

# COMMONWEALTH OF PENNSYLVANIA

## LEGISLATIVE JOURNAL

TUESDAY, JANUARY 4, 2005

SESSION OF 2005

189TH OF THE GENERAL ASSEMBLY

No. 1

### HOUSE OF REPRESENTATIVES

The House convened at 12 m., e.s.t.

**THE CHIEF CLERK (TED MAZIA)  
PRESIDING**

#### CALL TO ORDER

The CHIEF CLERK. This being the day and the hour appointed by Article II, section 4, of the Constitution of Pennsylvania for the meeting of the General Assembly, the House of Representatives will now come to order.

Sergeants at Arms, close the doors of the House.

The prayer will be offered by Rev. Reynolds D. Baldwin, Jr. Immediately after the prayer, we will recite the Pledge of Allegiance.

Members and all guests, please rise.

#### PRAYER

REV. REYNOLDS D. BALDWIN, JR., Chaplain of the House of Representatives, offered the following prayer:

Let us pray:

Almighty God, You created us in Your image. Grant us fearlessly to contend against evil wherever it exists, and may we make no peace with oppression wherever we find it. Send Your spirit to us that we may reverently use our freedom for the maintenance of justice wherever injustice prevails.

O Eternal God, You have chosen these men and women to serve the people of Pennsylvania. May You give them the understanding of the commitment they make this day and the desire to serve selflessly.

May You, the God who was worshiped by the founders of our nation and the founders of this Commonwealth, bless and guide the men and women who for the first time swear to You, O Lord, to do their duty for our State. May the awe of this pageantry, may the awe of the responsibility, the awe of the honor, remain with them from this day forward. We call upon You, O God of mercy, to bless and guide the men and women who are renewing their oath of service before You and this body. May You renew their hearts, their awe, of their first day as servants of the people.

O Magnificent God, who knows the hearts and minds of each of us, may You use Your omnipotent power over us to remove from our hearts our egos, our self-interests, our quest for power, so our hearts are truly open to receive Your blessing, to serve others, to channel our talents for the people's welfare.

We petition You, O Lord, to continue to bless and keep the leaders of our State and our nation. May You continue to inspire us as a nation to be a beacon of freedom, compassion, and hope for the entire world to see.

Grant us our prayers, O Lord. God bless Pennsylvania. God bless America.

#### PLEDGE OF ALLEGIANCE

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

The CHIEF CLERK. Sergeants at Arms will open the doors of the House. Members and guests may be seated.

#### FILMING PERMISSION

The CHIEF CLERK. The following photographers have been given permission to take still photos on the floor of the House during the swearing-in ceremony: Larry Kesterson from the Philadelphia Inquirer, Carolyn Kaster from the Associated Press, and Gary Dwight Miller from the Harrisburg Patriot-News.

#### MUSICAL INTERLUDE

The CHIEF CLERK. I would like to introduce Renee Amooore, who will be singing for us today.

Ms. AMOORE. Good morning.

I am going to try it again: Good morning. I want you to help me out here. I know you are excited; I am excited, too.

("God Bless America" was sung by Renee Amooore.)

Ms. AMOORE. Thank you, and God bless you.

The CHIEF CLERK. Thank you, Renee.

#### ELECTION RETURNS PRESENTED

The CHIEF CLERK. The Chair recognizes the Sergeant at Arms of the House.

The SERGEANT AT ARMS. Mr. Chief Clerk, the Deputy Secretary of the Commonwealth, Kenneth Rapp.

The CHIEF CLERK. The Chair recognizes Deputy Secretary Rapp.

Mr. RAPP. Thank you, Mr. Chief Clerk.

I have the privilege and honor of presenting the returns for the general election held on November 2, 2004.

The CHIEF CLERK. The Chair extends its thanks from the House to Deputy Secretary Rapp.

The clerk will proceed with the reading of the returns.

The following election returns were read:

COMMONWEALTH OF PENNSYLVANIA

TO THE CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES AND THE MEMBERS OF THE HOUSE OF REPRESENTATIVES OF THE GENERAL ASSEMBLY OF THE COMMONWEALTH OF PENNSYLVANIA, GREETINGS:

I have the honor to present the returns of the General Election held November 2, 2004. The following, having received the highest number of votes in their respective districts, were duly elected Members of the House of Representatives in the General Assembly:

Name	District
Linda Bebko-Jones	First
Flo Fabrizio	Second
Matthew Good	Third
Curt Sonney	Fourth
John R. Evans	Fifth
Teresa Forcier	Sixth
Michael C. Gruitza	Seventh
Dick Stevenson	Eighth
Chris Sainato	Ninth
Frank LaGrotta	Tenth
Brian Ellis	Eleventh
Daryl Metcalfe	Twelfth
Arthur D. Hershey	Thirteenth
Mike Veon	Fourteenth
Vince Biancucci	Fifteenth
Sean M. Ramaley	Sixteenth
Rod E. Wilt	Seventeenth
Gene DiGirolamo	Eighteenth
Jake Wheatley, Jr.	Nineteenth
Don Walko	Twentieth
Frank J. Pistella	Twenty-first
Michael Diven	Twenty-second
Dan B. Frankel	Twenty-third
Joseph Preston, Jr.	Twenty-fourth
Joseph F. Markosek	Twenty-fifth
Tim Hennessey	Twenty-sixth
Thomas C. Petrone	Twenty-seventh
Mike Turzai	Twenty-eighth
Bernie O'Neill	Twenty-ninth
Jeffrey E. Habay	Thirtieth
David J. Steil	Thirty-first
Anthony M. DeLuca	Thirty-second
Frank Dermody	Thirty-third
Paul Costa	Thirty-fourth
Marc J. Gergely	Thirty-fifth
Harry Readshaw	Thirty-sixth
Thomas Creighton	Thirty-seventh
Kenneth W. Ruffing	Thirty-eighth
David K. Levdansky	Thirty-ninth
John Maher	Fortieth
Katie True	Forty-first
Tom Stevenson	Forty-second
Scott W. Boyd	Forty-third
Mark Mustio	Forty-fourth
Nick Kotik	Forty-fifth
Victor John Lescovitz	Forty-sixth
Keith Gillespie	Forty-seventh
Timothy J. Solobay	Forty-eighth

Peter J. Daley	Forty-ninth
Bill DeWeese	Fiftieth
Larry Roberts	Fifty-first
James E. Shaner	Fifty-second
Robert W. Godshall	Fifty-third
John E. Pallone	Fifty-fourth
Joseph A. Petrarca	Fifty-fifth
James E. Casorio, Jr.	Fifty-sixth
Thomas A. Tangretti	Fifty-seventh
R. Ted Harhai	Fifty-eighth
Jess Stairs	Fifty-ninth
Jeff Pyle	Sixtieth
Kate M. Harper	Sixty-first
Dave Reed	Sixty-second
Fred McIlhattan	Sixty-third
Scott E. Hutchinson	Sixty-fourth
Kathy Rapp	Sixty-fifth
Sam Smith	Sixty-sixth
Martin T. Causer	Sixty-seventh
Matthew E. Baker	Sixty-eighth
Bob Bastian	Sixty-ninth
John W. Fichter	Seventieth
Edward P. Wojnarowski, Sr.	Seventy-first
Tom Yewcic	Seventy-second
Gary Haluska	Seventy-third
Camille George	Seventy-fourth
Dan A. Surra	Seventy-fifth
Mike Hanna	Seventy-sixth
Lynn Herman	Seventy-seventh
Dick L. Hess	Seventy-eighth
Richard A. Geist	Seventy-ninth
Jerry A. Stern	Eightieth
Larry O. Sather	Eighty-first
C. Adam Harris	Eighty-second
Steven W. Cappelli	Eighty-third
Brett Feese	Eighty-fourth
Russ Fairchild	Eighty-fifth
Mark K. Keller	Eighty-sixth
Glen R. Grell	Eighty-seventh
Jerry L. Nailor	Eighty-eighth
Rob Kauffman	Eighty-ninth
Patrick E. Fleagle	Ninetieth
Stephen R. Maitland	Ninety-first
Bruce Smith	Ninety-second
Ron Miller	Ninety-third
Stanley E. Saylor	Ninety-fourth
Stephen H. Stetler	Ninety-fifth
Mike Sturla	Ninety-sixth
Roy E. Baldwin	Ninety-seventh
David S. Hickernell	Ninety-eighth
Gordon R. Denlinger	Ninety-ninth
Gibson C. Armstrong	One hundredth
Mauree A. Gingrich	One hundred first
Peter J. Zug	One hundred second
Ron Buxton	One hundred third
Mark S. McNaughton	One hundred fourth
Ron Marsico	One hundred fifth
John D. Payne	One hundred sixth
Robert E. Belfanti, Jr.	One hundred seventh
Merle H. Phillips	One hundred eighth
David R. Millard	One hundred ninth
Tina Pickett	One hundred tenth
Sandra J. Major	One hundred eleventh
Fred Belardi	One hundred twelfth
Gaynor Cawley	One hundred thirteenth
Jim Wansacz	One hundred fourteenth
Edward G. Staback	One hundred fifteenth
Todd A. Eachus	One hundred sixteenth

George C. Hasay One hundred seventeenth  
 Thomas M. Tigue One hundred eighteenth  
 John T. Yudichak One hundred nineteenth  
 Phyllis Mundy One hundred twentieth  
 Kevin Blaum One hundred twenty-first  
 Keith R. McCall One hundred twenty-second  
 Neal P. Goodman One hundred twenty-third  
 David G. Argall One hundred twenty-fourth  
 Bob Allen One hundred twenty-fifth  
 Dante Santoni, Jr. One hundred twenty-sixth  
 Thomas R. Caltagirone One hundred twenty-seventh  
 Samuel E. Rohrer One hundred twenty-eighth  
 Sheila Miller One hundred twenty-ninth  
 Dennis E. Leh One hundred thirtieth  
 Pat Browne One hundred thirty-first  
 Jennifer Mann One hundred thirty-second  
 T. J. Rooney One hundred thirty-third  
 Douglas G. Reichley One hundred thirty-fourth  
 Steve Samuelson One hundred thirty-fifth  
 Robert Freeman One hundred thirty-sixth  
 Richard T. Grucela One hundred thirty-seventh  
 Craig A. Dally One hundred thirty-eighth  
 Jerry Birmelin One hundred thirty-ninth  
 Thomas C. Corrigan One hundred fortieth  
 Anthony J. Melio One hundred forty-first  
 Matthew N. Wright One hundred forty-second  
 Chuck McIlhinney, Jr. One hundred forty-third  
 Katharine M. Watson One hundred forty-fourth  
 Paul I. Clymer One hundred forty-fifth  
 Thomas J. Quigley One hundred forty-sixth  
 Raymond Bunt, Jr. One hundred forty-seventh  
 Mike Gerber One hundred forty-eighth  
 Daylin Leach One hundred forty-ninth  
 Jacqueline R. Crahalla One hundred fiftieth  
 Eugene F. McGill One hundred fifty-first  
 Susan E. Cornell One hundred fifty-second  
 Josh Shapiro One hundred fifty-third  
 Lawrence H. Curry One hundred fifty-fourth  
 Curt Schroder One hundred fifty-fifth  
 Elinor Z. Taylor One hundred fifty-sixth  
 Carole A. Rubley One hundred fifty-seventh  
 Chris Ross One hundred fifty-eighth  
 Thaddeus Kirkland One hundred fifty-ninth  
 Stephen E. Barrar One hundred sixtieth  
 Tom Gannon One hundred sixty-first  
 Ron Raymond One hundred sixty-second  
 Nicholas A. Micozzie One hundred sixty-third  
 Mario J. Civera, Jr. One hundred sixty-fourth  
 William F. Adolph, Jr. One hundred sixty-fifth  
 Greg Vitali One hundred sixty-sixth  
 Bob Flick One hundred sixty-seventh  
 Thomas H. Killion One hundred sixty-eighth  
 Dennis M. O'Brien One hundred sixty-ninth  
 George T. Kenney, Jr. One hundred seventieth  
 Kerry A. Benninghoff One hundred seventy-first  
 John M. Perzel One hundred seventy-second  
 Michael Patrick McGeehan One hundred seventy-third  
 Alan Butkovitz One hundred seventy-fourth  
 Marie Lederer One hundred seventy-fifth  
 Mario M. Scavello One hundred seventy-sixth  
 John J. Taylor One hundred seventy-seventh  
 Scott Petri One hundred seventy-eighth  
 William W. Rieger One hundred seventy-ninth  
 Angel L. Cruz One hundred eightieth  
 W. Curtis Thomas One hundred eighty-first  
 Babette Josephs One hundred eighty-second  
 Julie Harhart One hundred eighty-third

William F. Keller One hundred eighty-fourth  
 Robert C. Donatucci One hundred eighty-fifth  
 Harold James One hundred eighty-sixth  
 Paul W. Semmel One hundred eighty-seventh  
 James R. Roebuck One hundred eighty-eighth  
 Kelly Lewis One hundred eighty-ninth  
 Thomas W. Blackwell, IV One hundred ninetieth  
 Ronald G. Waters One hundred ninety-first  
 Louise Bishop One hundred ninety-second  
 Steven R. Nickol One hundred ninety-third  
 Kathy Manderino One hundred ninety-fourth  
 Frank Oliver One hundred ninety-fifth  
 Beverly Mackereth One hundred ninety-sixth  
 Jewell Williams One hundred ninety-seventh  
 Rosita C. Youngblood One hundred ninety-eighth  
 Will Gabig One hundred ninety-ninth  
 LeAnna M. Washington Two hundredth  
 John Myers Two hundred first  
 Mark B. Cohen Two hundred second  
 Dwight Evans Two hundred third

Witness my hand and the seal of my office  
 this fourth day of January, 2005.

(SEAL)

Pedro A. Cortés  
 Secretary of the Commonwealth

The CHIEF CLERK. The election returns for candidates for membership of the House of Representatives will be printed in the Journal of the House.

## CERTIFICATE ON ELECTION EXPENSES

### COMMONWEALTH OF PENNSYLVANIA

TO THE CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES,  
 GREETINGS:

In accordance with the provisions of Section 1632(b) of the Pennsylvania Election Code, 25 P.S. § 3252(b), I do hereby certify that all duly elected members of the House of Representatives of the Commonwealth of Pennsylvania have filed all of the reports and statements of contributions and expenditures required by the provisions of Article XVI of the Pennsylvania Election Code entitled "Primary and Election Expenses."

Witness my hand and the seal of my office  
 this twenty-second day of December, 2004.

(SEAL)

Pedro A. Cortés  
 Secretary of the Commonwealth

## RESIGNATION OF MEMBER

The CHIEF CLERK. A communication from a former member, which the clerk will read.

The following letter was read:

House of Representatives  
 Commonwealth of Pennsylvania  
 Harrisburg

December 6, 2004

Sam Smith, Majority Leader  
110 Main Capitol  
Harrisburg, PA 17120

Dear Sam:

Please accept this letter as my formal resignation from the Pennsylvania House of Representatives, Legislative District 189.

It has been a great honor to serve in the Pennsylvania General Assembly. I look forward to working together with you and our colleagues on future endeavors.

Very truly yours,  
Representative Kelly Lewis  
189th Legislative District

**LEAVES OF ABSENCE**

The CHIEF CLERK. Are there requests for leaves of absence?

The Chair recognizes the majority whip, Mr. Argall. Mr. ARGALL. Thank you, Mr. Chief Clerk. I have received no such requests.

The CHIEF CLERK. The Chair thanks the gentleman. The Chair recognizes the Democratic whip, Mr. Veon. Mr. VEON. Thank you, Mr. Chief Clerk.

No requests for leave. The CHIEF CLERK. The Chair thanks the gentleman. Without objection, there will be no leaves granted.

**ROLL CALL**

The CHIEF CLERK. The roll will now be taken, and the members will signify their presence by pressing the “aye” button. The members will proceed to vote.

The roll was recorded, and the following members-elect were present:

**PRESENT—202**

Adolph	Fairchild	Mackereth	Rubley
Allen	Feese	Maher	Ruffing
Argall	Fichter	Maitland	Sainato
Armstrong	Fleagle	Major	Samuelson
Baker	Flick	Manderino	Santoni
Baldwin	Forcier	Mann	Sather
Barrar	Frankel	Markosek	Saylor
Bastian	Freeman	Marsico	Scavello
Bebko-Jones	Gabig	McCall	Schroder
Belardi	Gannon	McGeehan	Semmel
Belfanti	Geist	McGill	Shaner
Benninghoff	George	McIlhattan	Shapiro
Bianucci	Gerber	McIlhinney	Smith, B.
Birmelin	Gergely	McNaughton	Smith, S. H.
Bishop	Gillespie	Melio	Solobay
Blackwell	Gingrich	Metcalfe	Sonney
Blaum	Godshall	Micozzie	Staback
Boyd	Good	Millard	Stairs
Browne	Goodman	Miller, R.	Steil
Bunt	Grell	Miller, S.	Stern
Butkovitz	Grucela	Mundy	Stetler
Buxton	Gruitza	Mustio	Stevenson, R.
Caltagirone	Habay	Myers	Stevenson, T.
Cappelli	Haluska	Nailor	Sturla
Casorio	Hanna	Nickol	Surra

Causer	Harhai	O'Brien	Tangretti
Cawley	Harhart	Oliver	Taylor, E. Z.
Civera	Harper	O'Neill	Taylor, J.
Clymer	Harris	Pallone	Thomas
Cohen	Hasay	Payne	Tigue
Cornell	Hennessey	Petrarca	True
Corrigan	Herman	Petri	Turzai
Costa	Hershey	Petrone	Veon
Crahalla	Hess	Phillips	Vitali
Creighton	Hickernell	Pickett	Walko
Cruz	Hutchinson	Pistella	Wansacz
Curry	James	Preston	Washington
Daley	Josephs	Pyle	Waters
Dally	Kauffman	Quigley	Watson
DeLuca	Keller, M.	Ramaley	Wheatley
Denlinger	Keller, W.	Rapp	Williams
Dermody	Kenney	Raymond	Wilt
DeWeese	Killion	Readshaw	Wojnarowski
DiGirolamo	Kirkland	Reed	Wright
Diven	Kotik	Reichley	Yewcic
Donatucci	LaGrotta	Rieger	Youngblood
Eachus	Leach	Roberts	Yudichak
Ellis	Lederer	Roebuck	Zug
Evans, D.	Leh	Rohrer	
Evans, J.	Lescovitz	Rooney	Perzel,
Fabrizio	Levdansky	Ross	Speaker

ADDITIONS—0

NOT VOTING—0

EXCUSED—0

The CHIEF CLERK. Two hundred and two members having indicated their presence, a quorum is present.

**OATH OF OFFICE ADMINISTERED TO MEMBERS-ELECT**

The CHIEF CLERK. A Bible has been placed on the desk of each member, for those who swear by the Bible.

Members will rise, place your left hand on the Bible, raise your right hand, and remain standing at your desk during the administration of the oath to which each member will swear or affirm.

The oath of office will be administered by the Honorable Corry Stevens, Judge, Superior Court of Pennsylvania, and a former member of the House.

(Members-elect stood.)

JUDGE STEVENS. Thank you. Welcome, everybody.

Do you solemnly swear that you will support, obey, and defend the Constitution of the United States and the Constitution of this Commonwealth and that you will discharge the duties of your office with fidelity? Please say “I do.”

(Members asserted oath.)

JUDGE STEVENS. Please be seated.

## REMARKS BY JUDGE STEVENS

JUDGE STEVENS. I just want to congratulate everybody. This is just like when I was here. I love it. I just want to congratulate everybody.

To the new members, to the new members, welcome to the most respected, hardworking, and dedicated legislature in the country. You are going to make some lifetime friends here, regardless of political party and regardless of political philosophy. I know I did, and I love every one of my friends here.

To the returning members, congratulations on a job well done. Your constituents obviously respect the work that you have done.

Judge Wogan and I were just talking about our days here, and it was nice to see the board all green when you took a roll. It might not be that way again for a little while, but that is good; that is the process.

So I just want to wish everybody good luck. I would like to leave you with a quote, one of my favorite quotes from Ralph Waldo Emerson, because I think it applies here: "Do not follow where the path may lead. Go instead where there is no path and leave a trail." And I wish you all the very best in this upcoming session.

## RESOLUTION ADOPTED

### ELECTION OF SPEAKER

The CHIEF CLERK. The Chair recognizes the lady from York County, Mrs. Mackereth.

Mrs. MACKERETH. Mr. Chief Clerk, I would like to offer the following resolution to elect a Speaker.

The CHIEF CLERK. The lady from York County, Mrs. Mackereth, presents a resolution, which the clerk will read.

Mrs. MACKERETH offered the following resolution, which was read, considered, and adopted:

In the House of Representatives  
January 4, 2005

RESOLVED, That in accordance with the provisions of Article II, Section 9, of the Constitution of Pennsylvania, the House do now proceed to the election of a Speaker.

## NOMINATIONS FOR SPEAKER

The CHIEF CLERK. Nominations are now in order for the office of Speaker.

The Chair recognizes the gentleman from Jefferson County, Mr. Smith.

Mr. S. SMITH. Thank you, Mr. Chief Clerk.

First, allow me to welcome our new members and all of the returning members. We are honored to have each of you back here, and for those of you that are new, welcome to your family and friends as you share with us here in the hall of the House.

Since this is the first of what we hope are many swearing-in ceremonies, especially for those new members on this side of the aisle, I am sure you have noticed there is a great deal of

pomp and circumstance and protocol that goes along with this day. The history of this chamber dates back to 1682, so the motions we go through today have been repeated many times. But it is with great respect and admiration for this august body, this House of Representatives, that we meet here today.

The office of Speaker of the Pennsylvania State House is the oldest elected position in the United States. Today I have the distinct honor and pleasure of nominating my good friend, John Perzel, to this esteemed office. I do this without reservation, for it has always been my humble and honest belief that he displays the marks of a true and dedicated leader.

When John began serving as Speaker in April of 2003, many of us may recall that there was a great deal of public discourse regarding his transition from this position in the pit in the hall of the House to that position at the podium in the hall. Many made predictions about what type of Speaker he would be and how his leadership style would resemble or differ from that of his predecessors. The Speaker himself admitted that he did not know for sure what type of Speaker he would be or what his style would encompass. The truth is, John, for as much as you worried about the big shoes you had to fill, history will reveal that you possess the same seeds of leadership qualities as your predecessors, just waiting to be cultivated.

Like any true leader, you have easily transcended party lines in order to make progress on the pressing issues confronting this Commonwealth. Time and again you have proven your ability to work in a bipartisan fashion. When we were divided, you brought us together and reminded us of the common goals that we all share – to make life better for the people of Pennsylvania and to fulfill their expectations.

As majority leader and now as Speaker, you have led this chamber and proven our ability to work in a bipartisan fashion. Others can and should follow your example.

As Speaker, you kept your door open to each of us, and whether we represented rural, urban, or suburban districts, you listened and you did what you could to help each of us reach our individual goals and priorities. On various issues you helped us look at the big picture instead of what was most politically expedient.

Your energy and your vision have carried us forward in good times and bad. Yes, John, you have many of the qualities of your predecessor, but you are writing your own chapter in State history. Your leadership style is yours and yours alone, and you will be remembered well for it.

I think most of us know that you look out for this chamber, and as some of us have experienced, you do not hesitate to give a fair but firm dose of reality every now and then, even when we do not want to hear it.

For me personally, you have helped me develop as a leader, and I thank you for your friendship. You are quick to share a thing or two about the big-city issues with rural people like myself, yet always willing to listen and learn about the problems of our constituents.

While one in this building recently called us cowards, no one in this chamber would argue that one of your greatest traits is your courage, political and otherwise. As one with a keen eye for the history of this body and of his office, John Perzel recognizes that you learn by living, and Speaker Perzel has certainly lived his life to the fullest.

As I have said before, John Perzel is the American dream. He has risen from humble beginnings and utilized the opportunities and freedoms afforded to him by this great nation

of ours to become one of our State's premier leaders. John, I am personally inspired by all that you have accomplished, and I am sure many in this chamber share my sentiments.

Now I am extremely honored to nominate my friend and my colleague from Philadelphia County, John M. Perzel, to be Speaker of the Pennsylvania House of Representatives.

The CHIEF CLERK. The gentleman from Jefferson County, Mr. Smith, places in nomination for office of Speaker the gentleman from Philadelphia, the Honorable John M. Perzel.

The Chair recognizes the gentleman from Blair County, Mr. Geist.

Mr. GEIST. Thank you very much, Mr. Chief Clerk.

It really is an honor for me to rise today to second the nomination of my good friend, John Perzel.

In 1978 we came in together. John was just so full of energy, unbelievable energy, and I had the pleasure of working side by side with him during the battles and watching him mature to Speaker of the House of the Pennsylvania General Assembly.

And when you look at John, you think, wow, this guy really has been a self-made man. When I nominated him the last time, the first time for Speaker, I said that he was going to need a seat belt to stay in that chair up there because it would be impossible for him to stay out of the fray. John loves the debate process. But along the way, as any good Speaker does, he really became the shepherd of this House, and when we talk about a sense of collegiality in this wonderful fraternal organization, and new members are going to learn that, as I have discussed it with Mike Veon and Kevin Blaum and my three great seatmates, George Hasay, Merle Phillips, and Dick Hess, that kind of bonding that you get in this job is unbelievable. You will never explain it outside of this building.

And yes, we read where John Perzel is now the most powerful politician in Pennsylvania – I certainly believe that – but to us in here, both Republicans and Democrats, he is a member's member. He knows what it takes. He is not afraid. He makes decisions for the good of the order, and that is the job of a Speaker.

Mr. Chief Clerk, I am absolutely delighted to second the nomination of our good friend, John Perzel, for Speaker of the House of Representatives.

The CHIEF CLERK. The gentleman from Blair County, Mr. Geist, seconds the nomination of Mr. Perzel for the office of Speaker.

The Chair recognizes the gentleman from Philadelphia, Mr. Keller.

Mr. KELLER. Thank you, Mr. Chief Clerk.

It is again an honor and privilege to stand here and second the nomination of John Perzel.

It was less than 2 years ago I stood at this same microphone and predicted that John Perzel would be an active Speaker and take on the job and do it the way it should be done, take on the problems of Pennsylvania head on and get them done quickly. Well, I am getting out of the prediction business, because that prediction just became an understatement or just a statement of the obvious. John Perzel performs the job of Speaker the way I believe the framers of the Constitution intended. He acts quickly, takes on the problems, and does not shy away from anything; he takes them on headfirst.

And we sit and wonder, you know, how can a guy balance all the things he has to do and get things done the way he does, and just my own personal thought, I think it is a matter of he has

never forgotten what every politician knows when we first start out. As we get elected year after year, we start to forget what it is about, and usually when people reach positions of leadership and power, almost all of them forget about it. It is really about personal relationships. John Perzel has never forgotten to get legislation done to solve the problems of Pennsylvania. We need personal relationships, and he is very good at it, and that is why a member from the other side of the aisle, just a rank-and-file member, can stand here and second the nomination of the Speaker. I appreciate it, because he is my friend. But it is not important that he is my friend, because if anybody needs help, he will also be your friend. He is very good at it. But it is important that he is called today; it is important for Pennsylvania that we call him Speaker. Thank you.

Thank you, Mr. Chief Clerk.

The CHIEF CLERK. The gentleman from Philadelphia, Mr. Keller, seconds the nomination of Mr. Perzel for the office of Speaker.

The Chair recognizes the gentleman from Delaware County, Mr. Gannon.

Mr. GANNON. Thank you, Mr. Chief Clerk.

I want to second the nomination of my good friend, John Perzel, and just an observation.

Judge Stevens quoted a famous author a few moments ago and said about, do not follow a path but go forward and make a path, and that is what John Perzel has done in not only his career the short time he has been Speaker of the House but his entire legislative career. He has always left a trail that others followed, and I think that is noteworthy of anyone in public office, because quite frequently those of us who are elected tend to do as a French Revolutionary once said, see which way the parade is going and then get in front of it. But that is not a characteristic of Representative Perzel. He has always been out there as a leader. He is very deliberative, he is very sure of himself, and he makes certain that he always does what is in the best interest of the people of the Commonwealth of Pennsylvania and the members of this House, and I heartily recommend him to the members as our Speaker for the coming term.

Thank you, Mr. Chief Clerk.

The CHIEF CLERK. The gentleman from Delaware County, Mr. Gannon, seconds the nomination of Mr. Perzel for the office of Speaker.

The Chair recognizes the gentleman from Lancaster County, Mr. Baldwin.

Mr. BALDWIN. Mr. Chief Clerk, I move that the nominations now be closed.

The CHIEF CLERK. The gentleman from Lancaster County, Mr. Baldwin, moves that the nominations now be closed.

On the question,

Will the House agree to the motion?

Motion was agreed to.

The CHIEF CLERK. Those in favor of John M. Perzel from Philadelphia County for the office of Speaker of the House will say "aye"; those opposed, say "no." The "ayes" have it, and John M. Perzel is unanimously elected Speaker of the House.

Congratulations, Mr. Perzel.

### COMMITTEE APPOINTED TO ESCORT SPEAKER-ELECT TO ROSTRUM

The CHIEF CLERK. The Chair appoints the gentleman from Jefferson County, Mr. Smith, and the gentleman from Greene County, Mr. DeWeese, to escort Speaker-elect Perzel to the rostrum.

The committee to escort the Speaker-elect will proceed with the performance of its duties.

The Chair recognizes the chairman of the committee, Mr. Smith.

Mr. S. SMITH. Mr. Chief Clerk, I have the honor of presenting Speaker-elect John M. Perzel.

### OATH OF OFFICE ADMINISTERED TO SPEAKER-ELECT PERZEL

The CHIEF CLERK. The oath of office to the Speaker-elect will now be administered by the Honorable Chris R. Wogan, Judge, Court of Common Pleas, Philadelphia, and a former member of this House.

JUDGE WOGAN. Mr. Speaker Perzel; my colleague from the House class of 1980, Judge Stevens; Mr. Majority Leader Smith; Mr. Minority Leader DeWeese; distinguished former Speaker O'Donnell; General-elect Corbett; Treasurer Casey; and ladies and gentlemen of the people's chamber, the lower chamber of the General Assembly of the Commonwealth of Pennsylvania:

It is a great honor to be able to swear in Representative Perzel as he begins his first full term as Speaker of the Pennsylvania House of Representatives, a position that he has achieved by virtue of his hard work and his extraordinary perseverance.

Although I was always unsuccessful in matching his level of work, especially when I was an inexperienced candidate for the State House back in 1980, I did learn enough from him and a couple of other colleagues to actually win my election in 1980, and the work that Representative Perzel has done in the past as majority leader is undoubtedly part of his legacy to the citizens of the Commonwealth of Pennsylvania. The other part, in a chapter yet to be written, will be his service to Pennsylvania as the holder of this office, the Speaker of the House of Representatives.

I know, John, you will not share the fate of the unknown Speaker of the Provincial Assembly of the Commonwealth of Pennsylvania in 1691. I have no doubt that your time as Speaker will be remembered fondly and cherished by the citizens of our great State.

Mr. Speaker Perzel, I wish you and I wish all of your colleagues a very successful session in 2005 and 2006.

And now, if you would place your left hand on the Bible and raise your right hand and repeat after me: I, John Perzel, do solemnly swear that I will support, obey, and defend the Constitution of the United States and the Constitution of this Commonwealth and that I will discharge the duties of my office with fidelity.

(Speaker-elect Perzel asserted oath.)

JUDGE WOGAN. Congratulations, Mr. Speaker Perzel. The CHIEF CLERK. Members may be seated.

### PRESENTATION OF GAVEL

The CHIEF CLERK. The Chair requests that the Honorable Gibson C. Armstrong from Lancaster County take the Chair for the purpose of presenting the gavel to Speaker Perzel.

Mr. ARMSTRONG. Mr. Speaker, congratulations. Congratulations on being elected the 136th Speaker of the House of Representatives in the Commonwealth of Pennsylvania. It is an honor to present to you this gavel, similar to those used by great statesmen of the past, men like William Penn, Benjamin Franklin, and most recently, a friend to all of us, Matthew J. Ryan.

Mr. Speaker, this gavel is testimony to the respect and trust that we, the members of this chamber, have placed in you. We look forward to what we will accomplish together under your leadership.

Congratulations.

### THE SPEAKER (JOHN M. PERZEL) PRESIDING

#### ADDRESS BY SPEAKER

The SPEAKER. I would like to thank you very, very much for this honor.

There are a couple things that I wanted to say before I got into my formal remarks, and number one, I wanted to make sure that I thanked Sam, Rick Geist, Bill Keller, Tom Gannon. I would hope that at my funeral you say as many nice things as you said about me here today.

Judge Wogan used to be a Representative, as he said, and in the last reapportionment, his area, after he was elected judge, went between myself and Representative George Kenney. I just wanted to tell you, Judge, I did better in your area than you did, so—

I have to enjoy myself. This is for my friends at the Inquirer. I want you all to know, if you missed anything here today, it will all be available on DVD (digital video disk) in about another week or two.

There are a couple special people here, and no matter when you do something like this, you always miss somebody, so please, I am just trying to thank people that really made an impact on actually my side of the aisle being as effective as it has been.

One of the most important things that we ever did in this chamber – and I will not get into the content of it – one night we were short the votes, and a young lady is here today, Carol Campbell, who got me the last two votes that I needed for that particular issue. So, Carol – she is the chairwoman of the Black ward leaders in the city of Philadelphia – so, Carol, thank you very, very much for that help.

I wanted to thank my friend, Michael Karp, who has been a friend and a supporter for a long time.

Senator Frank Salvatore is also here. Welcome, Senator. The Senator, 4 years ago, was not reelected, and since then, we have been calling him “Senator Who.” Just between us, Senator.

I wanted to thank two gentlemen. These two men gave up an awful lot in order for me to be successful – Ralph Kaiser and

David Mayernik – and I cannot thank them enough for all the help that they gave me.

The team that made me Speaker, I wanted to thank them. Besides Sam, Brett, and Dave, they are Brian Preski, Steve Dull, John Hanley, Al Bowman, Doug Zubeck, and Bill Tomaselli. Thank you very much for the efforts you put forth to get me here.

And I would like to recognize an eloquent friend from the other side of the aisle, Bill DeWeese. Thank you for your entertaining and enlightening speeches, Bill. You are always a lot of fun.

Thank you, and good afternoon.

Judge Stevens, Judge Wogan, members of the Pennsylvania House of Representatives, your family and all of your friends:

As the Speaker, it is my pleasure to greet this chamber – to greet your husbands, your wives, your children, your parents, your other relatives and friends – particularly for the freshmen. You all fought hard to get here, but it is really the freshmen that faced those multithousand-dollar campaigns, some of them in the millions of dollars. So you worked very hard to get here, and congratulations and welcome. Welcome to this ceremony and to this noble place.

Once again I have the honor and opportunity of taking the position of Speaker of the Pennsylvania House of Representatives. Becoming Speaker is truly the job of a lifetime. As always, I welcome the challenge, and I promise to do my best to bring honor and respect to this position of this great institution. Thank you, ladies and gentlemen of this House. I am humbled by the privilege and the confidence that you have granted me once again.

I would also like to thank a couple of other people who had a lot of faith in me. Some of them are here; some of them are not. My mother, Susan, who raised me with so much love; my brothers, William and Michael, who have always been steadfast supporters; my wonderful wife, Sheryl, and my sons, Andrew, David, John, and Sam, whom I am very, very proud of. They were born in alphabetical order, too. I like that.

I would like to thank four people who are not here today for all the help that they gave me: the Honorable Matthew J. Ryan. He was my friend and he is the Speaker that I replaced. Of course, Tommy McCormac, whom a lot of you knew. He worked very, very hard in this chamber to make sure things worked day to day. My good friend and a former Democrat ward leader, John J. Fitzpatrick, who got me into politics as a Republican. And my brother, Tommy, who died just this past December. These four men will always have a special place in my heart. I know they would have loved to have seen this day – this beautiful, beautiful day.

As was said earlier, William Penn, more than 300 years ago, believed that the constitutional form of government was the type of government for the people of Pennsylvania. In meeting today, we are fulfilling the continuing triumph of William Penn's dream.

Today is a time of celebration, a new beginning. Today we begin the 189th legislative session of this House of Representatives. We are over 100 years older than the United States Congress. For three centuries we have made laws just as our Founding Fathers made them. We form an idea, we do the research, we hold hearings, we discuss the different options, we pass the bills, and then we send them to the Senate, and sometimes we pray that they do the same. It is a tried-and-true constitutional formula – they did not exist for the

first 100 years; we should have never invented them – a formula that saw the introduction of over 4,000 ideas last legislative session that were turned into bills before this chamber.

We, the members of the House, together are here today for a special purpose. We are here to make laws based solely on the public will, and we were elected by the public trust. This system is based on the same principles as our forebears of this great State and this great nation, and we must always remember that these are the very concepts and ideas that our Armed Forces are fighting for around this globe.

As we all know, our Founding Fathers developed these principles in my hometown of Philadelphia. What I sometimes think that we forget, that we must always remember, is that we as the members of this House are the legal successors and preservers of the government envisioned by our founders and instituted here in Penn's Woods. We are the inheritors and guardians of the freedom of speech, religion, and assembly by a society under the Constitution of the United States of America, which was also written in my hometown.

On a recent trip, I was in Disney World, and I was struck by the proper inscription contained on a copy of the Liberty Bell within one of the town squares there. It read, "By Order of the Assembly of the Province of Pennsylvania for the State House" of Representatives. I was overcome by the enormity of that one simple, shuddering thought: We are the inheritors of the vision and tenacity of our Founding Fathers, and we, too, proclaim our liberty throughout this land.

That idea did take root in Philadelphia, but it continued to every nook and cranny of our great Commonwealth and then across this great country of ours. Today those ideas, that all are created equal, that all enjoy the freedom to worship as they choose, that all are free to associate with whomever they choose, are spreading across this globe without geographic bias. An awe-inspiring thought, that is often lost as more partisan and political forces shape the debate on the floor of this House.

But today we are not passing any legislation. Today we are here to swear in and to continue the good work and legacy for 2 more additional years, and it is our continuing job and duty to make sure that the legacy contained on that simple bell continues for generations that occupy these seats in this chamber, for long after all of our deaths.

To that end, I want you all to know that I pledge to do my best and be as fair as I possibly can with each and every member, Democrat and Republican. Your priorities are my priorities. Your concerns are my concerns. Your goals are my goals.

Today we took a solemn oath to serve with fidelity. As we move forward to tackle the issues of the day – taxes, the budget, education, health-care concerns, environmental concerns, economic development, mass transit, and all the other issues that we face in this one legislative session – let us vow to be guided in our public service by loyalty, by wisdom, by honesty, and by strength of character with one eye toward the future and another eye toward our past.

I have seen many changes in this House of Representatives since I first arrived here in 1979. The one thing that has not changed is the camaraderie, our friendships – male, female, Democrat, Republican – that have been forged throughout all these years. As Speaker, I promise to build on those friendships and to build new friendships. I want all you members to know that my door is always open and my home phone number is

listed. I am not going to say it because my wife is here and she gets mad every time I say it.

But I want you all to know, again, how grateful I am for this opportunity to be Speaker of the Pennsylvania House of Representatives.

I would like to thank you all. God bless this chamber, God bless Pennsylvania, and God bless the United States of America. Thank you.

Just one more aside. I did sit in the last seat in the last aisle when I first got here, so any one of you can make it, so just keep at it.

### **PRESENTATION OF COMMEMORATIVE GAVEL**

The SPEAKER. The Chair at this time recognizes the Chief Clerk.

The CHIEF CLERK. Mr. Speaker, this being my last opening-day ceremony to preside over, it is with honor that I present you with the commemorative gavel.

Congratulations, Mr. Speaker.

The SPEAKER. The Chair thanks the Chief Clerk for the commemorative gavel. Thank you very much, Teddy.

### **PLACING OF MACE**

The SPEAKER. The oath of office having been taken by the members of the House and the Speaker elected, the Chair instructs the Sergeant at Arms to now place the mace on the rostrum. The mace is the symbol of authority of the House of Representatives. When the mace is at the Speaker's right, the House of Representatives is in session.

(Mace was placed on rostrum.)

### **PARLIAMENTARIAN APPOINTED**

The SPEAKER. In compliance with the laws of the Commonwealth authorizing the Speaker to appoint a Parliamentarian, the Chair appoints Clancy Myer as the Parliamentarian of the House of Representatives. Congratulations, Clancy.

I actually had a young girl – she was about 14 years old – last night, right before dinner, she asked me what you do, Clancy. It is Clancy's job to interpret the parliamentary rules of the House of Representatives and pass the information on to myself.

### **MUSICAL INTERLUDE**

The SPEAKER. The Chair is pleased to introduce Patricia Gannon, the daughter of Representative Tom Gannon, who will sing for us at this time.

(“America the Beautiful” was sung by Ms. Gannon.)

### **ANNOUNCEMENT OF MAJORITY LEADERSHIP**

The SPEAKER. The Chair at this time recognizes the gentledady from Chester, Mrs. Taylor, for the purpose of making an announcement.

Mrs. TAYLOR. Thank you, Mr. Speaker.

This is the day the Lord hath made. Let us rejoice and be glad in it.

Mr. Speaker, as chairman of the Republican Caucus, I have been instructed to announce for the information of the members of the House and for the record that the gentleman from Jefferson, Mr. Smith, has been elected majority leader by the Republican Caucus; Mr. Argall has been elected majority whip. Furthermore, the gentleman from Montgomery County, Mr. Bunt, has been elected caucus secretary; the gentleman from Delaware County, Mr. Civera, has been elected policy chairman; the gentleman from Northumberland County, Mr. Phillips, has been elected caucus administrator; and the gentleman from Lycoming County, Mr. Feese, has been elected chairman of the Appropriations Committee.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentledady.

### **ANNOUNCEMENT OF DEMOCRATIC LEADERSHIP**

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Cohen, for the purpose of making an announcement.

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, as the reelected chairman of the House Democratic Caucus, I have been instructed to announce for the information of the members of the House, the public, and the record that the gentleman from Greene County, Mr. DeWeese, has been reelected Democratic leader by our caucus; the gentleman from Beaver County, Mr. Veon, has been reelected Democratic whip. Furthermore, the gentleman from Luzerne County, Mr. Blaum, has been elected for the first time as caucus secretary; the gentleman from York County, Mr. Stetler, has been reelected Democratic policy chairman; the gentleman from Lackawanna County, Mr. Belardi, has been reelected caucus administrator; and the gentleman from Philadelphia, Mr. Evans, has been reelected Democratic chairman of the House Appropriations Committee.

The SPEAKER. The Chair thanks the gentleman.

### **NEW MEMBERS INTRODUCED**

The SPEAKER. The Chair recognizes the gentleman from Montgomery, Mr. Bunt, to introduce the freshman members of the Republican Caucus.

Mr. BUNT. Thank you, Mr. Speaker.

Mr. Speaker, on a personal note, I would like to congratulate you on your reelection as Speaker, and I am personally honored to be your friend and to thank you for the leadership that you have provided to the people who serve in this august body and all the people of the Commonwealth.

Mr. Speaker, as I call the names of the new members of the Republican Caucus, will they please stand, and please hold any

applause until I have completed the introduction of all these members.

From Butler County, 11th District, Brian Ellis. From the 87th Legislative District of Cumberland, Glen Grell. From the 89th Legislative District composed of Cumberland and Franklin Counties, Rob Kauffman. From the 86th Legislative District of Franklin and Perry Counties, Mark Keller. From the 60th Legislative District, Armstrong and Indiana Counties, Jeff Pyle. From the 146th Legislative District of Montgomery County, Tom Quigley. From the 65th Legislative District of Forest, McKean, and Warren Counties, Kathy Rapp. And last, from the 4th Legislative District of Erie County, Curt Sonney.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Luzerne County, Mr. Blaum, to introduce the freshman members of the Democrat Caucus.

Mr. BLAUM. Thank you, Mr. Speaker, and a well-deserved congratulations to you, sir.

As I call the new members of the House Democratic Caucus, I would ask them to please stand and ask members and guests to please withhold your applause until they have all been introduced.

The gentleman from Philadelphia, Thomas Blackwell. The gentleman from Montgomery County, Michael Gerber. The gentleman from Beaver County, Sean Ramaley. The gentleman from Montgomery County, Joshua Shapiro.

Thank you very much.

The SPEAKER. The Chair thanks the gentleman.

### REMARKS BY MAJORITY LEADER

The SPEAKER. The Chair at this time recognizes the majority leader for remarks.

Mr. S. SMITH. Thank you, Mr. Speaker, and again, congratulations.

To Judges Stevens and Wogan, to the members of the House and honored guests, our many family members and friends:

It is an honor to be with you today and to share a few remarks about not only this special day but what we are going to be doing here in the next couple of years.

For those of you that are new members that were just announced and have taken your seat in the hall of the House, I urge you to savor this day, though, for you are about to embark on what may be the most challenging and yet fulfilling opportunity of your life.

Today is certainly a day for looking ahead, but it is also a time of reflection. For 323 years we have come together as elected Representatives of our communities to the Pennsylvania House of Representatives.

As Representatives, we have been given a mandate to advocate the interests of the 60,000-plus people that each of us represents, but we have also been entrusted with the well-being of 12 million Pennsylvanians, and that in and of itself is an awesome responsibility.

Sometimes I think about the authority that has been entrusted to each of us as legislators and how that authority, as opposed to power; how that responsibility, as opposed to control, should be viewed, and maybe you have raised similar questions. What is our role here? Why are we here? How should we govern?

In order to be successful, I think we must continually ask those same questions, and to apply to that, I have three general principles that I feel will help us keep the authority we have been given in proper perspective.

First, learn from experience. As the English author Aldous Huxley once observed, "Experience is not what happens to a man; it is what a man does with what happens to him."

As public servants, we shape our careers by the decisions we make. However, it is also very true that the experiences we encounter and what we do with those experiences are what shape us. Everyday challenges should be viewed as opportunities, not as obstacles. We can only grow through these experiences if we look to them as avenues for personal growth and resolve to learn from our mistakes. Yes, we make mistakes, and I think it is important that we are able to admit that.

The second principle: In difficult times, let your conscience be your guide. Throughout history, this has been demonstrated. One such individual who refused to betray his conscience was Sir Thomas More, a member of the British Parliament who clashed with King Henry VIII on numerous occasions. More was frustrated by the contemporary belief that simply agreeing with the prevailing views on issues will get one ahead politically, and he stated, "When statesmen forsake their own private conscience for the sake of their public duties, they lead their country by a short route to chaos." It is a frightening thought, but it is something that can happen if we ignore our principles and allow power to be confused with authority.

This thought was also captured by Booker T. Washington, who stated, "Character, not circumstances, makes the man." Our circumstances and our experiences will indeed vary, but it is our principles, our character, and our very moral fabric that defines us as individuals.

The third principle to help guide us in the use of our authority is to strive to provide clear and direct leadership. Abraham Lincoln is probably one of the finest examples of courageous, principled leadership, and at a time of great diversity. Lincoln's style of leadership contained some principles that are worthy of consideration and emulation. There is no question, he kept his focus narrow. His faith, he stated, "that right makes might; and in that faith let us to the end, dare to do our duty as we understand it." He did his duty to the end of his life and kept this country together. He did not need to take polls to determine what was needed or what was right.

Lincoln also noted, "It is my ambition and desire to so administer the affairs of the government while I remain President that if at the end I have lost every other friend on earth I shall at least have one friend remaining and that one shall be down inside me." He remained, as we all must, true to himself.

The people we represent are looking for that kind of leader, someone they can trust; one with deep-seated convictions, one who is courageous in the face of opposition, and one who has an optimistic vision of the future. It is that optimism and vision of the future that is a common goal for those of us in this chamber.

We have a plan for the future, and our agenda is simple: to put Pennsylvania back on course. We must make Pennsylvania State government more responsive to the needs of our residents and more efficient in using their tax dollars. Pennsylvania's future depends on strong economic development policies that are supported by commonsense programs designed to create and retain family-sustaining jobs.

By working with businesses, manufacturing groups, and unions, we have crafted and will continue to work on the Keystone Manufacturing Initiative to address many of the factors hindering the ability of job creators in this Commonwealth.

In addition, the General Assembly must be committed to holding the line on taxes and continuing the phaseout of the capital stock and franchise tax. We will work in conjunction with the Supreme Court to reform the civil justice system, to strive to streamline government services and get rid of unnecessary regulations. As strong families are the keystone of a healthy society, we will work to enact family-oriented laws that strengthen family units and support systems.

Since 1995 we made significant gains in improving the quality of education in Pennsylvania, yet there is still some type of disconnect between our schools and the workplace. In response, we have formed a special committee to look at the entire education system in the Commonwealth, from early childhood all the way through higher education. It is a task that has not ever been done, but our goal is that we will work to assure the quantity and quality of educators for Pennsylvania schools, strengthen business-education partnerships, and try to enhance higher education accessibility and accountability.

Likewise, the Pennsylvania House has been leading the way to ensure every Pennsylvanian has access to the best health care available. Through our groundbreaking Healthy PA initiative, families will have more health-care options available to them and insurance will be more affordable through the formation of health-care savings accounts.

To help protect the natural beauty of this great Commonwealth, we created the Growing Greener program, and we are committed to its continued funding.

This is just a sampling of the issues to be taken up by this House as we continue to face the challenges on a number of fronts. It is our vision, perseverance, and persistence that will keep our State moving in the right direction.

Today we have taken the oath to govern. To succeed in our charge, we must continue to learn from our experiences, let our consciences guide us, and resolve to provide clear, principled, and direct leadership.

Most of us just took the oath with our hand on the Bible, and in that book, in Romans 13, the apostle Paul gives us some insight into the proper relationship between government and the people. Paul wrote, "Everyone must submit himself to the governing authorities, for there is no authority except that which God has established, the authorities that exist have been established by God."

Paul was saying here that leaders are servants of God and exist for the benefit of society. Those elected must be respectful and reverent of their authority, keeping their responsibility for their fellow man paramount.

Today, as in Biblical times, the way we view and use our authority will determine the quality of the relationship we have with our constituents and, ultimately, our overall success as legislators.

We have many great leaders assembled in this grand hall at this very moment. It is our collective wisdom that will guide this Commonwealth for at least the next 2 years and beyond. If we can keep our focus, stand together in the face of opposition, and stick to our core beliefs, I am certain that together we can put this Commonwealth back on track.

Thank you. God bless you, and God bless the great Commonwealth and the United States of America.

The SPEAKER. The Chair thanks the gentleman.

### REMARKS BY DEMOCRATIC LEADER

The SPEAKER. The Chair at this time recognizes the Democrat leader, the gentleman, Mr. DeWeese.

Mr. DeWEESE. On December 22, 1783, Gen. George Washington resigned his commission as general of the Continental Army. It was the first time in history a strong, proud, dominant military leader voluntarily ceded power to a weak and ineffectual civil government.

The hullabaloo of democracy had been launched, and as Jewell Williams is noting right now – I can see him in the corner of my eye – the hullabaloo of democracy is being celebrated here today.

Mr. Speaker, to echo the words of the gentleman from Luzerne, Kevin Blaum, congratulations on your well-earned journey. I think I said it when you were first inaugurated – forgive the enthusiasm of the verb – I said that you would climb to the top of the greasy flagpole of politics, and I had quoted the inimitable Benjamin Disraeli, and you were worthy of that quote. His struggles and your struggles were supreme, and your collective preeminence within your parliamentary settings is redoubtable.

Worthies, worthies, worthies like O'Donnell. I can see O'Donnell in my mind's eye, and I can see O'Donnell in my eye's eye, former Speaker of the House. And worthies Casey, my man, Bobby Casey, and where is the young General Corbett? Is he still amongst us in this proud phalanx of politicians? We used to meet on the turnpike and have a cabal. Not really. We just ran into each other at the gas pumps once, but—

I am happy – I am happy generally, but I am happy to be here celebrating.

The enthusiasms, the mood, the high excitement and idealism of the freshman members on both sides of the aisle, and yes, I reluctantly yet politically, astutely laud those Republican freshmen. I wish so many of you would not have had to stand up. It seemed like you had a platoon and we had a fire team. Our side is not clapping.

Now, I promised Jess Stairs last night at dinner – and before you get too excited, Mr. Speaker, we were not at the same dinner; we just ran into each other – I promised him semantic circumcision, and he is going to get it.

I told Dick Hess that there will be no purple passages from Bill DeWeese, there will be no rhetorical ornamentations, and Dick Hess said, "No, no, no. Please give me something from Harper Lee." Did you not say that, Dick? He wanted florid metaphors and fruity diction. Well, you are going to get it.

I did take off my chronometer. Why say watch when you can say chronometer. The Speaker and my distinguished cohort, the Honorable – and I mean that – the Honorable Mr. Smith from Jefferson took 8 minutes. I will try to keep mine in that range, but florid metaphors take longer to pronounce.

Look, again, I get excited about this room, and I can guarantee you one thing – watch out when any politician says, "I can guarantee you one thing"; we have all heard it before from the school board to the township supervisors to those illustrious congressional delegates from Pennsylvania who are

in the imperial city today, “I can guarantee you one thing” – I can only guarantee you this about that, and that is that this room, this room is the most magnificent room in the Western Hemisphere. Jim Shaner told me that.

The exuberant, exuberant sumptuousness and glowing luminosity of this room are unparalleled. A thousand, a thousand twinkling lights, the Apotheosis, the Passage of the Hours, although the freshmen, imbued with excitement, incandescent hopes for their legislative careers today, will probably someday, when some of us are making a long-winded diatribe, look up at the Passage of the Hours and maybe even slip momentarily into the arms of Morpheus, but not today, not today.

This room, this odiferous room, garlanded with roses and daisies and irises and sunflowers and heather, and I wish my knowledge was more capacious, because I have just run out of my floral repertoire. There are a lot of exotic flora on the desks, and there are a lot of exotic flora sitting in these seats. Exotic flora, and I have a passion for self-deprecation and self-effacement, so I will put myself high amongst that exotic flora. But if you do not think Daryl Metcalfe and Bill DeWeese and Sam Rohrer and Jewell Williams and L.B.-J. and young Gibson Armstrong and Joe Preston – I mean, Gaynor Cawley – we have some exotic flora in this room. And by the way, you freshman and first-term members’ families, when the flowers go away, the exotic flora will linger.

But you know what? The great thing about this room – and Hank Salvatore, my fellow marine on the other side of the room, knows it best – when you come into this room, political animus and political perturbations deliquesce into the ether, and there is a brotherhood that Sam and John and others have talked about, I think it was Rick Geist who talked about; there is a brotherhood. Micozzie and Civera and DeWeese, what do they have in common? Well, politically, that is somewhat attenuated, but fraternally, it is rather special and solid. But the rarefied traditions of the American political catechism, they endure in this room, and as John Perzel said a little while ago, we are the oldest elected body in the hemisphere.

This is a special day, not only a special day for Daylin Leach but a special day for Katie True, and the excitement of debate and the give-and-take of the hurly-burly is a lot more than the dull staccato chant of the calendar call; it is a lot more than the desultory dialectics of peppered political badinage. I had to look down to see that one – peppered political badinage. A lot of that goes on in this room. It is a lot more than the entire arsenal – and there is a lot of this, too – of cunning and perfidy and declaratory rhetoric. But I will admit one of the reasons I am enthused about this excitement. Sam did it first. He talked about some enthusiasms of Abraham Lincoln – the great, great, great Republican leader of a long time ago. But he said, and I am trying to remember the quote without looking down, but in debate in the Congress when he was there, the specious and fantastic arrangement of words will allow for a chestnut horse to be compared with a horse chestnut. And there is a lot of that that goes on in this chamber.

It is a tough, tough, rigorous set of challenges that face us, and Sam adumbrated many of them – Growing Greener, mass transit, Medicaid funding. These are intractable and seemingly insoluble challenges that we members will have to advance upon and delineate and foment argumentation and develop solutions for, and several of them will be almost impossible, but again, when Lincoln was a member of the

Congress and as he was President, he compared some of the challenges to when he was plowing a field as a youth in Illinois, and when he came across a stump that was too deep and too tough to get out of the ground and too wet to burn, he would plow around it. That is what Ed Rendell and that is what this General Assembly will have to do in the ensuing months of the 189th session of the General Assembly. We are going to have to plow around a few things, and we are going to have to make sure that a bipartisan compromise can exist.

I am excited about Sam Smith’s introducing Aldous Huxley into the debate. I am excited about Sam Smith’s introducing St. Paul into the debate. We will hear more from St. Paul later in the session. Thomas More’s unalloyed idealism will be brought up, and someday when Metcalfe and DeWeese are going at it, Thomas More will be in the middle of that dialectic.

Hamlet said, “There’s a divinity that shapes our ends, rough-hew them how we will.” Well, if you do not think things are roughhewn around here, you have got another thought coming. The ancient political metaphor of sausage and law are two things you do not want to see being made is a realistic assessment of what goes on in the Congress and the 50 State legislatures, but guess what? In Churchill’s memorable observation, democracy is a lousy form of government but it is the best one that has ever been invented. No matter how roughhewn things are here today, they are a lot more roughhewn in Samarra and Fallujah and Kurdistan and all along the Tigris River Valley. This, this is an exciting place to be.

As I get ready to relinquish the microphone, Mr. Speaker – every 2 years that is my applause line – the perpetual, political, partisan proclivities of the debate are set aside today, but they will be reengendered very soon. For the freshmen, for the freshmen and their families, the real sockdolager of a remark was fomented in the 1961 inaugural by J.F.K. when he said, “...the torch has been passed to a new generation of Americans...” Well, today the torch is being at least in part passed to, at least on the Democratic side, some of the young beau ideals of the party of Jefferson and Jackson and King and Kennedy. I used to say that Jake Wheatley was a beau ideal, but Jake has been here for a while, so I will have to rearrange the observation. The young Mike Gerber, a beau ideal of the Main Line; Tommy Blackwell from the city of Philadelphia, a beau ideal from Philadelphia; Sean Ramaley from Beaver County, a beau ideal from west of the Alleghenies; and Joshua – what a great name, Joshua, the scout that saw the hills of Canaan – Joshua Shapiro, another beau ideal from the southeast and hopefully amongst – to use Teddy Harhai’s favorite words – the galvanizing influences of a Democratic recrudescence in the southeast. I could not help that one, Mr. Speaker.

As I relinquish, I promise, this microphone, my last observation will be from a man named Matthew Miller. Matthew Miller, a columnist for the Los Angeles Times, a few years ago said that politics, politics was an amalgamation of raw Machiavelli and sweet idealism, a combination of grand strategy and low tactics. That is a delicious phrase, “raw Machiavelli, sweet idealism; grand strategy, low tactics.”

Today, today, swearing-in day, I would politely admonish our first-term members to embrace the sweet idealism of democracy, enhance this chamber, make our process work a little better.

Congratulations, John Perzel. Congratulations, ladies and gentlemen. Welcome to the hall of the House.

The SPEAKER. I told you all in my opening remarks that he was entertaining and enlightening.

### REMARKS BY MAJORITY WHIP

The SPEAKER. At this time the Chair would recognize the gentleman, Mr. Argall, the majority whip.

Mr. ARGALL. Thank you, Mr. Speaker.

Mr. Speaker, when I first voted for you as caucus administrator 20 years ago, I suspect that neither you nor I could have ever imagined the things that we have seen transpire here in the last 20 years. Best wishes for another successful term.

Those same best wishes are extended to each and every member here, whether you are returning, as is the Speaker, for the latest of many terms or to those 12 brave first-term members.

This morning my staff delivered a bit of a care package to each of those first-term members. Let me just go through the contents. The first should be very evident. A dictionary; how better to understand the minority leader? Although, I will note, I suspect all of the words, Bill, that you used today are probably not in here, I should have bought a more expensive dictionary, but my wife and my mother and my aunt are here. They are almost 100 percent Pennsylvania Dutch, and if I would have bought 12 expensive dictionaries, I would have heard it all the way back to Tamaqua. Hopefully most of the words that he uses can be found in here.

Also, I thought to myself when Representative Feese and the other folks were out really recruiting the new candidates who are now our first-term members, they might not have explained to the first-term members, the candidates, how long the days can be; how 3 o'clock can extend into 5 o'clock, can extend to midnight and 1 and 2 in the morning. They tell me this stuff is legal. This is NoDoz to get you through your first all-nighter.

Also – and this is dangerous – there are industrial-strength earplugs in your care package. I suppose if you want to use them when I am speaking, that is your own prerogative.

But along a more serious line, I also included excerpts from two of my favorite textbooks on Pennsylvania government. The first is the Pennsylvania chapter – it is included in your care package – from “The Almanac of American Politics.” The second is a chapter from Paul Beers’s book from 1980 also on Pennsylvania government, and in Beers’s book he talks a lot about the diversity of Pennsylvania. Sometimes columnists and editorial writers and reporters and political opponents get really upset with us because it takes us so long to get anything done. Beers notes that on some occasions we have been leaders – in the Keystone Opportunity Zone Program, we were among the first in the country to go after economic development in such a radical form; in mental health reform, on other occasions, and the antislavery movement, we were among the leaders – but in other cases we have lagged behind, and that is because Pennsylvania is one of the most politically diverse States in the country. You will find Republicans, Democrats, moderates, liberals, independents, conservatives, certainly urban, rural, suburban, you will find all of those diverse elements within Pennsylvania and much, much more. I would suggest to those first-term members that when there is no consensus outside the hall of this House, it becomes, as Beers has noted in his chapter on incremental reform, all the more difficult to find that

consensus within this hall. But try we may, and I hope that we will continue to succeed.

In the one political science book that I have sometimes referenced, it talks about the fact that we do not deal just with easy problems in this hall but we deal with what are called “wicked” problems. It defines wickedness as “an attribute of those problems with multiple conflicting definitions and no clear solutions and whose necessarily imperfect solutions beget further problems.” We will be dealing with some wicked problems within the next 2 years.

Both my colleague, the majority leader, and Judge Wogan had noted in their comments that perseverance is very important. That of course does not come in a box. I could not include it in your care packages. But I would note that I have been very disappointed in my 20 years here to see some very, very gifted members choose not to run again because their well of perseverance had begun to run a little low. If I could offer one wish to this august body at this time, it would be not just simple good wishes but, in the terms of Judge Wogan and Representative Smith, that you all find that well of perseverance to work with us through both the easy questions and the wicked problems of the next 2 years.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

### REMARKS BY DEMOCRATIC WHIP

The SPEAKER. The Chair recognizes at this time the Democrat whip, the gentleman, Mr. Veon.

Mr. VEON. Thank you, Mr. Speaker.

Mr. Speaker, first, my personal congratulations to your reelection as Speaker of the House. Congratulations, Mr. Speaker.

Mr. Speaker, my friend and colleague, the majority leader, indicated that one of the guiding principles for him and certainly one of the guiding principles for the members here in the House is experience, and I agree with him, Mr. Speaker, and I can tell you that after a lot of years here and a whole lot of experience, when you are the last speaker on the list on the program, experience dictates, be very, very brief, and so I shall.

You have heard many allusions to history here today, and I just want to make one additional point and emphasize it. Frankly, I think my colleagues have done a tremendous job here today in eloquently talking about this chamber, these responsibilities, and this history, and this really is a special day for the new members and their friends and their families. This is a day for them, and so a personal congratulations from me to the new members on both sides of the aisle, a special congratulations to your family and friends that are sharing this momentous occasion with you, and let me just add this perspective as you think about going forward. In the history of this State, there of course have been tens and tens and tens of millions of people who have lived and died, and yet throughout that history and the history talked about of this chamber, our historians tell us that there have been approximately only 11,000 people in the history of this legislature elected to sit in this chamber. That is an awesome responsibility, but it is also an awesome challenge, and I look forward to working with the new members and of course all of my colleagues with great experience as we face the challenges in 2005 and 2006.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

### GUESTS INTRODUCED

The SPEAKER. At this time the Chair would like to just briefly introduce two special guests which were mentioned by Judge Chris Wogan: the Treasurer-elect of the Commonwealth of Pennsylvania, Robert Casey, and the Attorney General-elect of the Commonwealth of Pennsylvania, Tom Corbett.

### COMMITTEE APPOINTED

The SPEAKER. The Chair at this time appoints as a committee to notify the Senate that the House has been organized, the gentlelady from Lebanon, Mrs. Gingrich; the gentleman from Delaware, Mr. Killion; the gentleman from Montgomery, Mr. Gerber.

The committee is now to proceed in the performance of its duties.

### COMMITTEE APPOINTED

The SPEAKER. The Chair appoints as a committee to wait upon the Governor and notify him that the House has been organized, the lady from Northampton County, Mrs. Harhart; the gentleman from Erie, Mr. Sonney; and the gentleman from Beaver County, Mr. Ramaley.

The committee will now proceed with the performance of its duties.

The Senate will not be ready for about 10 to 15 minutes to be able to come over in the performance of the joint session, so anyone that would like to leave at this point in time that the swearing-in is over, you may do so now.

There will be about 10, 15 minutes of recess.

### COMMITTEE ON PART OF SENATE RECOGNIZED

The SPEAKER. The Chair recognizes the Sergeant at Arms of the House for the introduction of the Senate committee.

The SERGEANT AT ARMS. Mr. Speaker, the chairman of the committee on the part of the Senate, Senator Gordner.

The SPEAKER. The Chair recognizes Senator Gordner.

Mr. GORDNER. Mr. Speaker and members of the House of Representatives, we are a committee of the Senate that is here to inform the House of Representatives that the Senate is organized, ready to do business and conduct the business of this State.

The SPEAKER. The Chair thanks the gentleman.

### FORMER MEMBERS WELCOMED

The SPEAKER. The Chair is very welcomed to have two of our former colleagues in the House of Representatives back here.

### ANNOUNCEMENT BY SPEAKER

The SPEAKER. I would like to remind all the members to please go to the Chief Clerk's Office today or tomorrow to sign the Oath Book, the oath of office.

The Senate will be here in about 2 minutes. The members will please report to the floor of the House.

### COMMITTEE ON COMMITTEES APPOINTED

The SPEAKER. The following members have been selected to serve on the Committee on Committees: George Hasay, chairman; Jerry Birmelin; Gene DiGirolamo; John Evans; John Fichter; Dennis O'Brien; David Reed; Jess Stairs; Thomas Stevenson; Katie True. The gentleman, Robert Freeman, will be the Democrat chairman, along with Kevin Blaum, Camille George, Michael Veon, H. W. DeWeese, and the Speaker.

The House will be at ease for 2 minutes.

### SENATE MESSAGE

#### JOINT SESSION

The clerk of the Senate, being introduced, presented the following extract from the Journal of the Senate, which was read as follows:

In the Senate  
January 4, 2005

RESOLVED, (the House of Representatives concurring), That the Senate and House of Representatives meet in Joint Session, Tuesday, January 4, 2005, in the Hall of the House of Representatives for the purpose of witnessing the opening, counting, and computing of the official returns of the election for Attorney General, Auditor General, and State Treasurer, held on Tuesday, November 2, 2004, in the several counties of the Commonwealth, and to elect a Director of the Legislative Reference Bureau.

Ordered, That the clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

Resolution was concurred in.

Ordered, That the clerk inform the Senate accordingly.

### RESOLUTION

#### APPOINTMENT OF TELLER

Mr. S. SMITH offered the following resolution, which was read, considered, and adopted:

In the House of Representatives  
January 4, 2005

RESOLVED, That the gentleman from Lycoming County, Mr. Feese, be appointed Teller on the part of the House of Representatives to open and compute the vote for Attorney General, Auditor General and Treasurer.

### ARRIVAL OF SENATE

The SPEAKER. The Senate is now entering the hall of the House.

The Chair recognizes the Sergeant at Arms of the House of Representatives.

The SERGEANT AT ARMS. Mr. Speaker, the Senate has entered the hall of the House.

The SPEAKER. The Chair requests the Lieutenant Governor, the Honorable Catherine Baker Knoll, to preside over the proceedings of the joint session of the General Assembly.

The President pro tem of the Senate, the Honorable Robert Jubelirer, is invited to be seated at the rostrum.

The members of the House and the Senate will please be seated. Senator Jubelirer.

### JOINT SESSION OF THE GENERAL ASSEMBLY

#### THE LIEUTENANT GOVERNOR (CATHERINE BAKER KNOLL) PRESIDING

#### ELECTION RETURNS PRESENTED

The LIEUTENANT GOVERNOR. Will the joint session please come to order.

January 4, 2005, the joint session of the General Assembly.

This being the day and time agreed upon by a concurrent resolution of the Senate and House of Representatives, and in accordance with the provisions of the Constitution and the laws of the Commonwealth for the opening and computing of the official returns of the election of the State Treasurer, Auditor General, and Attorney General held on Tuesday, November 2, 2004, in the 67 counties of the Commonwealth, the returns will now be opened.

The teller on the part of the Senate is the Senator from Jefferson County, Senator Joseph B. Scarnati, and the teller on the part of the House of Representatives is the Representative from Lycoming County, Representative Brett Feese. The tellers will please come to the desk assigned to them by the Chief Clerk of the House and proceed in the performance of their duties.

The following election returns were read:

#### COMMONWEALTH OF PENNSYLVANIA

TO HER EXCELLENCY, THE LIEUTENANT GOVERNOR OF THE COMMONWEALTH OF PENNSYLVANIA, THE PRESIDENT PRO TEMPORE OF THE SENATE, AND THE MEMBERS OF THE GENERAL ASSEMBLY OF THE COMMONWEALTH OF PENNSYLVANIA, GREETINGS:

I have the honor to present the official returns of the General Election held November 2, 2004, for the office of State Treasurer of the Commonwealth of Pennsylvania, wherein it was disclosed that:

Mr. Bob Casey, Jr., Democratic, received 3,353,489 votes,  
Ms. Jean Craige Pepper, Republican, received 1,997,951 votes,  
Mr. Darryl W. Perry, Libertarian, received 61,238 votes,  
Mr. Paul Teese, Green, received 40,740 votes,  
Mr. Max Lampenfeld, Constitutional, received 20,406 votes  
Write-in Votes, 230 (scattered),

as the same have been certified to and filed with the Secretary of the Commonwealth of Pennsylvania by the sixty-seven County Boards of Elections.

Witness my hand and the seal of my office  
this fourth day of January, 2005.

(SEAL)

Pedro A. Cortés  
Secretary of the Commonwealth

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#### COMMONWEALTH OF PENNSYLVANIA

TO HER EXCELLENCY, THE LIEUTENANT GOVERNOR OF THE COMMONWEALTH OF PENNSYLVANIA, THE PRESIDENT PRO TEMPORE OF THE SENATE, AND THE MEMBERS OF THE GENERAL ASSEMBLY OF THE COMMONWEALTH OF PENNSYLVANIA, GREETINGS:

I have the honor to present the official returns of the General Election held November 2, 2004, for the office of Auditor General of the Commonwealth of Pennsylvania, wherein it was disclosed that:

Mr. Jack Wagner, Democratic, received 2,786,909 votes,  
Mr. Joe Peters, Republican, received 2,430,648 votes,  
Mr. Berlie R. Etzel, Jr., Libertarian, received 52,869 votes,  
Mr. Ben G. Price, Green, received 53,716 votes,  
Mr. Leonard E. Ritchey, Constitutional, received 28,776 votes  
Write-in Votes, 238 (scattered),

as the same have been certified to and filed with the Secretary of the Commonwealth of Pennsylvania by the sixty-seven County Boards of Elections.

Witness my hand and the seal of my office  
this fourth day of January, 2005.

(SEAL)

Pedro A. Cortés  
Secretary of the Commonwealth

\*\*\*

#### COMMONWEALTH OF PENNSYLVANIA

TO HER EXCELLENCY, THE LIEUTENANT GOVERNOR OF THE COMMONWEALTH OF PENNSYLVANIA, THE PRESIDENT PRO TEMPORE OF THE SENATE, AND THE MEMBERS OF THE GENERAL ASSEMBLY OF THE COMMONWEALTH OF PENNSYLVANIA, GREETINGS:

I have the honor to present the official returns of the General Election held November 2, 2004, for the office of Attorney General of the Commonwealth of Pennsylvania, wherein it was disclosed that:

Mr. Jim Eisenhower, Democratic, received 2,621,927 votes,  
Mr. Tom Corbett, Republican, received 2,720,718 votes,  
Ms. Marakay J. Rogers, Green, received 70,624 votes,  
Write-in Votes, 271 (scattered),

as the same have been certified to and filed with the Secretary of the Commonwealth of Pennsylvania by the sixty-seven County Boards of Elections.

Witness my hand and the seal of my office  
this fourth day of January, 2005.

(SEAL)

Pedro A. Cortés  
Secretary of the Commonwealth

### CERTIFICATE ON ELECTION EXPENSES

#### COMMONWEALTH OF PENNSYLVANIA

TO HER EXCELLENCY, THE LIEUTENANT GOVERNOR OF THE COMMONWEALTH OF PENNSYLVANIA, AND THE MEMBERS OF THE GENERAL ASSEMBLY OF THE COMMONWEALTH OF PENNSYLVANIA, GREETINGS:

In accordance with the provisions of Section 1632(b) of the Pennsylvania Election Code, 25 P.S. § 3252(b), I do hereby certify that Tom Corbett, Attorney General, Jack Wagner, Auditor General, and Bob Casey, Jr., State Treasurer, have filed all of the reports and statements of contributions and expenditures required by the provisions of Article XVI of the Pennsylvania Election Code entitled "Primary and Election Expenses."

Witness my hand and the seal of my office  
this fourth day of January, 2005.

(SEAL)

Pedro A. Cortés  
Secretary of the Commonwealth

### TELLERS' REPORT

The LIEUTENANT GOVERNOR. The Chair recognizes the teller on the part of the Senate, the Senator from Jefferson County, Senator Scarnati.

Mr. SCARNATI. Madam President, Mr. Speaker, and members of the General Assembly, the tellers agree in their count and submit their report of the votes cast for the offices of State Treasurer, Auditor General, and Attorney General:

#### FOR STATE TREASURER:

Bob Casey, Jr., Democrat, received 3,353,489 votes  
Jean Craige Pepper, Republican, received 1,997,951 votes  
Darryl W. Perry, Libertarian, received 61,238 votes  
Paul Teese, Green Party, received 40,740 votes  
Max Lampenfeld, Constitutional, received 20,406 votes  
Scattered write-in votes – 230

#### FOR AUDITOR GENERAL:

Jack Wagner, Democrat, received 2,786,909 votes

Joe Peters, Republican, received 2,430,648 votes  
Berlie R. Etzel, Jr., Libertarian, received 52,869 votes  
Ben G. Price, Green Party, received 53,716 votes  
Leonard E. Ritchey, Constitutional, received 28,776 votes  
Scattered write-in votes – 238

#### FOR ATTORNEY GENERAL:

Tom Corbett, Republican, received 2,720,718 votes  
Jim Eisenhower, Democrat, received 2,621,927 votes  
Marakay J. Rogers, Green Party, received 70,624 votes  
Scattered write-in votes – 271

The LIEUTENANT GOVERNOR. Robert Casey, having received the highest number of votes, is duly elected Treasurer of the Commonwealth of Pennsylvania for the term of 4 years from the third Tuesday of January 2005.

Robert Casey is here. Do you want to stand?

Jack Wagner, having received the highest number of votes, is duly elected Auditor General of the Commonwealth of Pennsylvania for the term of 4 years from the third Tuesday of January 2005.

Senator Wagner. Is he here? He was elected already. Okay.

Thomas W. Corbett, Jr., having received the highest number of votes, is duly elected Attorney General of the Commonwealth of Pennsylvania for the term of 4 years from the third Tuesday of January 2005.

Tom Corbett, please rise.

The General Assembly will now be at ease for several moments while we sign the certificates of election.

The joint session has been reopened.

### CERTIFICATES OF ELECTION FILED

The LIEUTENANT GOVERNOR. The certificates of election for State Treasurer, Auditor General, and Attorney General have been signed by the officers and tellers on the part of the Senate and House of Representatives, and they will now be filed.

The following signed certificates of election were filed:

The General Assembly of Pennsylvania  
Main Capitol Building  
Harrisburg, Pennsylvania 17120

January 4, 2005

We, the President of the Senate and Speaker of the House of Representatives of the Commonwealth of Pennsylvania, do certify that the President of the Senate did, on the fourth day of January, A.D., two thousand and five, in the Hall of the House of Representatives at the State Capitol, open the returns of the election for State Treasurer of this Commonwealth, and publish the same in the presence of both houses of the General Assembly, conforming to the provisions of the Constitution and laws of said Commonwealth, and upon counting the

votes by a Teller appointed on the part of each house, it appeared that The Honorable Robert P. Casey, Jr., had the highest number of votes; whereupon The Honorable Robert P. Casey, Jr., was declared to have been duly elected State Treasurer of this Commonwealth.

In testimony whereof, we have hereunto set our hands and affixed our seals the day and year written above.

(SEAL) Catherine Baker Knoll  
President of the Senate

(SEAL) John M. Perzel  
Speaker of the House of Representatives

Joe B. Scarnati  
Teller on the part of the Senate

Brett O. Feese  
Teller on the part of the House of  
Representatives

\* \* \*

The General Assembly of Pennsylvania  
Main Capitol Building  
Harrisburg, Pennsylvania 17120

January 4, 2005

We, the President of the Senate and Speaker of the House of Representatives of the Commonwealth of Pennsylvania, do certify that the President of the Senate did, on the fourth day of January, A.D., two thousand and five, in the Hall of the House of Representatives at the State Capitol, open the returns of the election for Auditor General of this Commonwealth, and publish the same in the presence of both houses of the General Assembly, conforming to the provisions of the Constitution and laws of said Commonwealth, and upon counting the votes by a Teller appointed on the part of each house, it appeared that The Honorable Jack Wagner had the highest number of votes; whereupon The Honorable Jack Wagner was declared to have been duly elected Auditor General of this Commonwealth.

In testimony whereof, we have hereunto set our hands and affixed our seals the day and year written above.

(SEAL) Catherine Baker Knoll  
President of the Senate

(SEAL) John M. Perzel  
Speaker of the House of Representatives

Joe B. Scarnati  
Teller on the part of the Senate

Brett O. Feese  
Teller on the part of the House of  
Representatives

\* \* \*

The General Assembly of Pennsylvania  
Main Capitol Building  
Harrisburg, Pennsylvania 17120

January 4, 2005

We, the President of the Senate and Speaker of the House of Representatives of the Commonwealth of Pennsylvania, do certify that the President of the Senate did, on the fourth day of January, A.D., two thousand and five, in the Hall of the House of Representatives at

the State Capitol, open the returns of the election for Attorney General of this Commonwealth, and publish the same in the presence of both houses of the General Assembly, conforming to the provisions of the Constitution and laws of said Commonwealth, and upon counting the votes by a Teller appointed on the part of each house, it appeared that The Honorable Thomas W. Corbett, Jr., had the highest number of votes; whereupon The Honorable Thomas W. Corbett, Jr., was declared to have been duly elected Attorney General of this Commonwealth.

In testimony whereof, we have hereunto set our hands and affixed our seals the day and year written above.

(SEAL) Catherine Baker Knoll  
President of the Senate

(SEAL) John M. Perzel  
Speaker of the House of Representatives

Joe B. Scarnati  
Teller on the part of the Senate

Brett O. Feese  
Teller on the part of the House of  
Representatives

### NOMINATIONS FOR DIRECTOR OF LEGISLATIVE REFERENCE BUREAU

The LIEUTENANT GOVERNOR. The General Assembly will now proceed to the election of a Director of the Legislative Reference Bureau. Nominations are in order.

The Chair recognizes the Senator from Dauphin County, Senator Piccola.

Mr. PICCOLA. Thank you, Madam President.

Madam President, Mr. Speaker, it gives me a great deal of pleasure and pride to nominate Robert W. Zech, Jr., Esq., for the position of Director of the Legislative Reference Bureau.

Bob has served us in this vital position for the last 2 years. He is a graduate of the University of Scranton and a native of Scranton. He is also a graduate of the Dickinson School of Law, and he also graduated from the United States Army Transportation School, distinguished military graduate, in 1973. He is a member of the various bar associations of Pennsylvania and the Federal courts, and he has been a staff attorney with the Legislative Reference Bureau since 1973. He was appointed Assistant Director in 1995 and, as I said, served us as the Director since January of 2003.

Bob is a professional who does this very difficult job sometimes under some great pressure from both houses of the legislature, and it gives me a great deal of pleasure to nominate the current resident of Dauphin County, Robert W. Zech, for another term as Director of the Legislative Reference Bureau.

Thank you.

The LIEUTENANT GOVERNOR. Thank you, Senator Piccola.

The Senator from Dauphin County, Senator Piccola, places in nomination for the office of Director of the Legislative Reference Bureau Robert W. Zech, Jr.

The Chair now recognizes the Representative from Dauphin County, Representative McNaughton.

Mr. McNAUGHTON. Thank you, Madam President.

I am pleased to join with my State Senator, Senator Jeffrey Piccola, and second the nomination of Robert W. Zech, Jr., to be the Director of the Legislative Reference Bureau.

Bob has worked in that bureau since 1973 and has done an excellent job serving us in the past 2 years. Many of us have worked with him directly, and I know he will continue to do an outstanding job for us as the Director of the Legislative Reference Bureau, and I am proud to second the nomination.

Thank you, Madam President.

The LIEUTENANT GOVERNOR. Thank you, Representative McNaughton.

Are there any further nominations? The Chair hears none.

The Chair declares the nominations are closed.

The candidate for the office of Director of the Legislative Reference Bureau is Robert W. Zech, Jr., of Dauphin County. Those in favor of Robert W. Zech, Jr., for the office of Director of the Legislative Reference Bureau will please say "aye"; those opposed, "no." The "ayes" have it. Robert W. Zech is declared unanimously elected Director of the Legislative Reference Bureau.

### COMMITTEE TO ESCORT DIRECTOR-ELECT OF LEGISLATIVE REFERENCE BUREAU

The LIEUTENANT GOVERNOR. The Senator from Dauphin County, Senator Piccola, and Representative McNaughton will escort Robert W. Zech, Jr., to the front of the rostrum for the purpose of taking the oath of office.

### OATH OF OFFICE ADMINISTERED

The LIEUTENANT GOVERNOR. Please rise for the administration of the oath of office by the Honorable Judge Chris Wogan of Philadelphia County.

Thank you, Judge.

JUDGE WOGAN. Thank you, Madam.

Let me make sure I have the oath of office and not my marriage ceremony. It looks like you are already married.

Place your left hand on the Bible here and raise your right hand and repeat after me: I, Robert W. Zech, Jr., do solemnly swear that I will support, obey, and defend the Constitution of the United States and the Constitution of this Commonwealth and that I will discharge the duties of my office with fidelity.

(Mr. Zech asserted oath.)

JUDGE WOGAN. Congratulations, Mr. Zech.

Mr. ZECH. Thank you very much.

### STATEMENT BY DEMOCRATIC LEADER

Mr. DeWEESE. Madam Chair? Madam Chair?

The LIEUTENANT GOVERNOR. Yes. Representative DeWeese.

Mr. DeWEESE. A point of personal privilege for about 30 seconds.

On behalf of the House Democrats, I would like to congratulate Robert Zech and his new assignment or at least I should say the reaffirmation of his assignment.

Also, I would like to commend Senator Piccola. Senator Piccola gave a magnificent commentary on behalf of Bob. He gave it from the majority leader's podium. He worked

many years to get to that podium, and we are all proud that he was there today at the majority leader's podium.

The LIEUTENANT GOVERNOR. Thank you, Representative DeWeese.

### JOINT SESSION ADJOURNED

The LIEUTENANT GOVERNOR. The Chair requests the members of the House and visitors to please remain seated for just a moment while the members of the Senate leave the hall of the House.

The members of the Senate will please reassemble immediately in the Senate chamber upon adjournment of this meeting.

The business for which this joint session has been assembled having been transacted, the session is now adjourned.

Thank you.

### THE SPEAKER (JOHN M. PERZEL) PRESIDING

The SPEAKER. The House will be in order.

### MOTION TO PRINT PROCEEDINGS OF JOINT SESSION

The SPEAKER. The Chair recognizes the majority leader.

Mr. S. SMITH. Mr. Speaker, I move that the proceedings of the joint session of the Senate and House of Representatives held this day, January 4, 2005, be printed in full in this day's Legislative Journal.

On the question,

Will the House agree to the motion?

Motion was agreed to.

### SENATE MESSAGE

#### ADJOURNMENT RESOLUTION FOR CONCURRENCE

The clerk of the Senate, being introduced, presented the following extract from the Journal of the Senate, which was read as follows:

In the Senate  
January 4, 2005

RESOLVED, (the House of Representatives concurring), That when the Senate recesses this week, it reconvene on Monday, January 24, 2005, unless sooner recalled by the President Pro Tempore of the Senate; and be it further

RESOLVED, That when the House of Representatives recesses this week, it reconvene on Tuesday, January 18, 2005, unless sooner recalled by the Speaker of the House of Representatives; and be it further

RESOLVED, That when the House of Representatives recesses the week of January 18th, it reconvene on Monday, January 24, 2005, unless sooner recalled by the Speaker of the House of Representatives.

Ordered, That the clerk present the same to the House of Representatives for its concurrence.

On the question,  
Will the House concur in the resolution of the Senate?  
Resolution was concurred in.  
Ordered, That the clerk inform the Senate accordingly.

### ANNOUNCEMENT BY SPEAKER

The SPEAKER. The Chair would like to note for the record it is the birthday today of Representative Dennis Leh. So, Representative Leh, happy birthday.

### REMARKS SUBMITTED FOR THE RECORD

Mrs. MILLER submitted the following remarks for the Legislative Journal:

Mr. Speaker, it is my privilege to bring to the attention of the Speaker and the members of the Pennsylvania House of Representatives the names of Andrew Adams, Kyle Balthaser, Matthew Bigos, Daniel Bostwick, Michael Bricker, Dillon Busher, Dante DeAntonio, Geoffrey Harman, Kyle Kreitz, Zachary Kreitz, Ben Lengle, James Mohamdein, Brian Schwenk, Anthony Setley, and Kevin Stump, who were awarded Scouting's highest honor in 2004, the Eagle Scout; Madeline Horrigan, who was awarded Girl Scouting's highest award in 2004, the Gold Award.

Mr. Speaker, I would like to read to the members of the House of Representatives the following citation of merit honoring Daniel Bostwick and Ben Lengle, members of Troop 144; Dante DeAntonio, member of Troop 160; Kyle Kreitz and Zachary Kreitz, members of Troop 190; Michael Bricker, member of Troop 420; Andrew Adams, Matthew Bigos, and Kevin Stump, members of Troop 430; Kyle Balthaser, Dillon Busher, James Mohamdein, and Anthony Setley, members of Troop 456; Geoffrey Harman and Brian Schwenk, members of Troop 459; Madeline Horrigan, member of Troop 714.

Whereas, these fine young men and woman have earned the Eagle and Gold Awards in Scouting. This is the highest award the Boy Scouts and Girl Scouts can bestow and, as such, represents great sacrifice and tremendous effort.

Now therefore, Mr. Speaker and members of the House of Representatives, it is my privilege to congratulate and place their names in the Legislative Journal.

### RECESS

The SPEAKER. The Chair recognizes the majority leader.

Mr. S. SMITH. Mr. Speaker, I move that the House do now recess until Tuesday, January 18, 2005, at 11 a.m., e.s.t., unless sooner recalled by the Speaker.

On the question,  
Will the House agree to the motion?  
Motion was agreed to, and at 2:15 p.m., e.s.t., the House recessed.