

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

WEDNESDAY, FEBRUARY 6, 2013

SESSION OF 2013

197TH OF THE GENERAL ASSEMBLY

No. 9

HOUSE OF REPRESENTATIVES

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

THE SPEAKER (SAMUEL H. SMITH) PRESIDING

PRAYER

HON. JOHN A. LAWRENCE, member of the House of Representatives, offered the following prayer:

Let us pray:

Father, we come before You today thankful for the opportunity to serve the people of Pennsylvania. We think of those who are serving today in our Armed Forces, particularly those who are serving overseas in harm's way. Father, please strengthen them, guide them, and protect them; keep them safe even this day. Be also with our veterans; bless those who have selflessly served both our State and our nation.

Father, I pray that You would guide this House of Representatives this day as we seek to meet the challenges of our time. Help us to lay aside our differences and to work towards what is truly best for all the residents of Pennsylvania. We humbly ask that You would direct our paths this day and in the days to come.

I ask this in the name of Jesus the Christ. 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, February 5, 2013, will be postponed until printed.

BILL REPORTED AND REREFERRED TO COMMITTEE ON JUDICIARY

HB 89, PN 67

By Rep. HESS

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for DARE plate and for payments to special funds.

Reported from Committee on TRANSPORTATION with request that it be rereferred to Committee on JUDICIARY.

The SPEAKER. Without objection, the bill will be so rereferred.

BILLS REPORTED AND REREFERRED TO COMMITTEE ON URBAN AFFAIRS

HB 389, PN 400

By Rep. BENNINGHOFF

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, in taxation, further providing for exemptions and special provisions.

Reported from Committee on FINANCE with request that it be rereferred to Committee on URBAN AFFAIRS.

HB 391, PN 402

By Rep. BENNINGHOFF

An Act amending the act of May 22, 1933 (P.L.853, No.155), known as The General County Assessment Law, providing for installment payments.

Reported from Committee on FINANCE with request that it be rereferred to Committee on URBAN AFFAIRS.

The SPEAKER. Without objection, the bills will be so rereferred.

BILLS REPORTED FROM COMMITTEES, CONSIDERED FIRST TIME, AND TABLED

HB 159, PN 581 (Amended)

By Rep. BENNINGHOFF

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, providing for the Vets First Tax Credit Program to honor veterans for their service to our country and provide incentives for their employment.

FINANCE.

HB 266, PN 278

By Rep. HARHART

An Act amending the act of February 14, 1986 (P.L.2, No.2), known as the Acupuncture Licensure Act, further providing for medical diagnosis; and providing for liability insurance.

PROFESSIONAL LICENSURE.

HB 272, PN 585 (Amended)

By Rep. HARHART

An Act amending the act of May 1, 1933 (P.L.216, No.76), known as The Dental Law, further providing for definitions, for general powers of the State Board of Dentistry, for fees, for reason for refusal, revocation or suspension of license or certificate, for penalties and for

reporting of multiple licensure or certification; and providing for restricted faculty license.

PROFESSIONAL LICENSURE.

HB 316, PN 324 By Rep. MARSICO

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, further providing for domestic violence and rape victims services; and providing for children's advocacy centers.

JUDICIARY.

HB 328, PN 582 (Amended) By Rep. MARSICO

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, in protection from abuse, further providing for commencement of proceedings.

JUDICIARY.

HB 336, PN 343 By Rep. HARHART

An Act amending the act of July 2, 1993 (P.L.345, No.48), entitled "An act empowering the General Counsel or his designee to issue subpoenas for certain licensing board activities; providing for hearing examiners in the Bureau of Professional and Occupational Affairs; providing additional powers to the Commissioner of Professional and Occupational Affairs; and further providing for civil penalties and license suspension," further providing for definitions and for civil penalties.

PROFESSIONAL LICENSURE.

HB 350, PN 363 By Rep. MARSICO

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

JUDICIARY.

HB 378, PN 390 By Rep. MARSICO

An Act amending Titles 42 (Judiciary and Judicial Procedure) and 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in selection, retention and removal of judicial officers, further providing for content of course of instruction and examination; and, in municipal police education and training, further providing for powers and duties of the Municipal Police Officers' Education and Training Commission.

JUDICIARY.

HB 404, PN 583 (Amended) By Rep. MARSICO

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in falsification and intimidation, providing for the offense of intimidation or retaliation in child abuse cases.

JUDICIARY.

HB 414, PN 584 (Amended) By Rep. MARSICO

An Act amending Titles 23 (Domestic Relations) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in child custody, further providing for factors to consider when awarding

custody; providing for consideration of child abuse and involvement with child protective services; in child protective services, further providing for release of information in confidential reports; and in juvenile matters, further providing for inspection of court files and records.

JUDICIARY.

HB 493, PN 515 By Rep. BENNINGHOFF

An Act amending the act of February 9, 1999 (P.L.1, No.1), known as the Capital Facilities Debt Enabling Act, in capital facilities, further providing for definitions, for legislative procedures, for reports related to redevelopment assistance capital projects and for appropriations and limitations on projects; providing for review of proposals; and further providing for funding and administration of projects.

FINANCE.

HB 546, PN 580 By Rep. BENNINGHOFF

An Act amending the act of July 28, 1953 (P.L.723, No.230), known as the Second Class County Code, in employees' retirement system, further defining "compensation"; further providing for retirement board; providing for tax qualification; and further providing for employees eligible for retirement allowances and for amount of retirement allowances.

FINANCE.

**HOUSE RESOLUTIONS
INTRODUCED AND REFERRED**

No. 71 By Representatives TALLMAN, PICKETT, DENLINGER, HEFFLEY, HELM, KAUFFMAN, METCALFE, MOUL and SWANGER

A Resolution memorializing the Senate of the United States to reject the United Nations Convention on the Rights of the Child.

Referred to Committee on STATE GOVERNMENT, February 6, 2013.

No. 72 By Representatives LAWRENCE, KAUFFMAN, KORTZ, MACKENZIE, MULLERY and TALLMAN

A Resolution directing the Legislative Budget and Finance Committee to conduct a study of the Capitol Police, House of Representatives and Senate security forces in this Commonwealth and research and evaluate how funding and resources are allocated for these police forces.

Referred to Committee on JUDICIARY, February 6, 2013.

No. 73 By Representatives COHEN, CALTAGIRONE, CUTLER, YOUNGBLOOD, ROEBUCK, KORTZ, FABRIZIO, SWANGER, HARKINS and MCCARTER

A Resolution urging the Congress of the United States to support efforts to reinstate the separation of commercial and investment banking functions in effect under the Glass-Steagall Act and supporting H.R. No. 129.

Referred to Committee on COMMERCE, February 6, 2013.

**HOUSE BILLS
INTRODUCED AND REFERRED**

No. 533 By Representatives HICKERNELL, AUMENT, CUTLER, DENLINGER, EVERETT, FLECK, HESS, M. K. KELLER, MILLARD, MILLER, MURT, PEIFER, SANTARSIERO and SWANGER

An Act amending the act of January 19, 1968 (1967 P.L.992, No.442), entitled, as amended, "An act authorizing the Commonwealth of Pennsylvania and the local government units thereof to preserve, acquire or hold land for open space uses," further providing for definitions and for local taxing options.

Referred to Committee on AGRICULTURE AND RURAL AFFAIRS, February 6, 2013.

No. 534 By Representatives LAWRENCE, BARRAR, BLOOM, CUTLER, DeLUCA, EMRICK, GILLEN, GODSHALL, GROVE, HESS, KAUFFMAN, KORTZ, MACKENZIE, McGEEHAN, PETRI, RAPP, SACCONI, SIMMONS, SWANGER, TALLMAN, TOEPEL and YOUNGBLOOD

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in district superintendents and assistant district superintendents, providing for limitation on severance packages.

Referred to Committee on EDUCATION, February 6, 2013.

No. 535 By Representatives KORTZ, HESS, HAGGERTY, TALLMAN, LONGIETTI, B. BOYLE, CONKLIN, CAUSER, FABRIZIO, KOTIK, McGEEHAN, MCCARTER, MULLERY, COHEN, BIZZARRO, SWANGER, DAVIS, MICOZZIE, SIMMONS, RAVENSTAHL, CARROLL, WHITE, BOBACK, GROVE, FLECK, MAHONEY, BROOKS, SANTARSIERO, MURT, FARINA, D. COSTA, ROCK, DEASY, DeLUCA, MATZIE, GIBBONS, MILLER, GOODMAN, FARRY, SAINATO, GABLER, FREEMAN, BRADFORD and EVERETT

An Act amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, providing for incentives for municipal volunteers of fire companies and emergency medical services agencies and volunteers of hazardous materials response teams.

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, February 6, 2013.

No. 536 By Representatives KORTZ, HAGGERTY, SWANGER, NEILSON, CONKLIN, D. COSTA, HESS, YOUNGBLOOD, RAVENSTAHL, O'BRIEN, DONATUCCI, LONGIETTI, MICOZZIE, CLYMER, MCNEILL, FABRIZIO, GODSHALL, CARROLL, V. BROWN, FLECK, WATSON, KULA, BENNINGHOFF, GOODMAN, CALTAGIRONE, MATZIE, MILLER, GILLEN, MURT, MILNE, QUINN, DEASY, FARRY, FREEMAN and KIRKLAND

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, in veterans' pensions and benefits, further providing for blind veteran's pension and for paralyzed veteran's pension.

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, February 6, 2013.

No. 537 By Representatives KORTZ, BISHOP, STURLA, D. COSTA, O'BRIEN, LONGIETTI, BARRAR, FABRIZIO, V. BROWN, BOBACK, CUTLER, READSHAW, THOMAS, GIBBONS, CALTAGIRONE, DeLUCA, MCCARTER, BROOKS, MOLCHANY, FREEMAN and KIRKLAND

An Act establishing the Physician Retention Loan Forgiveness Program in the Pennsylvania Higher Education Assistance Agency; and providing for powers and duties of the Pennsylvania Higher Education Assistance Agency.

Referred to Committee on EDUCATION, February 6, 2013.

No. 538 By Representatives KORTZ, SIMMONS, MILLARD, ROZZI, O'BRIEN, PASHINSKI, COHEN, W. KELLER, READSHAW, STEPHENS, D. COSTA, CALTAGIRONE, HARHAI, DeLUCA, HALUSKA, SWANGER, HESS, MOUL, MURT and FRANKEL

An Act amending the act of December 7, 1982 (P.L.784, No.225), known as the Dog Law, further providing for seizure and detention of dogs, costs and destruction of dogs.

Referred to Committee on AGRICULTURE AND RURAL AFFAIRS, February 6, 2013.

No. 539 By Representatives KORTZ, DAVIS, AUMENT, MILLARD, PICKETT, GODSHALL, SCHLOSSBERG, D. COSTA, RAPP, CONKLIN, MAHONEY, CLYMER, CARROLL, BROWNLEE, KINSEY, THOMAS, READSHAW, CUTLER, SAINATO, SWANGER, DeLUCA, BISHOP, HESS, FARINA, GRELL, HARKINS, YOUNGBLOOD, SABATINA, GILLEN and WATSON

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

Referred to Committee on JUDICIARY, February 6, 2013.

No. 540 By Representatives KORTZ, DAVIS, STURLA, CALTAGIRONE, MUNDY, DeLUCA, V. BROWN, COHEN, HESS, HARKINS and McGEEHAN

An Act providing for the collection and disposal of leftover and expired medicines and for penalties.

Referred to Committee on HEALTH, February 6, 2013.

No. 541 By Representatives KORTZ, EVANKOVICH, D. COSTA, RAPP, FABRIZIO, BIZZARRO, HENNESSEY, BROWNLEE, MILLARD, HARKINS, MACKENZIE, MOUL, CONKLIN, GROVE, HAHN, MULLERY, HESS, C. HARRIS, FLECK, MURT, KINSEY, READSHAW, V. BROWN, GOODMAN, COHEN and WATSON

An Act designating the Harley-Davidson motorcycle as the official State motorcycle of Pennsylvania.

Referred to Committee on STATE GOVERNMENT, February 6, 2013.

No. 542 By Representatives KORTZ, BISHOP, STURLA, D. COSTA, STERN, O'BRIEN, FABRIZIO, V. BROWN, BOBACK, CUTLER, READSHAW, GIBBONS, CALTAGIRONE, MCCARTER, FREEMAN and KIRKLAND

An Act establishing the Loan Forgiveness for Dentists Program in the Pennsylvania Higher Education Assistance Agency; and providing for powers and duties of the Pennsylvania Higher Education Assistance Agency.

Referred to Committee on EDUCATION, February 6, 2013.

No. 543 By Representatives HICKERNELL, AUMENT, COX, CUTLER, DENLINGER, EMRICK, FARRY, FLECK, GRELL, C. HARRIS, KAUFFMAN, M. K. KELLER, KNOWLES, KRIEGER, LAWRENCE, MAJOR, METCALFE, MILLER, MOUL, PEIFER, PICKETT, STERN and SWANGER

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in district and assistant superintendents, further providing for eligibility.

Referred to Committee on EDUCATION, February 6, 2013.

No. 544 By Representatives MOUL, CAUSER, BLOOM, SWANGER, CUTLER, TALLMAN, MILLARD, READSHAW, HESS, AUMENT, KAUFFMAN, C. HARRIS, PICKETT, LAWRENCE, GOODMAN, GILLEN, SAYLOR, GABLER, MASSER, MACKENZIE, PEIFER, EVERETT and HAHN

An Act amending the act of February 2, 1965 (P.L.1860, No.586), entitled "An act encouraging landowners to make land and water areas available to the public for recreational purposes by limiting liability in connection therewith, and repealing certain acts," further providing for liability for landowners to recreational users; and providing for attorney fees and court costs.

Referred to Committee on TOURISM AND RECREATIONAL DEVELOPMENT, February 6, 2013.

No. 545 By Representatives TOEPEL, VEREB, STEPHENS, HARPER, KAMPF, MURT, BRIGGS, GROVE, SIMMONS and O'BRIEN

An Act amending Title 4 (Amusements) of the Pennsylvania Consolidated Statutes, further providing for local share assessment and for establishment of State Gaming Fund and net slot machine revenue distribution.

Referred to Committee on GAMING OVERSIGHT, February 6, 2013.

No. 547 By Representatives HICKERNELL, AUMENT, BAKER, CUTLER, DENLINGER, FLECK, HENNESSEY, HESS, KAUFFMAN, LAWRENCE, O'BRIEN, STERN, SWANGER and TALLMAN

An Act prohibiting expansion of gambling and gaming except by referendum or by a two-thirds vote of the General Assembly.

Referred to Committee on GAMING OVERSIGHT, February 6, 2013.

No. 548 By Representatives SCHLOSSBERG, HANNA, B. BOYLE, K. BOYLE, BRADFORD, BRIGGS, V. BROWN, CARROLL, CONKLIN, DAVIDSON, DEAN, FRANKEL, FREEMAN, GAINEY, GOODMAN, HAGGERTY, W. KELLER, KORTZ, MARKOSEK, MATZIE, McGEEHAN, MCNEILL, MOLCHANY, MUNDY, NEILSON, O'BRIEN, PARKER, PASHINSKI, ROEBUCK, SANTARSIERO, STURLA, THOMAS, WHITE and YOUNGBLOOD

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, further providing for notice of November elections; providing for early voting; and further providing for duties of election officials.

Referred to Committee on STATE GOVERNMENT, February 6, 2013.

No. 549 By Representatives SCAVELLO, PICKETT, METCALFE, FABRIZIO, KNOWLES, MILLARD, SIMMONS, LAWRENCE, R. BROWN, CALTAGIRONE, MOUL, MATZIE, MILLER, MURT and GABLER

An Act amending the act of June 25, 1982 (P.L.633, No.181), known as the Regulatory Review Act, further providing for existing regulations.

Referred to Committee on STATE GOVERNMENT, February 6, 2013.

No. 550 By Representatives SCAVELLO, McGEEHAN, FABRIZIO, MILLARD, DEAN, D. COSTA, WATSON, DAVIDSON, KORTZ, THOMAS, R. BROWN, MILNE, MURT, MOLCHANY and KIRKLAND

An Act amending the act of July 9, 1976 (P.L.817, No.143), known as the Mental Health Procedures Act, providing for assisted outpatient treatment programs.

Referred to Committee on HUMAN SERVICES, February 6, 2013.

No. 551 By Representatives SCAVELLO, EMRICK, HARHART, STEPHENS, R. BROWN, AUMENT, CARROLL, BISHOP, O'NEILL, V. BROWN, READSHAW, KORTZ, GROVE, NEILSON, MURT and GABLER

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, further providing for classes of income.

Referred to Committee on FINANCE, February 6, 2013.

No. 552 By Representatives SCAVELLO, MILLARD, SWANGER, KORTZ, V. BROWN, HESS, BOBACK, MCNEILL, WHITE, PICKETT, GIBBONS, MOUL, MURT, FARRY and FREEMAN

An Act amending the act of December 17, 1968 (P.L.1224, No.387), known as the Unfair Trade Practices and Consumer Protection Law, further providing for definitions.

Referred to Committee on CONSUMER AFFAIRS, February 6, 2013.

No. 553 By Representatives SCAVELLO, O'NEILL, STERN, R. BROWN, MILLARD, TALLMAN, V. BROWN, SCHLOSSBERG, M. K. KELLER, COHEN, GROVE, GRELL, MOUL, MURT and MILLER

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in preliminary provisions, further providing for publication of notices and proofs of publication.

Referred to Committee on EDUCATION, February 6, 2013.

No. 554 By Representatives SCAVELLO, HENNESSEY, M. K. KELLER, MILLARD, R. BROWN, HICKERNELL, MILLER, READSHAW, SWANGER, V. BROWN, LAWRENCE, LUCAS, COHEN and KORTZ

An Act amending Title 45 (Legal Notices) of the Pennsylvania Consolidated Statutes, adding a definition of "community paper of mass dissemination"; and further providing for legal advertising.

Referred to Committee on LOCAL GOVERNMENT, February 6, 2013.

No. 555 By Representatives SIMMONS, YOUNGBLOOD, GALLOWAY, HEFFLEY, KORTZ, STEPHENS, EVANKOVICH, BROOKS, MACKENZIE, KAUFFMAN, CAUSER, MICOZZIE, BARRAR, KIRKLAND, BIZZARRO, V. BROWN, D. COSTA, AUMENT, GINGRICH, HICKERNELL, ROCK and MOUL

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in transportation of pupils, further providing for when transportation provided.

Referred to Committee on EDUCATION, February 6, 2013.

No. 556 By Representatives SIMMONS, CALTAGIRONE, YOUNGBLOOD, EVERETT, MILLARD, KORTZ, HARKINS, C. HARRIS, COHEN, GROVE, MOUL, QUINN and EVANKOVICH

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, further providing for wine auction permits.

Referred to Committee on LIQUOR CONTROL, February 6, 2013.

No. 557 By Representatives HICKERNELL, AUMENT, MOUL, FLECK, CUTLER, MILLARD and DENLINGER

An Act amending the act of August 5, 1941 (P.L.752, No.286), known as the Civil Service Act, further providing for political activity.

Referred to Committee on STATE GOVERNMENT, February 6, 2013.

SENATE BILL FOR CONCURRENCE

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

SB 259, PN 341

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, February 6, 2013.

RESOLUTION REPORTED FROM COMMITTEE

HR 45, PN 319

By Rep. MARSICO

A Resolution directing the Pennsylvania Commission on Crime and Delinquency to conduct a study concerning child advocacy centers and multidisciplinary investigative teams in this Commonwealth.

JUDICIARY.

LEAVES OF ABSENCE

The SPEAKER. The Speaker turns to leaves of absence and recognizes the majority whip, who requests a leave of absence for the gentleman, Mr. ROCK, from Franklin County for the day. Without objection, the leave will be granted.

The Speaker recognizes the minority whip, who has no requests for leaves of absence.

MASTER ROLL CALL

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

The following roll call was recorded:

PRESENT—200

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

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

ADDITIONS—0

NOT VOTING—0

EXCUSED—1

Rock

LEAVES ADDED—5

Boyle, B.	Galloway	Hackett	O'Neill
Evans			

The SPEAKER. Two hundred members having voted on the master roll call, a quorum is present.

GUESTS INTRODUCED

The SPEAKER. If I could have the members' attention. I would appreciate if you hold the conversations down. Kindly take them to the rear of the House if necessary. I would like to introduce some of the guests that are with us today.

The first guest is a special guest of Representative Mark Gillen. Along with his wife – actually two guests. Here to commemorate the 70th anniversary of the Battle of Guadalcanal is World War II veteran Edward Taggart, who served as an artilleryman with the U.S. Army, and he is here today along with his wife, Mary. Will our guests please rise.

Some of the other guests with us today, located to the left of the rostrum, we would like to welcome Turner Felpel and Jeremy Kiehl, and they are here today as guests of Representative Denlinger. Will our guests please rise. Maybe they left; sorry about that.

Also located to the left of the rostrum, we would like to welcome two interns serving with the House Archives for the spring semester: Claire Guest is a graduate student at Penn State University and is pursuing a master's degree in American studies, and Danni Parisi is a student at Millersville University majoring in history. Will our guests please rise. Welcome to the hall of the House.

Also to left of the rostrum, we have six Legislative Fellows who began their internships in January. Working with Representative Barrar in the House Veterans Affairs and Emergency Preparedness Committee are Paul Beaulieu, a

student at Messiah College, and Ethan Howard, a student at Susquehanna University; Brian Costanzo, who attends Penn State's Harrisburg campus and is working with Representative Dermody in the Democratic Leader's Office; Lynette Mhangami attends Messiah College and is assigned to the Democratic Gaming Oversight Committee with Representative Youngblood; Megan Mittal is working with Representative Frankel in the Office of the Democratic Caucus Chairman, and she attends Lock Haven University; and Tito Valdes attends Lebanon Valley College and is working with Representative Hanna in the Office of the Democratic Whip. Will all our guests please rise. Welcome to the hall of the House.

And in the well of the House, as a guest of Representative Grove and Representative Regan, we would like to welcome guest page Patrick Hoke. Welcome to the hall of the House.

CALENDAR

RESOLUTIONS PURSUANT TO RULE 35

Mr. CLYMER called up **HR 67, PN 533**, entitled:

A Resolution honoring the 102nd anniversary of President Ronald Reagan's birth on February 6, 2013.

On the question,
Will the House adopt the resolution?

The SPEAKER. Is the gentleman, Mr. Clymer, seeking recognition on the resolution?

The gentleman is in order on the resolution.

Mr. CLYMER. Thank you, Mr. Speaker.

"WHEREAS, Ronald Wilson Reagan was sworn in as our 40th President of the United States on January 20, 1981; and...

"WHEREAS," he was "...remembered for his great connection to Americans, for restoring confidence and optimism in the American people and for his highly successful diplomatic efforts to end the Cold War...."

And who can ever forget his words to Soviet Secretary General Mikhail Gorbachev when he said tear down these walls, referring to the Berlin Wall.

"...During Mr. Reagan's presidency he worked in a bipartisan manner to enact his agenda of restoring accountability and common sense to government which led to an economic expansion and opportunity for millions of Americans...."

And in 1983 President Reagan signed into law legislation making Martin Luther King Day a Federal holiday.

"WHEREAS, President Reagan's commitment to our armed forces contributed to the restoration of pride in America, her values and those cherished by the free world, and prepared United States Armed Forces to meet the challenges of the 21st century; and

"WHEREAS, Through his grace, charm, wit and indomitable optimism, President Reagan conveyed the strength of character and greatness of America; therefore be it

"RESOLVED, That the House of Representatives honor the 102nd anniversary of President Ronald Reagan's birth on" this day, "February 6..." and we pass this resolution in the year 2013.

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

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

The following roll call was recorded:

YEAS—200

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

NAYS—0

NOT VOTING—0

EXCUSED—1

Rock

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

* * *

Mr. NEILSON called up **HR 68, PN 534**, entitled:

A Resolution honoring the life and career of Wendell W. Young, III, President Emeritus of the United Food and Commercial Workers Local 1776, Philadelphia labor relations leader and advocate for workers' rights and extending condolences to his family.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—200

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

NAYS—0

NOT VOTING—0

EXCUSED—1

Rock

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

REMARKS SUBMITTED FOR THE RECORD

The SPEAKER. For what purpose does the gentleman from Philadelphia, Mr. Neilson, rise?

Mr. NEILSON. I would like to submit some comments on the record for HR 68.

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

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

Thank you to my colleagues for honoring the legacy of Wendell W. Young III. He was and continues to be an inspiration to labor leaders in the Commonwealth and internationally.

Early in my career as a labor leader, Mr. Young was very instrumental in my life and was a person that pushed me to be the person I am today. He was always a man of his word, which is an attribute that is far and few between in the world we live in today. When he shook your hand, you could take that handshake to the bank. His loyalty to his family, friends, union, and working families was admired by the leaders throughout the country.

Mr. Young was an exceptional labor leader and exhibited abundant energy when supporting the members of UFCW (United Food & Commercial Workers) Local 1776. As president emeritus from 1962 through 2005, he played an intricate role in unprecedented labor agreements, including the purchase of ACME Markets. He was personally responsible for saving the jobs of thousands of union members. The resulting labor agreement formed the Super Fresh Market chain, which currently operates stores in Pennsylvania, Delaware, Maryland, New Jersey, and the District of Columbia. His work as an innovator will always be remembered. He pioneered the first prepaid legal program, union-negotiated drug and alcohol outpatient programs, and a pension benefit program for part-time workers.

In addition to his work with the UFCW Local 1776, Mr. Young served with the Pennsylvania AFL-CIO. He always fought hard for working families throughout the Commonwealth and provided the AFL-CIO with a perspective that was respected by all who sat at the table. Mr. Young's commitment to charity is well documented and took on many active roles by sitting on the boards of Sisters of the Blessed Sacrament and the Northeast Catholic High School Alumni Association, to name just a few. His work with the Variety Club has provided much-needed funding for our most vulnerable special-needs children in and around southeastern PA. On any given day, Mr. Young lent his voice and expertise as host of "Talking Unions," a former WHAT 1340 AM talk radio program.

Mr. Young was born and raised in Philadelphia and lived in the 169th Legislative District for what has been described to me as some of the most productive times in his life. He was an adviser to many and a leader to more.

He leaves behind his wife, Katherine, six beloved children, and a celebrated career where he was well-respected as a reformer and proponent of labor relations in the Commonwealth.

I am humbled and honored by the opportunity to recognize Wendell W. Young III through this resolution.

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 gentleman from Bucks County, Mr. GALLOWAY, for the day. Without objection, the leave will be granted.

UNCONTESTED CALENDAR

RESOLUTIONS PURSUANT TO RULE 35

Mr. GILLEN called up **HR 22, PN 113**, entitled:

A Resolution designating February 9, 2013, as "The Battle of Guadalcanal Remembrance Day" in Pennsylvania.

* * *

Mr. METZGAR called up **HR 32, PN 170**, entitled:

A Resolution recognizing the week of February 10, 2013, as "Pennsylvania Young Farmers' Association Week" in this Commonwealth.

* * *

Mr. WATERS called up **HR 49, PN 431**, entitled:

A Resolution recognizing the month of February 2013 as "Black History Month" in Pennsylvania and urging all Pennsylvanians to be mindful of the contributions of African Americans and of all of its citizens to our country's rich history throughout the year.

* * *

Ms. BOBACK called up **HR 58, PN 485**, entitled:

A Resolution designating February 7 through 14, 2013, as "Congenital Heart Defect Awareness Week" in Pennsylvania.

* * *

Mr. K. BOYLE called up **HR 61, PN 488**, entitled:

A Resolution designating March 20, 2013, as "March for Meals Day" in Pennsylvania.

* * *

Mr. BRIGGS called up **HR 69, PN 535**, entitled:

A Resolution commemorating the 300th anniversary of the establishment of Upper Merion Township.

On the question,

Will the House adopt the resolutions?

The following roll call was recorded:

YEAS—199

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

NAYS—0

NOT VOTING—0

EXCUSED—2

Galloway Rock

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

STATEMENT BY MR. GILLEN

The SPEAKER. If I could have the members' attention. I would appreciate if you would hold the conversations down.

I would like to recognize, under unanimous consent, Representative Gillen, relative to HR 22, which was just adopted. The gentleman is in order.

Mr. GILLEN. Thank you, Mr. Speaker.

This morning while I was driving in to Harrisburg, I heard a tragic news story regarding a tsunami that occurred in the South Pacific, in the Solomon Islands.

Seventy years ago there was another tsunami that arrived in the Solomons beginning in August of 1942 and enduring on Guadalcanal until February 9, 1943. And if I could invoke the spirit of Winston Churchill, the men of Guadalcanal vowed to fight by air and by sea and by land, and they vowed to fight the enemy not only by land, sea, air, and hill, but also caves, swamps, and volcanic ridges. And in the ancient Hebrew Book of Isaiah, a call to service cried out, "Whom shall I send?" and the answer echoed back, "Here am I," Lord. "Send me."

GUESTS INTRODUCED

Mr. GILLEN. We have with us this morning one of those patriots who responded to that call of duty and said, "Here am I. Send me." In 1942 my friend and constituent, Ed Taggart, went to Guadalcanal. He served on Guadalcanal in 1942 and 1943. I learned another piece of his story just out in the lobby a few minutes ago. He finds it very difficult to hear. He contracted malaria eight times as a consequence of his service on Guadalcanal. I would like to ask Mr. Ed Taggart and his wife, Mary, if they would please stand to be acknowledged by the House of Representatives this morning. Sir.

Very briefly. Mr. Taggart's Greatest Generation left home, they left family, they left the familiar to a place by his own admission that he had never heard of, and yet it was a place that he would never forget, and for some, it was a place they would never leave. The World War II "Guadalcanal Diary" novel speaks of a man from Brooklyn, New York, shot once in the leg approaching a Japanese position, shot a second time in the abdomen; a third and a fourth bullet rang out and ripped the fingers off his hand, and in the American spirit and in defense of liberty, he charged on. The same book documents hand-to-hand struggles and combat so that the battlefields were littered with men tangled with one another.

Mr. Taggart has his own books that he has written on the South Pacific, but another thing struck me in closing. This was a man whose dad was serving in the South Pacific; Ed Taggart, 19 years of age, and his father in the same Pacific theater. And Ed Taggart's father was a World War I veteran, and long after the time of retirement and setting aside and letting young men take up duty's mantle, he fought with his son in the Second World War.

Today I ask you to pledge with me that we will never forget these titans who responded to duty's call, that we will never forget their bravery and their heroic sacrifice. And this morning, Ed Taggart, we thank you that you esteemed duty, honor, and

country as something that was more precious than life. Thank you for serving in the United States military during the Second World War, and thank you specifically for being an artilleryman at Guadalcanal in 1942 and 1943.

God bless you, Mr. Taggart.

STATEMENT BY MR. WATERS

The SPEAKER. Is the gentleman from Philadelphia, Mr. Waters, seeking recognition under unanimous consent relative to HR 49?

Mr. WATERS. Thank you, Mr. Speaker.

Mr. Speaker, I want to thank all the members for their votes, the positive, affirmative vote on HB – is it 49? – recognizing Black History Month. We know we are in the month of February right now, and even though it started out as a week and then it grew into a whole month, we know as Americans that we can celebrate the contributions of African-Americans every day of the year. So we want to thank everybody for their positive vote today.

Thank you, Mr. Speaker.

The SPEAKER. The Speaker thanks the gentleman.

ETHICS COMMITTEE MEETING

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

Mr. PETRI. Mr. Speaker, to announce a committee meeting.

The SPEAKER. The gentleman is in order and may proceed.

Mr. PETRI. I wish to announce that immediately upon the break there will be a meeting of the Ethics Committee for the purpose of adopting rules; immediately on the break in the Ryan Building, in my office.

The SPEAKER. The Speaker thanks the gentleman.

There will be a meeting of the Ethics Committee in the Ryan Building upon the break.

REMARKS SUBMITTED FOR THE RECORD

The SPEAKER. The gentleman from Allegheny County, Mr. DeLuca, for what purpose do you rise?

Mr. DeLUCA. Thank you, Mr. Speaker.

Mr. Speaker, I would like to submit remarks for the record on two bills yesterday that I did not have an opportunity – I did not want to take up the members' time. On HB 86, PN 64, February 5, I would like to submit comments for the record, and also on HB 108, PN 99. I would like to submit these two for the record, Mr. Speaker.

The SPEAKER. The member's remarks will be noted for the record. Deliver them to the clerk.

Mr. DeLUCA. Thank you.

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

Thank you Mr. Speaker.

This legislation which will no longer require the Insurance Department to produce an (Mcare) data call report that is no longer useful and causes an inefficiency in State government.

Today we will move a bill that will correct this inefficiency, and for that reason I am supportive of this bill. Before asking other members to support this legislation, I would request that a letter from Insurance Commissioner Consedine dated January 25, 2013, be read into the record.

The Commissioner states that the department will continue to issue the Mcare annual report by March 1 of each year, and that will remain unchanged. I submit this letter for the record and ask members to support this bill.

Thank you, Mr. Speaker.

* * *

Mr. Speaker, I want to thank you for calling up this extremely important legislation to extend the Children's Health Insurance Program in Pennsylvania. This is an extremely successful program which insures over 188,000 children in Pennsylvania who might otherwise go uninsured.

We all know that having health insurance is one of the most important tools for wellness. Children with insurance are more likely to get physicals, vaccinations, and other types of preventative care. Children who forgo medical treatment due to a lack of health insurance are likely to end up in the emergency room, which only adds to the cost of our healthcare system.

While I support the bill, I am seriously concerned about 3,783 less children enrolled in the CHIP program today than were enrolled in November 2012. The department made policy changes that resulted in decreasing the rolls. We will be looking closely at these policy changes as we move forward.

In closing, I strongly support this bill and would ask members to do the same. Thank you, Mr. Speaker.

APPROPRIATIONS COMMITTEE MEETING

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

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

Mr. Speaker, there will be 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.

REPUBLICAN CAUCUS

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

Ms. MAJOR. Thank you, Mr. Speaker.

I would like to announce Republicans will caucus today at 12:30. I would ask our Republican members to please report to our caucus room at 12:30. We would be prepared to come back on the floor at 1:30. Thank you.

DEMOCRATIC CAUCUS

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

Mr. FRANKEL. Thank you, Mr. Speaker.

Democrats will also caucus at 12:30. Democrats will caucus at 12:30. Thank you.

RECESS

The SPEAKER. This House stands in recess until 1:30 p.m., unless sooner recalled by the Speaker.

AFTER RECESS

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

LEAVES OF ABSENCE

The SPEAKER. The Speaker returns to leaves of absence and recognizes the majority whip, who requests a leave of absence for the gentleman, Mr. HACKETT, from Delaware County, and the gentleman, Mr. O'NEILL, from Bucks County for the remainder of the day. Without objection, the leaves will be granted.

BILLS REREPORTED FROM COMMITTEE

HB 19, PN 5 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, providing for child exploitation awareness education.

APPROPRIATIONS.

HB 107, PN 579 By Rep. ADOLPH

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, in professional and occupational licenses, further providing for definitions and for retention and certification.

APPROPRIATIONS.

HB 163, PN 578 By Rep. ADOLPH

An Act amending the act of August 9, 1955 (P.L.323, No.130), known as The County Code, in prothonotary, clerks of courts, clerk of orphans' court, register of wills, recorder of deeds, further providing for how offices to be held.

APPROPRIATIONS.

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 gentleman from Philadelphia County, Mr. Dwight EVANS. Without objection, the leave will be granted.

CALENDAR CONTINUED

BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 34, PN 528**, entitled:

An Act requiring the design, construction and renovation of certain State-owned or State-leased buildings to comply with specified energy

and environmental building standards; and providing for the powers and duties of the Department of General Services.

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

Mr. **GABLER** offered the following amendment
No. **A00121**:

Amend Bill, page 5, by inserting between lines 1 and 2
(d) Cost recovery.—The difference between any additional cost incurred in a major facility project and the lowest cost alternative shall have an estimated recovery period of not more than ten years.

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

The SPEAKER. The Speaker recognizes the gentleman from Allegheny County, Mr. Turzai, for a brief description of the amendment.

Mr. **TURZAI**. Thank you very much, Mr. Speaker.
It establishes that "the difference between any additional cost incurred in a major facility project and the lowest cost alternative shall have an estimated recovery period of not more than ten years."

The SPEAKER. The Speaker thanks the gentleman.

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

The following roll call was recorded:

YEAS—193

Adolph	Emrick	Kinsey	Petri
Aument	English	Kirkland	Pickett
Baker	Evankovich	Knowles	Pyle
Barrar	Everett	Kortz	Quinn
Benninghoff	Fabrizio	Kotik	Rapp
Bishop	Farina	Krieger	Ravenstahl
Bizzarro	Farry	Kula	Readshaw
Bloom	Fee	Lawrence	Reed
Boback	Fleck	Longietti	Reese
Boyle, B.	Flynn	Lucas	Regan
Boyle, K.	Frankel	Mackenzie	Roae
Bradford	Freeman	Maher	Roebuck
Briggs	Gabler	Mahoney	Ross
Brooks	Gainey	Major	Rozzi
Brown, R.	Gergely	Maloney	Sabatina
Brown, V.	Gibbons	Markosek	Saccone
Brownlee	Gillen	Marshall	Sainato
Burns	Gillespie	Marsico	Samuelson
Caltagirone	Gingrich	Masser	Sankey
Carroll	Godshall	Matzie	Santarsiero
Causer	Goodman	McGeehan	Saylor
Christiana	Greiner	McGinnis	Scavello
Clay	Grell	McNeill	Schlossberg
Clymer	Grove	Mentzer	Simmons
Cohen	Haggerty	Metcalfe	Sims
Conklin	Hahn	Metzgar	Smith
Corbin	Haluska	Miccarelli	Snyder
Costa, D.	Hanna	Micozzie	Sonney
Costa, P.	Harhai	Millard	Stephens
Cox	Harhart	Miller	Stern
Cruz	Harkins	Milne	Stevenson
Culver	Harper	Mirabito	Sturla
Cutler	Harris, A.	Miranda	Swanger
Daley, M.	Harris, J.	Molchany	Tallman
Daley, P.	Heffley	Moul	Taylor
Davidson	Helm	Mullery	Thomas

Davis	Hennessey	Mundy	Tobash
Day	Hess	Murt	Toepel
Dean	Hickernell	Mustio	Toohil
Deasy	James	Neilson	Truitt
DeLissio	Kampf	Neuman	Turzai
Delozier	Kauffman	O'Brien	Vereb
DeLuca	Kavulich	Oberlander	Vitali
Denlinger	Keller, F.	Parker	Waters
Dermody	Keller, M.K.	Pashinski	Watson
DiGirolamo	Keller, W.	Payne	Wheatley
Donatucci	Killion	Peifer	White
Dunbar	Kim	Petrarca	Youngblood
Ellis			

NAYS-3

Barbin	McCarter	Painter
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NOT VOTING-0

EXCUSED-5

Evans	Hackett	O'Neill	Rock
Galloway			

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?

Mr. **VITALI** offered the following amendment No. **A00128**:

Amend Bill, page 6, lines 27 through 30; page 7, lines 1 through 3, by striking out all of said lines on said pages
Amend Bill, page 7, line 4, by striking out "11" and inserting
10

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

The **SPEAKER**. On that question, the Speaker recognizes the gentleman from Delaware County, Mr. Vitali, for a description of the amendment.

Mr. **VITALI**. Thank you, Mr. Speaker.

What this amendment would do would be to delete section 10 of this bill, which is the enforcement provision. We had some concerns about that provision because we had some trouble with the language being unclear, what the standard to be used for with regard to no money available. But I have talked with the maker of the bill, and it is a good bill and we support the bill, and the fear would be that if this amendment would get in it would reduce the chances of this bill becoming law.

AMENDMENT WITHDRAWN

Mr. **VITALI**. So for those reasons, I am going to be withdrawing this amendment.

The **SPEAKER**. The Speaker thanks the gentleman.

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

Bill as amended was agreed to.

(Bill as amended will be reprinted.)

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 88, PN 529**, entitled:

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, in rights and immunities, further providing for leaves of absence for certain government employees.

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

Deasy	James	Neilson	Truitt
DeLissio	Kampf	Neuman	Turzai
DeLozier	Kauffman	O'Brien	Vereb
DeLuca	Kavulich	Oberlander	Vitali
Denlinger	Keller, F.	Painter	Waters
Dermody	Keller, M.K.	Parker	Watson
DiGirolamo	Keller, W.	Pashinski	Wheatley
Donatucci	Killion	Payne	White
Dunbar	Kim	Peifer	Youngblood

NAYS—0

NOT VOTING—0

EXCUSED—5

Evans	Hackett	O'Neill	Rock
Galloway			

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.

SUPPLEMENTAL CALENDAR A

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 19, PN 5**, 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, providing for child exploitation awareness education.

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 lady from Philadelphia County, Ms. Brownlee.

Ms. BROWNLEE. Thank you, Mr. Speaker.

May I interrogate the maker of the bill?

The SPEAKER. The lady indicates she will stand for interrogation. You may proceed.

Ms. BROWNLEE. Thank you, Mr. Speaker.

Mr. Speaker, I have a few questions and I have some concerns. This bill is a very good bill and it is a good step towards the right direction in protecting our children from abuse. However, Mr. Speaker, there is an option in the bill that allows – there is an opt-out provision in the bill, and I would like to know, Mr. Speaker, why is that opt-out provision necessary?

Mrs. GINGRICH. Thank you, Mr. Speaker.

First, I want to apologize for my compromised means of communicating today, but I thank my colleague from Philadelphia County for the question.

Obviously, to my colleague, you appreciate the need for advanced awareness education; awareness, of course, is power. Your concern, if I am understanding it – so you are going to correct me if I am wrong – the way the bill is designed, through the School Code and the Department of Education, they will create guidelines for an education awareness program that does not exist at all. And you and I know that the majority of the time sexual abuse among children happens somewhere in the home or near the home or by someone they trust, so I concur with your interest in protecting each and every child.

Our best effort was to get these curriculum guidelines in place for our school districts, to present all of that information to the parents, to the family, give them an opportunity to review it and an opportunity to opt out if they choose to do so. So while I would like it to be available to every student, families have the right and privilege, like they do for maybe religious reasons or other very valid reasons, why they may want their child to opt out of certain programs.

So that is the reason why, and I totally concur with you that I wish and hope that it will get to the ears of every student. And with any luck and a few prayers, no parent is going to opt out.

Thank you, Mr. Speaker.

Ms. BROWNLEE. Thank you, Mr. Speaker.

Another question, Mr. Speaker, is there any concern that, albeit well-being, we know that most abuse for children starts in the home, that the guardian or parent that could be the abuser and they are the one who would opt out of this educational opportunity for their children?

Mrs. GINGRICH. I am not sure that I truly understood your question, so if I am not answering you completely, please repeat it. We are talking about the parent or the guardian of the child, the individual has the responsibility for the child's care. That is the individual that will opt out if they choose to do so.

Also, I want to mention the fact that we have done some really good legislation, and this is such a bipartisan effort, I am excited about talking about it. But some legislation we passed last year that involved training for our school employees, teachers, employees, there is a higher level of diligence now in our schools, that I think they are much better prepared to recognize and report. This is really a good framework for all the good legislation we are going to be looking at very soon that came out of the Governor's Child Protection Task Force. So to answer your question: Yes; it is the responsible person, responsible for the welfare of the child.

Sorry, my toddler grandchildren were very generous in sharing everything they had this weekend.

Ms. BROWNLEE. I understand; I have toddlers and grandchildren also, Mr. Speaker.

My concern is the parent or guardian who will be opting out of this educational opportunity for the child would be the abuser, Mr. Speaker. Is there any provision that would enable – is there anything that if the child is being victimized, in this bill, by the person who opts out, is there anything that would help the child or identify an abuser? Is there anything of that nature?

Mrs. GINGRICH. I truly understand what you are trying to accomplish here, and we have come as close to accomplishing that as we can without imposing upon parental rights, of course, and being able to operate within the Education Code here in Pennsylvania.

I go back to the fact that we have passed legislation, which I know you helped with, that better trains our teachers, our employees, and their vigilance level and their ability to

recognize hopefully is at a point now that if a parent or guardian opts out, there will have to be – you know, they will let them know what the reason is. And you know, they may just keep a more watchful eye.

Ms. BROWNLEE. Thank you, Mr. Speaker.

Mrs. GINGRICH. Thank you for your interest, and I understand your concern.

Ms. BROWNLEE. Thank you, Mr. Speaker.

May I continue on the bill?

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

Ms. BROWNLEE. Mr. Speaker, I think that the primary intent of HB 19 is to protect the children of this Commonwealth from exploitation and sexual abuse, and as such, this bill could possibly be one of the most important pieces of legislation that this House is going to consider, and I believe it is thus far for this session.

Mr. Speaker, let it be known that I do support HB 19 and any other legislation that is crafted to educate and protect our children from any kind of victimization. However, Mr. Speaker, as you hear from my interrogations, I have some serious concerns about this opt-out provision. It directs principals to inform parents or legal guardians of the right to opt out of the program. I think that this opt-out provision not only weakens what we are trying to do, but it also may result in harming some of our children. By giving a parent or guardian the right to opt a child out of this program, we may be unintentionally, Mr. Speaker, unintentionally giving the child abuser, in statute, a means to continue victimizing our children.

I view this as a red flag, Mr. Speaker, and I hope that this is not the end of this particular piece of legislation. I am hoping that when it comes back from the Senate maybe we can revisit it and take another hard look at it and tighten it up a little bit. I cannot understand why any parent would want to opt out of having their child learn about, a child-appropriate education about what is good and what is bad, Mr. Speaker. It is too much that we hear in this Commonwealth of our children being victimized, not only by outside sources but by people that are in a position of authority and of trust. And sometimes, Mr. Speaker, unfortunately, that is a guardian, a parent, a stepparent.

So, Mr. Speaker, I believe that, like I said, this is a good bill; however, I believe it should be tightened and it could be, and I do not think we are doing our best work with this bill.

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. Roebuck.

Mr. ROEBUCK. Thank you, Mr. Speaker.

Like the lady who spoke before me, I support this legislation, but I also have the same kind of fundamental concerns about what we are doing here. And the concern is that although this is a good bill, we should be doing the best bill we can when it comes to protecting young people. We should not be satisfied with merely good when we can do better.

I am concerned, Mr. Speaker, because – and I said this when we debated this in the Education Committee – that those who prey upon children are oftentimes individuals of trust who have been able to establish a relationship with those children, securing their trust, and that is the road whereby they abuse them. And that can be a parent or a guardian. It can be a member of the religious community. It can be a teacher. It can be a member of the police force. It can be a coach. It can be

anyone in our society. We ought not in any legislation like this exempt any category of individuals as if they somehow might not fall under those who victimize children. Parental rights, parental rights are fine, but parental rights do not give you the right to abuse a child. Let us understand that very clearly. That does not give you a passageway to abuse, and we as legislators have a responsibility to every citizen of this State to do everything we can, to do the very best we can to protect our children. We ought to do better than this bill. We ought not to opt out anyone from its provisions, and although I will vote for this, Mr. Speaker, I vote for it with a sense of reluctance, because we ought to do better.

Thank you, Mr. Speaker.

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

On that question, the Speaker recognizes the gentleman from Northampton County, Mr. Samuelson.

Mr. SAMUELSON. Thank you, Mr. Speaker.

I rise to interrogate the maker of the bill.

The SPEAKER. The lady indicates she will stand for interrogation. You may proceed.

Mr. SAMUELSON. Thank you.

I am just trying to understand the scope of HB 19. I know the wording of the bill talks about how "each school district shall..." create this program. So I would like to ask, does this new effort for an age-appropriate child exploitation awareness education program, does that apply to private schools and parochial schools?

Mrs. GINGRICH. Thank you, Mr. Speaker, and thank you to my colleague.

It refers to the Education Code here in Pennsylvania, to our public schools.

Mr. SAMUELSON. Okay.

Mrs. GINGRICH. So that is the answer to that. And of course I am agreeing with all my colleagues, what I am hearing here, but, you know, you can only go so far sometimes, and I certainly want to protect any child we can.

Mr. SAMUELSON. Okay. I have to ask the next question. Last year we had a teacher evaluation system that applied to traditional public schools but did not apply to public charter schools and public cyber schools. For some reason, there was a distinction between the two. I need to ask, does this new program apply to public charter schools and public cyber schools, or are they exempt from this program?

Mrs. GINGRICH. Yes; as I said initially, it is to our public schools, Mr. Speaker.

Mr. SAMUELSON. So the mechanics of this, if a school district shall develop the program, how then does the school district make sure that the cyber school and the charter school are administering this program?

Mrs. GINGRICH. Well, since it is not part of the bill, that would not be part of the process, the legislative process here. Now, however they deal with issues within PDE (Pennsylvania Department of Education) – hold on one second.

I am told it does not exclusively exclude charters. So that is what I am told, according to the code.

Mr. SAMUELSON. It includes or excludes the cybers and the charters?

Mrs. GINGRICH. It does not speak – you know, the problem is, it does not really speak to it.

Mr. SAMUELSON. Okay. One more question about the funding. I read the fiscal note. The fiscal note says the cost of this new initiative is zero. It does not cost anything to create a

new program like this in the Pennsylvania Department of Education. It then includes a sentence which says the school districts might have some costs, but they will take care of that. So I have to ask, how much – what is the estimate of how much this is going to cost the 500 school districts in Pennsylvania?

Mrs. GINGRICH. As you know – you read and we both know the Appropriations fiscal note – there is no fiscal impact of the creation of these guidelines for curriculum timelines that already exist.

Mr. SAMUELSON. So the creation of these programs, they are already there, they just need to be implemented?

Mrs. GINGRICH. The fiscal note tells us—

Mr. SAMUELSON. The school districts would not—

Mrs. GINGRICH. —there is no impact.

Mr. SAMUELSON. —have to purchase this curriculum?

Mrs. GINGRICH. Would you mind repeating that?

Mr. SAMUELSON. The Department of Education has already developed this curriculum?

Mrs. GINGRICH. No, no, no. No; the bill— No; there is a curriculum in place in which this can be incorporated.

Mr. SAMUELSON. Okay.

Mrs. GINGRICH. Now, they were very careful, and I really liked working with them because they addressed the different populations and the different dynamics in different school districts. So to allow them the flexibility to put it in a health program or put it in another established curriculum, where they could use a school psychiatrist or—

Mr. SAMUELSON. Okay.

Mrs. GINGRICH. —medical professionals, that way we can accomplish what we want to as far as bringing this awareness level really where it ought to be with our kids.

Mr. SAMUELSON. Are you saying that the school districts would have no additional costs in order to implement the age-appropriate child exploitation awareness education program?

Mrs. GINGRICH. Mr. Speaker, I know what the fiscal note says, and they said there is no fiscal impact. Thank you, though.

Mr. SAMUELSON. Thank you. Just a moment on the bill?

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

Mr. SAMUELSON. Thank you, Mr. Speaker.

This is a very good concept, and I expect most Representatives will be voting for this; however, I do believe that we have seen a potential loophole in this bill if it does not clearly apply to the public cyber schools and the public charter schools. As I read the language, it talks about each school district implementing, but I know there are issues when a charter school is approved by a school district, then it has its own unelected board of directors which then implements its policy. If the language of this bill is written to require school districts to take this step, perhaps there is an amendment needed in the Senate to make sure that a cyber school and a charter school would also be implementing this curriculum.

So I thank you for the opportunity and thank the lady for introducing this bill.

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

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

Mr. ENGLISH. Thank you, Mr. Speaker.

I appreciate the gentleman and the lady's prior passionate comments. You are, I think, exactly correct, and of course, logically, the abuser could very well opt out. I think we all get that. That is obvious and that is unfortunate. But I think at the

same time, we are spiraling up the education for everybody, and the student to the left and the right of that potentially abused child, their friends, I think by them having that enhanced education, there is an extra resource to their left and right that can hopefully allow that young mind to speak to their friend in confidence, that may raise that issue.

I definitely speak in support of this amendment and would encourage my colleagues to do as well. Thank you, Mr. Speaker.

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

On that question, the Speaker recognizes the gentleman from Bucks County, Mr. Clymer.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, we had a public hearing on this legislation, and some of the people that we brought in were themselves victims of sexual abuse, and they looked at the bill and they applauded the prime sponsor and the members of the committee for having the public hearing and for introducing such legislation. They made it very clear to the committee that had this type of resource been available in their public school, they may not have had to go through that horrific experience of sexual abuse.

So the point is that this is going to save probably a lot of our children from sexual exploitation, and, Mr. Speaker, I would ask the members to consider that issue and to vote affirmatively for HB 19. Thank you.

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

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

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

Mr. Speaker, would the sponsor stand for brief interrogation?

The SPEAKER. The lady indicates she will stand for interrogation. You may proceed.

Mr. MCGEEHAN. Thank you, Mr. Speaker.

Mr. Speaker, the answer that you had given earlier about what entities would be covered under the provisions of this bill, I want to nail it down because I was unclear with your answer. Are charter schools, private schools, and parochial schools, will they be subject to this education program?

Mrs. GINGRICH. I appreciate the question, and I am having that researched, because I am not 100 percent sure that that is the answer.

My understanding was that it is under the Public School Code, but I want to check and make sure there were not some changes made. Can you hold on?

Mr. MCGEEHAN. Certainly.

Mrs. GINGRICH. Thank you.

Mr. MCGEEHAN. With your permission.

The SPEAKER. Is the lady from Lebanon County, Mrs. Gingrich, prepared to— You may proceed with the response to interrogation.

Mrs. GINGRICH. Thank you, Mr. Speaker.

Unfortunately, we do not know all the answers without checking to be sure. So I did check to be sure, and they are not subject according to the statutes in place.

Good question, thank you for asking.

Mr. MCGEEHAN. On the bill, Mr. Speaker?

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

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

Like my colleagues, I am going to support this bill because I know the time and the effort the prime sponsor had put into this bill. I know the effort that both chairmen and the Education Committee have put into this bill. I will support it with a

proviso, Mr. Speaker: that we come back and visit this issue that covers all schools.

You can pick up a newspaper in any city in this country on a weekly basis and find out, particularly now in dealing with three grand juries in Philadelphia who have found the horrific childhood abuse in the Archdiocese of Philadelphia, the uncovering of the secret files in the Archdiocese of Los Angeles, the horrific decade-long abuse of children. I will submit, Mr. Speaker, that while this is needed in public schools, there is a greater awareness and a greater openness just by the very nature of being public institutions. This bill is needed maybe more in private institutions, in charter schools, that by their very nature are not as open to public scrutiny. We are doing a disservice, we are doing half a job by passing HB 19.

Mr. Speaker, I am going to support this bill, but I would ask the commitment of both chairmen of the Education Committee to come back and revisit this issue. We are not doing justice to the children of Pennsylvania. This is half a solution. And the documentation of abuse that has gone on for too long in these secretive private institutions has to end.

I commit to work with you, the prime sponsor of this bill and both chairmen, to see that that is done expeditiously.

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 gentleman, Mr. Brendan BOYLE, from Philadelphia County for the remainder of the day. Without objection, the leave will be granted.

CONSIDERATION OF HB 19 CONTINUED

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

On that question, the Speaker recognizes the gentleman from Cambria County, Mr. Barbin.

Mr. BARBIN. Mr. Speaker, I rise in support of the concept of the bill. The problem with the bill as has been illustrated with the discussion over the last half an hour is, it is only half the solution. Now we have a problem because we are at third, and at third we cannot amend the bill, but the normal way to correct this problem that the discussion has created is to say this bill really should go back to second so that we can amend it and take care of the problem for all the schools.

Now, that one would be a motion to rescind in third. I make that motion first, and if that fails I will make a motion—

The SPEAKER. The gentleman will suspend.

The proper procedure for the gentleman would be to file a motion to reconsider the vote by which – which was a voice vote, arguably – but to reconsider the motion by which the bill was given third consideration. You need to file a reconsideration motion.

Mr. BARBIN. With your permission, Mr. Speaker, I make a motion for reconsideration back to second.

The SPEAKER. The leader's staff has that. It takes two members to sign it. There is a form for filing a reconsideration motion, and that is the procedure that our House rules provide for.

MOTION TO RECONSIDER THIRD CONSIDERATION OF HB 19

The SPEAKER. The Speaker is in receipt of a motion to reconsider the vote by which HB 19 received third consideration, signed by Representatives Dermody and Hanna.

The question before the House is, shall the vote by which third consideration was given to HB 19 be reconsidered?

On the question,

Will the House agree to the motion?

The SPEAKER. On the motion to reconsider, those in favor— Well, I did not know if you were going to say anything.

The Speaker recognizes the gentleman from Allegheny County, Mr. Dermody.

Mr. DERMODY. Thank you, Mr. Speaker.

Mr. Speaker, if we can reconsider this motion to place this on final passage and move this bill to second consideration, we will have the opportunity for a very simple amendment to make what has been – after debate here today, we realize this is a decent bill, but we can make it a great bill. We can make it cover cyber schools and charter schools, and it will help all our children throughout the Commonwealth. And as we have heard, it is important that it does so.

So all we have to do is move this back to second consideration. A very simple amendment will make this bill something we will all be proud of, and I urge the members to vote for the motion to reconsider.

Thank you, Mr. Speaker.

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

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

We oppose the motion. HB 19 passed out of committee unanimously. It is sponsored by individuals on both sides of the aisle, and it is important in that it establishes a new section in the Public School Code which requires an incorporation of an age-appropriate child exploitation awareness education program into the existing curriculum for students in grades K through 8. It is important legislation.

We should oppose the motion and pass this bill and move it over to the Senate. Thank you.

The SPEAKER. On the question, the Speaker recognizes the gentleman from Philadelphia County, Mr. Roebuck.

Mr. ROEBUCK. Thank you, Mr. Speaker.

The majority leader just said that the bill passed out of committee by unanimous vote, and that is true. But we were also under the assumption that there were things in this bill that are not there. The maker of the bill was under the assumption that charters and cyber charters were covered, and the reality is, if you exclude that part of the public school community, you exclude a major part of that community. The reality is, if you want to make this a law that does what the majority leader says it does – protects our kids – then include all the kids under its provisions. Do not exclude segments—

The SPEAKER. The question is whether or not to reconsider third consideration.

Mr. ROEBUCK. For that reason, Mr. Speaker, we need to send it back and fix the flaws in it. It is not a hard process. If it is a good bill, let us make it the best bill it can be.

Send it back, fix it, bring it back, vote it through. Thank you.

The SPEAKER. On the question to reconsider, the Speaker recognizes the gentleman from Northampton County, Mr. Samuelson.

Mr. SAMUELSON. Thank you.

I rise in favor of the motion to send it back to second consideration so that we can make this very necessary amendment to this bill.

The bill is before us today. We have the opportunity to make this change. If we do not make this change, we are saying that there is a need to have a new program to educate, a child exploitation awareness education program. If we do not make this amendment, we are saying that it is needed in the traditional public schools but that it is not needed in the charter schools and that is not needed in the cyber schools. I disagree. I think every student who has a public education in Pennsylvania, including the charter students and including the cyber students, should have the same protections.

Despite what the majority leader says, we can change this, we can fix this, and we can make sure that all children in Pennsylvania are protected. Yes, it has gone through procedure, but guess what? This session of the legislature has 22 more months.

The SPEAKER. The gentleman will suspend.

Mr. SAMUELSON. What is the rush to pass this on February 6, 2013? This can be put back in committee. This can be fixed. I am tired of having two tiers in our public education system. I mentioned earlier—

The SPEAKER. The gentleman will suspend.

The question before is whether or not the bill should be – the vote by which third consideration was given should be reconsidered, not the underlying issue.

Mr. SAMUELSON. Okay.

I was going to cite three separate examples where there has been one standard set for traditional public schools and a lower standard—

The SPEAKER. The gentleman will suspend.

Mr. SAMUELSON. —set for cyber schools and charter schools. I am not going to speak—

The SPEAKER. The gentleman will suspend.

The question before the House is whether or not we should—

Mr. SAMUELSON. What I will say is that we do not have to rely on the Senate to fix this. We have an easy process. We can send it back to committee. We can allow this amendment. We can make sure that the children who attend public charter schools and public cyber schools have the same protection that this bill provides to children who attend traditional public schools.

Thank you, Mr. Speaker.

The SPEAKER. On the question of reconsideration, those in favor of reconsidering the vote by which third consideration was given will vote "aye"; those opposed to reconsidering the vote by which it was given third consideration will vote "no."

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

(Members proceeded to vote.)

VOTE STRICKEN

The SPEAKER. The clerk will strike the vote. I apologize.

On the question, the Speaker recognizes the gentleman from Cambria County, Mr. Barbin.

Mr. BARBIN. Thank you, Mr. Speaker.

I rose to point out that the difficulty in this legislation, the difficulty in this legislation is we are creating, and the reason we should reconsider it is, we decided in 1994 that we are going to have a public education system that is going to be two tiers. Number one, it is going to be real public schools; number two, it is going to be charter and cyber schools.

Now, our Constitution says that you have a right to a public education—

The SPEAKER. The gentleman will suspend.

The question before is whether or not to reconsider. I urge you to confine your comments to why we should or should not reconsider the vote.

Mr. BARBIN. Mr. Speaker, I will be short, but the point is we spend \$10 billion on public education. The \$10 billion includes \$1 billion that goes to charter schools, both cyber and charter. We now have a law before us that says it will only apply to \$9 billion of our expenditures; it will not apply to \$1 billion of our public school expenditures.

Now, because that makes no sense to me, I raised the question as to should not we change the legislation to apply to all public schools. All public schools in Pennsylvania are all public schools, including public charters and public cybers. This is unconstitutional because you are applying a classification to two sets of public schools.

Now, we can get rid of that problem—

POINT OF ORDER

Mr. TURZAI. Point of order, Mr. Speaker.

The SPEAKER. The gentleman has made the motion, or at least prompted the motion to reconsider the vote, and now you are talking about constitutionality. I think you are off the subject that is before the House.

The subject before the House—

Mr. BARBIN. I am trying to make sure this legislation is constitutional.

The SPEAKER. —is whether or not to reconsider, not constitutionality.

Mr. BARBIN. Because I prefer not to vote for an unconstitutional bill, I think the matter ought to be reconsidered, and I think that the law, whatever it is, ought to apply to everyone.

So I will be voting for reconsideration.

The SPEAKER. On the question, the Speaker recognizes the gentleman from Philadelphia, Mr. Waters.

Mr. WATERS. Thank you, Mr. Speaker. Mr. Speaker, I am going to be very brief.

Mr. Speaker, I know the lady from Lebanon County had good intentions in offering this legislation, and I know, based on my relationships and conversations with her, that she really intends to protect children. And I know that she did not intend – not intentionally – to leave any children out. I know that she would not have wanted to do that. That is not the way I understand her intention.

I would hope that based on what she intended to do, and I think that I can say that because of what she already said, that we ought to give the gentelady from Lebanon County a chance—

The SPEAKER. The gentleman will suspend.

I am not real comfortable with one member speaking about what another member's intentions are.

Mr. WATERS. Okay.

The SPEAKER. And while you are doing it in a positive vein – I appreciate that – the reason I call your question out is because sometimes it is done in a negative vein where it is implying motives, and so I am trying to be evenhanded. I would appreciate it if you would speak to the reasons we should or should not reconsider the vote—

Mr. WATERS. Okay.

The SPEAKER. —and would prefer members not speak to what another member's motives or intentions are. Thank you.

Mr. WATERS. Okay, Mr. Speaker. Thank you.

Mr. Speaker, I would not dare to try to examine what is in another member's head, but I was just basing my comments on what she had said herself. So I will leave that out.

But I would hope that we would have, because it is not all-inclusive, that we would reconsider the bill and we could come back and fix this gap that exists right now would not take a lot of time to do. So because it would not take a lot of time to do and because the benefit will be more far-reaching, I would ask for the bill to be reconsidered.

Thank you, Mr. Speaker.

The SPEAKER. The Speaker thanks the gentleman.

On the question before the House, the Speaker recognizes the gentleman from Allegheny County, Mr. Turzai.

Mr. TURZAI. Thank you very much.

HB 19 last session was introduced as HB 2318 and had a full public hearing, and my understanding is that it had a unanimous vote coming out of both committee and on the floor. This bill, HB 19, specifically came out of committee unanimously. No amendments were filed to this particular piece of legislation, although every single member of the legislature was well aware of it, given appropriate notice, knew of the public hearings, knew of the public discussion.

The child exploitation awareness education bill, the task force that everybody here voted for, acknowledged the "efforts," quote, unquote, of the honorable gentelady who introduced legislation amending to add this section regarding child exploitation awareness education. It was unanimously recommended by the task force. The process is, as one individual said, over the next 22 months bills can be introduced, bills can be vetted in committee, bills can be discussed and brought to the floor. There is plenty of opportunity over the next session to address any other issues that members on the other side of the aisle would like to address by introducing a bill and getting a proper vetting of the issue.

This bill has without a doubt been vetted and discussed and unanimously supported, and there is no reason to reconsider it. It has absolutely gone through the open legislative process, and it is wrong to imply any other course of action. This bill has been fully vetted and discussed, and there is opportunity for further legislation. Please vote "no."

The SPEAKER. On the motion to reconsider, the Speaker recognizes the gentleman from Allegheny County, Mr. Dermody.

Mr. DERMODY. Thank you, Mr. Speaker.

Mr. Speaker, no matter when you find out that there is a problem with a bill or a way to make a bill better, it does not matter. If we found it out today on the floor, we now have an opportunity to make it right. And it makes sense for us to make it right, not wait and say we do can do it 22 months from now or next year or whenever.

We ought to stand up right now, we ought to vote to reconsider the bill because we can make it right, because we can put it back to second consideration. We can offer an amendment that clearly was missed that makes sure that cyber schools, cyber charter schools, and charter schools are covered so all our children are offered the same opportunities. Why would we leave them out? And if we have the chance to fix it, it makes no sense just because we had an opportunity to do it yesterday.

We found out today; let us make the changes today to make this right. Thank you, Mr. Speaker.

The SPEAKER. On the motion to reconsider, those in favor of reconsidering the third consideration vote will vote "aye"; those opposed to reconsidering the third consideration vote will vote "no."

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

The following roll call was recorded:

YEAS-95

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

NAYS-100

Adolph	Farry	Krieger	Pyle
Aument	Fee	Lawrence	Rapp
Baker	Gabler	Lucas	Reed
Barrar	Gillespie	Mackenzie	Reese
Benninghoff	Gingrich	Maher	Regan
Bloom	Godshall	Major	Roae
Boback	Greiner	Marshall	Ross
Brooks	Grell	Marsico	Sankey
Brown, R.	Grove	Masser	Saylor
Causar	Hahn	McGinnis	Scavello
Christiana	Harhart	Mentzer	Smith
Clymer	Harper	Metcalfe	Sonney
Corbin	Harris, A.	Metzgar	Stephens

Cox	Heffley	Miccarelli	Stern
Culver	Helm	Micozzie	Stevenson
Cutler	Hennessey	Millard	Swanger
Day	Hess	Miller	Tallman
Delozier	Hickernell	Milne	Taylor
Denlinger	James	Moul	Tobash
DiGirolamo	Kampf	Murt	Toepel
Dunbar	Kauffman	Oberlander	Toohil
Ellis	Keller, F.	Payne	Truitt
Emrick	Keller, M.K.	Peifer	Turzai
Evankovich	Killion	Petri	Vereb
Everett	Knowles	Pickett	Watson

NOT VOTING—0

EXCUSED—6

Boyle, B.	Galloway	O'Neill	Rock
Evans	Hackett		

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

On the question recurring,
Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—177

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

Dermody	Kauffman	Painter	Vitali
DiGirolamo	Keller, F.	Payne	Waters
Donatucci	Keller, M.K.	Peifer	Watson
Dunbar	Keller, W.	Petrarca	Wheatley
Ellis	Killion	Petri	White
Emrick			

NAYS—18

Bishop	Haggerty	McNeill	Pashinski
Brown, V.	Kavulich	Miranda	Rozzi
Carroll	Kinsey	Mullery	Thomas
Clay	Kirkland	Parker	Youngblood
Cruz	McCarter		

NOT VOTING—0

EXCUSED—6

Boyle, B.	Galloway	O'Neill	Rock
Evans	Hackett		

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

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

* * *

The House proceeded to third consideration of **HB 163, PN 578**, entitled:

An Act amending the act of August 9, 1955 (P.L.323, No.130), known as The County Code, in prothonotary, clerks of courts, clerk of orphans' court, register of wills, recorder of deeds, further providing for how offices to be held.

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

Brown, R.	Gergely	Markosek	Sabatina
Brown, V.	Gibbons	Marshall	Saccone
Brownlee	Gillen	Marsico	Sainato
Burns	Gillespie	Masser	Samuelson
Caltagirone	Gingrich	Matzie	Sankey
Carroll	Godshall	McCarter	Santarsiero
Causer	Goodman	McGeehan	Saylor
Christiana	Greiner	McGinnis	Scavello
Clay	Grell	McNeill	Schlossberg
Clymer	Grove	Mentzer	Simmons
Cohen	Haggerty	Metcalfe	Sims
Conklin	Hahn	Metzgar	Smith
Corbin	Haluska	Miccarelli	Snyder
Costa, D.	Hanna	Micozzie	Sonney
Costa, P.	Harhai	Millard	Stephens
Cox	Harhart	Miller	Stern
Cruz	Harkins	Milne	Stevenson
Culver	Harper	Mirabito	Sturla
Cutler	Harris, A.	Miranda	Swanger
Daley, M.	Harris, J.	Molchany	Tallman
Daley, P.	Heffley	Moul	Taylor
Davidson	Helm	Mullery	Thomas
Davis	Hennessey	Mundy	Tobash
Day	Hess	Murt	Toepel
Dean	Hickernell	Mustio	Toohil
Deasy	James	Neilson	Truitt
DeLissio	Kampf	Neuman	Turzai
Delozier	Kauffman	O'Brien	Vereb
DeLuca	Kavulich	Oberlander	Vitali
Denlinger	Keller, F.	Painter	Waters
Dermody	Keller, M.K.	Parker	Watson
DiGiroloamo	Keller, W.	Pashinski	Wheatley
Donatucci	Killion	Payne	White
Dunbar	Kim	Peifer	Youngblood
Ellis	Kinsey	Petrarca	

NAYS-0

NOT VOTING-0

EXCUSED-6

Boyle, B.	Galloway	O'Neill	Rock
Evans	Hackett		

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

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

* * *

The House proceeded to third consideration of **HB 107, PN 579**, entitled:

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, in professional and occupational licenses, further providing for definitions and for retention and certification.

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?
Agreeable to the provisions of the Constitution, the yeas and nays will now be taken.

The following roll call was recorded:

YEAS-195

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

NAYS-0

NOT VOTING-0

EXCUSED-6

Boyle, B.	Galloway	O'Neill	Rock
Evans	Hackett		

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

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

REMARKS SUBMITTED FOR THE RECORD

The SPEAKER. For what purpose does the gentleman from Carbon County, Mr. Heffley, rise?

Mr. HEFFLEY. Mr. Speaker, I would like to submit my comments for the record.

The SPEAKER. The gentleman will deliver the remarks to the clerk, and they will be noted in the record.

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

Mr. Speaker, simply put, this legislation is similar to a bill that passed this chamber last session and came within one vote shy of the Governor's pen. Yesterday this chamber voted to amend HB 107 to enhance it by granting license, certification and permitting reciprocity to military spouses if they meet the prerequisites provided for under the bill.

I ask the members for an affirmative vote to help our veterans, military personnel, and their spouses. Thank you, Mr. Speaker.

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

STATEMENT BY MR. GIBBONS

The SPEAKER. I apologize. The gentleman from Lawrence County, Mr. Gibbons, is recognized under unanimous consent. I apologize. I know you had sought that earlier.

Mr. GIBBONS. Thank you, Mr. Speaker.

I just wanted to say real quickly, since I probably will not be getting home before bedtime tonight, I want to wish my son, Preston, a happy first birthday.

The SPEAKER. Happy birthday.

One other announcement of sorts. For the information of the members, in case you did not see it, tomorrow has been added as a nonvoting day.

BILL RECOMMITTED

The SPEAKER. The Speaker recognizes the majority leader, who moves that HB 34 be recommitted to the Committee on Appropriations.

On the question,

Will the House agree to the motion?

Motion was agreed to.

BILLS REMOVED FROM TABLE

The SPEAKER. The Speaker recognizes the majority leader, who moves that HB 121 and HB 290 be removed from the tabled calendar and placed on the active calendar.

On the question,

Will the House agree to the motion?

Motion was agreed to.

BILLS AND RESOLUTIONS PASSED OVER

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

ADJOURNMENT

The SPEAKER. Seeing no further business before this House, the Speaker recognizes the gentleman, Mr. James, from Venango County, who moves that this House do adjourn until Thursday, February 7, 2013, at 10 a.m., e.s.t., unless sooner recalled by the Speaker.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 2:42 p.m., e.s.t., the House adjourned.