

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

TUESDAY, AUGUST 2, 2005

SESSION OF 2005

189TH OF THE GENERAL ASSEMBLY

No. 53

HOUSE OF REPRESENTATIVES

The House convened at 1 p.m., e.d.t.

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

PRAYER

MSGR. JOHN J. MARTIN, Guest Chaplain of the House of Representatives, offered the following prayer:

We acknowledge the presence of the Lord among us and within us, and we bow our heads in prayer:

O wondrous and powerful Lord, we praise and bless Your holy name. We are grateful for Your gift of time, for this moment in history, and what we make of Your gifts, Your blessings, is our gift to You.

This day we implore Your favor and benediction on Karen Beyer; Merrill, her husband; Michael, Emily, Allison, their children; their family and friends, for she stands ready and willing to pronounce the oath of office and to take her place as a member of this venerable House. Guide her and all the Representatives of our State with Your wisdom; support them by Your power; enable them to uphold the rights of others, especially the most vulnerable in our society. Do not allow them to be misled by ignorance or corrupted by fear or favor.

May all of us stand firm in our faith and reliance, our hope and our trust in You. May we discern rightly and with the highest integrity Your truth, which sets us free. May we pause in our busyness to be renewed in Your unfailing love, especially during times of doubt and uncertainty; then in the stillness we will allow Your voice to gain our hearing and inspire us to noble words and noble deeds. May we open our hearts to Your profound Word, which provides divine guidance; then we will know the right and the just way to take the next steps in our life's journey with conscience clear, the truth upheld, and Your will accomplished.

May Your grace-filled blessing continue to rest upon this House of Representatives and all the citizens of our Commonwealth both now and forever more. Amen.

PLEDGE OF ALLEGIANCE

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

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, the approval of the Journal of Thursday, July 7, 2005, will be postponed until printed.

JOURNAL APPROVED

The SPEAKER. However, the following Journal is in print: Monday, April 11, 2005. Without objection, that Journal will be approved.

HOUSE BILLS INTRODUCED AND REFERRED

No. 19 By Representatives PERZEL, ADOLPH, ALLEN, ARGALL, ARMSTRONG, BAKER, BALDWIN, BARRAR, BASTIAN, BELARDI, BENNINGHOFF, BIANCUCCI, BOYD, BUNT, BUXTON, CALTAGIRONE, CAPPELLI, CAUSER, CLYMER, COSTA, CRAHALLA, CRUZ, DALLY, DENLINGER, J. EVANS, FABRIZIO, FAIRCHILD, FICHTER, FORCIER, GANNON, GEIST, GEORGE, GERGELY, GILLESPIE, GINGRICH, GODSHALL, GOOD, GOODMAN, GRELL, HARHAI, HARHART, HARPER, HARRIS, HASAY, HENNESSEY, HERMAN, HERSHEY, HESS, HICKERNELL, HUTCHINSON, KAUFFMAN, W. KELLER, LEDERER, LEH, LEVDANSKY, MANN, MARSICO, McCALL, McGILL, McILHATTAN, METCALFE, MILLARD, R. MILLER, MUNDY, MUSTIO, NICKOL, O'NEILL, PALLONE, PAYNE, PETRI, PETRONE, PHILLIPS, PICKETT, PISTELLA, PYLE, QUIGLEY, RAYMOND, REED, REICHLEY, ROHRER, ROSS, RUBLEY, SAINATO, SATHER, SCAVELLO, SHANER, SIPTROTH, B. SMITH, S. H. SMITH, STABACK, T. STEVENSON, STURLA, SURRA, E. Z. TAYLOR, TIGUE, TRUE, TURZAI, WANSACZ, WATSON, WILT, WRIGHT, YOUNGBLOOD and ZUG

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, further providing for reimbursement for certain medical assistance items and services.

Referred to Committee on HEALTH AND HUMAN SERVICES, July 28, 2005.

No. 20 By Representatives PERZEL, ADOLPH, ALLEN, ARGALL, ARMSTRONG, BAKER, BALDWIN, BARRAR, BASTIAN, BENNINGHOFF, BIANCUCCI, BUNT, BUXTON, CALTAGIRONE, CAPPELLI, CAUSER, CLYMER, COSTA, CRAHALLA, CRUZ, DALLY,

DENLINGER, J. EVANS, FABRIZIO, FAIRCHILD, FICHTER, FORCIER, GANNON, GEIST, GERGELY, GINGRICH, GODSHALL, GOOD, GOODMAN, GRELL, HARHAI, HARHART, HARPER, HARRIS, HASAY, HENNESSEY, HERMAN, HERSHEY, HESS, HICKERNELL, HUTCHINSON, KAUFFMAN, W. KELLER, LEDERER, LEH, LEVDANSKY, MARSICO, McCALL, McILHATTAN, METCALFE, MILLARD, MUNDY, MUSTIO, NICKOL, O'NEILL, PAYNE, PETRI, PHILLIPS, PICKETT, PISTELLA, PYLE, QUIGLEY, RAYMOND, REED, REICHLEY, ROHRER, RUBLEY, SAINATO, SATHER, SCAVELLO, SHANER, SIPTROTH, B. SMITH, S. H. SMITH, STABACK, T. STEVENSON, STURLA, E. Z. TAYLOR, TIGUE, TRUE, TURZAI, WANSACZ, WATSON, WILT, YOUNGBLOOD and ZUG

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, further providing for reimbursement for certain medical assistance items and services.

Referred to Committee on HEALTH AND HUMAN SERVICES, July 28, 2005.

No. 420 By Representatives GOOD, S. MILLER, B. SMITH, ARMSTRONG, BEBKO-JONES, BUNT, CALTAGIRONE, DENLINGER, J. EVANS, HANNA, HARRIS, HENNESSEY, RAPP, STERN and E. Z. TAYLOR

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, further prohibiting dogs from pursuing, injuring or killing big game.

Referred to Committee on GAME AND FISHERIES, July 28, 2005.

No. 1720 By Representatives REICHLEY, BAKER, BLAUM, CALTAGIRONE, CAUSER, CAWLEY, CLYMER, CORRIGAN, CRAHALLA, DALLY, DeLUCA, DENLINGER, DERMODY, J. EVANS, FAIRCHILD, FORCIER, GEORGE, GOODMAN, HARRIS, JAMES, KILLION, LEH, MARKOSEK, McILHATTAN, S. MILLER, MUSTIO, PAYNE, PICKETT, READSHAW, SAYLOR, STABACK, SURRA, E. Z. TAYLOR, TIGUE, TRUE, TURZAI, WALKO, WILT, YOUNGBLOOD, SCHRODER, ARMSTRONG, CAPPELLI, SIPTROTH, GINGRICH, FRANKEL, BOYD, J. TAYLOR, ALLEN, HASAY, PETRARCA, MANN, B. SMITH, ELLIS, MANDERINO, BARRAR, SHANER, METCALFE and ADOLPH

An Act relating to confidentiality of Social Security numbers.

Referred to Committee on JUDICIARY, July 13, 2005.

No. 1884 By Representatives DeLUCA, BEBKO-JONES, BIANCUCCI, BOYD, CALTAGIRONE, CASORIO, CRAHALLA, CREIGHTON, GERGELY, GRUCELA, HERSHEY, KIRKLAND, MARKOSEK, MYERS, RAMALEY, SHANER, E. Z. TAYLOR, J. TAYLOR and SIPTROTH

An Act amending the act of April 14, 1972 (P.L.233, No.64), known as The Controlled Substance, Drug, Device and Cosmetic Act, further providing for prohibited acts and penalties.

Referred to Committee on JUDICIARY, July 13, 2005.

No. 1885 By Representatives DeLUCA, CALTAGIRONE, FRANKEL, GOODMAN, JAMES, M. KELLER, KIRKLAND, KOTIK, LEDERER, MYERS, E. Z. TAYLOR, J. TAYLOR, THOMAS, WALKO, WATERS and YOUNGBLOOD

An Act regulating auto body repair facilities; establishing and conferring powers and duties on the Auto Body Repair Board; providing for and establishing fees for the licensing of auto body repair facilities; providing for enforcement; and prescribing penalties.

Referred to Committee on CONSUMER AFFAIRS, July 13, 2005.

No. 1886 By Representatives HENNESSEY, E. Z. TAYLOR, RUBLEY, ROSS, ARMSTRONG, BALDWIN, BEBKO-JONES, BENNINGHOFF, CALTAGIRONE, CRAHALLA, DeLUCA, FREEMAN, GANNON, GEIST, GERGELY, GOOD, HALUSKA, HARPER, JAMES, JOSEPHS, KOTIK, LEDERER, LEVDANSKY, MANDERINO, McNAUGHTON, NAILOR, PHILLIPS, SATHER, J. TAYLOR and WALKO

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for permissible argument as to damages at trial.

Referred to Committee on TRANSPORTATION, July 13, 2005.

No. 1887 By Representatives STURLA, SURRA, THOMAS, BEBKO-JONES, BISHOP, BUNT, CALTAGIRONE, CAWLEY, DALEY, DALLY, FABRIZIO, FRANKEL, GEIST, GEORGE, GOODMAN, GRUCELA, JOSEPHS, KIRKLAND, KOTIK, LaGROTTA, MANDERINO, MARKOSEK, MUNDY, MYERS, PALLONE, PISTELLA, ROEBUCK, SAINATO, STABACK, WALKO, WANSACZ, WHEATLEY and SIPTROTH

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for continuing professional development and for program of continuing professional education; and providing for the Distinguished Educators Program.

Referred to Committee on EDUCATION, July 13, 2005.

No. 1888 By Representatives STURLA, SOLOBAY, NAILOR, BEBKO-JONES, BELARDI, BISHOP, BOYD, BROWNE, BUNT, CALTAGIRONE, CASORIO, CAUSER, CAWLEY, CRAHALLA, DALEY, DALLY, DeWEESE, FABRIZIO, FRANKEL, GEIST, GOODMAN, GRUCELA, HARHAI, HENNESSEY, HESS, HUTCHINSON, JAMES, JOSEPHS, KIRKLAND, KOTIK, LEACH, LEDERER, MANDERINO, MANN, McGEEHAN, MICOZZIE, MYERS, PICKETT, PISTELLA, READSHAW, RUBLEY, SAINATO, SAMUELSON, SANTONI, SCAVELLO, SHANER, STABACK, THOMAS, TIGUE, WALKO, WATERS and YOUNGBLOOD

An Act establishing a grant program for municipal fire and emergency services organizations; and providing for grant funding.

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, July 13, 2005.

No. 1889 By Representative LaGROTTA

A Supplement to the act of December 8, 1982 (P.L.848, No.235), entitled "An act providing for the adoption of capital projects related to the repair, rehabilitation or replacement of highway bridges to be financed from current revenue or by the incurring of debt and capital projects related to highway and safety improvement projects to be financed from current revenue of the Motor License Fund," itemizing an additional local bridge project.

Referred to Committee on TRANSPORTATION, July 13, 2005.

No. 1890 By Representatives GRUCELA, LEACH, CALTAGIRONE, CRUZ, FABRIZIO, FRANKEL, GOODMAN, HENNESSEY, JAMES, KIRKLAND, R. MILLER, MYERS, PISTELLA, SANTONI, STABACK, J. TAYLOR, WALKO, WOJNAROSKI and SIPTROTH

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for pedestrian-control signals.

Referred to Committee on TRANSPORTATION, July 13, 2005.

No. 1891 By Representatives MICOZZIE, ARMSTRONG, BALDWIN, CALTAGIRONE, CORRIGAN, FRANKEL, GINGRICH, GOODMAN, JAMES, KIRKLAND, LEDERER, B. SMITH, E. Z. TAYLOR, J. TAYLOR, THOMAS and CAWLEY

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, defining, in theft and related offenses, "firearm"; and further providing for grading of theft offenses.

Referred to Committee on JUDICIARY, July 28, 2005.

No. 1892 By Representatives REICHLEY, CALTAGIRONE, DALLY, KILLION, BALDWIN and CRAHALLA

An Act amending the act of July 6, 1984 (P.L.614, No.127), known as the Sheriff Fee Act, further providing for counties included within act.

Referred to Committee on STATE GOVERNMENT, July 28, 2005.

No. 1893 By Representatives GRUCELA, BAKER, BELFANTI, BUNT, CALTAGIRONE, CRAHALLA, CREIGHTON, DALLY, DeLUCA, DeWEESE, FABRIZIO, FRANKEL, FREEMAN, GEIST, GEORGE, GOODMAN, HARHAI, HARPER, HARRIS, HENNESSEY, JAMES, JOSEPHS, KAUFFMAN, KIRKLAND, LEACH, McGEEHAN, MYERS, PETRARCA, RAMALEY, REICHLEY, ROONEY, SCAVELLO, SIPTROTH, SHANER, SOLOBAY, STABACK, SURRA, TANGRETTI, TIGUE, WALKO, WOJNAROSKI, YOUNGBLOOD, CURRY and PALLONE

An Act providing for reporting by victims of identity theft; establishing the Identity Theft Registry and the Identity Theft Passport

Program; and further providing for the powers and duties of the Attorney General.

Referred to Committee on JUDICIARY, July 28, 2005.

No. 1895 By Representatives FAIRCHILD, ALLEN, ARMSTRONG, BAKER, BALDWIN, BARRAR, BELFANTI, BOYD, BUNT, CALTAGIRONE, CAPPELLI, CLYMER, CRAHALLA, DENLINGER, DeWEESE, FRANKEL, GEIST, GERGELY, GINGRICH, GOODMAN, GRUCELA, HARPER, HARRIS, HASAY, HENNESSEY, HERMAN, HERSHEY, HESS, JAMES, JOSEPHS, LEVDANSKY, MCGILL, McILHATTAN, MILLARD, S. MILLER, NAILOR, PHILLIPS, REICHLEY, ROSS, RUBLEY, SATHER, SCAVELLO, SCHRODER, SHANER, SIPTROTH, B. SMITH, STABACK, E. Z. TAYLOR, WATSON and YUDICHAK

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, providing for special tax provisions relating to land conservation.

Referred to Committee on AGRICULTURE AND RURAL AFFAIRS, July 28, 2005.

No. 1896 By Representatives ZUG, SCAVELLO, GINGRICH, CALTAGIRONE, CAWLEY, COHEN, CRAHALLA, CREIGHTON, GOODMAN, HARHART, HARPER, HENNESSEY, MACKERETH, MUNDY, RAPP, RUBLEY, SHAPIRO, R. STEVENSON, E. Z. TAYLOR, WILT and YOUNGBLOOD

An Act amending the act of May 15, 1939 (P.L.134, No.65), referred to as the Fireworks Law, authorizing municipalities to adopt ordinances that are more restrictive than those provided herein.

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, July 28, 2005.

No. 1897 By Representatives GODSHALL, ARMSTRONG, BAKER, BALDWIN, CALTAGIRONE, CRAHALLA, CREIGHTON, GINGRICH, JAMES, KIRKLAND, KOTIK, PHILLIPS, READSHAW, RUBLEY, SANTONI, SCAVELLO, SHANER, E. Z. TAYLOR and YOUNGBLOOD

An Act amending the act of May 22, 1951 (P.L.317, No.69), known as The Professional Nursing Law, further providing for definitions and for communication with licensees; providing for dietetic technician licenses; further providing for examinations and certificates, for fees and qualifications for licensure, for graduates of schools of other states, territories or Dominion of Canada, for persons entitled to practice, for licenses, duration, renewal fee and inactive status, for reporting of multiple licensure, for punishment for violations, for refusal, suspension or revocation of licenses, for reinstatement of licenses and for injunction or other process; and making an appropriation.

Referred to Committee on PROFESSIONAL LICENSURE, July 28, 2005.

No. 1898 By Representatives SIPTROTH, DeWEESE, SCAVELLO, SOLOBAY, BARRAR, BEBKO-JONES, CALTAGIRONE, CREIGHTON, CURRY, DeLUCA, FABRIZIO, GEIST, GEORGE, GOOD, GOODMAN, GRUCELA, HANNA, HARPER, HARRIS, HERMAN,

JAMES, JOSEPHS, KOTIK, MANN, MARKOSEK, PETRARCA, PETRONE, PISTELLA, RAMALEY, READSHAW, RUBLEY, SANTONI, SHANER, STABACK, TANGRETTI, WOJNAROSKI and YUDICHAK

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, changing the name of the Department of Military and Veterans Affairs; establishing the Department of Veterans Affairs, the bureaus within the department and the State Veterans Commission; providing for the powers and duties of the Department of Veterans Affairs and its bureaus; and making conforming amendments and editorial changes.

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, July 28, 2005.

No. 1899 By Representatives KAUFFMAN, ARMSTRONG, CALTAGIRONE, DENLINGER, GINGRICH, HARRIS, HERSHEY, MARSICO, R. MILLER, PYLE, SIPTROTH, E. Z. TAYLOR and YOUNGBLOOD

An Act amending the act of November 10, 1999 (P.L.491, No.45), known as the Pennsylvania Construction Code Act, further providing for applicability.

Referred to Committee on LOCAL GOVERNMENT, July 28, 2005.

No. 1900 By Representatives MANN, BEBKO-JONES, BELFANTI, BIANCUCCI, BUXTON, CALTAGIRONE, FRANKEL, FREEMAN, GEORGE, GINGRICH, GOOD, GOODMAN, GRUCELA, HESS, MACKERETH, McILHATTAN, S. MILLER, O'NEILL, PHILLIPS, PISTELLA, RAYMOND, SCAVELLO, SHANER, STETLER, TRUE, WHEATLEY and YOUNGBLOOD

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing, in criminal proceedings, for no limitation applicable for certain offenses and for limitation period for major sexual offenses.

Referred to Committee on JUDICIARY, July 28, 2005.

No. 1901 By Representatives MANN, ALLEN, BALDWIN, BELFANTI, BIANCUCCI, BOYD, BUXTON, CALTAGIRONE, CAPPELLI, CRAHALLA, CURRY, FABRIZIO, FRANKEL, GEORGE, GINGRICH, GOOD, GOODMAN, GRUCELA, HESS, MACKERETH, McGEEHAN, McILHATTAN, S. MILLER, O'NEILL, PETRARCA, PHILLIPS, PISTELLA, SATHER, SIPTROTH, SHANER, TIGUE, TRUE, WALKO and YOUNGBLOOD

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing, in criminal proceedings, for no limitation applicable for certain offenses and for limitation period for certain sexual offenses.

Referred to Committee on JUDICIARY, July 28, 2005.

No. 1902 By Representatives RUBLEY, CRAHALLA, GINGRICH, ADOLPH, ARMSTRONG, BAKER, BOYD, CALTAGIRONE, CAPPELLI, CAWLEY, DENLINGER, GOODMAN, HARRIS, HERSHEY, HESS, LaGROTTA, LEACH, LEVDANSKY, MILLARD, NAILOR, ROSS,

SCAVELLO, SIPTROTH, STEIL, STERN, E. Z. TAYLOR, TIGUE, VITALI, WRIGHT and YOUNGBLOOD

An Act amending the act of July 28, 1988 (P.L.556, No.101), known as the Municipal Waste Planning, Recycling and Waste Reduction Act, further providing for sunset for recycling fee and for performance grants for municipal recycling programs.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, July 28, 2005.

No. 1903 By Representatives SCHRODER, ARMSTRONG, CALTAGIRONE, CRAHALLA, DENLINGER, KIRKLAND, STEIL and E. Z. TAYLOR

An Act amending Title 68 (Real and Personal Property) of the Pennsylvania Consolidated Statutes, further providing, in management of planned communities, for quorums; and providing for management of substantial planned communities.

Referred to Committee on STATE GOVERNMENT, July 28, 2005.

No. 1904 By Representatives McCALL, BEBKO-JONES, BELARDI, BIANCUCCI, BOYD, BUNT, CALTAGIRONE, CORRIGAN, DALLY, DeLUCA, DERMODY, DeWEESE, GERGELY, KIRKLAND, LaGROTTA, LEVDANSKY, MARKOSEK, ROONEY, RUBLEY, SHAPIRO, STABACK, WALKO and YOUNGBLOOD

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for junior driver's license.

Referred to Committee on TRANSPORTATION, July 28, 2005.

No. 1905 By Representatives DiGIROLAMO, BALDWIN, BASTIAN, BEBKO-JONES, BELARDI, BIANCUCCI, BUNT, CALTAGIRONE, CLYMER, DeWEESE, FABRIZIO, FICHTER, GEIST, GOOD, GOODMAN, GRUCELA, HARPER, HARRIS, HENNESSEY, HERSHEY, HESS, JAMES, KILLION, KOTIK, McGEEHAN, McILHATTAN, MYERS, O'NEILL, PISTELLA, RAPP, SATHER, SCAVELLO, B. SMITH, SOLOBAY, STABACK, SURRA, TANGRETTI, E. Z. TAYLOR, J. TAYLOR, THOMAS, TIGUE, WATSON and YOUNGBLOOD

An Act amending the act of June 2, 1915 (P.L.736, No.338), known as the Workers' Compensation Act, further defining "employee."

Referred to Committee on LABOR RELATIONS, July 28, 2005.

HOUSE RESOLUTIONS INTRODUCED AND REFERRED

No. 408 By Representative JOSEPHS

A Resolution congratulating the Live 8 organizers and performers and urging the President and Congress of the United States to ensure that Africa has the resources it needs to fight AIDS and HIV infection.

Referred to Committee on HEALTH AND HUMAN SERVICES, July 13, 2005.

No. 411 By Representatives FAIRCHILD, FLICK, SEMMEL, TIGUE, PHILLIPS, ARGALL, ARMSTRONG, BAKER, BARRAR, BELFANTI, BOYD, CALTAGIRONE, CAPPELLI, CLYMER, DALLY, DENLINGER, DONATUCCI, GEIST, GEORGE, GINGRICH, GRUCELA, HARHART, HARRIS, HERMAN, HESS, JAMES, M. KELLER, MAJOR, MARKOSEK, MILLARD, R. MILLER, NAILOR, O'NEILL, PAYNE, PICKETT, PISTELLA, PYLE, ROBERTS, RUBLEY, SAINATO, SCAVELLO, SCHRODER, SIPTROTH, STERN, E. Z. TAYLOR, THOMAS, TRUE, WALKO and YOUNGBLOOD

A Resolution memorializing the Congress of the United States to authorize the development of a secure electronic balloting system for active duty military personnel.

Referred to Committee on STATE GOVERNMENT, July 28, 2005.

SENATE BILL FOR CONCURRENCE

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

SB 63, PN 271

Referred to Committee on JUDICIARY, July 13, 2005.

REPORT SUBMITTED

The SPEAKER. The Speaker acknowledges receipt of the Annual Customized Job Training Report from the Department of Community and Economic Development for fiscal year 2003-2004 as required by the Job Enhancement Act.

(Copy of report is on file with the Journal Clerk.)

FILMING PERMISSION

The SPEAKER. The Chair has given permission to Chuck Zovko of The Morning Call to take still photographs during the swearing-in ceremony.

SPECIAL ORDER OF BUSINESS

SWEARING-IN OF NEW MEMBER

The SPEAKER. Without objection, the House will now take up a special order of business, the swearing-in of Representative-elect Karen Beyer. The Chair hears no objections.

ELECTION RETURNS PRESENTED

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

The SERGEANT AT ARMS. Mr. Speaker, Deputy Secretary Rapp.

The SPEAKER. The Chair welcomes Deputy Secretary Rapp.

Mr. RAPP. Thank you, Mr. Speaker.

I have the distinct honor and privilege of presenting the official returns for the special election held on July 19, 2005, for the 131st Legislative District.

The SPEAKER. The Chair thanks Deputy Secretary Rapp.

The clerk will read the returns.

The following election returns were read:

COMMONWEALTH OF PENNSYLVANIA

TO THE HONORABLE SPEAKER AND MEMBERS OF THE HOUSE OF REPRESENTATIVES OF THE GENERAL ASSEMBLY OF THE COMMONWEALTH OF PENNSYLVANIA, GREETINGS:

I have the honor to present the official returns of the Special Election for Representative in the General Assembly of the Commonwealth of Pennsylvania held in the One hundred thirty-first Legislative District, as the same have been certified to and filed with my office by the Lehigh and Northampton County Boards of Elections. Karen D. Beyer, having received the highest number of votes in the Special Election, and having complied with the provisions of Article XVI of the Pennsylvania Election Code pertaining to Primary and Election Expenses, was duly elected a Representative in the General Assembly.

IN TESTIMONY WHEREOF, I have hereunto set my hand and the seal of the office of the Secretary of the Commonwealth at the city of Harrisburg, this first day of August in the year of our Lord two thousand five and of the Commonwealth the two hundred thirtieth.

(SEAL)

Pedro A. Cortés
Secretary of the Commonwealth

CERTIFICATE ON ELECTION EXPENSES

COMMONWEALTH OF PENNSYLVANIA

TO THE HONORABLE SPEAKER AND MEMBERS OF THE HOUSE OF REPRESENTATIVES 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 the candidate who was elected Representative in the General Assembly from the 131st District in the Special Election held July 19, 2005, Karen D. Beyer, has 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 the office of the Secretary of the Commonwealth this first day of August, 2005.

(SEAL)

Pedro A. Cortés
Secretary of the Commonwealth

OATH OF OFFICE ADMINISTERED

The SPEAKER. Representative-elect Karen Beyer, please stand and come to the front of the well of the House for the purpose of taking the oath of office.

The oath of office required by Article VI, section 3, of the Constitution of the Commonwealth of Pennsylvania will be administered by the Honorable Edward G. Smith, judge of the Court of Common Pleas of Northampton County.

JUDGE SMITH. Place your left hand on your Bible and raise your right hand and repeat after me.

I, Karen Beyer, 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.

(Member asserted oath.)

JUDGE SMITH. Congratulations.

Mrs. BEYER. Thank you. Thank you.

REMARKS BY SPEAKER

The SPEAKER. Good afternoon. I would like to extend a warm welcome to all those gathered here this afternoon in this beautiful chamber. Welcome to the swearing-in of our newest member, Karen Beyer. Congratulations again, Karen.

On Tuesday, July 19, Karen was elected to represent Pennsylvania's 131st Legislative District of Lehigh County. For the first time as a member of this institution, welcome to the hall of the House, Karen. I encourage you to savor and remember this day and this moment for the rest of your life. And remember, when you are sworn in again, you only get four tickets. You do not get to bring everybody with you.

There will never be another day quite like it in this magnificent place, surrounded by family and your friends; your husband, Merrill; your children; and your other family members. You have accepted the tremendous responsibility which has been given to you by the people of your legislative district.

Becoming a member of this body is a special privilege, yet is one that you have truly earned. You worked very hard, first as Representative Doug Reichley's aide, then as a candidate in the special election, to gain the respect of the voters.

As your resume states, you are indeed a dedicated, experienced community leader who will fight to protect the Lehigh Valley families and its seniors, and your constituents have sent you here because they know that you will serve in this hall with great passion, understanding, and intelligence.

Be a champion to your constituents, defend them, and protect their interests to the best of your ability. Stand firm when principle demands that you stand firm; compromise when the greater good can be obtained; and negotiate to find a middle ground, when necessary, to do the will of the people that sent you here.

Here in the House we all must steer our own course and blaze our own trail, as you have done as an Air Force veteran, as a community leader, as a wife and a mother, and now as a

public servant. As a legislator, you have a magnificent opportunity to make Pennsylvania a better, stronger, safer place for all the people of Pennsylvania.

Today, Karen, you embark on one of the most challenging and rewarding journeys of your life, a journey shared by 202 other members of this body. Never forget that regardless of party and politics, we all share the same ultimate goals. We strive to bring into existence a greater, greater good to ensure that all the people of Pennsylvania have a better chance for a better life. By working hard to meet the needs of your constituents and by never ceasing to give careful, thoughtful consideration to the measures which find their way before you here, you will be doing your part.

We all look forward to working with you, Karen. Your energy, your enthusiasm, and friendly advice are always welcome, and my door is always open. Congratulations, Karen, and welcome to the Pennsylvania House of Representatives.

When you told me you were going to win, I knew you meant it. Congratulations again.

REMARKS BY MAJORITY LEADER

The SPEAKER. With that, I would like to ask the majority leader of the Pennsylvania House of Representatives, the Honorable Sam Smith, to say a few words.

Mr. S. SMITH. Thank you, Mr. Speaker.

The reverend clergy, our honorable members, our soon-to-be, sworn-in, newest member, Karen Beyer, and all your family and friends that are here, welcome to the hall of the House.

As Pete Wambach used to say, it is a beautiful day in Pennsylvania, and no matter what the issues of the day or the pluses and minuses that are out there, I think that for each of us we are blessed to live in this great Commonwealth and to enjoy the diversity and the wonders of this State, and as a State Representative, you will certainly find yourself both enjoying those and being perplexed by them at the same time sometimes.

Karen, there is no question that as the newest member of the House of Representatives and the newest member of the House Republican Caucus, we want to welcome you and we want to congratulate you on the hard work that you put into winning this election. It is certainly not something that is given to anyone. It is something where you have to go out and earn it, and you certainly did by making more than 7,000 personal contacts and conveying a message to the people that they understood and that I think put the challenge before the voters, and then now you will respond to that challenge.

It is a mandate that you get from your constituency, and it is a challenge in the respects that while they all may be telling you, you need to do this, when you go and do this, sometimes that is not exactly what they meant. It is a challenge in that each day you will try to do what is best for the people of your legislative district and for the Commonwealth of Pennsylvania, but we also know that we cannot please everybody at any given moment in time, and sometimes that is a little bit frustrating with this job.

But as a State Representative, you are in one of the most pivotal positions of any of the elected officials in the breadth of our nation. You are kind of far enough as a State Representative in a food chain of an order of elected officials to kind of tug on the strings of those that are seemingly far away in the

Federal government, and yet, being in your district on a regular basis, you are also close enough to be personally involved in those local issues that are involved with your townships or your boroughs or your school boards, and I think that that is one of the great and exciting things also about this job as a State Representative, which I believe that you will come to relish most of the time and maybe scratch your head in bewilderment occasionally. But you are in a position, you are in such a pivotal position that you deal with the complaints and the problems, and they are not just State problems. You get into the locals and the Federal issues from time to time, and it just kind of puts you at the real crux, as a State legislator, at the real crux of where the action is in government, no matter what the issue.

All of us come here as a newly elected State Representative with some ideas and some form of an agenda in our mind, and most of us all come with the same things that we think are important: a positive and better jobs climate or strengthening our schools or the facilities that generate a good health-care system for all Pennsylvanians. Each of us comes here with a similar set of goals. What differentiates us is how we go about trying to achieve those goals, and that is part of the divide. Sometimes it is divided on a basis of Republican and Democrat, and sometimes it is divided on the basis of geography or whatever. But those are the kinds of things that I think will excite you and thrill you as you take off on this new adventure in your life.

I urge you to do one thing, and it is something that each of us when we come into this place and into this line of work, that you do not really see it, because it can be self-absorbing of your time, and that is to keep those people that are closest to you, your family, keep them, make sure they are a part of your life, that you make the time for them, because that is the greatest challenge. The demands for your time publicly will never end. There is always one more group or one more place that you could or should be, and if there is something that I found on a personal level that was a challenge for me, and I think it is a challenge for most of us, is to keep that in balance, and I would urge you that no matter what, no matter what your duties and responsibilities are here, that you always balance out that need of your, you know, your first constituency, in this case, your family, and I urge you to keep that in mind. As much as you will want to jump in and do everything possible, keep those things in balance, and I think in the long run, it will make you a stronger and better Representative for the people of your legislative district.

So with those words of welcome and cautionary advice, I hope you take them in the warm spirit in which they are intended. I welcome you again, congratulate you, and God bless you for many years of service to the people of Pennsylvania.

Thank you, Karen.

The SPEAKER. The Chair thanks the gentleman.

REMARKS BY MR. COHEN

The SPEAKER. At this time the Chair recognizes the Democratic caucus chairman, Representative Cohen.

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, Representative Beyer, guests, members of the House, as you know, Karen Beyer was not the first choice of the Democratic Party, but nevertheless, we welcome you here to Harrisburg. We Pennsylvanians are Republicans, Democrats,

third-party members, nonpartisan voters, but we are all Pennsylvanians.

The fact that you have a district that has been closely contested in the past and may likely be closely contested in the future gives you added leverage here. Your party wants you to win no less than you want to win. We hope you will use this added leverage to actively and aggressively seek a middle ground and create worthwhile opportunities for all Pennsylvanians.

If Bill DeWeese, the Democratic leader, was here, he would tell you great events and battles of military history and quotations from Shakespeare. He is not here, so you will miss that opportunity today.

What I would like to do is point out the mural that sits in front of us that Matt Ryan, the longtime Speaker of the House of Representatives, was very, very proud of because of the great panoply of Pennsylvanians; the different stages in history. And with modern sensibilities, we can note the absence of women from this mural, we can note the absence of minorities, but nevertheless, this is a mural of great Pennsylvanians.

You see William Penn in the center of the mural, the man who founded Pennsylvania. William Penn established Pennsylvania as a colony of religious freedom, one of only two such colonies in the British Empire; the other was Rhode Island. And William Penn was asked by one of his friends, why do we not just establish religious freedom for Quakers; why are we establishing religious freedom for everybody? And William Penn answered that the only way to ensure religious freedom for Quakers was to establish religious freedom for everybody. And more importantly, that set forth the notion, which was very unique for the time, that the way to ensure justice for any single group in society was to ensure justice for everybody in society.

And then also on the mural, in back of William Penn, is Benjamin Franklin, who was a man of great inventiveness. He was inventive in many ways. He invented the insurance industry. He invented what was then the modern printing industry in the Colonies. He was a man of science. He was one of the leading scientists of his time, although he not only did not have a college or graduate degree, he did not have a high school degree either. He was recognized around the world for his inventiveness, and it was inventiveness tied into practicality. He invented the insurance business. He invented volunteer fire companies. He invented the concept of libraries. And because of his inventiveness, he served as Chief Clerk of the House of Representatives, he served as a member of the House of Representatives, and he served as Speaker of the House of Representatives before going on to being Ambassador of France and president of the Constitutional Convention.

And in front of William Penn on the statue, on the left you see a guy with a frown and a cane who is pointing leftward, and that is Thaddeus Stevens, a great Congressman from the Lancaster area. And Thaddeus Stevens invented, wrote the 13th, 14th, and 15th Amendments to the Constitution, and these are the amendments that dealt with slavery and the integration of the former slaves into society. And probably the most important continuing legacy of that is the 14th Amendment to the Constitution, which guarantees all citizens equal protection of the laws. And that was a very, very radical and revolutionary concept that had no precedent in world's history, that each person should be protected equally by the laws, and we debate here from time to time as to what that means.

As you serve in the legislature, you will see there is no shortage of issues that come before this body. Whenever we pass a budget, we deal with a lot of backlog of issues that have accumulated, but we never, ever complete all the tasks before us.

Three issues that we have to face in the upcoming sessions are: Medicaid funding. We were short of what we had spent the previous year because of Federal cutbacks, and there may be future Federal cutbacks, which will encourage us to make further cutbacks, and each time we make a cutback, people suffer, and we want to make as few cutbacks and ideally no cutbacks, if possible.

For many years we have tried to work on property taxes in Pennsylvania. And Jim Manderino, Speaker of the House and Democratic leader, shortly before he died in 1989 said when he first came here in 1966, everybody was talking about the property tax reform, and it was 1988 or 1987 when he said this, and people are still talking about it and nothing is happening, and probably 20 years from now people will still be talking about it and nothing is happening. Well, we made some efforts in the Pennsylvania legislature to address property tax reform. We passed a bill a year ago that should ultimately reduce property taxes, but there are all sorts of roadblocks in its way, and dealing with those roadblocks and seeing that property tax reform is actually achieved is going to be a major challenge.

And the third major challenge we have is the wage structure in Pennsylvania. When we voted to raise our salaries recently, we heard from Pennsylvanians who are unhappy with their wages, with their lack of opportunities. The average person in the private sector changes his or her job once every 4 years, and they change their jobs so frequently because there just are not enough opportunities on the job for advancement and the salaries are too low. People are stuck at starting salaries. And we have not raised— One thing we can do is raise the minimum wage, and we have not done that in Pennsylvania since 1988. It has not been done nationally since 1985.

These are challenges that you are going to have to face. We welcome you here to face these and other challenges. We believe the Democrats and Republicans working together can make this a better Commonwealth, and we welcome working with you as a key element in that.

Thank you very much.

The SPEAKER. The Chair thanks the gentleman.

GUESTS INTRODUCED

The SPEAKER. At this time the Chair recognizes Representative Beyer for the purpose of introducing her family and her guests.

Mrs. BEYER. Thank you, Mr. Speaker.

I am just going to take a moment and introduce my family: my husband, Merrill; my daughter, Emily; my daughter, Allison; and my son, Michael.

REMARKS BY MRS. BEYER

Mrs. BEYER. You know, if you do not mind, Mr. Speaker, if I could just have a moment.

You know, I woke up this morning thinking how thankful I am for my friends and my family and my new friends here in the House. And, Mr. Speaker, I want to say to you personally

that I appreciate all of your support throughout the campaign. I really look forward to working with you and House leadership.

I would like to thank the HRCC (House Republican Campaign Committee) for an outstanding job they did in helping this campaign.

Senator Pat Browne, what can I say. He was unbelievable. He was incredible help and a great asset to me.

Senator Rob Wonderling, thank you very much, Rob, for being here. I look forward to working with you.

The entire Lehigh Valley delegation, who served as an inspiration to me, I am really looking forward to working with them.

Representative Cohen, thank you very much for your kind remarks. Also, would you extend to the minority leader that I appreciate you being here, and I look forward to working with him, and your entire Democratic Caucus, thank you.

Judge Smith, you are among the first folks I helped get elected to the bench. I am so honored that you are here, Judge Smith. It means the world to me.

Monsignor Martin, my spiritual leader, thank you very much for being here as well.

To my staff, I have my staff members here, and I just want to say I cannot wait to work with you. We have got a big job to do, and I am looking forward to it.

I am so humbled by the trust that has been placed in me by the residents of the 131st, and I promise them today that I will work tirelessly advocating for their needs and their interests, and I promise to serve with honor.

Thank you so very much. God bless all of you. Thank you.

I am sorry. I failed to acknowledge my fellow members. I am so sorry. What a faux pas. But thank you so much for being here. I cannot wait to work with all of you.

Thank you.

REPORT OF COMMITTEE ON COMMITTEES

The SPEAKER. The clerk will read the following supplemental report of the Committee on Committees.

The following report was read:

August 2, 2005

SUPPLEMENTAL REPORT OF THE COMMITTEE ON COMMITTEES

AGRICULTURE & RURAL AFFAIRS

Representative Bob Allen is appointed to fill the vacancy on the House Standing Committee on Agriculture & Rural Affairs.

VETERANS AFFAIRS & EMERGENCY PREPAREDNESS

Representative Bernard O'Neill resigns from the House Standing Committee on Veterans Affairs & Emergency Preparedness. Representative Karen Beyer is appointed to fill the vacancy on the House Standing Committee on Veterans Affairs & Emergency Preparedness.

EDUCATION

Representative Karen Beyer is appointed to fill the vacancy on the House Standing Committee on Education.

GAME & FISHERIES

Representative Karen Beyer is appointed to fill the vacancy on the House Standing Committee on Game & Fisheries.

URBAN AFFAIRS

Representative Karen Beyer is appointed to fill the vacancy on the House Standing Committee on Urban Affairs.

JUDICIARY

Representative Bernard O'Neill is appointed to fill the vacancy on the House Standing Committee on Judiciary.

These changes take effective immediately.

Respectfully submitted,
George C. Hasay, Chairman
Committee on Committees

On the question,
Will the House adopt the resolution?
Resolution was adopted.

The SPEAKER. Once again, we would like to congratulate Representative Beyer. Welcome. And this concludes the ceremony for your swearing-in. Best of luck.

RECESS

The SPEAKER. This House stands in recess to the call of the Chair.

AFTER RECESS

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

RECESS

The SPEAKER. The Chair recognizes the gentlelady from Lehigh, Mrs. Beyer.

Mrs. BEYER. Mr. Speaker, I move that this House do now recess until Monday, September 26, 2005, at 1 p.m., e.d.t., unless sooner recalled by the Speaker.

On the question,
Will the House agree to the motion?
Motion was agreed to, and at 12:59 p.m., e.d.t., Monday, September 26, 2005, the House recessed.