

MCA
Summary of Legislation
January 2007

O'Brien elected House Speaker with 99 Democratic, Six Republican Votes, Promises Reforms

In a history-making surprise move, House Democrats, who had won a majority of seats in the November elections, chose a *Republican* to be Speaker of the House, rather than restore outgoing Speaker John Perzel. Perzel was defeated in his bid to win a third term as House speaker by a Republican from a neighboring Northeast Philadelphia district: Rep. Denny O'Brien. When it became clear that Democratic Leader Bill DeWeese, D-Greene, could not defeat Perzel on his own, DeWeese instead nominated 14-term Philadelphia Republican Rep. Dennis O'Brien, stunning House Republicans and many Democrats who learned of their party's new nominee only after reaching the House floor for swearing-in ceremonies. O'Brien defeated Perzel 105 votes to 97.

In a post-session news conference with House Democratic leaders, O'Brien said he did not plan on switching parties. "I'm a Republican," responded O'Brien to repeated questions about his party affiliation. The plan developed quickly, literally overnight, on New Year's Eve, when DeWeese lieutenant Rep. Josh Shapiro called O'Brien and suggested it. Later Gov. Rendell and some Democratic leaders joined in, and the deal was made. Earlier in the week, Reading Democrat Tom Caltagirone had sent a letter to his colleagues announcing he could not vote for DeWeese as Speaker, and expected other Democrats to follow his lead. Since Democrats held only a one-seat majority, this made it possible for Perzel to win back the Speaker's Chair, despite being in the minority. DeWeese and others tried to get Caltagirone to relent, but were unsuccessful, so they launched Plan B.

Six House Republicans ultimately voted for O'Brien: **Curt Schroder (R-Chester); David Steil (R-Bucks); Rohrer; Kerry Benninghoff, R-Centre; Jim Cox, R-Berks; and Brad Roae, R-Crawford.** Three House Democrats voted for Perzel: **Thomas Caltagirone, D-Reading, and Angel Cruz and Rosita Youngblood,** both D-Philadelphia. A voting error caused O'Brien to be listed as having abstained from voting.

In a speech following his swearing-in as speaker, O'Brien promised he would move forward as expeditiously as possible with long-sought reforms to the way the House conducts its business. He also said he looked forward to using his new position to continue to work on the issues important to him. O'Brien has been a strong advocate for autism research. He has a 21-year-old nephew who was diagnosed with autism as a young child. As for leadership of the House Democratic caucus, everyone then moved back down a notch, making DeWeese majority leader and Rep. Keith McCall, D-Carbon, majority whip. Rep. Phyllis Mundy, D-Luzerne, who had been picked by her colleagues to be caucus secretary, will instead head a committee. House Democrats will keep all 22 committee chairmanships. There had been some discussion by those seeking to reform House rules to split the chairmanships between Republicans and Democrats.

Time will tell how long, or how well, this arrangement will last. House Republican leaders met with Perzel later in the month, and decided to make him "Speaker Emeritus", a new position, so he would remain part of the leadership team, without taking any of the positions the caucus had elected in December, or taking a Committee chairmanship from one of the other senior members.

House Democratic Committee Chairs Named

House Majority Leader Bill DeWeese and Whip Keith McCall have announced the selection of Democratic committee chairs for the 2007-08 legislative session.

An alphabetical listing of standing committees and their respective chairs follows.

- Aging and Older Adult Services – Rep. Louise Williams Bishop
- Agriculture and Rural Affairs – Rep. Mike Hanna
- Children and Youth – Rep. Phyllis Mundy
- **Commerce – Rep. Peter J. Daley**
- **Consumer Affairs – Rep. Joseph Preston**
- Education – Rep. James Roebuck
- Environmental Resources and Energy – Rep. Camille "Bud" George

- Finance – Rep. David Levdansky
 - Game and Fisheries – Rep. Ed Staback
 - Health and Human Services – Rep. Frank Oliver
 - Insurance – Rep. Tony DeLuca
 - Judiciary – Rep. Tom Caltagirone
 - Intergovernmental Affairs – Rep. W. Curtis Thomas
 - **Labor Relations – Rep. Robert E. Belfanti Jr.**
 - Liquor Control – Rep. Robert Donatucci
 - **Local Government – Rep. Robert Freeman**
 - Professional Licensure – Rep. Mike Sturla
 - **State Government – Rep. Babette Josephs**
 - Tourism and Recreational Development – Rep. Tom Tangretti
 - **Transportation – Rep. Joseph Markosek**
 - **Urban Affairs – Rep. Thomas Petrone**
 - Veterans Affairs and Emergency Preparedness – Rep. Tony Melio
- The House Republicans had not announced their Chairs as of this writing.

L&I Publishes New Reg on Training and Certification Requirements for Code Administrators; Administration; Elevators and Other Lifting Devices

The Pennsylvania Department of Labor & Industry (L&I) published new regulations in the December 16, 2006 *PA Bulletin*. The purpose of this final-omitted rulemaking is to update §§ 403.21, 403.26 and 405.2 (relating to Uniform Construction Code; swimming pools; and standards), as required by section 304 of the act, to the new successor building codes issued by the International Code Council and ANSI, and to incorporate the 2001--2005 statutory amendments to the act in §§ 401.1, 401.2, 401.5, 403.1, 403.25, 403.45, 403.46, 403.62, 403.62a, 403.65, 403.102, 405.7 and 405.11. These sections were affected by several amendments to the UCC over the past few years. The regulation can be found online at: <http://www.pabulletin.com/secure/data/vol36/36-50/2448.html>

Legislative Activity
None

New Bills Introduced
No bills of interest to the construction industry have been introduced yet this session.

2007 House Spring Session Schedule

The following are the scheduled session days for the Senate in 2007:
 January 2, 16 (non-voting), 17 (non-voting), 22, 23, 24 (non-voting), 29, 30, 31
 February 5, 6, 7, 12, 13, 14 (non-voting)
 March 12, 13, 14, 19, 20, 21
 April 16, 17, 18, 23, 24, 25, 30 (non-voting)
 May 7, 8, 21, 22, 23
 June 4, 5, 6, 11, 12, 13, 18, 19, 20, 25, 26, 27, 28, 29, 30

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 March 12, 13, 14, 19, 20, 21, 26, 27, 28
 April 16, 17, 18, 23, 24, 25, 30
 May 1, 2, 7, 8, 21, 22
 June 4, 5, 6, 11, 12, 13, 18, 19, 20, 25, 26, 27, 28, 29

Copies of all bills of interest can be accessed via the Internet at:
<http://www.legis.state.pa.us/WU01/LI/BI/billroom.htm>.