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SESSION OF 2006

190TH OF THE GENERAL ASSEMBLY

No. 68

HOUSE OF REPRESENTATIVES

The House convened at 1:15 p.m., e.s.t.

THE SPEAKER (JOHN M. PERZEL) PRESIDING

PRAYER

RABBI SOLOMON ISAACSON, Guest Chaplain of the House of Representatives, offered the following prayer:

Good afternoon, ladies and gentlemen.

We are dealing now with the time of hospitality and being very cordial and friendly before the holidays, with the holiday spirit. They tell a story of a gentleman who arrived in the city of New York and did not know his way around, and he met this total stranger on the street, and the stranger was as nice as could be; showed him, advised him, told him where to go, what to do, how much to buy, and how to save, and as he was speaking, his coat flew open and the gentleman could not help but see that inside his jacket was an emblem that said church of Satan. And the gentleman keeps helping him, is very nice, very friendly, very cordial, and he could not hold himself back, and he finally approached the gentleman, and he said to him, I hope you do not mind, but I could not help but notice you belong to the church of Satan. He says, yes, I do. He says, you know, you have been so nice. Normally people from the church of Satan are not so nice. They are very arrogant, very disrespectful; the least of all, they are not helpful at all. He says, yeah, but I am not that religious.

I thought it was funny when I heard it, I am just saying. You know, it is a religious joke, you know.

(Prayer in Hebrew.)

May He who blessed our forefathers, Abraham, Isaac, and Jacob, may He bless the fighters of the United States of America – the Army, the Navy, the Marines, and the Air Force – who stand guard over our land and the cities of our God, wherever they may be. May Hashem, the Almighty, cause the enemies who rise up against us to be struck down before them. May the Holy One, blessed be He, preserve and rescue our fighting men from every trouble and distress and from every plague and illness, and may He send blessing and success in their every endeavor. May He lead our enemies under their sway; may He adorn them with the crown of salvation and with the diadem of triumph; and may there be fulfilled for them the verse, for it is Hashem, our God, who goes with you to battle your enemies for you to save you, and let us say amen.

(Prayer in Hebrew.)

May He who grants salvation to kings and dominion to rulers, whose kingdom is a kingdom spanning all eternities; who releases David, His servant, from the evil sword; who places a road in the sea and a path in the mighty waters, may He bless, safeguard, preserve, help, exalt, make great, extol, and raise high our beloved President, Vice President, Governor, Speaker of the House, and all the other officials in this room with us and all those that serve these officials in this room.

May the King of kings, who reigns over kings, in His mercy, may He sustain them and protect them from every trouble, woe, and injury; may He rescue them; may He gather peoples under their sway and cause their enemies to fall before them. Wherever they turn, may they succeed.

The King who reigns over kings, in His mercy, may He put into their heart and into the heart of all their counselors and officials compassion to do good with us and all the people of our great Commonwealth of Pennsylvania.

In their days and in ours, may the Redeemer come quickly, so may it be His will. Now let us say amen.

Thank you and God bless.

STATEMENT BY RABBI ISAACSON

RABBI ISAACSON. I want to just take the opportunity, since you are not in session in December, because I guess all of you are taking off because of Hanukkah, to wish all of you a happy Hanukkah and a happy merry Christmas to all of you. May God watch over you and may He grant you, and as you approach the new year – I know about us –and the holiday of Rosh Hashanah, our new year, we look back and try to make new commitments to God to better ourselves.

I hope that God will answer all of your prayers and that may the new year, coming year, 2007, bring all of you much health, happiness, joy, and success, and may you all only know from good times, and if you need any help, do not forget to call the Rabbi.

Thank you.

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 Wednesday, November 15, 2006, will be postponed until printed.

**HOUSE BILLS
INTRODUCED AND REFERRED**

No. 3082 By Representatives MACKERETH, BAKER, CAPPELLI, CRAHALLA, GEIST, GOODMAN, HARHART, HARPER, MANN, MICOZZIE, NAILOR, O'NEILL, PHILLIPS, SONNEY, R. STEVENSON, TANGRETTI, TIGUE, WILT, WOJNAROSKI and PYLE

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

Referred to Committee on JUDICIARY, November 16, 2006.

No. 3083 By Representatives MILLARD, CALTAGIRONE, HARPER, HENNESSEY, McILHATTAN, STERN, TIGUE and YOUNGBLOOD

An Act amending the act of July 2, 1993 (P.L.345, No.48), entitled "An act empowering the General Counsel or his designee to issue subpoenas for certain licensing board activities; providing for hearing examiners in the Bureau of Professional and Occupational Affairs; providing additional powers to the Commissioner of Professional and Occupational Affairs; and further providing for civil penalties and license suspension," providing for duty of licensees, registrants, certificate holders and permit holders.

Referred to Committee on PROFESSIONAL LICENSURE, November 16, 2006.

No. 3084 By Representatives DALLY, BENNINGHOFF, CALTAGIRONE, CAWLEY, FAIRCHILD, FLEAGLE, GOOD, GRUCELA, HARHART, HARPER, HENNESSEY, KILLION, KOTIK, McILHINNEY, O'NEILL, PICKETT, RAPP, REICHLEY, SAMUELSON, B. SMITH, SOLOBAY, SONNEY, STERN, E. Z. TAYLOR, YOUNGBLOOD and YUDICHAK

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, further providing for exclusions from sales and use tax.

Referred to Committee on FINANCE, November 16, 2006.

No. 3085 By Representative CLYMER

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, mandating ignition interlock systems.

Referred to Committee on TRANSPORTATION, November 20, 2006.

**HOUSE RESOLUTIONS
INTRODUCED AND REFERRED**

No. 921 By Representative HUTCHINSON

A Resolution fixing the day and time to adjourn the 2005-2006 session of the House of Representatives sine die.

Referred to Committee on RULES, November 16, 2006.

No. 923 By Representatives PETRONE, KOTIK, CLYMER, FLEAGLE, HARHAI, HERSHEY, KAUFFMAN, PETRARCA, ROBERTS, GOODMAN, SIPTROTH, E. Z. TAYLOR, TRUE, WALKO, WATERS, WOJNAROSKI, YUDICHAK, BEYER, GRUCELA, SAMUELSON, CREIGHTON, FABRIZIO, SONNEY, REICHLEY, CORRIGAN and READSHAW

A Resolution urging the Pennsylvania Liquor Control Board to close its stores on December 24 and December 31, 2006.

Referred to Committee on LIQUOR CONTROL, November 20, 2006.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

SB 198, PN 787

An Act prohibiting a deceptive business practice in the floral industry; and providing for a private cause of action.

SB 513, PN 1717

An Act amending the act of May 1, 1933 (P.L.103, No.69), known as The Second Class Township Code, removing references to elected assessors.

SB 845, PN 2100

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, providing for court-appointed child custody health care or behavioral health practitioners.

SB 922, PN 2046

An Act amending the act of December 15, 1988 (P.L.1235, No.151), known as the Children's Trust Fund Act, further providing for the Children's Trust Fund Board, for powers and duties of the board and for powers and duties of the Department of Public Welfare.

SB 1095, PN 2113

An Act amending the act of July 5, 1984 (P.L.587, No.119), known as the Rail Freight Preservation and Improvement Act, further providing for definitions and for program authority.

SB 1218, PN 1945

An Act amending the act of December 17, 1968 (P.L.1224, No.387), known as the Unfair Trade Practices and Consumer Protection Law, defining "internet service provider."

SB 1331, PN 2166

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, further providing for exclusions from sales and use tax.

Whereupon, the Speaker, in the presence of the House, signed the same.

BILL REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader.

Mr. S. SMITH. Mr. Speaker, I move the following bill be taken from the table: SB 1263.

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

BILL ON SECOND CONSIDERATION

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

SB 1263, PN 1932.**BILL RECOMMITTED**

The SPEAKER. The Chair recognizes the majority leader.

Mr. S. SMITH. Mr. Speaker, I move the following bill be recommitted to the Committee on Appropriations: SB 1263.

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

**COMMUNICATION FROM
AUDITOR GENERAL**

The SPEAKER. The Speaker acknowledges receipt of the Capital Facilities Debt Enabling Act submitted pursuant to Article VIII of the Constitution and section 304 of the Capital Facilities Debt Enabling Act, Act 1 of 1999.

(Copy of communication is on file with the Journal clerk.)

GUESTS INTRODUCED

The SPEAKER. The Chair would like to welcome some special guests of Representative John Evans. We would like to welcome Steve and Rita Marwood of Linesville, PA. They are the guests, again, of Representative Evans and are seated to the left of the Speaker. Rita serves in the capacity of district justice in Crawford County. Would those guests please rise and be recognized.

The Chair would like to welcome to the hall of the House as a guest, the guest of Representative Mauree Gingrich, Joseph Firoozmand. He is seated to the left of the Speaker. He also has his mother, Margaret. Joseph is a junior in high school and is currently being homeschooled. He is also

currently an intern in the district office of the Representative. Would those guests please rise and be recognized.

LEAVES OF ABSENCE

The SPEAKER. The Chair turns to leaves of absence.

The Chair recognizes the majority whip, who moves for a leave of absence for the gentleman from Chester, Mr. HERSHEY, for the week; the gentelady, Mrs. E. Z. TAYLOR, for the day; and the gentleman from Erie, Mr. GOOD, for the day. Without objection, those leaves will be granted.

The Chair recognizes the minority whip, who moves for a leave of absence for the gentleman from Philadelphia for the day, Mr. CRUZ; the gentleman, Mr. RIEGER, for the day; the gentleman from Westmoreland, Mr. PALLONE, for the day; the gentleman from Lackawanna, Mr. STABACK, for the day; and the gentelady from Philadelphia, Ms. YOUNGBLOOD, for the day. Without objection, those leaves will be granted.

MASTER ROLL CALL

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

The following roll call was recorded:

PRESENT—194

Adolph	Fairchild	Mackereth	Ross
Allen	Feese	Maher	Rubley
Argall	Fichter	Maitland	Ruffing
Armstrong	Flaherty	Major	Sabatina
Baker	Fleagle	Manderino	Sainato
Baldwin	Flick	Mann	Samuelson
Barrar	Forcier	Markosek	Santoni
Bastian	Frankel	Marsico	Sather
Bebko-Jones	Freeman	McCall	Saylor
Belardi	Gabig	McGeehan	Scavello
Belfanti	Gannon	McGill	Schroder
Benninghoff	Geist	McIlhattan	Semmel
Beyer	George	McIlhinney	Shaner
Biancucci	Gerber	McNaughton	Shapiro
Birmelin	Gergely	Melio	Siptroth
Bishop	Gillespie	Metcalfe	Smith, B.
Blackwell	Gingrich	Micozzie	Smith, S.
Blaum	Godshall	Millard	Solobay
Boyd	Goodman	Miller, R.	Sonney
Bunt	Grell	Miller, S.	Stairs
Buxton	Grucela	Mundy	Steil
Caltagirone	Gruitza	Mustio	Stern
Cappelli	Haluska	Myers	Stevenson, R.
Casorio	Hanna	Nailor	Stevenson, T.
Causer	Harhai	Nickol	Sturla
Cawley	Harhart	O'Brien	Surra
Civera	Harper	O'Neill	Tangretti
Clymer	Harris	Oliver	Taylor, J.
Cohen	Hasay	Parker	Thomas
Cornell	Hennessey	Payne	Tigue
Corrigan	Herman	Petrarca	True
Costa	Hess	Petri	Turzai
Crahalla	Hickernell	Petrone	Veon
Creighton	Hutchinson	Phillips	Vitali
Curry	James	Pickett	Walko
Daley	Josephs	Pistella	Wansacz
Dally	Kauffman	Preston	Waters
DeLuca	Keller, M.	Pyle	Watson
Derlinger	Keller, W.	Quigley	Wheatley
Dermody	Kenney	Ramaley	Williams

DeWeese	Killion	Rapp	Wilt
DiGirolamo	Kirkland	Raymond	Wojnaroski
Diven	Kotik	Readshaw	Wright
Donatucci	LaGrotta	Reed	Yewcic
Eachus	Leach	Reichley	Yudichak
Ellis	Lederer	Roberts	Zug
Evans, D.	Leh	Roebuck	
Evans, J.	Lescovitz	Rohrer	Perzel,
Fabrizio	Levdansky	Rooney	Speaker

ADDITIONS—1

Ruffing

NOT VOTING—0

EXCUSED—8

Cruz	Hershey	Rieger	Taylor, E.Z.
Good	Pallone	Staback	Youngblood

LEAVES ADDED—5

Adolph	Donatucci	LaGrotta	Rohrer
Armstrong			

LEAVES CANCELED—2

Good	Pallone
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HARRISBURG LEGISLATIVE LEAVE

The SPEAKER. The Chair recognizes the gentleman from Northampton, Mr. Grucela.

Mr. GRUCELA. Thank you, Mr. Speaker.

Mr. Speaker, request a Capitol leave for the gentleman from Allegheny, Mr. WHEATLEY.

The SPEAKER. The Chair thanks the gentleman. Without objection, the Capitol leave will be granted.

Mr. GRUCELA. Thank you, Mr. Speaker.

CALENDAR**RESOLUTION PURSUANT TO RULE 35**

Mrs. RUBLEY called up **HR 918, PN 4925**, entitled:

A Resolution designating the month of January 2007 as "Radon Action Month" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—192

Adolph	Fairchild	Maher	Ross
Allen	Feese	Maitland	Rubley
Argall	Fichter	Major	Sabatina
Armstrong	Flaherty	Manderino	Sainato
Baker	Fleagle	Mann	Samuelson
Baldwin	Flick	Markosek	Santoni
Barrar	Forcier	Marsico	Sather
Bastian	Frankel	McCall	Saylor
Bebko-Jones	Freeman	McGeehan	Scavello
Belardi	Gabig	McGill	Schroder

Belfanti	Gannon	McIlhattan	Semmel
Benninghoff	Geist	McIlhinney	Shaner
Beyer	George	McNaughton	Shapiro
Biancucci	Gerber	Melio	Siptrouth
Birmelin	Gergely	Metcalfe	Smith, B.
Bishop	Gillespie	Micozzie	Smith, S.
Blackwell	Gingrich	Millard	Solobay
Blaum	Godshall	Miller, R.	Sonney
Boyd	Goodman	Miller, S.	Stairs
Bunt	Grell	Mundy	Steil
Buxton	Grucela	Mustio	Stern
Caltagirone	Gruitza	Myers	Stevenson, R.
Cappelli	Haluska	Nailor	Stevenson, T.
Casorio	Hanna	Nickol	Sturla
Causer	Harhai	O'Brien	Surra
Cawley	Harhart	O'Neill	Tangretti
Civera	Harper	Oliver	Taylor, J.
Clymer	Harris	Parker	Thomas
Cohen	Hasay	Payne	Tigue
Cornell	Hennessey	Petrarca	True
Corrigan	Herman	Petri	Turzai
Costa	Hess	Petrone	Veon
Crahalla	Hickernell	Phillips	Vitali
Creighton	Hutchinson	Pickett	Walko
Curry	Josephs	Pistella	Wansacz
Daley	Kauffman	Preston	Waters
Dally	Keller, M.	Pyle	Watson
DeLuca	Keller, W.	Quigley	Wheatley
Denlinger	Kenney	Ramaley	Williams
Dermody	Killion	Rapp	Wilt
DeWeese	Kirkland	Raymond	Wojnaroski
DiGirolamo	Kotik	Readshaw	Wright
Diven	LaGrotta	Reed	Yewcic
Donatucci	Leach	Reichley	Yudichak
Eachus	Lederer	Roberts	Zug
Ellis	Leh	Roebuck	
Evans, D.	Lescovitz	Rohrer	Perzel,
Evans, J.	Levdansky	Rooney	Speaker
Fabrizio	Mackereth		

NAYS—0

NOT VOTING—2

James	Ruffing
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EXCUSED—8

Cruz	Hershey	Rieger	Taylor, E.Z.
Good	Pallone	Staback	Youngblood

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

REMARKS SUBMITTED FOR THE RECORD

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

FAREWELL ADDRESS
BY MR. ZUG

Fourteen years ago as a young man recently married, I was elected to my first term in the PA House of Representatives. Now, years later I am leaving this beloved institution. In many ways I have grown up in the chamber. Susan and I are now the proud parents of two great children, Sarah and Benjamin. I now have gray running through my hair, and of course, my middle is slightly larger.

I need to thank my family for first helping me get elected and then tolerating me and my schedule over these past 14 years. First to my wife, Susan, who is without a doubt the better half of my marriage. She has stood by me in good and difficult times. My parents, John and Sally Ann, who worked hard on that first campaign. I did not realize until I went door-to-door how many people knew and respected my parents. My father passed away several years ago, but I know he still looks after me. My brother, Joel, who helped even though he never liked the world of politics. And finally, my children, Sarah and Benjamin, for putting up with a father who needed to be at a ribbon cutting instead of a soccer game.

After 14 years we had many accomplishments. I say we because I would not have any without you. My first House bill was passed during my first term as a member of the minority party and with a Democrat Governor. It helped our National Guard at Fort Indiantown Gap, which is in my district, as so many of my legislative achievements were focused on. Legislation to create "Operation Recognition," which provides high school diplomas to World War II and Korean War veterans, has provided special graduation programs across our Commonwealth uniting two generations.

I was fortunate to have a number of bills and amendments passed during my tenure. I served under four Governors and had legislation signed into law by each of those four Governors – Casey, Ridge, Schweiker, and Rendell; two Republicans and two Democrats. My last legislative success was an environment education bill which provides grants to schools to provide our students with firsthand environment training.

We also were able to bring back money for the 102d District. We were able to complete the veterans memorial at our national cemetery with one of my capital budget amendments, restore the Union Canal and the Isaac Meier House, rebuild the Monroe Valley Chapel, assist community libraries, and improve many playgrounds throughout Lebanon County.

My most memorable project was at the suggestion of my wife, Susan. After a library board meeting she attended, she sought help to preserve our General Assembly library collection of rare books. These are the books Ben Franklin purchased and brought from England to use as reference material when our forefathers wrote our country and our Commonwealth's Constitution. This project is an ongoing project and will be important for generations to come.

I wish you all well in the future. For the returning members, please remember the great privilege our citizens have entrusted to you. For the retiring members, Godspeed.

STATEMENT BY MR. GRELL

The SPEAKER. The Chair recognizes Representative Grell for the purpose of an announcement.

Mr. GRELL. Thank you, Mr. Speaker.

Mr. Speaker, over the past several weeks, I have been engaged in e-mail correspondence with one of my constituents, Csm. Robert Zglenski.

The SPEAKER. One second, Mr. Grell.

The gentleman is entitled to be heard. Please break the conferences up in the aisles to the left of the Speaker along the wall; to the right of the Speaker along the wall.

Mr. GRELL. Thank you, Mr. Speaker.

Over the past several weeks, I have been engaged in e-mail correspondence with one of my constituents, Csm. Robert Zglenski, currently stationed in Iraq. In his most recent correspondence, he mentioned that one of the men in his unit is a member of the Missouri House of Representatives and that he was recently sent home to recuperate from a war-related

injury. Upon further investigation, Mr. Speaker, we discovered that since April of this year, Missouri State Representative Jason Brown, a fellow legislator from Platte City, Missouri, has been serving as a staff sergeant for a civil affairs unit of the United States Army Reserve stationed in Iraq.

On October 5 Staff Sergeant Brown was shot by a sniper's bullet while on patrol near Baghdad. The bullet bypassed his body armor and pierced his lung. Fortunately for the 36-year-old, the wound was not fatal, and he is now resting at his home with his wife and two daughters. Brown was granted a 30-day leave from the Army, but he plans to return to Iraq to finish his tour of duty. I note parenthetically that despite his ordeal, Staff Sergeant Brown was successful in his reelection bid for the Missouri House of Representatives.

Mr. Speaker, I rise today to pay tribute to this fine American. It is truly inspiring to see someone of his stature and position answer the call of duty and fight for his country. Jason Brown understands the importance of democracy and a free nation. He understands that sometimes you have to fight for what you believe, whether it is in the halls of your State Capitol or in a desert halfway across the globe.

You will notice I have placed a card in the back of the House chamber for each of you to write well-wishes to Jason Brown. I will be sending this card to S. Sgt. Jason Brown tomorrow as a thank-you in honor of his bravery and his service to the State of Missouri and to this country. We wish him a full and speedy recovery.

And now I ask each of you to stand with me to honor this true public servant and an outstanding American, Jason Brown.

Thank you, Mr. Speaker.

FAREWELL ADDRESS BY MR. McNAUGHTON

The SPEAKER. The Chair at this time would like to recognize Representative Mark McNaughton.

Mr. McNAUGHTON. Good afternoon. Thank you, Mr. Speaker and fellow members, for your patience and attentiveness.

I stand here today as much in awe of this great hall and the sea of members before me as much as I did the first time I stepped into the hall as an elected member a mere 10 years ago. Little did I realize how much this House, the members, staff, and those involved in all aspects of government would shape who I am today.

I came here at the age of 33 with a zeal to do the right thing for the constituents of my legislative district, to champion the causes of the Republican Party. I was going to change the world, or so I thought, and little did I know that change in the Commonwealth is a slow process.

I was sworn in in January of 1997 and began my first term with all the energy and zeal of any new member. As session continued, I began to settle in as a Representative, balancing the 7 a.m. meetings with the 7 p.m. meetings and all the hours in between. I shared the same hours of drudgery as you during those long budget nights, sine die sessions, and the occasional we-need-to-get-things-done nights.

I will forever remember the rough-and-tumble debate with my good friend, Bill DeWeese; fighting with my friends, Kate Harper, now Senator Chuck McIlhinney, and Dan Surra, to name a few, only to sit down with them after session to share a few laughs, a cigar, or the occasional adult beverage. Nor will I forget the weekly basketball sessions with the likes of the grappler, Mike Veon; the wrestler, Todd Eachus; the ever nimble and fleet-a-foot, Mike Sturla; the calming, steady play of Paul Costa; and the man of the three patented moves, hack, hack, and hack, Jim Wansacz. Needless to say, on the basketball court the members of the General Assembly amassed a huge win-loss record versus staff. In fact, it was so bad, the beatings we dished out every Tuesday, that they began to bring in taller, faster, and more skilled players. Similarly, I recall another outcome of a basketball match between the old man Rocco Pugliese and myself versus the young guardians of the Speaker's office and the majority leader's office. That outcome also went in favor of the more experienced team.

Oh, you mean Tony Aliano and Brian Preski?

As I look around this hall and see the faces of the current members and the wealth of knowledge, dedication, and drive that you bring to this job, not to mention your sense of humor, your compassion, and your drive to do the right thing, I know when I leave this Capitol for the last time, I will be able to sleep well at night knowing those of you who remain will keep watch over me and my family.

I leave here having discovered four things about myself. First is that God works in mysterious ways. Little did I know that my staff was placed into my life to help me through personal tragedies, and I in turn was placed into theirs to help them through theirs. I lost my 4-year-old son, Christian, the summer of my first term. Little did I know that my staff, Kathy Pacella, Jackie Trently, and Kim Chrysler, and my former staff, Linda Chubb and Melissa Weida, would one day need my support and understanding to get through their personal tragedies. A short 2 years later, Kathy lost her 18-year-old son, Ryan, to cancer. A few years later Melissa lost her mother and father, and this year I lost my mother and Jackie lost her husband to cancer. I am still in wonder as to how God brought us together knowing we would need each other's support and understanding over such a short 10-year period. The second, third, and fourth thing I learned about myself is that I do not say thank you, I love you, and I am sorry nearly enough.

In that regard, I would like to thank the Sergeants at Arms; the tour guides, especially the tour goddess, Tammy; the floor pages for always greeting me with a smile and making this place a unique, wonderful place to work.

Thank you also goes out to many staff here in the House on both sides of the aisle for their assistance with issues and also to many of you whom I call my friends.

Needless to say, I am difficult to make look good, but my staff did it with charm and grace that was second to none. Without them, I would not have been as effective as a legislator as I was. I would like to introduce them to you and would ask each of them to stand to be recognized: My right arm and controller of my life for the past 10 years, Kathy Pacella. She is sitting in the back of the hall of the House. My district office staff, Kim Chrysler and Jackie Trently, who are also in the back of the hall of the House. Would you please rise, too. You three have become like family to me. I love you and thank you for all you have done for me. My writer, Rachael Lighty, who made

me look good in print. Boy, was that difficult. Thank you, also. Rachael, you are in the back also? Would you please stand.

Of course, none of this would have been possible without a great campaign team. My first campaign team was a small but mighty team. In that regard, I would like to thank my campaign manager, Nick Dinnini; my other campaign help, Dave Shuey, Janet Harriman, and Bob Burns; and those that are here today with me, my treasurers, John Obrock and Dave Shannon, for their tireless efforts on my behalf. John and Dave, would you please stand to be recognized.

Lastly, and most importantly, those who truly made this all possible, my family: my father, Francis McNaughton; my sister, Vicki Shannon; and my brother, Francis McNaughton. My mother passed away this July, but she, too, had a big hand in my becoming a Representative. I love you all very much, and thank you for all you did for me. Would you please stand.

I believe the two happiest days for my mother were my swearing-in day and the day I announced my retirement.

To my children, who could not be here because of college and because of school – my daughters, Meghan and Kelly; and my son, Mark, Jr. – thank you for allowing me the opportunity to be a State Representative. I am sorry that my job and my votes caused you to be subject to derogatory comments from the public. Little did I know when I ran for this job that would happen to you. I love you very much, and I am very proud of each of you.

And I thought this would be easy.

Thank you, Speaker Perzel, Majority Leader Smith, Sandy Major, Bruce Smith, Kathy Manderino, Frank Dermody for making me a better and more effective legislator. Thank you all.

Lastly, to the members of the General Assembly, it was my honor to serve with all of you. God bless you and farewell.

Thank you.

The SPEAKER. The Chair at this time recognizes the gentleman, Mr. DeWeese.

Mr. DeWEESE. Mr. McNaughton, you are not going to get away that easy.

Mr. Speaker, just for one minute. I think that Mark McNaughton's exit, as sensitive and graceful as it is, needs to be amplified just for a moment, because it exemplifies the nature of our enterprise and of our friendships.

Mark and I went at each other like Sunnis and Shiites of the most indomitable and aggressive forms, and yet, he is correct, at night we would shake hands, have a beverage, and have a long conversation about who knows what. But the cross-aisle pollinations that he allowed, notwithstanding his aggressive, aggressive opportunities at the microphone, sometimes when we were really hot, I cannot remember being any more agitated and focused and antagonized by anybody over there than I was by Mark, but today as he leaves our General Assembly, we find out how multifaceted all of us are. So I doff my hat, wish you well, and say that the kind of interplay and the kind of friendships that we have engendered, as you talked about the basketball experiences, should punctuate the next session of the General Assembly. We should all try to get to know each other better, and we can have similar experiences, which will enhance and augment our fraternity and this institution.

Mark, good luck and Godspeed.

The SPEAKER. Would Representative Matthew Wright please come to the rostrum.

**FAREWELL ADDRESS
BY MR. WRIGHT**

The SPEAKER. Representative Wright.
Mr. WRIGHT. Thank you, Mr. Speaker.

All good times come to an end. I relish the years I have been here as great times. I just want to take a second to talk about a little bit of my background, how I got here.

I was a replacement candidate 16 years ago. At that particular time I had no ambition whatsoever to run, and in August in the election year, an opening developed. Now, why was I a candidate? Like so many of the other members in this room, well, a few, we have a little common background. We had a father, typically a father, who had been in the service before us, gave us the advantage, and Mr. DeWeese knows these things very well. When seats become open and vacant or special elections or regular elections, it is always an advantage to have an incumbent's spouse or namesake running for the position. It gave me that advantage. Without that advantage, I probably would not have been here. And I say that; I have always said that. I am very proud of my heritage, my father. My father was Jim Wright. There are a few of you still here. He was a 24-year member.

And I especially relish with Paul Clymer when my father – the greatest thing I remember of him of legislative duty was his basically starting the Capitol Preservation Committee and getting our renovations off the ground, and Paul Clymer took over the helm after that and has done a sensational and great job.

When I came to Harrisburg, I did not have goals ahead of time. You have a year to think about that. Many of you come because maybe you were involved in local government, maybe there was some issue back home, maybe there was something that bothered you, but you came with a goal, and that rallied you, and you may have had other opponents that wanted it, and you had to fight and you had to tell everybody why you wanted to run.

Unfortunately, I did not necessarily come with a goal that many of the rest of you had. My goal was a little different, and I think it is shared by everybody, but it is quite often put to the back burner a little bit. My goal was to service the people, especially the constituents of my district. That has always been my goal from the very first day. I did not have lofty legislative goals. My goal was to be there for the public, to debate the issues, take every issue one at a time to see how it affects my people, my community, my local governments. I am very proud of that.

I do not have a long list of things that I can look back to on a legislative basis, but I modernized an office where there was no office. When I came into being, there was no district office whatsoever. I developed that office; outreach was great. Many people of the community looked to me for help. I was the point of source for information, which I believe all of you do today, and I believe a lot of you imitated what I and others have done, because regardless of what we do up here, we really are the focal point back in the district. Practically everybody in your community now can name their Representative before they can name practically any other government official in their community, and why? Because all of you, including me, have done that great job to reach out and make yourself accessible.

A few observations that I had as I was trying to think of what I should say. I do not think the public has a clue what we do up here in Harrisburg. Now, sometimes the people will say that is great. We do not want them to know, but unfortunately, when I say they do not have a clue, they do not understand all the many long hours that we put in, they do not understand all the work that goes into this. As many of you maybe used when you ran for office or was used against you, they talk about all you do is 77 days a year and nothing else; you get, you are on vacation the rest of the time. You are only in session – you only worked for 4 hours today. What else did you do? Well, everybody in this room knows that that is simply not true.

Every one of you has been effective at what you have been doing, and the reason why you are effective is because you have gone well beyond that. You have made yourself, your office very accessible, very involved in the community, and the public does not understand that. The public does not understand the long weekends and the nights that you have. McNaughton said the 7 o'clock meetings in the morning to the 7 o'clock meetings at night, which is true. It is common for us, very common for us, and people do not understand that.

The media does not understand us. The media only talks about the negative. It bothers me when the media talks about how the elections have gotten to be so bad, but just look at the media every single day. The same newspapers that are criticizing how we run for elections, just look through that paper. Try to find all the positive things that go on in the community, try to find out about the things that everybody in this room gives them on a regular basis, about the important bills that we have done, the things that you are doing, the money you are bringing back home, and you cannot find it; you cannot find it. The same thing goes up here when they print what we do. It is the scandals; it is the little stuff. They blow things out of proportion. They do not take us seriously, but I know the men and women in this room take the job seriously. We may fight a little bit, a difference of opinion, but we take our job seriously.

They also talk about the fighting, and they get us confused with Washington. Now, albeit at the leadership level there is a little bit of bickering going on, on positions, et cetera, but by and large, this is a House that gets along very well together, and I am so pleased to talk about so many members that have gone out of their way, crossed the aisle to help another. We have worked together on issues, on personal things; we help each other. I have a greater understanding of rural America than ever before. I am a suburban legislator. I have a greater understanding of urban settings. I did not have that when I came. I understand the needs that other members have. I understand why sometimes members have to vote "no" against you, because that is the districts that they come from.

My memories mostly are not of the institution itself or the building. My memories are of the people that are in this hall, the people that have served before us. First of all, my brethren of Bucks County – Bucks County members that were here when I first came, some of them have left; the ones that are here now – great friends, go out of our way to help each other; we work together. Bucks County is a delegation that has historically chosen to sit together because of a reason, because we like each other, we work together, we cover each other's backs, and we do what is best for the county. There is no bickering going on. I would very much say thank you for my Bucks County fellow delegates, especially Paul Clymer, whom I have sat next to for 16 straight years. I do not always agree with Paul on every

single vote – of course, gambling was the biggest vote – but I am very proud to say thank you. You have been my friend, and you will be my friend.

The best memories I have are from one of my committees, the Tourism Committee. I have been on the Tourism Committee since the inception, which I think was about a dozen years ago roughly. I was a founding member. At that particular time, I want to point out, there was a different chairman, but then Bob Godshall took over the chair like a term or two later. Bob Godshall had a dream and a goal. He was going to make tourism one of the shining stars of America, and he has done a great job, and the members that served on that committee are lifelong friends of mine. Some have left. We shared tremendous amount of joy, happiness, and fun traveling the State trying to get an understanding of the tourism needs. Out of all the committees, that is the committee that I could have left through my term, but I chose to stay on that committee every single term, and it is mostly because of the friendships that I had learned.

The other memories that I cherish so much are the sort of the devilish memories of the leaders. Of course, Matt Ryan the first, and I used to relish the little chiding debates when political opportunities came up between DeWeese and Matt Ryan or DeWeese and Perzel, entertaining, I would say, and especially they are always offered to make points, not necessarily to change opinions, but at different times there are some things that are just said, but once in a while— And I just love, I love to look over at Bill DeWeese when he gets that little smile on his face. He is going to get up and he is going to make a point, and he likes to stir the pot a little bit, and that makes life a little fun; it makes life a little fun, and I very much enjoyed when he got up. Everybody pays attention, and especially when Matt Ryan was over opposing, it was so much fun to see Matt Ryan and DeWeese go at each other in a very friendly way. It was entertaining, made a point. Everybody had their positions, and it was very entertaining. Then when John Perzel came on board and was taken into leadership, he took right on over with Matt Ryan's position, and I enjoyed the dialogue back and forth.

Now, with Sam Smith, he does not have quite the devilish smile on his face and the wit to him, and I do not mean that in a negative point because he had to follow Matt Ryan and John Perzel, and with John Perzel, I very much appreciate, as I said, that he would get up and espouse a point and the dialogue and debate went back and forth.

Some of the advice I would leave with people, with the members here and the members that are coming, is, as some we heard a little bit earlier, this House, by and large, is a civil body. We get along very well, but I have started to see undertones in the last couple sessions with some of the new members coming in and some of the negatives beginning to rise, and I would just offer the fact that I have been very proud to serve here, and I would hope that all the members would remember to be civil and to remember especially across the aisle. As I stated earlier, we have been very friendly across the aisle. There is no bickering in debates, and I just would like to make sure that that continues.

And also for the next future sessions, remember the people. We are here for the people; we are here to help the people, whether we make great law changes or just back in the home, back in the district.

The last thing I wanted to give advice on is unfortunately we spend so much time at doing our job. We sacrifice our family and spouse. It is very easy to get caught up in the meetings, very easy to get caught up in the politics, the elections, and it is very tough, and practically every member that is left here who has spoken reminds you to remember your family. Without your family, you have nothing.

I have some thank-yous. When I came 16 years ago as a replacement candidate, just a couple months to go and I came to Harrisburg, I did not know what to do. I did not know what I should have been doing, what I was supposed to be doing. One of my vivid memories is coming to Harrisburg and meeting one person – I think it was my first campaign day up here essentially – and this person did not ask questions, took me by the hand and said, we are going to get you elected, and I want to especially give a lot of thanks to Speaker Perzel and Mr. DeWeese. He did get me elected, and if you can remember that, he took me and led me, believed in me, took me around, introduced me, gave me the ropes, gave me the tools I needed to get elected, and I very much appreciate that, because without you, I would not be standing here today, because it was a very close election.

In Harrisburg we quite often are focused on us, but truly the people to thank, the people who have been most supportive of me over the years is our staff, whether it is the research staff giving us the tools that we need, helping us with our legislation, telling us the little things that we need to know about the proposals. I very much appreciate them. Both sides of the aisle have had great staff over the years. We could not have gotten the job done. But also our district and Harrisburg staffs. My district staff for 16 years has done a great job, and without them, I probably would not have been reelected year after year.

Especially I want to take one moment to acknowledge Ann Hand, who is my Harrisburg legislative aide. She has done a great job for me in her, I believe, 24 years of service. I would like Ann Hand to stand, please.

The biggest thank-you I want to give is family and my wife. It is very hard on the family. Many times before this we have had those kitchen-table discussions about whether is it worth continuing to run, being away, traveling around the State, doing your committee work, doing your Harrisburg work, the weekends, the nights. Without the support of my family – my daughters are now grown up – and my wife, I probably would have left a while ago, and I give all the credit in the world for everything I have done and the biggest thank-you of all to my wife, Donna, who is over here on the side. Please stand.

Now, to finish this up, I just want to say one last thing. You know, I was thinking sort of a little bit of a fun thing. I think I am going to have July 4 off this year. I think I am going to be on vacation someplace, wherever that is.

Ninety-one is when I came. If some of the people remember what '91 was like up here, that was no budget until August 5, and members to some extent were called back day after day or at least a 6-hour call. I can remember all the members who had vacations planned in July and whatnot had to cancel them; some of them were expensive trips like to Hawaii and whatnot, had to cancel those trips.

Now, I was wondering, looking ahead at next year's possible budget cycle and some of the big issues we are going to take into account, and I suspect some maybe tax increases, et cetera, I think I see another rehash of '91.

And so the one thing I just want to leave you with is on July 4 this year, I will be sitting someplace enjoying myself, but I will be thinking of where everybody else is. I just hope that agreements can come early, but I suspect they will not, and I suspect we will have a repeat of '91 and that everybody will be up here watching the fireworks, as I have for many, many years, off the front steps, and that you will be here all summer long.

So I sort of take a little bit of pride to say I think I am getting my long-deserved Fourth of July vacation.

Thank you. The times have been great, and I appreciate everybody I have met.

LEAVE OF ABSENCE

The SPEAKER. The Chair returns to leaves of absence, and the majority whip requests a leave of absence for the gentleman from Lancaster, Mr. ARMSTRONG, for the remainder of the day. Without objection, that leave will be granted. The Chair at this time would like to ask Representative Patrick Fleagle to please come to the rostrum.

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FAREWELL ADDRESS BY MR. FLEAGLE

The SPEAKER. Representative Fleagle.

Mr. FLEAGLE. Thank you, Mr. Speaker.

After the May primary, my wife and I were driving home from the Franklin County courthouse late that night trying to come to grips with losing by 120 votes after 18 years in office. My wife, Jane, who is remarkably apolitical, was very comforting to me and said, "Well, Pat" – she looked over across the front seat and said, "Well, Pat, we've been on Mr. Toad's wild ride for 18 years and maybe it's time to get off." Well, truer words were never spoken, and in a few short days, our ticket to Mr. Toad's wild ride runs out. Frankly, we thought we had snatched victory from the jaws of defeat by winning the Democratic write-in, but we fell short by 1200 votes in the general election. And, folks, I do not know why God took us through that general election, which amounted to 6 months, another 6 months of being yelled at and denigrated, but I think we emerged as stronger individuals.

The people of this institution have been my family away from home. We have shared so much during the last 18 years, and as you have heard here, we have seen the deaths of family members together, including my dad, Popeye Fleagle, 3 years ago, and my father-in-law, Gumpy Lee Wolff, this last July, and we have seen, as Mr. McNaughton mentioned, members lose loved ones, especially the tragedy of the loss of sons and daughters. Is it not remarkable how all the petty bickering goes out the window when those tragedies occur? I love all of you for that.

I have my Harrisburg and Waynesboro staffs with me today on the floor, sitting over to my left. Not only was I blessed with them but my constituents were treated to arguably the best service of any office here in the General Assembly. With me, if you would stand, please, is Cindy Abbott of my Harrisburg office, who put up with little Fleagleisms and sarcasms for

years. I still do not think she understands my rather dark brand of humor, but thank you, Cindy.

Also here is Heather Blount, who has been with me since interning in her college days. Heather, thank you.

And Sandy Shook from my district office, who has been with me the entire 18 years I have served here and whom I have known since I was 7 or 8 years old. You see, her brother, Joe Mackley, to this day one of my closest friends, was my constant companion in my youth, and Sandy saw Joe and I at her home almost constantly in the summertime when we would ride our bikes to play ball and generally tried to stay out of trouble. God bless you, Sandy, for putting up with me in some form or another for over 50 years.

And also with me – I have got to admit my favorite – is the man all the staffers here in Harrisburg know as Cheese, Dave Mackley; Dave. He is the son of Joe Mackley, and incidentally, he is Sandy's nephew. I say that nepotism is okay as long as you keep it in the family. Dave was my constant companion I guess in the last 6 years and, yes, even unto the golf course, and it was not until a few Fridays ago that I think I even came close to beating him. I view his dad, Joe, as a creative genius and always have reminded Dave in my own little way that he will never be his father, but I publicly avow here today that in many ways he has surpassed us.

I have often said that I am just a poor dumb boy from Waynesboro and really was not the sharpest knife in the drawer. Well, you do not have to be real smart if you can surround yourself with smart people. I depended on my committee staff almost daily, and I want to thank personally those staffers on the Education Committee and particularly Health and Human Services Committee staffs who gave me so much of their time for problems I had, and a special thank-you to the present and past Appropriations staff, the committee that I just loved to be on. Names like Kathy Vranicar and Lisa Taglang, Diane Aciri, Jacqui Whitcomb, Ritchie LaFaver, and Nate Spade were constantly tossed about my offices when we needed help. They always went out of their way at budget time to point out areas that I would be interested in and always said, "I'll go with you, Pat," when I had an important meeting that, frankly, I was fiscally in over my head with. And thanks to my committee chairmen, and I know this is tough to believe, but I am always a disrupting experience at a committee meeting with my sarcastic remarks, and they were always gracious to me.

To my friend, Jess Stairs, chairman of the Education Committee, always the consummate gentleman and usually my golfing partner, because no two other people played golf as poorly as us, I will miss you, Jess.

To George Kenney, who made service on the Health and Human Services Committee a real joy, I thank you.

And thanks to the Appropriations chairmen that I served with, particularly and especially Brett Feese, who had to put up with me in committee and then had to sit beside me on the House floor. Sainthood belongs to you, Brett.

To my Speaker, John Perzel, thank you for your leadership, John. Folks, I cannot think of anyone here whose personality and geography has made him any more different from me, but John and I always got along and would always smile at each other and give each other that knowing glance that we had common work to do. I thought I was going to have to call in a grief counselor the day he called me after the primary election, and I told him, "John, I lost an election. I didn't die." It is ironic that his call was probably one of the most touching that

I received of many. You know, in 18 years, John, we probably have not had an extended conversation that lasted more than 30 seconds, but he made up for that by treating my district and my constituents great, and I really appreciate that. You know, in the elections, both elections, the primary and the general, I got pummeled for voting with the Speaker and leadership 98 percent of the time, and I resent that. I was angry at that insinuation because I always thought they were voting with Fleagle 98 percent of the time and the other 2 percent of the time they were wrong. Amen.

And speaking of leadership, I cannot forget my longtime friend and colleague, Sam Smith, who, as you can imagine, took a daily barrage of sarcastic comments from me. I tried to add a little Waynesboro sarcasm and simplicity to situations that tended to get a little spicy on the floor. I do not think Dave Argall would know what to do when Sam and I would get into one of our contests, and he would just stand there and shake his head. So I will miss that. Sorry, Dave, to confound you there.

We have heard several of the other speakers come to this dais and talk about the uncivil nature that has fallen upon the political scene and even to this chamber, and I have tried to stay above that and treat each one of you as individuals, special individuals. I think I have developed some special talents in dealing with each and every one of you. The ability to embarrass Katie True almost every time I talked with her was one of those special ones. I am sure her husband, Pete, will be glad this manly influence here will be out of their lives. And Katie would always say, "You're all talk, Fleagle," and you know, you are right, Katie, but you figured that out a long time ago.

One of the great mysteries of my caucus was how I got Phyllis Mundy to smile – like that. We were always arguing and almost always on different sides of the fence, but I knew that no matter how agitated our conversation got, if we talked about our families, we always left as friends and with a smile.

And speaking of families, I am afraid that the vicious debate with Tom Tangretti and I over who had the most and the best grandchildren will have to be picked up by one of my colleagues. Sorry, Tom. Your children and your grandchildren help you set your priorities, do they not?

I probably bored many of you talking about my daughters, Katie and Emily, and how proud I am of them, and of course, the light of my life, my grandsons, Jacob, or Bigs, as I call him; and Will, or little Willie; and baby Colin; and my little spoiled precious granddaughter, Jenna, or Bertie Pearl, as we call her. They are my life, and I would not want to trade places with anybody in this House since I am so blessed with them. We always give people nicknames in Waynesboro.

Well, folks, I am fast becoming an unperson in the world of politics. You know, when they say they are coming to take out your phones and computers in your district office, it finally hits you that your days in the General Assembly are coming to an end. It is like the finality of death. And for the first time in 18 years, I am really going to enjoy Thanksgiving and Christmas without the worries of the world on me. I will be going back to fortress Waynesboro.

This last year of campaigning has drawn me closer to a lot of people in my hometown. To my old Juniata College friends, Bill Dick and Mike Toms; to my friends from the Waynesboro class of 1969, Bob Zimmerman and Joe Mackley; to my campaign friends, Stu Mcleaf and Carrol Sturm; to my good

Uncle Ted, who helped me out so much; and to all those who stuck by me, let us spend some good times together in the time we have left here on earth.

To my mom, Franny Fleagle, who still works her heart out volunteering to help people, thank you for raising me to be a gentleman, Mom, and to appreciate and respect others. I know my dad would have wanted me to take care of you, and I am going to continue to do that. I hope you are still proud of your boy.

As many of you know, I entered the world of emergency medical services 7 years ago somewhat as a midlife crisis. It was either that or run off with a younger woman, and I knew Jane would not be as upset over this, not that I could not do that. Katie True says, "You're all talk, Fleagle." You are right.

I received my paramedic certification several years ago, so I plan to use that experience to continue to help people in my district, as many of you know I have done over the last 6 or 7 years. So if you are in Waynesboro and you have a car accident or get sick, do not be surprised if you get a ride with me in the back of the ambulance. That is a sobering thought, is it not?

I wish all the best to all of you in this chamber and your lives, and even though I have declared that I would not follow your deliberations when I leave, you know I will. I will do my catching up at the infamous Steve Maitland crab feed, where I usually make a fool of myself – imagine that – and get his beautiful wife, Mindy, mad at me, but she loves me and she always forgives me.

I will be praying for all of you and your families. I just want to thank you all for blessing me with the greatest experience of my life, and I thank God for his many blessings upon my life.

Happy trails to you until we meet again.

God bless you.

THE SPEAKER PRO TEMPORE (MATTHEW E. BAKER) PRESIDING

CONDOLENCE RESOLUTION

The SPEAKER pro tempore. Will the gentleman, Mr. Thomas, please come to the dais.

Members, please take your seats. This is a condolence resolution. Members, kindly take your seats. Members, please take your seats.

Mr. Thomas.

Mr. THOMAS. Mr. Speaker; majority leader; Democratic leader; to my colleagues, both sides of the aisle; sisters and brothers, it is both an honor and pleasure to come to you this afternoon and ask that we take a moment to honor a fallen colleague, the Honorable Ruth B. Harper. Some of you remember Representative Harper. Representative Harper passed away on February 13, 2006, and I must extend my sincere pleasure and thanks to the Speaker and to my colleagues, who would not allow this year, this session, to come to an end without acknowledging this great lady.

The late Honorable Ruth B. Harper was born to Rev. Thomas and Sally Bryant DeLoach on December 24, 1922, in Hinesville, Georgia. She relocated to Philadelphia County in 1945. In 1963 she founded the Ruth Harper's Modeling and Charm School in Philadelphia County. The Ruth Harper's Modeling and Charm School was the oldest and continuously

operating African-American modeling school in the Commonwealth of Pennsylvania.

In 1976 Representative Ruth B. Harper was elected to the Pennsylvania House of Representatives, the only African-American woman elected to the Pennsylvania General Assembly until the late Honorable Roxanne Jones arrived in the Pennsylvania Senate.

The late Honorable Ruth B. Harper was the first and only African-American female to chair a standing committee in the House of Representatives, the Urban Affairs Committee. She was the first and only African-American female until the Honorable LeAnna Washington who served as Treasurer of the Pennsylvania Legislative Black Caucus.

She was the founder and president of the North Central Women's Political Caucus. She was a lifelong member of the NAACP (National Association for the Advancement of Colored People). She was one of the prime sponsors in advocating for the successful restoration of the North Broad Street train station, the only State elected official who went on a hunger strike until Temple University reopened its triage unit. The late Honorable Ruth B. Harper is the only African-American female elected official whose history can be found in the Civil Rights Museum of Savannah, Georgia.

And, Mr. Speaker, the late Honorable Ruth B. Harper was prime sponsor of many legislative proposals which have become law. I know that the affordable county housing trust fund law was something that the late Honorable Ruth Harper introduced year after year. It is now the law and allows Philadelphia County to establish a housing trust fund. I was talking to a colleague this morning, Representative Clymer, and he reminded me that it was the late Honorable Ruth B. Harper who introduced the first legislative proposal calling for uniforms in our public schools, and uniforms in Philadelphia County have made a significant difference, a significant difference, in the education of young people.

And so, Mr. Speaker, I ask that we take this moment to honor this icon, to honor a fellow colleague, and to honor this great lady that I had a chance to study under, admire from up close and from afar, and that I, along with many other members of this General Assembly, thank God for having the opportunity to have been able to interact with this great lady.

Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

Will the members kindly stand as a mark of respect and reverence for a former member.

(Whereupon, the members of the House and all visitors stood in a moment of silence in solemn respect to the memory of the Honorable Ruth B. Harper.)

The SPEAKER pro tempore. The Chair thanks the members.

REPUBLICAN CAUCUS

The SPEAKER pro tempore. The Chair at this time recognizes the gentleman, Mr. Argall, for a caucus announcement.

Mr. ARGALL. Thank you, Mr. Speaker.

At the declaration of the recess, the House Republicans will caucus downstairs.

The SPEAKER pro tempore. The Chair thanks the gentleman.

DEMOCRATIC CAUCUS

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Cohen, for a caucus announcement.

Mr. COHEN. Thank you.

Mr. Speaker, the Democrats will go over as much as we know of the week's schedule immediately upon the call of the recess.

The SPEAKER pro tempore. The Chair thanks the gentleman.

Are there any other announcements?

HOUSE SCHEDULE

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

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

Mr. DeWEESE. Will Mr. Argall take the microphone, please.

The SPEAKER pro tempore. The gentleman has agreed. You may proceed.

Mr. DeWEESE. Could the honorable gentleman give us a rough estimation of the afternoon's schedule and the week's schedule? This being the Thanksgiving week, some of our members are curious as to our schedule of deliberations. So just a rough estimate of what today will look like, tomorrow will look like, and will we be here on Wednesday. If the honorable whip from the Republican side could share that, it would be helpful, approximately.

Mr. ARGALL. In my ninth grade German class, the phrase that we used the most was "es kommt darauf an" – it all depends. Es kommt darauf an on the Senate, on a variety of things. We hope to be finished in the early evening tonight, we hope that tomorrow will not be exceedingly long, and we hope not to be here on Wednesday, but no one knows yet. I would check back in a little while.

Thank you, Mr. Speaker.

Mr. DeWEESE. Thank you very much.

The SPEAKER pro tempore. The Chair thanks the gentleman.

APPROPRIATIONS COMMITTEE MEETING

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Feese, chairman of the Appropriations Committee, for an announcement.

Mr. FEESE. Thank you, Mr. Speaker.

Mr. Speaker, at the declaration of the recess, there will be an immediate meeting of the House Appropriations Committee in the conference room.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The House Appropriations Committee will meet at the recess in the conference room.

Are there any other announcements?

RECESS

The SPEAKER pro tempore. The House now stands in recess until 4:30.

AFTER RECESS

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

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

The SPEAKER. The Chair would like to recognize a very special guest, Maj. Steve Alexander of the Air National Guard, guest of Representative Marie Lederer. He is the brother-in-law of Louis Nacke, the hero of Flight 93 in Pennsylvania. Would the guest please rise and be recognized.

HARRISBURG LEGISLATIVE LEAVE

The SPEAKER. The Chair recognizes the minority whip, who moves for a Capitol leave for the gentlelady from Philadelphia, Mrs. LEDERER. Without objection, that leave will be granted.

BILL REREPORTED FROM COMMITTEE**SB 1263, PN 1932**

By Rep. FEESE

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, further providing, in abandoned and unclaimed property, for property subject to custody and control of Commonwealth.

APPROPRIATIONS.**LEAVES OF ABSENCE**

The SPEAKER. The Chair returns to leaves of absence and a leave of absence for the remainder of the day for the gentleman from Philadelphia, Mr. DONATUCCI, and the gentleman from Delaware, Mr. ADOLPH. Without objection, those leaves will be granted.

LEAVE OF ABSENCE CANCELED

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

REMARKS SUBMITTED FOR THE RECORD

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

Mr. Speaker, it is my privilege to bring to the attention of the Speaker and the members of the Pennsylvania House of Representatives the names of 12 students in the Council Rock

School District who recently participated in an essay contest on "Fire Safety in the Home."

Mr. Speaker, the contest was sponsored by the Society of Chartered Property and Casualty Underwriters and was cosponsored by the school district.

Whereas, fire safety in the home is an important subject for the entire family to discuss and practice. The knowledge of understanding what to do in case of a fire can help save a life or prevent serious injury from occurring.

Now therefore, Mr. Speaker and the members of the House of Representatives, it is my privilege to congratulate and place in the Legislative Journal the names of the outstanding students: Samantha Gougher, Tianna Honeycutt, Madelyn Kleiser, Rachel Millstein, Matteo Carlola, Nicholas Wu, Pam Donofry, Amanda Sgro, James McCarron, Briella van der Spek, Jessica Alexy, and Simon Wu.

CALENDAR CONTINUED**BILLS ON THIRD CONSIDERATION**

The House proceeded to third consideration of **SB 1209, PN 2047**, entitled:

An Act providing for the Healthy Farms and Healthy Schools Program.

On the question,

Will the House agree to the bill on third consideration?

The SPEAKER. It is the information of the Chair the gentleman, Mr. Nickol, wishes a suspension of the rules for immediate consideration of amendment 10450.

BILL PASSED OVER TEMPORARILY

The SPEAKER. The Chair will be over SB 1209 temporarily.

* * *

The House proceeded to third consideration of **HB 3007, PN 4778**, entitled:

An Act amending the act of February 2, 1965 (P.L.1860, No.586), entitled "An act encouraging landowners to make land and water areas available to the public for recreational purposes by limiting liability in connection therewith, and repealing certain acts," further providing for liability of landowners toward recreational users, persons or property for acts or acts of omission by recreational users.

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?

The Chair recognizes the gentleman from Lehigh, Mr. Semmel.

Mr. SEMMEL. Thank you, Mr. Speaker.

In the way of a little background regarding HB 3007, a recent court case from North Whitehall Township in Lehigh County found a landowner partially liable for the actions of a hunter. I share the concerns expressed by various interest groups about the potential impact of this case on recreational access to land.

The Pennsylvania legislature addressed the issue of landowner liability quite some time ago. Act 586 of 1965 is entitled “Land for Recreation – Limiting Liability of Owner,” and what it provides is that a landowner who allows others to use his or her property for recreational purposes does not assume responsibility for or incur liability for any injury caused by the recreational user. It is important to note, however, that that only applies if the recreational user, whether it be a boater, camper, hiker, hunter, and so forth, is not charged a fee.

Legislative staff has worked with interested groups to draft legislation to address these concerns. I introduced these changes as HB 3007. These changes in HB 3007 are, in my opinion, clarifications of the original intent of the legislature. Similar language concerning liability for acts of recreational users is found in the Rails to Trails Act.

It is important to remember that the interests cover a number of recreational uses of land. In fact, the definition of “recreational purpose” includes hunting, fishing, swimming, boating, camping, picnicking, hiking, pleasure driving, nature study, water skiing, water sports, cave exploration, and viewing or enjoying historical, archaeological, scenic, or scientific sites.

Without the protection offered by HB 3007, a landowner could be held liable for, example, a hiker who dropped a cigarette which started a forest fire or an oil spill or other contaminant leak by a boater.

What happens if we do not make this change? Well, hunting would likely take care of itself through the use of leases, similar to hunting in the western portion of the United States. It would become the province of the wealthy. Other recreational land uses such as hiking, picnicking, nature study would likely be closed down on private lands.

More importantly, these scenic, natural private lands would be gobbled up by development. Landowners currently receiving preferential tax assessments under Clean and Green for maintaining open space in agricultural reserve, these folks will now have a choice to make: Do I leave my land open for public use, as required by the agricultural reserve requirements, and leave myself open to liability, or do I close my land to public use, see a major increase in my property taxes, and sell to the next strip mall or townhome developer?

I certainly would not want to prevent an injured party from recovering damages from the individual who caused the injury. HB 3007 does not interfere with that right. A boater, hiker, hunter, or other recreational user whose actions injured another is still held responsible for those damages, but the landowner who charged no fee and did nothing other than allow someone to use his or her land for a recreational purpose is protected from the liability.

These are important choices. What kind of world do we want for our children – only strip malls, townhouses; or places with green space where future generations can enjoy the natural beauty of our Commonwealth?

I would urge support for this bill. Thank you very much, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

LEAVE OF ABSENCE CANCELED

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

CONSIDERATION OF HB 3007 CONTINUED

The SPEAKER. The Chair recognizes the gentlelady from Philadelphia, Ms. Manderino.

Ms. MANDERINO. Thank you, Mr. Speaker.

Will the gentleman stand for a brief interrogation?

The SPEAKER. The gentleman indicates he will stand for interrogation. The gentlelady is in order.

Ms. MANDERINO. Thank you, Mr. Speaker.

I have a question that you may need some legal advice to answer, but it deals with section 6, subparagraph (1), which is on page 3, beginning at line 5, and the essence of that language – I had to jot it down from the computer since I did not have a printed-out copy – but it basically says that this does not alter the legal status of failure to guard or warn against a dangerous use, structure, or activity on the land if it is willful or malicious.

Now, here is my question. In the law usually when you look at a landowner’s duty to warn against dangerous use, structures, or activities on the land, I am pretty sure that the legal notion deals with negligent, willful, or malicious failure, but the language here is only talking about willful and malicious failure. My question is, is this language drafted to relieve liability in the case of negligence that currently exists in the law?

Mr. SEMMEL. We do not amend that section of the law at all.

Ms. MANDERINO. Okay. So when the language says notwithstanding any other provisions, this does not cover willful or malicious failure. It is not your intent to undermine the doctrine of negligence as it would apply in these cases?

Mr. SEMMEL. I do not amend that at all, so we would not be changing the intent.

Ms. MANDERINO. Thank you, Mr. Speaker.

I have finished my interrogation.

The SPEAKER. The Chair thanks the lady.

The Chair recognizes the gentleman, Mr. Bastian.

Mr. BASTIAN. Thank you, Mr. Speaker.

Mr. Speaker, I am not sure how far this bill is going to go this year, but in any event, it is a very important issue, and if it does not get to the Governor’s desk, it needs to be introduced next session.

I did have an amendment to this bill to increase opportunity for motorized recreation and also to protect landowners, which we will incorporate into this bill or have a standalone bill next time, but I appreciate Representative Semmel’s efforts in this situation, and if it does not get to be law this time, we will reintroduce it next session.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Smith, from York.

Mr. B. SMITH. Thank you, Mr. Speaker.

I strongly support HB 3007.

I wanted to inform the House of Representatives that this bill unanimously passed the Game and Fisheries Committee, and the reason it did is that this court case is scaring landowners.

I have already had a call from a landowner who always had his land open to hunting. He learned about this court case, learned that he might be liable, and he is not allowing hunting on his property. I agree with what Representative Semmel indicated that private land will be posted preventing many different activities because landowners will be worried about the liability resulting from this court case.

It is extremely important that we pass HB 3007, and it is a message; it is a symbol. It might not become law this year, but I think what we do tonight will send a strong message in support.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,
Shall the bill pass finally?

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

(Members proceeded to vote.)

LEAVE OF ABSENCE

The SPEAKER. The Chair returns to leaves of absence and places the gentleman from Lawrence, Mr. LaGROTTA, on leave, without objection.

CONSIDERATION OF HB 3007 CONTINUED

On the question recurring,
Shall the bill pass finally?

The following roll call was recorded:

YEAS—191

Allen	Flaherty	Maitland	Ross
Argall	Fleagle	Major	Rubley
Baker	Flick	Manderino	Sabatina
Baldwin	Forcier	Mann	Sainato
Barrar	Frankel	Markosek	Samuelson
Bastian	Freeman	Marsico	Santoni
Bebko-Jones	Gabig	McCall	Sather
Belardi	Gannon	McGeehan	Saylor
Belfanti	Geist	McGill	Scavello
Benninghoff	George	McIlhattan	Schroder
Beyer	Gerber	McIlhinney	Semmel
Biancucci	Gergely	McNaughton	Shaner
Birmelin	Gillespie	Melio	Shapiro
Bishop	Gingrich	Metcalfe	Siptroth
Blackwell	Godshall	Micozzie	Smith, B.
Blaum	Good	Millard	Smith, S.
Boyd	Goodman	Miller, R.	Solobay
Bunt	Grell	Miller, S.	Sonney
Buxton	Grucela	Mundy	Stairs
Caltagirone	Gruitza	Mustio	Steil
Cappelli	Haluska	Myers	Stern
Casorio	Hanna	Nailor	Stevenson, R.
Causar	Harhai	Nickol	Stevenson, T.
Cawley	Harhart	O'Brien	Sturla
Civera	Harper	O'Neill	Surra
Clymer	Harris	Oliver	Tangretti
Cohen	Hasay	Pallone	Taylor, J.
Cornell	Hennessey	Parker	Thomas
Corrigan	Herman	Payne	Tigue
Costa	Hess	Petrarca	True
Crahalla	Hickernell	Petri	Turzai

Creighton	Hutchinson	Petrone	Veon
Curry	James	Phillips	Vitali
Daley	Josephs	Pickett	Walko
Dally	Kauffman	Pistella	Wansacz
DeLuca	Keller, M.	Preston	Waters
Denlinger	Keller, W.	Pyle	Watson
Dermody	Kenney	Quigley	Wheatley
DeWeese	Killion	Ramaley	Williams
DiGirolamo	Kirkland	Rapp	Wilt
Diven	Kotik	Raymond	Wojnaroski
Eachus	Leach	Readshaw	Wright
Ellis	Lederer	Reed	Yewcic
Evans, D.	Leh	Reichley	Yudichak
Evans, J.	Lescovitz	Roberts	Zug
Fabrizio	Levdansky	Roebuck	
Fairchild	Mackereth	Rohrer	Perzel,
Feese	Maher	Rooney	Speaker
Fichter			

NAYS—0

NOT VOTING—1

Ruffing

EXCUSED—10

Adolph	Donatucci	Rieger	Taylor, E.Z.
Armstrong	Hershey	Staback	Youngblood
Cruz	LaGrotta		

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. The Chair recognizes the gentleman, Mr. Wansacz.

Mr. WANSACZ. Thank you, Mr. Speaker.

On HB 906 I was recorded in the negative, and I would like to be recorded in the positive.

The SPEAKER. The Chair thanks the gentleman.

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

SUPPLEMENTAL CALENDAR A

RESOLUTION PURSUANT TO RULE 35

Mr. WILT called up **HR 922, PN 4934**, entitled:

A Resolution honoring the life and extending condolences for the supreme sacrifice of Sergeant 1st Class Daniel A. Brozovich, a squad leader attached to 3rd Platoon Battery C, 1st Battalion, 213th Air Defense Artillery of the Pennsylvania Army National Guard, who tragically lost his life in service to our country in Ashraf, Iraq, on October 18, 2006.

On the question,
Will the House adopt the resolution?

The SPEAKER. Please keep the noise levels down.
Mr. Wilt.

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

If I could have the members' attention, I would like to offer HR 922, which is a condolence resolution, and as many of you know and have experienced, you have had to take this mike, and I think we have all determined, those of us that have had to do this, that one of our hardest tasks is to put into words reflections upon the life of one of our constituents who has died while defending our nation. No matter how many times I have done this, and this is now my fourth time this session, it is still difficult for me to say goodbye to a soldier that has given his life to this great country.

Although his family is not here with us today, I want to thank Sfc. Daniel Brozovich for serving the United States of America in the Armed Forces. I want to thank Sergeant Brozovich for serving first in the Marines and later in the Pennsylvania National Guard, and I want to thank Sergeant Brozovich for deploying three times with the Pennsylvania National Guard—

The SPEAKER. One second, Mr. Wilt.

Would the conferences on the side aisles please break up.

Mr. Wilt.

Mr. WILT. Thank you, Mr. Speaker.

I want to thank Sergeant Brozovich for deploying three times with the Pennsylvania National Guard – once to Belgium and twice to Iraq – and most of all, I want to thank him for his ultimate sacrifice on October 18, 2006, when a roadside bomb detonated when his patrol went by, killing him and wounding three fellow Pennsylvanians – Spc. Ryan Griffin of Pittsburgh, Spc. Robert Kaminski of Allison Park, and Pvt. Joshua Humberger of Grapeville.

I want to commend Sergeant Brozovich for his example of his life of service. One of the few solaces is knowing that Sergeant Brozovich died for our nation, protecting the freedoms of everyone in this chamber today. He died believing in the ideals of this great nation, believing in his mission, and making a difference in the world. He has left behind a loving wife, Mary, and two children, Ryan and Carrie. While we cannot possibly ease their pain, we can honor and remember Mary's husband and Ryan and Carrie's father by unanimously passing HR 922.

Thank you very much, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House adopt the resolution?

The following roll call was recorded:

YEAS—191

Allen	Flaherty	Maitland	Ross
Argall	Flagle	Major	Rubley
Baker	Flick	Manderino	Sabatina
Baldwin	Forcier	Mann	Sainato
Barrar	Frankel	Markosek	Samuelson
Bastian	Freeman	Marsico	Santoni
Bebko-Jones	Gabig	McCall	Sather
Belardi	Gannon	McGeehan	Saylor
Belfanti	Geist	McGill	Scavello
Benninghoff	George	McIlhattan	Schroder
Beyer	Gerber	McIlhinney	Semmel
Bianucci	Gergely	McNaughton	Shaner
Birmelin	Gillespie	Melio	Shapiro
Bishop	Gingrich	Metcalfe	Siptroth
Blackwell	Godshall	Micozzie	Smith, B.

Blum	Good	Millard	Smith, S.
Boyd	Goodman	Miller, R.	Solobay
Bunt	Grell	Miller, S.	Sonney
Buxton	Grucela	Mundy	Stairs
Caltagirone	Gruitza	Mustio	Steil
Cappelli	Haluska	Myers	Stern
Casorio	Hanna	Nailor	Stevenson, R.
Causser	Harhai	Nickol	Stevenson, T.
Cawley	Harhart	O'Brien	Sturla
Civera	Harper	O'Neill	Surra
Clymer	Harris	Oliver	Tangretti
Cohen	Hasay	Pallone	Taylor, J.
Cornell	Hennessey	Parker	Thomas
Corrigan	Herman	Payne	Tigue
Costa	Hess	Petrarca	True
Crahalla	Hickernell	Petri	Turzai
Creighton	Hutchinson	Petrone	Veon
Curry	James	Phillips	Vitali
Daley	Josephs	Pickett	Walko
Dally	Kauffman	Pistella	Wansacz
DeLuca	Keller, M.	Preston	Waters
Denlinger	Keller, W.	Pyle	Watson
Dermody	Kenney	Quigley	Wheatley
DeWeese	Killion	Ramaley	Williams
DiGirolamo	Kirkland	Rapp	Wilt
Diven	Kotik	Raymond	Wojnaroski
Eachus	Leach	Readshaw	Wright
Ellis	Lederer	Reed	Yewcic
Evans, D.	Leh	Reichley	Yudichak
Evans, J.	Lescovitz	Roberts	Zug
Fabrizio	Levdansky	Roebuck	
Fairchild	Mackereth	Rohrer	Perzel,
Feese	Maher	Rooney	Speaker
Fichter			

NAYS—0

NOT VOTING—1

Ruffing

EXCUSED—10

Adolph	Donatucci	Rieger	Taylor, E.Z.
Armstrong	Hershey	Staback	Youngblood
Cruz	LaGrotta		

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

CALENDAR CONTINUED

CONSIDERATION OF SB 1209 CONTINUED

The SPEAKER. The Chair returns to page 1 of today's House calendar, SB 1209, PN 2047.

On the question recurring,

Will the House agree to the bill on third consideration?

MOTION TO SUSPEND RULES

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

Mr. NICKOL. Mr. Speaker, I move for an immediate suspension of the rules for amendment No. 10490.

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

The SPEAKER. On that question, the Chair recognizes the gentleman, Mr. Nickol. Just a brief explanation on the suspension of the rules.

Mr. NICKOL. Mr. Speaker, I am seeking to amend this bill, to convert it to a School Code bill, and add provisions extending the Education Empowerment Act of 2000 to include waiver of the Separations Act, a request from school districts.

The SPEAKER. Does the gentleman, Mr. DeWeese, yield to the gentleman, Mr. Cohen, on suspension? The gentleman does. The gentleman, Mr. Cohen.

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, this is a very highly controversial matter to working people across the State of Pennsylvania. Democrats would urge a “no” vote on suspending the rules, a “no” vote on suspending the rules.

The SPEAKER. For the information of the gentleman, Mr. Stairs, this is only debatable by the leaders, and the leader has designated his time to the gentleman, Mr. Nickol.

Mr. STAIRS. Thank you, Mr. Speaker.

I also join the Democrats in opposing this, and I would ask you to vote to—

The SPEAKER. Mr. Stairs, Mr. Stairs, the leader designated the gentleman, Mr. Nickol.

Mr. STAIRS. Oh, I am sorry.

The SPEAKER. Only one— I think you got your point across, though, but the gentleman, Mr. Nickol, is recognized.

Mr. NICKOL. Thank you, Mr. Speaker.

I was recently contacted by a school district that I represent who has a construction project that they are looking at. They had sought a separations waiver from the Department of Education, and they were informed that due to a Commonwealth Court decision in 2003, they cannot grant a separations waiver. That actually was one of the most popular forms of waiver, request for waivers after we passed the Education Empowerment Act of 2000, and the court had ruled in 2003 that because we did not reference the Separations Act, therefore the Department of Ed could not grant those waivers.

This waiver in and of itself, whereby they would not have to separately bid every contract but could hire one prime contractor, will save that school district \$150,000 on that project. I think this is a worthwhile thing to approve and add to the Education Empowerment Act. It is a huge cost savings for school districts, and I would urge the members to approve the suspension of the rules so I can offer the amendment.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The gentleman, Mr. Cohen.

Mr. COHEN. Mr. Speaker, as we come to the end of the legislative schedule, we have many bills facing us in a very, very short period of time. This legislation that is going to be proposed if this suspension passes is extremely complicated. It will take many hours of debate. It will have very heated discussions, very long discussions, and this will be a very deep distraction from ending this session and getting on with the important business of the day.

I strongly urge a “no” vote on suspension of the rules.

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

The following roll call was recorded:

YEAS—84

Baker	Geist	McIlhinney	Ross
Baldwin	Gillespie	McNaughton	Rubley
Bastian	Gingrich	Metcalfe	Sather
Benninghoff	Godshall	Micozzie	Saylor
Birmelin	Grell	Millard	Scavello
Boyd	Harper	Miller, R.	Schroder
Cappelli	Harris	Miller, S.	Smith, B.
Causler	Hasay	Nailor	Steil
Civera	Hennessey	Nickol	Stern
Clymer	Herman	O'Brien	Stevenson, R.
Cornell	Hess	O'Neill	Stevenson, T.
Creighton	Hickernell	Payne	Taylor, J.
Denlinger	Hutchinson	Phillips	True
DiGirolamo	Kauffman	Pickett	Turzai
Diven	Keller, M.	Pyle	Watson
Ellis	Leh	Quigley	Wilt
Fairchild	Mackereth	Rapp	Wright
Feese	Maher	Raymond	Zug
Fleagle	Maitland	Reed	
Forcier	Major	Reichley	Perzel,
Gabig	Marsico	Rohrer	Speaker
Gannon	McIlhattan		

NAYS—107

Allen	Evans, D.	Lederer	Sainato
Argall	Evans, J.	Lescovitz	Samuelson
Barrar	Fabrizio	Levdansky	Santoni
Bebko-Jones	Fichter	Manderino	Semmel
Belardi	Flaherty	Mann	Shaner
Belfanti	Flick	Markosek	Shapiro
Beyer	Frankel	McCall	Siproth
Biancucci	Freeman	McGeehan	Smith, S.
Bishop	George	McGill	Solobay
Blackwell	Gerber	Melio	Sonney
Blaum	Gergely	Mundy	Stairs
Bunt	Good	Mustio	Sturla
Buxton	Goodman	Myers	Surra
Caltagirone	Grucela	Oliver	Tangretti
Casorio	Gruitza	Pallone	Thomas
Cawley	Haluska	Parker	Tigue
Cohen	Hanna	Petrarca	Veon
Corrigan	Harhai	Petri	Vitali
Costa	Harhart	Petrone	Walko
Crahalla	James	Pistella	Wansacz
Curry	Josephs	Preston	Waters
Daley	Keller, W.	Ramaley	Wheatley
Dally	Kenney	Readshaw	Williams
DeLuca	Killion	Roberts	Wojnaroski
Dermody	Kirkland	Roebuck	Yewcic
DeWeese	Kotik	Rooney	Yudichak
Eachus	Leach	Sabatina	

NOT VOTING—1

Ruffing

EXCUSED—10

Adolph	Donatucci	Rieger	Taylor, E.Z.
Armstrong	Hershey	Staback	Youngblood
Cruz	LaGrotta		

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

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

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—191

Allen	Flaherty	Maitland	Ross
Argall	Fleagle	Major	Rubley
Baker	Flick	Manderino	Sabatina
Baldwin	Forcier	Mann	Sainato
Barrar	Frankel	Markosek	Samuelson
Bastian	Freeman	Marsico	Santoni
Bebko-Jones	Gabig	McCall	Sather
Belardi	Gannon	McGeehan	Saylor
Belfanti	Geist	McGill	Scavello
Benninghoff	George	McIlhattan	Schroder
Beyer	Gerber	McIlhinney	Semmel
Biancucci	Gergely	McNaughton	Shaner
Birmelin	Gillespie	Melio	Shapiro
Bishop	Gingrich	Metcalfe	Siptroth
Blackwell	Godshall	Micozzie	Smith, B.
Blaum	Good	Millard	Smith, S.
Boyd	Goodman	Miller, R.	Solobay
Bunt	Grell	Miller, S.	Sonney
Buxton	Grucela	Mundy	Stairs
Caltagirone	Gruitza	Mustio	Steil
Cappelli	Haluska	Myers	Stern
Casorio	Hanna	Nailor	Stevenson, R.
Causer	Harhai	Nickol	Stevenson, T.
Cawley	Harhart	O'Brien	Sturla
Civera	Harper	O'Neill	Surra
Clymer	Harris	Oliver	Tangretti
Cohen	Hasay	Pallone	Taylor, J.
Cornell	Hennessey	Parker	Thomas
Corrigan	Herman	Payne	Tigue
Costa	Hess	Petrarca	True
Crahalla	Hickernell	Petri	Turzai
Creighton	Hutchinson	Petrone	Veon
Curry	James	Phillips	Vitali
Daley	Josephs	Pickett	Walko
Dally	Kauffman	Pistella	Wansacz
DeLuca	Keller, M.	Preston	Waters
Denlinger	Keller, W.	Pyle	Watson
Dermody	Kenney	Quigley	Wheatley
DeWeese	Killion	Ramaley	Williams
DiGirolamo	Kirkland	Rapp	Wilt
Diven	Kotik	Raymond	Wojnaroski
Eachus	Leach	Readshaw	Wright
Ellis	Lederer	Reed	Yewcic
Evans, D.	Leh	Reichley	Yudichak
Evans, J.	Lescovitz	Roberts	Zug
Fabrizio	Levdansky	Roebuck	
Fairchild	Mackereth	Rohrer	Perzel,
Feese	Maher	Rooney	Speaker
Fichter			

NAYS—0

NOT VOTING—1

Ruffing

EXCUSED—10

Adolph	Donatucci	Rieger	Taylor, E.Z.
Armstrong	Hershey	Staback	Youngblood
Cruz	LaGrotta		

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 return the same to the Senate with the information that the House has passed the same without amendment.

* * *

The House proceeded to third consideration of **SB 665, PN 1260**, entitled:

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

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—191

Allen	Flaherty	Maitland	Ross
Argall	Fleagle	Major	Rubley
Baker	Flick	Manderino	Sabatina
Baldwin	Forcier	Mann	Sainato
Barrar	Frankel	Markosek	Samuelson
Bastian	Freeman	Marsico	Santoni
Bebko-Jones	Gabig	McCall	Sather
Belardi	Gannon	McGeehan	Saylor
Belfanti	Geist	McGill	Scavello
Benninghoff	George	McIlhattan	Schroder
Beyer	Gerber	McIlhinney	Semmel
Biancucci	Gergely	McNaughton	Shaner
Birmelin	Gillespie	Melio	Shapiro
Bishop	Gingrich	Metcalfe	Siptroth
Blackwell	Godshall	Micozzie	Smith, B.
Blaum	Good	Millard	Smith, S.
Boyd	Goodman	Miller, R.	Solobay
Bunt	Grell	Miller, S.	Sonney
Buxton	Grucela	Mundy	Stairs
Caltagirone	Gruitza	Mustio	Steil
Cappelli	Haluska	Myers	Stern
Casorio	Hanna	Nailor	Stevenson, R.
Causer	Harhai	Nickol	Stevenson, T.
Cawley	Harhart	O'Brien	Sturla
Civera	Harper	O'Neill	Surra
Clymer	Harris	Oliver	Tangretti
Cohen	Hasay	Pallone	Taylor, J.
Cornell	Hennessey	Parker	Thomas
Corrigan	Herman	Payne	Tigue
Costa	Hess	Petrarca	True
Crahalla	Hickernell	Petri	Turzai
Creighton	Hutchinson	Petrone	Veon

Curry	James	Phillips	Vitali
Daley	Josephs	Pickett	Walko
Dally	Kauffman	Pistella	Wansacz
DeLuca	Keller, M.	Preston	Waters
Denlinger	Keller, W.	Pyle	Watson
Dermody	Kenney	Quigley	Wheatley
DeWeese	Killion	Ramaley	Williams
DiGirolamo	Kirkland	Rapp	Wilt
Diven	Kotik	Raymond	Wojnaroski
Eachus	Leach	Readshaw	Wright
Ellis	Lederer	Reed	Yewcic
Evans, D.	Leh	Reichley	Yudichak
Evans, J.	Lescovitz	Roberts	Zug
Fabrizio	Levdansky	Roebuck	
Fairchild	Mackereth	Rohrer	Perzel,
Feese	Maher	Rooney	Speaker
Fichter			

NAYS—0

NOT VOTING—1

Ruffing

EXCUSED—10

Adolph	Donatucci	Rieger	Taylor, E.Z.
Armstrong	Hershey	Staback	Youngblood
Cruz	LaGrotta		

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 return the same to the Senate with the information that the House has passed the same without amendment.

* * *

The House proceeded to third consideration of **SB 628, PN 2117**, entitled:

An Act amending Titles 18 (Crimes and Offenses) and 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, providing for the offenses of neglect of care-dependent person and for living wills and health care powers of attorney; further providing for implementation of out-of-hospital nonresuscitation; making conforming amendments; and repealing provisions of 20 Pa.C.S. Chs. 54 and 54A.

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?

The gentleman, Mr. Vitali, does have an amendment that was filed late and is also out of order.

HARRISBURG LEGISLATIVE LEAVE

The SPEAKER. The gentleman, Mr. Cohen.

Mr. COHEN. Thank you.

Mr. Speaker, before we have any more votes, I would like to ask for Capitol leave for the gentleman from Montgomery, Mr. CURRY.

The SPEAKER. Without objection, the Capitol leave will be granted.

CONSIDERATION OF SB 628 CONTINUED

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—191

Allen	Flaherty	Maitland	Ross
Argall	Fleagle	Major	Rubley
Baker	Flick	Manderino	Sabatina
Baldwin	Forcier	Mann	Sainato
Barrar	Frankel	Markosek	Samuelson
Bastian	Freeman	Marsico	Santoni
Bebko-Jones	Gabig	McCall	Sather
Belardi	Gannon	McGeehan	Saylor
Belfanti	Geist	McGill	Scavello
Benninghoff	George	McIlhattan	Schroder
Beyer	Gerber	McIlhinney	Semmel
Biancucci	Gergely	McNaughton	Shaner
Birmelin	Gillespie	Melio	Shapiro
Bishop	Gingrich	Metcalfe	Sipthoth
Blackwell	Godshall	Micozzie	Smith, B.
Blaum	Good	Millard	Smith, S.
Boyd	Goodman	Miller, R.	Solobay
Bunt	Grell	Miller, S.	Sonney
Buxton	Grucela	Mundy	Stairs
Caltagirone	Gruitza	Mustio	Steil
Cappelli	Haluska	Myers	Stern
Casorio	Hanna	Nailor	Stevenson, R.
Causar	Harhai	Nickol	Stevenson, T.
Cawley	Harhart	O'Brien	Sturla
Civera	Harper	O'Neill	Surra
Clymer	Harris	Oliver	Tangretti
Cohen	Hasay	Pallone	Taylor, J.
Cornell	Hennessey	Parker	Thomas
Corrigan	Herman	Payne	Tigue
Costa	Hess	Petrarca	True
Crahalla	Hickernell	Petri	Turzai
Creighton	Hutchinson	Petrone	Veon
Curry	James	Phillips	Vitali
Daley	Josephs	Pickett	Walko
Dally	Kauffman	Pistella	Wansacz
DeLuca	Keller, M.	Preston	Waters
Denlinger	Keller, W.	Pyle	Watson
Dermody	Kenney	Quigley	Wheatley
DeWeese	Killion	Ramaley	Williams
DiGirolamo	Kirkland	Rapp	Wilt
Diven	Kotik	Raymond	Wojnaroski
Eachus	Leach	Readshaw	Wright
Ellis	Lederer	Reed	Yewcic
Evans, D.	Leh	Reichley	Yudichak
Evans, J.	Lescovitz	Roberts	Zug
Fabrizio	Levdansky	Roebuck	
Fairchild	Mackereth	Rohrer	Perzel,
Feese	Maher	Rooney	Speaker
Fichter			

NAYS—0

NOT VOTING—1

Ruffing

EXCUSED—10

Adolph	Donatucci	Rieger	Taylor, E.Z.
Armstrong	Hershey	Staback	Youngblood
Cruz	LaGrotta		

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 return the same to the Senate with the information that the House has passed the same without amendment.

* * *

The House proceeded to third consideration of **SB 669, PN 2173**, entitled:

An Act amending Titles 2 (Administrative Law and Procedure) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for court and administrative proceeding interpreters; and repealing related provisions.

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

Mr. **O'BRIEN** offered the following amendment No. **A10179**:

Amend Sec. 1 (Sec. 101), page 2, lines 6 and 7, by striking out all of said lines

Amend Sec. 1 (Sec. 101), page 2, lines 20 and 21, by striking out all of said lines
proficiency).

(3) Is certified by the Department of Labor and Industry in accordance with Subchapter D (relating to administrative proceeding interpreters for persons who are deaf) or are registered with the department pursuant to the act of July 2, 2004 (P.L.492, No.57), known as the Sign Language Interpreter and Transliterator State Registration Act.

Amend Sec. 1 (Sec. 101), page 5, by inserting between lines 29 and 30

“Presiding officer.” An individual appointed by an agency to preside at an administrative proceeding.

Amend Sec. 3 (Sec. 562), page 8, line 5, by inserting after “interpreters.”

As part of the program, the department may grant automatic certification to any interpreter that has been certified pursuant to 42 Pa.C.S. Ch. 44.

Amend Sec. 3 (Sec. 562), page 8, line 6, by striking out “shall” and inserting

may

Amend Sec. 3 (Sec. 562), page 8, line 16, by inserting after “interpreters”

pursuant to this subchapter

Amend Sec. 3 (Sec. 563), page 10, line 4, by striking out “an administrative law judge” and inserting
a presiding officer

Amend Sec. 3 (Sec. 563), page 10, line 10, by striking out “administrative law judge” and inserting
presiding officer

Amend Sec. 3 (Sec. 563), page 10, line 13, by striking out “administrative law judge” and inserting
presiding officer

Amend Sec. 3 (Sec. 563), page 10, line 15, by striking out “administrative law judge” and inserting
presiding officer

Amend Sec. 3 (Sec. 563), page 10, lines 24 and 25, by striking out “an administrative law judge” and inserting
a presiding officer

Amend Sec. 3 (Sec. 563), page 10, line 28, by striking out “administrative law judge” and inserting
presiding officer

Amend Sec. 3 (Sec. 564), page 10, line 30, by striking out “An administrative law judge” and inserting
A presiding officer

Amend Sec. 3 (Sec. 564), page 11, line 8, by striking out “administrative law judge” and inserting
presiding officer

Amend Sec. 3 (Sec. 582), page 14, line 8, by inserting after “interpreters.”

As part of the program, the department may grant automatic certification to any interpreter that has been certified pursuant to 42 Pa.C.S. Ch. 44.

Amend Sec. 3 (Sec. 582), page 14, line 9, by striking out “shall” and inserting

may

Amend Sec. 3 (Sec. 582), page 14, line 12, by inserting after “interpreters”

pursuant to this subchapter

Amend Sec. 3 (Sec. 583), page 16, lines 5 and 6, by striking out “an administrative law judge” and inserting
a presiding officer

Amend Sec. 3 (Sec. 583), page 16, line 12, by striking out “an administrative law judge” and inserting
a presiding officer

Amend Sec. 3 (Sec. 583), page 16, line 15, by striking out “administrative law judge” and inserting
presiding officer

Amend Sec. 3 (Sec. 583), page 16, line 17, by striking out “administrative law judge” and inserting
presiding officer

Amend Sec. 3 (Sec. 583), page 16, line 19, by striking out “administrative law judge” and inserting
presiding officer

Amend Sec. 3 (Sec. 583), page 17, line 3, by striking out “administrative law judge” and inserting
presiding officer

Amend Sec. 3 (Sec. 583), page 17, line 6, by striking out “administrative law judge” and inserting
presiding officer

Amend Sec. 3 (Sec. 584), page 17, line 8, by striking out “An administrative law judge” and inserting
A presiding officer

Amend Sec. 3 (Sec. 584), page 17, line 15, by striking out “administrative law judge” and inserting
presiding officer

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

The following roll call was recorded:

YEAS—191

Allen	Flaherty	Maitland	Ross
Argall	Fleagle	Major	Rubley
Baker	Flick	Manderino	Sabatina
Baldwin	Forcier	Mann	Sainato
Barrar	Frankel	Markosek	Samuelson
Bastian	Freeman	Marsico	Santoni
Bebko-Jones	Gabig	McCall	Sather
Belardi	Gannon	McGeehan	Saylor
Belfanti	Geist	McGill	Scavello
Benninghoff	George	McIlhattan	Schroder
Beyer	Gerber	McIlhinney	Semmel
Biancucci	Gergely	McNaughton	Shaner
Birmelin	Gillespie	Melio	Shapiro
Bishop	Gingrich	Metcalfe	Siptroth
Blackwell	Godshall	Micozzie	Smith, B.
Blaum	Good	Millard	Smith, S.
Boyd	Goodman	Miller, R.	Solobay
Bunt	Grell	Miller, S.	Sonney
Buxton	Grucela	Mundy	Stairs
Caltagirone	Gruitza	Mustio	Steil
Cappelli	Haluska	Myers	Stern
Casorio	Hanna	Nailor	Stevenson, R.
Causar	Harhai	Nickol	Stevenson, T.
Cawley	Harhart	O'Brien	Sturla
Civera	Harper	O'Neill	Surra
Clymer	Harris	Oliver	Tangretti
Cohen	Hasay	Pallone	Taylor, J.
Cornell	Hennessey	Parker	Thomas
Corrigan	Herman	Payne	Tigue
Costa	Hess	Petrarca	True
Crahalla	Hickernell	Petri	Turzai
Creighton	Hutchinson	Petrone	Veon
Curry	James	Phillips	Vitali
Daley	Josephs	Pickett	Walko
Dally	Kauffman	Pistella	Wansacz
DeLuca	Keller, M.	Preston	Waters
Denlinger	Keller, W.	Pyle	Watson
Dermody	Kenney	Quigley	Wheatley
DeWeese	Killion	Ramaley	Williams
DiGirolamo	Kirkland	Rapp	Wilt
Diven	Kotik	Raymond	Wojnaroski
Eachus	Leach	Readshaw	Wright
Ellis	Lederer	Reed	Yewcic
Evans, D.	Leh	Reichley	Yudichak
Evans, J.	Lescovitz	Roberts	Zug
Fabrizio	Levdansky	Roebuck	
Fairchild	Mackereth	Rohrer	Perzel,
Feese	Maher	Rooney	Speaker
Fichter			

NAYS—0

NOT VOTING—1

Ruffing

EXCUSED—10

Adolph	Donatucci	Rieger	Taylor, E.Z.
Armstrong	Hershey	Staback	Youngblood
Cruz	LaGrotta		

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?

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

The following roll call was recorded:

YEAS—191

Allen	Flaherty	Maitland	Ross
Argall	Fleagle	Major	Rubley
Baker	Flick	Manderino	Sabatina
Baldwin	Forcier	Mann	Sainato
Barrar	Frankel	Markosek	Samuelson
Bastian	Freeman	Marsico	Santoni
Bebko-Jones	Gabig	McCall	Sather
Belardi	Gannon	McGeehan	Saylor
Belfanti	Geist	McGill	Scavello
Benninghoff	George	McIlhattan	Schroder
Beyer	Gerber	McIlhinney	Semmel
Biancucci	Gergely	McNaughton	Shaner
Birmelin	Gillespie	Melio	Shapiro
Bishop	Gingrich	Metcalfe	Siptroth
Blackwell	Godshall	Micozzie	Smith, B.
Blaum	Good	Millard	Smith, S.
Boyd	Goodman	Miller, R.	Solobay
Bunt	Grell	Miller, S.	Sonney
Buxton	Grucela	Mundy	Stairs
Caltagirone	Gruitza	Mustio	Steil
Cappelli	Haluska	Myers	Stern
Casorio	Hanna	Nailor	Stevenson, R.
Causar	Harhai	Nickol	Stevenson, T.
Cawley	Harhart	O'Brien	Sturla
Civera	Harper	O'Neill	Surra
Clymer	Harris	Oliver	Tangretti
Cohen	Hasay	Pallone	Taylor, J.
Cornell	Hennessey	Parker	Thomas
Corrigan	Herman	Payne	Tigue
Costa	Hess	Petrarca	True
Crahalla	Hickernell	Petri	Turzai
Creighton	Hutchinson	Petrone	Veon
Curry	James	Phillips	Vitali
Daley	Josephs	Pickett	Walko
Dally	Kauffman	Pistella	Wansacz
DeLuca	Keller, M.	Preston	Waters
Denlinger	Keller, W.	Pyle	Watson
Dermody	Kenney	Quigley	Wheatley
DeWeese	Killion	Ramaley	Williams
DiGirolamo	Kirkland	Rapp	Wilt
Diven	Kotik	Raymond	Wojnaroski
Eachus	Leach	Readshaw	Wright
Ellis	Lederer	Reed	Yewcic
Evans, D.	Leh	Reichley	Yudichak
Evans, J.	Lescovitz	Roberts	Zug
Fabrizio	Levdansky	Roebuck	
Fairchild	Mackereth	Rohrer	Perzel,
Feese	Maher	Rooney	Speaker
Fichter			

NAYS—0

NOT VOTING—1

Ruffing

EXCUSED—10

Adolph	Donatucci	Rieger	Taylor, E.Z.
Armstrong	Hershey	Staback	Youngblood
Cruz	LaGrotta		

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 return the same to the Senate with the information that the House has passed the same with amendment in which the concurrence of the Senate is requested.

The SPEAKER. The Chair would like to ask the gentlelady from Montgomery, Mrs. Crahalla, to please come to the rostrum.

The gentlelady is entitled to be heard.

FAREWELL ADDRESS BY MRS. CRAHALLA

The SPEAKER. Representative Crahalla.

Mrs. CRAHALLA. Okay. Can everyone hear me? Okay.

My first message today is for PCN (Pennsylvania Cable Network). I want to give them my proper name, Jacqueline Crahalla, because the last time I was seen on PCN, they renamed me Sue Cornell, and I take that as a compliment because I have 30 years on Sue, but I do not know if Sue would take it as one.

Four years ago I won an election over a 12-year incumbent. I want to thank my husband, Ben, who kept insisting I could not lose, and our good friend, Harry Lasorda, brother of Tommy, who was a master at fundraising, and our friends who supported me from the get-go. I was a very, very dark horse at the time. And two other individuals also deserve my thanks: one of whom is Representative Roy Cornell, who unfortunately passed away at the age of 60, and also Bob Asher, who had some faith in me, and members of the Montco delegation who were very hopeful I would win. I managed to raise \$60,000 on my own and won by a mere 63 votes. And I thought that was pretty remarkable, but then I found out from Congressman Gerlach that many years ago when he first ran for the House, he won by only 23 votes, and now we have a Representative-elect from Chester County who is going to beat that record, or so it seems. So we will know soon.

I am thankful to the residents of the 150th for giving me the opportunity to serve them and be here in this magnificent chamber. I do regret that my parents, Henry and Barbara Thies, were not alive to see me attain this achievement. I also am sad to say that my son, Richie, who was killed in a car accident at the age of 21, 15 years ago, was not alive also to see me in this House.

And I want to thank those who support us: the office and research staffs, the tour guides, the Capitol Police, the photographers, and so many others. And regarding office staffers, Mr. Speaker, I hear that the Democrat staff has received COLAs (cost-of-living adjustments) for the past 2 years and the Republican side has not. I understand staff salaries, with some favored exceptions, are not too great, so I am hoping our caucus can at least provide a COLA for the Republican staffers.

When first elected, we go through what is called freshman orientation. My colleague from Chester County, Representative Flick, who is also retiring, told our freshman class, just always remember, family comes first. Right. With 2-year terms and forever being at the beck and call of the public and many duties and responsibilities, most of us Representatives put in more than 60-hour weeks. It is life on a treadmill. It was not long before

I began referring to my husband as "what's his name." We were like ships passing in the dark. And the media keeps on saying that we only work 77 days a year, but then again, the media consistently skews the facts and controversy is their bread and butter; the facts be darned.

Like all jobs, this one has its ups and downs. The upside is obvious. The position is prestigious, helping people with problems is very fulfilling, this chamber is breathtaking, and I could go on.

Now for the downsides: the turnpike ride to Harrisburg. I remember the days when truck drivers were the saviors of the highways and they looked out for everyone else. Has that changed, because you people really put your life in your hands with every trip.

Having your reputation unfairly damaged every 2 years is not much fun. At election time, the facts, whatever you voted on or against, get twisted and turned. So both sides of the aisle are a little guilty of this.

And the main thing that drove me crazy here in the House is so much sitting and waiting. It seems we sit here for hours in Harrisburg waiting for the decisions of leadership. I have never been blessed with patience, and this sitting has been very trying. And here, session time turns into a marathon, and some of you will remember the time that we began on a Saturday morning at 9:15 and ended on a Sunday morning at 7:15, and it was July 4 to boot.

What is sad is how many hardworking and dedicated colleagues were casualties of the media blast about the pay raise. But as one door closes, another opens, and for those who were not reelected, keep in mind that I was the best thing that ever happened to my predecessor. He now makes double what he made as a State Rep. The Governor gave him a lucrative patronage position with the Delaware River Port Authority.

I truly believe the emotion and the endless rant of the media over the pay raise led many voters to forget what their Representatives had done for them. Seniority has its advantages, and these advantages benefited their respective districts more than they will ever know. So they won the battle, but they may have lost the war.

The media gave me a dubious honor. Each year they meet at what is called the Gridiron Dinner in Harrisburg, and they publish a little program in which they roast politicians. As a sophomore, and I was told this is very unusual, I made the back page of this program, with picture and caption, but my caption read "Doesn't give a damn what anybody thinks."

So before that primary election, 30 of us chose to retire. The media enjoys repeating that we retirees were afraid to face the wrath of the voters following the pay raise, and I want to clarify the reason why I chose to retire, and the decision had to be made before last Christmas. Late last year my husband and I had the misfortune of attending four viewings within a month. These were of close friends, and two were younger than us. My younger sister-in-law passed away after a 4-year battle with cancer, and it seems as though we still are attending viewings, and this is definitely a wake-up call. As time goes on, relationships with loved ones become more precious, and I truly plan to enjoy those I love while we are still here.

Now, there will be a lot of new faces in the House, and I have advice for them: Learn patience, because you are going to need it. Remember, you have a family; Representatives can be replaced, family cannot. And never expect the media to quote you accurately.

And I want to thank you all for your friendship, and I have been so fortunate to have known so many outstanding Representatives. I mean, you are just a wonderful group, and like I said, I do not think your hours that you put in or your dedication is appreciated.

So I say farewell to each of you, and I wish you well. I will be down the shore. Just remember, I will be on the beach thinking about you, and if you ever get to Atlantic County, I am in the phonebook, or we are in the phonebook. And who knows what the future is to bring. I truly believe that God directs our lives and our tomorrows. So enjoy life and your loved ones, and God bless you all.

The SPEAKER. Would Representative Shawn Flaherty please come to the rostrum.

FAREWELL ADDRESS BY MR. FLAHERTY

The SPEAKER. Representative Flaherty.
Mr. FLAHERTY. Thank you, Mr. Speaker.

Mr. DeWeese, my fellow Representatives, I have listened to a number of these Representatives going away and they talk about their tenure, and let us see, it has been 7 months. I came in with a great class; I had a great class. There was, and there was, and there was me, but I have enjoyed it very much. I have enjoyed it very, very much. Everybody has been so kind, from both sides of the aisle. And as you go through life, the one thing that it really boils down to is, who are my friends and where do I make friends, and what are the relationships that I make in life? And I am very, very lucky to have been here for 7 months. As I look around the room, I see some great friends, a lot of people that I have had an opportunity to talk to and debate with.

I can tell you that as I return to the private sector, I am still going to look up here and watch with admiration, as hopefully we try to bring real property tax reform to the citizens of this State. I am going to still lobby for the complete removal of the school property tax on the homestead and I hope that a lot of people here will follow, because I really believe that is something that we have to do.

We fight hard for families, and I realized that in fighting for families in the State of Pennsylvania, the hardest family that takes the toll is the family that you live with. About a week before the election, my daughter wrote a letter, my 8-year-old daughter wrote a letter to her 8-year-old unborn daughter, and it is a cute letter. But my wife showed this to me and she said, I think we have to talk, and she said, you have to read this letter, and I will share with you just some parts of it. The letter from Kara to her daughter; she is 8: "Dear Daughter, I do not now your name" but "I want it to be Linda after my sister and" my "Grandmother. I am only 8" years old today but "I am turning 9 December 29...I am so excited to turn 9 and to have a sweet, sweet child" like you. Today "I am carving a pumpkin even though it is past Halloween." I have never ever not carved a pumpkin with my kids before Halloween. "I did not get that much candy" for Halloween. "I only got...79 pieces." She goes on to say, I hope that you "...read the book Inkheart and then" the book "Inkspell." She goes on, "I want to be an artist but it is probably not going to happen. If I am I will care more about you than" I do "my job. I am saying that because my dad..." is now

a State Representative, and he cares more about his job and the telephone than he does about me.

Well, I think it is time for me to go home, because I have an artist to raise. And, Mr. Pyle, if you should see a piece of artwork out there and underneath it says "Kara Flaherty," would you be so kind as to buy that piece of art from my daughter? I would appreciate it.

I will leave you with this: When I stood here and addressed you for the first time, we talked about doing the right thing. My dad had always told me that that is something that you should strive to do. I can remember the second thing that he told me, and I forgot to say this, but I will leave you with this. He always said there are no easy decisions, and you know what? There are a lot of tough decisions that we have coming up in this room. Not any of them are going to be easy decisions, and with the good Lord looking over you and your ability to cross over and talk to each other, I hope that the dialogue enables you to come over, there are no easy decisions, and come up with some tough decisions that are going to benefit the people in this fine State.

I will miss you, and until we meet again, may the wind be always at your back. Thank you very much.

The SPEAKER. The Chair would like to ask Representative Roy Baldwin to please come to the rostrum.

FAREWELL ADDRESS BY MR. BALDWIN

The SPEAKER. Representative Baldwin.

Mr. BALDWIN. Mr. Speaker, floor leaders, and fellow Representatives, I would like to comment briefly on the latest chapter of my life, and that chapter is being a Pennsylvania Representative. First, my experience as a Representative was truly enlightening and very rewarding. My 4 years in the House, although brief, taught me a great deal about State government and about the "art of the deal."

My time in the House has been a happy time. I have enjoyed making many friends, and I view the House as a fraternity/sorority of like-minded individuals who are empathetic to their constituents. I have enjoyed working with my constituents and taking part in the outreach activities in my district.

My duties taught me the value of time, and I will be spending more time with my wife and family in the future. It has taught me that many constituents have very little knowledge of what a Representative does and how State government works. It also taught me how the media can take control of an issue, blow it all out of proportion, and influence the voters, all in the effort to sell more newsprint or achieve better ratings. This reminds me of a Samuel Adams quote, that "It does not require a majority to prevail, but rather an irate, tireless minority...to set brush fires in people's minds." In my opinion, the media is influencing the direction of this House much more than it should.

The Pennsylvania House of Representatives is an awe-inspiring institution that dates back to the beginning of democracy. I am always proud to show off our House to constituents because of its history and its beauty. I think we all need to be reminded of the value of this great institution, and we need to stand strong to protect its position in Pennsylvania's government. As John Adams said back in 1788, "It is weakness

rather than wickedness which renders men unfit to be trusted with unlimited power.”

I would like to thank my staff for all their efforts: Gina Buffington; Jeri Stelson; John Scarpato; my writer, Richard Rabuck; and also the staff of the committees that I worked on – Eric Bugaile, Jason Wagner, Sharon Schwartz, Al Taylor, and Kathy McCormac – and of course all the staff that help all of us on a daily basis.

I leave the Bike Caucus now – this is a little sentimental – in the capable hands of Steve Barrar and Gary Haluska.

I would now like to especially thank Representative Rick Geist and Representative Bob Flick for all the help that they gave me while I was here.

I will close with an Irish blessing for all of you:

May you always have work for your hands to do.

May your pockets hold always a coin or two.

May the sun shine bright on your windowpane.

May the rainbow be certain to follow each rain.

May the hand of a friend always be near you.

And may God fill your heart with gladness to cheer you.

Until we meet again in my next chapter of life, farewell.

LEAVE OF ABSENCE

HARRISBURG LEGISLATIVE LEAVE

The SPEAKER. The Chair returns to leaves of absence and recognizes the gentleman, Mr. Argall.

Mr. ARGALL. Thank you, Mr. Speaker.

Mr. Speaker, please place the gentleman from Berks County, Representative ROHRER, on leave, and the gentleman, Representative SEMMEL, from Lehigh County on Capitol leave.

The SPEAKER. Without objection, the leaves will be granted.

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 1330, PN 2217**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further defining “serious traffic violations”; further providing for employer responsibilities; authorizing certain charitable organizations to solicit funds on highways; and further providing for unlawful acts.

On the question,

Will the House agree to the bill on third consideration?

Mr. **TAYLOR** offered the following amendment No. **A10454**:

Amend Title, page 1, line 3, by inserting after “RESPONSIBILITIES;”

providing, in financial responsibility, for construction; further providing, in financial responsibility, for election of tort options;

Amend Sec. 2, page 2, line 23, by striking out “SECTIONS 1605(B)(1) AND (E), 3545 AND 4107(D)(3)” and inserting

Section 1605(b)(1) and (e)

Amend Bill, page 3, by inserting between lines 20 and 21

Section 3. Title 75 is amended by adding a section to read:

§ 1703.1. Construction.

(a) Tort.—The term “tort” as used in this chapter shall be interchangeable with and shall have the same meaning and be interpreted in the same manner as the term “right to sue.”

(b) Limited tort.—The term “limited tort” as used in this chapter shall be interchangeable with and shall have the same meaning and be interpreted in the same manner as the term “limited right to sue.”

(c) Full tort.—The term “full tort” as used in this chapter shall be interchangeable with and shall have the same meaning and be interpreted in the same manner as the term “full right to sue.”

Section 4. Sections 1705(a)(1), 3545 and 4107(d)(3) of Title 75 are amended to read:

§ 1705. Election of tort options.

(a) Financial responsibility requirements.—

(1) Each insurer, not less than 45 days prior to the first renewal of a private passenger motor vehicle liability insurance policy on and after July 1, 1990, shall notify in writing each named insured of the availability of two alternatives of full tort insurance and limited tort insurance described in subsections (c) and (d). The notice shall be a standardized form adopted by the commissioner and shall include the following language:

NOTICE TO NAMED INSURED

A. “Limited [Tort] Right to Sue” Option—The laws of the Commonwealth of Pennsylvania give you the right to choose a form of insurance that limits your right and the right of members of your household to seek financial compensation for injuries caused by other drivers. Under this form of insurance, you and other household members covered under this policy may seek recovery for all medical and other out-of-pocket expenses, but not for pain and suffering or other nonmonetary damages unless the injuries suffered fall within the definition of “serious injury” as set forth in the policy or unless one of several other exceptions noted in the policy applies. The annual premium for basic coverage as required by law under this “limited [tort] right to sue” option is \$. Additional coverages under this option are available at additional cost.

B. “Full [Tort] Right to Sue” Option—The laws of the Commonwealth of Pennsylvania also give you the right to choose a form of insurance under which you maintain an unrestricted right for you and the members of your household to seek financial compensation for injuries caused by other drivers. Under this form of insurance, you and other household members covered under this policy may seek recovery for all medical and other out-of-pocket expenses and may also seek financial compensation for pain and suffering and other nonmonetary damages as a result of injuries caused by other drivers. The annual premium for basic coverage as required by law under this “full [tort] right to sue” option is \$. Additional coverages under this option are available at additional cost.

C. You may contact your insurance agent, broker or company to discuss the cost of other coverages.

D. If you wish to choose the “limited [tort] right to sue” option described in paragraph A, you must sign this notice where indicated below and return it. If you do not sign and return this notice, you will be considered to have chosen the “full [tort] right to sue” coverage as

described in paragraph B and you will be charged the "full [tort] right to sue" premium. I wish to choose the "limited [tort] right to sue" option described in paragraph A:

.....
Named Insured Date

E. If you wish to choose the "full [tort] right to sue" option described in paragraph B, you may sign this notice where indicated below and return it. However, if you do not sign and return this notice, you will be considered to have chosen the "full [tort] right to sue" coverage as described in paragraph B and you will be charged the "full [tort] right to sue" premium.

I wish to choose the "full [tort] right to sue" option described in paragraph B:

.....
Named Insured Date

* * *

Amend Bill, page 5, by inserting between lines 6 and 7

Section 5. The amendment of 75 Pa.C.S. § 1705(a)(1) shall apply to notices provided by an insurer with a new private passenger motor vehicle liability insurance policy issued after December 31, 2006.

Amend Sec. 3, page 5, line 7, by striking out "3" and inserting
6

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

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

Mr. TAYLOR. Thank you, Mr. Speaker.

Mr. Speaker, this is the amendment which really just changes some industry terminology into what at least I consider very plain language. In the notice that all auto insurance consumers receive and they look at before they make a choice about their type of auto insurance, the words "limited tort" and "full tort" appear. This amendment just changes those words to "full right to sue" and "limited right to sue."

I think very clearly that if all your constituents understand the term "limited tort," then this is not an amendment that you should support. But I would venture to guess that every one of us have constituents that every day look at these notices and just have a passing sense of what that might mean, even after an explanation.

Mr. Speaker, the words "full tort" and "limited tort," even by definition, do not make any sense that people would understand. They are strictly terms that are used in the insurance industry, they are used in the legal industry, and they are used here in the House of Representatives when we created Act 6. They even went so far when we created that act to make sure there was a notice to consumers, but at this point, Mr. Speaker, we think this notice is too complicated and not in plain language. This amendment does not change any substantive law, does not create any new rights, does not create any more rights, does not create any less rights. It merely changes the language so that people can understand the insurance policy that they are purchasing.

One of the comments that I am sure you will hear is the cost of this. It is really a matter of changing the forms that we use. Sure, there will be costs to that, but to give our constituents the right to understand the policies that they are purchasing, it is certainly worth it, and I would ask for your support of this amendment.

The SPEAKER. The Chair thanks the gentleman.

The gentleman, Mr. Cohen.

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, I strongly endorse the Taylor amendment. This is, as he says, a consumer protection amendment to make sure that people give informed consent whenever they fill out an automobile insurance application. It guarantees that they know what they are doing. Most people really do not know what "tort" means. I know I did not know what a tort was until long after I got my driver's license at age 16. We have to expect that if we are going to ask people to make a decision, they are going to be given the information on which they can make the decision in an intelligent way.

This is a very good amendment. I strongly urge support of it.

The SPEAKER. The Chair thanks the gentleman.

MOTION TO TABLE AMENDMENT

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

Mr. MUSTIO. Thank you, Mr. Speaker.

I would like to move that we table this amendment. Obviously, based on the number of e-mails that we have received on this issue, there is a significant policy change here, and I think that we really do need to go through the committee process, something that doing this at the last minute we are certainly bypassing. And as I said, I would like to move that we table this amendment.

The SPEAKER. The motion is not debatable except by the floor leaders.

It is moved by the gentleman, Mr. Mustio, that amendment No. A10454 be tabled.

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

The SPEAKER. On that question, Mr. DeWeese? The gentleman, Mr. DeWeese, yields to the gentleman, Mr. Cohen.

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, this amendment has been with us for well over a month now. We have received numerous pieces of mail. We have received e-mail. We should have a full and complete understanding of the effects of this legislation. The Taylor amendment is not being sprung upon us at the last moment. We understand the contents. It is a very simple piece of legislation. It does not have any effect whatsoever on anybody's rights. It merely guarantees that citizens are aware of what their rights are and it is not lost in what many citizens consider to be legal gobbledeygook.

I strongly urge a "no" vote on tabling.

The SPEAKER. The Chair thanks the gentleman.

The gentleman, Mr. Smith, yields to the gentleman, Mr. Mustio.

Mr. MUSTIO. Thank you, Mr. Speaker.

I would urge a "yes" vote on tabling for a couple of reasons. One, the comment has been made that this is very simple and there is a lot of confusion about the current full tort versus limited tort, and I can honestly tell you, I have been in the insurance business since 1979, and in 1989, I guess, when Act 6 was passed, there was a lot of angst on the part of the insurance companies, and in fact, Governor Casey's insurance was

canceled by Aetna. And it turned out that Governor Casey was right, that Act 6 was a good thing for the Commonwealth and the insurance-buying public, and right now we are trying to change something that does not need changed.

I can tell you that the process that takes place when an individual buys insurance, the form and the coverages for limited and full tort are explained. They are explained what the right to sue and a not full right to sue means. The problem we have in this particular situation is we are creating a problem that does not exist. It is very similar to when you go to an attorney and you ask them to draft a will and set up a trust for you. When you sit in front of the attorney and they are explaining it to you, you fully understand it, you sign it, and you are in full agreement. It is very similar to signing when you take out an auto policy. You fully understand it at the time, then you put it in a drawer. Then all of a sudden an accident takes place and you are in front of an attorney whom you want to perhaps get some money for, and they say, why did you sign that? All of a sudden you did not understand the form you were signing, and that is what we were doing here. We are giving that opportunity to create some confusion, and I do not think something that is this important should be decided here late in session. I think we do need to go through the committee process, and it was admitted that this was sprung on us a month ago. Quite honestly, if it is that important an issue, I think we need to look to the administration and find out from the Insurance Department how many complaints have actually been presented, and if you look at the statement from the Insurance Department, they have had no complaints, no consumer complaints on this issue.

So again, I think it is an early Christmas present to the trial bar, and I would urge that we all table this. Thank you.

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

The following roll call was recorded:

YEAS—74

Allen	Fleagle	Mann	Reichley
Argall	Forcier	Markosek	Ross
Baker	Frankel	Marsico	Rubley
Baldwin	Gabig	McNaughton	Saylor
Bastian	Gillespie	Melio	Scavello
Benninghoff	Gingrich	Metcalfe	Schroder
Boyd	Godshall	Micozzie	Semmel
Cappelli	Grell	Miller, R.	Smith, B.
Causar	Harhart	Miller, S.	Smith, S.
Civera	Hickernell	Mustio	Sonney
Clymer	Hutchinson	Nailor	Steil
Crahalla	Kauffman	Nickol	Stern
Creighton	Keller, M.	Payne	Stevenson, R.
Dally	Killion	Pickett	Stevenson, T.
Denlinger	Leh	Pyle	True
DiGirolamo	Levdansky	Quigley	Turzai
Ellis	Mackereth	Rapp	Wilt
Evans, J.	Maher	Reed	Wright
Fairchild	Major		

NAYS—115

Barrar	Flick	Maitland	Samuelson
Bebko-Jones	Freeman	Manderino	Santoni
Belardi	Gannon	McCall	Sather
Belfanti	Geist	McGeehan	Shaner
Beyer	George	McGill	Shapiro

Biancucci	Gerber	McIlhattan	Siptroth
Bishop	Gergely	McIlhinney	Solobay
Blackwell	Good	Millard	Stairs
Blaum	Goodman	Mundy	Sturla
Bunt	Grucela	Myers	Surra
Buxton	Gruitza	O'Brien	Tangretti
Caltagirone	Haluska	O'Neill	Taylor, J.
Casorio	Hanna	Oliver	Thomas
Cawley	Harhai	Pallone	Tigue
Cohen	Harper	Parker	Veon
Cornell	Harris	Petrarca	Vitali
Corrigan	Hasay	Petri	Walko
Costa	Hennessey	Petrone	Wansacz
Curry	Herman	Phillips	Waters
Daley	Hess	Pistella	Watson
DeLuca	James	Preston	Wheatley
Dermody	Josephs	Ramaley	Williams
DeWeese	Keller, W.	Raymond	Wojnaroski
Diven	Kenney	Readshaw	Yewcic
Eachus	Kirkland	Roberts	Yudichak
Evans, D.	Kotik	Roebuck	Zug
Fabrizio	Leach	Rooney	
Feese	Lederer	Sabatina	Perzel,
Fichter	Lescovitz	Sainato	Speaker
Flaherty			

NOT VOTING—2

Birmelin	Ruffing
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EXCUSED—11

Adolph	Donatucci	Rieger	Taylor, E.Z.
Armstrong	Hershey	Rohrer	Youngblood
Cruz	LaGrotta	Staback	

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 SPEAKER. On the amendment, the Chair recognizes the gentleman, Mr. Turzai.

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

Mr. Speaker, back in the early nineties when this legislature took the lead in reforming the auto insurance law, one of the most important reforms that was done was the establishment of full tort and limited tort. It has been some 16 years now that this language has been in use with respect to a person's ability to bring a cause of action in a court of law, and what the advent of using full tort and limited tort did is it resulted in lower auto insurance rates across the State as part of a large reform package. And the idea that the use of these terms, which are terms of art and that have to be explained by insurance agents and brokers, and have been for some 16-plus years, that people understand exactly what it is that they are getting when they buy a particular auto insurance policy, the idea that somehow there is this mass confusion is just not accurate at all.

This is designed to muddy up the waters with respect to a settled area of law, and it makes no sense at all to make this change from what is being under a misguided notion of plain language when people certainly understand what the difference between full tort and limited tort is. In fact, to be able to waive their right to full tort to get limited tort, it has to be explained

and the statute itself says that you have to sign it in writing to show that it has been explained.

In addition, the deadlines make no sense in this language. They want this to start taking place essentially at the beginning of next year and they want to change 16 years of settled law that has resulted in real reform to be overthrown overnight to create— By passing this, if we would ultimately get this on the Governor's desk, it would be real confusion.

I would also call to everybody that the Governor's Office, the Governor, who has not certainly been necessarily favorable to lawsuit abuse reform, the Governor has come out in writing against this particular measure, and I think that everybody should vote against this and would urge your request. This is too significant a change, far too significant a change for something that actually brought good things to Pennsylvania auto insurance law.

Thank you very much.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Pallone.

Mr. PALLONE. Thank you, Mr. Speaker.

In considering this amendment, I think one must ask themselves as we sit here in this illustrious body as to, whom do we represent? Do we represent the people of Pennsylvania, or do we represent the insurance industry?

This particular plain-language opportunity clarifies what is otherwise a very confusing issue for the taxpayers and the insurance holders in Pennsylvania. It does not change any substantive part of the law at all. It does not change any of the rules, any of the regulations, any of the applications as they apply to people in Pennsylvania. All it does is take the language "full tort," "limited tort," and actually give it a clear and plain definition so that the common person can understand very clearly what they are purchasing when they buy insurance.

I know that after more than 18 years' experience in the legal community, the word "tort" itself is a term of art that is used primarily in the legal community and in the insurance industry. It is not a common term used throughout the general population, and whether it is full tort or limited tort, it is very unclear to the individual who is purchasing the insurance as to what particular type of insurance they have gotten. And I can tell you, in both my legislative office in my opportunities as a State legislator and in my private law office as a lawyer in my local community, I have had dozens after dozens after dozens of inquiries, calls, and personal visits from whether it be constituents or clients asking, what is the difference between full tort and limited tort? They do not understand the legal implication and the legal impact of what full and limited tort will be. By adopting the Taylor amendment, we will be telling the people of Pennsylvania, not the insurance industry, the people whom we represent that we want them to know very clearly and very plainly what insurance they are purchasing, wholly within compliance of the Act 6 requirements of more than 18 years ago. We are not offering an opportunity to change the law; we are only changing the designation or the words that are used to define the options, option 1 or option 2.

I encourage the body to vote in favor of this amendment and vote for the people of Pennsylvania. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Godshall.

Mr. GODSHALL. Thank you, Mr. Speaker.

As one of the coauthors of Act 6, which is the Pennsylvania auto insurance law that we have in place today, maybe a little

history of just exactly what happened back in the late eighties and early nineties. We had one of the hardest insurance markets and auto insurance markets that ever existed anyplace in the country. I remember one specific company back in my area issued at one time 100,000 nonrenewal notices. I along with Tom Michlovic from Allegheny County and Tom Murphy from Allegheny County sat down and put this bill together, which has survived 16 years without any changes – 16 years.

We have created a soft insurance market, and saying in here, I look at the amendment and in the amendment it is not clear except it says, "The amendment...shall apply to notices provided by an insurer with a new private passenger motor vehicle liability insurance policy issued after December 31, 2006." What is "a new private passenger motor vehicle liability insurance policy issued after December 31, 2006"? I have two policies that expired December 31 in 2006. I have received renewal notices, and I talked to my company pertaining to those renewal notices. As far as they are concerned, the policy that I have in place is the policy that will expire, and the new policy, whether it is a renewal or a new policy, will be issued January 1.

The big problem that comes in here is exactly what the Governor's Office has said. You know, every change, in every case the policy changes, the form changes, the brochures that go with it must be changed to reflect the change that is required by this amendment. Each one of those forms has to be approved for each and every company by the Insurance Department. Well, this becomes effective December 31; then you have to get those, after they are approved, you have to get them printed and get them out to the potential insured. There is just no way that this is possible. There is no human way that this is possible to have this approved by December 31.

So it is a question of practicality. It is a question of exactly what this amendment does or does not do. If I add a son or daughter or granddaughter to my policy, does that create a new policy or does it not create a new policy? I do not know. It is not clear in the amendment, and I would urge that we defeat this amendment.

We have had Act 6 in place for 16 years. It is one of the softest insurance markets in the country at this time. It has served us well. There have been no changes to Act 6 during this period of time at all. Why are we meddling with something that does not need fixing? And the administration says, you know, why change it, it is working, and it is not practical. The insurance agents say, we do not want anything to do with this – the insurance companies, the Insurance Department. You know, it is something that should not require us to do something here at the last minute which is physically impossible.

I urge a "no" vote.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Nickol.

Mr. NICKOL. Thank you, Mr. Speaker.

I rise not so much to debate the purpose, but I do have some serious concerns over a much more practical matter, some of which were raised by the gentleman from Montgomery County with regard to implementation, and I was wondering if the sponsor of this amendment would kindly consent to interrogation.

The SPEAKER. The gentleman, Mr. Taylor, indicates he will stand for interrogation. The gentleman, Mr. Nickol, is in order and may proceed.

Mr. NICKOL. I note that the amendment says the new language applies to all new policies issued after December 31. Is it the gentleman's intent that that include all renewals after that date?

Mr. TAYLOR. No, Mr. Speaker, any time that a new policy is created, not a simple renewal on the same existing policy; and secondly, it is all prospective. What the prior speaker was talking about, any amendment, any change to the policy, any change in the named insured, that these forms would have to be sent out, is simply not true.

Mr. NICKOL. So what would happen if I add my daughter to my own policy? Would that be a new policy? Or if I added a car to my policy, would I then have to make a new tort election or—

Mr. TAYLOR. That would be an existing policy.

Mr. NICKOL. So that means anybody with an existing policy will not, your intention is that they would not have to make a new election. Their existing election would continue to prevail.

Mr. TAYLOR. Mr. Speaker, the notice will not have to be sent in those circumstances. Therefore, this language would not affect those policies.

Mr. NICKOL. This would still require, would it not, that right now we require all forms of marketing materials from an insurance company to be approved by the Insurance Commissioner before they can be used. With the December 31 deadline, this would seem to present quite a hurdle for all the insurance companies in Pennsylvania and for the Insurance Department to review updated forms and marketing materials for everyone to really make this change. I do not know if you have had communication with the Insurance Department or not. Do you feel that will present a problem or that they will be able to do that in that kind of a turnaround time?

Mr. TAYLOR. Mr. Speaker, number one, this does not change any existing law in terms of requirements, and number two, I would predict that if the insurance companies wanted to raise their rates, they would find a way to do it in that time period.

Mr. NICKOL. That completes my interrogation, Mr. Speaker. I would like to make some remarks.

I understand what the gentleman is saying and I am glad that his intent is not to so broadly apply this as might seem to be the case in just reading it. I do feel, however, that this may create a lot of confusion, and my real fear is that this opens grounds for litigation with the courts possibly reaching different interpretations of what the provisions are because they are not clearly stated. Therefore, Mr. Speaker, I intend personally to vote against the amendment.

Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Mustio.

Mr. MUSTIO. I would like to interrogate the sponsor, please.

The SPEAKER. The gentleman is in order.

Mr. MUSTIO. Just as a follow-up to Representative Nickol's questions, help me understand then the process, how that is going to work where it says this requirement applies "to notices provided by an insurer with a new private passenger motor vehicle liability insurance policy...." So I have had my insurance with the same insurance company for 15 years and I just keep it there for another 5 years or so, I never have to sign a new option form?

Mr. TAYLOR. Yes. If you think about the intent of the amendment, Mr. Speaker, this is designed to give somebody that option prior to a new renewal, a new policy rather. So assuming that nothing changes, you renew, it is not a new company, if there is no requirement to give you that notice, there will not be a reason to change the language or even give you a notice. So anytime, I mean, to put this more simply, anytime you are required to give the notice, as you are now under Act 6, the language in that notice will change.

Mr. MUSTIO. That is under the notice, but assigning the form, that is not required at each renewal. Is that correct? In other words, the renewal policy comes out; there is not going to be any signature stating the new language.

Mr. TAYLOR. That is correct, Mr. Speaker.

Mr. MUSTIO. So how are we not having a set of consumers out there that are not going to understand the language?

Mr. TAYLOR. Mr. Speaker, I think if I had my druthers, I would change this to every existing policy, and in fact, that may be a good idea. Why do we not change it to every existing policy right now, except for the fact that that is a little too much of a burden and too confusing and we create more confusion. So this is for new policies only. And yes, it will be existing policies use one notice and the new policies will use another, and it is a way of doing it by attrition rather than upsetting the entire industry.

Mr. MUSTIO. And I was not intending to be sarcastic or smart with the speaker. I was trying to make a point in that we are going to have a couple sets of language out there in the marketplace, and we had a prior speaker take a shot really at the insurance industry similar to what I think I did with the trial bar a little earlier in that I think what this does, because the confusion takes place, it removes the opportunity to really fix it from the committee process and here in the legislative body and all of a sudden now we have some opportunity to play games in court and then start the process of opening up some new judicial decisions, which I think addresses what Representative Godshall said earlier. We have a law that has been in effect for 16 years and we have not had problems. And really, Mr. Speaker, in the trenches every day living this for the past 16 years, this is not an issue until someone has a claim and they are in front of an attorney and then all of a sudden they forgot what they signed. That is where I have an issue, and I think that is why we need to put this through the committee process. And I would be happy to work, honestly, I mean, there have been issues that the Insurance Federation has supported that I have voted against, because I see every day how it impacts consumers. And I have a sincere belief that your intent is correct; I just think that the way the amendment is written, it just gives an opportunity for some mischievous actions to take place in an environment, in a judicial environment, that we do not have control over, and I think that hurts the intent and long term I think has a serious impact on what you are trying to accomplish, similar to the bill that I had where I was trying to fix independent contractors. It opened up more problems than what I was really trying to fix. The problem that you are trying to fix, believe me, does not exist. The opportunity to create a much bigger problem that we will all be lobbied on and hearing from our consumers on when the insurance market tightens and we have by voting for this passed on a rate increase, that is the issue that we will be facing, all to the benefit of someone that is not here lobbying for this bill.

That concludes my comments. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Siptroth.

Mr. SIPTROTH. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of the Taylor amendment. Let us try to use simple language for the meanings in our legislation so that everyone has the opportunity to understand exactly what we are talking about. Mr. Speaker, recently we have learned that the fire departments and the police departments are abandoning their 10-codes and going to plain and simple language so that others can understand exactly what they are saying.

Mr. Speaker, I would certainly hope that this body will support the Taylor amendment. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Cohen, for the second time.

Mr. COHEN. Mr. Speaker, various technical questions have been raised about this amendment, but all these technical questions can be dealt with by the courts if indeed anybody feels strongly enough about this amendment to take it to court. All this does is give notice to consumers so they can make an informed judgment. Many people simply do not know what the words “full tort” and “limited tort” mean. The Taylor amendment expresses these concepts in simple, easy-to-understand layman’s language so that people make intelligent decisions.

This is a worthwhile proposal. It is hard for me to see how it will have any significant negative effects. It is something that we can be proud of doing. We are letting our constituents make an informed judgment, where right now many of them are befuddled.

I strongly urge support of the Taylor amendment.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Schroder.

Mr. SCHRODER. Thank you, Mr. Speaker.

Mr. Speaker, I am going to vote against this amendment, but I am only going to do so based upon the very narrow ground of the effective date of this provision, which will be new policies issued after December 31, 2006.

Mr. Speaker, I just want to serve notice to the insureds and the insurance industry on this, and I am not so sure that they are not making a mountain out of a molehill on this issue. After reviewing the issue, I do not believe it changes substantive law. I would be much more concerned if it applied to renewals and required insureds to go through the process and sign again to take either full or limited tort or right to sue, whatever you want to call it.

If that was the case, I would worry that it was a setup, you know, against the insurance agents for perhaps lawyers to try to take advantage of the decisions made, you know, when they sign the papers, but since it only applies to new policies, and I presume it will be just amendatory language sent in with renewals, I just am not seeing the huge threat that is, you know, being portrayed by some people. I think if you ask yourself, does every member of my family or does every friend and neighbor of mine understand what the term “tort” means, you know, chances are you might come up with someone who, off the top of their head, could not give an, you know, intelligent explanation of what that term means.

I think we should try to have contracts written in plain and simple language, and I do tend to think that that is what this amendment attempts to do. However, Mr. Speaker, I do believe there is some validity to the concern about the effective date of

this. If this effective date was 6 months out in the future or something where we had a chance to have a little more, gather a little more information about the amount of time it would take to implement such a change, I might very well be considering voting differently, but because of that, I will be voting “no.”

Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Killion.

Mr. KILLION. Thank you, Mr. Speaker.

In all due respect for my friend from Philadelphia, the maker of the amendment, I, too, believe that we need to slow the process down. We just went through a campaign season where we all looked at polls, and someone on the other side mentioned, we should do what our constituents have sent us here to do. Well, I looked at many polls and many of the races, and I saw property tax reform and I saw open space preservation; I saw gun control as issues, but not one single issue, not one single mention in any of the polls I saw about auto insurance; a lot about health insurance, but nothing about auto insurance.

I do not know why we need to do this right now. As a member of the Insurance Committee, I would be glad to sit down, work with others to take a look at whether or not we have to change the language, but I think we are rushing this. Just by the fact that we are having this much debate on something that was presented as a simple language change says it needs to be vetted. It needs to be vetted in the process that is established in this body.

For that reason I am going to vote “no” and encourage my colleagues to do the same.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Frankel. The gentleman waives off.

The Chair recognizes the gentleman from Montgomery, Mr. Godshall, for the second time.

Mr. GODSHALL. Thank you, Mr. Speaker.

I am going to be brief, but I want to point out that the gentleman from Philadelphia said if the ambiguity in this bill, in this language, can be straightened out in the courts. Well, right now we do not have a problem in the courts. We have not had a problem for 16 years. As the Insurance Department said, they have had no complaints, n-o, no complaints, and this does not only affect companies domiciled here in Pennsylvania, but it affects anybody that is selling into Pennsylvania. The amount of insurance companies that are selling here that are going to be required for new forms to have approved by the Insurance Department is unbelievable. There is no practical way that this can be put into law, and to have the two policies out there, one saying “limited tort” and “full tort” versus “limited right to sue” and “full right to sue,” it just plain is impractical.

I also wanted to point out that the language in the bill with the “limited tort” and “full tort” was carefully worked out with then Governor Casey back in 1990. He went over the language. He prepared some of the language. There have been no complaints. As the gentleman from Delaware County said, you know, this is not an issue from Pennsylvania, but we are going to make it an issue if we vote for this amendment.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—115

Barrar	Flaherty	Manderino	Sainato
Bebko-Jones	Freeman	Marsico	Samuelson
Belardi	Gannon	McCall	Santoni
Belfanti	Geist	McGeehan	Semmel
Beyer	George	McGill	Shaner
Biancucci	Gerber	McIlhattan	Shapiro
Bishop	Gergely	McNaughton	Siptroth
Blackwell	Gingrich	Millard	Solobay
Blaum	Good	Mundy	Stairs
Bunt	Goodman	Myers	Sturla
Buxton	Grucela	O'Brien	Surra
Caltagirone	Gruitza	O'Neill	Tangretti
Casorio	Haluska	Oliver	Taylor, J.
Cawley	Hanna	Pallone	Thomas
Civera	Harhai	Parker	Tigue
Cohen	Harper	Petrarca	Veon
Cornell	Harris	Petri	Vitali
Corrigan	Hasay	Petrone	Walko
Costa	Hennessey	Phillips	Wansacz
Curry	Herman	Pistella	Waters
Daley	James	Preston	Wheatley
DeLuca	Josephs	Ramaley	Williams
Dermody	Keller, W.	Raymond	Wojnaroski
DeWeese	Kirkland	Readshaw	Yewcic
Diven	Kotik	Roberts	Yudichak
Eachus	Leach	Roebuck	Zug
Evans, D.	Lederer	Rooney	
Fabrizio	Lescovitz	Rubley	Perzel,
Feese	Maitland	Sabatina	Speaker
Fichter			

NAYS—75

Allen	Fleagle	Maher	Reichley
Argall	Flick	Major	Ross
Baker	Forcier	Mann	Sather
Baldwin	Frankel	Markosek	Saylor
Bastian	Gabig	McIlhinney	Scavello
Benninghoff	Gillespie	Melio	Schroder
Birmelin	Godshall	Metcalfe	Smith, B.
Boyd	Grell	Micozzie	Smith, S.
Cappelli	Harhart	Miller, R.	Sonney
Causar	Hess	Miller, S.	Steil
Clymer	Hickernell	Mustio	Stern
Crahalla	Hutchinson	Nailor	Stevenson, R.
Creighton	Kauffman	Nickol	Stevenson, T.
Dally	Keller, M.	Payne	True
Denlinger	Kennedy	Pickett	Turzai
DiGirolamo	Killion	Pyle	Watson
Ellis	Leh	Quigley	Wilt
Evans, J.	Levdansky	Rapp	Wright
Fairchild	Mackereth	Reed	

NOT VOTING—1

Ruffing

EXCUSED—11

Adolph	Donatucci	Rieger	Taylor, E.Z.
Armstrong	Hershey	Rohrer	Youngblood
Cruz	LaGrotta	Staback	

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?

Mr. MAHER offered the following amendment No. **A10415**:

Amend Sec. 2 (Sec. 3545), page 4, line 19, by inserting after "necessary,"

for State-designated highways.

Amend Sec. 2 (Sec. 3545), page 4, line 22, by striking out "its decision" and inserting

their decisions

On the question,

Will the House agree to the amendment?

The SPEAKER. On the amendment, Mr. Vitali.

Mr. VITALI. Thank you, Mr. Speaker.

Will the maker of the amendment stand for brief interrogation?

The SPEAKER. The gentleman indicates he will stand for interrogation. The gentleman is in order.

Mr. VITALI. I am sorry. This is not on our pre-session report. Could we have a brief explanation of this amendment?

Mr. MAHER. Thank you, Mr. Speaker.

This amendment is essentially a technical amendment in nature. The bill as currently amended provides for a requirement that volunteer fire departments and emergency responders and so forth who run these boot drives, where they collect funds along the public roads while holding a boot, that they would need to get permission from the Department of Transportation with respect to any road at all in the Commonwealth, and this amendment clarifies that the Department of Transportation's intercession would be required only in the event that a State road is involved.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—190

Allen	Fichter	Maher	Ross
Argall	Flaherty	Maitland	Rubley
Baker	Fleagle	Major	Sabatina
Baldwin	Flick	Manderino	Sainato
Barrar	Forcier	Mann	Samuelson
Bastian	Frankel	Markosek	Santoni
Bebko-Jones	Freeman	Marsico	Sather
Belardi	Gabig	McCall	Saylor
Belfanti	Gannon	McGeehan	Scavello
Benninghoff	Geist	McGill	Schroder
Beyer	George	McIlhattan	Semmel
Biancucci	Gerber	McIlhinney	Shaner
Birmelin	Gergely	McNaughton	Shapiro
Bishop	Gillespie	Melio	Siptroth
Blackwell	Gingrich	Metcalfe	Smith, B.
Blaum	Godshall	Micozzie	Smith, S.
Boyd	Good	Millard	Solobay
Bunt	Goodman	Miller, R.	Sonney
Buxton	Grell	Miller, S.	Stairs
Caltagirone	Grucela	Mundy	Steil
Cappelli	Gruitza	Mustio	Stern
Casorio	Haluska	Myers	Stevenson, R.
Causar	Hanna	Nailor	Stevenson, T.

Cawley	Harhai	Nickol	Sturla
Civera	Harhart	O'Brien	Surra
Clymer	Harper	O'Neill	Tangretti
Cohen	Harris	Oliver	Taylor, J.
Cornell	Hasay	Pallone	Thomas
Corrigan	Hennessey	Parker	Tigue
Costa	Herman	Payne	True
Crahalla	Hess	Petrarca	Turzai
Creighton	Hickernell	Petri	Veon
Curry	Hutchinson	Petrone	Vitali
Daley	James	Phillips	Walko
Dally	Josephs	Pickett	Wansacz
DeLuca	Kauffman	Pistella	Waters
Denlinger	Keller, M.	Preston	Watson
Dermody	Keller, W.	Pyle	Wheatley
DeWeese	Kenney	Quigley	Williams
DiGirolamo	Killion	Ramaley	Wilt
Diven	Kirkland	Rapp	Wojnaroski
Eachus	Kotik	Raymond	Wright
Ellis	Leach	Readshaw	Yewcic
Evans, D.	Lederer	Reed	Yudichak
Evans, J.	Leh	Reichley	Zug
Fabrizio	Lescovitz	Roberts	
Fairchild	Levdansky	Roebuck	Perzel,
Feese	Mackereth	Rooney	Speaker

NAYS-0

NOT VOTING-1

Ruffing

EXCUSED-11

Adolph	Donatucci	Rieger	Taylor, E.Z.
Armstrong	Hershey	Rohrer	Youngblood
Cruz	LaGrotta	Staback	

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

HARRISBURG LEGISLATIVE LEAVES

The SPEAKER. The Chair returns to leaves of absence and recognizes the gentleman, Mr. Argall.

Mr. ARGALL. Thank you, Mr. Speaker.

Mr. Speaker, please place the gentlemen, Representative Bruce SMITH, Representative Bob ALLEN, and Representative Pat FLEAGLE, on the Capitol leave list.

The SPEAKER. Without objection, those leaves will be granted.

Mr. ARGALL. Also Representative Jess STAIRS.

The SPEAKER. Without objection, that leave will also be granted.

CONSIDERATION OF SB 1330 CONTINUED

On the question recurring,

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

Mr. GEIST offered the following amendment No. **A10451**:

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

and for automated red light enforcement systems in first class cities

Amend Sec. 2, page 2, line 23, by striking out "SECTIONS 1605(B)(1) AND (E), 3545 AND 4107(D)(3)" and inserting Section 1605(b)(1) and (e)

Amend Bill, page 3, by inserting between lines 20 and 21

Section 3. Section 3116 of Title 75 is amended by adding a subsection to read:

§ 3116. Automated red light enforcement systems in first class cities.

* * *

(e.1) Advanced technology demonstration.—Notwithstanding any other provision of this section, the system administrator may authorize up to two demonstrations of advanced technology at existing locations of automated red light enforcement systems or at an intersection chosen specifically for this purpose. The demonstration shall consist of one digital red light camera in a side-by-side comparison at an existing wet film-based red light camera site for 30 days. The technology demonstrated will include a unit that includes a high resolution digital color camera, a video camera system that produces a video clip of each set of still violation images and the ability to research video captured up to 30 days in the past. The video system shall allow for proving failure to stop before making a right turn on red. The digital camera shall act exactly as the film camera in operation.

* * *

Section 4. Sections 3545 and 4107(d)(3) of Title 75 are amended to read:

Amend Sec. 3, page 5, line 7, by striking out "3" and inserting 5

On the question,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS-190

Allen	Fichter	Maher	Ross
Argall	Flaherty	Maitland	Rublely
Baker	Fleagle	Major	Sabatina
Baldwin	Flick	Manderino	Sainato
Barrar	Forcier	Mann	Samuelson
Bastian	Frankel	Markosek	Santoni
Bebko-Jones	Freeman	Marsico	Sather
Belardi	Gabig	McCall	Saylor
Belfanti	Gannon	McGeehan	Scavello
Benninghoff	Geist	McGill	Schroder
Beyer	George	McIlhattan	Semmel
Bianucci	Gerber	McIlhinney	Shaner
Birmelin	Gergely	McNaughton	Shapiro
Bishop	Gillespie	Melio	Siproth
Blackwell	Gingrich	Metcalfe	Smith, B.
Blaum	Godshall	Micozzie	Smith, S.
Boyd	Good	Millard	Solobay
Bunt	Goodman	Miller, R.	Sonney
Buxton	Grell	Miller, S.	Stairs
Caltagirone	Grucela	Mundy	Steil
Cappelli	Gruitza	Mustio	Stern
Casorio	Haluska	Myers	Stevenson, R.
Causer	Hanna	Nailor	Stevenson, T.
Cawley	Harhai	Nickol	Sturla
Civera	Harhart	O'Brien	Surra
Clymer	Harper	O'Neill	Tangretti
Cohen	Harris	Oliver	Taylor, J.
Cornell	Hasay	Pallone	Thomas
Corrigan	Hennessey	Parker	Tigue
Costa	Herman	Payne	True
Crahalla	Hess	Petrarca	Turzai

Creighton	Hickernell	Petri	Veon
Curry	Hutchinson	Petrone	Vitali
Daley	James	Phillips	Walko
Dally	Josephs	Pickett	Wansacz
DeLuca	Kauffman	Pistella	Waters
Denlinger	Keller, M.	Preston	Watson
Dermody	Keller, W.	Pyle	Wheatley
DeWeese	Kenney	Quigley	Williams
DiGirolamo	Killion	Ramaley	Wilt
Diven	Kirkland	Rapp	Wojnaroski
Eachus	Kotik	Raymond	Wright
Ellis	Leach	Readshaw	Yewcic
Evans, D.	Lederer	Reed	Yudichak
Evans, J.	Leh	Reichley	Zug
Fabrizio	Lescovitz	Roberts	
Fairchild	Levdansky	Roebuck	Perzel,
Feese	Mackereth	Rooney	Speaker

NAYS-0

NOT VOTING-1

Ruffing

EXCUSED-11

Adolph	Donatucci	Rieger	Taylor, E.Z.
Armstrong	Hershey	Rohrer	Youngblood
Cruz	LaGrotta	Staback	

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

On the question recurring,

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

The SPEAKER. Does the gentleman have a second amendment?

On the question recurring,

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

Mr. **GEIST** offered the following amendment No. **A10452**:

Amend Title, page 1, line 3, by inserting after "RESPONSIBILITIES;"

extending the expiration provision for automated red light enforcement systems in first class cities;

Amend Sec. 2, page 2, line 23, by inserting after "1605(B)(1) AND (E),"

3116(q),

Amend Bill, page 3, by inserting between lines 20 and 21 § 3116. Automated red light enforcement systems in first class cities.

* * *

(q) Expiration.—This section shall expire December 31, [2007] 2009.

On the question,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS-188

Allen	Fichter	Major	Rubley
Argall	Flaherty	Manderino	Sabatina
Baker	Fleagle	Mann	Sainato
Baldwin	Flick	Markosek	Samuelson
Barrar	Forcier	Marsico	Santoni
Bastian	Frankel	McCall	Sather
Bebko-Jones	Gabig	McGeehan	Saylor
Belardi	Gannon	McGill	Scavello
Belfanti	Geist	McIlhattan	Schroder
Benninghoff	George	McIlhinney	Semmel
Beyer	Gerber	McNaughton	Shaner
Biancucci	Gergely	Melio	Shapiro
Birmelin	Gillespie	Metcalfe	Siptroth
Bishop	Gingrich	Micozzie	Smith, B.
Blackwell	Godshall	Millard	Smith, S.
Blaum	Good	Miller, R.	Solobay
Boyd	Goodman	Miller, S.	Sonney
Bunt	Grell	Mundy	Stairs
Buxton	Grucela	Mustio	Steil
Caltagirone	Gruitza	Myers	Stern
Cappelli	Haluska	Nailor	Stevenson, R.
Casorio	Hanna	Nickol	Stevenson, T.
Causer	Harhai	O'Brien	Sturla
Cawley	Harhart	O'Neill	Surra
Civera	Harper	Oliver	Tangretti
Clymer	Harris	Pallone	Taylor, J.
Cohen	Hasay	Parker	Thomas
Cornell	Hennessey	Payne	Tigue
Corrigan	Herman	Petrarca	True
Costa	Hess	Petri	Turzai
Crahalla	Hickernell	Petrone	Veon
Creighton	Hutchinson	Phillips	Vitali
Curry	James	Pickett	Walko
Daley	Kauffman	Pistella	Wansacz
Dally	Keller, M.	Preston	Waters
DeLuca	Keller, W.	Pyle	Watson
Denlinger	Kenney	Quigley	Wheatley
Dermody	Killion	Ramaley	Williams
DeWeese	Kirkland	Rapp	Wilt
DiGirolamo	Kotik	Raymond	Wojnaroski
Diven	Leach	Readshaw	Wright
Eachus	Lederer	Reed	Yewcic
Ellis	Leh	Reichley	Yudichak
Evans, D.	Lescovitz	Roberts	Zug
Evans, J.	Levdansky	Roebuck	
Fabrizio	Mackereth	Rooney	Perzel,
Fairchild	Maher	Ross	Speaker
Feese	Maitland		

NAYS-2

Freeman	Josephs
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NOT VOTING-1

Ruffing

EXCUSED-11

Adolph	Donatucci	Rieger	Taylor, E.Z.
Armstrong	Hershey	Rohrer	Youngblood
Cruz	LaGrotta	Staback	

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

On the question recurring,

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

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

Mr. LEH. Thank you, Mr. Speaker.

Many of you know I have offered amendment A01407, and this amendment amends section 9805 to allow for the motor coach road tax exemption, for charter buses to be exempt. The companies previously had an exemption under the Federal exemption regulations, and they did not previously have to pay this tax. However, to my regret and dismay, I have decided to pull this amendment, knowing the votes that are out there, knowing the Senate's position on this bill.

I would just like to say, though, that this is an important issue. It is an issue that I have been working on for the last year and a half, if not 2 years, and it is an issue that I would like this body to address next term. However, I will not be here next term, so I would hope that this would be addressed in budget negotiations. The motor coach industry in Pennsylvania tends to be a mom-and-pop industry. They have been exempted from this tax in the past. This is nothing more than a windfall of revenue that the administration sees fit to capture, and I think in order to keep our motor coach industry healthy in Pennsylvania, we need to deal with this and we need to grant them that exemption once again.

So I would repeat that I am going to withdraw my amendment but would hope that the administration and those in the Senate and the House would take up this legislation in the form of budget negotiations and do something positive for this industry. This industry has been hit hard since 2001, and they need all the help they can get, and I would hope that this would be dealt with in the next budget negotiations.

So I am going to withdraw this amendment. Thank you, Mr. Speaker.

The SPEAKER. The Chairs thanks the gentleman.

On the question recurring,

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?

On that question, the gentleman, Mr. Vitali.

Mr. VITALI. Thank you, Mr. Speaker.

I am wondering if someone would stand for interrogation here, perhaps the majority or minority chair of the Transportation Committee or some other appropriate—

The SPEAKER. The gentleman, Mr. Geist, indicates he will stand for interrogation. The gentleman, Mr. Vitali, is in order and may proceed.

Mr. GEIST. Mr. Speaker? Mr. Speaker? It is almost impossible to hear over in this corner.

The SPEAKER. The gentleman is correct. The gentleman, Mr. Vitali, is asking questions. We would like the noise levels down so the gentleman, Mr. Geist, can hear the questions.

Mr. VITALI. Thank you, Mr. Speaker.

Mr. Speaker, I would first like to just be very clear on the intent of the legislation and then maybe make a few comments on it. As I understand it – perhaps you can help me – under current law, any sort of roadside soliciting, be it by firemen or

ambulance or any other group, is now prohibited. Is that correct?

Mr. GEIST. That is correct.

Mr. VITALI. And what this law does or what your SB 1330 would do would be to say, although it is still all prohibited, we are going to carve out exceptions for firemen and other emergency vehicles. Is that fair to say?

Mr. GEIST. That is correct.

Mr. VITALI. And since everybody is doing it now, is it fair to say that the real intent of this legislation is to stop the people who are currently doing it, with the exception of the people specified in your bill?

Mr. GEIST. I would answer that entirely differently, and I would not say that everybody does it now. I would think that most people in Pennsylvania are very law-abiding. I think an awful lot of people do not do it because it is illegal. I believe that the Senate and their language and their intent was to open this up to make it legal for certain people to do it. So I would not say that everybody does it now. I know a lot of people will not do it because it is illegal.

Mr. VITALI. Okay. Let me get at, let me get at one of my concerns here.

One cause that I am very familiar with that has meaning to me are the students from Penn State who every year in collecting money for kids with cancer go to the various corners of my district and others and collect money for cancer research, and I actually know someone personally who has been benefited by this research. It is in conjunction with the THON at Penn State.

So my question to you is, if this passes, will this make the collection of money by Penn State students for cancer research illegal?

Mr. GEIST. It is already illegal. It is not like you said before, everybody was doing it. Everybody is not doing it, and Penn State students, I am sure, would not violate the law to do these kinds of collections.

Mr. VITALI. Okay. Let me ask you this. Let me ask that in another—

Mr. GEIST. Let me finish.

Mr. VITALI. Oh, surely.

Mr. GEIST. The whole idea here is, fire companies have the protective gear; they have the trucks to put out with the lights. I mean, they can do this, we feel, in a pretty safe manner; other groups cannot. They always can go to the Target store or the Wal-Mart store, where they do the big bounce, the other fund raisers, and do their fund raisers. If this proves to work out, maybe something can be worked out to make amendments to the law next term, but I think that this is a good start, and I agree with the Senate legislation.

Mr. VITALI. Okay. Thank you, Mr. Speaker. That concludes my interrogation. I would just like to briefly speak on the bill.

The SPEAKER. The gentleman is in order.

Mr. VITALI. Mr. Speaker, may I just interrogate one further point here? Another thought just occurred to me.

The SPEAKER. Since you have another thought, the gentleman, Mr. Geist, said he will entertain your new thoughts.

Mr. VITALI. What I am trying to get at is – because I think by passing this bill, you may stop some benefits – is there any data at your disposal that would show harm that is coming from current practice; in other words, solicitors who have been injured or motorists who have been into accidents because they

are distracted? What is the cost side of this? How has what has been happening right now harmed things?

Mr. GEIST. Mr. Speaker, I do not have any data, as you ask, on any of this, other than to say that we know that the groups that will be allowed to do this by law can do it in a way that we feel will be fairly safe, fairly protected, in the ability for them to collect and raise money. I think it is a very good piece of legislation. I do not think that everybody is doing it, and I would ask that if you have questions about that, we will try to answer them, if we can get that information. I do not know whether it even exists.

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

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Cohen.

Mr. COHEN. Mr. Speaker, will Mr. Geist consent to interrogation, please?

The SPEAKER. The gentleman, Mr. Geist, indicates he will stand for interrogation. The gentleman, Mr. Cohen, is in order and may proceed.

Mr. COHEN. Thank you.

Mr. Speaker, will the gentleman indicate whether he has done any legal research into the issue of regulation of speech?

Mr. GEIST. Excuse me, Mr. Cohen. Could you start over again. I was in conference with Representative Manderino.

Mr. COHEN. Thank you, Mr. Speaker. I saw that.

Mr. Speaker, did you do any legal research in terms of the regulation of speech that this bill does? I mean, different people are allowed to stand on the corner based on what they are saying. If a policeman or a voluntary ambulance association wants to raise money for its purpose, it can, but cancer research could not, because it is not in the list. Is this legal, Mr. Speaker?

Mr. GEIST. It will be after this is passed.

Mr. COHEN. I am sorry, Mr. Speaker.

Mr. GEIST. It will be after this is passed. It is illegal now.

Mr. COHEN. Right now we have a giant all-across-the-board regulation that applies to everybody, regardless of what they are seeking money for, and as we all know, this is not the most enforced law in the books, but the legal consequences are the same for everybody, no matter what they are seeking. I have a question in my mind as to whether it is constitutional in terms of Federal law for us to say some people can do this and some people cannot. I wonder if you did any research on this.

Mr. GEIST. Mr. Speaker, I would believe that it is legal, and I would never stand on the floor of this House and be against EMS (emergency medical services), volunteer fire companies. Never in my life would I be against those people that are out there protecting us. I believe this is a very good bill, and I would not even want to go there.

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, on the bill.

The SPEAKER. The gentleman is in order.

Mr. COHEN. Mr. Speaker, like Mr. Geist, I would never be against EMS or police or numerous other worthy causes, but I reluctantly will vote against this because I do not think it is at all clear that we have the legal authority to regulate the speech of some worthy causes and not of others. I think my belief contrary to— Unless there is strong evidence showing that these legal principles do not apply to this particular situation, I seriously doubt whether under Federal constitutional law we have the power to regulate the fundraising solicitation of some

groups and not of others on public roads, and then therefore, I will be voting “no.”

On the question recurring,
Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—188

Allen	Flaherty	Maitland	Ross
Argall	Fleagle	Major	Rubley
Baker	Flick	Manderino	Sabatina
Baldwin	Forcier	Mann	Sainato
Barrar	Frankel	Markosek	Samuelson
Bastian	Freeman	Marsico	Santoni
Bebko-Jones	Gabig	McCall	Sather
Belardi	Gannon	McGeehan	Saylor
Belfanti	Geist	McGill	Scavello
Benninghoff	George	McIlhattan	Schroder
Beyer	Gerber	McIlhinney	Semmel
Biancucci	Gergely	McNaughton	Shaner
Birmelin	Gillespie	Melio	Shapiro
Bishop	Gingrich	Metcalfe	Siptroth
Blackwell	Godshall	Micozzie	Smith, B.
Blaum	Good	Millard	Smith, S.
Boyd	Goodman	Miller, R.	Solobay
Bunt	Grell	Miller, S.	Sonney
Buxton	Grucela	Mundy	Stairs
Caltagirone	Gruitza	Mustio	Steil
Cappelli	Haluska	Myers	Stern
Casorio	Hanna	Nailor	Stevenson, R.
Causer	Harhai	Nickol	Stevenson, T.
Cawley	Harhart	O'Brien	Sturla
Civera	Harper	O'Neill	Surra
Clymer	Harris	Oliver	Tangretti
Cornell	Hasay	Pallone	Taylor, J.
Corrigan	Hennessey	Parker	Thomas
Costa	Herman	Payne	Tigue
Crahalla	Hess	Petrarca	True
Creighton	Hickernell	Petri	Turzai
Curry	Hutchinson	Petrone	Veon
Daley	James	Phillips	Walko
Dally	Josephs	Pickett	Wansacz
DeLuca	Kauffman	Pistella	Waters
Denlinger	Keller, M.	Preston	Watson
Dermody	Keller, W.	Pyle	Wheatley
DeWeese	Kenney	Quigley	Williams
DiGirolamo	Killion	Ramaley	Wilt
Diven	Kirkland	Rapp	Wojnaroski
Eachus	Kotik	Raymond	Wright
Ellis	Leach	Readshaw	Yewcic
Evans, D.	Lederer	Reed	Yudichak
Evans, J.	Leh	Reichley	Zug
Fabrizio	Lescovitz	Roberts	
Fairchild	Levdansky	Roebuck	Perzel,
Feese	Mackereth	Rooney	Speaker
Fichter	Maher		

NAYS—2

Cohen Vitali

NOT VOTING—1

Ruffing

EXCUSED—11

Adolph	Donatucci	Rieger	Taylor, E.Z.
Armstrong	Hershey	Rohrer	Youngblood
Cruz	LaGrotta	Staback	

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 return the same to the Senate with the information that the House has passed the same with amendment in which the concurrence of the Senate is requested.

BILL VETOED BY GOVERNOR

The House proceeded to consideration of the veto message on **HB 236, PN 1949**, entitled:

An Act amending the act of June 25, 1982 (P.L.633, No.181), known as the Regulatory Review Act, further providing for legislative intent, for definitions and for proposed regulations and procedure for review.

On the question,

Shall the bill become law, the objections of the Governor to the contrary notwithstanding?

The SPEAKER. On that question, Mr. Vitali.

PARLIAMENTARY INQUIRY

Mr. DeWEESE. Mr. Speaker?

The SPEAKER. Yes.

Mr. DeWEESE. If I might interrupt just for a moment.

The SPEAKER. The gentleman, Mr. DeWeese.

Mr. DeWEESE. Could the Chair share with the House the effect of a “yes” vote and the effect of a “no” vote? It is always helpful when we have these overrides, because it is momentarily confusing.

Thank you.

The SPEAKER. The motion would be, those in favor of the bill becoming law will vote “aye”; those voting in favor of sustaining the Governor’s veto would vote “no.”

Mr. Vitali.

Mr. VITALI. Thank you, Mr. Speaker.

I was briefly going to ask the same questions as my leader did, but I just wanted to speak briefly on the bill.

I would just like to point out to the members that numerous environmental groups oppose this bill, including PennFuture and PennEnvironment. There will be others who can speak more articulately on this than I, but it is my understanding if this bill becomes law, it would add to the bureaucracy, create approximately \$1 million in additional costs, would slow down the regulatory process, would require that each of some 200 regulations that are considered in the course of a legislative term would be subject to a cost-benefit analysis, which would be both costly and delaying. Another reason cited against this is that in this regulatory process, there is ample opportunity for groups such as small businesses to have their voices heard in public hearings, written comments, and so forth.

So HB 236 is unnecessary, it is costly, it is delaying, and so I would urge a “no” vote on this.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentlelady, Ms. Pickett.

Ms. PICKETT. Thank you, Mr. Speaker.

A vote for this bill is clearly a vote for business. It is supported by NFIB (National Federation of Independent Business), the Pennsylvania Chamber of Commerce. It supports our small business owners who create 80 percent of the new jobs every single year and employ 50 percent of our work force. It actually will save dollars rather than cost dollars because it will save court procedures when the small business owners have a seat at the table in the beginning of the formation of regulations.

The SPEAKER. The Chair thanks the gentlelady.

The gentleman, Mr. Turzai.

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

In the first instance I would like to applaud the gentlelady from Bradford County for her great work on this bill. It is a commonsense bill that is designed to promote jobs in the Commonwealth of Pennsylvania.

Too often regulations are promulgated without taking into account the impact they have on small businesses and the jobs that they create in a region. Representative Pickett has been out front saying that we cannot continue to maintain a climate that ignores the economic impact in our regions, big and small town alike, suburban areas, and rural alike, and I think that we need and would urge everybody to vote for an override so that we send the message that jobs, jobs, jobs needs to be at the forefront of our government activity.

Thank you very much.

The SPEAKER. The Chair thanks the gentleman.

The gentleman, Mr. Smith, the majority leader.

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

Mr. Speaker, I would also rise to urge the members to vote in support of this veto override. I think there were a couple of points that have been made.

Number one, just to quickly reiterate: This legislation really is more about jobs than it is about business per se, in my opinion. Fifty percent of the workers in Pennsylvania work for small businesses, and small businesses make up 98 percent of our employers. This is clearly a group of people, not the businesses, but the people that work there that we need to be focused on.

The Governor in vetoing this bill, the Governor in vetoing this bill suggested that it would cost over \$1 million to initiate and to carry out this regulatory flexibility review act. I believe when the bill moved through this legislature, the fiscal note was zero. I think that one could actually make the argument, Mr. Speaker, that because it would involve those that are directly affected by us, those small job creators, that if this process is done properly and engages these people that are being regulated by the State government, that it actually could reduce costs. It could actually save us money, Mr. Speaker, because you are bringing a greater—

The SPEAKER. One second, Mr. Smith. The gentleman is entitled to be heard. Please have the conferences break up.

Mr. Smith.

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

Mr. Speaker, I was talking about the Governor had indicated in his veto message that this legislation was going to cost over \$1 million. When the legislation came through the first time,

Mr. Speaker, I believe the fiscal note was closer to zero, if not zero, and in fact, Mr. Speaker, I would argue that this legislation could actually save money. By bringing those that are being regulated as a stakeholder group more directly into the regulatory process, into the review process, into the actual process so that when the regulations are being created, that they apply more directly to those that are being subjected to these regulations, I think that it will actually save the Commonwealth money and make the whole regulatory process more streamlined in the long run, and the outcome of those regulations will more closely achieve the goals that are being sought.

Mr. Speaker, the Governor also indicated that he had offered to meet with the various entities in the small business associations or business organizations. In talking with these individuals, Mr. Speaker, no one can find any record of that. No one is aware of it. I was not aware of it and nor are any of these associations.

Mr. Speaker, this legislation is a fundamental, commonsense way of going about modifying our regulatory review process so that it is more compatible and in the end will provide more of the goals that those regulations seek to employ. When this legislation passed the House, Mr. Speaker, there were 193 members who voted for this bill. One hundred and ninety-three members stood here and said they thought this was a pretty doggone good idea, that this was good for small business, that it was not going to cost State government a lot of money. Four people, Mr. Speaker, voted against it.

Given those numbers, Mr. Speaker, I would strongly urge everyone on the floor tonight to vote to override the veto of HB 236.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. DeWeese.

Mr. DeWEESE. Thank you, Mr. Speaker.

As we know from past experience, occasionally we vote for measures in this room that we probably should not have voted for. In this case we have another bite at the proverbial apple. I would ask my caucus and friends in the other caucus – all three of them – to please consider voting “no” and sustaining the Governor’s veto. I would do that for several reasons.

I would like to think that my honorable colleague would agree with me that the bureaucratic process that is our internal regulatory review commission does not need to take more time, does not need to cost more money. The Governor agrees with us and therefore vetoed this proposal that somehow slipped through our hands recently. We have three branches of government. The checks and balances of the executive branch are appropriately engendered at this juncture by his veto.

I would also say to my honorable colleague from Jefferson County, as the majority leader, he has 22 committee chairmen, and those committee chairmen can foment a resolution that would negate a regulation. So you have 22 entities on the Republican side of the aisle. If they do not like a regulation and our Senate colleagues do not like a regulation, a resolution can come to the House floor or the Senate floor and we can countervail the work of the internal regulatory review commission.

So my honorable friend from Jefferson says that the stakeholders need to be involved. Well, God bless America. There are countless stakeholders. He has just taken one. He has just taken one stakeholder and said we are going to intercede them into the process.

I would respectfully declare the IRRC, intergovernmental regulatory review commission, is working very smoothly and very successfully in the process. The reason Governor Rendell offered the veto was, we do not need to mess around, in very plain, idiomatic references, we do not need to mess around with this. It is not broke. We do not need to fix it. If my colleague wants to bring more stakeholders in, then bring 6, 8, 10, 20 more stakeholders in, not just, not just the small business community.

So for the reasons that I have enunciated – I do not want to take more time with our regulatory review; I do not want it to cost more money; number three, we do have committees that can foment a resolution that can overturn a regulation; and number four, I would ask the members of our side of the aisle and my three Republican friends to vote with me – vote “no,” vote “no,” and sustain Governor Rendell’s worthy, purposeful, specific, and substantive veto. Thank you.

The SPEAKER. Mr. DeWeese, we think three is a stretch, but the gentleman, Mr. Smith, the majority leader.

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

Mr. Speaker, just to briefly respond to the minority leader’s comments. I think while he is correct about the current process of the regulatory review system, and I think he described it accurately, I think the point of this legislation is not so much to try to fight with a regulation once it has already gone through that first wave of review when the committees evaluate it and then it gets – and I forget the exact terminology – when it gets published one step further along the way, that point where the committees can intercede and seek to prohibit a regulation from being published as final, while that part is true, the goal of this legislation, Mr. Speaker, is to involve those that are at the driver’s wheel, those that are mechanically delivering the message, to have them involved in the regulatory review process up front. That way, all of the process might more clearly get at the violation, the problem, whatever it might be, whether it is safety or pollution or whatever the regulation seeks to address, that they might more directly get at it before they get to the tail end of the process. That is where the money is wasted, Mr. Speaker, is if you get a regulation out of the pipeline and it is not getting the job done, or you get a regulation the whole way through the process and at the very end the House and Senate committee comes up and says, given their oversight, that it just is not going to do what we want it to do and we are going to prohibit these from passing, from being published final. So, Mr. Speaker, that is the difference, whether you want to try to make it right from the beginning or if you want to wait till it comes out of the pipeline and find out it does not get the job done.

Number two, Mr. Speaker: The minority leader mentioned that all of us like to maybe from time to time get a second bite of the apple and suggested that when this passed 193 to 4 earlier in this session, that some of the members just are not, some of the members here maybe just did not really understand this bill, and that now that they understand it better, thank goodness for the Governor explaining it better to them in his veto message, that it was so clear now that they probably should vote against it. I can buy that once, Mr. Speaker, because now, Mr. Speaker, the gentleman wants you all to have a third bite of the apple, because in fact, Mr. Speaker, this legislation has passed this House two sessions in a row by virtually the same vote. An overwhelming majority of the members of this House voted to support and pass this legislation twice. So I can probably give

him one bite there, Mr. Speaker, that one, the first, the initial second bite. That would have been the bill that passed a session ago. When it passed again this session, maybe people should have thought about it then. So we are really asking for the third bite, Mr. Speaker, by asking people to vote “no” tonight. Perhaps you did not think it was going to pass into law, maybe that is what you thought, and maybe you should think about your votes beforehand.

Mr. Speaker, I would urge the members to vote to override the veto. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

MEMBER’S PRESENCE RECORDED

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

CONSIDERATION OF HB 236 CONTINUED

The SPEAKER. Those in favor of the bill becoming law will vote “aye”; those in favor of sustaining the Governor’s veto will vote “no.”

On the question recurring,

Shall the bill become law, the objections of the Governor to the contrary notwithstanding?

The following roll call was recorded:

YEAS—108

Allen	Fleagle	Major	Reichley
Argall	Flick	Markosek	Ross
Baker	Forcier	Marsico	Rubley
Baldwin	Gabig	McGill	Sather
Barrar	Gannon	McIlhattan	Saylor
Bastian	Geist	McIlhinney	Scavello
Benninghoff	Gillespie	McNaughton	Schroder
Beyer	Gingrich	Metcalfe	Semmel
Birmelin	Godshall	Micozzie	Smith, B.
Boyd	Good	Millard	Smith, S.
Bunt	Grell	Miller, R.	Sonney
Caltagirone	Harhart	Miller, S.	Stairs
Cappelli	Harper	Mustio	Steil
Causar	Harris	Nailor	Stern
Civera	Hasay	Nickol	Stevenson, R.
Clymer	Hennessey	O’Brien	Stevenson, T.
Cornell	Herman	O’Neill	Taylor, J.
Crahalla	Hess	Payne	True
Creighton	Hickernell	Petri	Turzai
Dally	Hutchinson	Phillips	Watson
Denlinger	Kauffman	Pickett	Wilt
DiGirolamo	Keller, M.	Pyle	Wright
Diven	Kenney	Quigley	Yewcic
Ellis	Killion	Rapp	Zug
Evans, J.	Leh	Raymond	
Fairchild	Mackereth	Readshaw	Perzel,
Feese	Maher	Reed	Speaker
Fichter	Maitland		

NAYS—83

Bebko-Jones	Flaherty	Manderino	Samuelson
Belardi	Frankel	Mann	Santoni
Belfanti	Freeman	McCall	Shaner
Bianucci	George	McGeehan	Shapiro
Bishop	Gerber	Melio	Siproth

Blackwell	Gergely	Mundy	Solobay
Blaum	Goodman	Myers	Sturla
Buxton	Grucela	Oliver	Surra
Casorio	Gruitza	Pallone	Tangretti
Cawley	Haluska	Parker	Thomas
Cohen	Hanna	Petrarca	Tigue
Corrigan	Harhai	Petrone	Veon
Costa	James	Pistella	Vitali
Curry	Josephs	Preston	Walko
Daley	Keller, W.	Ramaley	Wansacz
DeLuca	Kirkland	Roberts	Waters
Dermody	Kotik	Roebuck	Wheatley
DeWeese	Leach	Rooney	Williams
Eachus	Lederer	Ruffing	Wojnarowski
Evans, D.	Lescovitz	Sabatina	Yudichak
Fabrizio	Levdansky	Sainato	

NOT VOTING—0

EXCUSED—11

Adolph	Donatucci	Rieger	Taylor, E.Z.
Armstrong	Hershey	Rohrer	Youngblood
Cruz	LaGrotta	Staback	

The SPEAKER. On the question of the bill becoming law, the objections of the Governor to the contrary notwithstanding, the “yeas” are 108, the “nays” are 83, and the Governor’s veto is sustained.

VOTE CORRECTION

The SPEAKER. Are there any announcements? Senator. Mr. McILHINNEY. Thank you, Mr. Speaker.

On amendment 10454 to SB 1330, I was recorded in the negative. I wish to be recorded in the affirmative.

Thank you.

The SPEAKER. The Chair thanks the gentleman. The gentleman’s remarks will be spread across the record.

There will be no further votes on the floor this evening.

RECESS

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

AFTER RECESS

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

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.

RECESS

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Flaherty.

Mr. FLAHERTY. Mr. Speaker, I move that this House do now recess until Tuesday, November 21, 2006, at 11:15 a.m., e.s.t., unless sooner recalled by the Speaker.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 11:14 a.m., e.s.t., Tuesday, November 21, 2006, the House recessed.