

# COMMONWEALTH OF PENNSYLVANIA

## LEGISLATIVE JOURNAL

TUESDAY, JUNE 18, 1991

SESSION OF 1991 175TH OF THE GENERAL ASSEMBLY

No. 43

### HOUSE OF REPRESENTATIVES

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

#### THE SPEAKER (ROBERT W. O'DONNELL) PRESIDING PRAYER

REV. CLYDE W. ROACH, Chaplain of the House of Representatives, from Harrisburg, Pennsylvania, offered the following prayer:

Let us pray:

Gracious God our Father, we are grateful to You for Your servant who penned the lines, "There shall be showers of blessings; showers of blessings we need. Mercy drops round us are falling; but, for the showers we plead."

We stand in need of Your continued blessings. We do not possess the information, nor the knowledge, nor the wisdom to resolve all of the problems that flesh is heir to.

Deliver us from the temptation to even think that we can go it alone without You. Teach us how to depend upon each other regardless of political persuasion to accomplish the tasks assigned our hands.

Shower us with Your blessings and feed us until we want no more.

In Your dear name we pray. Amen.

#### PLEDGE OF ALLEGIANCE

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

#### JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, the approval of the Journal of Monday, June 17, 1991, will be postponed until printed. The Chair hears no objection.

#### HOUSE BILLS INTRODUCED AND REFERRED

**No. 1449** By Representatives COWELL, DeWEESE and EVANS

An Act amending Title 24 (Education) of the Pennsylvania Consolidated Statutes, further providing for contributions by the Commonwealth, payments by employers, payments on account of social security deductions and payments to school districts; and making repeals.

Referred to Committee on EDUCATION, June 18, 1991.

**No. 1697** By Representatives VANCE, LLOYD, GAMBLE, FOSTER, NOYE, NAILOR, BROWN, ARGALL, NAHILL, DEMPSEY, SEMMEL, KING, HECKLER, SAURMAN, COLAFELLA, BILLOW, M. N. WRIGHT, TOMLINSON, NICKOL, B. SMITH, HESS, CLARK, NYCE, THOMAS, FAIRCHILD, GEIST, MARSICO, DAVIES, E. Z. TAYLOR, JOHNSON, ARNOLD, TULLI, ARMSTRONG, WILSON, McHUGH and TRELLO

An Act amending the act of August 31, 1971 (P. L. 398, No. 96), known as the "County Pension Law," further providing for simultaneous payments of salary and retirement allowances.

Referred to Committee on LOCAL GOVERNMENT, June 18, 1991.

**No. 1698** By Representative ROBINSON

An Act amending the act of June 13, 1967 (P. L. 31, No. 21), known as the "Public Welfare Code," adding restitution to the range of penalties and remedies for benefits fraudulently obtained.

Referred to Committee on HEALTH AND WELFARE, June 18, 1991.

**No. 1699** By Representatives KAISER, GIGLIOTTI, NOYE, MELIO, McNALLY, VEON, TRICH, BATTISTO, J. TAYLOR, PRESTON, STABACK, PISTELLA, TRELLO and BILLOW

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, defining the offense of falsifying identification to law enforcement officers; and providing penalties.

Referred to Committee on JUDICIARY, June 18, 1991.

**No. 1700** By Representatives KAISER, GIGLIOTTI, MELIO, McNALLY, TRICH, PRESTON, STABACK, GALLEN, TRELLO and BILLOW

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for loss of property rights to Commonwealth by establishing proration for rewards to drug informants.

Referred to Committee on JUDICIARY, June 18, 1991.

**No. 1701** By Representatives CLARK, PICCOLA, ARGALL, SEMMEL, FARGO, HARPER, RAYMOND, S. H. SMITH, ALLEN, STEIGHNER, LAWLESS, NICKOL, SAURMAN, MARSICO, ACOSTA, M. N. WRIGHT, HECKLER, VEON, BATTISTO, ITKIN, JOSEPHS, HAGARTY, J. TAYLOR, G. SNYDER, GEIST, NAILOR, HERSHEY, PHILLIPS, VROON, MERRY, TRELLO, NOYE, LANGTRY, ARMSTRONG, JOHNSON, McHALE, GERLACH, ADOLPH, BELARDI, LLOYD, KOSINSKI, GALLEN, FAIRCHILD, SERAFINI, HERMAN, HESS, LEH, DEMPSEY, CHADWICK, LEE, GLADECK, BIRMELIN and DENT

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, imposing criminal responsibility on landlords for certain activities.

Referred to Committee on JUDICIARY, June 18, 1991.

**No. 1702** By Representatives FLEAGLE, FARGO, WOZNIAK, VROON, NICKOL, NOYE, ULIANA, MARSICO, GEIST, HARPER, JOHNSON, JOSEPHS, SEMMEL, DEMPSEY, HAGARTY, TOMLINSON, E. Z. TAYLOR, BARLEY, GERLACH, BATTISTO, S. H. SMITH, TRELLO, MUNDY, NYCE, TANGRETTI, STABACK, HESS, HECKLER, FLICK, WILSON, LEH, BILLOW, TIGUE and DeLUCA

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, further providing for contempt for noncompliance with support order.

Referred to Committee on JUDICIARY, June 18, 1991.

**No. 1703** By Representatives KOSINSKI, CLARK, TRELLO, HALUSKA, FAJT, HAYDEN, JOSEPHS, OLASZ, MELIO, REBER, SERAFINI, KENNEY and SEMMEL

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, further providing for the jurisdiction of the court regarding testamentary trusts; reducing the time for advertisement of accounts to two weeks; adding a section providing that documents submitted to the register of wills, except for probate, may be attested to by an affidavit or by a verified statement; broadening the class of property deemed disclaimed when a spouse takes an elective share; avoiding automatic modification of wills and inter vivos conveyances that are made in contemplation of a marriage or divorce; adding a rule of interpretation for wills and conveyances regarding corporate fiduciaries; conforming existing law that a gift to any unfunded trust is valid; adding a chapter relating to contracts concerning succession; providing for notice to beneficiaries and heirs; authorizing personal representatives to make certain temporary investments; allowing fiduciaries to hold certain securities in book-entry form; further providing for notice to parties in interest; further providing for rights and limitations on rights of claimants; authorizing the guardian of the estate of a minor to distri-

bute certain income without court approval; adding the Pennsylvania Uniform Transfers to Minors Act; clarifying the jurisdiction of the court to appoint certain temporary guardians; authorizing the court to exercise all rights and privileges under certain contracts which provide for payments to an incompetent or others after the incompetent's death; authorizing the court to modify the estate plan of an incompetent to reflect changes in applicable tax laws; further providing for the execution, interpretation, effect, form, implementation and operation of powers of attorney; authorizing the court to allow a shorter period of notice to an absentee; providing that as a matter of law divorce revokes any revocable beneficiary designation made in favor of the former spouse; further providing for the annexation of accounts; further authorizing the court to divide trusts; authorizing a bank or trust company to invest their fiduciary accounts in mutual funds which they service; further authorizing the court to grant declaratory relief with respect to certain interests in real property; and making technical changes.

Referred to Committee on JUDICIARY, June 18, 1991.

**No. 1704** By Representatives BROUJOS, E. Z. TAYLOR, SALOOM, FARGO, JAROLIN, DALEY, COLAIZZO, VEON, JOSEPHS, MELIO, PISTELLA, BILLOW, HARPER, TRELLO and BELARDI

An Act regulating tanning facilities; providing for the registration of persons operating tanning facilities; requiring that certain warnings be given and safeguards be taken; providing penalties; and making a repeal.

Referred to Committee on HEALTH AND WELFARE, June 18, 1991.

**No. 1705** By Representatives JADLOWIEC, S. H. SMITH, NAHILL, PRESTON, PHILLIPS, FAIRCHILD, HECKLER, SEMMEL, SCHEETZ, BIRMELIN, ARGALL, SAURMAN, ARMSTRONG, TRELLO, FARGO, D. W. SNYDER, NOYE, MERRY, PESCI, RITTER, BARLEY, HASAY, GODSHALL, LAUGHLIN, JOHNSON, KING, KENNEY, E. Z. TAYLOR, VROON, CARLSON, TELEK, GEIST, BLACK, BROWN, D. R. WRIGHT and HESS

An Act amending the act of July 31, 1968 (P. L. 769, No. 240), referred to as the "Commonwealth Documents Law," further defining "administrative regulation."

Referred to Committee on STATE GOVERNMENT, June 18, 1991.

**No. 1706** By Representatives KUKOVICH, COWELL, STUBAN, HERMAN, PRESTON, MAIALE, LAUGHLIN, KASUNIC, DALEY, VEON, VAN HORNE, LEVDANSKY, COLAIZZO, CARN, BELFANTI, ROEBUCK, BLAUM, CAPPABIANCA, LINTON, McCALL, McHALE, TIGUE, HARPER, MELIO, SALOOM, BILLOW, MIHALICH, KRUSZEWSKI, McNALLY, PISTELLA,

TRELLO, JAMES, STURLA and  
BATTISTO

An Act providing for the establishment, implementation and administration of a Head Start Supplemental Assistance Program.

Referred to Committee on EDUCATION, June 18, 1991.

**No. 1707** By Representatives MAYERNIK, MARKOSEK, MICOZZIE, COLAIZZO, CESSAR, JAROLIN, COY, ANGSTADT, LEVDANSKY, NAHILL, DEMPSEY, BUSH, STAIRS, HERMAN, DALEY, SALOOM, DeLUCA, KOSINSKI, BELFANTI, BATTISTO, STABACK, HAYES, COWELL, BARLEY, RAYMOND, LUCYK, VEON, TRELLO, BUNT, SERAFINI, McCALL, PETRARCA, TELEK, JOHNSON, DERMODY, MELIO, BOYES, LAUGHLIN and STEIGHNER

An Act amending the act of June 11, 1968 (P. L. 149, No. 84), known as the "Volunteer Firemen's Relief Association Act," further providing for volunteer firefighters' retirement plans.

Referred to Committee on LOCAL GOVERNMENT, June 18, 1991.

**No. 1708** By Representatives STURLA, VEON, MARKOSEK, JAROLIN, RITTER, KOSINSKI, CAPPABIANCA, MELIO, STUBAN, ARMSTRONG, SALOOM, JOSEPHS, ACOSTA, PISTELLA, SURRA, GIGLIOTTI, BELARDI, TRICH, E. Z. TAYLOR, TRELLO, PHILLIPS, KUKOVICH, FOX, MICHLOVIC, JAMES, KASUNIC, EVANS and RICHARDSON

An Act requiring certain retail motor vehicle fuel stations to provide gasoline and basic services to handicapped persons at the self-service price; and imposing a penalty.

Referred to Committee on BUSINESS AND COMMERCE, June 18, 1991.

**No. 1709** By Representatives STURLA, HARLEY, MELIO, HALUSKA, CAPPABIANCA, NOYE, FAIRCHILD, VEON, FARGO, HARPER, BILLOW, PISTELLA, GODSHALL, TRELLO, BUNT and STEELMAN

An Act amending the act of April 9, 1929 (P. L. 177, No. 175), known as "The Administrative Code of 1929," further providing for the powers and duties of the State Planning Board.

Referred to Committee on STATE GOVERNMENT, June 18, 1991.

**No. 1710** By Representatives STURLA, FREEMAN, HARLEY, CAPPABIANCA, BUNT, RICHARDSON and STRITTMATTER

An Act amending the act of July 31, 1968 (P. L. 805, No. 247), known as the "Pennsylvania Municipalities Planning

Code," further providing for Commonwealth grants and assistance.

Referred to Committee on LOCAL GOVERNMENT, June 18, 1991.

**No. 1711** By Representatives STURLA, FREEMAN, HARLEY, CAPPABIANCA, BUNT, RICHARDSON and STRITTMATTER

An Act amending the act of July 31, 1968 (P. L. 805, No. 247), known as the "Pennsylvania Municipalities Planning Code," providing for the use of planning assistance grants.

Referred to Committee on LOCAL GOVERNMENT, June 18, 1991.

**No. 1712** By Representatives STURLA, FREEMAN, CAPPABIANCA, BUNT and STRITTMATTER

An Act amending the act of July 31, 1968 (P. L. 805, No. 247), known as the "Pennsylvania Municipalities Planning Code," further providing for amendments to zoning ordinances.

Referred to Committee on LOCAL GOVERNMENT, June 18, 1991.

**No. 1713** By Representatives STURLA, STRITTMATTER, HARLEY, CAPPABIANCA, BUNT and RICHARDSON

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

Referred to Committee on LOCAL GOVERNMENT, June 18, 1991.

**No. 1714** By Representatives STURLA, FREEMAN, HARLEY, CAPPABIANCA, BUNT, REBER, HECKLER and STRITTMATTER

An Act amending the act of July 31, 1968 (P. L. 805, No. 247), known as the "Pennsylvania Municipalities Planning Code," further providing for challenges to the validity of joint municipal zoning ordinances.

Referred to Committee on LOCAL GOVERNMENT, June 18, 1991.

**No. 1715** By Representatives CARONE, KREBS, FARGO, BATTISTO, COWELL, SURRA, D. R. WRIGHT, KUKOVICH, COLAIZZO, TRICH, SCHEETZ, DEMPSEY, KAISER, NICKOL, LaGROTTA, CAWLEY, LEVDANSKY, TRELLO, FARMER, MUNDY, VEON, KOSINSKI, ARGALL, FREEMAN and HARLEY

An Act amending the act of June 3, 1937 (P. L. 1333, No. 320), known as the "Pennsylvania Election Code," further providing for the signing of nomination petitions.

Referred to Committee on STATE GOVERNMENT, June 18, 1991.

**No. 1716** By Representatives CARONE, KREBS, FARGO, BATTISTO, COWELL, SURRA, D. R. WRIGHT, KUKOVICH, COLAIZZO, TRICH, SCHEETZ, DEMPSEY, KAISER, NICKOL, LaGROTTA, CAWLEY, LEVDANSKY, TRELLO, FARMER, MUNDY, VEON, KOSINSKI, ARGALL, JOSEPHS, ARMSTRONG, TULLI and HARLEY

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for selection of prospective jurors.

Referred to Committee on JUDICIARY, June 18, 1991.

**No. 1717** By Representatives BROUJOS, BLACK, HANNA, VAN HORNE, MRKONIC and GAMBLE

An Act amending the act of July 10, 1986 (P. L. 1285, No. 118), known as the "Capital Budget Project Itemization Act for 1984-1985," providing for a project in Philipsburg.

Referred to Committee on APPROPRIATIONS, June 18, 1991.

**No. 1718** By Representatives THOMAS, O'BRIEN, OLIVER, LINTON, HUGHES and CARN

An Act amending the act of July 10, 1990 (P. L. 414, No. 99), entitled "An act authorizing the Pennsylvania Historical and Museum Commission to acquire, for a nominal sum or gift, on behalf of the Commonwealth, the New Freedom Theatre in the City of Philadelphia, providing for its renovation and authorizing an agreement for the administration thereof by the New Freedom Theatre Group," providing for reversion of title.

Referred to Committee on STATE GOVERNMENT, June 18, 1991.

**No. 1719** By Representatives TANGRETTI, COLAIZZO, GIGLIOTTI, NOYE, KAISER, PESCI, CORRIGAN, MUNDY, MELIO, HARPER, McGEEHAN, MIHALICH, RUDY, MARKOSEK, LINTON, VAN HORNE, KING, LESCOVITZ, KRUSZEWSKI, JOHNSON, KUKOVICH, McNALLY, HALUSKA, ITKIN, KENNEY, TOMLINSON, VEON, TIGUE, TRICH, FOX, WOGAN, SAURMAN, CLYMER, COWELL, BELFANTI, STABACK, PISTELLA, CLARK, JAMES, KASUNIC, DENT, BELARDI, STAIRS, GALLEN, TRELLO, BILLOW, OLASZ and TELEK

An Act amending the act of June 3, 1937 (P. L. 1333, No. 320), known as the "Pennsylvania Election Code," increasing the compensation of election officers.

Referred to Committee on STATE GOVERNMENT, June 18, 1991.

## HOUSE RESOLUTION INTRODUCED AND REFERRED

**No. 150** By Representatives BELARDI, TIGUE, BATTISTO, MUNDY, CAPPABIANCA, KAISER, COLE, COY, SALOOM, VEON, PESCI, JOSEPHS, PRESTON, STEELMAN, M. N. WRIGHT, ARMSTRONG, KRUSZEWSKI, SAURMAN, HARPER, WILLIAMS, RUDY, HERSHEY, MELIO, LAUGHLIN, STETLER, JOHNSON, TOMLINSON, PISTELLA, DERMODY, GEIST and RICHARDSON

A Resolution designating July 3, 1991, as "Nondependence Day."

Referred to Committee on RULES, June 18, 1991.

## SENATE BILLS FOR CONCURRENCE

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

**SB 3, PN 1326**

Referred to Committee on HEALTH AND WELFARE, June 18, 1991.

**SB 93, PN 93**

Referred to Committee on TRANSPORTATION, June 18, 1991.

**SB 431, PN 1327**

Referred to Committee on JUDICIARY, June 18, 1991.

**SB 451, PN 478**

Referred to Committee on TRANSPORTATION, June 18, 1991.

**SB 485, PN 514**

Referred to Committee on TRANSPORTATION, June 18, 1991.

**SB 877, PN 946**

Referred to Committee on TRANSPORTATION, June 18, 1991.

**SB 881, PN 1259**

Referred to Committee on TRANSPORTATION, June 18, 1991.

**SB 894, PN 1250**

Referred to Committee on HEALTH AND WELFARE, June 18, 1991.

**SB 895, PN 964**

Referred to Committee on HEALTH AND WELFARE, June 18, 1991.



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 June 17, 1991

RESOLVED, (the House of Representatives concurring), That when the Senate adjourns this week it reconvene on Monday, June 24, 1991, 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 Monday, June 24, 1991, 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.

LEAVES OF ABSENCE

The SPEAKER. The Chair recognizes Mr. Steighner. Mr. STEIGHNER. Thank you, Mr. Speaker.

Mr. Speaker, I would ask for leave for today only for the gentleman from Carbon, Mr. McCALL; the gentleman from Philadelphia, Mr. LINTON; the gentleman from Philadelphia, Mr. MAIALE; and the lady from Centre, Mrs. RUDY.

The SPEAKER. Without objection, the leaves are granted.

MASTER ROLL CALL

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

The following roll call was recorded:

PRESENT—199

Table listing names of present members: Acosta, Adolph, Allen, Anderson, Angstadt, Argall, Armstrong, Arnold, Barley, Battisto, Belardi, Belfanti, Billow, Birmelin, Bishop, Black, Blaum, Bowley, Boyes, Broujos, Brown, Bunt, Durham, Evans, Fairchild, Fajt, Fargo, Farmer, Fee, Fleagle, Flick, Foster, Fox, Freeman, Freind, Gallen, Gamble, Gannon, Geist, George, Gerlach, Gigliotti, Gladeck, Godshall, Kukovich, LaGrotta, Langtry, Laughlin, Lawless, Lee, Leh, Lescovitz, Levdansky, Lloyd, Lucyk, McGeehan, McHale, McHugh, McNally, Markosek, Marsico, Mayernik, Melio, Merry, Michlovic, Micozzie, Roebuck, Ryan, Saloom, Saurman, Scheetz, Schuler, Scrimenti, Semmel, Serafini, Smith, B., Smith, S. H., Snyder, D. W., Snyder, G., Staback, Stairs, Steelman, Steighner, Stetler, Stish, Strittmatter, Stuban, Sturla

Table listing names of absent members: Bush, Butkovitz, Caltagirone, Cappabianca, Carlson, Carn, Carone, Cawley, Cessar, Chadwick, Civera, Clark, Clymer, Cohen, Colafella, Colaizzo, Cole, Cornell, Corrigan, Cowell, Coy, DeLuca, DeWeese, Daley, Davies, Dempsey, Dent, Dermody, Donatucci, Gruitza, Gruppo, Hagarty, Haluska, Hanna, Harley, Harper, Hasay, Hayden, Hayes, Heckler, Herman, Hershey, Hess, Hughes, Itkin, Jadlowiec, James, Jarolin, Johnson, Josephs, Kaiser, Kasunic, Kenney, King, Kosinski, Krebs, Kruszewski, Mihalich, Mrkonic, Mundy, Murphy, Nahill, Nailor, Nickol, Noye, Nyce, O'Brien, Olasz, Oliver, Perzel, Petrarca, Petrone, Phillips, Piccola, Pistella, Pitts, Preston, Raymond, Reber, Reinard, Richardson, Rieger, Ritter, Robinson, Surra, Tangretti, Taylor, E. Z., Taylor, F., Taylor, J., Telek, Thomas, Tigue, Tomlinson, Trello, Trich, Tulli, Uliana, Van Horne, Vance, Veon, Vroon, Wambach, Williams, Wilson, Wogan, Woziak, Wright, D. R., Wright, M. N., Wright, R. C., O'Donnell, Speaker

ADDITIONS—0

NOT VOTING—0

EXCUSED—4

Table listing names of excused members: Linton, McCall, Maiale, Rudy

LEAVES ADDED—1

Durham

BILLS REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND RECOMMITTED TO COMMITTEE ON RULES

HB 794, PN 877 By Rep. HARPER An Act amending the act of November 30, 1967 (P. L. 658, No. 305), known as the "Business Improvement District Act of 1967," authorizing cities of the first class to finance services within business improvement districts.

URBAN AFFAIRS.

HB 1292, PN 2045 (Amended) By Rep. HARPER An Act amending Title 68 (Real and Personal Property) of the Pennsylvania Consolidated Statutes, adding and revising provisions relating to condominiums; and making editorial changes.

URBAN AFFAIRS.

HB 1293, PN 2046 (Amended) By Rep. HARPER An Act amending Title 68 (Real and Personal Property) of the Pennsylvania Consolidated Statutes, adding provisions relating to real estate cooperatives.

URBAN AFFAIRS.

CALENDAR

BILLS ON SECOND CONSIDERATION

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

**HB 1323, PN 1526; HB 1591, PN 2011; and HB 1644, PN 1941.**

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1607, PN 1881**, entitled:

An Act providing for the capital budget for the fiscal year 1991-1992.

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

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

The question is, shall the bill pass finally?

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

YEAS—196

Acosta	Durham	LaGrotta	Ryan
Allen	Evans	Langtry	Saloom
Anderson	Fairchild	Laughlin	Saurman
Angstadt	Fajt	Lawless	Scheetz
Argall	Fargo	Lee	Schuler
Armstrong	Farmer	Leh	Scrimenti
Arnold	Fee	Lescovitz	Semmel
Barley	Fleagle	Levdansky	Serafini
Battisto	Flick	Lloyd	Smith, B.
Belardi	Foster	Lucyk	Smith, S. H.
Belfanti	Fox	McGeehan	Snyder, D. W.
Billow	Freeman	McHale	Snyder, G.
Birmelin	Freind	McHugh	Staback
Bishop	Gallen	McNally	Stairs
Black	Gamble	Markosek	Steelman
Blaum	Gannon	Marsico	Steighner
Bowley	Geist	Mayernik	Stetler
Boyes	George	Melio	Stish
Broujos	Gerlach	Merry	Strittmatter
Brown	Gigliotti	Michlovic	Stuban
Bunt	Gladeck	Mihalich	Sturla
Bush	Godshall	Mrkonic	Surra
Butkovitz	Gruitza	Mundy	Tangretti
Caltagirone	Gruppo	Murphy	Taylor, E. Z.
Cappabianca	Hagarty	Nahill	Taylor, F.
Carlson	Haluska	Nailor	Taylor, J.
Carn	Hanna	Nickol	Telek
Carone	Harley	Noye	Thomas
Cawley	Hasay	Nyce	Tigue
Cessar	Hayden	O'Brien	Tomlinson
Chadwick	Hayes	Olasz	Trello
Civera	Heckler	Oliver	Trich
Clark	Herman	Perzel	Tulli
Clymer	Hershey	Pesci	Uliana
Cohen	Hess	Petrarca	Van Horne
Colaafella	Hughes	Petrone	Vance
Colaizzo	Itkin	Phillips	Veon
Cole	Jadlowiec	Piccola	Vroon
Cornell	James	Pistella	Wambach
Corrigan	Jarolin	Pitts	Williams
Cowell	Johnson	Preston	Wilson
Coy	Josephs	Raymond	Wogan

DeLuca	Kaiser	Reber	Wozniak
DeWeese	Kasunic	Reinard	Wright, D. R.
Daley	Kenney	Richardson	Wright, M. N.
Davies	King	Rieger	Wright, R. C.
Dempsey	Kosinski	Ritter	
Dent	Krebs	Robinson	O'Donnell,
Dermody	Kruszewski	Roebuck	Speaker
Donatucci	Kukovich		

NAYS—0

NOT VOTING—3

Adolph	Harper	Micozzie
		EXCUSED—4

Linton	McCall	Maiale	Rudy
--------	--------	--------	------

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the bill passed finally.

Ordered, That the clerk present the same to the Senate for concurrence.

\* \* \*

The House proceeded to third consideration of **HB 1131, PN 1281**, entitled:

An Act amending the act of June 24, 1937 (P. L. 2045, No. 397), known as "The Support Law," providing that no lien shall be imposed against the real property of persons receiving assistance.

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

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

The question is, shall the bill pass finally?

The Chair recognizes Mr. Ryan.

Mr. **RYAN**. Mr. Speaker, may I interrogate the gentleman, Mr. Richardson?

The **SPEAKER**. The gentleman indicates he is willing to be interrogated. The gentleman may proceed.

Mr. **RYAN**. Mr. Speaker, as I understand this bill, if it passed and became law, moneys advanced to recipients of public assistance who presently are being liened - their real estate, their homes are being liened - would no longer have a lien on their homes. Is that in substance what this does?

Mr. **RICHARDSON**. Basically, Mr. Speaker, yes, that is correct. You have debated this issue over and over again each time, and the last day of the last session the same question was raised, and basically that is the concept, removing the lien provision from those individual persons who own real property.

Mr. **RYAN**. Thank you.

Now, Mr. Speaker, would you tell us who benefits by the removal of the lien?

Mr. **RICHARDSON**. Only those individual persons who own real property, such as a homeowner within the Commonwealth of Pennsylvania whose house may, because of an individual, the household owner, the person who is the breadwinner of the house, who may have had to go and

receive bare-bones subsistence by going on welfare, an automatic \$5,000 lien then is placed on that individual's property, and as a result, that lien stays on that individual until either the money is paid back or other provisions are worked out with the Department of Public Welfare.

Mr. RYAN. Mr. Speaker—and I think this is important—is it not true that if your property or my property is liened because we have had to go on assistance, that the State cannot foreclose or enforce the lien? It is simply a lien on the property so that it can only be enforced in the event of, A, a sale, or death of the person who has been liened.

Mr. RICHARDSON. Basically, that is very true, Mr. Speaker. The problem that you have is the fact that in many instances, people cannot take out a loan nor can they have their house second mortgaged nor can they take care of any of the repairs as the house is collapsing in on them because that lien provision is there. But as it relates directly to those individual persons who may have it, the only way that that property can be released is to sell; then the lien must be taken care of before that property actually can be sold.

Mr. RYAN. Thank you, Mr. Speaker.

Mr. Speaker, on final passage.

The SPEAKER. The gentleman is in order and may proceed.

Mr. RYAN. Mr. Speaker, I rise to oppose this bill. As I view it, the principal beneficiary or beneficiaries of the bill would be the children in most cases of the homeowner. Now, I say that for the following reason: The property is liened. The Commonwealth is advancing money to a person who is temporarily or permanently broke, as the case may be, and as collateral, if you will, is liening the real estate the same way a bank would lien the real estate. The bank does not forgive the lien; why should the Commonwealth forgive the lien for an advance?

When the person dies who owns that piece of real estate or who owns that house, if this bill were to become law, their children would receive the full benefit of the house without regard to paying back any of the funds that were advanced by the Commonwealth for their parents, and I am assuming now for a minute that the house goes to the children of the person who is deceased and who is the owner of the house.

In most cases, these children are the ones who probably should have been taking care of their parents during the parents' lifetime so that the parents perhaps did not need to borrow the money, if you will, or to receive the public welfare.

It just does not seem right that the children of the welfare recipients receive the estate of the welfare recipient while the people of the Commonwealth pay the bill.

The SPEAKER. The Chair recognizes Mr. Tigie.

Mr. TIGUE. Thank you, Mr. Speaker.

Mr. Speaker, I rise to support HB 1131. What Mr. Ryan said is appropriate inasmuch as it is unfair of what goes on now currently with welfare cash assistance grants, because what— Let us have another scenario. If for whatever reason I collect welfare and I do not own a home; now I become fully

employed; I purchase a home; I may become wealthy in fact. I do not have a lien on that property which I purchased because I had collected welfare.

The people who are liened by the Department of Welfare for cash assistance grants are not those people who have been on welfare for years and years and years. They are not the people who own property. The people who own property who are on welfare, first of all, must spend down their assets. They cannot have money in the bank; they cannot have insurance policies; they cannot have a number of other things. So it is not someone who is in a situation to just take money from the State and say, forget it; just take care of me.

However, those people who do not own property in effect receive a grant. Are you telling me that it is fair that because I own property and I may have lost my job and run out of unemployment compensation that I should be given a loan and not a grant? What about the people who receive welfare year after year after year and live in subsidized housing, et cetera? It is unfair to the unfortunate person who owns property, who ends up in a situation where they need cash assistance, that their property be liened. It does not occur to anyone else.

I may be renting a home somewhere and receive cash assistance to hold me over, and again, I can buy property and I am not going to be liened. It is just not fair. The reasons for these liens are to recover money. However, the reason to give the people the cash assistance to begin with was to get them over a situation in which they have no control, because they have no assets.

Please support this bill. Thank you.

### THE SPEAKER PRO TEMPORE (JEFFREY W. COY) PRESIDING

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Cambria, Representative Haluska.

Mr. HALUSKA. Mr. Speaker, I rise in support of HB 1131. I think we are one of only two other States that perhaps still have this antiquated law in place. It seems unjust that somebody who maybe works all his life to try to get home ownership gets to a position in life where he loses his job, and the first thing he does, he loses his rights to retain ownership of that particular home.

As far as the lien is concerned, it is not activated until after death, but what it does do, it sort of takes the position of, why should I try to maintain this home; I no longer will own it, so we will just leave it fall apart, and it has great effects on the neighboring properties within the community.

Secondly, these people who have to go on relief, if they do not have a home, they can have ownership in a gun collection; they can have an automobile; they can have equipment; they can have instruments. There are no liens placed against that personal property; why should it be placed against their home?

I think this is utterly ridiculous. It is an antiquated law. We have tried to repeal it for the last 35 years in Pennsylvania. I think it is time to take action.

Let us vote in the positive on this bill. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Allegheny County, Mr. McNally.

Mr. McNALLY. Thank you, Mr. Speaker.

I rise in support of HB 1131.

I think the House ought to know about a particular example that occurred in my district when a gentleman, Mr. Cloherty, had a congenital heart defect and was eligible for Social Security disability for many years. Mr. Cloherty did not want to take disability; he really preferred to work, and at one point in his life, while he was married and he had children, he elected to get off disability and go and get a job and start working. During his employment he became ill again and could not work anymore and so applied once again for Social Security disability benefits. The Social Security Administration in its infinite wisdom decided that this man who was once eligible for disability and had the same congenital heart defect that he had always had, had the same illness that he had before, was no longer eligible for disability. The Cloherty family was forced to seek cash assistance, to seek public assistance from the State though they did not want to, and in the meantime they appealed the Social Security Administration's decision. Ultimately they won, but in the meantime this welfare lien built up against that family's house, and today that family still has that lien against their house through no fault of their own. That welfare lien built up against them even as they should have been receiving Social Security disability benefits all along. It is really the government's fault that this lien has accrued.

The point is that these welfare liens, as others have pointed out, really affect working-class families, the heart and soul of Pennsylvania. I believe that it is time that we pass legislation that protects their homestead, that protects their interests. I think that this legislation is long overdue.

But you know, I remember last year some people wanted to make an issue of the so-called widow's tax even though it demonstrably benefited the wealthiest estates in this State, that it was a tax break and a tax cut for the wealthy. There was a great hue and cry about putting a 6-percent tax on these wealthy estates, on these wealthy homesteads, but today when we want to give the same kind of protection for working people, there is something wrong with that. Some people think that it is wrong to provide some benefits to wealthy landholders but it is okay to put that lien against hardworking families who built and scraped together money to have a household, to have a home in which they can raise their families, in which they can have a stake of the American dream.

So I think that in order to be consistent, in order to be honest, in order to be fair, I think that we have to pass this legislation. I urge your support for HB 1131. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Mercer County, Representative Fargo.

Mr. FARGO. Thank you, Mr. Speaker.

I think in the debate so far for those people who have shown that they would like to have this bill passed, they fail to take into consideration that the idea of accepting a lien on property is to try to help those people who own the property rather than forcing them, in order to qualify for welfare, forcing them to sell the property and spend down any money that they receive from it. The purpose of the lien is to make it possible for that exception, to maintain their home.

If you use a comparison of a person who rents and has \$30,000 in the bank that he has accumulated over years as a savings and the other person who instead of putting the money in the bank decided he would like to buy a home and has \$30,000 in his home, we now have two individuals, both of whom have lost their jobs, both of whom do not have any money to live on except for the asset that they own. So what happens with the individual who has rented and decided that he wanted to put his money in the bank? He is forced by our laws to spend down that money until he gets to the point where he is going to be eligible for welfare. That point for a couple is \$1,000. For an individual it is \$250, with certain exceptions.

Realizing that a person who has invested their money in a home has a fixed asset, an asset which he does not want to give up but he still is in a position where he needs welfare, we have set up a procedure that we are going to put a lien on the property for the money that he receives under welfare. No problem at all. But why should we be taking the person who has decided that instead of buying a home he is going to keep his assets and keep it as a cash item, realizing income from it to live on, why should we put the person who owns the home in a much better position than that person? Why should we not force the person who owns the home to sell that home, spend down his assets, and become qualified for welfare? Well, we have taken care of that situation with this lien process, and I believe it is a fair process, and certainly we have made it so that over the years there have not been foreclosures on those loans, on those mortgages or those liens that have been set up. Instead it goes past the death of the person who is in a welfare situation. There has never been a forced foreclosure with the idea that, sure, we have a situation where somebody is in need, but I think that we are taking and forgetting the fact that this was set up to help that individual rather than to harm that individual.

I certainly feel that we should oppose this bill. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Allegheny County, Representative Preston.

Mr. PRESTON. Thank you, Mr. Speaker.

I am really amazed to sit down and think that people are more concerned, as the minority leader just stood up there and spoke, that people are not taking care of their loved ones or their mother and father and that is part of the reason. I use that as an example of what has happened in my own legislative district.

I had a brother and sister, Theodore and Mary LaRosa, that immigrated from Italy. Miss LaRosa has been on SSI (supplemental security income) for over the last 25 years. Twenty-six years ago she received \$1,876 on public assistance before she went on SSI. Her brother, Mr. LaRosa, to make sure in case something happened to him, put his house also in her name. Twenty-five years ago this was done. Now he is in the process of trying to get a loan to put a new furnace in his house and put new windows within the house. He is also on a limited pension and makes less than \$10,000 a year. What has happened is he cannot get the loan from any bank because the Welfare Department has put a lien on his house. And I would like to also say to my colleagues on both sides of the aisle that it seems to me that maybe we have forgotten that an awful lot of people who are senior citizens who are in fixed- and low-income areas, who immigrated over here many years ago, receive some form of public assistance.

I have an awful lot of people from different ethnic areas, primarily from Italian descent, within my legislative district who have had this problem. Twenty-five or thirty years ago, because they were not able and because of certain discrimination because of language barriers, they had to receive some form of public assistance. They are also still on limited incomes, but yet, in a sense, they cannot receive any form of home improvement loans and they do not have the money within the bank to be able to pay for it. They are only depending on SSI or if they get any form of Social Security, and that is their limited source.

But if Mr. Ryan seems to feel that most people should be depending on their children and this is a boon for their children, I disagree. An awful lot of people who have these homes, the homes really are not worth a whole lot. The people are living on a fixed income, and I think it is terrible that we should sit down here and think about that, because in most cases, again, as Mr. Richardson has said, this has been a very short and limited amount of money; a very short and limited amount of money; it has not been a long-term thing. But it is very unfair that here we are going to treat one grade of people that because they do pay rent, they do not have to pay anything back, but yet in a sense because some people, whether it was given to them or because they received something, for him to sit down there and ask someone who might be 75 or 80 years old to have to sit down there and sell their home to reduce whatever little bit of assets, and let us say, for example, in the LaRosa house, the house is worth about \$15,000. He is trying to get a \$2,000 loan to put a new furnace in his house. He wants the person who is 86 years old to sell the house and reduce their income, and a lot of you will have the same issue within your own legislative districts.

It is very unfair for us to continue to put liens like this on the senior citizens, and I think that we should support HB 1131. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Washington County, Representative Daley.

Mr. DALEY. Thank you, Mr. Speaker.

Let me just relate a story to you that I was taught for many years concerning this issue.

In 1941 there was a gentleman named Medford Moyer that migrated from the hills of Virginia to find employment in the coalfields of Pennsylvania. Med Moyer was a hard worker, a master electrician in the coal mines of western Pennsylvania, and he contracted an illness known as cancer and died. He had 13 children, and his wife was faced with the opportunity of feeding those 13 children with Med not being there. I know this story well because Elizabeth Moyer had to go on welfare to feed that family, and it took many years to exhaust that welfare lien that was placed against her because she had to go on welfare to feed those 13 children. I know the story well because this was my grandfather and this was my grandmother.

What this system simply does, Mr. Speaker, is create indentured servitude, because once people have a welfare lien on their property, they in essence become an indentured servant.

We in Pennsylvania seem to have a tendency to believe that what we are simply doing is giving a handout and we want to place a lien against someone's property forever. Well, quite honestly, welfare liens cross all sorts of socioeconomic bounds, from the Beaver Valley to the Mon Valley to the anthracite region of Hazleton. People that participate in the system and become workers and unfortunately have to lose their job due to some economic downturn, such as Volkswagen, or in Aliquippa with the steel industry or the coal industry, or even the naval shipyard in Philadelphia, or even in Mechanicsburg, Mr. Speaker, if they close down the ships parts division over here, that there are going to be people that are going to be going on welfare because unemployment only lasts 26 weeks. And what you are going to see, Mr. Fargo, is you will see farmers in Pennsylvania, when the industry goes down, that they also did not invest in the bank but invested in their farms, that in order to keep that farm they are going to go on welfare like the coal miners and the steelworkers and the Piper employees in Lock Haven had to do.

This is unfair. This is simply indentured servitude. If we as a Commonwealth and a General Assembly can give millions of dollars to economic development aid to companies to come to Pennsylvania to locate and create jobs, I cannot understand why we cannot help our own people that pay the taxes that gave that \$100 million for these people to come to Pennsylvania to create these jobs.

I ask for passage of this legislation, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Montgomery, Representative Saurman.

Mr. SAURMAN. Thank you, Mr. Speaker.

Mr. Speaker, I rise to support HB 1131. I have looked at this bill for several sessions now and considered the situation that it would alleviate.

I think we need to recognize that there are various populations of people who receive public assistance. What the minority leader spoke to was certainly some senior citizens, and I agree that if their offspring are not willing to assist them, they should not have the windfall, but on the other hand, there has been legislation presented for reverse mortgage, which would have provided a program that would take care of that situation, and we have not addressed it.

The problem of the population right at the moment that concerns me the most is the one who is being torn apart by marital discord, by families who are torn apart, one member of that family unable to continue to go and to live in that home without some kind of assistance, and we do not offer any kinds of assistance except for public assistance, and when that person needs to get that assistance, we put a lien on. If they need assistance in the amount of \$1,000, they get a lien of \$5,000, and that increment continues to rise, and whatever the actual amount that they owe may be, the perception is that they owe that larger sum of \$5,000, \$10,000, or whatever it is, and that is the lien that is there, and if they need to borrow money or attempt to borrow money, they cannot do it because that lien exists.

We have always said that it is the thing to do, the American dream, to save and buy a home and to establish equity, and yet we punish people for having equity by placing a lien upon them that we do not place upon anyone else who does not have that equity, who has not made that effort to get ahead. We have indeed one system that treats two different classes of people differently and probably should be challenged even on a constitutional basis, but morally, we have the opportunity now to stop that, and then if we feel that there is a reason to recover this money, let us do it in a different way and a sensible way and address the problem, but let us not do it under one scheme that treats people differently under different circumstances.

I would ask that you support HB 1131.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The visitors to the House gallery are encouraged to not participate in the debate. We appreciate your indulgence.

On the question, the Chair recognizes the gentleman from Dauphin, Mr. Wambach.

Mr. WAMBACH. Thank you, Mr. Speaker.

Mr. Speaker, I rise to say, shame on us; shame on us as a General Assembly. I am proud in some respects of what the House has done in the past with the welfare lien removal bill, but in my almost a dozen years here in the House, I remember this issue being argued over and over again, and I do not appreciate it always being forced upon the poor of our society when in fact we have learned just recently, with the remarks that were made by other speakers about the decline of the steel industry in western Pennsylvania, the mining industry in western and eastern Pennsylvania, how people for the first time have found themselves receiving welfare and for the first time finding out that because they own property, because they own property, Mr. Speaker, and not rent the property, their property is being liened by the Commonwealth.

Now, what have we found as far as restoration of neighborhoods and urban centers of concern about the one factor that comes up time and time again, not the main factor, Mr. Speaker, but the one factor that comes up time and time again about the improvement of properties in our cities and the lack of improvement of some has been because of the regressiveness of the welfare lien law.

I stand here today and encourage every member of this chamber to support the repeal of the welfare lien law, probably for the sixth or seventh time in my term as a member of this House to do so, because we must stop in fact the teardown of neighborhoods because of people's inability to go out and get a loan. I had one example of a woman who wanted to simply insulate her cold added area to her kitchen - a mudroom, if you will - to try to keep her heat costs down and could not go out and get a loan to in fact bring someone in for less than \$1,000 to fix that because of the regressiveness of the welfare lien law.

I beg each and every one of the members of this chamber to consider what the regressiveness of this law is all about, the fact that it only remains in two States in the United States of America, and let us get on with rebuilding our areas and putting a little bit of encouragement and will back in people who, for no fault of their own, find themselves in this situation in their lives, and let us repeal the regressive welfare lien law today with the affirmative vote on HB 1131. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

## WELCOME

The SPEAKER pro tempore. The Chair asks the House to join in welcoming a former distinguished Speaker of the House of Representatives, who is to the left of the Speaker, Mr. Kenneth Lee.

## CONSIDERATION OF HB 1131 CONTINUED

The SPEAKER pro tempore. On the question, the Chair recognizes the gentleman from Delaware, the minority leader, Mr. Ryan.

Mr. RYAN. Thank you, Mr. Speaker.

Mr. Speaker, I have listened to the debate somewhat attentively for the past 15, 20 minutes, and I guess I get mixed up as to what public assistance is all about. I was under the impression that we created public assistance and the other States have created public assistance to take care of the impoverished.

Now, when people rent a home, they probably are renting that home because they did not have the money to buy a home, and they have no cash, because that is one of the criteria that is set to qualify or not to qualify for public assistance. So they do not have that asset because they cannot afford that asset. They are impoverished.

I can conceive of a situation where an individual— It may be any one of us or any one of the many people we know who,

I guess, would be put into a category of middle class, own a home—maybe we own our homes free and clear of mortgages; I do not, but assume for a moment that we do—and we are out of a job. We have no liquidity; we have paid our mortgages off. We have no income; we qualify for public assistance. We conceivably can have an asset net worth of hundreds of thousands of dollars. Here is the perfectly ridiculous one: Donald Trump, billions of dollars, no liquidity. He is broke, according to the newspaper. I mean, he is insolvent, and I do not know that I would want to be in his shoes; his boat, perhaps, but not his shoes.

The story that Mr. Daley told of his grandparents, I did not hear the end of the story, and it is the kind of thing that moves us, but if that home stayed in the family and it came down and was inherited by a number of the children and it had value—a farm, perhaps—why should the people of Pennsylvania have made all those payments?

This bill will cost welfare recipients \$8 million-plus a year, according to the fiscal note. That is what it costs, and it comes out of that cash grant line. So really, what you are doing, you are saying to people on welfare, by allowing the people with assets to avoid their liens, there is 8 million and some-odd dollars—wait until I find my fiscal note—there is \$8.646 million less per year available for you for cash grants because we are allowing people who own real estate of various values—I do not know the values; neither do you—they could be worth \$10,000 or \$15,000, as Mr. Wambach said; they could be worth \$150,000; it could be a farm in Bucks County, a 100-acre farm in Bucks County that today is worth a jillion dollars, perhaps—yes, a jillion; Mr. Tomlinson said two—and they are excused from the lien. But the people who are paying for this are not just the people of Pennsylvania. It is the welfare recipient of Pennsylvania who is paying for it, because the \$8 million does not come from the General Fund; the \$8 million comes from the taxpayers; it comes from the cash grant line.

The story—and I cannot remember who gave it to us; Mr. McNally—of the Social Security recipient who ended up appealing the turndown on Social Security and during that interval had to apply for and receive cash grants, their lawyer, if they won—and Mr. McNally tells us they won—should have received the Social Security retroactive to the time of the appeal, and if that were the case, that money was in fact given by the Federal Government and could have been used and should have been used to pay off the lien that the State Government provided for them during that interval.

There are just all sorts of reasons, all sorts of equities, that you can argue either side of this case. I prefer to think, however, that the people of Pennsylvania should not be supporting this type of an expenditure, particularly this year.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes, for the second time, the gentleman from Allegheny, Mr. Preston.

Mr. PRESTON. Thank you, Mr. Speaker.

I am really proud and happy to see that our minority leader is very interested in caring about those people on welfare for a change. It is about time, sir.

I simply say to you, what we have been talking about, those senior citizens, is asking them to sell their houses. You know, if the kids were really caring about them, we would not have to have such a high population in dealing with the nursing home industry, because the kids would be taking care of their parents. I also say to you simply, sir, that what you are asking the people to do is reduce their assets by selling their houses that they have held on for, and in a lot of cases, these people do not have high incomes, especially an awful lot of the senior citizens in my legislative district. Maybe they have higher incomes and better houses in your district; I am not sure. But all I am saying is this: Those people are going to wind up going to a nursing home, and their assets are going to be depleted, and they are going to wind up where, sir? Right back on some form of public assistance and we are still going to have to carry the tab.

Give the people a chance to have some dignity; give the people a chance to be able to have a repose. And I spoke again. You are the leader so you can speak two, three, four, or five times. But respect those people who have been out there for an awful lot of years who have paid their dues so that they can have their little piece of the pie - their little house, as precious as it may be.

I really cannot imagine why we are arguing so hard over this when people are only trying to subsist. Yes, it may affect some people from the industry, and we are just as responsible for the turndown in the economy as anybody else. Whether it was Casey, whether it was Thornburgh or the predecessor before that, people are not doing that well. Whether it was Bush, whether it was Reagan, whether it was Carter, people are out here suffering right now, sir. People stand the chance of losing their homes every day, but to penalize people from 20 or 25 years ago, who even came over here from a foreign country as I said in my example of the LaRosa family, is very wrong. It is very wrong that someone cannot go down to a bank to borrow. You know what those people had to do? They have a limited income. They had to go to the bank and they had to borrow the extra money to pay \$1,800, from a lady who only has a check of \$131 a month on SSI, to pay the loan back so they can get a furnace, so come this winter, they can have some fairly decent heat in their house. If that is what you want to continue to be about, I have very serious problems.

I do not know why we are arguing about this. Give the senior citizens and those people who are less fortunate a chance. It is our responsibility just as well to bring the economy around. Let us be responsible for ourselves and vote for HB 1131. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Westmoreland County, Representative Kukovich.

Mr. KUKOVICH. Thank you, Mr. Speaker.

I would just like to make two points. I would like to remind the members of the House that, to the best of my recollection, we have passed this legislation previously on three occasions. The vote last session was 128 to 61, and it did not engender quite as much debate. I am not so sure why it is today.

But the other point I would like to make is just from personal experience. There is a certain mythology that abounds, and the minority leader talked about the word "welfare," which in this chamber has always been a bad word, I suppose, but the kinds of programs we are talking about are basically for all our constituents; for working-class people who, through no fault of their own, run into some problems. I know from my personal experience in my district that people who have had problems with these liens have been people who have needed assistance because of some long-term illness, because of a plant closing and they have moved out, but it was not through those individuals' faults. And I have talked to individuals. I know a woman in my district who about 8 years ago had become widowed. She had no job; she had three young children. The only thing she really had was a home that meant a lot to her because of the memories of her husband. She was torn between whether to go on AFDC (aid to families with dependent children) so she could adequately feed her children or subject that home to a lien.

I would submit to you that those are not the kinds of things we should be forcing families to decide. Those are not the kinds of problems we should be foisting on children and widows in this State, and I would suggest that we join the rest of civilization and most of the rest of this country and vote to pass HB 1131.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question, the Chair recognizes the gentleman from Venango, Representative Black.

Mr. BLACK. Thank you, Mr. Speaker.

Will the prime sponsor stand for a brief period of interrogation?

The SPEAKER pro tempore. The gentleman, Mr. Richardson, indicates that he will stand for a period of interrogation. The gentleman, Mr. Black, may proceed.

Mr. BLACK. Mr. Speaker, can you tell me what the residency requirements are to obtain a cash grant? Say I happen to be living in Maryland and I come across the line and stop in York. What are the residency requirements to obtain a cash grant?

Mr. RICHARDSON. What are the residency requirements? In other words, what do you have to do to get on welfare?

Mr. BLACK. A cash grant.

Mr. RICHARDSON. Presently there are no residency requirements on the books.

Mr. BLACK. Thank you, Mr. Speaker.

I really did not know that answer, but I was afraid I did know that answer. We are talking about people who have been residents of Pennsylvania for years, who have invested their—

The SPEAKER pro tempore. Has the gentleman concluded his interrogation?

Mr. BLACK. Yes, I have. I would like to make a statement on the bill though.

The SPEAKER pro tempore. The gentleman is in order and may proceed.

Mr. BLACK. Thank you.

I am talking about people who have been residents of Pennsylvania for many years, have invested in a piece of real estate, and we are worrying about the money, the pot, the cash grant, taking it out of it. My recommendation is that we take that money and not worry about the people who are homeowners; allow them to share in this program. As my colleague on the other side of the aisle says on many occasions, based on what you have heard here today, think about it.

I ask you to support the bill. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question, the Chair recognizes the gentleman from Greene County, the majority leader, Representative DeWeese.

Mr. DeWEESE. Mr. Speaker, this vote is a defining vote. Right-wing rhetoric over the past 10 or so years, emanating from Washington, DC, and around the country, has asserted that the conservative movement was desperately anxious to help working people, to help the middle class; to try to sustain a better lifestyle for that great middle swath in our society. This is a defining vote. This is a vote for working people. This is a vote for men and women who have worked their lifetimes, bought a house, and then run into rough times.

There is no doubt that this is not a vote that impacts against most of the people who receive public assistance. This is a vote that impacts against the members' constituents who come from tough, working, blue-collar districts when the factory shuts down. Mr. Daley and Mr. Wambach and Mr. Kukovich have given exact details in their districts about what kinds of men and women are hurt by the current statutes. This is a defining vote for working people.

We can vote Mr. Richardson's proposal and send it to the State Senate; we can realize an advancement for our progressive society and for the betterment of Pennsylvania's middle class. Thank you very much.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Philadelphia, Representative Richardson.

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

Mr. Speaker, I rise today to support HB 1131.

I think that a message needs to be sent quite loud and quite clearly to all of those in Pennsylvania that finally we will go down historically as one of those States that will now go on the books to remove our welfare liens in the Commonwealth of Pennsylvania. There are only two other States in this country that presently have welfare liens. One is Connecticut, and the other one is New York. Why do we have to be so anti-quoted in our ideas and our thinking?



The minority leader would make you believe tonight that Trump could fall in the category of receiving this kind of assistance if the house was passed down through generation after generation. Totally untrue and ridiculous. It is inconceivable that a person who is from a working-class family, who grew up through the ranks, who had to resort then to bare-bones subsistence and then had to go on welfare, that his house then is put up on the market. The problem that you have is that, in most instances, many of those families pay back those liens, and that lien that is left on that house is left there for years, even though they may have only borrowed a couple of thousand dollars. A \$5,000 lien is automatically placed on them. Evidently, Mr. Ryan does not know the people who live in his district who fall in this category or else he would not be making these kinds of statements.

It is designed to help working-class people, the working poor - those individuals who did not look forward to welfare, those individuals who did not look forward to putting themselves in this situation. How could they help it in the Mon Valley if the plants closed, that the industry decided to move out of this State? That is not their fault, nor should they be blamed for it.

So today we have an opportunity to change that which has been antiquated and put ourselves in a position to rectify a wrong.

The other thing is that the children—that seemingly Mr. Ryan does not also understand—is that the children and the lien continues to follow on generation after generation. When they sell the property, at the time of the sale, the lien then must be removed before you can even get to this point. So the argument is ridiculous to allow people to be confused, but Mr. Ryan has debated this issue every single time it has come up, and his argument is the same one over and over again.

Let us put an end today to the ridiculing of those individual persons who are less fortunate, who will fall in that position, because but for the grace of God, there go I. Many of you may fall or have loved ones who may fall into the same or similar situation. Are we so quick to down those who may not be able to defend themselves? I speak for those individual persons this afternoon and say to the rest of you, let us make history in the Commonwealth of Pennsylvania and vote favorably for HB 1131. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question recurring,  
Shall the bill pass finally?

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

**YEAS—137**

Acosta	Dent	Laughlin	Saurman
Adolph	Dermody	Lawless	Scrimenti
Allen	Donatucci	Lescovitz	Semmel
Anderson	Durham	Levdansky	Serafini
Angstadt	Evans	Lloyd	Smith, S. H.
Argall	Fajt	Lucyk	Snyder, D. W.
Arnold	Fee	McGeehan	Staback
Battisto	Fox	McHale	Stairs
Belardi	Freeman	McHugh	Steelman
Belfanti	Freind	McNally	Steighner

Billow	Gamble	Markosek	Stetler
Bishop	Gannon	Mayernik	Stish
Black	George	Melio	Stuban
Blaum	Gerlach	Michlovic	Sturla
Boyes	Gigliotti	Micozzie	Surra
Broujos	Godshall	Mihalich	Tangretti
Bunt	Gruitza	Mrkonic	Taylor, F.
Caltagirone	Haluska	Mundy	Telek
Cappabianca	Hanna	Murphy	Thomas
Carn	Harper	Nahill	Tigue
Carone	Hasay	Olasz	Trello
Cawley	Hayden	Oliver	Trich
Cessar	Hughes	Pesci	Uliana
Civera	Itkin	Petrarca	Van Horne
Cohen	James	Petrone	Veon
Colafigella	Jarolin	Pistella	Wambach
Colaizzo	Johnson	Preston	Williams
Cole	Josephs	Raymond	Wozniak
Corrigan	Kaiser	Reber	Wright, D. R.
Cowell	Kasunic	Richardson	Wright, M. N.
Coy	King	Rieger	Wright, R. C.
DeLuca	Kosinski	Ritter	
DeWeese	Kruszewski	Robinson	O'Donnell,
Daley	Kukovich	Roebuck	Speaker
Davies	LaGrotta	Saloom	

**NAYS—62**

Armstrong	Fleagle	Krebs	Reinard
Barley	Flick	Langtry	Ryan
Birmelin	Foster	Lee	Scheetz
Bowley	Gallen	Leh	Schuler
Brown	Geist	Marsico	Smith, B.
Bush	Gladeck	Merry	Snyder, G.
Butkovitz	Gruppo	Nailor	Strittmatter
Carlson	Hagarty	Nickol	Taylor, E. Z.
Chadwick	Harley	Noye	Taylor, J.
Clark	Hayes	Nyce	Tomlinson
Clymer	Heckler	O'Brien	Tulli
Cornell	Herman	Perzel	Vance
Dempsey	Hershey	Phillips	Vroon
Fairchild	Hess	Piccola	Wilson
Fargo	Jadlowiec	Pitts	Wogan
Farmer	Kenney		

**NOT VOTING—0**

**EXCUSED—4**

Linton	McCall	Maiale	Rudy
--------	--------	--------	------

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the bill passed finally.

Ordered, That the clerk present the same to the Senate for concurrence.

**FILMING PERMISSION**

The SPEAKER pro tempore. Permission to film in the hall of the House is given to Ed Weinstock, WGAL-TV, for a period of 10 minutes.

**PROFESSIONAL LICENSURE COMMITTEE MEETING**

The SPEAKER pro tempore. The Chair recognizes the gentleman from Somerset, Mr. Lloyd, for the purpose of making an announcement.

Mr. LLOYD. Mr. Speaker, when the House recesses, there will be an immediate meeting of the Professional Licensure

Committee in the rear of the hall of the House. Thank you, Mr. Speaker.

### VOTE CORRECTION

The SPEAKER pro tempore. For what purpose does the gentleman, Mr. Micozzie, rise?

Mr. MICOZZIE. Mr. Speaker, my switch malfunctioned, and I would have voted in the affirmative on the final passage of HB 1607.

The SPEAKER pro tempore. The remarks of the gentleman will be spread upon the record.

### FINANCE COMMITTEE MEETING

The SPEAKER pro tempore. The Chair recognizes the gentleman from Allegheny County, Representative Trello.

Mr. TRELLO. Mr. Speaker, there will be a meeting of the House Finance Committee Thursday morning at 10 o'clock in room 39E. I would appreciate all members attending. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

### DEMOCRATIC CAUCUS

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

Mr. COHEN. Mr. Speaker, there will be a House Democratic caucus at 1:15. We will go over three bills, and we will have a budget briefing from the leadership. I urge all members to attend the Democratic caucus at 1:15.

The SPEAKER pro tempore. The gentleman, Mr. Cohen, has announced a Democratic caucus at 1:15 today.

There will be no further votes taken. The House will recess shortly until 2 o'clock this afternoon, when we will have substantive votes at that time. There will be no further votes taken until 2 o'clock.

### WELCOMES

The SPEAKER pro tempore. The Chair welcomes Cub Scout Pack 102 of Manheim Township, Lancaster County, and their parents. They are the guests of the Lancaster County delegation.

The Chair also wishes to welcome Friederike Wyvwich, an exchange student from Berlin, Germany. She is the guest of the Lancaster County delegation.

### BILLS REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND RECOMMITTED TO COMMITTEE ON RULES

HB 503, PN 2047 (Amended)

By Rep. PETRARCA

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for notifying drivers of suspensions by certified mail; requiring drivers to return suspended driver's licenses in person or by certified mail; and increasing the fee for reinstatement of a suspended driver's license.

TRANSPORTATION.

HB 640, PN 2048 (Amended)

By Rep. PETRARCA

An Act assigning development of high speed ground transportation service to the Pennsylvania Turnpike Commission and providing for its powers and duties; and making appropriations.

TRANSPORTATION.

HB 1289, PN 2049 (Amended)

By Rep. PETRARCA

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for the passing of streetcars.

TRANSPORTATION.

HB 1484, PN 1710

By Rep. PETRARCA

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for operations of rescue and emergency squad vehicles.

TRANSPORTATION.

HB 1549, PN 1865

By Rep. PETRARCA

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, increasing fines for fare evasions.

TRANSPORTATION.

HB 1631, PN 2050 (Amended)

By Rep. PETRARCA

An Act authorizing the Department of Transportation, with the approval of the Governor, to sell and convey to the Borough of Aspinwall certain excess land situate in the Borough of Aspinwall, Allegheny County.

TRANSPORTATION.

### RULES SUSPENDED

The SPEAKER pro tempore. Without objection, House rule 22 will be suspended so that HB 1505 may go directly to the calendar rather than to the Rules Committee. The Chair hears no objection.

### BILL REPORTED FROM COMMITTEE AND CONSIDERED FIRST TIME

HB 1505, PN 1767

By Rep. STUBAN

An Act making an appropriation to the Parental Stress Center, Inc., of Pittsburgh, for service programs for young, abused or neglected children.

AGING AND YOUTH.

### BILL RECOMMITTED

The SPEAKER pro tempore. The Chair recognizes the majority leader.

Mr. DeWEESE. Mr. Speaker, I move that HB 1505 be recommitted to the Committee on Appropriations.

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

### RECESS

The SPEAKER pro tempore. The House will now stand in recess until 2 o'clock today.

### AFTER RECESS

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

### THE SPEAKER (ROBERT W. O'DONNELL) PRESIDING

#### ACTUARIAL NOTE

The SPEAKER. The Chair acknowledges receipt of an actuarial note on HB 558, PN 635, which is from the Public Employee Retirement Study Commission and is submitted to the clerk for the record.

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

#### SENATE MESSAGE

#### HOUSE BILL CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, returned **HB 171, PN 456**, with information that the Senate has passed the same without amendment.

#### BILL SIGNED BY SPEAKER

The Chair gave notice that he was about to sign the following bill, which was then signed:

#### **HB 171, PN 456**

An Act amending the act of February 1, 1966 (1965 P. L. 1656, No. 581), known as "The Borough Code," providing for residence requirements for borough officers.

#### CALENDAR CONTINUED

#### BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 538, PN 594**, entitled:

An Act amending the act of March 30, 1937 (P. L. 115, No. 40), known as "The First Class City Permanent Registration Act," extending the time for canceling a registration.

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

Mr. COHEN offered the following amendments No. A1235:

Amend Sec. 1 (Sec. 40), page 4, line 22, by inserting after "Registrations.—"

(a)

Amend Sec. 1 (Sec. 40), page 5, by inserting between lines 24 and 25

(b) To keep mailing address records up to date, the commission shall send, to each registered voter who has not voted in an election or primary for two calendar years immediately preceding, a notice requesting verification of the voter's current address.

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

The SPEAKER. On that question, the Chair recognizes Mr. Cohen.

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, amendment 1235 is designed to make this bill better in terms of operation and hopefully to get it broader support.

Right now under State law people are purged if they do not vote in elections for 2 consecutive years. Under this bill, the 2-year period for purging for nonvoting will be increased to 4 years. A problem that many people have with increasing it to 4 years is that the reason many people do not vote for 2 years or more is because they have moved.

What this amendment seeks to do is to send a letter or a card to each voter who has not voted for 2 years. If they have moved, they will be purged. If they have not moved, they will not be purged.

I think this would create more manageable mailing lists. It would deal with the concerns of some of the people who are against the bill, and it would make this whole bill work more effectively.

This is an agreed-to amendment. I urge the support of all members of the House.

The SPEAKER. The Chair recognizes Mr. Lee.

Mr. LEE. I would like to interrogate the maker of the amendment.

The SPEAKER. The gentleman indicates he is willing to be interrogated. The gentleman may proceed.

Mr. LEE. Would this be— What if the person who gets this notice does not send back in the verification? Is it a positive or a negative checkoff?

Mr. COHEN. I think the way it would generally work is if it is delivered to the person, it would be assumed that the person is still there. If it is returned, as it will be in my judgment in the vast majority of cases, then the person will be stricken off.

Mr. LEE. Okay. Thank you.

The SPEAKER. The Chair recognizes Mr. Bowley.

Mr. BOWLEY. Thank you, Mr. Speaker.

Mr. Speaker, may I please speak on the amendment?

Mr. Speaker, as I read the amendment, it appears to me that after 2 years if you do not vote, you are going to receive this notice, and then if you do not return the notice, you are going to be dropped from the voter list. That in fact, if I am reading that amendment right, is the same current system we

have now in place other than it is a different time frame. Right now if you do not vote in 2 years, you are dropped from the list if you do not return the voter registration form, as I understand it.

Maybe, Mr. Speaker, the author of the amendment could comment on that, please.

Mr. COHEN. Mr. Speaker, it is different from the current system that we have. Under the current system a person has to take some affirmative notion, has to take some affirmative action. Here, all that has to happen— It does not say the person himself has to verify; it allows for the postal system basically to verify. I have no doubt that the vast majority of letters that are sent out will be returned because the vast majority of people will have moved.

Mr. BOWLEY. Mr. Speaker, under that scenario, if those notices are returned to the election office within the county, are those people then dropped from the voter registration rolls?

Mr. COHEN. Yes.

Mr. BOWLEY. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes Mr. Perzel.

Mr. PERZEL. Mr. Speaker, I was just curious if I could ask a question of Mr. Cohen.

The SPEAKER. The gentleman indicates he is willing to be interrogated. The gentleman may proceed.

Mr. PERZEL. Mr. Speaker, does this mean we will be doing this at 2 years and at 4 years? Is that what this amendment will do? We are just going to—

Mr. COHEN. No. Just for 2 years. After 4 years there will be an automatic strikeoff, as there is an automatic strikeoff after 2 years today. All the provisions that normally take place after 2 years under this bill will take place after 4 years. I am sorry. All the provisions that normally take place under the current law after 2 years will take effect under this bill after 4 years.

Mr. PERZEL. So you are going to double the cost, Mr. Speaker. Is that what you are talking about?

Mr. COHEN. I am sorry, Mr. Speaker. I did not hear the gentleman.

Mr. PERZEL. In effect, you are really going to just double the cost and not do anything with the names after you have purged them, or you are not going to purge them, you are just going to have a list of them.

Mr. COHEN. Under this amendment we will be purging the people who have moved. We will not purge the people who do not move. Under the current law people get purged whether they move or do not move. So this will add— Under this amendment a smaller number of people will be added to the voter list than under this bill without the amendment.

Mr. PERZEL. It does not say that, Mr. Speaker.

Mr. COHEN. I believe it is a reasonable interpretation, Mr. Speaker, and you have my words as a statement of what the legislative intent is.

Mr. PERZEL. I would just like to ask for a negative vote on the amendment, Mr. Speaker.

The SPEAKER. The Chair recognizes Mr. Bowley.

Mr. BOWLEY. Mr. Speaker, to speak the second time on the amendment, please?

Thank you.

Mr. Speaker, I am asking for a negative vote.

If I understand this amendment, if I do not vote in calendar year 1991 or 1992, a notice is going to be sent to my supposed address where I reside, and if that notice comes back to the courthouse by the Postal Service, I am going to be dropped from the voter registration rolls, as I understand that amendment. We are now saying to the United States Postal Service, you are going to be responsible for keeping our voter registration rolls up to date. And if any of you have had a letter misplaced somewhere that you have mailed to someone, I think that is the bad road to go down and a bad precedent.

I would ask for a negative vote.

You are going to have a constituent come to the voting place someday and say, well, I have lived at this address for 3 or 4 years, but somehow the Postal Service did not deliver the notice. It was returned to the courthouse. That person was removed from the list, and you are going to have one very mad constituent on election day.

I would ask for a negative vote on this amendment.

The SPEAKER. The Chair recognizes Mr. Cohen.

Mr. COHEN. Mr. Speaker, I would just say that the same scenario that Mr. Bowley has so articulately set forth would happen anyway if this amendment does not pass.

Under this amendment there will be more people on the list than there are today. This amendment will lead to an increase from today. There will be a smaller increase than this bill without the amendment, but there will be an increase in the number of people on the list from today, although there will be less people than this bill would have without the amendment.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—78

Acosta	Dermody	McGeehan	Snyder, G.
Battisto	Donatucci	McHale	Staback
Belardi	Fajt	McNally	Stetler
Belfanti	Fee	Melio	Stish
Billow	George	Michlovic	Stuban
Bishop	Gigliotti	Mihalich	Sturla
Blaum	Gruitza	Mundy	Surra
Caltagirone	Hanna	Nailor	Taylor, F.
Cappabianca	Hayden	Nickol	Thomas
Carn	Hughes	Noye	Trello
Carone	James	Oliver	Trich
Cawley	Josephs	Petrone	Van Horne
Cohen	Kaiser	Pistella	Vance
Colaella	Kasunic	Preston	Veon
Colaizzo	Kosinski	Richardson	Williams
Cole	Kruszewski	Rieger	Wozniak
Corrigan	LaGrotta	Ritter	Wright, D. R.
Cowell	Laughlin	Robinson	
DeWeese	Lescovitz	Roebuck	O'Donnell,
Daley	Lucyk	Smith, B.	Speaker

## NAYS—119

Adolph	Fairchild	Kenney	Reinard
Allen	Fargo	King	Ryan
Anderson	Farmer	Krebs	Saloom
Angstadt	Fleagle	Kukovich	Saurman
Argall	Flick	Langtry	Scheetz
Armstrong	Foster	Lawless	Schuler
Arnold	Fox	Lee	Scrimenti
Barley	Freeman	Leh	Semmel
Birmelin	Freind	Levdansky	Serafini
Black	Gallen	Lloyd	Smith, S. H.
Bowley	Gamble	McHugh	Snyder, D. W.
Boyes	Gannon	Markosek	Stairs
Broujos	Geist	Marsico	Steelman
Brown	Gerlach	Mayernik	Steighner
Bunt	Gladeck	Merry	Strittmatter
Bush	Godshall	Micozzie	Tangretti
Carlson	Gruppo	Mrkonic	Taylor, E. Z.
Cessar	Hagarty	Murphy	Taylor, J.
Chadwick	Haluska	Nahill	Telek
Civera	Harley	Nyce	Tigue
Clark	Hasay	O'Brien	Tomlinson
Clymer	Hayes	Olasz	Tulli
Cornell	Heckler	Perzel	Uliana
Coy	Herman	Pesci	Vroon
DeLuca	Hershey	Petrarca	Wambach
Davies	Hess	Phillips	Wilson
Dempsey	Itkin	Piccola	Wogan
Dent	Jadlowiec	Pitts	Wright, M. N.
Durham	Jarolin	Raymond	Wright, R. C.
Evans	Johnson	Reber	

## NOT VOTING—2

Butkovitz Harper

## EXCUSED—4

Linton McCall Maiale Rudy

The question was determined in the negative, and the amendments were not agreed to.

On the question recurring,

Will the House agree to the bill on third consideration?

Mr. COHEN offered the following amendments No. A1293:

Amend Title, page 1, line 20, by removing the period after "registration" and inserting

; and further providing for manner of registration.

Amend Sec. 1, page 1, line 23, by striking out "Sections 19.1(a) and 40" and inserting

Section 19.1(a)

Amend Sec. 1, page 2, line 1, by striking out "amended or"

Amend Sec. 1, page 2, line 2, by striking out "are" and inserting

is

Amend Bill, page 4, by inserting between lines 18 and 19

Section 2. Section 20(c) of the act, amended October 4, 1978 (P.L.934, No.179), is amended to read:

Section 20. Manner of Registration.—\*\*\*

(c) (1) The surname of the applicant; (2) his Christian name or names; (3) his occupation; (4) the street and number of his residence; (5) if his residence is a portion only of the house, the location or number of the room, apartment, flat or floor which he occupies; (6) the length of his residence in the State and district, respectively; (7) such information relating to the applicant's prior registration and voting record as the commission shall by regulation deem it necessary or advisable to require; (8) the sex of the applicant; (9) the [color of the applicant] race of the applicant indicating "white," "black," "American Indian," "Latino," "Asian" or "other"; (10) the state or territory of the

United States, or the foreign country, where he was born; (11) the date when, place where, and the court by which naturalized, and number of the naturalization certificate; (12) if not naturalized personally, the name of father, mother or spouse through whom naturalized; (13) whether he is entitled to receive assistance in voting because by reason of illiteracy he is unable to read the names on the ballot or on the voting machine labels, or because he has a physical disability which renders him unable to see or mark the ballot or operate the voting machine or to enter the voting compartment or voting machine booth without assistance, and, if so, his declaration of that fact and his statement of the exact nature of such disability; (14) the designation of the political party of the elector, for the purpose of voting at primaries; (15) the affidavit of registration, which shall be signed by the elector, attested by the signature of the registrar, commissioner, clerk or employe and dated by him; (16) his height, in feet and inches; (17) the color of his hair; (18) the color of his eyes; and (19) the date of his birth or, unless he claims to have been naturalized through either his father or mother, or unless such date is otherwise material in the determination of citizenship, a statement that he has attained his majority; (20) if an applicant claims naturalization through his marriage to a citizen, the date and place of marriage. Each registration card shall also have a sufficient number of spaces thereon for the insertion of (21) the ward and election district in which the elector resides and to which he may from time to time remove, together with his street address in each such district, and the other data required to be given upon such removal; (22) the date of each election and primary at which the elector votes, and the number of stub of ballot issued or number of admission to voting machine, and party at primary; (23) the signature or initials of the election officer who enters the record of voting on the card: Provided, however, That the commission may to more effectually carry out the provisions of this act from time to time alter or change the form of registration cards, the order in which the information shall be recorded thereon and provide additional spaces for the recording of such other information concerning the identity of the applicant or naturalization data of foreign born applicants as it may deem necessary.

\*\*\*

Section 3. Sections 20.1(b) and 40 of the act, amended July 1, 1976 (P.L.476, No.122), are amended to read:

Section 20.1. Manner of Registration by Persons in Military Service, Persons in the Merchant Marine, Persons in Religious and Welfare Groups Officially Attached to and Serving with the Armed Forces and Civilian Federal Personnel Overseas and their Spouses and Dependents.—In addition to any other method herein provided, the following persons may also be registered in the manner hereinafter set forth under this section: (1) any person in military service, his spouse and dependents; or (2) any person in the Merchant Marine, his spouse and dependents; or (3) any person in religious and welfare groups officially attached to and serving with the Armed Forces, his spouse and dependents or (4) any person who is a civilian employe of the United States outside the territorial limits of the several states of the United States and the District of Columbia, whether or not such person is subject to the civil service laws and the Classification Act of 1949 and whether or not paid from funds appropriated by the Congress, his spouse and dependents.

\*\*\*

(b) The official registration application card shall require the statement of, and shall provide sufficient space for the following information: (1) The surname of the applicant, (2) his Christian name or names, (4) the street or road and number, if any, of his home residence and the date of leaving same, provided that in the event that there is no street address, the applicant must list the nearest cross street or road, (5) if his residence was a portion only of a house, the location or number of the room or

rooms, apartment, flat or floor which he occupied, (6) the date his residence began at the place which is his home residence, (7) his home residence address when he last registered and the year of such registration, including any former registration under any other surname, (8) the sex of the applicant, (9) the [color of the applicant] race of the applicant indicating "white," "black," "American Indian," "Latino," "Asian" or "other", (10) the state or territory of the United States or the foreign country where he was born, (13) whether he is unable by reason of illiteracy to read the names on the ballot or voting machine labels, (14) whether he has a physical disability which will render him unable to see or mark the ballot or operate the voting machine or to enter the voting compartment or voting machine booth without assistance, and, if so, his declaration of that fact and his statement of the exact nature of such disability, (15) the designation of the political party of the elector for the purpose of voting at primaries, (16) the declaration of registration, as hereinafter prescribed, which shall be signed by the elector, (17) the height of the applicant in feet and inches, (18) the color of his hair, (19) the color of his eyes, (20) the date of his birth, (20.1) the designation by the applicant that the official registration application card is intended by the applicant for use as new registration, change of address or change of name. Each registration card for registration by persons registering under this section shall also have (21) a sufficient number of spaces thereon for the insertion by the commission, but not by the applicant, of the ward and election district, if any, in which the applicant resided on the date of leaving home residence and to which he may from time to time remove after returning to his home residence, together with his street address in each such ward and district and the other data required to be given upon such removal, (22) the date of each election and primary at which the applicant votes after registration, the number and letter, if any, of the stub of the ballot issued to him, or his number in the order of admission to the voting machines, and (23) the signature or initials of the election officer, commissioner, registrar or clerk, who enters the record of voting on the card. Immediately following the spaces for inserting the required information, the applicant shall affix his signature exactly as it appears in clauses (1) and (2).

\*\*\*

Amend Sec. 2, page 5, line 25, by striking out "2" and inserting

4

On the question,

Will the House agree to the amendments?

The SPEAKER. On that question, the Chair recognizes Mr. Cohen.

Mr. COHEN. Mr. Speaker, this is the same amendment that we passed twice yesterday aiding registration drives and citizenship drives for Latino and Asian citizens.

I urge your support of it. It passed 198 to 1 and 199 to nothing yesterday.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—189

Acosta	Donatucci	LaGrotta	Saurman
Allen	Evans	Langtry	Scheetz
Anderson	Fairchild	Laughlin	Schuler
Angstadt	Fajt	Lawless	Scrimenti
Argall	Fargo	Lee	Semmel
Armstrong	Farmer	Leh	Serafini
Arnold	Fee	Lescovitz	Smith, B.
Barley	Fleagle	Levdansky	Smith, S. H.

Battisto	Flick	Lloyd	Snyder, D. W.
Belardi	Foster	Lucyk	Snyder, G.
Belfanti	Fox	McGeehan	Staback
Billow	Freeman	McHale	Stairs
Birmelin	Freind	McHugh	Steelman
Black	Gallen	McNally	Steighner
Blaum	Gamble	Markosek	Stetler
Bowley	Gannon	Marsico	Stish
Boyes	Geist	Mayernik	Strittmatter
Broujos	George	Melio	Stuban
Brown	Gerlach	Merry	Sturla
Bunt	Gigliotti	Michlovic	Surra
Bush	Godshall	Micozzie	Tangretti
Butkovitz	Gruitza	Mihalich	Taylor, E. Z.
Caltagirone	Gruppo	Mrkonic	Taylor, F.
Cappabianca	Haluska	Mundy	Taylor, J.
Carlson	Hanna	Murphy	Telek
Carn	Harley	Nailor	Thomas
Carone	Harper	Nickol	Tigue
Cawley	Hasay	Noye	Tomlinson
Cessar	Hayden	Nyce	Trello
Chadwick	Hayes	O'Brien	Trich
Civera	Heckler	Olasz	Tulli
Clark	Herman	Perzel	Uliana
Clymer	Hershey	Pesci	Van Horne
Cohen	Hess	Petrarca	Vance
Colaella	Hughes	Petrone	Veon
Colaizzo	Itkin	Phillips	Vroon
Cole	Jadlowiec	Piccola	Wambach
Cornell	James	Pistella	Williams
Corrigan	Johnson	Pitts	Wilson
Cowell	Josephs	Preston	Wogan
Coy	Kaiser	Reber	Wozniak
DeLuca	Kasunic	Reinard	Wright, D. R.
DeWeese	Kenney	Richardson	Wright, M. N.
Daley	King	Rieger	Wright, R. C.
Davies	Kosinski	Ritter	
Dempsey	Krebs	Robinson	O'Donnell,
Dent	Kruszewski	Ryan	Speaker
Dermody	Kukovich	Saloom	

NAYS—3

Gladeck	Hagarty	Nahill
---------	---------	--------

NOT VOTING—7

Adolph	Durham	Oliver	Roebuck
Bishop	Jarolin	Raymond	

EXCUSED—4

Linton	McCall	Maiale	Rudy
--------	--------	--------	------

The question was determined in the affirmative, and the amendments were agreed to.

On the question,

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

Mr. KENNEY offered the following amendments No. A1364:

Amend Sec. 1, page 1, line 23, by striking out "and 40"

Amend Sec. 1, page 2, line 1, by striking out "amended or"

Amend Sec. 1, page 2, line 2, by striking out "are" and inserting

is

Amend Bill, page 4, by inserting between lines 18 and 19 Section 2. Section 31(a) of the act, amended September 2, 1961 (P.L.1154, No.517), is amended to read:

Section 31. Report of Deaths from Department of Health; Cancelling Registration; Correction if Person is Falsely Reported Deceased; Reports of Removals from Certain Public Service Companies, Real Estate Brokers, Rental Agents, Persons, Firms,

and Corporations Operating Vehicles for Moving Furniture and Household Goods.—

(a) The commission shall cancel the registration of each registered elector reported dead by the Department of Health within thirty days of the date of the report.

\*\*\*

Section 3. Section 40 of the act, amended July 1, 1976 (P.L.476, No.122), is amended to read:

Amend Sec. 2, page 5, line 25, by striking out "2" and inserting

4

On the question,

Will the House agree to the amendments?

The SPEAKER. The Chair recognizes Mr. Kenney.

Mr. KENNEY. Thank you, Mr. Speaker.

Mr. Speaker, what this amendment does, presently the State Department of Health's vital statistics sends a form of those persons who are deceased to every county in the State. What this would require is that when those voting commissioners in every county receive this list, that they must remove these people from the registration rolls within 30 days. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes Mr. Robinson.

Mr. ROBINSON. While I do not have any initial objection to Mr. Kenney's amendment, it would seem to me that the information that he is requesting be added is unnecessary. I cannot think of any purposes for which the registrars or any other persons who are responsible for maintaining voter registration lists would use this information. So I am somewhat reluctant to be supportive until the maker of the amendment might give me a little bit more explanation as to the intent of this particular amendment.

The SPEAKER. The Chair recognizes Mr. Kenney.

Mr. KENNEY. Mr. Speaker, I listened to the gentleman, Mr. Robinson. I do not think he is speaking on this amendment, or if he is, the intent is that within 30 days of receiving the list from the State, that you remove those deceased people from the registration rolls. I think he must be speaking on a different amendment. If not, that is my intent.

The SPEAKER. The Chair recognizes Mr. Robinson.

Mr. ROBINSON. Mr. Speaker, I would like to apologize to Mr. Kenney. I was confused. The particular amendment that he is offering, I have reviewed it, and I would urge the House to support that amendment.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—195

Acosta	Durham	Kruszewski	Roebuck
Allen	Evans	Kukovich	Ryan
Anderson	Fairchild	LaGrotta	Saloom
Angstadt	Fajt	Langtry	Saurman
Argall	Fargo	Laughlin	Scheetz
Armstrong	Farmer	Lawless	Schuler
Arnold	Fee	Lee	Scrimenti
Barley	Fleagle	Leh	Sammel
Battisto	Flick	Lescovitz	Serafini
Belardi	Foster	Levdansky	Smith, S. H.
Belfanti	Fox	Lloyd	Snyder, D. W.
Billow	Freeman	Lucyk	Snyder, G.

Birmelin	Freind	McGeehan	Staback
Bishop	Gallen	McHale	Stairs
Black	Gamble	McHugh	Steelman
Blaum	Gannon	McNally	Steighner
Bowley	Geist	Markosek	Stetler
Boyes	George	Marsico	Stish
Broujos	Gerlach	Mayernik	Strittmatter
Brown	Gigliotti	Melio	Stuban
Bunt	Gladeck	Merry	Sturla
Bush	Godshall	Michlovic	Surra
Butkovitz	Gruitza	Micozzie	Tangretti
Caltagirone	Gruppo	Mihalich	Taylor, E. Z.
Cappabianca	Hagarty	Mrkonic	Taylor, F.
Carlson	Haluska	Mundy	Taylor, J.
Carn	Hanna	Murphy	Telek
Carone	Harley	Nahill	Thomas
Cawley	Harper	Nailor	Tigue
Cessar	Hasay	Nickol	Tomlinson
Chadwick	Hayden	Noye	Trello
Civera	Hayes	Nyce	Trich
Clark	Heckler	O'Brien	Tulli
Clymer	Herman	Olasz	Uliana
Cohen	Hershey	Oliver	Van Horne
Colaella	Hess	Perzel	Vance
Colaizzo	Hughes	Pesci	Veon
Cole	Itkin	Petrarca	Vroon
Cornell	Jadlowiec	Petrone	Wambach
Corrigan	James	Phillips	Williams
Cowell	Jarolin	Piccola	Wilson
Coy	Johnson	Pistella	Wogan
DeLuca	Josephs	Preston	Wozniak
DeWeese	Kaiser	Raymond	Wright, D. R.
Daley	Kasunic	Reber	Wright, M. N.
Davies	Kenney	Reinard	Wright, R. C.
Dempsey	King	Richardson	
Dermody	Kosinski	Ritter	O'Donnell,
Donatucci	Krebs	Robinson	Speaker

NAYS—0

NOT VOTING—4

Adolph	Pitts	Rieger	Smith, B.
--------	-------	--------	-----------

EXCUSED—4

Linton	McCall	Maiale	Rudy
--------	--------	--------	------

The question was determined in the affirmative, and the amendments were agreed to.

On the question recurring,

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

Mr. KENNEY offered the following amendments No. A1332:

Amend Title, page 1, line 20, by removing the period after "registration" and inserting ; and further providing for content of registration card.

Amend Sec. 1, page 1, lines 23 and 24; page 2, lines 1 and 2, by striking out all of said lines on said pages and inserting

Section 1. Section 19.1(a) of the act of March 30, 1937 (P.L.115, No.40), known as The First Class City Permanent Registration Act, added July 1, 1976 (P.L.476, No.122), is amended to read:

Amend Bill, page 4, by inserting between lines 18 and 19

Section 2. Section 20(c) of the act, amended October 4, 1978 (P.L.934, No.179), is amended to read:

Section 20. Manner of Registration.—\*\*\*

(c) (1) The surname of the applicant; (2) his Christian name or names; (3) his occupation; (4) the street and number of

his residence; (5) if his residence is a portion only of the house, the location or number of the room, apartment, flat or floor which he occupies; (6) the length of his residence in the State and district, respectively; (7) such information relating to the applicant's prior registration and voting record as the commission shall by regulation deem it necessary or advisable to require; (8) the sex of the applicant; (9) the color of the applicant; (10) the state or territory of the United States, or the foreign country, where he was born; (11) the date when, place where, and the court by which naturalized, and number of the naturalization certificate; (12) if not naturalized personally, the name of father, mother or spouse through whom naturalized; (13) whether he is entitled to receive assistance in voting because by reason of illiteracy he is unable to read the names on the ballot or on the voting machine labels, or because he has a physical disability which renders him unable to see or mark the ballot or operate the voting machine or to enter the voting compartment or voting machine booth without assistance, and, if so, his declaration of that fact and his statement of the exact nature of such disability; (14) the designation of the political party of the elector, for the purpose of voting at primaries; (15) the affidavit of registration, which shall be signed by the elector, attested by the signature of the registrar, commissioner, clerk or employe and dated by him; (16) his height, in feet and inches; (17) the color of his hair; (18) the color of his eyes; and (19) the date of his birth or, unless he claims to have been naturalized through either his father or mother, or unless such date is otherwise material in the determination of citizenship, a statement that he has attained his majority; (20) if an applicant claims naturalization through his marriage to a citizen, the date and place of marriage. Each registration card shall also have a sufficient number of spaces thereon for the insertion of (21) the ward and election district in which the elector resides and to which he may from time to time remove, together with his street address in each such district, and the other data required to be given upon such removal; (22) the date of each election and primary at which the elector votes, and the number of stub of ballot issued or number of admission to voting machine, and party at primary; (23) the signature or initials of the election officer who enters the record of voting on the card; (24) the applicant's Social Security number: Provided, however, That the commission may to more effectually carry out the provisions of this act from time to time alter or change the form of registration cards, the order in which the information shall be recorded thereon and provide additional spaces for the recording of such other information concerning the identity of the applicant or naturalization data of foreign born applicants as it may deem necessary.

\*\*\*

Section 3. Sections 20.1(b) and 20.2(b) of the act, amended July 1, 1976 (P.L.476, No.122), are amended to read:

Section 20.1. Manner of Registration by Persons in Military Service, Persons in the Merchant Marine, Persons in Religious and Welfare Groups Officially Attached to and Serving with the Armed Forces and Civilian Federal Personnel Overseas and their Spouses and Dependents.—In addition to any other method herein provided, the following persons may also be registered in the manner hereinafter set forth under this section: (1) any person in military service, his spouse and dependents; or (2) any person in the Merchant Marine, his spouse and dependents; or (3) any person in religious and welfare groups officially attached to and serving with the Armed Forces, his spouse and dependents or (4) any person who is a civilian employe of the United States outside the territorial limits of the several states of the United States and the District of Columbia, whether or not such person is subject to the civil service laws and the Classification Act of 1949 and whether or not paid from funds appropriated by the Congress, his spouse and dependents.

\*\*\*

(b) The official registration application card shall require the statement of, and shall provide sufficient space for the following information: (1) The surname of the applicant, (2) his Christian name or names, (4) the street or road and number, if any, of his home residence and the date of leaving same, provided that in the event that there is no street address, the applicant must list the nearest cross street or road, (5) if his residence was a portion only of a house, the location or number of the room or rooms, apartment, flat or floor which he occupied, (6) the date his residence began at the place which is his home residence, (7) his home residence address when he last registered and the year of such registration, including any former registration under any other surname, (8) the sex of the applicant, (9) the color of the applicant, (10) the state or territory of the United States or the foreign country where he was born, (13) whether he is unable by reason of illiteracy to read the names on the ballot or voting machine labels, (14) whether he has a physical disability which will render him unable to see or mark the ballot or operate the voting machine or to enter the voting compartment or voting machine booth without assistance, and, if so, his declaration of that fact and his statement of the exact nature of such disability, (15) the designation of the political party of the elector for the purpose of voting at primaries, (16) the declaration of registration, as hereinafter prescribed, which shall be signed by the elector, (17) the height of the applicant in feet and inches, (18) the color of his hair, (19) the color of his eyes, (20) the date of his birth, (20.1) the designation by the applicant that the official registration application card is intended by the applicant for use as new registration, change of address or change of name. Each registration card for registration by persons registering under this section shall also have (21) a sufficient number of spaces thereon for the insertion by the commission, but not by the applicant, of the ward and election district, if any, in which the applicant resided on the date of leaving home residence and to which he may from time to time remove after returning to his home residence, together with his street address in each such ward and district and the other data required to be given upon such removal, (22) the date of each election and primary at which the applicant votes after registration, the number and letter, if any, of the stub of the ballot issued to him, or his number in the order of admission to the voting machines, [and] (23) the signature or initials of the election officer, commissioner, registrar or clerk, who enters the record of voting on the card, and (24) the Social Security number of the applicant. Immediately following the spaces for inserting the required information, the applicant shall affix his signature exactly as it appears in clauses (1) and (2).

\*\*\*

Section 20.2. Manner of Registration by Certain Electors.—Any elector may, in addition to any other method herein provided, also be registered in the manner set forth in this section:

\*\*\*

(b) The official registration application card shall require the statement of, and shall provide sufficient space for the following information: (1) The surname of the applicant, (2) his Christian name or names, (4) the street or road and number of his residence providing that in the event there is no street address, the applicant must list the nearest cross street or road, (5) if his residence is a portion only of a house, the location or number of the room or rooms, apartment, flat or floor which he occupies, (6) the date his residence began at the place at which he resides, (7) his residence address when he last registered and the year of such registration, including any former registration under any other surname, (8) the sex of the applicant, (9) the color of the applicant, (10) the state or territory of the United States or the foreign country where he was born, (13) whether he is unable by reason of illiteracy to read the names on the ballot or on voting machine labels, (14) whether he has a physical disability which will render



him unable to see or mark the ballot or operate the voting machine or to enter the voting compartment or voting machine booth without assistance and, if so, his declaration of that fact and his statement of the exact nature of such disability, (15) the designation of the political party of the elector for the purpose of voting at primaries, (16) the declaration of registration as hereinafter prescribed which shall be signed by the elector, (17) the height of the applicant in feet and inches, (18) the color of his hair, (19) the color of his eyes, (20) the date of his birth, (20.1) the designation by the applicant that the official registration application card is intended by the applicant for use as registration change of address or change of name. Each official registration application card for electors registering in the manner prescribed by this section shall also have a sufficient number of spaces thereon for the insertion of (21) the ward and election district, if any, in which the applicant resides and to which he may, from time to time, remove together with his street address in each such ward and district and the other data required to be given upon such removal, (22) the date of each election and primary at which the applicant votes after registration, the number and letter, if any, of the stub of the ballot issued to him or his number in the order of admission to the voting machines, [and] (23) the signature or initials of the election officer, commissioner, registrar or clerk, who enters the record of voting on the card, and (24) the Social Security number of the applicant. Immediately following the spaces for inserting the required information, the applicant shall affix his signature exactly as it appears in clauses (1) and (2).

\*\*\*

Section 4. Section 40 of the act, amended July 1, 1976 (P.L.476, No.122), is amended to read:

Amend Sec. 2, page 5, line 25, by striking out "2" and inserting

5

On the question,

Will the House agree to the amendments?

The SPEAKER. The Chair recognizes Mr. Kenney.

Mr. KENNEY. Thank you, Mr. Speaker.

I think Mr. Robinson wants to speak on this amendment.

This amendment, Mr. Speaker, is a continued conversation from yesterday when we dealt with the motor-voter registration legislation. Something we spoke about yesterday was uniformity. What I am requesting is that the mail-in voter application form now, add to it a request for the Social Security number, and the reason, Mr. Speaker, is, presently when you apply for a driver's license, the one piece of information that the Department of Transportation requests on the driver application is your Social Security number, and to keep this simple, when you register to vote from your motor-voter registration and when you transcribe that information down at the local voting commission, that they take the same information from the driver's license motor-voter registration, just transcribe that onto a form locally. And what that would do is we need to add the Social Security number to that information. It is presently going to be on your driver's license, and I do not see why it should not be part of your voter registration application as well. It is required in some 28 States to allow for a place on their voter registration card to contain a Social Security number.

I ask for an affirmative vote.

The SPEAKER. The Chair recognizes Mr. Robinson.

Mr. ROBINSON. Mr. Speaker, I would encourage the House to support Mr. Kenney's amendment.

The SPEAKER. The Chair recognizes Mr. Bowley.

Mr. BOWLEY. Mr. Speaker, I will make the argument that we heard yesterday. I am not going to stand here and vote that the Social Security number of every registered voter should be recorded at the courthouse for every other person to go in to see so that they get vital information from whatnot.

I think it is a bad precedent and we should vote "no."

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

#### YEAS—80

Allen	Fairchild	Johnson	Robinson
Angstadt	Fleagle	Kenney	Ryan
Argall	Flick	King	Saurman
Armstrong	Foster	Lawless	Scheetz
Barley	Fox	Leh	Schuler
Black	Freind	McHugh	Semmel
Boyes	Gallen	Marsico	Serafini
Brown	Gannon	Merry	Smith, B.
Bunt	Geist	Micozzie	Snyder, G.
Bush	Gerlach	Nahill	Stairs
Carlson	Gladeck	Nailor	Strittmatter
Chadwick	Godshall	Noye	Taylor, J.
Civera	Gruppo	Nyce	Telek
Clark	Harley	O'Brien	Tomlinson
Clymer	Hasay	Perzel	Tulli
Cornell	Hayes	Phillips	Uliana
Davies	Heckler	Piccola	Vance
Dempsey	Hershey	Pitts	Wilson
Dent	Hess	Raymond	Wogan
Durham	Jadlowiec	Reinard	Wright, M. N.

#### NAYS—116

Acosta	Evans	Lee	Scrimenti
Anderson	Fajt	Lescovitz	Smith, S. H.
Arnold	Fargo	Levdansky	Snyder, D. W.
Battisto	Farmer	Lloyd	Staback
Belardi	Fee	Lucyk	Steelman
Belfanti	Freeman	McGeehan	Steighner
Billow	Gamble	McHale	Stetler
Birmelin	George	McNally	Stish
Blaum	Gigliotti	Markosek	Stuban
Bowley	Gruitza	Mayernik	Sturla
Broujos	Hagarty	Melio	Surra
Butkovitz	Haluska	Michlovic	Tangretti
Caltagirone	Hanna	Mihalich	Taylor, E. Z.
Cappabianca	Harper	Mrkonic	Taylor, F.
Carn	Hayden	Mundy	Thomas
Carone	Herman	Murphy	Tigue
Cawley	Hughes	Nickol	Trello
Cessar	Itkin	Olasz	Trich
Cohen	James	Oliver	Van Horne
Colafella	Jarolin	Pesci	Veon
Colaizzo	Josephs	Petrone	Vroon
Cole	Kaiser	Pistella	Wambach
Corrigan	Kasunic	Preston	Williams
Cowell	Kosinski	Reber	Wozniak
Coy	Krebs	Richardson	Wright, D. R.
DeLuca	Kruszewski	Rieger	Wright, R. C.
DeWeese	Kukovich	Ritter	
Daley	LaGrotta	Roebuck	O'Donnell,
Dermody	Langtry	Saloom	Speaker
Donatucci	Laughlin		

NOT VOTING—3

Adolph

Bishop

Petrarca

EXCUSED—4

Linton

McCall

Maiale

Rudy

The question was determined in the negative, and the amendments were not agreed to.

On the question recurring,

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

Mr. BOWLEY offered the following amendments No. A1278:

Amend Title, page 1, line 20, by removing the period after "registration" and inserting

; and prohibiting premarked registration applications.

Amend Bill, page 5, by inserting between lines 24 and 25

Section 2. The act is amended by adding a section to read:

Section 19.3. Premarked Registration Applications.—Registration applications that are premarked or preprinted with a political party designation are illegal and the commission shall not accept such applications.

Amend Sec. 2, page 5, line 25, by striking out "2" and inserting

3

On the question,

Will the House agree to the amendments?

The SPEAKER. The Chair recognizes Mr. Bowley.

Mr. BOWLEY. Thank you, Mr. Speaker.

Mr. Speaker, amendment 1278 would try, as an attempt on my part, to address the problem of people inadvertently being registered in a party that they particularly may not want to register in. It has happened in my area on door to door and at the county fair where a particular person may go to a booth of either party and register, want to register to vote, not realizing that that registration form has already been marked of what party they would like the person to register in, and then the person not realizing that until they get the notice from the courthouse that they are registered to vote of a particular party that they particularly may not want to be registered in.

So this amendment will address that problem saying that registration forms cannot be premarked with or preprinted with the party affiliation already marked on it. The individual registering to vote should mark that, whether they want to be a member of the Republican Party, Democratic Party, or any other party. And I think if we are asking them to fill out the application, then they should have enough initiative to mark the party which they want to belong to.

I would ask for an affirmative vote.

The SPEAKER. The Chair recognizes Mr. Robinson.

Mr. ROBINSON. Mr. Speaker, I encourage the House to support Mr. Bowley's amendment.

The SPEAKER. The Chair recognizes Mr. Reber.

Mr. REBER. Thank you, Mr. Speaker.

Mr. Speaker, would the prime sponsor stand for a brief interrogation, please?

The SPEAKER. The gentleman is in order and may proceed.

Mr. REBER. Mr. Speaker, I would apologize to the prime sponsor that perhaps if I had the amendment earlier and I could have looked at it in its entirety with the bill, I might be able to answer this question. But for expediency's sake, is there any criminal, is there any criminal penalty prescribed to someone who might present a premarked registration application, as you have this amendment prepared if this would become law, or does it simply void that particular application ab initio, if you will?

Mr. BOWLEY. Mr. Speaker, if I may, I did not address that particular question in my amendment. I would say that it should just make the process illegal. And if there are other provisions within the law that we are amending that would cover this particular section to make that fine the same as for this section, I would be supportive of that. I did not put a particular dollar amount of fine in the amendment though.

Mr. REBER. Let me ask this, Mr. Speaker: Is there anyone who is familiar with the bill who may be able to answer the question as to whether the Bowley amendment, if it should become part of the bill and should become law, that some other portion of HB 538 would impose upon conduct defined in the Bowley amendment as being criminal in nature and thereby subjecting someone or some persons to criminal penalties for what may otherwise be an inadvertent action on a premarking of a registration application? Is there anyone on the floor who could answer that question or analyze it accordingly?

Mr. BOWLEY. Mr. Speaker, if I may?

The SPEAKER. The gentleman is looking for volunteers. Mr. Bowley, are you going to volunteer?

Mr. BOWLEY. I am going to volunteer to offer a suggestion to the Speaker that maybe he would rule that we could go over this amendment temporarily while we try to find an answer to that question. No? He decides not to take my suggestion.

The SPEAKER. The gentleman, Mr. Robinson, is willing to be interrogated. The gentleman, Mr. Bowley, is excused.

Mr. ROBINSON. Mr. Speaker, I believe that a general violation of our election laws are considered as misdemeanors.

Mr. REBER. Mr. Speaker, it was my understanding that this is under the registration and not the election law. Therefore, are there criminal penalties, criminal sanctions, if you will, under the Registration Act to which this particular amendment and this bill would be applicable?

The SPEAKER. The gentleman is directing his question to Mr. Robinson?

Mr. REBER. At this point, Mr. Speaker, I am willing to have anyone answer the question. I have asked it now about six times six different ways.

The SPEAKER. The Chair appreciates your flexibility.

The gentleman, Mr. Robinson, is willing to be interrogated. The gentleman has propounded a question.

Mr. ROBINSON. Okay. Mr. Speaker, I do not have that answer.

Mr. REBER. Okay.

### PARLIAMENTARY INQUIRY

Mr. REBER. Mr. Speaker, do we have any further amendments to this bill other than this particular amendment?

The SPEAKER. The Chair takes that as a parliamentary inquiry.

For the information of the gentleman, there is a plethora of amendments, since the majority leader is off the floor, there is a plethora of amendments on every single bill this afternoon.

Mr. REBER. Accordingly, Mr. Speaker, then I think the prime sponsor of the amendment currently before the House has already suggested, so I guess I am going to move at this time that we temporarily pass over the Bowley amendment in order that we may meet in conjunction with staff to determine the potential criminal penalties that might be prescribed to the action contained in the Bowley amendment.

I will make that in the form of whatever appropriate motion the Speaker desires to put before the House to accomplish the purpose intended.

### AMENDMENTS WITHDRAWN

The SPEAKER. The Chair recognizes the gentleman, Mr. Bowley, who withdraws his amendment.

On the question recurring,

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

Ms. JOSEPHS offered the following amendments No. A1442:

Amend Title, page 1, line 20, by striking out "extending the time for canceling a registration." and inserting further providing for registration.

Amend Sec. 1, page 1, line 23, by striking out "Sections 19.1(a) and 40" and inserting Section 19.1(a)

Amend Sec. 1, page 2, line 1, by striking out "amended or"

Amend Sec. 1, page 2, line 2, by striking out "are" and inserting

is

Amend Bill, page 4, by inserting between lines 18 and 19

Section 2. Section 20(c) of the act, amended October 4, 1978 (P.L.934, No.179), is amended to read:

Section 20. Manner of Registration.—\* \* \*

(c) (1) The surname of the applicant; (2) his [Christian] given name or names; (3) his occupation; (4) the street and number of his residence; (5) if his residence is a portion only of the house, the location or number of the room, apartment, flat or floor which he occupies; (6) the length of his residence in the State and district, respectively; (7) such information relating to the applicant's prior registration and voting record as the commission shall by regulation deem it necessary or advisable to require; (8) the sex of the applicant; (9) the color of the applicant; (10) the state or territory of the United States, or the foreign country, where he was born; (11) the date when, place where, and the court by which naturalized, and number of the naturalization certificate; (12) if not naturalized personally, the name of father, mother or spouse through whom naturalized; (13) whether he is entitled to receive assistance in voting because by reason of illiteracy he is unable to read the names on the ballot or on the voting machine labels, or because he has a physical disability

which renders him unable to see or mark the ballot or operate the voting machine or to enter the voting compartment or voting machine booth without assistance, and, if so, his declaration of that fact and his statement of the exact nature of such disability; (14) the designation of the political party of the elector, for the purpose of voting at primaries; (15) the affidavit of registration, which shall be signed by the elector, attested by the signature of the registrar, commissioner, clerk or employe and dated by him; (16) his height, in feet and inches; (17) the color of his hair; (18) the color of his eyes; and (19) the date of his birth or, unless he claims to have been naturalized through either his father or mother, or unless such date is otherwise material in the determination of citizenship, a statement that he has attained his majority; (20) if an applicant claims naturalization through his marriage to a citizen, the date and place of marriage. Each registration card shall also have a sufficient number of spaces thereon for the insertion of (21) the ward and election district in which the elector resides and to which he may from time to time remove, together with his street address in each such district, and the other data required to be given upon such removal; (22) the date of each election and primary at which the elector votes, and the number of stub of ballot issued or number of admission to voting machine, and party at primary; (23) the signature or initials of the election officer who enters the record of voting on the card: Provided, however, That the commission may to more effectually carry out the provisions of this act from time to time alter or change the form of registration cards, the order in which the information shall be recorded thereon and provide additional spaces for the recording of such other information concerning the identity of the applicant or naturalization data of foreign born applicants as it may deem necessary.

\* \* \*

Section 3. Section 40 of the act, amended July 1, 1976 (P.L.476, No.122), is amended to read:

Amend Sec. 2, page 5, line 25, by striking out "2" and inserting

4

On the question,

Will the House agree to the amendments?

The SPEAKER. The Chair recognizes Ms. Josephs.

Ms. JOSEPHS. Thank you, Mr. Speaker.

This is a very simple amendment.

I have simply removed from the language of the Registration Act the word "Christian" as it applies to people's first names, and I have inserted the word "first." It is a matter of sensitivity. There are a number of voter citizens in this Commonwealth who do not think of their first name as their Christian name.

I ask for an affirmative vote.

The SPEAKER. The Chair recognizes Mr. Robinson.

Mr. ROBINSON. Mr. Speaker, I encourage the House to support the amendment offered by Representative Josephs.

The SPEAKER. The Chair recognizes Mr. Clymer.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, I stand to oppose this, and the reason is because it is more of a legal connotation than a religious connotation. Let me explain.

Reading from—let me get the source—Black's Law Dictionary: "CHRISTIAN NAME. The baptismal name as distinct from the surname....The name which is given one after his birth or at baptism, or is afterward assumed by him in addition to his family name." Such a name may consist of a single letter.

I think the purpose of the word "Christian" being in there is so that we have a legal definition of that person's name. I suspect that if we pass this amendment, some attorney is going to challenge this in court and say, that person is being prosecuted, but you have the wrong person. That is not his legal name.

So, Mr. Speaker, to be consistent with a practice that makes a lot of sense, I urge defeat of this amendment and that the word "Christian" remain in there simply as a legal definition of that person's name, legal terminology here. Thank you.

The SPEAKER. The Chair recognizes the lady, Ms. Josephs.

Ms. JOSEPHS. I ask only for an affirmative vote. Thank you, Mr. Speaker.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—87

Acosta	Evans	Levdansky	Snyder, G.
Argall	Fee	Lloyd	Staback
Arnold	Fox	Lucyk	Steelman
Battisto	Freeman	McHale	Steighner
Belardi	Gallen	McNally	Stetler
Billow	Gruitza	Michlovic	Stuban
Bishop	Hagarty	Mrkonic	Sturla
Blaum	Hanna	Mundy	Taylor, F.
Bunt	Harley	Nahill	Thomas
Butkovitz	Hayden	Oliver	Tigue
Carn	Hughes	Pesci	Tomlinson
Carone	Itkin	Petrarca	Trich
Cawley	James	Pistella	Van Horne
Cohen	Jarolin	Preston	Veon
Cole	Josephs	Richardson	Wambach
Cornell	Kasunic	Rieger	Williams
Corrigan	Kenney	Ritter	Wozniak
Cowell	Krebs	Robinson	Wright, D. R.
Coy	Kruszewski	Roebuck	Wright, M. N.
DeWeese	Kukovich	Saurman	
Daley	Laughlin	Scrimenti	O'Donnell,
Davies	Lee	Snyder, D. W.	Speaker
Dent			

NAYS—111

Adolph	Durham	King	Raymond
Allen	Fairchild	Kosinski	Reber
Anderson	Fajt	LaGrotta	Reinard
Angstadt	Fargo	Langtry	Ryan
Armstrong	Farmer	Lawless	Saloom
Barley	Fleagle	Leh	Scheetz
Belfanti	Flick	Lescovitz	Schuler
Birmelin	Foster	McGeehan	Semmel
Black	Freind	McHugh	Serafini
Bowley	Gamble	Markosek	Smith, B.
Boyes	Gannon	Marsico	Smith, S. H.
Broujos	Geist	Mayernik	Stairs
Brown	George	Melio	Stish
Bush	Gerlach	Merry	Strittmatter
Caltagirone	Gigliotti	Micozzie	Surra
Cappabianca	Gladeck	Mihalich	Tangretti
Carlson	Godshall	Murphy	Taylor, E. Z.
Cessar	Gruppo	Nailor	Taylor, J.
Chadwick	Haluska	Nickol	Telek
Civera	Hasay	Noye	Trello
Clark	Hayes	Nyce	Tulli
Clymer	Heckler	O'Brien	Uliana
Colafiglia	Herman	Olasz	Vance
Colaizzo	Hershey	Perzel	Vroon
DeLuca	Hess	Petrone	Wilson

Dempsey	Jadlowiec	Phillips	Wogan
Dermody	Johnson	Piccola	Wright, R. C.
Donatucci	Kaiser	Pitts	

NOT VOTING—1

Harper

EXCUSED—4

Linton

McCall

Maiale

Rudy

The question was determined in the negative, and the amendments were not agreed to.

On the question recurring,

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

Mr. ARGALL offered the following amendments No. A1458:

Amend Title, page 1, line 20, by removing the period after "registration" and inserting  
; and prohibiting the use of information or lists of registered electors from the general register, the district registers or street lists for nonelection purposes.

Amend Sec. 1, page 1, line 23, by striking out "40" and inserting

26

Amend Sec. 1, page 4, by inserting between lines 18 and 19

Section 26. General Register.—(a) A copy of the registration affidavits for the entire city shall be placed in cabinets in exact alphabetical order and indexed as to name, and shall be kept at the office of the commission in a place and in such manner as to be properly safeguarded. These affidavits shall constitute the general register of such city, and shall not be removed from the office of the commission, nor open to public inspection, except upon order of the court of common pleas of the county wherein such city is located, upon sufficient cause having been shown. The official registration application card of an elector who has registered by using a nonpersonal voter registration application card may qualify as a duplicate registration card.

(b) Notwithstanding the provisions of any other law, information or lists of registered electors from the general register shall not be used by any person for jury selection or tax collection purposes.

Section 2. Sections 27 and 34 of the act are amended by adding subsections to read:

Section 27. District Registers; Registration Cards.—

\*\*\*

(d) Notwithstanding the provisions of any other law, information or lists of registered electors from the district registers shall not be used by any person for jury selection or tax collection purposes.

Section 34. Comparison and Correction of Registers; Street Lists.—\*\*\*

(c) Notwithstanding the provisions of any other law, information or lists of registered electors from the street lists shall not be used by any person for jury selection or tax collection purposes.

Section 3. Section 40 of the act, amended July 1, 1976 (P.L.476, No.122), is amended to read:

Amend Sec. 1 (Sec. 40), page 4, line 22, by inserting after "Registrations.—

(a)

Amend Sec. 1 (Sec. 40), page 5, line 19, by inserting before "Whenever"

(b)

Amend Bill, page 5, by inserting between lines 24 and 25

Section 4. Section 45 of the act is amended by adding a subsection to read:

Section 45. Crimes and Penalties.—\* \* \*

(s) Any election officer or other person who knowingly and wilfully uses information or lists of registered electors from the general register, the district registers or from street lists for jury selection or tax collection purposes shall be guilty of a misdemeanor, and, upon conviction thereof, shall be sentenced to pay a fine not exceeding one thousand dollars (\$1,000).

Amend Sec. 2, page 5, line 25, by striking out "2" and inserting

5

On the question,

Will the House agree to the amendments?

The SPEAKER. The Chair recognizes Mr. Argall.

Mr. ARGALL. Thank you, Mr. Speaker.

Mr. Speaker, many of us involved in registering people to vote across the State have heard a wide variety of excuses on why people choose not to register to vote. Some of those include, well, I do not want to be put on a tax list; I do not want to be put on a jury selection list. In many cases those excuses are somewhat outmoded, because I know in my own county those lists are no longer used.

However, to make it a matter of public record, my amendment, if approved by this House, would make it clear that the voter registration lists would not be allowed to be used for the purposes of either jury selection or tax collection.

The SPEAKER. The Chair recognizes Mr. Robinson.

Mr. ROBINSON. Mr. Speaker, I am going to have to oppose the amendment submitted by Mr. Argall. I do not see any clear and definite reason why the names that appear on these registration lists could not be used for the purposes that the gentleman has identified. That is pretty consistent with the manner in which we have conducted business in the Commonwealth, and I see no threat to anyone's privacy or safety, so I urge the House to oppose the amendment offered by Mr. Argall.

The SPEAKER. The Chair recognizes the lady, Ms. Carone.

Ms. CARONE. I rise in support of this amendment. So often, as I repeat Dave Argall's arguments, so many people say, I am not going to register to vote because I do not want jury duty. I want to take that excuse away from them because this should not be a part of that process. Thank you.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—186

Acosta	Durham	Krebs	Richardson
Adolph	Evans	Kruszewski	Rieger
Allen	Fairchild	Kukovich	Ritter
Anderson	Fajt	LaGrotta	Roebuck
Angstadt	Fargo	Langtry	Ryan
Argall	Farmer	Laughlin	Saloom
Armstrong	Fee	Lawless	Saurman
Arnold	Fleagle	Lee	Scheetz
Barley	Flick	Leh	Schuler
Battisto	Foster	Lescovitz	Semmel
Belardi	Fox	Levdansky	Seraffini
Belfanti	Freeman	Lucyk	Smith, S. H.

Billow	Freind	McGeehan	Snyder, D. W.
Birmelin	Gallen	McHale	Snyder, G.
Black	Gamble	McHugh	Staback
Blaum	Gannon	McNally	Stairs
Bowley	Geist	Markosek	Steelman
Boyes	George	Marsico	Steighner
Broujos	Gerlach	Mayernik	Stetler
Brown	Gigliotti	Melio	Stish
Bunt	Gladeck	Merry	Strittmatter
Bush	Godshall	Michlovic	Stuban
Butkovitz	Gruitza	Micozzie	Sturla
Caltagirone	Gruppo	Mihalich	Surra
Cappabianca	Hagarty	Mrkonic	Tangretti
Carlson	Haluska	Mundy	Taylor, E. Z.
Carone	Hanna	Murphy	Taylor, F.
Cawley	Harley	Nahill	Taylor, J.
Cessar	Harper	Nailor	Telek
Chadwick	Hasay	Nickol	Thomas
Civera	Hayden	Noye	Tomlinson
Clark	Hayes	Nyce	Trello
Clymer	Heckler	O'Brien	Trich
Colafella	Herman	Olasz	Tulli
Cole	Hershey	Perzel	Uliana
Cornell	Hess	Pesci	Van Horne
Corrigan	Hughes	Petrarca	Vance
Cowell	Itkin	Petrone	Veon
Coy	Jadlowiec	Phillips	Vroon
DeLuca	James	Piccola	Wambach
DeWeese	Jarolin	Pistella	Williams
Daley	Johnson	Pitts	Wilson
Davies	Kaiser	Preston	Wogan
Dempsey	Kasunic	Raymond	Wozniak
Dent	Kenney	Reber	Wright, M. N.
Dermody	King	Reinard	Wright, R. C.
Donatucci	Kosinski		

NAYS—11

Carn	Oliver	Smith, B.	O'Donnell,
Cohen	Robinson	Tigue	Speaker
Colaizzo	Scrimenti	Wright, D. R.	
Lloyd			

NOT VOTING—2

Bishop	Josephs
--------	---------

EXCUSED—4

Linton	McCall	Maiale	Rudy
--------	--------	--------	------

The question was determined in the affirmative, and the amendments were agreed to.

On the question recurring,

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

Mrs. McHUGH offered the following amendments No. A1485:

Amend Title, page 1, line 20, by removing the period after "registration" and inserting ; and further providing for who may vote.

Amend Sec. 1, page 1, line 23, by striking out "Sections 19.1(a) and 40" and inserting Section 19.1(a)

Amend Sec. 1, page 2, line 1, by striking out "amended or"

Amend Sec. 1, page 2, line 2, by striking out "are" and inserting is

Amend Bill, page 4, by inserting between lines 18 and 19

Section 2. Section 21 of the act, amended July 12, 1972 (P.L.776, No.183), is amended to read:

Section 21. Who May Register; Who May Vote; Electors Need Register Only Once; Exception.—

Every person who shall possess all the qualifications of an elector as provided in the Constitution and laws of this Commonwealth, and has been a citizen of the United States for at least one month and who has resided in this Commonwealth and the election district where he shall offer to vote for at least thirty days prior to the next ensuing general, municipal or primary election, shall be entitled to be registered as herein provided, and no person shall be permitted to vote at any election or primary held in such city unless he shall have been so registered and presents to the judge of election proof of residency in that election district by displaying a valid driver's license or a valid voter registration card, and no elector so registered shall be required to register again for any election or primary while he continues to reside at the same address, or has removed his residence to another address in the same district and has filed a removal notice as provided by this act, unless his registration is cancelled by the commission by reason of his failure to vote during the certain period as hereinafter provided, or for any other reason under the provisions of this act.

Section 3. Section 40 of the act, amended July 1, 1976 (P.L.476, No.122), is amended to read:

Amend Sec. 2, page 5, line 25, by striking out "2" and inserting

4

On the question,

Will the House agree to the amendments?

The SPEAKER. The Chair recognizes Mrs. McHugh.

Mrs. McHUGH. Mr. Speaker, this amendment is designed to eliminate or at least significantly reduce the problem of voter fraud in Philadelphia.

This amendment applies only to cities of the first class. It would require voters in Philadelphia to present a valid form of identification to the judge of elections before entering the voting booth. The inconvenience to voters would be minimal. Generally accepted forms of identification, such as a driver's license, Social Security card, PACE (Pharmaceutical Assistance Contract for the Elderly) card, or a welfare ID, would be sufficient. It is a fact of life that in today's society you cannot even cash a check without two forms of identification. Surely we can ask registered voters to accept this small inconvenience in order to cut down on voter fraud.

Originally I had intended to require a photo ID card. However, in order to reduce the inconvenience to the voters and eliminate the cost to the Commonwealth, I choose to require any form of identification. There would be no cost to the State or city.

Voter fraud has become a time-honored tradition in some sections of Philadelphia. People joke about it constantly. Poll watchers are harassed and verbally abused in their attempt to monitor elections. It is time we end this practice and at least make some sort of effort to reduce voter fraud. By adopting this amendment, if we reduce voter fraud by only 10 percent, Mr. Speaker, it is well worth the effort.

I urge all of my fellow members in favor of honest elections for Philadelphia to support this amendment. Thank you.

The SPEAKER. The Chair recognizes Mr. Robinson.

Mr. ROBINSON. Mr. Speaker, I respectfully ask my colleagues to reject the amendment offered by Representative McHugh.

I believe the provisions of her amendment are overly restrictive. There are a number of individuals in our Commonwealth who are registered to vote who, for a variety of reasons, might not have the types of identification that she has identified.

I would think, because the intent of this House bill is to open up the process and to encourage more people to register and vote, that the restrictions contained in the amendment do not allow me to be supportive, and I would urge each and every member to reject this amendment.

The SPEAKER. The Chair recognizes Mr. Acosta.

Mr. ACOSTA. Thank you, Mr. Speaker.

It is unfortunate, Connie, that for the first time I have got to go against you on this one. It is hard enough for me to get people out to vote, and you know that in my community it is pulling teeth getting people out to vote. If they have to pull any ID in order to vote, I am going to lose a lot of votes.

I want a "no" on this one.

The SPEAKER. The Chair recognizes Mr. Freeman.

Mr. FREEMAN. Thank you, Mr. Speaker.

Mr. Speaker, would the lady, Mrs. McHugh, stand for a brief period of interrogation?

The SPEAKER. The lady indicates she is willing to be interrogated. The gentleman may proceed.

Mr. FREEMAN. Thank you.

Mr. Speaker, do you happen to have your voter registration card on you?

Mrs. McHUGH. I do.

Mr. FREEMAN. You do?

Mrs. McHUGH. I do.

Mr. FREEMAN. Do you always?

Mrs. McHUGH. Would someone hand me my handbag? It is the red one under there. Yes, I do.

The SPEAKER. Does the gentleman have any further questions?

Mr. FREEMAN. Mr. Speaker, I have concluded my interrogation, but I would like to speak on the issue at hand.

The SPEAKER. The gentleman is definitely in order.

Mr. FREEMAN. Thank you.

We have proven that Mrs. McHugh, who is a member of this legislative body, would carry her voter registration card with her when she presents an amendment dealing with the voter registration card. That is about all we have proven so far today.

All this amendment seeks to do is provide another obstacle to prohibit people from exercising their right in this country to vote. That is all it does. We do not require in any of the other counties that they have to present their card to vote or that they have to present a driver's license in order to vote. All that is valid is that the person's signature matches the signature on the current binder, on the current books that are in the polling place.

If this amendment becomes law, you can be pretty sure that a host of senior citizens are going to be disenfranchised, because they may not drive anymore or they may not recall where they placed their voter registration card some 40 or 50

years ago when they first received it. All this is going to do is prohibit more and more senior citizens from exercising their right to vote. This does nothing to deal with voter fraud. Voter fraud is dealt with by checking signatures; it is dealt with by having poll watchers in polling places; it is dealt with by having a minority and majority inspector.

This is merely an obstruction to exercising our vote, and I do not think we should be making it tougher and tougher for senior citizens to vote in this Commonwealth. I urge a "no" vote.

The SPEAKER. The Chair recognizes Mr. Cohen.

Mr. COHEN. Mr. Speaker, I agree strongly with the remarks just made by Mr. Freeman. There is no history of false people coming in to vote in Philadelphia. The voter fraud in Philadelphia— Mr. Speaker, Philadelphia has had Republican district attorneys for 14 recent years. Arlen Specter never once prosecuted anybody for voting in a district in which he was not entitled to vote. Ron Castille never prosecuted anybody for voting in a district in which he was not entitled. We have had Republican U.S. attorneys for 9 consecutive years. Not one Republican U.S. attorney has ever prosecuted anybody for voting in an area where he was not entitled to.

The problem that has been presented in voter fraud is that in various areas, Democratic and Republican committee people have voted for people when they should not have. That is the voter-fraud problem in Philadelphia, and this amendment does not deal with it at all.

All this amendment does is restrict the rights of legitimate people to vote if they do not happen to have identification with them. It is an obstacle; it is an obstruction. Having it just for Philadelphia is unconstitutional. I am not sure if Mrs. McHugh is going to present this for the rest of the State, but if it just passes for Philadelphia and does not pass for the rest of the State, it is clearly unconstitutional. It may be unconstitutional anyway because it really does not have anything to do with it.

As far as I know, there have been no prosecutions anywhere in the State of Pennsylvania in recent years, and I am absolutely positive there have been no prosecutions for this in Philadelphia in the last 25 years. I would urge a "no" vote on this amendment.

The SPEAKER. The Chair recognizes Mr. Kenney.

Mr. KENNEY. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of this amendment.

As everyone knows, when you register to vote, they send you a voter registration card. When you register to drive, they send you a driver's license. I do not think it is an obstacle to present your driver's license when you are stopped and they say, are you a legal driver, and you present your driver's license. I do not see what the big obstacle is when you walk up and say "I am George Kenney," or whoever I am, "Do you have your voter registration card?"

What this amendment does is just further determine the eligibility of the person wanting to cast a vote. A very simple amendment. These obstacles they speak about are, I think, just not true.

The SPEAKER. The Chair recognizes Mr. Surra.

Mr. SURRA. Thank you, Mr. Speaker.

Mr. Speaker, I was under the impression that we were here trying to make it easier to register to vote, and the longer we continue in this process and the more amendments you throw at it and amendments like this one, we have to oppose this, because this makes it more difficult to register to vote than it is now.

It is a very basic civic right that all Americans have, and I urge a "no" vote. Thank you.

The SPEAKER. The Chair recognizes Mr. Freeman.

Mr. FREEMAN. Thank you, Mr. Speaker.

Mr. Speaker, I wish to answer some of the points that the gentleman, Mr. Kenney, brought up.

The fact of the matter is, the voter registration card does not include a picture. It is not proof of identification; it can be passed from one individual to the next. There is no guarantee that that in and of itself will prevent fraud.

The second point to keep in mind is the fact that not everyone in this Commonwealth has a driver's license, and they should not be disenfranchised simply because they do not drive a car.

And finally, under current law the voter registration card is not deemed necessary to be taken to the polling place when you vote. Because of that longstanding practice here in the Commonwealth of Pennsylvania, I am pretty sure that there are a number of individuals who are valid voters, who have voted consistently in elections, who could probably never find their voter registration card. Those individuals will be prohibited from voting. That makes no sense whatsoever.

This is not a fair amendment. It seeks to strike people from the voting rolls who have a legitimate right to cast their ballot in elections, and I would urge this House to vote "no."

The SPEAKER. The Chair recognizes Mr. Melio.

Mr. MELIO. Mr. Speaker, I rise in opposition to this amendment.

Many calls that I get from my constituents are about lost registration cards, and they need them because they want to go to Canada or Mexico and use it as a form of, sort of a passport. And I would submit that if you would require the members on this floor today to show their registration cards, you would not have enough lights on that board.

The SPEAKER. The Chair recognizes Mrs. McHugh.

Mrs. McHUGH. Mr. Speaker, thank you.

This bill has nothing to do with the inconvenience of registering. You would still be able to register the same way.

Now, the registration card, as this gentleman just pointed out, is used when you are traveling outside the country. People use their registration card for welfare.

And I would like to address Mr. Cohen. You know, I am sure he has lived in Philadelphia a long time, and when he says there is no voter fraud in Philadelphia and no one has been indicted, I would like to remind him of not only a former House member and council member but his wife that all just pleaded guilty to voter fraud and another member of this House that was sent away and incarcerated for voter fraud in South Philadelphia.

I say, yes, there is a very minimum inconvenience to the voters, but it is worth it to get an honest, clear-cut election in Philadelphia, and I think that we should be able to go to those extremes in order to provide that, because then and only then will the voter be able to cast their vote and have it count. Thank you.

The SPEAKER. The Chair recognizes Mr. Oliver.

Mr. OLIVER. Thank you, Mr. Speaker.

Mr. Speaker, in my opinion, Representative Freeman really told it all, just the way it actually is since this amendment pertains to Philadelphia County alone. The process that is used in Philadelphia as far as identification is concerned is not a driver's license or a voter registration card; it is by signature. If that signature does not comply with the signature on that binder, that person is not entitled to vote and that election board would not allow him to vote.

I urge the defeat of the McHugh amendment.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—91

Adolph	Fargo	Johnson	Saurman
Allen	Farmer	Kenney	Scheetz
Anderson	Fleagle	King	Schuler
Angstadt	Flick	Langtry	Semmel
Argall	Foster	Lawless	Serafini
Armstrong	Fox	Leh	Smith, B.
Barley	Freind	McHugh	Smith, S. H.
Birmelin	Gallen	Marsico	Snyder, G.
Black	Gannon	Merry	Stairs
Boyes	Geist	Micozzie	Strittmatter
Brown	Gerlach	Nahill	Taylor, E. Z.
Bunt	Gigliotti	Nailor	Taylor, J.
Bush	Gladeck	Nickol	Telek
Carlson	Godshall	Noye	Tomlinson
Cessar	Gruppo	Nyce	Tulli
Chadwick	Hagarty	O'Brien	Uliana
Civera	Harley	Perzel	Vance
Clark	Hayes	Phillips	Vroon
Clymer	Heckler	Piccola	Wilson
Cornell	Herman	Pitts	Wogan
Davies	Hershey	Raymond	Wright, M. N.
Dempsey	Hess	Reinard	Wright, R. C.
Durham	Jadlowiec	Ryan	

NAYS—108

Acosta	Donatucci	Lescovitz	Roebuck
Arnold	Evans	Levdansky	Saloom
Battisto	Fairchild	Lloyd	Scrimenti
Belardi	Fajt	Lucyk	Snyder, D. W.
Belfanti	Fee	McGeehan	Staback
Billow	Freeman	McHale	Steelman
Bishop	Gamble	McNally	Steighner
Blaum	George	Markosek	Stetler
Bowley	Gruitza	Mayernik	Stish
Broujos	Haluska	Melio	Stuban
Butkovitz	Hanna	Michlovic	Sturla
Caltagirone	Harper	Mihalich	Surra
Cappabianca	Hasay	Mrkonic	Tangretti
Carn	Hayden	Mundy	Taylor, F.
Carone	Hughes	Murphy	Thomas
Cawley	Itkin	Olasz	Tigue
Cohen	James	Oliver	Trello
Colaifella	Jarolin	Pesci	Trich
Colaizzo	Josephs	Petrarca	Van Horne
Cole	Kaiser	Petrone	Veon
Corrigan	Kasunic	Pistella	Wambach

Cowell	Kosinski	Preston	Williams
Coy	Krebs	Reber	Wozniak
DeLuca	Kruszewski	Richardson	Wright, D. R.
DeWeese	Kukovich	Rieger	
Daley	LaGrotta	Ritter	O'Donnell,
Dent	Laughlin	Robinson	Speaker
Dermody	Lee		

NOT VOTING—0

EXCUSED—4

Linton	McCall	Maiale	Rudy
--------	--------	--------	------

The question was determined in the negative, and the amendments were not agreed to.

On the question recurring,

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

AMENDMENT A1442 RECONSIDERED

The SPEAKER. The Chair is in possession of a motion to reconsider the vote by which amendment 1442 to HB 538 was defeated today.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—194

Acosta	Donatucci	Krebs	Roebuck
Adolph	Durham	Kruszewski	Ryan
Allen	Evans	Kukovich	Saloom
Anderson	Fairchild	LaGrotta	Saurman
Angstadt	Fajt	Langtry	Scheetz
Argall	Fargo	Laughlin	Schuler
Armstrong	Farmer	Lawless	Scrimenti
Arnold	Fee	Lee	Semmel
Barley	Fleagle	Leh	Serafini
Battisto	Flick	Lescovitz	Smith, B.
Belardi	Foster	Levdansky	Smith, S. H.
Belfanti	Fox	Lloyd	Snyder, D. W.
Billow	Freeman	Lucyk	Snyder, G.
Birmelin	Freind	McGeehan	Staback
Black	Gallen	McHale	Stairs
Blaum	Gamble	McHugh	Steighner
Bowley	Gannon	McNally	Stetler
Boyes	Geist	Markosek	Stish
Broujos	George	Marsico	Strittmatter
Brown	Gerlach	Mayernik	Stuban
Bunt	Gigliotti	Melio	Sturla
Bush	Gladeck	Merry	Surra
Butkovitz	Godshall	Michlovic	Tangretti
Caltagirone	Gruitza	Micozzie	Taylor, E. Z.
Cappabianca	Gruppo	Mihalich	Taylor, F.
Carlson	Hagarty	Mrkonic	Taylor, J.
Carn	Haluska	Mundy	Telek
Carone	Hanna	Nahill	Thomas
Cawley	Harley	Nailor	Tigue
Cessar	Harper	Nickol	Tomlinson
Chadwick	Hasay	Noye	Trello
Civera	Hayden	Nyce	Trich
Clark	Hayes	Oliver	Tulli
Clymer	Heckler	Perzel	Uliana
Cohen	Herman	Pesci	Van Horne
Colaifella	Hershey	Petrarca	Vance
Colaizzo	Hess	Petrone	Veon
Cole	Hughes	Phillips	Vroon
Cornell	Itkin	Piccola	Wambach
Corrigan	Jadlowiec	Pistella	Williams
Cowell	James	Pitts	Wilson



Coy	Jarolin	Preston	Wogan
DeLuca	Johnson	Raymond	Wozniak
DeWeese	Josephs	Reber	Wright, D. R.
Daley	Kaiser	Reinard	Wright, M. N.
Davies	Kasunic	Richardson	Wright, R. C.
Dempsey	Kenney	Rieger	
Dent	King	Ritter	O'Donnell,
Dermody	Kosinski	Robinson	Speaker

NAYS—0

NOT VOTING—5

Bishop	O'Brien	Olasz	Steelman
Murphy			

EXCUSED—4

Linton	McCall	Maiale	Rudy
--------	--------	--------	------

The question was determined in the affirmative, and the motion was agreed to.

On the question recurring,

Will the House agree to the amendments?

The clerk read the following amendments No. A1442:

Amend Title, page 1, line 20, by striking out "extending the time for canceling a registration." and inserting further providing for registration.

Amend Sec. 1, page 1, line 23, by striking out "Sections 19.1(a) and 40" and inserting Section 19.1(a)

Amend Sec. 1, page 2, line 1, by striking out "amended or"

Amend Sec. 1, page 2, line 2, by striking out "are" and inserting

is

Amend Bill, page 4, by inserting between lines 18 and 19

Section 2. Section 20(c) of the act, amended October 4, 1978 (P.L.934, No.179), is amended to read:

Section 20. Manner of Registration.—\*\*\*

(c) (1) The surname of the applicant; (2) his [Christian] given name or names; (3) his occupation; (4) the street and number of his residence; (5) if his residence is a portion only of the house, the location or number of the room, apartment, flat or floor which he occupies; (6) the length of his residence in the State and district, respectively; (7) such information relating to the applicant's prior registration and voting record as the commission shall by regulation deem it necessary or advisable to require; (8) the sex of the applicant; (9) the color of the applicant; (10) the state or territory of the United States, or the foreign country, where he was born; (11) the date when, place where, and the court by which naturalized, and number of the naturalization certificate; (12) if not naturalized personally, the name of father, mother or spouse through whom naturalized; (13) whether he is entitled to receive assistance in voting because by reason of illiteracy he is unable to read the names on the ballot or on the voting machine labels, or because he has a physical disability which renders him unable to see or mark the ballot or operate the voting machine or to enter the voting compartment or voting machine booth without assistance, and, if so, his declaration of that fact and his statement of the exact nature of such disability; (14) the designation of the political party of the elector, for the purpose of voting at primaries; (15) the affidavit of registration, which shall be signed by the elector, attested by the signature of the registrar, commissioner, clerk or employe and dated by him; (16) his height, in feet and inches; (17) the color of his hair; (18) the color of his eyes; and (19) the date of his birth or, unless he claims to have been naturalized through either his father or mother, or unless such date is otherwise material in the determination of citizenship, a statement that he has attained his majority; (20) if an applicant claims naturalization through his mar-

riage to a citizen, the date and place of marriage. Each registration card shall also have a sufficient number of spaces thereon for the insertion of (21) the ward and election district in which the elector resides and to which he may from time to time remove, together with his street address in each such district, and the other data required to be given upon such removal; (22) the date of each election and primary at which the elector votes, and the number of stub of ballot issued or number of admission to voting machine, and party at primary; (23) the signature or initials of the election officer who enters the record of voting on the card: Provided, however, That the commission may to more effectually carry out the provisions of this act from time to time alter or change the form of registration cards, the order in which the information shall be recorded thereon and provide additional spaces for the recording of such other information concerning the identity of the applicant or naturalization data of foreign born applicants as it may deem necessary.

\*\*\*

Section 3. Section 40 of the act, amended July 1, 1976 (P.L.476, No.122), is amended to read:

Amend Sec. 2, page 5, line 25, by striking out "2" and inserting

4

On the question recurring,

Will the House agree to the amendments?

The SPEAKER. The House now has before it amendment 1442, which has been read by the clerk, offered by the lady, Ms. Josephs.

On the question recurring,

Will the House agree to the amendments?

The SPEAKER. The Chair recognizes the lady, Ms. Josephs.

Ms. JOSEPHS. Thank you, Mr. Speaker.

I rise again to ask you to vote for this amendment. I am not convinced by a definition in the law directory for a number of reasons. The first is, we have changed the Marriage Law in just the way I propose we change the Permanent Registration Act. We have taken the word "Christian" out when we refer to people's given names and we replaced it with the word "given." That was not too many sessions ago. I was here. I do not remember exactly when. But I have not noticed nor has anybody else noticed any legal challenges to the people who have been married since we changed the Marriage Law. That is the first reason.

The second reason why we should vote for this amendment is we would make this bill then consistent with the Marriage Law of this State. I believe that everytime we refer to a first name or a given name as a Christian name we ought to replace it.

I think it is important for a number of our citizens who do not think of their names as Christian names for them to be able to look in the law books and to feel that they themselves are also included among the people that we address when we write our statutes. I cannot imagine there would be legal challenges, and as a matter of fact, as a matter of practicality, I know that people will fill out their voter registration forms with a name which sometimes is a nickname and sometimes is not their legal name. The only thing that we are concerned about is that the same person returns, signs the register, is rec-

ognized as having a similar or the same signature, and votes. It is not our intention under our Election Code to force people to vote only under a name which appears on their birth certificate, and of course, in the case of married women, they vote on a name that does not appear on their birth certificate or on any other legal document perhaps.

Again, I ask for an affirmative vote on this amendment. I think it is a matter of sensitivity. I would not like to go back to my district and tell my voters that I had no sensitivity or little sensitivity for differences in people's religion, their feeling about the way words are used, their privacy, and the diversity, the wonderful diversity of people we have in every district in Pennsylvania. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes Mr. Clymer.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, very briefly, I want to say again that the Christian word in there, the name, is a legal definition, and again I quote from Black's Law Dictionary. It says, "The baptismal name as distinct from the surname....The name which is given one after his birth or at baptism, or is afterward assumed by him in addition to his family name." Such name may consist of a single letter, and it is a legal definition, I think one we should go with. We are talking about eliminating voter fraud. Let us keep this definition as it is, and I would urge my colleagues to vote in the negative on the Josephs amendment. Thank you.

The SPEAKER. The Chair recognizes Mr. Robinson.

Mr. ROBINSON. Mr. Speaker, I think that Representative Josephs has hit upon something here that we should be extremely sensitive towards, and that is the fact that while many of our citizens of this Commonwealth have what we call "Christian" names, all of them might not claim Christianity as their religion. But then that is not really the issue, is it? There are many of the residents and registered voters in our Commonwealth who have names that are derived from various religions, various ethnic origins. But then, too, that is not really the issue, is it? The issue is whether or not we can clearly identify the persons who are registering to vote and the persons who actually vote. For us to ignore the essence of what Representative Josephs is presenting is for us to ignore a significant portion of our population that depends upon us to be sensitive, not just in terms of what their material needs are but also, where possible, their psychological and, yes, even spiritual needs.

I think it would send a very incorrect signal to our constituents not to approve this amendment. The approval of this amendment in no way would detract from our registration laws or our election laws. In fact, it would enhance them in terms of a spirit of understanding that there is diversity in this country, and where we have the opportunity as legislators to recognize that diversity, we should do so.

In the not too distant future there will be many, many more people registered to vote who perhaps will not have Christian names. That in no way takes away from those of us who do have Christian names, nor does it add anything to the fact that we have Christian names.

I think Mr. Clymer's reference to Black's Law Dictionary raises another issue to be addressed at another time. The reference to baptismal, the reference to Christian, and the whole implication suggests that Representative Josephs is right on track.

I would encourage each and every one of you to put aside any concern that you might have at this point that is negative on this amendment and address the issue, and that issue remains opening up opportunities for everyone in this Commonwealth who is eligible to register and to participate and vote, and also recognizing the cultural and religious diversity of this Commonwealth, and where possible, doing everything to let all of our citizens know that we appreciate them and know that they have equal value. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes Mr. Itkin.

Mr. ITKIN. Mr. Speaker, I rise to support the Josephs amendment.

I think that a marriage contract is as important a legal document and more so than any registration card. We have made the change once in the law to change the archaic listing of "Christian name" to a more common usage of "given name."

I urge the House at this time to continue the precedent that it set earlier within the last couple of years and adopt the Josephs amendment. Thank you.

The SPEAKER. The Chair recognizes Mr. Heckler.

Mr. HECKLER. Thank you, Mr. Speaker.

I wonder if the maker of this amendment would stand for a brief period of interrogation.

The SPEAKER. The lady indicates that she will. The gentleman may proceed.

Mr. HECKLER. Thank you.

I believe that, at least on this side of the aisle, some of us may have been hampered by the fact that this amendment was distributed some time ago and may not be presently in our possession.

Mr. Speaker, is it correct that this amendment would only change one word in the current registration law, that being the deletion of the word "Christian" and the substitution of the word "given"?

Ms. JOSEPHS. That is correct, Mr. Speaker.

Mr. HECKLER. Thank you.

I have no other questions.

The SPEAKER. The Chair recognizes the lady, Ms. Ritter.

Ms. RITTER. The argument that we have heard here this afternoon, that because a word, a term, is defined in the law dictionary means that we cannot change the law, is completely ridiculous. If we change this law, Black's Dictionary, if they feel so inclined, will modify their dictionary just as Webster has done at various times. It is an insult to our citizens who are not Christians or who do not consider themselves to be Christians to continue to use this term, and I think that wherever we find evidences like this of discrimination against members of our population, we need to take this opportunity and correct that.

This is a very simple change. It is a completely clear, concise term that everyone understands. There should be no question about it, and I would urge support for the Josephs amendment.

The SPEAKER. The Chair recognizes Mr. Strittmatter.

Mr. STRITTMATTER. Thank you, Mr. Speaker.

I rise to oppose the amendment.

I believe this amendment is another step and another vote in the continuing march to deny Christ, and I ask all members to please oppose this amendment.

The SPEAKER. The Chair recognizes Mr. Clymer.

Mr. CLYMER. Would the lady, Babette Josephs, stand for interrogation?

The SPEAKER. The lady indicates she is willing to stand for interrogation. The gentleman may proceed.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, if we eliminate the word "Christian" here as a legal definition, could the lady tell me her definition of "given name"?

Ms. JOSEPHS. I would say a given name is your first name, whatever other name you have which is not your surname. It is the name you would commonly use, the name that you were given, the name that you vote under, and the name that you sign when you come to vote at your polling place.

Mr. CLYMER. Mr. Speaker, I am through with my interrogation.

Mr. Speaker, the lady said exactly what I thought she would say, "the name that you were given," and that is what this definition says. "Christian" is not that religious connotation, but it says "the name you were given," and that is what she said. That fits in correctly with this definition, and that is all we are trying to say, "your given name." So if you remove this definition, I think you are going to create some chaos.

Therefore, I again urge my colleagues to vote "no." Thank you.

The SPEAKER. The Chair recognizes Mr. Lloyd.

Mr. LLOYD. Thank you, Mr. Speaker.

Mr. Speaker, I am personally offended at the argument that those of us who vote for this amendment are part of a continuing effort to deny Christ. That kind of comment in this kind of debate has no place on the floor of the House of Representatives.

Mr. Clymer may have a point with regard to whether "given name" is adequate, whether it goes far enough to really refer to first name, last name. Those are fine lawyers' arguing points.

The lady is trying to have us recognize in the law that some people are not Christian - some people are Jewish, some people are Moslem, some people are other religions, some people are no religion at all - and that our law ought not require them to acknowledge a Christian name. But to suggest that anybody who agrees that we should not insult our constituents in that way is part of an effort against Christianity is something that I think we should all reject, and any problems that the gentleman, Mr. Clymer, has with this amendment can

be worked out in the Senate, and we ought to reject that kind of thinking and all vote "yes."

The SPEAKER. The Chair recognizes Mr. Gamble.

Mr. GAMBLE. Mr. Speaker, being a conciliatory man, I would think that this would be an ideal place for a compromise. There is no question that the Christian thing—and most of us are Christians—is a tradition that perhaps we do not want to let go of. However, the lady makes an excellent case that all are not Christians. Why do we not vote this down and offer another amendment and put "Christian or given" and get on with the business.

The SPEAKER. Is the lady, Ms. Josephs, seeking recognition? The lady is in order.

Ms. JOSEPHS. Thank you, Mr. Speaker.

For one more time, I do ask people's support for this amendment. I think, actually, the argument made by the gentleman, Mr. Clymer, I thought for a while he was on my side when he said that according to the law dictionary, "given" and "Christian" meant the same. In that case, I do not know what we are debating about here, and so far as those fine legal points go, those of us who care to follow them, I think, should be persuaded to my side.

I also do want to say that I feel very upset about the remark made by the gentleman, Mr. Strittmatter. I know it was not meant personally. I am not accusing him of that. But in no way do I want my sentiments here, my appreciation of people's diversity, my feeling about how sensitive some of these words are, to be interpreted by anyone as being against religion, anybody's religion, anybody's feelings, anybody's beliefs.

I ask for an affirmative vote on this amendment. Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—123

Acosta	Evans	Langtry	Saurman
Allen	Fajt	Lee	Scrimenti
Anderson	Farmer	Levdansky	Snyder, D. W.
Argall	Fee	Lloyd	Snyder, G.
Arnold	Fox	Lucyk	Staback
Battisto	Freeman	McGeehan	Steelman
Belardi	Gallen	McHale	Stetler
Belfanti	George	McNally	Stish
Billow	Gigliotti	Markosek	Stuban
Bishop	Gruitza	Marsico	Sturla
Blaum	Hagarty	Michlovic	Surra
Bowley	Haluska	Mihalich	Tangretti
Broujos	Hanna	Mrkonic	Taylor, F.
Butkovitz	Harley	Mundy	Thomas
Caltagirone	Harper	Murphy	Tigue
Cappabianca	Hayden	Nahill	Tomlinson
Carn	Heckler	Nailor	Trello
Carone	Herman	Nickol	Trich
Cawley	Hughes	Oliver	Van Horne
Cohen	Itkin	Pesci	Vance
Cole	James	Petrarca	Veon
Cornell	Jarolin	Petrone	Wambach
Corrigan	Josephs	Piccola	Williams
Cowell	Kaiser	Pistella	Wilson
Coy	Kasunic	Preston	Wogan
DeWeese	Kenney	Reinard	Wozniak
Daley	Kosinski	Richardson	Wright, D. R.

Davies	Krebs	Rieger	Wright, M. N.
Dent	Kruszewski	Ritter	
Dermody	Kukovich	Robinson	O'Donnell,
Donatucci	LaGrotta	Roebuck	Speaker
Durham			

## NAYS—75

Adolph	Dempsey	King	Ryan
Angstadt	Fairchild	Laughlin	Saloom
Armstrong	Fargo	Lawless	Scheetz
Barley	Fleagle	Leh	Schuler
Birmelin	Foster	Lescovitz	Semmel
Black	Freind	McHugh	Serafini
Boyes	Gamble	Mayernik	Smith, B.
Brown	Gannon	Melio	Smith, S. H.
Bunt	Geist	Merry	Stairs
Bush	Gerlach	Micozzie	Steighner
Carlson	Gladeck	Noye	Strittmatter
Cessar	Godshall	Nyce	Taylor, E. Z.
Chadwick	Gruppo	O'Brien	Taylor, J.
Civera	Hasay	Olasz	Telek
Clark	Hayes	Perzel	Tulli
Clymer	Hershey	Phillips	Uliana
Colaella	Hess	Pitts	Vroon
Colaizzo	Jadlowiec	Raymond	Wright, R. C.
DeLuca	Johnson	Reber	

## NOT VOTING—1

Flick

## EXCUSED—4

Linton	McCall	Maiale	Rudy
--------	--------	--------	------

The question was determined in the affirmative, and the amendments were agreed to.

## VOTE CORRECTION

The SPEAKER. For what purpose does the gentleman, Mr. Flick, rise?

Mr. FLICK. Thank you, Mr. Speaker.

On that last vote, amendment 1442, my voting switch would not work. I would like to be recorded in the affirmative, please.

The SPEAKER. The remarks of the gentleman will be spread upon the record.

### CONSIDERATION OF HB 538 CONTINUED CONSTITUTIONAL POINT OF ORDER

The SPEAKER. The Chair recognizes Mr. Cohen, who raises as a point of order the apparent conflict between amendment 1293 and amendment 1442 in that each of those amendments amends the same section of the act and recites the existing language, each in contradiction of the other amendment. The Chair construes the amendments as intended to be consistent and would recite for the record that on the reprint of the bill, the language of section 20(c), part (9), should be as indicated in amendment 1293, by the gentleman, Mr. Cohen, and the language in section 20(c), part (2), should be as amended in amendment 1442, offered by the lady, Ms. Josephs, and the amendments should be construed as consistent and printed as such.

On the question recurring,

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

## BILL PASSED OVER TEMPORARILY

The SPEAKER. The gentleman, Mr. Bowley, is moving to pass this bill over temporarily?

HB 538 will be over temporarily.

The gentleman is urged to have his amendment printed as soon as possible.

## VOTE CORRECTION

The SPEAKER. For what purpose does the gentleman, Mr. Gigliotti, rise?

Mr. GIGLIOTTI. To correct the record, Mr. Speaker, if I may.

On amendment A1485, I was recorded in the affirmative by mistake, and I want to be recorded in the negative.

The SPEAKER. The remarks of the gentleman, as is his strength of feeling, will be recorded in the record.

### BILLS ON THIRD CONSIDERATION CONTINUED

The House proceeded to third consideration of **HB 539, PN 595**, entitled:

An Act amending the act of April 29, 1937 (P. L. 487, No. 115), known as "The Permanent Registration Act for Cities of the Second Class, Cities of the Second Class A, Cities of the Third Class, Boroughs, Towns, and Townships," extending the time for canceling a registration.

On the question,

Will the House agree to the bill on third consideration?

Mr. COHEN offered the following amendments No. A1294:

Amend Title, page 1, line 23, by removing the period after "registration" and inserting

; and further providing for manner of registration.

Amend Bill, page 4, by inserting between lines 22 and 23

Section 2. Sections 18(c) and 18.1(b) of the act, amended May 31, 1984 (P.L.355, No.70), are amended to read:

Section 18. Manner of Registration.—

\*\*\*

(c) (1) The surname of the applicant; (2) his Christian name or names; (4) the street or road and number, if any, of his residence; (5) if his residence is a portion only of the house, the location or number of the room or rooms, apartment, flat or floor which he occupies; (6) the date his residence in the district began; (7) his residence address when he last registered, and the year of such registration; (8) the sex of the applicant; (9) the [color] race of the applicant, indicating "white," "black," "American Indian," "Latino," "Asian" or "other": Provided, however, That an application shall not be rejected because the [color] race of the applicant is not indicated thereon; (10) the state or territory of the United States, or foreign country, where he was born; (13) whether he is unable, by reason of illiteracy, to read the names on the ballot or on the voting machine labels; (14) whether he has a physical disability which will render him unable to see or mark the ballot or operate the voting machine, or to enter the voting compartment or voting machine booth, without

assistance, and, if so, his declaration of the fact and his statement of the exact nature of such disability; (15) the designation of the political party of the elector, for the purpose of voting at primaries; (16) the affidavit of registration, which shall be signed by the elector, attested by the signature of the registrar or clerk and dated by him; (17) his height, in feet and inches; (18) the color of his hair; (19) the color of his eyes; and (20) the date of his birth. Each registration card shall also have a sufficient number of spaces thereon for the insertion of—(21) the city of the second class, the city of the second class A, the city of the third class, the borough, town, township, ward and election district, if any, in which the elector resides and to which he may from time to time remove, together with his street address in each city of the second class, city of the second class A, city of the third class, borough, town or township, and the other data required to be given upon such removal; (22) the date of each election and primary at which the elector votes, the number and letter, if any, of the stub of the ballot issued to him or his number in the order of admission to the voting machines; and (23) the signature or initials of the election officer who enters the record of voting on the card.

\*\*\*

Section 18.1. Manner of Mail Registration by Persons in Military Service, Persons in the Merchant Marine, Persons in Religious and Welfare Groups Officially Attached To and Serving with the Armed Forces and Civilian Federal Personnel Overseas and Their Spouses and Dependents.—In addition to any other method herein provided, the following persons may also be registered by mail in the manner hereinafter set forth under this section: (1) any person in military service, his spouse and dependents; or (2) any person in the Merchant Marine, his spouse and dependents; or (3) any person in religious and welfare groups officially attached to and serving with the armed forces, his spouse and dependents; or (4) any person who is a civilian employee of the United States outside the territorial limits of the several States of the United States and the District of Columbia, whether or not such person is subject to the civil-service laws and the Classification Act of 1949 and whether or not paid from funds appropriated by the Congress, his spouse and dependents.

\*\*\*

(b) The official registration application card shall require the statement of the applicant, the signature of the applicant, and shall provide sufficient space for the following information: (1) The surname of the applicant, (2) his Christian name or names, (4) the street or road and number, if any, of his home residence and the date of leaving same, providing that, in the event there is no street address, the registrant must list the nearest cross street or road, (5) if his residence was a portion only of a house, the location or number of the room or rooms, apartment, flat or floor which he occupied, (6) the date his residence began at the place which is his home residence, (7) his home residence address when he last registered and the year of such registration, including any former registration under any other surname, (8) the sex of the applicant, (9) the [color] race of the applicant, indicating "white," "black," "American Indian," "Latino," "Asian" or "other": Provided, however, That an application shall not be rejected because the [color] race of the applicant is not indicated thereon, (10) the state or territory of the United States or the foreign country where he was born, (13) whether he is unable by reason of illiteracy to read the names on the ballot or voting machine labels, (14) whether he has a physical disability which will render him unable to see or mark the ballot or operate the voting machine or to enter the voting compartment or voting machine booth without assistance, and, if so, his declaration of that fact and his statement of the exact nature of such disability, (15) the designation of the political party of the elector for the purpose of voting at primaries, (16) the declaration of registration, as hereinafter prescribed, which shall be signed by the elector, (17) the height of the applicant in feet and inches, (18) the

color of his hair, (19) the color of his eyes, (20) the date of his birth, (21) the designation by the elector that the official registration application card is intended by such elector for use as (check one):

- / / New Registration
- / / Change of Address
- / / Change of Name

Each official registration application card for registration by persons registering under this section shall also have (22) a sufficient number of spaces thereon for the insertion by the commission, but not by the applicant, of the city of the second class, city of the second class A, city of the third class, borough, town, township, ward and election district, if any, in which the applicant resided on the date of leaving home residence and to which he may from time to time remove after returning to his home residence, together with his street address in each city of the second class, city of the second class A, city of the third class, borough, town or township and the other data required to be given upon such removal, (23) the date of each election and primary at which the applicant votes after registration, the number and letter, if any, of the stub of the ballot issued to him, or his number in the order of admission to the voting machines, and (24) the signature or initials of the election officer, commissioner, register or clerk, who enters the record of voting on the card. Immediately following the spaces for inserting the information as provided in this subsection, the applicant shall affix his signature exactly as it appears in (1) and (2) of this subsection.

\*\*\*

Amend Sec. 2, page 4, line 23, by striking out "2" and inserting

3

Amend Sec. 3, page 5, line 16, by striking out "3" and inserting

4

Amend Sec. 4, page 7, line 17, by striking out "4" and inserting

5

On the question,

Will the House agree to the amendments?

The SPEAKER. On that question, the Chair recognizes Mr. Cohen.

Mr. COHEN. Mr. Speaker, one last time today, for the last time, this is the Asian and Hispanic amendment again. I would urge support of it. The 189 people or so who voted for it 3 times now in 2 days, I urge your support again.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—195

Acosta	Evans	LaGrotta	Ryan
Adolph	Fairchild	Langtry	Saloom
Allen	Fajt	Laughlin	Saurman
Anderson	Fargo	Lawless	Scheetz
Angstadt	Farmer	Lee	Schuler
Argall	Fee	Leh	Scrimanti
Armstrong	Fleagle	Lescovitz	Semmel
Arnold	Flick	Levdansky	Serafini
Barley	Foster	Lloyd	Smith, B.
Battisto	Fox	Lucy	Smith, S. H.
Belardi	Freeman	McGeehan	Snyder, D. W.
Belfanti	Freind	McHale	Snyder, G.
Billow	Gallen	McHugh	Staback
Birmelin	Gamble	McNally	Stairs
Black	Gannon	Markosek	Steelman
Blaum	Geist	Marsico	Steighner

Bowley	George	Mayernik	Stetler
Boyes	Gerlach	Melio	Stish
Broujos	Gigliotti	Merry	Strittmatter
Brown	Godshall	Michlovic	Stuban
Bunt	Gruitza	Micozzie	Sturla
Bush	Gruppo	Mihalich	Surra
Butkowitz	Hagarty	Mrkonic	Tangretti
Caltagirone	Haluska	Mundy	Taylor, E. Z.
Cappabianca	Hanna	Murphy	Taylor, F.
Carlson	Harley	Nahill	Taylor, J.
Carn	Harper	Nailor	Telek
Carone	Hasay	Nickol	Thomas
Cawley	Hayden	Nyce	Tigue
Cessar	Hayes	O'Brien	Tomlinson
Chadwick	Heckler	Olasz	Trello
Civera	Herman	Oliver	Trich
Clark	Hershey	Perzel	Tulli
Clymer	Hess	Pesci	Uliana
Colaafella	Hughes	Petrarca	Van Home
Colaizzo	Itkin	Petrone	Vance
Cole	Jadlowiec	Phillips	Veon
Cornell	James	Piccola	Vroon
Corrigan	Jarolin	Pistella	Wambach
Cowell	Johnson	Pitts	Williams
Coy	Josephs	Preston	Wilson
DeLuca	Kaiser	Raymond	Wogan
DeWeese	Kasunic	Reber	Wozniak
Daley	Kenney	Reinard	Wright, D. R.
Davies	King	Richardson	Wright, M. N.
Dempsey	Kosinski	Rieger	Wright, R. C.
Dent	Krebs	Ritter	
Dermody	Kruszewski	Robinson	O'Donnell,
Donatucci	Kukovich	Roebuck	Speaker
Durham			

NAYS—1

Gladeck

NOT VOTING—3

Bishop

Cohen

Noye

EXCUSED—4

Linton

McCall

Maiale

Rudy

The question was determined in the affirmative, and the amendments were agreed to.

VOTE CORRECTION

The SPEAKER. The record will reflect the gentleman, Mr. Cohen's intention to vote in the affirmative.

CONSIDERATION OF HB 539 CONTINUED

On the question,

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

Mr. COHEN offered the following amendment No. A1492:

Amend Sec. 3 (Sec. 38), page 7, by inserting between lines 16 and 17

(c) To keep mailing address records up to date, the commission shall send, to each registered voter who has not voted in an election or primary for two calendar years immediately preceding, a notice requesting postal service verification of the voter's current address.

On the question,

Will the House agree to the amendment?

The SPEAKER. The Chair recognizes Mr. Cohen.

Mr. COHEN. Mr. Speaker, this is similar to the amendment I offered earlier this afternoon that was defeated, but it is not the same amendment.

We have listened to the gentleman, Mr. Perzel, and others on the Republican side of the aisle who were concerned that the voter had to fill out the form to be reinstated if the voter has not voted for 2 years, and they felt if that was the case, that would be very similar to what we have right now. This simply requires Postal Service verification that a person is a resident of an area if the person has not voted for 2 years. Right now, under current law, they automatically get stricken whether they are a resident or not. Under this bill, they automatically stay on whether they live in the area or not.

I think this amendment strengthens the bill. It deals with a concern many people, including myself, have of a high percentage of the voter registration tapes being composed of people who no longer live where they are supposed to live.

Again, this amendment deals with the Republican concerns. I urge everyone's support of it.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—124

Acosta	Fajt	Lescovitz	Roebuck
Anderson	Fee	Levdansky	Saloom
Arnold	Fox	Lloyd	Saurman
Battisto	Freeman	Lucyk	Scrimenti
Belardi	Gamble	McGeehan	Serafini
Belfanti	George	McHale	Staback
Billow	Gerlach	McHugh	Steelman
Blaum	Gigliotti	McNally	Steighner
Bowley	Godshall	Markosek	Stetler
Broujos	Gruitza	Mayernik	Stish
Butkowitz	Hagarty	Melio	Stuban
Caltagirone	Haluska	Michlovic	Sturla
Cappabianca	Hanna	Mihalich	Surra
Carn	Harley	Mrkonic	Tangretti
Carone	Harper	Mundy	Taylor, F.
Cawley	Hasay	Murphy	Thomas
Cessar	Hayden	Nahill	Tigue
Cohen	Hughes	Nailor	Trello
Colaafella	Itkin	O'Brien	Trich
Colaizzo	James	Olasz	Uliana
Cole	Jarolin	Oliver	Van Home
Cornell	Josephs	Pesci	Vance
Corrigan	Kaiser	Petrarca	Veon
Cowell	Kasunic	Petrone	Wambach
Coy	Kenney	Pistella	Williams
DeLuca	Kosinski	Preston	Wogan
DeWeese	Krebs	Reber	Wozniak
Daley	Kruszewski	Richardson	Wright, D. R.
Dermody	Kukovich	Rieger	
Donatucci	LaGrotta	Ritter	O'Donnell,
Durham	Laughlin	Robinson	Speaker
Evans	Lawless		

NAYS—74

Adolph	Dent	Johnson	Scheetz
Allen	Fairchild	King	Schuler
Angstadt	Fargo	Langtry	Semmel
Argall	Farmer	Lee	Smith, B.
Armstrong	Fleagle	Leh	Smith, S. H.
Barley	Flick	Marsico	Snyder, D. W.
Birmelin	Foster	Merry	Snyder, G.

Black	Freind	Micozzie	Stairs
Boyes	Gallen	Nickol	Strittmatter
Brown	Gannon	Noye	Taylor, E. Z.
Bunt	Geist	Nyce	Taylor, J.
Bush	Gladeck	Perzel	Telek
Carlson	Gruppo	Phillips	Tomlinson
Chadwick	Hayes	Piccola	Tulli
Civera	Heckler	Pitts	Vroon
Clark	Herman	Raymond	Wilson
Clymer	Hershey	Reinard	Wright, M. N.
Davies	Hess	Ryan	Wright, R. C.
Dempsey	Jadlowiec		

NOT VOTING—1

Bishop

EXCUSED—4

Linton	McCall	Maiale	Rudy
--------	--------	--------	------

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

On the question recurring,

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

Mr. KENNEY offered the following amendments No. A1365:

Amend Bill, page 5, by inserting between lines 15 and 16 Section 3. Section 29(a) of the act, amended September 2, 1961 (P.L.1152, No.516), is amended to read:

Section 29. Reports of Deaths from Department of Health; Cancelling Registration; Correction if Person Is Falsely Reported Deceased; Reports of Removals from Municipal Officers, Departments and Bureaus, Certain Public Utility Corporations, and Real Estate Brokers and Rental Agents; Notice.—

(a) The commission shall cancel the registration of each registered elector reported dead by the Department of Health within thirty days of the date of the report.

\*\*\*

Amend Sec. 3, page 5, line 16, by striking out "3" and inserting

4

Amend Sec. 4, page 7, line 17, by striking out "4" and inserting

5

On the question,

Will the House agree to the amendments?

The SPEAKER. The Chair recognizes Mr. Kenney.

Mr. KENNEY. Thank you, Mr. Speaker.

Mr. Speaker, this is the same amendment that was offered to HB 538. This would require the local voting commissioners to remove within 30 days those electors reported dead by the Department of Health. Thank you, Mr. Speaker.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—195

Acosta	Durham	Kruszewski	Robinson
Adolph	Evans	Kukovich	Roebuck
Allen	Fairchild	LaGrotta	Ryan
Anderson	Fajt	Langtry	Saloom
Angstadt	Fargo	Laughlin	Saurman
Argall	Farmer	Lawless	Scheetz
Armstrong	Fee	Lee	Schuler
Arnold	Fleagle	Leh	Scriminti

Barley	Flick	Lescovitz	Semmel
Battisto	Foster	Levdansky	Serafini
Belardi	Fox	Lloyd	Smith, B.
Belfanti	Freeman	Lucyk	Smith, S. H.
Billow	Freind	McGeehan	Snyder, D. W.
Birmelin	Gallen	McHale	Snyder, G.
Black	Gamble	McHugh	Staback
Blaum	Gannon	McNally	Stairs
Bowley	Geist	Markosek	Steighner
Boyes	George	Marsico	Stetler
Broujos	Gerlach	Mayernik	Stish
Brown	Gigliotti	Melio	Strittmatter
Bunt	Gladeck	Merry	Stuban
Bush	Godshall	Michlovic	Sturla
Butkovitz	Gruitza	Micozzie	Surra
Caltagirone	Gruppo	Mihalich	Tangretti
Cappabianca	Hagarty	Mrkonic	Taylor, E. Z.
Carlson	Haluska	Mundy	Taylor, F.
Carn	Hanna	Murphy	Telek
Carone	Harley	Nahill	Thomas
Cawley	Harper	Nailor	Tigue
Cessar	Hasay	Nickol	Tomlinson
Chadwick	Hayden	Nyce	Trello
Civera	Hayes	O'Brien	Trich
Clark	Heckler	Olasz	Tulli
Clymer	Herman	Oliver	Uliana
Cohen	Hershey	Perzel	Van Horne
Colafella	Hess	Pesci	Vance
Colaizzo	Hughes	Petrarca	Veon
Cole	Itkin	Petrone	Vroon
Cornell	Jadlowiec	Phillips	Wambach
Corrigan	James	Piccola	Williams
Cowell	Jarolin	Pistella	Wilson
Coy	Johnson	Pitts	Wogan
DeLuca	Josephs	Preston	Wozniak
DeWeese	Kaiser	Raymond	Wright, D. R.
Daley	Kasunic	Reber	Wright, M. N.
Davies	Kenney	Reinard	Wright, R. C.
Dempsey	King	Richardson	
Dent	Kosinski	Rieger	O'Donnell,
Dermody	Krebs	Ritter	Speaker
Donatucci			

NAYS—0

NOT VOTING—4

Bishop	Noye	Steelman	Taylor, J.
--------	------	----------	------------

EXCUSED—4

Linton	McCall	Maiale	Rudy
--------	--------	--------	------

The question was determined in the affirmative, and the amendments were agreed to.

On the question recurring,

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

Ms. JOSEPHS offered the following amendments No. A1375:

Amend Title, page 1, line 23, by striking out all of said line and inserting

further providing for registration.

Amend Bill, page 4, by inserting between lines 22 and 23 Section 2. Section 18(c) of the act, amended May 31, 1984 (P.L.355, No.70), is amended to read:

Section 18. Manner of Registration.—

\*\*\*

(c) (1) The surname of the applicant; (2) his [Christian] given name or names; (4) the street or road and number, if any, of his residence; (5) if his residence is a portion only of the house, the location or number of the room or rooms, apartment, flat or floor which he occupies; (6) the date his residence in the district

began; (7) his residence address when he last registered, and the year of such registration; (8) the sex of the applicant; (9) the color of the applicant: Provided, however, That an application shall not be rejected because the color of the applicant is not indicated thereon; (10) the state or territory of the United States, or foreign country, where he was born; (13) whether he is unable, by reason of illiteracy, to read the names on the ballot or on the voting machine labels; (14) whether he has a physical disability which will render him unable to see or mark the ballot or operate the voting machine, or to enter the voting compartment or voting machine booth, without assistance, and, if so, his declaration of the fact and his statement of the exact nature of such disability; (15) the designation of the political party of the elector, for the purpose of voting at primaries; (16) the affidavit of registration, which shall be signed by the elector, attested by the signature of the registrar or clerk and dated by him; (17) his height, in feet and inches; (18) the color of his hair; (19) the color of his eyes; and (20) the date of his birth. Each registration card shall also have a sufficient number of spaces thereon for the insertion of—(21) the city of the second class, the city of the second class A, the city of the third class, the borough, town, township, ward and election district, if any, in which the elector resides and to which he may from time to time remove, together with his street address in each city of the second class, city of the second class A, city of the third class, borough, town or township, and the other data required to be given upon such removal; (22) the date of each election and primary at which the elector votes, the number and letter, if any, of the stub of the ballot issued to him or his number in the order of admission to the voting machines; and (23) the signature or initials of the election officer who enters the record of voting on the card.

\*\*\*

Amend Sec. 2, page 4, line 23, by striking out "2" and inserting

3

Amend Sec. 3, page 5, line 16, by striking out "3" and inserting

4

Amend Sec. 4, page 7, line 17, by striking out "4" and inserting

5

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

The SPEAKER. The Chair recognizes the lady, Ms. Josephs.

Ms. JOSEPHS. Thank you, Mr. Speaker.

This is the same amendment that we just debated. It simply takes out the word "Christian" and replaces it with the word "given."

For all the reasons that we stated only a few minutes ago—I will spare everybody—I hope you will vote for this amendment. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes Mr. Clymer.

Mr. CLYMER. For the reasons that I mentioned a few minutes ago, Mr. Speaker, I also urge defeat of this amendment as well. Thank you.

The SPEAKER. The Chair recognizes Mr. Strittmatter.

Mr. STRITTMATTER. Once again, Mr. Speaker, I would ask for a negative vote. The lady once again says she is simply taking out the word "Christian." I would ask people to oppose that move. Thank you.

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

The following roll call was recorded:

YEAS—118

Acosta	Fajt	Levdansky	Scrimenti
Allen	Fee	Lloyd	Serafini
Argall	Flick	Lucyk	Snyder, D. W.
Arnold	Fox	McGeehan	Snyder, G.
Battisto	Freeman	McHale	Staback
Belardi	Gallen	McNally	Steelman
Belfanti	Gamble	Markosek	Steighner
Billow	George	Marsico	Stetler
Bishop	Gruitza	Michlovic	Stish
Blaum	Hagarty	Mihalich	Stuban
Bowley	Hanna	Mrkonic	Sturla
Broujos	Harley	Mundy	Surra
Butkovitz	Harper	Murphy	Tangretti
Caltagirone	Hayden	Nahill	Thomas
Cappabianca	Heckler	Nailor	Tigue
Carn	Herman	Nickol	Tomlinson
Carone	Hughes	Oliver	Trelo
Cawley	Itkin	Pesci	Trich
Cohen	James	Petrarca	Van Horne
Cole	Jarolin	Petrone	Vance
Corrigan	Josephs	Piccola	Veon
Cowell	Kaiser	Pistella	Wambach
Coy	Kenney	Preston	Williams
DeWeese	Kosinski	Reinard	Wilson
Daley	Krebs	Richardson	Wozniak
Dent	Kruszewski	Rieger	Wright, D. R.
Dermody	Kukovich	Ritter	Wright, M. N.
Donatucci	LaGrotta	Robinson	
Durham	Lee	Roebuck	O'Donnell,
Evans	Lescovitz	Saurman	Speaker

NAYS—80

Adolph	DeLuca	Hess	Raymond
Anderson	Davies	Jadlowiec	Reber
Angstadt	Dempsey	Johnson	Ryan
Armstrong	Fairchild	Kasunic	Saloom
Barley	Fargo	King	Scheetz
Birmelin	Farmer	Langtry	Schuler
Black	Fleagle	Laughlin	Semmel
Boyes	Foster	Lawless	Smith, B.
Brown	Freind	Leh	Smith, S. H.
Bunt	Gannon	McHugh	Stairs
Bush	Geist	Mayerink	Strittmatter
Carlson	Gerlach	Melio	Taylor, E. Z.
Cessar	Gigliotti	Merry	Taylor, F.
Chadwick	Gladeck	Micozzie	Taylor, J.
Civera	Godshall	Nyce	Telek
Clark	Gruppo	O'Brien	Tulli
Clymer	Haluska	Olasz	Uliana
Colafella	Hasay	Perzel	Vroon
Colaizzo	Hayes	Phillips	Wogan
Cornell	Hershey	Pitts	Wright, R. C.

NOT VOTING—1

Noye

EXCUSED—4

Linton                      McCall                      Maiale                      Rudy

The question was determined in the affirmative, and the amendments were agreed to.

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



Mr. KENNEY offered the following amendments No. A1331:

Amend Title, page 1, line 23, by removing the period after "registration" and inserting  
; and further providing for content of registration card.

Amend Bill, page 4, by inserting between lines 22 and 23

Section 2. Sections 18(c), 18.1(b) and 18.2(b) of the act, amended May 31, 1984 (P.L.355, No.70), are amended to read:

Section 18. Manner of Registration.—

\*\*\*

(c) (1) The surname of the applicant; (2) his Christian name or names; (4) the street or road and number, if any, of his residence; (5) if his residence is a portion only of the house, the location or number of the room or rooms, apartment, flat or floor which he occupies; (6) the date his residence in the district began; (7) his residence address when he last registered, and the year of such registration; (8) the sex of the applicant; (9) the color of the applicant: Provided, however, That an application shall not be rejected because the color of the applicant is not indicated thereon; (10) the state or territory of the United States, or foreign country, where he was born; (13) whether he is unable, by reason of illiteracy, to read the names on the ballot or on the voting machine labels; (14) whether he has a physical disability which will render him unable to see or mark the ballot or operate the voting machine, or to enter the voting compartment or voting machine booth, without assistance, and, if so, his declaration of the fact and his statement of the exact nature of such disability; (15) the designation of the political party of the elector, for the purpose of voting at primaries; (16) the affidavit of registration, which shall be signed by the elector, attested by the signature of the registrar or clerk and dated by him; (17) his height, in feet and inches; (18) the color of his hair; (19) the color of his eyes; and (20) the date of his birth. Each registration card shall also have a sufficient number of spaces thereon for the insertion of—(21) the city of the second class, the city of the second class A, the city of the third class, the borough, town, township, ward and election district, if any, in which the elector resides and to which he may from time to time remove, together with his street address in each city of the second class, city of the second class A, city of the third class, borough, town or township, and the other data required to be given upon such removal; (22) the date of each election and primary at which the elector votes, the number and letter, if any, of the stub of the ballot issued to him or his number in the order of admission to the voting machines; [and] (23) the signature or initials of the election officer who enters the record of voting on the card; and the applicant's Social Security number.

\*\*\*

Section 18.1. Manner of Mail Registration by Persons in Military Service, Persons in the Merchant Marine, Persons in Religious and Welfare Groups Officially Attached To and Serving with the Armed Forces and Civilian Federal Personnel Overseas and Their Spouses and Dependents.—In addition to any other method herein provided, the following persons may also be registered by mail in the manner hereinafter set forth under this section: (1) any person in military service, his spouse and dependents; or (2) any person in the Merchant Marine, his spouse and dependents; or (3) any person in religious and welfare groups officially attached to and serving with the armed forces, his spouse and dependents; or (4) any person who is a civilian employee of the United States outside the territorial limits of the several States of the United States and the District of Columbia, whether or not such person is subject to the civil-service laws and the Classification Act of 1949 and whether or not paid from funds appropriated by the Congress, his spouse and dependents.

\*\*\*

(b) The official registration application card shall require the statement of the applicant, the signature of the applicant, and shall provide sufficient space for the following information: (1) The surname of the applicant, (2) his Christian name or names, (4) the street or road and number, if any, of his home residence and the date of leaving same, providing that, in the event there is no street address, the registrant must list the nearest cross street or road, (5) if his residence was a portion only of a house, the location or number of the room or rooms, apartment, flat or floor which he occupied, (6) the date his residence began at the place which is his home residence, (7) his home residence address when he last registered and the year of such registration, including any former registration under any other surname, (8) the sex of the applicant, (9) the color of the applicant: Provided, however, That an application shall not be rejected because the color of the applicant is not indicated thereon, (10) the state or territory of the United States or the foreign country where he was born, (13) whether he is unable by reason of illiteracy to read the names on the ballot or voting machine labels, (14) whether he has a physical disability which will render him unable to see or mark the ballot or operate the voting machine or to enter the voting compartment or voting machine booth without assistance, and, if so, his declaration of that fact and his statement of the exact nature of such disability, (15) the designation of the political party of the elector for the purpose of voting at primaries, (16) the declaration of registration, as hereinafter prescribed, which shall be signed by the elector, (17) the height of the applicant in feet and inches, (18) the color of his hair, (19) the color of his eyes, (20) the date of his birth, (21) the designation by the elector that the official registration application card is intended by such elector for use as (check one):

/ / New Registration

/ / Change of Address

/ / Change of Name

Each official registration application card for registration by persons registering under this section shall also have (22) a sufficient number of spaces thereon for the insertion by the commission, but not by the applicant, of the city of the second class, city of the second class A, city of the third class, borough, town, township, ward and election district, if any, in which the applicant resided on the date of leaving home residence and to which he may from time to time remove after returning to his home residence, together with his street address in each city of the second class, city of the second class A, city of the third class, borough, town or township and the other data required to be given upon such removal, (23) the date of each election and primary at which the applicant votes after registration, the number and letter, if any, of the stub of the ballot issued to him, or his number in the order of admission to the voting machines, [and] (24) the signature or initials of the election officer, commissioner, register or clerk, who enters the record of voting on the card, and (25) the Social Security number of the applicant. Immediately following the spaces for inserting the information as provided in this subsection, the applicant shall affix his signature exactly as it appears in (1) and (2) of this subsection.

\*\*\*

Section 18.2. Manner of Mail Registration by Electors Other Than Those Enumerated in Section 18.1 of This Act.—Any elector may, in addition to any other method herein provided, also be registered by mail in the manner set forth in this section:

\*\*\*

(b) The official registration application card shall require the statement of, and shall provide sufficient space for the following information: (1) The surname of the applicant, (2) his Christian name or names, (4) the street or road and number of his residence and the date of leaving same, providing that, in the event there is no street address, the registrant must list the nearest

cross street or road, (5) if his residence is a portion only of a house, the location or number of the room or rooms, apartment, flat or floor which he occupies, (6) the date his residence began at the place at which he resides, (7) his residence address when he last registered and the year of such registration, including any former registration under any other surname, (8) the sex of the applicant, (9) the color of the applicant: Provided, however, That an application shall not be rejected because the color of the applicant is not indicated thereon, (10) the state or territory of the United States or the foreign country where he was born, (13) whether he is unable by reason of illiteracy to read the names on the ballot or on voting machines labels, (14) whether he has a physical disability which will render him unable to see or mark the ballot or operate the voting machine or to enter the voting compartment or voting machine booth without assistance and, if so, his declaration of that fact and his statement of the exact nature of such disability, (15) the designation of the political party of the elector for the purpose of voting at primaries, (16) the declaration of registration as hereinafter prescribed which shall be signed by the elector, (17) the height of the applicant in feet and inches, (18) the color of his hair, (19) the color of his eyes, (20) the date of his birth, (21) the designation by the elector that the official registration application card is intended by such elector for use as (check one):

- / / New Registration
- / / Change of Address
- / / Change of Name

Each official registration application card for electors registering in the manner prescribed by this section shall also have a sufficient number of spaces thereon for the insertion of (22) the city of the second class, city of the second class A, city of the third class, borough, town, township, ward and election district, if any, in which the applicant resides and to which he may, from time to time, remove together with his street address in each city of the second class, city of the second class A, city of the third class, borough, town or township, and the other data required to be given upon such removal, (23) the date of each election and primary at which the applicant votes after registration, the number and letter, if any, of the stub of the ballot issued to him or his number in the order of admission to the voting machines, [and] (24) the signature or initials of the election officer, commissioner, registrar or clerk, who enters the record of voting on the card, and (25) the Social Security number of the applicant. Immediately following the spaces for inserting the information as provided in this subsection, the applicant shall affix his signature exactly as it appears in (1) and (2) of this subsection.

Amend Sec. 2, page 4, line 23, by striking out "2" and inserting

3

Amend Sec. 3, page 5, line 16, by striking out "3" and inserting

4

Amend Sec. 4, page 7, line 17, by striking out "4" and inserting

5

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

The SPEAKER. The Chair recognizes Mr. Kenney.

Mr. KENNEY. Thank you, Mr. Speaker.

Again, Mr. Speaker, this amendment would include the Social Security number on the voter registration form, which, I believe, would make it consistent with your driver's license application, and the reason, Mr. Speaker, is so the voting commissioners can further assess the eligibility of the applicant.

So I think the information would be consistent on both forms. It is used in some 28 States, and I ask for an affirmative vote.

The SPEAKER. The Chair recognizes Mr. Robinson.

Mr. ROBINSON. Mr. Speaker, I think it is rather clear from the vote on HB 538 that it is the inclination of my colleagues not to be supportive of this type of amendment. On HB 538 I encouraged each House member to be supportive. I will yield to the will of the House, and on HB 539 I would ask my colleagues to reject Mr. Kenney's amendment.

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

The following roll call was recorded:

YEAS—85

Adolph	Fairchild	Jadlowiec	Saurman
Allen	Fargo	Johnson	Scheetz
Angstadt	Fleagle	Kenney	Schuler
Argall	Flick	King	Semmel
Armstrong	Foster	Lawless	Serafini
Barley	Fox	McHugh	Smith, B.
Black	Freind	Marsico	Smith, S. H.
Boyes	Gallen	Merry	Snyder, G.
Brown	Gannon	Micozzie	Stairs
Bunt	Geist	Nahill	Strittmatter
Bush	Gerlach	Nailor	Taylor, E. Z.
Carlson	Gladeck	Noye	Taylor, J.
Cessar	Godshall	Nyce	Telek
Chadwick	Gruppo	O'Brien	Tomlinson
Civera	Hagarty	Perzel	Tulli
Clark	Hasay	Phillips	Uliana
Clymer	Hayes	Piccola	Vance
Cornell	Heckler	Pitts	Vroon
Davies	Herman	Raymond	Wilson
Dempsey	Hershey	Reinard	Wogan
Dent	Hess	Ryan	Wright, R. C.
Durham			

NAYS—114

Acosta	Donatucci	Lee	Robinson
Anderson	Evans	Leh	Roebuck
Arnold	Fajt	Lescovitz	Saloom
Battisto	Farmer	Levdansky	Scrimenti
Belardi	Fee	Lloyd	Snyder, D. W.
Belfanti	Freeman	Lucyk	Staback
Billow	Gamble	McGeehan	Steelman
Birmelin	George	McHale	Steighner
Bishop	Gigliotti	McNally	Stetler
Blaum	Gruitza	Markosek	Stish
Bowley	Haluska	Mayernik	Stuban
Broujos	Hanna	Melio	Sturla
Butkovitz	Harley	Michlovic	Surra
Caltagirone	Harper	Mihalich	Tangretti
Cappabianca	Hayden	Mrkonic	Taylor, F.
Carn	Hughes	Mundy	Thomas
Carone	Itkin	Murphy	Tigue
Cawley	James	Nickol	Trello
Cohen	Jarolin	Olasz	Trich
Colaafella	Josephs	Oliver	Van Horne
Colaizzo	Kaiser	Pesci	Veon
Cole	Kasunic	Petrarca	Wambach
Corrigan	Kosinski	Petrone	Williams
Cowell	Krebs	Pistella	Wozniak
Coy	Kruszewski	Preston	Wright, D. R.
DeLuca	Kukovich	Reber	Wright, M. N.
DeWeese	LaGrotta	Richardson	
Daley	Langtry	Rieger	O'Donnell,
Dermody	Laughlin	Ritter	Speaker

## NOT VOTING—0

## EXCUSED—4

Linton            McCall            Maiale            Rudy

The question was determined in the negative, and the amendments were not agreed to.

### CONSTITUTIONAL POINT OF ORDER

The SPEAKER. The Chair recognizes Mr. Cohen, who raises a point of order concerning the inconsistency between amendments 1375 and 1294.

The Chair incorporates, by reference, the discussion about the similar conflict of the parallel amendments on HB 538, and the amendments are ruled to be consistent, and the Legislative Reference Bureau is similarly instructed.

On the question recurring,

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

Mr. ARGALL offered the following amendments No. A1457:

Amend Title, page 1, line 23, by removing the period after "registration" and inserting  
; and prohibiting the use of information or lists of registered electors from the general register, the district registers or street lists for tax collection or jury selection purposes.

Amend Bill, page 5, by inserting between lines 15 and 16

Section 3. Section 24 of the act, amended July 1, 1976 (P.L.504, No.123), is amended to read:

Section 24. General Register.—(a) The duplicate registration cards for all cities of the second class, cities of the second class A, cities of the third class, boroughs, towns, and townships within the county shall be placed in exact alphabetical order and shall be indexed, and shall be kept at the office of the commission in a place and in such manner as to be properly safeguarded. In any county where the registration cards of the cities of the second class, cities of the second class A, boroughs, towns, and townships are of the same type as those used in the cities of the third class, and, in the opinion of the commission, can be consolidated into one duplicate registration, it shall be the duty of the commission to place the duplicate registration cards for all cities of the second class, cities of the second class A, boroughs, towns, and townships, and all cities of the third class, in exact alphabetical order, which shall be indexed, and shall be kept at the office of the commission in a place and in such manner as to be properly safeguarded. These cards shall constitute the general register of the cities of the second class, cities of the second class A, boroughs, towns, and townships, or of all such cities of the third class, cities of the second class, cities of the second class A, boroughs, towns, and townships in the county, as the case may be, and shall not be removed from the office of the commission except upon order of a court of record of the county wherein such city of the third class, city of the second class, city of the second class A, borough, town, or township is located: Provided, however, That the official registration card of an elector who has registered by mail may qualify as a duplicate registration card.

(b) Notwithstanding any provision of law, information or lists of registered electors from the general register shall not be used by any person for tax collection or jury selection purposes.

Section 4. Section 25 of the act is amended to read:

Section 25. District Registers.—(a) The original registration cards shall be filed by election districts, and within each election district, in exact alphabetical order and indexed. The cards

so filed for each election district shall constitute the district register for such district. The district register shall be kept at the office of the commission, except as herein provided, and shall be open to public inspection at all times, subject to reasonable safeguards, rules and regulations.

(b) Notwithstanding any provision of law, information or lists of registered electors from the district registers shall not be used by any person for tax collection or jury selection purposes.

Section 5. Section 33 of the act, amended June 19, 1939 (P.L.446, No.254) and July 1, 1976 (P.L.504, No.123), is amended to read:

Section 33. Street Lists; Posting.—(a) Commencing not later than the thirtieth day prior to each primary and election, the commission shall prepare for each election district a list of the names and addresses of all registered electors as of that date resident in the district, either arranged by streets and house numbers, arranged alphabetically or another arrangement whereby the location of the elector's residence can be identified.

(b) The commission shall cause to be made a sufficient number of exact copies of each such list, and, as soon as possible, shall distribute the same among the inspectors and special inspectors of registration and the officials concerned with the conduct of primaries and elections, and among the parties, political bodies, candidates, and organized bodies of citizens, interested therein, giving at least ten copies of each street list to the county committee of each political party or political body, upon the written application of the chairman thereof, and at least ten copies of each street list to the executive or governing board or committee of each organized body of citizens having as its purpose, or among its purposes, the investigation and prosecution of election frauds, upon the written application of the presiding officer of such body of citizens, and at least one copy of each street list with which his candidacy is concerned, to each candidate, upon his written request, and keeping two complete sets of such street lists on file at the office of the commission, convenient for public inspection during all the hours when the other records of the commission are open to public inspection, as herein provided.

(c) Notwithstanding any provision of law, information or lists of registered electors from the street lists shall not be used by any person for tax collection or jury selection purposes.

Amend Sec. 3, page 5, line 16, by striking out "3" and inserting

6

Amend Bill, page 7, line 17, by striking out all of said line and inserting

Section 7. Section 44 of the act is amended by adding a subsection to read:

Section 44. Crimes and Penalties.—\* \* \*

(q) Any registrar, commissioner, clerk, assistant or employe of a commission, or any other person, who knowingly and willfully makes available or uses information or lists of registered electors from the general register, the district registers or from street lists for tax collection or jury selection purposes, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be sentenced to pay a fine not exceeding one thousand dollars (\$1,000).

Section 8. This act shall take effect in 60 days.

On the question,

Will the House agree to the amendments?

The SPEAKER. The Chair recognizes Mr. Argall.

Mr. ARGALL. Thank you, Mr. Speaker.

This is an almost identical amendment to that which I offered in the last piece of legislation regarding jury selection and tax collection lists not to be pulled from the voter registration lists.

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

The following roll call was recorded:

YEAS—186

Acosta	Evans	Kukovich	Roebuck
Adolph	Fairchild	LaGrotta	Ryan
Allen	Fajt	Langtry	Saloom
Anderson	Fargo	Laughlin	Saurman
Angstadt	Farmer	Lawless	Scheetz
Argall	Fee	Lee	Schuler
Armstrong	Fleagle	Leh	Semmel
Arnold	Flick	Lescovitz	Serafini
Barley	Foster	Levdansky	Smith, B.
Battisto	Fox	Lucy	Smith, S. H.
Belardi	Freeman	McGeehan	Snyder, D. W.
Belfanti	Freind	McHale	Snyder, G.
Billow	Gallen	McHugh	Staback
Birmelin	Gamble	McNally	Stairs
Black	Gannon	Markosek	Steelman
Blaum	Geist	Marsico	Steighner
Bowley	George	Mayernik	Stetler
Boyes	Gerlach	Merry	Stish
Broujos	Gigliotti	Michlovic	Strittmatter
Brown	Gladeck	Micozzie	Stuban
Bunt	Godshall	Mihalich	Sturla
Bush	Gruitza	Mrkonic	Surra
Butkovitz	Gruppo	Mundy	Tangretti
Caltagirone	Hagarty	Murphy	Taylor, E. Z.
Cappabianca	Haluska	Nahill	Taylor, F.
Carlson	Hanna	Nailor	Taylor, J.
Carone	Harley	Nickol	Telek
Cawley	Harper	Noye	Thomas
Cessar	Hasay	Nyce	Tigue
Chadwick	Hayden	O'Brien	Tomlinson
Civera	Hayes	Olasz	Trello
Clark	Heckler	Perzel	Trich
Clymer	Herman	Pesci	Tulli
Colafella	Hershey	Petrarca	Uliana
Cole	Hess	Petrone	Van Horne
Cornell	Hughes	Phillips	Vance
Cowell	Itkin	Piccola	Veon
Coy	Jadlowiec	Pistella	Vroon
DeLuca	James	Pitts	Wambach
DeWeese	Johnson	Raymond	Williams
Daley	Josephs	Reber	Wilson
Davies	Kaiser	Reinard	Wogan
Dempsey	Kasunic	Richardson	Wozniak
Dent	Kenney	Rieger	Wright, D. R.
Dermody	King	Ritter	Wright, M. N.
Donatucci	Kosinski	Robinson	Wright, R. C.
Durham	Krebs		

NAYS—12

Carn	Jarolin	Oliver	O'Donnell,
Cohen	Kruszewski	Preston	Speaker
Colaizzo	Lloyd	Scrimenti	
Corrigan	Melio		

NOT VOTING—1

Bishop

EXCUSED—4

Linton	McCall	Maiale	Rudy
--------	--------	--------	------

The question was determined in the affirmative, and the amendments were agreed to.

On the question recurring,

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

Mr. BOWLEY offered the following amendments No. A1279:

Amend Title, page 1, line 23, by removing the period after "registration" and inserting  
; and prohibiting premarked registration applica-  
- - - - - tions.

Amend Bill, page 4, by inserting between lines 22 and 23  
Section 2. The act is amended by adding a section to read:  
Section 17.3. Premarked Registration Applications.—Reg-  
istration applications that are premarked or preprinted with a  
political party designation are illegal and the commission shall  
not accept any such applications.

Amend Sec. 2, page 4, line 23, by striking out "2" and insert-  
ing  
3

Amend Sec. 3, page 5, line 16, by striking out "3" and insert-  
ing  
4

Amend Sec. 4, page 7, line 17, by striking out "4" and insert-  
ing  
5

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

AMENDMENTS WITHDRAWN

The SPEAKER. The Chair recognizes Mr. Bowley.

Mr. BOWLEY. Mr. Speaker, I am withdrawing that amendment and waiting for another one from the Reference Bureau. Thank you.

The SPEAKER. Is the gentleman also waiting for an amendment on HB 539?

Mr. BOWLEY. That is correct. They are on their way down.

The SPEAKER. The gentleman, Mr. Bowley, withdraws his amendment.

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

BILL PASSED OVER TEMPORARILY

The SPEAKER. HB 539 will be over temporarily.

\* \* \*

The House proceeded to third consideration of **HB 541, PN 597**, entitled:

An Act amending the act of June 3, 1937 (P. L. 1333, No. 320), known as the "Pennsylvania Election Code," providing for a procedure for certain electors.

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

Mr. CORNELL offered the following amendments No. A1466:

Amend Sec. 1 (Sec. 1210.1), page 1, line 18, by inserting after "registered"  
and shows the judge of election proof of residency in that election  
district by displaying a valid driver's license or any other docu-  
ment approved by the Department of State

Amend Sec. 1 (Sec. 1210.1), page 2, line 1, by inserting after "a" where it appears the second time  
paper

Amend Sec. 1 (Sec. 1201.1), page 2, line 4, by inserting after "registration" where it appears the second time  
in the election district in which he or she resides

Amend Sec. 1 (Sec. 1201.1), page 2, line 6, by inserting after "registration"  
in the election district in which the elector resides

Amend Sec. 1 (Sec. 1201.1), page 2, line 8, by inserting after "law"  
, but the elector's vote shall not be counted in the instant election

On the question,

Will the House agree to the amendments?

The SPEAKER. For the information of the members, amendment 1466 was circulated over the name "Ryan."

The Chair recognizes Mr. Cornell.

Mr. CORNELL. Thank you, Mr. Speaker.

This is an agreed-to amendment by the prime sponsor of the bill, further clarifying the residency requirements, and I would appreciate your support.

**PARLIAMENTARY INQUIRY**

**REQUEST TO DIVIDE AMENDMENTS**

The SPEAKER. The Chair recognizes the lady, Ms. Josephs.

Ms. JOSEPHS. Mr. Speaker, a parliamentary inquiry.

May this amendment be divided after the word "State" in the fifth line?

Mr. Speaker, I withdraw my question.

The SPEAKER. The Chair thanks the lady.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

**YEAS—190**

Acosta	Evans	Kukovich	Robinson
Adolph	Fairchild	LaGrotta	Roebuck
Allen	Fajt	Langtry	Ryan
Anderson	Fargo	Laughlin	Saloom
Angstadt	Farmer	Lawless	Saurman
Argall	Fee	Lee	Scheetz
Armstrong	Fleagle	Leh	Schuler
Arnold	Flick	Lescovitz	Scrimenti
Barley	Foster	Levdansky	Semmel
Battisto	Fox	Lloyd	Serafini
Belardi	Freeman	Lucyk	Smith, B.
Belfanti	Freind	McGeehan	Smith, S. H.
Billow	Gallen	McHale	Snyder, D. W.
Birmelin	Gamble	McHugh	Snyder, G.
Black	Gannon	Markosek	Staback
Blaum	Geist	Marsico	Stairs
Boyes	George	Mayernik	Steelman
Broujos	Gerlach	Merry	Steighner
Brown	Gigliotti	Michlovic	Stetler
Bunt	Gladeck	Micozzie	Stish
Bush	Godshall	Mihalich	Strittmatter
Butkovitz	Gruitza	Mrkonic	Stuban
Caltagirone	Gruppo	Mundy	Sturla
Carlson	Hagarty	Murphy	Surra
Carn	Haluska	Nahill	Taylor, E. Z.
Carone	Hanna	Nailor	Taylor, F.
Cawley	Harley	Nickol	Taylor, J.
Cessar	Harper	Noye	Telek
Chadwick	Hasay	Nyce	Thomas
Civera	Hayden	O'Brien	Tigue

Clark	Hayes	Olasz	Tomlinson
Clymer	Heckler	Oliver	Trello
Cohen	Herman	Perzel	Trich
Colafrilla	Hershey	Pesci	Tulli
Cole	Hess	Petrarca	Uliana
Cornell	Hughes	Petrone	Van Horne
Corrigan	Itkin	Phillips	Vance
Cowell	Jadlowiec	Piccola	Veon
Coy	James	Pistella	Vroon
DeLuca	Jarolin	Pitts	Wambach
DeWeese	Johnson	Preston	Williams
Daley	Josephs	Raymond	Wilson
Davies	Kaiser	Reber	Wogan
Dempsey	Kasunic	Reinard	Wozniak
Dent	Kenney	Richardson	Wright, D. R.
Dermody	King	Rieger	Wright, M. N.
Donatucci	Kosinski	Ritter	Wright, R. C.
Durham	Kruszewski		

**NAYS—7**

Bowley	McNally	Tangretti
Colaizzo	Melio	
Krebs		O'Donnell, Speaker

**NOT VOTING—2**

Bishop	Cappabianca
--------	-------------

**EXCUSED—4**

Linton	McCall	Maiale	Rudy
--------	--------	--------	------

The question was determined in the affirmative, and the amendments were agreed to.

On the question,

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

Mr. PERZEL offered the following amendments No. A1402:

Amend Title, page 1, line 11, by inserting after "elections," " further providing for number of signers required for nomination petitions of certain candidates at primaries; and

Amend Bill, page 1, by inserting between lines 13 and 14 Section -1. Section 912.1 of the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, amended February 13, 1989 (P.L.1, No.1), is amended to read:

Section 912.1. Number of Signers Required for Nomination Petitions of Candidates at Primaries.—(a) Candidates for nomination of offices as listed below shall present a nominating petition containing at least as many valid signatures of registered and enrolled members of the proper party as listed below:

- (1) President of the United States: Two thousand.
- (2) United States Senate: Two thousand.
- (3) Governor: Two thousand including at least one hundred from each of at least ten counties.
- (4) Lieutenant Governor: One thousand including at least one hundred from each of at least five counties.
- (5) Treasurer: One thousand including at least one hundred from each of at least five counties.
- (6) Auditor General: One thousand including at least one hundred from each of at least five counties.
- (7) Attorney General: One thousand including at least one hundred from each of at least five counties.
- (8) Justice of the Supreme Court: One thousand including at least one hundred from each of at least five counties.
- (9) Judge of the Superior Court: One thousand including at least one hundred from each of at least five counties.

(10) Judge of the Commonwealth Court: One thousand including at least one hundred from each of at least five counties.

(11) For any other office to be filled by the vote of the electors of the State at large or for any other party office to be elected by the electors of the State at large: One thousand including at least one hundred from each of at least five counties.

(12) Representative in Congress: One thousand.

(13) Senator in the General Assembly: Five hundred.

(14) Representative in the General Assembly: Three hundred.

(15) Public or party offices to be filled by a vote of the electors in counties of the first class at large: One thousand.

(16) Public or party offices to be filled by a vote of the electors in counties of the second class at large: Five hundred.

(17) Public or party offices to be filled by a vote of the electors in cities of the first class at large: One thousand.

(18) Public or party offices to be filled by a vote of the electors in counties of the second class A at large: Two hundred fifty.

(19) Public or party offices to be filled by a vote of the electors in counties of the third class at large: Two hundred fifty.

(20) Public or party offices to be filled by a vote of the electors in counties of the fourth class at large: Two hundred fifty.

(21) Public or party offices to be filled by a vote of the electors in cities of the second class at large: Two hundred fifty.

(22) Public or party offices to be filled by a vote of the electors in cities of the second class A at large: One hundred.

(23) Public or party offices to be filled by a vote of the electors in cities of the third class at large: One hundred.

(24) Public or party offices to be filled by a vote of the electors in counties of the fifth class at large: One hundred.

(25) Public or party offices to be filled by a vote of the electors in counties of the sixth class at large: One hundred.

(26) Public or party offices to be filled by a vote of the electors in counties of the seventh class at large: One hundred.

(27) Public or party offices to be filled by a vote of the electors in counties of the eighth class at large: One hundred.

(28) Office of judge of any court of record other than a Statewide court or a court in a county of the first or second class: Two hundred fifty.

(29) District delegate or alternate district delegate to a National party convention: Two hundred fifty.

(30) Member of State committee: One hundred.

(31) Office of district council member in a city of the first class: Seven hundred fifty.

(31.1) Office of district council member in a city of the second class: One hundred.

(32) Office of district justice: One hundred.

(33) Office of judge of election: Ten.

(34) Inspector of elections: Five.

(35) All other public and party offices: Ten.

(b) Notwithstanding the provisions of subsection (a), a candidate for office of Representative in Congress, Senator in the General Assembly or Representative in the General Assembly shall present a nominating petition containing valid signatures of at least ten per centum of the registered and enrolled members of the proper party in his district if the voter registration of that party is less than ten per centum of the total vote registration in that district.

Amend Sec. 1, page 1, line 14, by striking out "1" and inserting

2

Amend Sec. 1, page 1, lines 14 and 15, by striking out "of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code,"

Amend Sec. 2, page 2, line 11, by striking out "2" and inserting

3

On the question,

Will the House agree to the amendments?

The SPEAKER. The Chair recognizes Mr. Perzel.

Mr. PERZEL. Mr. Speaker, this series of bills is an attempt to make the process much more open, so I have designed an amendment to allow the process to become much more open for people to be able to get their names on the ballot to be elected to public office. In one of the particular legislative districts this last election, where there are only 500 Republicans left to register to vote, we could not get 300 names on a petition, so we felt what would be fair and equitable to both sides is, in a situation like that, to lower the number of names to get your name onto the ballot.

I am sure we all want more people to vote, and if you want more people to vote, you have to have names on the ballot for them to vote for. So I would urge a "yes" vote on my amendment, Mr. Speaker.

The SPEAKER. The Chair recognizes Mr. Cohen.

Mr. COHEN. Thank you, Mr. Speaker.

I am very touched by John Perzel's interest in increasing competition. John, I know, is very, very sincere about this and is deeply interested in more competitive elections. However, unfortunately, this amendment only is interested in some competitive elections. I tried to get the 1990 registration figures, but the legislative data processing service has not yet been able to supply me with this, so this speech is based on the 1989 registration figures, which should be about the same.

In 1989 the list of districts in which the major parties had less than 10 percent, the list of districts in which this amendment applies, is as follows: Bill Robinson's district in Allegheny County had 9.2 percent Republican; Curtis Thomas' district in Philadelphia had 8.7 percent Republican; Joe Preston's district in Allegheny had 8.3 percent Republican; Dave Richardson's district in Philadelphia had 7.4 percent Republican; Jim Roebuck's district in Philadelphia had 7.3 percent Republican; Ruth Harper's district had 6.0 percent Republican; Vince Hughes' district in Philadelphia had 5.2 percent Republican; and Andy Carn's district in Philadelphia had 4.5 percent Republican.

Now, what districts were close to this? What districts might fall, in the 1990 or 1991 figures, below 10 percent? Well, Frank Oliver's district in Philadelphia had 10.8 percent Republican, and Harold James' district had 11.2 percent Republican.

All these districts have in common that they have black State legislators. That is what they have in common, and this is Mr. Perzel's formula; it is not my formula. The closest white State legislator to coming under this formula is Chris McNally, who is 12.4 percent Republican in 1989.

Now, we cannot have two separate election codes, one for the black community and one for the white community. The election laws ought to be the same.

### CONSTITUTIONAL POINT OF ORDER

Mr. COHEN. I would suggest that there are manners in which Mr. Perzel and his colleagues could vote which might strengthen their support in the black community and might make it easier for them to get workers and signers, but as this amendment now stands, it only affects black legislative districts. I therefore move it is unconstitutional, and I ask the House to declare this amendment to be unconstitutional.

The SPEAKER. The gentleman, Mr. Cohen, has the floor, and he has moved that this amendment is unconstitutional. For that motion to be accepted by the Chair, it is required that the gentleman cite that provision of the Constitution that he believes is being violated.

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, this violates the equal protection clause of the 14th Amendment, which requires that all people be treated equally.

The SPEAKER. The gentleman is in order.

The gentleman, Mr. Cohen, raises the point of order that amendment 1402 is unconstitutional as violative of the equal protection clause. The Speaker, under rule 4, is required to submit questions affecting constitutionality to the House, which the Chair now does.

On the question,

Will the House sustain the constitutionality of the amendments?

The SPEAKER. Does the gentleman, Mr. Perzel, wish to be recognized on the issue?

Mr. PERZEL. I would like to make my remarks after the vote, Mr. Speaker.

All right, Mr. Speaker; we will do it now.

The SPEAKER. The Chair just cautions the gentleman that after the vote there will be nothing before the House.

Mr. PERZEL. Okay.

The SPEAKER. Does the gentleman wish to address the constitutional issue and then come back?

Mr. PERZEL. I defer to Mr. Piccola, Mr. Speaker.

The SPEAKER. The Chair recognizes Mr. Piccola.

Mr. PICCOLA. Thank you, Mr. Speaker.

The gentleman, Mr. Cohen, has challenged this amendment based upon the equal protection clause of the United States Constitution. However, that clause, so far as I am aware, has never been applied to the rules that govern party operations with respect to getting names onto an election ballot.

The rule that Mr. Perzel is attempting to change applies only to two political parties in this State right now; that is, the Republican and the Democratic Parties. It does not apply to the Independents who choose to run as Independents in the fall election. It does not apply to minority parties, such as the Consumer Party and other minority parties, who may select candidates, nominate candidates, in other manners prescribed by law. They are different and therefore presumably in violation of the equal protection clause if you accept Mr. Cohen's argument, and therefore, if Mr. Perzel is able to persuade this House that a party having a small percentage of votes in any

legislative district should be treated differently, there is nothing wrong with that under the equal protection clause. We have done it in other areas of the law with respect to the nomination of people and the placement of people on the ballot for a primary election.

This does not rise to the level of a constitutional argument, and this motion should be defeated.

The SPEAKER. The Chair recognizes Mr. Hayes.

Mr. HAYES. Thank you, Mr. Speaker.

The gentleman, Mr. Cohen, as charitable as I can be, is perverting any reasonable reading of the Constitution of this Commonwealth or Nation. Party rules, State law - they are the things that we are working with right now, and those laws and those rules are precluding bona fide persons holding themselves out as potential candidates from even reaching the ballot.

Now, as we stand here, Mr. Speaker, and listen to Mr. Cohen expound upon the virtue of all these bills and how they are opening up the process, how he can come back seconds later, just seconds later, and say, close down the system; it would be unconstitutional to open up the system to candidacies.

Mr. Speaker, in all my years in this House of Representatives, I am hard pressed to recollect a more frivolous motion with regard to constitutionality than the one just leveled by the gentleman from Philadelphia, Mr. Cohen. I believe his motion is despicable and should be voted down. Thank you.

The SPEAKER. The Chair recognizes Mr. Perzel.

Mr. PERZEL. Mr. Speaker, first off, this amendment deals with roughly 35 legislative districts in the State of Pennsylvania, not all of them white and not all of them black. What we have tried to do, Mr. Speaker, is put candidates on the ballot. We do not think we are going to beat Mr. Richardson or Mr. Carn. We think we ought to have an opportunity to put names on the ballot, and I think that we could take a court challenge with this and win it, which is what we are going to do, Mr. Speaker. But in the meantime, reapportionment is not over, Mr. Speaker, so we do not know who is going to have what districts after this thing is all said and done.

So all I want to be said on the record, Mr. Speaker, is the fairest thing is to put people's names on the ballot. Either it is an open process or it is a closed process. I believe everybody ought to have a challenge to make this system better, but obviously, Mr. Cohen does not believe that. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes Mr. Cohen.

Mr. COHEN. Thank you.

Mr. Speaker, in 1986 the House voted overwhelmingly to raise the number of signatures required to run for State Representative from 100 signatures to 300 signatures. The vote was roughly something like 175 to 25; give or take a few votes, that was the vote. No member of the State Senate spoke against it; only one member of the State House spoke against it. I was the member of the House who spoke against raising the number of signatures to run for member of the General Assembly.

Now, if we are going to make it easier to run for the General Assembly, let us do it in every district. Let us do it in Mr. Perzel's district as well as Mr. Carn's district; let us do it in Representative Hayes' district as well as Representative Harper's district. Let us do it in all districts of the Commonwealth of Pennsylvania. I am willing to vote again to lower the number of signatures required to run for the State House of Representatives but have it throughout the State. I know some members here are not. But just to say that we are going to pick legislative districts which just happen to be represented by 10 or so members, all of whom happen to be of the same race, is absolutely wrong. It is also unconstitutional.

I urge the House members to vote that this is unconstitutional, that laws affecting access to the ballot ought to apply uniformly all across the State of Pennsylvania. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes Mr. Preston.

Mr. PRESTON. Thank you, Mr. Speaker.

I also rise to feel, in my personal opinion, that this amendment is unconstitutional. I do not think it is fair, and it was my amendment several years ago where I raised the signatures from 100 to 300, but the problem I have is that I should have to turn in 300 signatures, but yet if a member is a member of the Communist Party—

### POINT OF ORDER

Mr. GALLEN. Point of order, Mr. Speaker.

The SPEAKER. The gentleman will state his point of order.

Mr. GALLEN. Mr. Speaker, the gentleman is not speaking on constitutionality, nor did Mr. Cohen. I was trying to get the attention of the Chair at that time. I think we ought to limit this to the constitutionality.

The SPEAKER. The Chair thanks the gentleman for his advice.

The gentleman may proceed on the issue of constitutionality.

Mr. PRESTON. If the gentleman will listen to me, I am talking about the constitutionality as far as equality is concerned and would address then, if that was the case, that the personal remarks made by the gentleman, Mr. Kenney, he should have stood up then and spoke about his remarks. I am dealing with equality and dealing with a quantitative method as far as the number of voters that are required as far as what is being equal in our Constitution under the 14th Amendment. So if the gentleman will be quiet and listen, I will explain it to him.

Why should someone of the Communist Party, the Socialist Workers Party, the Libertarian Party, the Conservative Party, or any other party that someone decides to form within your legislative district, that if they have 100 people, then they only require 10 signatures versus you have to get 300 signatures.

How can someone— And I say again, under the 14th Amendment, as far as all things being equal—and the gentle-

man can interrupt me again as I am talking concerning this amendment. Feel free to if you think I am getting away from the amendment and from the question of constitutionality. Why would we allow this—and understand what I am saying—that anyone who chooses to get or form an independent party be required to have a different number, depending on the amount of people that they have registered to vote, to be able to get on the same ballot but not have the same required number of signatures? And that is what you are asking, whether it is one party or whether it is 50 parties that are going to be in your legislative district, and that is what we would do if we passed this amendment, and I think it is unconstitutional. It should be under equal pretenses, and if you want to do something to make it equal, then make everybody who has to run for legislator make it 25 votes.

In my district, yes, I have some Republicans, and I know every Republican chairman in my district, and we compete very equally. I also know the Communist Workers Party, and there are several hundred in my legislative district. There are Conservative Party members within my legislative district, but why would you say that they should be treated differently than myself? I want to be able to compete with them. They have the same rights that I do, but to be able to encourage to say that they should be treated differently, I think is wrong, and I think it is unconstitutional. Thank you.

The SPEAKER. The gentleman, Mr. Piccola, is seeking recognition, but under rule 4 you are only allowed to speak once on the issue.

Those voting "aye" will vote to declare the amendment to be constitutional; those voting "no" will vote to declare the amendment to be unconstitutional.

On the question recurring,

Will the House sustain the constitutionality of the amendments?

The following roll call was recorded:

### YEAS—97

Adolph	Fairchild	Johnson	Ryan
Allen	Fargo	Kenney	Saurman
Anderson	Farmer	King	Scheetz
Angstadt	Fleagle	Langtry	Schuler
Argall	Flick	Lawless	Semmel
Armstrong	Foster	Lee	Serafini
Barley	Fox	Leh	Smith, B.
Birmelin	Freind	McHugh	Smith, S. H.
Black	Gallen	Marsico	Snyder, D. W.
Boyes	Gannon	Merry	Snyder, G.
Broujos	Geist	Micozzie	Stairs
Brown	Gerlach	Nahill	Strittmatter
Bunt	Gladeck	Nailor	Taylor, E. Z.
Bush	Godshall	Nickol	Taylor, J.
Carlson	Gruppo	Noye	Telek
Cessar	Hagarty	Nyce	Tomlinson
Chadwick	Harley	O'Brien	Tulli
Civera	Hasay	Perzel	Uliana
Clark	Hayes	Phillips	Vance
Clymer	Heckler	Piccola	Vroon
Cornell	Herman	Pitts	Wilson
Davies	Hershey	Raymond	Wogan
Dempsey	Hess	Reber	Wright, M. N.
Dent	Jadlowiec	Reinard	Wright, R. C.
Durham			



NAYS—102

Acosta	Donatucci	Lescovitz	Roebuck
Arnold	Evans	Levdansky	Saloom
Battisto	Fajt	Lloyd	Scrimenti
Belardi	Fee	Lucyk	Staback
Belfanti	Freeman	McGeehan	Steelman
Billow	Gamble	McHale	Steighner
Bishop	George	McNally	Stetler
Blaum	Gigliotti	Markosek	Stish
Bowley	Gruitza	Mayernik	Stuban
Butkovitz	Haluska	Melio	Sturla
Caltagirone	Hanna	Michlovic	Surra
Cappabianca	Harper	Mihalich	Tangretti
Carn	Hayden	Mrkonic	Taylor, F.
Carone	Hughes	Mundy	Thomas
Cawley	Itkin	Murphy	Tigue
Cohen	James	Olasz	Trello
Colaella	Jarolin	Oliver	Trich
Colaizzo	Josephs	Pesci	Van Horne
Cole	Kaiser	Petrarca	Veon
Corrigan	Kasunic	Petrone	Wambach
Cowell	Kosinski	Pistella	Williams
Coy	Krebs	Preston	Wozniak
DeLuca	Kruszewski	Richardson	Wright, D. R.
DeWeese	Kukovich	Rieger	O'Donnell, Speaker
Daley	LaGrotta	Ritter	
Dermody	Laughlin	Robinson	

NOT VOTING—0

EXCUSED—4

Linton	McCall	Maiale	Rudy
--------	--------	--------	------

Less than the majority having voted in the affirmative, the question was determined in the negative and the constitutionality of the amendments was not sustained.

On the question recurring,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—146

Acosta	Davies	Laughlin	Scheetz
Adolph	Dempsey	Lee	Schuler
Anderson	Dent	Leh	Scrimenti
Angstadt	Dermody	Lescovitz	Semmel
Argall	Donatucci	Levdansky	Serafini
Armstrong	Durham	Lloyd	Smith, B.
Arnold	Evans	Lucyk	Snyder, G.
Barley	Fajt	McGeehan	Staback
Battisto	Fee	McHale	Stairs
Belardi	Foster	McHugh	Steelman
Belfanti	Freeman	McNally	Steighner
Billow	Gamble	Markosek	Stetler
Birmelin	Gannon	Mayernik	Stish
Blaum	George	Melio	Strittmatter
Bowley	Gerlach	Michlovic	Stuban
Boyes	Gigliotti	Mihalich	Sturla
Broujos	Godshall	Mrkonic	Surra
Butkovitz	Gruitza	Mundy	Tangretti
Caltagirone	Haluska	Murphy	Taylor, E. Z.
Cappabianca	Hanna	Nailor	Taylor, F.
Carn	Harley	Olasz	Thomas
Carone	Harper	Oliver	Tigue
Cawley	Hasay	Perzel	Trello
Cessar	Hayden	Pesci	Trich

Chadwick	Hershey	Petrarca	Tulli
Civera	Hughes	Petrone	Uliana
Cohen	Itkin	Pistella	Van Horne
Colaella	James	Pitts	Vance
Colaizzo	Jarolin	Preston	Veon
Cole	Josephs	Raymond	Wambach
Cornell	Kaiser	Reber	Williams
Corrigan	Kasunic	Richardson	Wozniak
Cowell	Kosinski	Rieger	Wright, D. R.
Coy	Krebs	Ritter	Wright, R. C.
DeLuca	Kruszewski	Robinson	
DeWeese	Kukovich	Roebuck	O'Donnell, Speaker
Daley	LaGrotta	Saloom	

NAYS—50

Allen	Freind	King	Reinard
Black	Gallen	Langtry	Ryan
Brown	Geist	Lawless	Saurman
Bunt	Gladeck	Marsico	Smith, S. H.
Bush	Gruppo	Merry	Snyder, D. W.
Clark	Hagarty	Micozzie	Taylor, J.
Clymer	Hayes	Nahill	Telek
Fairchild	Heckler	Noye	Tomlinson
Fargo	Herman	Nyce	Vroon
Farmer	Hess	O'Brien	Wilson
Fleagle	Jadlowiec	Phillips	Wogan
Flick	Johnson	Piccola	Wright, M. N.
Fox	Kenney		

NOT VOTING—3

Bishop	Carlson	Nickol
--------	---------	--------

EXCUSED—4

Linton	McCall	Maiale	Rudy
--------	--------	--------	------

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the bill passed finally.

Ordered, That the clerk present the same to the Senate for concurrence.

CONSIDERATION OF HB 538 CONTINUED

On the question recurring,

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

Mr. BOWLEY offered the following amendments No. A1497:

Amend Title, page 1, line 20, by removing the period after "registration" and inserting  
; and prohibiting premarked registration applications.

Amend Bill, page 5, by inserting between lines 24 and 25 Section 2. The act is amended by adding a section to read:  
Section 19.3. Premarked Registration Applications.—Reg-  
istration applications that are premarked or preprinted with a  
political party designation shall not be accepted by the commis-  
sion. No penalty shall apply to this section.

Amend Sec. 2, page 5, line 25, by striking out "2" and insert-  
ing

3

On the question,

Will the House agree to the amendments?

The SPEAKER. The Chair recognizes Mr. Bowley.  
Mr. BOWLEY. Thank you, Mr. Speaker.

I would like to thank you and the other members of the House for waiting while this amendment was redrafted to address some of the concerns of a member from the other side of the aisle.

This particular amendment would say that no registration forms may be premarked or preprinted with a political party designation, but we in this amendment said that no penalty shall apply to this section. In the previous amendment that I had drafted, unfortunately there was a \$1,000 penalty and up to 5 years' imprisonment. We thought that was way too steep, so with this particular amendment, the applications will just be null and void. There is no penalty for premarking the forms. The forms will just be null and void.

I would ask for an affirmative vote. Thank you.

The SPEAKER. The Chair recognizes Mr. Robinson.

Mr. ROBINSON. Mr. Speaker, I encourage members of the House to support the Bowley amendment.

The SPEAKER. The Chair recognizes Mr. Fargo.

Mr. FARGO. Thank you, Mr. Speaker.

Would the maker of the amendment—

The SPEAKER. The gentleman indicates he will stand for interrogation. The gentleman may proceed.

Mr. FARGO. The indication here is that the commissioner is to not accept registration forms that have been premarked. Could you tell me how he is going to determine whether those registrations have been premarked as far as parties are concerned?

Mr. BOWLEY. That would be a decision of the commission, that obviously if they are preprinted with an "X" in a particular political party box, that should be pretty easy to determine. However, sometimes, as has happened in my district, the registration forms were already premarked, perhaps with a different color pen or pencil than the person actually signing the form, and therefore, the person who signed the form and got registered did not realize that they were registering with that particular political party. So that would be a judgment call on the commission that those applications are not to be accepted. They are null and void.

Mr. FARGO. I can understand if it has been preprinted and the mark is on as a printed form and then someone has finished it in handwriting, but I question very strongly that the commissioner should—and I guess maybe I would make it in a term of a question. Do you mean that where it is marked as to what party it is in is in a different ink than what the rest of the form is, that the commissioner will automatically say that has been premarked and disregard that registration?

Mr. BOWLEY. No. No, Mr. Speaker, I am not saying that. I am advocating a commonsense approach. If someone who has registered gets back the card from the courthouse that they are now registered as a member of a particular political party but they did not know that they were marking that particular box on the application, then they should have the opportunity to go to the courthouse, to the commission, and say, I did not know I was signing that application to be registered with that particular political party, and therefore, the commission would make the determination if that request was

a valid one. And if that is the case, they would null and void that particular application, and that person could then in turn fill out a new application to mark the box that they want to belong to, the political party they want to register in.

Mr. FARGO. Well, is it not true that this is possible right now, if I am told that in registering that I was registered as a Democrat and I did not actually mark it that way, that I can go to the commissioner and say I want to change merely by signing a form?

Mr. BOWLEY. Yes, Mr. Speaker, that is true. The problem is, a lot of people do not get the registration card back from the courthouse in time to change their registration before the day of election, and it may be a primary election; therefore, they are not eligible to vote in the particular party election that they thought they were registering in, but because the forms were already premarked, they are already registered in another political party.

Mr. FARGO. Okay. Thank you.

Could I make a statement?

The SPEAKER. The gentleman is in order and may proceed.

Mr. FARGO. I am really concerned that this amendment would make it possible for an overly enthusiastic commissioner, who might be a Democrat and he sees a lot of possibilities to keep people who have indicated on their form that they want to vote Republican but maybe it was done in a different pencil or pen or whatever it might be, that we are giving him the right to throw this out, and that is really what it says, "...shall not be accepted by the commission." That is a major concern on my part, that we are opening up a Pandora's box here; that we are a whole lot better off to leave it up to the voter himself as to whether he finds that he is later not registered the way he wants to, he then has the opportunity to go in and make the change.

I believe that we are making a worse situation here than what we presently have rather than a better one and would certainly suggest that we vote against this amendment.

The SPEAKER. The Chair recognizes Ms. Josephs.

Ms. JOSEPHS. Will the maker of the amendment stand for an interrogation?

The SPEAKER. The gentleman indicates he is willing to be interrogated. The lady may proceed.

Ms. JOSEPHS. Thank you.

Mr. Speaker, I do a lot of voter registration in my district because it is very transient, and the way I do it is, I myself or I get volunteers to stand in front of supermarkets or go door to door and ask people if they need to be registered. If they indicate that they do, I retain the card and ask them for information, including party, and I fill it out in my own handwriting, and I do not turn the card over to the voter until it comes time for his or her signature, which is very often in another ink or with another pen because the voter has his or her own pen. I then take the card home or to my office and I fill in information which I know just from observing the voter, which is the fact that he or she lives in Philadelphia County, and I write "Philadelphia County" three or four times on the form,

which I am required to do on our form in Philadelphia. I put my own name down, because there is a requirement for anybody who has assisted the voter to put down his or her own name, and I fill out the return form in the back. Now, when this gets to my county commissioner, there may be two or three different handwritings on this record, depending on who did the form on the back, who did the original questioning of the voter, who filled in "Philadelphia" three or four times. And I am wondering how under your statute you would help the commissioner distinguish between forms that look like that and forms that are preprinted or forms that are more misleadingly filled out as to party?

Mr. BOWLEY. Mr. Speaker, if I may address her concerns, I am not intending to make the commission a handwriting expert and to reject applications just because they are filled out in a couple different colors of ink. What I am saying is that in your scenario, if you help that person register, then you are required under current law to fill out the part that you helped that person register to vote. Therefore, if you ask that person what party they want to belong to and mark the appropriate box, that application would be valid because you assisted the person in filling out the application and signed to that. So that application would be perfectly valid and would go through. There should be no objection to that, and when the particular voter received his or her card back as a member of a particular political party, they should know that because you were there and asked them that question to fill it out. I am trying to address the problem of those political party boxes being checked without the person who is registering to vote knowing it.

Ms. JOSEPHS. Mr. Speaker, I have no other questions. May I make a statement?

The SPEAKER. The lady is in order and may proceed.

Ms. JOSEPHS. Thank you, Mr. Speaker.

I understand what the gentleman is trying to do, and as a matter of fact, we have had this problem in my district and it does occur and reoccur occasionally over the years, but I am just afraid that this is not the way to get to it. I am afraid that those of us who do a lot of voter registration and have a lot of handwritings on the documents with a lot of different pens are opening ourselves to situations where many voter registration cards may be rejected.

I would like to work with the gentleman to try and find some way to solve the problem, which I believe is a serious one, I agree with him, but I think that this is not the way to do it.

So I reluctantly will vote "no" on this amendment, and those of you who are persuaded by my arguments I hope will join me. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes Mr. Leh.

Mr. LEH. Thank you, Mr. Speaker.

Would the maker of the amendment stand for some questioning?

The SPEAKER. The gentleman indicates that he will. The gentleman may proceed.

Mr. LEH. Thank you.

Does the commission determine premarked applications where there is no complaint filed by an applicant or by somebody who filled out that application? In other words, can they just arbitrarily decide what applications to look at to see if they are premarked?

Mr. BOWLEY. Mr. Speaker, it would be my hope that the commission uses their better judgment. If they obviously see applications preprinted or premarked when they are printed with a particular political party box already marked, then they should use their better judgment. Most of them, I assume though, will go through and then only be changed when the person actually gets the card back and finds out, I am registered to a party that I did not think I was, and I will go to the commission and ask them to throw out that application and I will reregister.

Mr. LEH. Okay. Thank you, Mr. Speaker.

May I comment? May I make a comment, Mr. Speaker?

The SPEAKER. The gentleman is in order and may proceed.

Mr. LEH. Thank you.

I agree with the principle behind this amendment that we should not be handing out premarked registration forms. However, I think to leave this determination with the commission is inviting trouble.

The argument concerning a person registering with a party that he does not want to be registered with only indicates that he did not read the form to begin with, and maybe we should not be letting people like that vote in the first place.

So I would oppose this amendment. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes Mr. Gallen.

Mr. GALLEN. Mr. Speaker, may I interrogate the gentleman, Mr. Bowley?

The SPEAKER. The gentleman is in order and may proceed.

Mr. GALLEN. Is there anything in your amendment—I have not read it because I cannot find it—which says that the person who is registering has to object? In other words, suppose he has a pretyped ballot, it is all filled in. All he has got to do is put his name on it and sign it, but that is what he wants. Do you mean a commissioner can throw that out?

Mr. BOWLEY. Mr. Speaker, under my amendment, yes. That application form should not be premarked when they are printed. In other words—

Mr. GALLEN. But the voter wants to be registered that way.

Mr. BOWLEY. Well, Mr. Speaker, that particular voter will not probably object to it when they get the card back from the commission. I am saying the commission should look at those when they come in, and if they get 30 or 50 applications on the last day to register that have all been premarked by a machine that automatically printed the registration forms, they should not accept them.

Mr. GALLEN. They should not accept it?

Mr. BOWLEY. No.

Mr. GALLEN. Well, why should they not accept it if that is the way the voter wants to register?

Mr. BOWLEY. Because of the problems that I am trying to address where you will get those certain voters who are registered in a party that they do not think they were registered in, because the application was already preprinted.

Mr. GALLEN. Thank you, Mr. Speaker.

The amendment is ridiculous. I ask for its defeat.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—81

Battisto	Fee	McNally	Steelman
Belardi	Foster	Markosek	Steighner
Belfanti	Freeman	Mayermik	Stetler
Billow	Gamble	Michlovic	Stish
Blaum	George	Mihalich	Stuban
Bowley	Gigliotti	Mrkonic	Sturla
Butkovitz	Gruitza	Mundy	Surra
Caltagirone	Hanna	Murphy	Thomas
Cappabianca	Hayden	Nickol	Tigue
Cohen	Hughes	Olasz	Trello
Cole	Itkin	Pesci	Trich
Corrigan	Kaiser	Petrarca	Van Horne
Cowell	Kosinski	Petrone	Veon
Coy	Kukovich	Pistella	Wambach
DeLuca	LaGrotta	Preston	Williams
DeWeese	Laughlin	Rieger	Wozniak
Daley	Levdansky	Ritter	Wright, D. R.
Dermody	Lloyd	Robinson	
Donatucci	Lucyk	Scrimenti	O'Donnell,
Evans	McGeehan	Snyder, G.	Speaker
Fajt	McHale	Staback	

NAYS—115

Acosta	Dempsey	Johnson	Richardson
Adolph	Dent	Josephs	Roebuck
Allen	Durham	Kasunic	Ryan
Anderson	Fairchild	Kenney	Saloom
Angstadt	Fargo	King	Saurman
Argall	Farmer	Krebs	Scheetz
Armstrong	Fleagle	Langtry	Schuler
Arnold	Flick	Lawless	Semmel
Barley	Fox	Lee	Serafini
Birmelin	Freind	Leh	Smith, B.
Black	Gallen	Lescovitz	Smith, S. H.
Boyes	Gannon	McHugh	Snyder, D. W.
Broujos	Geist	Marsico	Stairs
Brown	Gerlach	Melio	Strittmatter
Bunt	Gladeck	Merry	Tangretti
Bush	Godshall	Micozzie	Taylor, E. Z.
Carlson	Gruppo	Nahill	Taylor, F.
Carn	Hagarty	Nailor	Taylor, J.
Carone	Haluska	Noye	Telek
Cawley	Harley	Nyce	Tomlinson
Cessar	Harper	O'Brien	Tulli
Chadwick	Hasay	Oliver	Uliana
Civera	Hayes	Perzel	Vance
Clark	Heckler	Phillips	Vroon
Clymer	Herman	Piccola	Wilson
Colafrilla	Hershey	Pitts	Wogan
Colaizzo	Hess	Raymond	Wright, M. N.
Cornell	Jadlowiec	Reber	Wright, R. C.
Davies	James	Reinard	

NOT VOTING—3

Bishop	Jarolin	Kruszewski
EXCUSED—4		

Linton	McCall	Maiale	Rudy
--------	--------	--------	------

The question was determined in the negative, and the amendments were not agreed to.

On the question recurring,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

The Chair recognizes Mr. Clymer.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, the companion bills, HB 538 and HB 539, have the same thought, and that is, of course, the good intentions of Representative Robinson to extend the purging time from 2 to 4 years, and I understand his reasons behind that, to try to make more voters eligible.

But, Mr. Speaker, in looking at the bill I find some things that I think this House must consider, and that is, Mr. Speaker, all of us - legislators, those in private industry, whoever has a mailing list - one of the things that we want that list to be is a list of integrity, that those names on there are current names, that we do not have mailings that come back that—

The SPEAKER. Will the gentleman suspend?

Mr. CLYMER. Yes.

The SPEAKER. If the gentleman would relinquish the floor?

Mr. CLYMER. Yes.

The SPEAKER. The Chair thanks the gentleman.

DECISION OF CHAIR RESCINDED

The SPEAKER. Without objection, the Chair recedes from its announcement that this bill has been agreed to on third consideration as amended. The Chair recedes from that announcement. The bill is now in a position to be amended.

On the question recurring,

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

Mr. COHEN offered the following amendments No. A1491:

Amend Sec. 1 (Sec. 40), page 4, line 22, by inserting after "Registrations.—"

(a)

Amend Sec. 1 (Sec. 40), page 5, by inserting between lines 24 and 25

(b) To keep mailing address records up to date, the commission shall send, to each registered voter who has not voted in an election or primary for two calendar years immediately preceding, a notice requesting postal service verification of the voter's current address.

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

The SPEAKER. The Chair recognizes Mr. Cohen.

Mr. COHEN. Mr. Speaker, this is the amendment that passed on HB 539 by a vote of 120 to 36. It provides for Postal Service verification of people who have been there for 2 years without voting. It was written to conform to Republican objections to an earlier version that went down.

I urge all members to support this as you supported the earlier one. Thank you.

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

The following roll call was recorded:

#### YEAS—106

Acosta	Fee	Lescovitz	Saloom
Battisto	Foster	Levdansky	Scrimenti
Belardi	Freeman	Lloyd	Snyder, G.
Belfanti	Gamble	Lucyk	Staback
Billow	George	McGeehan	Steelman
Blaum	Gigliotti	McHale	Steighner
Bowley	Godshall	McNally	Stetler
Broujos	Gruitza	Markosek	Stish
Butkovitz	Haluska	Mayernik	Stuban
Caltagirone	Hanna	Michlovic	Sturla
Cappabianca	Harley	Mihalich	Surra
Carn	Harper	Mrkonic	Tangretti
Carone	Hayden	Mundy	Taylor, F.
Cawley	Hughes	Murphy	Thomas
Cohen	Itkin	Nickol	Tigue
Colafella	James	Olasz	Trello
Cole	Jarolin	Oliver	Trich
Corrigan	Josephs	Pesci	Van Horne
Cowell	Kaiser	Petrarca	Veon
Coy	Kasunic	Petrone	Wambach
DeLuca	Kenney	Pistella	Williams
DeWeese	Kosinski	Preston	Wogan
Daley	Krebs	Richardson	Wozniak
Dermody	Kruszewski	Rieger	Wright, D. R.
Donatucci	Kukovich	Ritter	
Evans	LaGrotta	Robinson	O'Donnell,
Fajt	Laughlin	Roebuck	Speaker

#### NAYS—90

Adolph	Dent	Johnson	Ryan
Allen	Durham	King	Saurman
Anderson	Fairchild	Lawless	Scheetz
Angstadt	Fargo	Lee	Schuler
Argall	Farmer	Leh	Semmel
Armstrong	Fleagle	McHugh	Serafini
Barley	Flick	Marsico	Smith, B.
Birmelin	Fox	Melio	Smith, S. H.
Black	Freind	Merry	Snyder, D. W.
Boyes	Gallen	Micozzie	Stairs
Brown	Gannon	Nahill	Strittmatter
Bunt	Geist	Nailor	Taylor, E. Z.
Bush	Gerlach	Noye	Taylor, J.
Carlson	Gladeck	Nyce	Telek
Cessar	Gruppo	O'Brien	Tomlinson
Chadwick	Hagarty	Perzel	Tulli
Civera	Hasay	Phillips	Uliana
Clark	Hayes	Piccola	Vance
Clymer	Heckler	Pitts	Vroon
Colaizzo	Herman	Raymond	Wilson
Cornell	Hershey	Reber	Wright, M. N.
Davies	Hess	Reinard	Wright, R. C.
Dempsey	Jadlowiec		

#### NOT VOTING—3

Arnold	Bishop	Langtry	
EXCUSED—4			
Linton	McCall	Maiale	Rudy

The question was determined in the affirmative, and the amendments were agreed to.

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

The Chair recognizes Mr. Clymer.

Mr. CLYMER. Thank you, Mr. Speaker.

As I was saying, one of the things that as legislators and private industry, whoever has mailing lists, one of the things we do not want to see are names coming back and we want lists of integrity, and I think that is going to be jeopardized in this bill, that people will be on that list who should no longer be on the list because of that extended 2 years. And so that is one reason, the integrity of listing, of voter registration listings.

And then secondly, Mr. Speaker, another aspect that we must look at and consider is voting fraud that has been mentioned on numerous occasions this afternoon here in the House of Representatives. And the longer you allow names to be on there that should no longer be on, the more of a problem we have with the history of voting fraud, and for anyone who has been in politics, we understand that unfortunately this is part of the history of voting. So we want to eliminate the opportunities of voting fraud, and that is why I also oppose this bill.

In addition to that, we are going to have many more names on the voter registration lists, and obviously that will be additional personnel, personnel for both majority and minority inspectors who work at the polls. Additional containers will have to be purchased to put all these binders and other paper items in that are taken from the county office to the different voting districts, and that is an important consideration as well.

This party and this General Assembly and others have been concerned about registration percentages and about the number of people who vote. Well, obviously if there are many people who should no longer be on voter registration listings, they are going to be counted as that percentage of people who vote and the percentages will frequently be low, and then we wonder why more people are not involved in the process, so it gives us a false impression as to the real number of voters that are out there. In addition to that, the State needs accurate information when they prepare the different ballot information that is available to them.

To bring the point home to Bucks County, I checked with our board of elections. Last year we purged 42,000 people,

voters, from the listings. If those 42,000 would have been kept on the voter registration listings, it would have created additional districts, which would have meant more machines - in fact, 70 new voting machines - at an approximate cost of \$350,000 to Bucks County.

So, Mr. Speaker, though I understand the intent of Representative Robinson in bringing this bill to the attention of the General Assembly, for the problems that I have listed and the concerns that I have, I would ask that this bill be defeated. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes Mr. Robinson.

Mr. ROBINSON. Mr. Speaker, does HB 538 address every concern that we have about voter registration and voter participation? The answer is no. HB 538 is a part of a package of bills designed to very simply remove or reduce all barriers that exist in this Commonwealth to the participation of all of our citizens who are eligible. The total package of bills attempts to answer a number of questions. The amendments that have been offered and accepted to HB 538 I believe answer some of the most serious questions that have been raised. Its companion, HB 539, also addresses similar serious questions.

Mr. Speaker, I do not want to belabor the point, because I believe the issue is simple and I want my response to be simple, and my response is that if this House of Representatives cannot provide access to the voting process, then who will? The essence of democracy is participation. The reason that each and every one of us is here is because a significant portion of the voting population in our districts supported us. It is much easier for us to carry through with any mandate we believe we have if there are more people eligible to participate and more people do participate.

HB 538 and HB 539 are two small steps on a long journey. I thank each and every one of you who have been kind enough to consider these two bills, and I ask for your affirmative vote on both HB 538 and HB 539. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes Mr. Perzel.

Mr. PERZEL. Mr. Speaker, there are just a couple of points I wanted to make, Mr. Speaker.

By going from 2 years to 4 years in the city of Philadelphia, in my particular ward where I have the registration 2 to 1 Republican, it helps me, Mr. Speaker. It keeps people on the rolls who simply are not there and do not exist. I mean, what we want those street lists to be is an accurate reflection of who is registered to vote and who we should bring to the polls. That is what it was intended to do. Our lists that we both keep, the R's and the D's, when we do our mailings are going to be way out of date now, and a lot of that mail is going to be thrown away as junk mail. So, Mr. Speaker, we are going to be hurting ourselves there.

And lastly, Mr. Speaker, I got a letter—and I will not mention the woman's name—about a week ago and she said that her husband has been dead for 25 years, can I get her husband's name off the street list? I guess when we go from 2 years to 4 years, it will be 50 years before we get the name off. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes Mr. Saurman.

Mr. SAURMAN. Thank you, Mr. Speaker.

I think I just heard that this piece of legislation, which changes one word - from 2 to 4 years - is going to solve all of the problems of registration. Now, I admit that there were some amendments that addressed this. I think that the one thing that is going to solve registration is how we do our job. We have spent a couple of days now arguing amendments, making it easier for people to register, and they have indicated that they are not interested, and they are not interested because we have not done the job that they expect us to do, and that is where we should be putting our time and our effort.

But I will tell you this, that according to the rules now, every 2 years people are notified and asked whether or not they want to continue to be registered because they did not vote in the past 2 years. Now you are going to make that 4 years, so they are going to have 4 years in between before anyone really contacts them, unless it is for a political purpose. Instead of making the process better, this is going to prolong it. This is going to not remind people. This is going to allow people's apathy to continue for a longer period of time without any remembrance or reminder that they have not participated in this right, in this privilege to vote. They are not interested or they would. Extending this to 4 years is going to make it more difficult rather than better.

I would ask for a "no" vote.

The SPEAKER. The Chair recognizes Mr. Clymer.

Mr. CLYMER. Mr. Speaker, could the maker of the bill stand for a brief interrogation?

The SPEAKER. The gentleman indicates that he will. The gentleman may proceed.

Mr. CLYMER. Mr. Speaker, in Allegheny County what would be the fiscal note for the dollars that would have to be expended for this new voter registration listing that would certainly come about with a 4-year purging?

Mr. ROBINSON. Mr. Speaker, a fiscal note was distributed to members of the House. I do not have that fiscal note right in front of me, but I believe I saw a figure of \$80,000 to be expended throughout the Commonwealth to implement this program. That was based on some information related to the approximate number of materials presently available and in anticipation that those materials would be utilized prior to any new materials being printed. It is a very minimal cost to the counties. It is a very minimal cost to the Commonwealth.

The Association of County Commissioners was supportive of this bill in the last session when it was HB 660, and I have every indication that they are presently supportive, because it does not put any additional fiscal strain on their budgets.

Mr. CLYMER. Okay. Mr. Speaker, could the gentleman tell me, with an additional voter listing in Allegheny County, obviously they would have to buy additional machines. Has anyone figured out what the cost would be to Allegheny County with these extra voters, what that cost would be? I mentioned in Bucks County it would be \$350,000 with the purchase of 70 new machines. Do we have a figure for Allegheny County?

Mr. ROBINSON. Mr. Speaker, I do not have that figure, but I would be more than happy to get it for you and provide it to you at a later date.

Mr. CLYMER. Obviously, Mr. Speaker, in Philadelphia County there would also be an expense. Could someone here on the floor of the House tell me what that fiscal note would be for Philadelphia with the 4-year voter registration listings, the cost for the machines? Would anyone have that information available by chance? I have raised the question. I am sure not everyone would have that at their fingertips.

Well, if not, Mr. Speaker, I see there are no hands being raised, let me just continue and say that this is going to be expensive in the purchasing of additional voting machines for all the counties, and in particular Philadelphia and Allegheny Counties as well as Bucks and probably Montgomery and Chester and Delaware.

So, Mr. Speaker, for the reasons I just enumerated a few minutes ago, I again ask that this bill be defeated. Thank you very much.

On the question recurring,  
Shall the bill pass finally?

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

YEAS—98

Acosta	Donatucci	Levdansky	Saloom
Battisto	Evans	Lloyd	Scrimenti
Belardi	Fee	Lucyk	Staback
Belfanti	Freeman	McHale	Steelman
Billow	Gamble	McNally	Steighner
Bishop	George	Markosek	Stetler
Blaum	Gigliotti	Mayernik	Stish
Broujos	Gruitza	Melio	Stuban
Butkovitz	Haluska	Michlovic	Sturla
Caltagirone	Hanna	Mihalich	Surra
Cappabianca	Harper	Mrkonic	Tangretti
Carn	Hayden	Mundy	Taylor, F.
Carone	Hughes	Murphy	Thomas
Cawley	Itkin	Olasz	Tigue
Cohen	James	Oliver	Trello
Colafiglia	Jarolin	Pesci	Trich
Colaizzo	Josephs	Petrarca	Van Horne
Cole	Kaiser	Petrone	Veon
Corrigan	Kasunic	Pistella	Wambach
Cowell	Kosinski	Preston	Williams
Coy	Kruszewski	Richardson	Wozniak
DeLuca	Kukovich	Rieger	Wright, D. R.
DeWeese	LaGrotta	Ritter	
Daley	Laughlin	Robinson	O'Donnell,
Dermody	Lescovitz	Roebuck	Speaker

NAYS—101

Adolph	Fairchild	Johnson	Reinard
Allen	Fajt	Kenney	Ryan
Anderson	Fargo	King	Saurman
Angstadt	Farmer	Krebs	Scheetz
Argall	Fleagle	Langtry	Schuler
Armstrong	Flick	Lawless	Semmel
Arnold	Foster	Lee	Serafini
Barley	Fox	Leh	Smith, B.
Birmelin	Freind	McGeehan	Smith, S. H.
Black	Gallen	McHugh	Snyder, D. W.
Bowley	Gannon	Marsico	Snyder, G.
Boyes	Geist	Merry	Stairs
Brown	Gerlach	Micozzie	Strittmatter
Bunt	Gladeck	Nahill	Taylor, E. Z.
Bush	Godshall	Nailor	Taylor, J.
Carlson	Gruppo	Nickol	Telek

Cessar	Hagarty	Noye	Tomlinson
Chadwick	Harley	Nyce	Tulli
Civera	Hasay	O'Brien	Uliana
Clark	Hayes	Perzel	Vance
Clymer	Heckler	Phillips	Vroon
Cornell	Herman	Piccola	Wilson
Davies	Hershey	Pitts	Wogan
Dempsey	Hess	Raymond	Wright, M. N.
Dent	Jadlowiec	Reber	Wright, R. C.
Durham			

NOT VOTING—0

EXCUSED—4

Linton	McCall	Maiale	Rudy
--------	--------	--------	------

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill fell.

LEAVE OF ABSENCE

The SPEAKER. For what purpose does the gentleman, Mr. Hayes, rise?

Mr. HAYES. Mr. Speaker, would you be so kind as to return to requests for leaves?

The SPEAKER. Without objection, the Chair returns to leaves of absence.

Mr. HAYES. Thank you, Mr. Speaker.

I request a leave for the remainder of today's session for the lady from Delaware County, Mrs. DURHAM.

The SPEAKER. Without objection, leave is granted.

VOTE CORRECTIONS

The SPEAKER. The Chair recognizes Mr. Nickol.

Mr. NICKOL. Mr. Speaker, on HB 541, final passage, I was recorded as not voting. I would like to be recorded in the affirmative, please.

The SPEAKER. The Chair recognizes Mr. Jarolin.

Mr. JAROLIN. Thank you, Mr. Speaker.

On HB 538, amendment 1293, I would like to be recorded in the affirmative.

The SPEAKER. The remarks of the gentleman will be spread upon the record.

The Chair recognizes Mr. Bowley.

Mr. BOWLEY. Thank you, Mr. Speaker.

On HB 541, amendment 1466, I was voted in the negative. I would like to be recorded as voting in the affirmative. Thank you.

The SPEAKER. The remarks of the gentleman will be spread upon the record.

HB 538 RECONSIDERED

The SPEAKER. The Chair is in possession of a reconsideration motion by the gentleman, Mr. Cohen, in which he moves that the vote by which the final passage of HB 538 was defeated today be reconsidered.

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

The following roll call was recorded:

**YEAS—194**

Acosta	Dermody	Kruszewski	Robinson
Adolph	Donatucci	Kukovich	Roebuck
Allen	Evans	LaGrotta	Ryan
Anderson	Fairchild	Langtry	Saloom
Angstadt	Fajt	Laughlin	Saurman
Argall	Fargo	Lawless	Scheetz
Armstrong	Farmer	Lee	Schuler
Arnold	Fee	Leh	Scrimenti
Barley	Fleagle	Lescovitz	Semmel
Battisto	Flick	Levdansky	Serafini
Belardi	Foster	Lloyd	Smith, B.
Belfanti	Fox	Lucyk	Smith, S. H.
Billow	Freeman	McGeehan	Snyder, D. W.
Birmelin	Freind	McHale	Snyder, G.
Bishop	Gallen	McNally	Staback
Black	Gamble	Markosek	Stairs
Blaum	Gannon	Marsico	Steelman
Bowley	Geist	Mayermik	Steighner
Boyes	George	Melio	Stetler
Broujos	Gerlach	Merry	Stish
Brown	Gigliotti	Michlovic	Strittmatter
Bunt	Gladeck	Micozzie	Stuban
Bush	Godshall	Mihalich	Sturla
Butkovitz	Gruitza	Mrkonic	Surra
Caltagirone	Gruppo	Mundy	Tangretti
Cappabianca	Hagarty	Murphy	Taylor, E. Z.
Carlson	Haluska	Nahill	Taylor, J.
Carn	Hanna	Nailor	Telek
Carone	Harley	Nickol	Thomas
Cawley	Harper	Noye	Tigle
Cessar	Hasay	Nyce	Tomlinson
Chadwick	Hayden	O'Brien	Trello
Civera	Hayes	Olasz	Trich
Clark	Heckler	Oliver	Tulli
Clymer	Herman	Perzel	Uliana
Cohen	Hershey	Pesci	Van Horne
Colafella	Hess	Petrarca	Vance
Colaizzo	Hughes	Petrone	Veon
Cole	Itkin	Phillips	Wambach
Cornell	Jadlowiec	Piccola	Williams
Corrigan	James	Pistella	Wilson
Cowell	Jarolin	Pitts	Wogan
Coy	Johnson	Preston	Wozniak
DeLuca	Josephs	Raymond	Wright, D. R.
DeWeese	Kaiser	Reber	Wright, M. N.
Daley	Kenney	Reinard	Wright, R. C.
Davies	King	Richardson	
Dempsey	Kosinski	Rieger	O'Donnell,
Dent	Krebs	Ritter	Speaker

**NAYS—2**

McHugh Vroon

**NOT VOTING—2**

Kasunic Taylor, F.

**EXCUSED—5**

Durham McCall Maiale Rudy  
Linton

The question was determined in the affirmative, and the motion was agreed to.

On the question recurring,  
Shall the bill pass finally?

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

(Members proceeded to vote.)

**PARLIAMENTARY INQUIRY**

Mr. PERZEL. Mr. Speaker? Is the time up yet, Mr. Speaker?

The SPEAKER. The Chair construes that as a parliamentary inquiry. The answer is no.

On the question recurring,  
Shall the bill pass finally?

The following roll call was recorded:

**YEAS—98**

Acosta	Donatucci	Levdansky	Saloom
Battisto	Evans	Lloyd	Scrimenti
Belardi	Fee	Lucyk	Staback
Belfanti	Freeman	McHale	Steelman
Billow	Gamble	McNally	Steighner
Bishop	George	Markosek	Stetler
Blaum	Gigliotti	Mayermik	Stish
Broujos	Gruitza	Melio	Stuban
Butkovitz	Haluska	Michlovic	Sturla
Caltagirone	Hanna	Mihalich	Surra
Cappabianca	Harper	Mrkonic	Tangretti
Carn	Hayden	Mundy	Taylor, F.
Carone	Hughes	Murphy	Thomas
Cawley	Itkin	Olasz	Tigue
Cohen	James	Oliver	Trello
Colafella	Jarolin	Pesci	Trich
Colaizzo	Josephs	Petrarca	Van Horne
Cole	Kaiser	Petrone	Veon
Corrigan	Kasunic	Pistella	Wambach
Cowell	Kosinski	Preston	Williams
Coy	Kruszewski	Richardson	Wozniak
DeLuca	Kukovich	Rieger	Wright, D. R.
DeWeese	LaGrotta	Ritter	
Daley	Laughlin	Robinson	O'Donnell,
Dermody	Lescovitz	Roebuck	Speaker

**NAYS—100**

Adolph	Fairchild	Johnson	Reinard
Allen	Fajt	Kenney	Ryan
Anderson	Fargo	King	Saurman
Angstadt	Farmer	Krebs	Scheetz
Argall	Fleagle	Langtry	Schuler
Armstrong	Flick	Lawless	Semmel
Arnold	Foster	Lee	Serafini
Barley	Fox	Leh	Smith, B.
Birmelin	Freind	McGeehan	Smith, S. H.
Black	Gallen	McHugh	Snyder, D. W.
Bowley	Gannon	Marsico	Snyder, G.
Boyes	Geist	Merry	Stairs
Brown	Gerlach	Micozzie	Strittmatter
Bunt	Gladeck	Nahill	Taylor, E. Z.
Bush	Godshall	Nailor	Taylor, J.
Carlson	Gruppo	Nickol	Telek
Cessar	Hagarty	Noye	Tomlinson
Chadwick	Harley	Nyce	Tulli
Civera	Hasay	O'Brien	Uliana
Clark	Hayes	Perzel	Vance
Clymer	Heckler	Phillips	Vroon
Cornell	Herman	Piccola	Wilson
Davies	Hershey	Pitts	Wogan
Dempsey	Hess	Raymond	Wright, M. N.
Dent	Jadlowiec	Reber	Wright, R. C.



NOT VOTING—0

EXCUSED—5

Durham            McCall            Maiale            Rudy  
Linton

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill fell.

### BILLS AND RESOLUTIONS PASSED OVER

The SPEAKER. The remainder of the bills and resolutions on the calendar will go over for today.

### VOTE CORRECTION

The SPEAKER. For what purpose does the gentleman, Mr. Davies, rise?

Mr. DAVIES. On HB 539, amendment A1375, I was recorded in the negative. I want to be recorded in the affirmative.

The SPEAKER. The remarks of the gentleman will be spread upon the record.

For the information of the members, no more votes will be cast today.

### BILLS REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND RECOMMITTED TO COMMITTEE ON RULES

#### HB 1377, PN 2051 (Amended)

By Rep. COWELL

An Act amending the act of March 10, 1949 (P. L. 30, No. 14), known as the "Public School Code of 1949," granting pupils the right to refuse to dissect, vivisection or otherwise harm or destroy animals.

EDUCATION.

#### HB 1694, PN 2052 (Amended)

By Rep. COWELL

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

EDUCATION.

#### HB 1695, PN 1982

By Rep. COWELL

An Act amending the act of March 10, 1949 (P. L. 30, No. 14), known as the "Public School Code of 1949," further providing for the compulsory age of attendance.

EDUCATION.

### VOTE CORRECTIONS

The SPEAKER. The Chair recognizes the gentleman, Mr. O'Brien.

Mr. O'BRIEN. Mr. Speaker, on May 29 on HR 121, my vote was recorded in error. I would like to be recorded in the affirmative. Thank you.

The SPEAKER. The Chair recognizes Mr. Herman.

Mr. HERMAN. Thank you, Mr. Speaker.

I was incorrectly recorded on HB 539, amendment 1331. I would like to be recorded in the negative. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes Mr. Carlson.

Mr. CARLSON. Mr. Speaker, on HB 541 my switch malfunctioned. I would like to be recorded in the negative.

The SPEAKER. The remarks of the gentleman will be spread upon the record.

The Chair recognizes Mr. Billow.

Mr. BILLOW. Mr. Speaker, on HB 1146 on Wednesday, June 12, I am recorded as not voting, and I would like to be recorded in the affirmative. Thank you.

### ADJOURNMENT

The SPEAKER. The Chair recognizes Mr. Gerlach.

Mr. GERLACH. Thank you, Mr. Speaker.

I move that this House do now adjourn until Wednesday, June 19, 1991, at 11 a.m., e.d.t., unless sooner recalled by the Speaker.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 4:34 p.m., e.d.t., the House adjourned.