

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

MONDAY, FEBRUARY 4, 2008

SESSION OF 2008

192D OF THE GENERAL ASSEMBLY

No. 9

HOUSE OF REPRESENTATIVES

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

THE SPEAKER (DENNIS M. O'BRIEN)
PRESIDING

PRAYER

HON. THOMAS C. CREIGHTON, member of the House of Representatives, offered the following prayer:

Let us bow:

This afternoon, we enter into Your holy temple. We raise our prayer to You, our most holy God, to You our most mighty Lord, to You our most merciful shepherd. Hear our prayers, accept our petitions, and forgive us our trespass, O God.

Your ancient words written above this floor, "And Ye Shall Know The Truth, And The Truth Shall Make You Free," these words are a precious gift. There is no greater gift than to know Your truth. Your truth is a bright, shining light to guide our paths.

May we walk humbly and worthy of Your purpose for our lives. Grant us wisdom and the ability to be of one mind as we serve the people of Pennsylvania. Your grace has given us this position of honor to serve You and the people. Your grace shall keep us safe and lead us home to Your kingdom.

Amen.

PLEDGE OF ALLEGIANCE

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

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, approval of the Journal of Wednesday, January 30, 2008, will be postponed until printed. The Chair hears no objection.

LEAVES OF ABSENCE

The SPEAKER. The Chair recognizes the majority whip, who requests that Representative SIPTROTH from Monroe County be placed on leave for the week. The Chair sees no objection. Leave will be granted.

The Chair recognizes the minority whip, who requests that Representative SCHRODER from Chester County and

Representative BEYER from Lehigh County be placed on leave. The Chair sees no objection. Leaves will be granted.

Members will report to the floor.

MASTER ROLL CALL

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

The following roll call was recorded:

PRESENT—200

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

ADDITIONS—0

NOT VOTING—0

EXCUSED—3

Beyer	Schroder	Siptroth
-------	----------	----------

LEAVES ADDED—4

Costa	Kirkland	Pallone	Preston
-------	----------	---------	---------

LEAVES CANCELED—2

Beyer	Pallone
-------	---------

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

BILLS REPORTED FROM COMMITTEES, CONSIDERED FIRST TIME, AND TABLED

HB 295, PN 3172 (Amended) By Rep. JOSEPHS

An Act amending the act of December 4, 1996 (P.L.911, No.147), known as the Telemarketer Registration Act, expanding the scope of the act to cover automated political solicitations.

STATE GOVERNMENT.

HB 1786, PN 2383 By Rep. JOSEPHS

An Act authorizing the Department of General Services, with the approval of the Governor, to dedicate, grant and convey to the Strasburg, Lancaster County, Borough Authority, a water main and appurtenances to be constructed by the Department of General Services, together with easements for public water purposes, situate in Strasburg Township, Lancaster County, and to grant such further easements and licenses as may be necessary to provide the Railroad Museum of Pennsylvania with access to public sewer service.

STATE GOVERNMENT.

HB 1841, PN 3173 (Amended) By Rep. ROEBUCK

An Act amending Title 24 (Education) of the Pennsylvania Consolidated Statutes, further providing for taxation, attachment and assignment of funds; establishing the Public School Employees' Benefit Board and providing for its powers and duties; requiring a school employee benefits study and evaluation; providing for a Statewide health benefits program for public school employees, for alternative measures for cost reduction and for a retirement health savings plan; and establishing the Public School Employees' Benefit Trust Fund.

EDUCATION.

SB 917, PN 1106 By Rep. JOSEPHS

An Act authorizing and directing the Department of General Services, with the approval of the Governor, to grant and convey to

CDM Ebensburg, LLC, certain lands situate in Cambria Township, Cambria County.

STATE GOVERNMENT.

HOUSE RESOLUTION INTRODUCED AND REFERRED

No. 572 By Representatives J. EVANS, BELFANTI, BOYD, BRENNAN, COHEN, CONKLIN, CREIGHTON, DENLINGER, EVERETT, FLECK, FREEMAN, GEIST, GEORGE, GOODMAN, GRUCELA, HARKINS, HELM, JOSEPHS, KOTIK, LEACH, MAJOR, MARSHALL, McILHATTAN, MENSCH, MOUL, MOYER, MURT, MYERS, NAILOR, D. O'BRIEN, O'NEILL, PARKER, PAYNE, PHILLIPS, PICKETT, PYLE, READSHAW, REICHLEY, SEIP, SONNEY, WOJNAROSKI and SIPTROTH

A Resolution urging the institutions in higher education that receive State funding to recognize American Sign Language coursework for foreign language credit.

Referred to Committee on EDUCATION, February 1, 2008.

HOUSE BILLS INTRODUCED AND REFERRED

No. 1943 By Representatives QUIGLEY, BENNINGHOFF, BEYER, DALLY, DENLINGER, EVERETT, GEIST, GILLESPIE, GINGRICH, GRELL, HARHART, HUTCHINSON, KAUFFMAN, M. KELLER, KILLION, MACKERETH, MARSICO, PYLE, REED, ROSS, SCHRODER, R. STEVENSON and TURZAI

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in civil actions and proceedings, providing for consideration of collateral sources.

Referred to Committee on JUDICIARY, February 4, 2008.

No. 2208 By Representatives CASORIO, COHEN, BENNINGTON, BRENNAN, CONKLIN, DALEY, FRANKEL, FREEMAN, GIBBONS, GOODMAN, GRUCELA, HARKINS, KOTIK, MENSCH, MILNE, MYERS, NAILOR, M. O'BRIEN, O'NEILL, READSHAW, ROAE, SANTONI, K. SMITH, SWANGER, J. WHITE, YOUNGBLOOD and SIPTROTH

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

Referred to Committee on JUDICIARY, February 1, 2008.

No. 2209 By Representative SHAPIRO

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, further providing for issuance of group accident and sickness insurance.

Referred to Committee on INSURANCE, February 1, 2008.

No. 2210 By Representatives RAMALEY, DePASQUALE, McCALL, GIBBONS, GOODMAN, BELFANTI, BENNINGTON, BRENNAN, CAPPELLI, CASORIO,

DALEY, EACHUS, FABRIZIO, GEORGE, GERGELY, GRUCELA, HANNA, HARHAI, HARKINS, JOSEPHS, KING, KORTZ, KOTIK, KULA, LEACH, LONGIETTI, MARKOSEK, MARSHALL, MELIO, PALLONE, PASHINSKI, PRESTON, READSHAW, SCAVELLO, SIPTROTH, McILVAINE SMITH, SOLOBAY, STABACK, STURLA, TANGRETTI, THOMAS, WALKO, WOJNAROSKI, BIANCUCCI, CARROLL, WANSACZ and J. WHITE

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, establishing the Property Tax Fund.

Referred to Committee on FINANCE, February 1, 2008.

No. 2211 By Representatives CONKLIN, DeWEESE, BRENNAN, HARKINS, BELFANTI, HORNAMAN, WALKO, MAHONEY, KULA, PASHINSKI, LONGIETTI, KORTZ, J. WHITE and FRANKEL

An Act amending the act of March 1, 1988 (P.L.82, No.16), known as the Pennsylvania Infrastructure Investment Authority Act, further providing for financial assistance.

Referred to Committee on APPROPRIATIONS, February 1, 2008.

No. 2212 By Representatives CONKLIN, MAHONEY, GEIST, HARKINS, READSHAW, PALLONE, D. O'BRIEN, HORNAMAN, KULA, KORTZ, SIPTROTH, SOLOBAY, J. WHITE, YOUNGBLOOD, GRUCELA, WOJNAROSKI, STABACK, SWANGER and FRANKEL

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for classes of licenses and requirement for commercial driver's license.

Referred to Committee on TRANSPORTATION, February 1, 2008.

No. 2213 By Representatives BELFANTI, PHILLIPS, GOODMAN, ROSS, SHIMKUS, SIPTROTH, GIBBONS, GINGRICH, BRENNAN, BIANCUCCI, EVERETT, ROAE, MURT, CALTAGIRONE, CARROLL, FABRIZIO, FRANKEL, JAMES, LONGIETTI, MILLARD, R. MILLER, PETRONE, WANSACZ, J. WHITE, YOUNGBLOOD and YUDICHAK

An Act amending the act of May 1, 1933 (P.L.103, No.69), known as The Second Class Township Code, further providing for real property, for personal property and for letting contracts.

Referred to Committee on LOCAL GOVERNMENT, February 1, 2008.

No. 2214 By Representatives PAYTON, GINGRICH, CARROLL, FAIRCHILD, JAMES, KOTIK, MYERS, THOMAS, YOUNGBLOOD and SIPTROTH

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for suspension of operating privilege.

Referred to Committee on TRANSPORTATION, February 1, 2008.

No. 2215 By Representatives PAYTON, THOMAS, MYERS, KULA, GINGRICH, JAMES and YOUNGBLOOD

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for occupational limited license.

Referred to Committee on TRANSPORTATION, February 1, 2008.

SENATE BILLS FOR CONCURRENCE

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

SB 313, PN 1720

Referred to Committee on PROFESSIONAL LICENSURE, February 1, 2008.

SB 1023, PN 1350

Referred to Committee on PROFESSIONAL LICENSURE, February 1, 2008.

CALENDAR

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 1600, PN 2811**, entitled:

An Act providing for supplemental State-funded tax relief; and establishing the Personal Income Tax Surcharge Fund.

On the question recurring,

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

BILL RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader, who moves that HB 1600 be recommitted to the Committee on Finance.

On the question,

Will the House agree to the motion?

Motion was agreed to.

* * *

The House proceeded to second consideration of **HB 1489, PN 2810**, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, further providing, in sales and use tax, for imposition of tax; repealing, in sales and use tax, provisions relating to computation of tax; providing, in sales and use tax, for tax table; further providing, in sales and use tax, for alternative imposition of tax and credits and for hotel occupancy tax imposition; providing for the deposit of certain sales tax revenue and for State property tax reduction allocation; and making a related repeal.

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

BILL RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader, who moves that HB 1489 be recommitted to the Committee on Finance.

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

* * *

The House proceeded to second consideration of **HB 93, PN 2808**, entitled:

An Act amending the act of July 2, 1996 (P.L.529, No.91), entitled "An act implementing the provisions of section 2(b)(ii) of Article VIII of the Constitution of Pennsylvania by authorizing cities of the first class to provide for special tax provisions relating to real property taxes for certain persons who meet the established standards and qualifications for age and poverty," further providing for construction, for declaration of policy, for definitions and for special tax provisions; and providing for limitations on refunds or forgiveness.

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

BILL RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader, who moves that HB 93 be recommitted to the Committee on Finance.

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

BILLS REMOVED FROM TABLE

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

HB 846;
HB 1812;
HB 2116; and
SB 844.

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

BILLS RECOMMITTED

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

HB 846;
HB 1812;
HB 2116; and
SB 844.

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

SENATE MESSAGE

AMENDED SENATE BILL RETURNED FOR CONCURRENCE AND REFERRED TO COMMITTEE ON RULES

The clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives by amending said amendments to **SB 1, PN 1721**.

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

FILMING PERMISSION

The SPEAKER. The Chair wishes to advise members that he has given permission to Bryan Barr and Dennis Owens of WHTM-TV to videotape with audio during the presentation of a citation for approximately 10 minutes.

The Chair advises members that he has given permission to Gregg Doll of Mainline Newspapers to take still photographs of Representative Haluska for 10 minutes.

STEELTON-HIGHSPIRE HIGH SCHOOL FOOTBALL TEAM PRESENTED

The SPEAKER. The Chair requests that Representative Ron Buxton come to the podium for the purpose of a presentation.

Representative Buxton.

Mr. BUXTON. Thank you, Mr. Speaker.

Today we are honoring the Steelton-Highspire High School PIAA A State Championship Football Team. Joining me on the podium are Dr. Norma Mateer, the school superintendent; head coach Rob Deibler; seniors Anthony Hill and D.J. Poligone and junior Jeremiah Young.

The Rollers, with a 13-and-3 record, defeated Serra Catholic, the home of Bill Kortz and Representative Gergely, by a score of 34 to 15 to win their first single-A football championship. Let me note for the record that in 1982, Coach Deibler's father, Jim, won a State championship in a different class.

The Rollers team is special, not only because they won the State championship, an honor not to be taken lightly, but because they had to learn many hard life lessons in order to win this championship. This team dug deep into their hearts in order to overcome many adverse conditions and come together as a team, proving that more than talent alone is needed to win the biggest prize at the end of the season.

This team together learned the rewards of determination, hard work, and that there is no "I" in team. Two small communities joined as one to support this amazing football team that learned and acted on the lessons learned to bring

home a State championship. This is high school sports at its best.

Joining us also today are the rest of the team members and the high school coaches and principal sitting in the rear of the chamber. Please join me in congratulating the Steel-High PIAA State Championship Football Team for being here today.

JEREMIAH YOUNG PRESENTED

The SPEAKER. Representative Buxton.

Mr. BUXTON. In addition to this team winning the State championship, it is an honor for me today to bring before the House of Representatives Jeremiah Young. He is receiving a separate citation also today for being honored upon being named the Associated Press 2007 Class A Football Player of the Year.

"WHEREAS, A junior at Steelton Highspire High School, Jeremiah achieved the second-highest single-season rushing total in the history of this Commonwealth by rushing 400 times for 3344 yards. With a record of 41 touchdowns, he led the Steamrollers to win their first PIAA State Class A Championship on December 14, 2007. Jeremiah truly deserves recognition and praise for skillfully using his abilities with unflinching dedication in pursuit of athletic excellence."

Ladies and gentlemen, one of the most recruited people in the United States right now, Jeremiah Young.

LEAVE OF ABSENCE

The SPEAKER. The Chair recognizes the majority whip, who requests that Representative PALLONE be placed on leave – Representative Pallone from Westmoreland County. The Chair sees no objection. Leave will be granted.

RESOLUTIONS PURSUANT TO RULE 35

Mr. SABATINA called up **HR 530, PN 2974**, entitled:

A Resolution honoring the 75th anniversary of the Philadelphia Eagles.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—199

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

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

NAYS—0

NOT VOTING—0

EXCUSED—4

Beyer	Pallone	Schroder	Siptroth
-------	---------	----------	----------

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

* * *

Mr. MARSHALL called up **HR 532, PN 2985**, entitled:

A Resolution recognizing the Boston Red Sox as the champions of the 2007 Major League Baseball World Series and congratulating Terry Francona as manager.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—199

Adolph	Gabig	Mantz	Roebuck
Argall	Galloway	Markosek	Rohrer
Baker	Geist	Marshall	Ross
Barrar	George	Marsico	Rubley
Bastian	Gerber	McCall	Sabatina
Bear	Gergely	McGeehan	Sainato
Belfanti	Gibbons	McI. Smith	Samuelson
Benninghoff	Gillespie	McIlhatten	Santoni

Bennington	Gingrich	Melio	Saylor
Biancucci	Godshall	Mensch	Scavello
Bishop	Goodman	Metcalfe	Seip
Blackwell	Grell	Micozzie	Shapiro
Boback	Grucela	Millard	Shimkus
Boyd	Haluska	Miller	Smith, K.
Brennan	Hanna	Milne	Smith, M.
Brooks	Harhai	Moul	Smith, S.
Buxton	Harhart	Moyer	Solobay
Caltagirone	Harkins	Mundy	Sonney
Cappelli	Harper	Murt	Staback
Carroll	Harris	Mustio	Stairs
Casorio	Helm	Myers	Steil
Causser	Hennessey	Nailor	Stern
Civera	Hershey	Nickol	Stevenson
Clymer	Hess	O'Brien, M.	Sturla
Cohen	Hickernell	O'Neill	Surra
Conklin	Hornaman	Oliver	Swanger
Costa	Hutchinson	Parker	Tangretti
Cox	James	Pashinski	Taylor, J.
Creighton	Josephs	Payne	Taylor, R.
Cruz	Kauffman	Payton	Thomas
Curry	Keller, M.	Peifer	True
Cutler	Keller, W.	Perry	Turzai
Daley	Kenney	Perzel	Vereb
Dally	Kessler	Petrarca	Vitali
DeLuca	Killion	Petri	Vulakovich
Denlinger	King	Petrone	Wagner
DePasquale	Kirkland	Phillips	Walko
Dermody	Kortz	Pickett	Wansacz
DeWeese	Kotik	Preston	Waters
DiGirolamo	Kula	Pyle	Watson
Donatucci	Leach	Quigley	Wheatley
Eachus	Lentz	Quinn	White
Ellis	Levdansky	Ramaley	Williams
Evans, D.	Longietti	Rapp	Wojnaroski
Evans, J.	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			

NAYS—0

NOT VOTING—0

EXCUSED—4

Beyer	Pallone	Schroder	Siptroth
-------	---------	----------	----------

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

* * *

Mr. R. TAYLOR called up **HR 563, PN 3119**, entitled:

A Resolution recognizing President Franklin Delano Roosevelt for his strength, courage and determination through a time of national crisis and war in celebration of the occasion of his birth.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—199

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

NAYS—0

NOT VOTING—0

EXCUSED—4

Beyer	Pallone	Schroder	Siptroth
-------	---------	----------	----------

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

* * *

Mr. CAPPELLI called up **HR 566, PN 3138**, entitled:

A Resolution designating February 2008 as "Boy Scout Month" and February 12, 2008, as "Eagle Scout Day" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—199

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

NAYS—0

NOT VOTING—0

EXCUSED—4

Beyer Pallone Schroder Siptroth

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

* * *

Mrs. RUBLEY called up **HR 570, PN 3151**, entitled:

A Resolution designating the month of February 2008 as "Career and Technical Education Month" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—199

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

NAYS—0

NOT VOTING—0

EXCUSED—4

Beyer Pallone Schroder Siptroth

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

COMMUNICATIONS

The SPEAKER. The Chair acknowledges receipt of the following reports, which the clerk will read.

The following communications were read:

A communication dated January 17, 2008, from the Public Employee Retirement Commission regarding amendment No. 05276 to HB 1085, PN 1257, providing an actuarial impact statement on the amendment.

A communication dated January 25, 2008, from the Secretary of the Department of Community and Economic Development providing a copy of the department's report on tax-exempt bond allocations for the year end of 2007 in accordance with section 2706 of Act 113 of 1996.

A communication dated January 16, 2008, from the Secretary of the Department of Environmental Protection providing a copy of the department's Industrial Land Recycling Fund report for fiscal year 2006-2007 in accordance with Act 2 of 1995.

A communication dated January 25, 2008, from the Acting Insurance Commissioner submitting a copy of the department's Annual Report on the Status of the Catastrophic Loss Benefits Continuation Fund in accordance with Act 24 of 1989.

A communication dated January 22, 2008, from the Board of Directors of City Trusts of the city of Philadelphia providing a copy of its 137th Annual Report.

(Copies of communications are on file with the Journal clerk.)

LEAVE OF ABSENCE CANCELED

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

SUPPLEMENTAL CALENDAR A

RESOLUTION PURSUANT TO RULE 35

Mr. WHEATLEY called up **HR 579, PN 3171**, entitled:

A Resolution designating the month of February 2008 as "Black History Month" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The SPEAKER. The Chair recognizes Representative Wheatley on the resolution.

Mr. WHEATLEY. Mr. Speaker, actually, I was going to ask if it is in order for me to speak after the resolution is passed.

The SPEAKER. Without objection, the gentleman will be recognized.

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

The following roll call was recorded:

YEAS—200

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

NAYS—0

NOT VOTING—0

EXCUSED—3

Beyer Schroder Siptroth

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

STATEMENT BY MR. WHEATLEY

The SPEAKER. The Chair recognizes Representative Wheatley.

Mr. WHEATLEY. Thank you, Mr. Speaker.

I do find myself getting a little bit smarter in this chamber, so I did not want to change anyone's votes before I started to speak on the resolution.

Mr. Speaker, every year we all know that February comes—

The SPEAKER. If the gentleman will suspend.

The Chair asks all members to please take their seats. Conversations will cease.

The gentleman is in order and may proceed.

Mr. WHEATLEY. Thank you, Mr. Speaker.

As I was saying, we all are aware every year we have February that comes, and it is nationally recognized and as well in Pennsylvania recognized as Black History Month.

This year, I want to thank my colleagues for again helping to recognize the month in the chamber, and this year I thought it was important for me to make some comments about this month and about our work, what we do here in this great hall.

I was reminded, when I thought about doing the resolution this year, I was reminded by a quote that talked about history is not a procession of illustrious people, it is about what happens to people, and it talked about history being the sum total of millions of anonymous people, of millions of anonymous people and the lives that they live. Now, that came from a great writer, a great American writer, a great American activist, named James Baldwin.

Today we are asked to look back for a moment and ask ourselves, what has happened to the million or so African-Americans here in Pennsylvania? Because as we know, history is not a thing of just being in the past of events and occurrences of people's actions, but history should be a guidepost to us as we move forward in the present and if we are doing the things that we need to do as we go into the future.

So again I ask us that we take this moment, we take this opportunity to recognize this month, but we really should take this month and the days in this month and the month coming after it to ask ourselves the question, what are we doing? What are we doing for the people of the Commonwealth, especially many of those individuals who are of African-American descent? How do we recognize their contributions, how do we uplift their lives, and how do we provide the support necessary for their endeavors?

I was taught that history is not a stagnant occurrence of past endeavors, that history recognizes events and people, but it also recognizes that those events and people of the past have significant impact to our present situation. But if we are not actively reviewing what we have done before and what that has done for our present, if we are not actively reviewing that, updating that, and in some circumstances changing what we have done, then we are, in essence, bound to repeat the same failures, the same lack of movement that we had in the past.

So I stand here today, Mr. Speaker, and I say to you all, and I ask this question: Why do we recognize Black History Month? What is the significance? Is it one of those things that we just

routinely do with no thought to it, or do we use this opportunity to really assess, assess what we have done, how we have done it, and what it has caused to happen in our Commonwealth?

Now, I am going to throw a little bit of historical moment to you. When Carter G. Woodson, who was the creator, of course all of you know, who was the creator of Black History Week, Negro History Week, he thought of it as an opportunity to celebrate Black history. He thought of it as an opportunity to inform people who maybe did not think African-Americans were real, true contributors to the American process. He saw it as an opportunity to educate the world, that not only were African-Americans talented, intelligent, and creative, but they have so much to give that we have to really integrate them into this great American melting pot, that this was our opportunity to celebrate them, to welcome them to our family, and to say to them, we see you as equal.

Now, the question I have before us today is that tomorrow we will begin another fiscal cycle. Tomorrow the Governor will come before us and he will put out, lay out, his set of priorities, and once we receive that, then the General Assembly will have several months to work towards figuring out what our priorities will be as we work with the Governor to find the priorities of the Commonwealth.

And I would just ask all of us as we go through that process, as we have sat here today and passed this resolution, as we go through that process, that we keep in the back of our minds and hopefully in the forefront of our actions that everything we do here has a ripple effect, and sometimes that ripple effect is positive and on some occasions it has a negative impact, and every one of our actions, every one of our actions should be up for review for us to update and to sometimes change the course when we figure that it does not work anymore. And the reason why I say that is because for too many years in this Commonwealth and this nation, we have allowed the quiet, in many instances some not so quiet, disparities to languish.

When you have major disparities between economic resources, when you have major disparities between health and the access to quality, error-free health, when you have major disparities between education and the achievement of children, when you have major disparities in the look and the safety of communities, when we are government officials and we are passing laws that are supposed to be making these things better for all citizens, then we need to ask ourselves, are we doing it correctly? And if we have not been doing it correctly, we need to review it, update it, and in some occurrences change it.

So I, Mr. Speaker, did not mean to take so much time, but, Mr. Speaker, I ask the members today, one, I welcome you and thank you for supporting this resolution as we recognize Black History Month. But two, I ask you to begin a new process this year. As we set our priorities, as we talk about the issues, as we debate those issues, that we keep in mind that we have 12 million citizens in this Commonwealth, a little over 12 million citizens, and many of those, many of those are individuals that do not look like the majority of you. Well over a million of them are African-Americans; several hundred thousand of them are Latinos. We need to make sure when we are creating policy in this great hall that they are impacting all of our communities in a way that advances all of our citizens so we all can be productive Pennsylvanians.

So I look forward to joining you in not only recognizing this month as Black History Month but working towards the

upliftment of all of our citizens, including those who happen to be African-Americans in this Commonwealth.

Thank you, Mr. Speaker.

Mr. DeWEESE. Mr. Speaker?

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

Mr. DeWEESE. We have 55 new House and Senate members, and Jake's moment at the microphone punctuates in my own recollection the fact that he was a United States Marine, active duty, in a combat theater during the first gulf war, and from Crispus Attucks to the 190,000 Black men who served in Union regiments during the Civil War all the way to Jake Wheatley, amongst the many things that he said, we can continue to focus, especially today with so many of our young men and women in harm's way, the contributions of African-Americans in the United States military tradition, and I wanted to add that to Mr. Wheatley's remarks.

Thank you very much, sir.

The SPEAKER. The Chair thanks the majority leader.

CATHARINE ABOULHOUDA PRESENTED

The SPEAKER. The Chair requests that Representative Mantz come to the podium for a citation presentation.

The Chair recognizes Representative Mantz.

Mr. MANTZ. Thank you, Mr. Speaker.

It is my honor and privilege today to introduce to you a remarkable young girl, Catharine Aboulhoda. You would not know it by looking at this happy, healthy 5-year-old, but when she was born, she weighed just 1 pound 10 ounces and measured only 12 inches in length. Born 16 weeks early, Catharine was extremely premature. Her eyes were fused shut. She had a heart defect, bleeding in her brain, jaundice, and a heart murmur. She fought for every breath she took.

She spent nearly 4 months in the newborn intensive care unit, and even when she was finally allowed to go home, she still needed monitors and oxygen. But thanks to the excellent care she received, today Catharine is perfectly healthy and full of energy, as any 5-year-old should be. I am told she loves to dance, sing, read with her grandparents, and go swimming with her big brother, Michael.

This year Catharine and her family will be sharing their success story across the country because Catharine has been named the 2008 National Ambassador of the March of Dimes. According to the March of Dimes, premature birth is the leading killer of America's newborns and those who survive often have lifelong health problems. Sadly, prematurity has been escalating over the last two decades. In 2005, more than 525,000 infants were born prematurely, the most premature births ever recorded in our country. In 4 out of every 10 cases of premature birth, the cause is not known, so the March of Dimes is working to find out what causes prematurity and how it may be stopped.

Catharine and her family know how lucky they are, and they want to help raise awareness about premature birth and the important work the March of Dimes is doing to prevent it. So it is my pleasure to introduce to you Catharine Aboulhoda and her parents, Michael and Susan Aboulhoda; and Catharine's older brother, also named Michael. And with them is Mr. James Davis, the State leader for the March of Dimes.

Please join me in a round of applause for the Aboulhoudas and the good work they are doing for the March of Dimes.

GUESTS INTRODUCED

The SPEAKER. The Chair would also like to recognize our other friends of the March of Dimes who are with us in the gallery. Would you please stand and be recognized.

GUESTS INTRODUCED

The SPEAKER. The Chair would like to recognize, as the guests of Representative John Bear of the 97th District in Lancaster County, the municipal managers that are visiting the Capitol today. We have Jim Williams from East Petersburg, Jim Martin from Manheim Township, Sue Barry from Lititz Borough, Dan Zimmerman from Warwick Township, and David Kratzer from Warwick Township.

Would you please stand and be recognized. I believe they are also in the balcony.

HOUSE SCHEDULE

DEMOCRATIC CAUCUS

APPROPRIATIONS COMMITTEE MEETING

The SPEAKER. The Chair recognizes the majority leader, Representative DeWeese, for an announcement.

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

The Democrats will caucus at 2. We will have a House Appropriations Committee meeting in the majority caucus room at 3 and return to the floor at 3:15.

Thank you very much.

The SPEAKER. At 3 there will be a House Appropriations Committee meeting in the majority caucus room.

REPUBLICAN CAUCUS

The SPEAKER. Representative Major.

Miss MAJOR. Thank you, Mr. Speaker.

I, too, would like to announce that Republicans will caucus at 2 p.m. So I would ask all Republican members to please report to the caucus room promptly at 2 p.m.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the lady.

ANNOUNCEMENT BY MINORITY LEADER

The SPEAKER. The Chair will ask again all members to take their seats and caucuses to break up as the Chair is about to recognize the minority leader, Representative Smith.

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

Mr. Speaker, I just wanted to make an announcement relative to the groundhog cookie that is on each of your desks. I know there are a few. I do not know how big the crowd was in Punxsutawney this weekend, being it was on a Saturday, but in my estimation, it was probably in the 20,000, 25,000. I did not hear what the official estimate was, but 20,000, 25,000 people joined the people of Punxsutawney at Gobbler's Knob on Saturday morning to watch Punxsutawney Phil come out and make his prediction to the weather.

And as I customarily do, I know to lots of cheers and jeers, I just wanted to officially put it on the record that Punxsutawney Phil is predicting 6 more weeks of winter for all of us in Pennsylvania and around the world.

So thank you very much, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

Are there any further announcements?

RECESS

The SPEAKER. This House will stand in recess until 3:15.

AFTER RECESS

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

GUESTS INTRODUCED

The SPEAKER. The Chair would like to recognize, as the guests of Representative Lentz and Representative Killion, Margaret Hussey, who is in the fourth grade at St. Mary Magdalene in Media, Delaware County, and her brother, Michael, who is in first grade, and they are accompanied by their father, Michael Hussey, and they are here visiting today as part of a school project studying our State Capitol. Would you please stand and be recognized.

BILLS REREPORTED FROM COMMITTEE

HB 706, PN 1882

By Rep. D. EVANS

An Act amending the act of July 10, 1981 (P.L.214, No.67), known as the Bingo Law, further defining "bona fide member"; and further providing for rules for licensing and operation.

APPROPRIATIONS.

HB 1867, PN 2728

By Rep. D. EVANS

An Act requiring a circulating nurse in certain operating rooms.

APPROPRIATIONS.

The SPEAKER. These bills will be placed on the supplemental calendar.

It is the intention of the Chair to recess regular session and go into special session at 3:33.

RECESS

The SPEAKER. Regular session is now in recess.

AFTER RECESS

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

LEAVE OF ABSENCE CANCELED

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

LEAVES OF ABSENCE

The SPEAKER. The Chair recognizes the majority whip, who requests that Representative COSTA and Representative PRESTON and Representative KIRKLAND be placed on leave. The Chair sees no objection. These leaves will be granted.

ANNOUNCEMENT BY MR. LEVDANSKY

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

Mr. LEVDANSKY. Mr. Speaker, just to make it clear to the members of the House Finance Committee, you all received a notification that on Wednesday at 10 o'clock, Wednesday at 10 a.m. in 205 Ryan Office Building, we are having a House Finance Committee meeting to consider special session HB 1. That will then be followed by a regular House Finance Committee meeting on the bills that we have included on the agenda for that meeting. So it will be both a Finance Committee meeting to first consider special session HB 1 followed by a regular Finance Committee meeting with the additional bills listed on the agenda.

Thank you.

The SPEAKER. The Chair thanks the gentleman.

ROSA PARKS REMEMBRANCE DAY

STATEMENT BY MS. BISHOP

The SPEAKER. The Chair recognizes Representative Louise Bishop for remarks under the provision of unanimous consent.

The Chair will ask all members to please take their seats so the lady can be heard.

Ms. BISHOP. Thank you very much, Mr. Speaker.

We gather here today on remembrance day of Rosa Parks, a civil rights activist who galvanized the American civil rights revolution. Thanks to legislation I sponsored in 2002, Rosa Parks will get the recognition she deserves on this House floor each year as long as I am State Representative, and hopefully she will be recognized by future generations for her bravery.

In 2002 when I first introduced the legislation, which, by the way, passed overwhelmingly in the House, a former woman legislator, Representative E.Z. Taylor who represented the West Chester area, generously and graciously thanked me for introducing the Rosa Parks resolution. Representative Taylor had enthusiasm for this legislation as did Rosa Parks herself.

Before her passing, Rosa Parks was honored to be recognized by the legislative body because she sat up for what is right; she sat up for what is right and what was right. In 2002 we conducted the first tribute, and in 2008 we continue to honor Rosa Parks for what she stood for, not only for that particular day, but for all women today and in the future.

In marking this day, we not only recognize her singular act of bravery and vision, but we stand in humility and thankfulness for the act that will live on for all times. Rosa refused to give up her seat on a Montgomery, Alabama bus to a White man in 1955, which led to her being arrested and tried, a 381-day boycott preceded, and finally the Supreme Court's 1956 ruling that segregation on public transportation was unconstitutional.

This event sparked the civil rights movement in America.

The SPEAKER. The lady will suspend.

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

Mr. THOMAS. Mr. Speaker, the gentelady from Philadelphia deserves minimum respect; minimum respect. She would give it to any of us. Please give—

The SPEAKER. The Chair thanks the gentleman.

Mr. THOMAS. —her that respect.

Ms. BISHOP. Thank you very much, Mr. Speaker, and having said that, may I repeat just a few words.

Rosa refused to give up her seat on a Montgomery, Alabama bus to a White man in 1955, which led to her being arrested and tried, a 381-day bus boycott finally preceded the Supreme Court's 1956 ruling that segregation on public transportation was unconstitutional.

This event sparked the civil rights movement in America. Rosa Parks, a woman, gave birth to the civil rights movement in America. I stand today as a State legislator mainly because of Rosa Parks' dynamic vision, and her persistency for the good of all people made that happen. She was inspired and has inspired me and many others to make life choices that we will be grateful for, forever.

Rosa Parks was inspired and has inspired women who have run for office, who are in office now, and she is inspiring women who plan to run for office in the future. Each and every woman who holds an elected position in this chamber, we would like you to stand right now because you are standing on the shoulders of Rosa Parks. Each woman who holds an elected official office in this House, would you stand, please. Thank you; thank you. You stand on the shoulders of Rosa Parks. You are here, you are here because of Rosa Parks. Thank you; thank you for acknowledging that.

You know, when I first introduced this legislation, I shall never forget, Representative E.Z. Taylor greeted me as I came down off the Speaker's rostrum with such a bear hug that I was afraid both of us were going to fall on this floor, and while she never said anything but thank you, I knew what her hug meant. I knew that she was saying, I am here because of Rosa Parks. And so Rosa Parks tied the bond between all women in all walks of life. She was the mother of the new civil rights movement and has left an impact not just on this nation but on the world, and in this year's Presidential race, she has left her mark.

Rosa Parks' act of civil disobedience in 1955 was inspired and has continued to inspire us. Rosa Parks' persistence, this one woman had courage to take a seat, refused to give up her seat, even though she was standing up for all Americans. That is why I ask that you remember her. There are a lot of us who have learned from this experience. Rosa Parks remains a persistent symbol of human dignity. She is the cornerstone of an American dream that inspires all of us today. Rosa Parks' decision opened the door for equality for both men and women. Her decision changed over 200 years of oppression and remains part of American history today.

The glass ceiling has been broken, thanks to Rosa Parks, her courageous attitude that never ever broke a law. That is right. Rosa Parks, speaking to me for the last time a couple of years ago, wanted me to tell you each time I spoke of her, she never broke a law. What she broke was a policy, not a law, a policy, because the seat she was asked to give up was a seat on the back of the bus designated for Blacks only, and when the White portion had filled and there was no more room, she was then asked to give up her seat.

So you see, oftentimes when people stand up for what they believe in, they may suffer hurtfully, consequently. However, the long-term outcome can help others achieve their accomplishments.

So today we say thanks Rosa Parks. This is your day, remembrance day for Rosa Parks. Let us live every day to the fullest extent and live to inspire fellow men and women, Black and White, rich and poor, like Rosa Parks has inspired us. She has left a legacy so that we can all learn from her experience and help to make this world a better place than we found it, a little more tolerable and a kinder, gentler world.

Thank you, Rosa, and thank you, Mr. Speaker.

SUPPLEMENTAL CALENDAR B

BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 1867, PN 2728**, entitled:

An Act requiring a circulating nurse in certain operating rooms.

On the question,

Will the House agree to the bill on second consideration?

Mr. **KENNEY** offered the following amendment No. **A05222**:

Amend Sec. 3, page 2, lines 6 through 12, by striking out all of said lines and inserting

"Anesthesia." Includes general anesthesia and spinal or major regional anesthesia. It does not include local anesthesia. General anesthesia is a drug-induced loss of consciousness during which patients are not arousable, even by painful stimulation. The ability to independently maintain ventilatory function is often impaired. Patients often require assistance in maintaining a patent airway, and positive pressure ventilation may be required because of depressed spontaneous ventilation or drug-induced depression of neuromuscular function. Cardiovascular function may be impaired.

"Deep sedation/analgesia." A drug-induced depression of consciousness during which patients cannot be easily aroused but respond purposefully following repeated or painful stimulation. The ability to independently maintain ventilatory function may be impaired. Patients may require assistance in maintaining a patent airway, and spontaneous ventilation may be inadequate. Cardiovascular function is usually maintained.

Amend Sec. 3, page 3, lines 9 and 10, by striking out "contained in the ambulatory surgical facilities" and inserting

covered by a health care facility's

Amend Sec. 4, page 3, line 17, by striking out "be present" and inserting

function

Amend Sec. 4, page 3, line 18, by striking out "by a physician"

Amend Sec. 4, page 3, lines 19 through 21, by striking out all of said lines and inserting

under general anesthesia or deep sedation in a health care facility's operating room.

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

The SPEAKER. The Chair recognizes Representative Kenney on the amendment.

Mr. KENNEY. Thank you, Mr. Speaker.

Mr. Speaker, this amendment is a technical amendment, and it is agreed to. It updates terminology on the definition of "anesthesia," and I would ask for the support of the membership.

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

The following roll call was recorded:

YEAS—198

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

Fleck
Frankel

Manderino
Mann

Roae
Rock

O'Brien, D.,
Speaker

NAYS—0

NOT VOTING—0

EXCUSED—5

Costa
Kirkland

Preston

Schroder

Siptroth

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.)

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 706, PN 1882**, entitled:

An Act amending the act of July 10, 1981 (P.L.214, No.67), known as the Bingo Law, further defining "bona fide member"; and further providing for rules for licensing and operation.

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.

(Bill analysis was read.)

The SPEAKER. The question is, shall the bill pass finally?

The Chair recognizes Representative Clymer.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, there are several things that are in this bill that I would like to address. One of the issues deals with the fact that the volunteer fire companies can have people working at their bingo or other venues. They will be classified as a bona fide member in 30 days rather than the 12 months that is currently in law, and that change certainly makes sense in order to help those volunteer fire companies and similar organizations.

However, I do have a concern about the increases in the prizes that are reflected in this legislation, and it is not surprising to me and to others that these increases have come about. Charitable organizations, such as veterans organizations, fire companies, and fraternal organizations, in order to be competitive with the casino gambling that is spreading across Pennsylvania, have to be competitive, and they cannot be competitive with the status quo as it reflects the prizes that they offer to the people, to their customers.

And so now what we see are these unintended consequences, although we knew back in 2004 that this would be an issue. And this is only the first step. What we will see in the future are these organizations, these charitable and nonprofit organizations, continuing to increase their prizes to be competitive, because obviously we are going to have more casinos come in line, and my concern is, how much more discretionary income is there, and the people who are spending, do they really have the ability to spend or are they dipping into funds that they have reserved for retirement or for other concerns?

And so, Mr. Speaker, I am going to oppose this legislation. I know probably it is not politically right to do that, but we have to begin to send a message, to put the shot across the bow that unless we begin to identify some of these problems early on, the problems are only going to magnify. This is a short-term solution that will have long-term consequences.

So I am going to vote "no," and thank you, Mr. Speaker.

The SPEAKER. Representative Grucela.

Mr. GRUCELA. Thank you, Mr. Speaker.

Mr. Speaker, I have utmost respect for the gentleman from Bucks County and his outline of his reasons for opposing the bill, but many of the volunteer fire companies in my district are concerned about the cap on the prizes, and I believe I have seen an amendment to a bill once before that also would have raised the amount of prize money available.

So although I have, again, a great deal of respect for the sincerity of the gentleman from Bucks, I do believe my good friend from Berks County is on the right track by allowing these volunteer fire companies and other volunteer organizations that hold these bingo games to increase their prize limitations.

So I would ask the members to support this legislation. Thank you, Mr. Speaker.

The SPEAKER. Representative Santoni.

Mr. SANTONI. Thank you, Mr. Speaker.

I was not going to get up, but since Representative Clymer got up to make some points about the legislation, I thought it was—

The SPEAKER. Will the gentleman suspend.

The Chair will ask all members to take their seats. The gentleman is entitled to be heard.

The Representative is in order and may proceed.

Mr. SANTONI. Thank you, Mr. Speaker, and I will be brief.

Representative Grucela talked about the importance of bingo to many of our organizations back home and how they raise money, but just a couple points of what HB 706 does. The original bill that I introduced, as was mentioned earlier, allows membership in an organization, right now they have to be a member of an organization for a year before they can work the bingo. HB 706's original intent was to allow that to go to 30 days just to get more membership for obvious reasons.

Representative Saylor amended the bill back in June. The vote was 179 to 20. And a couple of the changes that he put in were, right now the maximum amount per day that you can be giving out in bingo is \$4,000, he would raise that \$8,000 – and I supported that amendment, by the way – and also, it would permit a winner-take-all. Right now per game you can win up to \$250, but now with the changes in HB 706, all the money generated from that game could be dispensed out in a winner-take-all option.

So I just wanted to let the members know of the changes and the original intent of HB 706. Thank you, Mr. Speaker.

The SPEAKER. The question is, shall the bill pass finally?

Representative Sainato.

Mr. SAINATO. Thank you, Mr. Speaker.

I rise to support HB 706. I know my colleague from Berks County put a lot of effort into this piece of legislation, and many of us throughout the Commonwealth, I know in my legislative district, bingo is very important. With the onset of slot machines, slot parlors, and the expansion throughout the State, there is going to be pressure on many of our nonprofits that have bingo, and they should have that opportunity to be able to offer a bigger prize pool.

I think this legislation is very thought out, and I think it is something that needs to be addressed because bingo for many years has helped many of our nonprofits, volunteer fire departments, social organizations, and clubs survive, and we must make sure it still survives because they do so much charity in our communities throughout Pennsylvania.

So I would encourage my colleagues to support this important piece of legislation. Thank you, 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—188

Adolph	George	McCall	Ross
Argall	Gerber	McGeehan	Rubley
Baker	Gergely	McI. Smith	Sabatina
Barrar	Gibbons	McIlhattan	Sainato
Bastian	Gillespie	Melio	Samuelson
Belfanti	Gingrich	Mensch	Santoni
Benninghoff	Godshall	Metcalf	Saylor
Bennington	Goodman	Micozzie	Scavello
Beyer	Grell	Millard	Seip
Biancucci	Grucela	Miller	Shapiro
Bishop	Haluska	Milne	Shimkus
Blackwell	Hanna	Moul	Smith, K.
Boback	Harhai	Moyer	Smith, M.
Brennan	Harhart	Mundy	Smith, S.
Brooks	Harkins	Mustio	Solobay
Buxton	Harper	Myers	Sonney
Caltagirone	Harris	Nailor	Staback
Cappelli	Helm	Nickol	Stairs
Carroll	Hennessey	O'Brien, M.	Steil
Casorio	Hess	O'Neill	Stern
Causer	Hickernell	Oliver	Stevenson
Civera	Hornaman	Pallone	Sturla
Cohen	James	Parker	Surra
Conklin	Josephs	Pashinski	Swanger
Cox	Kauffman	Payne	Tangretti
Cruz	Keller, M.	Payton	Taylor, J.
Curry	Keller, W.	Peifer	Taylor, R.
Daley	Kenney	Perry	Thomas
Dally	Kessler	Perzel	Turzai
DeLuca	Killion	Petrarca	Vereb
DePasquale	King	Petri	Vitali
Dermody	Kortz	Petrone	Vulakovich
DeWeese	Kotik	Phillips	Wagner
DiGirolamo	Kula	Pickett	Walko
Donatucci	Leach	Pyle	Wansacz
Eachus	Lentz	Quigley	Waters
Ellis	Levdansky	Quinn	Watson
Evans, D.	Longietti	Ramaley	Wheatley
Evans, J.	Mackereth	Rapp	White
Everett	Maher	Raymond	Williams
Fabrizio	Mahoney	Readshaw	Wojnarowski

Fairchild	Major	Reed	Yewcic
Fleck	Manderino	Reichley	Youngblood
Frankel	Mann	Roae	Yudichak
Freeman	Mantz	Rock	
Gabig	Markosek	Roebuck	O'Brien, D.,
Galloway	Marshall	Rohrer	Speaker
Geist	Marsico		

NAYS—10

Bear	Creighton	Hershey	Murt
Boyd	Cutler	Hutchinson	True
Clymer	Denlinger		

NOT VOTING—0

EXCUSED—5

Costa	Preston	Schroder	Siptroth
Kirkland			

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. The House will be at ease.
The House will come to order.

HOUSE SCHEDULE

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

Mr. DeWEESE. Thank you, Mr. Speaker.

Just a brief announcement. The Governor will be addressing us tomorrow at 11:30. We will convene at 10:30. I was just told that the Governor needs the chamber here in short order to practice, and I can see the keen visages of so many of my Republican colleagues. He will need a lot of practice to convince some of you of his message, although I did just see Mr. Turzai and his press conference and we are looking forward to a very animated season of budgetary debate being launched tomorrow at 11:30.

There will be no further votes today, but we will convene at 10:30 tomorrow, the Governor will speak at 11:30, and we will go from there. Thank you very much, Mr. Speaker.

INTERROGATION

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

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

While we are on the announcements from the majority leader, I wonder if he would stand for a brief interrogation about some other process?

The SPEAKER. The gentleman is in order.

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

Mr. Speaker, last Tuesday we were here with HB 1600. There was an amendment that was supported by an overwhelming majority of the members of the House, and then because of the rules relative to amendments out of order, we had to finish that day late in the evening in order for that amendment

to be redrafted, and when we left here Tuesday night, the House Democrats were going to caucus on that subject. When we came back on Wednesday, we really never started into it. We ended the day without even going back to that legislation or the other legislation that dealt with property tax reform. And while I have read a few things in the news clips about what you implied would be the plan, I am curious, Mr. Speaker, if you could give us a more definitive, for the members of the House, a more definitive idea of where we are going to go or when the majority plans to reengage the debate on the property tax issue?

Mr. DeWEESE. Mr. Speaker, it would be my pleasure.

I approached my good friend from Jefferson County, the honorable leader on the Republican side, several hours ago and did indicate to him that I was anxious to forge a compromise. We have a fundamental differential in perspectives, and notwithstanding the fact that an amendment was incorporated into the body of the proposal last week, that amendment was attempted to be amended again by the prime sponsor. There were a series of other proposals that were being at least attempted to be affixed to that proposal. Exceedingly, substantive changes in our commitment to broad-based property taxes were at the core of that proposal. So we thought it was appropriate to have a cooling-off period, and that is exactly what we are in right now.

It is not rocket science. We are either going to focus on property tax relief on one segment, one very deserving segment, of our society, or we are going to focus it upon their sons and daughters and their grandsons and granddaughters. It is going to be broad-based. That was the commitment that we made when gaming legislation was introduced and when gaming legislation was passed, and when the big gaming venues in Pittsburgh and Philadelphia are up online, we will have over \$1 billion in property tax relief.

There is no doubt that the exercise that we experienced last week did have an impact and it has stirred a great deal of debate across this State, and we will continue to debate, but I have asked the minority leader, as recently as lunchtime today, to show us exactly what kind of compromise we would be able to concur with.

Now, if the honorable gentleman and this membership insist that property tax relief will not be broad-based, that it will not go to a family making \$38,000 a year with Mom and Dad both working and Suzie in kindergarten and Johnny in junior high school, and it will only go, it will only go to our senior citizen cohort – parenthetically, among the 49 other States, we, Pennsylvania, the 50th, are the most generous in our property tax and rent rebate system, our PACE (Pharmaceutical Assistance Contract for the Elderly), our PACENET (Pharmaceutical Assistance Contract for the Elderly Needs Enhancement Tier), our public transportation system – Pennsylvania senior citizens are well treated, and if it is the will of this body that they be more generously treated, then it will be. But Mr. Levdansky and the Finance Committee currently are the repository for those proposals, and in the ensuing days, not months or years, we will continue to put focus on these areas.

I would welcome, I would welcome the 35, 40, 45 votes that went with Mr. Rohrer last time. I would welcome the enthusiasms of my honorable colleague, Mr. Smith, the minority leader, as we work for a compromise that would give property tax relief to a broad base of our citizenry, not just the one cohort, the senior cohort. But again, if that is indeed what

the chamber wants and we have some opportunity in the Finance Committee to overview that, we will take that opportunity.

So that is a rumination on the matter, and I do again ask him and his colleagues on the Republican side to help us forge a compromise. We do not think, at least the leaders on this side of the aisle, do not think in our initial appraisal, and many of us have not changed that appraisal, that a relinquishing of a broad-based property tax effort, a promise that was made when we passed the gaming legislation, a promise that Mike Fisher when he ran for Governor and Ed Rendell when he ran for Governor gave to 12 million Pennsylvanians, should be eclipsed by last week's momentary enthusiasm on the amendment that was, as I said, incorporated into the body of the proposal.

So those are some of my thoughts, Hon. Mr. Smith.

The SPEAKER. Representative Smith.

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

As a follow-up, two points somewhat in the form of a question, I guess, or at least the latter is.

Since the majority leader chose to delve into what I would characterize as a kind of casual sidebar conversation earlier today, I might then reveal that part of my response to the majority leader when he asked if I would be willing to try to forge some form of a compromise between the numerous conflicting, in some cases conflicting and sometimes in some cases complimentary of each other, tax reform proposals, I certainly did not say no, and I had indicated to the gentleman, the majority leader, that in fact had that sort of olive branch – to bring back a phrase from last week – if that form of olive branch had been put forth last week, I, indeed, would have been optimistic that something could have been worked out, at least in terms of how we would handle those competing proposals.

So on one hand, Mr. Speaker, I believe that we were and remain willing to work with each other. I would suggest to the majority leader that had that been presented to us last week, I think we, indeed, could have. However, given that the die is somewhat cast, I think it is a little hard to go back on the votes of the House. I believe that the House spoke very loudly.

The second point, Mr. Speaker, would be that I just wanted to clarify for the record then that it was in fact a unilateral decision, one done without consultation with the minority, that A, those bills would have gone over last week, that you would enter into your self-described cooling-off period on this subject; that that in fact was a unilateral decision as was the decision that I just recently became aware of, that in fact we did not just go over these bills, I am now led to understand, Mr. Speaker, that in fact these bills have been referred back to the Finance Committee.

Is that accurate, Mr. Speaker, that these bills were in fact referred back to the Finance Committee through a maneuver of this House without any advance notice to any of us on the minority side?

Mr. DeWEESE. Two quick observations—

The SPEAKER. Representative DeWeese.

Mr. DeWEESE. —Mr. Speaker; two quick observations.

There was a high level of the unilateral in the Perzel amendment. It is not as if we had sat down together and worked amicably over a period of time to see what the statewide perspective would be. We thought we had a promise. We think that many of your people – we have done the research; we have seen the quotes – many of your people have promised over the

span a statewide and broad-based property tax reform for the general body politic, not just for our senior citizens.

The second response would be that comporting with the normal parliamentary procedures that are instituted in this chamber, we referred the proposal to the Finance Committee and we are going to welcome the Republican chairman, the Republican rank and file, and try to see one more time if there is either, one, a compromise or, two, a menu of three or four proposals that the Senate could look at. As my honorable colleague will note, it is possible that 1489, the proposal that I am privileged to be the prime sponsor of, which calls for one-half-a-percent increase in sales, \$700 to \$750 million reduction in property taxes, that proposal, if unamended, could be one of the proposals, and then we could naturally go from there and think about what happened last week and see if it was the interest of this group to send a proposal like 1600 as amended over.

So there are a variety of different things that we can do. There is no more animated and focused member amongst our 102 than Mr. Levdansky. He has devoted months and months if not years and years to the nuances, the complications, and the possibilities and hope of property tax reform, and he has a good working relationship, I believe, with the Republican members, and in the Finance Committee over the ensuing days, we will try to forge some additional compromises.

Thank you, Mr. Speaker.

Mr. S. SMITH. Mr. Speaker?

The SPEAKER. Representative Smith is in order.

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

Then just so I may restate what I believe to be the answer, that while on one hand the majority leader was suggesting that he was asking me around midday today if I could work with him towards some sort of compromise on this legislation, at that same moment, virtually the House did in fact refer these bills back to committee, which puts them out of the reach of the body as a whole and solely into the hands of the Finance Committee, which, by my reading, my reaction to that maneuver, Mr. Speaker, is one that is less, less of one of working together and one of trying to manipulate the system.

Mr. Speaker, I know we move a lot of bills around from the committees once they are out on the floor. As the time runs out on them, they go to the table and back onto the calendar. There is a lot of action like this, Mr. Speaker, that the majority certainly runs on a day-to-day basis. But with an issue of such high profile and high interest among this body, one that was the preeminent issue of the month of January for the majority to move through, for it to be unilaterally and without notice referred back to the respective committee, I think is one, Mr. Speaker, that does not speak to working together. It does not speak to bipartisanship, and I would suggest, Mr. Speaker, that that action is going to force me to place someone at this podium virtually 24 hours a day in order to challenge all movement of bills. If that is the way this place is going to be run, Mr. Speaker, I find it offensive.

Mr. DeWEESE. I find that remark petulant.

The SPEAKER. Representative DeWeese.

Mr. DeWEESE. Thank you, Mr. Speaker.

We have procedures. We have parliamentary protocols. None of them were violated. The honorable gentleman knows, just like every other man and woman on this floor knows, that in a Finance Committee setting of 10 or 15 Ds and 10 or 15 Rs with 2 chairmen working together, the chances for a

compromise are a little bit better than amidst the hurly-burly of this setting.

We have all talked over the span, we in the minority and my honorable colleagues more recently in the minority, about advocating for a committee system and allowing the committee chairmen to be the repositories of substantial power – if one can come up with a better word; that is probably not the best word – but influence within the process. It should not just be 6 or 8 leaders on each side, to have those 20 or 23 chairmen involved in the process.

Speaker Emeritus Perzel used the gut-and-replace process of the Rules Committee with great adroitness and with inveterate regularity, and the committee chairmen on the Republican side were catapulted into political oblivion.

We are trying to make certain that the Finance Committee, the honorable Republicans and honorable Democrats, get a chance to work on what is proven to be the most intractable issue of the last three decades. We are very close, but we need some bipartisan support.

So when the Republicans are serious about a compromise, a compromise that will sustain the promise that many of you made, and we have those delectable quotes, when you came out and talked about broad-based property tax relief, not just for the seniors, but broad-based, when you came out and talked about that, if you really mean it, talk to your chairman, talk to your emissaries on the Finance Committee, talk to the inimitable David Levdansky.

As far as manipulating the process, you guys, God bless you, were exceptionally talented in that enterprise. It would be a more wholesome setting if we were to work together, and in my view and in the view of anybody with any tincture of common sense, with a hot issue like property taxes right now, the Finance Committee, for a week or two, is the best place for it. If there is a compromise available, they will find it – that is, if there is any inclination on the part of the Republican rank and file to join hands with us.

Thank you.

Mr. S. SMITH. Mr. Speaker?

The SPEAKER. Representative Smith.

Mr. S. SMITH. Mr. Speaker, two points in response to those comments.

Number one, the majority leader likes to refer to gut-and-replace amendments. I would note for him that his own chairman of the Finance Committee had his own gut-and-replace amendment to 1600. There were other gut-and-replace amendments. So it was not like just this one amendment that happened to be a gut-and-replace amendment was somehow inherently evil in its nature, in the manner in which it was drafted.

Number two, Mr. Speaker, that particular amendment that is of question was filed on the computer for somewhere in the neighborhood of 3 weeks, so it is not like it came out of somebody's back pocket moments before the vote. It was one that was there in full view of anyone who wanted to question or understand it, fight it, support it, whatever they wanted to do, my point being, Mr. Speaker, that there was nothing that the members of this Republican Party did that could be constituted as some kind of a sneak attack. It was in broad daylight, Mr. Speaker, the direction of that amendment. The fact that an overwhelming majority of this House and an overwhelming majority, I think it was 2 to 1, members of the Democratic Caucus, a vote of 2 to 1, were in support of that amendment

speaks volumes to me, Mr. Speaker, as to what the intent or the direction this legislature may have chosen to go.

To that end, Mr. Speaker, I would be willing to concede to the majority leader at some point that there may be need to stop, take a breath, and determine if something we did on one given day was maybe something that we wanted to give another second thought to, but, Mr. Speaker, that is why I was not down here complaining too wildly last Wednesday when we did not come back to the floor, because it was my understanding that they had simply gone over these bills. When I find that they have been referred back to committee, bills that were of controversy, bills that were of interest to every member of this body, that, Mr. Speaker, I do have a problem with, Mr. Speaker. I think that is something that we should have been made aware of, that the members of this body should have been involved in that unilateral decision to refer those bills back to committee without any consultation outside of perhaps your own cabal. I thought I would throw one of your words in.

The SPEAKER. Are there any other announcements?

Mr. DeWEESE. I have no further comment, but Representative Levdansky has a hopeful comment that he would like to share; a hopeful comment. He wants to work with Sam.

The SPEAKER. Representative Levdansky.

Mr. LEVDANSKY. Mr. Speaker, essentially the House has to decide, there are one of two routes we could take relative to property tax reform, okay? And this has been a question and two routes that have been before us for a really long time.

One route says that we just target relief based on age or income or a combination thereof. You know, we really cannot do much and we just ought to target the relief. The other approach, which we embraced with Act 1, said that we will try to provide property tax relief to all homeowners, we will give a level of property tax relief to all homeowners, but it will also target special relief to low-income seniors, which we have done under Act 1. So Act 1 we did both: We targeted the approach to low-income seniors and we provided a broad-based approach.

Now, you have got to decide, do you want to go back and rehash and rewrite Act 1 or do you want to move on from here? HB 1600 basically acknowledged that the general property tax relief that would be provided would not be as much as most people would be satisfied with. That is why I introduced HB 1600 and worked with Republicans and Democrats to move it along in the process.

So the question before us is this: Do we want to roll up our sleeves in a bipartisan effort to try to provide even more broad-based property tax relief than that which will be afforded under Act 1, or do you just want to rewrite Act 1 and say, we are just going to give all the slots revenue to senior citizens? I think, frankly, that we need to do both, and I am willing, I am willing, notwithstanding the events of last week, to work with Republicans and Democrats, to work to find common ground. There is no easy solution to this problem. If there was, it would have been solved a real long time ago. It really is about tough decisions and political courage. If enough members want to demonstrate enough of both of those qualities, we could get this done.

The SPEAKER. Will the gentleman suspend.

Mr. LEVDANSKY. Thank you.

The SPEAKER. The Chair will remind the members there is no issue before the House. The Chair recognized the majority leader merely for a scheduling announcement for tomorrow.

Are there any other announcements?

BILLS AND RESOLUTIONS PASSED OVER

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

ADJOURNMENT

The SPEAKER. The Chair recognizes Representative Moyer of Montgomery County, who moves that this House do now adjourn until Tuesday, February 5, 2008, at 10:30 a.m., e.s.t., unless sooner recalled by the Speaker.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 4:25 p.m., e.s.t., the House adjourned.