

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

WEDNESDAY, MARCH 28, 2012

SESSION OF 2012

196TH OF THE GENERAL ASSEMBLY

No. 19

HOUSE OF REPRESENTATIVES

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

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

PRAYER

The SPEAKER. The prayer this morning will be offered by the Reverend John Peck, St. Paul the Apostle Roman Catholic Church in Annville.

REV. JOHN J. PECK, Guest Chaplain of the House of Representatives, offered the following prayer:

In the Christian tradition, we are about to end the time of Lent. It was a time to reflect on our role in the world and what we bring to it, good or evil, and if evil, to repent. All major monotheistic religions have times in which we must stop to reflect on the darkness of sin around us, as well as in our own hearts. Jews take time to do this during their High Holy Days, especially the 10 days between Rosh Hashanah and Yom Kippur, when they do teshuva. Islam has Ramadan, a time of humbling oneself to God through fasting.

Therefore, let us pray together for at least today, in one voice, that the darkness of hate that brings about only violence to one another is translated through our prayer and fasting to the wisdom of the heart, which is love and mercy.

Let us pray: Kyrie eleison.

Let us pray: Shema Adonai.

Let us call out: Ahibac Allah.

Let us be quiet a moment and listen to the wisdom of God in our hearts. (A moment of silence was observed.)

Let us humbly bow our heads and beg God to bless this House with wisdom.

"May the blessing of God rest upon you. May his peace abide with you. May his light illuminate your heart. Now, and forever more."
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, March 27, 2012, will be postponed until printed.

BILL REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

HB 2015, PN 3295 (Amended)

An Act amending the act of December 19, 1988 (P.L.1262, No.156), known as the Local Option Small Games of Chance Act, further providing for definitions; and providing for Major League Baseball or National Hockey League 50/50 raffle.

GAMING OVERSIGHT.

SENATE MESSAGE

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

The clerk of the Senate, being introduced, returned **HB 1054, PN 3214**, 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 **SB 818, PN 2007**.

BILL SIGNED BY SPEAKER

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

SB 818, PN 2007

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in juvenile matters, further providing for disposition of delinquent child.

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

**HOUSE BILLS
INTRODUCED AND REFERRED**

No. 2176 By Representatives SACCONI, COX, METCALFE, ROCK, MALONEY, BRENNAN, CREIGHTON, CUTLER, DALEY, EVERETT, GABLER, GEIST, GROVE, HESS, KNOWLES, MAHER, METZGAR, NEUMAN, SAINATO, STERN, ROAE, GEORGE and MARSHALL

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for the carrying of firearms.

Referred to Committee on JUDICIARY, March 28, 2012.

No. 2286 By Representatives BRIGGS, BISHOP, CALTAGIRONE, FABRIZIO, GEORGE, HARHAI, KORTZ, KOTIK, MAHONEY, MANN and THOMAS

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in school districts, requiring radon reports; and, in grounds and buildings, requiring radon tests.

Referred to Committee on EDUCATION, March 28, 2012.

No. 2287 By Representatives TALLMAN, GEIST, GROVE, KAUFFMAN, KILLION, KORTZ, LONGIETTI, PICKETT, READSHAW, SWANGER, VULAKOVICH and WHITE

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, further providing for payments to families and funeral directors.

Referred to Committee on JUDICIARY, March 28, 2012.

LEAVES OF ABSENCE

The SPEAKER. The Speaker turns to leaves of absence.

The majority whip indicates there are no leaves of absence requested.

The Speaker recognizes the minority whip, who requests a leave of absence for the gentleman, Mr. THOMAS, from Philadelphia County for the day. Without objection, the leave will be granted.

MASTER ROLL CALL

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

The following roll call was recorded:

PRESENT—196

Adolph	Donatucci	Killion	Pyle
Aument	Dunbar	Kirkland	Quigley
Baker	Ellis	Knowles	Quinn
Barbin	Emrick	Kortz	Rapp
Barrar	Evankovich	Kotik	Ravenstahl
Bear	Evans, D.	Krieger	Readshaw
Benninghoff	Evans, J.	Kula	Reed
Bishop	Everett	Lawrence	Reese
Bloom	Fabrizio	Longietti	Roae
Boback	Farry	Maher	Rock
Boyd	Fleck	Mahoney	Roebuck
Boyle, B.	Frankel	Major	Ross
Boyle, K.	Freeman	Maloney	Sabatina
Bradford	Gabler	Mann	Saccone
Brennan	Galloway	Markosek	Sainato
Briggs	Geist	Marshall	Samuelson
Brooks	George	Marsico	Santarsiero
Brown, R.	Gerber	Masser	Santoni
Brown, V.	Gergely	Matzie	Saylor
Brownlee	Gibbons	McGeehan	Scavello
Burns	Gillen	Metcalfe	Schroder
Buxton	Gillespie	Metzgar	Simmons
Caltagirone	Gingrich	Miccarelli	Smith, K.
Carroll	Godshall	Micozzie	Smith, M.
Causar	Goodman	Millard	Sonney
Christiana	Grell	Miller	Staback
Clymer	Grove	Milne	Stephens
Cohen	Hackett	Mirabito	Stern
Conklin	Hahn	Moul	Stevenson
Costa, D.	Haluska	Mullery	Sturla
Costa, P.	Hanna	Mundy	Swanger
Cox	Harhai	Murphy	Tallman
Creighton	Harhart	Murt	Taylor
Cruz	Harkins	Mustio	Tobash
Culver	Harper	Myers	Toepel
Curry	Harris	Neuman	Toohil
Cutler	Heffley	O'Brien, M.	Truitt
Daley	Helm	O'Neill	Turzai
Davidson	Hennessey	Oberlander	Vereb
Davis	Hess	Parker	Vitali
Day	Hickernell	Pashinski	Vulakovich
Deasy	Hornaman	Payne	Waters
DeLissio	Hutchinson	Payton	Watson
Delozier	Josephs	Peifer	Wheatley
DeLuca	Kampf	Perry	White
Denlinger	Kauffman	Petrarca	Youngblood
DePasquale	Kavulich	Petri	
Dermody	Keller, F.	Pickett	Smith, S.,
DeWeese	Keller, M.K.	Preston	Speaker
DiGirolamo	Keller, W.		

ADDITIONS—0

NOT VOTING—0

EXCUSED—1

Thomas

LEAVES ADDED—1

Youngblood

LEAVES CANCELED—1

Youngblood

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

CALENDAR

RESOLUTION

Mr. TURZAI called up **HR 6, PN 175**, entitled:

A Resolution amending the General Operating Rules of the House of Representatives, further providing for standing committees and subcommittees and tabling.

On the question,
Will the House adopt the resolution?

RESOLUTION RECOMMENDED

The SPEAKER. The Speaker recognizes the majority leader, who moves to recommit HR 6, PN 175, to the Rules Committee.

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

RESOLUTION PURSUANT TO RULE 35

Mr. TURZAI called up **HR 452, PN 2530**, entitled:

A Resolution recognizing September 21, 2011, as "International Day of Peace" in Pennsylvania.

On the question,
Will the House adopt the resolution?

RESOLUTION RECOMMENDED

The SPEAKER. The Speaker recognizes the majority leader, who moves to recommit HR 452, PN 2530, to the Rules Committee.

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

The SPEAKER. The House will come to order. Members will please take their seats. I would appreciate if members would clear the aisles. Take the conversations to the rear of the House, if necessary.

I would like to proceed to introduce some of the guests that are with us, and we have a couple of citations to deal with.

FILMING PERMISSION

The SPEAKER. First we will give permission for media access to the House floor to Robert Gill of Fox 43 News for videotaping with audio.

LANCASTER CATHOLIC HIGH SCHOOL FOOTBALL TEAM PRESENTED

The SPEAKER. I would like to invite Representative Bear and the Lancaster delegation to the rostrum for the purpose of presenting a citation to the Lancaster Catholic High School Football Team.

The gentleman, Mr. Bear, may proceed.

Mr. BEAR. Thank you, Mr. Speaker.

Mr. Speaker, members of the House, the Lancaster County delegation would like to welcome the 2011 Pennsylvania Interscholastic Athletic Association State Class AA Football Champions – Lancaster Catholic High School – to Harrisburg.

The Crusaders closed out an undefeated 16-and-0 season and became the first Lancaster County team to win PIAA gold twice. The Crusaders won their second PIAA State Football Championship in the past 3 years under the expert guidance of head coach Bruce Harbach, and with the help of many assistant trainers and coaches.

In league play, 2011 marked the fifth undefeated season for the Crusaders in the last 9 years. The football team is also currently on a record 27 league game winning streak. Since 2004 Lancaster Catholic has lost only two Lancaster-Lebanon League games and has won seven straight Lancaster-Lebanon League Section 3 titles – no small feat.

In 2011 the Crusaders made their 8th straight appearance in the District III AA playoffs, and its 13th overall. The team has taken home district gold medals in 1982, 1983, 2005, 2008, 2009, and 2011. The mark of a true championship is consistency, which is the result of great coaching, hardworking players, teamwork, and the support of their families and loyal fans.

It is our distinct pleasure to present Lancaster Catholic with a House citation commemorating its outstanding season. Behind me is the head coach, Bruce Harbach, and captains Bobby DePietro, Adam DePietro, Brandon Hollister, and Sean Gibbons. Let us give them and the rest of the team and coaches seated in the back of the chamber a warm House welcome and congratulate them on their State championship.

Thank you, Mr. Speaker.

The SPEAKER. Will our guests in the rear please rise, the rest of the team.

GUESTS INTRODUCED

The SPEAKER. The House will please come to order. I would like to introduce some of the other guests that are with us.

As the guest of Representative Samuelson, located to the left of the rostrum, we would like to welcome James Gensch, a resident of Bethlehem. Will the guest please rise. Welcome to the hall of the House.

Also to the left of the Speaker, we would like to welcome Michael Nise, Chrystal Eberts, Casey Colcombe, Vince Giannini, and Gary Schafkopf, and they are here today as guests of Representative Donatucci. Will our guests please rise. Welcome to the hall of the House.

Located in the rear of the House, we would like to welcome Pam, Stephen, and Spencer Rakoczy, Ryan Bennick, and Charlotte Webber, and they are here today as the guests of Representative Kampf. Will our guests please rise. Welcome to the hall of the House.

And we would like to welcome a couple of guest pages, a couple of the guest pages that are with us: Abby Beiler and Lauren Cairns. Lauren's father, Don, is also seated in the rear of the House. They are here today as the guests of Representative Lawrence. Will our guests please rise. Welcome to the hall of the House.

UNCONTESTED CALENDAR

RESOLUTIONS PURSUANT TO RULE 35

Mr. GERGELY called up **HR 563, PN 3051**, entitled:

A Resolution recognizing the 50th anniversary of the National Shooting Sports Foundation.

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Mr. GERGELY called up **HR 564, PN 3052**, entitled:

A Resolution commemorating the 75th anniversary of the Wildlife and Sport Fish Restoration Program and America's greatest conservation story.

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Ms. DONATUCCI called up **HR 575, PN 3106**, entitled:

A Resolution commemorating the 30th anniversary of the first airing of WPHL-TV's critically acclaimed and highly successful television program, "Dancin' on Air."

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Mr. B. BOYLE called up **HR 577, PN 3108**, entitled:

A Resolution designating March 2012 as "Irish-American Heritage Month" in Pennsylvania.

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Mr. PRESTON called up **HR 581, PN 3129**, entitled:

A Resolution designating the week of March 4 through 10, 2012, as "National Consumer Protection Week" in Pennsylvania and emphasizing the important role of consumer education in making smart financial decisions.

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Mr. READSHAW called up **HR 585, PN 3133**, entitled:

A Resolution designating March 1, 2012, as "Saint David's Day" to be observed throughout the Commonwealth.

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Mr. READSHAW called up **HR 586, PN 3212**, entitled:

A Resolution designating the month of March 2012 as "Licensed Athletic Trainer Month" in Pennsylvania.

* * *

Mr. READSHAW called up **HR 587, PN 3135**, entitled:

A Resolution designating the month of March 2012 as "Medical Physicist Awareness and Appreciation Month" in Pennsylvania.

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Mr. READSHAW called up **HR 588, PN 3136**, entitled:

A Resolution designating the month of April 2012 as "Child Abuse Prevention Month" in Pennsylvania.

* * *

Ms. DONATUCCI called up **HR 591, PN 3139**, entitled:

A Resolution observing the month of March 2012 as "National Colorectal Cancer Awareness Month" in Pennsylvania.

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Ms. BROWNLEE called up **HR 598, PN 3159**, entitled:

A Resolution designating March 2, 2012, as "Read Across America Day" in Pennsylvania.

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Ms. BROWNLEE called up **HR 599, PN 3160**, entitled:

A Resolution designating the week of March 19 through 23, 2012, as "Youth Violence Prevention Week" in Pennsylvania.

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Ms. BROWNLEE called up **HR 600, PN 3161**, entitled:

A Resolution designating March 2012 as "Professional Social Work Month" in Pennsylvania.

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Mr. GOODMAN called up **HR 605, PN 3172**, entitled:

A Resolution congratulating the American Cancer Society for its commitment to research and public service and designating the week of March 19 through 25, 2012, as "Daffodil Days Awareness Week" in Pennsylvania.

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Mr. FABRIZIO called up **HR 617, PN 3184**, entitled:

A Resolution congratulating the Joint State Government Commission on its 75th anniversary.

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Mr. FRANKEL called up **HR 618, PN 3185**, entitled:

A Resolution honoring the University of Pittsburgh on the occasion of the 225th anniversary of its founding.

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Mr. MURPHY called up **HR 620, PN 3219**, entitled:

A Resolution designating the month of March 2012 as "Hibernian Heritage Month" in Pennsylvania.

* * *

Mr. FRANKEL called up **HR 622, PN 3220**, entitled:

A Resolution recognizing the week of April 8 through 14, 2012, as "Library Week 2012" in Pennsylvania.

* * *

Mr. RAVENSTAHL called up **HR 625, PN 3233**, entitled:

A Resolution designating the week of March 18 through 24, 2012, as "Poison Prevention Week" in Pennsylvania.

* * *

Mr. STABACK called up **HR 628, PN 3248**, entitled:

A Resolution designating March 29, 2012, as "Helen Phillips CASUAL Day for Colon Cancer Awareness" in northeastern Pennsylvania.

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Mr. K. SMITH called up **HR 631, PN 3251**, entitled:

A Resolution commemorating the rich history and sesquicentennial anniversary of the Borough of Dunmore.

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Miss MANN called up **HR 634, PN 3254**, entitled:

A Resolution recognizing the month of March 2012 as "National Women's History Month" in Pennsylvania.

On the question,
Will the House adopt the resolutions?

The following roll call was recorded:

YEAS—196

Adolph	Donatucci	Killion	Pyle
Aument	Dunbar	Kirkland	Quigley
Baker	Ellis	Knowles	Quinn
Barbin	Emrick	Kortz	Rapp
Barrar	Evankovich	Kotik	Ravenstahl
Bear	Evans, D.	Krieger	Readshaw
Benninghoff	Evans, J.	Kula	Reed
Bishop	Everett	Lawrence	Reese
Bloom	Fabrizio	Longietti	Roae
Boback	Farry	Maher	Rock
Boyd	Fleck	Mahoney	Roebuck
Boyle, B.	Frankel	Major	Ross
Boyle, K.	Freeman	Maloney	Sabatina
Bradford	Gabler	Mann	Saccone
Brennan	Galloway	Markosek	Sainato
Briggs	Geist	Marshall	Samuelson
Brooks	George	Marsico	Santarsiero
Brown, R.	Gerber	Masser	Santoni
Brown, V.	Gergely	Matzie	Saylor
Brownlee	Gibbons	McGeehan	Scavello
Burns	Gillen	Metcalfe	Schroder
Buxton	Gillespie	Metzgar	Simmons

Caltagirone	Gingrich	Miccarelli	Smith, K.
Carroll	Godshall	Micozzie	Smith, M.
Causer	Goodman	Millard	Sonney
Christiana	Grell	Miller	Staback
Clymer	Grove	Milne	Stephens
Cohen	Hackett	Mirabito	Stern
Conklin	Hahn	Moul	Stevenson
Costa, D.	Haluska	Mullery	Sturla
Costa, P.	Hanna	Mundy	Swanger
Cox	Harhai	Murphy	Tallman
Creighton	Harhart	Murt	Taylor
Cruz	Harkins	Mustio	Tobash
Culver	Harper	Myers	Toepel
Curry	Harris	Neuman	Toohil
Cutler	Heffley	O'Brien, M.	Truitt
Daley	Helm	O'Neill	Turzai
Davidson	Hennessey	Oberlander	Vereb
Davis	Hess	Parker	Vitali
Day	Hickernell	Pashinski	Vulakovich
Deasy	Hornaman	Payne	Waters
DeLissio	Hutchinson	Payton	Watson
DeLozier	Josephs	Peifer	Wheatley
DeLuca	Kampf	Perry	White
Denlinger	Kauffman	Petrarca	Youngblood
DePasquale	Kavulich	Petri	
Dermody	Keller, F.	Pickett	Smith, S.,
DeWeese	Keller, M.K.	Preston	Speaker
DiGirolamo	Keller, W.		

NAYS—0

NOT VOTING—0

EXCUSED—1

Thomas

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

STATEMENTS BY MS. DONATUCCI

The SPEAKER. The Speaker recognizes the lady from Philadelphia County, Ms. Donatucci, under unanimous consent relative to two of the resolutions that were just passed.

Ms. DONATUCCI. Thank you, Mr. Speaker.

The SPEAKER. Will the lady just suspend a minute.

Will the members kindly hold the conversations down.

I would appreciate the members' attention.

The lady may proceed.

Ms. DONATUCCI. Thank you, Mr. Speaker.

Philadelphia's history is deeply rooted in rock and roll, but I think some people would be surprised at just how many big entertainers come from the City of Brotherly Love.

Mr. Speaker, I come from the city that brought you Boyz II Men, Patti LaBelle, Will Smith, Jim Croce, Chubby Checker, Hall and Oates, Teddy Pendergrass, Pink, Frankie Avalon, Bobby Rydell, Jill Scott, and Sister Sledge, who rocked us yesterday. Just like the beat, the list goes on.

"American Bandstand," one of the most popular rock and roll shows of the 1950s, originated in Philadelphia, hosted by a young TV host named Dick Clark. It quickly became an institution in American pop culture, and local teenagers who danced regularly on the show became instant national celebrities. We are not Hitsville U.S.A., but the Sound of Philadelphia is just as sweet and soulful.

So today I rise to recognize another significant piece of Philadelphia music history. HR 575 commemorates the 30th anniversary of the first airing of the "Dancin' on Air" television program. For those of you who were not teenagers or young adults during the early 1980s, "Dancin' on Air" showcased the newest and trendiest dance moves and highlighted many of the era's up-and-coming bands and musicians.

The show that introduced America to Madonna and Duran Duran and featured talk show host Kelly Ripa first danced its way into the spotlight on October 12, 1981, on Philadelphia's WPHL-TV network. And just like "American Bandstand," teenagers on the east coast were glued to their television sets for an hour each day to watch the launch of some of the biggest names in the industry.

In addition to Madonna and Duran Duran, the program is directly credited with launching the careers of many other celebrities, including Will Smith, Tom Verica, The Jets, New Kids On The Block, Ricky Martin, Patrice Hawthorne, and David Raymond, the original Phillie Phanatic. The highly popular program showcased the talents of over 800,000 youth and young adults from across the United States and Canada.

Eventually the "Dancin' on Air" program was also broadcast from the seashore, Six Flags Great Adventure, Dorney Park, and Hersheypark. Later television executives from the USA Network picked up the hugely successful program, renamed it "Dance Party USA," and the show was broadcast in all 50 States and United States territories and parts of Canada. The "Dance Party USA" program went on to achieve great success before airing its last show in 1992.

Mr. Speaker, shows like these are absent from today's television networks, and I think it is a shame. "Dancin' on Air" was a positive outlet for teens and young adults to express themselves and learn good values.

The program's cocreator and coproducer, Michael Nise, who is here with us today, served as an incredible mentor for many of the young adults who were affiliated with the "Dancin' on Air" program.

Mr. Nise demanded no less than a father would of his dancers and guests. As a Pennsylvania educator for more than 21 years, Mr. Nise was recognized by many of the kids as their TV dad, and his strong leadership is credited for keeping many of them from "falling through the cracks" and ending up on the streets. He built strong character in his TV kids; he strictly prohibited drugs and alcohol, and he promoted academic excellence.

His positive values were contagious. Both he and cast members donated their time and influence to over 30 charities, such as the March of Dimes and Special Olympics. And in 2005 the former dancers and hosts of the program came together to raise funds for the tsunami victims of Sri Lanka and southeast Asia.

Today, whether you grew up on Dick Clark's "American Bandstand" or "Dancin' on Air," I ask that you join me in supporting a proud moment in Philadelphia's illustrious musical history, because Philadelphia rocks.

Thank you, Mr. Speaker.

* * *

Ms. DONATUCCI. Now on a more serious note, I just want to discuss quickly resolution 591, which has to do with colorectal cancer.

According to statistics, in this room there are roughly five or six of us Representatives who will die of colorectal cancer. That is five out of 203 people. That does not sound like a big number, but when you expand the sample to the entire population of the United States, it is a plague.

According to the Centers for Disease Control, roughly 22,000 men and women will die each year from colorectal cancer. At the same time, the numbers I cited for both this chamber and the nation could be greatly reduced by colorectal screening. A day of inconvenience for the test could mean decades more of life to be enjoyed.

In 1998 I lost my father to colorectal cancer. Back then they did not have preventive screening. Back then they did not have any advocacy groups. But they had the Internet, and I found 31 other people that were in the same boat with me, and we all decided to meet in Washington and we created the Colon Cancer Alliance. So today in 2012, there is a colorectal cancer advocacy group and there is preventive screening. Anybody in this room that is 50 or older and has not been screened, when you leave this chamber today, go make that appointment. The life you save may be your own.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the lady.

STATEMENT BY MR. K. SMITH

The SPEAKER. Additionally, the Speaker recognizes the gentleman from Lackawanna County, Mr. Ken Smith, under unanimous consent relative to one of the resolutions just passed.

Mr. K. SMITH. Thank you, Mr. Speaker.

Mr. Speaker, I rise today to honor my hometown of Dunmore on its sesquicentennial anniversary. During the latter part of the 18th century, William Allsworth founded the geographical area that is today known as the Borough of Dunmore. Before being renamed "Dunmore" in 1835, the geographical area was originally known as Bucktown, which was a reference to the abundance of deer that populated the verdant landscape.

The Borough of Dunmore derived its name from Scotland's Dunmore heritage, which was revered and respected by the early settlers of the area. In 1850, as a result of the extensive anthracite coal mining activities in the area, the completion of the Pennsylvania Coal Company's Gravity Railroad gave rise to a spike in population and employment activities.

On April 10, 1862, following fragmentation and municipal independence within the Township of Providence, Dunmore was incorporated. Also, because of this growth in opportunities and expanding population, the Borough of Dunmore established its own post office, police and fire departments, places of worship, and a public school system. Today Dunmore is home to approximately 14,000 Pennsylvanians.

Dunmore has produced many esteemed individuals such as oceanographer John F. Ropek; 2d Lt. Carol Ann Drazba, R.N. (registered nurse), who lost her life during the Vietnam war; Brig. Gen. Christopher F. Burne; former NFL (National Football League) Pro Bowl center Tim Ruddy; Hall of Fame

umpire Nestor Chylak; retired NASA (National Aeronautics and Space Administration) astronaut Paul Richards; and Congressman Harry O'Neill, just to name a few.

And, Mr. Speaker, I may note, 50 years ago when Dunmore was celebrating its centennial, there was a baby contest held, and I, as just an infant of only a few months, was named the most beautiful baby in the Borough of Dunmore. Yes, I was. And I understand it has been a great and steep slide from that point on. But I am honored and I hold that dear to me today that I was the most beautiful baby in Dunmore.

There were many babies in Dunmore at that time. Thank you, Mr. Leader.

Mr. Speaker, Dunmore is a borough of great pride. It has a public school system of high academics, very successful athletic programs, a senior center with daily activities, youth programs for the entire youth, all of the youth of the borough, strong neighborhoods, and in a time when we see transient neighborhoods, I can tell you, it is the core, the neighborhoods are the core of the strong and pride-filled Borough of Dunmore.

So on April 10 of this year, 2012, we will mark the sesquicentennial anniversary of the borough of Dunmore, and I find it only fitting to mark the sesquicentennial as an important milestone due to the important contributions the Borough of Dunmore has made to this great Commonwealth. Mr. Speaker, I am honored to stand here today as the Representative of the Borough of Dunmore to congratulate each and every citizen of Dunmore on their 150th anniversary.

Thank you, Mr. Speaker.

LEAVE OF ABSENCE

The SPEAKER. The Speaker returns to leaves of absence and recognizes the minority whip, who requests a leave of absence for the lady from Philadelphia County, Ms. YOUNGBLOOD, for the remainder of the day. Without objection, the leave will be granted.

UNCONTESTED SUPPLEMENTAL CALENDAR A

RESOLUTION PURSUANT TO RULE 35

Mr. PAYNE called up **HR 642, PN 3290**, entitled:

A Resolution observing March 30, 2012, as "National Doctors' Day" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—195

Adolph	Donatucci	Keller, W.	Preston
Aument	Dunbar	Killion	Pyle
Baker	Ellis	Kirkland	Quigley
Barbin	Emrick	Knowles	Quinn
Barrar	Evankovich	Kortz	Rapp
Bear	Evans, D.	Kotik	Ravenstahl
Benninghoff	Evans, J.	Krieger	Readshaw
Bishop	Everett	Kula	Reed
Bloom	Fabrizio	Lawrence	Reese
Boback	Farry	Longietti	Roae

Boyd	Fleck	Maher	Rock
Boyle, B.	Frankel	Mahoney	Roebuck
Boyle, K.	Freeman	Major	Ross
Bradford	Gabler	Maloney	Sabatina
Brennan	Galloway	Mann	Saccone
Briggs	Geist	Markosek	Sainato
Brooks	George	Marshall	Samuelson
Brown, R.	Gerber	Marsico	Santarsiero
Brown, V.	Gergely	Masser	Santoni
Brownlee	Gibbons	Matzie	Saylor
Burns	Gillen	McGeehan	Scavello
Buxton	Gillespie	Metcalfe	Schroder
Caltagirone	Gingrich	Metzgar	Simmons
Carroll	Godshall	Miccarelli	Smith, K.
Causer	Goodman	Micozzie	Smith, M.
Christiana	Grell	Millard	Snay
Clymer	Grove	Miller	Staback
Cohen	Hackett	Milne	Stephens
Conklin	Hahn	Mirabito	Stern
Costa, D.	Haluska	Moul	Stevenson
Costa, P.	Hanna	Mullery	Sturla
Cox	Harhai	Mundy	Swanger
Creighton	Harhart	Murphy	Tallman
Cruz	Harkins	Murt	Taylor
Culver	Harper	Mustio	Tobash
Curry	Harris	Myers	Toepel
Cutler	Heffley	Neuman	Toohil
Daley	Helm	O'Brien, M.	Truitt
Davidson	Hennessey	O'Neill	Turzai
Davis	Hess	Oberlander	Vereb
Day	Hickernell	Parker	Vitali
Deasy	Hornaman	Pashinski	Vulakovich
DeLissio	Hutchinson	Payne	Waters
DeLozier	Josephs	Payton	Watson
DeLuca	Kampf	Peifer	Wheatley
Denlinger	Kauffman	Perry	White
DePasquale	Kavulich	Petrarca	
Dermody	Keller, F.	Petri	Smith, S., Speaker
DeWeese	Keller, M.K.	Pickett	
DiGirolamo			

NAYS—0

NOT VOTING—0

EXCUSED—2

Thomas Youngblood

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

CALENDAR CONTINUED

RESOLUTION PURSUANT TO RULE 35

Mr. KIRKLAND called up **HR 559, PN 3032**, entitled:

A Resolution expressing condolences and appreciation of the life of James N. Harper who passed away December 19, 2011.

On the question,
Will the House adopt the resolution?

The SPEAKER. Will the members please take their seats. Will the members kindly take their seats. We are taking up a condolence resolution. I would appreciate if the members would clear the aisles and please take your seats. Thank you.

The question is, will the House adopt the resolution?

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

Mr. KIRKLAND. Thank you, Mr. Speaker, and I want to thank the members for their indulgence.

Just very briefly, I am asking for your support on this resolution, HR 559, for a very fine gentleman, Mr. James Harper, Sr. Jim was not only a great labor leader for Local Union 413, but he was a community activist, he was an educator, he was a veteran, he was a father, and he was a friend.

And briefly, Mr. Speaker, when folks went to see James Harper, Sr., you did not know what he was. You did not know if Jim was a Democrat, Republican, or Independent, and you did not know that because Jim would always say he was not a Democrat, he was not an Independent, he was not a Republican. He was just a business manager who wanted to make sure that all the men and women of Local 413 found work.

So Jim was the kind of person that said if his house was on fire, he did not care who was bringing the water, as long as they brought the water. If his folks were in need of work, he did not care if you were Democrat, Republican, or Independent, as long as you brought an opportunity for the men and women of Local 413 and his community to have a chance at being employed.

And so I ask the members of this body if they would be so kind as to join in support of HR 559 in remembrance of a father, a friend, a leader, an activist, a business manager.

Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—195

Adolph	Donatucci	Keller, W.	Preston
Aument	Dunbar	Killion	Pyle
Baker	Ellis	Kirkland	Quigley
Barbin	Emrick	Knowles	Quinn
Barrar	Evankovich	Kortz	Rapp
Bear	Evans, D.	Kotik	Ravenstahl
Benninghoff	Evans, J.	Krieger	Readshaw
Bishop	Everett	Kula	Reed
Bloom	Fabrizio	Lawrence	Reese
Boback	Farry	Longietti	Roae
Boyd	Fleck	Maher	Rock
Boyle, B.	Frankel	Mahoney	Roebuck
Boyle, K.	Freeman	Major	Ross
Bradford	Gabler	Maloney	Sabatina
Brennan	Galloway	Mann	Saccone
Briggs	Geist	Markosek	Sainato
Brooks	George	Marshall	Samuelson
Brown, R.	Gerber	Marsico	Santarsiero
Brown, V.	Gergely	Masser	Santoni
Brownlee	Gibbons	Matzie	Saylor
Burns	Gillen	McGeehan	Scavello
Buxton	Gillespie	Metcalfe	Schroder
Caltagirone	Gingrich	Metzgar	Simmons
Carroll	Godshall	Miccarelli	Smith, K.
Causar	Goodman	Micozzie	Smith, M.
Christiana	Grell	Millard	Sonney
Clymer	Grove	Miller	Staback
Cohen	Hackett	Milne	Stephens
Conklin	Hahn	Mirabito	Stern
Costa, D.	Haluska	Moul	Stevenson
Costa, P.	Hanna	Mullery	Sturla
Cox	Harhai	Mundy	Swanger

Creighton	Harhart	Murphy	Tallman
Cruz	Harkins	Murt	Taylor
Culver	Harper	Mustio	Tobash
Curry	Harris	Myers	Toepel
Cutler	Heffley	Neuman	Toohil
Daley	Helm	O'Brien, M.	Truitt
Davidson	Hennessey	O'Neill	Turzai
Davis	Hess	Oberlander	Vereb
Day	Hickernell	Parker	Vitali
Deasy	Hornaman	Pashinski	Vulakovich
DeLissio	Hutchinson	Payne	Waters
Delozier	Josephs	Payton	Watson
DeLuca	Kampf	Peifer	Wheatley
Denlinger	Kauffman	Perry	White
DePasquale	Kavulich	Petrarca	
Dermody	Keller, F.	Petri	Smith, S., Speaker
DeWeese	Keller, M.K.	Pickett	
DiGirolamo			

NAYS—0

NOT VOTING—0

EXCUSED—2

Thomas Youngblood

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

APPROPRIATIONS COMMITTEE MEETING

The SPEAKER. The Speaker recognizes the gentleman from Delaware County, Mr. Adolph, for the purpose of making an announcement.

Mr. ADOLPH. Thank you, Mr. Speaker.

Mr. Speaker, I would like to call an immediate meeting of the House Appropriations Committee in the majority caucus room. Thank you.

The SPEAKER. Appropriations will meet in the majority caucus room immediately.

REPUBLICAN CAUCUS

The SPEAKER. The lady from Susquehanna County, Ms. Major, is recognized for the purpose of a caucus announcement.

Ms. MAJOR. Thank you, Mr. Speaker.

I would like to announce that Republicans will caucus today at 12 noon. I would ask all Republican members to please report to our caucus room at noon. We would be prepared to come back to the floor at 12:30. Thank you.

DEMOCRATIC CAUCUS

The SPEAKER. The gentleman from Allegheny County, Mr. Frankel, is recognized for the purpose of a caucus announcement.

Mr. FRANKEL. Thank you, Mr. Speaker.

Democrats will caucus at noon as well. Democrats will caucus at 12 noon. Thank you.

FINANCE COMMITTEE MEETING

The SPEAKER. The gentleman from Lancaster County, Mr. Denlinger, for the purpose of an announcement.

Mr. DENLINGER. Yes, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. DENLINGER. A committee meeting.

The House Finance Committee – House Finance Committee – will have an immediate voting meeting in 60 East Wing.

The SPEAKER. Finance will meet immediately in 60 East Wing.

RECESS

The SPEAKER. Seeing no further business at this moment, the House stands in recess until 12:30, unless sooner recalled by the Speaker.

RECESS EXTENDED

The time of recess was extended until 12:45 p.m.

AFTER RECESS

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

The SPEAKER. Members will please report to the floor.

BILLS REREPORTED FROM COMMITTEE**HB 1602, PN 3289**

By Rep. ADOLPH

An Act amending the act of August 24, 1963 (P.L.1175, No.497), known as the Mechanics' Lien Law of 1963, further providing for definitions and for right to lien and amount; providing for State Construction Notices Directory and for notice of commencement and furnishing requirements; and further providing for priority of lien and for discharge of lien on payment into court or entry of security.

APPROPRIATIONS.**HB 1915, PN 3215**

By Rep. ADOLPH

A Supplement to the act of December 8, 1982 (P.L.848, No.235), entitled "An act providing for the adoption of capital projects related to the repair, rehabilitation or replacement of highway bridges to be financed from current revenue or by the incurring of debt and capital projects related to highway and safety improvement projects to be financed from current revenue of the Motor License Fund," itemizing public highway projects to be constructed by the Department of Transportation from current revenue in the Motor License Fund; and stating the estimated useful life of the projects.

APPROPRIATIONS.**SB 110, PN 2051**

By Rep. ADOLPH

An Act amending Title 74 (Transportation) of the Pennsylvania Consolidated Statutes, further providing for the authority of the department; and providing for logging of certain aircraft flights.

APPROPRIATIONS.**SB 473, PN 468**

By Rep. ADOLPH

An Act amending Title 30 (Fish) of the Pennsylvania Consolidated Statutes, further providing for license fee for deployed Pennsylvania National Guard members and for resident license and fee exemptions.

APPROPRIATIONS.**SB 743, PN 1843**

By Rep. ADOLPH

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in terms and courses of study, further providing for teaching safe driving of motor vehicles.

APPROPRIATIONS.**SB 1228, PN 1716**

By Rep. ADOLPH

An Act amending the act of March 28, 1984 (P.L.150, No.28), known as the Automobile Lemon Law, further providing for presumption of a reasonable number of attempts.

APPROPRIATIONS.**BILL REPORTED FROM COMMITTEE,
CONSIDERED FIRST TIME, AND TABLED****HB 2244, PN 3297 (Amended)**

An Act providing for watershed disaster reconstruction.

FINANCE.**CALENDAR CONTINUED****BILLS ON SECOND CONSIDERATION**

The House proceeded to second consideration of **HB 2077, PN 3266**, entitled:

An Act providing for a Small Business Flood Relief Supplementation Program; making an appropriation; and providing for termination of the program.

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 1701, PN 2151**, entitled:

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, providing for the State Geospatial Coordinating Council.

On the question,

Will the House agree to the bill on second consideration?

The SPEAKER. It is the information of the Speaker that the two amendments that had been filed have been withdrawn.

On the question recurring,

Will the House agree to the bill on second consideration?

Bill was agreed to.

GUESTS INTRODUCED

The SPEAKER. The House will please come to order. If I could have the members' attention, I want to introduce some of the additional guests that are with us.

As guests of Representative Joe Hackett, up in the balcony, I would like to welcome Shannon Elias and the fourth grade class from Neff Elementary School. Will our guests please rise. Welcome to the hall of the House.

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 1916, PN 3265**, entitled:

An Act itemizing public improvement projects for flood protection and flood damage repair to be constructed by the Department of General Services, together with their estimated financial costs; providing for the adoption of specific disaster mitigation or assistance projects or flood assistance projects, together with their estimated financial costs; authorizing the use of interest earnings held by the Commonwealth Financing Authority for funding the projects; and making appropriations.

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

Mr. PEIFER offered the following amendment No. **A09570**:

Amend Bill, page 17, line 16, by striking out "\$61,743,000" and inserting

\$61,791,000

Amend Bill, page 20, by inserting between lines 19 and 20 Section 512.1. Wayne County.

- | | |
|--|--------|
| (a) Damascus Township, Flood Control Project | |
| Project Allocation | 18,000 |
| (b) Dreher Township, Flood Restoration Project | |
| Project Allocation | 30,000 |

Amend Bill, page 20, line 22, by striking out "\$15,500,000" and inserting

\$15,548,000

Amend Bill, page 21, line 24, by striking out "\$15,500,000" and inserting

\$15,548,000

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

The SPEAKER. For the information of the members, amendment A09570 is a corrective amendment to amendment A09540.

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

On that question, the Speaker recognizes the gentleman from Pike County, Mr. Peifer.

Mr. PEIFER. Thank you, Mr. Speaker.

This amendment simply adds two disaster mitigation projects in Wayne County to the bill. Thank you.

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

(Members proceeded to vote.)

The SPEAKER. There is nothing in order but the taking of the vote.

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

(A roll-call vote was taken but later was stricken and was retaken.)

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

PARLIAMENTARY INQUIRY

The SPEAKER. For what purpose does the gentleman, Mr. Vitali, rise?

Mr. VITALI. Initially, a parliamentary inquiry.

The SPEAKER. The gentleman may state his inquiry.

Mr. VITALI. What is the redress for a member when a vote is in progress yet the amendment to be voted on is not on the screen, thus not in compliance with House rules?

The SPEAKER. I will get you an answer. The amendment was a corrective reprint, and there may have been a miscommunication about getting that posted on the screen, but let me address that in a second. I am just getting a clarification as to what was or was not on the screen.

It was the Speaker's understanding that the amendment was on the screen. If I was misinformed, if that is incorrect, we can strike the previous vote and revote it once it is on the screen.

Mr. VITALI. But I guess my question is, what is a member to do in that situation, when you look at your screen; waiting for the vote; the screen says the amendment has not been introduced; the vote is in progress? What is the proper course for a member to do at that point?

The SPEAKER. Well, if the member notices it before I call for the vote, certainly you can raise that question as a point of order. The problem is, once we are in the middle of a vote, then nothing is in order but the vote.

Mr. VITALI. But here is my question: I am sitting at my desk waiting for the language to come on the screen to take a look at. The wording on the screen says the amendment has not yet been introduced. The vote starts. I come to the microphone. What do I do at that point? I mean, I called for a point of order, but I am not sure what a member does in a scenario like that.

The SPEAKER. Well, in my judgment, you know, in my opinion, I did not rush the vote on that amendment, and unfortunately you were not aware that it was not on the screen until I called for the vote. But once I called for the vote, I mean, generally speaking, there is nothing in order but the taking of the vote. So it is a function of timing. If you notice it before; if not, you can do what you are doing now and raise the question that it was not on the screen and we will gladly strike the previous vote, make sure that it is on the screen so that everyone is aware of it. And as I said before, this was a corrective reprint, which is what caused some of this confusion. So essentially the amendment was available other than the corrective reprint element of it.

Mr. VITALI. Thank you.

VOTE STRICKEN

The SPEAKER. The previous vote on amendment A09570 will be stricken from the record, and we will readdress the amendment.

PARLIAMENTARY INQUIRY

The SPEAKER. For what purpose does the gentleman, Mr. Markosek, rise?

Mr. MARKOSEK. Thank you, Mr. Speaker.

Really, I guess a question of the Chair.

If we strike the vote, would there be then time before we revote it for me to ask the maker of the amendment a question?

The SPEAKER. I will call the amendment back up before the House, and you would be in order to be recognized to debate the amendment, essentially.

Mr. MARKOSEK. Thank you.

The SPEAKER. If I could have the members' attention.

To be clear, we are on second consideration of HB 1916, PN 3265, on page 1 of today's House calendar, and on the question of agreeing to the bill, the gentleman from Pike County, Mr. Peifer, calls up amendment A09570.

The clerk will read the amendment again, please.

On the question recurring,

Will the House agree to the bill on second consideration?

The clerk read the following amendment No. **A09570**:

Amend Bill, page 17, line 16, by striking out "\$61,743,000" and inserting

\$61,791,000

Amend Bill, page 20, by inserting between lines 19 and 20 Section 512.1. Wayne County.

(a) Damascus Township, Flood Control Project
Project Allocation 18,000

(b) Dreher Township, Flood Restoration Project
Project Allocation 30,000

Amend Bill, page 20, line 22, by striking out "\$15,500,000" and inserting

\$15,548,000

Amend Bill, page 21, line 24, by striking out "\$15,500,000" and inserting

\$15,548,000

On the question recurring,

Will the House agree to the amendment?

The SPEAKER. On that question, does the gentleman from Allegheny County, Mr. Markosek, seek recognition?

Mr. MARKOSEK. Yes, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. MARKOSEK. Mr. Speaker, I would like to ask a question of the maker of the amendment, please.

The SPEAKER. The gentleman indicates he will stand for interrogation. You may proceed.

Mr. MARKOSEK. Thank you, Mr. Speaker.

I am just curious, we have two more projects that your amendment, I believe, adds to the bill. How were those projects determined?

Mr. PEIFER. Thank you, Mr. Speaker.

Based upon my discussion with the prime sponsor and with our discussion with the Appropriations staff, I had received detailed information from my township supervisors regarding these two projects, and based upon the restoration, the

mitigation of flood relief for these two townships, they felt that these two projects would fit inside the confines of HB 1916.

Thank you, Mr. Speaker.

Mr. MARKOSEK. Thank you.

Were these projects in the designated flood zone or the designated disaster zone?

Mr. PEIFER. Yes, Mr. Speaker.

Mr. MARKOSEK. Okay. Thank you.

Mr. Speaker, if I might.

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

Mr. MARKOSEK. I am all in favor, certainly, of trying to fund flood-damaged bridges, but I want to point out to the members that there was never any request that we are aware of from folks of what projects may or may not be available for this list. We were told that PENNDOT and some other agencies offered lists, but a lot of the members were not given a chance to put projects on this or at least suggest that there be projects put on this list.

So I am going to support the amendment. We certainly want the gentleman's infrastructure to be fixed, but I would also, of course, remind all the members that we do not have an overall transportation funding program, which would solve a lot of these problems as well as a lot of the other infrastructure problems that we have in the Commonwealth.

Thank you, Mr. Speaker.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—192

Adolph	DiGirolamo	Keller, M.K.	Preston
Aument	Donatucci	Keller, W.	Pyle
Baker	Dunbar	Killion	Quigley
Barbin	Ellis	Kirkland	Quinn
Barrar	Emrick	Knowles	Rapp
Bear	Evankovich	Kortz	Ravenstahl
Benninghoff	Evans, D.	Kotik	Readshaw
Bishop	Evans, J.	Kula	Reed
Bloom	Everett	Longietti	Reese
Boback	Fabrizio	Maher	Roae
Boyd	Farry	Mahoney	Rock
Boyle, B.	Fleck	Major	Roebuck
Boyle, K.	Frankel	Maloney	Ross
Bradford	Freeman	Mann	Sabatina
Brennan	Gabler	Markosek	Saccone
Briggs	Galloway	Marshall	Sainato
Brooks	Geist	Marsico	Samuelson
Brown, R.	George	Masser	Santarsiero
Brown, V.	Gerber	Matzie	Santoni
Brownlee	Gergely	McGeehan	Saylor
Burns	Gibbons	Metcalfe	Scavello
Buxton	Gillen	Metzgar	Schroder
Caltagirone	Gillespie	Miccarelli	Simmons
Carroll	Gingrich	Micozzie	Smith, K.
Causer	Godshall	Millard	Smith, M.
Christiana	Goodman	Miller	Sonney
Clymer	Grell	Milne	Staback
Cohen	Grove	Mirabito	Stephens
Conklin	Hackett	Moul	Stern
Costa, D.	Hahn	Mullery	Stevenson
Costa, P.	Haluska	Mundy	Sturla
Cox	Hanna	Murphy	Swanger

Creighton	Harhai	Murt	Tallman
Cruz	Harhart	Mustio	Taylor
Culver	Harkins	Myers	Tobash
Curry	Harper	Neuman	Toepel
Cutler	Harris	O'Brien, M.	Toohil
Daley	Heffley	O'Neill	Turzai
Davidson	Helm	Oberlander	Vereb
Davis	Hennessey	Parker	Vitali
Day	Hess	Pashinski	Vulakovich
Deasy	Hickernell	Payne	Waters
DeLissio	Hornaman	Payton	Watson
DeLozier	Hutchinson	Peifer	Wheatley
DeLuca	Josephs	Perry	White
Denlinger	Kampf	Petrarca	
DePasquale	Kauffman	Petri	Smith, S.,
Dermody	Kavulich	Pickett	Speaker
DeWeese	Keller, F.		

NAYS—3

Krieger	Lawrence	Truitt
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NOT VOTING—0

EXCUSED—2

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

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

(Bill as amended will be reprinted.)

* * *

The House proceeded to second consideration of **SB 405, PN 1534**, entitled:

An Act amending the act of December 31, 1965 (P.L.1257, No.511), known as The Local Tax Enabling Act, further providing for delegation of taxing powers and restrictions.

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

MOTION TO POSTPONE

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

Mr. KOTIK. Thank you, Mr. Speaker.

Mr. Speaker, I rise to make a motion to postpone consideration of SB 405 to a date certain, May 1, 2012, at 11 a.m.

The SPEAKER. The gentleman from Allegheny County, Mr. Kotik, has moved to postpone the vote on SB 405 until May 1.

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

The SPEAKER. On that question, the Speaker recognizes the gentleman, Mr. Kotik.

Mr. KOTIK. Thank you, Mr. Speaker.

Mr. Speaker, I make this motion because this bill needs to be vetted. There are serious implications for a lot of the municipalities that all 203 members of this House represent, and we need to talk about this bill and we need to consider all the implications, because the retroactivity is one of the big issues that I have a problem with. But there are a lot of other issues, and I would ask the House to join with me in postponing action on this bill until May 1.

Thank you, Mr. Speaker.

The SPEAKER. On the question of postponement, the Speaker recognizes the gentleman from Lancaster County, Mr. Denlinger.

Mr. DENLINGER. Thank you, Mr. Speaker.

Mr. Speaker, I rise to oppose the motion to postpone. In fact, this piece of legislation has been worked on for the last 6 years by Senator Pat Browne, and we know of his background in accounting and so forth, so there has been a lot of discussion in the public realm. For that reason, for the 6 years of study that have gone into this piece of legislation, I encourage opposition to the motion.

Thank you, Mr. Speaker.

The SPEAKER. On the question of postponement, the Speaker recognizes the gentleman from Dauphin County, Mr. Buxton.

Mr. BUXTON. Thank you, Mr. Speaker.

Mr. Speaker, I rise to support the gentleman's motion to postpone.

I believe there are many of us in this Assembly today that do not realize the financial impact that this legislation is going to have on many of our local governments. There is a tremendous impact by the passage of this legislation with our local governments here in Pennsylvania. I think we have heard from our school boards and our local government officials that they are very much concerned should SB 405 become law.

The gentleman's motion to seek a temporary stay on voting on this bill is so that we can obtain more information as to how many municipalities in Pennsylvania are actually impacted by this legislation, and because of the fiscal implications that it has on those local governments, we are appealing to you, the members, to postpone any vote on this legislation today.

Thank you, Mr. Speaker.

The SPEAKER. On the question of postponement, the Speaker recognizes the gentleman from Northampton County, Mr. Freeman.

Mr. FREEMAN. Thank you, Mr. Speaker.

Mr. Speaker, I also rise to support the motion to postpone.

This legislation truly does need better vetting, and we need the opportunity to go back to our local government officials and to confer with them as to what the implications of this act or this legislation will do.

The gentleman from Allegheny County raised the issue of retroactivity. That could cause tremendous havoc on municipal budgets as they have to figure out how to deal with the loss of

that revenue in mid-fiscal year for them. I think it is only reasonable to postpone consideration on this legislation, see if there is a need to provide amendments that would help to clarify what the implications of the legislation are, and ensure that we can hold harmless those municipalities, particularly those struggling municipalities, that depend on this kind of revenue stream to meet their obligations to provide essential services.

So I would urge the House to join with me in supporting the motion to postpone.

The SPEAKER. On the question of postponement, the Speaker recognizes the gentleman from Cambria County, Mr. Barbin.

Mr. BARBIN. Thank you, Mr. Speaker.

I also rise in support of this motion to postpone. I have read quickly the effective date of this act. This act says that it applies to all taxable years after 2011. That means that any municipality which is counting on revenues which our State Supreme Court says they are entitled to will retroactively be affected, so their budget this year will be impacted. That applies to any municipality that has a business privilege tax that was in place. So whether you are an Act 47 municipality or you are another municipality who has put this into the budget, if we pass this bill, it is going to mean the municipality will have to post refunds in a situation where they are already stressed to the limit.

The bottom line here is, Act 47 has not been dealt with by this General Assembly or by the administration. We have the city of Harrisburg in financial distress. If you pass this bill—

The SPEAKER. The gentleman, I would just suggest you try to stay on the reason to postpone or not postpone and not so much debating the actual substance, please.

Mr. BARBIN. Thank you, Mr. Speaker. But I think in these circumstances, when we are coming out of an economic recession, to say that we are going to vote on a bill without knowing how many municipalities are going to have to provide refunds, we are not doing our job. This bill does not have a fiscal note in it, and for that reason, I believe this motion to postpone to a date certain is an appropriate motion.

And I ask for the members', all the members' support, not just those like Johnstown. I represent Johnstown, and it is an Act 47 municipality, and if you do this, anybody like Johnstown is going to have a much harder budget to deal with and they will have to do it retroactively.

The SPEAKER. On the question of postponement, the Speaker recognizes the lady from Luzerne County, Ms. Mundy.

Ms. MUNDY. Thank you, Mr. Speaker.

I rise in support of the motion to postpone. I actually asked for a hearing on this bill as Democratic chairman of the Finance Committee. We had literally 1 week in the committee to vet the bill, to research it. We could not even get DCED (Department of Community and Economic Development) to return a phone call in 1 week, let alone get the information that we needed to fully understand the implications of this bill.

In theory, the notion that double taxation is a bad thing is absolutely right on target, but the ramifications of this bill are so severe to so many municipalities throughout Pennsylvania that we need to better understand what we are doing here, what you hope to do here today. There is no reason, no earthly reason that we cannot postpone consideration of this very important concept until we have all the information we need. We know what the impact will be.

The gentleman from Lancaster talked about how this bill has been around for 6 years. Well, this bill is brand-new to me. I have never voted on it on the House floor. I have never been on the Finance Committee before this term. There are so many new members who have not been here until this session, I cannot imagine that they are fully informed about how this bill will affect their municipalities. I just received an e-mail from the Pennsylvania League of Cities and Municipalities, and they are still trying to compile information about how this bill will impact their members.

If we are going to do this, we need to do it right. We need to understand all the ramifications, the consequences, intended and otherwise, and we need to make sure that our municipalities are getting paid for the services they render. And if we do not, the individuals in these municipalities will be left holding the bag for the corporations and the private companies to come in to our municipalities and use their resources and not pay for them.

So let us do this the right way. Let us postpone this vote until we have all the information we need to do the right thing for everybody concerned. Thank you, Mr. Speaker.

The SPEAKER. On the question of postponement, the gentleman from Lancaster County, Mr. Boyd, is recognized.

Mr. BOYD. Thank you, Mr. Speaker. Just real briefly.

I just wanted to comment. It was actually brought to my mind by the gentleman from I believe Cambria County the comments about coming out of an economic recession. The reason that we should not postpone this vote is precisely that reason. We are beginning to come out of an economic recession, and anything that we can do to stimulate the economy and stimulate businesses to continue to expand in this State is essential.

My understanding is that this is one of the number one priorities, this bill, SB 405, of the business community. The fact that we are going to postpone eliminating the ability for municipalities to double tax – tax twice – is just, in my mind, just nonsensical in an environment when we are trying to create the desire for businesses to grow and expand and create jobs.

It is interesting to me that this is eliminating the ability for municipalities to tax twice and assess what is called a business privilege tax, and frankly, I think the words "business privilege tax" are absurd.

The SPEAKER. The gentleman will suspend.

I kindly ask you to stay on the subject of postponement and not so much on the substance of the bill.

Mr. BOYD. Mr. Speaker, thank you for reminding me. I will save those comments for later. But we need to move this bill along today.

The SPEAKER. On the question of postponement, the Speaker recognizes the majority leader, Mr. Turzai.

Mr. TURZAI. I would ask the membership to please vote against the motion to postpone. For the reasons stated by my good friend and colleague from Lancaster County, this is an important piece of legislation. We can address an issue that has been raised with retroactivity. I myself, in my read of the legislation, and our counsel with respect to the read of the legislation, do not specifically see the issue of retroactivity, but that issue of retroactivity can be addressed in a technical amendment if needed.

But other than that, we would ask everybody, please, not to postpone. We need to move this important piece of legislation to third, and we can continue at that point. Please vote against the motion to postpone. Thank you.

The SPEAKER. On the question of postponement, the Speaker recognizes the gentleman from Allegheny County, Mr.— Excuse me. Is the gentleman from Lancaster, Mr. Sturla, seeking recognition on the motion to postpone?

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, the majority leader just said that if there is a question with retroactivity, it could be addressed in a technical amendment. Could he just explain when that technical amendment would be inserted and how it would be technical if it eliminated retroactivity?

The SPEAKER. Was the gentleman from Lancaster seeking to interrogate the majority leader?

Mr. STURLA. Mr. Speaker, I believe I have had my question answered.

The SPEAKER. The Speaker thanks the gentleman.

On the question to postpone, the Speaker recognizes the gentleman from Allegheny County, Mr. Kotik, for the second time.

Mr. KOTIK. Thank you, Mr. Speaker.

Mr. Speaker, I felt compelled to rise a second time, only to make the point that this retroactivity clause makes as much sense to the municipalities that I represent as if we cut the State income tax from 3.07 to 2.5 in the middle of our State budget. It is ridiculous. It is irresponsible to take this money away from our communities.

Thank you, Mr. Speaker.

The SPEAKER. The question before the House is postponing the vote on SB 405 until May 1.

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

The following roll call was recorded:

YEAS—85

Barbin	Deasy	Hornaman	Parker
Bishop	DeLissio	Josephs	Pashinski
Boyle, B.	DeLuca	Kavulich	Payton
Boyle, K.	DePasquale	Keller, W.	Petrarca
Bradford	Dermody	Kirkland	Preston
Brennan	DeWeese	Kortz	Ravenstahl
Briggs	Donatucci	Kotik	Readshaw
Brown, V.	Evans, D.	Kula	Roebuck
Brownlee	Fabrizio	Longietti	Sabatina
Burns	Frankel	Mahoney	Sainato
Buxton	Freeman	Mann	Samuelson
Caltagirone	Galloway	Markosek	Santarsiero
Carroll	George	Matzie	Santoni
Cohen	Gerber	McGeehan	Smith, K.
Conklin	Gergely	Mirabito	Smith, M.
Costa, D.	Gibbons	Mullery	Staback
Costa, P.	Goodman	Mundy	Sturla
Cruz	Haluska	Murphy	Vitali
Curry	Hanna	Myers	Waters
Daley	Harhai	Neuman	Wheatley
Davidson	Harkins	O'Brien, M.	White
Davis			

NAYS—110

Adolph	Farry	Lawrence	Reed
Aument	Fleck	Maher	Reese
Baker	Gabler	Major	Roae
Barrar	Geist	Maloney	Rock
Bear	Gillen	Marshall	Ross
Benninghoff	Gillespie	Marsico	Saccone
Bloom	Gingrich	Masser	Saylor

Boback	Godshall	Metcalfe	Scavello
Boyd	Grell	Metzgar	Schroder
Brooks	Grove	Miccarelli	Simmons
Brown, R.	Hackett	Micozzie	Sonney
Causer	Hahn	Millard	Stephens
Christiana	Harhart	Miller	Stern
Clymer	Harper	Milne	Stevenson
Cox	Harris	Moul	Swanger
Creighton	Heffley	Murt	Tallman
Culver	Helm	Mustio	Taylor
Cutler	Hennessey	O'Neill	Tobash
Day	Hess	Oberlander	Toepel
Delozier	Hickernell	Payne	Toohil
Denlinger	Hutchinson	Peifer	Truitt
DiGirolamo	Kampf	Perry	Turzai
Dunbar	Kauffman	Petri	Vereb
Ellis	Keller, F.	Pickett	Vulakovich
Emrick	Keller, M.K.	Pyle	Watson
Evankovich	Killion	Quigley	
Evans, J.	Knowles	Quinn	Smith, S.,
Everett	Krieger	Rapp	Speaker

NOT VOTING—0

EXCUSED—2

Thomas Youngblood

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

SUPPLEMENTAL CALENDAR B

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 1228, PN 1716**, entitled:

An Act amending the act of March 28, 1984 (P.L.150, No.28), known as the Automobile Lemon Law, further providing for presumption of a reasonable number of attempts.

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—195

Adolph	Donatucci	Keller, W.	Preston
Aument	Dunbar	Killion	Pyle
Baker	Ellis	Kirkland	Quigley
Barbin	Emrick	Knowles	Quinn

Barrar	Evankovich	Kortz	Rapp
Bear	Evans, D.	Kotik	Ravenstahl
Benninghoff	Evans, J.	Krieger	Readshaw
Bishop	Everett	Kula	Reed
Bloom	Fabrizio	Lawrence	Reese
Boback	Farry	Longietti	Roae
Boyd	Fleck	Maher	Rock
Boyle, B.	Frankel	Mahoney	Roebuck
Boyle, K.	Freeman	Major	Ross
Bradford	Gabler	Maloney	Sabatina
Brennan	Galloway	Mann	Saccone
Briggs	Geist	Markosek	Sainato
Brooks	George	Marshall	Samuelson
Brown, R.	Gerber	Marsico	Santarsiero
Brown, V.	Gergely	Masser	Santoni
Brownlee	Gibbons	Matzie	Saylor
Burns	Gillen	McGeehan	Scavello
Buxton	Gillespie	Metcalfe	Schroder
Caltagirone	Gingrich	Metzgar	Simmons
Carroll	Godshall	Miccarelli	Smith, K.
Causar	Goodman	Micozzie	Smith, M.
Christiana	Grell	Millard	Sonney
Clymer	Grove	Miller	Staback
Cohen	Hackett	Milne	Stephens
Conklin	Hahn	Mirabito	Stern
Costa, D.	Haluska	Moul	Stevenson
Costa, P.	Hanna	Mullery	Sturla
Cox	Harhai	Mundy	Swanger
Creighton	Harhart	Murphy	Tallman
Cruz	Harkins	Murt	Taylor
Culver	Harper	Mustio	Tobash
Curry	Harris	Myers	Toepel
Cutler	Heffley	Neuman	Toohil
Daley	Helm	O'Brien, M.	Truitt
Davidson	Hennessey	O'Neill	Turzai
Davis	Hess	Oberlander	Vereb
Day	Hickernell	Parker	Vitali
Deasy	Hornaman	Pashinski	Vulakovich
DeLissio	Hutchinson	Payne	Waters
Delozier	Josephs	Payton	Watson
DeLuca	Kampf	Peifer	Wheatley
Denlinger	Kauffman	Perry	White
DePasquale	Kavulich	Petrarca	
Dermody	Keller, F.	Petri	Smith, S.,
DeWeese	Keller, M.K.	Pickett	Speaker
DiGirolamo			

NAYS-0

NOT VOTING-0

EXCUSED-2

Thomas Youngblood

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

Ordered, That the clerk return the same to the Senate with the information that the House has passed the same without amendment.

* * *

The House proceeded to third consideration of **SB 743, PN 1843**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in terms and courses of study, further providing for teaching safe driving of motor vehicles.

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-195

Adolph	Donatucci	Keller, W.	Preston
Aument	Dunbar	Killion	Pyle
Baker	Ellis	Kirkland	Quigley
Barbin	Emrick	Knowles	Quinn
Barrar	Evankovich	Kortz	Rapp
Bear	Evans, D.	Kotik	Ravenstahl
Benninghoff	Evans, J.	Krieger	Readshaw
Bishop	Everett	Kula	Reed
Bloom	Fabrizio	Lawrence	Reese
Boback	Farry	Longietti	Roae
Boyd	Fleck	Maher	Rock
Boyle, B.	Frankel	Mahoney	Roebuck
Boyle, K.	Freeman	Major	Ross
Bradford	Gabler	Maloney	Sabatina
Brennan	Galloway	Mann	Saccone
Briggs	Geist	Markosek	Sainato
Brooks	George	Marshall	Samuelson
Brown, R.	Gerber	Marsico	Santarsiero
Brown, V.	Gergely	Masser	Santoni
Brownlee	Gibbons	Matzie	Saylor
Burns	Gillen	McGeehan	Scavello
Buxton	Gillespie	Metcalfe	Schroder
Caltagirone	Gingrich	Metzgar	Simmons
Carroll	Godshall	Miccarelli	Smith, K.
Causar	Goodman	Micozzie	Smith, M.
Christiana	Grell	Millard	Sonney
Clymer	Grove	Miller	Staback
Cohen	Hackett	Milne	Stephens
Conklin	Hahn	Mirabito	Stern
Costa, D.	Haluska	Moul	Stevenson
Costa, P.	Hanna	Mullery	Sturla
Cox	Harhai	Mundy	Swanger
Creighton	Harhart	Murphy	Tallman
Cruz	Harkins	Murt	Taylor
Culver	Harper	Mustio	Tobash
Curry	Harris	Myers	Toepel
Cutler	Heffley	Neuman	Toohil
Daley	Helm	O'Brien, M.	Truitt
Davidson	Hennessey	O'Neill	Turzai
Davis	Hess	Oberlander	Vereb
Day	Hickernell	Parker	Vitali
Deasy	Hornaman	Pashinski	Vulakovich
DeLissio	Hutchinson	Payne	Waters
Delozier	Josephs	Payton	Watson
DeLuca	Kampf	Peifer	Wheatley
Denlinger	Kauffman	Perry	White
DePasquale	Kavulich	Petrarca	
Dermody	Keller, F.	Petri	Smith, S.,
DeWeese	Keller, M.K.	Pickett	Speaker
DiGirolamo			

NAYS-0

NOT VOTING-0

EXCUSED—2

Thomas Youngblood

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

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

* * *

The House proceeded to third consideration of **SB 473, PN 468**, entitled:

An Act amending Title 30 (Fish) of the Pennsylvania Consolidated Statutes, further providing for license fee for deployed Pennsylvania National Guard members and for resident license and fee exemptions.

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—195

Adolph	Donatucci	Keller, W.	Preston
Aument	Dunbar	Killion	Pyle
Baker	Ellis	Kirkland	Quigley
Barbin	Emrick	Knowles	Quinn
Barrar	Evankovich	Kortz	Rapp
Bear	Evans, D.	Kotik	Ravenstahl
Benninghoff	Evans, J.	Krieger	Readshaw
Bishop	Everett	Kula	Reed
Bloom	Fabrizio	Lawrence	Reese
Boback	Farry	Longietti	Roae
Boyd	Fleck	Maher	Rock
Boyle, B.	Frankel	Mahoney	Roebuck
Boyle, K.	Freeman	Major	Ross
Bradford	Gabler	Maloney	Sabatina
Brennan	Galloway	Mann	Saccone
Briggs	Geist	Markosek	Sainato
Brooks	George	Marshall	Samuelson
Brown, R.	Gerber	Marsico	Santarsiero
Brown, V.	Gergely	Masser	Santoni
Brownlee	Gibbons	Matzie	Saylor
Burns	Gillen	McGeehan	Scavello
Buxton	Gillespie	Metcalfe	Schroder
Caltagirone	Gingrich	Metzgar	Simmons
Carroll	Godshall	Miccarelli	Smith, K.
Causser	Goodman	Micozzie	Smith, M.
Christiana	Grell	Millard	Sonney
Clymer	Grove	Miller	Staback
Cohen	Hackett	Milne	Stephens
Conklin	Hahn	Mirabito	Stern
Costa, D.	Haluska	Moul	Stevenson
Costa, P.	Hanna	Mullery	Sturla
Cox	Harhai	Mundy	Swanger

Creighton	Harhart	Murphy	Tallman
Cruz	Harkins	Murt	Taylor
Culver	Harper	Mustio	Tobash
Curry	Harris	Myers	Toepel
Cutler	Heffley	Neuman	Toohil
Daley	Helm	O'Brien, M.	Truitt
Davidson	Hennessey	O'Neill	Turzai
Davis	Hess	Oberlander	Vereb
Day	Hickernell	Parker	Vitali
Deasy	Hornaman	Pashinski	Vulakovich
DeLissio	Hutchinson	Payne	Waters
DeLozier	Josephs	Payton	Watson
DeLuca	Kampf	Peifer	Wheatley
Denlinger	Kauffman	Perry	White
DePasquale	Kavulich	Petrarca	
Dermody	Keller, F.	Petri	Smith, S.,
DeWeese	Keller, M.K.	Pickett	Speaker
DiGirolamo			

NAYS—0

NOT VOTING—0

EXCUSED—2

Thomas Youngblood

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

Ordered, That the clerk return the same to the Senate with the information that the House has passed the same without amendment.

* * *

The House proceeded to third consideration of **HB 1915, PN 3215**, entitled:

A Supplement to the act of December 8, 1982 (P.L.848, No.235), entitled "An act providing for the adoption of capital projects related to the repair, rehabilitation or replacement of highway bridges to be financed from current revenue or by the incurring of debt and capital projects related to highway and safety improvement projects to be financed from current revenue of the Motor License Fund," itemizing public highway projects to be constructed by the Department of Transportation from current revenue in the Motor License Fund; and stating the estimated useful life of the projects.

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

Mr. MARKOSEK. Thank you, Mr. Speaker.

Mr. Speaker, again, another flood repair bill, which I would ask the members to support. We certainly want to be supportive of folks who have had some bad things happen to them in the flood. Again, it is the funding of this. We are basically robbing Peter to pay Paul for these projects, and there is no major

transportation program in place that would take care of this. This would have been a perfect example, the perfect reason to put a transportation program in place. The Governor has his own program ready to go. There is bipartisan support for it, and yet here we are nickeling and diming, stealing from one pocket to pay the other pocket, and it is time we did the right thing and had a transportation funding program in place to take care of not only damaged infrastructure but all of our infrastructure. Much of it is damaged by age and sometimes neglect, so I would just ask the members to vote for this, but let us all keep in mind that we need a comprehensive transportation plan in Pennsylvania.

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.

(Members proceeded to vote.)

The SPEAKER. I am sorry; there is nothing in order but the taking of the vote.

LEAVE OF ABSENCE CANCELED

The SPEAKER. The Speaker returns to leaves of absence and recognizes the presence of the lady from Philadelphia, Ms. Youngblood, on the floor of the House. Her name will be added to the roll call.

CONSIDERATION OF HB 1915 CONTINUED

On the question recurring,
Shall the bill pass finally?

The following roll call was recorded:

YEAS—193

Adolph	DiGirolamo	Keller, M.K.	Preston
Aument	Donatucci	Keller, W.	Pyle
Baker	Dunbar	Killion	Quigley
Barbin	Ellis	Kirkland	Quinn
Barrar	Emrick	Knowles	Rapp
Bear	Evankovich	Kortz	Ravenstahl
Benninghoff	Evans, D.	Kotik	Readshaw
Bishop	Evans, J.	Krieger	Reed
Bloom	Everett	Kula	Reese
Boback	Fabrizio	Lawrence	Roae
Boyd	Farry	Maher	Rock
Boyle, B.	Fleck	Mahoney	Roebuck
Boyle, K.	Frankel	Major	Ross
Bradford	Freeman	Maloney	Sabatina
Brennan	Gabler	Mann	Saccone
Briggs	Galloway	Markosek	Sainato
Brooks	Geist	Marshall	Samuelson
Brown, R.	George	Marsico	Santarsiero
Brown, V.	Gerber	Masser	Santoni
Brownlee	Gergely	Matzie	Saylor
Burns	Gibbons	McGeehan	Scavello
Buxton	Gillen	Metcalfe	Schroder
Caltagirone	Gillespie	Metzgar	Simmons
Carroll	Gingrich	Miccarelli	Smith, K.
Causar	Godshall	Micozzie	Smith, M.
Christiana	Goodman	Millard	Sonney

Clymer	Grell	Miller	Staback
Cohen	Grove	Milne	Stern
Conklin	Hackett	Mirabito	Stevenson
Costa, D.	Hahn	Moul	Sturla
Costa, P.	Haluska	Mullery	Swanger
Cox	Hanna	Mundy	Tallman
Creighton	Harhai	Murphy	Taylor
Cruz	Harhart	Murt	Tobash
Culver	Harkins	Mustio	Toepel
Curry	Harper	Myers	Toohil
Cutler	Harris	Neuman	Turzai
Daley	Heffley	O'Brien, M.	Vereb
Davidson	Helm	O'Neill	Vitali
Davis	Hennessey	Oberlander	Vulakovich
Day	Hess	Parker	Waters
Deasy	Hickernell	Pashinski	Watson
DeLissio	Hornaman	Payne	Wheatley
DeLozier	Hutchinson	Payton	White
DeLuca	Josephs	Peifer	Youngblood
Denlinger	Kampf	Perry	
DePasquale	Kauffman	Petrarca	Smith, S., Speaker
Dermody	Kavulich	Petri	
DeWeese	Keller, F.	Pickett	

NAYS—3

Longiotti	Stephens	Truitt
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NOT VOTING—0

EXCUSED—1

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.

MOTION TO PROCEED TO CONSIDERATION UNDER RULE 24

The SPEAKER. The Speaker recognizes the majority leader, Mr. Turzai.

Mr. TURZAI. Yes, please. Thanks, Mr. Speaker.

Sir, with respect to HB 1602 and SB 110, we are moving to proceed on those two bills. They were passed respectively yesterday at 2:34 p.m. and 2:45 p.m. We are quite close to the 24-hour period, and we would like to move forward with respect to HB 1602 and SB 110 for reasons of efficiency, so that we can move those along expeditiously. Thank you.

The SPEAKER. The gentleman, Mr. Turzai, has moved under House rule 24 to proceed to an immediate vote on HB 1602, PN 3289, on page 2 of today's House calendar supplemental B, as well as SB 110, PN 2051, on page 3 of today's House calendar supplemental B.

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

The SPEAKER. On that question, the Speaker recognizes the minority leader, Mr. Dermody.

Mr. DERMODY. Thank you, Mr. Speaker.

Mr. Speaker, I support the motion to proceed and urge the members to vote for the motion to proceed on those two bills.

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

The following roll call was recorded:

YEAS—188

Adolph	DiGirolamo	Keller, M.K.	Pyle
Aument	Donatucci	Keller, W.	Quigley
Baker	Dunbar	Killion	Quinn
Barbin	Ellis	Kirkland	Rapp
Barrar	Emrick	Knowles	Ravenstahl
Bear	Evankovich	Kortz	Readshaw
Benninghoff	Evans, D.	Kotik	Reed
Bishop	Evans, J.	Krieger	Reese
Bloom	Everett	Kula	Roae
Boback	Fabrizio	Longietti	Rock
Boyd	Farry	Maher	Roebuck
Boyle, B.	Fleck	Mahoney	Ross
Boyle, K.	Frankel	Major	Sabatina
Bradford	Freeman	Maloney	Saccone
Brennan	Gabler	Mann	Sainato
Briggs	Galloway	Markosek	Santarsiero
Brooks	Geist	Marshall	Santoni
Brown, R.	George	Marsico	Saylor
Brown, V.	Gerber	Masser	Scavello
Brownlee	Gergely	Matzie	Schroder
Burns	Gibbons	McGeehan	Simmons
Buxton	Gillen	Metcalfe	Smith, K.
Caltagirone	Gillespie	Miccarelli	Smith, M.
Carroll	Gingrich	Micozzie	Sonney
Causar	Godshall	Millard	Staback
Christiana	Goodman	Miller	Stephens
Clymer	Grove	Mirabito	Stern
Cohen	Hackett	Moul	Stevenson
Conklin	Hahn	Mundy	Sturla
Costa, D.	Haluska	Murphy	Swanger
Costa, P.	Hanna	Murt	Tallman
Cox	Harhai	Mustio	Taylor
Creighton	Harhart	Myers	Tobash
Cruz	Harkins	Neuman	Toepel
Culver	Harper	O'Brien, M.	Toohil
Curry	Harris	O'Neill	Turzai
Daley	Heffley	Oberlander	Vereb
Davidson	Helm	Parker	Vitali
Davis	Hennessey	Pashinski	Vulakovich
Day	Hess	Payne	Waters
Deasy	Hickernell	Payton	Watson
DeLissio	Hornaman	Peifer	Wheatley
Delozier	Hutchinson	Perry	White
DeLuca	Josephs	Petrarca	Youngblood
Denlinger	Kampf	Petri	
DePasquale	Kauffman	Pickett	Smith, S.,
Dermody	Kavulich	Preston	Speaker
DeWeese	Keller, F.		

NAYS—8

Cutler	Lawrence	Milne	Samuelson
Grell	Metzgar	Mullery	Truitt

NOT VOTING—0

EXCUSED—1

Thomas

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.

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1602, PN 3289**, entitled:

An Act amending the act of August 24, 1963 (P.L.1175, No.497), known as the Mechanics' Lien Law of 1963, further providing for definitions and for right to lien and amount; providing for State Construction Notices Directory and for notice of commencement and furnishing requirements; and further providing for priority of lien and for discharge of lien on payment into court or entry of security.

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

(Bill analysis was read.)

The SPEAKER. This bill has been considered on three different days and agreed to and is now on final passage. The question is, shall the bill pass finally?

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

Mr. KILLION. Thank you, Mr. Speaker, and I thank the members for letting us vote this now, moving it ahead, and in the same vein, I will be very, very brief.

As we discussed yesterday, the bill really does two things. One, it helps out our homeowners here in Pennsylvania by preventing them from having liens placed on their property after they fully paid their contractor. And two, it sets up a statewide construction directory, which is Internet-based, modeled after Utah, which will allow owners of properties to know what subcontractors are on their property, thus they can make sure they get paid, and also, they can then avoid liens on their property.

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

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

On that question, the Speaker recognizes the gentleman from Philadelphia County, Mr. Bill Keller.

Mr. W. KELLER. Thank you, Mr. Speaker.

As I said yesterday, I believe the Killion amendment made this bill better, but I believe this whole bill was just a solution in search of a problem. The Mechanics' Lien Law was working well when we fixed it in 2009, and I believe this just puts more burden on the subcontractors and sub-subcontractors to make sure that they can enforce their liens.

Usually when I stand up here, it is a union-nonunion issue, but this is not. There are many subcontractors that are nonunion that I believe will have to jump through many more hoops to get their right preserved. I am going to vote "no" on this. 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—190

Adolph	Dunbar	Kirkland	Quigley
Aument	Ellis	Knowles	Quinn
Baker	Emrick	Kortz	Rapp
Barbin	Evankovich	Kotik	Ravenstahl
Barrar	Evans, D.	Krieger	Readshaw
Bear	Evans, J.	Kula	Reed
Benninghoff	Everett	Lawrence	Reese
Bishop	Fabrizio	Longietti	Roae
Bloom	Farry	Maher	Rock
Boback	Fleck	Mahoney	Roebuck
Boyd	Frankel	Major	Ross
Boyle, B.	Freeman	Maloney	Sabatina
Boyle, K.	Gabler	Mann	Saccone
Bradford	Geist	Markosek	Sainato
Brennan	George	Marshall	Samuelson
Briggs	Gerber	Marsico	Santarsiero
Brooks	Gergely	Masser	Santoni
Brown, R.	Gibbons	Matzie	Saylor
Brown, V.	Gillen	Metcalfe	Scavello
Brownlee	Gillespie	Metzgar	Schroder
Burns	Gingrich	Miccarelli	Simmons
Buxton	Godshall	Micozzie	Smith, K.
Caltagirone	Goodman	Millard	Smith, M.
Carroll	Grell	Miller	Sonney
Causer	Grove	Milne	Staback
Christiana	Hackett	Mirabito	Stephens
Clymer	Hahn	Moul	Stern
Cohen	Haluska	Mullery	Stevenson
Conklin	Hanna	Mundy	Sturla
Costa, D.	Harhai	Murphy	Swanger
Cox	Harhart	Murt	Tallman
Creighton	Harkins	Mustio	Taylor
Cruz	Harper	Myers	Tobash
Culver	Harris	Neuman	Toepel
Cutler	Heffley	O'Brien, M.	Toohil
Daley	Helm	O'Neill	Truitt
Davidson	Hennessey	Oberlander	Turzai
Davis	Hess	Parker	Vereb
Day	Hickernell	Pashinski	Vitali
Deasy	Hornaman	Payne	Vulakovich
DeLissio	Hutchinson	Payton	Waters
Delozier	Josephs	Peifer	Watson
DeLuca	Kampf	Perry	Wheatley
Denlinger	Kauffman	Petrarca	White
DePasquale	Kavulich	Petri	Youngblood
DeWeese	Keller, F.	Pickett	
DiGirolamo	Keller, M.K.	Preston	Smith, S.,
Donatucci	Killion	Pyle	Speaker

NAYS—6

Costa, P.	Dermody	Keller, W.	McGeehan
Curry	Galloway		

NOT VOTING—0

EXCUSED—1

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.

* * *

The House proceeded to third consideration of **SB 110, PN 2051**, entitled:

An Act amending Title 74 (Transportation) of the Pennsylvania Consolidated Statutes, further providing for the authority of the department; and providing for logging of certain aircraft flights.

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—196

Adolph	Donatucci	Killion	Pyle
Aument	Dunbar	Kirkland	Quigley
Baker	Ellis	Knowles	Quinn
Barbin	Emrick	Kortz	Rapp
Barrar	Evankovich	Kotik	Ravenstahl
Bear	Evans, D.	Krieger	Readshaw
Benninghoff	Evans, J.	Kula	Reed
Bishop	Everett	Lawrence	Reese
Bloom	Fabrizio	Longietti	Roae
Boback	Farry	Maher	Rock
Boyd	Fleck	Mahoney	Roebuck
Boyle, B.	Frankel	Major	Ross
Boyle, K.	Freeman	Maloney	Sabatina
Bradford	Gabler	Mann	Saccone
Brennan	Galloway	Markosek	Sainato
Briggs	Geist	Marshall	Samuelson
Brooks	George	Marsico	Santarsiero
Brown, R.	Gerber	Masser	Santoni
Brown, V.	Gergely	Matzie	Saylor
Brownlee	Gibbons	McGeehan	Scavello
Burns	Gillen	Metcalfe	Schroder
Buxton	Gillespie	Metzgar	Simmons
Caltagirone	Gingrich	Miccarelli	Smith, K.
Carroll	Godshall	Micozzie	Smith, M.
Causer	Goodman	Millard	Sonney
Christiana	Grell	Miller	Staback
Clymer	Grove	Milne	Stephens
Cohen	Hackett	Mirabito	Stern
Conklin	Hahn	Moul	Stevenson
Costa, D.	Haluska	Mullery	Sturla
Costa, P.	Hanna	Mundy	Swanger
Cox	Harhai	Murphy	Tallman
Creighton	Harhart	Murt	Taylor
Cruz	Harkins	Mustio	Tobash
Culver	Harper	Myers	Toepel
Curry	Harris	Neuman	Toohil
Cutler	Heffley	O'Brien, M.	Truitt
Daley	Helm	O'Neill	Turzai
Davidson	Hennessey	Oberlander	Vereb
Davis	Hess	Parker	Vitali
Day	Hickernell	Pashinski	Vulakovich
Deasy	Hornaman	Payne	Waters
DeLissio	Hutchinson	Payton	Watson
Delozier	Josephs	Peifer	Wheatley
DeLuca	Kampf	Perry	White
Denlinger	Kauffman	Petrarca	Youngblood
DePasquale	Kavulich	Petri	

Dermody	Keller, F.	Pickett	Smith, S.,
DeWeese	Keller, M.K.	Preston	Speaker
DiGiroilamo	Keller, W.		

NAYS—0

NOT VOTING—0

EXCUSED—1

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 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.

STATEMENT BY MAJORITY LEADER

The SPEAKER. Is the majority leader seeking recognition?

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

On unanimous consent with respect to HB 1602, sir.

I just wanted to thank very much the chairman of Labor and Industry, his staff, the prime sponsor from Delaware County, and all their hard work with respect to HB 1602. I think that they worked to find a commonsense, straightforward, although innovative, approach to making sure that the way contracting works in Pennsylvania is fair for all. It makes sure that owners and general contractors have the opportunity to pay once and only once to the appropriate parties, but it also makes sure that any subcontractors or sub-subcontractors are, in effect, paid appropriately. It also makes provisions with respect to realtors and builders in certain resident situations. I think it was a very commonsense approach, bipartisan approach. Much hard work was put into play, and I thank them for their efforts in passing HB 1602. Thank you.

STATEMENT BY MR. MARKOSEK

The SPEAKER. For what purpose does the gentleman, Mr. Markosek, seek recognition?

Mr. MARKOSEK. Under unanimous consent, Mr. Speaker.

The SPEAKER. The gentleman may proceed under unanimous consent.

Mr. MARKOSEK. Thank you, Mr. Speaker.

Mr. Speaker, very briefly. Yesterday we talked about the 1979 Pittsburgh Pirates, the world champion Pirates. An incident that occurred before the Pirates' season started that year, 33 years ago, on March 28, 1979, was the accident at Three Mile Island here in Pennsylvania, not too far from where we are right now. And a young, obscure employee of Westinghouse at that time in Monroeville was sitting in his office, and the door opened and one of the engineers came in and said, "We had an incident at Three Mile Island." After that, before the end of the day, the phone call came that said, "Do not even bother packing anything. Get down there right away. You and a bunch of other folks here from Westinghouse are heading down there as part of the repair and recovery team."

I have to say that it was a major event in my life. It was the first time in my life, even though at that time I was 29 years old, that I actually was in Harrisburg and saw the Capitol Building. And I think from that experience, you know, I developed a radiant personality that got me here eventually. But nevertheless, but nevertheless, Mr. Speaker, I think it is interesting to know about that incident. And I think a group that does not get enough credit for the way they handled themselves during that particular time was the Pennsylvania National Guard. The Pennsylvania National Guard, during the time, the 3 weeks that I was there on the island, had set up mess tents and had just done a tremendous job of trying to supply and feed the nearly 2,000 engineers who arrived in Pennsylvania – at the same time when a lot of the population was leaving at that time – about 2,000 engineers and folks from all over the nuclear industry who came to Three Mile Island, came to Pennsylvania to take care of the accident.

Looking back on it, it is safe to say that it really was not a very serious accident, in terms of safety. It was serious in terms of cost and cleanup, certainly. It was a traumatic experience, not only here for Pennsylvania but for the nuclear industry as a whole. But it is hard to believe that it has been 33 years since that day, and we are still here and just wanted to alert the members and remind them that not too far away from here, 33 years ago today, we were the center of the world's attention.

Thank you, Mr. Speaker.

The SPEAKER. The Speaker thanks the gentleman.

STATEMENT BY MR. SANTARSIERO

The SPEAKER. For what purpose does the gentleman from Bucks County, Mr. Santarsiero, rise?

Mr. SANTARSIERO. Unanimous consent, Mr. Speaker.

The SPEAKER. The gentleman may proceed under unanimous consent.

Mr. SANTARSIERO. Thank you, Mr. Speaker.

Mr. Speaker, first I would like to thank my colleagues for not objecting to granting both the majority leader and the gentleman from Allegheny County the privilege of speaking on unanimous consent, and I hope that this afternoon I am afforded the same courtesy. Hope always springs eternal.

Mr. Speaker, it is now 7 weeks—

OBJECTION TO UNANIMOUS CONSENT

The SPEAKER. An objection has been registered. The unanimous consent has been rescinded.

APPROPRIATIONS COMMITTEE MEETING

The SPEAKER. For what purpose does the gentleman, Mr. Adolph, seek recognition?

Mr. ADOLPH. For the purpose of calling an Appropriations meeting, Mr. Speaker.

The SPEAKER. The gentleman may make the announcement.

Mr. ADOLPH. Mr. Speaker, I would like to call an immediate Appropriations meeting in the majority caucus room. Thank you.

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

EDUCATION COMMITTEE MEETING

The SPEAKER. For what purpose does the gentleman from Bucks County, Mr. Clymer, rise?

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, I would like to call a meeting of the House Education Committee. We will be meeting at the call of the Chair in room 205 in the Ryan Building. That is the House Education Committee. Thank you.

The SPEAKER. There will be an Education Committee meeting at the call of the Chair in 205 of the Ryan Building.

STATEMENT BY MINORITY LEADER

The SPEAKER. The gentleman, Mr. Dermody, is recognized.

Mr. DERMODY. Thank you, Mr. Speaker.

Mr. Speaker, all the gentleman from Bucks was going to point out is it has been 7 weeks since 1950 passed. We still do not have a reasonable tax on Marcellus Shale. We still do not have the environmental safeguards that we need to make sure we protect our land, air, and water. That is all the gentleman wanted to point out, Mr. Speaker.

The SPEAKER. More than one way to skin a cat.

For what purpose does the gentleman from Lancaster, Mr. Sturla, rise?

Mr. STURLA. Mr. Speaker, to be recognized on unanimous consent.

The SPEAKER. You are really going to push your luck, are you not? The gentleman is recognized under unanimous consent.

Mr. STURLA. Thank you, Mr. Speaker.

The SPEAKER. Sorry; the unanimous consent has been withdrawn.

For the information of the members, there will be no further votes.

BILLS RECOMMITTED

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

HB 1701;
HB 1916;
HB 2077; and
SB 405.

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

BILLS REMOVED FROM TABLE

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

HB 153;
HB 1543;
HB 1751;
HB 1762;
HB 1891;
HB 1898;
HB 1906;
HB 1909;
HB 2116;
HB 2243;
SB 354;
SB 539; and
SB 817.

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

CALENDAR CONTINUED**BILL ON SECOND CONSIDERATION**

The House proceeded to second consideration of **HB 1271, PN 2467**, entitled:

An Act amending the act of August 15, 1961 (P.L.987, No.442), known as the Pennsylvania Prevailing Wage Act, further providing for definitions.

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

BILL TABLED

The SPEAKER. The Speaker recognizes the majority leader, who moves that HB 1271 be removed from the active calendar and placed on the tabled calendar.

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

BILL REMOVED FROM TABLE

The SPEAKER. The Speaker recognizes the majority leader, who moves that HB 1271 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

Mr. TURZAI called up **HR 505, PN 2763**, entitled:

A Concurrent Resolution disapproving a Pennsylvania Public Utility Commission regulation on Natural Gas Distribution Companies and the Promotion of Competitive Retail Markets.

On the question,
Will the House adopt the resolution?

RESOLUTION TABLED

The SPEAKER. The Speaker recognizes the majority leader, who moves that HR 505 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.

RESOLUTION REMOVED FROM TABLE

The SPEAKER. The Speaker recognizes the majority leader, who moves that HR 505 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.

ANNOUNCEMENT BY SPEAKER

The SPEAKER. Additionally, for the information of the members, tomorrow is scheduled as a nonvoting session day, and that will take place at 10 a.m.

BILLS AND RESOLUTIONS PASSED OVER

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

ADJOURNMENT

The SPEAKER. Seeing no further business before the House, the Speaker recognizes the gentleman, Mr. Neuman, from Washington County, who moves that this House do adjourn until Thursday, March 29, 2012, at 10 a.m., e.d.t., unless sooner recalled by the Speaker.

On the question,
Will the House agree to the motion?
Motion was agreed to, and at 1:56 p.m., e.d.t., the House adjourned.