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TUESDAY, OCTOBER 19, 2004

SESSION OF 2004

188TH OF THE GENERAL ASSEMBLY

No. 61

HOUSE OF REPRESENTATIVES

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

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

PRAYER

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

Please join me in prayer:

Eternal and sovereign God, we come before You this day in humble recognition of the many blessings You have given to our Commonwealth. We praise You today for the blessing of common grace, which You have poured out from Your merciful hand to all of the men, women, and children of Pennsylvania, this land which William Penn called a Holy Experiment, and in that same spirit which caused William Penn to invite many groups who suffered religious persecution to come here, help us who serve in this body to promote a merciful spirit throughout the land.

Father, today we ask that You would grant to each member here a measure of Your wisdom as we deliberate and vote on matters great and small. Help us as servants of the people to truly count the cost of our decisions not only in economic terms but with careful consideration for the lasting impact that our laws and regulations have in the lives of our fellow citizens. And, Father, as we here have received the torch of freedom for our brief time in this place, help us to keep faith with those forebears who have passed to us a land of liberty and opportunity. Help us as we labor to work with care so that freedom's torch will burn just as brightly when our service here has ended.

Today, Father, we ask that Your hand of blessing would be upon both Speaker John Perzel and former Speaker DeWeese as we honor them for their service to our Commonwealth. We thank You for their willingness to take on the mantle of leadership and for their tireless efforts as they work to fulfill the role to which You have called them.

And now as we move forward in this day, we humbly ask that You will bless our efforts as elected representatives of the people. We pray, Father, that You will make us ever mindful of the obligation we have to act in ways that are just, to love and promote a spirit of mercy, and to walk with humility before You. This we ask with firm reliance on the guiding hand of providence. Amen.

PLEDGE OF ALLEGIANCE

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

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, the approval of the Journal of Monday, October 18, 2004, will be postponed until printed.

HOUSE BILLS INTRODUCED AND REFERRED

No. 2200 By Representatives LEVDANSKY, SCAVELLO, TIGUE, GRUCELA, EACHUS, VEON, STURLA, YUDICHAK, KOTIK, McCALL, WALKO, HARHAI, PETRARCA, SANTONI, SAINATO, DeLUCA, CAWLEY, PETRONE, PISTELLA and REICHLEY

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, further providing for the amount of the homestead exclusion.

Referred to Committee on FINANCE, October 19, 2004.

No. 2922 By Representatives MAITLAND, ARMSTRONG, DALEY, DENLINGER, GILLESPIE, GINGRICH, HERSHEY and HORSEY

An Act amending the act of July 31, 1968 (P.L.805, No.247), known as the Pennsylvania Municipalities Planning Code, further providing for ordinance provisions.

Referred to Committee on LOCAL GOVERNMENT, October 19, 2004.

No. 2923 By Representatives MELIO, ARMSTRONG, BOYD, DONATUCCI, GOODMAN, LEWIS, BEBKO-JONES, CAWLEY, GABIG, GRUCELA and YOUNGBLOOD

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for suspension of operating privilege; defining the offense of aggressive driving; and imposing penalties.

Referred to Committee on TRANSPORTATION, October 19, 2004.

No. 2924 By Representatives GOOD, J. EVANS, E. Z. TAYLOR, GEIST, HARRIS, HORSEY, LEACH, LEWIS, PICKETT, RUBLEY, SCAVELLO, ROEBUCK, YOUNGBLOOD, FRANKEL and ARMSTRONG

An Act amending the act of April 27, 1927 (P.L.465, No.299), referred to as the Fire and Panic Act, prohibiting smoking in certain areas around health care facilities.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, October 19, 2004.

No. 2926 By Representative BLAUM

An Act amending the act of June 22, 1931 (P.L.594, No.203), referred to as the Township State Highway Law, adding New Street, Wilkes-Barre Township, Luzerne County, to the State highway system.

Referred to Committee on TRANSPORTATION, October 19, 2004.

No. 2927 By Representatives LAUGHLIN and BIANCUCCI

An Act authorizing and directing the Department of General Services, with the approval of the Governor, and the Pennsylvania Historical and Museum Commission, to accept by donation a tract of land and any improvements thereon situate in the Borough of Ambridge, Beaver County.

Referred to Committee on STATE GOVERNMENT, October 19, 2004.

BILLS REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader. Mr. S. SMITH. Mr. Speaker, I move that the following bills be taken off the table:

HB 1187;
HB 2761; and
SB 1209.

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

BILLS ON SECOND CONSIDERATION

The following bills, having been called up, were considered for the second time and agreed to, and ordered transcribed for third consideration:

HB 1187, PN 3284; HB 2761, PN 4544; and SB 1209, PN 1885.

BILLS RECOMMENDED

The SPEAKER. The Chair recognizes the majority leader. Mr. S. SMITH. Mr. Speaker, I move that the following bills be recommitted to the Committee on Appropriations:

HB 1187;
HB 2761; and
SB 1209.

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

ACTUARIAL NOTES

The SPEAKER. The Speaker acknowledges receipt of the following actuarial notes: HB 2748, PN 4285; HB 2748, PN 4285, amendment No. 3931; HB 2748, PN 4285, amendment No. 3934.

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

LEAVES OF ABSENCE

The SPEAKER. The Chair recognizes the majority whip, who moves for a leave of absence for the gentleman from Delaware, Mr. MICOZZIE, for today and tomorrow. Without objection, that leave will be granted.

The Chair recognizes the minority leader, who moves for a leave of absence for the gentleman from York, Mr. STETLER, and the gentleman from Philadelphia, Mr. CRUZ. Without objection, those leaves will be granted.

MASTER ROLL CALL

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

The following roll call was recorded:

PRESENT—198

Adolph	Evans, J.	Lewis	Sainato
Allen	Fabrizio	Lynch	Samuelson
Argall	Fairchild	Mackereth	Santoni
Armstrong	Feese	Maher	Sather
Baker	Fichter	Maitland	Saylor
Baldwin	Fleagle	Major	Scavello
Bard	Flick	Manderino	Schroder
Barrar	Forcier	Mann	Scrimenti
Bastian	Frankel	Markosek	Semmel
Bebko-Jones	Freeman	Marsico	Shaner
Belardi	Gabig	McCall	Smith, B.
Belfanti	Gannon	McGeehan	Smith, S. H.
Benninghoff	Geist	McGill	Solobay
Biancucci	George	McIlhattan	Staback
Birmelin	Gergely	McIlhinney	Stairs
Bishop	Gillespie	McNaughton	Steil
Blaum	Gingrich	Melio	Stern
Boyd	Godshall	Metcalfe	Stevenson, R.
Browne	Good	Millard	Stevenson, T.
Bunt	Goodman	Miller, R.	Sturla
Butkovitz	Gruclera	Miller, S.	Surra
Buxton	Gruitza	Mundy	Tangretti
Caltagirone	Habay	Mustio	Taylor, E. Z.
Cappelli	Haluska	Myers	Taylor, J.
Casorio	Hanna	Nailor	Thomas
Causar	Harhai	Nickol	Tigue
Cawley	Harhart	O'Brien	Travaglio
Civera	Harper	Oliver	True
Clymer	Harris	O'Neill	Turzai
Cohen	Hasay	Pallone	Vance

Coleman	Hennessey	Payne	Veon
Cornell, S. E.	Herman	Petrarca	Vitali
Corrigan	Hershey	Petri	Walko
Costa	Hess	Petrone	Wansacz
Crahalla	Hickernell	Phillips	Washington
Creighton	Horsey	Pickett	Waters
Curry	Hutchinson	Pistella	Watson
Dailey	James	Preston	Weber
Daley	Josephs	Raymond	Wheatley
Dally	Keller	Readshaw	Williams
DeLuca	Kenney	Reed	Wilt
Denlinger	Killion	Reichley	Wojnaroski
Dermody	Kirkland	Rieger	Wright
DeWeese	Kotik	Roberts	Yewcic
DiGirolamo	Laughlin	Roebuck	Youngblood
Diven	Leach	Rohrer	Yudichak
Donatucci	Lederer	Rooney	Zug
Eachus	Leh	Ross	
Egolf	Lescovitz	Rubley	Perzel,
Evans, D.	Levdansky	Ruffing	Speaker

ADDITIONS—0

NOT VOTING—0

EXCUSED—4

Cruz	LaGrotta	Micozzie	Stetler
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LEAVES ADDED—3

Corrigan	Lynch	Shaner
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LEAVES CANCELED—1

Stetler

**REMARKS BY
GOV. EDWARD G. RENDELL**

The SPEAKER. Ladies and gentlemen – just give us a moment of silence – His Excellency, the Governor of the Commonwealth of Pennsylvania, the Honorable Edward Rendell.

The GOVERNOR. Good morning, everyone. Good morning. Good morning. Thank you. Thank you all.

I just wanted to stop by and congratulate the House on what is a momentous occasion for two great leaders but also an occasion that all of the House can be very proud of. You deal with very complex issues. I never appreciated the wide array and variety of issues that you have to deal with, and each member tries his best and her best to succeed to master them, but strong leaders are absolutely a crucial component of making this establishment work, and today we honor one good Democratic strong leader and one good Republican strong leader who have made life better for all Pennsylvanians, so I offer my congratulations. I apologize I cannot stay, but it is a busy time – an election.

The SPEAKER. I will not take that as an endorsement, Governor.

PORTRAIT UNVEILING CEREMONY

**WELCOME REMARKS BY
HON. K. LEROY IRVIS**

The SPEAKER. We are about to enter into our portrait unveiling program, and it gives me great pleasure to turn the gavel over at this time to a distinguished former Speaker, Speaker K. Leroy Irvis.

Mr. IRVIS. I trust that you are not as completely confused as I am. I thought when I was invited here, that I had come back to be the Speaker of the House, but I found out by talking to my wife this morning, that was not to be.

I would like to introduce my wife, who runs everything at home and now even runs a few things in Harrisburg that I am concerned with. My wife, Cathy, will you rise, please.

And our son, who works with an organization which his father had some small part in starting out, Reggie. Reginald Irvis, will you rise. He knows far more about PHEAA (Pennsylvania Higher Education Assistance Agency) than I knew about it when I started it.

I am informed now that not being sworn in as a member of the cloth, I may not ask you to rise for the opening prayer. However, I do ask that the opening prayer be offered by Renee Amooore, and members and all guests will now please rise.

PRAYER

RENEE AMOORE. Thank you. Good morning.

As a black Baptist deacon, I believe in call and response. Good morning. Thank you.

Let us pray:

There is a sweet, sweet spirit in this place, and I know it is the presence of our God. We have come this far by faith, leaning and depending on You, and all we can do is say thank You. We thank You for this awesome occasion to come before You one more time. We thank You for this portrait unveiling ceremony, and all we can do is just lift You up. We thank You for our former Speaker, Hon. Bill DeWeese, and we thank You also for our Speaker, Hon. John Perzel, and we just want You to know, God, that we ask You to just bless them and keep them as only You can do.

We pray for their families, Lord, that You would also give them the strength as these two leaders make decisions that are very difficult sometimes. We ask that You just bless each and every member here in Your name, God, so that they will have the strength to do what they need to do, and we all just want to come together and unify and just say thank You and lift You up today, and thank You for who You are and what You are and what You are about to do.

All these things we ask in Your name and only Your name, we pray. Let us all say amen. Say amen again.

**LT. GOV. CATHERINE BAKER KNOLL
INTRODUCED**

Mr. IRVIS. We welcomed the Governor of this great Commonwealth to this podium. I would like to ask – and of course, I have no power to do so, but I am going to do it anyway

– the Honorable Lieutenant Governor to rise in place so we may recognize her.

I point out to you that the Honorable Lieutenant Governor is a female. I thought I would get at least one applause from that; yes. And by saying that, I am not just praising females, although having been married to one for nearly 50 years, I had better.

REMARKS BY HON. K. LEROY IRVIS

Mr. IRVIS. Clancy was my great support up here, as always and is right now, and always had tried to keep me to do the things that I am supposed to do at the time I am supposed to do them and the way I am supposed to do them. He usually failed at that.

I want to tell you why I am up here, not the reason because I was invited, because I come whether I am invited or not. I come because I am worried. I am worried that this great country of ours, the greatest that mankind, as far as we know, has ever put together, is in danger. I am concerned that we are facing enemies which we do not yet understand, who are willing to use devices which are horrific in their use, and I think those of us who are older are turning over to our grandchildren who are much younger and to our children a duty which is much, much, much more challenging than any which we have yet faced.

I hope that we will recognize in the United States of America that while we are unique and while we are powerful, we are not immune to hatred and destruction. I hope we will recognize that unless we Americans – white, black, green, gray, and striped; male and female; Republican and Democrat and whatever – work together for the benefit of this country, not of our State and not of our politics and not of our individuals, unless we do that, we may, or rather, our great-grandchildren may find that they themselves are facing the same problems that other great nations have faced and fail to survive.

I know; you do not believe that. No one does.

I hope my wife is not listening. Is she gone? All right. Reggie, tell her not to pay any attention to this story, because she has heard it before.

I want to take you back a few million years to a time when the dinosaurs ruled this continent – big dinosaurs, little dinosaurs, all kinds of dinosaurs – but the dinosaurs ruled the continent and the other continents, and I want to have you envision with me a dinosaur – let me be that dinosaur, because I am called that anyway – called together a tremendous group of dinosaurs into a huge area and said, “I have some bad news for us dinosaurs: We only think we are going to continue forever to rule this earth, but I warn you, that is not necessarily so.” And at the rear of the whole group of dinosaurs, there was one smart-aleck dinosaur who said, “Ha, ain’t nobody as big and strong and powerful as we are. Who can bother us?”

And now I ask you, have you seen any dinosaurs recently?
Thank you.

No, I am not through yet. I only get one chance up here now that he is the Speaker and I am only the visiting Speaker. I am going to take the most of my opportunity.

One more thing that I insisted on coming here for. Well, I came because I like the Speaker and I like the former Speakers and I love being in this place, but there was once a Speaker here

who was greater than all the rest of us in loving everybody. His name was Matthew Ryan. Matthew and I served together when he was the Republican leader and I was Democratic leader, and we served together when he was leader of the Republican Party and I was Speaker, and I could never convince him that the Republican Party was not where he belonged, and he never convinced me that I did not belong with the Democratic Party. But he did convince me that there are certain good people on the earth. He was one of them. He is the main reason I asked for permission to speak here today, not to praise those who are living but to remember that one man, who in all the years that I knew him and all the years that he fought for those things which his party, his supporters, wanted, and all those years of conflict and discovery and anger that we have all faced on the floor of the House, as leader and as Speaker, he always thought about other people first and himself later on.

I want all of you who agree with me that we should honor especially the memory of Matthew Ryan to rise in place.

(Whereupon, the members of the House and all visitors stood in honor and respect to the memory of the Honorable Matthew J. Ryan.)

Mr. IRVIS. I thank you, and he deserved that.

And if those of us who serve on the Republican side and those of us who serve on the Democratic side will remember, no matter which side you serve on, you serve the people of the Commonwealth of Pennsylvania, then we will be doing a real honor to Matthew.

All right. Now you can direct me which way you want me to go.

I understand that there is a portrait of me someplace in this building. One of my grandchildren saw it one day and looked at it three times before she recognized it. But then she did. She said, “That’s you, Grandpa.” I said, “I think so.”

RECOGNITION OF ARTIST

Mr. IRVIS. At this time I would like to introduce the artist who painted the portraits today, which will be unveiled today. James Douglas Adams, please rise.

Mr. Adams has painted all the portraits that you will see on the first floor of this magnificent building. Mr. Adams. Oh, he had sense enough to sit down without being told. Well, not all artists have that kind of sense.

INTRODUCTION OF HON. MICHAEL R. VEON

Mr. IRVIS. Michael Veon, who was new when I came here and has been here quite a few years, so I do not need to really introduce him to you, but I will ask him to come forth and say a few things concerning former Speaker Bill DeWeese, and when he is through, I am going to say a few things about Bill that he probably does not want me to say. Michael.

**ADDRESS BY
HON. MICHAEL R. VEON**

Mr. VEON. Good morning, ladies and gentlemen.

First, let me say what an honor it is to follow to any platform, any podium, any place, the previous speaker here. Mr. Irvis, I can tell you, you are right; I was a young man when I got here, but I want you to know from me and I want you to know through me how many members over the 20 years that I have been here that you provided so much significant, important inspiration to. This gentleman was not only one of the greatest and best members I served with but in many ways was an incredible inspiration to many people throughout the country.

Ladies and gentlemen, one more time for Speaker K. Leroy Irvis.

Ladies and gentlemen, it is with great pride and honor that I stand here today to introduce my partner and my friend to this room.

First, let me give a very special hello to Bill DeWeese's family, and what a great moment for a family, any family, certainly a great moment for this family, to have an unveiling of a portrait in this incredible Capitol that we have here from someone in your family, one of the few people in the history of Pennsylvania, one of the few people in the history of the State legislature, to be so elected the Speaker of the House and to be so honored with the portrait that will hang here forever. Join me in a very special hello to Debby, Vic, and Dotty. Congratulations.

As Bill is part of their family, he is also part of our family – a family member of the House of Representatives but, of course, a very special family member of the House Democratic Caucus.

I can tell you with, again, great pride that I have had the fortune of developing not only a partnership but incredible friendship with Bill DeWeese, and so many of us that have served with so many members here over the years, it is often difficult to describe, difficult to explain, certainly to the outside world, what that special friendship is about, what that partnership is about, what that friendship entails for us as members of the House of Representatives, but it is built on some incredible and important bonds that we have. I am proud of that friendship. In many ways Bill DeWeese and I are very, very different. I am a man of few and short words; he is a man of many and splendid words. But it is a friendship like no other, and it is a partnership that has lasted a long time.

**INTRODUCTION OF
HON. H. WILLIAM DeWEESE**

Mr. VEON. Ladies and gentlemen, as a member of this House, as a member of the Democratic Caucus, and most importantly for me, as his friend, I present to you former Speaker, House Democratic leader, H. William DeWeese.

**ADDRESS BY
HON. H. WILLIAM DeWEESE**

Mr. DeWEESE. "My affection hath an unknown bottom, like the Bay of Portugal." Rosalind, the feminine protagonist from "As You Like It." Affection with an unknown bottom, like the Bay of Portugal.

Familial affection is profound. Fraternal affection, as just evinced by Michael Veon, is substantial and enduring. Communitarian, social, and political affections are very special, but in spite of any perplexities and difficulties that we may experience here, John Perzel, Speaker John Perzel, and I have something quite fundamental in common, and Mike alluded to it, and that is that strong familial bond.

Anecdotally, as a way of introduction to why we are here today, months ago, as the northern gales swept down from Lake Michigan and ensconced themselves over Pittsburgh, I journeyed up on a Sunday afternoon to the Masonic home in Sewickley, the new domicile for the great J. Victor DeWeese, as he was called during my Little League years by people because he was so enduring and specially involved in Little League, and his lovely bride, Frances Louise Dotty Baily DeWeese – that is a long name, but she dislikes Dotty – but I was ending my visit at the Masonic Village and kissed Mom on the cheek and kissed Dad on the forehead. He was at that time 88 years and 8 months, and as I was looking for the egress – that is a short word, Michael – he said, "You know what I want for my 90th birthday," and I was momentarily vexed. How could you want something for your 90th birthday; you are only 88; you are not going to turn 89 until July. He said, "I want you to hang that portrait of you that's been in storage for 11 years so your mom and I can see it."

I had told him, selfishly, conceitedly, many years ago that I wanted to serve another 30 years in the General Assembly – I would still be younger than Dick Tilghman when he left – and I wanted it unveiled. I would be the boy Speaker. I said, "Maybe I'll even get it again," and Dad says, "Well, I'm not going to live to be 120." John, he really did not say that, but you would.

Enough of an introduction. I will keep my remarks abbreviated. I always take my watch off.

"No woman, no woman ever wanted a husband more than I want to defeat the French fleet." Now you are wondering where this is going. Admiral Horatio Nelson, the night before the Battle of Trafalgar, one of the most titanic naval concussions in the history of the world. The passion upwelling within the breast of the duke was incontestable. Now, this is not the Battle of Trafalgar, although during the Serafini controversy it almost looked like it. There were high waves and rough seas and stormy days and lots of smoke and fire. But anyway, there is a lot of passion here, and Speaker Perzel feels that, understands it, reads it well, has a great touch for his caucus, even sometimes when that velvet glove has to be removed.

This is not necessarily the caldron of the NFL (National Football League). This is not the sanguinary fisticuffs of Mike Tyson's heavyweight encounters. But many observers, I think it was Jewell Williams who once said that politics is one of the last great American blood sports. Well, not every man and woman in this chamber loves politics, but every man and woman in this chamber loves Pennsylvania, and every man and woman who serves in this chamber loves public service.

But to those who make it to this rostrum – Mr. Irvis; Mr. O'Donnell; Mr. Fineman; Mr. Seltzer; Mr. Lee; and John Perzel, Speaker of the House – there has to be an inveterate, incontrovertible love of the fray. And again, not Trafalgar, not a heavyweight fight, not that crucible in Dallas last Sunday night, but still, it is a pretty tough situation.

Now, I loved it; I loved it, and I wanted to stay forever. I wanted to be a longtime Speaker. I wanted to be like

Leroy Irvis in my longevity, if nothing else. I wanted to be like Vern Rife and Tom Murphy of Georgia. They served for two decades as Speaker. But something happened along the way.

In 1994 Democrats in this chamber prevailed by one vote, and I was enthralled. Mike Veon's wonderful, tactical maneuverings and long-range strategy and the culmination of our fundraising efforts had kept John Perzel, Matt Ryan, John Barley, Newt Gingrich, and the whole Republican tide at bay by one vote. Tom Ridge probably had a little bit to do with their momentum, but it had been arrested in the bottom of the ninth.

So I went over to the North Office Building as Speaker of the House, and I met a guy named Tom Ridge, and he said, "Mr. Speaker" – if he said it once, he said it 10 times – but I should have seen that gimlet gaze in Tom Ridge's eye, because he had something up his sleeve. Matty Ryan, Matty Ryan and John Perzel had a surprise for me. They were going to swoop down on me like a hawk on a pigeon, and I did not even know it.

Kevin Blaum, Wilkes-Barre, Sunday night, just a few days after the election: "Bill, I got bad news." I would say it was bad news. He turned that doggone TV up real high, and I could hear young Tom Stish. I called him an apostate. I accused him of perfidy. It was a real dog's breakfast, if you want to know the truth. I love that phrase. It came from General Montgomery after the Battle of El Alamein.

I did not think there was enough lime in the Susquehanna Valley to unstick that action, but— It was heartrending. Mike Veon cried. He bawled like a baby. I am kidding; I am kidding; I am kidding. The John Wayne of Beaver County does not cry.

Now, I think it was Shakespeare that said about the sweet uses of adversity, and another great writer talked about the annealing heats of adversity. Well, John Perzel has kept us in substantial adversity for a long, long time, but what was I going to do? Was I going to brood like Achilles in his tent?

You know, the ancient Carthaginians had a habit of crucifying their losing generals. I am glad Tom Tigues and Jennifer Mann did not try to do that to me, or maybe they did but I did not know about it. Just kidding.

You know, John was pretty tough on a few guys. After he beat Piccola, he banished him to the State Senate. At least they did not send me to the Senate.

In conclusion – Bill Lieberman thought this was just the beginning – no, John Perzel and Bill DeWeese, as Linda Bebeko-Jones once observed, will never be two spoons in a drawer. But, but, thanks to Sheryl Perzel, in my view – I will say it, because like Mr. Irvis, I do not get this very often and may never get it again – but John Perzel and Bill DeWeese have realized some detente, some rapprochement. And believe it or not, Bobby O'Donnell and I almost hugged a little bit ago, we were having such an effusive dialog. So things— Almost.

John Perzel, to his infinite credit, as Speaker of the House, said to me that day when I told him that my dad wanted me to unveil that portrait, I walked up here on that subsequent Monday and mentioned it to John, and within a millisecond, he said, "Well, good. We'll just have our portrait unveiling at the same time."

The polarization of politics, as Rocco Pugliese obviously knows, and the politics of polarization are muted from time to

time. This is a raucous assembly room. Sometimes we fight with long knives and we fight to the hilt, but that is not all that unusual in society. I will not take you back to the dinosaur, but my final – but although I will not, I could find one no more piquant – but I will offer one that Mr. Irvis would be infinitely aware of, because amongst his collection of studies is one of religion, and as I look out at this group and I realize the battles to come and remember the battles of yesterday, I think of a religious metaphor.

The Benedictine Order started to flourish in the late 500s during the launching of the Middle Ages, and the Benedictines ruled preeminently in their theological monasteries and bastions for a thousand years. The Dominicans and the Franciscans took hold and became prominent parts of the ecclesiastical fabric of Western Europe, but then all of a sudden, in the mid-1500s, the Society of Jesus, the Jesuits, was launched, and there was a very tough and bitter competition.

Even the powerful sacerdotal penumbra of the Church of Rome was momentarily shaken. The Benedictines and the Jesuits were going at it, and a Benedictine catechumen had a defensive antipathy against the Society of Jesus, just like Democrats and Republicans sometimes have a defensive antipathy against each other, but that is the way, that is the way it is, and it is probably not going to change, and we are fighting and defending ideas around the world, undergirded by a Constitution and undergirded by exciting, spirited, aggressive, sometimes pyrotechnic debate.

But as Winston Churchill – and this is my concluding remark – as Winston Churchill once described the House of Commons, I will describe the House of Representatives. He said, "It was a dueling ground where the business may be ruthless and the weapons loaded with ball, but there is a ceremonious courtesy and mutual respect that undergirds the system." A ceremonious courtesy, Speaker Perzel, is what you offered to us today, to me and my family. A mutual respect is what Sheryl and John Perzel and his team offered to me and Dwight – my good friend, Dwight Evans, who was in our leadership cauldron with Jeff Coy, Keith McCall, et al., all the guys. Even Tommy Tigues was my vote counter the first time I ran for office and Paul McHale, now a Deputy Secretary of Defense. It has been a great run. It has been a great run. I could not have done it without family. I could not have done it without a superlative staff both back home and here.

My situation is like everybody else's in public life, tentative and somewhat dubious, but today, today is a happy day, and for my dad's 90th birthday, about an 8-month journey down the road, "My affection hath an unknown bottom, like the Bay of Portugal."

Happy birthday, Vic DeWeese, from your son, Bill, and Speaker of the House John Perzel.

UNVEILING OF PORTRAIT

(Portrait of the Honorable H. William DeWeese unveiled.)

Mr. IRVIS. Now, before Clancy tells me again what to do and shut up, I congratulate probably the only man on the floor of the House who is older than I am. I am 87. Yes, I will be 87, surviving, if I do, till December 27. His dad is 90, so he was here a little bit before me, but I am going to catch up with him. I hope so, too.

I want you to know that I told your son many years ago, when I was the legitimate Speaker of the House and not just the temporary fill-in, he came up; he said— Now, you do not approach the Speaker's rostrum until he gives permission, not if you have any sense. Of course, there were a couple of people— Let me see; I think there is somebody named— Is there not somebody by the name of George here someplace? Bud George. Yes, he would approach here whenever he wanted to. But when you come up to the Speaker's desk, you ask a question, may I do so-and-so, and the Speaker will usually say, yes, you may, or no, we will delay that. And this young man, he was very much younger than he is today, although, to me, he is still very young – everybody is – he looked at the chair which is directly behind me, which was fashioned in the favorite of Benjamin Franklin when he was elderly, too, and he said, "Could I sit in that chair?" I did not correct his English, although I was tempted to as a former teacher of the language, but I felt like saying, "Yes, you could, but you may not." But I did not do that. I said, "Yes, you may." And then when he went and sat in it for a few minutes, he said, "Thank you." I said, "Now I have something to tell you." I said, "If you ever get to sit in that chair officially, you may regret it, because it gets darned hot sometimes." He found out I was telling the truth.

What am I permitted to say now? Okay. The Scott White Family Singers. Where are they? The Scott White Family Singers are here. Oh, they are coming out. Fine. Welcome to the floor of the House. They will be performing for us at this time.

MUSICAL INTERLUDE

("The Battle Hymn of the Republic" was sung by the Scott White Family Singers.)

Mr. IRVIS. On behalf of the House of Representatives, we thank the Scott White Family, and we thank them for more reasons than perhaps some of you would remember.

We are not white, and we are not black, and we are not yellow, and we are not tan. We are not even male and female. We are people; every single, solitary one of us conceived in exactly the same way, subject to the same diseases and accidents and abuses and sufferings and pain and happiness.

I do not think that I shall have the opportunity to speak to this group ever again as a group, but I ask you to remember, if you remember nothing else that I say, there is no such thing as an Asiatic or a Mexican or a Canadian or a Frenchman or a Scot or an Irishman or a Dane or a Chinese or a Russian or a Communist or a Democrat or a Republican. There is no such thing. There is only people, each one of us; each one of us created the same way and created by the same God and answering to the same God for our participation in what we call life.

I like to think that we are the greatest people ever created, but every individual and every animal probably thinks the same thing about himself, that it would be wrong to think that one of us is better than the other. We are not. We are all the same.

But I say to you in all sincerity – and I hope you say it to others – if we fail to recognize, as the most powerful human beings on the face of the earth, which we now are, we hold weapons now which could, if we were to use them, could strike

the human race eventually from the face of the earth, but others hold the same weapons as we do, and if we do not learn what this song did not know, the one you heard, about North and South, slaves and free, Northerners, Southerners – a lot of nonsense, my children – we are one people, and if we fail to understand that, some other animal arriving later on may say, "Have any of you seen any human beings recently?" And like the dinosaurs, we will be gone.

It is my pleasure now to turn over the gavel to Representative Allan Egolf. Allan.

INTRODUCTION OF HON. CLIFFORD L. JONES

Mr. EGOLF. It is my great pleasure now to introduce the Honorable Clifford Jones. Probably many of you, especially those who have been here for any length of time, know Cliff. He has worked under four different Governors, as Cabinet Secretary under three different Governors, and Cliff would like to make some remarks prior to the introduction of the Speaker of the House, John Perzel.

ADDRESS BY HON. CLIFFORD L. JONES

Mr. JONES. Distinguished public servants, elected and appointed, all:

I am humbled and honored by the opportunity John has given me today to address this august body for this ceremonious occasion. The decisions and votes you and he made have affected the lives of every Pennsylvanian, some in the past but certainly in the present and generations yet unborn.

John's concern for people has inspired him to successfully pass legislation on many controversial subjects: workers' compensation, tort reform, welfare reform, job creation, affordable health care, and perhaps best, from John's point of view, improvements for children's education, particularly in his home city of Philadelphia.

And John still keeps personally in touch with the residents of his district. In all the years I have worked with candidates and incumbents, no one has been more diligent and conscientious in calling the people in his district door to door. He started in 1978 as a candidate and is still going strong every year. I think, John, the goal is now 26,000. Most incumbents really give up after that first year, but John has kept on.

And that is how I met John in 1978 – an underdog candidate against an incumbent with an overwhelming voter registration, financially abandoned by his city committee. He was passionate for people, preserveringly persistent, politically perceptive, and radiating energy. He had a small, loyal, enthusiastic core of volunteers, some of whom were his busboys and some of whom were his relatives, but he had them, and they were enthusiastic and they were there.

His budget was less than \$15,000, and as maitre d', his hours were after 10 p.m. most nights. So with no money for mailings, his midnight drops of literature were standard. And he met people in public places, in their homes, and on their streets, day after day after day. And he won.

Politics is the practical art of working with people for positive results. It is knowing and asking what someone needs

and finding a way to do a win-win for both. John has this priceless gift, and it has helped all people in Pennsylvania.

Consensus and compromise with three quite different Governors of both parties and this legislative body have resulted in very positive results for the Commonwealth's citizens. We all have benefited.

John has had two major allies in his legislative odyssey: a wife, Sheryl, who is always there for him, no matter the long hours, and encourages and supports his career. Sheryl, will you not stand, please. And just to prove that he was home, would the four sons please stand. And a mother, Susan, wise, very wise in people skills and workplace values that instilled in him these same character-building attributes which you have seen. Susan, would you stand.

INTRODUCTION OF HON. JOHN M. PERZEL

Mr. JONES. Fellow public servants, and I guess I still consider myself one, I present to you a skilled politician, a dedicated public servant, a consensus-building leader, and now honored as a statesman first class, Speaker John Perzel.

ADDRESS BY HON. JOHN M. PERZEL

Mr. PERZEL. Thank you.

That was truly more than I deserved, but I deeply appreciate that.

Before I get started here, I wanted everyone to understand that I speak a little fast. So if you do not catch everything that I say, I will have it on DVD (digital video disk) available for you probably tomorrow.

If the Inquirer is listening, I was only kidding.

Bill said a couple things, and I needed to clarify them at least. He mentioned that Tom Stish changed over, but election night John Barley, who is my personal friend, went to Tom Stish's home and stayed there for I think 3 or 4 days until Tom changed over. I do not think you knew that, Bill.

But I think it is important. I am going to use a phrase that came from one of my Democrat colleagues that between 1993 and '94 there were five Democrats that changed over to Republican. They had more defectors than the Cuban Air Force in that same amount of time.

And, Bill, you know, you said you would probably never be back up here again. I talked to Brett and Sam, and they said that they would let you come to their picture hangings, too.

The year 2000 did get my attention. I won by 92 votes, and I do think about it a lot.

I asked Cliff Jones to do this today, and I want to thank him very much for doing it, because in 1976 I lost the election, truthfully because I really did not know very much about what I was doing. Cliff was the chairman of the Pennsylvanians for Effective Government, and they had a seminar, and they brought me to that seminar, and it showed me what I really needed to do to win. I have elaborated on it a little bit since that first one, Cliff, but the principles are always the same, and I deeply appreciate the opportunity I had to learn those different techniques. He also taught me something that I do not think he even remembers, and he said it at a meeting, and he said no matter where you go in the Harrisburg area, someone will see

you, so be careful what you do. That was good advice then and it is good advice even today.

Cliff was very kind to introduce my wife, Sheryl, my mother, and my four sons, Andrew, David, John, and Sam, whom I love very dearly, and I do not know if I want to make them stand up again. My wife gets embarrassed. We were married 20 years this February, my wife and I, and I told her, I said, they were 17 of the happiest years I ever had, and she told me she only had 9.

I do have three brothers. They are Michael, William, and Thomas. Thomas is in the hospital, and he is getting better, and I hope that he is okay.

I also have Sheryl's sisters and brother here – Sally, Susan, and Buz. Would they just stand for a moment, Sheryl's brother and sisters. And I have to have a very special introduction for Uncle Ron, because we forgot to mention Uncle Ron the last time around.

What I wanted to do was the last time I introduced the people that got me really into politics and got me the start, and there is a little bit of overlap, but I wanted to mention some people, and I know that no matter when you do that, I mean, I heard the former speaker mention Bill Lieberman, a good friend of mine, but there are a number of people here who were very instrumental in my being the success that at least I think I have been over the years, and the first one I wanted to mention was Senator Hank Salvatore. He has been my friend for over 30 years. We were roommates together. Hank.

I mentioned it before and I told you what John Barley did for getting Tom Stish to change over. I know Bill did not like that, but we thought it was great. So, John, would you just stand up for one moment. He came to see me one, it was either early morning or midmorning, and said to me, "John, if you run again after being defeated twice for leadership, you will win," and I will never forget that. And he was right, and I did win, and I would not have been here today without that advice.

I wanted to thank Rick Geist, because Rick Geist gave up an awful lot the day I won the majority leader, and I will never forget that, Rick. Thank you. I am sorry that you did not win that time.

Sam and Brett, you mention the rest of the leaders, I mean, you know, Merle, Mario, Ray, Dave, Elinor, thank you for your help. You cannot get there all by yourself. It is all of you people working together and helping that makes this thing a success.

I wanted to thank William Keller. He is probably one of the nicest men I have ever met, and he did mention when we had the ceremony for swearing in how I tried to defeat him, and I apologize for that, Bill. We did not win.

I also wanted to thank the rest of the crew, because we would not have been successful during the years of Gov. Tom Ridge without help, and that is Michael McGeehan, Marie Lederer, Alan Butkovitz. I wanted to thank them. It was hard, and a lot of the things that we did we thought were right for Pennsylvania, and I think that they are bearing fruit now.

I wanted to thank Dwight Evans, Tony Williams, George Kenney, John Taylor – the gang of five. We have taken a serious look at the schools in the city of Philadelphia. In the last 2 years there has been progress, and they have had a balanced budget, and now the union negotiations are over, and that is important. At least it is headed in the right direction. You are not as depressed when you pick up the papers and read about our schools.

I am going to thank the first nonmember of the General Assembly. I would like to thank Carol Campbell, and

Michael Horsey, and there is one other member, and lest that person get into trouble from the Democrat leaders, who passed one of the most important business votes ever cast on the floor of this House, and without their help, I would have never been able to do that.

I wanted to thank Michael Karp. Michael Karp was the one that gave me the way out of the stadium. He gave me that idea. He has given me several other ideas on how they owe the money back if they do not raise the additional money in sales taxes at those different venues, and that was his idea, and a number of the other ideas I have gotten off of him, and I deeply appreciate the help that he has given me.

Robert Asher. He showed me what we needed to do to be financial successes and be able to run the campaigns that you guys, a lot of you, have been involved in, and we would have never been able to do it had we not moved to the model that Bob Asher showed us.

In memory of John Fitzpatrick, who got me into politics and showed me the ropes; Tommy McCormac, my former chief of staff, a lovely, lovely man, who was taken away in the prime of his life; Brian Preski and his wife, Kelly, who are friends of my wife and myself. I am a very, very, very lucky man to have these people and to be able to call them all friends, and I know that I have missed people. You always do when you do something like that. So I thank you.

I cannot forget to thank Bill DeWeese for all the help he has been over the years. Only kidding, Bill.

I said thank you to Cliff, and I meant that very, very sincerely. He has been a friend for a very, very long, long, long time, and I really would not have been here without the advice that he gave me.

But it is great to see so many of my friends here, my family, everybody here to share this happy occasion with both Bill and myself.

Today we unveil two portraits that will hang in the Speakers' Gallery on the first floor in the south hallway of the Capitol Building.

Now, there are some who think that we scheduled this for today and only today because I am the Speaker and the Republicans hold the majority in the Pennsylvania House of Representatives, and maybe in 2 weeks we will not. Well, they are wrong, very wrong. Is that not right, Bill? Never mind. There are others who think that Bill and I are just a couple of guys doing this for ourselves, and that is simply not true. The truth is that we are just two guys who wanted to share this moment with our parents and with our friends. Down the line I did not want to be standing up here and say, gee; boy, I really wish I could have had my mother here; I wish I could have had my family here, and time would have passed and they would not have been here. My mom, Susan, as Cliff said, is here. Bill's parents are also here, and I am honored that they came to share this moment with both of us.

Moreover though, truthfully, I am honored to be a member of the General Assembly. It is just unbelievable to be here today for a portrait unveiling. I have to pledge to you again my continued friendship and continue to uphold the integrity and rich heritage in this lovely, lovely building.

So here we are on a fine morning doing an unveiling, a "hanging" of sorts.

Winston Churchill, when faced with the overflowing crowd like the one we have here today for Bill and myself, remarked, "I'm humbled by the realization that it would..." have been

"twice as large if..." they were only here for "the occasion of my" real "hanging," to which I would add, given the size and stature of this particular crowd today, we are going to witness the "hanging" of two Speakers of the House.

It actually took a long time for me to make up my mind about doing a portrait. I had visions of a portrait being a very passive thing. I think that those of you who know me know that I am not passive, never have been, and never will be.

So 18 months ago I received one of the greatest gifts of my life, and that gift was when you, my colleagues, elected me to Speaker of the Pennsylvania House. It has been a special privilege to serve in that capacity. It has been, honestly, a dream come true. I am a guy who grew up in public housing and was raised and reared up in Northeast Philadelphia.

It is deeply humbling that in the presence of my fellow members, good friends, and those I love – my wife, Sheryl; and my sons, Andrew, David, John, and Sam; and my mom, Susan – that I will unveil my official portrait.

To now be part of the exhibition that features some of the most important statesmen in our Commonwealth's history is another overwhelming gift given by you to me for which I will forever be grateful.

I believe that Jamie Adams has painted a likeness that will proudly hang with the likes of Alexander Hamilton, Benjamin Franklin, and my good friend and all of your good friend, Matthew J. Ryan.

In closing, it is my hope that this portrait reflects my resolute pledge to all of you to continue to lead this body with steadfast honesty, dignity, and loyalty.

I would just like to thank you all very, very much for coming here today. I really appreciate that, especially my roommate and friend of 28 years, Tommy Gannon. I would not want to miss him. You are tough. I love you, Tom. But thank you very, very, very much. Thank you.

I would like to ask my wife and my sons to come up and unveil— Andrew, David, John, Sam.

UNVEILING OF PORTRAIT

(Portrait of the Honorable John M. Perzel unveiled.)

THOMAS J. McCLOSKEY PRESENTED

Mr. EGOLF. We will now have a performance by soloist Thomas McCloskey. Tom has performed several times on the floor of the House, and we are pleased to welcome him back again. Tom.

Mr. McCLOSKEY. Thank you very much, ladies and gentlemen.

Again it is my privilege to stand in these great hallowed halls of Pennsylvania and to look upon the Representatives that represent every human being in this great Commonwealth of ours, the diversity in our backgrounds, our religions, and our beliefs, and know that we are all represented evenly and equally in this House.

I first stood here as a guest of Representative Tom Corrigan, of which I am a voter in his district, and then he brought us out for the St. Patrick's Day celebration and had the privilege to sing and perform here, as my background affords me the opportunity to sing and to bring forth our Irish heritage. The great Matt Ryan was the Speaker here at that time, and I was

privileged to perform for him “Danny Boy” in these great halls, and I will never forget that.

Afterwards, we went down for a luncheon sponsored by the Irish caucus. I was performing with a few friends of mine, and Representative DeWeese had worked his way down after hearing my performance here. This was my first introduction to a man whose articulation of the English language had stunned me for about 15 minutes as he was introducing himself, and I just looked at him and I said, “What?” Oh, by the way, he did yield 12 minutes to me out of his speech for this introduction. That was my first meeting with Bill DeWeese, and I have been a friend of his, I can happily say, for the past 8, 9 years or so, thanks to Tom Corrigan, and have worked with Bill in different facets in his elections and different fundraising events.

As I was sitting at the luncheon, afterwards he came to me and said, “Okay. I’m Bill DeWeese.” He said, “I’m Dutch and I’m Scotch-Irish and I’m English and I’m a whole bunch of things.” He said, “Do you happen to know a tune ‘Kevin Barry’?” Kevin Barry was a great patriot of the 1920 uprising in Ireland – actually, after the uprising there was a civil war – and gave his life for that cause. I said, “As a matter of fact, I do,” and to this day I have in my possession and in my home a letter that I received from Representative DeWeese a week after that stated, “Thank you very much, Tom McCloskey, for my semiprivate performance of ‘Kevin Barry.’” So now every time that I see Bill DeWeese and he walks up to me, he just says, “You know what to do. Right?” And I say, “Yes, I do.”

I believe that Bill, the embodiment of Bill, as I try to explain this gentleman that I had met that day, the enigma of Bill DeWeese, to people, I say I met a most impressive gentleman today as he calls upon that great, thick book, the vocabulary of the English, French language, and I am still trying to figure out three of the first words that I ever heard from Bill DeWeese, but he also calls upon the backgrounds of the great people of this country and this Commonwealth that he serves. He draws upon the experiences that we brought in our heritage across the sea, and he applies it to his job in this hall to represent us all. Of course, Bill, being a patriot, a marine, love of country, duty, honor, country, lives by that, and when I was asked here today, I said, “Bill, how best to perform for you today?” And he said, “You know what to do.” I said, “Okay.”

So with great pride and respect for the House of Representatives and the man that I am proud to call friend, Speaker William DeWeese, I give to you the first song that Bill requested from me, “Kevin Barry.”

MUSICAL INTERLUDE

(“Kevin Barry” was sung by Thomas J. McCloskey.)

Mr. McCLOSKEY. Thank you, Bill. Thank you very much.
Mr. EGOLF. Thank you, Tom.

BENEDICTION

Mr. EGOLF. The closing prayer now will be offered by Representative Louise Williams Bishop.
Will all members and guests please rise.

Ms. BISHOP. Let us pray:

Dear God, our Heavenly Father, God who has created every living thing, a lot of people have been thanked today, but please allow me the opportunity to say thank You for this very special day, the day that You have given unto us, and we know that it is a day that You have ordained, a day that You have commissioned, a day that You have blessed and appointed for remembrance and for celebration, a day to serve and to be glad. And we do understand, God, that service is the price we pay for the space that You have allowed us to occupy.

Our hearts are grateful as we pause today to bear witness to this wonderful opportunity to pay tribute to two wonderful gentlemen, former Speaker Bill DeWeese and Speaker John Perzel. Both men have been anointed and appointed to serve this chamber and the Commonwealth of Pennsylvania with honor and with distinction.

The unveiling of both paintings today is a testament to the service that each has rendered down through the corridors of time, and for Speaker John Perzel, the service he will continue to render, and history will pass on their legacy.

We know that servants are carved very carefully with a very fine tuned instrument, and this is an instrument of wisdom, an instrument of peace, an instrument of harmony, and as we close, we pray that You will grant unto all of us Your strength so that when we leave this chamber, we may go forth spreading Your message of peace.

Bless the families that have gathered here today to witness this beautiful mountaintop experience, and bless their friends who are gathered here to share in this great day, and grant unto them traveling mercies as they return home.

And then, Father, we also ask Your blessings for each and every staff member that is gathered in the Commonwealth of Pennsylvania. Bless their families and bless their homes, because if it were not for them, we would not be all that You have ordained that we should be.

Keep us all, keep us all as we go, strengthen us in times of weariness, restore us, and be a guiding light in time of darkness. We ask these and all blessings as we ask that You overshadow us with Your love, with Your protection, and with Your mercy. Amen.

Mr. EGOLF. All members and guests, please take your seats.

APPROPRIATIONS COMMITTEE MEETING

The SPEAKER. The Chair at this time recognizes the chairman of the Appropriations Committee, the gentleman from Schuylkill, Mr. Argall.

Mr. ARGALL. Thank you, Mr. Speaker.

At the declaration of the recess, the House Appropriations Committee will meet in room 245.

The SPEAKER. The Chair thanks the gentleman.

At the recess the Appropriations Committee will meet in room 245.

LIQUOR CONTROL COMMITTEE MEETING

The SPEAKER. The Chair recognizes the gentleman from Delaware, Mr. Raymond, for the purpose of an announcement.

Mr. RAYMOND. Thank you, Mr. Speaker.

Mr. Speaker, the House Liquor Control Committee will meet immediately upon recess in room 39, East Wing.

The SPEAKER. The Chair thanks the gentleman.

The Liquor Control Committee will meet immediately in room 39, East Wing.

TRANSPORTATION COMMITTEE MEETING

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

Mr. GEIST. Thank you, Mr. Speaker.

Congratulations to you and Mr. DeWeese on a wonderful day for yourselves.

We will meet, the Transportation Committee, today at 2 o'clock in room 205 of the Ryan Office Building; Transportation Committee, 205, Ryan Office Building.

Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Transportation Committee will meet at 2 o'clock in room 205 of the Ryan Office Building.

FINANCE COMMITTEE MEETING

The SPEAKER. The gentleman, Mr. Leh.

Mr. LEH. Thank you, Mr. Speaker.

I would like to make an announcement.

The House Finance Committee will meet immediately at the break in the rear of the House.

Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Finance Committee will meet immediately in the rear of the House.

ANNOUNCEMENT BY MR. COHEN

The SPEAKER. The gentleman, Mr. Cohen.

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, there will be informal discussions in the Democratic caucus room at the call of the recess.

The SPEAKER. The Chair thanks the gentleman.

LEAVE OF ABSENCE

The SPEAKER. The Chair returns to leaves of absence and grants a leave of absence for the gentleman from Warren, Mr. LYNCH. Without objection, that leave is granted.

The luncheon will begin immediately upon the recess, and we will return to the floor with votes at 3 o'clock – 3 p.m.

ANNOUNCEMENT BY MRS. TAYLOR

The SPEAKER. The gentlelady, Mrs. Taylor.

Mrs. TAYLOR. There is no need for a Republican caucus at this time.

The SPEAKER. The Chair thanks the gentlelady.

RECESS

The SPEAKER. This House is in recess until 3 p.m.

AFTER RECESS

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

GUESTS INTRODUCED

The SPEAKER. The Chair would like to welcome students and parents from the Canaan Christian Academy, who are here today as the guests of Representative Jerry Birmelin. They are in the balcony. Would those guests please rise and be recognized.

We have a guest page of Representative Roy Baldwin. Please welcome David Sourber to the Capitol. David is a resident of Manheim Township and is in Representative Baldwin's district. Would that guest please rise and be recognized.

The Chair would like to welcome to the hall of the House Sarah Gipe. She is an eighth grader at the Hershey Middle School, a guest page sponsored by Representative John Payne. Would Sarah please rise and be recognized.

BILLS REREPORTED FROM COMMITTEE

HB 941, PN 4480

By Rep. ARGALL

An Act establishing the Enhanced Senior Services Demonstration Program; and conferring powers and imposing duties on the Department of Aging, the Department of Public Welfare and the Pennsylvania Housing Finance Agency.

APPROPRIATIONS.

HB 2270, PN 3121

By Rep. ARGALL

An Act providing for the development and implementation of pilot projects with the goal of establishing a Statewide system of family support services program for families of persons with disabilities; and providing for the powers and duties of the Department of Public Welfare.

APPROPRIATIONS.

HB 2432, PN 4500

By Rep. ARGALL

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

APPROPRIATIONS.

HB 2657, PN 3964

By Rep. ARGALL

An Act amending act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, further providing, in employment incentive payments, for time limitations and report.

APPROPRIATIONS.

HB 2741, PN 4481

By Rep. ARGALL

An Act amending the act of August 26, 1971 (P.L.351, No.91), known as the State Lottery Law, further providing for disposition of funds.

APPROPRIATIONS.

HB 2748, PN 4285

By Rep. ARGALL

An Act amending the act of February 1, 1974 (P.L.34, No.15), known as the Pennsylvania Municipal Retirement Law, providing for part-time employees; and further providing for existing local retirement systems and compulsory and optional membership and for return to service relating to certain municipal employees and optional retirement plans.

APPROPRIATIONS.

HB 2796, PN 4290

By Rep. ARGALL

An Act amending the act of April 23, 2002 (P.L.298, No.39), known as the Main Street Act, further providing for the Main Street Program.

APPROPRIATIONS.

HB 2821, PN 4349

By Rep. ARGALL

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

APPROPRIATIONS.

SB 1192, PN 1770

By Rep. ARGALL

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, further providing for investment of moneys of the Commonwealth; and making a related repeal.

APPROPRIATIONS.

SB 1208, PN 1852

By Rep. ARGALL

An Act authorizing the Department of General Services, with the approval of the Governor, to grant and convey to Frenchcreek Township, Venango County, approximately 65.36 acres which includes the sewage treatment facilities, conveyance system, all improvements thereon and easements, at Polk Center in Polk Borough, Venango County.

APPROPRIATIONS.

SB 1209, PN 1885

By Rep. ARGALL

An Act amending Titles 4 (Amusements) and 18 (Crime and Offenses) of the Pennsylvania Consolidated Statutes, further providing for definitions and for the Pennsylvania Gaming Control Board established; providing for applicability of other statutes and for review of deeds, leases and contracts; further providing for general and specific powers, for temporary regulations, for board minutes and records and for supplier and manufacturer licenses application; providing for manufacturer licenses; further providing for occupation permit application, for local land use preemption, for public official financial interest, for enforcement, for penalties and for corrupt organizations; and making related repeals.

APPROPRIATIONS.

**BILLS REPORTED FROM COMMITTEES,
CONSIDERED FIRST TIME, AND TABLED****HB 528, PN 622**

By Rep. J. TAYLOR

An Act amending the act of June 12, 1919 (P.L.476, No.240), referred to as the Second Class County Recorder of Deeds Fee Law, providing for additional fees; and establishing a County Records Improvement Fund.

URBAN AFFAIRS.

HB 739, PN 866

By Rep. O'BRIEN

An Act amending the act of March 29, 1827 (P.L.154, No.75), entitled "An act for the better preservation of the records contained in the public offices of the several counties of this commonwealth," repealing provisions relating to judgment dockets.

JUDICIARY.

HB 970, PN 1140

By Rep. J. TAYLOR

An Act amending the act of June 22, 2000 (P.L.318, No.32), known as the Downtown Location Law, further providing for definitions.

URBAN AFFAIRS.

HB 1748, PN 2268

By Rep. O'BRIEN

An Act repealing the act of May 11, 1897 (P.L.49, No.41), entitled "An act relating to appointment of Prison Commissioners in counties of the Commonwealth having over one hundred and fifty thousand population."

JUDICIARY.

HB 1807, PN 2347

By Rep. O'BRIEN

An Act amending the act of March 9, 1927 (P.L.24, No.13), referred to as the County Institution for Delinquent Women Law, further providing for administration by county prison authorities, for transfer of prisoners from other counties and for earnings of inmates.

JUDICIARY.

HB 1815, PN 2359

By Rep. O'BRIEN

An Act amending the act of February 27, 1847 (P.L.172, No.131), entitled "An act requiring the inspectors of prisons, sheriffs, prothonotaries and clerks of criminal courts and others, to make annual returns to the secretary of the commonwealth, and for other purposes," further providing for duty of counties to file certain reports.

JUDICIARY.

HB 2137, PN 4557 (Amended)

By Rep. GEIST

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

TRANSPORTATION.

HB 2279, PN 4553 (Amended) By Rep. O'BRIEN

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for public availability of law enforcement records.

JUDICIARY.

HB 2607, PN 3859 By Rep. RAYMOND

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, further defining "public venue."

LIQUOR CONTROL.

HB 2608, PN 3860 By Rep. HERSHEY

An Act amending the act of June 30, 1981 (P.L.128, No.43), known as the Agricultural Area Security Law, further providing for purchase of agricultural conservation easements.

AGRICULTURE AND RURAL AFFAIRS.

HB 2696, PN 4558 (Amended) By Rep. GEIST

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for emission inspection stations.

TRANSPORTATION.

HB 2801, PN 4554 (Amended) By Rep. HERSHEY

An Act amending the act of June 30, 1981 (P.L.128, No.43), known as the Agricultural Area Security Law, further providing for definitions, for agricultural security areas, for evaluation criteria and for the purchase of agricultural conservation easements.

AGRICULTURE AND RURAL AFFAIRS.

HB 2865, PN 4416 By Rep. LEH

An Act amending the act of December 18, 1984 (P.L.1005, No.205), known as the Municipal Pension Plan Funding Standard and Recovery Act, providing authorization for alternate amortization schedules to accommodate extraordinary events.

FINANCE.

HB 2883, PN 4457 By Rep. J. TAYLOR

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, further providing for person entitled to letters of administration.

URBAN AFFAIRS.

HB 2888, PN 4477 By Rep. RAYMOND

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, further providing for limited wineries.

LIQUOR CONTROL.

HB 2901, PN 4556 (Amended) By Rep. RAYMOND

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, further providing for powers of the Pennsylvania Liquor Control Board and for sales by Pennsylvania Liquor Stores; providing for a point system for violations of the act by licensees in first class cities; further providing for limited wineries; and providing for distilleries.

LIQUOR CONTROL.

HB 2926, PN 4551 By Rep. GEIST

An Act amending the act of June 22, 1931 (P.L.594, No.203), referred to as the Township State Highway Law, adding New Street, Wilkes-Barre Township, Luzerne County, to the State highway system.

TRANSPORTATION.

SB 356, PN 1887 (Amended) By Rep. O'BRIEN

An Act amending Titles 18 (Crimes and Offenses) and 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, further providing for persons not to possess, use, manufacture, control, sell or transfer firearms, for general regulations relating to dissemination of criminal history record information, for responsibilities of law enforcement agencies and for information relating to prospective child-care personnel.

JUDICIARY.

SB 668, PN 1888 (Amended) By Rep. O'BRIEN

An Act requiring institutions of higher education to provide students and employees with information relating to crime statistics and security measures and to provide similar information to prospective students and employees upon request; granting powers to the State Board of Education; establishing a uniform crime reporting program; requiring all county and municipal law enforcement agencies to report certain information occurring within the respective jurisdictions; imposing duties on the Pennsylvania Commission on Crime and Delinquency; authorizing the Pennsylvania State Police to collect and gather information on crime and make annual reports; providing for penalties; and making a related repeal.

JUDICIARY.

SB 871, PN 1889 (Amended) By Rep. HERSHEY

An Act amending Title 22 (Detectives and Private Police) of the Pennsylvania Consolidated Statutes, further providing for appointment by nonprofit corporations; providing for humane society police officers' appointment, qualifications, authority and discipline; conferring powers and duties on the Department of Agriculture; establishing the Humane Society Police Officer Advisory Board and the Humane Society Police Officer Account; and making a related repeal.

AGRICULTURE AND RURAL AFFAIRS.

**RESOLUTION REPORTED
FROM COMMITTEE**

HR 851, PN 4413 By Rep. FAIRCHILD

A Concurrent Resolution memorializing the Congress of the United States to enact the Steel Industry National Historic Site Act establishing certain sites and structures in the Commonwealth of Pennsylvania as National Heritage Areas.

INTERGOVERNMENTAL AFFAIRS.

**RESOLUTION REREPORTED
FROM COMMITTEE**

HR 882, PN 4555 (Amended) By Rep. FAIRCHILD

A Resolution encouraging the Governor and the State Geospatial Technologies Director to engage in strategic planning of geospatial technologies.

INTERGOVERNMENTAL AFFAIRS.

COMMITTEE MEETING POSTPONED

The SPEAKER. The Chair recognizes the gentleman from Schuylkill, Mr. Allen.

Mr. ALLEN. Thank you, Mr. Speaker.

The Labor Relations Committee meeting scheduled for Wednesday at 9:30 in room 205 in the Ryan Office Building has been moved to 10:30 on Wednesday morning.

Thank you very much.

The SPEAKER. The Chair thanks the gentleman.

The Labor Relations Committee will meet at 10:30 on Wednesday morning in room 205, Ryan Office Building.

LEAVES OF ABSENCE

The SPEAKER. The Chair recognizes the minority whip, who moves for a leave of absence for the gentleman from Fayette, Mr. SHANER, and the gentleman from Bucks, Mr. CORRIGAN. Without objection, the leaves of absence will be granted.

LEAVE OF ABSENCE CANCELED

The SPEAKER. The Chair notes the presence on the floor of the House of the gentleman, Mr. Stetler. His name will be added to the master roll.

CALENDAR

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 2561, PN 4461**, entitled:

An Act authorizing and directing the Department of General Services, with the approval of the Pennsylvania Historical and Museum Commission and the Governor, to grant and convey to Luzerne County Historical Society, certain lands and building situate in the Borough of Forty Fort, County of Luzerne, Commonwealth of Pennsylvania.

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	Fabrizio	Mackereth	Samuelson
Allen	Fairchild	Maher	Santoni
Argall	Feese	Maitland	Sather
Armstrong	Fichter	Major	Saylor
Baker	Fleagle	Manderino	Scavallo
Baldwin	Flick	Mann	Schroder
Bard	Forcier	Markosek	Scrimenti
Barrar	Frankel	Marsico	Semmel
Bastian	Freeman	McCall	Smith, B.
Bebko-Jones	Gabig	McGeehan	Smith, S. H.
Belardi	Gannon	McGill	Solobay
Belfanti	Geist	McIlhattan	Staback
Benninghoff	George	McIlhinney	Stairs
Biancucci	Gergely	McNaughton	Steil
Birmelin	Gillespie	Melio	Stern
Bishop	Gingrich	Metcalfe	Stetler
Blaum	Godshall	Millard	Stevenson, R.
Boyd	Good	Miller, R.	Stevenson, T.
Browne	Goodman	Miller, S.	Sturla
Bunt	Grucela	Mundy	Surra
Butkovitz	Gruitza	Mustio	Tangretti
Buxton	Habay	Myers	Taylor, E. Z.
Caltagirone	Haluska	Nailor	Taylor, J.
Cappelli	Hanna	Nickol	Thomas
Casorio	Harhai	O'Brien	Tigue
Causar	Harhart	Oliver	Travaglio
Cawley	Harper	O'Neill	True
Civera	Harris	Pallone	Turzai
Clymer	Hasay	Payne	Vance
Cohen	Hennessey	Petrarca	Veon
Coleman	Herman	Petri	Vitali
Cornell, S. E.	Hershey	Petrone	Walko
Costa	Hess	Phillips	Wansacz
Crahalla	Hickernell	Pickett	Washington
Creighton	Horsey	Pistella	Waters
Curry	Hutchinson	Preston	Watson
Dailey	James	Raymond	Weber
Daley	Josephs	Readshaw	Wheatley
Dally	Keller	Reed	Williams
DeLuca	Kenney	Reichley	Wilt
Denlinger	Killion	Rieger	Wojnaroski
Dermody	Kirkland	Roberts	Wright
DeWeese	Kotik	Roebuck	Yewcic
DiGirolamo	Laughlin	Rohrer	Youngblood
Diven	Leach	Rooney	Yudichak
Donatucci	Lederer	Ross	Zug
Eachus	Leh	Rubley	
Egolf	Lescovitz	Ruffing	
Evans, D.	Levdansky	Sainato	Perzel,
Evans, J.	Lewis		Speaker

NAYS—0

NOT VOTING—0

EXCUSED—6

Corrigan	LaGrotta	Micozzie	Shaner
Cruz	Lynch		

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 House proceeded to third consideration of **HB 2587, PN 4462**, entitled:

An Act authorizing and directing the Department of General Services, with the approval of the Pennsylvania Historical and Museum Commission and the Governor, to grant and convey to Milton Area School District, certain lands and building situate in the Township of West Chillisquaque, County of Northumberland, Commonwealth of Pennsylvania.

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	Fabrizio	Lewis	Samuelson
Allen	Fairchild	Mackereth	Santoni
Argall	Feese	Maher	Sather
Armstrong	Fichter	Maitland	Saylor
Baker	Fleagle	Major	Scavello
Baldwin	Flick	Manderino	Schroder
Bard	Forcier	Mann	Scrimenti
Barrar	Frankel	Markosek	Semmel
Bastian	Freeman	Marsico	Smith, B.
Bebko-Jones	Gabig	McCall	Smith, S. H.
Belardi	Gannon	McGeehan	Solobay
Belfanti	Geist	McGill	Staback
Benninghoff	George	McIlhattan	Stairs
Biancucci	Gergely	McIlhinney	Steil
Birmelin	Gillespie	McNaughton	Stern
Bishop	Gingrich	Melio	Stetler
Blaum	Godshall	Metcalfe	Stevenson, R.
Boyd	Good	Millard	Stevenson, T.
Browne	Goodman	Miller, R.	Sturla
Bunt	Grucela	Miller, S.	Surra
Butkovitz	Gruitza	Mundy	Tangretti
Buxton	Habay	Mustio	Taylor, E. Z.
Caltagirone	Haluska	Myers	Taylor, J.
Cappelli	Hanna	Nailor	Thomas
Casorio	Harhai	Nickol	Tigue
Causer	Harhart	O'Brien	Travaglio
Cawley	Harper	Oliver	True
Civera	Harris	O'Neill	Turzai
Clymer	Hasay	Pallone	Vance
Cohen	Hennessey	Payne	Veon
Coleman	Herman	Petrarca	Vitali
Cornell, S. E.	Hershey	Petri	Walko

Costa	Hess	Petrone	Wansacz
Crahalla	Hickernell	Phillips	Washington
Creighton	Horsey	Pickett	Waters
Curry	Hutchinson	Pistella	Watson
Dailey	James	Preston	Weber
Daley	Josephs	Raymond	Wheatley
Dally	Keller	Readshaw	Williams
DeLuca	Kenney	Reed	Wilt
Denlinger	Killion	Reichley	Wojnaroski
Dermody	Kirkland	Rieger	Wright
DeWeese	Kotik	Roberts	Yewcic
DiGirolamo	Laughlin	Rohrer	Youngblood
Diven	Leach	Rooney	Yudichak
Donatucci	Lederer	Ross	Zug
Eachus	Leh	Rublely	
Egolf	Lescovitz	Ruffing	Perzel,
Evans, D.	Levdansky	Sainato	Speaker
Evans, J.			

NAYS—0

NOT VOTING—1

Roebuck

EXCUSED—6

Corrigan	LaGrotta	Micozzie	Shaner
Cruz	Lynch		

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 House proceeded to third consideration of **HB 2789, PN 4275**, entitled:

An Act authorizing and directing the Department of General Services, with the approval of the Department of Military and Veterans Affairs and the Governor, to grant and convey to the Borough of Doylestown, certain lands situate in the Borough of Doylestown, Bucks County.

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	Fabrizio	Lewis	Samuelson
Allen	Fairchild	Mackereth	Santoni
Argall	Feese	Maher	Sather
Armstrong	Fichter	Maitland	Saylor
Baker	Fleagle	Major	Scavello
Baldwin	Flick	Manderino	Schroder
Bard	Forcier	Mann	Scrimenti

Barrar	Frankel	Markosek	Semmel
Bastian	Freeman	Marsico	Smith, B.
Bebko-Jones	Gabig	McCall	Smith, S. H.
Belardi	Gannon	McGeehan	Solobay
Belfanti	Geist	McGill	Staback
Benninghoff	George	McIlhattan	Stairs
Biancucci	Gergely	McIlhinney	Steil
Birmelin	Gillespie	McNaughton	Stern
Bishop	Gingrich	Melio	Stetler
Blaum	Godshall	Metcalfe	Stevenson, R.
Boyd	Good	Millard	Stevenson, T.
Browne	Goodman	Miller, R.	Sturla
Bunt	Grucela	Miller, S.	Surra
Butkovitz	Gruitza	Mundy	Tangretti
Buxton	Habay	Mustio	Taylor, E. Z.
Caltagirone	Haluska	Myers	Taylor, J.
Cappelli	Hanna	Nailor	Thomas
Casorio	Harhai	Nickol	Tigue
Causer	Harhart	O'Brien	Travaglio
Cawley	Harper	Oliver	True
Civera	Harris	O'Neill	Turzai
Clymer	Hasay	Pallone	Vance
Cohen	Hennessey	Payne	Veon
Coleman	Herman	Petrarca	Vitali
Cornell, S. E.	Hershey	Petri	Walko
Costa	Hess	Petrone	Wansacz
Crahalla	Hickernell	Phillips	Washington
Creighton	Horsey	Pickett	Waters
Curry	Hutchinson	Pistella	Watson
Dailey	James	Preston	Weber
Daley	Josephs	Raymond	Wheatley
Dally	Keller	Readshaw	Williams
DeLuca	Kenney	Reed	Wilt
Denlinger	Killion	Reichley	Wojnaroski
Dermody	Kirkland	Rieger	Wright
DeWeese	Kotik	Roberts	Yewcic
DiGirolamo	Laughlin	Rohrer	Youngblood
Diven	Leach	Rooney	Yudichak
Donatucci	Lederer	Ross	Zug
Eachus	Leh	Rublely	Perzel,
Egolf	Lescovitz	Ruffing	Speaker
Evans, D.	Levdansky	Sainato	
Evans, J.			

NAYS-0

NOT VOTING-1

Roebuck

EXCUSED-6

Corrigan	LaGrotta	Micozzie	Shaner
Cruz	Lynch		

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.

SUPPLEMENTAL CALENDAR A

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 2821, PN 4349**, entitled:

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

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	Fabrizio	Mackereth	Samuelson
Allen	Fairchild	Maher	Santoni
Argall	Feese	Maitland	Sather
Armstrong	Fichter	Major	Saylor
Baker	Fleagle	Manderino	Scavello
Baldwin	Flick	Mann	Schroder
Bard	Forcier	Markosek	Scrimenti
Barrar	Frankel	Marsico	Semmel
Bastian	Freeman	McCall	Smith, B.
Bebko-Jones	Gabig	McGeehan	Smith, S. H.
Belardi	Gannon	McGill	Solobay
Belfanti	Geist	McIlhattan	Staback
Benninghoff	George	McIlhinney	Stairs
Biancucci	Gergely	McNaughton	Steil
Birmelin	Gillespie	Melio	Stern
Bishop	Gingrich	Metcalfe	Stetler
Blaum	Godshall	Millard	Stevenson, R.
Boyd	Good	Miller, R.	Stevenson, T.
Browne	Goodman	Miller, S.	Sturla
Bunt	Grucela	Mundy	Surra
Butkovitz	Gruitza	Mustio	Tangretti
Buxton	Habay	Myers	Taylor, E. Z.
Caltagirone	Haluska	Nailor	Taylor, J.
Cappelli	Hanna	Nickol	Thomas
Casorio	Harhai	O'Brien	Tigue
Causer	Harhart	Oliver	Travaglio
Cawley	Harper	O'Neill	True
Civera	Harris	Pallone	Turzai
Clymer	Hasay	Payne	Vance
Cohen	Hennessey	Petrarca	Veon
Coleman	Herman	Petri	Vitali
Cornell, S. E.	Hershey	Petrone	Walko
Costa	Hess	Phillips	Wansacz
Crahalla	Hickernell	Pickett	Washington
Creighton	Horsey	Pistella	Waters
Curry	Hutchinson	Preston	Watson
Dailey	James	Raymond	Weber
Daley	Josephs	Readshaw	Wheatley
Dally	Keller	Reed	Williams
DeLuca	Kenney	Reichley	Wilt
Denlinger	Killion	Rieger	Wojnaroski
Dermody	Kirkland	Roberts	Wright
DeWeese	Kotik	Roebuck	Yewcic
DiGirolamo	Laughlin	Rohrer	Youngblood
Diven	Leach	Rooney	Yudichak
Donatucci	Lederer	Ross	Zug
Eachus	Leh	Rublely	
Egolf	Lescovitz	Ruffing	
Evans, D.	Levdansky	Sainato	Perzel,
Evans, J.	Lewis		Speaker

NAYS-0

NOT VOTING-0

EXCUSED—6

Corrigan	LaGrotta	Micozzie	Shaner
Cruz	Lynch		

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.

CALENDAR CONTINUED

The House proceeded to third consideration of **HB 2856, PN 4404**, entitled:

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, including podiatrists to the health care providers retention program; and making a related repeal.

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

RULES SUSPENDED

The SPEAKER. The Chair recognizes the gentledady from Montgomery, Ms. Weber, who moves for a suspension of the rules for immediate consideration of amendment A4044.

That will be over temporarily.

The House will be at ease.

The House will come to order.

The Chair recognizes the gentledady from Montgomery, Ms. Weber.

The gentledady has every right to be heard. Please keep the noise level down.

Ms. WEBER. Thank you, Mr. Speaker.

Mr. Speaker, I rise on HB 2856 to request suspension of rules to have the members of the House vote on amendment A4044, which has been filed.

This amendment, for the benefit of the members in determining an affirmative vote for suspension of the rules, would extend the Mcare (Medical Care Availability and Reduction of Error) abatement program to 2006.

Additionally, it would include and reinsert language providing for Mcare abatement at the 50-percent level for licensed podiatrists for 2003 and 2004.

As I stated, this would be an amendment that would extend the Mcare abatement, which is set to expire through 2004, and this is something that is of extreme importance to all of the residents of this Commonwealth and to our doctors so that we continue to keep the doctors that treat our families here in Pennsylvania and discourage them from leaving the State.

So I would request an affirmative vote on my motion to suspend the rules so that we may consider amendment A4044.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the lady.

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

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

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

We do not have to suspend the rules. Our Montgomery County delegation on the Democratic side of the aisle has amendments filed timely, and those amendments do the exact same thing, and that would take place tomorrow. So unless we are commencing an exercise in undiluted political aggression, which I would not be immune to or unfamiliar with, we do not need to do this. Now, at the same time I am not so shortsighted as to ask my members to vote so that campaign literature can be distributed and podiatrists in Pennsylvania might think we have been mischievous, even if it were only for 24 hours.

But again, I want the world to know – and maybe this microphone is the only appropriate venue – that this does not need to be done. The gentledady does not need to do this. We have an amendment that was timely filed that can go tomorrow that will do the same thing. So except for the obvious unadulterated politics of the moment, this would not have to happen.

Having said that, I am going to reluctantly support the motion because I know it is going to pass.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the majority leader, the gentleman, Mr. Smith.

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

Mr. Speaker, obviously, I appreciate the Democratic leader's support of this motion to suspend the rules. I was halfway hoping he was going the other way for a change, but that is okay, just for the fun of it, in spite of the comments of this morning or earlier today.

I would like to point out though, contrary to what the Democratic leader has said, the amendments that he was referencing actually do not do exactly what this amendment does. Those amendments – and I am not sure if this was the intent of the member being referenced or not – but the amendment that the Democratic leader was referring to in essence only extends the program.

Now, there are two critical dates in this particular piece of legislation. One date speaks to when the abatement dollars can actually be driven out to a doctor, and the second date refers to how long the program runs. The reason that there are two dates is because when this was originally enacted, it was at the end of the calendar year, I believe, and money was being driven out on the front end immediately, but in order for the cigarette tax money to come into the program, the program needed to run an additional year, in essence, in order to pay back that money.

So there is quite a bit of difference here. As I understand it, the other amendment that was being referenced in fact would only extend the program, allow the program to receive the cigarette tax money, but would in fact not extend the authority for the Mcare fund to abate moneys to doctors. So there is a significant difference between these two amendments.

I believe that the Weber amendment that is before us that we are seeking a suspension of the rules does in fact what most of us are seeking to accomplish, and I appreciate support for the suspension of the rules.

Thank you, Mr. Speaker.

The SPEAKER. The gentleman, Mr. DeWeese.

Mr. DeWEESE. Thank you, Mr. Speaker.
 Again, admitting that the amicability and harmony of the morning has dissolved, that is appropriate. We are back in the middle of the fray.

But I want the world to note that here we go again, Mr. Speaker, the suburban Republican getting ready to spend money when that suburban Republican refused to raise the money just a few months ago, somebody that came in here and voted against the taxes and now very willing to spend those revenue dollars that have been yielded to the State. Hypocrisy at its dizzying summit.

The SPEAKER. Mr. Smith.

Mr. S. SMITH. Mr. Speaker, I think that characterization, while we may be getting a little off the subject, I think that characterization is quite inaccurate. The fact is, we are currently spending whatever it is – the 25-cents portion of the cigarette tax – on the Mcare program. To suggest that we need to extend that program for another short period of time as to allow us as a legislative body along with the administrative body to continue to try to wrestle with the underlying problems of rising insurance costs, medical malpractice insurance costs, I think is in fact a wholesome and proper approach regardless of where that money comes from.

I would also argue that just in the general sense the notion that if you did not vote for a tax, you cannot vote to spend the tax, while I appreciate the internal gyration that that circles around, the simple fact is, each of us, once the revenue is in the General Fund and being appropriated in a subsequent year or a subsequent period of time, has an absolute responsibility as a member of this legislature to try to direct that money to be spent in an affirmative and an appropriate way. So I would just like to make that point that I believe the Democratic leader was a little off base.

Thank you, Mr. Speaker.

May we vote the motion to suspend the rules.

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—190

Adolph	Evans, J.	Lewis	Sainato
Allen	Fabrizio	Mackereth	Samuelson
Argall	Fairchild	Maher	Santoni
Armstrong	Feese	Maitland	Sather
Baker	Fichter	Major	Saylor
Baldwin	Fleagle	Manderino	Scavello
Bard	Flick	Mann	Schroder
Barrar	Forcier	Markosek	Scrimenti
Bastian	Frankel	Marsico	Semmel
Bebko-Jones	Freeman	McCall	Smith, B.
Belardi	Gabig	McGeehan	Smith, S. H.
Belfanti	Gannon	McGill	Solobay
Benninghoff	Geist	McIlhattan	Staback
Biancucci	George	McIlhinney	Stairs
Birmelin	Gillespie	McNaughton	Steil
Bishop	Gingrich	Melio	Stern
Blaum	Godshall	Metcalfe	Stetler
Boyd	Good	Millard	Stevenson, R.
Browne	Goodman	Miller, R.	Stevenson, T.
Bunt	Grucela	Miller, S.	Sturla
Butkovitz	Gruitza	Mundy	Surra
Buxton	Habay	Mustio	Tangretti
Caltagirone	Haluska	Myers	Taylor, E. Z.
Cappelli	Hanna	Nailor	Taylor, J.

Casorio	Harhai	Nickol	Thomas
Causer	Harhart	O'Brien	Tigue
Cawley	Harper	Oliver	Travaglio
Civera	Harris	O'Neill	True
Clymer	Hasay	Pallone	Turzai
Cohen	Hennessey	Payne	Vance
Coleman	Herman	Petrarca	Vitali
Cornell, S. E.	Hershey	Petri	Walko
Costa	Hess	Petrone	Wansacz
Crahalla	Hickernell	Phillips	Washington
Creighton	Horsey	Pickett	Waters
Curry	Hutchinson	Pistella	Watson
Dailey	James	Preston	Weber
Daley	Keller	Raymond	Wheatley
Dally	Kenney	Readshaw	Wilt
DeLuca	Killion	Reed	Wojnaroski
Denlinger	Kirkland	Reichley	Wright
Dermody	Kotik	Rieger	Yewcic
DiGirolamo	Laughlin	Roberts	Youngblood
Diven	Leach	Rohrer	Yudichak
Donatucci	Lederer	Rooney	Zug
Eachus	Leh	Ross	
Egolf	Lescovitz	Rubley	Perzel,
Evans, D.	Levdansky	Ruffing	Speaker

NAYS—6

DeWeese	Josephs	Veon	Williams
Gergely	Roebuck		

NOT VOTING—0

EXCUSED—6

Corrigan	LaGrotta	Micozzie	Shaner
Cruz	Lynch		

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

On the question recurring,

Will the House agree to the bill on third consideration?

Ms. WEBER offered the following amendment No. A4044:

Amend Title, page 1, line 3, by inserting after "Commonwealth," "

further providing for medical assistance reimbursement;

Amend Title, page 1, line 4, by inserting after "program;"

further providing for the expiration of the health care provider retention program;

Amend Bill, page 1, lines 8 through 18; page 2, lines 1 through 30; page 3, lines 1 through 19, by striking out all of said lines on said pages and inserting

Section 1. Section 443.6 of the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, amended June 16, 1994 (P.L.319, No.49), is amended to read:

Section 443.6. Reimbursement for Certain Medical Assistance Items and Services.—(a) In order to receive reimbursement for items or services enumerated in subsection (b), the provider must secure authorization prior to actually providing the items or services. The request for prior authorization must justify to the reasonable satisfaction of the department the need for an item or service.

(b) Payment for the following medical assistance items and services shall be made only after prior authorization has been secured:

- (1) Prostheses and orthoses.

(2) Purchase of appliances or equipment [if the appliance or equipment costs more than one hundred dollars (\$100)] as the department may authorize by publication of notice in the Pennsylvania Bulletin.

(3) Rental of medical appliances or equipment [for a period in excess of three months] as the department may authorize by publication of notice in the Pennsylvania Bulletin.

(4) Oxygen and related equipment in the home unless a physician states that the physical surroundings in the home are suitable for the use of oxygen and that the recipient is adequately prepared and able to use the equipment.

(5) Dental services as the department may [provide, including but not necessarily limited to, dental prostheses and appliances, extractions related to dental prostheses and appliances, and other extractions as may be provided by department regulations] authorize by publication of notice in the Pennsylvania Bulletin.

(6) Orthopedic shoes or other supportive devices for the feet when such shoes or devices are prescribed by a physician for the purpose of correcting or otherwise treating abnormalities of the feet or legs which cause serious detrimental medical effects.

(7) Other items or services as the department may authorize by publication of notice in the Pennsylvania Bulletin.

(c) The prior authorization requirements set forth in this section shall be applicable only to the extent that the items and services enumerated in subsection (b) are provided under the Pennsylvania Medical Assistance Plan. This section shall not be construed as mandating the provision of any item or service enumerated in this section.

(d) The requirements of this section shall not apply in an emergency situation.

(e) The department shall promulgate regulations to implement this section and shall establish a procedure for prior authorization. Such regulations may establish procedures for issuing prior authorization at whatever administrative level the department through the secretary deems appropriate. Appropriateness shall be determined by the secretary after hearings have been held and public input is received. Procedures adopted in accordance with this section shall provide authorization when appropriate, without undue delay. When no decision is made on a request to the department for covered services within twenty-one days of the date that the request is received by the department, the authorization shall be deemed approved. The department shall keep a record of those cases in which no decision is made within twenty-one days. The requirements of this section shall not apply in a medical emergency situation as defined by the department.

(f) Under no circumstances shall the department reimburse a provider for any medical services, procedures or drugs related to infertility therapy.

Section 2. Sections 1301-A and 1302-A of the act, added December 23, 2003 (P.L.237, No.44), are amended to read:
Section 1301-A. Definitions.

The following words and phrases when used in this article shall have the meanings given to them in this section unless the context clearly indicates otherwise:

“Account.” The Health Care Provider Retention Account established in section 443.7.

“Applicant.” A health care provider who resides in or practices in this Commonwealth and who applies for an abatement under section 1304-A[.] or section 1305.1-A.

“Assessment.” The assessment imposed under section 712(d) of the act of March 20, 2002 (P.L.154, No.13), known as the Medical Care Availability and Reduction of Error (Mcare) Act.

“Emergency physician.” A physician who is certified by the American Board of Emergency Medicine and who is either employed full time by a trauma center or is working under an exclusive contract with a trauma center.

“Health care provider.” An individual who is all of the following:

(1) A physician, licensed podiatrist or certified nurse midwife.

(2) A participating health care provider as defined in section 702 of the act of March 20, 2002 (P.L.154, No.13), known as the Medical Care Availability and Reduction of Error (Mcare) Act.

“Mcare Act.” The act of March 20, 2002 (P.L.154, No.13), known as the Medical Care Availability and Reduction of Error (Mcare) Act.

“Program.” The Health Care Provider Retention Program established in section 1302-A.

“Trauma center.” A hospital accredited by the Pennsylvania Trauma Systems Foundation as a Level I or Level II Trauma Center. Section 1302-A. Abatement program.

There is hereby established within the Insurance Department a program to be known as the Health Care Provider Retention Program. The Insurance Department, in conjunction with the department, shall administer the program. The program shall provide assistance in the form of assessment abatements to health care providers for calendar years 2003 [and] 2004, 2005 and 2006.

Section 3. The act is amended by adding a section to read:
Section 1305.1.-A. Podiatrist Assessment Abatement.

(a) Application.—A health care provider who is a licensed podiatrist may apply to the Insurance Department for an assessment abatement for calendar years 2003 and 2004. The application must be submitted by February 15, 2005, and be on a form required by the Insurance Department. In addition to a completed application, an applicant shall submit all of the supporting information required under section 1304-A.

(b) Review.—Upon receipt of a completed application, the Insurance Department shall review the submitted information. If the applicant self-certifies as eligible under section 1303-A, the Insurance Department shall notify the department which shall grant a partial assessment abatement of 50% of the amount of the assessment imposed on the applicant in calendar years 2003 and 2004, minus the assessment discount provided to the applicant under section 712(e)(2) of the Mcare Act for those years.

(c) Other provisions.—All other provisions of this article shall apply to abatement provided to licensed podiatrists as set forth under this section.

Section 4. Section 1310-A of the act, added December 23, 2003, (P.L.237, No.44), is amended to read:
Section 1310-A. Expiration.

The Health Care Provider Retention Program established under this article shall expire December 31, [2005] 2007.

Section 5. Section 712(e)(2) of the act of March 20, 2002 (P.L.154, No.13), known as the Medical Care Availability and Reduction of Error (Mcare) Act, is repealed insofar as it relates to licensed podiatrists.

Section 6. This act shall take effect immediately.

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

The SPEAKER. On that question, the gentleman, Mr. Schroder.

Mr. SCHRODER. Thank you, Mr. Speaker.

Mr. Speaker, I am going to vote for this amendment, and I urge everyone to do so.

Originally, the Mcare abatement was proposed to be a 3-year program. We enacted it in the House for a period of 2 years, which I think was a prudent thing to do as we watched to see how the medical liability problem would unfold, and now we are extending it for a third year. I think it is the right thing to do.

However, Mr. Speaker, I also believe that continuing to extend the Mcare abatement in future years is a bit like treating,

say, a cancer patient with a pain pill. Yes, it needs to be done, but it does not do a thing to address the underlying problems that have created the situation.

Mr. Speaker, I really believe that if we find ourselves a year from now in the same position where we have an ongoing medical liability problem, that before we pass any further extensions of Mcare subsidy and abatement, we need to take further and harder looks at more systemic changes to the system so that we can move out of this cycle of spiking liability premiums and government subsidies to fund the issue here.

Mr. Speaker, I will be introducing a resolution soon which will urge the Legislative Budget and Finance Committee to take a look at this exact issue and come up with some recommendations before we would act on further Mcare abatement extensions in the following year, but for now, Mr. Speaker, I do fully support the Weber amendment, and I urge its passage.

Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Montgomery, Mr. Leach.

Mr. LEACH. Thank you, Mr. Speaker.

Mr. Speaker, a couple months ago we had outside the rotunda a picture of Ronald Reagan, and I recall today what Ronald Reagan said, which was, it does not matter; you can get a lot accomplished if you do not care who gets the credit. And I do not mind that I had a bill that extended Mcare relief, which I filed, I do not know, 6, 7 months ago. You know, people in my district know what I have done. Beyond that, it does not matter to me.

However, the reason I extended Mcare relief for 3 years as opposed to any other period of time, whether it is 1 year or 2 years, is because I did so in consultation, A, with doctors all over the southeast region at least and in consultation with the Governor, who agreed with me that 3 years was the amount of time that would be appropriate to extend Mcare relief, and the reason we want to do it for 3 years is because we want to stop lurching from crisis to crisis.

Everyone remembers the crisis we had last December with emergency rooms and trauma centers threatening to close and passing something at the very last minute and doctors being unsure and hospitals and patients being unsure as to the availability of medical care. So in speaking with the doctors and speaking with the administration and speaking with others, we came up with the idea that 3 years would be the appropriate period of time to extend Mcare relief. Calm the waters. Give us time, as Representative Schroder said, to work on other solutions, and I just wish that we had a process that would allow us to actually have a vote on that, for us to actually have a vote on whether 2 years or 3 years or 1 year or permanent or 4 years or no years is really the appropriate way to go. I mean, that is what a deliberative body does.

Of course, this amendment makes it so nobody can offer any amendments or any changes, and as a result, we are getting Mcare relief, which is important, and I support it and I plan to vote "yes" for this. I know there are other aspects of the bill that other people will speak on, but I think we could have made it better, and I think we could have made it better with a more bipartisan approach.

So, Mr. Speaker, I support the bill. I will take as flattery the fact that I introduced this bill months ago, and I wish in the

future that we can have a process that enables us to be a little more deliberative about this sort of thing.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentlelady from Luzerne, Ms. Mundy.

Ms. MUNDY. Thank you, Mr. Speaker.

I am going to support the Weber amendment, but I could not agree with one of the previous speakers any more that we are treating the symptoms and not the root cause of the problem. However, I think he and I disagree slightly about what the root cause of the problem might be.

There are too many medical errors occurring in the United States today. In 1999 the Institute of Medicine came out with a report stating that medical error is the fifth leading cause of death in the United States. Five years later, this year, Health Grades, Incorporated, comes out with another study basically saying that not much has changed in the last 5 years. I heard a report on NPR (National Public Radio) yesterday morning that in Scranton we have gone from 99 cases, lawsuits filed, in the Lackawanna County courts for medical malpractice in 2003 to 9 this year, but have our insurance premiums for medical malpractice been reduced? No. The two root causes of medical malpractice insurance inflation are insurance reform, which is very much needed, and medical error prevention, which we are doing very, very little to bring about.

We can extend the Mcare abatement ad infinitum and not solve a problem. We are simply throwing money at a problem that we should be seriously engaged in solving. There are a lot of us who have creative solutions, cost-effective solutions to how to prevent error. Let us get with it. Let us start to address the root cause of the problem – errors and insurance.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentlelady.

The Chair recognizes the gentleman from Delaware, Mr. Vitali.

Mr. VITALI. Thank you, Mr. Speaker.

Would the gentlelady from Montgomery County stand for brief interrogation?

The SPEAKER. The gentlelady indicates she will stand for interrogation. The gentleman, Mr. Vitali, is in order.

Mr. VITALI. Thank you, Mr. Speaker.

I fully support what the gentlelady is trying to do because I, too, have doctors in my district who are crying for relief, but when I hear the gentleman from Montgomery County talk about the merits of extending this for 3 years instead of 2 years, it seems to make even more sense, his arguments that it is more stabilizing, it is something that the doctors are calling for, the administration is calling for.

I am trying to get at the policy reasons why your amendment calls for 2 years instead of 3 years.

Ms. WEBER. Thank you, Mr. Speaker.

That was a choice made at the time of the drafting of the amendment without consideration of others but just the focus to extend it and the program and the funding and all the mechanisms that correctly needed to be in place and contained in the amendment for the 2 years.

Mr. VITALI. So in other words, you are saying it was a choice made perhaps not knowing what you are aware of today?

Ms. WEBER. Short answer, yes. Long answer is, when looking at the overall picture and all of the attempts that we have been making since 2002 and the sum of the short-term and

long-term solution attempts that we continue to address, as well as factoring in some of the economic improvements that could come down the road, 2 years is an appropriate period of time to evaluate now while we continue to work on issues that were addressed by my colleague from Chester County on the eventual need to focus elsewhere on Mcare as opposed to just abatement programs. So this brings us the 2-year window of time to check other economic factors that may come into place, other solutions that may also come into place over time that we continue to work on, and we can reevaluate it at that particular moment.

Mr. VITALI. Mr. Speaker, let me speak on the amendment, then I would like to make a motion.

The SPEAKER. The gentleman is in order.

Mr. VITALI. Mr. Speaker, again, I am fully supportive of helping doctors, but it seems to me that doctors need this stability. They need to know, living from year to year, they need to make long-term decisions about where they are going to practice and where their moneys come from. That is why I think that the Leach amendment makes a lot of sense. I do not think just because it happens to be right in front of us right now it has to be “yes” or “no.” It seems to me, we are in session tomorrow; we can do this tomorrow. We have the facilities to draft this. I know that Daylin Leach has something drafted to this, and if he does not have something precisely drafted, he certainly can make those adjustments.

MOTION TO POSTPONE

Mr. VITALI. So for the purpose of extending this 3 years, 3 years of assistance to doctors, 3 years of assistance to doctors instead of 2, I would move that we pass over this bill and amendment until tomorrow’s session at 11 o’clock for the purpose of redrafting this so we can extend our help to the doctors for 3 years instead of 2.

So I move to pass over this bill and amendment until tomorrow at 11.

The SPEAKER. The correct motion is to move to postpone the bill until tomorrow morning.

Mr. VITALI. Then I so move.

The SPEAKER. It is moved by the gentleman from Delaware that the bill be postponed until tomorrow morning.

On the question,

Will the House agree to the motion?

The SPEAKER. Mr. Smith.

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

Mr. Speaker, I would rise to oppose the motion to postpone.

Number one, this body just had an opportunity to do that a few minutes ago had they chosen to vote against the suspension of the rules. So it would appear to me that this motion is, one, wanting to have their cake and eat it, too, in that a simple majority does not suspend the rules, and it was an overwhelming vote with only a handful of members voting against the suspension of the rules. I think that vote clearly demonstrates that the will of this body is to take up the Weber amendment at this point in time.

I would also point out that while the individual, the member who is proposing that we postpone this, suggests that another amendment could be tinkered with and somehow it is better

but not accurate and could be tinkered with tomorrow is kind of contrary to the fact that we have a legitimate and accurately drafted amendment. The amendment that they are referring to in fact, as I mentioned in the previous comments on the rules suspension, does not address the two dates in the bill; it only addresses one. It does not achieve what it was said to achieve, and consequently, Mr. Speaker, I would ask the members to vote against this motion to postpone, to remain consistent with their vote to suspend the rules of just a few minutes ago.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. DeWeese.

Mr. DeWEESE. Thank you, Mr. Speaker.

The inexorable momentum of the chamber is certainly not with the gentleman from Delaware County. To quote a phrase of a younger generation, “It is what it is.” It is politics. Mr. Curry, Mr. Leach had amendments that, notwithstanding the comments of the esteemed leader of the majority, would have done essentially the same thing.

Why we are on such a pell-mell case to finish this proposal is beyond me. The State Senate is not in session. They cannot act upon it. There will be no resolution to this dynamic until many weeks from now. So why are we doing this? The quintessential nub is for the political advancement of the projector of this amendment. And I recognize the process and I accept the process. It is a matter of getting our clocks cleaned today or our clocks cleaned tomorrow – parliamentarily speaking – and notwithstanding the fact that this Vitali proposal has very little vitality – bad pun – I am going to vote with the gentleman, but I certainly do not anticipate we will get to first base.

The SPEAKER. The gentleman, Mr. Vitali.

Mr. VITALI. Thank you, Mr. Speaker.

And I thank the minority leader for voting with me, and I would hazard to guess, if there were 203 doctors in this room in southeastern Pennsylvania crying for relief, crying for more help in dealing with spiraling medical malpractice costs, they would also vote for this motion to postpone, because 3 years of relief is what they need. So if we can put this off for merely a day, if we can put this off for merely a day, we can give them an extra year’s worth of relief. I see no reason not to do that. If the majority leader sees any drafting problems, guess what? Our Legislative Reference Bureau can handle those drafting problems rather quickly.

So if this is about the merits, then let us just pause, let us just do this tomorrow, and let us have the Leach amendment be run so it can be extended for 3 years instead of 2. To vote for this motion to postpone is to vote for every doctor in your district crying for relief, giving that help. As we approach the election, do not be on the side of cutting the doctors short for the relief they need. Vote to postpone and vote to give them an extra 50 percent relief.

Thank you.

The SPEAKER. The Chair recognizes the gentleman, the majority leader, Mr. Smith.

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

I find the irony, Mr. Speaker, that the minority leader suggests that this is a political exercise while the proponent of this motion to postpone actually characterizes it in even a greater political posture. The simple fact is that we have had the Mcare abatement program in place for effectively 2 years. The purpose for going at it in 2 years in the initial run – and this was

a point of debate on this floor at that time – was that we wanted to provide relief but we did not want it to become a permanent medical provider welfare program. The fact is that by extending it for 2 years, we are seeking to find an appropriate time to provide the long-term security, predictability, if you are a medical professional making a decision about your practice in Pennsylvania, while also maintaining a fine balance between allowing us to come back over the course of the next 2-year session and work into the law other changes that will go at the root causes of the rising premiums.

So perhaps we could extend it for 8 or 10 years and then just keep throwing money at the problem and never work to resolve it, or we could go what I believe is the most appropriate timeframe, 2 years, and keep ourselves at work, at working on the root causes, while allowing the doctors to know that they have some longer term security in sight.

I would urge the members to vote against the motion to postpone and allow us to proceed to extend the Mcare abatement program for 2 years.

Thank you, Mr. Speaker.

The SPEAKER. The gentleman, Mr. Leach.

Mr. LEACH. The logical flaw, with all due respect, in the majority leader's argument is that, and I think if I know what people are talking about in terms of other solutions, we are talking about caps and that whole debate. The problem is, we cannot accomplish caps, under the best of circumstances, in 2 years. So if we are waiting for other forms of relief to come along, we should at least give Mcare relief enough time that we could physically accomplish the other forms of relief. But we have to pass caps in two separate sessions of the legislature and it has to go to a referendum, and then it has to go to a statute which is signed by the Governor. That is going to take at least, at the very least, 3 years. It may take longer, and if it takes longer, then maybe it will be appropriate to extend Mcare relief longer. But to say we should do it 2 years because that is an appropriate period of time does not make any sense, because we cannot do anything else in 2 years.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The majority leader, the gentleman, Mr. Smith.

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

I was enjoying the logic of someone who has opposed caps on noneconomic damages suggesting that we should extend this for a period of time that will at least allow us to enact caps. Quite honestly, at the rate that this overall legislative body is moving on that issue, given our fights of this current legislative session and the lack of support from the administration, I would suggest that if we were going to extend the Mcare abatement program until it is likely that caps are enacted, we may as well extend it for another 25 years, and that would maybe give us a chance to get it done.

Mr. Speaker, we need to vote against the motion to postpone and proceed to extend the Mcare abatement program for 2 years.

Thank you, Mr. Speaker.

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

Mr. DeWEESE. Thank you, Mr. Speaker.

The esteemed colleague from Jefferson County I think accidentally misspoke. Mr. Leach did join with him on several occasions and did vote against our caucus a couple of times with the doctors, with some caps, with the Payne bill. Mr. Leach agrees with almost everything you said, and he has already

spoken twice or I would allow him to say it; I did not want to have a fight with the Parliamentarian and the Speaker after such a lovely morning. But Mr. Leach has represented his doctors in southeastern Pennsylvania very aggressively, and I would like that to be on the record.

The SPEAKER. The Chair thanks the gentleman.

The gentleman, Mr. Smith.

Mr. S. SMITH. Mr. Speaker, if that is in fact the accurate record, I would certainly apologize for any misrepresentation. In the meantime, we will go verify it, though.

Seriously, Mr. Speaker, I would not want to misrepresent the gentleman's vote on that. If that is in fact the case, I do apologize.

The SPEAKER. The Chair thanks the gentleman.

Those in favor of postponing will vote "aye"; those opposed to postponing will vote "no."

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—67

Bebko-Jones	Eachus	Manderino	Staback
Belardi	Evans, D.	McGeehan	Stetler
Belfanti	Fabrizio	Melio	Sturla
Biancucci	Freeman	Mundy	Surra
Bishop	Gergely	Myers	Thomas
Butkovitz	Goodman	Petrarca	Travaglio
Buxton	Gruitza	Petrone	Veon
Caltagirone	Haluska	Pistella	Vitali
Cohen	Harhai	Preston	Walko
Costa	Horsey	Rieger	Wansacz
Curry	James	Roberts	Washington
Daley	Josephs	Roebuck	Waters
DeLuca	Keller	Rooney	Wheatley
Dermody	Kirkland	Ruffing	Williams
DeWeese	Laughlin	Sainato	Wojnaroski
Diven	Leach	Samuelson	Youngblood
Donatucci	Lederer	Santoni	

NAYS—129

Adolph	Fichter	Mackereth	Rubley
Allen	Fleagle	Maher	Sather
Argall	Flick	Maitland	Saylor
Armstrong	Forcier	Major	Scavello
Baker	Frankel	Mann	Schroder
Baldwin	Gabig	Markosek	Scrimenti
Bard	Gannon	Marsico	Semmel
Barrar	Geist	McCall	Smith, B.
Bastian	George	McGill	Smith, S. H.
Benninghoff	Gillespie	McIlhattan	Solobay
Birmelin	Gingrich	McIlhinney	Stairs
Blaum	Godshall	McNaughton	Steil
Boyd	Good	Metcalfe	Stern
Browne	Grucela	Millard	Stevenson, R.
Bunt	Habay	Miller, R.	Stevenson, T.
Cappelli	Hanna	Miller, S.	Tangretti
Casorio	Harhart	Mustio	Taylor, E. Z.
Causer	Harper	Nailor	Taylor, J.
Cawley	Harris	Nickol	Tigue
Civera	Hasay	O'Brien	True
Clymer	Hennessey	Oliver	Turzai
Coleman	Herman	O'Neill	Vance
Cornell, S. E.	Hershey	Pallone	Watson
Crahalla	Hess	Payne	Weber
Creighton	Hickernell	Petri	Wilt
Dailey	Hutchinson	Phillips	Wright
Dally	Kenney	Pickett	Yewcic

Denlinger	Killion	Raymond	Yudichak
DiGirolamo	Kotik	Readshaw	Zug
Egolf	Leh	Reed	
Evans, J.	Lescovitz	Reichley	
Fairchild	Levdansky	Rohrer	Perzel,
Feese	Lewis	Ross	Speaker

NOT VOTING—0

EXCUSED—6

Corrigan	LaGrotta	Micozzie	Shaner
Cruz	Lynch		

Less than the majority 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 amendment?

The following roll call was recorded:

YEAS—193

Adolph	Fairchild	Mackereth	Samuelson
Allen	Feese	Maher	Santoni
Argall	Fichter	Maitland	Sather
Armstrong	Fleagle	Major	Saylor
Baker	Flick	Manderino	Scavello
Baldwin	Forcier	Mann	Schroder
Bard	Frankel	Markosek	Scrimenti
Barrar	Freeman	Marsico	Semmel
Bastian	Gabig	McCall	Smith, B.
Bebko-Jones	Gannon	McGeehan	Smith, S. H.
Belardi	Geist	McGill	Solobay
Belfanti	George	McIlhattan	Staback
Benninghoff	Gergely	McIlhinney	Stairs
Bianucci	Gillespie	McNaughton	Steil
Birmelin	Gingrich	Melio	Stern
Bishop	Godshall	Metcalfe	Stetler
Blaum	Good	Millard	Stevenson, R.
Boyd	Goodman	Miller, R.	Stevenson, T.
Browne	Grucela	Miller, S.	Sturla
Bunt	Gruitza	Mundy	Surra
Butkovitz	Habay	Mustio	Tangretti
Buxton	Haluska	Myers	Taylor, E. Z.
Caltagirone	Hanna	Nailor	Taylor, J.
Cappelli	Harhai	Nickol	Thomas
Casorio	Harhart	O'Brien	Tigue
Causar	Harper	Oliver	Travaglio
Cawley	Harris	O'Neill	True
Civera	Hasay	Pallone	Turzai
Clymer	Hennessey	Payne	Vance
Cohen	Herman	Petrarca	Vitali
Coleman	Hershey	Petri	Walko
Cornell, S. E.	Hess	Petrone	Wansacz
Costa	Hickernell	Phillips	Washington
Crahalla	Horsy	Pickett	Waters
Creighton	Hutchinson	Pistella	Watson
Curry	James	Preston	Weber
Dailey	Josephs	Raymond	Wheatley
Daley	Keller	Readshaw	Williams
Dally	Kenney	Reed	Wilt
DeLuca	Killion	Reichley	Wojnaroski
Denlinger	Kirkland	Rieger	Wright
Dermody	Kotik	Roberts	Yewcic
DiGirolamo	Laughlin	Roebuck	Youngblood
Diven	Leach	Rohrer	Yudichak
Donatucci	Lederer	Rooney	Zug
Egolf	Leh	Ross	
Evans, D.	Lescovitz	Rubley	

Evans, J.	Levdansky	Ruffing	Perzel,
Fabrizio	Lewis	Sainato	Speaker

NAYS—2

DeWeese	Veon
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NOT VOTING—1

Eachus

EXCUSED—6

Corrigan	LaGrotta	Micozzie	Shaner
Cruz	Lynch		

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 third consideration as amended?
Bill as amended 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?

The gentleman, Mr. Veon.
Mr. VEON. Thank you, Mr. Speaker.
Mr. Speaker, I rise to oppose this bill on final passage, and I rise to oppose it because of the amendment that we just inserted into this bill. And I understand that by the margin of passage of the Weber amendment, that on this vote I am a voice in the wilderness. But, Mr. Speaker, I feel compelled to be against this bill and to make some points that I am very much convinced will come back to haunt this legislature and haunt this State government.

Mr. Speaker, with the passage of this amendment and on final passage of this bill, we are in the process of transferring \$1 billion – \$1 billion – of taxpayers' money from the taxpayers of Pennsylvania to the doctors of Pennsylvania. And, Mr. Speaker, I do not say this with any animosity towards doctors at all. It is not meant to be punitive towards doctors at all. In fact, I have some admiration for any group of Pennsylvanians that can convince the State legislature to transfer public dollars, a billion dollars of public money, into their pocket. I say that with tremendous admiration; anybody that can pull that off ought to be complimented at some level. But the fact is, Mr. Speaker, it really does trouble me, and I do not rise here lightly on this issue. I know that we have been debating and working this issue for a long time and I know that there are Democrats and Republicans who feel strongly in opposition to my position, but the fact is, Mr. Speaker, that billion dollars, in my opinion, could be better invested in the 1.2 million people we have with no health insurance in Pennsylvania. A billion dollars for doctors; zero for the 90,000 people on the waiting list for health insurance in this State. Seventy percent of the people with no health insurance in Pennsylvania work for a living, earn money, are trying to get ahead, and we are giving a billion dollars in this bill over the

course of 5 years to the doctors in Pennsylvania. That troubles me.

Mr. Speaker, it troubles me that when we give this billion dollars in this bill on final passage to doctors, that we have no income criteria whatsoever. So if you are a doctor somewhere in southeastern Pennsylvania making a million dollars a year, we are going to send you a check for \$50,000 from the public treasury. Regardless of your income, you get money from the public with passage of this bill. Mr. Speaker, that troubles me, because I have thousands of people in my district who do not have any health insurance. I have USAir workers who are laid off now, because USAir is bankrupt, who have no health insurance. And I had an amendment to this bill that was shut out. The gentelady from Montgomery offered her amendment, and I had an amendment to this bill that I cannot offer here today, that would take some of this money, instead of going to doctors, and giving it to people in southwestern Pennsylvania, southeastern Pennsylvania, all across Pennsylvania who do not have any health insurance. That waiting list is 90,000 people long right now, and yet we find it here today, we find the ability to transfer a billion dollars from the public treasury to the doctors in this State.

Mr. Speaker, it troubles me that in this amendment and final passage on this bill that there are virtually no strings attached to the money that we are giving the doctors. For example, I had an amendment here that was shut out, that I am not allowed to offer here today, that would force every doctor who collects \$1 of public money in this abatement, every single doctor would have to sign a statement that they will treat Medicaid patients in the State of Pennsylvania. We have doctors today who will receive this money, who are receiving public dollars, who do not have to. They do not have to. In fact, they do not. They do not want to treat Medicaid patients in the State of Pennsylvania. So you have people on Medicaid who have to travel farther, travel longer, or in some cases just do not have access to a doctor because in their area the doctor does not have to treat a Medicaid patient. So I had an amendment that was shut out here to say that at the very least in Pennsylvania, if we are going to give public money to doctors, at the very least we ought to have some strings attached to that money so that there is some greater public purpose when we provide such significant public money.

Mr. Speaker, for those reasons and many others, but most importantly because in my judgment there would be a better way to invest a billion dollars of public money than to simply give it to every doctor in the State regardless of need, regardless of income, regardless of a problem that they have – this is not well done; this is not well thought out, Mr. Speaker – I am going to vote against it, despite being a voice in the wilderness.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Bucks, Mr. Clymer.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, very briefly, we consider life to be very precious not only in Pennsylvania but across America, and if we do not have the specialists, those highly skilled doctors to take care of our patients, to reflect on what the other speaker had said, you know, we need these doctors, and the Mcare fund is critical for them staying here in Pennsylvania. And to dovetail right into that issue is the trauma centers. Again, if we do not have the neurosurgeons and the highly specialist positions that

are needed, what good are the trauma centers in which this Commonwealth has invested millions of taxpayers' dollars? And, Mr. Speaker, if we do not have these highly specialist positions, I foresee the day when we will have health-care rationing, health-care rationing here in Pennsylvania, because we are struggling even as we speak today of doctors, those who have finished their graduate school, coming into Pennsylvania because of the high medical liability costs. So we need to do this bill.

And then also, Mr. Speaker, the clinics run because of the doctors that we have in Pennsylvania providing service for thousands of our citizens, and this is an important issue as well.

Mr. Speaker, I wanted to be brief, but I wanted to bring these issues to the attention of the members of the General Assembly and ask support of this legislation as amended.

Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentelady from Montgomery, Ms. Weber.

Ms. WEBER. Thank you, Mr. Speaker.

Mr. Speaker, 3 weeks after being sworn in as a State Representative in January of 2003, I stood in the rotunda surrounded by my Republican colleagues to urge our Governor to declare a state of emergency as it relates to health care in Pennsylvania, because we were in jeopardy of not having access to quality and affordable health care. Shortly after that I joined with Representative Turzai in sponsoring legislation to advance the question of caps on noneconomic damages for medical liability cases as well as general liability cases. We then spent much of the summer exploring, much of the summer of 2003, listening to various health-care professionals and patients and family members about the costs and the crisis that we are faced here in Pennsylvania with doctors leaving the Commonwealth. I have continued that into 2004, both through the Republican majority Policy Committee, spending several months focusing on many different solutions, both short term and long term, for health care and the cost of health care, and also on maintaining and keeping the doctors here in Pennsylvania.

I am not going to stop advocating for legislation to keep our doctors here in Pennsylvania, because it works against the motives of members in the Democratic minority party, their leaders. It is unfortunate and extreme at best to say that they want to suggest that the motives here are anything less than keeping our doctors here in Pennsylvania. I have begun my time doing that, and I will continue to work for all of Pennsylvania to keep our doctors here, and that is why I would encourage all the members of this House to vote "yes" on final passage, so that we may give the Mcare abatement and extend that to our doctors for an additional 2 years while we work together to find additional solutions both in the short term and in the long term. And in that 2 years' time, perhaps we will have again the opportunity to revisit a motion on an emergency declaration so that we may bypass the need to have this legislation passed in two consecutive sessions before it may get to the voters. Perhaps we may have that question put to the voters much earlier than 4 years from now.

But today's point is the Mcare abatement, and I would urge all of the members of this House to join with me in voting "yes" on final passage, because it is the right thing to do for Pennsylvania and all the residents of Pennsylvania.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentledady.

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—192

Adolph	Fabrizio	Lewis	Samuelson
Allen	Fairchild	Mackereth	Santoni
Argall	Feese	Maitland	Sather
Armstrong	Fichter	Major	Saylor
Baker	Fleagle	McCall	Scavello
Baldwin	Flick	Mann	Schroder
Bard	Forcier	Markosek	Scrimenti
Barrar	Frankel	Marsico	Semmel
Bastian	Freeman	McCall	Smith, B.
Bebko-Jones	Gabig	McGeehan	Smith, S. H.
Belardi	Gannon	McGill	Solobay
Belfanti	Geist	McIlhattan	Staback
Benninghoff	George	McIlhinney	Stairs
Biancucci	Gergely	McNaughton	Steil
Birmelin	Gillespie	Melio	Stern
Bishop	Gingrich	Metcalfe	Stetler
Blaum	Godshall	Millard	Stevenson, R.
Boyd	Good	Miller, R.	Stevenson, T.
Browne	Goodman	Miller, S.	Sturla
Bunt	Grucela	Mundy	Surra
Butkovitz	Gruitza	Mustio	Tangretti
Buxton	Habay	Myers	Taylor, E. Z.
Caltagirone	Haluska	Nailor	Taylor, J.
Cappelli	Hanna	Nickol	Thomas
Casorio	Harhai	O'Brien	Tigue
Causar	Harhart	Oliver	Travaglio
Cawley	Harper	O'Neill	True
Civera	Harris	Pallone	Turzai
Clymer	Hasay	Payne	Vance
Cohen	Hennessey	Petrarca	Vitali
Coleman	Herman	Petri	Walko
Cornell, S. E.	Hershey	Petrone	Wansacz
Costa	Hess	Phillips	Washington
Crahalla	Hickernell	Pickett	Waters
Creighton	Horsley	Pistella	Watson
Curry	Hutchinson	Preston	Weber
Dailey	James	Raymond	Wheatley
Daley	Josephs	Readshaw	Williams
Dally	Keller	Reed	Wilt
DeLuca	Kenney	Reichley	Wojnaroski
Denlinger	Killion	Rieger	Wright
Dermody	Kirkland	Roberts	Yewcic
DiGirolamo	Kotik	Roebuck	Youngblood
Diven	Laughlin	Rohrer	Yudichak
Donatucci	Leach	Rooney	Zug
Eachus	Lederer	Ross	
Egolf	Leh	Rubley	
Evans, D.	Lescovitz	Sainato	Perzel,
Evans, J.	Levdansky		Speaker

NAYS—4

DeWeese	Maher	Ruffing	Veon
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NOT VOTING—0

EXCUSED—6

Corrigan	LaGrotta	Micozzie	Shaner
Cruz	Lynch		

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 purpose does the gentleman, Mr. Eachus, rise?

Mr. EACHUS. Mr. Speaker, I would like to quickly correct the record, please, sir.

The SPEAKER. The gentleman is in order.

Mr. EACHUS. At the moment of the final passage of amendment A4044, I was in the back of the House with two constituents who are visiting today and my vote was not registered, sir. I would like to be registered in the affirmative.

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

There will be no further votes.

REPUBLICAN CAUCUS

The SPEAKER. The Chair recognizes the gentledady from Chester, Mrs. Taylor.

Mrs. TAYLOR. Mr. Speaker, I would like to announce the Republican Caucus will meet tomorrow at 10 o'clock in the Republican majority room.

Thank you.

The SPEAKER. The Chair thanks the gentledady.

We are in voting session tomorrow, just for the information of the members.

DEMOCRATIC CAUCUS

The SPEAKER. Does Mr. Cohen wish recognition? The Chair recognizes the gentleman, Mr. Cohen.

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, there are some bills that will come up on Wednesday that we will be notified of shortly that we have not caucused on. So therefore, we will have a caucus tomorrow morning at 10:30 a.m.; 10:30 a.m., Democratic caucus, tomorrow.

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 the gentleman from Beaver, Mr. Biancucci.

Mr. BIANCUCCI. Mr. Speaker, I move that this House do now adjourn until Wednesday, October 20, 2004, 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 4:29 p.m., e.d.t., the House adjourned.