

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

WEDNESDAY, JANUARY 15, 2014

SESSION OF 2014

198TH OF THE GENERAL ASSEMBLY

No. 4

HOUSE OF REPRESENTATIVES

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

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

PRAYER

HON. LOUISE WILLIAMS BISHOP, member of the House of Representatives, offered the following prayer:

Thank you, Mr. Speaker.

Let us pray:

I will lift my eyes unto the hills, from whence cometh my help. My help cometh from the Lord, God Almighty, the maker of every good and perfect gift.

Lord God, we thank You today for all of Your perfect gifts – for the gift of life, for the gift of loving families, for the gift of friends and the gift of service to You and all of our constituents – but most of all, God, we thank You for the gift of great leaders and great leadership and the gift of service to all mankind, for service is indeed the price we pay for the space that You allow us to occupy.

Today, God, we honor one of Your great leaders who paid the price of serving others with his life, and yet through his life examples, he has taught us the greatest gift one can receive is the gift of service. As Your light shone upon his pathway and guided his footsteps to take us to that mountaintop experience of integration through the paths of peace, into the valley of understanding, and to the sunlight of hope, we give thanks to You, God, for our understanding that all of us are created equal and are given the same responsibility today to serve all mankind so the sunlight of our tomorrows will bring joy to others as the late Dr. Martin Luther King, Jr.'s. life did in the end for each of us so that that bell of freedom will ring in every hillside and every mountainside and every valley in the Commonwealth of Pennsylvania. Thank You, God. 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, January 14, 2014, will be postponed until printed.

BILLS REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

HB 1808, PN 2600

By Rep. GILLESPIE

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in limitation of time, further providing for the period of limitation relating to claims of adverse possession under certain circumstances; and providing for uniform notice, for mesne profits and for reimbursement.

URBAN AFFAIRS.

SB 497, PN 1703 (Amended)

By Rep. GILLESPIE

An Act reenacting and amending the act of June 23, 1931 (P.L.932, No.317), known as The Third Class City Code.

URBAN AFFAIRS.

SB 703, PN 708

By Rep. GILLESPIE

An Act amending the act of July 3, 1947 (P.L.1242, No.507), entitled "An act relating to police and firemen's pension funds in cities of the second class A, and directing such cities to appropriate certain moneys thereto, and requiring reports and audits," further providing for credit for military service.

URBAN AFFAIRS.

SB 704, PN 709

By Rep. GILLESPIE

An Act amending the act of September 23, 1959 (P.L.970, No.400), referred to as the Second Class A City Employee Pension Law, further providing for credit for military service.

URBAN AFFAIRS.

HOUSE RESOLUTIONS INTRODUCED AND REFERRED

No. 605 By Representatives BISHOP, J. HARRIS, V. BROWN, READSHAW, BROWNLEE, KIRKLAND, MIRABITO, YOUNGBLOOD, KINSEY, M. DALEY, FRANKEL, MIRANDA, HANNA, GIBBONS, CALTAGIRONE, DERMODY, KOTIK, DAVIS, COHEN, KORTZ, PAINTER, PARKER, WHEATLEY, PASHINSKI, SCHLOSSBERG, O'BRIEN, DONATUCCI, DAVIDSON, ROEBUCK, WATERS, THOMAS, LONGIETTI, SCHREIBER, DELISSIO, GOODMAN and ROZZI

A Resolution directing the Legislative Budget and Finance Committee to conduct a study of the financial impact of reinstating the basic education funding formula based on the Statewide costing-out

study that was in effect for the 2008-2009, 2009-2010 and 2010-2011 school years.

Referred to Committee on EDUCATION, January 15, 2014.

No. 611 By Representatives CRUZ, YOUNGBLOOD, CALTAGIRONE, KINSEY, W. KELLER, KORTZ, DEAN, MILLARD, COHEN, MURT, NEILSON, O'BRIEN, GIBBONS, THOMAS and GINGRICH

A Resolution urging the Congress of the United States to pass legislation authorizing pharmacies to serve as collection sites for unused or expired controlled prescription drugs.

Referred to Committee on HEALTH, January 15, 2014.

No. 613 By Representatives D. EVANS and WHEATLEY

A Concurrent Resolution signifying the intent of the General Assembly to pass legislation requiring a nonbinding referendum to gauge the degree of support for a tax increase to fund public education programs and services.

Referred to Committee on EDUCATION, January 15, 2014.

HOUSE BILLS INTRODUCED AND REFERRED

No. 1955 By Representatives HAHN, V. BROWN and COHEN

An Act providing for notice of fragrance allergy and for a prohibition on the use of scented products in certain public schools.

Referred to Committee on EDUCATION, January 15, 2014.

No. 1956 By Representatives BISHOP, THOMAS, MUNDY, ROZZI, V. BROWN, YOUNGBLOOD, BROWNLEE, COHEN, CLAY and FRANKEL

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, further providing for report of intention to adopt.

Referred to Committee on CHILDREN AND YOUTH, January 15, 2014.

No. 1957 By Representatives BISHOP, V. BROWN, THOMAS, ROZZI, MAHONEY, BROWNLEE, COHEN, FRANKEL, MURT, CALTAGIRONE and ROEBUCK

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 anger management.

Referred to Committee on EDUCATION, January 15, 2014.

SENATE BILL FOR CONCURRENCE

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

SB 1185, PN 1615

Referred to Committee on LOCAL GOVERNMENT, January 15, 2014.

SENATE MESSAGE

HOUSE BILL
CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, returned **HB 807, PN 918**, with information that the Senate has passed the same without amendment.

BILLS SIGNED BY SPEAKER

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

HB 807, PN 918

An Act amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, further providing for funds.

SB 29, PN 1474

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, in child protective services, further providing for definitions and for mandatory reporting of infants.

SB 689, PN 677

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, providing for prevention of abduction of children.

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

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. REGAN, from York County for the day, and the gentleman, Mr. HENNESSEY, from Chester County for the day. Without objection, the leaves will be granted.

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

MASTER ROLL CALL

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

The following roll call was recorded:

PRESENT—199

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

ADDITIONS—0

NOT VOTING—0

EXCUSED—3

Hennessey	Mahoney	Regan
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LEAVES ADDED—4

Evans	Galloway	Saccone	Wheatley
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LEAVES CANCELED—1

Hennessey

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

GUEST INTRODUCED

The SPEAKER. If I could have the members' attention, I would like to introduce a guest that is with us today.

Located to the left of the rostrum, I would like to welcome Andrew Lindhome. Andrew is a sophomore at Grove City College and for the past 2 weeks has been serving as an intern with the Republican legal department, and he is here today as a guest of Representative Delozier. Will our guest please rise. Welcome to the hall of the House.

UNCONTESTED CALENDAR

RESOLUTION PURSUANT TO RULE 35

Mrs. DAVIS called up **HR 484, PN 2443**, entitled:

A Resolution designating January 15, 2014, as "Krabbe Disease Awareness Day" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—199

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

NAYS—0

NOT VOTING—0

EXCUSED—3

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

STATEMENT BY MRS. DAVIS

The SPEAKER. The Speaker recognizes the lady from Bucks County, Mrs. Davis, under unanimous consent relative to the resolution just adopted.

Mrs. DAVIS. Thank you, Mr. Speaker, and thank you for your vote on HR 484 naming January 15 as "Krabbe Disease Awareness Day."

January 15 is the first birthday of a constituent, Hannah Pizzullo, of Levittown, who suffers from this disease. Hannah's parents, Vicki and Justin, were scheduled to be here today on their daughter's first birthday, but Hannah suffered heart failure and spent the holidays in the hospital.

The disease is not curable at this stage for Hannah. A simple screening at birth could have prevented this disease from progressing into a life sentence. I have had the privilege to meet many children who had access to this test. They are thriving.

It is actually a disease that affects the brain cells around – the matter around the cells in the brain; I am sorry.

Awareness begins with each of us, and you can start by looking up Hannah Pizzullo on the Internet or visiting the Hope for Hannah Web site.

But most importantly, please find a way to make more people aware of Krabbe disease and do what you can to see that other families are spared such heartache and support the Newborn Child Testing Act, Representative Cruz's HB 1654, which is up for final consideration today.

Again, thank you for all your support. Vicki and Justin Pizzullo are continuing to fight for Hannah. Thank you.

APPROPRIATIONS COMMITTEE MEETING

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

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

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

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

REPUBLICAN CAUCUS

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

Ms. MAJOR. Thank you, Mr. Speaker.

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

DEMOCRATIC CAUCUS

The SPEAKER. The Speaker recognizes the gentleman from Clinton County, Mr. Hanna, for a caucus announcement.

Mr. HANNA. Thank you, Mr. Speaker.

Democrats will likewise caucus at 11:30. Thank you, Mr. Speaker.

RECESS

The SPEAKER. This House stands in recess until 12:30, unless sooner recalled by the Speaker.

AFTER RECESS

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

BILLS REREPORTED FROM COMMITTEE

HB 1230, PN 1562

By Rep. ADOLPH

An Act amending the act of July 7, 1947 (P.L.1368, No.542), known as the Real Estate Tax Sale Law, in sale of property, providing for additional costs for rehabilitation and maintenance.

APPROPRIATIONS.

HB 1654, PN 2274

By Rep. ADOLPH

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

APPROPRIATIONS.

HB 1738, PN 2878

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, providing for basic education funding commission.

APPROPRIATIONS.

LEAVES 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. Dwight EVANS, from Philadelphia County for the day; the gentleman, Mr. WHEATLEY, from Allegheny County for the remainder of

the day; the gentleman, Mr. GALLOWAY, from Bucks County for the remainder of the day. Without objection, the leaves will be granted.

The Speaker recognizes the majority whip, who requests a leave for the gentleman, Mr. SACCONI, from Allegheny County for the remainder of the day. Without objection, the leave will be granted.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, returned **HB 261, PN 273, and HB 1584, PN 2166**, with information that the Senate has passed the same without amendment.

BILLS SIGNED BY SPEAKER

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

HB 261, PN 273

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 civil penalties.

HB 1584, PN 2166

An Act amending Titles 30 (Fish) and 34 (Game) of the Pennsylvania Consolidated Statutes, further providing for powers and duties of waterways conservation officers and deputies and for powers and duties of enforcement officers.

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

CALENDAR

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 906, PN 2867**, entitled:

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, further providing for duties of electric distribution companies.

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

* * *

The House proceeded to second consideration of **SB 1081, PN 1354**, entitled:

An Act amending the act of June 24, 1931 (P.L.1206, No.331), known as The First Class Township Code, further providing for filing and recording of ordinances.

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

* * *

The House proceeded to second consideration of **SB 137, PN 1603**, entitled:

An Act amending the act of December 21, 1984 (P.L.1253, No.238), known as the Speech-Language and Hearing Licensure Act, further providing for title of act, for short title, for declaration of policy, for definitions, for creation of board, appointment and term of members and officers, for powers and duties of board, for license required and persons and practices not affected and exclusions and for requirements for licensure; providing for certification for audiologists using intraoperative monitoring; further providing for refusal to issue and revocation, for requirement of a medical examination, for renewal fees and records, for limitation of renewal time and new license and for certification to the board; providing for use of title; and further providing for enforcement of certification to board, for impaired professionals, for penalties, for injunction against lawful practice and for appropriation.

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

* * *

The House proceeded to second consideration of **SB 681, PN 1592**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for the protection of victims of sexual violence, for duties of law enforcement agencies, for procedure and for penalties; and, in juvenile matters, further providing for definitions.

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

Mr. **MARSICO** offered the following amendment
No. **A05223**:

Amend Bill, page 14, lines 3 and 4, by striking out "on the number of extensions that may be granted"

Amend Bill, page 14, by inserting between lines 4 and 5

(3) There shall be no limitation on the number of extensions that may be granted.

Amend Bill, page 28, line 10, by striking out "in 180 days" and inserting

July 1, 2015

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

The SPEAKER. On that question, the Speaker recognizes the gentleman from Dauphin County, Mr. Marsico.

Mr. MARSICO. Thank you, Mr. Speaker.

I am just going to give a summary of this amendment. Actually, the State Police must create a registry of sexual violence victim protection orders, and this extends the date, corrects the drafting error. It provides an effective date of July 1, 2015. So it gives the State Police more time to put this into effect, and I ask for an affirmative vote.

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

On that question, the Speaker recognizes the gentleman from Berks County, Mr. Caltagirone.

Mr. CALTAGIRONE. Thank you, Mr. Speaker.

I would urge the members to support this amendment. It is an agreed-to amendment, and it helps to make the bill better. Thank you, Mr. Speaker.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—195

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

DiGirolamo
Donatucci
Dunbar

Killion
Kim
Kinsey

Pashinski
Payne
Peifer

White
Youngblood

NAYS—0

NOT VOTING—0

EXCUSED—7

Evans
Galloway

Hennessey
Mahoney

Regan
Saccone

Wheatley

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

On the question,

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

Bill as amended was agreed to.

(Bill as amended will be reprinted.)

* * *

The House proceeded to second consideration of **HB 1863, PN 2720**, entitled:

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

On the question,

Will the House agree to the bill on second consideration?

Mr. **MACKENZIE** offered the following amendment No. **A05218**:

Amend Bill, page 1, lines 6 through 18; pages 2 and 3, lines 1 through 30, by striking out all of said lines on said pages and inserting Section 1. Section 3903(d) of Title 18 of the Pennsylvania Consolidated Statutes is amended and the section is amended by adding a subsection to read:

§ 3903. Grading of theft offenses.

* * *

Amend Bill, page 4, line 2, by striking out "section" and inserting sections

Amend Bill, page 4, line 3, by inserting after "felony" and 1104 (relating to sentence of imprisonment for misdemeanors)

Amend Bill, page 4, by inserting between lines 11 and 12 "Affiliate." Any chapter, branch, auxiliary or other subordinate unit of any charitable organization, howsoever designated, whose policies, fundraising activities and expenditures are supervised or controlled by the parent organization.

Amend Bill, page 4, by inserting between lines 25 and 26 "Charitable purpose." Any benevolent, educational, philanthropic, humane, scientific, patriotic, social welfare or advocacy, public health, environmental conservation, civic or other eleemosynary objective.

Amend Bill, page 5, by inserting between lines 10 and 11 "Solicitation." Any direct or indirect request for a contribution on the representation that the contribution will be used in whole or in part for a charitable purpose.

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

The SPEAKER. On that question, the Speaker recognizes the gentleman from Lehigh County, Mr. Mackenzie.

Mr. MACKENZIE. Thank you, Mr. Speaker.

The amendment that I am offering, A05218, removes language found in SB 731, which will become law in February of 2014. It also adds definitions to terms, so it is easier to construe the term "charitable organizations," and it also corrects a drafting error.

Thank you, Mr. Speaker.

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

On that question, the Speaker recognizes the gentleman from Berks County, Mr. Caltagirone.

Mr. CALTAGIRONE. Thank you, Mr. Speaker.

I would urge the members to support this. This is an agreed-to amendment. Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—195

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

DeLozier	Kavulich	O'Neill	Vereb
DeLuca	Keller, F.	Oberlander	Vitali
Denlinger	Keller, M.K.	Painter	Waters
Dermody	Keller, W.	Parker	Watson
DiGirolamo	Killion	Pashinski	White
Donatucci	Kim	Payne	Youngblood
Dunbar	Kinsey	Peifer	

NAYS—0

NOT VOTING—0

EXCUSED—7

Evans	Hennessey	Regan	Wheatley
Galloway	Mahoney	Saccone	

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

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

Bill as amended was agreed to.

(Bill as amended will be reprinted.)

* * *

The House proceeded to second consideration of **HB 777, PN 889**, entitled:

An Act amending the act of August 26, 1971 (P.L.351, No.91), known as the State Lottery Law, in Pharmaceutical Assistance for the Elderly, further defining "income"; and further providing for determination of eligibility.

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

The SPEAKER. It is the Speaker's understanding that the amendments have been withdrawn to HB 777.

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

SUPPLEMENTAL CALENDAR A

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1654, PN 2274**, entitled:

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

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

Table listing names of members who voted 'YEAS' (195 total). Includes names like Adolph, Aument, Baker, Barbin, Barrar, Benninghoff, Bishop, Bizzarro, Bloom, Boback, Boyle, B., Boyle, K., Bradford, Briggs, Brooks, Brown, R., Brown, V., Brownlee, Burns, Caltagirone, Carroll, Causer, Christiana, Clay, Clymer, Cohen, Conklin, Corbin, Costa, D., Costa, P., Cox, Cruz, Culver, Cutler, Daley, M., Daley, P., Davidson, Davis, Day, Dean, Deasy, DeLissio, Delozier, DeLuca, Denlinger, Dermody, DiGirolamo, Donatucci, Dunbar, Ellis, Emrick, English, Evankovich, Everett, Fabrizio, Farina, Farry, Fee, Fleck, Flynn, Frankel, Freeman, Gabler, Gainey, Gergely, Gibbons, Gillen, Gillespie, Gingrich, Godshall, Goodman, Greiner, Grell, Grove, Hackett, Haggerty, Hahn, Haluska, Hanna, Harhai, Harhart, Harhart, Harkins, Harper, Harris, A., Harris, J., Heffley, Helm, Hickernell, James, Kampf, Kauffman, Kavulich, Keller, F., Keller, M.K., Keller, W., Killion, Kim, Kinsey, Kirkland, Knowles, Kortz, Kotik, Krieger, Kula, Lawrence, Longiatti, Lucas, Mackenzie, Maher, Major, Maloney, Markosek, Marshall, Marsico, Masser, Matzie, McCarter, McGeehan, McGinnis, McNeill, Mentzer, Metcalfe, Metzgar, Miccarelli, Micozzie, Millard, Miller, D., Miller, R., Milne, Mirabito, Miranda, Molchany, Moul, Mullery, Mundy, Murt, Mustio, Neilson, Neuman, O'Brien, O'Neill, Oberlander, Painter, Parker, Pashinski, Payne, Peifer, Petrarca, Petri, Pickett, Pyle, Quinn, Rapp, Ravenstahl, Readshaw, Reed, Reese, Roae, Rock, Roebuck, Ross, Rozzi, Sabatina, Sainato, Samuelson, Sankey, Santarsiero, Saylor, Scavello, Schlossberg, Schreiber, Simmons, Sims, Smith, Snyder, Sonney, Stephens, Stern, Stevenson, Sturla, Swanger, Tallman, Taylor, Thomas, Tobash, Toepel, Toohil, Truitt, Turzai, Vereb, Vitali, Waters, Watson, White, Youngblood.

NAYS—0

NOT VOTING—0

EXCUSED—7

Table listing names of members who were 'EXCUSED' (7 total): Evans, Galloway, Hennessey, Mahoney, Regan, Saccone, Wheatley.

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 1230, PN 1562**, entitled:

An Act amending the act of July 7, 1947 (P.L.1368, No.542), known as the Real Estate Tax Sale Law, in sale of property, providing for additional costs for rehabilitation and maintenance.

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

Table listing names of members who voted 'YEAS' (195 total). Includes names like Adolph, Aument, Baker, Barbin, Barrar, Benninghoff, Bishop, Bizzarro, Bloom, Boback, Boyle, B., Boyle, K., Bradford, Briggs, Brooks, Brown, R., Brown, V., Brownlee, Burns, Caltagirone, Carroll, Causer, Christiana, Clay, Clymer, Cohen, Conklin, Corbin, Costa, D., Costa, P., Cox, Cruz, Culver, Cutler, Daley, M., Daley, P., Davidson, Davis, Day, Dean, Deasy, DeLissio, Delozier, Ellis, Emrick, English, Evankovich, Everett, Fabrizio, Farina, Farry, Fee, Fleck, Flynn, Frankel, Freeman, Gabler, Gainey, Gergely, Gibbons, Gillen, Gillespie, Gingrich, Godshall, Goodman, Greiner, Grell, Grove, Hackett, Haggerty, Hahn, Haluska, Hanna, Harhai, Harhart, Harhart, Harkins, Harper, Harris, A., Harris, J., Heffley, Helm, Hickernell, James, Kampf, Kauffman, Kavulich, Kirkland, Knowles, Kortz, Kotik, Krieger, Kula, Lawrence, Longiatti, Lucas, Mackenzie, Maher, Major, Maloney, Markosek, Marshall, Marsico, Masser, Matzie, McCarter, McGeehan, McGinnis, McNeill, Mentzer, Metcalfe, Metzgar, Miccarelli, Micozzie, Millard, Miller, D., Miller, R., Milne, Mirabito, Miranda, Molchany, Moul, Mullery, Mundy, Murt, Mustio, Neilson, Neuman, O'Brien, O'Neill, Oberlander, Painter, Parker, Pashinski, Payne, Peifer, Petrarca, Petri, Pickett, Pyle, Quinn, Rapp, Ravenstahl, Readshaw, Reed, Reese, Roae, Rock, Roebuck, Ross, Rozzi, Sabatina, Sainato, Samuelson, Sankey, Santarsiero, Saylor, Scavello, Schlossberg, Schreiber, Simmons, Sims, Smith, Snyder, Sonney, Stephens, Stern, Stevenson, Sturla, Swanger, Tallman, Taylor, Thomas, Tobash, Toepel, Toohil, Truitt, Turzai, Vereb.

DeLuca	Keller, F.	Oberlander	Vitali
Denlinger	Keller, M.K.	Painter	Waters
Dermody	Keller, W.	Parker	Watson
DiGirolamo	Killion	Pashinski	White
Donatucci	Kim	Payne	Youngblood
Dunbar	Kinsey	Peifer	

NAYS—0

NOT VOTING—0

EXCUSED—7

Evans	Hennessey	Regan	Wheatley
Galloway	Mahoney	Saccone	

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

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

MOTION TO PROCEED TO CONSIDERATION UNDER RULE 24

The SPEAKER. The majority leader moves, under rule 24, for a motion to proceed for immediate consideration of HB 1738, PN 2878, on page 1 of today's House calendar supplemental A.

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

The following roll call was recorded:

YEAS—183

Adolph	Donatucci	Killion	Petrarca
Aument	Dunbar	Kim	Petri
Baker	Ellis	Kinsey	Pickett
Barbin	Emrick	Kirkland	Pyle
Barrar	English	Knowles	Quinn
Benninghoff	Evankovich	Kortz	Rapp
Bishop	Everett	Kotik	Ravenstahl
Bizzarro	Fabrizio	Krieger	Readshaw
Bloom	Farina	Kula	Reed
Boback	Farry	Longiotti	Reese
Boyle, B.	Fee	Lucas	Rock
Boyle, K.	Fleck	Mackenzie	Roebuck
Bradford	Flynn	Maher	Ross
Briggs	Frankel	Major	Rozzi
Brooks	Gabler	Maloney	Sabatina
Brown, R.	Gainey	Markosek	Sainato
Brown, V.	Gergely	Marshall	Sankey
Brownlee	Gibbons	Marsico	Santarsiero
Burns	Gillen	Masser	Saylor
Caltagirone	Gillespie	Matzie	Scavello
Carroll	Gingrich	McCarter	Schlossberg
Causar	Godshall	McGeehan	Schreiber
Christiana	Goodman	McGinnis	Simmons
Clay	Greiner	McNeill	Sims
Clymer	Grove	Mentzer	Smith
Cohen	Hackett	Miccehelli	Snyder
Conklin	Haggerty	Micozzie	Sonney
Corbin	Hahn	Millard	Stephens
Costa, D.	Haluska	Miller, R.	Stern
Costa, P.	Hanna	Milne	Stevenson
Cox	Harhai	Mirabito	Sturla
Cruz	Harhart	Miranda	Swanger

Culver	Harkins	Molchany	Tallman
Daley, M.	Harper	Moul	Taylor
Daley, P.	Harris, A.	Mundy	Thomas
Davidson	Harris, J.	Murt	Tobash
Davis	Heffley	Mustio	Toepel
Day	Helm	Neilson	Toohil
Dean	Hickernell	O'Brien	Turzai
Deasy	James	O'Neill	Vereb
DeLissio	Kampf	Oberlander	Vitali
DeLozier	Kauffman	Painter	Waters
DeLuca	Kavulich	Parker	Watson
Denlinger	Keller, F.	Pashinski	White
Dermody	Keller, M.K.	Payne	Youngblood
DiGirolamo	Keller, W.	Peifer	

NAYS—12

Cutler	Lawrence	Miller, D.	Roae
Freeman	Metcalfe	Mullery	Samuelson
Grell	Metzgar	Neuman	Truitt

NOT VOTING—0

EXCUSED—7

Evans	Hennessey	Regan	Wheatley
Galloway	Mahoney	Saccone	

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

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1738, PN 2878**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for basic education funding commission.

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 final passage, the Speaker recognizes the gentleman from Allegheny County, Mr. Markosek.

Mr. MARKOSEK. Thank you, Mr. Speaker.

Mr. Speaker, I rise in favor of HB 1738. HB 1738 will establish a commission to study and make recommendations concerning the basic education funding formula. This commission gives us an opportunity to get back on course and to get it right.

The last three budgets, under this administration and the Republican leadership, have failed our students. The meager increase in basic education in this year's budget, 2013-14, fell short of providing our students with adequate educational opportunities. The budget did little to remedy the \$1 billion cut to public education in the Governor's first budget. Not only did the budget fall short in funding, but the basic education funding

formula used to drive out the money was not fair. The formula failed to consider basic poverty measures such as free and reduced lunches, thereby providing higher increases to many wealthy districts and lower increases to many poor districts. For example, a convoluted formula was used to direct \$30 million in additional funding to only 21 school districts. Six of the eight financially distressed school districts receive no funding from the \$30 million in extra supplements.

The administration continues to claim record-high State funding if you look at just the funding provided to our classrooms, but that is false. Schools were already underfunded, according to the costing-out study, which was implemented in a bipartisan effort several years ago. Now we are sliding backwards at an alarming rate. School districts are reporting that they are reducing education programs; increasing class sizes; eliminating extracurricular activities, including sports; furloughing teachers and support staff; and raising property taxes – and raising property taxes.

We continue to quibble over State money versus Federal money, but it does not matter to the students and our school districts. The fact is, our public schools are in distress. With each budget we have an opportunity to set priorities. How can the Governor cut business taxes, how can the Governor cut business taxes by \$1.2 billion but on the other hand tell our schools that they cannot afford to properly fund them?

HB 1738 is an important step in the right direction. Not only do we need to restore the education funding cuts, but we also need to ensure that the money we are driving out to our public schools is based on a fair – and the key word here being "fair" – formula.

I encourage a "yes" vote on 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 Delaware County, Mr. Adolph.

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

I also rise to support this piece of legislation. I am very proud that my good friend from Bucks County is the prime sponsor.

I find it quite interesting that the Democratic chair of the House Appropriations Committee has a very short memory. It really surprises me. The formula that they are talking about that would have increased funding for education in the year 2009-2010 when the other side of the aisle was in charge – they also had Federal stimulus money back in those years – they still had not funded education based upon that formula. So with the help of about \$1 billion in Federal stimulus money, when they were in the majority they still did not follow that formula, 2009-2010.

Now, when we raised education funding to an all-time high – and I understand the problems with what goes into education spending, but some of those line items were very, very important to many school districts on both sides of the aisle – not one, not one member on the other side of the aisle voted for last year's \$10 billion education funding, not one. So I find it quite— I think it is getting old. I think it is getting real old that this side of the aisle does not take education as a top priority. Ten billion dollars is nothing to sneeze about. I am proud to have helped restore funding in education throughout the State. We are never going to replace the money that we lost immediately, but in 3 short years we were able to do it.

So I am looking forward in a bipartisan way, and I challenge the other side of the aisle to work with us in this year's budget process. It is easy to be a "no" vote. It is very easy to be a "no" vote when it comes to a \$28 billion budget. You are always going to find something that you thought was underfunded, but I can tell you this: We work very hard to maintain funding for basic education, and those school districts that receive some extra money, because we do have an awful lot of diversity in Pennsylvania among our school districts, whether you are in an urban area or a rural area, sometimes they do not have the tax base that some other areas of the State have, and we try to help to the best of our ability those school districts.

So before they start screaming about what we have not done, they have to take a look to see what they did in the years that they were getting Federal stimulus money and they still did not fund based upon the formula that they are talking about.

Thank you very much, and please support HB 1738. Thank you.

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

On that question, the Speaker recognizes the majority leader, Mr. Turzai.

The gentleman, Mr. Turzai, steps back.

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.

My good colleague, the gentleman from Delaware, just talked about things getting old, and indeed, the thing that has gotten oldest to me is the constant denial of the fact that we have cut education funding in the State of Pennsylvania. That is what is getting old, and the reality is that the percentage of State dollars going to local districts at the end of the Rendell administration had reached the figure of 46 percent. Now that figure is at 34 percent, but there were not any cuts. That simply somehow magically happened, and the money just disappeared someplace. There was not a factor of stimulus dollars. If you take all the line items in the budget and combine them under basic education and then spew the money out again, there is going to be a shift in funding, and that is what has happened.

What we need to do is to establish a fair funding formula in Pennsylvania. We are only one of three States without such a formula. All of the districts in this Commonwealth are hurt by that. Rural districts, suburban districts, urban districts, all of our kids are hurt by that, and it is making it harder for us to talk about economic development, improving our society, changing lives when in fact we do not educate our children. That is our basic responsibility as a legislative body. There is no higher priority that we should have than how we treat our children. There is no higher priority we should have than making sure that all of our children get the right to a good education, and we should not be quibbling over where the dollars come from. The fact is, that is our responsibility. That is what we are elected to do. If we do not do it, then shame on us.

And so we have now an opportunity to go back, look at education, look at funding, and look at a way in which we do it right. That is what we all should be about, and I certainly support this bill, HB 1738, and look forward to a return to commitment on the part of the legislative body of the Commonwealth of Pennsylvania to ensuring that our children get an opportunity for a good education. Thank you, Mr. Speaker.

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

On that question, the Speaker recognizes the gentleman from Monroe County, Mr. Scavello.

Mr. SCAVELLO. Thank you, Mr. Speaker.

It seems that whenever we talk about fair funding for education, it just wakes me up.

We heard about the cost-out study. The cost-out study was fine. The problem with the cost-out study is when you do a study, you have got to adopt the whole study.

When some folks stand up here and say that the last 3 or 4 Rendell years that we funded public education properly, I can tell you the school districts in Monroe County did not get funded properly. I could just compare 2 years. We put over \$250 million in basic education funding, and the four in Monroe and the one in Pike got \$3.1 million of that cut. We had schools getting \$200,000 and \$300,000 and schools in Philly were getting fifty-five, sixty, seventy million during that period. Our schools got cut. Sixty-five percent of my students in the Pocono Mountain School District qualify for free and reduced lunch. I might be in a rural area, but I have urban problems. So when we stand up here and say that everything was right for those years, Mr. Speaker, it was not. I stood up here at the mike at every one of those budgets and complained.

Now, we are putting a new process in place, and I am going to support this, but when it comes back, we have to adopt the whole study. We cannot just pick and choose who gets help and who does not. Treat every student properly so that the gentleman in the back, the gentleman to the right, the gentleman to the left, all of you will have the school districts funded properly, but I believe over \$10 billion in education funding—And when you talk about a one-time item, if you get stimulus money, it is not going to be there, Federal dollars. If you want to blame somebody, blame the Feds because we do not have that money anymore. But how could you grow a budget with one-time revenues? That is what happened the last 2 Rendell years, Mr. Speaker. You funded a budget with one-time revenues that you know you are not going to have. Do not blame it on this administration. They did a great job in keeping this Commonwealth afloat.

Thank you, Mr. Speaker.

LEAVE OF ABSENCE CANCELED

The SPEAKER. The Speaker turns to leaves of absence and recognizes the presence of the gentleman from Chester County, Mr. Hennessey. Without objection, his name will be added back to the master roll call.

CONSIDERATION OF HB 1738 CONTINUED

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

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

Mr. SANTARSIERO. Thank you, Mr. Speaker.

I rise in support of HB 1738, and I want to thank my friend and colleague from Bucks County for having put this bill forward for us.

But I just want to say, Mr. Speaker, I was encouraged to hear the good gentleman from Delaware County, the chairman of the

Appropriations Committee, for his offer to work in a bipartisan fashion, and I agree with that. It is time we work in a bipartisan fashion to pass a severance tax in Pennsylvania. It is time we work in a bipartisan fashion to move the capital stock and franchise tax back to the 2002—

The SPEAKER. The gentleman will suspend. The gentleman will suspend.

The subject before the House is HB 1738. Technically, it is not whether or not we should work in a bipartisan fashion and it is not other issues. It is the subject of HB 1738, and I appreciate if the gentleman would stay focused on that subject.

Mr. SANTARSIERO. Thank you, Mr. Speaker.

I am sorry. He opened the door and I just had to walk through.

That would raise \$1 billion. That is what I will leave it with. We can do it. 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. Petri.

Mr. PETRI. Thank you, Mr. Speaker.

I, too, want to congratulate my colleague from Bucks County, the Representative who is the sponsor of this bill, because I know how hard he has worked at this bill. How do I know that, Mr. Speaker? Because there were many, many meetings where we met with our local school boards who talked to us about the important issue not just of special education and funding but the severity of diagnoses they are dealing with and the amount of care that they have to provide.

And, Mr. Speaker, I think an important aspect to remember about this bill is that in the past, whether it was this administration, the prior administration, the administration prior to that, all the way back to Governor Casey, we have made some assumptions on what the actual needed population is, and we have assumed that every school district, Mr. Speaker, would have a 15-percent special need population, and that may be true in some cases; it may not be in others, and that is why my colleagues have been talking about the need to understand this better and to fund it more appropriately.

Mr. Speaker, during one of those key meetings, our then Congressman – and this is going back 10 years ago – reminded us that when these mandates were passed to our department and our States, they came from the Federal government with a promise, Mr. Speaker, that they would be 100 percent funded by the Federal government. The only 100 percent we have ever gotten from the Federal government is their track record of being 100 percent deficient in their ability to provide the required and promised funding.

So as we debate this issue, let us not forget that the Federal government has placed us in this position where it is our responsibility to pay for those services that should be provided because of the empty promise of the Federal government and their failure to fulfill their obligation to the States. I am not saying, Mr. Speaker, we should shirk away from it. In fact, again, I applaud the gentleman for saying, well, if they will not fulfill their responsibility, we will.

Congratulations in advance on the passage of this important piece of legislation.

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 also rise in support of HB 1738, which I believe has bipartisan support in this House and will be passed overwhelmingly today.

I did not plan on speaking, but I had to respond to some things that the majority Appropriations chair has said with regard to education funding. Now, I served on the Appropriations Committee last session and the 2011-2012 sessions, and the statement was made here by the gentleman from Delaware County that \$1 billion in stimulus money was lost. Well, if you look at the Federal stimulus bill that passed in 2009 and the amount that was earmarked for education in Pennsylvania, it is \$650 million. So I feel I have to correct that, because people say over and over and over again it was \$1 billion in stimulus funding when that is simply not true. Look at the overall picture. If you lost \$650 million in Federal stimulus money and cut \$1 billion in education funding, you are, obviously, cutting both Federal and State dollars. I think some people try to forget that they voted to cut State dollars for education.

I would like to quote a Republican here by the name of Abe Lincoln, who said, "You can fool all the people some of the time, and some of the people all the time, but you cannot fool all the people all the time." I think the citizens of Pennsylvania know that \$1 billion was lost. If you want to blame it on stimulus, that was only part of the equation. You did vote to cut State funding for education.

Look at the line item for basic education. People always say basic education is at an all-time record. Well, look up the budget. This year it is \$5.5 billion—

The SPEAKER. Will the gentleman suspend. Will the gentleman suspend.

Look, the history is to allow the floor leaders and, in certain cases, the Appropriations chairmen a little leeway. The subject before the House is not the State budget. It is not even education funding. The subject is, how do we do education funding as embodied in HB 1738? I would appreciate the members focusing on the subject before the House, HB 1738.

Mr. SAMUELSON. Okay. Thank you, Mr. Speaker.

I will wrap up. My final point was going to be that there is more than one line item in education. There were cuts to basic education; there were cuts to accountability grants, educational assistance programs, reimbursements to charter schools. The education budget was much broader than the one line item that is often quoted.

Thank you, Mr. Speaker.

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

On that question, the Speaker recognizes the gentleman from Lancaster County, Mr. Sturla.

Mr. STURLA. Thank you, Mr. Speaker.

I rise in support of HB 1738, and hopefully, we can get this passed in a bipartisan fashion.

I believe there is a great need for this bill for multiple reasons. First off, there was a time in this State, in the not too distant future – 3 or 4 or 5, 3, 4, 5 years ago, where this State was increasing funding for education every year and test scores were rising in both math and science at every grade level and we were the envy of the nation. That is not the case anymore. Test scores have started to fall, and there is nearly \$1 billion less being spent on basic education in the State of Pennsylvania

today than there was 3 years ago. You can blame anyone you want, but the bottom line is, there are less dollars today than there were 3 years ago.

This bill is also necessary because we are one of only three States that does not have a funding formula to distribute education funds throughout our State. Now, a funding formula does not necessarily in and of itself mean that there is equitable funding or adequate funding, but lack of an education funding formula means that there is pretty much a guarantee that neither is occurring.

Mr. Speaker, all you need to do is walk into any school in any place in this State and ask the school directors or the superintendent or the principals whether they have more money to operate with today than they did 3 years ago and you get a simple answer. The answer is no.

I would like us to pass legislation that increased funding and did it in a reasonable, rational manner with a reasonable, rational funding formula today or tomorrow or the next day, but if we need to put it off a little longer in order to study this issue, then let us get on with it. Let us pass HB 1738 and move forward with funding education in Pennsylvania so that we can once again become the envy of the other States as opposed to the person looking to other States as to how we should operate a school system. Thank you, Mr. Speaker.

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

Is the gentleman, Mr. Dermody, seeking recognition? The gentleman from Allegheny County, Mr. Dermody, is recognized on final passage.

Mr. DERMODY. Thank you, Mr. Speaker.

Mr. Speaker, I support HB 1738 and urge all my colleagues to support it also. We also should, all of us, lament the fact that we even need this bill or even need to pass this bill.

Mr. Speaker, it is a sad commentary on our State that we have to once again try to establish a fair and equitable funding formula for basic education in our 500 school districts, and it was not always this way, Mr. Speaker. Several years ago this General Assembly attempted to make good on our constitutional responsibility to provide a thorough and efficient public system of public education. The result was the education costing-out study of 2007, which laid out a pathway for a fair, more equitable, and more adequate State funding of Pennsylvania's public schools. The funding formula for the costing-out study was in effect for 3 years, but it was abandoned by Governor Corbett in 2011, the same year almost \$1 billion was slashed from our public schools.

Now, as a result of Governor Corbett's cuts, school districts no longer have the resources they need to adequately educate every child in our Commonwealth. Well, what we have now is really an ad hoc system of school funding, and each year a few school districts win special treatment through a political budget process, while many districts get little or no help.

Now, you could continue to say that we have record funding for our public education, but let me tell you, the people of Pennsylvania know that is not true. The parents know it. The children know it. The teachers know it. They know \$1 billion has not been restored. They know they are paying higher property taxes. They know 20,000 school district employees have been laid off, and they will remember.

Mr. Speaker, we should not even need to pass this bill that is before us today. If Governor Corbett had kept his promise to the children, families, and taxpayers of Pennsylvania, we would

have a fairly funded public education system in Pennsylvania. If he had kept his promise to the people of Pennsylvania, 20,000 workers would still have their jobs, and if he had kept his promise, our children, all of our children, every child would have the chance to succeed in our public schools.

The numbers speak for themselves. The \$1 billion was cut, and we need to take this step to continue to help. We can protect our children in the future. Vote "yes" on this bill to start to repair the damage that has been incurred to our children by Governor Corbett's cuts. It is finally time we make the children our priority in the Commonwealth.

Thank you, Mr. Speaker.

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

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

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

Not only do I rise in support of HB 1738, but I want to specifically take the time to thank the minority Democratic leader for supporting this Republican-led piece of legislation that is coming to the floor while we have been in charge working with many members across the aisle to make public education and education for all kids the best it has ever been over the last 3 years. I cannot thank you enough, you and your other members of leadership, to support this legislation led under our Republican leadership, working in combination with so many over the past 3 years of our Democratic colleagues as part of your caucus.

The fact of the matter is, we all know that education spending in the last budget reached the highest level in State dollars ever, over \$10 billion, kindergarten through 12th grade, for public education alone. The basic ed number is over \$5 billion, the highest it has ever been in State tax dollars, and remember, the good citizens of Pennsylvania are paying for that through income taxes, sales taxes, business taxes, cigarette taxes. It is coming from the hard-earned taxpayers of Pennsylvania. It is not the leaders' money or my money; it is the taxpayers' money. But it is at the highest level ever in responsible governing because we want each and every child in Pennsylvania to get the best opportunity they can.

Secondly, keep in mind that combined with local taxes, which are also paid by those same taxpayers, we are actually spending \$24 billion annually on public education for the kids in Pennsylvania, all across the State. And do you know what? With help from the other side, we actually doubled the educational improvement tax credit, particularly for those kids in districts where the schools are failing because we want kids to have choices of many facets.

We also did HB 618, cyber charter funding reform, bipartisan work, not with leadership, but with many of our members from that other side and sitting over in the Senate, where we are going to return more dollars to the public schools while at the same time making sure that those public charter schools have an opportunity to do their best in areas where they are not meeting the needs of the families and the students.

The fact of the matter is, we have increased spending on public education ever since we came back from the majority in State dollars, because under the last administration it dipped down to beneath \$9 billion. It was at \$8.8 billion, and it was our caucus, working with some people across the aisle, to increase funding every year since we have come back into the majority. We are about commonsense solutions. The funding formula issues go back to Governor Casey, for goodness' sakes. And

guess what? It is this legislative session, under our leadership, working hand in hand, I hope on a unanimous vote, with our colleagues, to actually address the funding formula, which was never done while we were in the minority.

This is a great opportunity, and we ask for everybody's "yes" vote. Thank you very, very much.

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

Is the gentleman from Crawford County seeking recognition, Mr. Roae? The gentleman is in order.

Mr. ROAE. Thank you, Mr. Speaker.

The SPEAKER. The gentleman is in order.

Mr. ROAE. Thank you, Mr. Speaker.

I had my hand up. I apologize that I am speaking after the majority leader and minority leader. I did want to speak. I will be more diligent about getting my hand up more recognizable in the future.

Mr. Speaker, I am concerned with this legislation. I know there is a lot of debate about school funding, Mr. Speaker, but rural areas that are low-income areas, that have declining populations have terrible difficulty in funding their school systems, and I am kind of concerned with any potential changes that could result as a result of this study.

Mr. Speaker, rural districts, especially in the western part of the State, they struggle with their school budgets because of a lot of things like the lack of pension reform, the lack of prevailing wage reform, the lack of union reforms. The school budgets in rural areas that are low income struggle, Mr. Speaker, and I think under the current system it allows for kids in all parts of the State to receive a good education regardless of what area they live in. So if this passes, which it probably will, I just hope that there is good consideration for areas that do not have a high tax base, areas that are losing population because of limited economic opportunities, and I hope it is determined that rural areas with shrinking populations will continue to receive adequate school funding so they can operate.

And I do want to point out, Mr. Speaker, for the interest of the members, on the Pennsylvania Budget Secretary Web site, you can see all the State budgets. So you can clearly see that the 2010 General Fund budget had \$9.6 billion of State funding for education. The 2013 budget has \$10.3 billion, Mr. Speaker. So when you look at basic ed funding, special ed funding, teacher retirement, student transportation, adult literacy, library—

The SPEAKER. Will the gentleman suspend.

Mr. ROAE. Yes, Mr. Speaker.

The SPEAKER. The subject before the House is a bill that establishes a basic education funding commission. I think you are drifting off the substance of this bill and into other subjects, and I appreciate you focus on the legislation that is before the House.

Mr. ROAE. Okay. Thank you, Mr. Speaker.

I guess my point would be, if I understand it correctly, this would study how we spend the \$10.3 billion of State funding. This would not have any impact on how we handle \$1 billion of Federal stimulus funding that does not exist anymore.

Thank you, Mr. Speaker.

On the question recurring,

Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—187

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

NAYS—9

Brooks	James	Metzgar	Rapp
Causar	Metcalfe	Oberlander	Roae
Gabler			

NOT VOTING—0

EXCUSED—6

Evans	Mahoney	Saccone	Wheatley
Galloway	Regan		

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

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

STATEMENT BY MR. HENNESSEY

The SPEAKER. The gentleman from Chester County, Mr. Hennessey, is recognized under unanimous consent.

Mr. HENNESSEY. Thank you, Mr. Speaker.

About half an hour ago I was on leave and I missed the vote on HB 777, Representative Grove's bill, the Social Security COLA (cost-of-living adjustment) disregard. Had I been here, I would have voted in favor of that, and I certainly intend to support it on final passage when we come back the week after next.

If I may just digress from that, the reason I was on leave, I was at the funeral for a fellow by the name of Lou Salemno. Now, Lou was remarkable. He was a long-serving member of the Elverson Fire Company, and then after it merged with Morgantown, the Twin Valley Fire Company. He would answer the call at all hours of the day or night in all kind of weather to be a fire policeman and direct traffic and make people safer on the roads as firefighters fought the fire.

The reason I mention this, quite frankly, we have these kinds of selfless people all over our Commonwealth, and they make the State a much better place to live in and raise your family. I mention it specifically, though, because Lou was 85 years old and still active, still answered every call. Every time his services were needed, he was there. Last year he was hospitalized, put in a nursing home, and just passed away last week, but up until the very end, he was dedicated to the fire service, and at 85, 86 years old, it seemed to me that he deserved special mention on the House floor for his long dedication to the people in northern Chester County.

Thank you.

The SPEAKER. The Speaker thanks the gentleman.

BILLS RECOMMENDED

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

HB 777;
HB 906;
HB 1863;
SB 137;
SB 681; and
SB 1081.

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

BILLS REMOVED FROM TABLE

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

HB 1602;
HB 1873; and
HB 1944.

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

STATEMENT BY MR. CRUZ

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

Mr. CRUZ. Personal privilege, Mr. Speaker.

The SPEAKER. Unanimous consent?

Mr. CRUZ. That is fine.

The SPEAKER. The gentleman is in order under unanimous consent.

Mr. CRUZ. I just wanted to take the opportunity to thank members on both sides of the aisle for their vote today on Hannah's bill and also to thank the chairman, DiGirolamo, for all his help. This is a great day in Pennsylvania, where we are going to be screening children for diseases. Happy birthday, Hannah.

The SPEAKER. The Speaker thanks the gentleman.

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, the Speaker recognizes the gentleman, Representative Sankey, from Clearfield County, who moves that this House do now adjourn until Monday, January 27, 2014, at 1 p.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 1:42 p.m., e.s.t., the House adjourned.