

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

WEDNESDAY, MARCH 21, 2007

SESSION OF 2007

191ST OF THE GENERAL ASSEMBLY

No. 25

HOUSE OF REPRESENTATIVES

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

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

PRAYER

HON. GORDON R. DENLINGER, member of the House of Representatives, offered the following prayer:

Please join me in prayer:

O Lord, our Lord, how majestic is Your name in all the earth.

Father God, as we come before You on this first full day of spring, we come with praise and thankfulness to You for the splendor of Your creation. Spring is that time when we experience the rebirth of the created order, and in that we see examples of both Your wisdom and Your divine mercy. And, Father, as we see the explosive beauty of nature coming back to life, help us to realize that from Your loving hand comes the opportunity for spiritual renewal and restoration of a personal nature. Renew that understanding in each heart, as we see the glory of each new flower. Father, for these gifts, both natural and personal, we give You thanks.

Today we come again to this House of Representatives, and we come ready to move forward in the work of government. As we do, Father, we ask for an outpouring of Your wisdom in this chamber. Father, keep us humble, and help us all to remember that though we have agreed upon new rules of procedure, that rules are no substitute for personal character and integrity. Father, help each of us to reach for that which is honoring to You and that which demonstrates respect for the office we hold.

And finally, we do pray for the families that are represented in this chamber. Lord, the days are long in public service, and we spend too much time away from wives, husbands, and children. Father, as we struggle with schedule and labor to order our priorities in a way that is honoring to You, we pray that You will protect our loved ones and keep them safe from harm. Keep them ever mindful of our love and of Your love.

Father, we pray these things, asking for Your guidance and Your strength, and we pray believing that You will supply every need. Amen.

PLEDGE OF ALLEGIANCE

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

JOURNAL APPROVAL POSTPONED

The SPEAKER pro tempore. Without objection, approval of the Journal of Tuesday, March 20, 2007, will be postponed until printed. The Chair hears no objection.

LEAVES OF ABSENCE

The SPEAKER pro tempore. The Chair recognizes the minority leader, who requests leaves of absence for the gentleman from Erie County, Mr. John EVANS; the gentleman from Northampton County, Mr. DALLY; and the gentleman from Lehigh County, Mr. REICHLEY. Without objection, the leaves of absence for the day will be granted.

The Chair recognizes the majority leader, who requests a leave of absence for the day for the gentleman from Philadelphia County, Mr. William KELLER. Without objection, the leave is granted.

VOTE CORRECTION

The SPEAKER pro tempore. For what purpose does the gentleman, Mr. Caltagirone, rise?

Mr. CALTAGIRONE. Thank you, Mr. Speaker. To correct the record.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. CALTAGIRONE. On HB 301, on the agreement on the second, I was tied up with Judiciary Committee business and was off the floor, but I would like to be recorded in the affirmative.

The SPEAKER pro tempore. The Chair thanks the gentleman, and his remarks will be spread upon the record.

MASTER ROLL CALL

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

The following roll call was recorded:

PRESENT—199

Adolph	Galloway	Marshall	Ross
Argall	Geist	Marsico	Rubley
Baker	George	McCall	Sabatina
Barrar	Gerber	McGeehan	Sainato
Bastian	Gergely	McI. Smith	Samuelson
Bear	Gibbons	McIlhattan	Santoni
Belfanti	Gillespie	Melio	Saylor
Benninghoff	Gingrich	Mensch	Scavello
Bennington	Godshall	Metcalfe	Schroder

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

ADDITIONS—0

NOT VOTING—0

EXCUSED—4

Dally	Evans, J.	Keller, W.	Reichley
-------	-----------	------------	----------

LEAVES ADDED—4

Smith, McI.	Stairs	Thomas	Watson
-------------	--------	--------	--------

LEAVES CANCELED—1

Reichley

The SPEAKER pro tempore. A quorum being present, the House will proceed to conduct business.

REMARKS SUBMITTED FOR THE RECORD

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

Mr. Speaker, it is my privilege to bring to the attention of the Speaker and the members of the Pennsylvania House of Representatives the names of Evan Celini, Drew Taylor Oros, and

Josh Somerville, who have recently been awarded Scouting's highest honor – Eagle Scout.

Mr. Speaker, I would like to read to the members of the House of Representatives the following citation of merit honoring Evan Celini, Drew Taylor Oros, and Josh Somerville.

Whereas, Evan Celini, Drew Taylor Oros, and Josh Somerville earned the Eagle Award in Scouting. This is the highest award that Boy Scouts can bestow and as such represents great sacrifice and tremendous effort on the part of these young men. They are members of Troop 147, Troop 280, and Troop 29.

Now therefore, Mr. Speaker and members of the House of Representatives, it is my privilege to congratulate and place in the Legislative Journal the names of Evan Celini, Drew Taylor Oros, and Josh Somerville.

MONET HELLER PRESENTED

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Scott Boyd, who has a citation presentation.

The gentleman, Mr. Boyd, is recognized.

Mr. BOYD. Thank you, Mr. Speaker.

It is my honor and great pleasure today to introduce to you all, my colleagues in the House, Miss Monet Heller. Miss Heller has won this year's, she is this year's recipient of the Pennsylvania Outstanding Young Woman's Scholarship.

She is a senior at Conestoga Valley High School in the great county of Lancaster. Monet has cheered on the varsity cheerleading squad and has been involved in student council. She is a member of the Tri-M Music Honor Society. She participates in concert choir, concert band, and school musicals – a talented young lady. She is also a member of the Human Relations Club and serves as a leader of her girls Bible study.

Monet was honored by the Rotary Club as Student of the Month for 2007, 2007 Lancaster County Outstanding Young Woman, homecoming queen, and an all-American cheerleader. She attends dance classes at Encore Dance Center, coaches elementary-school girls in cheerleading, and belongs to the Conestoga Valley Church of Christ. I had noticed this about the dance classes, and I was wondering if maybe later she could give Speaker O'Brien some lessons. Based on the performance last week, he might need some.

With that said, it is a great pleasure, I have a citation recognizing Monet's accomplishments, and it is a great pleasure to recognize her on the floor today, and she has got some family and friends with her. I would like to introduce them, and wait until they are all introduced – if you could stand when I say your name – and give them a warm House welcome, I would appreciate it. The chaperon today for Monet is Luci Adam; her mother is here, Tana Heller; her pastor, Jeff Werkheiser; and I believe her aunt, Kelli Buzzard, is here. Kelli. So let us give everybody a warm Pennsylvania welcome.

Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman and congratulates the young lady.

BILL REPORTED FROM COMMITTEE**HB 692, PN 778**

By Rep. STURLA

An Act providing for the licensure of persons engaged in the provision of or the procurement of long-term care planning assistance.

PROFESSIONAL LICENSURE.

BILL REREFERRED

The SPEAKER pro tempore. The Chair moves, at the request of the majority leader, that HB 692 be rereferred to the Committee on Aging and Older Adult Services.

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

BILL REPORTED FROM COMMITTEE

HB 693, PN 779 By Rep. STURLA

An Act amending the act of July 19, 1979 (P.L.130, No.48), known as the Health Care Facilities Act, further providing for licensure of health care facilities.

PROFESSIONAL LICENSURE.

BILL REREFERRED

The SPEAKER pro tempore. The Chair moves, at the request of the majority leader, that HB 693 be rereferred to the Committee on Health and Human Services.

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

CALENDAR**BILL ON SECOND CONSIDERATION**

The House proceeded to second consideration of **HB 32, PN 978**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for the offense of phishing.

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

BILL RECOMMITTED

The SPEAKER pro tempore. The Chair recognizes the majority leader, who requests that HB 32 be recommitted to the Appropriations Committee.

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

RESOLUTIONS PURSUANT TO RULE 35

Mr. ROEBUCK called up **HR 148, PN 989**, entitled:

A Resolution designating the month of April 2007 as "Pennsylvania Community College Month."

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—199

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

NAYS—0**NOT VOTING—0****EXCUSED—4**

Dally Evans, J. Keller, W. Reichley

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

* * *

Mr. HERSHEY called up **HR 149, PN 990**, entitled:

A Resolution designating the month of April 2007 as "Grange Month" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—199

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

NAYS—0

NOT VOTING—0

EXCUSED—4

Dally Evans, J. Keller, W. Reichley

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

* * *

Mr. HESS called up **HR 154, PN 995**, entitled:

A Resolution designating April 8, 2007, as "Cushing's Syndrome Awareness Day" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—199

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

NAYS—0

NOT VOTING—0

EXCUSED—4

Dally Evans, J. Keller, W. Reichley

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

HOUSE BILLS INTRODUCED AND REFERRED

No. 774 By Representatives SHIMKUS, BRENNAN, CALTAGIRONE, DALLY, DePASQUALE, GEORGE, HARHAI, MANN, MARKOSEK, MUNDY, MUSTIO, PICKETT, SCAVELLO, SIPTROTH, WANSACZ, WHEATLEY, SAYLOR, SANTONI, KILLION, CONKLIN, YOUNGBLOOD, GRUCELA, MANDERINO, FABRIZIO, McILHATTAN and McILVAINE SMITH

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing, in educational improvement, for tax credit, for definitions, for qualification and application and for limitations.

Referred to Committee on EDUCATION, March 21, 2007.

No. 843 By Representatives WALKO, COHEN, DERMODY, FRANKEL, ARGALL, BENNINGTON, BIANCUCCI, BISHOP, CALTAGIRONE, CARROLL, COSTA, CURRY, DALEY, DeLUCA, FABRIZIO, FREEMAN, GEIST, GEORGE, GERGELY, GIBBONS, GOODMAN, GRUCELA, HARHAI, HARPER, HENNESSEY, JAMES, KOTIK, MELIO, MYERS, M. O'BRIEN, PETRONE, PRESTON, READSHAW, SABATINA, SCAVELLO, SIPTROTH, STABACK, STURLA, J. TAYLOR, WANSACZ and YOUNGBLOOD

An Act providing for court-appointed receivers to bring residential buildings into municipal code compliance when owners fail to comply.

Referred to Committee on URBAN AFFAIRS, March 21, 2007.

No. 850 By Representatives TURZAI, ARGALL, BAKER, BASTIAN, BENNINGHOFF, BOYD, CAPPELLI, CLYMER, CREIGHTON, CURRY, CUTLER, ELLIS, EVERETT, FAIRCHILD, FLECK, GABIG, GILLESPIE, GINGRICH, GODSHALL, GRELL, HARRIS, HERSHEY, HESS, HICKERNELL, HUTCHINSON, JAMES, KAUFFMAN, M. KELLER, KILLION, MACKERETH, MARSHALL, MARSICO, McILHATTAN, MENSCH, METCALFE, MILLARD, R. MILLER, MOUL, MOYER, MURT, MUSTIO, NAILOR, O'NEILL, PAYNE, PERRY, PETRI, PHILLIPS, PICKETT, PYLE, QUIGLEY, QUINN, RAPP, REED, REICHLEY, ROHRER, ROSS, RUBLEY, SAYLOR, S. H. SMITH, SONNEY, STEIL, STERN, R. STEVENSON, TRUE, VEREB, VULAKOVICH, WATSON and SCHRODER

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, repealing and adding provisions relating to comparative negligence.

Referred to Committee on JUDICIARY, March 21, 2007.

No. 860 By Representatives TURZAI, BENNINGHOFF, BOYD, CAUSER, CLYMER, COX, CREIGHTON, EVERETT, FAIRCHILD, FLECK, GABIG, GILLESPIE, GINGRICH, GODSHALL, HERSHEY, HICKERNELL, HUTCHINSON, KAUFFMAN, M. KELLER, KILLION, MACKERETH, MANN, MARSHALL, MARSICO, McILHATTAN, METCALFE, R. MILLER, MUSTIO, O'NEILL, PAYNE, PETRI, PHILLIPS, PICKETT, RAPP, REED, REICHLEY, ROAE, ROHRER, ROSS, SCHRODER, SONNEY, STERN, R. STEVENSON, SWANGER, TRUE, WATSON and VULAKOVICH

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, further providing for compensation laws allowed to the General Assembly.

Referred to Committee on JUDICIARY, March 21, 2007.

SUPPLEMENTAL CALENDAR A

RESOLUTIONS PURSUANT TO RULE 35

Mr. LENTZ called up **HR 156, PN 999**, entitled:

A Resolution honoring the accomplishments of Lieutenant General James Gavin and urging the Chief of Staff of the United States Army to recognize the right of Airborne soldiers to wear jump boots and blouse their trousers.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—199

Adolph	Galloway	Marshall	Ross
Argall	Geist	Marsico	Rubley
Baker	George	McCall	Sabatina
Barrar	Gerber	McGeehan	Sainato
Bastian	Gergely	McI. Smith	Samuelson
Bear	Gibbons	McIlhatten	Santoni
Belfanti	Gillespie	Melio	Saylor
Benninghoff	Gingrich	Mensch	Scavello
Bennington	Godshall	Metcalfe	Schroder
Beyer	Goodman	Micozzie	Seip
Biancucci	Grell	Millard	Shapiro
Bishop	Grucela	Miller	Shimkus
Blackwell	Haluska	Milne	Siptroth
Boback	Hanna	Moul	Smith, K.
Boyd	Harhai	Moyer	Smith, M.
Brennan	Harhart	Mundy	Smith, S.
Brooks	Harkins	Murt	Solobay
Buxton	Harper	Mustio	Sonney
Caltagirone	Harris	Myers	Staback
Cappelli	Helm	Nailor	Stairs
Carroll	Hennessey	Nickol	Steil
Casorio	Hershey	O'Brien, M.	Stern
Causer	Hess	O'Neill	Stevenson
Civera	Hickernell	Oliver	Sturla
Clymer	Hornaman	Pallone	Surra
Cohen	Hutchinson	Parker	Swanger
Conklin	James	Pashinski	Tangretti
Costa	Josephs	Payne	Taylor, J.
Cox	Kauffman	Payton	Taylor, R.
Creighton	Keller, M.	Peifer	Thomas
Cruz	Kenney	Perry	True
Curry	Kessler	Perzel	Turzai
Cutler	Killion	Petrarca	Vereb
Daley	King	Petri	Vitali

DeLuca	Kirkland	Petrone	Vulakovich
Denlinger	Kortz	Phillips	Wagner
DePasquale	Kotik	Pickett	Walko
Dermody	Kula	Preston	Wansacz
DeWeese	Leach	Pyle	Waters
DiGirolamo	Lentz	Quigley	Watson
Donatucci	Levdansky	Quinn	Wheatley
Eachus	Longietti	Ramaley	White
Ellis	Mackereth	Rapp	Williams
Evans, D.	Maher	Raymond	Wojnaroski
Everett	Mahoney	Readshaw	Yewcic
Fabrizio	Major	Reed	Youngblood
Fairchild	Manderino	Roae	Yudichak
Fleck	Mann	Rock	
Frankel	Mantz	Roebuck	O'Brien, D.,
Freeman	Markosek	Rohrer	Speaker
Gabig			

NAYS—0

NOT VOTING—0

EXCUSED—4

Dally	Evans, J.	Keller, W.	Reichley
-------	-----------	------------	----------

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

* * *

Mr. FRANKEL called up **HR 157, PN 1000**, entitled:

A Resolution designating the week of April 2 through 8, 2007, as "Professional and Graduate Student Appreciation Week" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—199

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

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

NAYS—0

NOT VOTING—0

EXCUSED—4

Dally	Evans, J.	Keller, W.	Reichley
-------	-----------	------------	----------

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

* * *

Mr. FRANKEL called up **HR 158, PN 1001**, entitled:

A Resolution designating April 2007 as the "Month of the Young Child" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—199

Adolph	Galloway	Marshall	Ross
Argall	Geist	Marsico	Rubley
Baker	George	McCall	Sabatina
Barrar	Gerber	McGeehan	Sainato
Bastian	Gergely	McI. Smith	Samuelson
Bear	Gibbons	McIlhatten	Santoni
Belfanti	Gillespie	Melio	Saylor
Benninghoff	Gingrich	Mensch	Scavello
Bennington	Godshall	Metcalfe	Schroder
Beyer	Goodman	Micozzie	Seip
Biancucci	Grell	Millard	Shapiro
Bishop	Grucela	Miller	Shimkus
Blackwell	Haluska	Milne	Siptroth
Boback	Hanna	Moul	Smith, K.
Boyd	Harhai	Moyer	Smith, M.
Brennan	Harhart	Mundy	Smith, S.
Brooks	Harkins	Murt	Solobay
Buxton	Harper	Mustio	Sonney

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

NAYS—0

NOT VOTING—0

EXCUSED—4

Dally Evans, J. Keller, W. Reichley

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

CALENDAR CONTINUED

RESOLUTIONS

Mr. PRESTON called up **HR 70, PN 369**, entitled:

A Resolution establishing a select committee to investigate and review the policies, procedures and practices in place by the various Commonwealth agencies, authorities, boards, commissions, councils, departments and offices and the entities they license or regulate to protect the personal health, financial and other sensitive data of the citizens of this Commonwealth.

On the question,
Will the House adopt the resolution?

The SPEAKER pro tempore. Those in favor will vote "aye"; those opposed, "no." Members— Strike that.

For what purpose does the gentleman, Mr. Maher, rise?

Mr. MAHER. Mr. Speaker, do I understand that this is on the noncontroversial rule 35 calendar?

The SPEAKER pro tempore. No, it is not.

Mr. MAHER. So this was reported from a committee?

The SPEAKER pro tempore. That is correct.

Mr. MAHER. Could the gentleman offer a brief explanation?

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

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

HR 70 is a continuance that was started by my predecessor, the gentleman from across the aisle, Mr. Flick. This was a culmination of a bipartisan committee which we called the Flick Commission. As we were looking at the different departments under the jurisdiction of the State to make sure that all of our electronics, in dealing with some of the computers and connectivity, were up to par, were secure, and that private citizens' information was led to be protected.

This is a continuation. It was recommended by the committee last time that was a majority of the current minority party now. I would like to be able to carry the work of the fine former chairman, Mr. Flick, so that we can continue to make a report of finalization. We did not have the time to make the report last year, so it was recommended by a unanimous vote of the committee from the other side.

Thank you.

The SPEAKER pro tempore. Mr. Maher.

Mr. MAHER. You know, if I remember correctly, this commission actually did make a report last year, and I think it was an excellent report. Could the gentleman help me understand what further he expects to discover that Chairman Flick did not succeed in discovering, which I think he did an outstanding job last session. I am trying to understand what is left to be done.

The SPEAKER pro tempore. Mr. Preston.

Mr. PRESTON. For the gentleman's information, if he really read the report, he would find that the report itself was inconclusive, and if he would like to be able to have a report, a copy of that, I will send it to him. But it was his party that recommended that this be extended into the next term, because the committee was originally formed in the middle of the term. There were still contracts let by Carnegie Mellon University with its computer science point of view, and there are an awful lot of different departments that we have never really got to to be able to verify. There are still some departments that we would like to be able to go back to in dealing with the court system and some of the Governor's offices.

And again, if the gentleman had read the report, he would have been able to see that the report was nonconclusive, and it was recommended by a majority of his party that this committee continue. So I am only filling the wishes of the Republican Party that this committee be able to continue so that we can finish the contracts that have been let.

Thank you.

The SPEAKER pro tempore. The gentleman will please suspend.

Members, please give the courtesy to the speaking members some quiet. It is entirely too noisy on the floor. That is much better. Thank you.

Mr. Maher.

Mr. MAHER. Thank you.

In the gentleman's response he was talking about a series of expenditures, and I am curious, is there an estimate of the total costs involved with this proposal? Is there a fiscal note for this proposal?

The SPEAKER pro tempore. Mr. Preston.

Mr. PRESTON. Mr. Speaker, these contracts were negotiated by people on your side. I am not aware of that other than the fact that Carnegie Mellon wants to be able to fulfill its contract and its obligations of whether or not they have been enumerated to the full extent of the contract. I am not aware of this particular time, but again, these were things that were negotiated by the people on your side of the aisle.

The SPEAKER pro tempore. For the edification of the gentleman, Mr. Maher, and the members, there is no requirement for a fiscal note on resolutions.

Mr. MAHER. Thank you, Mr. Speaker, but I do not know that I had a response to the other part of the question. Is there an estimate as to how much this is all going to cost?

Mr. PRESTON. No.

Mr. MAHER. So we are being asked to write a blank check?

Mr. PRESTON. For your information, and I will repeat myself, maybe to be able to help and edify previously your request, it was the gentleman, Mr. Flick, and people on your side of the aisle, along with your administration, that sat down and negotiated these respective contracts. Again, whether or not all the contracts have been paid and fulfilled, I have not had the chance to be able to do that. If this resolution is passed, then we will be able to look further to be able to give you a quantifiable explanation.

And again, this was to be able to protect not just Social Security but the financial information of an awful lot of individuals, to be able to verify their respective departments. Under the State of Pennsylvania—

Mr. MAHER. Mr. Speaker, I do not— Mr. Speaker, if I might ask the gentleman to yield.

Mr. PRESTON. Mr. Speaker, I am still answering the question.

The SPEAKER pro tempore. Will the gentlemen suspend.

Just for the purpose to help the stenographer and the rest of the members, it is impossible to try to ascertain what both people are saying and be able to type those out at the same time. Please give each other the courtesy to fully answer the previous question and then proceed with the next question.

The gentleman, Mr. Maher, is recognized.

Mr. MAHER. Thank you, Mr. Speaker.

I certainly appreciate the high regard the gentleman has for the work that was initiated and undertaken, led by Republicans to help stop identity theft, and I think that everyone on this aisle would agree that legislation should be forthcoming. And I am open to continuing down that path, although I do think and I hope that that will not be an expensive path. I am distressed that there is no estimate to what this is supposed to cost.

I understand contracts remain to be wound up that were put in place last session, but to ask this body to write a blank check I think is inappropriate, and I think this is an important measure and important work to be done. I would like to just suggest that we table this resolution until such time as the gentleman can provide some estimate of what this will cost. That is all, a simple estimate, because he has none. I just do not want us to be writing blank checks, Mr. Speaker.

MOTION TO TABLE

Mr. MAHER. So I would like to move that we table this resolution.

The SPEAKER pro tempore. The gentleman, Mr. Maher, has made a motion to table HR 70.

On the question,

Will the House agree to the motion?

The SPEAKER pro tempore. On that motion, the gentleman, Mr. Preston, is recognized.

Mr. PRESTON. If the gentleman does not want to be able to protect the citizens of the Commonwealth of Pennsylvania – juvenile records, other forms of personnel records from one contract from Carnegie Mellon, of which his party negotiated, and as I said, I am not aware of whether or not that whole contract has been paid or not but it is being handled – that is his choice. But at the same time we have an obligation within the Commonwealth of Pennsylvania to adequately be able to provide and make sure that our departments, with the onset of the growth of computers and the connectiveness dealing with the State Police, the Turnpike Commission, Banking Commission, Welfare, the Department of Education, PHEAA (Pennsylvania Higher Education Assistance Agency), the court systems, all of the Attorney General's Office to make sure that people's records are maintained, and if he wants to be able to hold that up, to hold that up, that is his choice. If he does not like the issue of the resolution, why does he not just vote it down and basically say that he is against the protection of the people versus one contract for Carnegie Mellon University that I had nothing to do with, that was negotiated under their purview as far as the previous Speaker, the previous chairman, combined. Now all we are trying to do is carry out the will of the committee, that was predominantly at that time by the Republican Party. To be able to table something only delays the final end report, because again, if he had read the former report, they would have said that the conclusions were inconclusive, and I would encourage us not to table this so that we can get this on, and if he does not like the resolution, he can vote it down.

The SPEAKER pro tempore. Will the gentleman suspend.

LEAVE OF ABSENCE

The SPEAKER pro tempore. The Chair recognizes the majority whip, who requests a leave of absence for the gentleman, Mr. THOMAS, from Philadelphia for the day. Without objection, the leave is so granted.

CONSIDERATION OF HR 70 CONTINUED

The SPEAKER pro tempore. Mr. Maher.

Mr. MAHER. Thank you, Mr. Speaker.

I believe the gentleman has just actually answered the question that he was dodging before, and if I understood his assertion correctly, that the only costs to be associated with this resolution will be payments on the existing contract and that this resolution will not entail any additional costs, if I understand that correctly and if the gentleman would confirm that, then I will be happy to withdraw my motion to table. But if I did not understand that correctly, then I think until such time as the gentleman is able to offer an estimate of what this will cost, the actual way to protect the people of Pennsylvania, protect the taxpayers of Pennsylvania, is for this body not to approve blank checks.

So did I understand correctly the only costs to be incurred here are the payments that remain for an existing contract, Mr. Speaker?

The SPEAKER pro tempore. Mr. Maher, are you now requesting a period of interrogation?

Mr. MAHER. Thank you, Mr. Speaker. I am.

The SPEAKER pro tempore. The gentleman has requested a brief period of interrogation for the gentleman, Mr. Preston, and he has agreed. You may proceed, Mr. Preston.

Mr. PRESTON. At this particular time, the issue that was negotiated by the minority party, previously then was the majority party, I am not aware. If the gentleman is willing to wait a little while, we will get an answer from his side of the aisle as far as how much was paid, if there was anything else to be able to be done.

Also, I take light on a personal note that no one dodged an answer. I gave him a clear, precise, definitive, quantitative answer that I was not aware of what the contract was that was negotiated by his side, how much it was, and because it was negotiated by his side, I would hope that his chairman of his Appropriations Committee would be able to tell him exactly what that was, because it was not under my purview, and all I am trying to carry on is good government and nobody was dodging anything, and I take great light that he would even try to ascertain in any kind of way that I am sitting here under full open-record knowledge, that nothing was dodged, and I would like to be able to give an answer.

The SPEAKER pro tempore. Will the gentleman please suspend. We are under interrogation, so we would encourage the gentleman to just answer each question.

Mr. PRESTON. If I could also add, my understanding is the contract that was let from Carnegie Mellon University was under the purview of the previous Speaker.

Mr. MAHER. Mr. Speaker?

The SPEAKER pro tempore. The gentleman, Mr. Maher.

Mr. MAHER. I am afraid that the gentleman may have misunderstood my question, so I am going to ask it in a different fashion. Other than this contract with Carnegie Mellon, are there other costs that the gentleman expects to be incurred in connection with the creation and operation of this select committee? Are there other costs beyond that contract?

Mr. PRESTON. To repeat myself, I have answered the gentleman's question before. To my knowledge, there were no other expenses other than the obligations and whether or not the previous Speaker had paid that contract or not, and there were not any other expenses other than normal committee expenses as far as the hearings that we did have.

Mr. MAHER. But going forward, Mr. Speaker, if this resolution is adopted, if a select committee is established, will there be costs incurred going forward, and I think you are saying no, but I am not clear. Is that no or is it yes?

Mr. PRESTON. There are no other contracts available as far as the normal House duties. If there are hearings or meetings that we have had, and most of them were held here in Harrisburg, even including the cost of Carnegie Mellon and any other expenses, I would suggest that you would ask the former Speaker and his staff how much he paid—

Mr. MAHER. I am asking for the future, sir.

The SPEAKER pro tempore. Will the gentlemen please suspend.

The chairman was given a lot of freedom here. This is a motion to table. These kinds of arguments or comments are

usually reserved for final passage. Normally we would be restricted here to just comments regarding the motion to table. We are allowing a little bit of freedom here because we were hoping that perhaps a motion would be withdrawn or something else would happen, but it is not happening. But five members have now sought recognition to intervene; Mr. Godshall one of them, Mr. Yewcic another.

MOTION WITHDRAWN

The SPEAKER pro tempore. On the motion to table, Mr. Maher.

Mr. MAHER. Thank you, Mr. Speaker.

I think actually I ultimately acquired the information I was seeking, that other than remaining payments on an existing contract, that there will not be any costs associated with the creation of a select committee, and with that understanding, I am withdrawing my motion to table.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman, Mr. Maher.

On the question recurring,

Will the House adopt the resolution?

The SPEAKER pro tempore. Mr. Godshall, on the resolution. The motion to table has been withdrawn, and Mr. Godshall is recognized.

Mr. GODSHALL. Thank you, Mr. Speaker.

I would just like to remind the members that the select committee last year unanimously agreed that there should be a continuation of the report. It was not finished in the style that they would like to have it, so they wanted to have it continued. It was a unanimous decision. The money that was spent with Carnegie Mellon has been spent, and if there is any funding costs at all here, it is going to be the committee meeting and basically us sitting at a committee hearing or two on the issue. And this passed out of committee unanimously, and I would encourage a favorable vote.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Monroe County, Mr. Siptroth.

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

Mr. Speaker, I had the pleasure of serving on that particular committee last year, and I do concur with my colleague across the aisle that in fact the business of the committee was not completed.

As you well know, Mr. Speaker, being a victim yourself, that this is an extremely important matter to our citizenry and that we have to finish the people's business to protect our constituents to the best of our abilities. Therefore, I would ask you for an affirmative vote on this resolution.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

Mr. Casorio, you waive off? Thank you.

Mr. Yewcic? Waives off. Thank you very much.

Anyone else seeking recognition?

On the question recurring,

Will the House adopt the resolution?

The following roll call was recorded:

YEAS—198

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Dally	Keller, W.	Reichley	Thomas
Evans, J.			

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

* * *

Mr. STURLA called up **HR 104, PN 727**, entitled:

A Resolution urging the Congress of the United States to provide timely and meaningful reauthorization of the State Children's Health Insurance Program in 2007.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—198

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Dally Keller, W. Reichley Thomas
Evans, J.

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

GUESTS INTRODUCED

The SPEAKER pro tempore. Seated in the gallery today, as the guests of Representative Jerry Nailor, are the members of the Mechanicsburg Area Senior High School Memory Team, who recently won both the State and national USA Memory Championship. Please rise and be recognized. Congratulations.

Also in the gallery, as the guest of Representative Glen Grell, is Brice Morey, who was the third-place finalist in the individual competition of the USA Memory Championship. Please rise and be recognized.

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 85, PN 109**, entitled:

An Act authorizing the Department of General Services, with the approval of the Governor, to grant and convey to the County of Lackawanna Transit System Authority (COLTS), certain lands situate in the City of Scranton, Lackawanna County, in exchange for a certain tract of land from COLTS situate in the City of Scranton, Lackawanna County.

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

The SPEAKER pro tempore. Does the gentleman, Mr. George— Mr. George? Bud? Does the gentleman, Mr. George, seek to suspend the rules for consideration of an amendment? He waives off. Thank you.

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

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

The question is, shall the bill pass finally?

POINT OF ORDER

The SPEAKER pro tempore. On that question, the gentleman, Mr. Vitali, is recognized.

Mr. VITALI. For a point of order, Mr. Speaker.

I think the rules require a brief explanation.

The SPEAKER pro tempore. Mr. Vitali, the clerk was about to read the title. If you could just permit that to happen, then we can proceed.

(Bill analysis was read.)

The SPEAKER pro tempore. Agreeable to the provisions of the Constitution— Mr. Vitali, do you still seek recognition? Thank you, sir.

On the question recurring,
Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—198

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Dally Keller, W. Reichley Thomas
Evans, J.

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

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

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

* * *

The House proceeded to third consideration of **HB 116, PN 138**, entitled:

An Act amending the act of April 21, 1949 (P.L.665, No.155), known as the First Class City Home Rule Act, further providing for the general grant of power.

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

MOTION TO SUSPEND RULES

The SPEAKER. Does the gentleman, Mr. Barrar, seek recognition?

Mr. BARRAR. Thank you, Mr. Speaker.

Mr. Speaker, I would like to make a motion to suspend the rules so I can offer an amendment to this bill. It is 00245.

The SPEAKER. It has been moved by the gentleman, Mr. Barrar, that the rules be suspended for the immediate consideration of amendment A245.

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

MOTION WITHDRAWN

Mr. BARRAR. Mr. Speaker? Mr. Speaker, could I temporarily withdraw that motion?

The SPEAKER. The gentleman is in order. His motion is withdrawn.

Mr. BARRAR. Thank you, Mr. Speaker.

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

CONSTITUTIONAL POINT OF ORDER

The SPEAKER. On the question of agreeing to HB 116, the Chair recognizes the minority leader, Representative Smith.

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

Mr. Speaker, in reviewing this legislation, and I realize that it was considered in the last session, however, there was quite a bit of discussion about it in our caucus, and several of the members were making a greater point as to the constitutionality of this legislation. And when we really got to looking at it and what it does in terms that this law holds out a special provision, if you will, for regulating the campaign finance laws of the city of Philadelphia, it became pretty apparent to us that in fact that does fall under the specific section of election and registration laws under the Constitution. Article VII, section 6, election and

registration laws of the Pennsylvania Constitution, states that "all laws regulating the holding of elections by the citizens, or for the registration of electors, shall be uniform throughout the State, except that laws regulating and requiring the registration of electors may be enacted to apply to cities only,..." and it goes on to provide some other exceptions, but they are strictly toward how people are registered, you know, how that process works, and voting machines.

The point is, Mr. Speaker, that the Constitution uses the word "all," "all laws regulating the holding of elections," and that is not used a whole lot throughout the Constitution, where the drafters of the Constitution used the word "all." Given that, Mr. Speaker, and the fact that this legislation clearly deals with campaign contributions, campaign financing, an issue that we need to address on a statewide level, that this specifically addresses it solely for the city of Philadelphia, creating a problem of uniformity of laws that deal with the regulating and the holding of elections, I am going to question the constitutionality of this proposal, Mr. Speaker, and would so move that HB 116, based on Article VII, section 6, of the Pennsylvania Constitution, is in fact unconstitutional.

The SPEAKER. The Speaker, under rule 4, is required to submit questions affecting the constitutionality of a bill to the House for decision, which the Chair now does, and will remind the members they are allowed to speak only once on this issue.

On the question,
Will the House sustain the constitutionality of the bill?

The SPEAKER. The Chair recognizes the gentleman, Mr. Evans.

Mr. D. EVANS. Mr. Speaker, I would like to yield to Representative Mark Cohen.

The SPEAKER. Will the gentleman suspend.

LEAVE OF ABSENCE

The SPEAKER. The Chair now returns to a request for a leave of absence and will note that Representative WATSON has requested leave for the remainder of the day.

CONSIDERATION OF HB 116 CONTINUED

The SPEAKER. Representative Cohen can proceed.

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, the question of whether you regulate the holding of an election is different than the question of whether you regulate the financing of the election. The holding of an election deals with things like voter registration and the location of polling places. The holding of an election is a State function. The city of Philadelphia cannot, for instance, under this constitutional provision decide, we want to open the polls at 5 o'clock in the morning and close the polls at 10 o'clock in order to allow more Philadelphians to vote, nor can the city of Philadelphia decide, we want to extend the polls earlier in the morning or later at night in Democratic precincts and not extend them in Republican precincts. The city of Philadelphia's powers are limited, but the question of who finances the election, who contributes to candidates, that is not something that has to do with the holding of an election. The difference between the holding of an election and the financing of an election is a

major, major difference, and HB 116 is clearly constitutional because it deals with the financing of an election.

I therefore urge that there be a "no" vote cast – I am sorry – that people oppose the Smith, I urge that people oppose the Smith motion and vote "yes" for the constitutionality of HB 116. A "yes" vote for the constitutionality of 116 is a vote clearly within the Pennsylvania Constitution, which deals with the holding of an election and not the financing of an election.

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

Mr. D. EVANS. Mr. Speaker, my colleague did an excellent job of making the distinction between holding and financing, and, Mr. Speaker, once that I hope we defeat Mr. Smith's motion, we can get down to the fact of the matter is that there needs to be change in how we finance these elections.

So I would ask that we are against Mr. Smith's motion. Thank you, Mr. Speaker.

The SPEAKER. Does the gentleman, Representative Barrar, seek recognition?

Mr. BARRAR. Mr. Speaker, would an interrogation of the maker of the bill be in order on the question of constitutionality?

The SPEAKER. On the issue of constitutionality, yes.

Mr. BARRAR. Mr. Speaker, I am just curious if maybe the maker of the bill could explain to us the difference between the bill being proposed by Philadelphia, by the city of Philadelphia, and how it would differ from current State law that is in place now.

Mr. D. EVANS. Mr. Speaker, on the issue of constitutionality, the only thing we are attempting to do, Mr. Speaker, is give the authority to the local government to allow them to regulate the issue around how they finance the election, may they do it public or private. That is the only narrow issue that we are dealing with.

Mr. Speaker, furthermore, there was a case by a chief justice who indicated the same issue, because I presented this information when Representative Taylor was head of the Urban Affairs Commission, this very same issue, so there is case law based on the fact that we are only talking about regulating public and private financing. That is it, Mr. Speaker.

Mr. BARRAR. But to your knowledge, there currently is not a plan in place at this time that the city wants to move forward with?

Mr. D. EVANS. Mr. Speaker, there is a plan that is in existence currently, but the fact of the matter is that plan is being questioned in court right now, in Commonwealth Court. There are two different opinions, Mr. Speaker, made by local judges regarding the city's ability in terms of how it conducts its financing of elections in the city of Philadelphia.

Mr. BARRAR. Thank you, Mr. Speaker. That is all I have.

The SPEAKER. The gentleman has concluded his interrogation. Does he wish to make a statement?

The Chair recognizes the minority leader.

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

Just real briefly, Mr. Speaker. I think that the language in the Constitution is pretty clear. All laws regulating the holding of elections by citizens shall be uniform throughout the State. The idea that campaign financing, how you finance a campaign, is somehow different from the running of an election is a fairly spacious argument, and if you look at our current laws, Mr. Speaker, I think they actually would support the notion that the financing of a campaign is integral to the running of a

campaign. Anybody who wants to say that those two are different is basically saying that it makes no difference how you finance campaigns, but more importantly, look at our laws.

The current Election Code contains the language that regulates campaign financing in Pennsylvania. It is in the Election Code. It is not like we have an Election Code that runs the elections and a campaign finance law that is separate. They are, in and of themselves, the same law.

I think, Mr. Speaker, clearly, how we allow campaigns to be financed is directly related to the running of an election. The Constitution is clear, Mr. Speaker, and I would ask the members to support my motion.

The SPEAKER. The Chair recognizes Representative Manderino.

Ms. MANDERINO. Thank you, Mr. Speaker.

Mr. Speaker, I rise to support and ask for support that this bill is constitutional and oppose the motion of the maker and prior speaker.

The issue of uniformity of election law has been through the courts, and we have a decision longstanding from the highest court in Pennsylvania. In the seminal case on this issue, *Cali v. Philadelphia*, since 1962 this decision has held, the Pennsylvania Supreme Court decision, and the holding of that case is very instructive, because in the holding of that case, when the court was trying to make the arguments about the distinctions that were being argued in that case, it further clarified the distinctions of the uniformity of elections clause in Pennsylvania, and the pertinent language I will just read.

"The section considered in its entirety relates, in our judgment, to matters of procedure, methods and machinery of voting and like matters with respect to" the "electors and voting." And it was very clear that they were talking about the mechanism of how people vote and the machinery, time, place, and manner of where people vote. The issue itself and the uniformity of election clause is about how the elections are held. To hold otherwise and to argue that campaign finance comes under the uniformity clause, I think, turns it on its head, and I think that the gentleman, Mr. Evans, who is offering this bill, is responding exactly to the arguments that were made in the court of common pleas last year when the city ordinance was challenged, and the court said that the city could not pass the ordinance in and of themselves, but the State could give the city the authority to do so. That is exactly what the gentleman, Mr. Evans, would like to do with HB 116, and I think that we should support the constitutionality of 116 and get to the merits of the measure.

Thank you.

The SPEAKER. The Chair recognizes Representative Vitali.

Mr. VITALI. Thank you, Mr. Speaker. I was not going to get up on this until I heard the comments of the minority leader here.

I think the Representative from Philadelphia, Mr. Cohen, is exactly on point here about the distinction between holding versus financing elections, and this bill, this very meritorious bill, I might add, deals with the financing, not the holding. I mean, we in Pennsylvania have virtually no laws relating to the financing of elections – no contribution limits, spending limits, public financing – yet we hold elections. The point is, there is a very real distinction between holding and financing. We have mere reporting requirements, and even if we eliminated them, we could still hold elections. There is this very real distinction between holding and financing, and this bill just

deals with financing, not holding, so the Constitution, in my view, does not apply.

I might note in passing that other States, for example, our sister State to the north, New York State, New York City has its own set of campaign finance laws, public financing, and so forth, totally independent of the State itself. This is basic stuff. This is done throughout the country. It is really regrettable that we as a State have not done campaign finance reform, so I salute the efforts of Representative Evans to try to allow the city of Philadelphia, like other cities throughout this nation, to do this.

So I urge that this be found to be constitutional. Thank you.

The SPEAKER. The Chair recognizes Representative Leach.

Mr. LEACH. Mr. Speaker, I just want to echo and amplify the constitutional arguments made on this. It has been pointed out to me, by the way, that the minority leader did vote for this bill the last time it was considered in the last session, for what that is worth.

There is another part of the Constitution that I think applies here, Mr. Speaker, and that is Article IX, section 2, the home rule provision of the Constitution, which says that "a municipality which has a home rule charter" — like Philadelphia — "may exercise any power or perform any function not" specifically "denied by this Constitution...." And the holding of elections under the *Cali* case and under Article VII, section 6, specifically talks about the holding of elections, matters of procedure, methods and machinery of voting. There are all kinds of parts of elections that have nothing to do with that, not only campaign finance but campaigns themselves. There are all kinds of things that do not deal with the holding of elections. That is what has to be uniform.

So this is not a constitutional impediment to what this legislation intends to do. What the Constitution says, the only thing the Constitution says, in my view, relevant to this piece of legislation can be found in Article IX, section 2, which specifically gives a municipality with a charter the right to do this sort of thing, Mr. Speaker.

So I would urge support of this. I would urge opposition to the motion on constitutionality. Thank you.

The SPEAKER. The Chair recognizes Representative Josephs.

Ms. JOSEPHS. Thank you, Mr. Speaker.

I am the chairperson through whom this bill came, and it is my committee that reported HB 116 to the floor. I would like to say that it was reported without opposition or amendment. I think that what the voters told us last fall, among other things, is that they want this committee system to work. The members of my committee from both sides of the aisle are thoughtful, hardworking, conscientious, and intelligent individuals. We are trying to work together to get for the people of Pennsylvania what they need to address their problems.

This bill was in my committee. This bill was reported from my committee. There was no discussion of constitutionality. This bill is constitutional. I urge everyone to oppose the motion that would declare it unconstitutional. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes Representative Gerber. The gentleman waives off.

The Chair recognizes Representative Rapp.

Ms. RAPP. Thank you, Mr. Speaker.

As a member of the State Government Committee, I guess I have a different viewpoint of the outcome of the vote on this

particular bill. As a matter of fact, I and one other colleague were "no" votes in this committee, and the constitutionality of this bill actually was, because I am the one who challenged the constitutionality of this bill in committee, and I am standing here just to set the record straight, being the person who made the challenge and one of my other colleagues who were "no" votes on the committee.

Thank you.

The SPEAKER. The Chair recognizes Representative Grell.

Mr. GRELL. Thank you, Mr. Speaker.

Just for the record, I was the other "no" vote in the State Government Committee on this matter, so it clearly did not come out without opposition or without comment on the constitutionality. Thank you.

The SPEAKER. Those voting "aye" will vote—

PARLIAMENTARY INQUIRY

Mr. S. SMITH. Mr. Speaker, please, a parliamentary inquiry on that.

Would you just clarify that what a "yes" vote is saying, that it is unconstitutional as it—

The SPEAKER. The Chair was just about to do that.

Mr. S. SMITH. Thank you, Mr. Speaker. I appreciate that.

The SPEAKER. Those voting "aye" will vote to declare the bill to be constitutional; those voting "no" will declare the bill to be unconstitutional.

On the question recurring,

Will the House sustain the constitutionality of the bill?

The following roll call was recorded:

YEAS—102

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

NAYS—95

Adolph	Geist	McIlhatten	Rapp
Argall	Gillespie	Mensch	Raymond

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

NOT VOTING—0

EXCUSED—6

Dally	Keller, W.	Thomas	Watson
Evans, J.	Reichley		

The majority having voted in the affirmative, the question was determined in the affirmative and the constitutionality of the bill was sustained.

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

MOTION TO SUSPEND RULES

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

Mr. BARRAR. Mr. Speaker, could I make the motion now to suspend the rules to offer amendment 00245? This amendment would allow for some legislative oversight. The bill proposed by Philadelphia would have to have the approval of the General Assembly.

Thank you.

The SPEAKER. The gentleman moves that the rules be suspended for the immediate consideration of amendment A00245.

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

LEAVE OF ABSENCE CANCELED

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

CONSIDERATION OF HB 116 CONTINUED

PARLIAMENTARY INQUIRY

The SPEAKER. The Chair recognizes, on the motion to suspend, Representative Samuelson.

Mr. SAMUELSON. Thank you, Mr. Speaker.

A parliamentary inquiry.

The SPEAKER. The gentleman is in order. He may state his point of parliamentary inquiry.

Mr. SAMUELSON. This bill is on third consideration. Does this amendment fall in the category of a technical amendment, which is allowed on third consideration, or is this a substantive amendment, which would require a new second consideration?

The SPEAKER. The amendment is a substantive amendment. That is why it requires a suspension of the rules. The only caveat would be that the bill would then, if amended, if the gentleman is successful, the bill would be held over for 24 hours.

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

(Members proceeded to vote.)

VOTE STRICKEN

Mr. D. EVANS. Mr. Speaker?

The SPEAKER. The Chair recognizes Representative Evans.

Mr. D. EVANS. I am a "no"—

The SPEAKER. The clerk will strike the vote.

Mr. D. EVANS. I am a "no" on the suspension of the rules, Mr. Speaker. Thank you.

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

The following roll call was recorded:

YEAS—88

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

NAYS—110

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

NOT VOTING—0

EXCUSED—5

Dally	Keller, W.	Thomas	Watson
Evans, 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 agree to the bill on third consideration?
Bill was agreed to.

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

The question is, shall the bill pass finally?

(Bill analysis was read.)

The SPEAKER. The Chair recognizes Representative Barrar.
Mr. BARRAR. Thank you, Mr. Speaker.

I was wondering if the maker of the bill would stand for a brief interrogation?

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

Mr. BARRAR. Mr. Speaker, I am just curious as to why this legislation is needed. Is there a current problem in the city of Philadelphia with a campaign finance fraud situation, or what is the urgent need for this?

Mr. D. EVANS. Yes, Mr. Speaker. Currently there is a conflict in a court decision that has provided no guidance about what the city can do, first. Secondly, unfortunately, Mr. Speaker, there have been like 27 indictments and convictions. What I am attempting to do is to change the way

campaigns are financed by giving the authority to the local city to have the ability to enact the campaign finance laws.

So, Mr. Speaker, since I think you and I participated in the last couple of weeks in reforming this process, I am saying the same type of reform is needed in campaign financing in the case of the city of Philadelphia. I think it was indicated earlier, Mr. Speaker, we all need to be about the business of change. You may recall, Mr. Speaker, last year 163 members of this House voted for this bill to send it to the Senate, and as a result, it just sat in the Senate and time ran out, Mr. Speaker.

Mr. BARRAR. Mr. Speaker, has there been an opportunity or any complaints filed with the district attorney's office in Philadelphia to investigate a campaign finance fraud situation that is currently occurring or that has occurred in the city of Philadelphia? I am unaware of any recent convictions in the city where there was any campaign finance fraud or a need to really push forward with this. I think we are granting the city of Philadelphia here great power in allowing them to, you know, apply their own campaign rules, campaign finance rules here. And I am just curious, I know there is a problem in the court case that you are determining, I know there is conflicting arguments over the court's decision, but where is the problem with campaign finance and is the district attorney in Philadelphia investigating or is she being stopped or is the district attorney being stopped from investigating current campaign fraud or finance abuses?

Mr. D. EVANS. Mr. Speaker, I cannot speak to exactly what has occurred with the district attorney, but there were Federal indictments and convictions, Mr. Speaker.

Mr. BARRAR. Thank you, Mr. Speaker. That is all I have.

The SPEAKER. The Chair recognizes Representative Evans.

Mr. D. EVANS. Mr. Speaker, the purpose of this initiative is to allow the city of the first class to have the authority to decide how they finance their campaigns, may it be public or private. As a result of the conflict in court decisions, this legislation, Mr. Speaker, passed 163 to 26 in the fall. The contents of this bill states very simply that Philadelphia can enact its own campaign finance laws.

Mr. Speaker, I have an editorial in today's Philadelphia Inquirer that talks about the need for change, and it encourages the General Assembly to take that action. I have a letter from the Governor of the Commonwealth of Pennsylvania, who indicates that this change needs to occur. I have a letter from the president of the local city council, who also joins with efforts about this, and a local councilwoman, Marian Tasco. I have a letter from the NAACP (National Association for the Advancement of Colored People) which indicates that this is something that should occur. I have a letter from the Committee of Seventy, which is a local group, who indicates that this should occur, and I have a letter from the chamber of commerce in the city of Philadelphia. Now, with all of that support, Mr. Speaker, it is clear to me that no matter what group you may think is important, they think that change needs to occur.

We had a long debate about a week ago about changing the way we do business in this building. It is clear to me, Mr. Speaker, that this should not be a partisan issue. This should be a bipartisan issue for change, and we should never be against the idea of change and changing the rules.

I would hope you would support this particular bill, HB 116. Thank you, Mr. Speaker.

The SPEAKER. Does Representative Manderino seek recognition? The lady can proceed.

Ms. MANDERINO. Thank you, Mr. Speaker.

I rise in support of HB 116, and I just want to put some remarks on the record so that the last colloquy does not confuse this issue.

As I listened to the colloquy and the questioning of the interrogation of the prime sponsor, it sounded as if we were doing this because there was some criminal activity that the D.A.s were not handling. This has nothing to do with campaign fraud. This has nothing to do with campaign irregularities. This is about the city of Philadelphia wanting to be able to have its own campaign financing limits.

Now, somebody can be philosophically opposed to campaign financing limits and so not be in favor of wanting to allow the city of Philadelphia to do this. I just want the record to be clear that this has nothing to do with criminal activity. This has nothing to do with misconduct. This has nothing to do with action or inaction from any prosecutor who is or is not taking action on any activity. This is about forward progress of the city of Philadelphia and what they want to be able to do under the authority of their home rule charter, and we are asking that they be allowed to have this authority, and I ask for an affirmative vote.

Thank you.

PARLIAMENTARY INQUIRY

The SPEAKER. The Chair recognizes Representative Metcalfe.

Mr. METCALFE. Mr. Speaker, a parliamentary inquiry.

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

Mr. METCALFE. Mr. Speaker, with this legislation affecting only a city of the first class, would someone who is a candidate for mayor of a city of the first class that might have some bearing in their future election as a result of a law like this being passed, would they have to recuse themselves from voting on this?

The SPEAKER. Generally, questions of conflict of interest are brought to the Chair by the member who is affected. Since the gentleman raised this question, the Chair sees no conflict of interest.

Representative Gabig seeks recognition.

Mr. GABIG. Thank you, Mr. Speaker.

I appreciate the maker of this bill's intention. He is a very honored member of the city and county of Philadelphia and a member of this chamber, and I consider him a good friend of mine, actually, although we disagree probably, if you compare our votes, oftentimes, although I do not know how I voted on this thing in November, quite frankly. I think that was one of the things we were trying to clear up, was getting away from many votes in here that sometimes were not fully debated, and I do not recall this debate happening. So I think some of the comments that were made earlier about, oh, everybody voted for this so we are just going to run it through here again, we have new rules, and this is a new day here in Pennsylvania, so please put those old votes away and think anew about this very important topic.

I have some issues with this, and it has nothing to do with what the lady from Philadelphia brought up. We are giving, basically, a blank check carte blanche to the powers that be in Philadelphia to write campaign finance law, and we are saying

it only applies to Philadelphia because it is restricted to municipal campaigns, such as city councilmen, et cetera, but I have had a personal experience where I have seen a bunch of money from Philadelphia come into my election in Cumberland County, in Carlisle, and it came in not in the general election but in the primary election. There was approximately \$50,000 of money from people and groups in Philadelphia trying to influence a Republican primary in Carlisle, the 199th Legislative District, and I was looking at some of the names. I saw most of them after the election, because the money came in late. I knew about \$20,000 about a week before, and I found out there was about another \$30,000. There were people, Johnny Dougherty – I never heard of the gentleman before – you know, \$10,000 into my campaign.

And I am saying, what happens is, there are going to be these campaign committees in Philadelphia that are interested in a municipal election, and then that money shifted over somewhere else, say, for example, into my opponent's in a Republican primary, if you can see my point. So for those of you that are outside Philadelphia, the problem with giving this carte blanche without having the General Assembly have any say in it later on, which I think was the amendment that Mr. Barrar wanted to add, that we should be able to see what they finally come up with and have a "yes" or "no" vote at that time, I think the problem with just giving it to them and saying, good luck, you see, Philadelphia, as I understand it— And I used to go to Philadelphia a lot as a naval reservist. It is a beautiful city, great historic city. We sit there and see the Independence Hall right in front of us every day, Declaration of Independence – life, liberty, and the pursuit of happiness by our Creator, those unalienable rights. But the problem with Philadelphia, as I understand it, the mayor is a Democrat; all the councilmen are Democrats. I do not know about some of these other groups that were out there. It is a Democrat-dominated section of our State. Do you see what I am saying? And for those of us that are not in Democrat-dominated areas of the State, we become a little concerned if we give them too much power to start writing who gets the money, who does not get the money.

For example, could they come up with a bill, this Democratic-dominated machine in Philadelphia, could they come up with an ordinance, or whatever it is going to be called there, and say, you know, unions can give money, but we do not want any Republicans giving money? Could they come up with something like that? I hear a lot of my friends on the other side, yes, that sounds like a great idea.

POINT OF ORDER

Mr. DeWEESE. A point of order; Mr. Speaker, a point of order.

Mr. GABIG. That was just a rhetorical question, Mr. Speaker. It was not a request for an interrogatory. I am just making a rhetorical question there, but if he wants to, if he wants to engage in a colloquy, I am more than willing to. Thank you, Mr. Speaker.

The SPEAKER. Does the gentleman want to continue with his point of order?

Mr. DeWEESE. I do.

The SPEAKER. The gentleman is recognized and may proceed.

Mr. DeWEESE. No colloquy necessary. I just think that the gentleman's declarations were somewhat far-fetched and outside the parameters of the ongoing debate and wanted to bring that to the attention to the Chair respectfully.

Thank you.

The SPEAKER. The Chair thanks the gentleman.

Representative Gerber is recognized.

Mr. GERBER. Thank you.

Mr. GABIG. Mr. Speaker? Mr. Speaker? I am sorry. Remember, I had the floor before I was interrupted.

The SPEAKER. I thought the gentleman—

Mr. GABIG. I did not yield the floor.

The SPEAKER. —I thought the gentleman when he walked away had yielded the floor.

Mr. GABIG. I am sorry, Mr. Speaker.

The SPEAKER. The Chair apologizes. The gentleman can continue.

Mr. GABIG. My thoughts were just interrupted, and I was trying to collect my thoughts after that interruption. That is all. I am sorry, Mr. Speaker.

So my point is, and I do not mean that in a smart-aleck way. I have a lot of respect for the former chairman of my Judiciary Committee. I still want to finish my point, if I may. Am I in order?

The SPEAKER. The gentleman is in order.

Mr. GABIG. Thank you.

My point is, is if this was just going to go to Philadelphia and we would get a chance then to say we think this is good as a General Assembly, but if we are going to cede this power to figure out who can raise money for an election, an election, and then what they can do with that money, we are giving up our rights to represent our citizens. So it is just not a Philadelphia issue.

I understand what the gentleman is talking about, the pay-to-play issues and the indictments and everything, and he wants to clean that up, although it seemed like our laws worked, and the people that violated those laws have been held accountable, but I understand his concern to have a cleaner system in Philadelphia elections, but my concern is, I do not think we as a General Assembly that represent all of the citizens in the Commonwealth should give up that power to raise all this big money, big money, that can easily find its way into your election — I am speaking to my fellow Republicans here — in primaries. That happened to me last election, and I am just giving a word of caution to those, and it can find its way into my Democratic colleagues who are not from the Philadelphia area. If you want all that big Philadelphia money coming into your area, then give them the power today to do that.

So a word of caution. If there was just something in here similar to the Barrar amendment that gave us the final look at it to make sure that either in our regions we thought it was pretty good, then I would say, yes, let us go ahead; let us try to help Mr. — if I am allowed to use his name — Mr. Evans from Philadelphia to clean up his city, but it is affecting the whole State, and so that is my major concern. That is why I am unable to support him today without sort of a Barrar amendment, if you will.

So I appreciate the indulgence of my colleagues, and I would urge a "no" vote. Thank you.

The SPEAKER. The gentleman is finished? Thank you, Representative Gabig.

The Chair recognizes Representative Gerber.

Mr. GERBER. Thank you, Mr. Speaker.

And the gentleman from Cumberland County does make some good points, and I would like to note his support for this legislation in the past, and I am glad to hear that he is supportive of a statewide campaign finance reform piece of legislation. The reality is, though, that his fears are unfounded. They are unfounded because right now those people that might give money to campaigns in Philadelphia can give money to campaigns anywhere, and because of our current campaign finance laws, those moneys could find their way into any election affecting the State legislature, the Governor's Office, any of the row offices, not to mention the confusion that of course is created with our having Federal campaign finance laws that are obviously quite different than ours here in Pennsylvania where we have virtually none.

I think what is important is that this is a first step. It is a first step to statewide campaign finance reform that we desperately need, and while of course the folks in Philadelphia would like it because of the incidents that they had in the past regarding the pay-to-play culture, it is important to note that there is support that goes beyond Philadelphia. And, Mr. Speaker, if I may, I would just like to refer to some of those people that have weighed in on this specific legislation, and I think it is important for all of us in this chamber to understand, this is not just driven by Philadelphia or Philadelphia politicians. While the president of the city council is in support of it, so is our Governor, so is the Greater Philadelphia Urban Affairs Council, so is the Greater Philadelphia Chamber of Commerce, and so is the watchdog group, the Committee of Seventy, and that is just a sampling, Mr. Speaker, of the individuals and the groups that are in favor of this important legislation.

I would just like to comment that the gentleman from Philadelphia that is offering this legislation, I think, is a trailblazer. He is doing something for us here in this chamber and for the entire State of Pennsylvania that few people have been able to do, and that is really start the debate on campaign finance reform. We need it in Pennsylvania. For all those people that got elected on this reform agenda, it is time that you embrace campaign finance reform. Whether you are a Democrat or a Republican, the fact of the matter is, our laws in Pennsylvania are too loose. We do not have any limits. We do not curtail in any way how it is spent. The fact of the matter is, basically the only prohibition is that no corporation can give money to a campaign, but of course, corporations can start their own PACs (political action committees).

So for all the reformers, Democrats and Republicans, this is the beginning of statewide campaign finance reform, and I encourage you to be supportive of this important legislation. Thank you, Mr. Speaker.

The SPEAKER. Representative Vitali.

Mr. VITALI. Thank you, Mr. Speaker.

I just wanted to respond to a quick point the gentleman from Cumberland County made, because I think the vote he is advocating is going to have the opposite effect of what he wants. I think if what he wants is to keep Philadelphia money out of Cumberland County, I think he wants to vote "yes" on this, because under the current system where there is unrestricted fundraising in Philadelphia, people like, as you said, Johnny Dougherty can give big money in Cumberland County and other Republican districts.

We kind of know what is going to happen if this bill passes, and that is, what they are trying to do, I believe it is a \$2,500 spending limit that is going to be imposed. So the fundraising in Philadelphia is going to be reduced. There is not going to be a lot of excess money in Philadelphia because it is going to be limited to Philadelphia, and they are not going to have the luxury of spending in Cumberland County or other districts, Republican or otherwise.

So if what you really want and if the argument you are making is to keep Philadelphia money out of your districts, I think you want to limit what is being spent in Philadelphia. So I think what you want is a "yes" vote for the Evans bill, and I agree with the previous speaker, this would be a good first step we desperately need.

Thank you.

LEAVE OF ABSENCE

The SPEAKER. The Chair returns to leaves-of-absence requests.

The Chair has a request to put Representative McILVAINE SMITH on leave for the remainder of the day. The Chair hears no objection.

CONSIDERATION OF HB 116 CONTINUED

The SPEAKER. Representative Evans. The gentleman will suspend.

The Chair recognizes Representative Reichley.

Mr. REICHLEY. Thank you, Mr. Speaker, and I think you want to reserve the possibility for the gentleman from Philadelphia to have the last comment on the bill.

With all due respect to the two previous speakers, I would caution the members to think that this is some sort of halcyon accomplishment or laudable accomplishment towards campaign finance reform. If you take a look at the specific language that is within this legislation the gentleman from Philadelphia has proposed, it merely says that this bill will allow the city of the first class to have the power and authority to regulate public and private campaign finance for the nomination and election of municipal officers. There is nothing in there about the fact the gentleman from Philadelphia can go a few miles over the line into Montgomery County and to raise money in there. There is nothing to say that somebody cannot raise money and dump it into the Cumberland County district of my friend, the gentleman from Carlisle. There is nothing in this legislation, in fact it is unconstitutional what the gentleman from Montgomery suggests in being able to regulate campaign spending, because the U.S. Supreme Court has said that is a violation of the First Amendment. So anyone who wants to go under the impression or deceive themselves into the illusion that somehow you will enable the State of Pennsylvania, the Commonwealth of Pennsylvania, to limit campaign spending will advocate an unconstitutional law.

The clear import of this is to create some sort of amorphous, vague, undefined ability for the city of the first class to take up powers which we have not delegated to any other county, any other municipality, and I think this is a bad precedent, if not on the issues of campaign finance, on the issues of any other situation where we would be attempting to create some kind of exemption or ability to obviate a city of the first class or any

other municipality from the laws of Pennsylvania. So I would caution the members, while they may agree that campaign finance is something they think we should move forward on, that it requires specificity then from those who advocate this kind of legislative change.

With all due respect for the gentleman from Philadelphia – and I admire him; I also like him; I wish him the best in his current endeavor – I do not believe this particular legislation is anything worth the phrase of "campaign finance reform." Thank you.

The SPEAKER. The Chair recognizes Representative Metcalfe.

Mr. METCALFE. Thank you, Mr. Speaker.

Mr. Speaker, I am rising on this occasion because I heard one of the former speakers talk about the reform atmosphere and trying to tout this legislation as reform. Well, Mr. Speaker, I think a clear argument was made earlier regarding the constitutionality of this type of an initiative, and I know we had several from the sponsor's side of the aisle rise and try and defend this as being constitutional; use the Supreme Court of Pennsylvania as the fine upholder of the Constitution.

Well, Mr. Speaker, there are many that are sitting here today that ran on reform. They ran on reform as a result of the issue that we dealt with so long for the last couple of years regarding the pay raise issue. Well, Mr. Speaker, ultimately, the court did not make the right decision there, and I think a lot of the reformers who sit here on both sides of the aisle would say that they did not agree with the court's version of what was constitutional in regard to that issue, and neither should they just be satisfied with sitting under the cover that so many of their colleagues on the same side of the aisle may have provided them today with the confused arguments about this being constitutional.

Mr. Speaker, I think it is very clear that the intent of the Constitution is to ensure that elections are held across this Commonwealth without municipalities having their own election laws that can confuse and change outcomes and directions of elections, and that is what this legislation would do. It would give Philadelphia once again special treatment and allow them to set some kind of standard that in the past they have proven to be unable to set a standard that actually is above what the rest of the State holds, but usually what they have done has been something that we have had to continue to try and correct here, in the way of funding or whatever else, whatever other changes, whether they were trying to preempt the Second Amendment rights, Article I, section 21, the right to bear arms section of our Pennsylvania Constitution; whether they were trying to go in and make laws there that upset citizens and took away their rights; or whether now they are trying to come in and restrict somebody's right to run for office in the way that they would then be able to raise money to do so.

Mr. Speaker, I think it is very clear, the intent of the Constitution related to this type of an issue, and I do not think that the reformers, especially on the sponsor's side of the aisle, should be just satisfied with the cover that they have been provided by the confused arguments from their colleagues on that side. I think they should cast a vote in the negative, Mr. Speaker, even though the previous constitutional vote was passed through, but once again, Mr. Speaker, that is just this body's interpretation of the Constitution, and to try and uphold the Supreme Court of Pennsylvania as one to justify a bad vote

I do not think is going to be received by the electorate very well any longer.

Thank you, Mr. Speaker.

The SPEAKER. Are there any other members that seek recognition? The Chair recognizes Representative Evans.

Mr. D. EVANS. Mr. Speaker, I have been listening rather intently to the comments that have been made, and I know something needs to change, and I always look at this body as the one responsible for making the change. I do not think those decisions should be made in the court. I think they should be made here in the legislature.

I am from the city of Philadelphia, and I am proud to be from the city of Philadelphia. I will be the first one to say that from Philadelphia, we are not perfect, but we are no more different than anyone else. When we realize something needs to be changed, I will be the first one to stand up and say to you it needs to change, but I will also be the first one to stand up to you and say that all the people are not bad, like I do not think everybody is bad in your districts where there are needs. The only thing we are asking for, we are asking, is the ability to make our own decisions.

When I hear these constant discussions about the Constitution, the Constitution starts off with the power to the people; the power to the people, that is what it starts off with. And if it starts off with the power to the people and we are the body that is reflecting the people, the only thing I am doing is putting something up here allowing the largest city in the Commonwealth of Pennsylvania, the second largest city in the east coast, and the fifth largest city in the nation, for those citizens, who are Pennsylvanians, to have the ability through their local Representatives to make some basic decisions.

It is the strangest thing I have ever seen, when people want to try to do something on their own, that there is so much resistance from giving people a chance. So I would ask, Mr. Speaker, that no matter what side of the aisle you are on, that you support HB 116. I have heard all the speeches, but at the end of the day, this is allowing Philadelphians, who are Pennsylvanians, to make their own decisions about financing their elections.

Thank you very much, Mr. Speaker.

On the question recurring,

Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—112

Adolph	George	Markosek	Seip
Belfanti	Gerber	McCall	Shapiro
Bennington	Gergely	McGeehan	Shimkus
Biancucci	Gibbons	Melio	Siptroth
Bishop	Goodman	Moul	Smith, K.
Blackwell	Grucela	Mundy	Smith, M.
Brennan	Haluska	Myers	Solobay
Buxton	Hanna	Nickol	Staback
Caltagirone	Harhai	O'Brien, M.	Steil
Carroll	Harkins	Oliver	Sturla
Casorio	Harper	Pallone	Surra
Cohen	Hennessey	Parker	Tangretti
Conklin	Hornaman	Pashinski	Taylor, R.
Costa	James	Payton	Vitali
Cruz	Josephs	Petrarca	Wagner

Curry	Kessler	Petrone	Walko
Daley	Killion	Preston	Wansacz
DeLuca	King	Ramaley	Waters
DePasquale	Kirkland	Raymond	Wheatley
Dermody	Kortz	Readshaw	White
DeWeese	Kotik	Roebuck	Williams
DiGirolamo	Kula	Ross	Wojnaroski
Donatucci	Leach	Rubley	Yewcic
Eachus	Lentz	Sabatina	Youngblood
Evans, D.	Levdansky	Sainato	Yudichak
Fabrizio	Longietti	Samuelson	
Frankel	Mahoney	Santoni	O'Brien, D., Speaker
Freeman	Manderino	Scavello	
Galloway	Mann		

NAYS—84

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

NOT VOTING—1

Cappelli

EXCUSED—6

Dally	Keller, W.	Thomas	Watson
Evans, J.	McI. Smith		

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

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

BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 35, PN 979**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for sexual abuse of children.

On the question,

Will the House agree to the bill on second consideration?

Mr. **LEACH** offered the following amendment No. **A00247**:

Amend Sec. 1 (Sec. 6312), page 1, line 12, by striking out "knowingly views," and inserting
intentionally views or knowingly

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

The **SPEAKER**. The Chair recognizes the gentleman, Mr. Leach.

Mr. **LEACH**. Mr. Speaker, I believe this is an agreed-to amendment, and I would urge its support. Thank you.

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

The following roll call was recorded:

YEAS—194

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

NAYS—3

Creighton Harris Perry

NOT VOTING—0

EXCUSED—6

Dally Keller, W. Thomas Watson
Evans, J. McI. Smith

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

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

PARLIAMENTARY INQUIRY

The **SPEAKER**. Representative Schroder.

Mr. **SCHRODER**. Thank you, Mr. Speaker.

I guess I would phrase this as a point of parliamentary inquiry.

The **SPEAKER**. The gentleman may state his point of parliamentary inquiry.

Mr. **SCHRODER**. And I hope I do not— I do not intend to sound picayune here or anything, but if the Chair could just pay careful attention to the descriptions that are given to the bill. I know that is part of our new rules. Unfortunately, the way this was read in, it said that the bill provides further for sexual abuse of children, and we all know that the bill does not do that, that it is to provide protection for that.

Just so that the record is clear and that there are no unfortunate misreadings of the record, I just wanted to point that out and ask that we take care on our descriptions in the future. Thank you.

The **SPEAKER**. For the information of the gentleman and the members, the clerk can only read what is provided on today's calendar as provided by committee staff, and it does read on there what the clerk read, but we will pay attention, and the gentleman's remarks are appreciated.

LEAVE OF ABSENCE

The **SPEAKER**. The Chair returns to leaves of absence.

Representative **STAIRS**, without objection, will be put on leave for the remainder of the day. The Chair hears no objection.

CONSIDERATION OF HB 35 CONTINUED

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

Bill as amended was agreed to.

(Bill as amended will be reprinted.)

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 363, PN 427**, entitled:

An Act designating the bridge carrying State Route 30 over Main Street in North Huntingdon Township, Westmoreland County, as the Veterans Bridge.

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

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—196

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

Fleck
Frankel
Freeman

Manderino
Mann
Mantz

Roae
Rock

O'Brien, D.,
Speaker

NAYS—0

NOT VOTING—0

EXCUSED—7

Dally
Evans, J.

Keller, W.
McI. Smith

Stairs
Thomas

Watson

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

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

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 191, PN 216**, entitled:

An Act relating to the donation of blood by certain persons 16 years of age or older.

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

Mrs. **GINGRICH** offered the following amendment No. **A00244**:

Amend Title, page 1, line 1, by striking out "Relating to" and inserting

Providing for

Amend Title, page 1, line 2, by removing the period after "older" and inserting

; and making a related repeal.

Amend Sec. 1, page 1, line 6, by striking out "may consent" and inserting

shall be eligible

Amend Bill, page 1, by inserting between lines 13 and 14 Section 2. Repeal.

(a) Declaration.—The General Assembly declares that the repeal under subsection (b) is necessary to effectuate this act.

(b) Action.—The act of December 9, 1969 (P.L.333, No.141), entitled "An act enabling certain minors' consent to donate blood," is repealed.

Amend Sec. 2, page 1, line 14, by striking out "2" and inserting
3

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

The **SPEAKER**. On the question, the Chair recognizes Representative Gingrich.

Mrs. **GINGRICH**. Thank you, Mr. Speaker.

For the consideration of the amendment that is required necessarily in order to create consistent language with the earlier statute, that is the purpose of the amendment to the bill. Thank you.

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

The following roll call was recorded:

YEAS—196

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

NAYS—0

NOT VOTING—0

EXCUSED—7

Dally	Keller, W.	Stairs	Watson
Evans, J.	McI. Smith	Thomas	

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

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

Bill as amended was agreed to.

(Bill as amended will be reprinted.)

* * *

The House proceeded to second consideration of **HB 296, PN 338**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for costs imposed following conviction for passing bad checks.

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

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 195, PN 807**, entitled:

An Act designating the bridge carrying SR 441 over the Swatara Creek in the Borough of Royalton, Dauphin County, as the Sgt. Major Clarence Edward Mathias Bridge.

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

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

The question is, shall the bill pass finally?

PARLIAMENTARY INQUIRY

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

Mr. WHEATLEY. A parliamentary procedure question, Mr. Speaker.

The SPEAKER. The gentleman can state his question.

Mr. WHEATLEY. You called up previously HB 296. I just want to make sure, are we going back to this one and then we will come back to HB 296. Is that what happened?

The SPEAKER. HB 296 was considered.

Mr. WHEATLEY. I am sorry, Mr. Speaker, but I stood at the mike. I wanted to be recognized on that, but I guess I missed that opportunity?

The SPEAKER. The Chair apologizes for not seeing that the gentleman was seeking recognition. The bill was considered.

Mr. WHEATLEY. Okay. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,
Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—196

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

NAYS—0

NOT VOTING—0

EXCUSED—7

Dally	Keller, W.	Stairs	Watson
Evans, J.	McI. Smith	Thomas	

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

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

VOTE CORRECTION

The SPEAKER. For what reason does Representative Cappelli rise?

Mr. CAPPELLI. To correct the record, Mr. Speaker.

The SPEAKER. The gentleman is in order.

Mr. CAPPELLI. On HB 116 on final passage, my voting machine did not work, and I was not recorded. I would like the record to indicate that I voted in the affirmative.

The SPEAKER. The gentleman's remarks will be spread upon the record.

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 294, PN 336**, entitled:

An Act designating the Interboro Bridge on State Route 2012, Monroe County, as the Veterans Memorial Bridge.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—195

Adolph	Galloway	Markosek	Roebuck
Argall	Geist	Marshall	Rohrer
Baker	George	Marsico	Ross
Barrar	Gerber	McCall	Rubley
Bastian	Gergely	McGeehan	Sabatina
Bear	Gibbons	McIlhattan	Sainato
Belfanti	Gillespie	Melio	Samuelson
Bennington	Gingrich	Mensch	Santoni
Beyer	Godshall	Metcalfe	Saylor
Biancucci	Goodman	Micozzie	Scavello
Bishop	Grell	Millard	Schroder
Blackwell	Grucela	Miller	Seip
Boback	Haluska	Milne	Shapiro
Boyd	Hanna	Moul	Shimkus
Brennan	Harhai	Moyer	Siptroth
Brooks	Harhart	Mundy	Smith, K.
Buxton	Harkins	Murt	Smith, M.
Caltagirone	Harper	Mustio	Smith, S.
Cappelli	Harris	Myers	Solobay
Carroll	Helm	Nailor	Sonney
Casorio	Hennessey	Nickol	Staback
Causer	Hershey	O'Brien, M.	Steil
Civera	Hess	O'Neill	Stern
Clymer	Hickernell	Oliver	Stevenson
Cohen	Hornaman	Pallone	Sturla
Conklin	Hutchinson	Parker	Surra
Costa	James	Pashinski	Swanger
Cox	Josephs	Payne	Tangretti
Creighton	Kauffman	Payton	Taylor, J.
Cruz	Keller, M.	Peifer	Taylor, R.
Curry	Kenney	Perry	True
Cutler	Kessler	Perzel	Turzai
Daley	Killion	Petrarca	Vereb
DeLuca	King	Petri	Vitali
Denlinger	Kirkland	Petrone	Vulakovich

DePasquale	Kortz	Phillips	Wagner
Dermody	Kotik	Pickett	Walko
DeWeese	Kula	Preston	Wansacz
DiGirolamo	Leach	Pyle	Waters
Donatucci	Lentz	Quigley	Wheatley
Eachus	Levdansky	Quinn	White
Ellis	Longietti	Ramaley	Williams
Evans, D.	Mackereth	Rapp	Wojnaroski
Everett	Maher	Raymond	Yewcic
Fabrizio	Mahoney	Readshaw	Youngblood
Fairchild	Major	Reed	Yudichak
Fleck	Manderino	Reichley	
Frankel	Mann	Roae	O'Brien, D.,
Freeman	Mantz	Rock	Speaker
Gabig			

NAYS—1

Benninghoff

NOT VOTING—0

EXCUSED—7

Dally	Keller, W.	Stairs	Watson
Evans, J.	McI. Smith	Thomas	

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

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

The SPEAKER. Is there any other business before the House?

Any announcements?

GAME AND FISHERIES COMMITTEE MEETING

The SPEAKER. Representative Staback seeks recognition.

Mr. STABACK. Thank you, Mr. Speaker.

Mr. Speaker, there will be an immediate meeting of the House Game and Fisheries Committee in room 39E.

The SPEAKER. The House Game and Fisheries Committee will meet in room 39E.

LABOR RELATIONS COMMITTEE MEETING

The SPEAKER. Representative Belfanti.

Mr. BELFANTI. Thank you, Mr. Speaker.

There will be a voting meeting of the House Labor Relations Committee. It should be a very brief meeting. It will be held immediately in room 60, E Wing. If members have a conflict with another committee meeting, I would implore them to come to room 60 and sign a proxy form and then go to their next meeting. It is a voting meeting.

Thank you very much.

The SPEAKER. There will be a brief meeting of the Labor Relations Committee in 60E.

Further announcements?

STATEMENT BY MAJORITY LEADER

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

Mr. DeWEESE. Just a quick observation, Mr. Speaker.

We were dealing with five proposals today – three prime-sponsored by the Democratic membership and two prime-sponsored by the Republican membership. There is a new day emphatically, and the metaphor is crystal clear. Mr. McCall was the chairman of the Transportation Committee for the previous 6 years. He had only one bill with his name as the lead that was considered. That says a lot. The Democratic whip went 6 years and had one bill.

During one of the early weeks of substantive endeavor here on the floor, we are reaching across that divide. I said it on swearing-in day that the aisle should not divide us; the aisle should be a place to meet and come together. And today's manifest effort I hope will be emblematic of our desire to work together. We want to pass Republican bills. We want to have Republican prime sponsors. We want to make this a joint effort, and I just think that today's enthusiasms on our part are emblematic of more than just rhetoric. We passed Republican bills. We are going to continue to try to be helpful. We would like, naturally, for some of the parliamentary maneuvering on all sides to be well thought out and to make certain that this process goes forward, but I think we are honest brokers on this side, and we want to work with honest brokers on the other side.

I also want to end by saying that I am a little disappointed that we had 84 Republicans that were not inclined to make substantive steps today on campaign finance reform in cities of the first class. That was a significant moment, and I hope it does not herald a disinclination on the part of the Republicans for solid work on campaign finance and a variety of other substantive reforms in the weeks and months ahead. The Speaker's Reform Commission did a masterful job relative to our internal prerogatives, perquisites, and parliamentary efforts, and now our substantive committees will be taking up many, many areas of reform that have been discussed aggressively in the media.

So to summarize and to conclude, unless there are incendiary remarks that I might want to address, this was a good day. We considered Republican bills right alongside Democratic bills. I want that to be the paradigm. That is the way we should act in the weeks and months and years ahead. It is a new day, and the fact that Republican prime-sponsored bills were acted upon in the context that in the last 12 years very few of our prime-sponsored bills were acted upon is a change, and I hope that today's disinclination relative to, relative to campaign finance reform is not emblematic of statewide efforts at campaign finance reform that will be going into Representative Josephs' standing committee and 6, 8, 10 other efforts at reform that will be in standing committees in the very near future.

Thank you very much, Mr. Speaker.

STATEMENT BY MINORITY LEADER

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

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

Mr. Speaker, I certainly appreciate the commitment of the majority leader to maintain the practice of running bills regardless of the party of the prime sponsor.

I would point out just a kind of interesting point, my first 8 years in this legislative body I was in the minority, and in those years a Republican could not even get a bill out of committee let alone a vote on the floor of the House. Over the last 12 years the implication that Democrat bills were never run – and maybe that is what the majority leader was implying and maybe it was not; that was kind of what I heard; maybe my skin is a little thin, who knows; I will take that criticism if it is true – but just so the record is clear, there were plenty of Democrat bills that ran over the last several years.

It is not a new phenomenon to run bills of the other party, certainly not something that is new to this day, and I just wanted to point out, Mr. Speaker, that, you know, if we are going to continue some level of bipartisan legislative activity, that perhaps the constant implications that everything that was done in the past was wrong, that it was always someone else's wrongdoing, might be tempered by the equal hand across the aisle. Clearly, Mr. Speaker, we ran a lot of Democrat bills, and I just wanted the record to reflect that.

STATEMENT BY MR. SCHRODER

The SPEAKER. The Chair recognizes Representative Schroder.

Mr. SCHRODER. Thank you, Mr. Speaker.

Mr. Speaker, I just wanted to issue a few clarifications, I guess, from the perspective of a member of the Speaker's Reform Commission.

The gentleman, the Democratic majority leader, started out very well in his comments, but then at some point, as he is sometimes prone to do, as we are all prone to do sometimes, went a little bit over the edge, I think.

Mr. Speaker, it has been well known, and I believe that the leader himself understands that, that during the second phase of the Reform Commission, which is under discussion right now, that certainly campaign finance reform was to be one of those topics that would be addressed in some fashion.

Now, the gentleman did mention about various committees taking up that issue, and that is a good sign, but the point that I wanted to make, Mr. Speaker, is that the 80-some or how many there were "no" votes on our side have nothing to do with whether those who voted that way support or do not support campaign finance reform. We were under the impression that all of those issues would be dealt with either in the Reform Commission or by the committees during this second phase.

And I think the bill that was passed narrowly here, the Evans bill, really should have waited to be considered along with the legislation that is still to come so that we can consider campaign finance reform in a comprehensive mode and not in a piecemeal approach so that we have campaign finance reform for Philadelphia, we might have campaign finance reform for the borough of Downingtown or the borough of Titusville or, you know, wherever else in Pennsylvania. That is not the way we want to do campaign finance reform, and I think that for those reasons that is what you saw reflected in the vote today.

Thank you, Mr. Speaker.

STATEMENT BY MR. GABIG

The SPEAKER. On unanimous consent, the Chair recognizes Representative Gabig.

Mr. GABIG. Thank you, Mr. Speaker.

I do not know how long this courtesy will be extended, but I just want to point out to the Speaker and my colleagues that the short time we have been back here under our new rules that took us a while to get to because of the hard work we had to do – and I want to compliment the Reform Commission, the bipartisan Reform Commission and the Speaker's Office for their role in that – this is at least the fourth time I have listened to the majority leader try to portray himself as a reformer and attack my party, the Republican Party, as if somehow we had been the problem here in Harrisburg, me as a member of that party, the people I represent, the good Republicans that I represent, the party of Abe Lincoln, the party of honest Abe Lincoln.

And if he really wants to be bipartisan, I would ask him to cease and desist from these unfair attacks on my Republican Party. I will tell you why, because he talks about getting on the train, the caboose, the driver's seat. It took him a while to get off the plane, the taxpayer-funded plane that he had. It took him a while to get off the automobile, the chauffeured automobile—

The SPEAKER. The gentleman will cease.

Mr. GABIG. I do not need him lecturing me about reform—

The SPEAKER. The gentleman will cease; the gentleman will cease; the gentleman will cease.

Unanimous consent has been offered to the gentleman, and an objection has been raised.

Mr. DeWEESE. I want the record to show I am not objecting. I believe in the rough-and-tumble, give-and-take of the current dialogue.

POINT OF ORDER

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

Mr. GABIG. Mr. Speaker, I would ask to know who it was that cut off my right to debate. Is he man enough to stand up and say who he is?

The SPEAKER. Representative Gabig—

Mr. GABIG. I think that is part of the rules and the tradition of the House. I am sorry, Mr. Speaker.

The SPEAKER. The gentleman, there is no issue before the House at the current time. The gentlemen who have been recognized are recognized under unanimous consent. It is not the duty of the Chair to recognize who that individual is. We are trying to provide civility in this House. That is the mission of this Chair.

Several members have indicated that they had an objection. It was the duty and responsibility of the Chair in that mission to warn the gentleman. Anyone that speaks at this point speaks with unanimous consent since there is no issue before the House.

Mr. GABIG. Mr. Speaker, in light of that, since some Democrats that do not want to say who they are have abridged my right to free speech in debate, I object to any more debate on this issue for today. We can go home and maybe have a happy Easter.

Happy Easter to all of my colleagues.

The SPEAKER. Representative Levdansky requests unanimous consent of the House?

For what purpose does the gentleman, Representative Levdansky, rise?

Mr. LEVDANSKY. Mr. Speaker, given that the interest today is in campaign finance reform, I just want to let all the members know that I have introduced—

The SPEAKER. The gentleman has not asked for unanimous consent. I am just asking him to continue so we know what the purpose is that the gentleman rose.

Mr. LEVDANSKY. Okay. Then, Mr. Speaker, just a point of information for the members. I have had a long-standing interest in campaign finance reform. I just want you to know, check your e-mail, check your regular mail. I am announcing a two-bill package to address the issue in a statewide comprehensive fashion, and I welcome cosponsorship from everybody on both sides of the aisle.

The SPEAKER. The Chair recognizes Representative DeWeese.

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

I am just anxious to accept the happy Easter greeting of my colleague, notwithstanding the momentary pummeling that I received. I love my brother. He can object all he wants. We are floor leaders. Mr. Smith and I do have some amplitude. He should be respectful of that tradition.

The SPEAKER. For the information of the members, the floor leaders are exempted from that provision.

Mr. DeWEESE. And I am not going to be caustic. I am going to be fraternal, and I accept the momentary agitations and excitements and enthusiasms of the membership.

I do want to say prospectively that even those of us who were slow to come to the reform dynamic, I am not St. Paul and this is not the road to Damascus, but I have been knocked off the donkey and I have seen the light, and I really believe, I really believe that the substantive efforts that we have made in recent weeks with the Speaker's Reform Commission, and it was an idea that I proffered on New Year's Day at the Marriott in Conshohocken along with Mr. Shapiro and Mr. Evans, and it was one of the enticements that allowed this bipartisan effort to be launched.

I am not a hypocrite. I am not saying that I was on board, and the gentleman's very aggressive denunciations of my very legal, albeit controversial, excitements of yesteryear were unprecedented. I had never quite seen anybody attacked like that on this floor. I certainly am built of different stuff. I will not go after anybody personally. I will go after things politically.

But notwithstanding that, I am very enthusiastic about our future, and if I were not serious about reform, I would not have appointed 7 people that voted against me out of the 12 to the Reform Commission. And we are going to do things differently, and we are not going to make sure that 50 percent of all the bills are Republicans or 40 percent. If there is no cooperation, if you are going to continue to stymie – not continue; I will take that back – if prospectively you want to stymie the process, but we are extending the olive branch. This has to be a new day. The people of Pennsylvania are not going to tolerate lackadaisicality and half steps and ersatz reform. They want something real. They want bona fide reform, and if we do not deliver, we do it at our own peril.

So somehow, someday, as we get ready to return to rural townships and precincts and urban settings and suburban tracts for the Easter holiday, I hope that we all embrace a spirit of

fraternity and good feeling for each other at this holiday season and that when we return, we work diligently and steadfastly at not only improving our chamber but at substantive elements of legislation and a very strenuous budget season, and I have high confidence in the spirit and talents of Mr. Smith and his Republican Caucus and his Republican staff and certainly I do of my own team. We have our work cut out for us, and I look forward to that process.

Happy Easter, Mr. Speaker, and members of the General Assembly.

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

Mr. S. SMITH. I can yield to him, if you would like.

The SPEAKER. Without objection, for what purpose does the gentleman, Representative Gabig, rise?

Mr. GABIG. Thank you, Mr. Speaker.

And I take the majority leader's admonition and good fraternal correction, I guess you would call it, as they said in the apostolic days. I did not mean to get overenthusiastic and personal.

As I said, I was not the one that was doing these things. I certainly was not trying to point out anybody in particular, and if I did in my overenthusiasm, I apologize for that. I certainly did not mean to demean anyone in the House or the House rules. I have a lot of respect for this place. I have been proud and honored to be here, but I am getting a little, and maybe if I did not say it, tired of the Republican Party being attacked, and that was my point. I am a very good Republican. We have a lot of good Republicans in my district. I know you have some in yours, but that is the point, and so maybe if we can just put away some of those comments as we go forward in this great new day and new era, it would be good.

So I thank the Speaker and my colleagues for their indulgence, and I also will take that correction in mind that the majority leader made.

Thank you.

The SPEAKER. The Chair thanks the gentleman.

Mr. DeWEESE. I accept his good spirit, and I do want to say to all my Jewish friends, happy Passover.

The SPEAKER. Representative Smith.

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

I first wanted to suggest to the majority leader that he having fallen off the donkey, there is always room to get on the elephant, if he would like.

Now I do not know if I want to say what I really rose to say, Mr. Speaker, as we are not really doing much productive work at this moment, but I would be hard pressed not to point out, Mr. Speaker, that a couple of bills that were run today – a bridge-naming-type bill, a road-naming-type bill – you know, those are not really the bills that members die for. Those are bills that they run for particular reasons in their district.

The fact is, Mr. Speaker, that earlier in the day because some of our members were raising questions about various issues and procedures over the last couple of days, I found it interesting that in this bipartisan spirit, that the staff, the Democratic staff, came over and suggested to me that we would not be running any Republican bills if all of this kept up, to which I responded, I do not care, if that is the way it is going to be; I am not going to ask my members to temper their remarks in general when they feel they have legitimate concerns or questions, whether it is about the new rules and the procedures or about the legislative issue before the House at that given moment.

So there was a suggestion, Mr. Speaker, that if we did not cooperate and quiet down, then this, you know, bipartisan flow of legislation would cease. That in and of itself, Mr. Speaker, is not what I call a new day.

So I am hopeful that when we do come back, Mr. Speaker, that the temper and tone will be more civil. I give you my commitment, Mr. Speaker, to work towards that.

As we all know, the majority leader is quick to reference the rough-and-tough tumble, however the turn of the phrase is he uses frequently, that we all accept that and that we do have to fight for what we believe, and sometimes that gets in the other's face.

So to each of you, have a happy holiday, whether it be Easter, Passover, or other.

Thank you, Mr. Speaker.

The SPEAKER. For the information of the members, there will be no more roll-call votes today. We will be in session tomorrow, but it will be a token session.

Is there anyone else that seeks recognition? The Chair sees none.

BILLS REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader, who moves the following bills be taken from the table:

HB 60;
HB 120;
HB 307;
HB 503;
HB 642;
HB 675;
HB 688; and
HB 111.

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

BILL RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader, who moves that HB 307 be recommitted to the Appropriations Committee.

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

RECESS

The SPEAKER. The House will stand in recess until the call of the Chair.

AFTER RECESS

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

THE SPEAKER PRO TEMPORE (RONALD I. BUXTON) PRESIDING

BILLS REPORTED FROM COMMITTEES, CONSIDERED FIRST TIME, AND TABLED

HB 331, PN 381

By Rep. BELFANTI

An Act amending the act of December 18, 2001 (P.L.949, No.114), known as the Workforce Development Act, providing for preference for training programs.

LABOR RELATIONS.

HB 778, PN 845

By Rep. STABACK

An Act amending Title 30 (Fish) of the Pennsylvania Consolidated Statutes, further providing for classification of offenses and penalties, for chemical testing to determine amount of alcohol or controlled substances and for operating watercraft under influence of alcohol or controlled substance.

GAME AND FISHERIES.

BILL REMOVED FROM TABLE

The SPEAKER pro tempore. The Chair recognizes the majority leader, who moves that the following bill be taken from the table, HB 331, and placed on the active calendar.

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

BILL REMOVED FROM TABLE

The SPEAKER pro tempore. The Chair recognizes the majority leader, who moves that the bill, HB 778, be taken from the table.

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

BILL RECOMMITTED

The SPEAKER pro tempore. The Chair recognizes the majority leader, who moves that the bill, HB 778, be rereferred to the Appropriations Committee.

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

BILLS AND RESOLUTIONS PASSED OVER

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

ADJOURNMENT

The SPEAKER pro tempore. The Chair recognizes the gentleman, Representative Gibbons, from Lawrence County, who moves that this House do now adjourn until Thursday, March 22, 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 4:06 p.m., e.d.t., the House adjourned.