.

Members, please take your seats. Any conversations I would humbly request that you take to the antechambers outside the hall of the House. We have a very important introduction to make with respect to this great, great House.

LEGISLATIVE FELLOWS INTRODUCED

The SPEAKER. Would our legislative fellows please stand.

Members, these outstanding young women and men are part of our chamber's legislative fellows. They began their internships with the House of Representatives on September 14, and today is our opportunity to welcome them. Boy, are you going to learn a lot.

We have with us today Chloe Boudazin. Chloe, would you please raise your hand. She is attending Temple University and is working with Chairman Barrar and the Republican Veterans Affairs and Emergency Preparedness team, and then that committee as a whole.

Chelsea Dellavella. Chelsea also attends Temple University, and she has been assigned to work with the Democratic Urban Affairs chair, Tom Caltagirone, and with that committee.

Jazmin Nixon. Jazmin is working with Chairman Cruz, Angel Cruz, and the Human Services Committee, and she is attending Penn State University at the York campus.

Haysel Santiago, please raise your hand. Haysel is attending Penn State University at the Harrisburg campus, and he is working with Chairman Payne and the Gaming Oversight Committee.

Cory Smith. Cory is a student at Penn State at the Harrisburg campus, and he is working with the Democratic chair, Joe Petrarca, and the Judiciary Committee.

Finally, Tyler Tucker is a student at Temple University and is working with the Republican chair, Scott Petri, and the Urban Affairs Committee.

Welcome, all of you. Please, let us give them a warm welcome.

Thank you for being with us. We will be taking a photograph together here in just a second.

GUESTS INTRODUCED

The SPEAKER. We would very much like to welcome guests of Representative Sandy Major, the majority caucus chair. In the gallery are some homeschool students, teachers, and families from Susquehanna and Wayne Counties. Would you please rise, and welcome to the chamber today.

Located to the left of the rostrum, we welcome Ron James. Ron, if you could stand. Ron is the guest of Representative Sturla and Representative Grove. He is an alumnus of Widener University and a student at the Urban Ministries Institute's school of theology, and he serves as a life coach and counselor at the Water Street Mission in Lancaster. Welcome, sir. Thank you for being with us.

UNCONTESTED CALENDAR

RESOLUTIONS PURSUANT TO RULE 35

Mr. REED called up **HR 440, PN 2112**, entitled:

A Resolution recognizing the 100th anniversary of the Nicholson Bridge in the Borough of Nicholson, Wyoming County.

On the question,
Will the House adopt the resolution?

RESOLUTION RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader, who moves that HR 440 be recommitted to the Committee on Rules.

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

* * *

Mr. MATZIE called up **HR 505, PN 2212**, entitled:

A Resolution designating the month of October 2015 as "Wine, Wineries and Grapes Month" in Pennsylvania.

On the question,
Will the House adopt the resolution?

(Members proceeded to vote.)

LEAVE OF ABSENCE

The SPEAKER. Representative John McGINNIS has requested to be put on leave according to the majority whip. That leave will be granted, without objection.

CONSIDERATION OF HR 505 CONTINUED

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

The following roll call was recorded:

YEAS—195

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

NAYS—0

NOT VOTING—0

EXCUSED—8

Daley, P.	Freeman	McGinnis	Taylor
DeLuca	Gingrich	O'Neill	Watson

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

REMARKS SUBMITTED FOR THE RECORD

The SPEAKER. On that resolution, Representative Matzie is recognized on unanimous consent.

Mr. MATZIE. Thank you, Mr. Speaker.

I will be submitting my remarks for the record. Thank you.

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

Thank you, Mr. Speaker.

Bordeaux, Burgundy, Tuscany, Napa Valley, and Pennsylvania. It might surprise some of you to learn that these locations have at least one thing in common – high-quality wines and wineries.

The Commonwealth currently has at least 280 wine grape growers working more than 13,000 acres of grape farms and supplying more than 180 licensed wineries. Pennsylvania's varied climate and well-drained soil allow for a diverse wine region. From Lake Erie to Brandywine Valley, from the Southwest Passage Trail below Pittsburgh to the Endless Mountain north of Wilkes-Barre, great wine is being made by talented craftsmen in every corner of our State.

The wineries take a quality ingredient grown right here in Pennsylvania to produce a wide array of wine varietals that will be enjoyed by adults in and around Pennsylvania. Each year these wineries attract 1.2 million visitors and bring an estimated \$222 million in tourism expenditures, but this is not the only way the Pennsylvania wine industry helps stimulate the regional economy.

Our State's wine industry is credited with creating over 8,600 jobs with a total payroll of \$401 million. And according to a study commissioned by the Pennsylvania Winery Association, the production of grapes for wines and juices contributes a total of approximately \$1.9 billion to the State economy annually. This vital component of our regional economy comprises the fourth largest producer of wine grapes in the nation, and the reputation of the State's wineries and the wine they produce has been on the rise.

Thank you all for your support of this resolution, and thank you, Mr. Speaker.

UNCONTESTED SUPPLEMENTAL CALENDAR A

RESOLUTION PURSUANT TO RULE 35

Mrs. DAVIS called up **HR 512, PN 2257**, entitled:

A Resolution designating the month of September as "Code Green: First Responders Suicide Prevention and Awareness Month" in Pennsylvania.

On the question,

Will the House adopt the resolution?

The following roll call was recorded:

YEAS—195

Acosta	Evans	Kotik	Rapp
Adolph	Everett	Krieger	Ravenstahl
Baker	Fabrizio	Krueger	Readshaw
Barbin	Farina	Lawrence	Reed
Barrar	Farry	Lewis	Reese
Benninghoff	Fee	Longietti	Regan
Bishop	Flynn	Mackenzie	Roae
Bizzarro	Frankel	Maher	Roebuck

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

NAYS-0

NOT VOTING-0

EXCUSED-8

Daley, P.	Freeman	McGinnis	Taylor
DeLuca	Gingrich	O'Neill	Watson

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

STATEMENT BY MRS. DAVIS

The SPEAKER. Representative Davis is recognized to speak on unanimous consent on HR 512. Representative Davis, if you would not mind introducing the other members that are with you, we would appreciate it. Thank you.

Mrs. DAVIS. Thank you, Mr. Speaker.

With me today are Representative DiGirolamo, Representative Frank Farry, and Representative Steve Santarsiero.

I want to thank members for their support on HR 512 naming September as "Code Green: First..."—

The SPEAKER. Representative Davis, I apologize; just suspend for one second. I do apologize.

Members, please take your seats. If you have any conversations, please take them to the anterooms outside of the hall. The remarks by Representative Davis are very important and poignant. I would ask everybody to please give her your attention.

Representative Davis, you may proceed.

Mrs. DAVIS. Thank you.

Code Green: First Responders Suicide Prevention and Awareness Month is what HR 512 encompasses. A local tragedy prompted the resolution.

Our Bucks County communities lost an incredible young man, George Redner III, this summer. He was the beloved son of Jackie and George Redner, Jr., and had four brothers – Joshua, Joseph, Nicholas, and Austin. He worked tirelessly throughout Bucks County, New Jersey, and even South Carolina as both a firefighter and an EMT (emergency medical technician). He strived to help others through the worst of catastrophes and tragedies. George, whose life was devoted to serving others, took his life August 1. He was 27.

HR 512 aims to shed light on the psychological issues that first responders face through the Code Green Campaign. Code Green, available online at codegreencampaign.org, has two main goals: raising awareness of mental health issues, substance abuse, and suicide among first responders; and secondly, providing education to first responders on how to care for themselves and recognize issues in their peers. It gives first responders an outlet to talk about their mental health issues anonymously. It tells our hometown heroes that it is okay to hurt and that seeking support is a sign of strength and not of weakness. Code Green also bolsters educational resources for first responders and agencies through courses like first responder peer support training and mental health first aid.

The Code Green Campaign is but a year old. It was founded by EMS (emergency medical services) professionals alarmed about the high rate of suicide among first responders and the lack of discussion about mental health in general.

I just want to say on a personal note, I have known Jackie and her family for years. We did business with her parents. We are all saddened by this, and I hope this brings some awareness to this issue. Thank you.

The SPEAKER. Thank you, Representative Davis.

STATEMENT BY MR. FARRY

The SPEAKER. Representative Frank Farry is recognized on unanimous consent.

Mr. FARRY. I want to thank Representative Davis for bringing this issue to light.

As a fellow Bucks County emergency responder and a friend of George's parents, it has been a very trying time in our Bucks County emergency services community.

I want to bring to light that the sacrifices the men and women in our military have made have really opened the door to have discussions about such issues as PTSD (post-traumatic stress disorder), which many emergency responders suffer from as well. In working with the Redner family, we are working on developing programs so our emergency responders have their resources, and hopefully we can take the programs we are developing in Bucks County and move them statewide.

The Redners, it is very important to them. As they said to me, George spent his whole life as an EMT and as a firefighter, and he was actually scheduled to start in the Philadelphia Fire Academy in January. They said that he spent his whole life trying to help people, and then this tragedy happened.

Well, we made a promise to them that George's death will not be in vain, because he will continue to help people by spreading the word about the mental illness and the stress and strain on our emergency responders, and the programs we are going to develop because of this incident will truly be difference makers.

So down the road we will have some information for you as to what we have developed in Bucks County, and I ask you to join us in helping to spread it statewide. Thank you.

The SPEAKER. Thank you, Representative Farry.

SUPPLEMENTAL CALENDAR B

RESOLUTION PURSUANT TO RULE 35

Mr. SAMUELSON called up **HR 150, PN 2258**, entitled:

A Resolution congratulating Lehigh University on reaching its 150th anniversary and extending warmest wishes for a future replete with ever-increasing success.

On the question,
Will the House adopt the resolution?

The SPEAKER. Representative Samuelson is recognized.

Mr. SAMUELSON. Thank you, Mr. Speaker.

I would like to thank so many members of the House of Representatives for your support of this resolution to honor and celebrate the 150th anniversary of Lehigh University. I made sure to wear brown and white today as Lehigh kicks off a yearlong celebration of its sesquicentennial. As a graduate of Lehigh University, it is a special honor to sponsor this resolution.

We have so many outstanding colleges and universities in Pennsylvania, and these centers of learning give countless opportunities to our young people and also are essential to the future of our great Commonwealth.

Lehigh University was started in 1865 by Asa Packer and began with 39 students that first year. Today there are 5,000 undergraduate students and 2,000 graduate students in 4 colleges: the College of Arts and Sciences, the College of Business and Economics, the College of Education, and the P.C. Rossin College of Engineering and Applied Science.

The outstanding academic reputation of Lehigh University is known around the world. Lehigh has a proud history and its graduates have had a lasting impact on our State, our nation, and our world.

So thank you to the House of Representatives, thanks for your support of this resolution. Happy birthday, Lehigh University, and best wishes for many continued successes in the years to come.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, sir.

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

The following roll call was recorded:

YEAS—195

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

NAYS—0

NOT VOTING—0

EXCUSED—8

Daley, P.	Freeman	McGinnis	Taylor
DeLuca	Gingrich	O'Neill	Watson

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

CALENDAR

RESOLUTIONS PURSUANT TO RULE 35

Ms. V. BROWN called up **HR 358, PN 1631**, entitled:

A Resolution designating the months of June, July and August 2015 as "Summer Reading Games Months 2015" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—195

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

NAYS—0

NOT VOTING—0

EXCUSED—8

Daley, P.	Freeman	McGinnis	Taylor
DeLuca	Gingrich	O'Neill	Watson

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

* * *

Mr. PARKER called up **HR 484, PN 2193**, entitled:

A Resolution commemorating the 200th anniversary of the Borough of Stroudsburg.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—195

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

Ellis	Klunk	Quigley	
Emrick	Knowles	Quinn	Turzai,
English	Kortz	Rader	Speaker
Evankovich			

NAYS—0

NOT VOTING—0

EXCUSED—8

Daley, P.	Freeman	McGinnis	Taylor
DeLuca	Gingrich	O'Neill	Watson

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

* * *

Mr. CALTAGIRONE called up **HR 493, PN 2202**, entitled:

A Resolution recognizing dwarfism.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—195

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

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

NAYS—0

NOT VOTING—0

EXCUSED—8

Daley, P.	Freeman	McGinnis	Taylor
DeLuca	Gingrich	O'Neill	Watson

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

APPROPRIATIONS COMMITTEE MEETING

The SPEAKER. Representative Adolph is recognized for an announcement.

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

Mr. Speaker, there will be an immediate meeting of the House Appropriations Committee in the majority caucus room. Thank you.

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

HUMAN SERVICES COMMITTEE MEETING

The SPEAKER. Representative DiGirolamo, chairman, the floor is yours.

Mr. DiGIROLAMO. Thank you, Mr. Speaker.

There will be a meeting of the Human Services Committee, Mr. Speaker, at 12 o'clock in room 60, East Wing – not immediately, in 20 minutes. At 12 o'clock the Human Services Committee will meet in 60 East Wing. Thank you.

The SPEAKER. Thank you, sir.

There will be a meeting of the Human Services Committee at 12 o'clock in 60 East Wing.

REPUBLICAN CAUCUS

The SPEAKER. Chairwoman Sandra Major, majority caucus chair, is recognized for an announcement.

Ms. MAJOR. Thank you, Mr. Speaker.

I would like to announce Republicans will caucus today at 12:15. I would ask our Republican members to please report to our caucus at 12:15. We would be scheduled to come back on the floor, Mr. Speaker, at 1:15. Thank you.

The SPEAKER. Thank you, Madam Chair.

JUDICIARY COMMITTEE MEETING

The SPEAKER. Chairman Marsico is recognized for an announcement.

Mr. MARSICO. Thank you, Mr. Speaker.

There will be a Judiciary Committee meeting at 12 o'clock in 205 Ryan Building. Judiciary Committee meeting at 12 o'clock in 205 Ryan. Thank you.

The SPEAKER. There will be a Judiciary Committee meeting at 12 o'clock in 205 Ryan.

DEMOCRATIC CAUCUS

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

Mr. FRANKEL. Thank you, Mr. Speaker.

Democrats will caucus at 12:15. Democrats will caucus at 12:15.

The SPEAKER. Thank you very much.

RECESS

The SPEAKER. This House will stand in recess until 1:15 p.m., unless sooner recalled by the Speaker.

RECESS EXTENDED

The time of recess was extended until 1:30 p.m.

AFTER RECESS

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

BILLS REREPORTED FROM COMMITTEE

HB 123, PN 2253 By Rep. ADOLPH

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in bonds and recognizances, further providing for bail to be governed by general rules.

APPROPRIATIONS.

HB 608, PN 2254 By Rep. ADOLPH

An Act amending the act of April 14, 1972 (P.L.233, No.64), known as The Controlled Substance, Drug, Device and Cosmetic Act, further providing for authority to control, for schedules of controlled substances, for liquefied ammonia gas, precursors and chemicals and for promulgation of regulations.

APPROPRIATIONS.

HB 1167, PN 1826 By Rep. ADOLPH

An Act amending the act of November 24, 1998 (P.L.882, No.111), known as the Crime Victims Act, in enforcement, providing for State income tax intercept.

APPROPRIATIONS.

HB 1204, PN 1579

By Rep. ADOLPH

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

APPROPRIATIONS.

HB 1273, PN 2002

By Rep. ADOLPH

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, in preliminary provisions, further providing for the definitions of "association" and "person"; and, in licenses and regulations and liquor, alcohol and malt and brewed beverages, further providing for applications for hotel, restaurant and club liquor licenses and for sales by liquor licensees and restrictions.

APPROPRIATIONS.

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

HB 323, PN 2275 (Amended) By Rep. MARSICO

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

JUDICIARY.

HB 470, PN 2276 (Amended) By Rep. MARSICO

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

JUDICIARY.

HB 623, PN 723 By Rep. MARSICO

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

JUDICIARY.

HB 1295, PN 2277 (Amended) By Rep. DiGIROLAMO

An Act amending the act of October 24, 2012 (P.L.1198, No.148), known as the Methadone Death and Incident Review Act, further providing for title of act, for short title, for definitions, for establishment of Methadone Death and Incident Review Team, for team duties, for duties of coroner and medical examiner, for review procedures and for confidentiality.

HUMAN SERVICES.

SB 283, PN 161

By Rep. MARSICO

A Joint Resolution proposing integrated amendments to the Constitution of the Commonwealth of Pennsylvania, eliminating the Traffic Court of Philadelphia.

JUDICIARY.

**RESOLUTION REPORTED
FROM COMMITTEE**

HR 424, PN 2278 (Amended) By Rep. DiGIROLAMO

A Resolution memorializing Congress to examine existing Federal laws relating to sober living arrangements.

HUMAN SERVICES.

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,
September 30, 2015

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 Tuesday, October 13, 2015, 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 October 13, 2015, it reconvene on Monday, October 19, 2015, 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, October 5, 2015, 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 October 5, 2015, it reconvene on Monday, October 19, 2015, 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, Representative Hanna, has indicated that Representative GALLOWAY would like to be placed on leave. That request will be granted, without objection.

ARCHIVES INTERNS INTRODUCED

The SPEAKER. Located to the left of the rostrum, the Chair welcomes the House Archives interns for the fall semester. If you could both stand, please.

We have Sara Wakefield, who attends Dickinson College, and she is the guest of Representative Ron Marsico. Sara, do you mind waving? Thank you for being here.

And Cassy Baddorf is a student at Messiah College, and she is the guest of Representative Mike Regan. If you could wave. Thank you so much for joining us today.

CALENDAR CONTINUED

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 1552, PN 2178**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in preliminary provisions, providing for powers and duties of the Secretary of Education.

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

* * *

The House proceeded to second consideration of **HB 1332, PN 1814**, entitled:

An Act amending Titles 24 (Education) and 71 (State Government) of the Pennsylvania Consolidated Statutes, in retirement for school employees, further providing for definitions and for construction of part; providing for notice to members; further providing for credited school service, for creditable nonschool service, for eligibility for annuities, for eligibility for vesting, for eligibility for refunds, for regular member contributions for current service, for pickup contributions, for return of accumulated contributions, for maximum single life annuity, for disability annuities, for member's options, for termination of annuities, for death benefits, for payment of benefits, for duties of board regarding applications and elections of members, for duties of employers, and for rights and duties of school employees and members; in retirement for State employees and officers, further providing for definitions, for credited State service, for creditable nonstate service, for Social Security integration credits, for eligibility for annuities, for eligibility for vesting, for eligibility for special vesting, for eligibility for refunds, for regular member contributions for current service, for Social Security integration member contributions, for waiver of regular member contributions and Social Security integration member contributions, for member contributions for the purchase of credit for previous State service or to become a full coverage member, for contributions for the purchase of credit for creditable nonstate service, for incomplete payments, for return of total accumulated deductions, for maximum single life annuity, for disability annuities, for member's options, for termination of annuities, for death benefits, for payment of benefits, for duties of board to advise and report to heads of departments and members, for duties of the board regarding application and elections of members, for duties of heads of departments, for rights and duties of State employees and members, and for taxation, attachment and assignment of funds; and providing for construction of part with respect to the Internal Revenue Code.

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

* * *

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

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

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

* * *

The House proceeded to second consideration of **HB 1411, PN 1968**, entitled:

An Act amending Title 26 (Eminent Domain) of the Pennsylvania Consolidated Statutes, in special damages for displacement, further providing for moving and related expenses of displaced persons, for replacement housing for homeowners and for replacement housing for tenants and others.

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

SUPPLEMENTAL CALENDAR C

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1167, PN 1826**, entitled:

An Act amending the act of November 24, 1998 (P.L.882, No.111), known as the Crime Victims Act, in enforcement, providing for State income tax intercept.

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—194

Acosta	Evankovich	Kotik	Rapp
Adolph	Evans	Krieger	Ravenstahl
Baker	Everett	Krueger	Readshaw
Barbin	Fabrizio	Lawrence	Reed
Barrar	Farina	Lewis	Reese
Benninghoff	Farry	Longietti	Regan
Bishop	Fee	Mackenzie	Roae
Bizzarro	Flynn	Maher	Roebuck
Bloom	Frankel	Mahoney	Ross
Boback	Gabler	Major	Rothman
Boyle	Gainey	Maloney	Rozzi

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

NAYS—0

NOT VOTING—0

EXCUSED—9

Daley, P.	Galloway	McGinnis	Taylor
DeLuca	Gingrich	O'Neill	Watson
Freeman			

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

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

* * *

The House proceeded to third consideration of **HB 1204, PN 1579**, entitled:

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

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—194

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

NAYS—0

NOT VOTING—0

EXCUSED—9

Daley, P.	Galloway	McGinnis	Taylor
DeLuca	Gingrich	O'Neill	Watson
Freeman			

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

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

* * *

The House proceeded to third consideration of **HB 1273, PN 2002**, entitled:

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, in preliminary provisions, further providing for the definitions of "association" and "person"; and, in licenses and regulations and liquor, alcohol and malt and brewed beverages, further providing for applications for hotel, restaurant and club liquor licenses and for sales by liquor licensees and restrictions.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—193

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

Day	Kampf	Oberlander	Truitt
Dean	Kaufer	Ortitay	Vereb
Deasy	Kauffman	Parker, C.	Vitali
DeLissio	Kavulich	Parker, D.	Ward
Delozier	Keller, F.	Pashinski	Warner
Dermody	Keller, M.K.	Payne	Wentling
Diamond	Keller, W.	Peifer	Wheatley
DiGirolamo	Killion	Petrarca	Wheeland
Donatucci	Kim	Petri	White
Driscoll	Kinsey	Pickett	Youngblood
Dunbar	Kirkland	Pyle	Zimmerman
Dush	Klunk	Quigley	
Ellis	Knowles	Quinn	Turzai,
Emrick	Kortz	Rader	Speaker
English	Kotik	Rapp	

NAYS-1

Gillen

NOT VOTING-0

EXCUSED-9

Daley, P.	Galloway	McGinnis	Taylor
DeLuca	Gingrich	O'Neill	Watson
Freeman			

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

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

CALENDAR CONTINUED

BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 820, PN 1811**, entitled:

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

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

Mr. **FARRY** offered the following amendment No. **A02709**:

Amend Bill, page 1, line 4, by inserting after "for" definitions, for
Amend Bill, page 1, lines 9 through 15; page 2, lines 1 through 3; by striking out all of said lines on said pages and inserting

Section 1. Section 2 of the act of December 4, 1996 (P.L.911, No.147), known as the Telemarketer Registration Act, is amended by adding a definition to read:

Section 2. Definitions.

The following words and phrases when used in this act shall have the meanings given to them in this section unless the context clearly indicates otherwise:

"Robocall." A telephone solicitation call made to a large number of people, using a computerized autodialer, to deliver a prerecorded telemarketing message.

Section 2. Section 5(a)(2) of the act is amended and the section

is amended by adding a paragraph to read:

Section 5. Unlawful acts and penalties.

(a) Acts enumerated.—The following acts are prohibited:

(2) Initiating an outbound telephone call, including a robocall, to a person when that person previously has stated that he or she does not wish to receive an outbound telephone call made by or on behalf of the seller whose goods or services are being offered. A seller or telemarketer will not be liable for violating the provisions of this paragraph if:

(i) he has established and implemented written procedures to comply with this paragraph;

(ii) he has trained his personnel in the procedures;

(iii) the seller or the telemarketer acting on behalf of the seller has maintained and recorded lists of persons who may not be contacted; and

(iv) any subsequent call is the result of error.

(10) Conducting telemarketing on a legal holiday.

Section 3. Section 5.2(c) and (j) of the act, amended September 12, 2003 (P.L.105, No.22), are amended and the section is amended by adding a subsection to read:

Amend Bill, page 2, by inserting between lines 12 and 13

(j) Identification.—No telemarketer shall fail to provide a residential or wireless telephone subscriber with the name of the caller, the name of the person or entity on whose behalf the call is being made and, upon request, a telephone number or address at which the person or entity may be contacted. If a telemarketer makes a solicitation using [an artificial or prerecorded voice message transmitted by an autodialer or prerecorded message player which placed the telephone solicitation call] a robocall, the telephone number may not be a 900 number or any other number for which charges exceed local or long-distance transmission charges.

(1) Robocall requirements.—

(1) A telemarketer or telemarketing business that uses robocalls:

(i) Shall establish a procedure, consistent with the requirements under subparagraph (ii), for a called person to opt out of receiving future telephone solicitation calls from that telemarketer or telemarketing business and be immediately taken off the telemarketer's call list.

(ii) Shall provide notice to a called number, at the beginning of the call, stating how a called person can opt out of receiving future telephone solicitation calls from that telemarketer or telemarketing business. Immediate opt out shall be available through an automated, interactive voice-activated or key press-activated opt-out mechanism for the called person to make a do-not-call request, including brief explanatory instructions on how to use the opt out mechanism, within two seconds of disclosing the name of the caller and the name of the person or entity on whose behalf the call is being made. The called person shall be able to opt out throughout the duration of the call.

(iii) May not require a called person's written consent as a condition to opt out of future telemarketing calls.

(iv) May not consider the action of opting out as the creation of an established business relationship.

(2) When a robocall is left on an answering machine or a voice mail service, the message must provide a toll-free telephone number that enables the called person to call back at a later time and connect directly to the automated, interactive voice-activated or key press-activated opt-out mechanism and

automatically record the called person's number to the do-not-call list of the telemarketer or telemarketing business.

Amend Bill, page 2, line 13, by striking out "3" and inserting 4

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

The SPEAKER. On that amendment, Representative Farry. Members, Representative Farry has the floor.

Mr. FARRY. This is an agreed-to amendment, Mr. Speaker.

The SPEAKER. Thank you.

Does anybody else wish to be recognized?

Representative Cox.

Mr. COX. Mr. Speaker, that amendment is agreed to.

The SPEAKER. Thank you, sir.

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

The following roll call was recorded:

YEAS—194

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

Driscoll	Kim	Petri	White
Dunbar	Kinsey	Pickett	Youngblood
Dush	Kirkland	Pyle	Zimmerman
Ellis	Klunk	Quigley	
Emrick	Knowles	Quinn	Turzai,
English	Kortz	Rader	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—9

Daley, P.	Galloway	McGinnis	Taylor
DeLuca	Gingrich	O'Neill	Watson
Freeman			

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

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

The SPEAKER. My understanding is Representative Farry has withdrawn his other amendment.

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

The SPEAKER. The bill as amended will be reprinted.

MOTION TO PROCEED TO CONSIDERATION UNDER RULE 24

The SPEAKER. The Chair recognizes the majority leader, Dave Reed, with respect to a motion for SB 210, HB 123, and HB 608.

Representative Reed.

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

I would make a motion to proceed to the immediate consideration of SB 210, HB 123, and HB 608. Thank you.

The SPEAKER. Thank you, Representative.

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

The SPEAKER. And to the minority leader, Representative Dermody. On the motion, sir.

Mr. DERMODY. Mr. Speaker, thank you.

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

The SPEAKER. Thank you, sir.

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

The following roll call was recorded:

YEAS—184

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

NAYS—10

Diamond	Metzgar	Neuman	Samuelson
Gillen	Milne	Roae	Truitt
McCarter	Mullery		

NOT VOTING—0

EXCUSED—9

Daley, P.	Galloway	McGinnis	Taylor
DeLuca	Gingrich	O'Neill	Watson
Freeman			

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.

The SPEAKER. We will proceed with HB 123. That is being called up by Representative Delozier, and it is on supplemental C House calendar. That bill originally needed until 2:17, but with the motion to proceed, we may proceed at this time.

SUPPLEMENTAL CALENDAR C CONTINUED

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 123, PN 2253**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in bonds and recognizances, further providing for bail to be governed by general rules.

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?

Representative Vitali, do you wish to be recognized on this bill?

Mr. VITALI. I do.

The SPEAKER. You are recognized.

Mr. VITALI. Thank you, Mr. Speaker.

I rise in opposition to HB 123. I would first like to salute the maker of the bill for her efforts in this regard. I think the intent of the bill is good, which is to make sure that victims are compensated when they have suffered a wrong and to make sure the court is compensated with regard to court costs. That is a good goal. I do think this bill has some unintended consequences, and that is why I oppose it.

I think first and foremost this bill provides a disincentive to family members who may want to post bail on behalf of their, perhaps, ne'er-do-well son who perhaps has given them trouble throughout their lives. I think if a mom or a grandmom posts bail for their son who has given them heartache all their lives, they should not have to risk losing that bail, and I think that is exactly what this bill does.

I think the second problem with this bail, in addition to making innocent people like a mom or a grandmom or a brother have to pay for something they had no responsibility for whatsoever, I think the second thing it could do would be to inadvertently increase costs to taxpayers, because the problem is, if a person in jail cannot get bail, they continue to sit in jail, and that could increase court costs, costs of incarceration, which are very expensive.

I just want to read a little bit from a letter from a group called Decarcerate PA that is also in opposition to this bill. This is their letter dated September 29, 2015. This is from Decarcerate PA: "To the Pennsylvania House of Representatives: We are writing to voice our strong opposition to HB123...." I am going to quote bits and pieces, not the whole letter. "This bill

dis-incentivizes families and friends from supporting their loved ones.... This bill also would have the unintended consequence of increasing costs to the county and state. Creating additional obstacles to paying bail means that people stay in jail longer, at a considerable cost to the taxpayer." They also raise the concern, quote, "that HB123 violates the legal purpose of bail and in fact represents an unlawful or improper taking, which would likely meet with legal challenges."

I think when we think about it – and we all want our criminal justice system to do justice, and we have to and we take a constitutional oath to presume someone arrested is presumed innocent – we all, if we find ourselves in that situation, would appreciate the constitutional right to be presumed innocent. And the purpose, when you are arrested, of sending you to jail prior to trial is not to punish you, because you have not been convicted of anything yet. People who have not been convicted should not be punished for anything. The sole purpose of bail is to compel your appearance at trial so you can stand trial. This bill—

BILL PASSED OVER TEMPORARILY

The SPEAKER. Representative Vitali, if you will just suspend for a minute.

Sir, we are going to go over the bill at this time, and we will come back. At this time we are going to go over the bill.

We are going to go to HB 608.

* * *

The House proceeded to third consideration of **HB 608, PN 2254**, entitled:

An Act amending the act of April 14, 1972 (P.L.233, No.64), known as The Controlled Substance, Drug, Device and Cosmetic Act, further providing for authority to control, for schedules of controlled substances, for liquefied ammonia gas, precursors and chemicals and for promulgation of regulations.

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

(Members proceeded to vote.)

LEAVE OF ABSENCE

The SPEAKER. The minority whip has indicated Representative Dan MILLER wishes to be placed on leave. That will be granted, without objection.

CONSIDERATION OF HB 608 CONTINUED

On the question recurring,
Shall the bill pass finally?

The following roll call was recorded:

YEAS—192

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

NAYS—1

Truitt

NOT VOTING—0

EXCUSED—10

Daley, P.	Galloway	Miller, D.	Taylor
DeLuca	Gingrich	O'Neill	Watson
Freeman	McGinnis		

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

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

CALENDAR CONTINUED

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 210, PN 1282**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in juries and jurors, further providing for exemptions from jury duty.

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—193

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

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

NAYS—0

NOT VOTING—0

EXCUSED—10

Daley, P.	Galloway	Miller, D.	Taylor
DeLuca	Gingrich	O'Neill	Watson
Freeman	McGinnis		

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

Ordered, That the clerk return the same to the Senate with the information that the House has passed the same with amendment in which the concurrence of the Senate is requested.

SUPPLEMENTAL CALENDAR C CONTINUED

CONSIDERATION OF HB 123 CONTINUED

The **SPEAKER**. Members, we have one bill left in front of us. We are going to return to HB 123.

On the question recurring,
Shall the bill pass finally?

The **SPEAKER**. It is my understanding there are three individuals who wish to speak.

Representative Vitali, we would like to move forward. You had quite some time on this, but we will return to you first.

Then I am going to call on Representative Barbin, and then Representative Delozier, who is the maker of the bill.

At this point we would like to move with some efficiency.

Representative Vitali, the floor is yours.

Mr. VITALI. Thank you, Mr. Speaker.

I did not have too much to go, but I just want to get back to the original purpose of bail. People accused of crimes, they have been arrested, they have been incarcerated awaiting trial. They are presumed innocent. And we have taken a duty to uphold their right of that presumption of innocence, so when they are in jail, they should be presumed innocent. Now, the purpose of bail, the only purpose of bail is to let them out, and that bail money compels their appearance at trial – constitutionally innocently presumed people.

Now, if you say to a mom or a grandmom or a neighbor, "Guess what? If you post bail for this person, you are going to lose it. You are going to lose it even if he shows up for trial. You are going to lose it." That is a disincentive. That is a disincentive for a person who should be presumed innocent to

get out of jail, where he should not be if he is in fact presumed innocent.

Mr. Speaker, this bill was, I will concede, improved by the Madeleine Dean amendment by imposing an undue hardship standard for the return of bail to the mom or the grandmom. In other words, the bill as it currently reads said that if they can prove undue hardship, they can get their bail back. But they should not have to prove anything.

Mr. Speaker, let me give you an example. If my neighbor is in jail, my neighbor—

The SPEAKER. Sir, if you will suspend for just a second.

Members, members, please, if you have any conversations, please take them to the anteroom outside the chamber. Members, I would ask everybody to please give Representative Vitali the floor.

Representative Vitali.

Mr. VITALI. I just wanted to make a point, because, you know, I am anticipating the argument, "Yes, they can get the bail back if they prove undue hardship." But let me just sort of give you a little example. Let us say my neighbor is in jail on bail for a crime and he needs \$10,000 posted. I have \$10,000. You know, maybe I would consider posting bail so my neighbor can get out of jail. But if I know I am going to lose that \$10,000 if he in fact is found guilty of the vehicular accident he is involved with, I do not want to lose my \$10,000. Hey, I have another \$10,000. I have 2 or 3 more \$10,000, so it is not an undue hardship for me to lose \$10,000, but you know what? I may not put up that \$10,000 because I do not want to lose it. So that might be the difference between a person presumed innocent from getting bail or not. So this whole undue hardship provision in the Madeleine Dean amendment I do not think solves the problem.

The bottom line is, I agree with the maker of the bill that a person who puts up his own money for bail should lose it and it should go to restitution, fines, and costs, but not his mom, not his grandmom, not his brother. That is just, that is just wrong, and I do not think it really makes our system of justice any better; to the contrary, I think it makes it worse.

So I think we need to send this bill back to the drawing board. So I would urge a "no" vote.

The SPEAKER. Representative Barbin, on the bill, please.

Mr. BARBIN. Thank you, Mr. Speaker.

I rise in support of this bill as amended. This bill was amended in the Judiciary Committee to resolve the question of a third party that would place cash bail up. Again, this is cash bail, and the only time cash bail can be forfeited is if the person who is putting up the bail money has been convicted of some other offense where he has an obligation to the Commonwealth.

So what this bill says is that if you are the depositor and you are the person who is the defendant and you put up cash bail, then that money can be applied to other court-ordered obligations that you have from a criminal or delinquency matter. That means you have been convicted of another crime and you have not paid those fees. So the first part is real easy. We just did the same thing with the State tax intercept where tax refunds go to pay for other delinquencies. This bill also builds on that concept, and it has a protection that was agreed to by all members of the Judiciary Committee.

Representative Dean put an amendment up to protect the depositor who was not the defendant, and that amendment said that the court may order that deposit be applied to the defendant's other obligations. But then it is up to the judge. So

there is a protection in this bill, and the protection is the judge. Unless the judge orders that the depositor does not get the cash bail back, then the cash bail that is put up by someone else is protected.

So with those protections that were agreed to by all members of the Judiciary Committee, both Republican and Democrat, I ask my colleagues on both sides of the aisle to vote in favor of this bill.

The SPEAKER. Representative Delozier, the maker of the bill.

Ms. DELOZIER. Thank you, Mr. Speaker.

I ask for an affirmative vote for this bill. We have worked through many of the issues that deal with how our victims and those that were victims of crime can be made whole. This bill simply works that through. Those that are found guilty of a crime— And let me be clear that this is dealing with only those that have been found guilty of a crime, not those that are accused and not those that are working through the process. It is those that have been found guilty of committing a crime and have been assessed fees and restitution requirements to their victims. These dollars simply are dollars put up by themselves to get out of jail, and the thought process is that if they have the money to get out of jail, they also have the money to pay their victims back and pay the court fees.

So I ask for an affirmative vote, and I would ask for your support for this bill.

Thank you, Mr. Speaker.

On the question recurring,
Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—154

Adolph	Gergely	Maher	Regan
Baker	Gibbons	Mahoney	Roae
Barbin	Gillen	Major	Ross
Barrar	Gillespie	Maloney	Rothman
Benninghoff	Godshall	Marshall	Rozzi
Bizzarro	Goodman	Marsico	Saccone
Bloom	Greiner	Masser	Sainato
Boback	Grove	Matzie	Samuelson
Brown, R.	Hahn	Mentzer	Sankey
Burns	Hanna	Metcalfe	Santarsiero
Caltagirone	Harhai	Metzgar	Santora
Carroll	Harhart	Miccarelli	Saylor
Causar	Harkins	Millard	Schemel
Christiana	Harper	Miller, B.	Schlossberg
Conklin	Harris, A.	Milne	Schreiber
Corbin	Heffley	Moul	Simmons
Costa, D.	Helm	Mullery	Snyder
Costa, P.	Hennessey	Murt	Sonney
Cox	Hickernell	Mustio	Staats
Culver	Hill	Nesbit	Stephens
Cutler	Irvin	Neuman	Tallman
Davis	James	Oberlander	Thomas
Day	Jozwiak	Ortitay	Tobash
Deasy	Kampf	Parker, D.	Toepel
Delozier	Kaufman	Pashinski	Toohil
Diamond	Kauffman	Payne	Topper
DiGirolamo	Kavulich	Peifer	Truitt
Dunbar	Keller, F.	Petrarca	Vereb
Dush	Keller, M.K.	Petri	Ward
Ellis	Killion	Pickett	Warner
Emrick	Klunk	Pyle	Wentling

English	Knowles	Quigley	Wheatley
Evankovich	Kortz	Quinn	Wheeland
Everett	Kotik	Rader	White
Farina	Krieger	Rapp	Youngblood
Farry	Lawrence	Ravenstahl	Zimmerman
Fee	Lewis	Readshaw	
Flynn	Longietti	Reed	Turzai,
Gabler	Mackenzie	Reese	Speaker

NAYS—39

Acosta	Davidson	Gainey	McNeill
Bishop	Dawkins	Harris, J.	Neilson
Boyle	Dean	Keller, W.	O'Brien
Bradford	DeLissio	Kim	Parker, C.
Briggs	Dermody	Kinsey	Roebuck
Brown, V.	Donatucci	Kirkland	Schweyer
Bullock	Driscoll	Krueger	Sims
Cohen	Evans	Markosek	Sturla
Cruz	Fabrizio	McCarter	Vitali
Daley, M.	Frankel	McClinton	

NOT VOTING—0**EXCUSED—10**

Daley, P.	Galloway	Miller, D.	Taylor
DeLuca	Gingrich	O'Neill	Watson
Freeman	McGinnis		

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.

CORRECTION OF THE RECORD

The SPEAKER. Members, earlier today we received an erroneous communication from the Senate regarding HB 907. This message on HB 907 and the subsequent action taken by the House should be stricken from the record, given the original erroneous communication.

BILLS RECOMMITTED

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

HB 321;
 HB 820;
 HB 1332;
 HB 1411; and
 HB 1552.

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 HB 969 and HB 1310 be removed from the tabled calendar and placed on the active calendar.

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

BILLS AND RESOLUTIONS PASSED OVER

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

ADJOURNMENT

The SPEAKER. Representative Judy Ward moves that the House be adjourned until Monday, October 5, 2015, at 1 p.m., e.d.t., unless sooner recalled by the Speaker.

On the question,
 Will the House agree to the motion?
 Motion was agreed to, and at 2:10 p.m., e.d.t., the House adjourned.