

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

TUESDAY, OCTOBER 27, 2015

SESSION OF 2015

199TH OF THE GENERAL ASSEMBLY

No. 75

HOUSE OF REPRESENTATIVES

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

THE SPEAKER (MIKE TURZAI) PRESIDING

PRAYER

The SPEAKER. The prayer today will be offered by Pastor Jim Mundell of West Grove United Methodist Church. He is a guest of Representative John Lawrence.

PASTOR JIM MUNDELL, Guest Chaplain of the House of Representatives, offered the following prayer:

Mr. Speaker, thank you for inviting me today. It is a privilege and honor to stand before this body of men and women who represent this great Commonwealth.

Please join me in prayer:

God of Abraham, Isaac, and Jacob, and Father of the Lord Jesus Christ, we come invoking Your presence. We ask Your blessings on this body as they establish just and right laws.

To this end, we pray for each Representative, their families, and their staff. We lift up those who are sick or physically detained, that You may raise them up to good health and spirit. We pray for the officers as they guide, direct, and mold the functions of this body. Give each Representative the grace to compromise, and may they be filled with wisdom and knowledge, a spirit of goodwill and cooperation, that good and proper solutions may be arrived at together.

Gracious God, we pray for the work that is before this body, especially for the current budget and the ensuing tax burden to fund it. We call upon the Governor, the Senate, the House of Representatives, and the diversity of the parties to work together for the common cause of this Commonwealth.

Holy and loving God, we pray for those who may be suffering hardships because of this budget stalemate. So, gracious God, we call upon You in this time of need to give wisdom to all in this matter.

As this body is called into session, we pray that Your will be done. This we offer in the name of Jesus Christ, our Lord and savior. Amen and Amen.

PLEDGE OF ALLEGIANCE

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

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, the approval of the Journal of Monday, October 26, 2015, will be postponed until printed.

BILLS REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

HB 1618, PN 2359

By Rep. METCALFE

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, establishing the Office of State Inspector General.

STATE GOVERNMENT.

SB 316, PN 1369 (Amended)

By Rep. METCALFE

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

STATE GOVERNMENT.

LEAVES OF ABSENCE

The SPEAKER. Turning to leaves of absence, the majority whip requests leave of absence for Representative MICCARELLI of Delaware County for the day. Without objection, that will be granted.

MASTER ROLL CALL

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

The following roll call was recorded:

PRESENT—201

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

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

ADDITIONS—0

NOT VOTING—0

EXCUSED—2

Maher Miccarelli

LEAVES ADDED—3

Daley, P. Santora Simmons

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

Members, please take your seats. We are going to be introducing our guests to this august chamber. It is always amazing to me that the good people of Pennsylvania love to come visit our Capitol to see where democracy is in action, and it is wonderful to have them here.

GUESTS INTRODUCED

The SPEAKER. We are going to start off today with Betty Mundell, who is the wife of our Guest Chaplain today. Betty, if

you could please stand, welcome to the chamber. Betty is the guest of Representative John Lawrence. Thank you so much.

Lauren Youngcourt is here with her parents, Josh and Ronda. Will you please stand. They are guests of Representative Tarah Toohil, and we love having you. Lauren, you are shadowing Representative Toohil for the day. You are going to learn very much. Thank you for being here with us.

Kirstin Moyer, is Kirstin Moyer there? Kirstin, if you could please stand. This young lady is a sophomore at Gettysburg College, and she is the guest of Representative Tim Hennessey. Thank you so much for being with us today, Kirstin.

In the rear of the House, I saw a number of large groups today. We welcome students from Montgomery County Community College, and they are participating, these young ladies, in a shadowing program with Montgomery County's female legislators. Welcome. Thank you so much for being here with us today.

A very outstanding group here is with Representative Gainey, and they are known as the MAD DADS of Greater Pittsburgh. Could you please stand, this great group. Folks, these heroes are part of a group that are Men Against Destruction - Defending Against Drugs and Social Disorder. May God bless you in your endeavor. Thank you for being with us today.

In the rear of the House, from Governor Mifflin High School, we have Jayson Schmehl – I believe I am saying that correctly. Jayson, if you could please rise. Jayson is shadowing Representative Rozzi for the day, and you are going to get a great education. Thank you for being with us today.

SHARON SCHWARTZ PRESENTED

The SPEAKER. Now, I am going to call up Representatives Payne, Hennessey, and Marsico. This is a very, very important moment. We are going to be honoring one of our House's longtime employees. You would not know that looking at her because she is so young and energetic, let me tell you, but we are going to be honoring Sharon Schwartz, who has just worked with so many of our members on important legislation.

I am going to turn it over to— Representative Payne, you are going to start it off, and then we also have Representative Hennessey and Representative Marsico.

Members, please take your seats. I would ask that all conversations be taken to the anterooms. We are going to be honoring a longtime public servant.

Representative Payne, the floor is yours.

Mr. PAYNE. Thank you, Mr. Speaker.

Mr. Speaker, it is a privilege to stand here with one of my constituents, or I like to say, one of my customers that I serve. In reality, she has served this chamber faithfully. When you look in the dictionary under dedication, faithful service, you will see Sharon Schwartz's name. Nobody has been more dedicated to this caucus or to the service therein than she has been.

She started in 1979, hard to believe, but she has been a faithful, dedicated servant of this caucus since '79. She will be retiring October 30, after more than 36 years of that service. Can we have a round of applause on 36 years of service.

I can only guess how many Speakers and leaders and whips that she has seen come and go, and with that, I would like to

turn it over to Representative Marsico for some additional comments.

Mr. MARSICO. Thank you, Chairman Payne.

I want to extend my congratulations and best wishes and thanks to Sharon for all the years that she has given to me, my staff, and to members of both sides, for her support and her guidance over the years.

Sharon, I represented part of the borough of Hummelstown for 10 years and she was my constituent and loyal supporter and friend for a lot of years – for 36 years. I appreciate all of her work that she has done for all of us and all of Pennsylvanians. Congratulations to you and your family, and best wishes to you.

The SPEAKER. Representative Hennessey.

Mr. HENNESSEY. Thank you, Mr. Speaker.

Today I join with Representatives Marsico and Payne and all of you to honor Sharon Schwartz for her 36 years of effort in working for the Republican Caucus here.

Sharon was hired immediately upon graduation from East Stroudsburg University with a degree in political science. She joined our staff as a research analyst for the Mines and Energy Committee.

As all staffers do, she wrote legislation, dealt with constituent issues, drafted responses and issue briefs, and was one of a select group of people to deal with the aftermath of the March 1979 accident at the Three Mile Island nuclear site. She has been on Three Mile Island; not many of us can say that. She has actually been inside a containment vessel in the plant. She has been down inside several coal mines as part of her work with the Mines and Energy Committee. It is safe to say that she can ride our elevators here in the Capitol without any concern about claustrophobia, even though it sometimes takes some courage to get in our elevators when they are not working properly.

A few years later she moved to the House Education Committee, where she worked on legislation creating the State System of Higher Education and Pennsylvania's economic engine incubator, the Ben Franklin Partnership.

In 1985 it was back to Mines and Energy, this time as executive director dealing with issues like energy conservation standards for building construction, low-level radioactive waste disposal, used oil recycling, and crafting Pennsylvania's first solar energy law.

In 1989 Sharon was appointed executive director of the Aging and Youth Committee, where she helped rewrite the Child Protective Services Law and Pennsylvania's nationally recognized CHIP program, the Children's Health Insurance Program. She also crafted provisions of the older adult protective services law to require background checks of employees at senior facilities, mandatory reporting of suspected abuse, and nurse's aide training to detect the signs of abuse.

Since 2000 she has been the executive director of the House Aging and Older Adult Services Committee. When I was appointed the chair of that committee, I came to know Sharon and respect the work she put in and the effort and dedication she brought to helping our senior citizens in Pennsylvania. Her work is interwoven with so many different statutes which protect the elderly here in our Commonwealth: The Family Caregiver Act, which she worked on for a long time with Representative Matt Baker; the mandatory prohibition against mandatory mail order; protecting the Lottery Fund, which funds

so many of our senior programs; keeping people in PACE (Pharmaceutical Assistance Contract for the Elderly) and PACENET (Pharmaceutical Assistance Contract for the Elderly Needs Enhancement Tier) through Social Security COLA (cost-of-living adjustment) disregards; and the adult guardianship law, the adult respite services law, which she worked on with Representative Ross, and the list goes on.

If you had stopped by Sharon's office earlier, you would have known that she had 37 different bill signings hanging on the walls of her office, and perhaps two or three times that many which she could not display because there simply was not enough room.

She has done all this while raising a family. Her husband, Dick, and her sons, Rich and Ryan, join us today. She did all this also while staying active in her community and her church and earning a master's degree from the University of Pennsylvania's Fels Institute of Government.

Sharon's career has been a notable and very productive one here in the House of Representatives. She has devoted her working life to the citizens of Pennsylvania, and especially to our seniors, and our Commonwealth is a better place for her efforts.

Please join all of us in a well-deserved round of applause for Sharon and her family. Thank you, Sharon.

Sharon, if you will come up here, we have a citation for you to mark your retirement.

Mr. PAYNE. Mr. Speaker?

The SPEAKER. Thank you, John.

Sharon, so many of our staff are just outstanding, but you are a class act. The work you have done here, understand that the citizens of Pennsylvania today need to know how much you, in working with legislators like the three that you are standing with now, have positively impacted their lives. We are so glad to honor you here today. I am telling you, we are just so glad. We are going to miss you; we are going to miss you a lot.

To your husband, Dick – Dick, please come on up; Ryan and Rich, please come on up. We are glad to have you here to be able to see how much respect that your wife and mom have in this chamber and in the Commonwealth of Pennsylvania. Thank you so much.

REMARKS BY MR. DiGIROLAMO

The SPEAKER. The Chair recognizes Gene DiGirolamo on unanimous consent.

Mr. DiGIROLAMO. Thank you, Mr. Speaker.

Sharon, I just wanted to get up and just say a few words. I just want to thank you for all the good work that you have done. Since I have been here in 1995, just to sum it up in a few words, you were absolutely the best at what you did. I could never give you a constituent problem where you just did not wrap your hands around it and would not stop until the problem was solved.

Besides that, I think more importantly, Sharon, you are just such a warm, caring, compassionate human being. I know I want to thank you from the bottom of my heart for the service to this House of Representatives and want to wish you – we are going to miss you an awful lot, but we are also very, very happy for you and wish you all the best. Thank you.

REMARKS BY MRS. WATSON

The SPEAKER. Representative Kathy Watson, on unanimous consent.

Mrs. WATSON. Thank you, Mr. Speaker.

Sharon, I am here, I am going to presume, to speak for all of my colleagues, if I might, who were members of the committees that were named. I came in 2000 and started with the Aging and Older Adult Services.

Sharon is wonderful and does legislation and there are 37 frames on the wall that attest to that, but Sharon also did a wonderful job mentoring new members and mentoring the people on her committee. I think that was alluded to by the Speaker at the beginning. This is a person of service – service to the general public, service to people with complaints and concerns that they bring to Representatives, but also service to all the members and to the caucus.

I would say that you certainly had a wide eye because when I was on Aging, you would have service – it did not matter if you were Republican or Democrat, it was the issue. It was always the issue; it was always the constituent.

I had the privilege of working with you on assisted living. You made things better for a lot of people in Pennsylvania. Some of us are slowly getting to that point now, but we know it will be better when we do get there.

You have also given friendship, and I think many of the members would talk about the friendship and the fact that they never felt funny calling. They would just say, "Oh, I will call Sharon and ask her what this is all about. I don't understand it." You were great at networking. You were wonderful to get us to the right people, and what I like to say is, "Before there was Google, there was Sharon Schwartz." That is, for the House of Representatives, before that you just asked Sharon and she would know who was who or who to talk to or whatever.

So on that note, thank you for all the service, personally thank you for the opportunity to know you and to work with you and for you to choose that I get to be your friend, that is an important thing for me, I thank you for that. But on behalf of all the members, we were definitely blessed to have you in our circle and you always made us look good. Thank you.

REMARKS BY MR. KNOWLES

The SPEAKER. Representative Jerry Knowles.

Mr. KNOWLES. Thank you, Mr. Speaker.

So, Sharon, you worked here for 36 years and you do one resolution with me, which we just finished, and you quit. I hope I did not chase you.

Sharon, I had mentioned to Chairman Hennessey, in terms of that issue, in terms of issues dealing with seniors, dealing with people like me, there is no one who has more knowledge or the passion that you do for that issue. I have worked with you for a number of years as a staffer and as a State legislator, and I will tell you that you are the best of the best. You will be sadly missed by all of us, but certainly you deserve your retirement. I say enjoy your retirement, enjoy your family. Thank you for all that you have done for this institution, and thank you for all that you have done for me.

Thank you, Mr. Speaker.

REMARKS BY MR. REGAN

The SPEAKER. Representative Mike Regan.

Mr. REGAN. Thank you, Mr. Speaker.

One of my very first experiences with a constituent issue dealt with a senior center in my district, and not knowing where to turn, I turned to Sharon and I was so amazed at the power and authority you wielded on that issue and resolved it almost immediately, and I could not have been more thankful. It was really an example of someone who knew everything that you needed to know about your job and just executed it perfectly.

So not only that, but you have just been a wonderful person and a great person to be around and work with, and we are certainly going to miss you. Thank you so much, Sharon, for your help.

The SPEAKER. Sharon, each and every member would have something good to say. God bless. Thank you.

LEAVES OF ABSENCE

The SPEAKER. The majority whip has indicated that Justin SIMMONS of Lehigh County would like to be marked on leave of absence for the day. Without objection, that request will be granted.

The minority whip has indicated that Pete DALEY of Washington County would like to be marked on leave of absence for the day. Without objection, that will be granted.

GUESTS INTRODUCED

The SPEAKER. Located in the gallery and in the rear of the House, we have students from the Crefeld School in Philadelphia, and they are guests of Representative McCarter. Would you please rise so that we can cheer you on. Thank you so much for being here today, all those students. Thank you for being with us.

Representative Freeman has a guest in the gallery – two guests, Tom and Joan Crowley, coming from Sandwich, Massachusetts. Please rise and welcome to the chamber for the legislature in Pennsylvania; great having you.

UPPER MORELAND LITTLE LEAGUE SENIOR BASEBALL TEAM PRESENTED

The SPEAKER. Now we are inviting Tom Murt up, Representative Tom Murt, up to the rostrum, and he will be presenting a citation to the Upper Moreland Little League Senior Baseball Team. Come on up, gentlemen.

Representative Murt, the floor is yours.

Mr. MURT. Thank you, Mr. Speaker.

Mr. Speaker, today we recognize the young men from the Upper Moreland Little League Senior Baseball Team for their great accomplishments this year. But as we recognize their athletic accomplishments, we also recognize their personal sacrifice, commitment to a common goal, and unity of purpose.

Mr. Speaker, the Upper Moreland Little League Senior Baseball Team captured the Pennsylvania District 22 and Section 8 Championships and the United States East Regional

Senior League Tournament. The team traveled to Bangor, Maine, to participate in the Senior Little League World Series, where they finished as one of the top four senior league teams in the entire world. They were managed by Mr. Ron Kohn, and they were coached by Mike Searles and Scott Wister.

Mr. Speaker, Upper Moreland Little League Senior Boys opened their tournament season by facing North Penn in a best of five series for the Pennsylvania District 22 Championship. Upper Moreland swept North Penn in the series three games to none. Next, the team competed in the Section 8 Championship at Chester Valley in Malvern against Pennsylvania District 21 Champion Bristol and Pennsylvania District 27 Champion Great Valley. Upper Moreland won its first two pool play games, advancing directly into the section finals undefeated.

Mr. Speaker, Upper Moreland outlasted Great Valley, winning 9 to 5 in eight innings and earning a Pennsylvania Section 8 Championship and a trip to DuBois, Pennsylvania, for the Pennsylvania State Championship. In the Pennsylvania State Championship, Upper Moreland won its first two games over Section 2 Champion Sharon, 6-2, and Section 1 Champion St. Mary's, 15 to nothing. This was the second Pennsylvania State Championship for an Upper Moreland Senior Boys Team in the past 4 years.

Mr. Speaker, next up was the East Regional Senior League Tournament played in New Jersey. Upper Moreland won its opener with the Delaware State Champion, 10 to 3, and then prevailed over the host team, West Deptford, 5-3 in their next game. That placed Upper Moreland in the winner's bracket and set up a showdown against another undefeated team, the New Jersey State Champion from Franklin Township. Upper Moreland won that game in thrilling fashion in 10 innings, leaving them as the lone undefeated remaining team in the tournament. With the win, Mr. Speaker, Upper Moreland automatically advanced to the East Regional Championship game, which they won 7 to 5 in a rematch over New Jersey to claim on the second-ever East Regional Championship in Upper Moreland's Little League history.

Upper Moreland Senior Boys traveled to Maine and after getting settled in, participated in the Senior League World Series opening ceremonies on August 1 before playing their first game on Sunday the 2d, against the champions from Latin America, a team from Curacao, which our East Region Champions won 3 to nothing, again, in thrilling fashion in 10 innings in a game that did not end until 1 a.m.

The next game was against the Senior League World Series Champions from West University Place, Texas, representing the U.S. southwest region. Upper Moreland controlled the game from the start and came away with a convincing 5-1 victory and guaranteed spot in the Senior League World Series semifinals.

As fate would have it, Upper Moreland had to face the team from the southwest again in a rematch, which we, unfortunately, lost in a close one, 4 to 1, thus ending the team's bid for a Senior League World Series Championship. Southwest ended up going on to the Senior League World Series again, making it the third time in Little League's history they have done so.

Mr. Speaker, this team has enjoyed their final few days in Bangor, Maine, with a Major League Baseball showcase and an all-star game on Friday, August 7.

I am very proud to represent this team, and I thank the coaches, and I want to recognize the five young men that are up here with me. First of all, the manager, Ron Kohn; Matt Wister; Kevin Walder; Dennis Kelley; and David Casper. Mr. Speaker,

I would ask the House to please give these gentlemen a round of applause.

Mr. Speaker, at this time I would also like to present this citation to the manager of the team, Mr. Ron Kohn.

Thank you, Mr. Speaker.

The SPEAKER. Congratulations. It is great to have you, this winning team, here in the chamber, and thank you so much for being with us, and Representative Murt for bringing the team here today, the Upper Moreland Little League Senior Baseball Team. Thank you.

The rest of the team, the Upper Moreland Little League Senior Baseball Team, is right back in the corner. Gentlemen, if you could all stand, coaches and players; great having you here.

UNCONTESTED CALENDAR

RESOLUTION PURSUANT TO RULE 35

Mr. BENNINGHOFF called up **HR 473, PN 2183**, entitled:

A Resolution designating November 2, 2015, as "Veterans, Record Your Discharge Day" in Pennsylvania.

On the question,

Will the House adopt the resolution?

The following roll call was recorded:

YEAS—199

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

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

NAYS—0

NOT VOTING—0

EXCUSED—4

Daley, P.	Maher	Miccarelli	Simmons
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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. Representative Kerry Benninghoff is recognized to speak on HR 473.
He will submit remarks for the record.

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

Mr. Speaker, I rise to ask the members to support HR 473, which encourages veterans to record their discharge papers from the U.S. military in their respective county recorder of deeds office to ensure a safe, permanent public record of veteran discharge documents.

Too many veterans have misplaced or lost their discharge papers through moves or residential disasters like flooding or fire. HR 473 ensures a permanent recording of their military discharge papers in the county office of recorder of deeds.

Mr. Speaker, I would appreciate all the members casting a positive vote for HR 473. Thank you.

CALENDAR

RESOLUTION PURSUANT TO RULE 35

Mr. KINSEY called up **HR 428, PN 2065**, entitled:

A Resolution designating the month of October 2015 as "Bullying Prevention Awareness Month" in Pennsylvania to help Pennsylvanians work to recognize bullying, stop bullying and gain the tools needed to appropriately deal with situations involving bullies.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—199

Acosta	Evans	Kortz	Rapp
Adolph	Everett	Kotik	Ravenstahl
Baker	Fabrizio	Krieger	Readshaw
Barbin	Farina	Krueger	Reed

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

NAYS—0

NOT VOTING—0

EXCUSED—4

Daley, P.	Maher	Miccarelli	Simmons
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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 MR. KINSEY

The SPEAKER. Representative Kinsey is recognized on unanimous consent to speak on HR 428.

Mr. KINSEY. Thank you, Mr. Speaker.

I want to thank all of my colleagues for their unanimous support of HR 428, and, Mr. Speaker, I just want to share a few comments.

This resolution recognizes the importance of educating and being aware of bullying. Mr. Speaker, I think that each of us can talk about situations of individuals that we know or we have

read about in the newspaper or seen on television where individuals simply have been attacked simply because of their gender, their age, and so forth.

REMARKS SUBMITTED FOR THE RECORD

Mr. KINSEY. So, Mr. Speaker, I just wanted to again thank my colleagues, and I want to submit for the record the rest of my comments in regards to HR 428.

Thank you, Mr. Speaker.

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

Thank you, Mr. Speaker.

Bullying can take many forms. It can be name-calling, hitting, stalking, threats, and purposely excluding people from activities or events. Cyberbullying through computers and cell phones has become too common. But we need to realize bullying is much more than teasing. The victims suffer unbearable humiliation, and we have all heard of the bullying cases which have tragically led to suicides.

We need to stop bullying at the most common location – our schools. We need to encourage victims to come forward and talk to their parents and teachers, and we need to make sure our schools are prepared to handle bullying cases to protect our children. Most importantly, we need to make sure the victims know that the bullying is not their fault. They are the victims, not the causes.

HR 428 is a step in that direction. It declares that, like deadly cancer or domestic violence, the issue of bullying is a major problem in Pennsylvania, like it is across the nation. People of all ages and genders are bullied into depression, failure, and suicide at alarming rates.

The Internet has given way to a rampant spread of bullying. It is truly an epidemic that warrants as much awareness as possible.

So thank you, colleagues, for your support today. Our actions here go a long way in showing our constituents that bullying should never be tolerated in this day and age. We have a long way to go, but we are showing Pennsylvania that we are going there together.

Thank you, Mr. Speaker.

REPUBLICAN CAUCUS

The SPEAKER. We are going to turn to caucus announcements.

Representative Major, the majority caucus chair.

Ms. MAJOR. Thank you, Mr. Speaker.

I would like to announce Republicans will caucus today at 1:30. I would ask our Republican members to please report to our caucus room at 1:30. We would be prepared, Mr. Speaker, to come back on the floor at 2:15. Thank you.

The SPEAKER. Thank you, Madam Chair.

DEMOCRATIC CAUCUS

The SPEAKER. Representative Dan Frankel, the minority caucus chair.

Mr. FRANKEL. Thank you, Mr. Speaker.

Democrats will also caucus at 1:30. Democrats will caucus at 1:30.

RECESS

The SPEAKER. The House will be in recess until 2:15, unless sooner recalled by the Speaker. We will be back at 2:15. Thank you.

RECESS EXTENDED

The time of recess was extended until 2:30 p.m.

AFTER RECESS

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

The SPEAKER. Members, please take your seats. All members, please take your seats.

GUEST INTRODUCED

The SPEAKER. Located to the left of the rostrum, the Chair welcomes Rob Gaertner, a good friend of mine from the district. He also is here visiting his son, who is a research analyst for the Local Government Committee. Rob is head of Facilities for the North Allegheny School District, one of the largest employers in Allegheny County and also an outstanding school district.

Rob, thank you so much for being here. My best to you and your family. And you are probably having much fun having the time to hang around young Rob. Thank you very, very much.

VOTE CORRECTION

The SPEAKER. Representative Jeff Wheeland is called upon on unanimous consent.

Representative Wheeland, the floor is yours.

Mr. WHEELAND. Thank you, Mr. Speaker.

Yesterday during the vote on HB 1601, amendment A3700, my button failed to record my vote, and I would like to be recorded in the affirmative.

The SPEAKER. Thank you, sir.

Mr. WHEELAND. Thank you.

FORMER MEMBER WELCOMED

The SPEAKER. Members, if you can please take your seats. We have another special guest with us today.

As you all know, many of us served with this distinguished gentleman. Representative Paul Clymer is here with us today. Paul, please stand.

As many of you know, amongst other important roles that Representative Clymer held, he was our chair of the Education Committee. He was chair of the Gaming Oversight Committee and led on so many important issues for this institution. Paul, we are just honored to have you here today. Thank you very, very much for being with us.

CALENDAR CONTINUED

BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 1168, PN 1517**, entitled:

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, in hunting and furtaking licenses, further providing for eligibility for license.

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

Mr. **MULLERY** offered the following amendment No. **A03747**:

Amend Bill, page 1, line 14, by striking out "either during the school day or"
Amend Bill, page 1, line 15, by inserting after "function" or any other day when school is not in session

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

The **SPEAKER**. On that question, the Chair recognizes Representative Mullery.

Sir, just give me a second.

Members, please take your seats. All conversations, if they could, please to the anterooms.

Representative Mullery, the floor is yours on amendment 3747.

Mr. **MULLERY**. Thank you, Mr. Speaker.

This amendment simply clarifies that any hunter education classes to be held on school property will be done so after school has dismissed for the day. I spoke with the maker of the bill. I believe this is an agreed-to amendment.

The **SPEAKER**. Representative Maloney, on the amendment.

Mr. **MALONEY**. Thank you, Mr. Speaker.

This is an agreed-to amendment. I would urge all support. Thank you.

The **SPEAKER**. Thank you, sir.

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

The following roll call was recorded:

YEAS—199

Acosta	Evans	Kortz	Rapp
Adolph	Everett	Kotik	Ravenstahl
Baker	Fabrizio	Krieger	Readshaw
Barbin	Farina	Krueger	Reed
Barrar	Farry	Lawrence	Reese
Benninghoff	Fee	Lewis	Regan
Bishop	Flynn	Longietti	Roae
Bizzarro	Frankel	Mackenzie	Roebuck
Bloom	Freeman	Mahoney	Ross
Boback	Gabler	Major	Rothman
Boyle	Gainey	Maloney	Rozzi
Bradford	Galloway	Markosek	Saccone
Briggs	Gergely	Marshall	Sainato
Brown, R.	Gibbons	Marsico	Samuelson
Brown, V.	Gillen	Masser	Sankey

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

NAYS—0

NOT VOTING—0

EXCUSED—4

Daley, P.	Maher	Miccarelli	Simmons
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The majority having voted in the affirmative, the question was determined in the affirmative and the amendment was agreed to.

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

The **SPEAKER**. Representative Hanna, I am sorry. I should have recognized you.

Amendments to HB 1168, PN 1517.

Mr. **HANNA**. Thank you, Mr. Speaker.

Mr. Speaker, I had some deer management amendments that were filed to this bill and several other bills. Just for the record, I want to acknowledge that I have had productive conversations with both the majority chairman of the House Game and Fish Committee as well as the minority chairman of the House Game and Fish Committee, and they have agreed that we will move forward with a legislative meeting with the Game Commission senior management as well as a hearing on deer management before the full committee.

I want to thank them for their assistance, and I will be withdrawing the deer management amendments to all of these bills.

The SPEAKER. Thank you, Representative Hanna.

Mr. HANNA. Thank you, Mr. Speaker.

The SPEAKER. All other amendments to 1168 have been withdrawn.

On the question recurring,

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

Bill as amended was agreed to.

The SPEAKER. The bill as amended will be reprinted.

ANNOUNCEMENT BY SPEAKER

The SPEAKER. Members, a very, very important announcement and welcome. We have been missing for a few months one of our good friends and colleagues, and I want to welcome him back today, Representative Tony DeLuca from Allegheny County.

Chairman DeLuca, we are unbelievably glad to have you back. You are looking great. Class act. You have done so many important things. Now I know the budget is going to get done.

Thank you, all the members, for welcoming back our good friend.

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 698, PN 812**, entitled:

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, in hunting and furtaking, further providing for unlawful devices and methods; and, in special licenses and permits, further providing for disabled person permits.

On the question,

Will the House agree to the bill on second consideration?

The SPEAKER. Now, Representative Gergely, you have amendment 3724? Would you like to be recognized on that amendment, Representative Gergely, amendment 3724?

Representative Gergely, I understand that has been withdrawn?

Amendment 3724 has been withdrawn.

Representative Hanna had amendments 3288 and 3815, and my understanding is those amendments are withdrawn. Oh, they are not. Okay.

Representative Hanna, which amendment do you wish to offer, sir?

Mr. HANNA. Mr. Speaker, I believe amendment A03788 is agreed to, and I will be withdrawing amendment A03815.

The SPEAKER. Okay. Thank you, sir.

On the question recurring,

Will the House agree to the bill on second consideration?

Mr. **HANNA** offered the following amendment No. **A03788**:

Amend Bill, page 1, line 4, by striking out "disabled person permits" and inserting permits for individuals with disabilities

Amend Bill, page 2, line 19, by striking out the period after

"wheelchair" and inserting

walker, one leg brace or external prosthesis above the knee, two leg braces or external prostheses below the knees, two crutches or two canes for mobility.

On the question,

Will the House agree to the amendment?

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

Mr. HANNA. Thank you, Mr. Speaker.

Mr. Speaker, the purpose of the bill is to clarify language for disabled hunting permits, and what my amendment does is expand the eligible disabled individuals to include not just those who are disabled and always use a wheelchair but other disabled individuals who may not use a wheelchair but are disabled in the sense that they use crutches or other devices so that they can ambulate.

So the bottom line is, Mr. Speaker, my amendment is simply expanding the definition of "disabled hunter" to include others who have disabilities besides those who are confined to wheelchairs.

The SPEAKER. Thank you, sir.

Representative Marshall, on the amendment.

Mr. MARSHALL. Thank you, Mr. Speaker.

Mr. Speaker, this is an agreed-to amendment. I ask our colleagues to give us an affirmative vote. Thank you.

The SPEAKER. Thank you, sir.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—199

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

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

NAYS—0

NOT VOTING—0

EXCUSED—4

Daley, P.	Maher	Miccarelli	Simmons
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The majority having voted in the affirmative, the question was determined in the affirmative and the amendment was agreed to.

On the question,

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

Bill as amended was agreed to.

The SPEAKER. The bill as amended will be reprinted.

* * *

The House proceeded to second consideration of **SB 77, PN 53**, entitled:

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, in special licenses and permits, further providing for dog training areas.

On the question,

Will the House agree to the bill on second consideration?

Bill was agreed to.

RULES AND APPROPRIATIONS COMMITTEE MEETINGS

The SPEAKER. Representative Adolph is recognized for committee announcements.

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

Mr. Speaker, there will be a Rules Committee meeting in the Republican conference room, and then in 15 minutes, at 3 o'clock, we are going to have the Appropriations Committee meet in the House majority caucus room. Thank you.

The SPEAKER. The House will stand at ease.

There is a Rules Committee meeting in the Appropriations Committee conference room, and then there will be an Appropriations Committee meeting in the majority caucus room.

The House will stand at ease.

Members, the House is back in order.

BILLS REREPORTED FROM COMMITTEE

HB 44, PN 2405

By Rep. ADOLPH

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in sentencing, further providing for sentences for offenses committed with firearms.

APPROPRIATIONS.

HB 414, PN 1837

By Rep. ADOLPH

An Act amending the act of December 18, 1984 (P.L.1005, No.205), known as the Municipal Pension Plan Funding Standard and Recovery Act, in standards for municipal pension systems, further providing for definitions and providing for special procedures for certain professional services contracts.

APPROPRIATIONS.

HB 1603, PN 2318

By Rep. ADOLPH

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, in uniform interstate family support, making extensive revisions to general provisions, jurisdiction, civil provisions of general application, establishment of support order, direct enforcement of order of another state without registration, enforcement and modification of support order after registration, determination of parentage, interstate rendition and miscellaneous provisions; and providing for support proceeding under convention.

APPROPRIATIONS.

HB 1606, PN 2324

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 the posting of annual financial information for public school entities.

APPROPRIATIONS.

SB 590, PN 566

By Rep. ADOLPH

An Act amending the act of July 5, 2012 (P.L.1102, No.132), known as the State System of Higher Education Intellectual Property Act, further providing for title of act, for short title, for definitions and for repeal.

APPROPRIATIONS.

BILL ON CONCURRENCE REPORTED FROM COMMITTEE

HB 874, PN 2009

By Rep. REED

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in assault, further providing for the offenses of harassment, stalking and threat to use weapons of mass destruction.

RULES.

SUPPLEMENTAL CALENDAR A

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1603, PN 2318**, entitled:

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, in uniform interstate family support, making extensive revisions to general provisions, jurisdiction, civil provisions of general application, establishment of support order, direct enforcement of order of another state without registration, enforcement and modification of support order after registration, determination of parentage, interstate rendition and miscellaneous provisions; and providing for support proceeding under convention.

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—199

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

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

NAYS—0

NOT VOTING—0

EXCUSED—4

Daley, P.	Maher	Miccarelli	Simmons
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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 1606, PN 2324**, 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 the posting of annual financial information for public school entities.

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—199

Acosta	Evans	Kortz	Rapp
Adolph	Everett	Kotik	Ravenstahl
Baker	Fabrizio	Krieger	Readshaw
Barbin	Farina	Krueger	Reed
Barrar	Farry	Lawrence	Reese
Benninghoff	Fee	Lewis	Regan
Bishop	Flynn	Longietti	Roae
Bizzarro	Frankel	Mackenzie	Roebuck
Bloom	Freeman	Mahoney	Ross
Boback	Gabler	Major	Rothman
Boyle	Gainey	Maloney	Rozzi
Bradford	Galloway	Markosek	Saccone
Briggs	Gergely	Marshall	Sainato
Brown, R.	Gibbons	Marsico	Samuelson
Brown, V.	Gillen	Masser	Sankey
Bullock	Gillespie	Matzie	Santarsiero

Burns	Gingrich	McCarter	Santora
Caltagirone	Godshall	McClinton	Saylor
Carroll	Goodman	McGinnis	Schemel
Causser	Greiner	McNeill	Schlossberg
Christiana	Grove	Mentzer	Schreiber
Cohen	Hahn	Metcalfe	Schweyer
Conklin	Hanna	Metzgar	Sims
Corbin	Harhai	Millard	Snyder
Costa, D.	Harhart	Miller, B.	Sonney
Costa, P.	Harkins	Miller, D.	Staats
Cox	Harper	Milne	Stephens
Cruz	Harris, A.	Moul	Sturla
Culver	Harris, J.	Mullery	Tallman
Cutler	Heffley	Murt	Taylor
Daley, M.	Helm	Mustio	Thomas
Davidson	Hennessey	Neilson	Tobash
Davis	Hickernell	Nesbit	Toepel
Dawkins	Hill	Neuman	Toohil
Day	Irvin	O'Brien	Topper
Dean	James	O'Neill	Truitt
Deasy	Jozwiak	Oberlander	Vereb
DeLissio	Kampf	Ortitay	Vitali
Delozier	Kaufer	Parker, C.	Ward
DeLuca	Kauffman	Parker, D.	Warner
Dermody	Kavulich	Pashinski	Watson
Diamond	Keller, F.	Payne	Wentling
DiGirolamo	Keller, M.K.	Peifer	Wheatley
Donatucci	Keller, W.	Petrarca	Wheeland
Driscoll	Killion	Petri	White
Dunbar	Kim	Pickett	Youngblood
Dush	Kinsey	Pyle	Zimmerman
Ellis	Kirkland	Quigley	
Emrick	Klunk	Quinn	Turzai,
English	Knowles	Rader	Speaker
Evankovich			

NAYS-0

NOT VOTING-0

EXCUSED-4

Daley, P.	Maher	Miccarelli	Simmons
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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 414, PN 1837**, entitled:

An Act amending the act of December 18, 1984 (P.L.1005, No.205), known as the Municipal Pension Plan Funding Standard and Recovery Act, in standards for municipal pension systems, further providing for definitions and providing for special procedures for certain professional services contracts.

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

Representative Vitali.

Mr. VITALI. I just want to clarify. There was one bill, HB 444, that dealt with consecutive sentences, which is a Saccone bill, and you had mentioned a Briggs bill that dealt with consecutive sentences. I am just trying to clarify what we are doing right now.

The SPEAKER. HB 414, PN 1837, is "...known as the Municipal Pension Plan Funding Standard and Recovery Act, in standards for municipal pension systems, further providing for definitions and providing for special procedures for certain professional services contracts...."

LEAVE OF ABSENCE

The SPEAKER. The majority whip has indicated that Representative SANTORA of Delaware County requests to be on leave for the day. Without objection, that request will be granted.

CONSIDERATION OF HB 414 CONTINUED

The SPEAKER. Is there any other comment or question on HB 414?

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-194

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

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

NAYS—4

Gainey	Heffley	Miller, D.	Mustio
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NOT VOTING—0

EXCUSED—5

Daley, P. Maher	Miccarelli	Santora	Simmons
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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 B

BILL ON CONCURRENCE
IN SENATE AMENDMENTS

The House proceeded to consideration of concurrence in Senate amendments to **HB 874, PN 2009**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in assault, further providing for the offenses of harassment, stalking and threat to use weapons of mass destruction.

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

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

The Chair recognizes Chairman Marsico for a brief description of the Senate amendments and any comment on the bill. Representative Marsico.

Mr. MARSICO. Mr. Speaker, the Senate amended the bill, but the Senate did not change the actual body of the bill but amended it by adding a statement of legislative intent. The statement simply says that the bill is intended to deter and prohibit anyone engaged in labor relations from harassment, stalking, and threatening to use weapons of mass destruction. It goes on to say that the bill is not intended to diminish other legal rights that a party to a labor dispute might have.

I ask for a vote on concurrence. I ask for an affirmative vote. Thank you.

The SPEAKER. Thank you, sir.

MOTION TO SUSPEND RULES

The SPEAKER. There are two late-filed amendments by Representative Hanna. The Representative filed amendment 3780. That would require a motion to suspend.

And I am going to give the floor to Representative Hanna.

Mr. HANNA. Thank you, Mr. Speaker.

Mr. Speaker, I arise to make a motion to suspend the rules for consideration of amendment A03780, and, Mr. Speaker, the purpose of my motion is so that we can consider this amendment, which would specifically add that the changes in HB 874 would not apply to activities permitted and protected by statute. The legislative intent in the bill's preamble states that the language does not modify or repeal any legal rights a person involved with these issues has, but as we all know, the legislative intent in the preamble is not binding.

What I am attempting to do is put that same language into the body of the amendment, in the statutory section of the amendment, so that it is binding and it clearly states that statutorily protected activities are not affected by this legislation. This amendment would make it crystal clear in the bill, and I would ask for an affirmative vote on suspension of the rules so that we can adopt amendment A03780.

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

The SPEAKER. The majority leader, on the motion to suspend.

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

We would ask the members to oppose the motion to suspend the rules.

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

The following roll call was recorded:

YEAS—85

Acosta	Deasy	Harkins	O'Brien
Barbin	DeLissio	Harris, J.	Parker, C.
Bishop	DeLuca	Kavulich	Pashinski
Bizzarro	Dermody	Keller, W.	Petrarca
Boyle	DiGirolamo	Kim	Ravenstahl
Bradford	Donatucci	Kinsey	Readshaw
Briggs	Driscoll	Kirkland	Roebuck
Brown, V.	Evans	Kortz	Rozzi
Bullock	Fabrizio	Kotik	Sainato
Burns	Farina	Krueger	Samuelson
Caltagirone	Flynn	Longietti	Santarsiero
Carroll	Frankel	Mahoney	Schlossberg
Cohen	Freeman	Markosek	Schreiber
Conklin	Gainey	Matzie	Schweyer
Costa, D.	Galloway	McCarter	Sims
Costa, P.	Gergely	McClinton	Snyder
Cruz	Gibbons	McNeill	Sturla
Daley, M.	Godshall	Miller, D.	Thomas
Davidson	Goodman	Murt	Vitali
Davis	Hanna	Neilson	Wheatley
Dawkins	Harhai	Neuman	Youngblood
Dean			

NAYS—113

Adolph	Greiner	Marsico	Roae
Baker	Grove	Masser	Ross
Barrar	Hahn	McGinnis	Rothman
Benninghoff	Harhart	Mentzer	Saccone
Bloom	Harper	Metcalfe	Sankey
Boback	Harris, A.	Metzgar	Saylor
Brown, R.	Heffley	Millard	Schemel
Causer	Helm	Miller, B.	Sonney
Christiana	Hennessey	Milne	Staats
Corbin	Hickernell	Moul	Stephens
Cox	Hill	Mullery	Tallman
Culver	Irvin	Mustio	Taylor
Cutler	James	Nesbit	Tobash
Day	Jozwiak	O'Neill	Toepel
DeLozier	Kampf	Oberlander	Toohil
Diamond	Kaufner	Ortitay	Topper
Dunbar	Kauffman	Parker, D.	Truitt
Dush	Keller, F.	Payne	Vereb
Ellis	Keller, M.K.	Peifer	Ward
Emrick	Killion	Petri	Warner
English	Klunk	Pickett	Watson
Evankovich	Knowles	Pyle	Wentling
Everett	Krieger	Quigley	Wheeland
Farry	Lawrence	Quinn	White
Fee	Lewis	Rader	Zimmerman
Gabler	Mackenzie	Rapp	
Gillen	Major	Reed	Turzai,
Gillespie	Maloney	Reese	Speaker
Gingrich	Marshall	Regan	

NOT VOTING—0

EXCUSED—5

Daley, P.	Miccarelli	Santora	Simmons
Maher			

Less than a majority of the members required by the rules having voted in the affirmative, the question was determined in the negative and the motion was not agreed to.

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

MOTION TO SUSPEND RULES

The SPEAKER. Representative Hanna, you are recognized for a motion to suspend on amendment 3781.

Mr. HANNA. Thank you, Mr. Speaker.

I would again rise to make a motion to suspend the rules for the favorable consideration of amendment A03781.

Mr. Speaker, this amendment essentially does the same as my previous amendment but is more specific that the activity protected by the United States Constitution, Federal law, or the PA Constitution is not affected.

Clearly, Mr. Speaker, it is our job to ensure that the laws we pass are as clear and specific as possible, and we can do that in this case, so not to subject the issue to prolonged court battles or allow the judiciary branch to tell us what we really meant. It is our job to do that, and we should put this language directly into statute.

Mr. Speaker, I would add that last session a similar bill, HB 1154, was amended with this exact same language that I am offering here in the Senate. The Senate Judiciary Committee

reported it out unanimously, and the exact same language was then passed unanimously by the full Senate in last session.

So again, Mr. Speaker, I am asking for a "yes" vote on the motion to suspend the rules to consider this amendment. Thank you, Mr. Speaker.

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

The SPEAKER. The majority leader, on the motion to suspend.

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

We would ask the members to oppose the motion to suspend the rules.

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

The following roll call was recorded:

YEAS—87

Acosta	Deasy	Harris, J.	Pashinski
Barbin	DeLissio	Kavulich	Petrarca
Bishop	DeLuca	Keller, W.	Ravenstahl
Bizzarro	Dermody	Kim	Readshaw
Boyle	DiGirolamo	Kinsey	Roebuck
Bradford	Donatucci	Kirkland	Rozzi
Briggs	Driscoll	Kortz	Sainato
Brown, V.	Evans	Kotik	Samuelson
Bullock	Fabrizio	Krueger	Santarsiero
Burns	Farina	Longietti	Schlossberg
Caltagirone	Flynn	Mahoney	Schreiber
Carroll	Frankel	Markosek	Schweyer
Cohen	Freeman	Matzie	Sims
Conklin	Gainey	McCarter	Snyder
Costa, D.	Galloway	McClinton	Sturla
Costa, P.	Gergely	McNeill	Taylor
Cruz	Gibbons	Miller, D.	Thomas
Daley, M.	Godshall	Murt	Vitali
Davidson	Goodman	Neilson	Wheatley
Davis	Hanna	Neuman	White
Dawkins	Harhai	O'Brien	Youngblood
Dean	Harkins	Parker, C.	

NAYS—111

Adolph	Greiner	Marshall	Reese
Baker	Grove	Marsico	Regan
Barrar	Hahn	Masser	Roae
Benninghoff	Harhart	McGinnis	Ross
Bloom	Harper	Mentzer	Rothman
Boback	Harris, A.	Metcalfe	Saccone
Brown, R.	Heffley	Metzgar	Sankey
Causer	Helm	Millard	Saylor
Christiana	Hennessey	Miller, B.	Schemel
Corbin	Hickernell	Milne	Sonney
Cox	Hill	Moul	Staats
Culver	Irvin	Mullery	Stephens
Cutler	James	Mustio	Tallman
Day	Jozwiak	Nesbit	Tobash
DeLozier	Kampf	O'Neill	Toepel
Diamond	Kaufner	Oberlander	Toohil
Dunbar	Kauffman	Ortitay	Topper
Dush	Keller, F.	Parker, D.	Truitt
Ellis	Keller, M.K.	Payne	Vereb
Emrick	Killion	Peifer	Ward
English	Klunk	Petri	Warner
Evankovich	Knowles	Pickett	Watson
Everett	Krieger	Pyle	Wentling

Farry	Lawrence	Quigley	Wheeland
Fee	Lewis	Quinn	Zimmerman
Gabler	Mackenzie	Rader	
Gillen	Major	Rapp	Turzai,
Gillespie	Maloney	Reed	Speaker
Gingrich			

NOT VOTING—0

EXCUSED—5

Daley, P. Maher	Miccarelli	Santora	Simmons
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Less than a majority of the members required by the rules having voted in the affirmative, the question was determined in the negative and the motion was not agreed to.

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

The SPEAKER. We are now moving to the underlying bill. Representative Dermody, do you wish to be recognized?

Mr. DERMODY. On the bill, Mr. Speaker.

The SPEAKER. Yes, sir.

Representative Dermody, on the bill.

Mr. DERMODY. Mr. Speaker, stalking is against the law today. Harassment is against the law today. All this bill is about is making it easier to use the criminal justice system to harass people. This is condoning harassment of people engaging in legitimate legal conduct. Let us face it, what really is going on here is an attempt to make strikes, picket lines, demonstrations more difficult and expensive for organized labor. That is all this is about.

Stalking is against the law, and if you commit the crime, law enforcement can engage and can arrest you and prosecute you for stalking. If you are harassing anybody, you can be arrested for harassment. It could be a summary offense or even greater. It is on the books today. It is clear it is against the law. What this bill is, is harassment of legitimate conduct, of legal conduct, of constitutional conduct. It is just an attack on organized labor, and we should vote "no."

Thank you, Mr. Speaker.

The SPEAKER. Representative Hanna and then Representative Davidson.

Representative Hanna, the floor is yours.

Then Representative Davidson, you will be next.

Mr. HANNA. Thank you, Mr. Speaker.

Mr. Speaker, I rise today in opposition of HB 874.

Mr. Speaker, I voted against this bill a few months ago when we considered it on final passage, and for the same reasons, Mr. Speaker, I will be voting against it today.

Alarming concerns have been raised about this bill over the last few months, and yet no attempt has been made to address them other than my amendments, which were not approved. This bill contains the same problems that we discussed back on April 21.

The bill is a shameful attempt to shift the balance of power away from workers toward corporations and management. This bill would repeal the section of Pennsylvania law that was passed as a bipartisan effort in 1993 to protect both labor and management from facing criminal charges for activity that is

specifically recognized and permitted under Federal law during labor disputes.

To be clear, Mr. Speaker, current Pennsylvania law already strikes a careful balance between permitting legal activity by both workers and management during labor disputes and protecting people and property from illegal and harmful activity. As I have said before, current law does not give unions carte blanche to undertake illegal activity. When unions or any individual perform illegal actions, they are always subject to arrest and prosecution. The only protection union activity receives is for those activities that are already considered constitutional, such as picketing. If a union or union member goes beyond the bounds of what is protected, there are laws already in place to address that behavior.

This bill has one purpose, to make it more challenging for hardworking Pennsylvanians to use methods that are legal under Federal law to organize and advocate on behalf of workers. There is absolutely no need for such an encroachment on the rights of workers or management involved in labor disputes.

This bill disturbs the careful balance our laws already provide for both management and labor during strikes, demonstrations, and other labor-related activities. HB 874 is actually a solution in search of a problem. This bill makes ambiguous what is permissible and impermissible union activity and introduces new responsibilities and expenses for local police departments, district attorneys, and communities.

If this bill becomes law, law enforcement would be forced to investigate and respond to picket lines and other union activity, and they will likely remain at these lines longer. Why would we vote for a bill that could sacrifice police protection for the rest of our communities? This is simply a political diversion that comes with high costs to our workers and our local communities.

HB 874 undermines the ability of our workers to advocate for their rights, and for this reason I urge all my colleagues to oppose this bill. Thank you, Mr. Speaker.

The SPEAKER. Representative DiGirolamo, on the bill.

Mr. DiGIROLAMO. Thank you, Mr. Speaker.

I rise in opposition to the bill, 874, that we have before us. When this bill was back in the House, I rose and gave a pretty impassioned speech about why I thought this was the wrong thing to do. The Senate inserted an amendment and made it a little bit better but not much, Mr. Speaker. And again, Mr. Speaker, as I said before, this is a solution looking for a problem.

The laws that we already have in place here in Pennsylvania will suffice, Mr. Speaker. Mr. Speaker, I believe this just unfairly targets the thousands upon thousands of hardworking men and women here in Pennsylvania that belong to our building construction trade, Mr. Speaker, and I just cannot figure out why we would want to do that.

I ask for a negative vote on the bill. Thank you.

GUESTS INTRODUCED

The SPEAKER. Members, just a brief introduction.

Representative Mark Keller has visitors from France in the gallery today who are here with Shippensburg University, and if they could please rise, our guests from France. We welcome you to the Commonwealth of Pennsylvania.

CONSIDERATION OF HB 874 CONTINUED

The SPEAKER. Thank you, Representative.

And we will go to Representative Regan now for remarks.

Mr. REGAN. Thank you, Mr. Speaker.

On the bill. I really find it hard to believe that there are members of this side of the aisle who are actually arguing that you should be allowed to harass, stalk, and threaten the use of weapons of mass destruction for anything, let alone a labor dispute.

I was really taken aback when I found out that this was actually on the books that people could legally engage in this type of behavior, even if involved in a labor dispute. During my time as a U.S. marshal, I was attached to many labor disputes because court injunctions had been entered into, but mostly were a result of labor unions going too far, and I think this protects both sides. This is not just for the labor unions. This is for everybody. It protects everybody.

This law, you should not be allowed to threaten use of mass destruction, stalk, or harass in any case. So I am supporting this bill. Thank you, Mr. Speaker.

The SPEAKER. We have two other members that wish to speak, Representative Barbin and then the maker of the bill, Representative Marsico.

Representative Barbin.

Mr. BARBIN. Thank you, Mr. Speaker.

I rise in opposition to this bill. There are laws on the books right now that protect people even in labor disputes, whether they are management or union. If you make a statement, it allows the State Police or the local municipality to come in and investigate.

The problem with this bill is we already have a solution to it. This bill is an additional crime that will force our police to be diverted on the statement of a witness in a situation which is always at a higher tension. This is a bad bill. It is a bad bill because we did all this before in '93 and we came up to a balance, and we said we are going to leave all the existing laws alone as they are. If they are really bad, we are going to have the State Police go down and take care of the problem. But this says that any person can create a criminal charge in a labor dispute either against the management or against the unions. It is a mistake. I say we should keep the law right where it is. All these things are already covered, and we have a balance that protects political speech, and there is a question that should be raised in every instance when there is a labor issue at stake that says maybe somebody is exaggerating just a little bit on threat of mass destruction, maybe somebody is exaggerating just a little bit when they say I am going to do this or I am going to do that. We do not need that. What we need is our police doing the things that Pennsylvania needs. Right now it is protecting us from the drug epidemic; it is not protecting us from a labor dispute or a management dispute.

The SPEAKER. Members, I am going to turn it over to Chairman Marsico, who will be the last to speak.

Does anybody else wish to speak before I turn it over to the maker of the bill?

Chairman Marsico, the floor is yours.

Mr. MARSICO. Thank you, Mr. Speaker.

We received a letter today from the various number of groups who support this legislation on concurrence. Those groups, the letter is from the Pennsylvania Chamber of Business and Industry, the Pennsylvania District Attorneys Association,

the National Federation of Independent Business – Pennsylvania, the Pennsylvania Sheriffs' Association, the Associated Builders and Contractors, the Pennsylvania Chiefs of Police Association, the Pennsylvania Council of General Contractors, the Pennsylvania Builders Association, and the Pennsylvania Business Council.

I am just going to read one or two lines of the letter that I want to point out to the members. They say, "This legislation would not impact lawful protests, pickets or other activities protected under the National Labor Relations Act, Pennsylvania's Labor Anti-Injunction Act and other statutes. Moreover, an amendment..." that was adopted in the Senate, it was unanimous, by the Senate Judiciary Committee, and also by the Senate "...goes one step further by making it clear that H.B. 874" as amended "is not intended to impact union rights."

Mr. Speaker, to me, this is a public safety issue, not a labor issue. I was going to mention that the Senate amendment to this bill says the same thing. Peaceful labor activity is unaffected. But if you call in a bomb threat from a picket line, that is no longer exempt from the law. If management stalks an employee, that is no longer exempt. If a union organizer harasses workers, managers, or their families, that is no longer exempt. But peaceful labor activity is unaffected.

I ask for a "yes" vote on concurrence and will submit the remainder of my remarks for the record. Thank you, Mr. Speaker.

The SPEAKER. Thank you, sir.

REMARKS SUBMITTED FOR THE RECORD

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

This bill simply removes the loophole that currently allows a person who criminally harasses another person or who purposely stalks another person to escape prosecution – just as long as they are a party to a labor dispute.

The current law is crystal clear: So long as there is an ongoing labor dispute, none of the parties to that dispute can be held criminally liable for stalking or harassment. That is how the law reads, and it is how the law has been applied.

To me, this is a public safety issue, not a labor issue. I think very few union members would ever be affected by this bill if it passes into law. That is because the labor community in Pennsylvania includes many unions that represent their members effectively, honorably, and peacefully.

The Senate amendment to this bill says the same thing. Peaceful labor activity is unaffected. But if you call in a bomb threat from a picket line, that is no longer exempt. If management stalks an employee, that is no longer exempt. If a union organizer harasses workers or managers or their families, that is no longer exempt. But peaceful labor activity is unaffected.

While it may be true that few actually engage in criminal intimidation, that fact hardly suggests that this legislation is unnecessary. A loophole is not made okay by the fact that it only applies to the worst actors.

We all know that labor disputes can have a tendency to get a little heated. There is nothing illegal about impoliteness. But when impoliteness escalates into threats of violence or when confrontations become stalking, that is a sign that it has gone too far.

I have great confidence in our law enforcement professionals to step in when they see a law being broken. I have the utmost belief that these good men and women will work to protect the peace and enforce the law.

But here is the problem: Under the current law, there is not a law being broken. Stalking, harassment, threats of violence are no joke, and it is simply not in the interest of public safety to tolerate these behaviors in any situation.

I ask you to join me and vote "yes" for this bill.

On the question recurring,

Will the House concur in Senate amendments?

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

The following roll call was recorded:

YEAS—107

Adolph	Greiner	Marshall	Roae
Baker	Grove	Marsico	Ross
Barrar	Hahn	Masser	Rothman
Benninghoff	Harhart	McGinnis	Saccone
Bloom	Harper	Mentzer	Sankey
Boback	Harris, A.	Metcalfe	Saylor
Brown, R.	Heffley	Metzgar	Schemel
Causar	Helm	Millard	Sonney
Christiana	Hennessey	Miller, B.	Staats
Corbin	Hickernell	Milne	Stephens
Cox	Hill	Moul	Tallman
Culver	Irvin	Nesbit	Tobash
Cutler	James	Oberlander	Toepel
Day	Jozwiak	Ortitay	Toohil
DeLozier	Kampf	Parker, D.	Topper
Diamond	Kaufer	Payne	Truitt
Dunbar	Kauffman	Peifer	Vereb
Dush	Keller, F.	Petri	Vitali
Ellis	Keller, M.K.	Pickett	Ward
Emrick	Killion	Pyle	Warner
English	Klunk	Quigley	Watson
Evankovich	Knowles	Quinn	Wentling
Everett	Krieger	Rader	Wheeland
Fee	Lawrence	Rapp	Zimmerman
Gabler	Mackenzie	Reed	
Gillen	Major	Reese	Turzai,
Gillespie	Maloney	Regan	Speaker
Gingrich			

NAYS—91

Acosta	DeLissio	Kavulich	O'Neill
Barbin	DeLuca	Keller, W.	Parker, C.
Bishop	Dermoddy	Kim	Pashinski
Bizzarro	DiGirolamo	Kinsey	Petrarca
Boyle	Donatucci	Kirkland	Ravenstahl
Bradford	Driscoll	Kortz	Readshaw
Briggs	Evans	Kotik	Roebuck
Brown, V.	Fabrizio	Krueger	Rozzi
Bullock	Farina	Lewis	Sainato
Burns	Farry	Longietti	Samuelson
Caltagirone	Flynn	Mahoney	Santarsiero
Carroll	Frankel	Markosek	Schlossberg
Cohen	Freeman	Matzie	Schreiber
Conklin	Gainey	McCarter	Schweyer
Costa, D.	Galloway	McClinton	Sims
Costa, P.	Gergely	McNeill	Snyder
Cruz	Gibbons	Miller, D.	Sturla
Daley, M.	Godshall	Mullery	Taylor
Davidson	Goodman	Murt	Thomas
Davis	Hanna	Mustio	Wheatley
Dawkins	Harhai	Neilson	White
Dean	Harkins	Neuman	Youngblood
Deasy	Harris, J.	O'Brien	

NOT VOTING—0

EXCUSED—5

Daley, P. Miccarelli Santora Simmons
Maher

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

Ordered, That the clerk inform the Senate accordingly.

BILL SIGNED BY SPEAKER

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

HB 874, PN 2009

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in assault, further providing for the offenses of harassment, stalking and threat to use weapons of mass destruction.

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

CALENDAR CONTINUED

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 166, PN 1155**, entitled:

An Act amending Titles 18 (Crimes and Offenses) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in criminal history record information, further providing for general regulations and providing for order for limited access; and, in governance of the system, providing for petition for expungement or order for limited access fee.

On the question,

Will the House agree to the bill on third consideration?

The SPEAKER. My understanding is, amendment 3099 by Chairman Marsico has been withdrawn and amendment 3318 from Chairman DiGirolamo has been withdrawn. Those two have been withdrawn.

RULES SUSPENDED

The SPEAKER. Representative DiGirolamo wishes to offer amendment 3865, amendment 3865, but that will need a motion to suspend.

Representative DiGirolamo, the floor is yours.

Mr. DiGIROLAMO. Thank you, Mr. Speaker.

I would like to ask for a suspension of the rules to offer amendment 3865. I believe that is an agreed-to amendment. Thank you, Mr. Speaker.

On the question,

Will the House agree to the motion?

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

Mr. DERMODY. Thank you, Mr. Speaker.

Mr. Speaker, it is an agreed-to amendment, and I would urge all the members to support the motion to suspend the rules.

The SPEAKER. And the majority leader, Representative Reed.

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

We would urge the members to support the motion to suspend the rules.

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

The following roll call was recorded:

YEAS—177

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

NAYS—21

Benninghoff	Keller, F.	Metzgar
Diamond	Knowles	Miller, D.
Dush	Kotik	Mullery
Gabler	Matzie	Neuman
Gillen	McGinnis	Rapp
James		

NOT VOTING—0

EXCUSED—5

Daley, P. Maher	Miccarelli	Santora	Simmons
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A majority of the members required by the rules having voted in the affirmative, the question was determined in the affirmative and the motion was agreed to.

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

Mr. DiGIROLAMO offered the following amendment No. A03865:

Amend Bill, page 4, line 25, by inserting after "FOLLOWING" conviction or

Amend Bill, page 4, line 25, by striking out "AND" and inserting or

Amend Bill, page 4, line 26, by inserting after "SUPERVISION" , whichever is later,

Amend Bill, page 7, lines 2 and 3, by striking out "ADMINISTRATIVE OFFICE OF PENNSYLVANIA COURTS" and inserting

clerk of courts

Amend Bill, page 7, line 6, by striking out "180" and inserting 270

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

The SPEAKER. On the amendment, Representative DiGirolamo.

Mr. DiGIROLAMO. Thank you, Mr. Speaker.

The amendment just very simply substitutes the clerk of courts for the AOPC (Administrative Office of Pennsylvania Courts) as the recipient of a third of the fee. The amendment also extends the effective date to 270 days to give the Supreme Court rules committee time to implement the required rules.

I ask for an affirmative vote. Thank you.

The SPEAKER. Representative DiGirolamo, we are going to need a second motion to suspend. The first one was to amend the bill on third consideration. This motion will be a motion to— My error. We are going to vote the amendment, and then when we do the final bill, we will need the motion to suspend. My error; I apologize.

At this time we are going to be voting on the amendment, 3865.

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

The following roll call was recorded:

YEAS—190

Acosta	Evankovich	Klunk	Quigley
Adolph	Evans	Knowles	Quinn
Baker	Everett	Kortz	Rader
Barbin	Fabrizio	Kotik	Ravenstahl
Barrar	Farina	Krieger	Readshaw
Benninghoff	Farry	Krueger	Reed

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

NAYS—8

Diamond	Keller, F.	Rapp	Truitt
Dush	Metcalfe	Roae	Ward

NOT VOTING—0

EXCUSED—5

Daley, P.	Miccarelli	Santora	Simmons
Maher			

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

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

The SPEAKER. And now we will need a motion to suspend to get to the final passage of the bill as amended.

As members know, typically there is a 24-hour waiting period from the time a bill is suspended till the time that we can vote on the amended bill. If we want to get to the underlying bill that was just amended on third, we will need a motion to suspend with two-thirds vote.

RULES SUSPENDED

The SPEAKER. Representative DiGirolamo, you are recognized.

Mr. DiGIROLAMO. Thank you, Mr. Speaker.

I would like to make a motion to suspend the rules to move forward on final passage on SB 166.

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

The SPEAKER. Representative Dermody, on the motion to suspend.

Mr. DERMODY. Thank you, Mr. Speaker.

I also urge the members to support the motion to suspend the rules.

The SPEAKER. And the majority leader, Representative Reed.

Mr. REED. Thank you, Mr. Speaker.

We would urge the members to support the motion as well.

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

The following roll call was recorded:

YEAS—170

Acosta	Dunbar	Keller, W.	Quigley
Adolph	Ellis	Killion	Quinn
Baker	Emrick	Kim	Rader
Barbin	Evankovich	Kinsey	Ravenstahl
Barrar	Evans	Kirkland	Readshaw
Benninghoff	Everett	Klunk	Reed
Bishop	Fabrizio	Kortz	Reese
Bizzarro	Farina	Krieger	Regan
Bloom	Farry	Krueger	Roebuck
Boback	Fee	Lawrence	Ross
Boyle	Flynn	Lewis	Rothman
Bradford	Frankel	Longietti	Rozzi
Briggs	Freeman	Mackenzie	Saccone
Brown, R.	Gainey	Mahoney	Sainato
Brown, V.	Galloway	Major	Sankey
Bullock	Gergely	Maloney	Santarsiero
Burns	Gibbons	Markosek	Saylor
Caltagirone	Gillespie	Marshall	Schemel
Carroll	Gingrich	Marsico	Schlossberg
Causer	Godshall	Masser	Schreiber
Christiana	Goodman	McCarter	Schweyer
Cohen	Greiner	McClinton	Sims
Conklin	Grove	McNeill	Sonney
Corbin	Hahn	Mentzer	Staats
Costa, D.	Hanna	Millard	Stephens
Costa, P.	Harhai	Miller, B.	Sturla
Cox	Harhart	Moul	Taylor
Cruz	Harkins	Murt	Thomas
Culver	Harper	Mustio	Tobash
Cutler	Harris, A.	Neilson	Toohil
Daley, M.	Harris, J.	Nesbit	Topper
Davidson	Heffley	O'Brien	Vitali
Davis	Helm	O'Neill	Warner
Dawkins	Hennessey	Oberlander	Watson
Day	Hickernell	Parker, C.	Wentling
Deasy	Hill	Parker, D.	Wheatley
DeLissio	Irvin	Pashinski	Wheeland
Delozier	Jozwiak	Payne	White
DeLuca	Kampf	Peifer	Youngblood
Dermody	Kaufner	Petrarca	Zimmerman

DiGirolamo	Kauffman	Petri	
Donatucci	Kavulich	Pickett	Turzai,
Driscoll	Keller, M.K.	Pyle	Speaker

NAYS—28

Dean	Keller, F.	Miller, D.	Samuelson
Diamond	Knowles	Milne	Snyder
Dush	Kotik	Mullery	Tallman
English	Matzie	Neuman	Toepel
Gabler	McGinnis	Ortitay	Truitt
Gillen	Metcalfe	Rapp	Vereb
James	Metzgar	Roae	Ward

NOT VOTING—0

EXCUSED—5

Daley, P.	Miccarelli	Santora	Simmons
Maier			

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

On the question recurring,

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

Bill as amended was agreed to.

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—193

Acosta	Evankovich	Knowles	Rader
Adolph	Evans	Kortz	Rapp
Baker	Everett	Kotik	Ravenstahl
Barbin	Fabrizio	Krieger	Readshaw
Barrar	Farina	Krueger	Reed
Benninghoff	Farry	Lawrence	Reese
Bishop	Fee	Lewis	Regan
Bizzarro	Flynn	Longietti	Roae
Bloom	Frankel	Mackenzie	Roebuck
Boback	Freeman	Mahoney	Ross
Boyle	Gabler	Major	Rothman
Bradford	Gainey	Maloney	Rozzi
Briggs	Galloway	Markosek	Saccone
Brown, R.	Gergely	Marshall	Sainato
Brown, V.	Gibbons	Marsico	Samuelson
Bullock	Gillen	Masser	Sankey
Burns	Gillespie	Matzie	Santarsiero
Caltagirone	Gingrich	McCarter	Saylor
Carroll	Godshall	McClinton	Schemel
Causar	Goodman	McGinnis	Schlossberg
Christiana	Greiner	McNeill	Schreiber
Cohen	Grove	Mentzer	Schweyer
Conklin	Hahn	Metcalfe	Sims
Corbin	Hanna	Metzgar	Snyder
Costa, D.	Harhai	Millard	Sonney
Costa, P.	Harhart	Miller, B.	Staats

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

NAYS—4

Dush	Keller, F.	Toepel	Truitt
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NOT VOTING—1

Nesbit

EXCUSED—5

Daley, P.	Miccarelli	Santora	Simmons
Maier			

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

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

STATEMENT BY MR. HARRIS

The SPEAKER. Representative Harris, on unanimous consent.

Mr. J. HARRIS. Thank you, Mr. Speaker.

Mr. Speaker, I just rise to thank you for your support on SB 166, when we worked on this last term to get us to the table. Additionally, I would like to thank Representative Kim and former member Waters, Representative Mindy Fee, and former member Representative Gordon Denlinger. From the Senate I would love to thank Senator Stewart Greenleaf, Senator Williams, and Senator Shirley Kitchen for their assistance; the District Attorneys Association for all of their help; D.A.s Freed, Ferman, Adams, Marsico; and my district attorney, Seth Williams. And most importantly, I thank the good gentleman, the chairman of the Judiciary Committee from Dauphin County, for all of his leadership, his support, and mentorship in getting us to this point.

Thank you, Mr. Speaker.

The SPEAKER. Representative Harris, thank you.

VOTE CORRECTION

The SPEAKER. Representative Tedd Nesbit.

Mr. NESBIT. Thank you, Mr. Speaker.

I would like to correct the vote from the last bill to an affirmative vote for myself. It did not get pressed.

The SPEAKER. Representative Nesbit, on the record you want to be marked as an affirmative vote on?

Mr. NESBIT. SB 166, I believe.

The SPEAKER. On SB 166?

Mr. NESBIT. Yes.

The SPEAKER. Yes, sir.

Mr. NESBIT. Thank you, Mr. Speaker.

BILLS RECOMMITTED

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

HB 698;
HB 1168; and
SB 77.

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

BILLS REMOVED FROM TABLE

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

HB 246;
HB 406;
HB 1162;
HB 1229;
HB 1322;
HB 1347;
HB 1579;
HB 1638;
HB 1664;
SB 385; and
SB 887.

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

PARLIAMENTARY INQUIRY

The SPEAKER. And on unanimous consent, Representative Diamond is recognized.

Mr. DIAMOND. Mr. Speaker, parliamentary inquiry.

The SPEAKER. Yes, sir. Please proceed.

Mr. DIAMOND. On the previous bill, SB 166, we took two separate motions to suspend. I would just like to, out of curiosity, find out why the second motion to suspend was not

simply a motion to proceed. Other times when we move a bill, Mr. Speaker, before a 24-hour period—

The SPEAKER. Representative Diamond, you can do one of two motions typically. You could have done a motion to proceed. I could have suggested that in addition to a motion to suspend. Probably because I was thinking of motion to suspend, I had suggested that, but either of those motions can be utilized to go to a bill earlier than the 24-hour waiting period.

Mr. DIAMOND. So, Mr. Speaker, as I understand it, then it is your choice, the Speaker's choice, as to which motion to use?

The SPEAKER. No, it really is not.

Mr. DIAMOND. Okay.

The SPEAKER. I had just suggested it to make sure that we kept moving along efficiently. It is really the maker of the motion who wants the bill to be voted upon, or the amendment. It is really that individual. That is why I called on Representative DiGirolamo to make the motion.

Mr. DIAMOND. Okay. And if I could follow up on that, Mr. Speaker, so is there any time when a motion to proceed is offered—

The SPEAKER. Sir, if you could please suspend. Please approach the rostrum and we will be glad to talk about any of the rules. Okay. But the members do make the motions.

BILLS AND RESOLUTIONS PASSED OVER

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

ADJOURNMENT

The SPEAKER. Representative Brian Ellis moves to adjourn to Wednesday, October 28, 2015, at 11 a.m., e.d.t., unless sooner recalled by the Speaker.

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

Motion was agreed to, and at 3:57 p.m., e.d.t., the House adjourned.