

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

TUESDAY, JANUARY 3, 1995

SESSION OF 1995

179TH OF THE GENERAL ASSEMBLY

No. 1

HOUSE OF REPRESENTATIVES

The House convened at 12 m., e.s.t.

**THE CHIEF CLERK (JOHN J. ZUBECK)
PRESIDING**

COMMUNICATION FROM SECRETARY OF THE COMMONWEALTH

The CHIEF CLERK. The House will come to order. Will the House come to order, please.

The Chief Clerk recognizes the reading clerk.

The following communication was read:

Commonwealth of Pennsylvania
Department of State
Harrisburg, Pennsylvania 17120

January 3, 1995

John J. Zubeck, Chief Clerk
Pennsylvania House of Representatives
Main Capitol Building
Harrisburg, PA 17120

Dear Mr. Zubeck:

In follow-up to my letters and communications to you dated December 23, 29 and 30, 1994 regarding my certification of the November 8, 1994 General Election returns for the members of the House of Representatives, I must inform you of the most recent developments affecting the returns for the 116th Legislative District and communicate my most sincere regrets that official presentation of the certified election returns for the Pennsylvania House of Representatives might be delayed until I have received judicial guidance regarding my duties under the law.

As you know, I previously tabulated, computed and canvassed the votes cast for all candidates for office in the November 8, 1994 General Election based upon the returns certified to me by the 67 county boards of elections pursuant to section 1408 of the Pennsylvania Election Code (25 P.S. §3158). Based upon the returns certified to me by the 67 county boards of elections, I certified the returns for all 203 legislative districts on December 23, 1994, pursuant to section 1409 of the Election Code (25 P.S. §3159). I provided a photocopy of my certification to you on that date.

By letters dated December 29 and 30, 1994, I alerted you to litigation and a matter before the Luzerne County Board of Elections (Board) which could affect the Board's certification-and, therefore, my certification-of the returns and results of the election of the member of the Pennsylvania House of Representatives for the 116th Legislative District. Thus, you were informed on those dates that the photocopied returns which I sent to you as a courtesy

on December 23, 1994 were subject to change depending upon actions by the courts or the Board.

Today, at approximately 11:42 a.m., the Luzerne County Board of Elections formally notified me that, at a public meeting in Wilkes-Barre, the Board voted to suspend the returns for the 116th Legislative District which had been certified by the Board on November 21, 1994 pursuant to section 1408 of the Election Code (25 P.S. §3158) and received by me on November 23, 1994. A copy of the Board's certified notice is attached hereto. Since my December 23, 1994 certification of the returns for the House of Representatives declaring that Tom Stish had been elected to represent the 116th Legislative District was based upon the now-suspended returns certified to me by the Board, it is entirely unclear whether I now have the authority to present the certified returns for the 116th Legislative District to the House of Representatives or to issue a certificate of election declaring that Tom Stish has been elected to represent the 116th Legislative District in the Pennsylvania House of Representatives.

In an effort to clarify my legal obligations, the General Counsel of Pennsylvania is commencing immediately on my behalf an action for declaratory judgment in the Commonwealth Court. Naming as respondents the Board, Tom Stish, the plaintiffs in the action pending before the Court of Common Pleas of Luzerne County, and you as the administrative head of the House of Representatives, the General Counsel will ask for an immediate, emergency hearing and order regarding the actions required of me by law as a result of the action of the Board this morning. The General Counsel will also request the court to relieve me temporarily of the duties imposed upon the Secretary of the Commonwealth by section 1414 of the Election Code (25 P.S. §3164), to appear in the House of Representatives to present the returns of the elections of the members of the House and to issue certificates of election, until such time as the court has judicially declared my duties as they relate to the 116th Legislative District.

Although I fully understand and sincerely regret that my unavoidable civil action might delay the business of the House of Representatives on today's constitutionally required date of meeting and will likely require the House to remain in session until I should present the returns of the election, it is my judgment and the judgment of the General Counsel that my duties under the law should be judicially reviewed and determined before the returns are formally and finally presented to the House. We obviously hope that the courts act expeditiously so as to minimize the inconvenience to the General Assembly.

Sincerely,
Robert N. Grant
Secretary of the Commonwealth

RNG/ged

cc: The Honorable H. William DeWeese
The Honorable Matthew J. Ryan

Mr. DeWEESE. Mr. Chief Clerk? Mr. Chief Clerk?

The CHIEF CLERK. There is nothing in order at this time.

Mr. DeWEESE. Mr. Chief Clerk, I would like to have a copy of that letter, and the Democratic side would like to ask for a very brief

recess to overview that letter. Recess on the floor would be appropriate.

Mr. PERZEL. Mr. Chief Clerk?

The CHIEF CLERK. The gentlemen will suspend temporarily.

In order to proceed with today's session, we will first call the House to order, have the prayer, and then we can break for caucus, if that is all right.

CALL TO ORDER

The CHIEF CLERK. This being the day and the hour appointed by Article II, section 4, of the Constitution of Pennsylvania for the meeting of the General Assembly, the House of Representatives will now come to order.

The Sergeant at Arms will close the doors of the House.

Prayer will be offered by the Reverend Dr. George F. Riley, assistant to the president of Villanova University.

Members and guests will please rise.

PRAYER

REV. DR. GEORGE F. RILEY, assistant to the president of Villanova University, Villanova, Pennsylvania, offered the following prayer:

O God, our common Father, the giver of life and liberty and law and love, in this truly historic day we ask Your blessing on our Nation, our State, and all these warm and wonderful and wholesome and wondrous people here present. As politicians and statesmen, as often holders and often seekers, as public servants and loyal citizens, as patriotic Americans and perpetual optimists, we try never to forget Your role in our human affairs. In our Pledge of Allegiance we say that we are one Nation under You. On our coins we boast that in You we trust. In our Constitution we invoke You as our creator and judge.

A century ago Abraham Lincoln, our 16th President, prayed, "Give, O Lord, our nation a clear vision so that we may know where to stand and what to stand for, because unless we stand for something, we might just fall for anything." So give us today the virtue of courage, courage to have more backbone and less wishbone, courage to realize that push-button solutions are an illusion and delusion, courage to stand up to our convictions no matter what the cost, courage to seek freedom with responsibility because freedom is not the right to do anything you want but rather the liberty to act as you ought.

Lord, we know that success and failure are brothers, not twins but opposites, as they walk on either side of us through life. Today we pray for the success of all the citizens of the Commonwealth, economic in terms of security, physical in terms of health, spiritual in terms of peace, personal in terms of sensitivity to others.

We remember that historic motto of unity, truth, and courage that tells all of us here today that our great Nation will only be one when our unity is based in God's truth and when it is experienced day by day in our concern for one another. And might we leave this historic Assembly today more proud of our great country and more loyal to this fine Commonwealth and more friendly toward one another and more indebted to our common God, who is number one in heaven just as all Pennsylvanians are not only number one on earth but also number one in football. Amen. Shalom. God bless. That is it.

The CHIEF CLERK. The Sergeant at Arms will open the doors of the House. Members and guests may be seated.

PARLIAMENTARY INQUIRY

Mr. PERZEL. Mr. Chief Clerk, parliamentary inquiry.

Based on the certification of December 23, is it possible for us to move to elect a Speaker right now, Mr. Chief Clerk, and have our members sworn in?

The CHIEF CLERK. We do not have the certification right now.

Mr. PERZEL. Do you not have the copies of the certifications?

The CHIEF CLERK. We have the copies, but the Secretary of the Commonwealth is required to bring the originals over, and we do not have the originals.

Mr. PERZEL. Mr. Chief Clerk, was he not required to be here by 12 o'clock today?

The CHIEF CLERK. Under statute he is required to be here between the hours of 12 and 1, but as part of his application to the court, he has asked the court to relieve him of those duties.

Mr. PERZEL. We have nothing from the court, Mr. Chief Clerk, and we cannot waive the Constitution, and the Constitution says that we are to swear in a Speaker of the House here today, also that we are to be sworn in here today.

The CHIEF CLERK. We cannot proceed until we receive the certified returns from the Secretary of the Commonwealth.

Mr. PERZEL. I would like to appeal the ruling of the Chair, Mr. Chief Clerk.

The CHIEF CLERK. There was no ruling made.

Mr. DeWEESE. We are not even in a conclave at this point.

Mr. PERZEL. I believe, according to Jefferson's Manual, Mr. Chief Clerk, that we are—

PARLIAMENTARY INQUIRY

Mr. DeWEESE. Mr. Clerk, point of parliamentary inquiry.

The Democratic side only requested a copy of that letter. Is that an impossible request?

Mr. PERZEL. That is not an impossible request, Mr. Chief Clerk.

Mr. DeWEESE. The Chair was not addressing the other side of the aisle at this juncture. The Chair was addressing the clerk.

The CHIEF CLERK. The Chief Clerk must insist that you speak only when recognized, both parties, both leaders.

The Chair recognizes the Democratic leader.

Mr. DeWEESE. The Chair thanks the clerk.

The Chair, the Republicans notwithstanding, I believe it would be advantageous for all of us, at least the Republican leadership team and our own leadership team, to be beneficiaries of a copy of that correspondence, and we would again politely, respectfully request a 5-minute recess in order that we can overview the correspondence. The recess can be on the floor. We do not need to go to caucus.

The CHIEF CLERK. Okay. The copies are now being made.

Mr. PERZEL. Mr. Chief Clerk, this is not something that is new before the floor of the House of Representatives. Mr. DeWeese has been playing with this for several weeks now. We kindly request no delay at this point in time.

The CHIEF CLERK. The Chair believes it cannot proceed without the certifications from the Secretary of the Commonwealth.

Mr. PERZEL. We reserve the right— Mr. Chief Clerk, we would like to reserve the right to appeal the ruling of the Chair until we have read the letter.

The CHIEF CLERK. The Chair thanks the gentleman.

Mr. PERZEL. Mr. Chief Clerk?

The CHIEF CLERK. For what reason does the gentleman rise?

Mr. PERZEL. Mr. Chief Clerk, the Election Code says that the Secretary of the Commonwealth is to be here between 12 and 1 the first Tuesday after the first Monday in January. He is obviously not here with any of our certificates of election. The Constitution says that we are to be here at 12 o'clock.

What I would like to recommend, Mr. Chief Clerk, is that we read the roll and go ahead with all those that were certified on December 23. That would allow the Chief Clerk to read that roll, then proceed to the election of a Speaker.

PARLIAMENTARY INQUIRY

Mr. DeWEESE. Point of parliamentary inquiry.

The CHIEF CLERK. The gentleman will state his point.

Mr. DeWEESE. The Chair feels that the answer to that question was already conveyed to the membership. We are convened, and the Parliamentarian has indicated that since the official certifications are not in our midst, that to do otherwise would be contrary to the law.

Mr. PERZEL. Mr. Chief Clerk?

The CHIEF CLERK. The Chair recognizes the gentleman from Philadelphia County, Mr. Perzel.

Mr. PERZEL. Mr. Chief Clerk, the Secretary of the Commonwealth is already in violation of the Constitution. We would like to ask for a roll-call vote so we can determine who is here on the floor of the House of Representatives.

PARLIAMENTARY INQUIRY

Mr. DeWEESE. Point of parliamentary inquiry.

The CHIEF CLERK. The Chair recognizes the gentleman from Greene County, Mr. DeWeese.

Mr. DeWEESE. We feel that the Secretary of State is already in our presence by the two-page communication that he has shared with us at this juncture. We would also feel that if a roll call was to be taken, that only the people who are certified be allowed to be a part of that roll call.

Mr. PERZEL. Mr. Chief Clerk?

The CHIEF CLERK. The Chair recognizes the gentleman from Philadelphia County, Mr. Perzel.

Mr. PERZEL. Mr. Chief Clerk, the minority leader asked for 5 minutes so he could read over the piece of paper that he was given from the Secretary of the Commonwealth. He is not here, Mr. Chief Clerk; he is not physically here. Our friends, our guests, our families, we are all here. There are over 1,000 people here. This is nonsense. The Secretary of the Commonwealth is not here. Now, we ask either you go get him - send a Sergeant at Arms to get him - or we proceed with a master roll-call vote.

Mr. DeWEESE. Mr. Chief Clerk? Mr. Chief Clerk?

The CHIEF CLERK. Suspend for just a moment, please.

We concur, and we are going to send a Sergeant at Arms and maybe someone from the State Police to bring the Secretary here.

Mr. PERZEL. Mr. Chief Clerk?

The CHIEF CLERK. The Chair recognizes the gentleman, Mr. Perzel.

Mr. PERZEL. Mr. Chief Clerk, I would strongly suggest that the State Police go over to the Senate, because they are being sworn in right now, so it is easy to find him.

The CHIEF CLERK. The Chair thanks the gentleman.

The House will be at ease.

Mr. PERZEL. Mr. Chief Clerk?

The CHIEF CLERK. The Chair recognizes the gentleman, Mr. Perzel.

Mr. PERZEL. Thank you, Mr. Chief Clerk.

First we would like to ask for order in the House.

The CHIEF CLERK. The House will come to order, please.

Mr. PERZEL. Thank you, Mr. Chief Clerk.

Number one, Mr. Chief Clerk, taking the roll call is part of this process, and I understand that we can do that now. And number two, I have a question of the Chair, and that is, who is the final determinator who decides who sits in the House of Representatives? Is that the courts or is that the General Assembly itself?

The CHIEF CLERK. It is the members of the House.

Mr. PERZEL. Can we proceed with the taking of the roll then as part of this process, Mr. Chief Clerk?

PARLIAMENTARY INQUIRY

Mr. DeWEESE. Parliamentary inquiry, Mr. Chief Clerk.

The CHIEF CLERK. What is the gentleman's inquiry?

Mr. DeWEESE. The Chair would feel that the ultimate arbiter would not be specifically the House but the people who have elected us to this House.

Mr. PERZEL. Mr. Chief Clerk?

The CHIEF CLERK. The Chair recognizes the gentleman, Mr. Perzel.

Mr. PERZEL. Mr. Chief Clerk, the Constitution is clear. Article II, section 9, specifically says that the members of this House determine the qualifications of the members of this House. I did not make that up, Mr. Speaker. That is the Constitution.

ROLL CALL

The CHIEF CLERK. We are now going to proceed with the master roll call.

Mr. DeWEESE. Mr. Chief Clerk?

The CHIEF CLERK. For what purpose does the gentleman rise?

Mr. DeWEESE. We have a contested election where no certification is forthcoming. Will that individual be a part of the master roll?

The CHIEF CLERK. Based on the precedent of 1979, he will be part of the master roll.

Mr. DeWEESE. We are going to use 1979 as precedent for today's proceedings?

The CHIEF CLERK. Where it is applicable.

Members will proceed to vote.

(Members proceeded to vote.)

Mr. DeWEESE. Mr. Chief Clerk? Mr. Chief Clerk? Mr. Chief Clerk?

The CHIEF CLERK. Nothing is in order but the taking of the roll.

Mr. DeWEESE. We have no rules at this juncture, Mr. Chief Clerk.

Mr. PERZEL. Jefferson's Manual.

Mr. DeWEESE. We do have a rule that no one is recognized at that moment, Mr. Perzel.

The CHIEF CLERK. "In the absence of rules, as immediately upon convening and before rules are adopted, the houses are governed by usages, custom and precedent and by the general parliamentary law. The best evidence of what are the established usages and customs is the rules as last in effect."

Mr. DeWEESE. This side would like to register a formal and polite complaint that no one be allowed to take a roll that is not certified and specifically where there is contesting of that certification in courts of this State.

The CHIEF CLERK. The gentleman's objection is noted.
The clerk will record the vote.

The roll was recorded, and the following members-elect were present:

PRESENT-203

| | | | |
|--------------|------------|------------|---------------|
| Adolph | Evans | Lynch | Sather |
| Allen | Fairchild | Maitland | Saylor |
| Argall | Fajt | Major | Schroder |
| Armstrong | Fargo | Manderino | Schuler |
| Baker | Farmer | Markosek | Scrimenti |
| Bard | Feese | Marsico | Semmel |
| Barley | Fichter | Masland | Serafini |
| Battisto | Fleagle | Mayernik | Shaner |
| Bebko-Jones | Flick | McCall | Sheehan |
| Belardi | Gamble | McGeehan | Smith, B. |
| Belfanti | Gannon | McGill | Smith, S. H. |
| Birmelin | Geist | Melio | Snyder, D. W. |
| Bishop | George | Merry | Staback |
| Blaum | Gigliotti | Michlovic | Stairs |
| Boscola | Gladeck | Micozzie | Steelman |
| Boyes | Godshall | Mihalich | Steil |
| Brown | Gordner | Miller | Stern |
| Browne | Gruitza | Mundy | Stetler |
| Bunt | Gruppo | Nailor | Stish |
| Butkovitz | Habay | Nickol | Strittmatter |
| Buxton | Haluska | Nyce | Sturla |
| Caftagirone | Hanna | O'Brien | Surra |
| Cappabianca | Harhart | Olasz | Tangretti |
| Carn | Hasay | Oliver | Taylor, E. Z. |
| Carone | Hennessey | Perzel | Taylor, J. |
| Cawley | Herman | Pesci | Thomas |
| Chadwick | Hershey | Petrarca | Tigue |
| Civera | Hess | Petrone | Travaglio |
| Clark | Horsey | Pettit | Trello |
| Clymer | Hutchinson | Phillips | Trich |
| Cohen, L. I. | Itkin | Piccola | True |
| Cohen, M. | Jadlowiec | Pistella | Tulli |
| Colafella | James | Pitts | Vance |
| Colaizzo | Jarolin | Platts | Van Horne |
| Conti | Josephs | Preston | Veon |
| Cornell | Kaiser | Ramos | Vitali |
| Corpora | Keller | Raymond | Walko |
| Corrigan | Kenney | Readshaw | Washington |
| Cowell | King | Reber | Waugh |
| Coy | Kirkland | Reinard | Williams |
| Curry | Krebs | Richardson | Wogan |
| Daley | Kukovich | Rieger | Wozniak |
| DeLuca | LaGrotta | Roberts | Wright, D. R. |
| Dempsey | Laughlin | Robinson | Wright, M. N. |
| Dent | Lawless | Roebuck | Yewcic |
| Dermody | Lederer | Rohrer | Youngblood |
| DeWeese | Leh | Rooney | Zimmerman |
| DiGirolamo | Lescovitz | Rubleby | Zug |
| Donatucci | Levdanskyy | Rudy | |
| Druce | Lloyd | Sainato | |
| Durham | Lucyk | Santoni | |
| Egolf | | | |

ADDITIONS-0

NOT VOTING-0

EXCUSED-0

Mr. DeWEESE. The Chair would also like to ask the Chief Clerk for recognition at this juncture.

The CHIEF CLERK. For what purpose does the gentleman rise?

Mr. DeWEESE. To momentarily note 1979's precedent.

In 1979 the Secretary of the Commonwealth was in the hall of the House and those actions were obviously more fortified with precedent and professionalism than the commencement of these activities.

Mr. PERZEL. Mr. Chief Clerk?

The CHIEF CLERK. The Chair recognizes the gentleman from Philadelphia County, Mr. Perzel.

Mr. PERZEL. Thank you, Mr. Chief Clerk.

I was here, as Mr. DeWeese was here, and the Chief Clerk was in the hall of the House—The Secretary of the Commonwealth.

Mr. DeWEESE. The Secretary of the Commonwealth.

The CHIEF CLERK. We will continue to await the arrival of the Secretary of the Commonwealth. Thank you.

Will the gentleman, Mr. DeWeese, please come to the rostrum; Mr. Ryan; Mr. Perzel.

(Conference held at Speaker's podium.)

MOTION TO ELECT SPEAKER

The CHIEF CLERK. The Chair recognizes the gentleman from Philadelphia, Mr. Perzel.

Mr. PERZEL. Thank you very much, Mr. Chief Clerk.

Mr. Chief Clerk, the members and the guests here—Can I ask for order, Mr. Chief Clerk?

The CHIEF CLERK. The House will come to order.

Go ahead, Mr. Perzel.

Mr. PERZEL. Thank you, Mr. Chief Clerk.

The members and the guests have waited way too long, Mr. Chief Clerk. They have been here 2 hours. We have been told that we cannot find the Secretary of the Commonwealth, so with that being the case, I would move for the election of the Speaker in accordance with Jefferson's Manual and the statutes of the Commonwealth of Pennsylvania.

POINT OF ORDER

Mr. DeWEESE. Point of order, Mr. Chief Clerk.

The CHIEF CLERK. What is the gentleman's point of order?

Mr. DeWEESE. It is impossible to move in the direction that the gentleman wishes without certifications at this moment. None of us are certified to serve in the chamber.

And as for people having waited 2 hours, the people of the 116th District have been waiting for 2 months.

Mr. PERZEL. Mr. Chief Clerk?

The CHIEF CLERK. The Chair recognizes the gentleman from Philadelphia, Mr. Perzel.

Mr. PERZEL. The gentleman, the minority leader, Mr. DeWeese, is 100 percent correct. The people of the 116th Legislative District did speak in November, and that gentleman is here today to be sworn in along with everybody else.

Mr. DeWEESE. The gentleman's motion is out of order.

The CHIEF CLERK. It is the Chair's opinion that the Secretary of the Commonwealth is apparently trying to thwart the reorganization of the House, and it is the Chair's ruling we will proceed without the certifications.

RULING OF CHAIR APPEALED

Mr. DeWEESE. Mr. Chief Clerk, we would like to challenge the ruling of the Chair; we would like to challenge the ruling of the Chair.

The CHIEF CLERK. The ruling of the Chair has been appealed. Those who wish to sustain the ruling will vote "aye"—

Mr. DeWEESE. Mr. Chief Clerk, point of parliamentary inquiry.

The CHIEF CLERK. —those opposed—

PARLIAMENTARY INQUIRY

Mr. DeWEESE. Point of parliamentary inquiry.

Will Mr. Stish— We would like to ask that Mr. Stish stand aside for this vote.

The CHIEF CLERK. All members on the master roll will be eligible to vote.

Mr. DeWEESE. Mr. Chief Clerk, in spite of correspondence from the election board in his home county which decertified him? In spite of that? We want to make this on the record; we want to make the Parliamentarian and the Chief Clerk aware that we are on the record.

The CHIEF CLERK. Members will proceed to vote.

Mr. DeWEESE. No, no, no. Mr. Chief Clerk, this is debatable.

The CHIEF CLERK. There was no other debate.

Mr. DeWEESE. This is debatable.

The CHIEF CLERK. Who is up to debate? There is no one else up to debate.

Mr. DeWEESE. The gentleman from Greene County.

The CHIEF CLERK. The gentleman is recognized.

Mr. DeWEESE. Mr. Chief Clerk, I have approximately 1 minute. I do apologize for the momentary inconvenience to the families, but nevertheless, nevertheless, in 1979 Mr. Ryan was at a microphone about 30 paces away and he did the same thing.

On Tuesday, January 2, 1979, Mr. Ryan said, "Whereas an appeal is presently pending in the Pennsylvania Supreme Court...be it resolved that the oath of office not be administered..."

On page 6 of the Journal of January 2, Mr. Ryan said, "...the fact remains that both of these matters," Mr. Gatski and Mr. Halverson, "are presently pending before the Supreme Court.

"...it is in the interest, I believe, of the House...that these two gentlemen not be sworn..."

On page 7, Mr. Ryan said, "The entire House can consider the election of the two of them and decide to seat...after we have reviewed the case."

On page 9, the Chief Clerk said, "There is only one answer that you can answer that with. Every member who has a certificate of election can vote."

Mr. Ryan said, on page 10, relative to Gatski's certificate, "...once the matter has gone into a contest posture in the lower courts, no certificate of election should issue..." Then Mr. Ryan said, again on page 10, "...under the law of the Commonwealth, no certificate of election should have issued in the matter of Gatski because of the fact that it was taken into the court..."

On page 12, the Honorable K. Leroy Irvis, here among us today, said, "We will simply swear in those members about whom there is no contest." And Mr. Ryan said, "We are agreeable to that, Mr. Chief Clerk."

In conclusion, "Mr. Chief Clerk," said Mr. Ryan, "I would request that Mr. Gatski's key be locked." Lock Mr. Gatski's key, that passionate Irishman declared on that faraway swearing-in moment.

Mr. Ryan went on in his enthusiasm to say, "We suggested earlier today that the problems with Mr. Halverson and Mr. Gatski be set aside until a later date until the Supreme Court had handed down an advisory opinion."

I do not think it is that much to ask for, and I do not think we have anything to apologize for. That was what Mr. Ryan said. Finally, Mr. Ryan said, it is "...incumbent upon us...that the matter be assigned to a committee and that committee study it...and make its recommendations to the floor..." That was 1979; that is the precedent; that is the Gibraltar upon which we stand.

I would also like to enter this chronology into our official record.

The Chair would momentarily indulge our side of the aisle representing the 116th District, at least momentarily, the district that elected a Democrat from Luzerne. I would like to read this into the record, half a page, a chronology: On November 8, 1994, there was a general election. Mr. Stish won the general election in the 116th District as a Democrat. On November 14, Stish announced that he was switching party affiliation. On November 16, a legal challenge filed against Stish alleged voter fraud. It was filed by the voters of the 116th District. On November 21, Luzerne County Board of Elections certifies Mr. Stish. On December 2, the Luzerne County Court of Common Pleas dismisses the challenge for a lack of jurisdiction. On December 20, voters file appeal to the Commonwealth Court. On December 22, Commonwealth Court, citing error of law, remands the case to the common pleas court. The common pleas court remands the case to the county board of elections, and the board suspends Stish's certification. December 23, 1994, the county board of elections notifies the Secretary of the Commonwealth—

The CHIEF CLERK. Will the gentleman please suspend.

Mr. DeWEESE. —of the suspension.

The CHIEF CLERK. The Secretary of the Commonwealth will be here in approximately 2 minutes.

Mr. DeWEESE. And my comments will expire in approximately 15 seconds.

The Commonwealth Court vacates the portion of its order suspending certification. And finally, on January 3, the county board of elections sends a second letter of suspension to the Secretary of State.

The Chair thanks the Chief Clerk for his indulgence.

COMMITTEE ON PART OF SENATE RECOGNIZED

The CHIEF CLERK. The Chair recognizes the Sergeant at Arms of the House.

Mr. PERZEL. Mr. Chief Clerk?

The CHIEF CLERK. The Chair recognizes the Sergeant at Arms.

Mr. PERZEL. Mr. Chief Clerk?

The CHIEF CLERK. The Chair recognizes the Sergeant at Arms of the House.

The SERGEANT AT ARMS. Mr. Chief Clerk, the chairman of the committee on the part of the Senate, Mr. Heckler.

Mr. HECKLER. It appears that we are just a little bit further along over in the Senate.

Mr. Chief Clerk, Mr. Speaker Pro Tempore, we are a committee from the Senate to inform the House of Representatives that the Senate is convened and organized in regular session and ready to proceed with business.

The CHIEF CLERK. The Chair thanks the gentleman.

Mr. DeWEESE. Point of parliamentary inquiry.

Mr. PERZEL. Mr. Chief Clerk?

Mr. DeWEESE. Point of parliamentary inquiry, Mr. Chief Clerk.

Mr. PERZEL. There is a motion on the floor, Mr. Chief Clerk.

The CHIEF CLERK. Will the gentlemen suspend for just a moment.

Mr. PERZEL. There is a motion on the floor, Mr. Chief Clerk.

The CHIEF CLERK. Since the Secretary of the Commonwealth is now here, there is no reason to proceed without certificates, so there is no reason to appeal the ruling of the Chair.

Mr. PERZEL. There is a motion on the floor, Mr. Chief Clerk.

Mr. DeWEESE. I am not going to withdraw my motion as long as there is a motion on the floor. I think it would be good sportsmanship for us to both withdraw ours.

And recognize the Secretary of the Commonwealth in the back of the hall of the House.

Mr. PERZEL. He is not the Speaker, Mr. Chief Clerk.

Mr. DeWEESE. The Secretary is in the hall of the House.

Mr. PERZEL. Mr. Chief Clerk, we have a motion on the floor.

POINT OF ORDER

Mr. DeWEESE. Point of order.

The motion is out of order given the presence of the Secretary of the Commonwealth on the floor of the House.

Mr. PERZEL. Mr. Chief Clerk, he is out of order.

The CHIEF CLERK. There was no motion on the floor by Mr. Perzel. We will proceed to recognize the Secretary of the Commonwealth.

Mr. PERZEL. I object, Mr. Chief Clerk. There was a motion on the floor.

The CHIEF CLERK. Not according to the record.

ELECTION RETURNS PRESENTED

The CHIEF CLERK. Will the Sergeant at Arms please escort the Secretary of the Commonwealth down to the well of the chamber.

The SERGEANT AT ARMS. Mr. Chief Clerk, the Secretary of the Commonwealth, Robert Grant.

Mr. GRANT. Mr. Chief Clerk, I have the honor to present the returns from the November 8 election for members of the House of Representatives of the General Assembly.

The CHIEF CLERK. The Chair thanks the Secretary of the Commonwealth.

Mr. PERZEL. Mr. Chief Clerk, could we see a copy of that before the Secretary leaves the hall of the House? Do not allow him to leave.

The CHIEF CLERK. Will the Secretary remain in the hall of the House, please.

Mr. DeWEESE. Obviously, Mr. Chief Clerk, our side would like to see the documents also.

The CHIEF CLERK. The three leaders and the three leaders only are permitted to come up here and review the documents.

(Conference held at Speaker's podium.)

The CHIEF CLERK. The Secretary of the Commonwealth is free to leave. The Chair thanks the gentleman.

The clerk will proceed with the reading of the returns of the members-elect.

Mr. DeWEESE. Will the Secretary of the Commonwealth please remain in the hall of the House. Mr. Clerk, the Secretary of the Commonwealth please remain in the hall of the House.

PARLIAMENTARY INQUIRY

Mr. DeWEESE. Parliamentary inquiry.

We need to know whether this has gone to court.

The CHIEF CLERK. Will the Secretary please return to the hall of the House or into the well of the House, please. Will the Secretary please take the microphone in the front of the House, please.

Mr. GRANT. Mr. Chief Clerk, I am accompanied by counsel, if that is okay. Thank you.

The CHIEF CLERK. That is fine.

Mr. DeWEESE. Mr. Chief Clerk, the Democrats would like to be recognized.

The CHIEF CLERK. The Chair recognizes the gentleman, Mr. DeWeese.

Mr. DeWEESE. The Secretary would please answer whether a declaratory judgment was rendered by the Commonwealth Court or, if not, under what basis does the gentleman, Mr. Stish, receive certification?

Mr. GRANT. Yes, sir.

I have presented to the Chief Clerk a communication along with those returns which explains exactly why we have done this action at this particular time. We have filed in Commonwealth Court an action. However, the court has not decided to begin to hear the motions at this point, and based on advice of the Office of General Counsel, I would ask the Parliamentarian if he would not mind reading that into the record. It might clarify my actions at this point.

The CHIEF CLERK. The clerk will read the report.

The following letter was read:

Commonwealth of Pennsylvania
Department of State
Harrisburg, Pennsylvania 17120

January 3, 1995

John J. Zubeck, Chief Clerk
Pennsylvania House of Representatives
Main Capitol Building
Harrisburg, PA 17120

Dear Mr. Zubeck:

I am herewith providing to the House of Representatives the returns of the November 8, 1994 General Election as certified and filed in my office on December 23, 1994. I am delivering these returns at this time, notwithstanding my earlier communication today, because the General Counsel has been unable yet to obtain an order of the Commonwealth Court relieving me of my duties under Section 1414 of the Election Code or to

judicially determine my duties with respect to the 116th District in light of the action of the Luzerne County Board of Elections this morning.

Although the facts and circumstances regarding the 116th Legislative District have not changed since my last communication, and I continue to question the legal validity of the certification for the 116th District, counsel has recommended that I forward the certified returns at this time. Should the court rule later today, we will inform you immediately.

Sincerely,
Robert N. Grant
Secretary to the Commonwealth

RNG/lmr

Mr. PERZEL. Mr. Chief Clerk?

The CHIEF CLERK. The Chair recognizes the gentleman, Mr. Perzel.

Mr. PERZEL. Thank you, Mr. Chief Clerk.

I would like to go back to my original motion, which was that we go immediately to electing the Speaker of the House of Representatives.

The CHIEF CLERK. Will the gentleman please defer.

Are there any further questions for the Secretary of the Commonwealth?

The gentleman is excused with the thanks of the House.

Mr. GRANT. Thank you.

Mr. PERZEL. Mr. Chief Clerk?

The CHIEF CLERK. The election returns for all candidates for membership in the House of Representatives will be printed in the Journal of the House.

The following election returns were submitted:

COMMONWEALTH OF PENNSYLVANIA

TO THE CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES
AND THE MEMBERS OF THE HOUSE OF REPRESENTATIVES OF
THE GENERAL ASSEMBLY OF THE COMMONWEALTH OF
PENNSYLVANIA, GREETINGS:

I have the honor to present the official returns of the General Election held November 8, 1994. The following, having received the highest number of votes in their respective districts, were duly elected Members of the House of Representatives in the General Assembly:

| Name | District |
|----------------------|------------|
| Linda Bebeko-Jones | First |
| Italo S. Cappabianca | Second |
| Karl Boyes | Third |
| Tom Scrimenti | Fourth |
| Jim Merry | Fifth |
| Teresa E. Brown | Sixth |
| Mike Gruitza | Seventh |
| Howard L. Fargo | Eighth |
| Chris Sainato | Ninth |
| Frank LaGrotta | Tenth |
| Guy A. Travaglio | Eleventh |
| Pat Carone | Twelfth |
| Art Hershey | Thirteenth |
| Mike Veon | Fourteenth |
| Nick Colafella | Fifteenth |

| | |
|------------------------|-----------------|
| Susan Laughlin | Sixteenth |
| David O. King | Seventeenth |
| Gene DiGirolamo | Eighteenth |
| Bill Robinson | Nineteenth |
| Don Walko | Twentieth |
| Frank J. Pistella | Twenty-first |
| Frank J. Gigliotti | Twenty-second |
| Ivan Itkin | Twenty-third |
| Joseph Preston, Jr. | Twenty-fourth |
| Joseph F. Markosek | Twenty-fifth |
| Timothy F. Hennessey | Twenty-sixth |
| Thomas C. Petrone | Twenty-seventh |
| Elaine F. Farmer | Twenty-eighth |
| David J. Mayernik | Twenty-ninth |
| Jeffrey E. Habay | Thirtieth |
| David J. Steil | Thirty-first |
| Anthony M. DeLuca | Thirty-second |
| Frank Dermody | Thirty-third |
| Ronald R. Cowell | Thirty-fourth |
| Tom Michlovic | Thirty-fifth |
| Harry Readshaw | Thirty-sixth |
| Katie True | Thirty-seventh |
| Richard D. Olasz | Thirty-eighth |
| David Levdansky | Thirty-ninth |
| Albert W. Pettit | Fortieth |
| Ralph Kaiser | Forty-first |
| Greg Fajt | Forty-second |
| Jere W. Schuler | Forty-third |
| Ron Gamble | Forty-fourth |
| Fred A. Trello | Forty-fifth |
| Victor John Lescovitz | Forty-sixth |
| Leo J. Trich, Jr. | Forty-seventh |
| Anthony L. Colaizzo | Forty-eighth |
| Peter J. Daley | Forty-ninth |
| Bill DeWeese | Fiftieth |
| Larry Roberts | Fifty-first |
| James E. Shaner | Fifty-second |
| Robert W. Godshall | Fifty-third |
| Terry E. Van Horne | Fifty-fourth |
| Joseph A. Petrarca | Fifty-fifth |
| Allen G. Kukovich | Fifty-sixth |
| Thomas A. Tangretti | Fifty-seventh |
| Herman Mihalich | Fifty-eighth |
| Jess Stairs | Fifty-ninth |
| Timothy L. Pesci | Sixtieth |
| Joseph M. Gladeck, Jr. | Sixty-first |
| Sara Steelman | Sixty-second |
| David R. Wright | Sixty-third |
| Scott E. Hutchinson | Sixty-fourth |
| Jim Lynch | Sixty-fifth |
| Sam Smith | Sixty-sixth |
| Kenneth M. Jadlowiec | Sixty-seventh |
| Matthew E. Baker | Sixty-eighth |
| William R. Lloyd, Jr. | Sixty-ninth |
| John W. Fichter | Seventieth |
| John N. Wozniak | Seventy-first |
| Tom Yewcic | Seventy-second |
| Gary Haluska | Seventy-third |
| Camille George | Seventy-fourth |
| Dan A. Surra | Seventy-fifth |
| Mike Hanna | Seventy-sixth |
| Lynn Herman | Seventy-seventh |
| Dick L. Hess | Seventy-eighth |
| Richard A. Geist | Seventy-ninth |
| Jerry A. Stern | Eightieth |
| Larry O. Sather | Eighty-first |
| Daniel F. Clark | Eighty-second |

| | | | |
|-------------------------|----------------------------|--------------------------|-----------------------------|
| Thomas W. Dempsey | Eighty-third | John A. Lawless | One hundred fiftieth |
| Brett Feese | Eighty-fourth | Eugene F. McGill | One hundred fifty-first |
| Russ Fairchild | Eighty-fifth | Roy W. Cornell | One hundred fifty-second |
| C. Allan Egolf | Eighty-sixth | Ellen M. Bard | One hundred fifty-third |
| Patricia H. Vance | Eighty-seventh | Lawrence H. Curry | One hundred fifty-fourth |
| Jerry L. Nailor | Eighty-eighth | Curt Schroder | One hundred fifty-fifth |
| Jeffrey W. Coy | Eighty-ninth | Elinor Z. Taylor | One hundred fifty-sixth |
| Patrick E. Fleagle | Ninetieth | Carole A. Rubley | One hundred fifty-seventh |
| Stephen R. Maitland | Ninety-first | Joseph R. Pitts | One hundred fifty-eighth |
| Bruce Smith | Ninety-second | Thaddeus Kirkland | One hundred fifty-ninth |
| Mike L. Waugh | Ninety-third | Kathrynnann Durham | One hundred sixtieth |
| Stan Saylor | Ninety-fourth | Tom Gannon | One hundred sixty-first |
| Stephen H. Stetler | Ninety-fifth | Ron Raymond | One hundred sixty-second |
| Mike Sturla | Ninety-sixth | Nicholas A. Micozzie | One hundred sixty-third |
| Jere L. Strittmatter | Ninety-seventh | Mario J. Civera, Jr. | One hundred sixty-fourth |
| Thomas E. Armstrong | Ninety-eighth | William F. Adolph, Jr. | One hundred sixty-fifth |
| Leroy M. Zimmerman | Ninety-ninth | Greg Vitali | One hundred sixty-sixth |
| John E. Barley | One hundredth | Bob Flick | One hundred sixty-seventh |
| Edward H. Krebs | One hundred first | Matthew J. Ryan | One hundred sixty-eighth |
| Peter J. Zug | One hundred second | Dennis M. O'Brien | One hundred sixty-ninth |
| Ron Buxton | One hundred third | George T. Kenney, Jr. | One hundred seventieth |
| Jeffrey E. Piccola | One hundred fourth | Ruth C. Rudy | One hundred seventy-first |
| Ron Marsico | One hundred fifth | John M. Perzel | One hundred seventy-second |
| Frank Tulli, Jr. | One hundred sixth | Michael McGeehan | One hundred seventy-third |
| Robert E. Belfanti, Jr. | One hundred seventh | Alan Butkovitz | One hundred seventy-fourth |
| Merle H. Phillips | One hundred eighth | Marie Lederer | One hundred seventy-fifth |
| John R. Gordner | One hundred ninth | Chris Wogan | One hundred seventy-sixth |
| J. Scot Chadwick | One hundred tenth | John J. Taylor | One hundred seventy-seventh |
| Sandra Major | One hundred eleventh | Roy Reinard | One hundred seventy-eighth |
| Fred Belardi | One hundred twelfth | William W. Rieger | One hundred seventy-ninth |
| Gaynor Cawley | One hundred thirteenth | Benjamin Ramos | One hundred eightieth |
| Frank A. Serafini | One hundred fourteenth | W. Curtis Thomas | One hundred eighty-first |
| Edward G. Staback | One hundred fifteenth | Babette Josephs | One hundred eighty-second |
| Tom Stish | One hundred sixteenth | Julie Harhart | One hundred eighty-third |
| George C. Hasay | One hundred seventeenth | William F. Keller | One hundred eighty-fourth |
| Thomas M. Tighe | One hundred eighteenth | Robert C. Donatucci | One hundred eighty-fifth |
| Stanley J. Jarolin | One hundred nineteenth | Harold James | One hundred eighty-sixth |
| Phyllis Mundy | One hundred twentieth | Paul W. Semmel | One hundred eighty-seventh |
| Kevin Blaum | One hundred twenty-first | James R. Roebuck | One hundred eighty-eighth |
| Keith R. McCall | One hundred twenty-second | Joseph W. Battisto | One hundred eighty-ninth |
| Edward J. Lucyk | One hundred twenty-third | Michael J. Horsey | One hundred ninetieth |
| David G. Argall | One hundred twenty-fourth | Anthony H. Williams | One hundred ninety-first |
| Bob Allen | One hundred twenty-fifth | Louise Bishop | One hundred ninety-second |
| Dante Santoni, Jr. | One hundred twenty-sixth | Steven R. Nickol | One hundred ninety-third |
| Thomas R. Caltagirone | One hundred twenty-seventh | Kathy Manderino | One hundred ninety-fourth |
| Samuel E. Rohrer | One hundred twenty-eighth | Frank L. Oliver | One hundred ninety-fifth |
| Sheila Miller | One hundred twenty-ninth | Todd Platts | One hundred ninety-sixth |
| Dennis E. Leh | One hundred thirtieth | Andrew J. Carn | One hundred ninety-seventh |
| Pat Browne | One hundred thirty-first | Rosita C. Youngblood | One hundred ninety-eighth |
| Charles W. Dent | One hundred thirty-second | Al Masland | One hundred ninety-ninth |
| T. J. Rooney | One hundred thirty-third | Leanna M. Washington | Two hundredth |
| Don Snyder | One hundred thirty-fourth | David P. Richardson, Jr. | Two hundred first |
| Lisa Boscola | One hundred thirty-fifth | Mark B. Cohen | Two hundred second |
| Joseph A. Corpora, III | One hundred thirty-sixth | Dwight Evans | Two hundred third |
| Leonard Q. Gruppo | One hundred thirty-seventh | | |
| Bob Nyce | One hundred thirty-eighth | | |
| Jerry Birmelin | One hundred thirty-ninth | | |
| Thomas C. Corrigan, Sr. | One hundred fortieth | | |
| Anthony J. Melio | One hundred forty-first | | |
| Matthew N. Wright | One hundred forty-second | | |
| Joe Conti | One hundred forty-third | | |
| Thomas W. Druce | One hundred forty-fourth | | |
| Paul I. Clymer | One hundred forty-fifth | | |
| Robert D. Reber, Jr. | One hundred forty-sixth | | |
| Raymond Bunt, Jr. | One hundred forty-seventh | | |
| Lita Indzel Cohen | One hundred forty-eighth | | |
| Colleen Sheehan | One hundred forty-ninth | | |

as the same have been certified to and filed with the Secretary of the Commonwealth of Pennsylvania by the sixty-seven County Boards of Elections.

(SEAL) Witness my hand and the seal of my office this twenty-third of December, 1994.

Robert N. Grant
Secretary of the Commonwealth

CERTIFICATE ON ELECTION EXPENSES

COMMONWEALTH OF PENNSYLVANIA

TO THE CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES,
GREETINGS:

In accordance with the provisions of Section 1632(b) of the Pennsylvania Election Code [25 P.S. § 3252(b)], I do hereby certify that all duly elected members of the House of Representatives of the Commonwealth of Pennsylvania have filed all of the reports and statements of contributions and expenditures required by the provisions of Article XVI of the Pennsylvania Election Code entitled "Primary and Election Expenses."

(SEAL) Witness my hand and the seal of my office this
twenty-third day of December, 1994.

Robert N. Grant
Secretary of the Commonwealth

The CHIEF CLERK. Mr. Perzel, we prefer to go on with the order of the business at this time.

OATH OF OFFICE

The CHIEF CLERK. A Bible has been placed on the desk of each member, for those who swear by the Bible.

Members-elect will rise, place your left hand on the Bible—

Mr. DeWEESE. The Chair would like to— Mr. Chief Clerk, the Democrats would like to object to the gentleman, Mr. Stish, taking the oath of office, and we would request that he step aside from taking the oath. We do it by virtue of Mr. Ryan's pronouncements of 1979; we do it by virtue of precedent. Quoting Mr. Ryan one more time, "...the fact remains that both of these matters are presently pending before the...Court." "...it is in the interest, I believe, of the House...that these...gentlemen not be sworn." Using Mr. Ryan's logic, which I believe is unimpeachable, I would like to at least move that the gentleman be set aside—

The CHIEF CLERK. Will the gentleman defer.

Mr. DeWEESE. —set aside the swearing in of Mr. Stish.

The CHIEF CLERK. The gentleman has moved to set aside the swearing in of Mr. Stish. We will set that aside for a further time.

Mr. DeWEESE. I would like to appeal the ruling of the Chair.

The CHIEF CLERK. The Chief Clerk asks Mr. Stish to stand aside on all votes being taken for the present time.

Mr. DeWEESE. I would like to move the previous question, move the previous question for oath taking.

The CHIEF CLERK. He will not be permitted to take the oath of office.

Mr. DeWEESE. We would like to proceed towards the taking of the oaths. We would like to echo the comments of Mr. Perzel and move toward the taking of our oaths.

May we proceed, Mr. Clerk; may we proceed.

The CHIEF CLERK. The Chair recognizes Mr. Perzel.

Mr. PERZEL. Mr. Chief Clerk, what exactly is before the House at this moment?

The CHIEF CLERK. Mr. DeWeese has moved to set aside the swearing in of Mr. Stish.

Mr. PERZEL. And what was your ruling, Mr. Chief Clerk?

The CHIEF CLERK. It is the Chair's intention to issue the oath of office to all other members.

Mr. DeWEESE. Let us proceed. We have been waiting 2 hours.

The CHIEF CLERK. The Chair recognizes the gentleman from Philadelphia County, Mr. Perzel.

Mr. PERZEL. We would like to challenge the ruling of the Chair, Mr. Chief Clerk.

Mr. DeWEESE. It is not a ruling; it is an objection.

Mr. PERZEL. All right, Mr. Chief Clerk. At this point in time I would like to read a resolution into the record and challenge the seating of Mr. Olasz. "WHEREAS, Newspaper articles—"

Mr. DeWEESE. We have an objection before the body.

Mr. PERZEL. —"report that the Attorney General—"

Mr. DeWEESE. We have an objection before the body, Mr. Chief Clerk.

Mr. PERZEL. —"charged Richard D. Olasz—"

Mr. DeWEESE. We have an objection before the body.

Mr. PERZEL. —"with two...counts under the State Ethics Law for abusing his office—"

Mr. DeWEESE. We have an objection before the body.

The CHIEF CLERK. Will both gentlemen suspend.

Mr. DeWEESE. Yes.

Mr. PERZEL. —"through a fraudulent scheme—"

The CHIEF CLERK. Will both gentlemen suspend.

Mr. PERZEL. —"to transfer two automobiles—"

Mr. DeWEESE. This gentleman will suspend.

The CHIEF CLERK. Will both gentlemen please suspend.

Mr. Perzel is objecting to the seating of Mr. Olasz, and he is in order, and we will listen to his reasons—

Mr. DeWEESE. On what basis? He is obligated to state his basis. Our basis was certification. What are his bases?

The CHIEF CLERK. He is attempting to do that right now.

Mr. PERZEL. Thank you, Mr. Chief Clerk.

WHEREAS, An official document of the criminal division of the Allegheny County Court, identified as indictment number 930826, establishes that Richard D. Olasz was permitted to enter a first offender accelerated rehabilitative disposition program, known as ARD, with the approval of the Attorney General and the court as an alternative to facing a criminal trial on those felony charges;

WHEREAS, Richard D. Olasz signed an official court document, identified as indictment number 930826 of the criminal division of the Allegheny County Court, granting ARD, in which Mr. Olasz circled yes in response to the following language: "By accepting this ARD program you are implicitly admitting that you committed the offense with which you have been charged."

WHEREAS, The State Ethics Commission order number 851 of 1992 establishes that the commission had conducted a prior investigation into Richard D. Olasz's conduct in regard to this scheme and concluded that he had violated the State Ethics Law;

WHEREAS, The Ethics Committee, in order number 851, directed Mr. Olasz to make restitution by forwarding a check to the commission payable to the House of Representatives in the amount of \$6,288.

WHEREAS, These facts raise substantial questions about the qualifications of Mr. Olasz to serve as a member of the House of Representatives;

WHEREAS, Article II, section 9 of the Pennsylvania Constitution establishes the House of Representatives as the judge of the election and qualifications of its members;

BE IT RESOLVED, That the oath of office not be administered to Richard D. Olasz today.

And I would defer to Mr. Piccola, who has the actual indictments.

The CHIEF CLERK. We will hear Mr. Piccola's arguments at the time we take up the matter.

The Chair instructs Representative Olasz to step aside at the moment.

PARLIAMENTARY INQUIRIES

The CHIEF CLERK. A Bible has been placed on the desk of each member—

Mr. DeWEESE. A point of parliamentary inquiry, Mr. Chief Clerk.

The CHIEF CLERK. The gentleman will state his parliamentary inquiry.

Mr. DeWEESE. On what basis does the Chief Clerk ask Mr. Olasz to step aside? Are we objecting to his election? Or his qualifications? Both seem bona fide, to our analysis.

The CHIEF CLERK. We believe they are proceeding by Article II, section 7, "Ineligibility by Criminal Convictions": "No person hereafter convicted of embezzlement of public moneys, bribery, perjury or other infamous crime, shall be eligible to the General Assembly, or capable of holding any office of trust or profit in this Commonwealth."

Mr. DeWEESE. Are you—A parliamentary inquiry.

Is the other side representing that a criminal conviction has taken place?

Mr. PERZEL. Mr. Chief Clerk, we will argue that later. That is for the House to decide.

Mr. DeWEESE. It is only a parliamentary inquiry.

The CHIEF CLERK. I have been advised by the Parliamentarian that we do not know the answer.

Mr. DeWEESE. No one has given us a reason for him to step aside. If they are not even going to remark whether they are using a criminal conviction as the basis for their debate, then how can the Parliamentarian instruct the Chief Clerk for our colleague to stand aside? It is incredible.

Mr. BELFANTI. Mr. Chief Clerk?

The CHIEF CLERK. For what purpose does the gentleman, Mr. Belfanti, rise?

Mr. BELFANTI. Either a parliamentary inquiry or, if allowed, I would like to interrogate the Democratic floor leader.

The parliamentary inquiry, if I am not permitted to ask Mr. DeWeese a question, is—

The CHIEF CLERK. Make it a parliamentary inquiry.

Mr. BELFANTI. Thank you, Mr. Chief Clerk. Then I will phrase it in the form of a statement instead of a question.

It is my understanding that there is no matter pending before any court in the disposition of the Olasz matter, that Mr. Olasz performed ARD, served the 1-year suspension, that his record is

expunged. The matter is not current. The issue before the General Assembly at this moment is a currently pending matter. There has been a decertification at the county of Luzerne, and no such action is pending before Mr. Olasz. There is absolutely no basis or grounds for Mr. Olasz to be asked to step aside.

Furthermore, Mr. Chief Clerk, the voters of Allegheny County had widespread press coverage of the incident against Mr. Olasz. They saw fit to elect him in a largely contested primary and then reelect him to another term in the fall election. That is also different, and they elected him as a Democrat and he is here as a Democrat.

Mr. Chief Clerk, there is absolutely no basis for Mr. Olasz' credentials to be questioned here today, and I respectfully request that the Chief Clerk rescind his motion asking that Mr. Olasz step aside.

The CHIEF CLERK. The debate on this issue is appropriate at the time we take up the matter.

Mr. DeWEESE. Objection.

Point of parliamentary inquiry.

The CHIEF CLERK. The gentleman will state his point.

Mr. DeWEESE. We would like to know whether our Parliamentarian of many years in this House is making a decision based upon a criminal conviction. Why in the world are you allowing for this activity to take place for Mr. Olasz to be asked to stand aside? It has no grounding, and we would like for you to explicate your thinking.

The CHIEF CLERK. It is not for the Chair to determine whether a member should be seated or not; it is up to the House.

Mr. DeWEESE. Mr. Chief Clerk, I would like to read something into the record that is very pertinent to what we are doing, and again, echoing Mr. Ryan's comments of 1979. I make no apology.

Mr. PERZEL. Mr. Chief Clerk, I object.

Mr. DeWEESE. We are getting ready to organize for a 2-year session on the way our people's business will be conducted. I would like to read a couple of paragraphs into the record.

The CHIEF CLERK. This is not the time to discuss this.

Mr. DeWEESE. It deals with the way we seat people.

The CHIEF CLERK. The gentleman is out of order.

Mr. DeWEESE. I would like to take a moment to describe—

The CHIEF CLERK. The gentleman is out of order. It is not the time to discuss it.

Mr. DeWEESE. It is very pertinent. We are trying to discuss the Parliamentarian's ruling.

The CHIEF CLERK. Mr. DeWeese, please.

Mr. DeWEESE. A point of parliamentary inquiry.

What is happening with the seating objection? Will you explain that to us? What is happening?

We have a record that was expunged; Mr. Olasz's record was expunged in July of 1994. We deserve to know why the Parliamentarian is making this decision about standing aside. This is very pertinent.

The CHIEF CLERK. The Parliamentarian is not making the objection; a member has made the objection.

Mr. DeWEESE. And if it is a frivolous objection, that is what the Parliamentarian is there to guard us against.

The CHIEF CLERK. The Parliamentarian cannot guard against frivolous objections. It is up to the members of the House to make that determination.

Mr. DeWEESE. This is transparently, transparently wrongheaded, and the Chair could make a ruling that it is frivolous. That is all we are asking the Chair to do.

The CHIEF CLERK. I have no knowledge of being able to make such a ruling.

Mr. DeWEESE. We would like the record to reflect whether in fact there is a conviction of Mr. Olasz. We would like that to be reflected in the record before the vote.

OATH OF OFFICE ADMINISTERED TO MEMBERS-ELECT

The CHIEF CLERK. We are going to proceed with the oath of office.

Mr. DeWEESE. We have a point of parliamentary inquiry.

The CHIEF CLERK. A Bible has been placed on the desk of each member, for those who swear by the Bible.

Members will rise, place your left hand on the Bible, raise your right hand, and remain standing at your desks during the administration of the oath—

Mr. DeWEESE. Point of parliamentary inquiry. Point of parliamentary inquiry.

The CHIEF CLERK. —to which each member will swear or affirm.

Mr. DeWEESE. Point of parliamentary inquiry, Mr. Chief Clerk. Point of parliamentary inquiry.

The CHIEF CLERK. The oath of office will now be administered by the Honorable Robert C. Wright—

Mr. DeWEESE. Mr. Chief Clerk, the point is one that is outstanding.

The CHIEF CLERK. —Judge of the Delaware County Court of Common Pleas and—

Mr. DeWEESE. Mr. Chief Clerk, we have a point of parliamentary inquiry. A point of parliamentary inquiry.

The CHIEF CLERK. —a member of the House from 1981 to 1992.

Mr. DeWEESE. We have a point of parliamentary inquiry. We have a point of parliamentary inquiry, Mr. Chief Clerk.

Mr. Parliamentarian, Mr. Parliamentarian, we have a point of parliamentary inquiry. Will the Parliamentarian not allow this point to be recognized?

(Members-elect stood.)

JUDGE WRIGHT. Put your left hand on the Bible and raise your right hand, please.

Mr. DeWEESE. Let the record show that our Parliamentarian would not recognize a point of parliamentary inquiry.

JUDGE WRIGHT. Do you solemnly swear or affirm—

Mr. DeWEESE. The gentleman, Mr. Stish, should step aside.

JUDGE WRIGHT. —that you will support, obey, and defend the Constitution of the United States and the Constitution of this Commonwealth, and that you will discharge the duties of your office with fidelity? If so, answer “I do.”

(Members asserted oaths.)

JUDGE WRIGHT. At this point you may be seated.

I would like to say to you congratulations — I think.

REMARKS BY JUDGE WRIGHT

JUDGE WRIGHT. It certainly is a pleasure for me to be back here today. As many of you know, six times I sat where you are sitting. For those of you who are freshman legislators and for family and friends who are here, I know what has transpired today is quite an astonishment to you. However, for me, it just all of a sudden hit me what I have left.

I would like to say that you certainly have an opportunity to do a lot of good for a lot of people. Go do it. Good luck.

Mr. DeWEESE. Mr. Chief Clerk? Mr. Chief Clerk, point of parliamentary inquiry. Mr. Chief Clerk?

The CHIEF CLERK. Before we go any further, we want to place in the record that the oath has not been administered to Mr. Stish or Mr. Olasz.

The Chair recognizes the gentleman, Mr. DeWeese.

Mr. DeWEESE. I would like to vigorously object to the denial of Mr. Olasz having to stand aside. It is completely contrary to our statutes and our traditions, and I want the record to reflect, I want the record to reflect that the Parliamentarian, in our judgment, was out of bounds in his decision to let that procedure go forward.

Mrs. COHEN. Mr. Chief Clerk?

The CHIEF CLERK. The Chair recognizes the lady from Montgomery County, Mrs. Cohen.

Mrs. COHEN. Thank you, Mr. Chief Clerk.

Mr. Chief Clerk, I rise today to offer a resolution which will honor a very famous son of Ireland.

The CHIEF CLERK. Will the lady suspend for just a moment? Go ahead; I am sorry.

Mrs. COHEN. Thank you, Mr. Chief Clerk.

I repeat: I rise today to offer a resolution.

The CHIEF CLERK. The lady from Montgomery County, Mrs. Cohen, presents a resolution, which the clerk will read.

Mrs. COHEN. Thank you, Mr. Chief Clerk.

The CHIEF CLERK. The clerk will suspend reading the resolution.

We would like to proceed to hear the challenges to Mr. Stish and Mr. Olasz at this time.

PARLIAMENTARY INQUIRY

Mr. WILLIAMS. Mr. Chief Clerk?

The CHIEF CLERK. The Chair recognizes Mr. Williams.

Mr. WILLIAMS. Thank you, Mr. Chief Clerk.

I would like to know exactly how the Chair intends to dispose of resolutions that may have been offered along the same order of those that were offered in terms of Mr. Olasz as to, I guess, challenge the credibility of other members that may have been considered. I was quite clear on the order that we were proceeding and I was quite clear on that there were some other resolutions that might have been considered, and maybe the Chair might have resolved that other members may be set aside. So will that be determined posthaste?

The CHIEF CLERK. The Chair is not aware of any other resolutions at this time.

Mr. WILLIAMS. Well, the Chair may not have been aware of those, but if there were those to be considered in the absence of the

Chair's understanding that were offered appropriately, how will that be handled?

The CHIEF CLERK. The oath of office has been administered to the other members at this point and it would be too late.

Mr. WILLIAMS. Thank you, Mr. Chief Clerk.

The CHIEF CLERK. The Chair recognizes Representative Perzel on the seating of Representative Stish.

Mr. PERZEL. Mr. Chief Clerk, we would like to proceed with the election of Speaker.

The CHIEF CLERK. If there are no other requests, without objection, the clerk will proceed.

RESOLUTION

ELECTION OF SPEAKER

Mrs. COHEN offered the following resolution, which was read by the clerk:

In the House of Representatives
January 3, 1995

RESOLVED, That in accordance with the provisions of Article II, section 9, of the Constitution of Pennsylvania, the House do now proceed to the election of a Speaker.

Mr. PRESTON. Mr. Chief Clerk?

The CHIEF CLERK. For what reason does the gentleman, Mr. Preston, rise?

Mr. PRESTON. Originally I rose without recognition to be able to object, because I thought it was unfair that one member, you mentioned one but you did not mention the other as far as being able to discuss whether or not he is going to be able to vote on this or not. So I objected, and I was not recognized.

The CHIEF CLERK. We were looking to the Democrat leadership, and we did not hear any objection. If the gentleman wants to proceed, go ahead.

Mr. PRESTON. Well, I am not a member of the Democratic leadership; I am a member of this House duly sworn in, and I am objecting to the motion made by Mr. Perzel.

Mr. PERZEL. Mr. Chief Clerk?

The CHIEF CLERK. For what purpose does the gentleman rise?

Mr. PERZEL. We would like to reiterate the fact that we would like to continue on with the election of Speaker.

The CHIEF CLERK. An objection has been raised, and the appropriate order of business would be to consider the objection.

Does Mr. Perzel wish to debate the—

Mr. PERZEL. One moment, Mr. Chief Clerk.

The CHIEF CLERK. Would the leaders please come to the podium.

(Conference held at Speaker's podium.)

Mr. PERZEL. Mr. Chief Clerk?

The CHIEF CLERK. The House will come to order.

The Chair recognizes Mr. Perzel.

Mr. PERZEL. Thank you, Mr. Chief Clerk.

I realize there has been intervening business. We wanted to move to electing a Speaker of the House; what was the other intervening business that we have to take care of?

If there is none, Mr. Chief Clerk—

The CHIEF CLERK. It was to settle the seating of Mr. Stish and Mr. Olasz.

Mr. PERZEL. Mr. Chief Clerk, they have been set aside. We would like to move on with the election of the Speaker of the House, and we would like to have Representative Pitts recognized for that.

The CHIEF CLERK. Those in favor of the resolution will say "aye"; those opposed, "no." The "ayes" have it.

NOMINATIONS FOR SPEAKER

The CHIEF CLERK. The Chair recognizes the gentleman from Chester County, Mr. Pitts.

Mr. PITTS. Thank you, Mr. Chief Clerk.

Mr. Chief Clerk, honored guests, colleagues, friends, and family: Contrary to what those of you who are friends and family have seen here today, there are more enjoyable aspects to this job of being a legislator, and this is one of them.

I rise to nominate—

Mr. PRESTON. Mr. Chief Clerk?

Mr. PITTS. —my friend and colleague, Matthew J. Ryan of Delaware County, to be Speaker of the Pennsylvania House of Representatives—

Mr. PRESTON. Mr. Chief Clerk?

The CHIEF CLERK. For what purpose does the gentleman rise?

Mr. PRESTON. I am trying to get an understanding. Have you ruled on my objection? Have you overruled on my objection to the election of Speaker of the House?

The CHIEF CLERK. The leaders of the House have determined to go on with the election of the Speaker.

Mr. PRESTON. Mr. Chief Clerk, no one has spoken to me yet. I raised the objection, and until someone speaks to me, I am going to continue to object.

The CHIEF CLERK. Okay. Well, that is the process we are going to continue to follow, with the election of the Speaker. Thank you, Mr. Preston.

Mr. PRESTON. So in other words, for the record, you are overruling my objection?

The CHIEF CLERK. That is correct.

The Chair recognizes the gentleman, Mr. Pitts.

Mr. PITTS. Thank you, Mr. Chief Clerk.

As I was saying, I rise to nominate my friend and colleague, Matthew J. Ryan of Delaware County, to be Speaker of the Pennsylvania House of Representatives for the 1995-96 legislative session.

In this beautiful chamber, surrounded by depictions of historic landmarks, I am reminded of the democratic framework by which our forefathers and generations which followed evolved the government of which we are a part.

As we prepare to elect a new Speaker of this House, we stand in the shadow of William Penn, the founder of our great Commonwealth. We are responsible for upholding and implementing the dream he envisioned — the dream of a land of

freedom and opportunity which he believed would be, and I quote, "the seed of a nation."

Benjamin Franklin, member and Speaker of this General Assembly, addressing delegates to the Constitutional Convention in 1787, said, "Much of the Strength and Efficiency of any Government, in procuring and securing Happiness to the People depends on Opinion, on the general Opinion of the Goodness of that Government as well as of the Wisdom and Integrity of its Governors."

Abraham Lincoln, 96 years later, just a few miles away from this capital, speaking in Gettysburg said, "It is for us, the living, rather to be dedicated here to the unfinished work which they who fought here have thus far so nobly advanced."

These historic reflections symbolize the efforts undertaken by dedicated individuals to treat our citizens with justice and equity in adopting laws that affect their daily lives, and that philosophy is what has guided our next Speaker of the House, Matthew J. Ryan, for over three decades of unselfish public service.

Our challenge as legislators and policymakers centers on completing this unfinished work of fostering freedom and opportunity in this great Commonwealth with wisdom and integrity. "Wisdom" and "integrity": two words that embrace the essence of Matt Ryan's service to the citizens of the Commonwealth.

But Matt's qualifications exceed those fundamental elements. Matt cherishes this venerable institution, the Pennsylvania State House - its history, its traditions, its comradeship, the unparalleled beauty of this chamber which he has done so much to preserve, and most importantly, its membership.

Few Commonwealth leaders have matched Matt Ryan's record of public service. Only two members in the 314 years of the history of the House of Representatives have exceeded his tenure. He holds the House record of floor leader, and his 26 years in Republican legislative leadership is unduplicated in the history of the Grand Old Party.

Today, Matt marks the beginning of his 33d consecutive year as a State legislator. Matt Ryan's commitment to the public trust and in preserving the integrity of this institution remains unquestioned.

Matt Ryan is recognized nationally as one of the creators of Pennsylvania's modern General Assembly. Besides promoting such reforms as the budget code, sunset agency review, and various tax revisions, he helped to establish the Capitol Preservation Committee. He helped to launch the addition of the Capitol East Wing. The upgrading, modernization, and professionalization of legislative staff is a direct result of Matt's vision. Matt Ryan advocated procedures to improve research capabilities and establish parity funding for each caucus. Matt led the effort to give members the ability to upgrade constituent services, both through their Capitol and district offices.

In 1981 Matt Ryan was elected Speaker of the House by his colleagues. Members from both sides of the aisle praised Matt for the impartial, fair, and nonpartisan manner in which he presided over the successful 1981-82 session. Matt's respect for this institution, his insight into people, his commitment to fairness, and his incomparable Irish wit combine to make him a true Speaker of the "people's house," the Pennsylvania State House.

Matt Ryan is deeply respected as a unifier, a feisty debater, a parliamentary tactician, a legislative master, and above all, a leader who is eminently fair.

Speaker-designate Ryan, a former Marine, a well-respected attorney, husband of Delaware County Judge Patricia Jenkins, father of five and grandfather of five, has spent half his life leading this Commonwealth.

Matt, as you embark on yet another journey in your commitment to the people of Pennsylvania and to this institution that you so proudly serve and dearly cherish, let me wish you the very best and offer my congratulations. I am confident, as all of us are here today, that you will carry out the business of the House in an honorable, respectable, and just manner. Not only have you consistently exercised equity and wise judgment and remained friendly and accessible to all, but you have been and continue to remain a wise leader and a mentor to so many of us. We look forward once again to your service as Speaker of the House.

At this time I am deeply honored to nominate my friend, my colleague, and our leader, the gentleman from Delaware County, Matthew J. Ryan, to be Speaker of the Pennsylvania House of Representatives. Thank you.

The CHIEF CLERK. The gentleman from Chester County, Mr. Pitts, places in nomination for the office of Speaker, the gentleman from Delaware County, the Honorable Matthew J. Ryan.

The Chair recognizes the lady from Delaware County, Mrs. Durham.

Mrs. DURHAM. Thank you, Mr. Chief Clerk.

I rise today to second the nomination of Matt Ryan as Speaker of the House of Representatives.

There are many reasons, as Joe Pitts very eloquently displayed, to vote for Matt Ryan for Speaker. You do not have to be a legislator very long to observe Matt's intellect, his charm, and his quick wit, but the one reason above all others that moves me to support Matt Ryan as Speaker is his sincere respect and the high esteem in which he holds this institution as well as its members. In the hustle of the activity here it is easy to forget your true responsibility, but Matt Ryan as a statesman has always reminded us that the institution lives on even after we are no longer here.

If you speak to Matt, he speaks about "serving as a legislator." There is a great message in that sentence. When Matt Ryan serves as Speaker of this House, I believe that we will all be reminded of the sacrifices that were made for us to have the luxury to serve this great institution.

On behalf of the Delaware County delegation, it is my extreme privilege to second the nomination of Matthew J. Ryan as Speaker of the House. Thank you, Mr. Chief Clerk.

The CHIEF CLERK. The lady from Delaware County, Mrs. Durham, seconds the nomination of Mr. Ryan for the office of Speaker.

The Chair recognizes the gentleman from Blair County, Mr. Geist.

Mr. GEIST. Thank you very much, Mr. Chief Clerk.

It certainly is a pleasure for me to bat third after Joe and Kathy's such good remarks that they made about Matt. I would like to rise to second the nomination.

The word "caregiver" is a word that is thrown about, but Matt Ryan is a true caregiver. Anybody who can give to public service all the years that he has given is truly a "care" giver.

Matt has served with distinction in this body, he is held in high esteem by all in the State of Pennsylvania, and I can hardly wait until he walks up those steps and takes that oath once again, because all of us in Pennsylvania, not just Delaware County but all of us, benefit by having Matt Ryan at the Speaker's rostrum.

I am very, very pleased to second his nomination.

The CHIEF CLERK. The gentleman from Blair County, Mr. Geist, seconds the nomination of Mr. Ryan for the office of Speaker.

Are there any other nominations?

The Chair recognizes the gentleman from Schuylkill County, Mr. Argall.

Mr. ARGALL. Mr. Chief Clerk, I move that the nominations now be closed.

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

The CHIEF CLERK. Those in favor of Matthew J. Ryan from Delaware County for the office of Speaker of the House will say "aye"; those opposed will say "no." The "ayes" have it, and Matthew J. Ryan is unanimously elected the Speaker of the House. Congratulations, Mr. Ryan.

COMMITTEE APPOINTED TO ESCORT SPEAKER-ELECT TO ROSTRUM

The CHIEF CLERK. The Chair appoints the gentleman from Philadelphia, Mr. Perzel, and the gentleman from Greene County, Mr. DeWeese, to escort Speaker-elect Ryan to the rostrum.

The committee to escort the Speaker-elect will proceed with the performance of its duties.

The Chair recognizes the chairman of the committee, Mr. Perzel.

Mr. PERZEL. Ladies and gentlemen, I did not know that I was going to have the opportunity of saying a few words about Matt Ryan. I think you have heard me and Mr. DeWeese often enough this afternoon.

Matt Ryan is one of the finest legislators we have had in this General Assembly, well, as long as I have been here anyway, which is 16 years, going on 17. It is with great pleasure I introduce the next Speaker of the House of Representatives, Matthew J. Ryan.

OATH OF OFFICE ADMINISTERED TO SPEAKER-ELECT RYAN

The CHIEF CLERK. The oath of office to the Speaker-elect will now be administered by the Honorable Patricia H. Jenkins, Judge of the Delaware County Court of Common Pleas and the wife of the Speaker-elect.

JUDGE JENKINS. Place your left hand on the Bible and raise your right hand and repeat after me: I, Matthew J. Ryan, do solemnly swear that I will support, obey, and defend the Constitution of the Commonwealth, and that I will discharge the duties of my office with fidelity.

(Speaker-elect Ryan asserted oath.)

JUDGE JENKINS. Congratulations.

PRESENTATION OF GAVEL

The CHIEF CLERK. The members may be seated.

The Chair requests the Honorable William DeWeese to take the Chair for the purpose of presenting the gavel to Speaker Ryan.

Mr. DeWEESE. Thank you, Mr. Chief Clerk.

This is not Chechnya; this is Pennsylvania, and a fine man is going to accede to an office that he has been comfortable in historically, in a chamber that he has served with distinction.

I am happy, notwithstanding some of the hyperbolics and pyrotechnics of the last few moments, to be here at Matthew's side. He is my friend. He will be a good Speaker. Matthew.

THE SPEAKER (MATTHEW J. RYAN) PRESIDING

ADDRESS BY SPEAKER

The SPEAKER. Let me get comfortable up here for a moment.

I was thinking—this is not part of my prepared remarks, obviously—I was thinking as Bill DeWeese was giving me that gavel that there are probably only two of us in this great chamber that know the heartbreak of giving that gavel over - Bill DeWeese and myself. We have both had to do it. We have both cherished the opportunities and the feeling, the good feeling, of being Speaker of the House. And then I reminded myself that here to my right are three distinguished former Speakers of this House, every one of whom served with distinction.

K. Leroy Irvis, please stand up; a man among men, a Speaker among Speakers. Many of you served here with him.

Probably I am the only one; I am guessing that there are not too many of us that served with the next man, and when I described him—and I am paraphrasing a little bit—but when I described him at the time of the ceremony of the great art shows that we have had over the years, the past several years, and Herb Fineman's painting was unveiled, I described him as probably the best floor leader that ever served during the 33 years that I have been a member of this House - both sides, all sides included. He was one of the great Speakers as well, but as a floor leader, he knew no fear. Herb Fineman.

And probably one of the nicest Speakers—with all due respect, gentlemen—probably one of the nicest Speakers and the worst basketball players, according to the reports I get from the members that were basketball players or baseball players or whatever he did that was athletic—he was always in a sweat suit and running around here; I do not know that he did anything—but a great intellectual nevertheless and a tremendously friendly, cordial person who maybe was ahead of his time, a great thinker and a wonderful friend, Bob O'Donnell.

Many years ago I made the following remarks to a very important group of people. I felt they were appropriate then; I feel they are appropriate today.

Three hundred years ago a man dared to dream the impossible dream - a dream where each citizen could choose his own work or calling, where each could worship in his own way, where each could be free to choose his own representative to make the laws in a self-government under which no one would be above the law or outside its jurisdiction - and he called this dream a Commonwealth. But the idea was so strange and alien that only in a faraway

uninhabited country was this impossible dream allowed to be tested, in a land of forests, streams, and mountains that would take its name after the dreamer - "Penn's Woods" or "Pennsylvania."

The dream of William Penn came true. There is no greater proof of that truth than the solemn oath that we have each taken today - to protect and support the Commonwealth that he created - for you are not only the legislators of that dream but its trustees. Three centuries later, you, the duly elected legislators, are not only the doers but the defenders of that dream.

We gather today in this historic chamber to swear our oaths and to begin our tasks, an occasion made joyous by the presence of our friends and our families and made sacred by reason of our unique history and tradition. No legislature, no legislature - not the House of Commons in London, not the United States Congress in Washington - could boast of a more singular tradition than this, the Pennsylvania House of Representatives.

What Penn proposed was unique: not just freedom of speech, not just freedom of religion or freedom of assembly by a society under a constitution, but rather an organized document that could be amended by the people in the course of time. Such a concept of a living charter, an amendable constitution, was untried in the pages of history and untested in the annals of the world as of that time.

As members of this Pennsylvania House, you are not only the legal successors but also the preservers of that government of Penn.

The Pennsylvania House! Look around. What a glorious tradition and a splendid heritage it holds!

The first real name of Independence Hall - and I did not know this until some 14, 15 years ago - the first real name of Independence Hall in Philadelphia, portrayed in the mural to my left, was the Pennsylvania State House. We, the Pennsylvania General Assembly, purchased it. We purchased it; we purchased and installed what is now known as the Liberty Bell. We put it in

The Quaker, William Penn, was once asked by an Anglican or Episcopalian companion of his if Penn would take him to the worship service at the Quaker meetinghouse, the Society of Friends meeting. The visitor sat with Penn on a bench in the rear of the congregation. Time passed - 5 minutes passed, 10 minutes - nothing happened, and all the Episcopalian friend could hear was silence, unbroken by a hymn, unbroken by even a prayer, and he was confused by this specter of silence and quiet at the service. And the Episcopalian tugged on the sleeve of William Penn and he whispered, "William, when does the service begin?" And the founder of our great Commonwealth replied, "Friend, the service begins when this meeting ends."

And so we Representatives of the Pennsylvania House, honored by our special heritage and enabled by our unique tradition, have sworn our pledges to serve our constituencies, to serve our Commonwealth and to serve our country, and to save the dream of William Penn, and this service begins when this day's meeting ends.

These remarks, of course, were made by me to a very important group of people on the first Tuesday of January 1981, 14 years ago, in this great hall to the newly elected members of the 1981-82 session.

I was comfortable with that speech then; I am comfortable with that speech today. Thank you.

PRESENTATION OF COMMEMORATIVE GAVEL

The SPEAKER. The Chair recognizes the Chief Clerk.

The CHIEF CLERK. The Chief Clerk is delighted to be able to present a commemorative gavel to a gentleman that I have had the privilege and the pleasure of knowing and serving for over three decades in this House of Representatives, to my very good friend,

freedom and opportunity which he believed would be, and I quote, "the seed of a nation."

Benjamin Franklin, member and Speaker of this General Assembly, addressing delegates to the Constitutional Convention in 1787, said, "Much of the Strength and Efficiency of any Government, in procuring and securing Happiness to the People depends on Opinion, on the general Opinion of the Goodness of that Government as well as of the Wisdom and Integrity of its Governors."

Abraham Lincoln, 96 years later, just a few miles away from this capital, speaking in Gettysburg said, "It is for us, the living, rather to be dedicated here to the unfinished work which they who fought here have thus far so nobly advanced."

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But Matt's qualifications exceed those fundamental elements. Matt cherishes this venerable institution, the Pennsylvania State

Speaker-designate Ryan, a former Marine, a well-respected attorney, husband of Delaware County Judge Patricia Jenkins, father of five and grandfather of five, has spent half his life leading this Commonwealth.

Matt, as you embark on yet another journey in your commitment to the people of Pennsylvania and to this institution that you so proudly serve and dearly cherish, let me wish you the very best and offer my congratulations. I am confident, as all of us are here today, that you will carry out the business of the House in an honorable, respectable, and just manner. Not only have you consistently exercised equity and wise judgment and remained friendly and accessible to all, but you have been and continue to remain a wise leader and a mentor to so many of us. We look forward once again to your service as Speaker of the House.

At this time I am deeply honored to nominate my friend, my colleague, and our leader, the gentleman from Delaware County, Matthew J. Ryan, to be Speaker of the Pennsylvania House of Representatives. Thank you.

The CHIEF CLERK. The gentleman from Chester County, Mr. Pitts, places in nomination for the office of Speaker, the gentleman from Delaware County, the Honorable Matthew J. Ryan.

The Chair recognizes the lady from Delaware County, Mrs. Durham.

Mrs. DURHAM. Thank you, Mr. Chief Clerk.

I rise today to second the nomination of Matt Ryan as Speaker

January 3, 1995

John J. Zubeck, Chief Clerk
 Pennsylvania House of Representatives
 Main Capitol Building
 Harrisburg, Pennsylvania 17120

Dear Mr. Zubeck:

As promised, I hereby communicate to you the action of the Commonwealth Court of Pennsylvania regarding the certification of returns for the 116th Legislative District. Enclosed herewith is a copy of an Order entered in the Commonwealth Court this afternoon ruling that the returns of the election for State Representative for the 116th Legislative District are properly certified by the Luzerne County Board of Elections. Therefore, it would appear that my December 23, 1994 certification of returns which I provided to the House of Representatives earlier today are legally valid and are now properly presented to the House of Representatives pursuant to Section 1414 of the Election Code.

Again, I regret the inconvenience to the House caused by my unavoidable delay in appearing before the House this afternoon. However, I continue to believe that it was in the public interest to obtain judicial guidance regarding my legal duties in this matter.

Sincerely,
 Robert N. Grant
 Secretary of the Commonwealth

RNG/kg
 Enc.

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

Mr. DeWEESE. I second the motion.

The SPEAKER. A motion has been made and seconded.

On the question,

Will the House agree to the motion?

Motion was agreed to.

OATH OF OFFICE ADMINISTERED TO MEMBERS-ELECT

The SPEAKER. Will the gentleman, Mr. Stish, and the gentleman, Mr. Olasz, approach the Chair.

We are going to go through this ceremony because it is over right here, if we may.

We have Bibles for you.

JUDGE WRIGHT. Place your left hand on the Bible, and please raise your right hand.

Do you solemnly swear or affirm that you will support, obey, and defend the Constitution of the United States and the Constitution of this Commonwealth, and that you will discharge the duties of your office with fidelity? If so, answer "I do."

(Members asserted oaths.)

JUDGE WRIGHT. Congratulations.

MUSICAL MEDLEY

The SPEAKER. We have a brief presentation by the St. Francis Cabrini Choir of Aliquippa, Pennsylvania, directed by Fran Colafella, wife of one of our Representatives, Representative Nick Colafella. They are going to assemble and get under way just as promptly as possible.

("Hymn of Thanksgiving" and "America, the Dream Goes On" were sung by the St. Francis Cabrini Choir.)

The SPEAKER. The House would like to thank the St. Francis Cabrini Choir for their fine musical interlude and would comment that this is the first time today that people seemed to be hitting it off, all in tune and all together. Thank you. It was a wonderful result, which is what happened here today as far as I could see, too. That may not be generally shared.

PLACING OF MACE

The SPEAKER. The oath of office having been taken by the members of the House and the Speaker elected, the Chair instructs the Sergeant at Arms to now place the mace on the rostrum. The mace is the symbol of the authority of the House. When the mace is at the Speaker's right, the House is in session.

(Mace was placed on rostrum.)

PARLIAMENTARIAN APPOINTED

The SPEAKER. In compliance with the laws of the Commonwealth authorizing the Speaker to appoint a Parliamentarian, the Chair appoints Clancy Myer as Parliamentarian of the House.

ANNOUNCEMENT OF MAJORITY FLOOR LEADERS

The SPEAKER. The Chair recognizes at this time the gentleman from Mercer County, Mr. Fargo, for the purpose of making an announcement.

Mr. FARGO. Thank you, Mr. Speaker.

Mr. Speaker, as chairman of the Republican Caucus, I have been instructed to announce for the information of the members of the House and for the record that the gentleman from Philadelphia, Mr. Perzel, has been elected majority leader by the Republican Caucus and that the gentleman from Lancaster County, Mr. Barley, has been elected majority whip. Furthermore, the gentlelady from Chester County, Mrs. Taylor, has been elected caucus secretary; the gentleman from Lehigh County, Mr. Snyder, has been elected policy chairman; the gentleman from Northumberland County, Mr. Phillips, has been elected caucus administrator; and the gentleman from Chester County, Mr. Pitts, has been elected chairman of the Appropriations Committee. Thank you.

The SPEAKER. The Chair thanks the gentleman.

ANNOUNCEMENT OF MINORITY FLOOR LEADERS

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Cohen, for the purpose of making an announcement.

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, I wish to announce that three members of the House Democratic Caucus have been reelected to positions held in the 1990-92 sessions. Bill DeWeese of Greene County has been reelected Democratic leader; Ivan Itkin of Allegheny County has been reelected Democratic whip; and I have been reelected caucus chairman. My successor and predecessor as caucus chairman, Jeff Coy of Franklin County, has been elected caucus secretary for the first time. Three other members have been reelected to positions they held in the last session. Mike Veon of Beaver County has been reelected policy committee chairman; Fred Belardi of Lackawanna County has been reelected caucus administrator; and Dwight Evans of Philadelphia has been reelected Democratic chairman of the House Appropriations Committee.

The SPEAKER. The Chair thanks the gentleman.

NEW MEMBERS INTRODUCED

The SPEAKER. The Chair recognizes the lady from Chester, Mrs. Taylor, to introduce the freshman members of the Republican Caucus.

Mrs. TAYLOR. Thank you very much, Mr. Speaker.

As I call the names of the new members, will they please stand, and please hold any applause until I have completed the introduction of all the members.

Ellen Bard; Patrick M. Browne; Gene D. DiGirolamo; Brett Feese; Jeffrey E. Habay; Juliann Harhart; Sandy Major; Eugene F. McGill; Curt Schroder; Colleen Sheehan; Leroy M. Zimmerman.

Congratulations, and welcome to the House of Representatives.

The SPEAKER. The Chair recognizes the gentleman from Franklin County, Mr. Coy, to introduce the freshman members of the Democratic Caucus.

Mr. COY. Thank you, Mr. Speaker.

Mr. Speaker, as I call the names of the new members on the Democratic side, will they please stand, and I would ask the members to hold their applause until they have all been introduced.

Lisa Boscola; Joseph Corpora; Gary Haluska; Michael Horsey; Joseph Petrarca; Benjamin Ramos; Harry Readshaw; Chris Sainato; James Shaner; Guy Travaglio; and Don Walko.

Will you not join me in welcoming these new members.

The SPEAKER. The Chair thanks the gentleman.

REMARKS BY MAJORITY LEADER

The SPEAKER. The Chair recognizes at this time the majority leader, Mr. Perzel, for remarks.

I am going to ask that both floor leaders hold their remarks to a minimum, this at the request of the lady, Mrs. DeWeese.

Mr. PERZEL. Mr. Speaker, fellow members, guests that are left, we would like to apologize to a small extent for the inconvenience that you suffered here this afternoon. This has been a very, very long day.

I just want to say to my members on the other side of the aisle that I gave each one of you my home phone number, and that is my home phone number—I have my teenagers here, so if it is busy, it is probably them—but I gave you that number for a reason. If there is a problem that we might be able to work together on, if I can help in any way - I mean that with all my heart - please feel free to call me.

REMARKS SUBMITTED FOR THE RECORD

Mr. PERZEL. With that, I would submit my remarks for the record and ask that Mr. DeWeese do the same.

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

Thank you, Mr. Speaker.

Mr. Speaker, fellow members of the House of Representatives, Judge Wright, Judge Jenkins, reverend clergy, honored guests, ladies and gentlemen: First let me extend my warmest congratulations to all of the newly sworn-in members and especially to the first-term members. I also want to extend a special welcome to the families and guests of the members. They know better than anyone how hard you worked and the long hours you dedicated to the effort to be chosen to represent some 60,000 of your fellow citizens in this General Assembly, a General Assembly that was long in existence before our country was even founded.

As we open our new session, I thought it important to put before you the principle that will guide me as we seek to do the people's work. This axiom was set forth by one of our country's greatest Presidents and it clearly defines the role of government. Abraham Lincoln said that "The legitimate object of government is to do for a community of people whatever they need to have done, but cannot do at all, or cannot so well do, for themselves, in their separate and individual capacities." To this statement he added an important caveat. He said, "But in all, where the people individually can do as well for themselves, government ought not to interfere."

Our job as the representatives of the people and the caretakers of their dreams is to determine what functions appropriately should be performed by the government and how best to perform them. On these issues there will be much difference of opinion and debate as we attempt to determine when, where, and how government should interfere with the lives of our fellow citizens. In seeking to serve the people of the Commonwealth in the best manner possible, I look to all of you for assistance and insight into the best methods of achieving our goal. I pledge my cooperation and support for all efforts aimed at determining what functions should be performed by the government and what functions should be left to the people.

The essence of our role as representatives of the people is to consider this issue as it impacts on all of the decisions we will be called upon to make. How you view the question will depend upon your own background, education, and view of the skills and responsibilities of the individual. As the returning members know, and the new members will soon learn, there will be much debate about how we should govern. As you are observing the debate, try to remember something that Adlai Stevenson once said: "Where opinions clash, freedom rings." But also remember that after the clash of opinions and the expression of viewpoints, compromise must be achieved so that we can fulfill our role as representatives of the people.

Governor-elect Ridge has set forth his agenda as have the Senate leaders and my own caucus. All of these programs were designed to achieve government accountability, individual responsibility, and opportunity to all. I intend to ask the committee chairs to move quickly on the different items that will be considered by their committees, so that this House can act expeditiously to reform government to provide efficient, effective service to the citizens of the Commonwealth in areas that we determine are the responsibility of government.

My own region of the Commonwealth has seen significant job loss as well as the departure of our children for other areas of the country where they believe their prospects are better. From traveling around the Commonwealth and discussions with other members, I know that the same difficulties and concerns exist across the State. It is imperative that we act quickly to address the issues that are hampering job growth and opportunity in Pennsylvania. I want to work with all of you to make Pennsylvania the finest State in the Nation, a place we are proud to call home and one where our fellow citizens, their children, and their grandchildren can achieve their dreams.

Thank you for your kind attention. Good luck in your efforts to represent your constituents, and if I may ever be of assistance to you, please do not hesitate to see me.

The SPEAKER. The Chair thanks the gentleman.

Does the gentleman, Mr. DeWeese, care to be recognized?

REMARKS BY MAJORITY WHIP

The SPEAKER. The Chair recognizes the gentleman, Mr. Barley, the majority whip.

Mr. BARLEY. Thank you very much, Mr. Speaker, and I will be very brief.

I would just like to express my appreciation, first of all, to my Republican colleagues who elected me to serve as their whip. The confidence you have shown in me means a great deal, and I promise to devote whatever time it takes to get the job done.

As I begin my sixth term in the House, I want to thank, first of all, the voters of the 100th District in Lancaster County for allowing me to serve as their Representative, but I thank my parents and our four children and especially my wife, Jane, for their strong support over the years. Jane and each of our family have made many personal sacrifices so I can be here today, and that is very important to me.

Today is a very special day for me and for each one of you. For all of the 203 members of this body, today marks the beginning of the 1995-96 session. Beyond that, however, no two of us came here today with the same thoughts and expectations.

For those who are newly elected, today will be the first time to behold the majesty of this chamber, among other things. Others, like myself, are experiencing their first day as members of the majority caucus. For some, this session will bring the new responsibility of committee chairmanships, and for others, today is special just because of friends or family members who are here at our side. And for a few of our colleagues who will retire at the end of this session, today represents the final time they will participate in an opening-day ceremony.

Our uniqueness and diversity is evident here today; is it ever. To a great extent, it will determine how we approach the many challenges that will face us during the next 2 years. Yes, we are one body, but we are first 203 women and men with widely varying backgrounds, values, and life experiences. We are Democrat and Republican; we are liberal and conservative; we are black and white; big and small; young and some not so young. We are as diverse as the 12 million people that we represent, yet we all share one very important goal: to make life better for our families and our constituents and future generations.

Today we stand at the threshold of tremendous opportunity in Pennsylvania. By working together and through cooperation and compromise, we will accomplish great things during the next 23 months. Let us not allow our differences to divide. Instead, be ever

mindful of what brings us here: a genuine desire to serve the people of this great Commonwealth.

I look forward to working with each and every one of you during the next 2 years. Thank you very much, and God bless all of you.

REMARKS BY MINORITY LEADER

The SPEAKER. The Chair recognizes the Democratic leader, Mr. DeWeese, for remarks.

Mr. DeWEESE. Mr. Speaker, Speaker O'Donnell, guests, I will circumscribe my remarks also. No speech can be entirely bad if it is short enough.

My comments are directed specifically to the first-termers, men and women on both sides of the aisle who are at the commencement of their service in our chamber. One quick anecdote, a couple remarks about Matthew, and I will take my seat again.

In 1952 and 1956, Adlai Stevenson ran for President of the United States. One of the best and brightest, Arthur Schlesinger was a luminary in that galaxy of young intellectuals and workers that supported Adlai Stevenson, but in 1960, with Stevenson and Kennedy in contention at the Los Angeles convention, Schlesinger came on board for J.F.K. His wife, however, lingered with the Stevenson camp. Late at night, approaching midnight, a call came through. It was Bobby Kennedy on the line, "Arthur, Arthur, can't you control your wife, or are you like me?"

There is no such thing as control in the modern legislature. As we go pell-mell toward the end of the 20th century, we are in a different arena, and today's activity only marginally bespeaks some of those challenges on the horizon. But when Bobby O'Donnell and Bill DeWeese and Ivan Itkin and Mark Cohen came to this chamber—Matt had already been here about 35 years at that point—but when we first—just kidding, my friend—when we first came to this chamber, there was a paucity of M.B.A.'s and M.P.A.'s and LL.D.'s and J.D.'s and D.D.S.'s - Dr. King. The intellectual capabilities and motivations of our membership in the modern era, in the late 1990's, is substantially different, and our challenges as leaders and committee chairmen are different.

In St. Paul's involvement with the Corinthians, he lamented at the fact—and I am sure that my good friend, Mr. Krebs, remembers the passage; I do not so I will paraphrase—but when Paul visited the Corinthians, he lamented that everyone seemed to be denouncing each other, suing each other, committing incest, and worshiping pagan gods. Well, it has not gotten quite that bad here today, but nevertheless, we are experiencing a precarious equipoise, and Mr. Ryan's stewardship at the helm of our chamber is a very satisfactory circumstance as I overview the next biennium.

I guess we are all somewhere, Mr. Ryan, between Pericles and Dale Carnegie, and I know where you would put me, but nevertheless, we do not have any kind of circumstance that disallows us from taking John Barley's advice of trying to come together, work together, and be a better operation.

Before I relinquish the microphone, I would like to thank the staff on both sides of the aisle for their unrelenting labors and in some cases their unmitigated courage at taking on rather arcane legal perspectives, but nevertheless, the men and women who serve our staff, Republicans and Democrats alike, need to be recognized, and I want the first-term members to realize what an exceptional

cadre of young men and women and, as John Barley said, older men and women serve with us on our staff.

I would like to especially welcome Speaker O'Donnell back to this chamber, and Mr. Irvis and Mr. Fineman, had they been here, I would make similar observations to them, because I had the benefit of a hearty handshake and a brief reunion with those two very, very able men.

So, Mr. Ryan, Mr. Barley, Mr. Perzel, members of our Travaglio freshmen team, and for those of you whom we tried, unsuccessfully, to countervail, welcome to this chamber. Matthew will be a good Speaker, and hopefully we shall have a good biennium. Thank you, sir.

The SPEAKER. The Chair thanks the gentleman.

REMARKS BY MINORITY WHIP SUBMITTED FOR THE RECORD

The SPEAKER. The Chair recognizes the majority whip, Mr. Itkin.

Mr. ITKIN. Mr. Speaker, the hour is late; we are all getting a little tired. In order to move the program along, I will submit my brief remarks for the record. Thank you.

The SPEAKER. Mr. Itkin, I knew you were going to do that. That is why I called you the majority whip.

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

To prepare for this day, my staff dug up some Legislative Journals from swearing-in days of sessions past. The years they chose, appropriately enough, were those rare times when Democrats ceded the majority to their friends across the aisle.

In 1979's Journal, my predecessor as Democratic whip, the much-missed Jim Manderino, invited members to a reception with these words: "I will be in my office, perhaps for the last day today, in the leader's office on the first floor. There is food and drink."

To which Mr. Ryan, the new majority leader, responded, "I understood that Mr. Manderino had food and drink in that office and I was hoping that he would not say that it was his office today, because I was inviting all my friends down to see my office."

Well, Matt, you are back on the first floor, and time will tell how long that will last, but I would like to urge everyone here, Democrats and Republicans alike, to forget about office space for a moment and think, instead, about this magnificent chamber. This is the work space - and not our cramped, aging offices - which should motivate us.

The soaring, gilded ceilings, the intricate artwork, and the desks adorned for today with flowers should always remind us of a higher purpose.

We are not here to maneuver ourselves into bigger and better offices. We are here, instead, to constantly challenge ourselves, and our constituents, to reach for something higher.

Democracy has not achieved perfection, and it probably never will. But it is our job to strive toward that elusive goal, keeping what works and pitching what does not, pushing government toward the lofty ideals presented in the murals and windows, podiums and trappings of this truly magnificent chamber.

The House floor was designed as a physical reminder of the principals of democracy: truth, hard work, justice, thought, knowledge, and innovation. It is all here, ready to provide inspiration whenever our spirits droop and we have lost sight of our priorities.

As always, this is a great day in the House of Representatives. I welcome the opportunity to work with every member here, and with Governor Ridge, on behalf of the people of Pennsylvania. Thank you.

RESOLUTION

ADOPTION OF TEMPORARY RULES

The SPEAKER. The Chair at this time recognizes the majority leader, Mr. Perzel, who presents the following resolution, which the clerk will read.

The following resolution was read:

House Resolution No. 1

A RESOLUTION

Providing for the adoption of temporary rules of the House of Representatives with amendments relating to committees.

RESOLVED, That the existing rules of the 1993-1994 session be and are hereby adopted for a period of 60 calendar days as the temporary rules for the 1995-1996 session of the House of Representatives with the exception of Rule 43 which is amended to read:

RULE 43

Standing Committees and Subcommittees

The Committee on Committees shall consist of the Speaker and 15 members of the House, ten of whom shall be members of the majority party and five of whom shall be members of the minority party, whose duty shall be to recommend to the House the names of members who are to serve on the standing committees of the House.

The Speaker shall appoint the chairman and vice-chairman of each standing committee when such standing committee has no standing subcommittees as prescribed herein, except the Committee on Appropriations which shall also have a vice-chairman appointed by the Speaker; when the standing committee has standing subcommittees, the Speaker shall appoint a subcommittee chairman for each standing subcommittee. The Speaker shall appoint a secretary for each standing committee. The Minority Leader shall appoint the minority chairman and minority vice-chairman of each standing committee and the minority subcommittee chairman for each standing subcommittee.

The Speaker of the House, Floor Leader of the majority party and the Floor Leader of the minority party shall be ex-officio members of all standing committees, without the right to vote and they shall be excluded from any limitation as to the number of members on the committees or in counting a quorum.

[Twenty-one] ~~Twenty-two~~ standing committees of the House, each to consist of 24 members except the Committee on Appropriations, which shall consist of 32 members, are hereby created. In addition, there is hereby created [27] ~~22~~ standing subcommittees.

All standing committees shall consist of 14 members of the majority party and ten members of the minority party, except the Committee on Appropriations which shall consist of 20 members of the majority party and 12 members of the minority party. The quorum for each of the standing committees and subcommittees shall be no less than the majority of said committees. The following are the standing committees and subcommittees thereof:

- (1) Aging and Youth
 - (a) Subcommittee on Aging
 - (b) Subcommittee on Youth
- (2) Agriculture and Rural Affairs
- (3) Appropriations
 - (a) Subcommittee on Health and Welfare
 - (b) Subcommittee on Education
 - (c) Subcommittee on Capital Budget
- (4) [Business] ~~Commerce~~ and Economic Development
 - (a) Subcommittee on Financial Services and Banking
 - (b) Subcommittee on Housing

- (c) Subcommittee on Economic Development
- (5) [Conservation] Environmental Resources and Energy
 - (a) Subcommittee on Mining
- (6) Consumer Affairs
 - (a) Subcommittee on Public Utilities
 - (b) Subcommittee on Telecommunications
- (7) Education
 - (a) Subcommittee on Basic Education
 - (b) Subcommittee on Higher Education
- (8) [Federal-State Relations] Intergovernmental Affairs
- (9) Finance
- (10) Game and Fisheries
- (11) Health and Welfare
 - (a) Subcommittee on Health
 - (b) Subcommittee on Welfare
- (12) Insurance
- (13) Judiciary
 - (a) Subcommittee on Crime and Corrections
 - (b) Subcommittee on Courts
- (14) Labor Relations
- (15) Liquor Control
 - (a) Subcommittee on Licensing
 - (b) Subcommittee on Marketing
- (16) Local Government
 - (a) Subcommittee on Boroughs
 - (b) Subcommittee on Counties
 - (c) Subcommittee on Townships
- (17) [Military and] Veterans Affairs and Emergency Preparedness
- (18) Professional Licensure
- (19) State Government
- (20) Tourism and Recreational Development
- [(20)] (21) Transportation
 - (a) Subcommittee on Highways
 - (b) Subcommittee on Public Transportation
 - (c) Subcommittee on Transportation Safety
 - (d) Subcommittee on Aviation
- [(21)] (22) Urban Affairs
 - (a) Subcommittee on Cities, Counties - First Class
 - (b) Subcommittee on Cities, Counties - Second Class
 - (c) Subcommittee on Cities, Third Class

John M. Perzel

On the question,
Will the House adopt the resolution?
Resolution was adopted.

COMMITTEE APPOINTED

The SPEAKER. The Chair appoints as a committee to notify the Senate that the House is organized, the gentleman from Allegheny County, Mr. Pettit; the lady from Crawford County, Mrs. Brown; the lady from Northampton County, Ms. Boscola.

The committee will now proceed with the performance of its duties.

COMMITTEE APPOINTED

The SPEAKER. The Chair appoints as a committee to wait upon the Governor and notify him the House is organized, the lady from Lancaster, Mrs. True; the gentleman from Blair County, Mr. Stern; the gentleman from Allegheny County, Mr. Robinson.

The committee will now proceed with the performance of its duties.

SENATE MESSAGE

JOINT SESSION

The clerk of the Senate, being introduced, presented the following extract from the Journal of the Senate, which was read as follows:

In the Senate
January 3, 1995

RESOLVED, (the House of Representatives concurring), That the Senate and House of Representatives meet in Joint Session, Tuesday, January 3, 1995, at 3:50 o'clock p.m., in the Hall of the House of Representatives for the purpose of witnessing the opening, counting and computing the official returns of the election for Governor and Lieutenant Governor, held on Tuesday, November 8, 1994, in the several counties of the Commonwealth and to elect a Director of the Legislative Reference Bureau.

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

On the question,
Will the House concur in the resolution of the Senate?
Resolution was concurred in.
Ordered, That the clerk inform the Senate accordingly.

RESOLUTION

COMMITTEE TO ESCORT SENATE

Mr. PERZEL offered the following resolution, which was read, considered, and adopted:

In the House of Representatives
January 3, 1995

RESOLVED, That the Speaker appoint a committee of three to escort the members and officers of the Senate to the Hall of the House for the purpose of attending a Joint Session of the General Assembly.

COMMITTEE APPOINTED

The SPEAKER. The Chair appoints as a committee to wait upon the Senate, the gentleman from Lancaster County, Mr. Armstrong; the lady from Chester County, Mrs. Rubley; the gentleman from Montgomery County, Mr. Curry.

RESOLUTION

APPOINTMENT OF TELLER

Mr. PERZEL offered the following resolution, which was read, considered, and adopted:

In the House of Representatives
January 3, 1995

RESOLVED, That the gentleman from Tioga, Mr. Baker, be appointed Teller on the part of the House of Representatives to open and compute the vote for Governor and Lieutenant Governor of the Commonwealth of Pennsylvania in a Joint Session of the Senate and House at a time to be fixed by concurrent resolution.

SENATE MESSAGE

ADJOURNMENT RESOLUTION FOR CONCURRENCE

The clerk of the Senate, being introduced, presented the following extract from the *Journal of the Senate*, which was read as follows:

In the Senate
January 3, 1995

RESOLVED, (the House of Representatives concurring), That when the Senate adjourns this week it reconvene on Tuesday, January 17, 1995, unless sooner recalled by the President Pro Tempore of the Senate; and be it further

RESOLVED, That when the House of Representatives adjourns this week it reconvene on Tuesday, January 17, 1995, unless sooner recalled by the Speaker of the House of Representatives.

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

On the question,
Will the House concur in the resolution of the Senate?
Resolution was concurred in.
Ordered, That the clerk inform the Senate accordingly.

The SPEAKER. At this time we will have to ask the people in the well of the House to take seats. There are seats here, and there are any number of seats over in this area. There is probably a good chance that there are going to be a lot of seats left here, but because of the joint session, we must clear this particular portion of the House chamber.

SENATE MESSAGE

RESOLUTION AUTHORIZING APPOINTMENT OF INAUGURAL COMMITTEE

The clerk of the Senate, being introduced, presented the following extract from the *Journal of the Senate*, which was read as follows:

In the Senate
January 3, 1995

RESOLVED, (the House of Representatives concurring), That the President Pro Tempore of the Senate be and is hereby authorized to appoint a committee of sixteen Senators to act in conjunction with a committee of twenty Members of the House of Representatives to be appointed by the Speaker, to make necessary arrangements for the inauguration of the Governor-elect to wait upon His Excellency; and be it further

RESOLVED, That the inaugural ceremonies take place at twelve o'clock noon on the third Tuesday of January, the seventeenth instant, 1995, on the Rear Plaza of the Main Capitol Building.

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

On the question,
Will the House concur in the resolution of the Senate?
Resolution was concurred in.
Ordered, That the clerk inform the Senate accordingly.

Mr. PERZEL. Mr. Speaker?

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

Mr. PERZEL. I would like to thank the majority of the members, Mr. Speaker, because in the last 12 years I passed one resolution; in the last 5 minutes I passed three.

The SPEAKER. That is it.

REPORT OF COMMITTEE TO WAIT UPON GOVERNOR

The SPEAKER. The Chair recognizes the lady from Lancaster, Mrs. True.

Mrs. TRUE. Thank you, Mr. Speaker.

Mr. Speaker, I would like to inform you that Representative Stern and Representative Robinson and I have informed the Governor that the House is organized.

The SPEAKER. Thank you.

REPORT OF COMMITTEE ESCORTING SENATE

The SPEAKER. The House will come to order.

The Senate is now entering the hall of the House. Members will please rise for the Senate.

The Chair recognizes the Sergeant at Arms of the House.

The SERGEANT AT ARMS. Mr. Speaker, the chairman of the committee on the part of the House, Representative Armstrong.

Mr. ARMSTRONG. Mr. Speaker, the committee to inform the Senate as to our readiness to receive them and to escort them to the hall of the House has performed its duties, and the Senate members are now in attendance.

The SPEAKER. The committee is discharged with the thanks of the House.

The Chair requests the Lieutenant Governor, the Honorable Mark S. Singel, to preside over the proceedings of the joint session of the General Assembly.

The President pro tem of the Senate, the Honorable Robert C. Jubelirer, is invited to be seated on the rostrum.

The members of the Senate will please be seated.

The Chair is pleased to welcome the Lieutenant Governor to the rostrum and at this time present him to the General Assembly and give him the gavel of authority and see if he can maintain any better order than I can.

**JOINT SESSION OF THE
GENERAL ASSEMBLY**

**THE LIEUTENANT GOVERNOR
(MARK S. SINGEL) PRESIDING**

ELECTION RETURNS PRESENTED

The LIEUTENANT GOVERNOR. Will the Senate and House members come to order. Would the members of the Senate and the members of the House please take your seats. Will those of you in the aisle please desist, find a seat, so that we can transact the business of the day.

This joint session of the General Assembly will please come to order.

This being the day and the time agreed upon by a concurrent resolution of the Senate and the House of Representatives, and in concurrence with the provisions of the Constitution and the laws of the Commonwealth for the opening and the computing of the official returns of the election of the Governor and Lieutenant Governor held on Tuesday, November 8, 1994, in the several counties of this Commonwealth, the returns will now be opened and read.

The teller on the part of the Senate is the Senator from Montgomery, Senator Richard A. Tilghman, and the teller on the part of the House is from Tioga County, Representative Matthew E. Baker. Will the tellers please come to the desks assigned to them by the Chief Clerk and proceed in the performance of their duties.

The clerk will proceed with the reading of the election returns for the Governor and the Lieutenant Governor.

The following election returns were read:

COMMONWEALTH OF PENNSYLVANIA

TO HIS EXCELLENCY, THE LIEUTENANT GOVERNOR OF THE COMMONWEALTH OF PENNSYLVANIA, THE PRESIDENT PRO TEMPORE OF THE SENATE, AND THE MEMBERS OF THE GENERAL ASSEMBLY OF THE COMMONWEALTH OF PENNSYLVANIA, GREETINGS:

HONORABLE SIRS:

I have the honor to present the official returns of the General Election held November 8, 1994 for the office of Governor of the Commonwealth of Pennsylvania, wherein it was disclosed that:

Tom Ridge, Republican, received 1,627,976 votes,
Mark S. Singel, Democratic, received 1,430,099 votes,
Peg Luksik, Constitutional, received 460,269 votes,
Patrick Fallon, Libertarian, received 33,602 votes,
Timothy E. Holloway, Patriot, received 33,235 votes,
Write-in Votes, 345 (scattered),

as the same have been certified to and filed with the Secretary of the Commonwealth of Pennsylvania by the sixty-seven County Boards of Elections.

(SEAL) Witness my hand and the seal of my office this twenty-first day of December, 1994.

Robert N. Grant
Secretary of the Commonwealth

COMMONWEALTH OF PENNSYLVANIA

TO HIS EXCELLENCY, THE LIEUTENANT GOVERNOR OF THE COMMONWEALTH OF PENNSYLVANIA, THE PRESIDENT PRO TEMPORE OF THE SENATE, AND THE MEMBERS OF THE GENERAL ASSEMBLY OF THE COMMONWEALTH OF PENNSYLVANIA, GREETINGS:

HONORABLE SIRS:

I have the honor to present the official returns of the General Election held November 8, 1994 for the office of Lieutenant Governor of the Commonwealth of Pennsylvania, wherein it was disclosed that:

Mark S. Schweiker, Republican, received 1,627,976 votes,
Tom Foley, Democratic, received 1,430,099 votes,
James Clymer, Constitutional, received 460,269 votes,
Vincent F. Hatton, Libertarian, received 33,602 votes,
Mark D. Freeman, Patriot, received 33,235 votes,
Write-in Votes, 345 (scattered),

as the same have been certified to and filed with the Secretary of the Commonwealth of Pennsylvania by the sixty-seven County Boards of Elections.

(SEAL) Witness my hand and the seal of my office this twenty-first day of December, 1994.

Robert N. Grant
Secretary of the Commonwealth

CERTIFICATE ON ELECTION EXPENSES

COMMONWEALTH OF PENNSYLVANIA

TO HIS EXCELLENCY, THE LIEUTENANT GOVERNOR OF THE COMMONWEALTH OF PENNSYLVANIA, AND THE MEMBERS OF THE GENERAL ASSEMBLY OF THE COMMONWEALTH OF PENNSYLVANIA, GREETINGS:

In accordance with the provisions of Section 1632(b) of the Pennsylvania Election Code [25 P.S. § 3252(b)], I do hereby certify that Tom Ridge, Governor, and Mark S. Schweiker, Lieutenant Governor, have filed all of the reports and statements of contributions and expenditures required by the provisions of Article XVI of the Pennsylvania Election Code entitled "Primary and Election Expenses."

(SEAL) Witness my hand and the seal of my office this twenty-first day of December, 1994.

Robert N. Grant
Secretary of the Commonwealth

TELLERS' REPORT

The LIEUTENANT GOVERNOR. The Chair recognizes the teller on the part of the Senate, the Senator from Montgomery, Senator Tilghman.

Mr. TILGHMAN. Mr. President, Mr. Speaker, and members of the General Assembly, the tellers agree in their count and submit

their report of the votes cast for the offices of Governor and Lieutenant Governor of this Commonwealth:

Tom Ridge and Mark S. Schweiker, Republican, received 1,627,976 votes;
 Mark S. Singel and Tom Foley, Democratic, received 1,430,099 votes;
 Peg Luksik and James Clymer, Constitutional, received 460,269 votes;
 Patrick Fallon and Vincent F. Hatton, Libertarian, received 33,602 votes;
 Timothy E. Holloway and Mark D. Freeman, Patriot, received 33,235 votes;
 Write-in votes, 345 (scattered).

The LIEUTENANT GOVERNOR. Tom Ridge and Mark S. Schweiker having received the highest number of votes are duly elected Governor and Lieutenant Governor of the Commonwealth of Pennsylvania for the term of 4 years from the third Tuesday of January 1995.

The General Assembly will now be at ease while we complete the signatures and the paperwork.

CERTIFICATES OF ELECTION FILED

The LIEUTENANT GOVERNOR. The certificates of election for Governor and Lieutenant Governor, having been signed by the officers and tellers on the part of the Senate and the House, will be filed.

The following signed certificates of election were filed:

The General Assembly of Pennsylvania
 Main Capitol Building
 Harrisburg, Pennsylvania 17120

January 3, 1995

We, the President of the Senate and Speaker of the House of Representatives of the Commonwealth of Pennsylvania, do certify that the President of the Senate did, on the third day of January, A.D., one thousand nine hundred and ninety-five, in the Hall of the House of Representatives at the State Capitol, open the returns of the election for Governor of this Commonwealth, and publish the same in the presence of both houses of the General Assembly, conformably to the provisions of the Constitution and laws of said Commonwealth, and upon counting the votes by a Teller appointed on the part of each house, it appeared that The Honorable Tom Ridge had the highest number of votes; whereupon the said Honorable Tom Ridge was declared to have been duly elected Governor of the Commonwealth.

In testimony whereof, we have hereunto set our hands and affixed our seals the day and year above written.

(SEAL) Mark S. Singel
 President of the Senate

(SEAL) Matthew Ryan
 Speaker of the
 House of Representatives

Richard A. Tilghman
 Teller on the part
 of the Senate

Matthew E. Baker
 Teller on the part of the
 House of Representatives

The General Assembly of Pennsylvania
 Main Capitol Building
 Harrisburg, Pennsylvania 17120

January 3, 1995

We, the President of the Senate and Speaker of the House of Representatives of the Commonwealth of Pennsylvania, do certify that the President of the Senate did, on the third day of January, A.D., one thousand nine hundred and ninety-five, in the Hall of the House of Representatives at the State Capitol, open the returns of the election for Lieutenant Governor of this Commonwealth, and publish the same in the presence of both houses of the General Assembly, conformably to the provisions of the Constitution and laws of said Commonwealth, and upon counting the votes by a Teller appointed on the part of each house, it appeared that The Honorable Mark S. Schweiker had the highest number of votes; whereupon the said Honorable Mark S. Schweiker was declared to have been duly elected Lieutenant Governor of the Commonwealth.

In testimony whereof, we have hereunto set our hands and affixed our seals the day and year above written.

(SEAL) Mark S. Singel
 President of the Senate

(SEAL) Matthew Ryan
 Speaker of the
 House of Representatives

Richard A. Tilghman
 Teller on the part
 of the Senate

Matthew E. Baker
 Teller on the part of the
 House of Representatives

JOINT SESSION ADJOURNED

The LIEUTENANT GOVERNOR. The Chair asks the members of the House and visitors to please remain seated for a moment while the members of the Senate leave the hall of the House.

Will the members of the Senate please reassemble immediately in the chamber upon adjournment of this meeting.

The business for which this joint session has been assembled having been transacted, the session is now adjourned.

THE SPEAKER (MATTHEW J. RYAN) PRESIDING

The SPEAKER. The House will be in order.

MOTION TO PRINT PROCEEDINGS OF JOINT SESSION

The SPEAKER. The Chair recognizes the majority leader.

Mr. PERZEL. Mr. Speaker, I move that the proceedings of the joint session of the Senate and the House of Representatives held this 3d day of January 1995 be printed in full in this day's Legislative Journal.

On the question,

Will the House agree to the motion?

Motion was agreed to.

COMMITTEE ON COMMITTEES APPOINTED

The SPEAKER. The following members have been selected to serve on the Committee on Committees: George Hasay, chairman; Robert Allen; Kathrynann Durham; Elaine Farmer; Robert Flick; George Kenney; Robert Reber; Jere Schuler; Paul Semmel; Samuel Smith; Mr. Belfanti; Mr. DeWeese; Mr. George; Mr. McCall; Mr. Oliver; and the Speaker.

ADJOURNMENT

The SPEAKER. At this time the Chair recognizes the gentleman from Northumberland County, Mr. Phillips.

Mr. PHILLIPS. Mr. Speaker, I move that this House do now adjourn until Wednesday, January 4, 1995, at 11 a.m., e.s.t., unless sooner recalled by the Speaker.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 4:15 p.m., e.s.t., the House adjourned.