

# COMMONWEALTH OF PENNSYLVANIA

## LEGISLATIVE JOURNAL

TUESDAY, MARCH 13, 2007

SESSION OF 2007

191ST OF THE GENERAL ASSEMBLY

No. 21

### HOUSE OF REPRESENTATIVES

The House convened at 11:10 a.m., e.d.t.

#### THE SPEAKER (DENNIS M. O'BRIEN) PRESIDING

#### PRAYER

The SPEAKER. The prayer will be offered by Rev. Thomas Rozman, the guest of Representative Hennessey and the Irish Caucus.

Recognizing that we are approaching March 17, a very special day for those with Irish heritage, the invocation today, as I said, will be led by Rev. Thomas Rozman, pastor of the Cathedral Parish of Saint Patrick in Harrisburg. Father Rozman was a little concerned since he is not Irish but Slovenian – Slovenian; see, I am Irish and I cannot even say that – but we told him that if he can handle the crowd at Saint Patrick's, he is welcome with us here in the House of Representatives.

REV. THOMAS ROZMAN, Guest Chaplain of the House of Representatives, offered the following prayer:

I will begin with this Irish blessing:

May the road rise to meet you.  
May the wind be always at your back.  
May the sun shine warm upon your face.  
May the rain glow soft upon your fields.  
And until we meet again,  
May God hold you in the palm of His hand.

Let us pray:

Lord, our God, as the great bishop, Patrick, shared his faith with the people of Ireland and spent his life in loving service, may our lives always bear witness to the faith You have called us to profess and our love bring others to the peace and joy of Your truth.

We make this prayer to You, who are Lord, forever and ever.  
Amen.

#### PLEDGE OF ALLEGIANCE

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

### JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, approval of the Journal of Monday, March 12, 2007, will be postponed until printed. The Chair hears no objection.

#### LEAVES OF ABSENCE

The SPEAKER. Turning to leaves of absence, the Chair recognizes the majority whip. Are there any leaves on the Democratic side?

Mr. McCALL. Thank you, Mr. Speaker.

The gentleman, Mr. McGEEHAN, for the day.

The SPEAKER. Without objection, the gentleman, Representative McGeehan, will be placed on leave.

Are there any leaves of absence on the Republican side?

I have been informed that Representative John TAYLOR requests to be put on leave for the day. Without objection, Representative Taylor's name will be placed on leave for the day.

#### MASTER ROLL CALL

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

The following roll call was recorded:

#### PRESENT—198

Adolph	Frankel	Mann	Roebuck
Argall	Freeman	Mantz	Rohrer
Baker	Gabig	Markosek	Ross
Barrar	Galloway	Marshall	Rublely
Bastian	Geist	Marsico	Sabatina
Bear	George	McCall	Sainato
Belfanti	Gerber	McI. Smith	Samuelson
Benninghoff	Gergely	McIlhattan	Santoni
Bennington	Gibbons	Melio	Saylor
Beyer	Gillespie	Mensch	Scavello
Biancucci	Gingrich	Metcalfe	Schroder
Bishop	Godshall	Micozzie	Seip
Blackwell	Goodman	Millard	Shapiro
Boback	Grell	Miller	Shimkus
Boyd	Grucela	Milne	Siptroth
Brennan	Haluska	Moul	Smith, K.
Brooks	Hanna	Moyer	Smith, M.
Buxton	Harhai	Mundy	Smith, S.
Caltagirone	Harhart	Murt	Solobay
Cappelli	Harkins	Mustio	Sonney
Carroll	Harper	Myers	Staback
Casorio	Harris	Nailor	Stairs
Causar	Helm	Nickol	Steil
Civera	Hennessey	O'Brien, M.	Stern

Clymer	Hershey	O'Neill	Stevenson
Cohen	Hess	Oliver	Sturla
Conklin	Hickernell	Pallone	Surra
Costa	Hornaman	Pashinski	Swanger
Cox	Hutchinson	Payne	Taylor, R.
Creighton	James	Payton	Thomas
Cruz	Josephs	Peifer	True
Curry	Kauffman	Perry	Turzai
Cutler	Keller, M.	Perzel	Vereb
Daley	Keller, W.	Petrarca	Vitali
Dally	Kenney	Petri	Vulakovich
DeLuca	Kessler	Petrone	Wagner
Denlinger	Killion	Phillips	Walko
DePasquale	King	Pickett	Wansacz
Dermody	Kirkland	Preston	Waters
DeWeese	Kortz	Pyle	Watson
DiGirolamo	Kotik	Quigley	Wheatley
Donatucci	Kula	Quinn	White
Eachus	Leach	Ramaley	Williams
Ellis	Levdansky	Rapp	Wojnaroski
Evans, D.	Longietti	Raymond	Yewcic
Evans, J.	Mackereth	Readshaw	Youngblood
Everett	Maher	Reed	Yudichak
Fabrizio	Mahoney	Reichley	
Fairchild	Major	Roae	O'Brien, D.,
Fleck	Manderino	Rock	Speaker

## ADDITIONS—0

## NOT VOTING—0

## EXCUSED—5

Lentz	Parker	Tangretti	Taylor, J.
McGeehan			

## LEAVES ADDED—5

Cruz	Harper	Hennessey	Micozzie
Daley			

## LEAVES CANCELED—3

Daley	Hennessey	McGeehan
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The SPEAKER. A quorum being present, the House will proceed to conduct business.

### ST. PATRICK'S DAY PROGRAM

The SPEAKER. Happy St. Patrick's Day to one and all.

At this time I would like to ask the chairman of the Irish Caucus to come forward and preside over the festivities that are appropriate for this occasion.

All the members will please take their seats. Representative Hennessey, I invite you to take the rostrum.

### THE SPEAKER PRO TEMPORE (TIMOTHY F. HENNESSEY) PRESIDING

The SPEAKER pro tempore. Thank you, Mr. Speaker.

Good morning, ladies and gentlemen of the House. On behalf of the Pennsylvania legislative Irish Caucus, let me wish you top o' the mornin' to all our members in the House and for all our viewers on PCN (Pennsylvania Cable Network) across the Commonwealth.

Traditionally we take a few minutes as we lead into St. Patrick's Day to celebrate Irish heritage in Pennsylvania.

Fully 20 percent of Pennsylvanians claim some sort of Irish lineage, and to celebrate today, we have the Marince family daughters, who are going to sing and do some Irish dances for you, and then I should say that at the break, when the Speaker calls the break, the Irish Caucus would like to invite you to a lunch down in 60 East Wing. We have corned beef on rye; we got roast beef; we got turkey. We got all kinds of things, even if you do not like the Irish traditional corned beef. We are going to have Irish potato soup. We are going to have dancing and singing. We will have some Irish desserts, and we will have a good time. So please join us. Members, staff, guests are welcome to join us in 60 East Wing at the call of the break by the Speaker.

### MARINCE FAMILY INTRODUCED

The SPEAKER pro tempore. Right now let me introduce to you Representative Mark Mustio of the 44th Legislative District in Allegheny County to introduce the Marince family dancers. Mark.

Mr. MUSTIO. Good morning.

This is a repeat performance. If you remember last year, for those of you that were here, the Marince family performed – Sarah, Elizabeth, and Christopher – and today we have Sarah back with us. She is 16 years old, and she has performed for President Bush, the Pittsburgh Steelers, the Pirates, and is a regular national anthem singer for the Pittsburgh Penguins. Sarah is also a country singer who has opened for such national country acts as Lonestar, Dierks Bentley, Phil Vassar, and Trisha Yearwood. Her first original country song debuted on Pittsburgh's Froggy radio station this past February. So Sarah will be singing, and then the two of them will be dancing. She will be coming up with her sister, Elizabeth, who is 12 years old. She is working as a model and actress in Pittsburgh and is also a national model for Dick's Sporting Goods. She is a preliminary championship level Irish step dancer who has medaled in competitions in Canada and the United States.

And if you remember last year, their brother, Christopher, was here, and I am sure you remember the amount of work and effort that went into the dance. Well, a couple weeks ago he was Irish dancing and broke four bones in his foot, so he will not be here today. But with that in mind, I thought I would respectfully ask Speaker O'Brien if he would step in, so to speak, in Christopher's stead and dance for all of us. Now, Mr. Speaker, I certainly understand if you wish to decline, but first we are going to have Sarah sing before she dances, so we make sure she has enough breath to do that, and then we will follow that up with two dances, and at that time, Mr. Speaker, it would be great if you would join the young ladies down on the dance floor. Thank you.

Miss SARAH MARINCE. Hello, everybody. Good morning and happy early St. Patrick's Day. Thank you, Representative Mustio, for that wonderful introduction as well.

"Danny Boy" is one of the most famous Irish songs to ever come out of Ireland, and I am very honored to sing it for you this morning.

("O Danny Boy" was sung by Sarah Marince.)

Miss SARAH MARINCE. Thank you so much. Thank you. Thank you so much. I am glad you enjoyed it.

Now I would like to bring my sister, Elizabeth, up here to do some dancing with me, and we are both very proud to do these dances for you today because we both choreographed them.

(A Hornpipe was performed.)

Mr. MUSTIO. Speaker O'Brien? You cannot hide. You cannot hide anymore.

The SPEAKER. I do not know if I want to do this now.

Miss SARAH MARINCE. All right; it is your turn to try. Are you ready? We have to cheer a lot, you know, to build his confidence up about this. He is filling in for a world champion Irish step dancer, so.

The SPEAKER. Can we have some more people here so PCN cannot see my steps?

Miss SARAH MARINCE. Okay. We are going to pop back and point, and then you are going to kick up.

The SPEAKER. Ready? Let us go.

Miss SARAH MARINCE. Ready? 1, 2, 3.

(Speaker O'Brien performed some Irish steps.)

Miss SARAH MARINCE. There you go.

The SPEAKER. Thank you. She made it easy.

Miss SARAH MARINCE. Good job; good job. That was a great job. Maybe next year we are going to learn to do a whole dance.

All right. Now we have one more dance for you. It has been truly an honor for us to be here to sing and dance for you and we truly appreciate it, and I believe Elizabeth has something to say also.

Miss ELIZABETH MARINCE. I would like to thank Mr. Hennessey and Representative Mustio for having us here today and for making all the arrangements.

We have one more dance, and it is called the "Family Dance," and Sarah and I both choreographed it ourselves. And I have one Irish wisdom hint for you: You can never borrow money from a leprechaun, because they are always a little short.

(The "Family Treble Reel" was performed.)

The SPEAKER pro tempore. Wow. Thank you, girls. Thanks to the Marince family dancers. As you can see, this is both a dance and a marathon when they get to it.

I am glad it was Speaker O'Brien out there trying to dance and not me. I have never been that light on my feet, and certainly not in the last 10 or 20 years.

I want to remind you all, you are invited to 60 East Wing at the call of the break – members, guests, staff. We will see you there, and happy St. Patrick's Day. Enjoy the rest of the day and the rest of the week. Thank you.

Thank you, Mr. Speaker.

### **THE SPEAKER (DENNIS M. O'BRIEN) PRESIDING**

The SPEAKER. I would like to thank Tim Hennessey, the chairman of the Irish Caucus, for bringing these festivities to the House.

I would like to recognize Representative Mustio for this historic occasion of thoroughly embarrassing the Speaker.

I do not think that any Speaker has ever embarrassed this House or this Commonwealth in the way that I just did.

But I know, Sarah and Liz, you have done your Irish heritage and the people of the Commonwealth and this House of Representatives proud by your dancing, and, Sarah, your singing would have brought a tear to Matt Ryan's eye, and we thank you very much for that.

### **STATEMENT BY SPEAKER**

The SPEAKER. Every year Representative Michael Patrick McGeehan marks the occasion of our St. Patrick's Day celebration by sharing the delicious treats you find on your desk. Although he could not be here today, he wanted to continue that tradition he started years ago.

On his behalf, I would like to acknowledge and thank the members of Mike's family who gather around the McGeehan table every March to make these Irish potatoes. Irish potatoes lasses, March 2007: Aunt Sis; sisters Megan, Kerry, Nora, Sue; cousins Elaine and Anne; nieces Erin, Hannah, and Kathleen. Let us thank them.

### **GUEST INTRODUCED**

The SPEAKER. Representative Art Hershey has Brian McCool from Cochranville shadowing him for the day. He is currently a junior at Lock Haven University. Brian is seated in the gallery. Brian, welcome to the Pennsylvania General Assembly.

### **LEAVE OF ABSENCE**

The SPEAKER. Without objection, Angel CRUZ from Philadelphia will be put on leave for the remainder of the day. The Chair hears no objection.

### **BREKAN PIPER PRESENTED**

The SPEAKER. The Chair will ask Representative Will Gabig to come to the rostrum for the purpose of presenting a citation.

Mr. GABIG. Thank you, Mr. Speaker.

I do not know how you follow that. I agree with the Speaker that former Speaker Ryan would certainly have been pleased with that performance. I do remember last year, but I do not remember Mr. Mustio wearing that derby last year. I do not know if that is going to be an annual event or not. And I also have to say before I give this citation that Representative McCall, his father and grandfather would be rolling over in their graves the way he was trying to keep time to that thing. Boy, he needs to work on his clapping ability.

But anyway, I am here to present a citation to one of my constituents, a high school senior at Big Spring School District, Brekan Piper. She is the winner of a statewide contest, the first annual "PCN: Partners in the Classroom" program. It is for both senior high school and middle school. She is the senior high school winner. This year's program was a "CREATE.CAMPAIGN.WIN" project. It was a non-issue-oriented mechanics of how to win a statewide campaign. So I know there are many of you out there that might want to

talk to Brekan about how you move on in your career, up the ladder here. She did a great job. Where is Brekan? Come down here, Brekan, by me.

She is accompanied here today by her parents, William and Deborah Piper – they are on the floor; if they could please rise – by her high school government teacher, Steve Elsler, and by Michelle Harter, the manager at PCN.

So it was PCN's program. I would encourage you all to encourage your constituents to participate in this next year. It is an annual program. It has been a very successful program, and I want to congratulate Brekan on her winning this statewide contest. Could you please join me.

### GUESTS INTRODUCED

The SPEAKER. Please join me in welcoming Jessica Lorah, who is a guest page for Representative David Kessler. She is a junior at Oley High School. She is planning on going into the field of political science and becoming an attorney. She is accompanied by her mother, JoAnn Lorah. The mother is seated in the balcony. Please join me in welcoming them to the House of Representatives.

### CALENDAR

### RESOLUTIONS

#### RESOLUTION PASSED OVER

The SPEAKER. Turning to today's House calendar, page 1, HR 70, PN 369. Without objection, that resolution is over for today.

\* \* \*

#### RESOLUTION PASSED OVER TEMPORARILY

The SPEAKER. HR 108, PN 716, is over temporarily.

### RESOLUTIONS PURSUANT TO RULE 35

#### RESOLUTIONS PASSED OVER

The SPEAKER. All the resolutions on page 2 are over for today.

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#### RESOLUTION PASSED OVER TEMPORARILY

The SPEAKER. HR 57, PN 317, is over temporarily.

\* \* \*

#### RESOLUTIONS PASSED OVER

The SPEAKER. The remainder of the resolutions on page 3 are over for today.

The Chair rescinds that announcement.

\* \* \*

Mr. STURLA called up **HR 67, PN 366**, entitled:

A Resolution designating April 4, 2007, as "Thaddeus Stevens Day" in Pennsylvania.

On the question,

Will the House adopt the resolution?

The following roll call was recorded:

#### YEAS—197

Adolph	Freeman	Mantz	Rohrer
Argall	Gabig	Markosek	Ross
Baker	Galloway	Marshall	Rubley
Barrar	Geist	Marsico	Sabatina
Bastian	George	McCall	Sainato
Bear	Gerber	McI. Smith	Samuelson
Belfanti	Gergely	McIlhattan	Santoni
Benninghoff	Gibbons	Melio	Saylor
Bennington	Gillespie	Mensch	Scavello
Beyer	Gingrich	Metcalfe	Schroder
Biancucci	Godshall	Micozzie	Seip
Bishop	Goodman	Millard	Shapiro
Blackwell	Grell	Miller	Shimkus
Boback	Grucela	Milne	Siptroth
Boyd	Haluska	Moul	Smith, K.
Brennan	Hanna	Moyer	Smith, M.
Brooks	Harhai	Mundy	Smith, S.
Buxton	Harhart	Murt	Solobay
Caltagirone	Harkins	Mustio	Sonney
Cappelli	Harper	Myers	Staback
Carroll	Harris	Nailor	Stairs
Casorio	Helm	Nickol	Steil
Causar	Hennessey	O'Brien, M.	Stern
Civera	Hershey	O'Neill	Stevenson
Clymer	Hess	Oliver	Sturla
Cohen	Hickernell	Pallone	Surra
Conklin	Hornaman	Pashinski	Swanger
Costa	Hutchinson	Payne	Taylor, R.
Cox	James	Payton	Thomas
Creighton	Josephs	Peifer	True
Curry	Kauffman	Perry	Turzai
Cutler	Keller, M.	Perzel	Vereb
Daley	Keller, W.	Petrarca	Vitali
Dally	Kenney	Petri	Vulakovich
DeLuca	Kessler	Petrone	Wagner
Denlinger	Killion	Phillips	Walko
DePasquale	King	Pickett	Wansacz
Dermody	Kirkland	Preston	Waters
DeWeese	Kortz	Pyle	Watson
DiGirolamo	Kotik	Quigley	Wheatley
Donatucci	Kula	Quinn	White
Eachus	Leach	Ramaley	Williams
Ellis	Levdansky	Rapp	Wojnaroski
Evans, D.	Longietti	Raymond	Yewcic
Evans, J.	Mackereth	Readshaw	Youngblood
Everett	Maher	Reed	Yudichak
Fabrizio	Mahoney	Reichley	
Fairchild	Major	Roae	O'Brien, D., Speaker
Fleck	Manderino	Rock	
Frankel	Mann	Roebuck	

#### NAYS—0

#### NOT VOTING—0

#### EXCUSED—6

Cruz	McGeehan	Tangretti	Taylor, J.
Lentz	Parker		

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

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### RESOLUTIONS PASSED OVER

The SPEAKER. HR 80, PN 418, is over for today.  
HR 81, PN 419, is over for today.  
HR 82, PN 420, is over for today.

\* \* \*

Mr. WILLIAMS called up **HR 87, PN 495**, entitled:

A Resolution commemorating the achievements and contributions the late Honorable K. Leroy Irvis made to the General Assembly and the Commonwealth of Pennsylvania.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

### YEAS—197

Adolph	Freeman	Mantz	Rohrer
Argall	Gabig	Markosek	Ross
Baker	Galloway	Marshall	Rubley
Barrar	Geist	Marsico	Sabatina
Bastian	George	McCall	Sainato
Bear	Gerber	McI. Smith	Samuelson
Belfanti	Gergely	McIlhatten	Santoni
Benninghoff	Gibbons	Melio	Saylor
Bennington	Gillespie	Mensch	Scavello
Beyer	Gingrich	Metcalfe	Schroder
Biancucci	Godshall	Micozzie	Seip
Bishop	Goodman	Millard	Shapiro
Blackwell	Grell	Miller	Shimkus
Boback	Grucela	Milne	Siptroth
Boyd	Haluska	Moul	Smith, K.
Brennan	Hanna	Moyer	Smith, M.
Brooks	Harhai	Mundy	Smith, S.
Buxton	Harhart	Murt	Solobay
Caltagirone	Harkins	Mustio	Sonney
Cappelli	Harper	Myers	Staback
Carroll	Harris	Nailor	Stairs
Casorio	Helm	Nickol	Steil
Causar	Hennessey	O'Brien, M.	Stern
Civera	Hershey	O'Neill	Stevenson
Clymer	Hess	Oliver	Sturla
Cohen	Hickernell	Pallone	Surra
Conklin	Hornaman	Pashinski	Swanger
Costa	Hutchinson	Payne	Taylor, R.
Cox	James	Payton	Thomas
Creighton	Josephs	Peifer	True
Curry	Kauffman	Perry	Turzai
Cutler	Keller, M.	Perzel	Vereb
Daley	Keller, W.	Petrarca	Vitali
Dally	Kenney	Petri	Vulakovich
DeLuca	Kessler	Petrone	Wagner
Denlinger	Killion	Phillips	Walko
DePasquale	King	Pickett	Wansacz
Dermody	Kirkland	Preston	Waters
DeWeese	Kortz	Pyle	Watson
DiGirolamo	Kotik	Quigley	Wheatley
Donatucci	Kula	Quinn	White
Eachus	Leach	Ramaley	Williams
Ellis	Levdansky	Rapp	Wojnaroski
Evans, D.	Longietti	Raymond	Yewcic

Evans, J.	Mackereth	Readshaw	Youngblood
Everett	Maher	Reed	Yudichak
Fabrizio	Mahoney	Reichley	
Fairchild	Major	Roae	O'Brien, D.,
Fleck	Manderino	Rock	Speaker
Frankel	Mann	Roebuck	

### NAYS—0

### NOT VOTING—0

### EXCUSED—6

Cruz	McGeehan	Tangretti	Taylor, J.
Lentz	Parker		

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

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### RESOLUTION PASSED OVER

The SPEAKER. HR 90, PN 570, is over for today.

\* \* \*

Mrs. GINGRICH called up **HR 102, PN 725**, entitled:

A Resolution designating the month of March 2007 as "Junior Achievement Month" in Pennsylvania.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

### YEAS—197

Adolph	Freeman	Mantz	Rohrer
Argall	Gabig	Markosek	Ross
Baker	Galloway	Marshall	Rubley
Barrar	Geist	Marsico	Sabatina
Bastian	George	McCall	Sainato
Bear	Gerber	McI. Smith	Samuelson
Belfanti	Gergely	McIlhatten	Santoni
Benninghoff	Gibbons	Melio	Saylor
Bennington	Gillespie	Mensch	Scavello
Beyer	Gingrich	Metcalfe	Schroder
Biancucci	Godshall	Micozzie	Seip
Bishop	Goodman	Millard	Shapiro
Blackwell	Grell	Miller	Shimkus
Boback	Grucela	Milne	Siptroth
Boyd	Haluska	Moul	Smith, K.
Brennan	Hanna	Moyer	Smith, M.
Brooks	Harhai	Mundy	Smith, S.
Buxton	Harhart	Murt	Solobay
Caltagirone	Harkins	Mustio	Sonney
Cappelli	Harper	Myers	Staback
Carroll	Harris	Nailor	Stairs
Casorio	Helm	Nickol	Steil
Causar	Hennessey	O'Brien, M.	Stern
Civera	Hershey	O'Neill	Stevenson
Clymer	Hess	Oliver	Sturla
Cohen	Hickernell	Pallone	Surra
Conklin	Hornaman	Pashinski	Swanger
Costa	Hutchinson	Payne	Taylor, R.
Cox	James	Payton	Thomas

Creighton	Josephs	Peifer	True
Curry	Kauffman	Perry	Turzai
Cutler	Keller, M.	Perzel	Vereb
Daley	Keller, W.	Petrarca	Vitali
Dally	Kenney	Petri	Vulakovich
DeLuca	Kessler	Petrone	Wagner
Denlinger	Killion	Phillips	Walko
DePasquale	King	Pickett	Wansacz
Dermody	Kirkland	Preston	Waters
DeWeese	Kortz	Pyle	Watson
DiGirolamo	Kotik	Quigley	Wheatley
Donatucci	Kula	Quinn	White
Eachus	Leach	Ramaley	Williams
Ellis	Levdansky	Rapp	Wojnaroski
Evans, D.	Longietti	Raymond	Yewcic
Evans, J.	Mackereth	Readshaw	Youngblood
Everett	Maher	Reed	Yudichak
Fabrizio	Mahoney	Reichley	
Fairchild	Major	Roae	O'Brien, D.,
Fleck	Manderino	Rock	Speaker
Frankel	Mann	Roebuck	

NAYS—0

NOT VOTING—0

EXCUSED—6

Cruz	McGeehan	Tangretti	Taylor, J.
Lentz	Parker		

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

\* \* \*

Mrs. GINGRICH called up **HR 103, PN 726**, entitled:

A Resolution recognizing the week of March 11 through 17, 2007, as "Girl Scout Week" in Pennsylvania.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—197

Adolph	Freeman	Mantz	Rohrer
Argall	Gabig	Markosek	Ross
Baker	Galloway	Marshall	Rubley
Barrar	Geist	Marsico	Sabatina
Bastian	George	McCall	Sainato
Bear	Gerber	McI. Smith	Samuelson
Belfanti	Gergely	McIlhattan	Santoni
Benninghoff	Gibbons	Melio	Saylor
Bennington	Gillespie	Mensch	Scavello
Beyer	Gingrich	Metcalfe	Schroder
Biancucci	Godshall	Micozzie	Seip
Bishop	Goodman	Millard	Shapiro
Blackwell	Grell	Miller	Shimkus
Boback	Grucela	Milne	Siptroth
Boyd	Haluska	Moul	Smith, K.
Brennan	Hanna	Moyer	Smith, M.
Brooks	Harhai	Mundy	Smith, S.
Buxton	Harhart	Murt	Solobay
Caltagirone	Harkins	Mustio	Sonney
Cappelli	Harper	Myers	Staback
Carroll	Harris	Nailor	Stairs
Casorio	Helm	Nickol	Steil

Causar	Hennessey	O'Brien, M.	Stern
Civera	Hershey	O'Neill	Stevenson
Clymer	Hess	Oliver	Sturla
Cohen	Hickernell	Pallone	Surra
Conklin	Hornaman	Pashinski	Swanger
Costa	Hutchinson	Payne	Taylor, R.
Cox	James	Payton	Thomas
Creighton	Josephs	Peifer	True
Curry	Kauffman	Perry	Turzai
Cutler	Keller, M.	Perzel	Vereb
Daley	Keller, W.	Petrarca	Vitali
Dally	Kenney	Petri	Vulakovich
DeLuca	Kessler	Petrone	Wagner
Denlinger	Killion	Phillips	Walko
DePasquale	King	Pickett	Wansacz
Dermody	Kirkland	Preston	Waters
DeWeese	Kortz	Pyle	Watson
DiGirolamo	Kotik	Quigley	Wheatley
Donatucci	Kula	Quinn	White
Eachus	Leach	Ramaley	Williams
Ellis	Levdansky	Rapp	Wojnaroski
Evans, D.	Longietti	Raymond	Yewcic
Evans, J.	Mackereth	Readshaw	Youngblood
Everett	Maher	Reed	Yudichak
Fabrizio	Mahoney	Reichley	
Fairchild	Major	Roae	O'Brien, D.,
Fleck	Manderino	Rock	Speaker
Frankel	Mann	Roebuck	

NAYS—0

NOT VOTING—0

EXCUSED—6

Cruz	McGeehan	Tangretti	Taylor, J.
Lentz	Parker		

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

\* \* \*

Ms. HARPER called up **HR 111, PN 733**, entitled:

A Resolution providing for the composition of the Legislative Committee for Research Liaison.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—197

Adolph	Freeman	Mantz	Rohrer
Argall	Gabig	Markosek	Ross
Baker	Galloway	Marshall	Rubley
Barrar	Geist	Marsico	Sabatina
Bastian	George	McCall	Sainato
Bear	Gerber	McI. Smith	Samuelson
Belfanti	Gergely	McIlhattan	Santoni
Benninghoff	Gibbons	Melio	Saylor
Bennington	Gillespie	Mensch	Scavello
Beyer	Gingrich	Metcalfe	Schroder
Biancucci	Godshall	Micozzie	Seip
Bishop	Goodman	Millard	Shapiro
Blackwell	Grell	Miller	Shimkus
Boback	Grucela	Milne	Siptroth
Boyd	Haluska	Moul	Smith, K.

Brennan	Hanna	Moyer	Smith, M.
Brooks	Harhai	Mundy	Smith, S.
Buxton	Harhart	Murt	Solobay
Caltagirone	Harkins	Mustio	Sonney
Cappelli	Harper	Myers	Staback
Carroll	Harris	Nailor	Stairs
Casorio	Helm	Nickol	Steil
Causer	Hennessey	O'Brien, M.	Stern
Civera	Hershey	O'Neill	Stevenson
Clymer	Hess	Oliver	Sturla
Cohen	Hickernell	Pallone	Surra
Conklin	Hornaman	Pashinski	Swanger
Costa	Hutchinson	Payne	Taylor, R.
Cox	James	Payton	Thomas
Creighton	Josephs	Peifer	True
Curry	Kauffman	Perry	Turzai
Cutler	Keller, M.	Perzel	Vereb
Daley	Keller, W.	Petrarca	Vitali
Dally	Kenney	Petri	Vulakovich
DeLuca	Kessler	Petrone	Wagner
Denlinger	Killion	Phillips	Walko
DePasquale	King	Pickett	Wansacz
Dermody	Kirkland	Preston	Waters
DeWeese	Kortz	Pyle	Watson
DiGirolamo	Kotik	Quigley	Wheatley
Donatucci	Kula	Quinn	White
Eachus	Leach	Ramaley	Williams
Ellis	Levdansky	Rapp	Wojnaroski
Evans, D.	Longietti	Raymond	Yewcic
Evans, J.	Mackereth	Readshaw	Youngblood
Everett	Maher	Reed	Yudichak
Fabrizio	Mahoney	Reichley	
Fairchild	Major	Roae	O'Brien, D., Speaker
Fleck	Manderino	Rock	
Frankel	Mann	Roebuck	

## NAYS—0

## NOT VOTING—0

## EXCUSED—6

Cruz	McGeehan	Tangretti	Taylor, J.
Lentz	Parker		

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

### STATE SYSTEM OF HIGHER EDUCATION PROPERTY REQUEST 1 OF 2007

## RESOLUTIONS PASSED OVER

The SPEAKER. Without objection, the resolutions on page 5 are over for today.

## SUPPLEMENTAL CALENDAR A

## RESOLUTIONS PURSUANT TO RULE 35

Mr. STABACK called up **HR 118, PN 811**, entitled:

A Resolution designating March 28, 2007, as "Helen Phillips CASUAL Day for Colon Cancer Awareness" in northeastern Pennsylvania.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

## YEAS—197

Adolph	Freeman	Mantz	Rohrer
Argall	Gabig	Markosek	Ross
Baker	Galloway	Marshall	Rubley
Barrar	Geist	Marsico	Sabatina
Bastian	George	McCall	Sainato
Bear	Gerber	McI. Smith	Samuelson
Belfanti	Gergely	McIlhattan	Santoni
Benninghoff	Gibbons	Melio	Saylor
Bennington	Gillespie	Mensch	Scavello
Beyer	Gingrich	Metcalfe	Schroder
Biancucci	Godshall	Micozzie	Seip
Bishop	Goodman	Millard	Shapiro
Blackwell	Grell	Miller	Shimkus
Boback	Grucela	Milne	Siptroth
Boyd	Haluska	Moul	Smith, K.
Brennan	Hanna	Moyer	Smith, M.
Brooks	Harhai	Mundy	Smith, S.
Buxton	Harhart	Murt	Solobay
Caltagirone	Harkins	Mustio	Sonney
Cappelli	Harper	Myers	Staback
Carroll	Harris	Nailor	Stairs
Casorio	Helm	Nickol	Steil
Causer	Hennessey	O'Brien, M.	Stern
Civera	Hershey	O'Neill	Stevenson
Clymer	Hess	Oliver	Sturla
Cohen	Hickernell	Pallone	Surra
Conklin	Hornaman	Pashinski	Swanger
Costa	Hutchinson	Payne	Taylor, R.
Cox	James	Payton	Thomas
Creighton	Josephs	Peifer	True
Curry	Kauffman	Perry	Turzai
Cutler	Keller, M.	Perzel	Vereb
Daley	Keller, W.	Petrarca	Vitali
Dally	Kenney	Petri	Vulakovich
DeLuca	Kessler	Petrone	Wagner
Denlinger	Killion	Phillips	Walko
DePasquale	King	Pickett	Wansacz
Dermody	Kirkland	Preston	Waters
DeWeese	Kortz	Pyle	Watson
DiGirolamo	Kotik	Quigley	Wheatley
Donatucci	Kula	Quinn	White
Eachus	Leach	Ramaley	Williams
Ellis	Levdansky	Rapp	Wojnaroski
Evans, D.	Longietti	Raymond	Yewcic
Evans, J.	Mackereth	Readshaw	Youngblood
Everett	Maher	Reed	Yudichak
Fabrizio	Mahoney	Reichley	
Fairchild	Major	Roae	O'Brien, D., Speaker
Fleck	Manderino	Rock	
Frankel	Mann	Roebuck	

## NAYS—0

## NOT VOTING—0

## EXCUSED—6

Cruz	McGeehan	Tangretti	Taylor, J.
Lentz	Parker		

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

\* \* \*

Mr. SOLOBAY called up **HR 119, PN 812**, entitled:

A Resolution declaring March 2007 as "American Red Cross Month" in Pennsylvania.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

## YEAS—197

Adolph	Freeman	Mantz	Rohrer
Argall	Gabig	Markosek	Ross
Baker	Galloway	Marshall	Rubley
Barrar	Geist	Marsico	Sabatina
Bastian	George	McCall	Sainato
Bear	Gerber	McI. Smith	Samuelson
Belfanti	Gergely	McIlhattan	Santoni
Benninghoff	Gibbons	Melio	Saylor
Bennington	Gillespie	Mensch	Scavello
Beyer	Gingrich	Metcalfe	Schroder
Biancucci	Godshall	Micozzie	Seip
Bishop	Goodman	Millard	Shapiro
Blackwell	Grell	Miller	Shimkus
Boback	Grucela	Milne	Siptroth
Boyd	Haluska	Moul	Smith, K.
Brennan	Hanna	Moyer	Smith, M.
Brooks	Harhai	Mundy	Smith, S.
Buxton	Harhart	Murt	Solobay
Caltagirone	Harkins	Mustio	Sonney
Cappelli	Harper	Myers	Staback
Carroll	Harris	Nailor	Stairs
Casorio	Helm	Nickol	Steil
Causar	Hennessey	O'Brien, M.	Stern
Civera	Hershey	O'Neill	Stevenson
Clymer	Hess	Oliver	Sturla
Cohen	Hickernell	Pallone	Surra
Conklin	Hornaman	Pashinski	Swanger
Costa	Hutchinson	Payne	Taylor, R.
Cox	James	Payton	Thomas
Creighton	Josephs	Peifer	True
Curry	Kauffman	Perry	Turzai
Cutler	Keller, M.	Perzel	Vereb
Daley	Keller, W.	Petrarca	Vitali
Dally	Kenney	Petri	Vulakovich
DeLuca	Kessler	Petrone	Wagner
Denlinger	Killion	Phillips	Walko
DePasquale	King	Pickett	Wansacz
Dermody	Kirkland	Preston	Waters
DeWeese	Kortz	Pyle	Watson
DiGirolamo	Kotik	Quigley	Wheatley
Donatucci	Kula	Quinn	White
Eachus	Leach	Ramaley	Williams
Ellis	Levdansky	Rapp	Wojnaroski
Evans, D.	Longietti	Raymond	Yewcic
Evans, J.	Mackereth	Readshaw	Youngblood
Everett	Maher	Reed	Yudichak
Fabrizio	Mahoney	Reichley	
Fairchild	Major	Roae	O'Brien, D., Speaker
Fleck	Manderino	Rock	
Frankel	Mann	Roebuck	

## NAYS—0

## NOT VOTING—0

## EXCUSED—6

Cruz	McGeehan	Tangretti	Taylor, J.
Lentz	Parker		

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

## CALENDAR CONTINUED

## RESOLUTION PURSUANT TO RULE 35

The SPEAKER. Members will please take their seats. We are about to take up a condolence resolution.

Mr. RAMALEY called up **HR 57, PN 317**, entitled:

A Resolution honoring the life and extending condolences for the supreme sacrifice of Army Sergeant Thomas Edward Vandling, Jr., a specialist assigned to the 303rd Psychological Operations Company, who tragically lost his life in Iraq on January 1, 2007, during his service to our country in Operation Iraqi Freedom.

On the question,  
Will the House adopt the resolution?

The SPEAKER. The Chair recognizes Representative Ramaley for remarks.

Mr. RAMALEY. Thank you, Mr. Speaker.

Mr. Speaker, I rise again to join the members who have taken the floor to pay tribute to one of Pennsylvania's finest who made the ultimate sacrifice in service to this country.

For the second time in as many years, the small borough of Bellevue has lost one of their own. On January 1, 2007, Sgt. Thomas Vandling was killed from injuries sustained when an improvised explosive device struck his vehicle. He was driving his Humvee when he noticed the fresh asphalt, an indication of a roadside bomb. His valiant effort to swerve away from danger saved the lives of three soldiers.

Sergeant Vandling was born on April 27, 1980. He was a 1998 graduate of Northgate High School, and during his time in Northgate he played football. In a recent news article, his coach remarked, quote, "He always practiced hard and he never got depressed. When he got a chance to play, he shined. He answered the call," end quote. Answering the call – that was characteristic of Sergeant Vandling.

In August 2001 he enlisted in the U.S. Army Reserve. He completed basic combat training at Fort Jackson, South Carolina, and completed advanced individual training as a psychological operations specialist at the Army's John F. Kennedy Special Warfare Center and School at Fort Bragg, North Carolina. Sergeant Vandling was stationed with the 303d Psychological Operations Company in Oakdale, Pennsylvania. He was deployed in Operation Enduring Freedom in 2003, and after returning from his duties, Sergeant Vandling attended the University of Pittsburgh, where he was double majoring in psychology and philosophy.

In 2006 Sergeant Vandling volunteered to return to duty in support of Operation Iraqi Freedom. He was promoted to sergeant and entered the noncommissioned officer corps during that summer. During his service Sergeant Vandling won numerous military awards, including the Army Commendation Medal, two National Defense Service Medals, Combat Action Badge, and the Navy Achievement Medal.

During the funeral home visitation for Sergeant Vandling, mourners had an opportunity to view a video presentation, a



kind of scrapbook created by his sister, Elizabeth. In watching that video, his father, Tom, remarked of Sergeant Vandling's love of children. It was evident. Just about every picture from his overseas mission showed an interaction with Iraqi children and a soldier who believed in his purpose.

It has been noted that from the beginning, Sergeant Vandling believed that America had an obligation to improve the lives of the Iraqi people. With Sergeant Vandling there was no doubt; he did just that. My hope is that his spirit and dedication lives on in all those he has touched. His selflessness and sacrifice are a constant reminder of the best America has to offer.

#### GUESTS INTRODUCED

Mr. RAMALEY. Mr. Speaker, at this time I would like to introduce Sergeant Vandling's family and ask them to stand: his father, Thomas; his mother, Dianne; his brother, Michael, and his sister, Elizabeth. His other brother, Jim, is in California and could not be with us. But if the House could please welcome Sergeant Vandling's family.

Mr. Speaker, I express profound gratitude for Sergeant Vandling's service to our nation and his sacrifice for freedom throughout the world, and I humbly ask for the passage of HR 57. Thank you.

The SPEAKER. Members will please rise and observe a moment of silence in honor of Army Sgt. Thomas Edward Vandling.

(Whereupon, the members of the House and all visitors stood in a moment of silence in solemn respect to the memory of Army Sgt. Thomas E. Vandling, Jr.)

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

The following roll call was recorded:

#### YEAS—197

Adolph	Freeman	Mantz	Rohrer
Argall	Gabig	Markosek	Ross
Baker	Galloway	Marshall	Rubley
Barrar	Geist	Marsico	Sabatina
Bastian	George	McCall	Sainato
Bear	Gerber	McI. Smith	Samuelson
Belfanti	Gergely	McIlhatten	Santoni
Benninghoff	Gibbons	Melio	Saylor
Bennington	Gillespie	Mensch	Scavello
Beyer	Gingrich	Metcalf	Schroder
Biancucci	Godshall	Micozzie	Seip
Bishop	Goodman	Millard	Shapiro
Blackwell	Grell	Miller	Shimkus
Boback	Grucela	Milne	Siptroth
Boyd	Haluska	Moul	Smith, K.
Brennan	Hanna	Moyer	Smith, M.
Brooks	Harhai	Mundy	Smith, S.
Buxton	Harhart	Murt	Solobay
Caltagirone	Harkins	Mustio	Sonney
Cappelli	Harper	Myers	Staback
Carroll	Harris	Nailor	Stairs
Casorio	Helm	Nickol	Steil
Causar	Hennessey	O'Brien, M.	Stern
Civera	Hershey	O'Neill	Stevenson
Clymer	Hess	Oliver	Sturla
Cohen	Hickernell	Pallone	Surra
Conklin	Hornaman	Pashinski	Swanger

Costa	Hutchinson	Payne	Taylor, R.
Cox	James	Payton	Thomas
Creighton	Josephs	Peifer	True
Curry	Kauffman	Perry	Turzai
Cutler	Keller, M.	Perzel	Vereb
Daley	Keller, W.	Petrarca	Vitali
Dally	Kenney	Petri	Vulakovich
DeLuca	Kessler	Petrone	Wagner
Denlinger	Killion	Phillips	Walko
DePasquale	King	Pickett	Wansacz
Dermody	Kirkland	Preston	Waters
DeWeese	Kortz	Pyle	Watson
DiGirolamo	Kotik	Quigley	Wheatley
Donatucci	Kula	Quinn	White
Eachus	Leach	Ramaley	Williams
Ellis	Levdansky	Rapp	Wojnaroski
Evans, D.	Longietti	Raymond	Yewcic
Evans, J.	Mackereth	Readshaw	Youngblood
Everett	Maher	Reed	Yudichak
Fabrizio	Mahoney	Reichley	
Fairchild	Major	Roae	O'Brien, D., Speaker
Fleck	Manderino	Rock	
Frankel	Mann	Roebuck	

#### NAYS—0

#### NOT VOTING—0

#### EXCUSED—6

Cruz	McGeehan	Tangretti	Taylor, J.
Lentz	Parker		

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

#### DEMOCRATIC CAUCUS

The SPEAKER. The Chair recognizes the floor leaders for announcements.

Are there announcements from the Democratic floor leader? Representative Cohen.

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, there will be a House Democratic caucus at 12:45 to continue our discussions on the House rules. I urge the attendance of all members.

#### REPUBLICAN CAUCUS

The SPEAKER. Representative Major.

Miss MAJOR. Thank you, Mr. Speaker.

The Republicans will also caucus at 12:45 in the caucus room, in room 418. Thank you.

The SPEAKER. Representative Cohen, do you know about how much time you will need for caucus?

Mr. COHEN. Yes, Mr. Speaker. Our goal is to be back on the floor at 1:30.

#### VOTE CORRECTION

The SPEAKER. The Chair recognizes Representative Keller.

Mr. M. KELLER. Thank you. I would like to correct the record.

On HR 108, amendment A111-A, I was recorded in the negative and I would like to have been in the positive. Thank you.

The SPEAKER. The Journal will reflect the gentleman's comments.

### **JUDICIARY COMMITTEE MEETING**

The SPEAKER. The Chair recognizes the gentleman, Representative Caltagirone, for an announcement.

Mr. CALTAGIRONE. Thank you, Mr. Speaker.

The House Judiciary will meet at the recess or break in 205, Ryan Office Building.

The SPEAKER. Judiciary will meet at the break in room 205 of the Ryan Office Building.

Is there any further business? Announcements?

### **RECESS**

The SPEAKER. This House will stand in recess until 1:30 p.m.

### **RECESS EXTENDED**

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

### **AFTER RECESS**

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

### **ANNOUNCEMENT BY SPEAKER**

#### **SPEAKER PRO TEMPORES APPOINTED**

The SPEAKER. The Speaker announces that I have appointed Representative Jennifer Mann and Representative John Evans as additional Speaker pro tems to periodically serve in my stead, as requested by me.

### **LEAVE OF ABSENCE**

The SPEAKER. Without objection, the gentleman, Representative MICOZZIE, is on leave for the remainder of the day. The Chair hears no objection.

### **THE SPEAKER PRO TEMPORE (MATTHEW E. BAKER) PRESIDING**

### **HOUSE BILL INTRODUCED AND REFERRED**

**No. 443** By Representatives MAHONEY, KING, DePASQUALE, BARRAR, BASTIAN, CALTAGIRONE, CARROLL, CREIGHTON, DALLY, FREEMAN, GALLOWAY, GEORGE, GERGELY, GIBBONS, GOODMAN, HARHAI, HARKINS, HORNAMAN, JOSEPHS, KORTZ, KOTIK, KULA, MANDERINO, MARKOSEK,

McILHATTAN, MELIO, M. O'BRIEN, PALLONE, PETRARCA, READSHAW, ROAE, SAYLOR, SEIP, SIPTROTH, STABACK, TANGRETTI, WALKO, J. WHITE, YOUNGBLOOD, SOLOBAY, DALEY, LENTZ, HUTCHINSON, YUDICHAK, PYLE, R. STEVENSON, M. SMITH, SWANGER and YEWCIC

An Act requiring certain records of the Commonwealth and its political subdivisions, authorities and agencies and other public bodies to be open for examination, inspection and copying for denial or refusal of access under certain circumstances, for final agency determinations, for appeals, for court costs and attorney fees, for penalties and for immunity; establishing the Office of Access to Public Records and providing for its powers and duties; and making a related repeal.

Referred to Committee on STATE GOVERNMENT, March 13, 2007.

### **GUESTS INTRODUCED**

The SPEAKER pro tempore. The Chair welcomes Lori Roman, Rick Gowdy, and Megan Beth Lott of the American Legislative Exchange Council, who are the guests of Representative Craig Dally and the Pennsylvania ALEC Leadership Team, located to the left of the Speaker. Please rise and be recognized.

### **ANNOUNCEMENT BY MR. GERBER**

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Gerber.

Mr. GERBER. Thank you, Mr. Speaker.

I am very excited to rise as the friend and colleague of Bryan Lentz, who is not with us today because his wife just gave birth to their son, Joseph Thomas Lentz, after, and I am not kidding, 44 hours of labor. We wish mom and baby the best. We congratulate Bryan Lentz. A big round of applause for our friend and colleague, Bryan Lentz.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and congratulates the gentleman, Mr. Lentz, and his family.

### **CALENDAR CONTINUED**

### **RESOLUTION**

Mr. SHAPIRO called up **HR 108, PN 716**, entitled:

A Resolution adopting as permanent rules for the House of Representatives the Temporary Rules of the House of Representatives (2007-2008), further providing for order and decorum, for smoking, for members' and employees' expenses; providing for employee payroll information and for electronic availability of reports; further providing for time of meeting, for introduction and printing of bills, for fiscal notes, for bills confined to one subject, for consideration of bills, for first consideration bills, for second consideration bills, for third consideration and final passage bills, for amendments, for bills amended by the Senate, for sine die and final introduction of bills, for powers and duties of standing committees and subcommittees and for Committee on Rules; providing for status of members indicted or convicted of a crime and for status of officers or employees indicted or convicted of a crime; further providing for committee action, for public hearings, for adjourn, for lay on the table, for motion to take from table, for electronic roll call, for suspending and changing rules and for parliamentary authority; and making editorial changes.

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

CONSIDERATION OF AMENDMENT A00180  
CONTINUED

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

AMENDMENT PASSED OVER TEMPORARILY

The SPEAKER pro tempore. As the members recall, we left off last night debating the Cohen amendment. We are now temporarily going over that amendment.

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

MOTION TO SUSPEND RULES

The SPEAKER pro tempore. The Chair recognizes the gentlelady, Ms. Youngblood, who moves for an immediate suspension of the rules for consideration of amendment A00199.

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

The SPEAKER pro tempore. On that motion, the Chair recognizes the gentlelady, Ms. Youngblood, for a brief comment.

Ms. YOUNGBLOOD. Mr. Speaker, this amendment asks the Reform Commission to establish—

The SPEAKER pro tempore. Will the gentlelady suspend.

Members, please take your seats. Members, kindly take your seats. The gentlelady is entitled to be heard.

Ms. YOUNGBLOOD. Mr. Speaker, we are asking the Speaker's Reform Commission to establish the Office of Legislative Services. The Office of Legislative Services shall be responsible for outlining the procedures, guidelines, and implementation of administrative services, the office of human services, the office of communications, leasing, and all purchasing of equipment. This is just some of the things that I think it is important that we set up in the House of Representatives and have it established as a nonpartisan agency.

The SPEAKER pro tempore. The Chair thanks the lady.

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

The following roll call was recorded:

YEAS—49

Belfanti	Kauffman	Oliver	Solobay
Bishop	Keller, W.	Pallone	Staback
Blackwell	Kenney	Payton	Thomas
Costa	Kirkland	Preston	Vitali
DiGirolamo	Kortz	Quinn	Waters
Donatucci	Kotik	Raymond	Watson
Evans, D.	Levdansky	Readshaw	Wheatley
Frankel	Maher	Reichley	Williams
Freeman	Mantz	Roebuck	Wojnaroski

Gergely  
Hennessey  
Hershey  
Josephs

Marsico  
Millard  
O'Brien, M.

Sabatina  
Samuelson  
Schroder

Yewcic  
Youngblood  
Yudichak

NAYS—147

Adolph	Everett	Mahoney	Reed
Argall	Fabrizio	Major	Roae
Baker	Fairchild	Manderino	Rock
Barrar	Fleck	Mann	Rohrer
Bastian	Gabig	Markosek	Ross
Bear	Galloway	Marshall	Rubley
Benninghoff	Geist	McCall	Sainato
Bennington	George	McI. Smith	Santoni
Beyer	Gerber	McIlhattan	Saylor
Biancucci	Gibbons	Melio	Scavello
Boback	Gillespie	Mensch	Seip
Boyd	Gingrich	Metcalfe	Shapiro
Brennan	Godshall	Miller	Shimkus
Brooks	Goodman	Milne	Siptroth
Buxton	Grell	Moul	Smith, K.
Caltagirone	Gruceia	Moyer	Smith, M.
Cappelli	Haluska	Mundy	Smith, S.
Carroll	Hanna	Murt	Sonney
Casorio	Harhai	Mustio	Stairs
Causer	Harhart	Myers	Steil
Civera	Harkins	Nailor	Stern
Clymer	Harper	Nickol	Stevenson
Cohen	Harris	O'Neill	Sturla
Conklin	Helm	Pashinski	Surra
Cox	Hess	Payne	Swanger
Creighton	Hickernell	Peifer	Taylor, R.
Curry	Hornaman	Perry	True
Cutler	Hutchinson	Perzel	Turzai
Daley	James	Petrarca	Vereb
Dally	Keller, M.	Petri	Vulakovich
DeLuca	Kessler	Petrone	Wagner
Denlinger	Killion	Phillips	Walko
DePasquale	King	Pickett	Wansacz
Dermody	Kula	Pyle	White
DeWeese	Leach	Quigley	
Eachus	Longiatti	Ramaley	O'Brien, D., Speaker
Ellis	Mackereth	Rapp	
Evans, J.			

NOT VOTING—0

EXCUSED—7

Cruz	McGeehan	Parker	Taylor, J.
Lentz	Micozzie	Tangretti	

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

FILMING PERMISSION

The SPEAKER pro tempore. Permission is given to the gentleman, Mr. Mike Rashid, of WHTM-TV, abc27 news, who is authorized to provide videotaping on the House floor.

Just a point of clarification. The permission granted to the gentleman for videotaping will be limited to 10 minutes.

CONSIDERATION OF HR 108 CONTINUED

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

**MOTION TO SUSPEND RULES**

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Cohen, who moves for an immediate suspension of the rules for consideration of amendment A00193.

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

The SPEAKER pro tempore. On that motion, the Chair recognizes the gentleman, Mr. Cohen.

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, this is an amendment to create a Subcommittee on Privacy for a committee that really wants a Subcommittee on Privacy and that both the chairs fully support. That is the Intergovernmental Affairs Committee. That is a committee that only has two subcommittees, and it is a committee that has already some jurisdiction on privacy questions.

I would hope everybody could support this and that we can proceed on privacy legislation in a bipartisan manner.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On that motion, the Chair recognizes the gentleman, Mr. Steil.

Mr. STEIL. Thank you, Mr. Speaker.

This issue is a—

The SPEAKER pro tempore. Will the gentleman suspend for a moment.

Just as a reminder, on a motion to suspend, it is only debatable amongst the leaders. Do the leaders convey their permission to Mr. Steil? They have, and the gentleman, Mr. Steil, is recognized.

Mr. STEIL. Thank you, Mr. Speaker.

I am going to oppose the motion to suspend, because this amendment, while not a bad idea, is not in the proper place, and we can discuss that later. But I am going to oppose the motion to suspend.

Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

**LEAVE OF ABSENCE**

The SPEAKER pro tempore. Returning to leaves of absence, the gentleman, Mr. McCall, is recognized.

Mr. McCALL. Thank you, Mr. Speaker.

Mr. Speaker, I would like to place the gentleman from Washington, Mr. DALEY, on leave for the remainder of the day.

The SPEAKER pro tempore. The Chair thanks the gentleman.

Without objection, the gentleman, Mr. Daley, from Washington County is granted leave for the day.

**CONSIDERATION OF HR 108 CONTINUED**

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

The following roll call was recorded:

**YEAS—98**

Belfanti	George	Mann	Shimkus
Bennington	Gerber	Markosek	Siptroth
Biancucci	Gergely	McCall	Smith, K.
Bishop	Gibbons	McI. Smith	Smith, M.
Blackwell	Goodman	Melio	Solobay
Brennan	Grucela	Mundy	Staback
Buxton	Haluska	Myers	Sturla
Caltagirone	Hanna	O'Brien, M.	Surra
Carroll	Harhai	Oliver	Taylor, R.
Casorio	Harkins	Pallone	Thomas
Cohen	Hornaman	Pashinski	Vitali
Conklin	James	Payne	Wagner
Costa	Josephs	Payton	Walko
Curry	Keller, W.	Petrarca	Wansacz
DeLuca	Kessler	Petrone	Waters
DePasquale	King	Preston	Wheatley
Dermody	Kirkland	Ramaley	White
DeWeese	Kortz	Readshaw	Williams
Donatucci	Kotik	Roebuck	Wojnarowski
Eachus	Kula	Sabatina	Yewcic
Evans, D.	Leach	Sainato	Youngblood
Fabrizio	Levdansky	Samuelson	Yudichak
Frankel	Longietti	Santoni	
Freeman	Mahoney	Seip	O'Brien, D., Speaker
Galloway	Manderino	Shapiro	

**NAYS—97**

Adolph	Fleck	Marshall	Rapp
Argall	Gabig	Marsico	Raymond
Baker	Geist	McIlhattan	Reed
Barrar	Gillespie	Mensch	Reichley
Bastian	Gingrich	Metcalfe	Roae
Bear	Godshall	Millard	Rock
Benninghoff	Grell	Miller	Rohrer
Beyer	Harhart	Milne	Ross
Boback	Harper	Moul	Rubley
Boyd	Harris	Moyer	Saylor
Brooks	Helm	Murt	Scavello
Cappelli	Hennessey	Mustio	Schroder
Causar	Hershey	Nailor	Smith, S.
Civera	Hess	Nickol	Sonney
Clymer	Hickernell	O'Neill	Stairs
Cox	Hutchinson	Peifer	Steil
Creighton	Kauffman	Perry	Stern
Cutler	Keller, M.	Perzel	Stevenson
Dally	Kenney	Petri	Swanger
Denlinger	Killion	Phillips	True
DiGirolamo	Mackereth	Pickett	Turzai
Ellis	Maher	Pyle	Vereb
Evans, J.	Major	Quigley	Vulakovich
Everett	Mantz	Quinn	Watson
Fairchild			

**NOT VOTING—0****EXCUSED—8**

Cruz	Lentz	Micozzie	Tangretti
Daley	McGeehan	Parker	Taylor, J.

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

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

Mr. S. SMITH offered the following amendment No. A00189:

Amend Title, page 1, lines 15 and 16, by striking out "and for status of officers or employees indicted or convicted of a crime"

Amend Resolution (Rule 47 (b)), page 63, lines 23 through 30; page 64, lines 1 through 23, by striking out all of said lines on said pages

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

The SPEAKER pro tempore. On the amendment, the Chair recognizes the gentleman, Mr. Smith.

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

Mr. Speaker, in HR 108 as it has been proposed and as it currently is before us, there are two parts of this particular rule that deal with, one part of it deals with legislators who may find themselves in trouble with the law inside or outside of their regular duties. There is a second section that deals with employees of the House of Representatives who may find themselves in trouble with the law.

The section as it has been proposed is inconsistent with the existing statutes of the Commonwealth, and quite frankly, Mr. Speaker, I am afraid that it would actually be requiring us to hold our employees who might get in trouble, you know, unrelated to their work. This would be, for instance, some employee who might, you know, simply get into a legal problem on the street, get into, you know, a fight or an assault or something like that or some other misdemeanor-type crime, and it would require us to discipline them in a way that is inconsistent with the law that the Commonwealth operates under, and I think quite frankly, Mr. Speaker, it would require us to discipline our employees in a way inconsistent with what our existing House personnel policies are.

I would ask the members to consider this amendment—Excuse me, Mr. Speaker. Oh, I need to move to suspend first? Sorry.

### RULES SUSPENDED

Mr. S. SMITH. That is the purpose of the amendment, Mr. Speaker, and I would ask the members to suspend the rules that we might consider the amendment. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The gentleman is correct. We were just informed that this does require a suspension of the rules.

On suspension of the rules, those in favor will vote "aye"; those opposed, "no."

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

(Members proceeded to vote.)

### VOTE STRICKEN

The SPEAKER pro tempore. Will the clerk please strike the vote.

### PARLIAMENTARY INQUIRY

The SPEAKER pro tempore. The question recurs, on suspension of the rules, Mr. Smith. A00189.

Mr. S. SMITH. A parliamentary inquiry, Mr. Speaker.

Are we back at just simply requesting the member, am I at the position where I need to request the members to suspend the rules for the purpose of considering this amendment or is the amendment before us? I have lost track.

The SPEAKER pro tempore. We are still on suspension, but we struck the vote, so I believe we can just resume to taking the roll-call vote.

Mr. S. SMITH. If there are no other questions relative to the purpose of the amendment, I would simply ask the members to support the motion to suspend.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

The following roll call was recorded:

### YEAS—191

Adolph	Freeman	Markosek	Rohrer
Argall	Gabig	Marshall	Ross
Baker	Galloway	Marsico	Rublely
Barrar	Geist	McCall	Sabatina
Bastian	George	McI. Smith	Sainato
Bear	Gerber	McIlhattan	Samuelson
Belfanti	Gergely	Melio	Santoni
Benninghoff	Gibbons	Mensch	Saylor
Bennington	Gillespie	Metcalfe	Scavello
Beyer	Gingrich	Millard	Schroder
Biancucci	Godshall	Miller	Shapiro
Bishop	Goodman	Milne	Shimkus
Blackwell	Grell	Moul	Siptroth
Boback	Grucela	Moyer	Smith, K.
Boyd	Haluska	Mundy	Smith, M.
Brennan	Hanna	Murt	Smith, S.
Brooks	Harhai	Mustio	Solobay
Buxton	Harhart	Myers	Sonney
Caltagirone	Harkins	Nailor	Staback
Cappelli	Harper	Nickol	Stairs
Carroll	Harris	O'Brien, M.	Steil
Casorio	Helm	O'Neill	Stern
Causer	Hennessey	Oliver	Stevenson
Civera	Hershey	Pallone	Sturla
Clymer	Hess	Pashinski	Surra
Cohen	Hickernell	Payne	Swanger
Conklin	Hornaman	Payton	Taylor, R.
Costa	Hutchinson	Peifer	Thomas
Cox	James	Perry	True
Creighton	Josephs	Perzel	Turzai
Curry	Kauffman	Petrarca	Vereb
Cutler	Keller, M.	Petri	Vitali
Dally	Keller, W.	Petrone	Vulakovich
DeLuca	Kenney	Phillips	Wagner
Denlinger	Kessler	Pickett	Walko
DePasquale	Killion	Preston	Wansacz
Dermody	King	Pyle	Waters
DeWeese	Kortz	Quigley	Watson
DiGirolamo	Kula	Quinn	Wheatley
Donatucci	Leach	Ramaley	White
Eachus	Levdansky	Rapp	Williams
Ellis	Longietti	Raymond	Wojnaroski
Evans, D.	Mackereth	Readshaw	Yewcic
Evans, J.	Maher	Reed	Youngblood
Everett	Mahoney	Reichley	Yudichak

Fabrizio	Major	Roae	
Fairchild	Mann	Rock	O'Brien, D.,
Fleck	Mantz	Roebuck	Speaker
Frankel			

## NAYS—3

Kotik	Manderino	Seip
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## NOT VOTING—1

Kirkland

## EXCUSED—8

Cruz	Lentz	Micozzie	Tangretti
Daley	McGeehan	Parker	Taylor, J.

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

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

The clerk read the following amendment No. **A00189**:

Amend Title, page 1, lines 15 and 16, by striking out "and for status of officers or employees indicted or convicted of a crime"

Amend Resolution (Rule 47 (b)), page 63, lines 23 through 30; page 64, lines 1 through 23, by striking out all of said lines on said pages

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

The SPEAKER pro tempore. On the amendment, the Chair recognizes the gentleman, Mr. Smith.

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

Mr. Speaker, again, quite briefly, what this amendment does is seeks to bring our rules in compliance or to be consistent with the existing law as it relates to how our House employees would be treated should they encounter themselves or find themselves on the wrong side of the law. I think it is something that we need to do to keep our rules consistent with existing statutory law, Mr. Speaker, and would ask the members to support the amendment.

Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

The following roll call was recorded:

## YEAS—187

Adolph	Gabig	Markosek	Rohrer
Argall	Galloway	Marshall	Ross
Baker	Geist	Marsico	Rubley
Barrar	George	McCall	Sabatina
Bastian	Gerber	McI. Smith	Sainato
Bear	Gergely	McIlhattan	Santoni
Belfanti	Gibbons	Melio	Saylor
Benninghoff	Gillespie	Mensch	Scavello

Beyer	Gingrich	Metcalfe	Schroder
Biancucci	Godshall	Millard	Seip
Bishop	Goodman	Miller	Shapiro
Blackwell	Grell	Milne	Shimkus
Boback	Grucela	Moul	Siptroth
Boyd	Haluska	Moyer	Smith, K.
Brennan	Hanna	Mundy	Smith, M.
Brooks	Harhai	Murt	Smith, S.
Buxton	Harhart	Mustio	Solobay
Caltagirone	Harkins	Myers	Sonney
Cappelli	Harper	Nailor	Staback
Carroll	Harris	Nickol	Stairs
Casorio	Helm	O'Brien, M.	Steil
Causar	Hennessey	O'Neill	Stern
Civera	Hershey	Oliver	Stevenson
Clymer	Hess	Pashinski	Sturla
Cohen	Hickernell	Payne	Surra
Conklin	Hornaman	Payton	Swanger
Costa	Hutchinson	Peifer	Taylor, R.
Cox	James	Perry	Thomas
Creighton	Josephs	Perzel	True
Curry	Kauffman	Petrarca	Turzai
Cutler	Keller, M.	Petri	Vereb
Dally	Keller, W.	Petrone	Vitali
DeLuca	Kenney	Phillips	Vulakovich
Denlinger	Kessler	Pickett	Wagner
DePasquale	Killion	Preston	Walko
Dermody	King	Pyle	Wansacz
DeWeese	Kirkland	Quigley	Waters
DiGirolamo	Kortz	Quinn	Watson
Donatucci	Kotik	Ramaley	Wheatley
Eachus	Kula	Rapp	White
Ellis	Leach	Raymond	Williams
Evans, D.	Longietti	Readshaw	Wojnaroski
Evans, J.	Mackereth	Reed	Youngblood
Everett	Mahoney	Reichley	Yudichak
Fabrizio	Major	Roae	
Fairchild	Mann	Rock	O'Brien, D.,
Fleck	Mantz	Roebuck	Speaker
Frankel			

## NAYS—8

Bennington	Levdansky	Manderino	Samuelson
Freeman	Maher	Pallone	Yewcic

## NOT VOTING—0

## EXCUSED—8

Cruz	Lentz	Micozzie	Tangretti
Daley	McGeehan	Parker	Taylor, J.

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

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

**AMENDMENT A00161 RECONSIDERED**

The SPEAKER pro tempore. The Chair is in receipt of a reconsideration motion on amendment 00161, which was passed to HR 108, PN 716, on the 12th day of March be reconsidered, and this is signed by the gentleman, Mr. Maher.

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

The SPEAKER pro tempore. On the motion for reconsideration, does the gentleman, Mr. Maher, seek recognition?

Mr. MAHER. Thank you, Mr. Speaker.

I am just uncertain that every member actually understood what was before them, given the pace that we proceeded yesterday on this matter, and ask that the members join in the motion for reconsideration.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Freeman. The gentleman, Mr. Freeman, waives off temporarily.

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

#### YEAS—98

Adolph	Fleck	Marsico	Rapp
Argall	Gabig	McIlhattan	Raymond
Baker	Geist	Mensch	Reed
Barrar	Gillespie	Metcalfe	Reichley
Bastian	Gingrich	Millard	Roae
Bear	Godshall	Miller	Rock
Benninghoff	Grell	Milne	Rohrer
Beyer	Harhart	Moul	Ross
Boback	Harper	Moyer	Rubley
Boyd	Harris	Murt	Saylor
Brooks	Helm	Mustio	Scavello
Cappelli	Hennessey	Nailor	Schroder
Causar	Hershey	Nickol	Smith, S.
Civera	Hess	O'Neill	Sonney
Clymer	Hickernell	Payne	Stairs
Cox	Hutchinson	Peifer	Steil
Creighton	Kauffman	Perry	Stern
Cutler	Keller, M.	Perzel	Stevenson
Dally	Kenney	Petri	Swanger
Denlinger	Killion	Phillips	True
DiGirolamo	Mackereth	Pickett	Turzai
Ellis	Maher	Pyle	Vereb
Evans, J.	Major	Quigley	Vulakovich
Everett	Mantz	Quinn	Watson
Fairchild	Marshall		

#### NAYS—97

Belfanti	George	Mann	Siptroth
Bennington	Gerber	Markosek	Smith, K.
Bianucci	Gergely	McCall	Smith, M.
Bishop	Gibbons	McI. Smith	Solobay
Blackwell	Goodman	Melio	Staback
Brennan	Grucela	Mundy	Sturla
Buxton	Haluska	Myers	Surra
Caltagirone	Hanna	O'Brien, M.	Taylor, R.
Carroll	Harhai	Oliver	Thomas
Casorio	Harkins	Pallone	Vitali
Cohen	Hornaman	Pashinski	Wagner
Conklin	James	Payton	Walko
Costa	Josephs	Petrarca	Wansacz
Curry	Keller, W.	Petrone	Waters
DeLuca	Kessler	Preston	Wheatley
DePasquale	King	Ramaley	White
Dermoddy	Kirkland	Readshaw	Williams
DeWeese	Kortz	Roebuck	Wojnaroski
Donatucci	Kotik	Sabatina	Yewcic
Eachus	Kula	Sainato	Youngblood
Evans, D.	Leach	Samuelson	Yudichak
Fabrizio	Levdansky	Santoni	
Frankel	Longietti	Seip	O'Brien, D., Speaker
Freeman	Mahoney	Shapiro	
Galloway	Manderino	Shimkus	

NOT VOTING—0

EXCUSED—8

Cruz  
Daley

Lentz  
McGeehan

Micozzie  
Parker

Tangretti  
Taylor, J.

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

On the question recurring,

Will the House agree to the amendment?

The clerk read the following amendment No. **A00161**:

Amend Resolution (Rule 21), page 28, line 26, by inserting after "available."

If consideration of the bill is delayed to a new legislative day due solely to delay in receipt of replacement amendments, then only amendments timely filed for the date of the originally scheduled vote and replacement amendments shall be considered. This limitation on amendments shall not apply to the bill in question if consideration of the bill is rescheduled beyond the new legislative day.

On the question recurring,

Will the House agree to the amendment?

The SPEAKER pro tempore. On the amendment, the Chair recognizes the gentleman, Mr. Freeman.

Mr. FREEMAN. Thank you, Mr. Speaker.

Mr. Speaker, again, this is a very complicated matter. I understand why there is some measure of confusion. But the language that you have before you today, the members of the House, is an attempt to address a concern as to whether you can reach closure with the replacement amendment language in the resolution. I authored the replacement amendment language as a way of remedying the problem where legitimate amendments were often knocked out of place by a gut-and-replace amendment or some other amendment, usually offered by whoever was in leadership at the time, to control what the body of the bill would be in question. So that is why the replacement language is there.

It was brought to my attention by legal staff who had helped us with the drafting of our efforts that there would be a need to bring some sort of closure. Initially Mr. Sturla offered a proposal which I thought fell short of that goal because of my concern to be able to consider additional amendments if we went into a second legislative day, thereby making those additional amendments that had not been timely filed timely filed and therefore worthy of consideration.

My compromise language mirrors some of Mr. Sturla's language but makes two safeguards to protect the concerns of members. First and foremost, it would say that if consideration of the bill is delayed to a new legislative day solely – and the key operative word here is "solely" – because of a delay in the receipt of replacement amendments, then and only then would only amendments that were timely filed or replacement amendments be considered on that new legislative day. So in other words, under that scenario, if we are going through our process, we had exhausted all the amendments that were timely filed, but we are now down to waiting for those replacement

amendments to come down from the Legislative Reference Bureau, then if we slip into another day, if we hit that 11 o'clock hour and we slip into another day, we are only going to deal with replacement amendments on the next day, and if there is reconsideration, only on those amendments that were timely filed. However, it has to be solely for that reason. If there is even one amendment that was timely filed, that is still going to be considered and we slip into a new legislative day, then it is the intent of this amendment to consider all those other amendments that were not timely filed originally but are now timely filed would also be considered.

The other safeguard that I put in to differentiate between Mr. Sturla's original amendment as a safeguard to the rank and file is the last sentence: "This limitation on amendments shall not apply to the bill in question if consideration of the bill is rescheduled beyond the new legislative day." In other words, as often happens in our chamber, if for one reason or another the leadership decides not to take the bill to full consideration but instead to postpone consideration and reschedule to another week, then we start the process all over again. That is the intent here. All the amendments get filed again, they are timely filed, and we do not have to worry about dealing with this issue of closure.

The only reason this is being put forward is a way to make us come to some conclusion on replacement amendments. I am a strong advocate of replacement amendments. I think they are critical to prevent the kind of maneuvering we have seen in past sessions, but at some point you have to have a cutoff date, a closure, and that is what this is designed to do. With my added language, we alleviate some of the problems that I was worried about with the original Sturla language as pertained to amendments that were not timely filed but then become timely filed because of going into a next day, and we also restrict this limitation just to that new legislative day, so in case we start all over again through rescheduling the bill for consideration, we still have the opportunity to go back to the original process of amending without these limitations.

That is all this is intended to do, and I think it is a way of bringing some measure of order to the replacement amendment process, and I would urge a "yes" vote.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Reichley.

Mr. REICHLEY. Mr. Speaker, would the gentleman, the sponsor of the amendment, stand for brief interrogation?

The SPEAKER pro tempore. The gentleman has agreed, and you may proceed.

Mr. REICHLEY. Mr. Speaker, under the resolution that is before us, do we still have the practice in effect where amendments to be timely filed would need to be filed by 2 p.m. of the previous legislative day?

Mr. FREEMAN. The language in the resolution before us?

Mr. REICHLEY. Correct.

Mr. FREEMAN. That is correct, Mr. Speaker.

Mr. REICHLEY. And do I also understand, Mr. Speaker, that under the resolution, that there is a provision that has been offered that if a gut-and-replace amendment would render other amendments out of order, that then the sponsor of the amendment that would be rendered out of order would have the opportunity to file a replacement amendment. Is that correct?

Mr. FREEMAN. Yes, Mr. Speaker. However, it goes even a bit more than that. Any amendment that could be ruled out of order by another amendment being added to the bill, that

prime sponsor would now have the opportunity to have it redrafted and offered again as a replacement amendment.

Mr. REICHLEY. And that consideration of the bill in whole could not take place, Mr. Speaker, until the replacement amendments had come down from the Legislative Reference Bureau and were posted on the electronic system so they were available for all members to have notice of. Is that—

Mr. FREEMAN. That is not quite correct because of the other amendment of mine which we inserted yesterday, last night. I had a concern with the language, that the way it was drafted, it set the stage for possibly holding everything for consideration until the replacement amendments came down. There could be scenarios where you have amendments that are in order and are not a problem to deal with. So last night we supported, by a vote of, I think it was like 198 to 1, my language which said that you could still, you may still consider—

Mr. REICHLEY. Okay.

Mr. FREEMAN. —the bill in question. The only thing is you cannot move to third until that replacement amendment comes down and is therefore available for a vote.

Mr. REICHLEY. You could not have a vote on final passage, Mr. Speaker, until all the replacement amendments had become available for consideration. Is that correct?

Mr. FREEMAN. More or less. Actually, I say you cannot move to third, which is the stage you have to get to, to get to final passage. So, yes, that is correct, Mr. Speaker.

Mr. REICHLEY. Okay. But under this language, Mr. Speaker, it says that if consideration of the bill is delayed beyond the next legislative day, or the new legislative day, that would open up the opportunity for more amendments to be filed. Is that correct?

Mr. FREEMAN. No. You have to read through the entire sentence, Mr. Speaker.

Mr. REICHLEY. I am reading it.

Mr. FREEMAN. "If consideration of the bill is delayed to a new legislative day due solely" — and the key word is "solely" — "to delay in receipt of replacement amendments, then only amendments" that were "timely filed for the date of the originally scheduled vote and replacement amendments shall be considered." So if the only reason that we are going into a new legislative day is because we are awaiting those replacement amendments, then the only amendments that are in order are the replacement amendments and the originally filed amendments. If, however, there is just one other amendment left to offer — and I am establishing this for legislative intent of this rule — if there is one timely filed amendment that is left over but we hit, say, the 11 o'clock hour and we spill over into a new legislative day, then this rule does not apply because that is not the sole reason why we had to go into a new legislative day. There was a valid amendment that was timely filed, and therefore, this provision does not kick in.

In essence, this provision on limitations would only kick in if all that you have left is waiting for those replacement amendments. Now, the originally timely filed amendments are still germane to be acted upon because you could sometimes have reconsideration motions on those originally filed amendments, but the idea of restricting this just to replacement amendments and the originally filed amendments would only occur if the only reason, the sole reason, is we are awaiting those replacement amendments.



The concern that was raised by legal counsel on our side was that you have to find some way of getting closure, and again, I had problems with the original language in Mr. Sturla's amendment because I thought it was not as tight as it needed to be. It did not protect the rank and file as much as I would have liked it to do. This amendment, I think, does protect the rank and file. It makes the issue of replacement amendments and no other amendments a much more restricted category in terms of no other amendments, and you have the safeguard that if we move beyond that new legislative day, well, then, we are back to the original process of being able to have amendments filed in a timely fashion; everything could be considered.

Mr. REICHLEY. But, Mr. Speaker, as we have seen just today where amendments have been filed and by suspension of the rules they have been eligible for consideration, would not a situation occur where we are awaiting for replacement amendments to come down, in the meantime, members are filing additional amendments, which because of the carryover to another day, the members would be allowed to move for suspension, and if we have carried over to yet another day, and let us say they are filed at 3 o'clock today on a bill that is on for consideration, by carrying over to another day, they have now become eligible for consideration, and the limitation on consideration of amendments seems to be removed from the sentence in lines 7 through 9.

Mr. FREEMAN. Keep in—

Mr. REICHLEY. So there would continuously be an opportunity for more amendments and more amendments to be filed and seemingly no end in sight to when a vote could take place.

Mr. FREEMAN. That is not correct, Mr. Speaker, and let me kind of outline why.

First off, keep in mind that a member can always suspend the rules to have an amendment considered. Whether this language is in our rules or not, as the current rules stand, that is always an opportunity. So you can always suspend the rules to consider that individual amendment. It does require a two-thirds vote of the members of this chamber to allow for that suspension to consider something that was not timely filed.

Mr. REICHLEY. Mr. Speaker, who makes the determination that the bill could not be scheduled onto the new legislative day merely because we are awaiting for replacement amendments?

Mr. FREEMAN. If those are the only amendments left, are the replacement amendments, that becomes the de facto determination of this rule. If the only reason this bill is being held over, the sole reason – that was one of the key differences in my amendment versus Mr. Sturla's original language, because I thought it was a key consideration to make for a better process – if the sole reason is that we are awaiting the replacement amendments, that is when this language kicks in.

Mr. REICHLEY. But, Mr. Speaker, who makes the determination that the sole reason we are delaying final consideration of a bill is because of the anticipation of replacement amendments, and is that decision, which I assume is to be made by the Chair, subject to appeal by the membership?

Mr. FREEMAN. Well, that is always the case with our rules. The Chair is the arbiter of interpretation or the finder of interpretation of our rules, and if we as a body do not agree with it, we always appeal the Chair. So that applies to every rule, as far as its application and interpretation. Most rules are obvious on their face, but that is actually how the process works for

every rule. Keep in mind that what was designed here was to deal with a problem of turnaround. In most cases it probably will not take the Legislative Reference Bureau much time to turn these amendments around. In most cases they will be able to do it in a timely fashion, and this provision of this rule will not be necessary, but as we all know, there are times when the Legislative Reference Bureau is overwhelmed with requests for amendments, and even though replacement amendments should hopefully have a priority status, they might not. They might be bogged down in too much work.

The idea was how do you allow for replacement amendments, which is a desirable end so that we do not see members shut out from having their amendments considered because of a maneuver or because someone got an amendment passed that knocked theirs out of order, but then how do you also make sure that this process does not go on ad infinitum. I really think what we have achieved here is a safeguard that will ensure that we get a crack at those replacement amendments but not use that avenue to prolong the process unnecessarily.

Mr. REICHLEY. Mr. Speaker, that concludes my interrogation. May I speak very briefly on the amendment itself?

The SPEAKER pro tempore. The gentleman may proceed.

Mr. REICHLEY. All right. Thank you, Mr. Speaker.

I have a great deal of respect for the gentleman from Northampton County. I believe his intentions, his motivations, his interests in this whole reform process are very sincere, but with all due respect, this is starting to look like Alice in Wonderland when you get involved in the complexity and delay, and let me just roll out a scenario for the members.

Let us say we are in the last week in June and there is a big rush to get legislation through and amendments are put onto these bills, and because of a gut-and-replace amendment, and I understand people hold that mechanism in great disregard, but let us say a gut-and-replace amendment is put on there and members feel aggrieved and they put replacement amendments on, and because of the crush of legislation towards the end of a session, then we get to 11 o'clock that night, we still do not have amendments that are being considered, we still do not have amendments that are down, this will become a logjam beyond all comparable consideration, and I would strenuously urge the members to reconsider any vote that they may have offered for this amendment yesterday.

I think this chamber needs to be transparent, but it also needs to be simple to understand, and if the members think that we are somehow achieving a reform by layering a level upon level upon level of constant repeated consideration of amendments which otherwise would have been taken out of consideration, they are, I think, greatly mistaken. The general public wants this to be an efficient, transparent chamber, not one that looks like, you know, Russia after World War I where it is just going to implode upon itself.

So I would seriously ask the members for a "no" vote on the amendment. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Maher.

Mr. MAHER. Thank you, Mr. Speaker.

When is a new day not a new day? When is a timely filed amendment not a timely filed amendment? Under this proposal,

a new day would not be a new day; an otherwise timely filed amendment would not be a timely filed amendment.

We are here now adopting rules that proclaim that this is, in fact, a new day, a new era in Pennsylvania, that we are reforming the way the chamber does business. I think it would be a very poor idea to implement parliamentary magic tricks that say a new day is not a new day; an otherwise timely filed amendment is not a timely filed amendment. I would urge you to join me in opposing this amendment, because whatever the practical considerations are that are involved, I cannot subscribe to the notion that a new day is not a new day and that an amendment that would otherwise had been timely filed is no longer deemed to be timely filed if someone says that, aha, this bill is only over solely because we are waiting for some other corrective amendment.

Please join me in opposing this proposal. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Gabig.

Mr. GABIG. Thank you, Mr. Speaker.

The gentleman from Allegheny County and the previous speaker I think laid out clearly the problems with this proposed amendment to the Reform Commission's proposal. I am not sure if it was considered at the Reform Commission or not, but I am a member of the bar here in Pennsylvania and an attorney, and I am not the smartest attorney in the world, you know, or even in this room, by far, but I could not last night at 10:30 understand what the gentleman was trying to accomplish, and even after his explanation today, I honestly cannot understand what he is trying to do. I do not know what it means to be delay in receipt. I do not know what it means to say received. Received by whom? And to say it is solely due to delay in receipt, what does that mean? What if there is a second or third reason why, why it was not, and who makes that decision? I thought we were trying to empower the members here. Well, if I understood the gentleman's response to the interrogatory, whom, again, I also consider to be a sincere reformer, but I just think this is so convoluted and complex that it is misguided. Who decides that? Well, it seems like leadership somewhere is going to decide that, and they are going to put members out of operation based on a reading of a rule that I do not think most members in here even understand what it means.

So I would ask the gentleman if he would, based on that and several of the questions, if he would consider withdrawing this amendment so that we can continue to work on other amendments that are here. Maybe he could continue to work on his and bring it back at some other date. I wonder if he would agree, the gentleman from Bethlehem, Mr. Speaker, if he would agree to withdraw this amendment at this time so that we can, I am sure it is well-intended, but quite frankly, I do not understand what it does, and I do not think most members do, so I wonder if he would agree to withdraw this amendment at this time?

The SPEAKER pro tempore. Mr. Gabig, I am assuming you are not asking a rhetorical question, but you are asking—

Mr. GABIG. No; I am—

The SPEAKER pro tempore. —to interrogate the gentleman, Mr. Freeman?

Mr. GABIG. Yes, Mr. Speaker; thank you.

The SPEAKER pro tempore. Does the gentleman agree? He does, and you may proceed.

Mr. FREEMAN. Thank you, Mr. Speaker.

I am not inclined to withdraw it, because I really do think it is trying to address a problem which could exist with replacement amendments. I realize it is complicated, as is so much of our rules. It is a parliamentary procedure, and you have to kind of walk through and think it through.

In answer to the gentleman's question, I think without this we open the door to a never-ending replacement amendment process. I think there are safeguards here that I wanted which protect the rank and file but do bring some measure of closure in an ordered sense, and so I would urge him to look again at the amendment, and I appreciate his concerns, but look again at the amendment; more importantly, look how it fits in with the language within the resolution. We have adopted within our resolution a replacement amendment procedure, which I think is a needed remedy to the kind of maneuvering that existed last session and the session before, and without this, you do not get closure.

So I would ask him to take another good hard look at it; see if he can see what we are trying to achieve. This was not something that was done in a vacuum. There was much thought given to it by legal counsel, and it was a way to try and construct some order out of the replacement amendment process.

Mr. GABIG. Thank you, Mr. Speaker. I appreciate the gentleman's consideration based on many of the legitimate questions that have been raised here. That would conclude my interrogation. If I could make a motion, Mr. Speaker?

### MOTION TO TABLE AMENDMENT

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

Mr. GABIG. In light of the very important questions that have been raised regarding this proposal to change the Reform Commission's rules, I would move to table this amendment, Mr. Speaker.

The SPEAKER pro tempore. The gentleman, Mr. Gabig, has made a motion to table amendment A00161.

On the question,

Will the House agree to the motion?

The SPEAKER pro tempore. On that motion, the gentleman— The House will be at ease.

The House is temporarily at ease, Mr. Sturla. We will be back to you.

Will the gentleman, Mr. Gabig, kindly come to the podium.

(Conference held at Speaker's podium.)

### THE SPEAKER (DENNIS M. O'BRIEN) PRESIDING

The SPEAKER. In response to the motion by Representative Gabig, the Chair would like to inform the member that it will be the decision of the Chair that if the motion to table amendment A00161 is adopted by this body, it will have the effect of not only tabling the amendment but tabling the bill. It is the intention of the Chair to revert back to the precedent set by Speaker Ryan and Speaker Irvis.

The Chair recognizes the gentleman, Representative Steil.

Mr. STEIL. Thank you, Mr. Speaker.

I want to be sure that every member just heard that—

The SPEAKER. Will the gentleman suspend. The gentleman, Mr. Gabig, had the floor. The Chair recognizes Mr. Gabig.

Mr. GABIG. I am sorry, Mr. Speaker. I did not mean to interrupt Representative Steil. Did he have the floor, or did he complete his comment?

The SPEAKER. Mr. Gabig, you have the floor. You made the motion.

Mr. GABIG. Then I did not hear the comment of Representative Steil. What did he—

The SPEAKER. Are you yielding the floor to Mr. Steil?

Mr. GABIG. No; no; I am sorry. So we are still—

The SPEAKER. So the gentleman can proceed.

Mr. GABIG. I see. Thank you, Mr. Speaker.

My motion, as I made it, was to table this amendment, and the practice of the House for the past number of years that I have been here is that when you move to table an amendment, you table the amendment and you went on to consider other amendments or the bill, and if the discussion we had up at the dais and the comments that the Speaker just made is that that is no longer going to be the practice, I guess, of the House, that if you move to table an amendment and if it passes, it will effectively table the entire bill that is being considered, and that is not my intent. We have been working very, very hard here for many days, or for more than 2 legislative days, anyways, and I do not want to start from scratch, all over, from this.

### PARLIAMENTARY INQUIRY

Mr. GABIG. So my options as a rank-and-file member would be to challenge the ruling of the Speaker, and if I did so, what would be the vote that I would need to carry that with, Mr. Speaker, in the nature of a parliamentary inquiry?

The SPEAKER. A majority of the members voting.

### MOTION WITHDRAWN

Mr. GABIG. All right. So that is not my intention to do that today. Maybe that is a question for a different day, but in the spirit of trying to move things on, I think we have made some important questions, Representative Reichley and Representative Maher, and I think we will stand on those. I would withdraw the motion so that we would be able to move along on the amendment.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

### THE SPEAKER PRO TEMPORE (MATTHEW E. BAKER) PRESIDING

The SPEAKER pro tempore. The Chair thanks the gentleman.

Returning to the list of members seeking recognition, the Chair recognizes the gentleman, Mr. Pallone.

Mr. PALLONE. Thank you, Mr. Speaker.

I am a little bit confused and somewhat befuddled why, you know, members seem to be so unclear as to the simplicity of what the gentleman is offering by this amendment. If we are talking about openness and transparency in the operation of this

chamber, then this particular amendment, in fact, accomplishes that, and what it does very simply is it allows for any chance of a prior amendment striking a subsequent amendment out of order to be replaced, and I know during the 6 years that I have been here, I have seen a number of different pieces of legislation and some terrific amendments to that legislation to improve it be ruled out of order because a prior amendment was ruled out of order because it was changed because of the context of the bill itself.

This would allow or enable any of those subsequent amendments to be able to be redrafted to the amended legislation, particularly where there is a gut-and-replace situation, and we have seen that time and time and time again under the prior administrations in this chamber. This protects the member who timely files an amendment to a piece of legislation, even if the will of the Chair is to run the amendments out of order, as we have always seen happen time to time in this particular chamber. So if your amendment was filed first and the 10th amendment is run first, your amendment could most likely be out of order because it is not applying to that language. This allows that particular piece of amendment to be amended and corrected for the next day.

It is very simple. If the amendment was timely, then the replacement amendment would be considered timely. If your amendment was not timely on the day that it was filed, then your amendment would not be timely, if the reason why the bill is being held over is because we are awaiting for a replacement amendment; that is the only reason. There is no question. I am completely confused why senior members who have witnessed exactly what this amendment prevents time after time after time think that it is so convoluted or confusing. It is very clear. It makes the system more transparent, it makes the system more member-friendly, and it most certainly empowers the membership as a whole to the tomfoolery and trickery that is oftentimes engaged in whenever we are trying to confuse a particular legislative issue.

This idea or this concept passed yesterday with the majority of the votes, and again I encourage you all today to consider that and continue to allow the transparency and the openness and the most friendliness to the members by accepting amendment 00161. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Sturla.

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of the Freeman amendment. For any of the newer members that are trying to figure out what is going on here, the fact remains that without the Freeman amendment, this process with the new rules is open to abuse to the point that we would never get a single thing accomplished on the floor of this House, and if as your first start out of the gate is to craft new rules that allow this place to be bogged down forever with high jinks by amendments being placed in that need technical changes, that then allow for us to continue to offer amendments, that allow for us to continue to offer amendments, that allow for us to continue to offer amendments, that allow for us to continue to offer amendments, I mean, do you get the idea? If that is what you want to do, if that is what you believe you were sent here, was to make sure that we could just debate something ad nauseam and never come to closure, then I suggest that you vote against the Freeman amendment. If in fact you want to convince your constituents that you actually

came here to do something, then I suggest you vote for the Freeman amendment, because, otherwise, I will get up and offer those amendments ad nauseam to prove to you that this new set of rules would not work.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Steil.

Mr. STEIL. Thank you, Mr. Speaker.

I rise in support of the Freeman amendment A00161. Remember that we have made a change in the resolution that is before us, and that resolution is that we will now amend on second consideration. That probably creates the confusion in some people's mind as to why this amendment is framed as it is, but very simply, as Representative Pallone has described so very well, this amendment has one clear purpose: to ensure that amendments filed by members, timely filed by members, to a bill that may become out of order as the result of another amendment have the opportunity to redraft those amendments to that particular bill. It does not contemplate the filing of additional amendments that were not previously timely filed, and that is the issue that we are debating here.

So I am asking all of the members to support the Freeman amendment A00161. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Reichley, for the second time.

Mr. REICHLEY. Thank you, Mr. Speaker, and I will try to address the gentleman from Westmoreland and the gentleman from Bucks in terms of their concern about why we are opposed to this amendment.

If you need any better example of why this process is getting run amuck, take a look at what we are doing right now. There was a deadline at 2 p.m. last Thursday to file amendments. We are still dealing with amendments that came in after that time period, and we still have not gotten to the ones that were timely filed. You are talking about allowing a procedure that will go on and on and on, not merely because of the ones that were timely filed or the replacement amendments, but then it will be the amendments that everybody thought of after the fact, and we have got suspension of the rules and get those in for consideration.

So, Mr. Speaker, really take a look, a hard, hard time here, very seriously, of what exactly we are doing. This is just going to become an incredibly cumbersome, unwieldy, unworkable process, and more so to the fact, take a look at the language of the Freeman amendment. I know Mr. Freeman has said that the consideration will be based solely upon whether the bill was carried over to the new legislative day because of waiting for new amendments, but I still do not have a sense of who makes the decision as to what was the sole reason for carrying it over. Who makes that decision? The majority leader? The minority leader? The Speaker? Is that then subject to an appeal of the Chair? Do we all get to vote on that? Do we still drag this thing out? Do we table the consideration for considering whether the amendment was timely filed?

This is incredibly unworkable, and I would urge the members to defeat this amendment so that if in fact the Reform Commission is going to go back to work in phase 2, that we have heard about so often, that this is precisely an area that they want to address. We need to bring consideration of the amendments to a conclusion and not allow it to go on and on. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Maher, for the second time.

Mr. MAHER. Thank you, Mr. Speaker.

I do not often speak twice on a matter, but I would in this case, because this debate has gone on a long time with a big interval, and I want to remind the members, if you vote for this amendment, you are voting to adopt a rule that says when the sun rises in the morning, it is not a new day. You would be adopting a rule that says when the sun rises tomorrow, it is still today. In fact, if you had filed an amendment by 2 p.m. today for consideration on, if this were to last till tomorrow, this issue till tomorrow, suddenly your timely filed amendment for tomorrow would no longer be timely filed.

This is not reform in the way that I think average folks who send us here would expect. They are not expecting that we would adopt rules that deny that the sunrise signals a new day. It is absurd. It is parliamentary nonsense, and I cannot embrace the denial of the morning as some sort of reform. Perhaps we should have a rule, since the Constitution says we need a budget by June 30, perhaps there ought to be a rule that says July is still in June or August is still in June.

It is absurd. It is absurd on its face, and I would ask you to join me in defeating this nonsense. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Sturla, for the second time.

Mr. STURLA. Mr. Speaker, in fact, as most members of this House know, there are many times when the next morning comes and it is still the day before, because we have only recessed and we have not adjourned the previous day's calendar, and that maneuver, parliamentary maneuver, was used ad nauseam for the 12 years that the gentleman who spoke's party was in control. If in fact you want to not do the Freeman amendment, the only alternative is going to be to simply adjourn at the end of the day so that those amendments still are not timely filed, and you can proceed in a regular manner without the kind of chicanery that is attempted if we do not adopt the Freeman amendment.

I would strongly urge members to adopt the Freeman amendment.

Mr. S. SMITH. Mr. Speaker? Mr. Speaker?

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the minority leader, Mr. Smith.

Mr. S. SMITH. Holier than Thou they are. This procedure that was used ad nauseam over the last 12 years when we were in the majority in this House, cut me a break, Mr. Speaker. These same procedures were used by everybody. I learned this when I first came here in '86, and quite frankly, it was over the last 8 or 10 years that the practice of offering a gazillion amendments to clog up the works became the sole expertise of the minority party.

Now, Mr. Speaker, we all woke up the day after this election cycle just past and we knew that we had to make changes in this House of Representatives and how we were going to do it. It is funny that on some days it is the bipartisan Reform Commission that is leading us to these debates on these rules and these amendments, but whenever it is time to get it done, all of a sudden it is the Democrats who are leading reform and all of the Republicans who were so bad all these years. Well, I will tell you what, that is bull, Mr. Speaker, because the practices, the practices in this House built up incrementally over many, many

years, and I can come back to a few great tricks that were used when the Democrats controlled the House back in '87 and '88 and '89 and '90 and '91. So, Mr. Speaker, this idea that the Republicans were the evil people that perverted the rules is just crap. I am being real blunt. And you know why else I will say that to you? Because I am kind of sick and tired of hearing this idea that the Rules Committee always abused the process. Let me bring out the record of the Rules Committee, Mr. Speaker. I will bet you 99 percent of the time over the last evil 12 years, every bill that came out of committee came out with a majority vote. So this whole idea, Mr. Speaker, that it was all developed under the last few years is just not accurate. I have read it in the papers, and now you are saying it on the floor, and it is not true.

The simple truth is, Mr. Speaker, we all know we have to change, and no matter what the rules are, no matter what the rules are, it is kind of like – you are probably not going to like me flipping to this page – but there is a, one of the parables in St. Matthew where Jesus was being criticized by the Pharisees because his followers, his disciples, did not wash their hands before they eat, and the Pharisee says, your guys are really bad; they are wrong because they did not wash their hands before they eat. And Jesus said, what they eat is not, what goes in your mouth is not what causes the problem; it is what comes out of your mouth, Mr. Speaker, and the meaning of the parable was that it did not matter what they took in, it is what they said out, because what came out of your mouth came from your heart, and that is what you will be judged on.

Mr. Speaker, when we are done with these rules, whatever the rules are that we are going to live by, Mr. Speaker, it is not going to be what is in the rules that matters. That is not what we are going to be judged on. We are going to be judged on the product that comes out of the House. That is what we will be judged on. It is going to depend on what is in our heart about how we reform. You cannot make the rules put us into a box of reform. This is an element; it is a guideline; it is something that will help us do our job better, but at the end of the day, Mr. Speaker, the reform has to be in our heart, and that is something that each one of us will be judged on. So the whole notion that everything is about plugging up the works or being able to run amendments to stop the majority from moving bills, that is not the key. The key is going to be what do we really want to do inside. Do we want to reform? Do we want to change? If a member comes up with a good idea, they need to have the ability to bring that amendment to the floor. That is all the members are seeking.

Mr. Speaker, reform really is going to boil down to what our own individual commitment is in our heart and not exactly what the rules say. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the majority leader, Mr. DeWeese.

Mr. DeWEESE. Notwithstanding the earnestness and the passion of my honorable colleague from Jefferson County, our leadership team, with the preeminent help and guidance of a bipartisan, 24-member unit led by Steil and Shapiro, have worked with this brand-new Speaker to alter the face of our parliamentary procedures. Our rules are fundamentally altered within the next day or two, and we will have done more, we collectively, and I laud the bipartisanship of the Bipartisan Management Committee, the steely focus of Steil, the unstinting enthusiasms of young Shapiro, and the other 2 and 20 in the phalanx. This was a good group of people, and as I averred many, many times, of the 12 members that I appointed, 7 of

them were not necessarily enamored with me. They had opposed me in previous leadership elections, but I am a devotee of Doris Kearns Goodwin's book "Team of Rivals." I would commend it to all of you. It is the most masterful narrative of political fraternity that has ever been scribed, talking about Lincoln and trying to talk about bringing diverse people together. Well, diverse people were brought together in the reforms discussions and in the Reform Commission. So in 12 weeks we will have done more than the Republican-led leadership cadre did in 12 years – let me repeat that – in 12 weeks we will have done more than the honorable gentleman and his colleagues did in 12 years, but we did it, but we did it, but we did it with Republican help.

Magnanimity should be a preeminent virtue in this whole dialectic. Without the wonderfully unusual dynamics of swearing-in day and the accession to the dais of the inimitable O'Brien and the offering of the 24-person Speaker's Reform Commission, this would not be happening. If the status quo antebellum had been established, this would not be happening. We would not have this 24-hour waiting period. We would not have this session closing at 11 o'clock at night phenomenon. We would not have the gut-and-replace efforts of the House Rules Committee catapulted into oblivion, Mr. Speaker. We would probably not have the revivification, the reanimation, the resuscitation of the committee chairs, and by the way, our 23 standing committee chairs want to reach across the aisle to the men and women who are the Republican standing committee chairs. We want in the Transportation Committee next week to offer four Republican transportation bills. That is our desire, if we can work together. This is a new day.

I have told you so many times through the public media that I was not early on board the reform train. I have made that comment again and again, Mr. Speaker, but like the great Randolph Scott of silent movie fame in one of those classic Westerns when he caught up with the train, grabbed a hold of the caboose – silent movie – and then bounded from box car to box car to box car, making his way to the engine, well, I am not to the engine yet, but I am committed to changing this process, and the Freeman amendment – somewhat circuitous, but thanks for the amplitude – the Freeman amendment, notwithstanding the passion of Maher, and he is a passionate pal of this politico, but Maher got excited. I want to read the simple language of this proposal. This is not inherently pernicious. Freeman, Freeman is almost one of the political apostles. Freeman is wholesomeness personified. He would do— Anybody that knows Freeman knows he would do nothing other than what is good for our chamber. Now, these are only nine lines, and I would beg your indulgence. And by the way, Freeman did not vote for me in the leadership election. I am not trying to get him next time. "If consideration of the bill is delayed to a new legislative day...solely to delay in receipt of replacement" of "amendments, then only amendments timely filed for the date of the originally scheduled vote and replacement amendments shall be considered," period. There is only one more sentence. "This limitation on amendments shall not apply to the bill in question if consideration of the bill is rescheduled beyond the new legislative day." Common sense.

This wholesome paragon of virtue is trying to help our system. He is trying to help the Steil-Shapiro-Speaker's reform committee. I think it is a good idea, and I would ask for an affirmative vote.

The SPEAKER pro tempore. The Chair thanks the gentleman.

Seeing no other members, Mr. Freeman, you would like to offer concluding remarks?

Mr. FREEMAN. I shall be brief, Mr. Speaker.

The SPEAKER pro tempore. The gentleman is recognized.

Mr. FREEMAN. We have gone a bit far afield on debate on this issue. Just for the clarity of the members, and I think we really need to be focused on what we are dealing with here, I urge the members to look at this amendment on their screens but also to examine the language on page 28 of the resolution to see how the two fit together. My good friend and colleague from the Lehigh Valley, Mr. Reichley, was concerned that this amendment is going to prevent closure to the replacement procedure. It is just the opposite. It will allow for a reasoned procedure of closure on replacement amendments.

Our current language in the resolution provides for a replacement amendment provision, and that is a good reform. I advocated it in the commission. The commission endorsed it unanimously, because you want to be able to afford rank-and-file members the opportunity to offer replacement amendments when their amendment was knocked out by another amendment, and because of the timely filing provisions of our rules, they do not get that crack at that. They would have to suspend the rules to do it. So the replacement amendment language within the resolution is a good, progressive move forward to enable rank-and-file members to get the opportunity to replace amendments bumped by another amendment.

The problem with that, however, from a structural standpoint, and I would hope that each and every member of this legislature, regardless of whether we are Republicans or Democrats, wants us to have a process that works. We are charged by the people of Pennsylvania with establishing the laws of this Commonwealth. Partisan maneuvering and parliamentary procedure that is used solely to obstruct or to maneuver are to the detriment of that charge. We do not want to see the replacement amendment procedure misused, and so what is needed is some way to provide closure to that process. That is what is entailed in my amendment here, with two very important safeguards to ensure the rank and file will not see this proposal misused on replacement amendments.

The only reason you can limit the amendments into the new legislative day to those amendments that were only timely filed in the original bill or for the replacement amendments – it is the sole reason, the sole reason, and I am establishing that as far as the legislative intent of this amendment – is that you are awaiting receipt of those replacement amendments, and if for some reason it goes beyond that new day and the bill gets rescheduled, this limitation does not apply. We are back to the original concept of filing our amendments in a timely fashion. This is merely a way of bringing structure and reasonable closure to the replacement amendment procedure, to make that work in an appropriate way.

I would hope that all of us want to see our rules be functional rules, be positive rules. We have made great strides in this resolution to reform our rules. This is just one reasoned approach to make sure that they function properly, and I ask the members to look at the amendment, look at the text on page 28, realize that what we are trying to do is provide a reasoned means of closure on replacement amendments while still allowing us to reap the benefits of replacement amendment procedure and to please vote for this so that we can have good

rules that will function properly to make this chamber function properly.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

#### YEAS—120

Barrar	Galloway	Mantz	Santoni
Belfanti	George	Markosek	Saylor
Bennington	Gerber	Marshall	Schroder
Biancucci	Gergely	McCall	Seip
Bishop	Gibbons	McGeehan	Shapiro
Blackwell	Gillespie	McI. Smith	Shimkus
Brennan	Goodman	Melio	Siptroth
Buxton	Grucela	Moul	Smith, K.
Caltagirone	Haluska	Mundy	Smith, M.
Carroll	Hanna	Myers	Solobay
Casorio	Harhai	Nickol	Staback
Clymer	Harkins	O'Brien, M.	Steil
Cohen	Harris	Oliver	Sturla
Conklin	Hennessey	Pallone	Surra
Costa	Hornaman	Pashinski	Taylor, R.
Cox	James	Payton	Thomas
Curry	Josephs	Petrarca	True
Dally	Keller, W.	Petrone	Vitali
DeLuca	Kessler	Preston	Wagner
DePasquale	Killion	Ramaley	Walko
Dermody	King	Raymond	Wansacz
DeWeese	Kirkland	Readshaw	Waters
DiGirolamo	Kortz	Reed	Watson
Donatucci	Kotik	Roebuck	Wheatley
Eachus	Kula	Rohrer	White
Evans, D.	Leach	Ross	Williams
Evans, J.	Levdansky	Rubley	Wojnaroski
Fabrizio	Longietti	Sabatina	Yewcic
Frankel	Mahoney	Sainato	Youngblood
Freeman	Mann	Samuelson	Yudichak

#### NAYS—76

Adolph	Gabig	McIlhatten	Quigley
Argall	Geist	Mensch	Quinn
Baker	Gingrich	Metcalfe	Rapp
Bastian	Godshall	Millard	Reichley
Bear	Grell	Miller	Roae
Benninghoff	Harhart	Milne	Rock
Beyer	Harper	Moyer	Scavello
Boback	Helm	Murt	Smith, S.
Boyd	Hershey	Mustio	Sonney
Brooks	Hess	Nailor	Stairs
Cappelli	Hickernell	O'Neill	Stern
Causar	Hutchinson	Payne	Stevenson
Civera	Kauffman	Peifer	Swanger
Creighton	Keller, M.	Perry	Turzai
Cutler	Kenney	Perzel	Vereb
Denlinger	Mackereth	Petri	Vulakovich
Ellis	Maher	Phillips	
Everett	Major	Pickett	O'Brien, D.,
Fairchild	Manderino	Pyle	Speaker
Fleck	Marsico		

#### NOT VOTING—0

#### EXCUSED—7

Cruz	Lentz	Parker	Taylor, J.
Daley	Micozzie	Tangretti	

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

### LEAVE OF ABSENCE

The SPEAKER pro tempore. Without objection, without objection, the Chair returns to leaves of absence and recognizes the minority whip, who requests a leave of absence for the gentleman, Mr. HENNESSEY. Without objection, the gentleman will be placed on leave.

### THE SPEAKER (DENNIS M. O'BRIEN) PRESIDING

### LEAVE OF ABSENCE CANCELED

The SPEAKER. The Chair recognizes that the gentleman, Representative McGeehan, is on the floor, and his name will be added to the master roll.

### CONSIDERATION OF HR 108 CONTINUED

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

### RULES SUSPENDED

The SPEAKER. Does the lady move for suspension of the rules?

Ms. HARPER. Yes, Mr. Speaker. I would like to ask for a suspension of the rules to clarify one of the provisions in the proposed rules.

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

The following roll call was recorded:

#### YEAS—194

Adolph	Freeman	Markosek	Rohrer
Argall	Gabig	Marshall	Ross
Baker	Galloway	Marsico	Rubley
Barrar	Geist	McCall	Sabatina
Bastian	George	McGeehan	Sainato
Bear	Gerber	McI. Smith	Samuelson
Belfanti	Gergely	McIlhattan	Santoni
Benninghoff	Gibbons	Melio	Saylor
Bennington	Gillespie	Mensch	Scavello
Beyer	Gingrich	Metcalfe	Schroder
Biancucci	Godshall	Millard	Seip
Bishop	Goodman	Miller	Shapiro
Blackwell	Grell	Milne	Shimkus
Boback	Grucela	Moul	Siptroth
Boyd	Haluska	Moyer	Smith, K.
Brennan	Hanna	Mundy	Smith, M.
Brooks	Harhai	Murt	Smith, S.
Buxton	Harhart	Mustio	Solobay
Caltagirone	Harkins	Myers	Sonney
Cappelli	Harper	Nailor	Staback
Carroll	Harris	Nickol	Stairs
Casorio	Helm	O'Brien, M.	Steil
Causar	Hershey	O'Neill	Stern
Civera	Hess	Oliver	Stevenson

Clymer	Hickernell	Pallone	Sturla
Cohen	Hornaman	Pashinski	Surra
Conklin	Hutchinson	Payne	Swanger
Costa	James	Payton	Taylor, R.
Cox	Josephs	Peifer	Thomas
Creighton	Kauffman	Perry	True
Curry	Keller, M.	Perzel	Turzai
Cutler	Keller, W.	Petrarca	Vereb
Dally	Kenney	Petri	Vitali
DeLuca	Kessler	Petrone	Vulakovich
Denlinger	Killion	Phillips	Wagner
DePasquale	King	Pickett	Walko
Dermody	Kirkland	Preston	Wansacz
DeWeese	Kortz	Pyle	Waters
DiGirolamo	Kotik	Quigley	Watson
Donatucci	Kula	Quinn	Wheatley
Eachus	Leach	Ramaley	White
Ellis	Levdansky	Rapp	Williams
Evans, D.	Longietti	Raymond	Wojnarowski
Evans, J.	Mackereth	Readshaw	Yewcic
Everett	Maher	Reed	Youngblood
Fabrizio	Mahoney	Reichley	Yudichak
Fairchild	Major	Roae	
Fleck	Mann	Rock	O'Brien, D.,
Frankel	Mantz	Roebuck	Speaker

#### NAYS—1

Manderino

#### NOT VOTING—0

#### EXCUSED—8

Cruz	Hennessey	Micozzie	Tangretti
Daley	Lentz	Parker	Taylor, J.

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

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

Ms. **HARPER** offered the following amendment No. **A00204**:

Amend Resolution (Rule 14), page 12, line 9, by inserting after "member."

The Ethics Committee shall issue to any member upon such member's request an opinion with respect to such member's duties under this rule. The Ethics Committee shall, within 14 days, either issue the opinion or advise the member who made the request whether an opinion will be issued. No member who acts in good faith on an opinion will be issued to that member by the Ethics Committee shall be subject to any sanctions for so acting, provided that the material facts are as stated in the opinion request. The Ethics Committee's opinions shall be public records and may from time to time be published. The member requesting the opinion may, however, require that the opinion shall contain such deletions and changes as shall be necessary to protect the identity of the persons involved.

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

The SPEAKER. The Chair recognizes the gentlelady, Representative Harper.

Ms. HARPER. Thank you, Mr. Speaker.

Unfortunately, we just realized that my proposed amendment has a typographical error in it. Could I ask for a brief, a brief delay while we fix that error? It is a small one.

The SPEAKER. The House will be at ease.

Representative Harper, there is an obvious—

Ms. HARPER. Thank you, Mr. Speaker.

The SPEAKER. —there is an obvious error in this amendment. If you would— The House will continue to be at ease.

### ANNOUNCEMENT BY MR. THOMAS

The SPEAKER. For what purpose does the gentleman, Mr. Thomas, rise?

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, while we are in recess, I would just like, if I could have the attention of all the members. If I could have the attention of all the members. While we are in recess, I would like for us to just give Jeffrey Storer and Tony Caltagirone a big thank-you. They have been here 27-plus years, have served us well. They are leaving today, and I do not want them to leave here without us giving them a Pennsylvania House of Representatives thank-you. Jeffrey and Tony.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman for bringing that to the House's attention.

### CONSIDERATION OF HR 108 CONTINUED

The SPEAKER. The House would ask the lady, Representative Harper, to withdraw her amendment A00204. It is the intention— For the information of the members, Representative Harper will withdraw this amendment, and we are awaiting for the Legislative Reference Bureau to bring down the corrected version of this amendment. It should be down by 5 o'clock.

### AMENDMENT WITHDRAWN

Ms. HARPER. Thank you, Mr. Speaker. I will withdraw.

The SPEAKER. The Chair thanks the lady.

### LEAVE OF ABSENCE CANCELED

The SPEAKER. The Chair recognizes the presence of Representative Daley on the floor. His name will be added to the master roll.

### CONSIDERATION OF HR 108 CONTINUED

On the question recurring,

Will the House adopt the resolution as amended?

Mr. REICHLEY offered the following amendment No. **A00103:**

Amend Resolution (Rule 66), page 83, line 19, by inserting brackets before and after "Electric"

Amend Resolution (Rule 66), page 83, line 23, by inserting brackets before and after "On" and inserting immediately thereafter

Except as otherwise provided in this rule, on

Amend Resolution (Rule 66), page 84, line 24, by inserting after "vote"

when using the electric roll call system

Amend Resolution (Rule 66), page 85, by inserting after line 30

In order to ensure an accurate vote on Final Passage of any bill or joint resolution, upon request of the Majority Leader or Minority Leader, the Speaker shall order a roll call vote with the yea and nay votes being taken by individually calling each member's name in alphabetical order. Upon a member's name being called, the member shall stand at his or her seat and verbalize his or her vote by stating "yea" or "nay." The clerk shall record each member's vote as stated by the member. Upon completion of the roll call, the Speaker shall announce the vote.

The vote as recorded by the Clerk and announced by the Speaker shall not in any manner be altered or changed by any person.

No member shall vote for another member, nor shall any person not a member vote for the member.

The Chief Clerk shall post all votes taken by a verbal roll call on the Internet no later than close of business on the day they are made.

On the question recurring,

Will the House agree to the amendment?

### PARLIAMENTARY INQUIRY

The SPEAKER. On the amendment, the Chair recognizes Representative Reichley.

Mr. REICHLEY. Mr. Speaker, a parliamentary inquiry, initially.

The SPEAKER. The gentleman will state his point of parliamentary inquiry.

Mr. REICHLEY. Last evening, Mr. Speaker, this bill was brought up, and I began to speak and you asked me to suspend. So am I still on my first opportunity to speak on the bill?

The SPEAKER. Yes, you are.

Mr. REICHLEY. Okay. I just wanted to clarify that. Thank you, Mr. Speaker.

Mr. Speaker, amendment 103, as I began speaking last night, attempts to remove any allegation, any insinuation, any contemplation that somehow there would be an impropriety in the voting procedures here within the House. In the last session there was a procedure that had been put in place, which received a great deal of criticism, which was known as the legislative leave provision. Although it has been in place for some 30 years in the State Senate, I think in reflection this amendment will attempt to clarify and remove any allegation that somehow the members of this body would allow the interest of any constituent to be diluted in any way by their member not being present to vote. The proposition that we are putting forth in this amendment is that either the majority or the minority leader at any time could raise the question that a voice roll-call vote be taken, that the members would have to be present at their seat and stand as the roll call is gone through in alphabetical—

The SPEAKER. Will the gentleman suspend.

The gentleman is entitled to be heard. Members will clear the aisle. Try to hold your conversations to a minimum.

The gentleman may continue.



Mr. REICHLEY. Thank you, Mr. Speaker.

As I was saying, we are really trying to give transparency to the institution here, to the voting process. It protects the interests of every member to make sure their vote counts. It protects the interests of each caucus in that nobody would somehow be allowed to be casting a vote if in fact they were not here, and the language states that upon request of the majority or the minority leader, as I said, a roll-call vote would be taken, no voting would be allowed by one member for another, and the Chief Clerk shall post all the votes taken by the verbal roll-call vote on the Internet no later than the close of business of that day.

I think it is important, Mr. Speaker, to acknowledge that this is not meant to abuse or harass the membership here. I trust—I am shocked that there would be outcry to that. Certainly nobody here would think that the majority leader would abuse the process by challenging the members on this side of the aisle that we be present in our seats to vote, and I do not think the minority leader would do so at all.

If in fact somehow somebody has a problem with this amendment, that would mean an endorsement of the old and much-criticized procedure where we are allowing members to vote who are not here. If in fact somebody is not going to be here to vote, such as we have today, members are put on leave. We need to end the abuse of the process and bring about a time and a place here in this chamber when people can look their constituents in the eye and say nothing untoward happened. Members were here; members voted; members were on the record.

So I would ask for a unanimous vote on this amendment.

Thank you, Mr. Speaker.

The SPEAKER. On the amendment, the Chair recognizes Representative Pallone.

Mr. PALLONE. Thank you, Mr. Speaker.

Would the maker of the amendment stand for interrogation?

The SPEAKER. The gentleman indicates that he will. The gentleman can proceed.

Mr. PALLONE. Thank you, Mr. Speaker.

Mr. Speaker, in the current rules is there a process by which any member can be challenged for not being in his seat when the vote is cast?

Mr. REICHLEY. Mr. Speaker, I believe – and I would defer to the Parliamentarian as to the exact number of the rule, and I think actually I raised this issue on January 2 about calling for a quorum of the House – that is a procedure which by comparison is much more pejorative and much more onerous, Mr. Speaker, because if in fact the Speaker would say a quorum does not exist, the doors of the House are locked, the members would be precluded from voting. Under the present resolution, which allows for a 10-minute period of voting to take place, if in fact a challenge was made by the majority or the minority leader to have a voice roll-call vote, that would allow members who conceivably are in the bathroom, are down at their office, are retrieving something from their car to have 10 minutes to get to the floor to vote, to be held in account to all the public to be able to see.

This process by comparison is not nearly as punitive as the motion under the rules for a quorum to be held, and again, I would defer to the number of the rule.

Mr. PALLONE. Does this apply, Mr. Speaker, does this apply just to establishing the quorum to open the hall of the

House or to establish the quorum I guess at any time throughout the legislative session?

Mr. REICHLEY. Mr. Speaker, if you refer to line 12 of the amendment, it states, "In order to ensure an accurate vote on Final Passage of any bill or joint resolution, upon request of the Majority Leader or Minority Leader, the Speaker shall order a roll call vote...." So this would not be for the purpose of taking a quorum call, this would not be for the purpose of an amendment or for recess for the day. This is on a vote on final passage.

Mr. PALLONE. Thank you, Mr. Speaker.

That concludes my interrogation. Thank you, Mr. Speaker.

The SPEAKER. On the amendment, the Chair recognizes Representative Shapiro.

Mr. SHAPIRO. Thank you, Mr. Speaker.

I would simply point out for the members that the most accurate system for recording a vote is electronic. We can look up on the board; we can see how members voted. It is an accurate system.

I would also point out to the members that under rule 64, it requires – and I will read rule 64 of HR 108 – "No member shall be permitted to vote and have his or her vote recorded on the roll unless [he is] present in the Hall of the House during the roll call...."

The rules are clear. Mr. Speaker, I believe this is just simply an attempt to slow down the process, to make it more difficult for us to do the people's business, and I would urge a "no" vote on the gentleman's amendment.

Thank you, Mr. Speaker.

The SPEAKER. On the amendment, the Chair recognizes Representative McCall.

Mr. MCCALL. Thank you, Mr. Speaker.

Mr. Speaker, I would ask the members to vote against the Reichley amendment.

The verbal roll call serves no purpose whatsoever. The only intent of this amendment is to slow this process down to a crawl. That is the bottom line.

I would tell the members that the leaders already have at their discretion the power to challenge votes on the floor of this House right now. Why is there always a presumption of guilt here? That is what we are probably talking about. There is no presumption of guilt here. We have the ability as leaders to challenge votes of any member under rule 64 that is not in their seat and present voting on the floor of the House.

This amendment, this amendment places an undue burden on the members of this General Assembly. I think a reasonable process already exists for the leaders to challenge votes, and I would ask that we unanimously defeat the Reichley amendment.

The SPEAKER. On the amendment, the Chair recognizes Representative Perry.

Mr. PERRY. Thank you, Mr. Speaker.

Mr. Speaker, let us call this what it really is. What our obligation is, is to show up to work, and you know, I have been a citizen watching the legislature for a long time and it is my first time here, and I can tell you there are plenty of times that I have seen on PCN that there are a lot of folks that did not come to work and the taxpayers are paying you to be here, both sides, both sides. Right? Bipartisan; it happens on both sides. If you are coming to work anyhow, what is the big deal?

Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the minority leader, Representative DeWeese, or – I am sorry – the majority leader, Representative DeWeese.

Mr. DeWEESE. Mr. Speaker, the numbers are indeed close.

Two quick points to reiterate what the dapper whip from Carbon just evinced, and I think these two points are especially solid. My honorable colleague and dinner companion from the Lehigh Valley, Mr. Reichley, assumes a presumption of guilt – Keith said it – he assumes a presumption of guilt, and I do not think that enhances the amicability of this fraternity. I do not believe the wonderful cross-party, cross-aisle pollinations that have commenced with this Speaker's Reform Commission are enhanced by the Reichley amendment. I just do not think it is necessary. I do not think it comports with the idealism and the fraternity in this chamber. It is a little full of asperity. We do not really need it.

And that leads me to my second and final point. Apropos of the gentleman from York who just spoke, he is not all wrong of course. In fact, in many ways his pronouncements are on the bull's eye, but his esteemed minority leader can obviate any of these wrongs. If there are three members who are not here and who may have been accidentally voted, they can be admonished; they can have their switches locked out. There are mechanisms, Mr. Speaker, there are mechanisms in place, and I think that for a verbal roll call, which will take approximately 27 1/2 minutes, three or four or five times a day, occasionally, I think this process with 203 members is methodical and occasionally laborious enough, and I just do not think that a verbal roll call inures to the benefit of our conducting business.

Will it be the end of the world? Of course not. It may have a salutary impact upon motivating members to come to the floor, but they should not need that. This is an impelling, compelling, exciting, electric job that we have. And again, to repeat and then to sit down, why my honorable colleague wants to allow a presumption of guilt to pervade not only the amendment but our future deliberations when finally the minority leader from Jefferson can make certain that any abuses are eliminated by absolutely going to the microphone and indicating that Representative John Doe in seat No. 73, or whatever the number may be, is not in his seat and should not be voting, we do not need this. We just do not need it, and it certainly is not in the spirit of bipartisan amicability and reform.

The SPEAKER. On the amendment, the Chair recognizes, for the second time, Representative—

Mr. S. SMITH. Mr. Speaker?

The SPEAKER. The Chair recognizes the minority leader, Representative Smith.

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

I will be brief.

Mr. Speaker, this amendment is not something that the world will come to an end, I will admit, but I think ultimately the process that the House has used over the years to try to make sure that we are all here, that we are all being voted, can be improved on. I think that what is embodied in this amendment is really more simplistic. Yes, it might take a few more minutes in some respects, but I can tell you, Mr. Speaker, when we have resorted, we meaning various leaders over the years in the years that I have been in this House, when a leader has resorted to calling out names or trying to verify who is here, I mean, the ultimate is the quorum call, I guess, and lock the doors and bring people in, but when you resort to calling, it is not any quicker; it is not any simpler. I can remember times when we

have thought about calling on names and suddenly everybody gets up and moves around and there is a bunch of staff in the room, and it is kind of like a moving target and you cannot really see who is here.

So the argument of the time is not quite apples to oranges, and I would also say, how many times, for those of you that have been here 4, 5, 6 years, how many times has even that mechanism been utilized? It is not something that is going to be used on a regular basis. It is not something that any of us want to deal with on a regular basis. It is simply a tool that kind of creates the ultimate ghostbuster of voting. If this House is serious about dealing with ghost voting, this is one that really makes it clear when a member has to stand up and say "aye" and be identified as opposed to whether or not someone else was running their switch.

I do not think that it is something that will be abused. Mr. Speaker, as I said earlier, the way this House crafts its rules is only one element of the reform. The ultimate reforms are going to be judged on the outcome of what we produce, and that is really the key. I do not think this amendment is a problem. I do not think it causes a problem. I think it gives the respective leaders of the House a little bit of authority, a little bit of ability to make sure that everyone's vote is being counted and is being counted properly, that the people of Pennsylvania are being represented as was planned.

I would ask the members to support the amendment, Mr. Speaker. Thank you.

The SPEAKER. The Chair recognizes the gentleman from Adams County, Representative Moul.

Mr. MOUL. I know that I am only a freshman, so I will be brief, and I will direct my comments to the freshmen of this House.

We all got together when we first came here, and we decided that what brought us here was reform. I want you all to think about the things we discussed at the beginning of this session and decide whether you want to be true to your constituents back home. I think we need to push this measure through. I think we need to own up to what we said we would do to our constituents.

Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman, Representative Gerber.

Mr. GERBER. Thank you, Mr. Speaker.

For all those new people who came here for reform, on this basis of reform, please be keenly aware of what is actually happening here. This is not about reform. This is about partisan politics.

As the minority leader, as the minority leader said, as the minority leader said, the people, the people want us to get to the people's business. They want us to solve the transportation crisis; they want us to bring about health-care reform; they want to see us get property tax relief, and the fact of the matter is, if we are spending a half an hour on one roll call, we will not get to any of the people's business. We sometimes vote on 6, 7, 8, 9, 10 things a day. We now have to break at 11 o'clock. We have a lunch break; we have a dinner break. We will not get any work done, and that is the intent of this amendment. The intent of this amendment is to stop us from getting the people's business done now that they are in the minority.

If you are here on reform, this is not why you are here, not this amendment. This amendment prevents you from doing the people's business. Do not be fooled by this. Do not get carried

away with all the rhetoric. The fact of the matter is, the practical implications of this—

### POINT OF ORDER

Mr. S. SMITH. Mr. Speaker? Mr. Speaker?

Mr. Speaker, point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. S. SMITH. Point of order, Mr. Speaker.

Mr. Speaker, when a member is debating an amendment, debating the merits of the amendment is in order, but if they start to impugn the motives or the manner for which the members— I think that is all out of order, and I am asking the Chair, Mr. Speaker, if, in your interpretation, he is getting off of the merits of the legislation and pointing to the motives, which I believe to be inappropriate. I would ask the Chair to advise on that.

The SPEAKER. The Chair will remind all members they are to stick to the merits of the amendment before us.

The gentleman may proceed.

Mr. GERBER. Thank you, Mr. Speaker.

Let me rephrase it. My concern is that the practical implications of this amendment will have the effect of shutting down the people's business. We will just spend too much time calling out names; it is just the reality of it. And if what you want to do in Harrisburg is do nothing, then you will vote for this, but if you came to Harrisburg to do the people's business – to repair our roads and our bridges, to reform the health-care system so people have more access, to deliver better property tax relief, to improve the environment, to educate our kids – you will not vote for this amendment.

Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes, on the amendment, the gentleman, Representative Sturla.

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, beware of the unintended consequences. Under current rules, if members are not in their seat, someone can say I challenge Representative so-and-so as not being in their seat. If we do slow roll calls, we might as well not bother to show up, and I would contend that there will be a lot of members that will not show up for the regular session and they will just wait for the slow roll call, because they will know they have 10 minutes to get to the floor in order to vote. And so not only will you have less participation on the floor by real members, but you will have another 10-minute delay before they actually show up to vote and they will be here and be proven to be attending just like their slow roll vote showed. If that is what the intent is here, then let us do that. Let us do like they do in the House of Representatives in Washington. You know, the guy comes walking back in and swipes his card when it is time to vote and then he leaves the floor and goes back to his office. We can all do that. That is what a slow roll-call vote gets you.

But I think we are much more dynamic here, and I would hope that we could defeat this amendment and not have the unintended consequence occur where we end up with an empty floor except when it comes time to vote and then we just call the slow roll call and give members time to get here.

Thank you, Mr. Speaker.

The SPEAKER. On the amendment, the Chair recognizes, for the second time, Representative Pallone.

Mr. PALLONE. Thank you, Mr. Speaker.

With all due respect, I think it is the first time on this amendment.

The SPEAKER. The gentleman is correct.

Mr. PALLONE. Thank you, Mr. Speaker.

Again, Mr. Speaker, I rise in opposition to the amendment as it is provided. We were charged by the people of Pennsylvania to look at reform and reform the way we do business and create transparency to how we do business in this House and to provide accurate and simple information to the people of Pennsylvania. This is not reform; this is redundancy. We already have a rule in place. It has been there. It, quite frankly, during my tenure has never even been used, and why are we here creating another rule that need not exist?

We already post our votes publicly. Anybody who is a visitor to the hall of the House can see how we are voting by looking at the board. Anybody who wants to know what the vote was on any issue, whether it be a resolution, an amendment, or a piece of legislation on final passage, we can provide them a written notification as to what the tally of the vote was for that particular item. We already have a provision in the rules that states if someone's vote is challenged for being absent from the floor, the mechanism is already there.

We are passing another rule or creating another obstacle that is not necessary. This is not reform at all. This is nothing more than a headline in the newspaper that the legislature was doing their business wrong before and now we are going to do it better. We already have this provision. We already have the ability to challenge whether or not an individual is here to vote. This is nothing more than a headline. This is playing to the press. This is not what the people of Pennsylvania and this people's House is in place for.

I take dramatic issue with the fact that an individual would state that we have not done our work in the past, and because of this rule, we will begin to do our work. I know that the more than 6 years that I have been here and have served honorably with all of my colleagues, both male and female, both Republicans and Democrats, we have done our work. We did show up for work, and we continue to show up for work. We cast our votes accordingly, and we do what the people elected us to do. To create another rule that already exists is nothing more than nonsense, and it is not necessary or needed.

Thank you, Mr. Speaker.

The SPEAKER. On the amendment, the Chair recognizes Representative Maher.

Mr. MAHER. Thank you, Mr. Speaker.

I am a bit surprised to hear some of our colleagues of the opinion that we are apparently fairly slowwitted in this chamber. I would remind them that all you need to do is walk across the rotunda to the other side of the building and you will find a chamber that does not just do an occasional roll call but requires a roll call on every single vote.

Now, at the end of the day, for a bill to become law, you remember that both chambers need to act. Apparently the use of roll calls has not impeded progress on the other side of the building. I cannot imagine why there are some that would imagine that having a roll call on this side of the building would impede our progress.

This is a rather modest proposal in that it would provide for an occasional roll call, and I would ask – there are 50 new members here; look around the room – can any one of us say with certainty at this moment in time who is not on the floor at

this moment? Not one of us can actually do that. This relieves us of trying to conjure up who is here and who is not here at a glance and allows for a very straightforward roll call.

I do not know why it is so frightening to my colleagues on the other side of the aisle, and I would suggest that if you really want the light of day, having a simple roll call should not be frightening.

Thank you, Mr. Speaker.

The SPEAKER. On the amendment, the Chair recognizes Representative Swanger.

Mrs. SWANGER. Thank you, Mr. Speaker.

I am a freshman. I, too, am new to this process. I was voted into office because I promised the people I represent that I would stand up for reform. This is just a way for us to stand up and be counted. It is a way to assure that the people who are recorded on the board are actually present in the room. It is something that I think we owe to the citizens that we represent, and that is why I am going to support this amendment.

Thank you.

The SPEAKER. On the amendment, the Chair recognizes Representative Mustio.

Can the gentleman dance down the aisle a little bit?

Mr. MUSTIO. Thank you, Mr. Speaker.

Would the gentleman stand for some interrogation?

The SPEAKER. The gentleman, Representative Reichley, indicates he will stand for interrogation. The gentleman can proceed.

Mr. MUSTIO. Just so I understand what we are really doing here, if we pass this amendment, are you saying that every piece of legislation – every bill, every amendment – will have to have a roll-call vote? Are you saying that? I cannot hear that.

Mr. REICHLEY. No, Mr. Speaker; to the contrary. This does not mandate a voice roll-call vote where each member will be at his seat for every possible final passage on a bill or on a joint resolution, and that is why I said at the beginning, far from assuming a presumption of guilt, I assume the best interests of this chamber have been by both the majority and the minority leaders not to impede the progress of legislation on mass transit, on economic relief, on improving education, but in fact to ensure that each and every Pennsylvanian can be comfortable with the idea that their members are actually here in the chamber, not having somebody else push a button on their behalf.

So this amendment does not require a voice roll-call vote where the members are present in their seats on each and every but merely at the discretion of the majority or the minority leader.

Mr. MUSTIO. So we are saying we want people to vote rather than quarters.

Would it be fair to say – let us fast-forward a little bit – we are into June and maybe perhaps June 30 goes by and we are into July voting on the budget and the weather is nice outside and we look around the room and maybe there are 20 people that are not here, to build confidence, particularly for those new members who were elected for reform, to build confidence in those people that sent all of us here, on a day like that, would possibly this amendment might come into play?

Mr. REICHLEY. Mr. Speaker, I think that the gentleman from Allegheny has gotten really to the heart of the question, and let us all be clear and let us all be honest about this. We all know in this chamber that the voting procedures have been

abused in the past. This makes it clear that we will put an end to that.

The gentleman has raised a practice which many of us disdained and disagreed with, and this amendment would forever put an end to that, that no longer would a person say, hey, cover me; I am going to be voting. If in fact the person is going to be out of the chamber while voting is taking place, they would do the simple procedure of asking to be placed on leave, and therefore their presence or their lack of a vote is clear and apparent to their constituents, to the press, to every other member. Contrary to what the gentleman from Westmoreland said, where everybody knows by looking at the board what the vote is, that does not tell us at all who is in the chamber voting. That merely tells us that by a wink and a nod, procedures were evaded and we allowed votes to take place.

And for each and every member that was elected this last year, especially those 50 freshmen ranging all the way from up in Erie with the gentleman, Mr. Hornaman, all the way down to the southeast with Mr. King, every one of your constituents on the Democrat and the Republican side expected you to be here voting, not turning a blind eye to the rules, not doing sort of a shrug as to what the rules should be, but expecting everybody to uphold their constitutional oath and be here. It is as simple as if you want to go play golf on a nice day in June when the majority of the members are debating the budget, go on leave and answer to your constituents and answer to the press where you were, and I would certainly expect those people who have been so vigilant on the rules, such as the gentleman from Delaware, Mr. Vitali, and the gentleman from Northampton, Mr. Samuelson, to support a procedure which would ensure public confidence in the voting taking place here.

Mr. MUSTIO. Thank you.

There was a reference made earlier – Mr. Speaker, on the amendment – there was a reference made earlier about headlines, and my sense yesterday was that we accomplished quite a bit; my sense yesterday was that we accomplished quite a bit, but the headlines in the Post-Gazette today were, "Pa. House rejects 3 reforms...." Tomorrow if this does not pass, Pa. House approves ghost voting. That is what happens.

So the 50 of you that were elected to make real reforms take place here, please join with the rest of us that take this seriously and show up and vote and are in our seats to do so.

So I encourage all of you to support the Reichley amendment. Do the right thing not only for the residents of Pennsylvania but for yourself when you took that oath to be here to do your job.

Thank you.

The SPEAKER. On the amendment, the Chair recognizes Representative Saylor.

## PARLIAMENTARY INQUIRY

Mr. DeWEESE. Mr. Speaker? Mr. Speaker?

The SPEAKER. For what purpose does the gentleman—

Mr. DeWEESE. Just a point of parliamentary inquiry.

The SPEAKER. The gentleman can state his point of parliamentary inquiry.

Mr. DeWEESE. Would it be appropriate in the future, and again, I believe, as I have said a handful of times each session for many sessions, that as long as decorum is respected, we should be able to mix it up a little bit more aggressively and

have more brawling and bruising debates from time to time. I think they are healthy. I think they are emblematic of our history and our essence as a debating forum. But the chief sponsor of the amendment just rattled off in seriatim a list of Democratic members, which I do not mind if he would rattle off in seriatim a list of Republican members, and it just so happens that everybody is here, and it was not probably meant perniciously, but nevertheless, if we are going to be fair, we probably should have in the future, Mr. Speaker, rattled off a handful of Republican names or else it was not necessary to rattle off a bunch of our names. Just a point that I wanted to make to the Chair and to the Parliamentarian.

The SPEAKER. The Chair was unaware that any member had mentioned other members specifically. That will not be condoned or tolerated in this chamber.

Mr. DeWEESE. Well, as long, Mr. Speaker, as it is done in good spirit, without malice, I do not see what is wrong with it, but I guess I should have asked the Reform Commission to consider that.

I think from time to time it is appropriate as long as it is not done— I mean, I think we should be able to look back the aisle and say the gentleman from Fayette County, Mr. Mahoney, has a solid perspective on this issue. I do not think that is wrong, but again, according to a strict construction of our House rules, it may be wrong. And I am not even saying that the honorable gentleman's remarks were intended in any way other than in a neutral way. I am just saying since he was saying if Representatives X and Y and Z were not in their seats, et cetera, et cetera, there might have been someone privy to our debate that might have inferred that they were not here when indeed they are here.

So just an observation. Thank you for your indulgence.

The SPEAKER. The gentleman, Representative Saylor, can continue.

Mr. SAYLOR. Mr. Speaker, I rise to speak on the Reichley amendment to the resolution in that several things that maybe I need to remind members of this House. We last year came under criticism for members in this House being back home in their districts and voting on legislation. People talk about we have a rule and a procedure now already in place that says you have got to be here to vote. Well, where was that procedure when members of this General Assembly last year were mentioned as being back home, in their homes, and having voted here?

We in this General Assembly for years have been challenged about ghost voting. The Democrats and Republicans have put rules in over the years to try and prevent ghost voting here. This House has been accused by newspapers, the TVs constantly about ghost voting. Nothing has worked in the past. This procedure that Representative Reichley is proposing is a far better procedure to challenge to make sure that people are here. If you want to be back home in your district doing something, whether it is a personal thing or legislative business back home, you need to take leave, not be voting here at the Capitol and being back home.

If we want to clean up and have respect among our voters in this State, we have got to ask the members to be here. The rule of the past has not worked. This is not about Republican or Democratic members of this General Assembly. This is about restoring the integrity of this chamber, something that this chamber has come under attack for years now that we have not

seen happen in the State Senate, and when you or I know that we may be called to stand up in our seat to cast a vote, we are more likely to make sure we are here. Now, there are exceptions. If you walk off this floor to go to the men's room or the ladies room, people understand that, but what happens, and we know it happens, is every year here on this House floor members are cast when they are back in their districts, and that is just wrong. We have a procedure for leave here. The current rule has not worked. We need to set a standard, and if we are not willing to set it, then what is reform about?

So I rise to stand and ask for the support of the Reichley amendment not because it is a Republican amendment or a Democratic amendment, because it is the right thing to do in rules reform around here. We cannot continue to let the public, who vote for us and pay our salaries, believe that we are sitting around back home or somewhere else on a vacation and casting votes here.

Thank you, Mr. Speaker.

The SPEAKER. On the amendment, the Chair recognizes Representative Metcalfe.

Mr. METCALFE. Thank you, Mr. Speaker.

Mr. Speaker, this debate is unbelievable, that we would go on at length debating an issue that should be embraced by both sides of the aisle.

Mr. Speaker, how much more basic can reform be than to make sure that when votes are being cast, that when that honorable responsibility that has been placed upon each of us to represent our districts through pushing the button to cast a "yea" or a "nay" vote, to say "yes" or "no" to policy that is being set for the 12-million-plus residents of Pennsylvania, I mean, how much more important, how much more basic could the reform be than ensuring that when that vote is cast, it is being cast by the individual who was elected to cast that vote?

Mr. Speaker, I will tell you, as someone who has been here for over 8 years now, I am fed up with being in a close vote and having that vote canceled by somebody who might not be here, Mr. Speaker. Mr. Speaker, it is high time that we brought about this very basic reform to ensure that there is no ghost voting. There have been members here in the past while I was here, there have been members here in the past— Just given a note. I am not sure what the note means. It is confusing like so much of the debate that we have had here on this issue today.

Mr. Speaker, it is time for this General Assembly to embrace accountability and responsibility for their actions and to ensure that we are not allowing with a wink and a nod anybody to have a vote cast that is not here present to represent their district and allow them to cancel out somebody's vote who is here doing their duty.

Mr. Speaker, this debate should come to an end and we should embrace this change, embrace this reform, the gentleman from Greene County. I remember the gentleman from Philadelphia saying that the gentleman from Greene County on the Speaker's election day could not get away from reform, and since then, I thought the gentleman from Greene County was embracing reform, and he can show that he truly is embracing reform to his constituents here today by making sure that he embraces the fact that we want to have accountability in the rules that requires a member who is casting a vote to be here, Mr. Speaker.

I am fed up with having my vote potentially canceled by a ghost voter. There were members here that after being here for 8 years, I could probably have counted the times I have seen

them on one or two hands in the 8 years I was here, and some of you know whom I am speaking of. That should come to an end.

Real reform, real basic reform is when you are elected and you come here to vote, then you be here to cast that vote.

Thank you, Mr. Speaker.

Mr. DeWEESE. Mr. Speaker?

The SPEAKER. For what purpose does the majority leader rise?

Mr. DeWEESE. To speak, with all due respect, to speak on the issue.

The SPEAKER. The gentleman can proceed.

Mr. DeWEESE. Notwithstanding the fire-breathing vehemence and unalloyed idealism of my wonderful and happy colleague who just spoke, for the 8 years that he has been habituated within our midst, he did not make that same speech. He just makes it today. So for 8 years that emotion has been upwelling within the breast of this western Pennsylvania patriot, and I am glad that we understand his perspective today.

Now, on swearing-in day we passed a rule, a temporary rule, that forbids ghost voting. It was subsequent to swearing-in day, staff advises. So the Reform Commission subsequently embraces that proposal within the body of their work. We have a rule that disallows ghost voting. We have the adroit cadre of helpers that surround the gentleman from Jefferson who know darn well which Democrats are in their seats and which are not. It is certainly not rocket science.

The room is finite and the membership numbers are 101 to 102. So we had a rule already in place on ghost voting. My colleague from Carbon comments that rule 64 pronounces in very bold, black print members are required to be present and vote.

So again, notwithstanding the gentleman from Butler's enthusiasms, we already do have a mechanism and we have an enforcement team, a high-spirited, hard-charging Republican staff, to enforce that mechanism. What we are doing with the Reichley amendment is potentially elongating many of our workdays.

I was going to ask to speak last, and I will make this my last speech on this issue. I know; I know. You always clap when you know I am going to say no more. But I really believe, and somebody else mentioned it somewhat elliptically earlier in the process, one of the most fundamentally enticing aspects of this chamber is the fact that we still debate. Now, I do not believe in my many, many years here I have ever convinced one Republican to vote for me on one issue by one word that was ever emitted from my mouth, not once. However, in the United States Congress today, it is a sleepy, slothful, languorous process. Nothing at all goes on in debate. It is all so mechanical, all so hackneyed. There is no debate at all. The days of Calhoun and Webster and Thomas Hart Benton and some of the great luminaries of yesteryear are no more.

So at least we have a chance to go at it here on the floor, and I am certain that if the Reichley amendment is embraced and it goes to its complete fruition – and I agree the world will not come to an end, the world will not come to an end – but at 27 1/2 minutes per roll call three or four or five times in a day, we are really going to gum up this process; we are going to slow it down, and any ghost-voting abuses are so easy to recognize, and if the Reichley ethos prevails, all he has to do is trundle down the aisle, whisper in the gentleman from Jefferson's capacious ear, and say, Joe Blow is not in his seat. It does not

need to be something that takes hours and hours and hours as this process goes forward.

The House rules are clear. We are not allowed to ghost vote, and the gentleman from Jefferson can make sure that that rule abides.

The SPEAKER. On the amendment, the Chair recognizes Representative DePasquale.

Mr. DePASQUALE. Thank you, Mr. Chairman, or Mr. Speaker. Sorry; first time at it.

I rise to oppose this amendment for two reasons. As a member that was elected to cut property taxes and reduce the cost of health care, I want to make sure that we do not bog ourselves down in procedure.

This bill does two things that I believe are wrong. Number one is, it concentrates the power in leadership. That is not something that we were sent here to do. It only allows the majority leader and the minority leader to call for this. So I believe that it further concentrates the power in leadership on that.

The second thing, there has been the argument about what the State Senate does and that because they do the voice vote, we can do it. Now, forgetting the fact that we are 203 and they are 50, but I was a Senate staffer, and I believe you can be on both sides of this issue, but as a former Senate staffer, if you have never watched the Senate on PCN or never watched their procedure, please know they do not do every member on every vote. They do a quick roll call of three members on at least 90 percent of the votes they take, and they do not have to be on the floor to do it.

So if you want to be for it because you think this is the same thing the State Senate does, that is incorrect. They do three members and it is a random selection and they do not have to be on the floor to do it, and they do that on at least 90 percent of their votes.

So this would significantly, if we were to do 203 members, bog us down. I understand people can be on both sides of this, but I just wanted to stress as a former Senate staffer how that process actually works.

Thank you, Mr. Speaker.

The SPEAKER. On the amendment, the Chair recognizes Representative Williams.

Mr. WILLIAMS. Mr. Speaker, there are many of us, Mr. Speaker, there are many of us – can we get a little order, because people need to hear this? – there are many of us who are not fortunate to have 100 percent clear, clean medical history. There are some of us who have juvenile diabetes, and there are some of us who are type 2 diabetics, and there are some of us who are insulin-dependent diabetics. There are times when we need to leave the floor, Mr. Speaker. There are times when we need to check our glucose blood level, there are times when we need to give ourselves insulin, and there are times when we need to eat. There are times when we need to be away from the floor to take care of some medical issues. Mr. Speaker, unless you want us to bring our insulin on the floor and give insulin injections to our person, unless you want us to bring all kinds of meters on the floor to check ourselves and make sure we are okay, then that may be an option for us as far as this so-called ghost voting.

We have leaders, and the leaders here have the responsibility to vote for us when we have to go off the floor. Now, I do not know about some of you people who may be sometimes full of

the other word, but my goodness, if you have to go to the bathroom, you might be in there for a half an hour; you might miss a good vote. So we do not want you to go back home telling your constituents, I was in the bathroom.

So, Mr. Speaker, on this bill, respectfully, I would say, remember there are people who have health issues; remember there are people who have health issues. So therefore, Mr. Speaker, I would encourage everybody in this House and by the sound of my voice to vote with some good common sense, and that is protect the institution of the way we have the rules set forth when we first got sworn in.

Thank you, Mr. Speaker.

The SPEAKER. On the amendment, the Chair recognizes, for the second time, Representative Sturla.

Mr. STURLA. Thank you, Mr. Speaker.

I will try and be brief so that we can take a vote by the electronic board as opposed to by roll call.

But what I would like to do is, I think Representative DePasquale pointed out that there was a fallacy in the argument about this is just like the way the Senate takes votes, because it would not be.

But beyond that, there was a member who stood up and said, you know, I need to be able to prove to my constituents that I am actually here and voting, and this is a way of doing it. What that implies is that when we do a vote on the electronic board, that you cannot prove that you are here and voting. So I can just see the campaign brochure now, because I am assuming that this slow roll call will only be employed, you know, once every couple of weeks. That means that the other 90 votes that you take in between, you cannot prove that you are here because you must have been ghost voting, because no one took a roll-call vote and you cannot prove that you were here, despite the fact that you can swear up and down that you were there making that vote.

This is ridiculous. This is just witch-hunting. There is no reason for us to be doing this slow roll-call vote so that we can bog ourselves down when there are numerous other procedures to make sure that members are not here and are not ghost voting and do not ghost vote.

Thank you, Mr. Speaker.

The SPEAKER. On the amendment, the Chair recognizes Representative DeLuca.

Mr. DeLUCA. Thank you, Mr. Speaker.

Mr. Speaker, I have one comment to make and then I am going to ask you for a parliamentary inquiry.

The first comment I want to make, there was a speaker who spoke on the floor of the House who says that he watches PCN and he sees a lot of empty chairs. I have watched PCN over the 20 years, and from my understanding and from what I have seen, PCN does not span the audience here, the body. They are not allowed to. So certainly I do not want the public to think, are there people sometimes not in their chairs on both sides of the aisle? Yes, I would be the first to admit it, but to say it is done regularly and people are not in their seats voting is wrong. That person did not see that because they are not allowed to scan the floor here, and we need to be careful of what we say when we talk, because we are on TV.

Secondly, Mr. Speaker, what would I have to do—

## PARLIAMENTARY INQUIRY

Mr. DeLUCA. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state his point of parliamentary inquiry.

Mr. DeLUCA. What would I have to do if I wanted to put this in practice right now, this roll call right now, what would I have to do, because I am making the request that on this vote, that we call every member's name and record it?

The SPEAKER. The gentleman would have to suspend the rules for the purpose of adopting a temporary rule.

## MOTION TO SUSPEND RULES

Mr. DeLUCA. Mr. Speaker, I make a motion to suspend the rules to adopt a temporary rule.

The SPEAKER. The motion is on suspension of the rules for the purpose of adopting a temporary rule which would require the members to vote by voice vote.

On the question,

Will the House agree to the motion?

The SPEAKER. On that motion—

## PARLIAMENTARY INQUIRIES

Mr. S. SMITH. Mr. Speaker, just a parliamentary inquiry.

I am not sure actually what you have said.

The SPEAKER. The gentleman has requested the procedure by which a voice vote could be taken. That would mean that there would have to be a temporary suspension of the rules so he could offer a motion to adopt a temporary rule so that we can have a voice vote.

Mr. S. SMITH. So this motion, so I am clear, the vote before us would be for the purpose of suspending the rules, and then he would come back with what the temporary rule is that we would be employing?

The SPEAKER. That is correct.

Mr. S. SMITH. Well, Mr. Speaker, I am glad I got that clarified.

At which point in time would the subject of this be debatable, Mr. Speaker?

The SPEAKER. When we get to the temporary rule, if we get to the temporary rule.

Mr. S. SMITH. Mr. Speaker, one other parliamentary inquiry.

The SPEAKER. The gentleman will state his point of parliamentary inquiry.

Mr. S. SMITH. In order for us to adopt a temporary rule of that nature, is that something that we will have to wait until it is produced in writing or is that something that is just going to be arbitrarily set up?

The SPEAKER. That would be the purpose of suspension of the rules, so we could do it orally.

## POINT OF ORDER

The SPEAKER. For what purpose does the gentleman, Representative Maher, rise?

Mr. MAHER. Mr. Speaker, I have a point of order.

The SPEAKER. The House will come to order.

Mr. MAHER. Mr. Speaker, if I understood the gentleman from Allegheny's motion, it was to suspend the rules and to adopt a temporary rule.

The SPEAKER. For the purpose of adopting a temporary rule. The motion is for a suspension of the rules for the purpose of adopting a temporary rule.

Mr. MAHER. And would an affirmative vote on this motion serve to adopt that rule?

The SPEAKER. No. It would allow for the consideration of a temporary rule that would be offered orally.

Mr. MAHER. Mr. Speaker, if I understand correctly—Mr. Speaker?

The SPEAKER. Will the gentleman suspend.

#### MOTION WITHDRAWN

The SPEAKER. The Chair recognizes the gentleman, Representative DeLuca.

Mr. DeLUCA. Mr. Speaker, I am going to withdraw this motion.

The SPEAKER. I think the Chair thanks the gentleman.

Does the gentleman wish to continue making his remarks? Has the gentleman concluded his remarks?

Mr. DeLUCA. Yes, Mr. Speaker.

The SPEAKER. On the amendment, the Chair recognizes Representative Marshall. Will the gentleman suspend.

#### PARLIAMENTARY INQUIRY

The SPEAKER. For what purpose does the gentleman, Representative Maher, rise?

Mr. MAHER. Thank you, Mr. Speaker.

I had the floor. You asked that I suspend. I did not surrender the floor, and I would like to continue the parliamentary inquiry.

The SPEAKER. The gentleman can continue his parliamentary inquiry.

Mr. MAHER. I recognize that the motion was withdrawn, but I wanted to get clarity. Was the intent for the temporary rule to be a roll-call vote or an "ayes" and "nays"?

The SPEAKER. A roll-call vote.

Mr. DeWEESE. Mr. Speaker?

Mr. MAHER. An actual roll-call vote.

#### PARLIAMENTARY INQUIRY

Mr. DeWEESE. Mr. Speaker, a point of parliamentary inquiry.

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. DeWEESE. Is my wonderful friend, Mr. Maher, in order right now?

Mr. MAHER. Mr. Speaker, I had the floor. I was recognized—

Mr. DeWEESE. I understand you had the floor. I am just wondering whether your debate is in order.

Mr. MAHER. —and I suspended. Under Mason's Manual—

The SPEAKER. Will both gentlemen suspend. The gentlemen will suspend, both gentlemen.

The gentleman, Representative Maher, is in order to state his point of parliamentary inquiry, but the gentleman should understand that the question is moot.

Mr. MAHER. Mr. Speaker, I would thank you and remind the gentleman from Greene County that under Mason's Manual, once somebody is recognized and has the floor, their yielding at the request of the Chair does not constitute surrendering the floor, and in fact, I would add that had I been less polite, I might have observed that the gentleman, Mr. DeLuca, was actually out of order and you, sir, Mr. DeWeese, were in fact out of order with your interruption. But since we are being polite—

The SPEAKER. Will the gentleman suspend.

Mr. MAHER. Mr. Speaker?

The SPEAKER. The gentleman was recognized for a point of parliamentary inquiry. The issue was removed from the board, so the gentleman's point of parliamentary inquiry was moot at that point. If the gentleman would like to continue his point of parliamentary inquiry, he is entitled to do that, but there is no issue for which to make an inquiry.

Mr. MAHER. Mr. Speaker?

Mr. DeWEESE. Mr. Speaker?

Mr. MAHER. Mr. Speaker, I have been very generous in yielding, and if I could just complete, it might be rather speedier—

The SPEAKER. The gentleman can continue.

Mr. MAHER. Thank you, Mr. Speaker.

Is it the view of the Chair that a motion to adopt a rule temporarily or permanently can be done without that proposal being in writing? It had been my understanding under Mason's Manual that proposals to adopt rules require a resolution which is in writing and available to the members. And I am just trying to understand because this may affect what comes next, and it seems to me that the Chair was entertaining a motion to allow for a temporary rule without that temporary rule being put into writing and that perhaps maybe the suspension suspends Mason's Manual's requirements as well, but I would like to know.

The SPEAKER. The gentleman makes a good point, and the Chair will direct the Parliamentarian to do extensive research on that very question, and the Chair thanks the gentleman.

Mr. MAHER. Thank you, Mr. Speaker.

The SPEAKER. The gentleman, Mr. Marshall, had the floor. We apologize for the interruption. The gentleman may continue.

Mr. MARSHALL. Thank you, Mr. Speaker.

Mr. Speaker, I am a commonsense man and this is a commonsense amendment. I would believe that every member, especially my freshman class, would agree that at this time we need to vote on this and end ghost voting in this House.

Thank you.

The SPEAKER. On the amendment, the Chair recognizes Representative Scavello.

Mr. SCAVELLO. Thank you, Mr. Speaker.

Could I interrogate the maker of the amendment, please?

The SPEAKER. The gentleman indicates that he will stand for interrogation. The gentleman can proceed.

Mr. SCAVELLO. Thank you, Mr. Speaker.

Is it my understanding that this particular roll-call vote will not be done on every vote?

Mr. REICHLEY. I am sorry, Mr. Speaker. Are you referring to the roll-call vote that Representative DeLuca was requesting or that is within the amendment?



Mr. SCAVELLO. I am talking about your particular piece of legislation. Will there be a vote—

Mr. REICHLEY. Within the amendment, for instance, within the amendment, the roll-call vote that was just requested was not contemplated within the language of the amendment.

Mr. SCAVELLO. Okay.

Mr. REICHLEY. The language of the amendment refers to a potential, not mandatory, but a potential voice roll-call vote on final passage on bills and joint resolutions. It does not refer to a motion to recess, it does not refer to a motion to adjourn; it refers to final passage. And contrary to the allegation that this somehow would be an impediment where every possible vote was subjected to this, the language of the amendment is actually to the contrary. It would not be subjected to every, not even to the amendments. It is on to a roll call on the final passage. Amendments would not be subjected to a voice roll-call vote. Motions to table, motions to adjourn, motions on constitutionality, none of those would be subjected to voice roll-call votes.

Mr. SCAVELLO. But on every final piece of legislation, there will be a voice roll-call vote.

Mr. REICHLEY. No, Mr. Speaker. Only at the request of either the majority leader or the minority leader—

Mr. SCAVELLO. Okay.

Mr. REICHLEY. —would there be a motion then before the House where a voice roll-call vote would be necessary, and this is not some situation where, as the gentleman from Philadelphia mentioned, about members needing to go to the bathroom or members who are diabetic. Under the resolution that is before the House, there is a 10-minute period allowed for a vote to take place. So those members who are inconvenienced at the time, are in the bathroom or are getting their diabetes levels checked or getting a bite to eat, would still have time to be able to come and say to their constituents, I was there; I voted; I did not throw away my vote; I did not ghost vote.

It is clear that a vote for this amendment says, I am against ghost voting; I am for accountability; I am getting rid of the old, bad ways; this is a new House. Every member should be in favor of this.

Mr. SCAVELLO. Thank you.

Thank you, Mr. Speaker. Can I comment on the amendment?

The SPEAKER. The gentleman has completed his interrogation. He can comment.

Mr. SCAVELLO. Thank you.

You know, I just heard earlier the new majority leader say the winds of change, and here is the opportunity, Mr. Speaker. You know—

The SPEAKER. Would the gentleman suspend for one moment.

Mr. SCAVELLO. Yes.

The SPEAKER. The Chair will ask all the members to please clear the aisle and take your seats. The gentleman can proceed.

Mr. SCAVELLO. It sounded so good, Mr. Speaker, I am going to repeat it: the winds of change. This is an opportunity. The people of Pennsylvania spoke that they want us in our seats, no ghost voting, and here is an opportunity to make sure of that. With voting for this amendment, we would stand at a microphone, and on the crucial bills that come before us, that mean a tremendous amount to the people of Pennsylvania, we will be able to look right into that camera and say "yea" or "nay," and I support the amendment.

Thank you, Mr. Speaker.

The SPEAKER. The Chair will repeat its request and ask the members to take your seats so we know who you are.

On the amendment, the Chair recognizes Representative Bastian.

Mr. BASTIAN. Thank you, Mr. Speaker.

Mr. Speaker, my father was only 5 foot 6 and I turned out to be 6 foot 1, and one of those reasons was that I got my rear end kicked on occasion when I did not behave. After a while you learn how to behave so you do not get your rear end kicked, and this is the same thing here. It is as simple as that. Be here, and there is no reason to call for a roll-call vote.

Thank you very much.

Mr. DeWEESE. Mr. Speaker? Mr. Speaker?

The SPEAKER. The Chair recognizes Representative DeWeese.

Mr. DeWEESE. My good friend who just spoke, and I am going to meet with him tomorrow at lunchtime on another matter, he is not wrong. And neither was the preceding speaker, Mario, Mario; he was not wrong either. But we have on the rule book today, right now – we adopted temporary rules; they were confirmed within the body of the work of the Rules Reform Commission – a rule that disallows ghost voting. You must be in your seat in order to vote.

So notwithstanding what I consider to be politically opportunistic speeches, and we are not necessarily beyond that from time to time, it is human nature, but we have a mechanism. If the honorable minority leader, Mr. Smith, wants to question any one of our members, all he has to do is go to the microphone and say the honorable lady or the honorable gentleman from so-and-so in seat so-and-so is not in their seat and I request that they do not vote.

So you have two choices, but do not say that we are for ghost voting. That is just preposterous. We are going to vote again, and we have already, all of us unanimously, voted to disallow ghost voting. It is not going to be a part of our process. The enforcement mechanism is either going to be Mr. Smith or myself pointing to a seat and a number and a county, or it is going to be approximately a half-hour voice roll call. The enforcement mechanism is the only differential.

You cannot get away with saying that we are for ghost voting. We are not for ghost voting. We adopted a temporary rule; then it is going to be a permanent rule. It is only the enforcement mechanism. So in spite of the grandstanding and the political rhetoric, we all are in favor. It will be unanimous. It is just the enforcement mechanism that is at question.

Thank you, Mr. Speaker.

The SPEAKER. On the amendment, the Chair recognizes Representative Killion.

Mr. KILLION. Thank you, Mr. Speaker.

Mr. Speaker, as we just heard, the rules currently say you have to be in your seat. I heard a lot of rhetoric about how this will gum up the process or slow down the process. But I know the majority leader, I know the minority leader; they know their membership, they can count. I could only see this being used on a very rare occasion where one or the other looks across the aisle and sees that the people are not there. I trust the body that most people are in their seats, but sometimes maybe they are not, and as that great President said, "Trust, but verify." I think we need to give leadership on both sides of the aisle the tool to verify that members are in their seats.

I encourage a "yes" vote on the Reichley amendment. Thank you.

The SPEAKER. On the amendment, the Chair recognizes Representative True. The lady waives off.

On the amendment, the Chair recognizes Representative Stairs.

Mr. STAIRS. Thank you, Mr. Speaker.

I do not want to add to the dialogue, but just a few comments that I observed.

Certainly ghost voting has been a very serious problem in this body. We are addressing a resolution to bring about many reforms, and certainly as we do that reform movement, one of the reforms must be the issue of ghost voting.

I appreciate Representative Reichley's amendment here, and maybe it is not foolproof, but certainly I think this is going to be a way to make sure that our members are here and accounted for, and allowing for members who for some reason cannot be here an opportunity to be recorded and go on the record for something else that may come up, whether he goes to a meeting or an emergency, that they can be properly recorded.

So, Mr. Speaker, in this time of reform, certainly this amendment will brighten the day and also bring a wind of change, as was said before.

Thank you, Mr. Speaker.

The SPEAKER. Are there any other members that desire recognition? On the amendment, the Chair recognizes Representative Mantz.

Mr. MANTZ. Mr. Speaker, I request the opportunity to interrogate the author of the amendment, Mr. Reichley.

The SPEAKER. Does the gentleman indicate he will stand for interrogation?

Mr. REICHLEY. Yes.

The SPEAKER. The gentleman does. The gentleman may proceed.

Mr. MANTZ. Mr. Speaker, am I correct that the exercise of the power to request a verbal roll call by either the minority or the majority leader is strictly optional and discretionary on the part of either of those individuals?

Mr. REICHLEY. Yes, Mr. Speaker, that the language of the amendment, and I will again read from line 12, "In order to ensure an accurate vote on Final Passage of any bill or joint resolution, upon request of the Majority Leader or Minority Leader...." It is not mandated upon every vote on final passage; it is not mandated that the majority leader or the minority leader must request a voice roll-call vote on every piece of legislation or joint resolution. This is merely to be at the discretion of the two leaders, and I have full confidence that this would not be abused by the majority or the minority leader, because they are people who wish to engage in a level of comity and ensure that there is a certain working relationship between the two caucuses.

So this is not a vindictive measure; this is not a punitive measure, but in fact, it is meant to ensure that each member has the full ability to represent their constituents.

Mr. MANTZ. So in other words, if it is exercised by either member of leadership, there is no reason, unless it is abused, the power is abused by either leader, there is no reason to expect that this would in any way retard the legislative process.

Mr. REICHLEY. Mr. Speaker, I think the gentleman has exactly hit upon the very question that has been raised by a few gentlemen, that a leader, whether a majority or minority leader who would request a voice roll-call vote on final passage of every piece of legislation, would soon be seen by the members of this chamber, by the public, by the press as an obstructionist

and as a person who was trying to slow down the legislative process.

So I think by the very nature and course of events, that the majority and minority leaders will not be abusing this process but in fact would only use it in those situations where it is apparent that there are members who are casting votes on behalf of other members who are not present in the chamber.

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

The SPEAKER. Is there any other member that desires to be recognized? If not, the Chair recognizes, on the amendment for the second time, Representative Reichley.

Mr. REICHLEY. Thank you, Mr. Speaker.

And I know that we have been going over this for quite some time, and I appreciate the patience of the members, but this is obviously a matter of great importance or it would not have elicited such a response from across the chamber here.

Many of the members have criticized this as somehow a delaying mechanism, a way to impede consideration of legislation, but, Mr. Speaker, just an hour ago when many of us were raising questions about the proliferation of amendments to be filed upon legislation, we were disdained for saying that we were the ones who were somehow ignoring the need for a full exercise of the rights of the members, that in fact the procedures which were being advocated were going to enhance the ability of the House to consider legislation and empower the individual members, and this in fact is what this amendment would do as well, that each member has an obligation to every one of their 60,000-some constituents to be able to have equal representation under this chamber, and you dilute that concept of equal representation, one man-one vote, by allowing members not to be present and having others vote on their behalf.

The gentleman from Greene County, and I do apologize to the gentleman from Greene if he thought I was picking on the Democrat members, it just occurred to me that all the opposition was coming from the Democrat members. I have not heard yet one Republican over here to voice a question, even casting skepticism upon this concept. But I would be happy to note that I am sure the gentleman, Mr. Petri, who was very honorable and ethical, as well as the gentleman, Mr. Dally, would certainly be willing to be in their seats voting just as the freshmen Mr. Moul, Mr. Perry, others, others who the gentleman from Greene may not have had out to dinner yet. I am sure that he is going to work on that, though.

So I do think that to borrow one of the gentleman from Greene's favorite references to Shakespeare, me thinks he doth protest too much. My simple question to the gentlemen and ladies of this chamber is, what are you afraid of? If this is nothing that will cause the world to come to an end, if this will not create a great impediment, why are you fighting this so much? This is a simple situation. If you want to talk the talk on reform, you got to walk the walk as well. Every 203 of us heard the criticisms about ghost voting, and let us be clear on this; let us not mince words: Ghost voting was a bad procedure. It does not mean that we need to keep that in place. And a "no" vote on this amendment is your endorsement of one of the most egregious, most despicable practices of the last 12 years, which we heard so vehemently criticized from the other side of the chamber.

So if you think the last 12 years were bad, this is one of the prime examples of the things that were bad. If you vote against the amendment, you are endorsing the old ways. If you want to

make a break, if you want to embrace the reform, vote for the amendment. This is a simple situation of not endorsing the ghost voting if you want to be clear with your constituents that you are going to be in your seat and you are going to vote.

And I understand the gentleman's concern about people who have health problems or bathroom problems, but it is not a matter of whether the vote is on the board; it is the matter of whether this member is in his seat and at his seat. As the gentleman Mr. Stairs, said, if in fact the member cannot be present, he asks to be placed on leave, as some of our members are today, so that we are not trying to fool their constituents by having their votes cast.

Some people, I think the gentleman from Montgomery County said that somehow this is going to take too much time. Twenty-seven minutes is not too much time for you to be able to state truthfully to your constituents that you were here doing your duty, just as they voted you to do.

So for every member, whether you are a senior member like the gentleman, Mr. Stairs, or our most junior member like some of our freshmen involved, this goes to the heart of your duties to your constituents. Voting "yes" means you are for those constituents. Vote "yes" for this amendment.

The SPEAKER. On the amendment, the Chair recognizes Representative Petrone.

Mr. PETRONE. Thank you, Mr. Speaker.

Mr. Speaker, I have to say on both sides of the aisle, this is one of the most embarrassing days or the most embarrassing day of 27 years that I have been here. And let me tell you, I do not care how you are going to vote on this. I am not going to ask you to vote one way or another; I know how I feel. But I am not concerned about the guys that are not in their seat and not here; I am concerned about all the people down there who are here and do not know what the heck is going on or what to do. Now, you guys better get it together, because if it is going to be like this for the next 2 years, you can forget it.

Thank you.

The SPEAKER. On the amendment, the Chair recognizes Representative Samuelson.

Mr. SAMUELSON. Thank you, Mr. Speaker.

I was not going to speak, but then I heard the last comment of my colleague from Lehigh County as he was describing what a "yes" or "no" vote on his amendment means, and I have been trying to lead the fight to end ghost voting in this chamber for 2 years. I was the prime sponsor of HR 159 last session, and I thank 58 of you. Fifty-eight members of this House cosponsored that resolution to get rid of ghost voting. Well, this year when we adopted temporary rules in January, the ghost voting, the Harrisburg legislative leave, was eliminated, and the Rules Commission has recommended unanimously that Harrisburg legislative leave is eliminated. Do not take my word for it; look on the screen on page 78 of this bill. You can read that the proposed rule that we will be voting on in this resolution says, "RULE 64. Members Required to be Present and Vote." Top of page 78: "Every member shall be present within the Hall of the House during its sittings...." So what we have in our temporary rule, what we are voting on in the body of HR 108, eliminates the ghost voting. Yes, I spoke strenuously 2 years ago when this House approved by a vote of 113 to 81 the Harrisburg legislative leave. We should never have done that. Now, thankfully we have unanimously eliminated that this year.

Some of the speakers said we need to give the leaders a tool to challenge. Well, right now the leaders have that tool. They use it sparingly, but sometimes the leaders stand at the microphone and challenge whether or not a member is in their seat. The rule that we are voting on in the body of this resolution, without this amendment the body of this resolution says you have to be in the hall of the House to vote. The leaders currently have the power to challenge that. Two members of this House can file a motion for reconsideration. If there is a vote that you have doubts about, you can challenge that with the help of one other member: You file a motion for reconsideration, and we have that tool at our disposal.

I was interested to hear the minority leader's comments about how we need to pass this amendment. I remember 2 years ago when I spoke on this about ghost voting, and he said I was raising a red herring. Well, I think that ghost voting is being eliminated. HR 159 would have done it. Fifty-eight sponsors was terrific. I wish I had more sponsors. I wish I had the gentleman from Lehigh County sponsor my resolution to eliminate the ghost voting. I could have used 59. Just as an aside, you are asking that we read each name on potentially every vote. Like what if we had to go— Well, maybe we should all stand up and say how we voted on January 1, 2005, when the Harrisburg legislative leave was first passed, because I think we have made tremendous progress.

In 2005 it was a minority of this House that was against the ghost voting. Only 81 of us voted "no," and unfortunately it passed for 2 years. The good news is, in January of 2007, unanimously this House adopted the temporary rule. I expect that we are going to adopt the body of this rule, which eliminates ghost voting.

So I think we have tools in place right now. I think the body of the fine work of the Reform Commission eliminates ghost voting. Let us not mischaracterize this vote as for or against ghost voting. We are eliminating ghost voting in the resolution 108. This vote is on a procedure about calling each name individually.

Thank you very much, Mr. Speaker, and I think we should congratulate the Reform Commission for eliminating ghost voting in the body of this resolution.

The SPEAKER. On the amendment, the Chair recognizes, for the second time, Representative Metcalfe.

Mr. METCALFE. Thank you, Mr. Speaker.

Mr. Speaker, the gentleman from the Lehigh Valley area, I appreciate his comments many, many late nights that we are here and him trying to hold people accountable here in the General Assembly, and he does a good job generally of that. I think he is missing a point here. I know the praise is certainly valid for having eliminated the Harrisburg legislative leave that was allowed last session, because many of us thought that should be eliminated, but what he is not pointing out is that ghost voting has been for many, many years a topic of many, many news stories across the Commonwealth.

Ghost voting did not arrive with legislative leave for Harrisburg. Ghost voting was a problem before that amendment to the rules last session, and without this amendment, ghost voting will continue to be a problem with the new rules. If we truly want to bring more accountability and reform to this legislature, as I said earlier, the most basic reform is ensuring that when somebody is elected to be here, that they are here casting their vote, that they are not off playing golf, that they are not off attending classes, that they are not off doing whatever

other things that they might be doing instead of being here representing those people who sent them here. This is a very good accountability measure that we should enact.

Thank you, Mr. Speaker.

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

The following roll call was recorded:

#### YEAS—97

Adolph	Fleck	Marsico	Rapp
Argall	Gabig	McIlhatten	Raymond
Baker	Geist	Mensch	Reed
Barrar	Gillespie	Metcalfe	Reichley
Bastian	Gingrich	Millard	Roae
Bear	Godshall	Miller	Rock
Benninghoff	Grell	Milne	Rohrer
Beyer	Harhart	Moul	Ross
Boback	Harper	Moyer	Rubley
Boyd	Harris	Murt	Saylor
Brooks	Helm	Mustio	Scavello
Cappelli	Hershey	Nailor	Schroder
Causar	Hess	Nickol	Smith, S.
Civera	Hickernell	O'Neill	Sonney
Clymer	Hutchinson	Payne	Stairs
Cox	Kauffman	Peifer	Steil
Creighton	Keller, M.	Perry	Stern
Cutler	Kenney	Perzel	Stevenson
Dally	Killion	Petri	Swanger
Denlinger	Mackereth	Phillips	True
DiGirolamo	Maher	Pickett	Turzai
Ellis	Major	Pyle	Vereb
Evans, J.	Mantz	Quigley	Vulakovich
Everett	Marshall	Quinn	Watson
Fairchild			

#### NAYS—99

Belfanti	George	Mann	Shimkus
Bennington	Gerber	Markosek	Siptroth
Biancucci	Gergely	McCall	Smith, K.
Bishop	Gibbons	McGeehan	Smith, M.
Blackwell	Goodman	McI. Smith	Solobay
Brennan	Grucela	Melio	Staback
Buxton	Haluska	Mundy	Sturla
Caltagirone	Hanna	Myers	Surra
Carroll	Harhai	O'Brien, M.	Taylor, R.
Casorio	Harkins	Oliver	Thomas
Cohen	Hornaman	Pallone	Vitali
Conklin	James	Pashinski	Wagner
Costa	Josephs	Payton	Walko
Curry	Keller, W.	Petrarca	Wansacz
Daley	Kessler	Petrone	Waters
DeLuca	King	Preston	Wheatley
DePasquale	Kirkland	Ramaley	White
Dermody	Kortz	Readshaw	Williams
DeWeese	Kotik	Roebuck	Wojnaroski
Donatucci	Kula	Sabatina	Yewcic
Eachus	Leach	Sainato	Youngblood
Evans, D.	Levdansky	Samuelson	Yudichak
Fabrizio	Longietti	Santoni	
Frankel	Mahoney	Seip	O'Brien, D., Speaker
Freeman	Manderino	Shapiro	
Galloway			

#### NOT VOTING—0

#### EXCUSED—7

Cruz	Lentz	Parker	Taylor, J.
Hennessey	Micozzie	Tangretti	

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

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

#### RULES SUSPENDED

The SPEAKER. The Chair recognizes Representative Harper, who moves that the rules be suspended for the purposes of considering amendment A00214.

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

The SPEAKER. On the question—  
Mr. DeWEESE. Mr. Speaker? Mr. Speaker?

#### ANNOUNCEMENT BY MAJORITY LEADER

The SPEAKER. The Chair recognizes the majority leader.

Mr. DeWEESE. If the gentlelady would yield on a scheduling comment.

Ms. HARPER. I will.

Mr. DeWEESE. Mr. Speaker, it is my intention to allow the debate to go on until 7:30 and then break for dinner, back at 9, and debate again until 11. I would prefer to come back tomorrow, but I am reminded by Representative Shapiro that our temporary rules run out at midnight.

I think that there may be some human-nature impulse for us to sequester our enthusiasms for debate to a couple of minutes each, and I think, the way I have calculated it, we might even be finished by 7:30. If it looks like we are going to be 7:35, 7:40, of course we will be flexible.

But roughly speaking, just to try to run this operation a little bit more definitively in the future, we are going to break from 7:30 to 9, come back from 9 to 11. I think that will be a wonderfully flexible schedule. We should not need to do that. We should probably be able to finish this up by 7:30ish. But I just wanted to share that for the benefit of the membership.

Thank you very much, Mr. Speaker.

#### CONSIDERATION OF HR 108 CONTINUED

#### RULES SUSPENDED CONTINUED

Ms. HARPER. Mr. Speaker?

The SPEAKER. On the motion for suspension, those in favor will vote "aye"; those— Does the gentlelady wish to explain the amendment?

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

The following roll call was recorded:

#### YEAS—194

Adolph	Frankel	Mantz	Roebuck
Argall	Freeman	Markosek	Rohrer

Baker	Gabig	Marshall	Ross
Barrar	Galloway	Marsico	Rubley
Bastian	Geist	McCall	Sabatina
Bear	George	McGeehan	Sainato
Belfanti	Gerber	McI. Smith	Samuelson
Benninghoff	Gergely	McIlhattan	Santoni
Bennington	Gibbons	Melio	Saylor
Beyer	Gillespie	Mensch	Scavello
Biancucci	Gingrich	Metcalfe	Schroder
Bishop	Godshall	Millard	Seip
Blackwell	Goodman	Miller	Shapiro
Boback	Grell	Milne	Shimkus
Boyd	Grucela	Moul	Siptroth
Brennan	Haluska	Moyer	Smith, K.
Brooks	Hanna	Mundy	Smith, M.
Buxton	Harhai	Murt	Smith, S.
Caltagirone	Harhart	Mustio	Solobay
Cappelli	Harkins	Myers	Sonney
Carroll	Harper	Nailor	Staback
Casorio	Harris	Nickol	Stairs
Causar	Helm	O'Brien, M.	Steil
Civera	Hershey	O'Neill	Stern
Clymer	Hess	Oliver	Stevenson
Cohen	Hickernell	Pallone	Surla
Conklin	Hornaman	Pashinski	Surra
Costa	Hutchinson	Payne	Swanger
Cox	James	Payton	Taylor, R.
Creighton	Josephs	Peifer	Thomas
Curry	Kauffman	Perry	True
Cutler	Keller, M.	Perzel	Turzai
Daley	Keller, W.	Petrarca	Vereb
Dally	Kenney	Petri	Vitali
DeLuca	Kessler	Petrone	Vulakovich
Denlinger	Killion	Phillips	Wagner
DePasquale	King	Pickett	Walko
Dermody	Kirkland	Preston	Wansacz
DeWeese	Kortz	Pyle	Waters
DiGirolamo	Kotik	Quigley	Watson
Donatucci	Kula	Quinn	Wheatley
Eachus	Leach	Ramaley	White
Ellis	Levdansky	Rapp	Williams
Evans, D.	Longietti	Raymond	Yewcic
Evans, J.	Mackereth	Readshaw	Youngblood
Everett	Maher	Reed	Yudichak
Fabrizio	Mahoney	Reichley	
Fairchild	Major	Roae	O'Brien, D.,
Fleck	Mann	Rock	Speaker

## NAYS—2

Manderino Wojnaroski

## NOT VOTING—0

## EXCUSED—7

Cruz	Lentz	Parker	Taylor, J.
Hennessey	Micozzie	Tangretti	

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

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

Ms. **HARPER** offered the following amendment No. **A00214**:

Amend Resolution (Rule 14), page 12, line 9, by inserting after "member."

The Ethics Committee shall issue to any member upon such member's request an opinion with respect to such member's duties under this rule. The Ethics Committee shall, within 14 days, issue the opinion. No member who acts in good faith on an opinion issued to that member by the Ethics Committee shall be subject to any sanctions for so acting, provided that the material facts are as stated in the opinion request. The Ethics Committee's opinions shall be public records and may from time to time be published. The member requesting the opinion may, however, require that the opinion shall contain such deletions and changes as shall be necessary to protect the identity of the persons involved.

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

The SPEAKER. On the amendment, the Chair recognizes Representative Harper.

Ms. HARPER. Thank you, Mr. Speaker.

The Reform Commission has properly sought to limit the role of legislative nonprofits and has tried to define them in such a way that the abuses that have occurred or could have occurred for a certain member who is no longer here can no longer occur. However, in so doing, the Reform Commission language raises some question that may cause those of us who serve on legitimate nonprofit boards to question whether or not we could be in violation of the new rule.

Many members of this chamber, perhaps every member of this chamber, is here because we want to do good for our communities, and in that role we have helped our libraries, our land trusts, our Little Leagues, our football teams, our fire companies, our ambulances, our veterans organizations, our schools and school organizations, the Red Cross, the Association for the Blind, the Epilepsy Foundation, and a host of other nonprofits. My amendment merely seeks to give comfort to those of us who are worried that our participation in these nonprofits could cause a rules violation by allowing members to ask the Ethics Committee for an opinion and requiring the Ethics Committee to issue an opinion on which the member might rely that his or her service on a nonprofit board will not violate the new rules.

I would ask for your support so that all of us can continue to do good in our communities when we are home.

Thank you, Mr. Speaker.

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

The following roll call was recorded:

## YEAS—195

Adolph	Freeman	Markosek	Rohrer
Argall	Gabig	Marshall	Ross
Baker	Galloway	Marsico	Rubley
Barrar	Geist	McCall	Sabatina
Bastian	George	McGeehan	Sainato
Bear	Gerber	McI. Smith	Samuelson
Belfanti	Gergely	McIlhattan	Santoni
Benninghoff	Gibbons	Melio	Saylor
Bennington	Gillespie	Mensch	Scavello
Beyer	Gingrich	Metcalfe	Schroder
Biancucci	Godshall	Millard	Seip
Bishop	Goodman	Miller	Shapiro
Blackwell	Grell	Milne	Shimkus
Boback	Grucela	Moul	Siptroth
Boyd	Haluska	Moyer	Smith, K.

Brennan	Hanna	Mundy	Smith, M.
Brooks	Harhai	Murt	Smith, S.
Buxton	Harhart	Mustio	Solobay
Caltagirone	Harkins	Myers	Sonney
Cappelli	Harper	Nailor	Staback
Carroll	Harris	Nickol	Stairs
Casorio	Helm	O'Brien, M.	Steil
Causer	Hershey	O'Neill	Stern
Civera	Hess	Oliver	Stevenson
Clymer	Hickernell	Pallone	Sturla
Cohen	Hornaman	Pashinski	Surra
Conklin	Hutchinson	Payne	Swanger
Costa	James	Payton	Taylor, R.
Cox	Josephs	Peifer	Thomas
Creighton	Kauffman	Perry	True
Curry	Keller, M.	Perzel	Turzai
Cutler	Keller, W.	Petrarca	Vereb
Daley	Kenney	Petri	Vitali
Dally	Kessler	Petrone	Vulakovich
DeLuca	Killion	Phillips	Wagner
Denlinger	King	Pickett	Walko
DePasquale	Kirkland	Preston	Wansacz
Dermody	Kortz	Pyle	Waters
DeWeese	Kotik	Quigley	Watson
DiGirolamo	Kula	Quinn	Wheatley
Donatucci	Leach	Ramaley	White
Eachus	Levdansky	Rapp	Williams
Ellis	Longietti	Raymond	Wojnaroski
Evans, D.	Mackereth	Readshaw	Yewcic
Evans, J.	Maher	Reed	Youngblood
Everett	Mahoney	Reichley	Yudichak
Fabrizio	Major	Roae	
Fairchild	Mann	Rock	O'Brien, D.,
Fleck	Mantz	Roebuck	Speaker
Frankel			

## NAYS—1

Manderino

## NOT VOTING—0

## EXCUSED—7

Cruz	Lentz	Parker	Taylor, J.
Hennessey	Micozzie	Tangretti	

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

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

Mr. **ARGALL** offered the following amendment No. **A00101**:

Amend Resolution (Rule 45), page 54, line 18, by inserting after "is"

physically

Amend Resolution (Rule 45), page 54, line 24, by inserting after "is"

physically

Amend Resolution (Rule 45), page 54, line 24, by inserting after "present."

No committee shall transact any committee business requiring a vote, except a vote to recess or adjourn, unless a quorum is physically present. A member who is only present by proxy shall not be counted in determining whether a quorum is present.

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

The **SPEAKER**. On the amendment, the Chair recognizes Representative Argall.

Mr. **ARGALL**. Thank you, Mr. Speaker.

Mr. Speaker, this is an amendment that came up one vote short in the Speaker's Commission on Rules Reform. The final vote was 20 to 4. All Republicans voted for it and 8 of the 12 Democrats. If any of the members do not know how they voted, I, of course, have it here if they would like to see it. It came up one vote short of the supermajority requirement.

Basically, it would prohibit committees from transacting any committee business unless a quorum is physically present. Proxies could not be used to determine whether or not that quorum is present, and it is my understanding, Mr. Speaker, that this is the tradition under which House committees have operated for quite some time. So this is not a new rule; this is just a way of making sure that this rule is followed in the future. This is a well-established, time-honored practice. It is a rule that has been in place for some time, and I believe it is simple common sense. It is also the operation under which the Senate has practiced the rule for some time.

Theoretically, without this amendment, one person, one person could hold a committee meeting with a fistful of proxies and report a bill out to this chamber without anyone else in the room, all by himself. I do not think that that strikes anyone as appropriate. I do not believe that that follows the spirit of reform and openness about which we have heard so much in the last few weeks, and I would ask for a positive vote for this amendment.

Thank you, Mr. Speaker.

The **SPEAKER**. On the amendment, the Chair recognizes Representative Mundy.

Ms. **MUNDY**. Mr. Speaker, thank you.

I was one of the people who voted against this in the Reform Commission for the following reason: When you are on the House floor, you are not supposed to be anywhere else; you are supposed to be here on the floor and voting. Committees are different, because as we all know, we each serve on many different committees. Some of our members serve on as many as five different committees, most of which meet on Monday, Tuesday, and Wednesday of any given week. As a new committee chairman, I can tell you how difficult it is to schedule those meetings when they are not in conflict with a number of other meetings. It is impractical to require a member to be in four or five different places at the same time, and there is no earthly reason why a properly executed proxy should not stand in place of that member's presence at the committee meeting.

Again, I distinguish between being on the floor; I support that. I have always supported being on the floor and present when voting, because there should be no other conflicts, in my view, with floor votes, but when you have so many different committee meetings conflicting with one another, people are trying to run from one place to another.

Now, in my committee we are required to attend the committee meeting, hand in our proxy to ensure that we are present in Harrisburg, and then if you have a conflict, you go on to another committee meeting. What is wrong with that? I see absolutely nothing wrong with that. A properly executed proxy should be an indication that you are in Harrisburg, and on the

proxy form you have to indicate where you are, why you are not present. What is wrong with that?

So unless each of us wants to have a less than stellar attendance record at any given committee meeting or unless we do not want committees to function because we cannot vote, then I would suggest that we defeat the Argall amendment.

The SPEAKER. On the amendment, the Chair recognizes Representative Belfanti.

Mr. BELFANTI. Thank you, Mr. Speaker.

I think Representative Mundy put the issue very succinctly. We created new committees this year; we added members to each committee this year. As minority chairman of Labor, I was on one committee; I am now on four committees, and there are those of us that are on five committees, as the gentlelady just said.

My committee adopted a rule unanimously that in order to be voted in my committee, their proxy must be physically handed in at the committee meeting, and then they can go on to their next meeting and allow one member or more in the committee to vote on certain issues that are very important to that person, knowing full well what is on the committee agenda. They should not be precluded from voicing or putting up their vote on behalf of their constituents on an issue that is very important, simply because there is another issue that is very important that needs to be voted on in another committee, and maybe a third issue that is important to their constituents or to them as individual members that they have to run to to try and cast that vote.

We are really going far afield here. I know everyone wants to look good to the press. This amendment is impractical. This amendment is going to come back to bite a lot of people. I think the rules adopted by most of the committees are the best rules going: show up at the committee meeting, even if it is for a minute, hand your proxy to your respective chairman, and that chairman then gets to cast important votes on your behalf for the purpose of that committee. Not on the floor; that is a separate issue. And again, it is going to come back to haunt people who are on three, four, or five committees, because you are going to miss some very important votes that you will be attacked for not voting for because you were simply unable to vote for, and if you think the Associated Press is going to be fair about that, that you missed a very important vote, they are going to be fair about that simply because you had three other meetings and they are going to explain that, well, look what they did last night with all the hard work or this morning with all the hard work we concluded yesterday. Most of what I read was about one issue, the Appropriations issue, not that we reformed the Rules Committee, which is where the majority of the skullduggery took place.

All we are doing here is playing at posturing for political reasons. This amendment is not necessary, it is foolhardy, and if it is adopted, we should probably shut down two or three or four committees and merge them with other committees so that members cannot serve on more than two or three, so they cannot get caught in this spider web where they are unable to vote on important issues because three or four of their chairmen have scheduled a 10 o'clock Tuesday meeting at the same time – one in the Ryan Building, one in the Irvis Building, one in this building, one somewhere else. It is going to be tough enough to get a quorum to begin with. This is just going to exacerbate things and make matters much worse.

Thank you, Mr. Speaker.

## LEAVE OF ABSENCE

The SPEAKER. Without objection, Representative HARPER will be put on leave for the remainder of the day. The Chair hears no objection.

## CONSIDERATION OF HR 108 CONTINUED

The SPEAKER. On the amendment, the Chair recognizes Representative Clymer.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, as a former majority chairman, we had to operate under the very regulations that the amendment is now saying that we just extend. I rise in support of the Argall amendment.

As a chairman, one of the things that you look at, because you know that your members have other commitments with other committees on a certain day, you try to schedule as many votes as you possibly can and you try to prepare the members on both sides of the aisle with the agenda that you are going to be discussing on that particular day. Members know that if you have 17 or 18 in attendance and they have to leave, they will leave. Some of them will give a proxy and you can vote them, as has been indicated. But the system does work. Not all the committees meet at the same week. Some of them maybe meet once or twice a month. So it is not as though the committees are all equally active. And again, if you know that you only have an hour, that is all the time you have in that particular room, you move your agenda through that time frame.

So this is the agenda, these are the standards and regulations that we had to endure over the years, and I think that to change these standards in midstream is really not the right direction we should go, and so I ask the members to support the amendment that is before us. Thank you.

The SPEAKER. On the amendment, the Chair recognizes Representative George.

Mr. GEORGE. Mr. Speaker, I will not be long, but I will ask you, if I may, that you assign a little latitude, and if you see me or hear me saying "hell" one more time, you tell me about it, will you?

The SPEAKER. The gentleman just said it.

Mr. GEORGE. The gentleman knows I did not mean it.

Now, Mr. Speaker, if I can just get a couple of moments, and I am embarrassed because I have been here 33 years and I do not know any more today of what motivates individuals, but there is nothing that I will ever be blamed for in regard to blaming others for what I have done myself, and I wish you would all listen to that.

Now, today we had a meeting of the Environmental and Energy Committee, and I could not be prouder, because I have been here 33 years and it has not mattered to me whether I was the majority chair or not, but today I swelled with a little bit of pride when I saw a name on a plate card that said "The Majority Chairman, Camille George, on Conservation" – Conservation. Twelve years ago that committee was Conservation. And I came back to the office and I got the cards, and the first card that I turned up on a member back in '94 was "Subcommittee Chairman Sam Smith." What does that tell you? That tells you that a subcommittee chairman rose to become the majority chairman of this illustrious body, and a fellow who has been here 10 more years than him, I am still a chairman. But do

you know what I am? I am what I want to be. I want to be the chairman or the minority chairman; I do not care. We have an opportunity today, so regardless of what the party of this Governor is, we have begun to understand that only we are a body who work together. I am going to work with Representative Hutchinson and every Republican and Democrat member so that we can get ethanol plants, so that we can get energy going, so that we can provide jobs, and we cannot do it with Democrats alone; we have got to do it with people on the other side who have the same obligations as us, who have the same aspirations as us to do the right thing. Now, when we come down here and we blame each other for a lot of these things that are happening, we do not want to blame our leaders, but they are the ones that should be blamed.

Now, if you want to do the right thing, you will vote this amendment down. You will understand that just for the last 12 years, the other side had the extra membership. These young people came down; they want education, they want business, they want State government, they want the environment. They want this and they want that, and they have a right, and just as was explained by the previous speaker, they interlude; they conflict. Let us not take the right away from these young people who are down here and going to replace us someday and going to be here 30 years such as you and I have been. Give them that opportunity to show you they are going to even do better than what we have done, but we will not let them do better if we play this bad game of dirty politics.

It reminds me of what happened on I-78 3 weeks ago. We went up that hill and we could go no further. Let us not allow that to happen tonight. Let us defeat this amendment and let us go home this weekend, and let us come back and show the people of Pennsylvania that this is not a Democratic-Republican bill; this is the Commonwealth of Pennsylvania's brightness and astuteness, that they sent us down to do the job that they knew we can do.

Thank you very much.

The SPEAKER. On the amendment, the Chair recognizes Representative Vitali.

Mr. VITALI. Thank you, Mr. Speaker.

I rise in support of the Argall amendment, and I was not going to get up and speak, but it is either I am reading this wrong or some other members have a misunderstanding of what this amendment does.

This amendment does not eliminate voting by proxy. One of the previous speakers expressed a concern that you would not have the ability to go from one meeting to the next and the next without a proxy. It does not eliminate proxy voting at all. It is not going to cause any members to miss votes. What it will cause is if the committee does not have a physical quorum, the committee meeting will simply not happen. So the committee will shut down and votes will not be missed. So no one will miss votes because of this.

I think another previous statement that I do not really understand is the adverse consequences if we pass this. It is my understanding that this is the way we have done business. We have had the same 203 members since I have been up here, the same 25 standing committees, and we have had this rule. This will not dramatically change the way we do things; this is the way we do things.

I think what this rule is meant to prevent is a situation where you have a very small number of people, 10 or 12, and the committee is being conducted, and I think the problem there is,

you have to look at what the function of a committee is. It is to debate; it is to exchange ideas; it is to give and take; it is to educate, and that really cannot be accomplished with a roomful of proxies, and if you cannot really engage in that meaningful debate and give-and-take and discussion, a committee should shut down.

So I think this is, I believe – I am happy to sort of show bipartisanship by going across the aisle – I think this simply just makes a lot of sense, so I urge a "yes" vote.

The SPEAKER. On the amendment, the Chair recognizes Representative Stairs.

Mr. STAIRS. Thank you, Mr. Speaker.

Tonight, of course yesterday and tonight and later tonight maybe, we are going to be talking about change in this Capitol Building and the way we conduct business, and I think we are all for the change. But there are times when we have to sit back and think maybe a few things that we have been doing, as they say, are not too bad, that it is not a bad idea, because I do think that the committee is in some ways more important than this Assembly we have right here. I think the committee really is the heart of the legislature where people who have a particular interest are assigned to committees, and yes, some members have, obviously, a lot of interest because there are a lot of committees, but it is disheartening to see lack of debate, lack of discussion in the committees, and even though the committee meeting cannot start without a quorum, and we do allow proxies, but one after another maybe some members may drop off and leave, and I think that deteriorates the quality and the intent of our discussion, and it hurts our committee system, which it really is the foundation of this chamber itself, is having a good strong committee system.

So when you have 10 or 12 members actively present and 15 proxies, certainly it is not a good sign for good government. So I would hope that as we are changing things which need to be changed, and I hope tomorrow or the next week or the next month as we make more changes which are needed, we will still keep the basic foundations and some basic truths of making a credible vote out of committee and making sure the members are there, they are accounted for, and not having a, certainly a minority membership deciding what is said and done. So I would hope that we can keep some of the good things we are doing and also be very progressive and do away with some of the bad things we are doing.

So I hope we can keep this quorum active in our committee process. Thank you, Mr. Speaker.

### LEAVE OF ABSENCE CANCELED

The SPEAKER. The Chair recognizes Representative Hennessey's presence on the floor. He will be added to the master roll.

### CONSIDERATION OF HR 108 CONTINUED

The SPEAKER. On the amendment, the Chair recognizes Representative Levdansky.

Mr. LEVDANSKY. Thank you, Mr. Speaker.

Mr. Speaker, before you think about whether or not proxies ought to be used as counting towards a quorum of a committee, let us be clear about what HR 108 proposes relative to proxy



voting. Let me read it precisely, because this is a departure from past practice.

"No proxy voting shall be permitted in committee, except as provided...herein. If a member reports to a scheduled committee meeting and advises the chair and other members of a conflicting committee meeting or other legislative meeting which he or she must attend on the same day, the member is authorized to give the chair or minority chair his or her proxy in writing which shall be valid only for that day and which shall include written instructions for the exercise of such proxy by the chair or minority chair during the meeting. The member should also advise the chair where he or she can be reached. In the event the conflicting committee meeting or other legislative meeting is scheduled to convene at the same time or prior to the meeting at which a member desires to vote by proxy, such proxy shall be delivered by the member in person to the offices of both the chair and minority chair prior to, but on the same day as, the conflicting meetings."

Mr. Speaker, this ensures that the only way you can proxy vote is if you have another conflicting committee or legislative business that conflicts with the meeting that you want to attend by proxy, and you must show up and hand your chair the proxy, and you have got to tell them where you are going to be, and you have got to state in that proxy how you want to be voted on all motions, all amendments, and all final passages. So you have got to make a very significant effort to vote by proxy, but this amendment says that once you have done all of that, you can vote by proxy on motions, on amendments, and on final passage on bills in committee, but, but a member who is only present by proxy shall not be counted in determining whether or not a quorum is present.

So proxies are good for voting for motions, amendments, and bills in committee, but it will not count towards a quorum being present. That does not make any sense. It is an inconsistent way to treat proxy voting. We ought to allow proxy voting under the strict guidelines in this resolution, and I do not see why we should treat it any different, and that is why I would argue for the defeat and the rejection of this amendment.

Thank you.

The SPEAKER. On the amendment, the Chair recognizes the majority leader, Representative DeWeese.

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

It is hard for me to enhance the remarks of the gentleman from Allegheny County, Mr. Levdansky. He was able to make a very, very solid synopsis. This again, as the Reichley amendment, would not be the end of the world, but if it were such a good idea, why did the Republicans not proffer this idea in 1995, in 1996, in 1997, in 1998, in 1999, 2000, 2001, et cetera, et cetera, et cetera? The Grand Old Party had control of the chamber, and you had an iron grip. You had eight or nine majority number over top. For some reason this did not appeal to the honorable and wholesome author of the amendment.

To get to the nub of the issue, Mr. Speaker, this is about functionality. This is about practicality. If you were in the Matthew Ryan Building, how can you be in the Irvis Building if there are simultaneously two committees exchanging their views and taking votes at the same time?

Now, one of the things that we talked about doing early on in the process when we launched the idea New Year's Eve, New Year's Day, New Year's Day plus one of the Speaker's Reform Commission, was to give Sam Smith or at that time

potentially John Perzel and the leadership echelon, to give them an extra member on the committee. We offered as a token of compromise the chance to have another Republican member. We thought, we are going to make this a bipartisan effort. For the first time in my 31 winters in this building, the numbers are closer. We brought the numbers closer. There are more Republicans, more minority members of the committee.

We have been reaching out, as I said earlier in another facet of the debate, to make certain that our committee chairmen start to entertain Republican bills, and how are we met? With the Reichley amendment, with the Argall amendment trying to shackle the fluidity of the process. This is a matter for the majority to be more practical, for our membership to be able to attend a variety of committee meetings. The explication that Mr. Levdansky offered syllable by syllable says there is no mischief in this effort. We just want things to work. Everything is in the cold, hard light of day. This amendment is meant to foil and stymie and negate. There is really nothing helpful in this amendment vis-à-vis our process.

Final comment, Mr. Speaker, was going to come from the more esoteric. We are in a democracy. We want as many people to participate as possible. It is absolutely a stunning revelation that someday Representative Mann or Representative Goodman, somebody is going to have three committee meetings at the same time, and if they have studied the issues, know how they are going to vote, show up at each one of those, even at committee number two or committee number three for a short time, share the fact that they want a "yes" vote on HB 1732; a "no" vote on HB 1691, et cetera, et cetera, this is not obfuscation. This is the way we want to run our enterprise.

You had it for 12 years, and momentarily we have a chance, by one vote albeit, to be a majority party. When you vote, when all you wholesome Lancaster County folks vote to stymie us, it is a matter of functionality. It is a matter of practicality. You do not have any idealistic, wholesome motivation. A negative motivation is what elicits this kind of response from the Republican Party. Here we are giving you an extra member on the committee, without reserve; here we are instructing our committee chairmen to try to make certain that Republican rank-and-file bills get considered, and Argall gives this – and I am trying to be inventive in my language – but this very inadequate proposal.

I would ask that Mr. Argall's efforts be opposed without stint or limit.

Mr. S. SMITH. Mr. Speaker?

The SPEAKER. The Chair recognizes the minority leader, Representative Smith.

Mr. S. SMITH. Mr. Speaker, just one point. The gentleman that just spoke earlier asked the Speaker to admonish or at least monitor members' use of names. I would ask you to pay attention to his remarks, as he has used several members' names and getting very close to where it is not in the appropriate area. I would ask as a point of parliamentary inquiry.

On this amendment, Mr. Speaker, real briefly. The previous speaker suggested that when the Republicans were running the House for the last several years, that we had opportunities to do these things, to do something in our rules, and as I said earlier, Mr. Speaker, the world changed over the last couple of years. We have all come to see the need to do some things, to change this place, but as far as this specific amendment being some new idea, Mr. Speaker, as best I can tell, this amendment would put

into the rules the exact procedure, the ruling that had been from previous Chairs as to just how our committees did run.

So this is not a new amendment. It is consistent with how the committees operated over those last 10 or 12 years. So if you want to suggest that we did not do something right, that we could have changed some things, this is how it was done, the committees were. This was how they were to be handled, and it was not a problem. The committee chairmen oftentimes understood those problems that exist when people have to cover a lot of ground between committee meetings. They worked their way through it. It is a challenge to get there. I understand that, Mr. Speaker, but to represent that this amendment is somehow some new invention to distort or to delay the process is absolutely inaccurate, Mr. Speaker. It is simply to ensure that the committees are properly represented and properly formed on any given day that they would meet.

This amendment is consistent with what the committee rules were over the last several years, and I would urge the members to support amendment 101.

The SPEAKER. On the amendment, the Chair recognizes Representative Mundy.

Ms. MUNDY. Thank you, Mr. Speaker.

The remarks of the previous speaker are somewhat specious in that we have never had as many members on a committee as we have now. We have one more member of each party on each committee. I never remember in my time here people being on five different committees, and I as a chairman never expected to be on two additional committees, and I must say that if this passes, I will very strongly urge my leaders to go back to the old committee system where we had many, many fewer members on each committee.

So if you like being on five committees and you vote for this, then I would suggest that that may change. Thank you, Mr. Speaker.

The SPEAKER. On the amendment, the Chair recognizes Representative Argall.

Mr. ARGALL. Thank you, Mr. Speaker.

Mr. Speaker, the choice is up to the members of this House: Do you want decisions made in committee rooms where there is a physical majority of the members present? That is not a radical solution. That is not some kind of a partisan dream that we cooked up over the last couple of days. That is the tradition that has guided this House for many, many years.

As a former committee chairman, I can tell you I never remember having a problem in committee, having any other committee chairman come to us and say that this is a problem, and adding one person to a committee or adding one more committee to this House chamber should not throw the entire system which has guided this chamber into some kind of orbit. I really do not understand many of the objections to this. This is something that we have lived with. I think many organizations require a physical quorum of the members, a simple majority to be present.

I would ask once again for a positive vote.

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

The following roll call was recorded:

## YEAS—97

Adolph	Fleck	Marsico	Rapp
Argall	Gabig	McIlhattan	Raymond
Baker	Geist	Mensch	Reed
Barrar	Gillespie	Metcalfe	Reichley
Bastian	Gingrich	Millard	Roae
Bear	Godshall	Miller	Rock
Benninghoff	Grell	Milne	Rohrer
Beyer	Harhart	Moul	Ross
Boback	Harris	Moyer	Rublely
Boyd	Helm	Murt	Saylor
Brooks	Hennessey	Mustio	Scavello
Cappelli	Hershey	Nailor	Schroder
Causar	Hess	Nickol	Smith, S.
Civera	Hickernell	O'Neill	Sonney
Clymer	Hutchinson	Payne	Stairs
Cox	Kauffman	Peifer	Steil
Creighton	Keller, M.	Perry	Stern
Cutler	Kenney	Perzel	Stevenson
Dally	Killion	Petri	Swanger
Denlinger	Mackereth	Phillips	True
DiGirolamo	Maher	Pickett	Turzai
Ellis	Major	Pyle	Vereb
Evans, J.	Mantz	Quigley	Vulakovich
Everett	Marshall	Quinn	Watson
Fairchild			

## NAYS—99

Belfanti	George	Mann	Shimkus
Bennington	Gerber	Markosek	Siptroth
Biancucci	Gergely	McCall	Smith, K.
Bishop	Gibbons	McGeehan	Smith, M.
Blackwell	Goodman	McI. Smith	Solobay
Brennan	Grucela	Melio	Staback
Buxton	Haluska	Mundy	Sturla
Caltagirone	Hanna	Myers	Surra
Carroll	Harhai	O'Brien, M.	Taylor, R.
Casorio	Harkins	Oliver	Thomas
Cohen	Hornaman	Pallone	Vitali
Conklin	James	Pashinski	Wagner
Costa	Josephs	Payton	Walko
Curry	Keller, W.	Petrarca	Wansacz
Daley	Kessler	Petrone	Waters
DeLuca	King	Preston	Wheatley
DePasquale	Kirkland	Ramaley	White
Dermody	Kortz	Readshaw	Williams
DeWeese	Kotik	Roebuck	Wojnaroski
Donatucci	Kula	Sabatina	Yewcic
Eachus	Leach	Sainato	Youngblood
Evans, D.	Levdansky	Samuelson	Yudichak
Fabrizio	Longietti	Santoni	
Frankel	Mahoney	Seip	O'Brien, D., Speaker
Freeman	Manderino	Shapiro	
Galloway			

## NOT VOTING—0

## EXCUSED—7

Cruz	Lentz	Parker	Taylor, J.
Harper	Micozzie	Tangretti	

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

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

The SPEAKER. It is the information of the Chair that there are no other amendments to the resolution.

Will the House agree to the resolution as amended? On the question, those in favor will vote "aye"— On the resolution, the Chair recognizes Representative Manderino.

Ms. MANDERINO. Thank you, Mr. Speaker.

I am getting the "be short" signal, and I will, but I deliberately did not speak on any of the amendments to save my little bit of time to speak now, and I would like that opportunity.

I had the pleasure of serving on the Speaker's Reform Commission with 23 other dedicated members of this chamber, and I am telling you that there was not an issue that we debated in these past 2 days, except for the fact that we added a couple of new subcommittees, because that subject matter was not discussed at all in the Speaker's Reform Commission, but every other issue discussed on the floor these past 2 days was considered in some way, shape, or form by the Speaker's Reform Commission, and for the overwhelming majority of those times, you could not tell who was a Republican, who was a Democrat, who was new, who was old, who was old guard, who was new guard, because we were there to do the people's business and the business of this chamber.

I deliberately voted "no" on every amendment that came before us today. I did not expect other people to do that, but I did that for a reason, and even on amendments that I championed in the Reform Commission and did not win, because I knew that the Reform Commission had considered each of these issues. I actually offered the amendment on the slow roll call in the Reform Commission, and after a long debate about the fact that the way that we ended up proposing it in HR 108 was the better way to go, I still was not convinced until today, because you know what my former, or my other colleagues said when I offered that slow roll call? It will get ugly; it will get partisan; it will get divisive, and it is not the kind of dignity we want for our chamber, and we have put a rule in place in this House Reform Commission that will accomplish the same goal without any ugly divisiveness. And you know what? We did. It is in here, and everyone who served on that Reform Commission can be proud of it. Chairman Shapiro, Chairman Steil guided us in a way that can make each person and each person in this chamber proud.

Now, I know we have our partisan times, and we will continue as we debate the issues of the day, but the dignity of this chamber must remain, and my "no" votes on all of those amendments were to boast my voice of confidence in the work of the Reform Commission, and I am proud of what was accomplished, and I am proud to ask for a unanimous vote on HR 108.

The SPEAKER. On the resolution, the Chair recognizes Representative Curtis Thomas.

Mr. THOMAS. This is a good thing. This is the first time that I have stood this evening.

Mr. Speaker, let me say to you, who laid the foundation; let me say to Representative Shapiro, Representative Steil, you did an excellent job. I had the luxury of being a part of the early bipartisan reform task force. I welcomed the opportunity to serve on the Speaker's Reform Commission, and, Mr. Speaker, I offered a number of proposals during the Speaker's Reform Commission. Most of my proposals received a majority vote but did not receive the threshold vote required by the

Reform Commission, but I lived with that. I lived with it because, as my previous colleague stated very succinctly – and I must share in both the substance and form of her comments – and that is, there were many times that we did not know whether a proposal came from a Republican; came from a Democrat; came from the south; came from urban Pennsylvania, suburban Pennsylvania, or rural Pennsylvania.

Mr. Speaker, proposals were offered, they were discussed, and they were decided upon, and, Mr. Speaker, the thing that moved me most was that as I listened to members from all parts of Pennsylvania, it became exceedingly clear to me that there was more that binded us than that which divided us, and we all understood that the rules were only a process by which we could do business and do it in a fair and transparent manner, and so while we did not achieve all that we wanted to do, I think that we have reached a point in the road of time where we can say to the people of Pennsylvania that we have taken a giant step, not the complete step, but a giant step towards bringing fairness and transparency to the rules which govern what we do.

And so, Mr. Speaker, I rise in full support of HR 108, even though it might not reflect all that I wanted. Some cases it might have gone too far; some cases it did not go far enough. But, Mr. Speaker, my momma used to say that sometimes when you want to measure the outcome of a product, you have to put it all in a paper bag and shake it up, and if you get more good out of it than bad, you have got to go with it, and I do not think that there is anybody here this evening that can say that when you shake up HR 108, that we do not have more good on the road to fairness and transparency than we had before, and so to that end, we have a good product.

And in closing, let me say that we should not treat HR 108 as a period signifying an end but as a semicolon representing a new beginning in bringing daylight to the way that we do business, and so I hope that we will vote overwhelmingly for HR 108, leave here this evening, return next week, and get down to the people's business; get down to job creation for the jobless in Pennsylvania; get down to health insurance for the uninsured; get down to many of those other issues that Pennsylvanians are begging, begging for us to resolve.

And so, Mr. Speaker, to you, to Representative Shapiro, to Representative Steil, to Representative DeWeese, to Representative Smith, thank you for this opportunity. Vote "yes" on HR 108.

The SPEAKER. On the resolution, the Chair recognizes Representative Daley.

Mr. DALEY. The public tolerance, the public tolerance for business as usual— Mr. Speaker, can I have order? Can I have order?

The SPEAKER. Will the ladies and gentlemen of the House please reduce the volume of your conversations. The gentleman is entitled to be heard. The gentleman can proceed.

Mr. DALEY. The public tolerance for business as usual hit the high watermark, like the "angle" at Gettysburg on Cemetery Ridge, in November of last year. It did not take the retirement of 25 of our members and the election of 25 new members, for a total of 50 new people, to tell us that enough is enough.

Reform, Mr. Speaker, and all for the new members, reform did not start a couple weeks ago with swearing-in. Reform started with many of us, almost all of us, at one point or another in this legislature speaking out at different points but not collectively like we have done this evening. The public,

the public is weary that this General Assembly is too political, both Republicans and Democrats, and they said we do too much talking and too little action.

As a student of the sixties and seventies – this is very reminiscent – and when we were in college and we are standing fighting the establishment and they were saying, love it or leave it, and we said, change it or lose it. And you know what? Today what we are saying is, it is time that that change occurs.

To all, it is not about politics; it is about politics as usual. It is not about change; it is all about accountability. It is not about legislative change; it is about leadership that starts from each one of your chairs on this floor of this House.

Some people have said, love it or leave it. We have been all tried and found wanting by the public, all of us, and now it is time to change. Reform is not static; it is kinetic. And today is not the end of legislative reform; today is the beginning.

I ask for a "yes" vote, Mr. Speaker. Thank you.

The SPEAKER. Does anyone else seek recognition? The Chair recognizes the minority leader, Representative Smith.

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

I will be pretty brief because I do not know that there is anybody in here that questions the outcome of this, this set of rules, and what the vote on this resolution is going to be. It has always been clear to me that what the mass of the product would be, would be approved. It has always been some of the details that we want to operate under and how we are going to decide on them.

I did want to just reiterate the point I made earlier in the day that while some have come here at various levels in varying degrees of credibility to reforming the way the House works, at the end of the day, we all recognize that we need to do this, but regardless of what these rules are, Mr. Speaker, it still boils down to our commitment as individuals to work together collectively, and what we will ultimately be judged on is the product. That is what is going to be important. I do not think any of us are here to be the obstructionist that sometimes is alleged in the course of debate. Sometimes we have differences of opinion about what we need to do. Sometimes we have differences of opinion about how we should fix XYZ problem. But, Mr. Speaker, it is important that we move on, now that we have these rules prepared to be in place, it is important that we move on to those issues that are truly important to the people of Pennsylvania.

I really do not think the people of Pennsylvania care a whole lot about the actual day-to-day rules and all this stuff we have been debating on per se. They care about some of them, yes, but what they really care about is that this legislative body and that we as individual legislators get one thing real straight, and that is that it is not about us, it is about them, and if we come out of this hall with anything different in the way we go about our work, I think that is the most important thing that we walk away from here with. It is really not about us. It is about the people we represent.

So, Mr. Speaker, as we enact these rules, as we proceed to go about the daily business of this legislative body, the enactment of a State budget and the things that are encompassed with that, Mr. Speaker, that is the challenge that I put before each and every one of us, that we remain focused on what is important to the people of Pennsylvania and not what is important to the people in this room.

Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the majority leader, Representative DeWeese.

Oh, I am sorry. The Chair recognizes the gentleman, Representative Steil.

Mr. STEIL. Thank you, Mr. Speaker.

This is a long road for many of us. It is not the end of the road, and probably of all the things that we have done here, the best thing that we have done is create a process and a foundation for all of you and all of us and for the people of Pennsylvania to make other changes in the future when they are needed. We did that by creating a functioning Rules Committee so that your ideas and the people of Pennsylvania who have ideas about this process will have a forum in which they can be aired. That is the most significant and fundamental change that we have made.

I just want to thank all of you who have been so supportive of these efforts over the last months and the last years, and I particularly want to recognize all of you who participated in the bipartisan task force, which organized over the summer, in which you worked with us in order to develop many of the ideas which are in this resolution tonight. Those ideas came from you. It was a true and a truly spirited bipartisan work group. Thank you.

And I want to thank particularly the staffs that have spent so much time working on this, and from our side, I want to compliment particularly Kimberly O'Neill, who is my chief of staff, who spent a lot of time doing the research; Steve Tuckey and Dave Thomas, who have spent inordinate amounts of time doing the drafting of this. I want to thank all of you and for your support.

Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the majority leader, Representative DeWeese.

Mr. DeWEESE. Two minutes.

One, I was not on the engine. I know I am repeating myself, but Plato said something about repetition is the first law of learning. Our instructors at OCS (Officer Candidate School) said, tell them what you are going to tell them; tell them, and then tell them what you told them. I did jump on the caboose. The men and women driving the train did an exemplary job, including some freshmen.

Things are changing. It is palpable. I told my caucus that of the 32 points, I was on board for 31, yet this morning when I awakened, at 6 a.m. on National Public Radio, the media was buffeting us for the 1 point that I was not on – the appropriations dynamic, which I think in the future will prove that Mr. Civera and Mr. Evans were circumspect in their decisions and that our vote was appropriate so that the fluidity and the mechanisms of the appropriations process can go forward.

We have a darn good work product. Is it flawless? Of course not, but it is one heck of a commencement. And some of the old-timers like me and Bud George, Frank Oliver, et cetera, et cetera, we, as the gentleman from Jefferson, my esteemed and honorable colleague, Mr. Smith, has said, it is not about us; it is about our constituents back home. And we did not, many of us, did not come to this event with the enthusiasms that we probably should have, but— And I repeat one more thing, you have got to read between now and the next 5 years a "Team of Rivals" by Doris Kearns Goodwin because it is about what we just did and it is about what we are going to do. It is about

getting along with each other. It is about this bipartisan experiment. This is the only State of 50 that has a Republican Speaker and a Democratic majority, notwithstanding its gossamer-thin nature.

But in spite of the inherent potentiality for partisanship, aggression, acrimony, virulence, and wrong-headed interpersonal comments against each other between now and the end of the session, these rules, these new rules that Steil, Shapiro, et al., under the aegis of Speaker O'Brien, will allow us to advance the cause, and hopefully this chamber will be represented in a more special way in the ensuing 22 months than we would have been if it had not been for the Speaker's Reform Commission and the marvelous job that these men and women offered.

Thank you very much, Mr. Speaker.

The SPEAKER. On the resolution, the Chair recognizes Representative Shapiro.

Mr. SHAPIRO. Thank you, Mr. Speaker.

At the outset of our deliberations yesterday, I remarked that the House rules are the foundation upon which all legislation is built. Before you in the form of HR 108 is a reformed and dramatically improved foundation.

On January 2 Bill DeWeese recognized that that historic vote was not about a person, but rather, it was about a vision, one of reforming the people's House. Before you is the product of that vision, which took its form under the leadership of Speaker O'Brien. It represents a very substantial step forward in restoring the breach of trust that exists with some in Pennsylvania. It ushers in a new era in Pennsylvania government – one of openness, one of transparency, and one of empowerment.

I wish to thank the people that worked behind the scenes to help us reach this day. Our exceptional staff led by Eric Fillman, joined by George Bedwick, Len Cowitch, Audrey Powell, Bill Patton, Mike Schwoyer.

Finally, I wish to commend the members of our outstanding commission and the full House, for the debate that ensued over these last 2 days on the House floor is an endorsement of that vision, is an endorsement of the bipartisan spirit of cooperation, and it is indeed reflective of a new era for the Pennsylvania House of Representatives. This is how the process should work. These rules before you will ensure that it does work.

Thank you, Mr. Speaker.

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

The following roll call was recorded:

#### YEAS—196

Adolph	Freeman	Markosek	Rohrer
Argall	Gabig	Marshall	Ross
Baker	Galloway	Marsico	Rubley
Barrar	Geist	McCall	Sabatina
Bastian	George	McGeehan	Sainato
Bear	Gerber	McI. Smith	Samuelson
Belfanti	Gergely	McIlhatten	Santoni
Benninghoff	Gibbons	Melio	Saylor
Bennington	Gillespie	Mensch	Scavello
Beyer	Gingrich	Metcalfe	Schroder
Bianucci	Godshall	Millard	Seip
Bishop	Goodman	Miller	Shapiro
Blackwell	Grell	Milne	Shimkus

Boback	Grucela	Moul	Siptroth
Boyd	Haluska	Moyer	Smith, K.
Brennan	Hanna	Mundy	Smith, M.
Brooks	Harhai	Murt	Smith, S.
Buxton	Harhart	Mustio	Solobay
Caltagirone	Harkins	Myers	Sonney
Cappelli	Harris	Nailor	Staback
Carroll	Helm	Nickol	Stairs
Casorio	Hennessey	O'Brien, M.	Steil
Causer	Hershey	O'Neill	Stern
Civera	Hess	Oliver	Stevenson
Clymer	Hickernell	Pallone	Sturla
Cohen	Hornaman	Pashinski	Surra
Conklin	Hutchinson	Payne	Swanger
Costa	James	Payton	Taylor, R.
Cox	Josephs	Peifer	Thomas
Creighton	Kauffman	Perry	True
Curry	Keller, M.	Perzel	Turzai
Cutler	Keller, W.	Petrarca	Vereb
Daley	Kenney	Petri	Vitali
Dally	Kessler	Petrone	Vulakovich
DeLuca	Killion	Phillips	Wagner
Denlinger	King	Pickett	Walko
DePasquale	Kirkland	Preston	Wansacz
Dermody	Kortz	Pyle	Waters
DeWeese	Kotik	Quigley	Watson
DiGirolamo	Kula	Quinn	Wheatley
Donatucci	Leach	Ramaley	White
Eachus	Levdansky	Rapp	Williams
Ellis	Longietti	Raymond	Wojnaroski
Evans, D.	Mackereth	Readshaw	Yewcic
Evans, J.	Maher	Reed	Youngblood
Everett	Mahoney	Reichley	Yudichak
Fabrizio	Major	Roae	
Fairchild	Manderino	Rock	O'Brien, D., Speaker
Fleck	Mann	Roebuck	
Frankel	Mantz		

#### NAYS—0

#### NOT VOTING—0

#### EXCUSED—7

Cruz	Lentz	Parker	Taylor, J.
Harper	Micozzie	Tangretti	

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

The SPEAKER. I will ask the members to please remain. There are just two housekeeping items that we have to accomplish.

#### DEMOCRATIC CAUCUS

Mr. DeWEESE. Mr. Speaker? Mr. Speaker? Just an announcement for the caucus.

The SPEAKER. The Chair recognizes the majority leader.

Mr. DeWEESE. The chairmen, the chairmen and the leaders have an 8-minute meeting in our caucus room right now, immediately following our close of session; right now. Thank you very much.

The chairmen of the Democrat committees and the leaders are invited. Please do stop by for about 6 to 8 minutes. Thank you.

The SPEAKER. Please, members, do not leave.

The Chair thanks the gentleman.

**SENATE MESSAGE****RECESS 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,  
March 13, 2007

RESOLVED, (the House of Representatives concurring), Pursuant to Article II, Section 14 of the Pennsylvania Constitution, that when the Senate recesses this week, it reconvene on Monday, March 19, 2007, unless sooner recalled by the President Pro Tempore of the Senate; and be it further

RESOLVED, Pursuant to Article II, Section 14 of the Pennsylvania Constitution, that when the House of Representatives recesses this week, it reconvene on Monday, March 19, 2007, 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?

**PARLIAMENTARY INQUIRY**

The SPEAKER. For what purpose does the gentleman rise?

Mr. MAHER. A parliamentary inquiry, Mr. Speaker.

I am uncertain what it is that we are being asked to vote on, and I suspect that our spanking new rules have something to say about the process involved, and it is not even listed on the board. You are calling for a roll-call vote. Can someone illuminate us on what it is we are being asked to vote on? If it is housekeeping, that is great, but I would just like to understand.

The SPEAKER. This is simply a resolution that we have to do from week to week.

Mr. MAHER. This does not actually require a roll-call vote then? This is a voice vote?

The SPEAKER. No; this is going to be by voice vote.

Mr. MAHER. Thank you, Mr. Speaker.

On the question recurring,  
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. For the information of the members, there will be no votes taken tomorrow. It will be a token session.

There are no further votes. The Chair thanks the members for your cooperation.

**BILLS REMOVED FROM TABLE**

The SPEAKER. The majority leader moves that the following bills be taken from the table:

HB 85, PN 109;  
HB 116, PN 138;  
HB 191, PN 216;  
HB 195, PN 807;  
HB 257, PN 289;  
HB 282, PN 314;  
HB 294, PN 336;  
HB 302, PN 809;  
HB 363, PN 427; and  
HB 419, PN 808.

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

**BILLS RECOMMITTED**

The SPEAKER. The majority leader moves that the following bills be rereferred to the Appropriations Committee:

HB 85, PN 109;  
HB 116, PN 138;  
HB 191, PN 216;  
HB 195, PN 807;  
HB 257, PN 289;  
HB 282, PN 314;  
HB 294, PN 336;  
HB 302, PN 809;  
HB 363, PN 427; and  
HB 419, PN 808.

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

**ANNOUNCEMENT BY SPEAKER****SPEAKER PRO TEMPORES APPOINTED**

The SPEAKER. The Speaker announces that I have appointed Joseph Petrarca and Katie True as additional Speaker pro tempores to periodically serve in my stead, as requested by me.

**ADJOURNMENT**

The SPEAKER. Any other announcements? Any business?  
The Chair sees none.

The Chair recognizes Representative DePasquale from York, who moves that the House do now adjourn until Wednesday, March 14, 2007, at 11 a.m., e.d.t., unless sooner recalled by the Speaker.

On the question,  
Will the House agree to the motion?  
Motion was agreed to, and at 7:36 p.m., e.d.t., the House adjourned.