

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

WEDNESDAY, JUNE 26, 2002

SESSION OF 2002

186TH OF THE GENERAL ASSEMBLY

No. 53

HOUSE OF REPRESENTATIVES

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

THE SPEAKER PRO TEMPORE (PATRICIA H. VANCE) PRESIDING

PRAYER

REV. ROBERT A. GRAYBILL, Chaplain of the House of Representatives, offered the following prayer:

Let me share with you these words as a way to reflect upon God's presence:

Almighty God, we stand in silence before You as we begin another session of this House. We know that our minds will debate the issues, our hearts will be pushed for the best solutions, and our souls will find the drive to fight for what we believe is right. Almighty God, our days, today and many days, are filled with so many demands and decisions, but I ask of You to create for all of us a few moments of a pause for each of us.

O God, create a pause that refreshes our minds. We hear many concerns; we think about many different issues; we receive a ton of information, but in the midst of everything, just come and make us pause, finding that Your Spirit refreshes our minds just like a glass of cool water does on a hot day for our bodies.

Create a moment of pause when our hearts shall find that Your Spirit is near, ready to lift us beyond the chaos of the moment, ready to breathe anew within us the love that strengthens us for the tasks that lie ahead. Come and fill us with a pause that indeed we will know that we are loved by our Creator.

And then, O God, create a moment of pause when our souls are fed by the goodness of life, for we can listen to many doom-and-gloom comments, we can find many situations where human beings treat each other like dirt, but we pause in the midst of this bad news and open our souls to Your presence. So, God, in the pause that we put before You, revive the good within us; fill us with so much of Your goodness and blessing.

If You may, O Merciful God, come and create a new moment, a few moments, of pause, so that though the day may be challenging, our spirits will find that Your Spirit shall strengthen us as we pause before Thee. Amen.

PLEDGE OF ALLEGIANCE

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

JOURNAL APPROVAL POSTPONED

The SPEAKER pro tempore. Without objection, the approval of the Journal of Tuesday, June 25, 2002, will be postponed until printed. The Chair hears no objection.

HOUSE BILLS INTRODUCED AND REFERRED

No. 2744 By Representatives MACKERETH, GEIST, BARD, BROOKS, BROWNE, BUNT, CAPPELLI, L. I. COHEN, COLEMAN, CREIGHTON, FLICK, GODSHALL, GORDNER, HENNESSEY, HORSEY, LESCOVITZ, MANN, MARKOSEK, McILHATTAN, PICKETT, SCHRODER, STEELMAN, E. Z. TAYLOR, TURZAI, WATSON and YOUNGBLOOD

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for restraint systems.

Referred to Committee on TRANSPORTATION, June 26, 2002.

No. 2745 By Representatives MACKERETH, SAYLOR, NICKOL, CREIGHTON, FRANKEL, GEIST, HORSEY, LEVDANSKY, LEWIS, S. MILLER, PIPPY, ROSS, RUBLEY, SCHRODER, STEELMAN, R. STEVENSON, E. Z. TAYLOR, WATSON, WILT and YOUNGBLOOD

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for a prototypical school facility design clearinghouse.

Referred to Committee on EDUCATION, June 26, 2002.

No. 2746 By Representatives CAPPELLI, GEIST, FEESE, SCAVELLO, BELFANTI, FAIRCHILD, GODSHALL, HENNESSEY, HERSHEY, HORSEY, KELLER, LEWIS, PICKETT, SAYLOR, SOLOBAY, STERN, YOUNGBLOOD, MYERS, TRELLO, BENNINGHOFF and TURZAI

An Act amending the act of July 16, 1968 (P.L.351, No.173), referred to as the Prisoner Pre-release Plan Law, further providing for release plans.

Referred to Committee on JUDICIARY, June 26, 2002.

No. 2747 By Representatives VANCE, PERZEL, BROOKS, YOUNGBLOOD, ADOLPH, ALLEN, BELFANTI, BISHOP, CAPPELLI, CIVERA, L. I. COHEN, CREIGHTON, CURRY, DeLUCA, FLICK, FREEMAN, GEIST, GEORGE, HERMAN, LESCOVITZ, MACKERETH, McCALL, McILHATTAN,

R. MILLER, S. MILLER, MUNDY, NICKOL, PICKETT, PISTELLA, ROBERTS, ROSS, RUBLEY, SATHER, SCRIMENTI, SHANER, STEELMAN, STERN, T. STEVENSON, E. Z. TAYLOR, WALKO, WATSON and ZUG

An Act amending Title 54 (Names) of the Pennsylvania Consolidated Statutes, providing for surviving spouse to resume prior name.

Referred to Committee on JUDICIARY, June 26, 2002.

No. 2748 By Representatives SCHRODER, BROOKS, CORRIGAN, HASAY, HORSEY, KELLER, LAUGHLIN, LEWIS, PALLONE, PHILLIPS, PISTELLA, RUBLEY, SHANER, E. Z. TAYLOR, THOMAS, WALKO and YOUNGBLOOD

An Act amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, prohibiting outside burning during drought emergency declaration.

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, June 26, 2002.

No. 2749 By Representatives MARKOSEK, SCRIMENTI, CORRIGAN, CREIGHTON, MUNDY, HORSEY, STEELMAN, HARHAI and J. WILLIAMS

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, further providing for the imposition of sales tax on prebuilt housing.

Referred to Committee on FINANCE, June 26, 2002.

HOUSE RESOLUTION INTRODUCED AND REFERRED

No. 628 By Representatives BARD, BROOKS, HERMAN, FRANKEL, SCHRODER, M. BAKER, BASTIAN, BELARDI, CALTAGIRONE, CAPPELLI, CAWLEY, CORRIGAN, DeLUCA, FICHTER, FREEMAN, GRUCELA, HORSEY, LAUGHLIN, McCALL, MELIO, MUNDY, PETRARCA, PISTELLA, READSHAW, E. Z. TAYLOR, TRELLO, WASHINGTON, M. WRIGHT, YOUNGBLOOD and HASAY

A Concurrent Resolution memorializing Congress to pass legislation permitting importation from Canada of approved prescription drugs.

Referred to Committee on INTERGOVERNMENTAL AFFAIRS, June 26, 2002.

SENATE BILLS FOR CONCURRENCE

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

SB 1242, PN 1940

Referred to Committee on GAME AND FISHERIES, June 26, 2002.

SB 1401, PN 2033

Referred to Committee on JUDICIARY, June 26, 2002.

SENATE MESSAGE

AMENDED SENATE BILL RETURNED
FOR CONCURRENCE AND
REFERRED TO COMMITTEE ON RULES

The clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives by amending said amendments to **SB 212, PN 2153**.

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

BILLS REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

SB 1187, PN 2108

By Rep. CLYMER

An Act authorizing the Department of General Services, with the approval of the Governor, to grant and convey to Tolentine Community Center and Development Corporation certain lands and building situate in the City of Philadelphia, Philadelphia County.

STATE GOVERNMENT.

SB 1364, PN 2111

By Rep. CLYMER

An Act authorizing and directing the Department of General Services, with the approval of the Governor and the Pennsylvania Historical and Museum Commission, to accept by donation a tract of land situate in the Township of Penn, Westmoreland County.

STATE GOVERNMENT.

SB 1368, PN 2112

By Rep. CLYMER

An Act authorizing and directing the Department of General Services, with the approval of the Governor and the Pennsylvania Historical and Museum Commission, to acquire by settlement agreement three tracts of land in Foster Township, Luzerne County.

STATE GOVERNMENT.

SB 1453, PN 2110

By Rep. CLYMER

An Act authorizing the Department of General Services, with the approval of the Department of Transportation and the Governor, to grant and convey to the West Chester Area School District, certain lands in West Goshen Township, Chester County.

STATE GOVERNMENT.

SB 1459, PN 2029

By Rep. CLYMER

An Act authorizing and directing the Department of General Services, with the approval of the Governor, to grant and convey to the Student Association, Inc., a certain tract of land situate in the Borough of California, Washington County, in exchange for a certain tract of land.

STATE GOVERNMENT.

BILL REMOVED FROM TABLE

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

Mr. PERZEL. Madam Speaker, I move that SB 1370 be removed from the table.

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

BILL ON SECOND CONSIDERATION

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

SB 1370, PN 2080.

BILL RECOMMITTED

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

Mr. PERZEL. Madam Speaker, I move that SB 1370 be recommitted to Appropriations.

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

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

HB 2555, PN 3664

By Rep. STAIRS

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

EDUCATION.

HB 2644, PN 4127 (Amended)

By Rep. STAIRS

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, amending and adding provisions relating to the Thaddeus Stevens State College of Technology; making a repeal; and making editorial changes.

EDUCATION.

BILL REMOVED FROM TABLE

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

Mr. PERZEL. Madam Speaker, I move that HB 1733, PN 2176, be taken off the table.

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

BILL TABLED

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

Mr. PERZEL. Madam Speaker, I move that HB 1733, PN 2176, be placed on the table.

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

LEAVES OF ABSENCE

The SPEAKER pro tempore. Are there requests for leaves of absence? The majority leader says that he has no leaves of absence.

The Chair recognizes the minority whip, who requests that the gentleman from Lawrence County, Mr. LaGROTTA, be placed on leave for the remainder of the week. Without objection, the leave of absence is granted.

GUESTS INTRODUCED

The SPEAKER pro tempore. The Chair is pleased to welcome to the hall of the House as guest pages, from Chester County, who are the guests of Representative Chris Ross, Sonia Herman and Tara Hankinson. Would the ladies please rise.

The Chair is also pleased to welcome to the hall of the House, as the guests of Representative Mike Turzai, Bill Bradly, Sara Bresnahan, Maria Mercuri, and Zach Zemanek. They are seated to the left of the Speaker. Would they please rise. Thank you very much.

The Chair is also pleased to welcome to the hall of the House, as the guest of Representative Paul Semmel, Joshua Campbell. Joshua is the 2002 winner of the "There Ought To Be a Law" in Representative Semmel's district. Joshua attends Kernsville Elementary School. He proposed there ought to be a law that youth associations require all coaches have a background check done before allowing them to work with children. Joshua is accompanied by his mother, Danette, his father, Walter, and younger brother, Collin. Would they please rise. They are seated in the gallery.

Also as a guest of Representative Paul Semmel is Kathryn Moyer. Kathryn was a summer intern last year in Representative Semmel's district office. She is attending Dickinson College. Would she please rise.

REPORT SUBMITTED

The SPEAKER pro tempore. The Chair acknowledges receipt of a report from the House Intergovernmental Affairs Committee and the House Labor Relations Committee submitted pursuant to HR 257.

(Copy of report is on file with the Chief Clerk.)

MASTER ROLL CALL

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

The following roll call was recorded:

PRESENT—201

- | | | | |
|--------------|------------|------------|---------------|
| Adolph | Evans, D. | Major | Schroder |
| Allen | Evans, J. | Manderino | Schuler |
| Argall | Fairchild | Mann | Scrimenti |
| Armstrong | Feese | Markosek | Semmel |
| Baker, J. | Fichter | Marsico | Shaner |
| Baker, M. | Fleagle | Mayernik | Smith, B. |
| Bard | Flick | McCall | Smith, S. H. |
| Barrar | Forcier | McGeehan | Solobay |
| Bastian | Frankel | McGill | Staback |
| Bebko-Jones | Freeman | McIlhattan | Stairs |
| Belardi | Gabig | McIlhinney | Steelman |
| Belfanti | Gannon | McNaughton | Steil |
| Benninghoff | Geist | Melio | Stern |
| Birmelin | George | Metcalfe | Stetler |
| Bishop | Godshall | Michlovic | Stevenson, R. |
| Blaum | Gordner | Micozzie | Stevenson, T. |
| Boyes | Grucela | Miller, R. | Strittmatter |
| Brooks | Gruitza | Miller, S. | Sturla |
| Browne | Habay | Mundy | Surra |
| Bunt | Haluska | Myers | Tangretti |
| Butkovitz | Hanna | Nailor | Taylor, E. Z. |
| Buxton | Harhai | Nickol | Taylor, J. |
| Caltagirone | Harhart | O'Brien | Thomas |
| Cappelli | Harper | Oliver | Tigue |
| Casorio | Hasay | Pallone | Travaglio |
| Cawley | Hennessey | Perzel | Trello |
| Civera | Herman | Petrarca | Trich |
| Clark | Hershey | Petrone | Tulli |
| Clymer | Hess | Phillips | Turzai |
| Cohen, L. I. | Horsey | Pickett | Vance |
| Cohen, M. | Hutchinson | Pippy | Veon |
| Colafella | Jadlowiec | Pistella | Vitali |
| Coleman | James | Preston | Walko |
| Cornell | Josephs | Raymond | Wansacz |
| Corrigan | Kaiser | Readshaw | Washington |
| Costa | Keller | Reinard | Waters |
| Coy | Kenney | Rieger | Watson |
| Creighton | Kirkland | Roberts | Williams, J. |
| Cruz | Krebs | Robinson | Wilt |
| Curry | Laughlin | Roebuck | Wojnaroski |
| Dailey | Lawless | Rohrer | Wright, G. |
| Daley | Lederer | Rooney | Wright, M. |
| Dally | Leh | Ross | Yewcic |
| DeLuca | Lescovitz | Rubley | Youngblood |
| Dermody | Levdansky | Ruffing | Yudichak |
| DeWeese | Lewis | Sainato | Zimmerman |
| DiGiroalamo | Lucyk | Samuelson | Zug |
| Diven | Lynch | Santoni | |
| Donatucci | Mackereth | Sather | |
| Eachus | Maher | Saylor | Ryan, |
| Egolf | Maitland | Scavello | Speaker |

ADDITIONS—0

NOT VOTING—0

EXCUSED—1

LaGrotta

**THE SPEAKER (MATTHEW J. RYAN)
PRESIDING**

CALENDAR

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 891, PN 3885**, entitled:

An Act amending the act of March 7, 1901 (P.L.20, No.14), entitled "An act for the government of cities of the second class," further providing for tax levy authority.

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

BILL RECOMMENDED

The SPEAKER. The Chair recognizes the majority leader. Mr. PERZEL. Mr. Speaker, I move that HB 891 be recommitted to Rules.

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

* * *

The House proceeded to third consideration of **HB 893, PN 3884**, entitled:

An Act amending the act of July 28, 1953 (P.L.723, No.230), known as the Second Class County Code, further providing for tax levies.

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

BILL RECOMMENDED

The SPEAKER. The Chair recognizes the majority leader. Mr. PERZEL. Mr. Speaker, I move that HB 893 be recommitted to Rules.

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

* * *

The House proceeded to third consideration of **HB 894, PN 3883**, entitled:

An Act amending the act of June 23, 1931 (P.L.932, No.317), known as The Third Class City Code, further providing for tax levies.

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

BILL RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader.
Mr. PERZEL. Mr. Speaker, I move that HB 894 be recommitted to Rules.

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

* * *

The House proceeded to third consideration of **HB 2713, PN 4037**, entitled:

An Act amending the act of December 22, 1989 (P.L.687, No.90), known as the Mortgage Bankers and Brokers and Consumer Equity Protection Act, defining "mortgage solicitor"; further providing for application for license; and providing for registration of mortgage solicitors.

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

The SPEAKER. This bill has been considered on three different days and agreed to and is now on final passage.
The question is, shall the bill pass finally?
Agreeable to the provisions of the Constitution, the yeas and nays will now be taken.

The following roll call was recorded:

YEAS—201

Adolph	Evans, D.	Major	Schroder
Allen	Evans, J.	Manderino	Schuler
Argall	Fairchild	Mann	Scrimenti
Armstrong	Feese	Markosek	Semmel
Baker, J.	Fichter	Marsico	Shaner
Baker, M.	Fleagle	Mayermik	Smith, B.
Bard	Flick	McCall	Smith, S. H.
Barrar	Forcier	McGeehan	Solobay
Bastian	Frankel	McGill	Staback
Bebko-Jones	Freeman	McIlhattan	Stairs
Belardi	Gabig	McIlhinney	Steelman
Belfanti	Gannon	McNaughton	Steil
Benninghoff	Geist	Melio	Stern
Birmelin	George	Metcalfe	Stetler
Bishop	Godshall	Michlovic	Stevenson, R.
Blaum	Gordner	Micozzie	Stevenson, T.
Boyes	Grucela	Miller, R.	Strittmatter
Brooks	Gruitza	Miller, S.	Sturla
Browne	Habay	Mundy	Surra
Bunt	Haluska	Myers	Tangretti
Butkovitz	Hanna	Nailor	Taylor, E. Z.

Buxton	Harhai	Nickol	Taylor, J.
Caltagirone	Harhart	O'Brien	Thomas
Cappelli	Harper	Oliver	Tigue
Casorio	Hasay	Pallone	Travaglio
Cawley	Hennessey	Perzel	Trello
Civera	Herman	Petrarca	Trich
Clark	Hershey	Petrone	Tulli
Clymer	Hess	Phillips	Turzai
Cohen, L. I.	Horsey	Pickett	Vance
Cohen, M.	Hutchinson	Pippy	Veon
Colafella	Jadlowiec	Pistella	Vitali
Coleman	James	Preston	Walko
Cornell	Josephs	Raymond	Wansacz
Corrigan	Kaiser	Readshaw	Washington
Costa	Keller	Reinard	Waters
Coy	Kenney	Rieger	Watson
Creighton	Kirkland	Roberts	Williams, J.
Cruz	Krebs	Robinson	Wilt
Curry	Laughlin	Roebuck	Wojnaroski
Dailey	Lawless	Rohrer	Wright, G.
Daley	Lederer	Rooney	Wright, M.
Dally	Leh	Ross	Yewcic
DeLuca	Lescovitz	Rubley	Youngblood
Dermody	Levdansky	Ruffing	Yudichak
DeWeese	Lewis	Sainato	Zimmerman
DiGirolamo	Lucyk	Samuelson	Zug
Diven	Lynch	Santoni	
Donatucci	Mackereth	Sather	
Eachus	Maher	Saylor	Ryan,
Egolf	Maitland	Scavello	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—1

LaGrotta

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

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

* * *

The House proceeded to third consideration of **HB 700, PN 4046**, entitled:

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, providing for trespassing violations.

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

The SPEAKER. This bill has been considered on three different days and agreed to and is now on final passage.
The question is, shall the bill pass finally?
Agreeable to the provisions of the Constitution, the yeas and nays will now be taken.

The following roll call was recorded:
YEAS—200

Adolph	Evans, D.	Manderino	Schroder
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Allen	Evans, J.	Mann	Schuler
Argall	Fairchild	Markosek	Scrimenti
Armstrong	Feese	Marsico	Semmel
Baker, J.	Fichter	Mayernik	Shaner
Baker, M.	Fleagle	McCall	Smith, B.
Bard	Flick	McGeehan	Smith, S. H.
Barrar	Forcier	McGill	Solobay
Bastian	Frankel	McIlhattan	Staback
Bebko-Jones	Freeman	McIlhinney	Stairs
Belardi	Gabig	McNaughton	Steelman
Belfanti	Gannon	Melio	Steil
Benninghoff	Geist	Metcalfe	Stern
Birmelin	George	Michlovic	Stetler
Bishop	Godshall	Micozzie	Stevenson, R.
Blaum	Gordner	Miller, R.	Stevenson, T.
Boyes	Grucela	Miller, S.	Strittmatter
Brooks	Gruitza	Mundy	Sturla
Browne	Habay	Myers	Surra
Bunt	Hanna	Nailor	Tangretti
Butkovitz	Harhai	Nickol	Taylor, E. Z.
Buxton	Harhart	O'Brien	Taylor, J.
Caltagirone	Harper	Oliver	Thomas
Cappelli	Hasay	Pallone	Tigue
Casorio	Hennessey	Perzel	Travaglio
Cawley	Herman	Petrarca	Trello
Civera	Hershey	Petrone	Trich
Clark	Hess	Phillips	Tulli
Clymer	Horsley	Pickett	Turzai
Cohen, L. I.	Hutchinson	Pippy	Vance
Cohen, M.	Jadlowiec	Pistella	Veon
Colafella	James	Preston	Vitali
Coleman	Josephs	Raymond	Walko
Cornell	Kaiser	Readshaw	Wansacz
Corrigan	Keller	Reinard	Washington
Costa	Kenney	Rieger	Waters
Coy	Kirkland	Roberts	Watson
Creighton	Krebs	Robinson	Williams, J.
Cruz	Laughlin	Roebuck	Wilt
Curry	Lawless	Rohrer	Wojnaroski
Dailey	Lederer	Rooney	Wright, G.
Daley	Leh	Ross	Wright, M.
Dally	Lescovitz	Ruble	Yewcic
DeLuca	Levdansky	Ruffing	Youngblood
Dermody	Lewis	Sainato	Yudichak
DeWeese	Lucyk	Samuelson	Zimmerman
DiGirolamo	Lynch	Santoni	Zug
Diven	Mackereth	Sather	
Donatucci	Maher	Saylor	
Eachus	Maitland	Scavello	Ryan,
Egolf	Major		Speaker

NAYS—1

Haluska

NOT VOTING—0

EXCUSED—1

LaGrotta

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

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

* * *

The House proceeded to third consideration of **SB 592**,

PN 1438, entitled:

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, providing for dispositions of decedent's property independent of granting letters.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—201

Adolph	Evans, D.	Major	Schroder
Allen	Evans, J.	Manderino	Schuler
Argall	Fairchild	Mann	Scrimenti
Armstrong	Feese	Markosek	Semmel
Baker, J.	Fichter	Marsico	Shaner
Baker, M.	Fleagle	Mayernik	Smith, B.
Bard	Flick	McCall	Smith, S. H.
Barrar	Forcier	McGeehan	Solobay
Bastian	Frankel	McGill	Staback
Bebko-Jones	Freeman	McIlhattan	Stairs
Belardi	Gabig	McIlhinney	Steelman
Belfanti	Gannon	McNaughton	Steil
Benninghoff	Geist	Melio	Stern
Birmelin	George	Metcalfe	Stetler
Bishop	Godshall	Michlovic	Stevenson, R.
Blaum	Gordner	Micozzie	Stevenson, T.
Boyes	Grucela	Miller, R.	Strittmatter
Brooks	Gruitza	Miller, S.	Sturla
Browne	Habay	Mundy	Surra
Bunt	Haluska	Myers	Tangretti
Butkovitz	Hanna	Nailor	Taylor, E. Z.
Buxton	Harhai	Nickol	Taylor, J.
Caltagirone	Harhart	O'Brien	Thomas
Cappelli	Harper	Oliver	Tigue
Casorio	Hasay	Pallone	Travaglio
Cawley	Hennessey	Perzel	Trello
Civera	Herman	Petrarca	Trich
Clark	Hershey	Petrone	Tulli
Clymer	Hess	Phillips	Turzai
Cohen, L. I.	Horsley	Pickett	Vance
Cohen, M.	Hutchinson	Pippy	Veon
Colafella	Jadlowiec	Pistella	Vitali
Coleman	James	Preston	Walko
Cornell	Josephs	Raymond	Wansacz
Corrigan	Kaiser	Readshaw	Washington
Costa	Keller	Reinard	Waters
Coy	Kenney	Rieger	Watson
Creighton	Kirkland	Roberts	Williams, J.
Cruz	Krebs	Robinson	Wilt
Curry	Laughlin	Roebuck	Wojnaroski
Dailey	Lawless	Rohrer	Wright, G.
Daley	Lederer	Rooney	Wright, M.
Dally	Leh	Ross	Yewcic
DeLuca	Lescovitz	Ruble	Youngblood
Dermody	Levdansky	Ruffing	Yudichak
DeWeese	Lewis	Sainato	Zimmerman
DiGirolamo	Lucyk	Samuelson	Zug
Diven	Lynch	Santoni	
Donatucci	Mackereth	Sather	
Eachus	Maher	Saylor	Ryan,
Egolf	Maitland	Scavello	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—1

LaGrotta

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

Ordered, That the clerk return the same to the Senate with the information that the House has passed the same without amendment.

* * *

The House proceeded to third consideration of **HB 2730, PN 4073**, entitled:

An Act redesignating the Northeast Veterans Center as the Gino J. Merli Northeast Veterans Center.

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

Mr. **STABACK** offered the following amendment No. **A3690**:

Amend Title, page 1, line 1, by striking out “Northeast” and inserting

Northeastern

Amend Title, page 1, line 2, by striking out “Northeast” and inserting

Northeastern

Amend Sec. 1, page 1, line 7, by striking out “Northeast” and inserting

Northeastern

Amend Sec. 1, page 1, line 9, by striking out “Northeast” and inserting

Northeastern

Amend Sec. 1, page 1, line 13, by striking out “Northeast” and inserting

Northeastern

Amend Sec. 1, page 1, line 14, by striking out “Northeast” and inserting

Northeastern

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

The **SPEAKER**. On the question of the adoption of the Staback amendment, those in favor will vote— Does the gentleman, Mr. Staback, desire recognition? The gentleman is recognized.

Mr. **STABACK**. Thank you, Mr. Speaker.

Mr. Speaker, amendment A3690 is technical in nature and simply replaces the term “Northeast” with the term “Northeastern” in HB 2730. I would ask for an affirmative vote.

Thank you.

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

The following roll call was recorded:

YEAS—201

Adolph	Evans, D.	Major	Schroder
Allen	Evans, J.	Manderino	Schuler
Argall	Fairchild	Mann	Scrimenti
Armstrong	Feese	Markosek	Semmel
Baker, J.	Fichter	Marsico	Shaner
Baker, M.	Fleagle	Mayernik	Smith, B.
Bard	Flick	McCall	Smith, S. H.
Barrar	Forcier	McGeehan	Solobay
Bastian	Frankel	McGill	Staback
Bebko-Jones	Freeman	McIlhattan	Stairs
Belardi	Gabig	McIlhinney	Steelman
Belfanti	Gannon	McNaughton	Steil
Benninghoff	Geist	Melio	Stern
Birmelin	George	Metcalfe	Stetler
Bishop	Godshall	Michlovic	Stevenson, R.
Blaum	Gordner	Micozzie	Stevenson, T.
Boyes	Grucela	Miller, R.	Strittmatter
Brooks	Gruitza	Miller, S.	Sturla
Browne	Habay	Mundy	Surra
Bunt	Haluska	Myers	Tangretti
Butkovitz	Hanna	Nailor	Taylor, E. Z.
Buxton	Harhai	Nickol	Taylor, J.
Caltagirone	Harhart	O’Brien	Thomas
Cappelli	Harper	Oliver	Tigue
Casorio	Hasay	Pallone	Travaglio
Cawley	Hennessey	Perzel	Trello
Civera	Herman	Petrarca	Trich
Clark	Hershey	Petrone	Tulli
Clymer	Hess	Phillips	Turzai
Cohen, L. I.	Horsley	Pickett	Vance
Cohen, M.	Hutchinson	Pippy	Veon
Colafella	Jadlowiec	Pistella	Vitali
Coleman	James	Preston	Walko
Cornell	Josephs	Raymond	Wansacz
Corrigan	Kaiser	Readshaw	Washington
Costa	Keller	Reinard	Waters
Coy	Kenney	Rieger	Watson
Creighton	Kirkland	Roberts	Williams, J.
Cruz	Krebs	Robinson	Wilt
Curry	Laughlin	Roebuck	Wojnaroski
Dailey	Lawless	Rohrer	Wright, G.
Daley	Lederer	Rooney	Wright, M.
Dally	Leh	Ross	Yewcic
DeLuca	Lescovitz	Rubley	Youngblood
Dermody	Levdansky	Ruffing	Yudchak
DeWeese	Lewis	Sainato	Zimmerman
DiGirolamo	Lucyk	Samuelson	Zug
Diven	Lynch	Santoni	
Donatucci	Mackereth	Sather	
Eachus	Maher	Saylor	Ryan, Speaker
Egolf	Maitland	Scavello	

NAYS—0

NOT VOTING—0

EXCUSED—1

LaGrotta

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

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

Mr. Staback. The gentleman will yield.

The House will come to order, please.

Mr. STABACK. Thank you, Mr.—

The SPEAKER. The gentleman will yield.

The House will please come to order.

Mr. Staback.

Mr. STABACK. Thank you, Mr. Speaker.

Mr. Speaker, HB 2730 will redesignate the Northeastern Veterans Center in Scranton to the memory of a Congressional Medal of Honor recipient, Gino J. Merli, a gentleman that I spoke about in a condolence resolution that was offered just 2 days ago. The tribute being afforded the memory of Mr. Merli via HB 2730 is not only justified and proper but is certainly well deserved, and once again would ask for an affirmative vote on the measure.

Thank you.

The SPEAKER. The gentleman, Mr. Clymer.

Mr. CLYMER. Thank you, Mr. Speaker.

And I just want to echo the remarks of Representative Staback. Indeed this was a wonderful American, and as we approach the July 4 celebration, a man who showed great heroism in World War II, a Medal of Honor winner whom Representative Staback had brought into these very chambers several years ago. I think it is so fitting that we do this, and I commend the gentleman for this legislation that would name the Northeast Veterans Center in honor of Gino J. Merli, a great American hero.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—201

Adolph	Evans, D.	Major	Schroder
Allen	Evans, J.	Manderino	Schuler
Argall	Fairchild	Mann	Scrimenti
Armstrong	Feese	Markosek	Semmel
Baker, J.	Fichter	Marsico	Shaner
Baker, M.	Fleagle	Mayernik	Smith, B.
Bard	Flick	McCall	Smith, S. H.
Barrar	Forcier	McGeehan	Solobay
Bastian	Frankel	McGill	Staback
Bebko-Jones	Freeman	McIlhattan	Stairs
Belardi	Gabig	McIlhinney	Steelman
Belfanti	Gannon	McNaughton	Steil
Benninghoff	Geist	Melio	Stern
Birmelin	George	Metcalfe	Stetler
Bishop	Godshall	Michlovic	Stevenson, R.
Blaum	Gordner	Micozzie	Stevenson, T.
Boyes	Grucela	Miller, R.	Strittmatter
Brooks	Gruitza	Miller, S.	Sturla
Browne	Habay	Mundy	Surra
Bunt	Haluska	Myers	Tangretti
Butkovitz	Hanna	Nailor	Taylor, E. Z.

Buxton	Harhai	Nickol	Taylor, J.
Caltagirone	Harhart	O'Brien	Thomas
Cappelli	Harper	Oliver	Tigue
Casorio	Hasay	Pallone	Travaglio
Cawley	Hennessey	Perzel	Trello
Civera	Herman	Petrarca	Trich
Clark	Hershey	Petrone	Tulli
Clymer	Hess	Phillips	Turzai
Cohen, L. I.	Horsey	Pickett	Vance
Cohen, M.	Hutchinson	Pippy	Veon
Colafella	Jadlowiec	Pistella	Vitali
Coleman	James	Preston	Walko
Cornell	Josephs	Raymond	Wansacz
Corrigan	Kaiser	Readshaw	Washington
Costa	Keller	Reinard	Waters
Coy	Kenney	Rieger	Watson
Creighton	Kirkland	Roberts	Williams, J.
Cruz	Krebs	Robinson	Wilt
Curry	Laughlin	Roebuck	Wojnaroski
Dailey	Lawless	Rohrer	Wright, G.
Daley	Lederer	Rooney	Wright, M.
Dally	Leh	Ross	Yewcic
DeLuca	Lescovitz	Rubley	Youngblood
Dermody	Levdansky	Ruffing	Yudichak
DeWeese	Lewis	Sainato	Zimmerman
DiGirolamo	Lucyk	Samuelson	Zug
Diven	Lynch	Santoni	
Donatucci	Mackereth	Sather	
Eachus	Maher	Saylor	Ryan,
Egolf	Maitland	Scavello	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—1

LaGrotta

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

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

BILL ON CONCURRENCE IN SENATE AMENDMENTS

The House proceeded to consideration of concurrence in Senate amendments to HB 751, PN 4066, entitled:

An Act amending the act of September 27, 1961 (P.L.1700, No.699), known as the Pharmacy Act, further providing for definitions; and providing for drug therapy protocol.

On the question,

Will the House concur in Senate amendments?

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

(Members proceeded to vote.)

VOTE STRICKEN

The SPEAKER. Mr. Lescovitz, do you wish recognition on

this?

The clerk will strike the vote.

Mr. LESCOVITZ. Just, Mr. Speaker, it is my understanding that the Democrats did not caucus on this legislation, and I would appreciate if we went over it just for a minute so our caucus chairman and I and the leader can discuss it.

BILL PASSED OVER TEMPORARILY

The SPEAKER. Without objection, HB 751 is over temporarily.

RESOLUTIONS PURSUANT TO RULE 35

Mr. MARSICO called up HR 617, PN 4096, entitled:

A Resolution designating the week of September 2 through 6, 2002, as "Payroll Week 2002" in Pennsylvania.

On the question, Will the House adopt the resolution?

The following roll call was recorded:

YEAS—201

Table listing names of members who voted 'YEAS' for HR 617, PN 4096. Includes names like Adolph, Allen, Argall, Armstrong, Baker, J., Baker, M., Bard, Barrar, Bastian, Bebko-Jones, Belardi, Belfanti, Benninghoff, Birmelin, Bishop, Blaum, Boyes, Brooks, Browne, Bunt, Butkovitz, Buxton, Caltagirone, Cappelli, Casorio, Cawley, Civera, Clark, Clymer, Cohen, L. I., Cohen, M., Colafella, Coleman, Cornell, Corrigan, Costa, Coy, Creighton, Cruz, Curry, Dailey, Daley, Dally, Evans, D., Evans, J., Fairchild, Feese, Fichter, Fleagle, Flick, Forcier, Frankel, Freeman, Gabig, Gannon, Geist, George, Godshall, Gordner, Grucela, Gruitza, Habay, Haluska, Hanna, Harhai, Harhart, Harper, Hasay, Hennessey, Herman, Hershey, Hess, Horsey, Hutchinson, Jadlowiec, James, Josephs, Kaiser, Keller, Kenney, Kirkland, Krebs, Laughlin, Lawless, Lederer, Leh, Major, Manderino, Mann, Markosek, Marsico, Mayernik, McCall, McGeehan, McGill, McIlhattan, McIlhinney, McNaughton, Melio, Metcalfe, Michlovic, Micozzie, Miller, R., Miller, S., Mundy, Myers, Nailor, Nickol, O'Brien, Oliver, Pallone, Perzel, Petrarca, Petrone, Phillips, Pickett, Pippy, Pistella, Preston, Raymond, Readshaw, Reinard, Rieger, Roberts, Robinson, Roebuck, Rohrer, Rooney, Ross, Schroder, Schuler, Scrimenti, Semmel, Shaner, Smith, B., Smith, S. H., Solobay, Staback, Stairs, Steelman, Steil, Stern, Stetler, Stevenson, R., Stevenson, T., Strittmatter, Sturla, Surra, Tangretti, Taylor, E. Z., Taylor, J., Thomas, Tigue, Travaglio, Trello, Trich, Tulli, Turzai, Vance, Veon, Vitali, Walko, Wansacz, Washington, Waters, Watson, Williams, J., Wilt, Wojnaroski, Wright, G., Wright, M., Yewcic.

Table listing names of members who did not vote or were absent. Includes DeLuca, Dermody, DeWeese, DiGirolamo, Diven, Donatucci, Eachus, Egolf, Lescovitz, Levdansky, Lewis, Lucyk, Lynch, Mackereth, Maher, Maitland, Rubley, Ruffing, Sainato, Samuelson, Santoni, Sather, Saylor, Scavello, Youngblood, Yudichak, Zimmerman, Zug, Ryan, Speaker.

NAYS—0

NOT VOTING—0

EXCUSED—1

LaGrotta

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

* * *

Ms. BISHOP called up HR 619, PN 4098, entitled:

A Resolution honoring Philadelphia 76ers Head Coach Larry Brown upon his election to the Naismith Memorial Basketball Hall of Fame.

On the question, Will the House adopt the resolution?

The following roll call was recorded:

YEAS—201

Table listing names of members who voted 'YEAS' for HR 619, PN 4098. Includes names like Adolph, Allen, Argall, Armstrong, Baker, J., Baker, M., Bard, Barrar, Bastian, Bebko-Jones, Belardi, Belfanti, Benninghoff, Birmelin, Bishop, Blaum, Boyes, Brooks, Browne, Bunt, Butkovitz, Buxton, Caltagirone, Cappelli, Casorio, Cawley, Civera, Clark, Clymer, Cohen, L. I., Cohen, M., Colafella, Coleman, Cornell, Corrigan, Evans, D., Evans, J., Fairchild, Feese, Fichter, Fleagle, Flick, Forcier, Frankel, Freeman, Gabig, Gannon, Geist, George, Godshall, Gordner, Grucela, Gruitza, Habay, Haluska, Hanna, Harhai, Harhart, Harper, Hasay, Hennessey, Herman, Hershey, Hess, Horsey, Hutchinson, Jadlowiec, James, Josephs, Kaiser, Keller, Kenney, Kirkland, Krebs, Laughlin, Lawless, Lederer, Leh, Major, Manderino, Mann, Markosek, Marsico, Mayernik, McCall, McGeehan, McGill, McIlhattan, McIlhinney, McNaughton, Melio, Metcalfe, Michlovic, Micozzie, Miller, R., Miller, S., Mundy, Myers, Nailor, Nickol, O'Brien, Oliver, Pallone, Perzel, Petrarca, Petrone, Phillips, Pickett, Pippy, Pistella, Preston, Raymond, Readshaw, Reinard, Rieger, Roberts, Robinson, Roebuck, Rohrer, Rooney, Ross, Schroder, Schuler, Scrimenti, Semmel, Shaner, Smith, B., Smith, S. H., Solobay, Staback, Stairs, Steelman, Steil, Stern, Stetler, Stevenson, R., Stevenson, T., Strittmatter, Sturla, Surra, Tangretti, Taylor, E. Z., Taylor, J., Thomas, Tigue, Travaglio, Trello, Trich, Tulli, Turzai, Vance, Veon, Vitali, Walko, Wansacz, Washington, Waters, Watson, Williams, J., Wilt, Wojnaroski, Wright, G., Wright, M., Yewcic.

Costa	Keller	Reinard	Waters
Coy	Kenney	Rieger	Watson
Creighton	Kirkland	Roberts	Williams, J.
Cruz	Krebs	Robinson	Wilt
Curry	Laughlin	Roebuck	Wojnaroski
Dailey	Lawless	Rohrer	Wright, G.
Daley	Lederer	Rooney	Wright, M.
Dally	Leh	Ross	Yewcic
DeLuca	Lescovitz	Rubley	Youngblood
Dermody	Levdansky	Ruffing	Yudichak
DeWeese	Lewis	Sainato	Zimmerman
DiGirolamo	Lucyk	Samuelson	Zug
Diven	Lynch	Santoni	
Donatucci	Mackereth	Sather	
Eachus	Maher	Saylor	Ryan,
Egolf	Maitland	Scavello	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—1

LaGrotta

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

RULES COMMITTEE MEETING

The SPEAKER. The Chair recognizes the majority leader, who calls for an immediate meeting of the Rules Committee.

BILL REREPORTED FROM COMMITTEE

HB 472, PN 507 By Rep. PERZEL

An Act amending the act of June 29, 1953 (P.L.304, No.66), known as the Vital Statistics Law of 1953, providing for certificate of stillbirth.

RULES.

BILLS ON CONCURRENCE REPORTED FROM COMMITTEE

HB 2164, PN 4125 (Amended) By Rep. PERZEL

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for suspension of operating privilege; imposing penalties on department employees or agents who issue a fraudulent driver's license; further providing for motorcycle fees; and providing for removal from the record of certain suspensions.

RULES.

HB 2530, PN 4047 By Rep. PERZEL

An Act making an appropriation from a restricted revenue account within the General Fund and from Federal augmentation funds to the Pennsylvania Public Utility Commission.

RULES.

SB 212, PN 2153 By Rep. PERZEL

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for seal and for tolling the civil statute of limitations in childhood sexual abuse cases and criminal statute of limitations for certain sexual offenses.

RULES.

SB 820, PN 1798 By Rep. PERZEL

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for protection of employment of crime victims, family members of victims and witnesses; and further prohibiting contraband.

RULES.

SB 955, PN 2102 By Rep. PERZEL

An Act providing for vaccination against meningococcal disease for students at institutions of higher education.

RULES.

BILL ON SECOND CONSIDERATION

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

HB 472, PN 507.

GUESTS INTRODUCED

The SPEAKER. The Chair is pleased to welcome to the hall of the House today, as the guests of Representative Michael Sturla, certain guest pages, included, his daughter, Cate Sturla, and her schoolmate, Christine Kim. Would the girls please rise. They are seated directly in front of the Speaker.

The Chair would also like to welcome to the hall of the House today, as the guests of Representative Mario Scavello, Raissa Simchak and Dan Palmer. Raissa is in the eighth grade, Dan in the 10th grade, at Pocono Mountain School District. They are both serving as guest pages today. They are here with their mothers, Jean Simchak and Kathy Palmer, seated in the gallery. Would all of these guests please rise.

BILL RECOMMITTED

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

Mr. ARGALL. Mr. Speaker, I move that HB 472 be recommitted to the Committee on Appropriations.

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

SENATE BILL FOR CONCURRENCE

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

SB 1485, PN 2137

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, June 26, 2002.

TOURISM AND RECREATIONAL DEVELOPMENT COMMITTEE MEETING

The SPEAKER. Does the gentleman, Mr. Godshall, have an announcement of a committee meeting?

Mr. GODSHALL. Thank you, Mr. Speaker.

The House Tourism and Recreational Development Committee will have a meeting at the rear of the House right now, and it is to report one bill. That meeting will take place in the back of the hall, in the back of the chamber. House Tourism and Recreational Development Committee right now. Thank you.

The SPEAKER. The Chair thanks the gentleman.

VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS COMMITTEE MEETING

The SPEAKER. The Chair recognizes the gentleman, Mr. Semmel, for the purpose of calling a meeting.

Mr. SEMMEL. Thank you, Mr. Speaker.

We will call a meeting of Veterans Affairs and Emergency Preparedness at the call of the Chair at the recess, at the rear of the hall. Thank you.

The SPEAKER. The Chair thanks the gentleman.

APPROPRIATIONS COMMITTEE MEETING

The SPEAKER. The gentleman, Mr. Argall, asks that I announce that there be an Appropriations Committee meeting at 1:30 in the Appropriations Committee conference room on this floor. Everyone is expected to attend.

REPUBLICAN CAUCUS

The SPEAKER. The gentleman, Mr. Feese, do you have announcements to make?

Mr. FEESE. Thank you, Mr. Speaker.

Mr. Speaker, the Republicans will caucus beginning at 12:30, and we hope to be able to return to the floor at 2:30.

DEMOCRATIC CAUCUS

The SPEAKER. Mr. Cohen, do you have a caucus announcement?

Mr. COHEN. Mr. Speaker, the Democrats will caucus immediately upon the call of the recess to go over the bills and amendments on today's calendar.

The SPEAKER. The Chair thanks the gentleman.

RECESS

The SPEAKER. Does the majority leader or minority leader have any further announcements or business? Any corrections to the record? Any further committee meeting announcements?

Hearing none, the Chair is about to declare this House in recess

until 2:30 p.m., unless extended by the Chair or called back sooner by the Chair.

RECESS EXTENDED

The time of recess was extended until 3:30 p.m.; further extended until 4 p.m.; further extended until 4:30 p.m.

AFTER RECESS

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

THE SPEAKER PRO TEMPORE (PATRICIA H. VANCE) PRESIDING**BILLS REREPORTED FROM COMMITTEE****HB 472, PN 507**

By Rep. ARGALL

An Act amending the act of June 29, 1953 (P.L.304, No.66), known as the Vital Statistics Law of 1953, providing for certificate of stillbirth.

APPROPRIATIONS.**HB 2294, PN 3156**

By Rep. ARGALL

An Act amending the act of June 25, 1982 (P.L.633, No.181), known as the Regulatory Review Act, further providing for classification of documents.

APPROPRIATIONS.**HB 2378, PN 4025**

By Rep. ARGALL

An Act amending the act of December 14, 1992 (P.L.866, No.137), known as the Optional County Affordable Housing Funds Act, amending the title and short title of the act; further providing for legislative purpose, for definitions, for optional fee increases and for disposition of proceeds; and providing for economic development efforts.

APPROPRIATIONS.**HB 2402, PN 3721**

By Rep. ARGALL

An Act amending Title 24 (Education) of the Pennsylvania Consolidated Statutes, providing for certain employment by annuitants.

APPROPRIATIONS.**HB 2594, PN 3943**

By Rep. ARGALL

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, further defining "taxable income" for purposes of corporate net income tax.

APPROPRIATIONS.**SB 893, PN 2036**

By Rep. ARGALL

An Act amending the act of December 5, 1972 (P.L.1280, No. 284), known as the Pennsylvania Securities Act of 1972, further providing for

definitions, for exempt securities and transactions, for exemption proceedings, for registration by coordination, for general registration provisions, for denial, suspension, revocation and conditioning of registrations, for federally covered securities, for exemptions and for registration and notice filing procedures; providing for prearranged trading programs; further providing for time limitations on rights of actions, for right of the Pennsylvania Securities Commission to bring actions, for investigations and subpoenas and for criminal penalties; providing for return of sales compensation; further providing for administration, for fees, for assessments, for administrative files, for miscellaneous powers of commission, for hearings and judicial review, for regulations and forms and orders; and providing for burden of proof.

APPROPRIATIONS.

SB 1370, PN 2080

By Rep. ARGALL

An Act amending the act of June 29, 1996 (P.L.434, No.67), known as the Job Enhancement Act, further providing for definitions, for the Pollution Prevention Assistance Account and for eligibility and terms and conditions of loans; providing for job training; and further providing for the power and authority for the Pennsylvania Economic Development Financing Authority; and making a repeal.

APPROPRIATIONS.

**BILL REPORTED FROM COMMITTEE,
CONSIDERED FIRST TIME, AND TABLED**

SB 1485, PN 2137

By Rep. SEMMEL

An Act redesignating the Northeast Veterans Center as the Gino J. Merli Veterans Center.

VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS.

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

HB 816, PN 4130 (Amended)

By Rep. REINARD

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, providing for the surrender of a license for benefit of the licensee.

LIQUOR CONTROL.

HB 2729, PN 4072

By Rep. GODSHALL

An Act providing for the establishment of the Pennsylvania Travel and Tourism Partnership and imposing powers and duties on the Department of Community and Economic Development related to tourism promotion.

TOURISM AND RECREATIONAL DEVELOPMENT.

ACTUARIAL NOTE

The SPEAKER pro tempore. The Chair acknowledges receipt of an actuarial note for HB 2402, PN 3721.

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

CALENDAR CONTINUED

CONSIDERATION OF HB 751 CONTINUED

On the question recurring,
Will the House concur in Senate amendments?

The SPEAKER pro tempore. It is moved by the gentleman, Mr. Allen, that the House concur in the amendments inserted by the Senate.

For what reason does the gentleman, Mr. Samuelson, rise?

Mr. SAMUELSON. I would just like to ask the gentleman, Mr. Allen, for a summary of the Senate amendments that this vote is whether or not to concur on.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Allen.

Mr. ALLEN. Thank you, Madam Speaker.

There were three minor, technical changes to the bill, strengthening the bill. The Department of Health has been given the right to clarify that the pharmacist must comanage the patient drug program and therapy program under strict protocols and a written agreement with the physician; the second one clarifies that professional liability insurance provisions must be strengthened and have been strengthened in the bill; and the third is, it clarifies that the pharmacy practice in nursing-care facilities and hospitals must occur under the policies and procedures subject to the Department of Health's oversight.

Mr. SAMUELSON. Thank you.

On the question recurring,
Will the House concur in Senate amendments?

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

The following roll call was recorded:

YEAS—201

Adolph	Evans, D.	Major	Schroder
Allen	Evans, J.	Manderino	Schuler
Argall	Fairchild	Mann	Scrimenti
Armstrong	Feese	Markosek	Semmel
Baker, J.	Fichter	Marsico	Shaner
Baker, M.	Fleagle	Mayernik	Smith, B.
Bard	Flick	McCall	Smith, S. H.
Barrar	Forcier	McGeehan	Solobay
Bastian	Frankel	McGill	Staback
Bebko-Jones	Freeman	McIlhattan	Stairs
Belardi	Gabig	McIlhinney	Steelman
Belfanti	Gannon	McNaughton	Steil
Benninghoff	Geist	Melio	Stern
Birmelin	George	Metcalfe	Stetler
Bishop	Godshall	Michlovic	Stevenson, R.
Blaum	Gordner	Micozzie	Stevenson, T.
Boyes	Grucela	Miller, R.	Strittmatter
Brooks	Gruitza	Miller, S.	Sturla
Browne	Habay	Mundy	Surra
Bunt	Haluska	Myers	Tangretti
Butkovitz	Hanna	Nailor	Taylor, E. Z.
Buxton	Harhai	Nickol	Taylor, J.
Caltagirone	Harhart	O'Brien	Thomas
Cappelli	Harper	Oliver	Tigue
Casorio	Hasay	Pallone	Travaglio
Cawley	Hennessey	Perzel	Trello
Civera	Herman	Petrarca	Trich
Clark	Hershey	Petrone	Tulli

Clymer	Hess	Phillips	Turzai
Cohen, L. I.	Horsey	Pickett	Vance
Cohen, M.	Hutchinson	Pippy	Veon
Colafella	Jadlowiec	Pistella	Vitali
Coleman	James	Preston	Walko
Cornell	Josephs	Raymond	Wansacz
Corrigan	Kaiser	Readshaw	Washington
Costa	Keller	Reinard	Waters
Coy	Kenney	Rieger	Watson
Creighton	Kirkland	Roberts	Williams, J.
Cruz	Krebs	Robinson	Wilt
Curry	Laughlin	Roebuck	Wojnaroski
Dailey	Lawless	Rohrer	Wright, G.
Daley	Lederer	Rooney	Wright, M.
Dally	Leh	Ross	Yewcic
DeLuca	Lescovitz	Rubley	Youngblood
Dermody	Levdansky	Ruffing	Yudichak
DeWeese	Lewis	Sainato	Zimmerman
DiGirolamo	Lucyk	Samuelson	Zug
Diven	Lynch	Santoni	
Donatucci	Mackereth	Sather	
Eachus	Maher	Saylor	Ryan,
Egolf	Maitland	Scavello	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—1

LaGrotta

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the clerk inform the Senate accordingly.

SUPPLEMENTAL CALENDAR A

**BILL ON CONCURRENCE
IN SENATE AMENDMENTS**

The House proceeded to consideration of concurrence in Senate amendments to **HB 2530, PN 4047**, entitled:

An Act making an appropriation from a restricted revenue account within the General Fund and from Federal augmentation funds to the Pennsylvania Public Utility Commission.

On the question,
Will the House concur in Senate amendments?

The SPEAKER pro tempore. On that question, the Chair recognizes the gentleman, Mr. Freeman.

Mr. FREEMAN. Thank you, Madam Speaker.

Madam Speaker, could we have a brief explanation of what the changes were by the Senate, please?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Franklin County, Mr. Fleagle.

BILL PASSED OVER TEMPORARILY

The SPEAKER pro tempore. We are going to go over this bill temporarily.

The Chair thanks the gentleman.

**BILL ON CONCURRENCE
IN SENATE AMENDMENTS
AS AMENDED**

The House proceeded to consideration of concurrence in Senate amendments to the following **HB 2164, PN 4125**, as further amended by the House Rules Committee:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for suspension of operating privilege; imposing penalties on department employees or agents who issue a fraudulent driver's license; further providing for motorcycle fees; and providing for removal from the record of certain suspensions.

On the question,
Will the House concur in Senate amendments as amended by the Rules Committee?

BILL RECOMMENDED

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

Mr. PERZEL. Madam Speaker, I move that HB 2164, PN 4125, be recommitted to the Committee on Rules.

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

CALENDAR CONTINUED

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 589, PN 2138**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for postconviction DNA testing.

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

The SPEAKER pro tempore. It is the Chair's understanding that Mr. Hanna has withdrawn his amendments. That is correct. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Gannon, for the purpose of an amendment.

The Chair recognizes the gentleman from Delaware County, Mr. Gannon.

Mr. GANNON. Thank you.

Madam Speaker, when SB 589 was considered by the House Judiciary Committee, an amendment was added making it permissible in Pennsylvania, as in 35 other States in the United States of America, to argue the damages, and what that means is that the plaintiff and the defendant could tell the jurors what they believe would be the value of a case that was being presented to the court.

This amendment was passed unanimously by the House

Judiciary Committee. The bill was then referred to the House Appropriations Committee, where the amendment mysteriously disappeared – I am only kidding – the amendment was removed by the House Appropriations Committee, and amendment A3846 would reinsert that amendment back into SB 589.

The SPEAKER pro tempore. Would the gentleman, Mr. Gannon, please come to the podium, and Mr. Schroder.

(Conference held at Speaker’s podium.)

The SPEAKER pro tempore. The Chair wishes to inform the gentleman, Mr. Gannon, that his amendment was not filed in a timely fashion, that you would have to suspend the rules in order to offer this amendment.

Mr. GANNON. Thank you, Madam Speaker.

Madam Speaker, although I consider this a very important amendment and I understand the Chair’s position with respect to the filing and I feel that we could argue that in fact there were circumstances which would explain the untimely filing, I am not inclined at this point to ask the members to suspend the rules to consider this amendment, and therefore, I would withdraw the amendment for a later date.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

The SPEAKER pro tempore. 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 bill analysis was read.)

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

The following roll call was recorded:

YEAS–201

Adolph	Evans, D.	Major	Schroder
Allen	Evans, J.	Manderino	Schuler
Argall	Fairchild	Mann	Scrimenti
Armstrong	Feese	Markosek	Semmel
Baker, J.	Fichter	Marsico	Shaner
Baker, M.	Fleagle	Mayermik	Smith, B.
Bard	Flick	McCall	Smith, S. H.
Barrar	Forcier	McGeehan	Solobay
Bastian	Frankel	McGill	Staback
Bebko-Jones	Freeman	McIlhattan	Stairs
Belardi	Gabig	McIlhinney	Steelman
Belfanti	Gannon	McNaughton	Steil
Benninghoff	Geist	Melio	Stern
Birmelin	George	Metcalfe	Stetler
Bishop	Godshall	Michlovic	Stevenson, R.
Blaum	Gordner	Micozzie	Stevenson, T.
Boyes	Grucela	Miller, R.	Strittmatter
Brooks	Gruitza	Miller, S.	Sturla
Browne	Habay	Mundy	Surra
Bunt	Haluska	Myers	Tangretti
Butkovitz	Hanna	Nailor	Taylor, E. Z.
Buxton	Harhai	Nickol	Taylor, J.
Caltagirone	Harhart	O’Brien	Thomas
Cappelli	Harper	Oliver	Tigue
Casorio	Hasay	Pallone	Travaglio

Cawley	Hennessey	Perzel	Trello
Civera	Herman	Petrarca	Trich
Clark	Hershey	Petrone	Tulli
Clymer	Hess	Phillips	Turzai
Cohen, L. I.	Horsey	Pickett	Vance
Cohen, M.	Hutchinson	Pippy	Veon
Colafella	Jadlowiec	Pistella	Vitali
Coleman	James	Preston	Walko
Cornell	Josephs	Raymond	Wansacz
Corrigan	Kaiser	Readshaw	Washington
Costa	Keller	Reinard	Waters
Coy	Kenney	Rieger	Watson
Creighton	Kirkland	Roberts	Williams, J.
Cruz	Krebs	Robinson	Wilt
Curry	Laughlin	Roebuck	Wojnaroski
Dailey	Lawless	Rohrer	Wright, G.
Daley	Lederer	Rooney	Wright, M.
Dally	Leh	Ross	Yewcic
DeLuca	Lescovitz	Rubley	Youngblood
Dermody	Levdansky	Ruffing	Yudichak
DeWeese	Lewis	Sainato	Zimmerman
DiGirolamo	Lucyk	Samuelson	Zug
Diven	Lynch	Santoni	
Donatucci	Mackereth	Sather	
Eachus	Maher	Saylor	Ryan,
Egolf	Maitland	Scavello	Speaker

NAYS–0

NOT VOTING–0

EXCUSED–1

LaGrotta

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

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

* * *

The House proceeded to third consideration of **SB 462, PN 1928**, entitled:

An Act providing for the regulation of viatical settlements and for powers and duties of the Insurance Department.

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

Mr. GANNON offered the following amendment No. **A3858**:

Amend Title, page 1, line 1, by striking out “and” and inserting a comma

Amend Title, page 1, line 2, by removing the period after “Department” and inserting
and for medical professional liability insurance not a prerequisite under certain circumstances.

Amend Table of Contents, page 2, lines 1 through 6, by striking out all of said lines and inserting

Section 14. Medical professional liability insurance not a prerequisite.

Section 15. Severability.

Section 16. Applicability of securities laws.

Section 17. Examination and investigation of books and records.

Section 18. Transition provision.

Section 19. Effective date.

Amend Bill, page 37, by inserting between lines 20 and 21

Section 14. Medical professional liability insurance not a prerequisite.

No physician shall be required to maintain medical professional liability insurance as a condition of licensure or approval by the Commonwealth to practice medicine in this Commonwealth; but a physician shall be required to participate in the Medical Care Availability and Reduction of Error Fund established in section 712 of the act of March 20, 2002 (P.L.154, No.13), known as the Medical Care Availability and Reduction of Error (Mcare) Act.

Amend Sec. 14, page 37, line 21, by striking out "14" and inserting 15

Amend Sec. 15, page 37, line 26, by striking out "15" and inserting 16

Amend Sec. 16, page 38, line 7, by striking out "16" and inserting 17

Amend Sec. 17, page 38, line 26, by striking out "17" and inserting 18

Amend Sec. 18, page 39, line 4, by striking out "18" and inserting 19

On the question,

Will the House agree to the amendment?

The SPEAKER pro tempore. On that question, the Chair recognizes the gentleman, Mr. Gannon.

Mr. GANNON. Thank you, Madam Speaker.

Madam Speaker, when this House deliberated and passed legislation dealing with our medical malpractice crisis in Pennsylvania, that legislation which became law, after a great deal of debate and deliberation, did not – that is, did not – include any of the needed insurance reforms that I believe would have given our physicians the immediate relief that they were seeking, and speaking to physicians in my home district and I am sure that many of the other members would echo the same sentiments and facts, and that is that our physicians have not seen any, or if any, very, very little, rate relief on their malpractice premiums.

In addition to that, when I was meeting with my physicians in my home office back in my district, their first plea to me was to relieve them of the mandate that they must have medical liability insurance in order to practice their trade. Pennsylvania is the only State that has that onerous requirement on physicians. We have a requirement of a \$500,000 primary policy. And in looking at those States, every other State, as a matter of fact, which does not have this onerous mandate on physicians to practice medicine, those physicians on an average have liability insurance well above the

mandated limit set by the State of Pennsylvania. This is a government mandate on physicians so that they can practice medicine in this Commonwealth.

The premium increases have not abated, and because of our mandate, because of our mandate, no insurance company that wants to write medical malpractice liability insurance can come into Pennsylvania and tailor a policy to the specific needs of a physician's practice, and that has led to these across-the-board increases and the inability of physicians to obtain insurance at the best possible price and insurance that is tailored to their needs.

Additionally, because of this State government mandate on our physicians, there is no effective competition in Pennsylvania, and that is because of the lockdown on the market by a single carrier, which literally controls the marketplace, one insurance company, and then all the rest are so far behind that it is even hard to count them in play, and I believe that that is one of the principal causes of the high insurance premiums that our physicians must pay.

Physicians in other States without this government mandate carry significantly more coverage. For example, in New Jersey I am told that the average, the average primary rate carried by physicians, is about \$800,000, and many physicians carry primary policy limits of \$1 million to \$2 million.

However, since introducing this amendment and attempting to rectify what I consider a very onerous problem on the practice of medicine in the Commonwealth of Pennsylvania, a number of organizations have come forward and raised objections to this amendment as drafted. They include, of course, the Pennsylvania Trial Lawyers Association – I could understand that to a certain degree – the Pennsylvania Hospital Association, the Insurance Federation. On the other hand, this amendment is supported very strongly by the physician community, the Medical Society, the osteopathic physicians, the orthopedic physicians, and for very, very good reason.

However, some – and I have also spoken to representatives from our Insurance Department and the Governor's Office – some of the objections were more—

The SPEAKER pro tempore. Would the gentleman cease just a moment.

Members are saying they cannot hear. Could we please have quiet in the hall of the House. Would members please take their seats.

Mr. GANNON. Thank you, Madam Speaker.

At any rate, some of the concerns expressed by the Insurance Department and some of the other organizations – in fact, all of them – had some element, I thought, of validity, and the principal concern focused on how this change in policy and removing this government mandate would affect the CAT Fund, the Catastrophic Loss Trust Fund, created some years ago and which we know had been found to be extremely objectionable by both the physician and hospital community. That system is still in place, although it is being phased out over the next several years, but without this requirement, since the formulary for the payment of the surcharge to the CAT Fund is predicated on the premium that a physician pays for his primary insurance coverage, this presented serious ramifications in dealing with the phaseout of the CAT Fund and making certain that there were adequate funds available to pay patients who were injured as a result of medical negligence.

AMENDMENT WITHDRAWN

Mr. GANNON. In meeting with representatives from the Insurance Department and the Governor's Office and going over these issues – some of which, quite frankly, I found to be quite legitimate; some I thought had been addressed in the amendment – but in light of that, I have decided to withdraw this amendment at this time, and that is based on a commitment from the Governor's Office and the Insurance Department as well as the stakeholders involved in this issue to continue working on this over the next several months to resolve those concerns with respect to the CAT

Fund and several other issues that were raised by the stakeholders as well as the administration.

So in light of that, I am withdrawing this amendment but with the full intent of returning to this issue and the whole issue of insurance reform in the medical malpractice arena when we return after the summer recess.

Thank you, Madam Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the bill on third consideration?

The SPEAKER pro tempore. Is the gentleman, Mr. Daley, on the floor? Is the gentleman, Mr. Daley, on the floor? Does he wish to offer his amendment? That amendment is withdrawn.

RULES SUSPENDED

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. DeLuca, for the purpose of making a motion.

Mr. DeLUCA. Madam Speaker, I make a motion to suspend the rules for amendment A3992, pertaining to SB 462, which will strengthen this legislation.

So I ask for an affirmative vote for this motion.

**THE SPEAKER (MATTHEW J. RYAN)
PRESIDING**

The SPEAKER. The gentleman, Mr. DeLuca, moves that the rules of the House be suspended to permit the immediate consideration of amendment A3992.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—201

Adolph	Evans, D.	Major	Schroder
Allen	Evans, J.	Manderino	Schuler
Argall	Fairchild	Mann	Scrimenti
Armstrong	Feese	Markosek	Semmel
Baker, J.	Fichter	Marsico	Shaner
Baker, M.	Fleagle	Mayernik	Smith, B.
Bard	Flick	McCall	Smith, S. H.
Barrar	Forcier	McGeehan	Solobay
Bastian	Frankel	McGill	Staback
Bebko-Jones	Freeman	McIlhattan	Stairs
Belardi	Gabig	McIlhinney	Steelman
Belfanti	Gannon	McNaughton	Steil
Benninghoff	Geist	Melio	Stern
Birmelin	George	Metcalfe	Stetler
Bishop	Godshall	Michlovic	Stevenson, R.
Blaum	Gordner	Micozzie	Stevenson, T.
Boyes	Grucela	Miller, R.	Strittmatter
Brooks	Gruitza	Miller, S.	Sturla
Browne	Habay	Mundy	Surra
Bunt	Haluska	Myers	Tangretti
Butkovitz	Hanna	Nailor	Taylor, E. Z.
Buxton	Harhai	Nickol	Taylor, J.
Caltagirone	Harhart	O'Brien	Thomas
Cappelli	Harper	Oliver	Tigue
Casorio	Hasay	Pallone	Travaglio
Cawley	Hennessey	Perzel	Trello

Civera	Herman	Petrarca	Trich
Clark	Hershey	Petrone	Tulli
Clymer	Hess	Phillips	Turzai
Cohen, L. I.	Horsley	Pickett	Vance
Cohen, M.	Hutchinson	Pippy	Veon
Colafella	Jadlowiec	Pistella	Vitali
Coleman	James	Preston	Walko
Cornell	Josephs	Raymond	Wansacz
Corrigan	Kaiser	Readshaw	Washington
Costa	Keller	Reinard	Waters
Coy	Kenney	Rieger	Watson
Creighton	Kirkland	Roberts	Williams, J.
Cruz	Krebs	Robinson	Wilt
Curry	Laughlin	Roebuck	Wojnaroski
Dailey	Lawless	Rohrer	Wright, G.
Daley	Lederer	Rooney	Wright, M.
Dally	Leh	Ross	Yewcic
DeLuca	Lescovitz	Rubley	Youngblood
Dermody	Levdansky	Ruffing	Yudichak
DeWeese	Lewis	Sainato	Zimmerman
DiGirolamo	Lucyk	Samuelson	Zug
Diven	Lynch	Santoni	
Donatucci	Mackereth	Sather	
Eachus	Maher	Saylor	Ryan,
Egolf	Maitland	Scavello	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—1

LaGrotta

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

On the question recurring,

Will the House agree to the bill on third consideration?

Mr. DeLUCA offered the following amendment No. A3992:

Amend Sec. 7, page 22, lines 8 through 16, by striking out “following information:” in line 8 and all of lines 9 through 16 and inserting amount and method of calculating the viatical settlement broker’s potential compensation. The term “compensation” includes anything of value paid or given to a viatical settlement broker for the placement of a policy.

Amend Sec. 12, page 37, line 8, by striking out “insurance company” and inserting defrauded person

Amend Sec. 16, page 38, line 18, by striking out “seven” and inserting five

On the question,

Will the House agree to the amendment?

The SPEAKER. On the question of the adoption of the DeLuca amendment, the gentleman, Mr. DeLuca, is— Mr. Vitali, for what reason do you rise?

Mr. DeLuca, would you be kind enough to explain your amendment.

Mr. DeLUCA. Thank you, Mr. Speaker.

Mr. Speaker, this is an agreed-to amendment, and what this does is, it is a consumer protection amendment which requires specific disclosure on the broker's commission pertaining to viatical settlements.

Now, the Insurance Department has assured me that the broker would still have a duty to obtain more than one quote on this legislation, and this legislation really, this amendment, strengthens the bill and makes sure that we protect the consumers, and I guess, not getting off of the amendment, but the whole purpose of this bill and I want to commend the Insurance Department for having the foresight to be willing to make sure that in these settlements the consumers are protected throughout our Commonwealth.

So I would appreciate an affirmative vote on amendment A3992.

Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—201

Adolph	Evans, D.	Major	Schroder
Allen	Evans, J.	Manderino	Schuler
Argall	Fairchild	Mann	Scrimenti
Armstrong	Feese	Markosek	Semmel
Baker, J.	Fichter	Marsico	Shaner
Baker, M.	Fleagle	Mayernik	Smith, B.
Bard	Flick	McCall	Smith, S. H.
Barrar	Forcier	McGeehan	Solobay
Bastian	Frankel	McGill	Staback
Bebko-Jones	Freeman	McIlhattan	Stairs
Belardi	Gabig	McIlhinney	Steelman
Belfanti	Gannon	McNaughton	Steil
Benninghoff	Geist	Melio	Stern
Birmelin	George	Metcalfe	Stetler
Bishop	Godshall	Michlovic	Stevenson, R.
Blaum	Gordner	Micozzie	Stevenson, T.
Boyes	Grucela	Miller, R.	Strittmatter
Brooks	Gruitza	Miller, S.	Sturla
Browne	Habay	Mundy	Surra
Bunt	Haluska	Myers	Tangretti
Butkovitz	Hanna	Nailor	Taylor, E. Z.
Buxton	Harhai	Nickol	Taylor, J.
Caltagirone	Harhart	O'Brien	Thomas
Cappelli	Harper	Oliver	Tigue
Casorio	Hasay	Pallone	Travaglio
Cawley	Hennessey	Perzel	Trello
Civera	Herman	Petrarca	Trich
Clark	Hershey	Petrone	Tulli
Clymer	Hess	Phillips	Turzai
Cohen, L. I.	Horsey	Pickett	Vance
Cohen, M.	Hutchinson	Pippy	Veon
Colafella	Jadlowiec	Pistella	Vitali
Coleman	James	Preston	Walko
Cornell	Josephs	Raymond	Wansacz
Corrigan	Kaiser	Readshaw	Washington
Costa	Keller	Reinard	Waters
Coy	Kenney	Rieger	Watson
Creighton	Kirkland	Roberts	Williams, J.
Cruz	Krebs	Robinson	Wilt
Curry	Laughlin	Roebuck	Wojnaroski
Dailey	Lawless	Rohrer	Wright, G.
Daley	Lederer	Rooney	Wright, M.
Dally	Leh	Ross	Yewic

DeLuca	Lescovitz	Rubley	Youngblood
Dermody	Levdansky	Ruffing	Yudichak
DeWeese	Lewis	Sainato	Zimmerman
DiGirolamo	Lucyk	Samuelson	Zug
Diven	Lynch	Santoni	
Donatucci	Mackereth	Sather	
Eachus	Maher	Saylor	Ryan,
Egolf	Maitland	Scavello	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—1

LaGrotta

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

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

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

The question is, shall the bill pass finally?
Agreeable to the provisions of the Constitution, the yeas and nays will now be taken.

The following roll call was recorded:

YEAS—201

Adolph	Evans, D.	Major	Schroder
Allen	Evans, J.	Manderino	Schuler
Argall	Fairchild	Mann	Scrimenti
Armstrong	Feese	Markosek	Semmel
Baker, J.	Fichter	Marsico	Shaner
Baker, M.	Fleagle	Mayernik	Smith, B.
Bard	Flick	McCall	Smith, S. H.
Barrar	Forcier	McGeehan	Solobay
Bastian	Frankel	McGill	Staback
Bebko-Jones	Freeman	McIlhattan	Stairs
Belardi	Gabig	McIlhinney	Steelman
Belfanti	Gannon	McNaughton	Steil
Benninghoff	Geist	Melio	Stern
Birmelin	George	Metcalfe	Stetler
Bishop	Godshall	Michlovic	Stevenson, R.
Blaum	Gordner	Micozzie	Stevenson, T.
Boyes	Grucela	Miller, R.	Strittmatter
Brooks	Gruitza	Miller, S.	Sturla
Browne	Habay	Mundy	Surra
Bunt	Haluska	Myers	Tangretti
Butkovitz	Hanna	Nailor	Taylor, E. Z.
Buxton	Harhai	Nickol	Taylor, J.
Caltagirone	Harhart	O'Brien	Thomas
Cappelli	Harper	Oliver	Tigue
Casorio	Hasay	Pallone	Travaglio
Cawley	Hennessey	Perzel	Trello
Civera	Herman	Petrarca	Trich
Clark	Hershey	Petrone	Tulli
Clymer	Hess	Phillips	Turzai
Cohen, L. I.	Horsey	Pickett	Vance
Cohen, M.	Hutchinson	Pippy	Veon
Colafella	Jadlowiec	Pistella	Vitali
Coleman	James	Preston	Walko

Cornell	Josephs	Raymond	Wansacz
Corrigan	Kaiser	Readshaw	Washington
Costa	Keller	Reinard	Waters
Coy	Kenney	Rieger	Watson
Creighton	Kirkland	Roberts	Williams, J.
Cruz	Krebs	Robinson	Wilt
Curry	Laughlin	Roebuck	Wojnaroski
Dailey	Lawless	Rohrer	Wright, G.
Daley	Lederer	Rooney	Wright, M.
Dally	Leh	Ross	Yewcic
DeLuca	Lescovitz	Rubley	Youngblood
Dermody	Levdansky	Ruffing	Yudichak
DeWeese	Lewis	Sainato	Zimmerman
DiGirolamo	Lucyk	Samuelson	Zug
Diven	Lynch	Santoni	
Donatucci	Mackereth	Sather	
Eachus	Maher	Saylor	Ryan,
Egolf	Maitland	Scavello	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—1

LaGrotta

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

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

SUPPLEMENTAL CALENDAR A CONTINUED

CONSIDERATION OF HB 2530 CONTINUED

On the question recurring,

Will the House concur in Senate amendments?

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

The following roll call was recorded:

YEAS—201

Adolph	Evans, D.	Major	Schroder
Allen	Evans, J.	Manderino	Schuler
Argall	Fairchild	Mann	Scrimenti
Armstrong	Feese	Markosek	Semmel
Baker, J.	Fichter	Marsico	Shaner
Baker, M.	Fleagle	Mayernik	Smith, B.
Bard	Flick	McCall	Smith, S. H.
Barrar	Forcier	McGeehan	Solobay
Bastian	Frankel	McGill	Staback
Bebko-Jones	Freeman	McIlhattan	Stairs
Belardi	Gabig	McIlhinney	Steelman
Belfanti	Gannon	McNaughton	Steil
Benninghoff	Geist	Melio	Stern
Birmelin	George	Metcalfe	Stetler
Bishop	Godshall	Michlovic	Stevenson, R.
Blaum	Gordner	Micozzie	Stevenson, T.
Boyes	Grucela	Miller, R.	Strittmatter
Brooks	Gruitza	Miller, S.	Sturla
Browne	Habay	Mundy	Surra
Bunt	Haluska	Myers	Tangretti

Butkovitz	Hanna	Nailor	Taylor, E. Z.
Buxton	Harhai	Nickol	Taylor, J.
Caltagirone	Harhart	O'Brien	Thomas
Cappelli	Harper	Oliver	Tigue
Casorio	Hasay	Pallone	Travaglio
Cawley	Hennessey	Perzel	Trello
Civera	Herman	Petrarca	Trich
Clark	Hershey	Petrone	Tulli
Clymer	Hess	Phillips	Turzai
Cohen, L. I.	Horsey	Pickett	Vance
Cohen, M.	Hutchinson	Pippy	Veon
Colafranca	Jadlowiec	Pistella	Vitali
Coleman	James	Preston	Walko
Cornell	Josephs	Raymond	Wansacz
Corrigan	Kaiser	Readshaw	Washington
Costa	Keller	Reinard	Waters
Coy	Kenney	Rieger	Watson
Creighton	Kirkland	Roberts	Williams, J.
Cruz	Krebs	Robinson	Wilt
Curry	Laughlin	Roebuck	Wojnaroski
Dailey	Lawless	Rohrer	Wright, G.
Daley	Lederer	Rooney	Wright, M.
Dally	Leh	Ross	Yewcic
DeLuca	Lescovitz	Rubley	Youngblood
Dermody	Levdansky	Ruffing	Yudichak
DeWeese	Lewis	Sainato	Zimmerman
DiGirolamo	Lucyk	Samuelson	Zug
Diven	Lynch	Santoni	
Donatucci	Mackereth	Sather	
Eachus	Maher	Saylor	Ryan,
Egolf	Maitland	Scavello	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—1

LaGrotta

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the clerk inform the Senate accordingly.

**BILLS ON CONCURRENCE
IN SENATE AMENDMENTS
TO HOUSE AMENDMENTS**

The House proceeded to consideration of concurrence in Senate amendments to House amendments to **SB 212, PN 2153**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for seal and for tolling the civil statute of limitations in childhood sexual abuse cases and criminal statute of limitations for certain sexual offenses.

On the question,

Will the House concur in Senate amendments to House amendments?

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

The following roll call was recorded:

YEAS—201

Adolph	Evans, D.	Major	Schroder
Allen	Evans, J.	Manderino	Schuler
Argall	Fairchild	Mann	Scrimenti
Armstrong	Feese	Markosek	Semmel
Baker, J.	Fichter	Marsico	Shaner
Baker, M.	Fleagle	Mayernik	Smith, B.
Bard	Flick	McCall	Smith, S. H.
Barrar	Forcier	McGeehan	Solobay
Bastian	Frankel	McGill	Staback
Bebko-Jones	Freeman	McIlhattan	Stairs
Belardi	Gabig	McIlhinney	Steelman
Belfanti	Gannon	McNaughton	Steil
Benninghoff	Geist	Melio	Stern
Birmelin	George	Metcalfe	Stetler
Bishop	Godshall	Michlovic	Stevenson, R.
Blaum	Gordner	Micozzie	Stevenson, T.
Boyes	Grucela	Miller, R.	Strittmatter
Brooks	Gruitza	Miller, S.	Sturla
Browne	Habay	Mundy	Surra
Bunt	Haluska	Myers	Tangretti
Butkovitz	Hanna	Nailor	Taylor, E. Z.
Buxton	Harhai	Nickol	Taylor, J.
Caltagirone	Harhart	O'Brien	Thomas
Cappelli	Harper	Oliver	Tigue
Casorio	Hasay	Pallone	Travaglio
Cawley	Hennessey	Perzel	Trello
Civera	Herman	Petrarca	Trich
Clark	Hershey	Petrone	Tulli
Clymer	Hess	Phillips	Turzai
Cohen, L. I.	Horsey	Pickett	Vance
Cohen, M.	Hutchinson	Pippy	Veon
Colafella	Jadlowiec	Pistella	Vitali
Coleman	James	Preston	Walko
Cornell	Josephs	Raymond	Wansacz
Corrigan	Kaiser	Readshaw	Washington
Costa	Keller	Reinard	Waters
Coy	Kenney	Rieger	Watson
Creighton	Kirkland	Roberts	Williams, J.
Cruz	Krebs	Robinson	Wilt
Curry	Laughlin	Roebuck	Wojnaroski
Dailey	Lawless	Rohrer	Wright, G.
Daley	Lederer	Rooney	Wright, M.
Dally	Leh	Ross	Yewcic
DeLuca	Lescovitz	Rubley	Youngblood
Dermody	Levdansky	Ruffing	Yudichak
DeWeese	Lewis	Sainato	Zimmerman
DiGirolamo	Lucyk	Samuelson	Zug
Diven	Lynch	Santoni	
Donatucci	Mackereth	Sather	
Eachus	Maher	Saylor	Ryan,
Egolf	Maitland	Scavello	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-1

LaGrotta

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments to House amendments were concurred in.

Ordered, That the clerk inform the Senate accordingly.

* * *

The House proceeded to consideration of concurrence in Senate amendments to House amendments to **SB 955, PN 2102**, entitled:

An Act providing for vaccination against meningococcal disease for students at institutions of higher education.

On the question,

Will the House concur in Senate amendments to House amendments?

The SPEAKER. Mr. Samuelson, do you desire recognition?

Mr. SAMUELSON. Yes. Thank you, Mr. Speaker.

I would just like to ask for a brief summary of the Senate amendments. We do not have a summary available.

The SPEAKER. Do we have a volunteer to describe the amendments that were inserted by the Senate to the House amendments in SB 955?

Mr. Stairs, are you familiar with this bill by chance?

It is the understanding of the Chair that this bill was in the Health and Human Services Committee.

Mr. Kenney, are you familiar with this? The gentleman, Mr. Kenney, will respond.

Mr. KENNEY. Thank you, Mr. Speaker.

Mr. Speaker, the Senate removed a requirement that institutions shall adopt a uniform vaccination policy for students residing in college housing. That was the change made by the Senate.

The SPEAKER. The Chair thanks the gentleman.

Mr. Vitali, for what purpose do you rise?

Mr. VITALI. Interrogation.

The SPEAKER. Whom do you wish to interrogate?

Mr. VITALI. Perhaps the previous speaker, the gentleman from Philadelphia.

The SPEAKER. Mr. Kenney, do you consent to interrogation by the gentleman, Mr. Vitali?

Mr. VITALI. I just want to be clear. The Senate bill with its amendments, it requires vaccination of all college students as a precondition for living on student housing. Is that how the bill stands?

Mr. KENNEY. The legislation provides for vaccinations against meningitis disease for college students who reside in housing, only for meningitis though, and then it requires, if a student wants to be exempt from that requirement, they must sign a release form.

Mr. VITALI. Have the universities taken a position on it? Any of the university associations like the independent colleges or the State universities or whomever it might apply to, have they taken a position on this mandatory vaccination?

Mr. KENNEY. The committee, when we had the bill before the full committee of the Health and Human Services Committee, heard no opposition to this legislation, and when it returned from the Senate, it came back, I think the vote was 46 to 4 when it returned with this one change.

Mr. VITALI. But the universities themselves, have they weighed in one way or the other?

Mr. KENNEY. We on the committee received no comments.

Mr. VITALI. Okay. Thank you.

The SPEAKER. Mr. Coy.

Mr. COY. Thank you, Mr. Speaker.

Mr. Speaker, I do not rise to oppose the concurrence. I simply call to the attention of members of the House some of the information that has been shared with me by university and college officials, and I say this with the complete admonition that I am not a medical expert nor do I claim to be, but some of the university

officials that have spoken to me about their concerns with regard to this item tell me that these vaccinations and the certificates and the requirements can often lead to a false circumstance that everything is okay. In other words, some of them tell me that, number one, the vaccinations might not always be 100 percent foolproof against the disease. I do not know that to be true or not, but I know there is a concern about that. There is a concern therefore that once you do this, once we make this a requirement and once the vaccinations are adopted and the certificates are issued and so on, there may be and may be created a false sense that everything is okay; that there is not a problem; that meningitis would not be a problem from here on. University officials want us all to be clear that this may not be the panacea that parents and students and everyone in the Commonwealth may believe it to be once this is the law.

So I think when we vote for this – and I suspect that most everybody is going to vote for it – but when we vote for it, we should do that also under the complete knowledge that we do not create here a panacea but that, rather, we are looking to increase public health measures for the greater good of all the student population in the Commonwealth but yet may not be an absolute guard against the disease.

So with that caution that I have been talked to about from university officials, I simply bring it to the attention of the House and everybody involved in the problem so that we understand what we are doing here and that we do not create false hopes but yet we take a major stand in the good direction of public health.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House concur in Senate amendments to House amendments?

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

The following roll call was recorded:

YEAS—201

Adolph	Evans, D.	Major	Schroder
Allen	Evans, J.	Manderino	Schuler
Argall	Fairchild	Mann	Scrimenti
Armstrong	Feese	Markosek	Semmel
Baker, J.	Fichter	Marsico	Shaner
Baker, M.	Fleagle	Mayermik	Smith, B.
Bard	Flick	McCall	Smith, S. H.
Barrar	Forcier	McGeehan	Solobay
Bastian	Frankel	McGill	Staback
Bebko-Jones	Freeman	McIlhattan	Stairs
Belardi	Gabig	McIlhinney	Steelman
Belfanti	Gannon	McNaughton	Steil
Benninghoff	Geist	Melio	Stern
Birmelin	George	Metcalfe	Stetler
Bishop	Godshall	Michlovic	Stevenson, R.
Blaum	Gordner	Micozzie	Stevenson, T.
Boyes	Grucela	Miller, R.	Strittmatter
Brooks	Gruitza	Miller, S.	Sturla
Browne	Habay	Mundy	Surra
Bunt	Haluska	Myers	Tangretti
Butkovitz	Hanna	Nailor	Taylor, E. Z.
Buxton	Harhai	Nickol	Taylor, J.
Caltagirone	Harhart	O'Brien	Thomas
Cappelli	Harper	Oliver	Tigue
Casorio	Hasay	Pallone	Travaglio
Cawley	Hennessey	Perzel	Trello

Civera	Herman	Petrarca	Trich
Clark	Hershey	Petrone	Tulli
Clymer	Hess	Phillips	Turzai
Cohen, L. I.	Horsley	Pickett	Vance
Cohen, M.	Hutchinson	Pippy	Veon
Colafella	Jadlowiec	Pistella	Vitali
Coleman	James	Preston	Walko
Cornell	Josephs	Raymond	Wansacz
Corrigan	Kaiser	Readshaw	Washington
Costa	Keller	Reinard	Waters
Coy	Kenney	Rieger	Watson
Creighton	Kirkland	Roberts	Williams, J.
Cruz	Krebs	Robinson	Wilt
Curry	Laughlin	Roebuck	Wojnaroski
Dailey	Lawless	Rohrer	Wright, G.
Daley	Lederer	Rooney	Wright, M.
Dally	Leh	Ross	Yewcic
DeLuca	Lescovitz	Rubley	Youngblood
Dermody	Levdansky	Ruffing	Yudichak
DeWeese	Lewis	Sainato	Zimmerman
DiGirolamo	Lucyk	Samuelson	Zug
Diven	Lynch	Santoni	
Donatucci	Mackereth	Sather	
Eachus	Maher	Saylor	Ryan,
Egolf	Maitland	Scavello	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—1

LaGrotta

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments to House amendments were concurred in.

Ordered, That the clerk inform the Senate accordingly.

BILLS SIGNED BY SPEAKER

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

HB 751, PN 4066

An Act amending the act of September 27, 1961 (P.L.1700, No.699), known as the Pharmacy Act, further providing for definitions; and providing for drug therapy protocol.

HB 2530, PN 4047

An Act making an appropriation from a restricted revenue account within the General Fund and from Federal augmentation funds to the Pennsylvania Public Utility Commission.

SB 592, PN 1438

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, providing for dispositions of decedent's property independent of granting letters.

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

CALENDAR CONTINUED

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of HB 1924, PN 3886, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for firefighter and emergency service training as creditable high school courses.

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

Mr. COLAFELLA offered the following amendment No. A3472:

Amend Title, page 1, line 6, by removing the period after "courses" and inserting

and for conditional employment.

Amend Sec. 1, page 1, lines 10 and 11, by striking out "a section" and inserting

sections

Amend Sec. 1, page 1, by inserting between lines 11 and 12

Section 1109.2. Conditional Employment.—A board of school directors may enter into a provisional contract to employ an individual as a temporary professional employe who presents a letter within six months of the date of expected graduation from an approved Pennsylvania college or university verifying that he is enrolled in an approved teacher preparation program in that institution and will complete all requirements for the awarding of a bachelor's degree on a date certain as specified. The validity of the provisional contract shall be contingent upon the following conditions being met prior to the actual commencement of employment: the awarding of a bachelor's degree; and, the individual having obtained the appropriate teaching certificate in the area of assignment for which the contract is being entered.

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

The following roll call was recorded:

YEAS-199

Table listing names of members who voted 'Yeas' (199 total). Includes names like Adolph, Allen, Argall, Armstrong, Baker, J., Baker, M., Bard, Barrar, Bastian, Bebko-Jones, Belardi, Belfanti, Benninghoff, Birmelin, Bishop, Blaum, Boyes, Brooks, Browne, Bunt, Evans, D., Evans, J., Fairchild, Feese, Fichter, Fleagle, Flick, Forcier, Frankel, Freeman, Gabig, Gannon, Geist, George, Godshall, Gordner, Grucela, Gruitza, Habay, Haluska, Major, Manderino, Mann, Markosek, Marsico, Mayernik, McCall, McGeehan, McGill, McIlhattan, McIlhinney, McNaughton, Melio, Metcalfe, Michlovic, Micozzie, Miller, R., Miller, S., Mundy, Myers, Scavello, Schroder, Schuler, Scrimenti, Semmel, Shaner, Smith, B., Smith, S. H., Solobay, Staback, Stairs, Steelman, Steil, Stern, Stetler, Stevenson, R., Stevenson, T., Strittmatter, Sturla, Surra.

Table listing names of members who voted 'Nays' (2 total). Includes names like Butkovitz, Buxton, Caltagirone, Cappelli, Casorio, Cawley, Civera, Clark, Clymer, Cohen, L. I., Cohen, M., Colafella, Coleman, Cornell, Corrigan, Costa, Coy, Creighton, Cruz, Curry, Dailey, Daley, Dally, DeLuca, Dermody, DeWeese, DiGirolamo, Diven, Donatucci, Eachus, Egolf, Hanna, Harhai, Harhart, Harper, Hasay, Hennessey, Herman, Hershey, Hess, Horsey, Hutchinson, Jadlowiec, James, Josephs, Kaiser, Keller, Kenney, Kirkland, Krebs, Laughlin, Lawless, Lederer, Leh, Lescovitz, Levdansky, Lewis, Lucyk, Lynch, Mackereth, Maher, Nailor, Nickol, O'Brien, Oliver, Pallone, Perzel, Petrarca, Petrone, Phillips, Pickett, Pippy, Pistella, Preston, Raymond, Readshaw, Reinard, Rieger, Roberts, Robinson, Roebuck, Rohrer, Rooney, Ross, Rubley, Ruffing, Sainato, Samuelson, Sather, Saylor, Tangretti, Taylor, E. Z., Taylor, J., Thomas, Travaglio, Trello, Trich, Tulli, Turzai, Vance, Veon, Vitali, Walko, Wansacz, Washington, Waters, Watson, Williams, J., Wilt, Wojnaroski, Wright, G., Wright, M., Yewcic, Youngblood, Yudichak, Zimmerman, Zug, Ryan, Speaker.

NAYS-2

Maitland Tigue

NOT VOTING-0

EXCUSED-1

LaGrotta

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

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

Mr. ROEBUCK offered the following amendment No. A3474:

Amend Title, page 1, line 5, by inserting after "thereto," " further providing for the definition of "compulsory school age"; and

Amend Bill, page 1, lines 9 through 11, by striking out all of said lines and inserting

Section 1. Section 1326 of the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, is amended to read:

Section 1326. Definitions.—The term "compulsory school age," as hereinafter used, shall mean the period of a child's life from the time the child's parents elect to have the child enter school, which shall be not later than at the age of [eight (8)] six (6) years, until the age of seventeen (17) years. The term shall not include any child who holds a certificate of graduation from a regularly accredited senior high school.

The term "migratory child," wherever used in this subdivision of this article, shall include any child domiciled temporarily in any school district for the purpose of seasonal employment, but not acquiring

residence therein, and any child accompanying his parent or guardian who is so domiciled.

Section 2. The act is amended by adding a section to read:
Amend Sec. 2, page 2, line 18, by striking out "2" and inserting
3

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

The following roll call was recorded:

YEAS—184

Adolph	Evans, D.	Mann	Scrimenti
Allen	Evans, J.	Markosek	Semmel
Argall	Fairchild	Marsico	Shaner
Armstrong	Feese	Mayernik	Smith, B.
Baker, J.	Fichter	McCall	Smith, S. H.
Baker, M.	Flick	McGeehan	Solobay
Bard	Forcier	McGill	Staback
Barrar	Frankel	McIlhattan	Stairs
Bastian	Gabig	McIlhinney	Steil
Bebko-Jones	Gannon	McNaughton	Stern
Belardi	Geist	Melio	Stetler
Belfanti	George	Michlovic	Stevenson, R.
Birmelin	Godshall	Micozzie	Stevenson, T.
Bishop	Gordner	Miller, R.	Strittmatter
Blaum	Gruitza	Mundy	Sturla
Boyes	Habay	Myers	Surra
Brooks	Haluska	Nailor	Tangretti
Browne	Hanna	Nickol	Taylor, E. Z.
Bunt	Harhai	O'Brien	Taylor, J.
Butkovitz	Harhart	Oliver	Thomas
Buxton	Harper	Perzel	Tigue
Caltagirone	Hasay	Petrone	Travaglio
Cappelli	Hennessey	Phillips	Trello
Casorio	Herman	Pickett	Trich
Cawley	Hershey	Pippy	Tulli
Civera	Hess	Pistella	Turzai
Clark	Horsey	Preston	Vance
Clymer	Hutchinson	Raymond	Veon
Cohen, L. I.	Jadlowiec	Readshaw	Vitali
Cohen, M.	James	Reinard	Walko
Colafella	Josephs	Rieger	Wansacz
Cornell	Kaiser	Roberts	Washington
Corrigan	Keller	Robinson	Waters
Costa	Kenney	Roebuck	Watson
Coy	Kirkland	Rooney	Williams, J.
Cruz	Krebs	Ross	Wilt
Curry	Laughlin	Rubley	Wojnaroski
Dailey	Lawless	Ruffing	Wright, G.
Daley	Lederer	Sainato	Wright, M.
Dally	Lescovitz	Samuelson	Youngblood
DeLuca	Levdansky	Santoni	Yudichak
Dermody	Lewis	Sather	Zimmerman
DeWeese	Lucyk	Saylor	Zug
DiGirolo	Lynch	Scavello	
Diven	Mackereth	Schroder	
Donatucci	Major	Schuler	Ryan, Speaker
Eachus	Manderino		

NAYS—16

Benninghoff	Freeman	Maitland	Petrarca
Creighton	Grucela	Metcalfe	Rohrer
Egolf	Leh	Miller, S.	Steelman
Fleagle	Maher	Pallone	Yewcic

NOT VOTING—1

Coleman

EXCUSED—1

LaGrotta

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

FORMER MEMBER WELCOMED

The SPEAKER. The Chair is pleased to interrupt the proceedings to introduce a long friend, a former member of this House, a former Speaker of this House, Bob O'Donnell, seated to the left of the Chair.

CONSIDERATION OF HB 1924 CONTINUED

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

RULES SUSPENDED

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

Mr. FRANKEL. Mr. Speaker, I move that the rules of the House be suspended to permit me to offer amendment No. A3995.

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

The following roll call was recorded:

YEAS—201

Adolph	Evans, D.	Major	Schroder
Allen	Evans, J.	Manderino	Schuler
Argall	Fairchild	Mann	Scrimenti
Armstrong	Feese	Markosek	Semmel
Baker, J.	Fichter	Marsico	Shaner
Baker, M.	Fleagle	Mayernik	Smith, B.
Bard	Flick	McCall	Smith, S. H.
Barrar	Forcier	McGeehan	Solobay
Bastian	Frankel	McGill	Staback
Bebko-Jones	Freeman	McIlhattan	Stairs
Belardi	Gabig	McIlhinney	Steelman
Belfanti	Gannon	McNaughton	Steil
Benninghoff	Geist	Melio	Stern
Birmelin	George	Metcalfe	Stetler
Bishop	Godshall	Michlovic	Stevenson, R.
Blaum	Gordner	Micozzie	Stevenson, T.
Boyes	Grucela	Miller, R.	Strittmatter
Brooks	Gruitza	Miller, S.	Sturla
Browne	Habay	Mundy	Surra
Bunt	Haluska	Myers	Tangretti
Butkovitz	Hanna	Nailor	Taylor, E. Z.
Buxton	Harhai	Nickol	Taylor, J.
Caltagirone	Harhart	O'Brien	Thomas
Cappelli	Harper	Oliver	Tigue
Casorio	Hasay	Pallone	Travaglio
Cawley	Hennessey	Perzel	Trello
Civera	Herman	Petrarca	Trich
Clark	Hershey	Petrone	Tulli
Clymer	Hess	Phillips	Turzai
Cohen, L. I.	Horsey	Pickett	Vance
Cohen, M.	Hutchinson	Pippy	Veon
Colafella	Jadlowiec	Pistella	Vitali
Coleman	James	Preston	Walko

Cornell	Josephs	Raymond	Wansacz
Corrigan	Kaiser	Readshaw	Washington
Costa	Keller	Reinard	Waters
Coy	Kenney	Rieger	Watson
Creighton	Kirkland	Roberts	Williams, J.
Cruz	Krebs	Robinson	Wilt
Curry	Laughlin	Roebuck	Wojnaroski
Dailey	Lawless	Rohrer	Wright, G.
Daley	Lederer	Rooney	Wright, M.
Dally	Leh	Ross	Yewcic
DeLuca	Lescovitz	Rubley	Youngblood
Dermody	Levdansky	Ruffing	Yudichak
DeWeese	Lewis	Sainato	Zimmerman
DiGirolamo	Lucyk	Samuelson	Zug
Diven	Lynch	Santoni	
Donatucci	Mackereth	Sather	
Eachus	Maher	Saylor	Ryan,
Egolf	Maitland	Scavello	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-1

LaGrotta

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

On the question recurring,

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

Mr. FRANKEL offered the following amendment No. A3995:

Amend Title, page 1, line 5, by inserting after “for” attendance at schools for the performing arts and for

Amend Sec. 1, page 1, lines 10 and 11, by striking out “a section” and inserting sections

Amend Sec. 1, page 1, by inserting between lines 11 and 12

Section 1316.1. Attendance at Schools for the Performing Arts.—The board of school directors of school districts of the first class A may permit any nonresident pupil to attend a high school for the performing arts in its district upon such terms as it may determine, subject to the provisions of this act. Nonresident students may attend such schools without the permission of the board of school directors of the district where they reside. Payments due from a sending district to a receiving district shall be governed by sections 2561 and 2562, except that a sending district’s liability for payment shall be limited to the tuition charge of the receiving district or its own tuition charge, whichever is less.

On the question,

Will the House agree to the amendment?

The SPEAKER. Mr. Vitali.

Mr. VITALI. Just looking for a brief explanation of that amendment.

The SPEAKER. Mr. Frankel, would you give—

Mr. FRANKEL. Yes, Mr. Speaker. This amendment allows the school district of the city of Pittsburgh to admit pupils from

outside the district to the High School for the Creative and Performing Arts.

The SPEAKER. The Chair thanks the gentleman.

Mr. VITALI. I just missed the last part of that. Could you just— I missed the last part of that.

Mr. FRANKEL. This amendment allows the school district of the city of Pittsburgh to admit pupils from outside of the district to the High School for the Creative and Performing Arts.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS-201

Adolph	Evans, D.	Major	Schroder
Allen	Evans, J.	Manderino	Schuler
Argall	Fairchild	Mann	Scrimenti
Armstrong	Feese	Markosek	Semmel
Baker, J.	Fichter	Marsico	Shaner
Baker, M.	Fleagle	Mayernik	Smith, B.
Bard	Flick	McCall	Smith, S. H.
Barrar	Forcier	McGeehan	Solobay
Bastian	Frankel	McGill	Staback
Bebko-Jones	Freeman	McIlhattan	Stairs
Belardi	Gabig	McIlhinney	Steelman
Belfanti	Gannon	McNaughton	Steil
Benninghoff	Geist	Melio	Stern
Birmelin	George	Metcalfe	Stetler
Bishop	Godshall	Michlovic	Stevenson, R.
Blaum	Gordner	Micozzie	Stevenson, T.
Boyes	Grucela	Miller, R.	Strittmatter
Brooks	Gruitza	Miller, S.	Sturla
Browne	Habay	Mundy	Surra
Bunt	Haluska	Myers	Tangretti
Butkovitz	Hanna	Nailor	Taylor, E. Z.
Buxton	Harhai	Nickol	Taylor, J.
Caltagirone	Harhart	O’Brien	Thomas
Cappelli	Harper	Oliver	Tigue
Casorio	Hasay	Pallone	Travaglio
Cawley	Hennessey	Perzel	Trello
Civera	Herman	Petrarca	Trich
Clark	Hershey	Petrone	Tulli
Clymer	Hess	Phillips	Turzai
Cohen, L. I.	Horsey	Pickett	Vance
Cohen, M.	Hutchinson	Pippy	Veon
Colafella	Jadlowiec	Pistella	Vitali
Coleman	James	Preston	Walko
Cornell	Josephs	Raymond	Wansacz
Corrigan	Kaiser	Readshaw	Washington
Costa	Keller	Reinard	Waters
Coy	Kenney	Rieger	Watson
Creighton	Kirkland	Roberts	Williams, J.
Cruz	Krebs	Robinson	Wilt
Curry	Laughlin	Roebuck	Wojnaroski
Dailey	Lawless	Rohrer	Wright, G.
Daley	Lederer	Rooney	Wright, M.
Dally	Leh	Ross	Yewcic
DeLuca	Lescovitz	Rubley	Youngblood
Dermody	Levdansky	Ruffing	Yudichak
DeWeese	Lewis	Sainato	Zimmerman
DiGirolamo	Lucyk	Samuelson	Zug
Diven	Lynch	Santoni	
Donatucci	Mackereth	Sather	
Eachus	Maher	Saylor	Ryan,
Egolf	Maitland	Scavello	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-1

LaGrotta

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

On the question recurring,

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

The SPEAKER. The gentleman, Mr. Lawless, do you have an amendment to be offered at this time? It is withdrawn.

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.

The following roll call was recorded:

YEAS-201

Adolph	Evans, D.	Major	Schroder
Allen	Evans, J.	Manderino	Schuler
Argall	Fairchild	Mann	Scrimenti
Armstrong	Feese	Markosek	Semmel
Baker, J.	Fichter	Marsico	Shaner
Baker, M.	Fleagle	Mayernik	Smith, B.
Bard	Flick	McCall	Smith, S. H.
Barrar	Forcier	McGeehan	Solobay
Bastian	Frankel	McGill	Staback
Bebko-Jones	Freeman	McIlhattan	Stairs
Belardi	Gabig	McIlhinney	Steelman
Belfanti	Gannon	McNaughton	Steil
Benninghoff	Geist	Melio	Stern
Birmelin	George	Metcalfe	Stetler
Bishop	Godshall	Michlovic	Stevenson, R.
Blau	Gordner	Micozzie	Stevenson, T.
Boyes	Grucela	Miller, R.	Strittmatter
Brooks	Gruitza	Miller, S.	Sturla
Browne	Habay	Mundy	Surra
Bunt	Haluska	Myers	Tangretti
Butkovitz	Hanna	Nailor	Taylor, E. Z.
Buxton	Harhai	Nickol	Taylor, J.
Caltagirone	Harhart	O'Brien	Thomas
Cappelli	Harper	Oliver	Tigue
Casorio	Hasay	Pallone	Travaglio
Cawley	Hennessey	Perzel	Trello
Civera	Herman	Petrarca	Trich
Clark	Hershey	Petrone	Tulli
Clymer	Hess	Phillips	Turzai
Cohen, L. I.	Horsey	Pickett	Vance
Cohen, M.	Hutchinson	Pippy	Veon
Colafella	Jadlowiec	Pistella	Vitali
Coleman	James	Preston	Walko
Cornell	Josephs	Raymond	Wansacz
Corrigan	Kaiser	Readshaw	Washington
Costa	Keller	Reinard	Waters
Coy	Kenney	Rieger	Watson
Creighton	Kirkland	Roberts	Williams, J.

Cruz	Krebs	Robinson	Wilt
Curry	Laughlin	Roebuck	Wojnaroski
Dailey	Lawless	Rohrer	Wright, G.
Daley	Lederer	Rooney	Wright, M.
Dally	Leh	Ross	Yewcic
DeLuca	Lescovitz	Rubley	Youngblood
Dermody	Levdansky	Ruffing	Yudichak
DeWeese	Lewis	Sainato	Zimmerman
DiGirolamo	Lucyk	Samuelson	Zug
Diven	Lynch	Santoni	
Donatucci	Mackereth	Sather	
Eachus	Maher	Saylor	Ryan,
Egolf	Maitland	Scavello	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-1

LaGrotta

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

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

* * *

The House proceeded to third consideration of **HB 2470, PN 3536**, entitled:

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, further providing for municipal certificate prior to payment of fire loss claims; and making editorial changes.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS-201

Adolph	Evans, D.	Major	Schroder
Allen	Evans, J.	Manderino	Schuler
Argall	Fairchild	Mann	Scrimenti
Armstrong	Feese	Markosek	Semmel
Baker, J.	Fichter	Marsico	Shaner
Baker, M.	Fleagle	Mayernik	Smith, B.
Bard	Flick	McCall	Smith, S. H.
Barrar	Forcier	McGeehan	Solobay
Bastian	Frankel	McGill	Staback
Bebko-Jones	Freeman	McIlhattan	Stairs
Belardi	Gabig	McIlhinney	Steelman
Belfanti	Gannon	McNaughton	Steil
Benninghoff	Geist	Melio	Stern
Birmelin	George	Metcalfe	Stetler
Bishop	Godshall	Michlovic	Stevenson, R.
Blau	Gordner	Micozzie	Stevenson, T.

Boyes	Grucela	Miller, R.	Strittmatter
Brooks	Gruitza	Miller, S.	Sturla
Browne	Habay	Mundy	Surra
Bunt	Haluska	Myers	Tangretti
Butkovitz	Hanna	Nailor	Taylor, E. Z.
Buxton	Harhai	Nickol	Taylor, J.
Caltagirone	Harhart	O'Brien	Thomas
Cappelli	Harper	Oliver	Tigue
Casorio	Hasay	Pallone	Travaglio
Cawley	Hennessey	Perzel	Trello
Civera	Herman	Petrarca	Trich
Clark	Hershey	Petrone	Tulli
Clymer	Hess	Phillips	Turzai
Cohen, L. I.	Horsley	Pickett	Vance
Cohen, M.	Hutchinson	Pippy	Veon
Colafella	Jadlowiec	Pistella	Vitali
Coleman	James	Preston	Walko
Cornell	Josephs	Raymond	Wansacz
Corrigan	Kaiser	Readshaw	Washington
Costa	Keller	Reinard	Waters
Coy	Kenney	Rieger	Watson
Creighton	Kirkland	Roberts	Williams, J.
Cruz	Krebs	Robinson	Wilt
Curry	Laughlin	Roebuck	Wojnaroski
Dailey	Lawless	Rohrer	Wright, G.
Daley	Lederer	Rooney	Wright, M.
Dally	Leh	Ross	Yewcic
DeLuca	Lescovitz	Rublely	Youngblood
Dermody	Levdansky	Ruffing	Yudichak
DeWeese	Lewis	Sainato	Zimmerman
DiGirolamo	Lucyk	Samuelson	Zug
Diven	Lynch	Santoni	
Donatucci	Mackereth	Sather	
Eachus	Maher	Saylor	Ryan,
Egolf	Maitland	Scavello	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-1

LaGrotta

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

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

* * *

The House proceeded to third consideration of **SB 1417, PN 1935**, entitled:

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, further providing for mastectomy and breast cancer reconstruction.

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

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

The question is, shall the bill pass finally?
Agreeable to the provisions of the Constitution, the yeas and nays will now be taken.

The following roll call was recorded:

YEAS-201

Adolph	Evans, D.	Major	Schroder
Allen	Evans, J.	Manderino	Schuler
Argall	Fairchild	Mann	Scrimenti
Armstrong	Feese	Markosek	Semmel
Baker, J.	Fichter	Marsico	Shaner
Baker, M.	Fleagle	Mayernik	Smith, B.
Bard	Flick	McCall	Smith, S. H.
Barrar	Forcier	McGeehan	Solobay
Bastian	Frankel	McGill	Staback
Bebko-Jones	Freeman	McIlhattan	Stairs
Belardi	Gabig	McIlhinney	Steelman
Belfanti	Gannon	McNaughton	Steil
Benninghoff	Geist	Melio	Stern
Birmelin	George	Metcalfe	Stetler
Bishop	Godshall	Michlovic	Stevenson, R.
Blaum	Gordner	Micozzie	Stevenson, T.
Boyes	Grucela	Miller, R.	Strittmatter
Brooks	Gruitza	Miller, S.	Sturla
Browne	Habay	Mundy	Surra
Bunt	Haluska	Myers	Tangretti
Butkovitz	Hanna	Nailor	Taylor, E. Z.
Buxton	Harhai	Nickol	Taylor, J.
Caltagirone	Harhart	O'Brien	Thomas
Cappelli	Harper	Oliver	Tigue
Casorio	Hasay	Pallone	Travaglio
Cawley	Hennessey	Perzel	Trello
Civera	Herman	Petrarca	Trich
Clark	Hershey	Petrone	Tulli
Clymer	Hess	Phillips	Turzai
Cohen, L. I.	Horsley	Pickett	Vance
Cohen, M.	Hutchinson	Pippy	Veon
Colafella	Jadlowiec	Pistella	Vitali
Coleman	James	Preston	Walko
Cornell	Josephs	Raymond	Wansacz
Corrigan	Kaiser	Readshaw	Washington
Costa	Keller	Reinard	Waters
Coy	Kenney	Rieger	Watson
Creighton	Kirkland	Roberts	Williams, J.
Cruz	Krebs	Robinson	Wilt
Curry	Laughlin	Roebuck	Wojnaroski
Dailey	Lawless	Rohrer	Wright, G.
Daley	Lederer	Rooney	Wright, M.
Dally	Leh	Ross	Yewcic
DeLuca	Lescovitz	Rublely	Youngblood
Dermody	Levdansky	Ruffing	Yudichak
DeWeese	Lewis	Sainato	Zimmerman
DiGirolamo	Lucyk	Samuelson	Zug
Diven	Lynch	Santoni	
Donatucci	Mackereth	Sather	
Eachus	Maher	Saylor	Ryan,
Egolf	Maitland	Scavello	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-1

LaGrotta

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

Ordered, That the clerk return the same to the Senate with the information that the House has passed the same without amendment.

* * *

The House proceeded to third consideration of **HB 2683, PN 4054**, entitled:

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 employment criminal background checks.

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

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—201

Adolph	Evans, D.	Major	Schroder
Allen	Evans, J.	Manderino	Schuler
Argall	Fairchild	Mann	Scrimenti
Armstrong	Feese	Markosek	Semmel
Baker, J.	Fichter	Marsico	Shaner
Baker, M.	Fleagle	Mayernik	Smith, B.
Bard	Flick	McCall	Smith, S. H.
Barrar	Forcier	McGeehan	Solobay
Bastian	Frankel	McGill	Staback
Bebko-Jones	Freeman	McIlhattan	Stairs
Belardi	Gabig	McIlhinney	Steelman
Belfanti	Gannon	McNaughton	Steil
Benninghoff	Geist	Melio	Stern
Birmelin	George	Metcalfe	Stetler
Bishop	Godshall	Michlovic	Stevenson, R.
Blaum	Gordner	Micozzie	Stevenson, T.
Boyes	Grucela	Miller, R.	Strittmatter
Brooks	Gruitza	Miller, S.	Sturla
Browne	Habay	Mundy	Surra
Bunt	Haluska	Myers	Tangretti
Butkovitz	Hanna	Nailor	Taylor, E. Z.
Buxton	Harhai	Nickol	Taylor, J.
Caltagirone	Harhart	O'Brien	Thomas
Cappelli	Harper	Oliver	Tigue
Casorio	Hasay	Pallone	Travaglio
Cawley	Hennessey	Perzel	Trello
Civera	Herman	Petrarca	Trich
Clark	Hershey	Petrone	Tulli
Clymer	Hess	Phillips	Turzai
Cohen, L. I.	Horsey	Pickett	Vance
Cohen, M.	Hutchinson	Pippy	Veon
Colafella	Jadlowiec	Pistella	Vitali
Coleman	James	Preston	Walko
Cornell	Josephs	Raymond	Wansacz
Corrigan	Kaiser	Readshaw	Washington
Costa	Keller	Reinard	Waters
Coy	Kenney	Rieger	Watson
Creighton	Kirkland	Roberts	Williams, J.
Cruz	Krebs	Robinson	Wilt

Curry	Laughlin	Roebuck	Wojnaroski
Daley	Lawless	Rohrer	Wright, G.
Daley	Lederer	Rooney	Wright, M.
Dally	Leh	Ross	Yewcic
DeLuca	Lescovitz	Rubley	Youngblood
Dermody	Levdansky	Ruffing	Yudichak
DeWeese	Lewis	Sainato	Zimmerman
DiGirolamo	Lucyk	Samuelson	Zug
Diven	Lynch	Santoni	
Donatucci	Mackereth	Sather	
Eachus	Maher	Saylor	Ryan,
Egolf	Maitland	Scavello	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—1

LaGrotta

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

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

* * *

The House proceeded to third consideration of **HB 2229, PN 3865**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, authorizing boards of school directors to establish a program to provide high school diplomas to certain veterans.

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

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—201

Adolph	Evans, D.	Major	Schroder
Allen	Evans, J.	Manderino	Schuler
Argall	Fairchild	Mann	Scrimenti
Armstrong	Feese	Markosek	Semmel
Baker, J.	Fichter	Marsico	Shaner
Baker, M.	Fleagle	Mayernik	Smith, B.
Bard	Flick	McCall	Smith, S. H.
Barrar	Forcier	McGeehan	Solobay
Bastian	Frankel	McGill	Staback
Bebko-Jones	Freeman	McIlhattan	Stairs
Belardi	Gabig	McIlhinney	Steelman
Belfanti	Gannon	McNaughton	Steil
Benninghoff	Geist	Melio	Stern

Birmelin	George	Metcalf	Stetler
Bishop	Godshall	Michlovic	Stevenson, R.
Blaum	Gordner	Micozzie	Stevenson, T.
Boyes	Grucela	Miller, R.	Strittmatter
Brooks	Gruitza	Miller, S.	Sturla
Browne	Habay	Mundy	Surra
Bunt	Haluska	Myers	Tangretti
Butkovitz	Hanna	Nailor	Taylor, E. Z.
Buxton	Harhai	Nickol	Taylor, J.
Caltagirone	Harhart	O'Brien	Thomas
Cappelli	Harper	Oliver	Tigue
Casorio	Hasay	Pallone	Travaglio
Cawley	Hennessey	Perzel	Trello
Civera	Herman	Petrarca	Trich
Clark	Hershey	Petrone	Tulli
Clymer	Hess	Phillips	Turzai
Cohen, L. I.	Horsey	Pickett	Vance
Cohen, M.	Hutchinson	Pippy	Veon
Colafella	Jadlowiec	Pistella	Vitali
Coleman	James	Preston	Walko
Cornell	Josephs	Raymond	Wansacz
Corrigan	Kaiser	Readshaw	Washington
Costa	Keller	Reinard	Waters
Coy	Kenney	Rieger	Watson
Creighton	Kirkland	Roberts	Williams, J.
Cruz	Krebs	Robinson	Wilt
Curry	Laughlin	Roebuck	Wojnaroski
Dailey	Lawless	Rohrer	Wright, G.
Daley	Lederer	Rooney	Wright, M.
Dally	Leh	Ross	Yewcic
DeLuca	Lescovitz	Rubley	Youngblood
Dermody	Levdansky	Ruffing	Yudichak
DeWeese	Lewis	Sainato	Zimmerman
DiGirolo	Lucyk	Samuelson	Zug
Diven	Lynch	Santoni	
Donatucci	Mackereth	Sather	
Eachus	Maher	Saylor	Ryan,
Egolf	Maitland	Scavello	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-1

LaGrotta

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

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

* * *

The House proceeded to third consideration of **SB 1100, PN 2139**, entitled:

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, further providing for governing body of municipal authorities and for certain fiscal reporting.

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

Mr. **TRELLO** offered the following amendment No. **A3836**:

Amend Title, page 1, line 2, by inserting after "Statutes," providing for acceptance of gifts or donations; and Amend Bill, pages 6 through 8, lines 1 and 30; page 9, lines 1 through 3, by striking out all of said lines on said pages and inserting Section 1. Chapter 13 of Title 53 of the Pennsylvania Consolidated Statutes is amended by adding a subchapter to read:

SUBCHAPTER G
MISCELLANEOUS PROVISIONS

Sec.

1391. Acceptance of gifts or donations.

§ 1391. Acceptance of gifts or donations.

(a) General rule.—In addition to all other powers conferred by law, a municipality may receive in trust, and its governing body may control for the purposes of the trust, all estate, moneys, assets and property, real and personal, which may have been or shall be bestowed upon it by donation, gift, legacy, endowment, bequest, devise, conveyance or other means, for benevolent, health, civic or other public purposes, for charitable purposes of whatever kind or nature, and for any other purpose beneficial to the municipality and its residents.

(b) Definitions.—As used in this section, the following words and phrases shall have the meanings given to them in this subsection:

"Governing body." The council in cities, boroughs and incorporated towns; the board of commissioners in counties and townships of the first class; the board of supervisors in townships of the second class; or the legislative policymaking body in home rule municipalities.

"Municipality." A county, city, borough, incorporated town, township or home rule municipality.

Section 2. Subpart B of Part III of Title 53 is amended by adding a chapter to read:

CHAPTER 15
APPEALS TO COURT

Sec.

1501. Appeals from governing body in cities of the first class.

§ 1501. Appeals from governing body in cities of the first class.

(a) General rule.—Except as provided for in subsection (b), any person or persons jointly or severally aggrieved by any decision of the zoning board of adjustment, or any taxpayer, or a community or neighborhood group or organization, or any officer, department, board or bureau of the city may appeal by presenting to the court of common pleas a notice of appeal containing such information as may be required by local rules of court, within 30 days after the mailing date of the notice of decision by the zoning board of adjustment. For purposes of this subsection, a community or neighborhood group or organization shall be a group or organization composed of tenants and property owners who reside in the immediate vicinity of the property which is the subject of the appeal.

(b) Outdoor advertising.—In the case of an appeal involving outdoor advertising, only an aggrieved person shall have a right to appeal. The appeal shall otherwise conform to the requirements of subsection (a).

Section 3. Sections 5610(b) and 5612(b) of Title 53 are amended to read:

§ 5610. Governing body.

* * *

(b) Residency.—

(1) Except as provided for in subsection (c), the members of the board, each of whom shall be a taxpayer in, maintain a business in or be a citizen of the municipality by which he is appointed or be a taxpayer in, maintain a business in or be a citizen of a municipality into which one or more of the projects of the authority extends or is to extend or to which one or more projects has been or is to be leased, shall be appointed, their terms fixed and staggered and vacancies filled pursuant to the articles of incorporation or the application of membership under section 5604 (relating to municipalities withdrawing from and joining in joint authorities). Where two or more municipalities are members of the

authority, they shall be apportioned pursuant to the articles of incorporation or the application for membership under section 5604. Except for special service districts located in whole or in part in cities of the first class or as provided in paragraph (2), a majority of an authority’s board members shall be citizens residing in the incorporating municipality or incorporating municipalities of the authority.

(2) Each member of the board of a business improvement district authority [that was] established by a [borough] municipality pursuant to the act of May 2, 1945 (P.L.382, No.164), known as the Municipality Authorities Act of 1945, [on or before the effective date of this paragraph] or pursuant to this title, or each member of the board of a neighborhood improvement district management association (NIDMA) authority established by a municipality pursuant to the act of December 20, 2000 (P.L.949, No.130), known as the Neighborhood Improvement District Act, shall be a taxpayer in, maintain a business in or be a citizen of the [borough] municipality by which that member is appointed.

* * *

§ 5612. Money of authority.

* * *

(b) Report.—Every authority whose fiscal year ends December 31 shall file on or before July 1 an annual report of its fiscal affairs covering the preceding calendar year with the Department of Community and Economic Development and with the municipality creating the authority on forms prepared and distributed by the Department of Community and Economic Development. Authorities whose fiscal year does not end on December 31 shall file the report within 90 days after the end of their fiscal year. Every authority shall have its books, accounts and records audited annually by a certified public accountant, and a copy of his audit report shall be filed in [the same manner and within the same time period as the annual report] the authority office for the purpose of public review and in the office of the municipality or municipalities that created the authority. A concise financial statement shall be published annually at least once in a newspaper of general circulation in the municipality where the principal office of the authority is located. If the publication is not made by the authority, the municipality shall publish such statement at the expense of the authority. If the authority fails to make such an audit, then the controller, auditor or accountant designated by the municipality is hereby authorized and empowered from time to time to examine at the expense of the authority the accounts and books of it, including its receipts, disbursements, contracts, leases, sinking funds, investments and any other matters relating to its finances, operation and affairs.

* * *

Section 4. This act shall take effect immediately.

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

The following roll call was recorded:

YEAS—201

Adolph	Evans, D.	Major	Schroder
Allen	Evans, J.	Manderino	Schuler
Argall	Fairchild	Mann	Scrimenti
Armstrong	Feese	Markosek	Semmel
Baker, J.	Fichter	Marsico	Shaner
Baker, M.	Fleagle	Mayernik	Smith, B.
Bard	Flick	McCall	Smith, S. H.
Barrar	Forcier	McGeehan	Solobay
Bastian	Frankel	McGill	Staback
Bebko-Jones	Freeman	McIlhattan	Stairs
Belardi	Gabig	McIlhinney	Steelman
Belfanti	Gannon	McNaughton	Steil
Benninghoff	Geist	Melio	Stern
Birmelin	George	Metcalfe	Stetler

Bishop	Godshall	Michlovic	Stevenson, R.
Blaum	Gordner	Micozzie	Stevenson, T.
Boyes	Grucela	Miller, R.	Strittmatter
Brooks	Gruitza	Miller, S.	Sturla
Browne	Habay	Mundy	Surra
Bunt	Haluska	Myers	Tangretti
Butkovitz	Hanna	Nailor	Taylor, E. Z.
Buxton	Harhai	Nickol	Taylor, J.
Caltagirone	Harhart	O’Brien	Thomas
Cappelli	Harper	Oliver	Tigue
Casorio	Hasay	Pallone	Travaglio
Cawley	Hennessey	Perzel	Trello
Civera	Herman	Petrarca	Trich
Clark	Hershey	Petrone	Tulli
Clymer	Hess	Phillips	Turzai
Cohen, L. I.	Horsey	Pickett	Vance
Cohen, M.	Hutchinson	Pippy	Veon
Colafella	Jadlowiec	Pistella	Vitali
Coleman	James	Preston	Walko
Cornell	Josephs	Raymond	Wansacz
Corrigan	Kaiser	Readshaw	Washington
Costa	Keller	Reinard	Waters
Coy	Kenney	Rieger	Watson
Creighton	Kirkland	Roberts	Williams, J.
Cruz	Krebs	Robinson	Wilt
Curry	Laughlin	Roebuck	Wojnaroski
Dailey	Lawless	Rohrer	Wright, G.
Daley	Lederer	Rooney	Wright, M.
Dally	Leh	Ross	Yewcic
DeLuca	Lescovitz	Rublely	Youngblood
Dermody	Levdansky	Ruffing	Yudichak
DeWeese	Lewis	Sainato	Zimmerman
DiGirolamo	Lucyk	Samuelson	Zug
Diven	Lynch	Santoni	
Donatucci	Mackereth	Sather	
Eachus	Maher	Saylor	Ryan,
Egolf	Maitland	Scavello	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—1

LaGrotta

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

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

RULES SUSPENDED

The SPEAKER. The gentleman, Mr. Vitali, is recognized. He moves that the rules of the House be suspended to permit the immediate consideration of amendment— What is your amendment number, Mr. Vitali?

Mr. VITALI. 3981.

The SPEAKER. Amendment 3981.

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

The following roll call was recorded:

YEAS-201

Adolph	Evans, D.	Major	Schroder
Allen	Evans, J.	Manderino	Schuler
Argall	Fairchild	Mann	Scrimenti
Armstrong	Feese	Markosek	Semmel
Baker, J.	Fichter	Marsico	Shaner
Baker, M.	Fleagle	Mayernik	Smith, B.
Bard	Flick	McCall	Smith, S. H.
Barrar	Forcier	McGeehan	Solobay
Bastian	Frankel	McGill	Staback
Bebko-Jones	Freeman	McIlhattan	Stairs
Belardi	Gabig	McIlhinney	Steelman
Belfanti	Gannon	McNaughton	Steil
Benninghoff	Geist	Melio	Stern
Birmelin	George	Metcalfe	Stetler
Bishop	Godshall	Michlovic	Stevenson, R.
Blaum	Gordner	Micozzie	Stevenson, T.
Boyes	Grucela	Miller, R.	Strittmatter
Brooks	Gruitza	Miller, S.	Sturla
Browne	Habay	Mundy	Surra
Bunt	Haluska	Myers	Tangretti
Butkovitz	Hanna	Nailor	Taylor, E. Z.
Buxton	Harhai	Nickol	Taylor, J.
Caltagirone	Harhart	O'Brien	Thomas
Cappelli	Harper	Oliver	Tigue
Casorio	Hasay	Pallone	Travaglio
Cawley	Hennessey	Perzel	Trello
Civera	Herman	Petrarca	Trich
Clark	Hershey	Petrone	Tulli
Clymer	Hess	Phillips	Turzai
Cohen, L. I.	Horsey	Pickett	Vance
Cohen, M.	Hutchinson	Pippy	Veon
Colafella	Jadlowiec	Pistella	Vitali
Coleman	James	Preston	Walko
Cornell	Josephs	Raymond	Wansacz
Corrigan	Kaiser	Readshaw	Washington
Costa	Keller	Reinard	Waters
Coy	Kenney	Rieger	Watson
Creighton	Kirkland	Roberts	Williams, J.
Cruz	Krebs	Robinson	Wilt
Curry	Laughlin	Roebuck	Wojnaroski
Dailey	Lawless	Rohrer	Wright, G.
Daley	Lederer	Rooney	Wright, M.
Dally	Leh	Ross	Yewcic
DeLuca	Lescovitz	Rubley	Youngblood
Dermody	Levdansky	Ruffing	Yudichak
DeWeese	Lewis	Sainato	Zimmerman
DiGiroolamo	Lucyk	Samuelson	Zug
Diven	Lynch	Santoni	
Donatucci	Mackereth	Sather	
Eachus	Maher	Saylor	Ryan,
Egolf	Maitland	Scavello	Speaker

NAYS-0

NOT VOTING-0
EXCUSED-1

LaGrotta

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

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

Mr. VITALI offered the following amendment No. A3981:

Amend Sec. 2, page 1, lines 32 through 39; page 2, lines 1 through 17 (A3836), by striking out all of said lines on said pages

Amend Sec. 3, page 2, line 18 (A3836), by striking out "3" and inserting

2

Amend Sec. 4, page 3, line 26 (A3836), by striking out "4" and inserting

3

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

(Members proceeded to vote.)

VOTE STRICKEN

The SPEAKER. Ms. Harper, for what purpose do you rise?

Ms. HARPER. Mr. Speaker, would the maker of the amendment stand for interrogation?

The SPEAKER. Strike the board.

Mr. Vitali, do unto others.

Mr. Vitali, would you be good enough to send a copy of that amendment to the desk.

Mr. VITALI. We have done that just now.

Essentially, what this amendment does – and I think it is agreed to – is it takes out the language in the bill that would reduce the rights of citizens of the city of Philadelphia for appealing a zoning hearing board decision, and in particular, the amendment retains the rights of citizens. It removes the language which would reduce the right of citizens to appeal in zoning board cases, and in particular, the appeal of outdoor advertising.

Ms. HARPER. Thank you.

The SPEAKER. Mrs. Lederer.

Mrs. LEDERER. Mr. Speaker, I rise to support this amendment. Five of my communities are subjected to distasteful billboards. This amendment will remove that language from the bill.

I ask my colleagues to vote "yes" on the Vitali amendment. Thank you.

The SPEAKER. The Chair thanks the lady.

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

The following roll call was recorded:

YEAS-201

Adolph	Evans, D.	Major	Schroder
Allen	Evans, J.	Manderino	Schuler
Argall	Fairchild	Mann	Scrimenti
Armstrong	Feese	Markosek	Semmel
Baker, J.	Fichter	Marsico	Shaner
Baker, M.	Fleagle	Mayernik	Smith, B.
Bard	Flick	McCall	Smith, S. H.
Barrar	Forcier	McGeehan	Solobay
Bastian	Frankel	McGill	Staback
Bebko-Jones	Freeman	McIlhattan	Stairs
Belardi	Gabig	McIlhinney	Steelman
Belfanti	Gannon	McNaughton	Steil
Benninghoff	Geist	Melio	Stern
Birmelin	George	Metcalfe	Stetler
Bishop	Godshall	Michlovic	Stevenson, R.
Blaum	Gordner	Micozzie	Stevenson, T.
Boyes	Grucela	Miller, R.	Strittmatter

Brooks	Gruitza	Miller, S.	Sturla
Browne	Habay	Mundy	Surra
Bunt	Haluska	Myers	Tangretti
Butkovitz	Hanna	Nailor	Taylor, E. Z.
Buxton	Harhai	Nickol	Taylor, J.
Caltagirone	Harhart	O'Brien	Thomas
Cappelli	Harper	Oliver	Tigue
Casorio	Hasay	Pallone	Travaglio
Cawley	Hennessey	Perzel	Trello
Civera	Herman	Petrarca	Trich
Clark	Hershey	Petrone	Tulli
Clymer	Hess	Phillips	Turzai
Cohen, L. I.	Horsey	Pickett	Vance
Cohen, M.	Hutchinson	Pippy	Veon
Colafella	Jadlowiec	Pistella	Vitali
Coleman	James	Preston	Walko
Cornell	Josephs	Raymond	Wansacz
Corrigan	Kaiser	Readshaw	Washington
Costa	Keller	Reinard	Waters
Coy	Kenney	Rieger	Watson
Creighton	Kirkland	Roberts	Williams, J.
Cruz	Krebs	Robinson	Wilt
Curry	Laughlin	Roebuck	Wojnaroski
Dailey	Lawless	Rohrer	Wright, G.
Daley	Lederer	Rooney	Wright, M.
Dally	Leh	Ross	Yewcic
DeLuca	Lescovitz	Rubley	Youngblood
Dermody	Levdansky	Ruffing	Yudichak
DeWeese	Lewis	Sainato	Zimmerman
DiGirolamo	Lucyk	Samuelson	Zug
Diven	Lynch	Santoni	
Donatucci	Mackereth	Sather	
Eachus	Maher	Saylor	Ryan,
Egolf	Maitland	Scavello	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-1

LaGrotta

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

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

The SPEAKER. This bill has been considered on three different days and agreed to and is now on final passage.
The question is, shall the bill pass finally?
Agreeable to the provisions of the Constitution, the yeas and nays will now be taken.

The following roll call was recorded:

YEAS-201

Adolph	Evans, D.	Major	Schroder
Allen	Evans, J.	Manderino	Schuler
Argall	Fairchild	Mann	Scrimenti
Armstrong	Feese	Markosek	Semmel
Baker, J.	Fichter	Marsico	Shaner
Baker, M.	Fleagle	Mayernik	Smith, B.
Bard	Flick	McCall	Smith, S. H.

Barrar	Forcier	McGeehan	Solobay
Bastian	Frankel	McGill	Staback
Bebko-Jones	Freeman	McIlhattan	Stairs
Belardi	Gabig	McIlhinney	Steelman
Belfanti	Gannon	McNaughton	Steil
Benninghoff	Geist	Melio	Stern
Birmelin	George	Metcalfe	Stetler
Bishop	Godshall	Michlovic	Stevenson, R.
Blaum	Gordner	Micozzie	Stevenson, T.
Boyes	Grucela	Miller, R.	Strittmatter
Brooks	Gruitza	Miller, S.	Sturla
Browne	Habay	Mundy	Surra
Bunt	Haluska	Myers	Tangretti
Butkovitz	Hanna	Nailor	Taylor, E. Z.
Buxton	Harhai	Nickol	Taylor, J.
Caltagirone	Harhart	O'Brien	Thomas
Cappelli	Harper	Oliver	Tigue
Casorio	Hasay	Pallone	Travaglio
Cawley	Hennessey	Perzel	Trello
Civera	Herman	Petrarca	Trich
Clark	Hershey	Petrone	Tulli
Clymer	Hess	Phillips	Turzai
Cohen, L. I.	Horsey	Pickett	Vance
Cohen, M.	Hutchinson	Pippy	Veon
Colafella	Jadlowiec	Pistella	Vitali
Coleman	James	Preston	Walko
Cornell	Josephs	Raymond	Wansacz
Corrigan	Kaiser	Readshaw	Washington
Costa	Keller	Reinard	Waters
Coy	Kenney	Rieger	Watson
Creighton	Kirkland	Roberts	Williams, J.
Cruz	Krebs	Robinson	Wilt
Curry	Laughlin	Roebuck	Wojnaroski
Dailey	Lawless	Rohrer	Wright, G.
Daley	Lederer	Rooney	Wright, M.
Dally	Leh	Ross	Yewcic
DeLuca	Lescovitz	Rubley	Youngblood
Dermody	Levdansky	Ruffing	Yudichak
DeWeese	Lewis	Sainato	Zimmerman
DiGirolamo	Lucyk	Samuelson	Zug
Diven	Lynch	Santoni	
Donatucci	Mackereth	Sather	
Eachus	Maher	Saylor	Ryan,
Egolf	Maitland	Scavello	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-1

LaGrotta

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

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

* * *

**THE SPEAKER PRO TEMPORE
(PATRICIA H. VANCE) PRESIDING**

The House proceeded to third consideration of **HB 2246, PN 3098**, entitled:

An Act authorizing the Commonwealth of Pennsylvania to join the Interstate Wildlife Violator Compact; providing for the form of the compact; imposing additional powers and duties on the Governor and the Compact Administrator; and limiting the applicability of suspension powers.

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

Mr. **HALUSKA** offered the following amendment No. **A3549**:

Amend Sec. 3, page 12, line 26, by striking out “When” and inserting

(a) Subject to subsection (b), when

Amend Sec. 3, page 13, by inserting between lines 4 and 5

(b) Bylaws and other documents detailing compact administration adopted by the board of compact administrators shall be considered a regulation within the definition of “regulation” in section 3 of the act of June 25, 1982 (P.L.633, No.181), known as the Regulatory Review Act. For purposes of legislative review under the Regulatory Review Act, review shall be performed by the Game and Fisheries Committee of the Senate and the Game and Fisheries Committee of the House of Representatives.

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

The SPEAKER pro tempore. On that question, the Chair recognizes the gentleman from Cambria, Mr. Haluska.

Mr. HALUSKA. Thank you, Madam Speaker.

I am going to have to get a minute to get the amendment. I do not have it in front of me.

Thank you, Madam Speaker.

What this amendment does is if we enter into this compact, this interstate compact, it would allow the Regulatory Review Commission, the House Game and Fisheries Committee, and the Senate Game and Fisheries Committee to review the language that we put into this interstate compact before we put it into effect.

GERMANENESS QUESTIONED

The SPEAKER pro tempore. On the amendment, the Chair recognizes the gentleman, Mr. Lynch.

Mr. LYNCH. Thank you, Madam Speaker.

In addition to opposing this, I am going to make a motion that this amendment is not germane to the bill. We have a freestanding bill here with an attempt to offer something into Title 32 or 34, and I am going to make a motion that we vote this amendment to not be germane.

The SPEAKER pro tempore. The gentleman, Mr. Lynch, raises the point of order that amendment No. 3549 is not germane.

Under House rule 27, questions involving whether an amendment is germane to the subject shall be decided by the House.

On the question,
Will the House sustain the germaneness of the amendment?

The SPEAKER pro tempore. On that question, the Chair recognizes the gentleman, Mr. Smith.

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

I agree that this amendment is not germane.

I would like the Speaker to explain to the members how they

should vote if they agree that it is not germane.

The SPEAKER pro tempore. Those who believe the amendment is germane would vote “aye,” and those who believe it is not germane would vote “nay.”

Would the gentleman like to proceed to speak?

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

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Godshall, on the issue of germaneness.

Mr. GODSHALL. Thank you, Madam Speaker.

I do not know how this amendment could possibly be not germane. All the amendment does is says that the compact language should be reviewed by the various Game and Fisheries Committees in the House and the Senate. How that can be not germane would be beyond me. It is absolutely clearly germane, and there is no reason at all to vote against this amendment. This language we are subjecting Pennsylvanians to should be reviewed by the respective committees.

I would urge you to vote that the amendment is germane.

The SPEAKER pro tempore. On the issue of germaneness, the Chair recognizes the gentleman from Cambria, Mr. Yewcic.

Mr. YEWIC. Thank you, Madam Speaker.

Obviously, this amendment is germane. I do not know why anyone would object to have an oversight by our respective House Game and Fish Committee and the Senate Game and Fish Committee over interstate agreement. It is obviously germane, and it should be voted accordingly.

Thank you, Madam Speaker.

The SPEAKER pro tempore. On the issue of germaneness, the Chair recognizes the gentleman from Warren County, Mr. Lynch.

Mr. LYNCH. Thank you, Madam Speaker.

I will say one more time that we are looking at a freestanding bill here, and an attempt to amend it with language that should go into Title 34 or Title 30 makes it nongermane.

Aside from that fact, this amendment would require that the Independent Regulatory Review Commission, IRRC, review this. Now, we already have at least seven organizations that review this legislation. Okay? This legislation, incidentally, we have been working on in excess of 3 years. Okay? We do not need – an excess of 12 years, before I came here – we do not need IRRC to be sticking their nose into this. This is simply a freestanding bill that should be subject to the rule of the House of Representatives and the Senate and the Governor, and again, I ask for a “no” vote on germaneness.

Thank you, Madam Speaker.

The SPEAKER pro tempore. On the issue of germaneness, the Chair recognizes the gentleman from Cambria County, Mr. Haluska.

Mr. HALUSKA. Thank you, Madam Speaker.

I would just let the members make up their own mind whether it is germane to the bill or not. Thank you.

The SPEAKER pro tempore. Those who believe the amendment is germane will vote “aye”; those who believe the amendment is not germane will vote “nay.”

On the question recurring,
Will the House sustain the germaneness of the amendment?

The following roll call was recorded:

Adolph	Eachus	Markosek	Semmel
Allen	Evans, D.	Mayernik	Shaner
Argall	Feese	McGeehan	Smith, S. H.
Baker, M.	Fichter	Melio	Solobay
Bard	Flick	Metcalfe	Stairs
Bastian	Frankel	Michlovic	Steelman
Bebko-Jones	Freeman	Micozzie	Steil
Belfanti	Gannon	Myers	Stetler
Bishop	Godshall	Nailor	Sturla
Boyes	Gordner	O'Brien	Surra
Bunt	Gruitza	Oliver	Tangretti
Butkovitz	Haluska	Pallone	Taylor, J.
Buxton	Hanna	Perzel	Thomas
Caltagirone	Harhai	Petrarca	Tigue
Casorio	Harper	Petrone	Travaglio
Cawley	Hershey	Phillips	Trello
Civera	Hess	Pickett	Trich
Clark	Horsey	Pistella	Tulli
Cohen, M.	James	Preston	Veon
Colafella	Josephs	Raymond	Vitali
Corrigan	Kaiser	Readshaw	Walko
Costa	Keller	Reinard	Washington
Coy	Kirkland	Rieger	Waters
Creighton	Krebs	Roberts	Williams, J.
Cruz	Lawless	Robinson	Wojnaroski
Curry	Lederer	Roebuck	Wright, G.
Dailey	Leh	Rohrer	Wright, M.
Daley	Lescovitz	Rooney	Yewcic
DeLuca	Levdansky	Rubley	Youngblood
Dermody	Lewis	Ruffing	Yudichak
DeWeese	Lucyk	Sainato	Zug
DiGirolamo	Major	Samuelson	
Diven	Manderino	Santoni	Ryan,
Donatucci	Mann	Scrimenti	Speaker

NAYS-67

Armstrong	Fairchild	Mackereth	Scavello
Baker, J.	Fleagle	Maher	Schroder
Barrar	Forcier	Maitland	Schuler
Belardi	Gabig	Marsico	Smith, B.
Benninghoff	Geist	McCall	Staback
Birmelin	George	McGill	Stern
Blaum	Grucela	McIlhattan	Stevenson, R.
Brooks	Habay	McIlhinney	Stevenson, T.
Browne	Harhart	McNaughton	Strittmatter
Cappelli	Hasay	Miller, R.	Taylor, E. Z.
Clymer	Hennessey	Miller, S.	Turzai
Cohen, L. I.	Herman	Mundy	Vance
Coleman	Hutchinson	Nickol	Wansacz
Cornell	Jadlowiec	Pippy	Watson
Dally	Kenney	Ross	Wilt
Egolf	Laughlin	Sather	Zimmerman
Evans, J.	Lynch	Saylor	

NOT VOTING-0

EXCUSED-1

LaGrotta

The majority having voted in the affirmative, the question was determined in the affirmative and the amendment was declared germane.

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

The SPEAKER pro tempore. On the amendment, the Chair recognizes the gentleman, Mr. Haluska.
Does the gentleman, Mr. Haluska, wish to be recognized on the

amendment?

Mr. HALUSKA. Thank you, Madam Speaker.

I would just like to say that I think this is a good amendment. It gives some oversight, and I would wish that the House would support it.

The SPEAKER pro tempore. On the amendment, the Chair recognizes the gentleman, Mr. Lynch.

Mr. LYNCH. Thank you, Madam Speaker.

Again I would ask that the members of the House vote “no” on this amendment.

Certainly it is an admirable thing here to want the Game and Fish Commissions to be fully computerized and up to date on the sale of licenses and so forth – okay? – but the fact is that the timing of this may not be in concert with the entrance into the compact. For this to occur we have to have the other 17 members of the compact vote “yes” on this, and we do not know that that is going to occur. This is kind of putting the cart before the horse, and I think it is something that we need to look at after we enter into the compact. It just does not fit in the sequence of order, and I would ask for a “no” vote on this amendment.

The SPEAKER pro tempore. On the amendment, the Chair recognizes the gentleman from York County, Mr. Smith.

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

I think it is very important that we get into what this compact is. Seventeen States already belong to the compact. I do not know of any of those States that have an IRRC board. For that reason you are complicating Pennsylvania’s entry into the interstate compact. We want to keep this as simple as possible. We want to be able to enter into the compact so that poachers from Pennsylvania and other States lose their license the same as you lose a driver’s license.

I think it is very important that we defeat this amendment, Madam Speaker, and I would ask for a “no” vote.

The SPEAKER pro tempore. On the amendment, the Chair recognizes the gentleman from Montgomery County, Mr. Godshall.

Mr. GODSHALL. Thank you, Madam Speaker.

I would just say that the only thing that the IRRC process does is put this out in the light of day for it is a 60-day period when everybody can come back and make their recommendations. They can tell you what they feel about this legislation. It is the only thing the Regulatory Review board does.

The other thing that this amendment does is allow the respective Game and Fisheries Committees to review the legislation. It is clearly, as I said, it is germane, and it is something that should be given the protection that the hunters of Pennsylvania deserve. Thank you.

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

The following roll call was recorded:

YEAS-100

Baker, M.	Frankel	Mann	Santoni
Bard	Freeman	McGeehan	Scrimenti
Bebko-Jones	Gannon	Melio	Shaner
Bishop	George	Metcalfe	Smith, S. H.
Boyes	Godshall	Michlovic	Solobay
Butkovitz	Gordner	Myers	Steelman

Buxton	Gruitza	Oliver	Steil
Caltagirone	Haluska	Pallone	Sturla
Casorio	Hanna	Perzel	Surra
Cawley	Harper	Petrarca	Tangretti
Clark	Hershey	Petrone	Thomas
Cohen, M.	Hess	Phillips	Tigue
Colafella	Horsey	Pickett	Travaglio
Costa	James	Pistella	Trello
Cruz	Josephs	Preston	Trich
Curry	Kaiser	Readshaw	Veon
Daley	Keller	Reinard	Vitali
DeLuca	Kirkland	Rieger	Walko
Dermody	Krebs	Roberts	Washington
DeWeese	Lawless	Robinson	Waters
Diven	Lederer	Roebuck	Williams, J.
Donatucci	Lescovitz	Rooney	Wojnaroski
Evans, D.	Levdansky	Ruffing	Wright, G.
Fairchild	Lucyk	Sainato	Yewcic
Feese	Manderino	Samuelson	Youngblood

NAYS—100

Adolph	DiGirolamo	Maitland	Schuler
Allen	Eachus	Major	Semmel
Argall	Egolf	Marsico	Smith, B.
Armstrong	Evans, J.	Mayernik	Staback
Baker, J.	Fichter	McCall	Stairs
Barrar	Fleagle	McGill	Stern
Bastian	Flick	McIlhattan	Stetler
Belardi	Forcier	McIlhinney	Stevenson, R.
Belfanti	Gabig	McNaughton	Stevenson, T.
Benninghoff	Geist	Micozzie	Strittmatter
Birmelin	Grucela	Miller, R.	Taylor, E. Z.
Blaum	Habay	Miller, S.	Taylor, J.
Brooks	Harhai	Mundy	Tulli
Browne	Harhart	Nailor	Turzai
Bunt	Hasay	Nickol	Vance
Cappelli	Hennessey	O'Brien	Wansacz
Civera	Herman	Pippy	Watson
Clymer	Hutchinson	Raymond	Wilt
Cohen, L. I.	Jadlowiec	Rohrer	Wright, M.
Coleman	Kenny	Ross	Yudichak
Cornell	Laughlin	Rubley	Zimmerman
Corrigan	Leh	Sather	Zug
Coy	Lewis	Saylor	
Creighton	Lynch	Scavello	Ryan,
Dailey	Mackereth	Schroder	Speaker
Dally	Maher		

NOT VOTING—1

Markosek

EXCUSED—1

LaGrotta

Less than the majority having voted in the affirmative, the question was determined in the negative and the amendment was not agreed to.

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

Mr. **HALUSKA** offered the following amendment No. **A3688**:

Amend Sec. 3, page 12, line 29, by inserting after "states" and when the Governor certifies to the General Assembly that the Pennsylvania Fish and Boat Commission and the Pennsylvania Game Commission are selling all fishing, hunting or furtaker licenses through electronic means and a copy of that certification is filed with the

Secretary of the Commonwealth

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

The SPEAKER pro tempore. On that question, the Chair recognizes the gentleman, Mr. Haluska.

Mr. HALUSKA. Thank you, Madam Speaker.

Madam Speaker, basically what this amendment does, if we do enter into this interstate compact, because we are trying to get the cart ahead of the horse here, if you understand this compact and the language, what happens is, we, along with 17 other States, mostly States out in the western part of our country, will get into a compact. What the idea of the compact is, if we suspend somebody's license here, the home State would suspend it and vice versa, but we have no means of tracking these people because we have no e-commerce sales of license with the Game Commission or the Fish Commission, and for the 8 years that we have been asking them to get an e-commerce, they have refused or drug their feet to get us to that point.

So basically what this amendment says, if we do enter into this compact, until we get our e-commerce set up, we cannot really perform any of the duties of suspending other people's licenses for the simple fact that we will have no way to track these people. So what we are trying to do with this amendment is bring the Game and Fish Commissions into the 21st century and get sales through e-commerce so that we can track these violators and we can do what the compact wants us to do, and I would appreciate an affirmative vote.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the amendment, the Chair recognizes the gentleman from Warren County, Mr. Lynch.

Mr. LYNCH. Thank you, Madam Speaker.

This amendment is agreed to. Vote "yes."

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

The following roll call was recorded:

YEAS—201

Adolph	Evans, D.	Major	Schroder
Allen	Evans, J.	Manderino	Schuler
Argall	Fairchild	Mann	Scrimenti
Armstrong	Feese	Markosek	Semmel
Baker, J.	Fichter	Marsico	Shaner
Baker, M.	Fleagle	Mayernik	Smith, B.
Bard	Flick	McCall	Smith, S. H.
Barrar	Forcier	McGeehan	Solobay
Bastian	Frankel	McGill	Staback
Bebko-Jones	Freeman	McIlhattan	Stairs
Belardi	Gabig	McIlhinney	Steelman
Belfanti	Gannon	McNaughton	Steil
Benninghoff	Geist	Melio	Stern
Birmelin	George	Metcalfe	Stetler
Bishop	Godshall	Michlovic	Stevenson, R.
Blaum	Gordner	Micozzie	Stevenson, T.
Boyes	Grucela	Miller, R.	Strittmatter
Brooks	Gruitza	Miller, S.	Sturla
Browne	Habay	Mundy	Surra
Bunt	Haluska	Myers	Tangretti
Butkovitz	Hanna	Nailor	Taylor, E. Z.

Buxton	Harhai	Nickol	Taylor, J.
Caltagirone	Harhart	O'Brien	Thomas
Cappelli	Harper	Oliver	Tigue
Casorio	Hasay	Pallone	Travaglio
Cawley	Hennessey	Perzel	Trello
Civera	Herman	Petrarca	Trich
Clark	Hershey	Petrone	Tulli
Clymer	Hess	Phillips	Turzai
Cohen, L. I.	Horsey	Pickett	Vance
Cohen, M.	Hutchinson	Pippy	Veon
Colafella	Jadlowiec	Pistella	Vitali
Coleman	James	Preston	Walko
Cornell	Josephs	Raymond	Wansacz
Corrigan	Kaiser	Readshaw	Washington
Costa	Keller	Reinard	Waters
Coy	Kenney	Rieger	Watson
Creighton	Kirkland	Roberts	Williams, J.
Cruz	Krebs	Robinson	Wilt
Curry	Laughlin	Roebuck	Wojnaroski
Dailey	Lawless	Rohrer	Wright, G.
Daley	Lederer	Rooney	Wright, M.
Dally	Leh	Ross	Yewcic
DeLuca	Lescovitz	Rubley	Youngblood
Dermody	Levdansky	Ruffing	Yudichak
DeWeese	Lewis	Sainato	Zimmerman
DiGiroloam	Lucyk	Samuelson	Zug
Diven	Lynch	Santoni	
Donatucci	Mackereth	Sather	
Eachus	Maher	Saylor	Ryan,
Egolf	Maitland	Scavello	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-1

LaGrotta

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

On the question,

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

Mr. **GODSHALL** offered the following amendment No. **A3820**:

Amend Sec. 2, page 7, line 9, by striking out "When" and inserting
(1) Subject to the provisions of paragraph (2),
when

Amend Sec. 2, page 7, by inserting between lines 17 and 18
(2) Whenever the violation is a nonresident of the issuing state, that person shall have the right to and be given the opportunity for an immediate court hearing to dispose of the violation.

On the question,

Will the House agree to the amendment?

The **SPEAKER pro tempore**. On that question, the Chair recognizes the gentleman from Montgomery, Mr. Godshall.

Mr. **GODSHALL**. Thank you, Madam Speaker.

This amendment is very simple. It says that a nonresident—
Could I have a little—

The **SPEAKER pro tempore**. Could we have some order in the House, please, so we can hear the gentleman's proposed amendment? Members will please take their seats.

The gentleman may proceed.

Mr. **GODSHALL**. Thank you, Madam Speaker.

This amendment grants the citizens of Pennsylvania, your and my constituents, the same due-process protections that the Supreme Court and General Assembly give them in Pennsylvania. What this amendment says is that if you are traveling in another State, if you are hunting in another State – and we have more hunters in Pennsylvania that leave the State to hunt than any other State in the country – that you have the same due-process privileges as you do in this State, which is the right to an expeditious hearing. That is simply all this amendment does.

The **SPEAKER pro tempore**. On the amendment, the Chair recognizes the gentleman from Warren County, Mr. Lynch.

Mr. **LYNCH**. Thank you, Madam Speaker.

I rise to oppose this amendment, not necessarily for the content of it, but the fact of the matter is that the content is okay, but a person can already do that. Under the Judicial Code, under Title 42, under the Rules of Criminal Procedure, a person can already ask for an immediate hearing. We already have it in place. It is in a law; it is in a code that is all-encompassing that covers not just Game and Fish but other titles as well. So the fact is, although the idea is good, we already have it in law. There is not a need for it. All this is going to do is further encumber the bill, and I ask for the House to vote "no" on this amendment.

Thank you, Madam Speaker.

The **SPEAKER pro tempore**. On the amendment, the Chair recognizes the gentleman from York County, Mr. Smith.

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

I would ask the members to oppose this amendment.

We are going into a 17-State interstate compact. We cannot make all the rules ourselves. We have to comply with the rules of other States and with the compact. So I think it is important that this amendment be defeated and we move on. There are some other agreed-to amendments that Representative Staback and I will be offering. Thank you, Madam Speaker.

The **SPEAKER pro tempore**. On the amendment, the Chair recognizes the gentleman from Lackawanna, Mr. Staback.

Mr. **STABACK**. Thank you, Madam Speaker.

Would the gentleman stand for a brief interrogation?

The **SPEAKER pro tempore**. The gentleman agrees. You may proceed.

Mr. **STABACK**. Madam Speaker, as I read your amendment, you are saying that a "... person shall have the right to and be given the opportunity for an immediate court hearing to dispose of the violation." Any nonresident? How would that work out? If we pass this today, how would that be accepted in any one of the other States that make up the compact? Would that not be viewed as interfering with their judicial code up there?

The **SPEAKER pro tempore**. Would the gentleman cease just a moment.

The members are telling me they cannot hear. Could we please have some quiet in the hall of the House. Staff who is not involved in this would please leave the hall of the House or take a seat. Could we please clear the aisles.

The gentleman, Mr. Staback, may proceed. I do not believe he heard your question. Would you rephrase it.

Mr. **STABACK**. Okay. Thank you, Madam Speaker.

Madam Speaker, your amendment says that whenever a wildlife

violation is made by a nonresident of the issuing State, "...that person shall have the right to and be given the opportunity for an immediate court hearing to dispose of the violation." How is that going to be interpreted in one of the other 17 States that now make up the compact? Would we be indicating to them or telling them how to set up their judicial code for our benefit?

Mr. GODSHALL. In response, Madam Speaker, all I am doing with this amendment is giving the Pennsylvania residents that are hunting out of State, contrary to what the gentleman from Warren County said, it is giving the people that hunt out of State the same constitutional protections that they have in our State. We have seen fit in this State, the Supreme Court and this legislature, to set forth a program which calls for expeditious hearings, and that is enjoyed by our residents here in Pennsylvania. When they hunt out of State, if they hunt out of State, all I am saying is that they should have the same constitutional protections, because they are losing their license in this State, and if they are hunting in Kansas and they lose their license in Kansas, they would lose their license here. I am saying that our residents, no matter where they hunt, should have the same constitutional protections that they are granted in this State by the Supreme Court and this legislature.

Mr. STABACK. It would seem to me then, Madam Speaker, that indeed we would be telling any one of those other States how to set up their judicial code, and I do not think we have a right to do that. I think we would be in direct violation of the compact as it is set up presently.

Mr. GODSHALL. All I am asking for is that our— Unfortunately, the States, Kansas, Iowa, Nebraska, Montana, know that you cannot come out to defend yourself against the wildlife citation that is handed to you out in one of those States. What a citation would mean is that it would be given; the hearing would be 2 or 3 weeks away. You cannot come out. It is almost impossible costwise, timewise, moneywise to go out to defend yourself. The only way that you are given due process is if you can ask for an expeditious hearing while you are there in that State. You are there; you are present. You want to have that hearing then. We grant it in Pennsylvania. We should tell the other States if they want to take away the license of our people, then they should abide by the constitutional protections that Pennsylvania citizens are guaranteed.

Mr. STABACK. I understand exactly where you are coming from, as meritorious as that sounds. I still believe that we are violating the concept of the compact itself, and if this is adopted, it is going to be interpreted as Pennsylvania trying to dictate a judicial policy to all the other member States.

Madam Speaker, with that being said, I, too, would ask for a "no" vote on the amendment.

PARLIAMENTARY INQUIRY

The SPEAKER pro tempore. On the amendment, the Chair recognizes the gentleman from Columbia County, Mr. Gordner.

Mr. GORDNER. Thank you, Madam Speaker.

I would like to make a parliamentary inquiry.

The SPEAKER pro tempore. You may proceed.

Mr. GORDNER. If you read the beginning clause of the amendment, it is apparently missing some words. It says, "Whenever the violation is a nonresident of the issuing state,..." and I assume that there should be words that say, "Whenever the violation is committed by a nonresident of the issuing state..." or

"Whenever the violator..." but it is obviously not worded correctly, and when an amendment is not drafted correctly, what happens to the interpretation of that?

The SPEAKER pro tempore. If the Legislative Reference Bureau understands the intent, they can make a change, if it is small, to do an effective reprint, but if there is any question, the amendment should be withdrawn—

Mr. GORDNER. Well, I just bring up to—

The SPEAKER pro tempore. —and redrafted.

Mr. GORDNER. Okay. I bring up to the Speaker that it is obviously missing words, verbiage. That clause cannot be reasonably understood.

The SPEAKER pro tempore. Would the gentleman, Mr. Godshall, come to the desk, please.

(Conference held at Speaker's podium.)

AMENDMENT WITHDRAWN

The SPEAKER pro tempore. The gentleman, Mr. Godshall, withdraws the amendment.

BILL PASSED OVER TEMPORARILY

The SPEAKER pro tempore. We will go over the bill temporarily.

SUPPLEMENTAL CALENDAR B

BILL ON FINAL PASSAGE

The House proceeded to consideration on final passage of **SB 893, PN 2036**, entitled:

An Act amending the act of December 5, 1972 (P.L.1280, No. 284), known as the Pennsylvania Securities Act of 1972, further providing for definitions, for exempt securities and transactions, for exemption proceedings, for registration by coordination, for general registration provisions, for denial, suspension, revocation and conditioning of registrations, for federally covered securities, for exemptions and for registration and notice filing procedures; providing for prearranged trading programs; further providing for time limitations on rights of actions, for right of the Pennsylvania Securities Commission to bring actions, for investigations and subpoenas and for criminal penalties; providing for return of sales compensation; further providing for administration, for fees, for assessments, for administrative files, for miscellaneous powers of commission, for hearings and judicial review, for regulations and forms and orders; and providing for burden of proof.

On the question recurring,
Shall the bill pass finally?

DECISION OF CHAIR RESCINDED

The SPEAKER pro tempore. Without objection, the Chair rescinds its announcement that the bill has been agreed to for the third time.

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

Mr. **LAWLESS** offered the following amendment No. **A3610**:

Amend Title, page 1, lines 17 and 18, by striking out “for salaries of commissioners.”

Amend Sec. 16 (Sec. 601.1), page 28, lines 20 through 30; page 29, lines 1 and 2, by striking out all of said lines on said pages

Amend Sec. 17, page 29, line 3, by striking out “17” and inserting 16

Amend Sec. 18, page 29, line 13, by striking out “18” and inserting 17

Amend Sec. 19, page 38, line 14, by striking out “19” and inserting 18

Amend Sec. 20, page 40, line 9, by striking out “20” and inserting 19

Amend Sec. 21, page 41, line 3, by striking out “21” and inserting 20

Amend Sec. 22, page 41, line 16, by striking out “22” and inserting 21

Amend Sec. 23, page 41, line 17, by striking out “23” and inserting 22

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

The SPEAKER pro tempore. On that question, the Chair recognizes the gentleman, Mr. Lawless. The gentleman, Mr. Lawless, is recognized. You may proceed.

Mr. LAWLESS. Thank you, Madam Speaker.

Madam Speaker, this was an issue that was raised earlier this week, I believe it was Monday, where we tabled the bill after a discussion about a certain specific part of this bill. This is a 41-page piece of legislation which, quite frankly, has a lot of merit. Unfortunately, there is a part of the legislation near the end that deals with a pay raise of an increase of 30 percent, which would be an increase of 200 percent for those who sit on the Securities and Exchange Commission.

In 1998 these folks had a salary of \$12,000. Currently that salary is about \$28,000. Now they would like to increase that to \$36,000. Madam Speaker, in a time when we are dealing with very, very difficult economic conditions in Pennsylvania, we should not be giving out a 200-percent raise within 4 years to folks who, quite frankly – I spoke to one of these gentlemen – would be more than willing to serve at the present salary.

I asked one of these gentlemen, if they did not get this raise, would they resign from office? Their answer was unequivocally no. Therefore, should we really be giving a 200-percent raise within 4 years to a position which is part time? The records indicate that these people work or at least are in session, come to Harrisburg or Philadelphia – sometimes the meetings are in Philadelphia as well as Harrisburg – once or twice a month. These folks also receive full health benefits including dental, eye care, prescription drugs.

You know, again, we are dealing with issues where each of our constituents, people around this whole State, have contacted our district offices and complained about prescription drugs, yet we are giving a part-time position, which already received a significant raise, another raise of 200 percent since 1998, when all three of these people who sit on this commission knowingly and willingly accepted this position at \$12,000 per year.

Madam Speaker, the records will indicate as well – and if I need to, I will go into detail – the expenditures that these folks have. You are talking about a significant amount of money that is given for food and lodging and airfare or whatever, conferences, to, again, a position that is very, very part time, and yet we are offering full-time benefits when our constituency is begging us

time and time again to look at prescription drugs, and yet these people are working 1 or 2 days a week.

Madam Speaker, I would urge that we vote for my amendment, which would just simply strip out the raise from \$28,000 to \$36,000 and, again, allow these people, who I have contacted, who said that they willingly will serve for full benefits for a part-time job, as one commissioner told me; yes, it is full benefits for a part-time job, for the \$28,000 that is currently being offered.

PARLIAMENTARY INQUIRY

The SPEAKER pro tempore. On the amendment, the Chair recognizes the gentleman from Allegheny County, Mr. Maher.

Mr. MAHER. Thank you, Madam Speaker.

I rise with a parliamentary inquiry—

The SPEAKER pro tempore. You may proceed.

Mr. MAHER. —that I would hope the members of the House could all be aware of; that is, that this particular amendment addresses salaries for members of the State Securities Commission. My father is currently a member of the State Securities Commission. Consequently, the inquiry is, would it be appropriate for me to disqualify myself from voting?

From past conversation it is my understanding that because this is an indefinite class, that despite the misrepresentations of the prior speaker, the current commissioners are not subject to a raise but rather that this raise would deal with whoever is appointed in the future, that that causes it to be an indefinite class of individuals whose identities are completely unknown to us, and that, consequently, I would not be permitted to disqualify myself from voting.

Could the Parliamentarian confirm my understanding, Madam Speaker?

The SPEAKER pro tempore. Although we do not see a direct conflict of interest, we will excuse you from voting on this issue, if you choose.

Mr. MAHER. Thank you, Madam Speaker.

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

The following roll call was recorded:

YEAS—181

Adolph	Evans, J.	Major	Sather
Allen	Fairchild	Mann	Saylor
Argall	Feese	Markosek	Scavello
Armstrong	Fichter	Marsico	Schroder
Baker, J.	Fleagle	Mayernik	Scrimenti
Baker, M.	Flick	McCall	Semmel
Barrar	Forcier	McGeehan	Shaner
Bastian	Frankel	McGill	Smith, B.
Bebko-Jones	Freeman	McIlhattan	Smith, S. H.
Belardi	Gabig	McIlhinney	Solobay
Belfanti	Gannon	McNaughton	Staback
Benninghoff	George	Melio	Stairs
Birmelin	Godshall	Metcalfe	Steelman
Bishop	Gordner	Michlovic	Steil
Blaum	Grucela	Micozzie	Stern
Boyes	Gruitza	Miller, R.	Stevenson, T.
Brooks	Habay	Miller, S.	Strittmatter
Browne	Haluska	Mundy	Sturla
Butkovitz	Hanna	Myers	Surra
Buxton	Harhai	Nailor	Taylor, E. Z.

Caltagirone	Harhart	Nickol	Taylor, J.
Cappelli	Harper	O'Brien	Thomas
Casorio	Hennessey	Oliver	Tigue
Cawley	Herman	Pallone	Travaglio
Civera	Hershey	Perzel	Trello
Clark	Hess	Petrarca	Trich
Cohen, M.	Horshey	Petrone	Turzai
Colafella	Hutchinson	Phillips	Vance
Coleman	James	Pickett	Veon
Costa	Josephs	Pippy	Vitali
Coy	Keller	Pistella	Walko
Creighton	Kenney	Preston	Wansacz
Cruz	Kirkland	Raymond	Washington
Curry	Krebs	Reinard	Waters
Dailey	Laughlin	Rieger	Watson
Daley	Lawless	Roberts	Williams, J.
Dally	Lederer	Robinson	Wilt
DeLuca	Leh	Roebuck	Wojnaroski
Dermody	Lescovitz	Rohrer	Wright, G.
DeWeese	Levdansky	Rooney	Wright, M.
DiGirolamo	Lewis	Ross	Yewcic
Diven	Lucyk	Ruffing	Youngblood
Donatucci	Lynch	Sainato	Yudichak
Eachus	Mackereth	Samuelson	Zimmerman
Egolf	Maitland	Santoni	Zug
Evans, D.			

NAYS—19

Bard	Geist	Readshaw	Tangretti
Bunt	Hasay	Rubley	Tulli
Clymer	Jadlowiec	Schuler	
Cohen, L. I.	Kaiser	Stetler	Ryan,
Cornell	Manderino	Stevenson, R.	Speaker
Corrigan			

NOT VOTING—1

Maher

EXCUSED—1

LaGrotta

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

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

The SPEAKER pro tempore. 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 bill analysis was read.)

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

The following roll call was recorded:

YEAS—201

Adolph	Evans, D.	Major	Schroder
Allen	Evans, J.	Manderino	Schuler
Argall	Fairchild	Mann	Scrimenti

Armstrong	Feese	Markosek	Semmel
Baker, J.	Fichter	Marsico	Shaner
Baker, M.	Fleagle	Mayernik	Smith, B.
Bard	Flick	McCall	Smith, S. H.
Barrar	Forcier	McGeehan	Solobay
Bastian	Frankel	McGill	Staback
Bebko-Jones	Freeman	McIlhattan	Stairs
Belardi	Gabig	McIlhinney	Steelman
Belfanti	Gannon	McNaughton	Steil
Benninghoff	Geist	Melio	Stern
Birmelin	George	Metcalfe	Stetler
Bishop	Godshall	Michlovic	Stevenson, R.
Blaum	Gordner	Micozzie	Stevenson, T.
Boyes	Grucela	Miller, R.	Strittmatter
Brooks	Gruitza	Miller, S.	Sturla
Browne	Habay	Mundy	Surra
Bunt	Haluska	Myers	Tangretti
Butkovitz	Hanna	Nailor	Taylor, E. Z.
Buxton	Harhai	Nickol	Taylor, J.
Caltagirone	Harhart	O'Brien	Thomas
Cappelli	Harper	Oliver	Tigue
Casorio	Hasay	Pallone	Travaglio
Cawley	Hennessey	Perzel	Trello
Civera	Herman	Petrarca	Trich
Clark	Hershey	Petrone	Tulli
Clymer	Hess	Phillips	Turzai
Cohen, L. I.	Horshey	Pickett	Vance
Cohen, M.	Hutchinson	Pippy	Veon
Colafella	Jadlowiec	Pistella	Vitali
Coleman	James	Preston	Walko
Cornell	Josephs	Raymond	Wansacz
Corrigan	Kaiser	Readshaw	Washington
Costa	Keller	Reinard	Waters
Coy	Kenney	Rieger	Watson
Creighton	Kirkland	Roberts	Williams, J.
Cruz	Krebs	Robinson	Wilt
Curry	Laughlin	Roebuck	Wojnaroski
Dailey	Lawless	Rohrer	Wright, G.
Daley	Lederer	Rooney	Wright, M.
Dally	Leh	Ross	Yewcic
DeLuca	Lescovitz	Rubley	Youngblood
Dermody	Levdansky	Ruffing	Yudichak
DeWeese	Lewis	Sainato	Zimmerman
DiGirolamo	Lucyk	Samuelson	Zug
Diven	Lynch	Santoni	
Donatucci	Mackereth	Sather	
Eachus	Maher	Saylor	Ryan,
Egolf	Maitland	Scavello	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—1

LaGrotta

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

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

CALENDAR CONTINUED

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 1429**,

PN 1978, entitled:

An Act amending the act of July 1, 1985 (P.L.120, No.32), entitled "An act creating a special fund in the Treasury Department for use in attracting major industry into this Commonwealth; establishing a procedure for the appropriation and use of moneys in the fund; establishing the Tax Stabilization Reserve Fund; and providing for expenditures from such account," further providing for transfer of portion of revenue surplus.

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

Mr. VEON offered the following amendment No. A3776:

Amend Title, page 1, line 8, by removing the period after "surplus" and inserting

and for disposition of funds.

Amend Bill, page 2, by inserting between lines 5 and 6

Section 2. Section 205 of the act is amended to read:

Section 205. Disposition of funds.

(a) Appropriation.—Whenever the Governor determines that moneys from this fund are necessary to meet emergencies involving the health, safety or welfare of the citizens of this Commonwealth or to counterbalance downturns of the economy which result in significant unanticipated revenue shortfalls, he shall present a request for an appropriation along with the specifics of the proposal and such suggested ancillary and substantive legislation as may be necessary to the chairmen of the Senate and House Appropriations Committees. The General Assembly may then through approval of a separate appropriation bill by a vote of two-thirds of the members elected to the Senate and the House of Representatives appropriate money from the fund to meet the needs identified in the Governor's proposal. Any money appropriated according to this section which has then lapsed shall be returned to the fund.

(b) Purpose.—It is the intent of the General Assembly that these funds be appropriated only when the emergency or downturn in the economy cannot be dealt with through the normal budget process [and that the]. The moneys in the Tax Stabilization Reserve Fund are not to be used to begin new programs but provide for the continuation of vital public programs [in danger of being cut off due to financial problems resulting from the economy.] in accordance with subsection (c).

(c) Use of funds.—Any moneys transferred from the Tax Stabilization Reserve Fund shall first be designated to restore any reductions in the current fiscal year funding levels for State-owned and State-aided institutions of higher education and then shall be designated to vital public programs in danger of being cut off due to financial problems resulting from the economy.

Amend Sec. 2, page 2, line 6, by striking out "2" and inserting 3

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

AMENDMENT WITHDRAWN

The SPEAKER pro tempore. The Chair thanks the gentleman. That amendment is withdrawn.

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

The SPEAKER pro tempore. 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 bill analysis was read.)

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

The following roll call was recorded:

YEAS—201

Table listing names of members who voted 'YEAS' (201 total). Includes names like Adolph, Allen, Argall, Armstrong, Baker, J., Baker, M., Bard, Barrar, Bastian, Bebko-Jones, Belardi, Belfanti, Benninghoff, Birmelin, Bishop, Blaum, Boyes, Brooks, Browne, Bunt, Butkovitz, Buxton, Caltagirone, Cappelli, Casorio, Cawley, Civera, Clark, Clymer, Cohen, L. I., Cohen, M., Colafella, Coleman, Cornell, Corrigan, Costa, Coy, Creighton, Cruz, Curry, Dailey, Daley, Dally, DeLuca, Dermody, DeWeese, DiGirolamo, Diven, Donatucci, Eachus, Egolf, Evans, D., Evans, J., Fairchild, Feese, Fichter, Fleagle, Flick, Forcier, Frankel, Freeman, Gabig, Gannon, Geist, George, Godshall, Gordner, Grucela, Gruitza, Habay, Haluska, Hanna, Harhai, Harhart, Harper, Hasay, Hennessey, Herman, Hershey, Hess, Horsey, Hutchinson, Jadowiec, James, Josephs, Kaiser, Keller, Kenney, Kirkland, Krebs, Laughlin, Lawless, Lederer, Leh, Lescovitz, Levdansky, Lewis, Lucyk, Lynch, Mackereth, Maher, Maitland, Major, Manderino, Mann, Markosek, Marsico, Mayernik, McCall, McGeehan, McGill, McIlhattan, McIlhinney, McNaughton, Melio, Metcalfe, Michlovic, Micozzie, Miller, R., Miller, S., Mundy, Myers, Nailor, Nickol, O'Brien, Oliver, Pallone, Perzel, Petrarca, Petrone, Phillips, Pickett, Pippy, Pistella, Preston, Raymond, Readshaw, Reinard, Rieger, Roberts, Robinson, Roebuck, Rohrer, Rooney, Ross, Rubley, Ruffing, Sainato, Samuelson, Santoni, Sather, Saylor, Scavello, Schroder, Schuler, Scrimenti, Semmel, Shaner, Smith, B., Smith, S. H., Solobay, Staback, Stairs, Steelman, Steil, Stern, Stetler, Stevenson, R., Stevenson, T., Strittmatter, Sturla, Surra, Tangretti, Taylor, E. Z., Taylor, J., Thomas, Tighe, Travaglio, Trello, Trich, Tulli, Turzai, Vance, Veon, Vitali, Walko, Wansacz, Washington, Waters, Watson, Williams, J., Wilt, Wojnaroski, Wright, G., Wright, M., Yewcic, Youngblood, Yudichak, Zimmerman, Zug, Ryan, Speaker.

NAYS—0

NOT VOTING—0

EXCUSED—1

LaGrotta

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

Ordered, That the clerk return the same to the Senate with the information that the House has passed the same without amendment.

SUPPLEMENTAL CALENDAR C

**BILL ON CONCURRENCE
IN SENATE AMENDMENTS
TO HOUSE AMENDMENTS**

The House proceeded to consideration of concurrence in Senate amendments to House amendments to **SB 820, PN 1798**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for protection of employment of crime victims, family members of victims and witnesses; and further prohibiting contraband.

On the question,

Will the House concur in Senate amendments to House amendments?

The **SPEAKER** pro tempore. Moved by the gentleman, Mr. Perzel, that the House concur in the amendments.

On the question recurring,

Will the House concur in Senate amendments to House amendments?

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

The following roll call was recorded:

YEAS—201

Adolph	Evans, D.	Major	Schroder
Allen	Evans, J.	Manderino	Schuler
Argall	Fairchild	Mann	Scrimenti
Armstrong	Feese	Markosek	Semmel
Baker, J.	Fichter	Marsico	Shaner
Baker, M.	Fleagle	Mayernik	Smith, B.
Bard	Flick	McCall	Smith, S. H.
Barrar	Forcier	McGeehan	Solobay
Bastian	Frankel	McGill	Staback
Bebko-Jones	Freeman	McIlhattan	Stairs
Belardi	Gabig	McIlhinney	Steelman
Belfanti	Gannon	McNaughton	Steil
Benninghoff	Geist	Melio	Stern
Birmelin	George	Metcalfe	Stetler
Bishop	Godshall	Michlovic	Stevenson, R.
Blaum	Gordner	Micozzie	Stevenson, T.
Boyes	Grucela	Miller, R.	Strittmatter
Brooks	Gruitza	Miller, S.	Sturla
Browne	Habay	Mundy	Surra
Bunt	Haluska	Myers	Tangretti
Butkovitz	Hanna	Nailor	Taylor, E. Z.
Buxton	Harhai	Nickol	Taylor, J.
Caltagirone	Harhart	O'Brien	Thomas
Cappelli	Harper	Oliver	Tigue
Casorio	Hasay	Pallone	Travaglio
Cawley	Hennessey	Perzel	Trello

Civera	Herman	Petrarca	Trich
Clark	Hershey	Petrone	Tulli
Clymer	Hess	Phillips	Turzai
Cohen, L. I.	Horsley	Pickett	Vance
Cohen, M.	Hutchinson	Pippy	Veon
Colafella	Jadlowiec	Pistella	Vitali
Coleman	James	Preston	Walko
Cornell	Josephs	Raymond	Wansacz
Corrigan	Kaiser	Readshaw	Washington
Costa	Keller	Reinard	Waters
Coy	Kenney	Rieger	Watson
Creighton	Kirkland	Roberts	Williams, J.
Cruz	Krebs	Robinson	Wilt
Curry	Laughlin	Roebuck	Wojnarowski
Dailey	Lawless	Rohrer	Wright, G.
Daley	Lederer	Rooney	Wright, M.
Dally	Leh	Ross	Yewcic
DeLuca	Lescovitz	Rubley	Youngblood
Dermody	Levdansky	Ruffing	Yudichak
DeWeese	Lewis	Sainato	Zimmerman
DiGirolamo	Lucyk	Samuelson	Zug
Diven	Lynch	Santoni	
Donatucci	Mackereth	Sather	
Eachus	Maher	Saylor	Ryan,
Egolf	Maitland	Scavello	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—1

LaGrotta

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments to House amendments were concurred in.

Ordered, That the clerk inform the Senate accordingly.

CALENDAR CONTINUED

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 824, PN 1954**, entitled:

An Act amending the act of November 1, 1971 (P.L. 495, No.113), entitled, as amended, "An act providing for the compensation of county officers in counties of the second through eighth classes, for compensation of district attorneys in cities and counties of the first class, for compensation of district election officers in all counties, for the disposition of fees, for filing of bonds in certain cases and for duties of certain officers," providing for the compensation of district election officers; and making a repeal.

On the question recurring,

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

The **SPEAKER** pro tempore. As you recall, yesterday we were debating this, and the gentleman, Mr. Metcalfe, offered an amendment for which there was no fiscal note. So that is now present, and we will continue with the debate on that amendment.

On the question recurring,

Will the House agree to the amendment?

The SPEAKER pro tempore. The Chair recognizes the lady from Philadelphia, Ms. Josephs, on the amendment.

Before the lady, Ms. Josephs, starts, could we have some order in the House.

We are returning to a bill that was debated yesterday, and I want to remind the members that the gentlemen, Messrs. Metcalfe, Casorio, and Cohen, have already spoken once on this amendment.

The Chair now recognizes the lady, Ms. Josephs, from Philadelphia on the amendment.

Ms. JOSEPHS. Thank you, Madam Speaker.

I am speaking to all of you in hopes that we can defeat this amendment. Although I think there are some good ideas in it, I do not think that it was crafted in a way, even those subjects which are good ideas, which can really be effectuated in any way that will help our citizens get to the polls and vote and get us in a situation where we can vote, count our votes, in the proper manner.

I draw your attention to a number of parts of this amendment, and one of them, most specifically, that talks about counting ballots, counting absentee ballots, centrally, either by electronic tabulation or by hand, depending on how the county does its counting.

I am interested in interrogating the maker of the amendment on the issue of where absentee ballots ought to be counted. If the maker will stand for interrogation, I would appreciate that.

The SPEAKER pro tempore. The gentleman agrees. You may proceed.

Ms. JOSEPHS. Thank you.

As I understand it, Madam Speaker, your amendment calls for tabulating absentee ballots centrally in the precinct. The language is very imprecise. Perhaps you can clarify that.

Mr. METCALFE. Thank you, Madam Speaker, for the gentelady's question.

The amendment would provide that all counties would be required to canvass absentee ballots at the polling place. Under the current law, counties that have electronic voting systems capable of centralized tabulation of votes may canvass absentee ballots at a central location. The Department of State reports that Dauphin, Montgomery, Philadelphia, and possibly Berks Counties tabulate their absentee ballots either centrally or regionally. The majority of counties canvass their absentee ballots currently at the polling place, thus they would not be affected by this change, but it is the people at the polling place – the judge of elections and the inspectors and those folks signing people in to vote – that actually know the voters better than anyone else and would be apt to be able to recognize some voter fraud if that was occurring, and that is the reason for the amendment.

Ms. JOSEPHS. Thank you.

Madam Speaker, I have here an article from the Patriot-News of Tuesday, November 6, which shows absentee ballots being tabulated centrally Monday night in Lebanon County – there is a picture here – Monday night before the election is taken. These votes were being tabulated Monday before the Tuesday election, which would allow a person who had cast an absentee ballot in Lebanon County to have it counted Monday night and go in Tuesday and vote in person.

Madam Speaker, is this part of your amendment an attempt to end the fraud that was going on, obviously – the newspaper reports it – in Lebanon County?

Mr. METCALFE. Madam Speaker, this amendment would be working to end the fraud in all counties.

Ms. JOSEPHS. Lebanon County, it is in the paper. Is it going to end the fraud in Lebanon County?

Mr. METCALFE. Well, first we have to pass the amendment, and the Governor has to sign it into law, and then we have to see that the people who are working the polls, that they actually abide by it, which I am sure that the majority will, and to make sure that it is enforced, and if the law is enforced and people are punished for violating the law, then I am sure that it will help to end the voter fraud occurring, as you had mentioned, that is alleged in Lebanon County and counties across the Commonwealth.

Ms. JOSEPHS. Madam Speaker, whether or not your amendment passes, would you join with me to go to the appropriate law enforcement authorities and have these people charged and brought to justice?

The SPEAKER pro tempore. This is not a proper form of interrogation. It should be on the amendment. Would you please stick to that.

Ms. JOSEPHS. Thank you, Madam Speaker.

I have finished my interrogation. I would like to make some other points about this amendment.

The SPEAKER pro tempore. You may proceed.

Ms. JOSEPHS. Madam Speaker, I am very, very surprised that the maker of this amendment offered this amendment, particularly when I look at the part of it which talks about photo identification cards being required of the voter if the voter does not have his or her voter registration card to present at the polling place.

Strangely enough, I very often agree with those of my colleagues, many of them on the other side of the aisle, who distrust big government, who want to do things on the local level and really oppose having the State impose upon the local people a requirement which many folks will not be able to meet and which seems to me takes away from the local organizations, the local municipalities, the local election officials, the local county commissioners their autonomy in deciding, as the maker of this amendment just said in answer to my question, what is best for the people they know best because they are on that municipal, borough, township, county level. But, no, we are here faced with a situation where, if this passes, if you do not have your voter registration card in your person, on your person, you have to produce a photo ID, which is required by State government. That seems to me to be against the philosophy of the gentleman who offered the amendment, and it is certainly against mine.

I wonder what happens to the person who does not have a photo ID – the person who is elderly and probably not employed; who does not drive; who has not thought to get a nondriver's ID; who may not have a passport; or even if there is a passport that this person owns, it is home; or the disabled person, someone in a wheelchair, who gets him or herself to a polling place, does not have a voter registration card, does not have an ID and has to go back home, a person in a wheelchair, in order to find a passport.

I want to ask perhaps a rhetorical question of all of the members of the legislature who are sitting here. I do not want you to raise your hands, but it would be interesting, because I bet most people would raise their hands. How many of you know where your voter registration card is? How many of us threw it out? And why did we throw it out? We threw it out because up until 6 months ago, when the card came to us, it was stamped or printed on the back, and it said this, and I am reading now a voter registration card from Cumberland County. It says, "WARNING. You are

advised that this card relates only to the time of issuance, this is not evidence of your qualifications to vote at any primary or election, and that it is not necessary to present it at the time of voting.” Now, I know this is not an absolutely contemporary piece of information that you get on the back of your card, but I do not think anybody here has registered within the last 5 or 6 months, not too many here have registered within the last 5 or 6 months, so if any of us read this, we realized we did not need our voter registration card, and we either filed it in the circular file or we lost it someplace.

I would suspect that most people in this State do not have a voter registration card anymore or they cannot locate it. That means almost everybody is going to have to show a photo ID. That means that those people who are elderly or disabled or who have religious objections to having a photograph taken are not going to have a photo ID. And then what happens? That person is not allowed to vote because he or she has religious objections to having a photo ID, to having a photograph taken? Is that what we are saying to the religious people in our district?

It seems to me that while a voter has to have a photo ID or a voter registration card, the judge of election and all of the people who are running the polling place can take a petition out, circulate a petition, submit the petition, be on the ballot, be elected, and never show anybody a photo ID. So if the judge who does not have to produce a photo ID in order to be a judge, why should we allow that person to pass on citizens, oh, you may not vote; oh, you may vote; I did not have to show a photo ID, but you have to. This does not make any sense to me.

Nor do we require watchers, people who have watcher certificates, to show a photo ID. All the law requires is that a person who wants to be a watcher be a qualified elector. We decide, we distinguish between nonresident watchers, resident watchers. That is not at issue here. A person is a qualified elector, does not have to show a photo ID. We have watchers in the polling place; we have election officials in the polling place. Nobody but the voter has to show a photo ID. That is not common sense. That is nonsense; that is absolute and total nonsense, and there is no reason for us to be doing that.

I am wondering. I did not get a letter from the county commissioners saying they wanted any of the changes in this amendment, photo ID or any other change. I did not get a letter from the election directors saying they wanted any of these changes. I cannot imagine any of them are interested. There is no outcry for these kinds of changes. There is no reason for me, for any of us, to vote in favor of this amendment.

I am going to have a series of amendments to this amendment, if it passes, but I want to talk about other parts of the gentleman’s amendment.

This allows 17-year-olds to serve as machine inspectors. What happens if there is a question of liability that arises in the polling place? What happens if this teenager, who has no legal liability, injures somebody or hurts property, whether it is intentional or unintentional? Who is responsible? Who is responsible for that in the polling place? Are we? We put that 17-year-old there. Are we responsible for that?

Another real confusion to me, again going back to the absentee ballots, the language does not tell you what happens if the automatic tabulating equipment is located in a central location. How are we sending the absentee ballots to this central location? Are they to be in sealed envelopes? Are they to be preserved in some way? In counties where people vote absentee by punching

out a chad – remember the discussion about chads? – is the transmittal from the precinct to the central location going to make sure that there is no disturbance of those chads? Are we opening up the process to massive fraud? There is no language in this bill that clarifies what happens to absentee ballots if, under this amendment, they need to be transported to a central location, and it makes no sense consistently.

We just heard an argument from the gentleman who made this amendment that the local people know better. Well, why are the local people not tabulating the absentee ballots before they get sent someplace and why are we opening up this system to all kinds of fraud?

Thank you for your patience. I am finished.

The SPEAKER pro tempore. The Chair thanks the lady.

On the amendment, the Chair recognizes the gentleman from Northampton, Mr. Freeman.

Mr. FREEMAN. Thank you, Madam Speaker.

Madam Speaker, I rise to oppose the Metcalfe amendment, and although I have concerns about various sections of the amendment, my chief concern rests with the voter ID section.

While I think it is a well-intentioned amendment by the gentleman, particularly with regard to this section, and on the surface may appear to be reasonable, I feel that in many respects the language contained in that section could prove to create a hardship for many legitimate voters seeking to cast their ballot on election day, especially our senior citizen population.

If one looks closely at this section of the amendment, there are basically eight – I believe it is eight – forms of identification that are considered valid to prove who you are in order to cast your ballot. For senior citizens in particular, they may no longer possess any of these forms of identification. A person who has voted for 60 years in this Commonwealth may no longer possess a driver’s license; probably is not employed, therefore does not need the standard of an employee identification; is not a student; is not a member of the Armed Forces; does not possess, possibly, a passport; and in terms of their voter registration card, in all likelihood after 60 years it is doubtful they still have that readily at hand in order to present to the judge of elections in order to cast their ballot.

We have to consider also that most of the people who tend to work inside the polling place on election day, the poll workers themselves, are people who have been there through election after election after election. Most of them are familiar with the people who live and cast their ballots in that precinct. So this language is creating an unnecessary barrier to many people who have voted to be able to vote.

If you look closely at the language, you will also see that it is a “shall” provision. A voter will have to present one of the eight forms of identification in order to cast their ballot. So even though a poll worker working the poll for many years will recognize a voter, will know that they are a registered voter because of the many years in which they have cast their ballot at that polling precinct, under the law that this amendment would put in place, they would be prohibited from voting if they did not have one of the limited eight forms of identification in order to prove that they are who they are.

The gentleman, Mr. Stetler, in a sidebar yesterday brought to my attention the fact, too, that there is nothing in this amendment, nothing contained in this amendment, that would allow for the voter to be notified or demand that the voter be notified of this change in the Election Code. Now, while one would hope that the

various counties would reach out to their voters and notify them should this part of the amendment become law, there is a great likelihood that many counties will not notify them. So we are setting the stage for potential chaos at polling places on election day when people will go to the polls, not be accustomed to bringing a form of identification necessary to cast their ballot, knowing full well that the people who work the polls on the inside know who they are, recognize who they are, and can vouch for who they are, but under this language would not be permitted to cast their ballot.

At a time, Madam Speaker, when we see a horrible trend of low voter turnout in most elections, all this will do is raise another impediment to people to cast their ballot. Now, I do not think the whole concept of this section is bad. I think if the gentleman really wished to get at the issue of making sure that the people who come into that polling place are who they say they are, he should have narrowed the scope of the language to the first-time voter, requiring that voter to present some form of ID, or perhaps to a voter who is new to that precinct to present some form of ID for the first time that they cast their ballot in that new precinct. But to paint with a broad brush, to require that all voters, even though the bulk of them, the vast majority of them, will be known to the poll workers inside, must fish through their wallets or have to go back home to pick out a form of ID to prove who they are when the people inside that polling place know who they are, is only going to create chaos, longer lines, discourage people from casting their ballots, and be counterproductive to this great experiment of democracy that we have here in America.

I would urge the members to vote against the Metcalfe amendment. Perhaps the gentleman at another time and with another bill can present a refined version of what he is trying to achieve. But I sincerely believe that all this is going to do is discourage people from voting. It will not get at the issue of fraud that I think he is trying to address. It will prove an encumbrance, a hardship, to many people to be able to cast their ballots in the election and will not serve the purpose that he is trying to achieve here today.

So in the hope of having good legislation before us as opposed to something which does not, in my opinion, address the concern and can only pose more hardships, I urge the membership to please vote in the negative to the Metcalfe amendment.

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

Mr. PRESTON. Thank you very much, Madam Speaker.

Will the maker of the amendment stand for interrogation?

The SPEAKER pro tempore. The gentleman agrees. You may proceed.

Mr. PRESTON. In your amendment where it deals specifically with the age of 17-year-olds, and in there you mention under the auspices of being a full-time student under the School Code, who would be responsible for this minor child while he provides a service for our election board?

Mr. METCALFE. I would assume that their parents would be since they are the ones who would ultimately consent to a minor being involved in a project like this.

Mr. PRESTON. We do not need to assume. Are you sure or are you not sure?

Mr. METCALFE. Oh, I believe that— As I stated to you, it was more in a sarcastic tone that I am sure that the parents would be. I am sure that the parents would be. Parents are responsible for

their minor children.

Mr. PRESTON. So let me get this right. What you are doing in a piece of legislation is asking a minor who has no liability or responsibility but put his parents as far as a certain amount of liability even though it is illegal for him to vote, but we are going to get him involved in the electoral process of handling an official State document.

Mr. METCALFE. This minor would be under the direction of those elected officials who are running that polling place along with the other adults that are there. Other States currently have this as a practice, and I believe most people, as I think the vote will show, most people believe that this is a great opportunity to get our young people, our young 17-year-olds— I know I enlisted in the United States Army when I was 17 and was in basic training at that time and off, sent to AIT (advanced individual training) as a 17-year-old. So 17-year-olds are usually pretty mature and able to take on some responsibility, and I think under the direction of the judge of elections and with parental consent, they would be very apt to be able to enjoy this opportunity and be able to really contribute to their community through doing this.

Mr. PRESTON. So in other words, if this happens, and in dealing with these people, does that mean that the board of elections also will have to go through background checks, just like schoolteachers and those people who work in the public school system would have to do, since they will be involved with children and minors?

Mr. METCALFE. I do not know if the gentleman might be aware of some statute that I am not aware of, but I am not aware of an overarching, overreaching, all-inclusive law that would require every activity that a minor is involved in to require background checks for those people that are involved in that same activity. I know we do require them in the public schools, but this is going to be at the election polls in, for the most part, broad daylight, through those hours that we have daylight, and it is a situation that they are going to be working in an open area with other adults that have been elected to carry forth these duties.

Mr. PRESTON. In other words, what you are saying is you want to give the judge of elections the full authority of being over, for over 13 hours, a minor child who is basically coming from the authority of a school district of which basically his parents are legally responsible for. Is that what you are saying, sir?

Mr. METCALFE. We are not creating a situation where we are—

Mr. PRESTON. It is your piece of legislation I am only going by.

Mr. METCALFE. If you could let me answer, sir. If you could let me answer—

The SPEAKER pro tempore. Would you please—

Mr. METCALFE. —your question.

The SPEAKER pro tempore. Would you please cease a moment.

Mr. PRESTON. Okay.

The SPEAKER pro tempore. Would you please allow him to answer the question before asking another question.

Mr. PRESTON. Okay. I would like to be able to get one; yes, ma'am.

The SPEAKER pro tempore. The gentleman, Mr. Metcalfe, may proceed.

Mr. METCALFE. Thank you, Madam Speaker.

The situation we are creating is not one of child care. This is more of an employee-employer type of relationship, even though it

would be voluntary for them to opt in to it. As you know, there is a stipend that goes with those who work the polls.

Mr. PRESTON. So in other words, what you are saying is and you are assuring us that because this person is being paid and under the direct auspices of a judge of elections – or I am sorry; under the Constitution, they are to be there under the direct auspices of the inspector, not the judge of elections but the inspector – that there is no legal responsibility for that inspector, and we are not going to be responsible at all for any background checks as far as on the county is concerned for any fiscal note?

Mr. METCALFE. I do not know if the gentleman would also propose that every minor that works at McDonald's and Kmart and Hills and Ames and every part-time job across this State should also be required to have every employee that works at those employers' locations, that they also would have background checks. But this is the same situation. These young people are going to become involved in the election process; they are going to provide a valuable service to their community, and I really do not understand what the gentleman's main concerns are. I think it is something that is beneficial to all, and hopefully the vote will show that.

Mr. PRESTON. Madam Speaker, obviously I am limited in getting a clear, precise, optic opinion. May I be able to make comments on the Metcalfe amendment?

The SPEAKER pro tempore. You may proceed.

Mr. PRESTON. We passed and we selected a special select committee between the House and the Senate, and all across this country we are trying to come up with a cohesive bill and pieces of legislation from the Federal as well as we will do in this Commonwealth as far as election law. Now I am seeing an amendment that basically is totally, really does not follow and make clear or make sense of it, and now I am not even getting appropriate answers.

There is a special select committee that the gentleman was asked to submit his ideas and thoughts to so that we could have a cohesive bill to be able to work, and I had the honor at one time being part of that committee to be able to come up with it, and I do not understand how we are going to continue to circumvent that particular situation.

I think that the amendment basically does not follow cohesiveness. It really does not follow a logical form of thought. Yes, I am always encouraged to see our young people get involved in the election process, but there is also a certain amount of liability to the counties and to the individuals who would actually be involved, and I am really trying to understand the gentleman making sense.

First, he wants to devoid himself of the experience of the judge of elections to be able to help people to participate in an elective process where they can guide people who need help at the voting poll, but then at the same time he wants someone who cannot even vote, who is a minor, who is legally responsible to someone else, to be able to participate in the elective process. It sounds like someone who wants to give to one who knows not and taketh away from someone who does know how to be able to handle and administrate an elective process.

I do not think that this amendment really follows the course that this legislative body wants to go; I do not think that it holds to the integrity of this legislative body, and I will wait for further comments and then, Madam Speaker, I will be able to address this issue again. I would ask for a negative vote on the Metcalfe amendment.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Blair County, Mr. Stern, on the amendment.

Mr. STERN. Could I interrogate the maker of the amendment?

The SPEAKER pro tempore. The gentleman agrees. You may proceed.

Mr. STERN. Madam Speaker, you had put the provision in here regarding various identifications, forms of identification. Could you mention what some of those forms of identification would be whenever people would go into the ballot area?

Mr. METCALFE. Thank you, Madam Speaker. I appreciate the gentleman's question.

On page 4 of the legislation, the first form of identification that they would be able to use, which is issued to everyone who registers to vote, is their voter identification card, and it was said earlier that that card may have been thrown away some 60 years ago by some fictitious personality that was created for the purpose of debate here today. But if that in fact were the case and somebody had either misplaced their identification card or thrown it away by mistake, they could easily approach their county, their bureau of elections, and ask for a new one, which most counties that we polled say that they do issue those free of charge, and I think there was a dollar charge for a couple of the counties that were polled.

The other forms of identification, if they did not have that voter ID card, and that voter ID card would take care of those concerns of some who said that some might have a religious objection to using something with a photo on it, and if that would be the case, their voter ID card would serve that purpose for their religious objection.

The other forms are listed here as a valid driver's license or identification card issued by the Department of Transportation, a valid identification card issued by any other agency of the Commonwealth, a valid identification card issued by an agency of another State or the United States Government, a valid United States passport, a valid student identification card, a valid employee identification card, or a valid Armed Forces of the United States identification card. And as you can see, there is a host of documents that can be used, but ultimately the one that all of us receive when we register to vote is that voter ID card, and I think it is very important to stress the balance in any legislation that we work with.

There is the right that we have to vote, but we also have a responsibility as one who is voting. We have to be able to go in and we have to be able to vote, and as we cast our vote, we have that responsibility if someone calls us on it, now in this legislation, of validating that we are the person who is voting. For every vote that is cast by someone who is casting a fraudulent vote, that just undermines the preservation of our Republic. Our Republic will not be preserved if we allow it to be undermined by people who are voting fraudulently.

Mr. STERN. Thank you, Madam Speaker.

Can you think of any other cards that would be issued or anything else that would be issued, valid identification cards that would be issued by an agency of the State? Is there anything else you can think of that the State would issue that would be a valid identification card? Would an access card or something like that be valid as far as issued by the Department of Public Welfare?

Mr. METCALFE. If that card has a photo, it would be a valid form of identification.

Mr. STERN. Okay.

One provision of your amendment that I wanted to touch upon— On the amendment, Madam Speaker.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. STERN. One provision of the amendment, Madam Speaker, that is in the amendment was a bill that I had had drafted probably for about three terms now. We have had hearings on it in the State Government Committee. It has passed the State Government Committee probably on a couple of occasions, and what that allows counties to do – and that was brought to my attention by the election director in Blair County – what it does, it creates and trains a qualified pool of substitute poll workers to fill last-minute vacancies in district election boards.

In Blair County, for example, we have a very difficult time with filling election boards, and many of those election boards are manned by senior citizens, by older people, and they find it very difficult to, sometimes because of an emergency, a health crisis, whatever, even though they are elected officials, they have a difficult time in trying to keep those polling precincts open, and what a provision of your amendment would allow, it would allow the counties to set up a whole host of trained, qualified workers that would be able to fill these vacancies in all the election bureaus, and the amendment would allow the counties then to pull these substitutes out and insert them in various areas of the county to allow them to get through the election day process and not worry about trying to find someone to fill election board vacancies, and I think this is a good provision in the amendment, and

I applaud you for that.

So for that and many other reasons, I support the Metcalfe amendment, Madam Speaker, and I ask for an affirmative vote.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Philadelphia, Mr. Cohen, for the second time.

Mr. COHEN. Thank you, Madam Speaker.

Madam Speaker, could the gentleman tell us what other things the State government requires people to have photo identification to do?

The SPEAKER pro tempore. Are you asking to interrogate the gentleman on the amendment?

Mr. COHEN. Yes.

The SPEAKER pro tempore. The gentleman agrees. You may proceed.

Mr. METCALFE. Would the gentleman mind repeating his question one more time, please?

Mr. COHEN. What else do you need photo identification for to do in Pennsylvania?

Mr. METCALFE. I believe we need it to drive; it is on our driver's license. To get into this building now with the—

Mr. COHEN. That is the only thing to your knowledge and to the knowledge of staff you need?

Mr. METCALFE. We did not compile an exhaustive list of other activities that might require an identification card with a photo ID on it.

Mr. COHEN. You do not need photo identification to get services from any branch of State government, do you?

Mr. METCALFE. The gentleman's question, I am not aware of any other areas of our statute that require from the State law that you—

Mr. COHEN. You do not need photo identification to buy a gun, do you?

Mr. METCALFE. What we are talking about here is protecting and preserving our Republic, to ensure that our election process is fair and just and that we stop the thousands of people who have perpetrated fraud in this State and—

Mr. COHEN. Thank you.

Madam Speaker, do you need photo identification to buy a gun?

Mr. METCALFE. As the gentleman I am sure knows, there is not one of us in here that—

The SPEAKER pro tempore. Could we please have quiet in the hall of the House. Let him answer the question and let Mr. Cohen hear the answers. Could we please have quiet.

The gentleman, Mr. Metcalfe, may proceed.

Mr. METCALFE. Yes, you need photo identification to purchase a firearm.

Mr. COHEN. You do? Do you need photo identification to purchase a fishing license?

Mr. METCALFE. As I had mentioned to the gentleman, I did not prepare an exhaustive list of everything we need a photo ID for. What we did do is we prepared an amendment to try and cut to the heart of the fraud that is undermining the preservation of our election process.

Mr. COHEN. How much fraud is there, Madam Speaker?

Mr. METCALFE. The gentleman's question of how much fraud is there, I believe that if we have one instance of fraud where one person's vote is being canceled out by someone who is not eligible to vote, then that is too much. So anything we can do to try and stop every occurrence of voter fraud, we should be doing that, and in the past elections there is alleged thousands of instances of voter fraud, especially, as you know, in Philadelphia.

Mr. COHEN. Madam Speaker, I am unaware of any instances of voter fraud in Philadelphia.

Mr. METCALFE. I think we would have to close our eyes to not see that.

Mr. COHEN. If the gentleman has any evidence of voter fraud in Philadelphia, I would suggest he submit that evidence to the Attorney General of the Commonwealth of Pennsylvania or to the district attorney of Philadelphia.

The SPEAKER pro tempore. Would the gentleman please suspend.

Let us get back on the context of the amendment, please, both of you.

CONSTITUTIONAL POINT OF ORDER

Mr. COHEN. Madam Speaker, it seems to me that there is a fundamental difference between a driver's license and a voter registration. There is no constitutional right to drive a car; there is a constitutional right to vote. This sets up an arbitrary, whimsical bureaucratic requirement which will stop some people sometimes from voting. I believe that because voting is a fundamental right and this is an infringement of a fundamental constitutional right, this amendment is unconstitutional, and I move that this House declare this amendment unconstitutional.

The SPEAKER pro tempore. The gentleman, Mr. Cohen, raises the point of order that amendment No. 3787 is unconstitutional. The Speaker under rule 4 is required to submit this question affecting the constitutionality of an amendment to the House for a decision, which the Chair now does.

On the question,

Will the House sustain the constitutionality of the amendment?

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

Mr. PERZEL. Thank you, Madam Speaker.

Madam Speaker, the gentleman did ask where you need to show proper identification, and I found that whenever I go to the airport I need to show an identification card. I found that when I come into this building I need to show an identification card. Now when you are using a credit card in department stores you need to show a proper identification card. There are many times in our society now where, because of what happened on 9/11, you are expected to show an identification card.

Now, the gentleman asked for specific examples of different things that have gone on. Madam Speaker, in the year 2000 election, there were 6,900 people from New Jersey that showed up voting in Philadelphia, and the Attorney General of the United States does have that information and we provided it to him from our investigators, Madam Speaker. There were about 7,000 people that came from the suburbs— Let me go back to New Jersey. We did find at least 100 that voted in both New Jersey and voted in Philadelphia, and we did give them to the United States Attorney General. There were roughly 7,000 people from the suburbs who were so excited about the election, they came into the city of Philadelphia and they voted on election day, Madam Speaker. There were about 100 of them where we cannot use names like “Gannon” or “Perzel” or whatever easy name you want to use and ask to be an identifiable name. We have over 100 of those identifiable names, different names with long last names, so that we could be sure that that was the same person that voted not only in the suburbs but in the city of Philadelphia. There are over 100 of those, Madam Speaker. There are over 100 dead people that took the time to make sure that they voted in the city of Philadelphia last election, Madam Speaker. We know it is a regular occurrence, but they did not have their ID cards; I would not think they did, Madam Speaker. But we do have 100 of them that we turned over to the United States Attorney General, Madam Speaker.

We have example after example after example that has been turned over to the United States Attorney General. We were not playing with it, Madam Speaker. We hired detectives. The detectives made reports and the reports are all in Washington, and they will be looking at it over the summer. So, yes, we did turn it in, Madam Speaker; we turned it all in. So there is something wrong with a system that allowed that to occur, and we are asking only for somebody to show a card to say, yeah, that is who I am. The most fundamental right that we have in America today is to vote, and to allow someone to vote who is coming from a suburb into a city who already voted once is not the right thing to do, or from New Jersey into Philadelphia. That is not right.

I am asking the members to please vote “no” on this, Madam Speaker. Let us start to put some sanity back in this. Let people say who they are and show who they are just like they have to at the airport, when they show a credit card, or when they come in this building.

The SPEAKER pro tempore. On the issue of constitutionality, the gentleman from Philadelphia, Mr. Cohen, is recognized.

Mr. COHEN. Madam Speaker, there are a lot more Republicans in the suburbs of Philadelphia and New Jersey than there are in the city of Philadelphia, and I think that if they are coming in to vote in the city of Philadelphia, that is probably not an indication of Democratic vote fraud but of Republican vote fraud.

Madam Speaker, voting is a fundamental constitutional right, and the fact that there may or may not be evidence of vote fraud does not change the fact that it is a fundamental constitutional right. Now, we are setting forth an arbitrary bureaucratic impediment to that right. When I come into this building and a guard recognizes me, he does not ask for my House identification card because he knows who I am. But under this bill, if I go to the polling place where I voted for over 10 years and everybody knows who I am, I cannot vote unless I have an identification card. That is a fundamental irrational impediment to my exercising a constitutional right. It is a fundamental impediment to anybody exercising a constitutional right.

This bill would be constitutional if it said that a person who was unknown to the election officials had to show photo identification. That would be constitutional. But to say that anybody, whether he or she is known or unknown to the people at that desk, whether he is voting for the first time at a polling place or the 100th time at a polling place, has to come up with identification, that is arbitrary, that is irrational, and that is unconstitutional.

The SPEAKER pro tempore. Would the gentleman, Mr. Cohen, please tell us which section of the Constitution he believes is being violated.

Mr. COHEN. The 14th Amendment to the U.S. Constitution which provides for equal protection of the laws.

The SPEAKER pro tempore. On the issue of constitution— Could we please have order. On the issue of constitutionality, the Chair recognizes the gentleman, Mr. Perzel.

Mr. PERZEL. Madam Speaker, I made a mistake. I would like to ask the members to vote in the affirmative on the fact that it is constitutional, and I did want to remind the gentleman, if he is going down to the polling place in a car and not taking his driver’s license with him, that is a violation of the law. So, Madam Speaker, I do not see anything wrong with this.

The SPEAKER pro tempore. 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 amendment?

The following roll call was recorded:

YEAS—105

Adolph	Evans, J.	Mackereth	Scavello
Allen	Fairchild	Maher	Schroder
Argall	Feese	Maitland	Schuler
Armstrong	Fichter	Major	Semmel
Baker, J.	Fleagle	Marsico	Smith, B.
Baker, M.	Flick	McGill	Smith, S. H.
Bard	Forcier	McIlhattan	Stairs
Barrar	Gabig	McIlhinney	Steil
Bastian	Gannon	McNaughton	Stern
Benninghoff	Geist	Metcalfe	Stevenson, R.
Birmelin	Godshall	Micozzie	Stevenson, T.
Boyes	Gordner	Miller, R.	Strittmatter
Brooks	Habay	Miller, S.	Taylor, E. Z.
Browne	Harhart	Nailor	Taylor, J.
Bunt	Harper	Nickol	Tigue
Cappelli	Hasay	O’Brien	Tulli
Civera	Hennessey	Perzel	Turzai
Clark	Herman	Phillips	Vance
Clymer	Hershey	Pickett	Watson
Cohen, L. I.	Hess	Pippy	Wilt
Coleman	Hutchinson	Raymond	Wright, M.

Cornell	Jadlowiec	Reinard	Zimmerman
Creighton	Kenney	Rohrer	Zug
Dailey	Lawless	Ross	
Dally	Leh	Rubley	
DiGirolamo	Lewis	Sather	Ryan,
Egolf	Lynch	Saylor	Speaker

NAYS—95

Bebko-Jones	Frankel	McCall	Solobay
Belardi	Freeman	McGeehan	Staback
Belfanti	George	Melio	Steelman
Bishop	Grucela	Michlovic	Stetler
Blaum	Gruitza	Mundy	Sturla
Buxton	Haluska	Myers	Surra
Caltagirone	Hanna	Oliver	Tangretti
Casorio	Harhai	Pallone	Thomas
Cawley	Horsey	Petrarca	Travaglio
Cohen, M.	James	Petrone	Trello
Colafella	Josephs	Pistella	Trich
Corrigan	Kaiser	Preston	Veon
Costa	Keller	Readshaw	Vitali
Coy	Kirkland	Rieger	Walko
Cruz	Krebs	Roberts	Wansacz
Curry	Laughlin	Robinson	Washington
Daley	Lederer	Roebuck	Waters
DeLuca	Lescovitz	Rooney	Williams, J.
Dermody	Levdansky	Ruffing	Wojnaroski
DeWeese	Lucyk	Sainato	Wright, G.
Diven	Manderino	Samuelson	Yewcic
Donatucci	Mann	Santoni	Youngblood
Eachus	Markosek	Scrimenti	Yudichak
Evans, D.	Mayernik	Shaner	

NOT VOTING—1

Butkovitz

EXCUSED—1

LaGrotta

The majority having voted in the affirmative, the question was determined in the affirmative and the constitutionality of the amendment was sustained.

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

The SPEAKER pro tempore. Continuing with debate on the amendment, the Chair recognizes the gentleman from Philadelphia, Mr. Thomas.

Mr. THOMAS. Thank you, Madam Speaker.

Madam Speaker, I, too, rise in opposition to the Metcalfe amendment, and very quickly, Madam Speaker, my opposition to the Metcalfe amendment is based on, the amendment is in total contravention of past practices of this House.

Madam Speaker, we voted some time ago for a motor-voter law. We have also passed other laws to encourage, to encourage and increase voter participation. The Metcalfe amendment would frustrate the motor-voter law; it would frustrate all of the efforts that we have engaged in to educate and to increase voter participation, and the most egregious part of the amendment is the identification component. The identification component minimizes if not limits access to voter participation. It does not increase or encourage voter participation. So to that end, Madam Speaker, the

Metcalfe amendment must fail.

Vote “no” on the Metcalfe amendment.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Philadelphia, Mr. Taylor.

Mr. TAYLOR. Thank you, Madam Speaker.

Madam Speaker, it seems to me that this argument has gone far afield, and I just wanted to comment as the chairman of the committee – that was a bipartisan, bicameral committee to examine election day issues – that the things that Mr. Metcalfe is proposing here are things that we had people testify to us on many occasions. They are mainstream ideas; they are accepted in other places, and to suggest that this stuff is radical or kooky or whatever is just inaccurate.

We had witness after witness in every part of this Commonwealth testify to us that there is great difficulty in this day and age in finding poll workers. Mr. Metcalfe’s proposal gives us an opportunity to recruit 17-year-olds, exposes them to the process, and is a good way to meet the needs that are left unmet at this point. In terms of absentee balloting, it is something that we have always done, at least in our area, his proposal, and something we are asking to do again. And, Madam Speaker, in terms of identification, this is done in other places as well, and you would be hard put to go anywhere to do many things without a photo ID.

And to suggest that there is not voter fraud in many places in this Commonwealth, including Philadelphia, is just plain disingenuous, and the speaker knows better. And I do not recall the majority leader talking about Democrat voter fraud or Republican voter fraud but voter fraud. It is a national issue. Our attempts here are to clamp down on that problem, to have integrity in our system, and I think the Metcalfe amendment goes to great extent to do that.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Centre and Mifflin Counties, Mr. Benninghoff.

Mr. BENNINGHOFF. Thank you, Madam Speaker, and I will be very brief.

I want to rise to support this amendment. I want to commend Representative Metcalfe because I know it is not an easy thing to talk about. I want to say one sentence to you, and I want you to think about it. Every day we come in this chamber and we say, “I pledge allegiance to the flag...and to the Republic for which it stands...” If you believe that you are pledging to the Republic for which it stands, then the citizens of Pennsylvania expect you to do the right thing, and the right thing is to clean up any form of fraud possible. If there is fraud in the system, it is not a Democrat-Republican issue. You can growl all you want, but there are people back at home watching, and you are expected to make the right choice.

The second thing— Some of you could join the karaoke caucus. You are getting pretty good.

The SPEAKER pro tempore. Okay, guys. Gentlemen.

Mr. BENNINGHOFF. Let them finish.

“...America, My home sweet home.”

The SPEAKER pro tempore. The gentleman, Mr. Benninghoff, may proceed.

Mr. BENNINGHOFF. Who says short men cannot sing.

In all honesty, I will close with one last thought.

I have heard some members in this chamber say day in, day out that we need campaign finance reform; we need to instill the public’s faith in the system. Well, Madam Speaker, you have that opportunity, and that is all we are asking you to do. Make the vote.

Let the people of Pennsylvania know that you are serious about making our system the best it can be, and more importantly, preserving the best system in all the world. Talk to people that are not natives of this country. They are proud to come to the country that allows them to go out and exercise their vote, and they are even more proud than some of us to say that pledge of allegiance to that Republic.

Thank you, and I have enjoyed singing with all of you.

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

Mr. DeWEESE. Thank you, Madam Speaker.

I would ask for a negative vote on the gentleman's amendment. The gentleman that has proffered this amendment was not at all helpful. In fact, he tried to gainsay our efforts to allow youngsters in social studies classes in high school to get paperwork to register to vote. If a voter registration form in a social studies class at Waynesburg High School was not something that the gentleman could embrace, for a variety of reasons – in fact, one of those individuals on the other side of the aisle even went to a microphone and lamented that it would cut down too many trees.

Very simply, Madam Speaker, my negative vote emanates from a perspective that if you do not, and I do not believe you should,

but if you do not need a photo ID to buy a gun in this State, you do not need a photo ID to vote in this State.

I would ask for a negative vote on the amendment.

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

The following roll call was recorded:

YEAS—100

Adolph	Egolf	Maher	Scavello
Allen	Evans, J.	Maitland	Schroder
Argall	Fairchild	Major	Schuler
Armstrong	Feese	Marsico	Semmel
Baker, J.	Fichter	McGill	Smith, B.
Baker, M.	Fleagle	McIlhattan	Smith, S. H.
Bard	Flick	McIlhinney	Stairs
Barrar	Forcier	McNaughton	Steil
Bastian	Gabig	Metcalfe	Stern
Benninghoff	Geist	Micozzie	Stevenson, R.
Birmelin	Godshall	Miller, R.	Stevenson, T.
Boyes	Habay	Miller, S.	Strittmatter
Brooks	Harhart	Nailor	Taylor, E. Z.
Browne	Hasay	Nickol	Taylor, J.
Bunt	Hennessey	O'Brien	Tulli
Cappelli	Herman	Perzel	Turzai
Civera	Hershey	Phillips	Vance
Clark	Hess	Pippy	Watson
Clymer	Hutchinson	Raymond	Wilt
Cohen, L. I.	Jadlowiec	Reinard	Wright, M.
Coleman	Kenney	Rohrer	Zimmerman
Cornell	Lawless	Ross	Zug
Creighton	Leh	Rubley	
Dailey	Lewis	Sather	
Dally	Lynch	Saylor	Ryan, Speaker
DiGirolamo	Mackereth		

NAYS—99

Bebko-Jones	Frankel	Markosek	Solobay
Belardi	Freeman	Mayernik	Staback
Belfanti	Gannon	McCall	Steelman
Bishop	George	McGeehan	Stetler

Blaum	Gordner	Melio	Sturla
Butkovitz	Grucela	Michlovic	Surra
Buxton	Gruitza	Mundy	Tangretti
Caltagirone	Haluska	Myers	Thomas
Casorio	Hanna	Oliver	Tigue
Cawley	Harhai	Pallone	Travaglio
Cohen, M.	Harper	Petrarca	Trello
Colafella	Horsey	Petrone	Trich
Corrigan	James	Pistella	Veon
Costa	Josephs	Readshaw	Vitali
Coy	Kaiser	Rieger	Walko
Cruz	Keller	Roberts	Wansacz
Curry	Kirkland	Robinson	Washington
Daley	Krebs	Roebuck	Waters
DeLuca	Laughlin	Rooney	Williams, J.
Dermody	Lederer	Ruffing	Wojnaroski
DeWeese	Lescovitz	Sainato	Wright, G.
Diven	Levdansky	Samuelson	Yewcic
Donatucci	Lucyk	Santoni	Youngblood
Eachus	Manderino	Scrimenti	Yudichak
Evans, D.	Mann	Shaner	

NOT VOTING—2

Pickett Preston

EXCUSED—1

LaGrotta

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

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

The SPEAKER pro tempore. Does the gentleman, Mr. Metcalfe, wish to be recognized on another amendment?

Mr. DeWEESE. Madam Speaker?

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

Mr. DeWEESE. I just wanted to alert the Chair that we are in the process of preparing a reconsideration motion.

The SPEAKER pro tempore. The Chair thanks the gentleman. Does the gentleman, Mr. Metcalfe, have another amendment?

Mr. METCALFE. I do, Madam Speaker, one which we will need to suspend the rules for.

The SPEAKER pro tempore. I am very sorry. I did not hear what you said.

Mr. METCALFE. An amendment that we are going to need to have suspension of the rules for.

RULES SUSPENDED

The SPEAKER pro tempore. The gentleman, Mr. Metcalfe, moves that the rules of the House be suspended in order to offer amendment No. 4053.

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

Mr. METCALFE. Madam Speaker?

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

Mr. COHEN. Madam Speaker, in the midst of all this controversy, this is a noncontroversial amendment, and I urge suspension of the rules.

Mr. METCALFE. Thank you.

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

The following roll call was recorded:

YEAS—170

Adolph	Evans, J.	Maitland	Scavello
Allen	Fairchild	Major	Schroder
Argall	Feese	Mann	Schuler
Armstrong	Fichter	Markosek	Scrimenti
Baker, J.	Fleagle	Marsico	Semmel
Baker, M.	Flick	Mayernik	Shaner
Bard	Forcier	McCall	Smith, B.
Barrar	Frankel	McGeehan	Smith, S. H.
Bastian	Freeman	McGill	Stairs
Belardi	Gabig	McIlhattan	Steelman
Belfanti	Gannon	McIlhinney	Steil
Benninghoff	Geist	McNaughton	Stern
Birmelin	George	Metcalfe	Stetler
Blaum	Godshall	Michlovic	Stevenson, R.
Boyes	Grucela	Micozzie	Stevenson, T.
Brooks	Gruitza	Miller, R.	Strittmatter
Browne	Habay	Miller, S.	Sturla
Bunt	Haluska	Nailor	Surra
Caltagirone	Hanna	Nickol	Tangretti
Cappelli	Harhai	O'Brien	Taylor, E. Z.
Cawley	Harhart	Oliver	Taylor, J.
Civera	Harper	Pallone	Thomas
Clark	Hasay	Perzel	Tigue
Clymer	Hennessey	Petrarca	Travaglio
Cohen, L. I.	Herman	Petrone	Trello
Cohen, M.	Hershey	Phillips	Tulli
Colafella	Hess	Pickett	Turzai
Coleman	Hutchinson	Pippy	Vance
Cornell	Jadlowiec	Pistella	Veon
Costa	Kaiser	Preston	Vitali
Coy	Keller	Raymond	Walko
Creighton	Kenney	Readshaw	Wansacz
Curry	Krebs	Reinard	Watson
Dailey	Laughlin	Roberts	Wilt
Daley	Lawless	Robinson	Wojnaroski
Dally	Lederer	Rohrer	Wright, M.
DeLuca	Leh	Ross	Yeweic
Dermody	Lescovitz	Rubley	Yudichak
DeWeese	Levdansky	Ruffing	Zimmerman
DiGirolamo	Lewis	Sainato	Zug
Diven	Lynch	Samuelson	
Egolf	Mackereth	Sather	Ryan,
Evans, D.	Maher	Saylor	Speaker

NAYS—28

Bebko-Jones	Eachus	Mundy	Staback
Bishop	James	Myers	Trich
Butkovitz	Josephs	Rieger	Washington
Buxton	Kirkland	Roebuck	Waters
Casorio	Lucyk	Rooney	Williams, J.
Cruz	Manderino	Santoni	Wright, G.
Donatucci	Melio	Solobay	Youngblood

NOT VOTING—3

Corrigan	Gordner	Horsey
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EXCUSED—1

LaGrotta

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

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

Mr. METCALFE offered the following amendment No. **A4053**:

Amend Bill, page 1, lines 23 through 38; page 2, lines 1 through 5 (A3787), by 12 striking out all of said lines on said pages and inserting Section 1. Section 402 of the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, amended May 5, 1982

Amend Sec. 3, page 2, line 44 (A3787), by striking out "3" and inserting

2

Amend Sec. 4, page 3, line 49 (A3787), by striking out "4" and inserting

3

Amend Sec. 5, page 4, line 41 (A3787), by striking out "5" and inserting

4

Amend Sec. 6, page 6, line 29 (A3787), by striking out "6" and inserting

5

Amend Sec. 7, page 7, line 13 (A3787), by striking out "7" and inserting

6

Amend Sec. 8, page 8, line 26 (A3787), by striking out "8" and inserting

7

Amend Sec. 9, page 8, line 46 (A3787), by striking out "9" and inserting

8

Amend Sec. 10, page 9, line 1 (A3787), by striking out "10" and inserting

9

Amend Sec. 11, page 9, line 7 (A3787), by striking out "11" and inserting

10

Amend Sec. 11, page 9, line 12 (A3787), by striking out "sections 102 and" and inserting section

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

The SPEAKER pro tempore. On that question, the Chair recognizes the gentleman, Mr. Metcalfe.

Mr. METCALFE. Madam Speaker, this is to remove language in the previously passed amendment that would deal with unincorporated associations. We had a memo that was circulated by one of the unions here in Pennsylvania that they had a problem with that language, and we are working to remove that section that

has created some of the controversy.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the amendment, the Chair recognizes the gentleman from Philadelphia, Mr. Cohen.

Mr. COHEN. Thank you, Madam Speaker.

Madam Speaker, this was ambiguous language, and the ambiguity is being removed by this amendment. I urge support of the amendment.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—200

Adolph	Evans, D.	Major	Schroder
Allen	Evans, J.	Manderino	Schuler
Argall	Fairchild	Mann	Scrimenti
Armstrong	Feese	Markosek	Semmel
Baker, J.	Fichter	Marsico	Shaner
Baker, M.	Fleagle	Mayernik	Smith, B.
Bard	Flick	McCall	Smith, S. H.
Barrar	Forcier	McGeehan	Solobay
Bastian	Frankel	McGill	Staback
Bebko-Jones	Freeman	McIlhattan	Staback
Belardi	Gabig	McIlhinney	Steelman
Belfanti	Gannon	McNaughton	Steil
Benninghoff	Geist	Melio	Stern
Birmelin	George	Metcalfe	Stetler
Bishop	Godshall	Michlovic	Stevenson, R.
Blaum	Gordner	Micozzie	Stevenson, T.
Boyes	Grucela	Miller, R.	Strittmatter
Brooks	Gruitza	Miller, S.	Sturla
Browne	Habay	Mundy	Surra
Bunt	Haluska	Myers	Tangretti
Butkovitz	Hanna	Nailor	Taylor, E. Z.
Buxton	Harhai	Nickol	Taylor, J.
Caltagirone	Harhart	O'Brien	Thomas
Cappelli	Harper	Pallone	Tigue
Casorio	Hasay	Perzel	Travaglio
Cawley	Hennessey	Petrarca	Trello
Civera	Herman	Petrone	Trich
Clark	Hershey	Phillips	Tulli
Clymer	Hess	Pickett	Turzai
Cohen, L. I.	Horsey	Pippy	Vance
Cohen, M.	Hutchinson	Pistella	Veon
Colafella	Jadlowiec	Preston	Vitali
Coleman	James	Raymond	Walko
Cornell	Josephs	Readshaw	Wansacz
Corrigan	Kaiser	Reinard	Washington
Costa	Keller	Rieger	Waters
Coy	Kenney	Roberts	Watson
Creighton	Kirkland	Robinson	Williams, J.
Cruz	Krebs	Roebuck	Wilt
Curry	Laughlin	Rohrer	Wojnaroski
Dailey	Lawless	Rooney	Wright, G.
Daley	Lederer	Ross	Wright, M.
Dally	Leh	Rubley	Yewcic
DeLuca	Lescovitz	Ruffing	Youngblood
Dermody	Levdansky	Sainato	Yudichak
DeWeese	Lewis	Samuelson	Zimmerman
DiGirolo	Lucyk	Santoni	Zug
Diven	Lynch	Sather	
Donatucci	Mackereth	Saylor	
Eachus	Maher	Scavello	Ryan,
Egolf	Maitland		Speaker

NAYS—1

Oliver

NOT VOTING—0

EXCUSED—1

LaGrotta

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

On the question recurring,

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

AMENDMENT A3787 RECONSIDERED

The SPEAKER pro tempore. The Chair is in receipt of a reconsideration motion by the gentleman, Mr. Veon, who moves that the vote by which amendment No. 3787 was passed to SB 824, PN 1954, on the 26th day of June be reconsidered.

On the question,

Will the House agree to the motion?

Mr. METCALFE. Madam Speaker?

The SPEAKER pro tempore. Only the leaders can speak on reconsideration. Are you speaking for Mr. Perzel? The gentleman may proceed.

PARLIAMENTARY INQUIRY

Mr. METCALFE. I was not standing to speak at this time. I wanted to make a parliamentary inquiry. Is that allowable in lieu of the speaking, other than the speaking?

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. METCALFE. The amendment that we just passed to the former amendment, now that we have changed the language in the previous amendment that has been asked to be reconsidered, is that still in order, because the amendment that they are asking to reconsider has actually been changed.

The SPEAKER pro tempore. The motion is to reconsider amendment No. 3787. That is still in order. If by chance this should fail, we would then have to reconsider the next amendment that did pass.

Mr. METCALFE. If it would be appropriate, I would like to speak on the reconsideration.

The SPEAKER pro tempore. On reconsideration, the Chair recognizes the gentleman, Mr. Metcalfe.

Mr. METCALFE. Thank you, Madam Speaker.

I would ask for a negative vote on the motion to reconsider. We have just recently passed the amendment, an amendment that cuts to the heart of ensuring the integrity of our election process through requiring voter identification when somebody goes to cast a vote. For every vote that is cast in a fraudulent manner, that fraudulent vote undermines all of the other votes that have been cast, and as we know from recent elections, elections can turn on a matter of a vote. So any vote that is a fraudulent vote is a serious problem to the integrity of preserving our system and to preserving our Republic.

The legislation that we passed, the amendment that we passed to this bill, was put forth to combat voter fraud, to make sure that our polling places are properly staffed also. All of us should be concerned about fraud, and I believe that everyone at home is concerned about fraud, all of those that vote. Voters take time to go to the election polls to cast their vote.

The SPEAKER pro tempore. This is— The debate you are— Mr. METCALFE. Votes should not be undermined.

The SPEAKER pro tempore. It should be on reconsideration, sir.

Mr. METCALFE. I would ask that this would not be reconsidered and that we would let the amendment stand as passed. Thank you.

The SPEAKER pro tempore. On the issue of reconsideration, the Chair recognizes the gentleman, Mr. DeWeese.

Mr. DeWEESE. The honorable gentleman has not been amongst us for all that many years, but what he is asking for is something that goes against the grain of our tradition. We normally reconsider even the most malevolent and controversial issues from our perspective, and I think the Republican Party has also. That is

just an element of the impeccable politeness that punctuates this chamber and augments our fraternity.

So notwithstanding the fact that the gentleman is trying to stop us from voting, it really will probably not be embraced by his own leaders, his senior members, his committee chairmen, because, and I am not trying to be smug or condescending, but by experience, it is just not the way things are done.

I would ask for an affirmative vote. One of our members who is in the room with us from Allegheny County pushed his switch and it malfunctioned. He is in the room again. It was only a one-vote differential. This is an exciting and controversial debate.

Mr. METCALFE. Madam Speaker, to make sure that every vote counts, I would withdraw my motion to stand against the motion and would also endorse reconsidering, as the minority leader has asked. Thank you for pointing out that we need every vote to count.

Mr. DeWEESE. I thank the gentleman.

The SPEAKER pro tempore. Would the gentleman, Mr. Veon, approach the podium, please.

(Conference held at Speaker’s podium.)

The SPEAKER pro tempore. On the motion to reconsider, those wishing to reconsider will vote “aye”; those wishing to not reconsider will vote “nay.”

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

The following roll call was recorded:

YEAS—201

Adolph	Evans, D.	Major	Schroder
Allen	Evans, J.	Manderino	Schuler
Argall	Fairchild	Mann	Scrimenti
Armstrong	Feese	Markosek	Semmel
Baker, J.	Fichter	Marsico	Shaner
Baker, M.	Fleagle	Mayernik	Smith, B.
Bard	Flick	McCall	Smith, S. H.
Barrar	Forcier	McGeehan	Solobay
Bastian	Frankel	McGill	Staback

Bebko-Jones	Freeman	McIlhattan	Stairs
Belardi	Gabig	McIlhinney	Steelman
Belfanti	Gannon	McNaughton	Steil
Benninghoff	Geist	Melio	Stern
Birmelin	George	Metcalfe	Stetler
Bishop	Godshall	Michlovic	Stevenson, R.
Blaum	Gordner	Micozzie	Stevenson, T.
Boyes	Grucela	Miller, R.	Strittmatter
Brooks	Gruitza	Miller, S.	Sturla
Browne	Habay	Mundy	Surra
Bunt	Haluska	Myers	Tangretti
Butkovitz	Hanna	Nailor	Taylor, E. Z.
Buxton	Harhai	Nickol	Taylor, J.
Caltagirone	Harhart	O’Brien	Thomas
Cappelli	Harper	Oliver	Tigue
Casorio	Hasay	Pallone	Travaglio
Cawley	Hennessey	Perzel	Trello
Civera	Herman	Petrarca	Trich
Clark	Hershey	Petrone	Tulli
Clymer	Hess	Phillips	Turzai
Cohen, L. I.	Horsey	Pickett	Vance
Cohen, M.	Hutchinson	Pippy	Veon
Colafella	Jadlowiec	Pistella	Vitali
Coleman	James	Preston	Walko
Cornell	Josephs	Raymond	Wansacz
Corrigan	Kaiser	Readshaw	Washington
Costa	Keller	Reinard	Waters
Coy	Kenney	Rieger	Watson
Creighton	Kirkland	Roberts	Williams, J.
Cruz	Krebs	Robinson	Wilt
Curry	Laughlin	Roebuck	Wojnaroski
Dailey	Lawless	Rohrer	Wright, G.
Daley	Lederer	Rooney	Wright, M.
Dally	Leh	Ross	Yewcic
DeLuca	Lescovitz	Rubley	Youngblood
Dermody	Levdansky	Ruffing	Yudichak
DeWeese	Lewis	Sainato	Zimmerman
DiGirolo	Lucyk	Samuelson	Zug
Diven	Lynch	Santoni	
Donatucci	Mackereth	Sather	
Eachus	Maher	Saylor	Ryan,
Egolf	Maitland	Scavello	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—1

LaGrotta

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

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

The clerk read the following amendment No. **A3787**:

Amend Title, page 1, lines 1 through 9, by striking out all of said lines and inserting
Amending the act of June 3, 1937 (P.L.1333, No.320), entitled “An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws

relating thereto; and repealing certain acts and parts of acts relating to elections,” defining “unincorporated association”; further providing for qualifications of election officers and for vacancies in election boards; providing for the compensation of district election officers; further providing for manner of applying to vote and for assistance in voting, for canvassing of official absentee ballots and for enforcement; and making repeals.

Amend Bill, page 1, lines 12 through 20; pages 2 and 3, lines 1 through 30; page 4, lines 1 through 9, by striking out all of said lines on said pages and inserting

Section 1. Section 102 of the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, is amended by adding a clause to read:

Section 102. Definitions.—The following words, when used in this act, shall have the following meanings, unless otherwise clearly apparent from the context:

* * *

(v.1) The words “unincorporated association” shall mean any form of unincorporated enterprise owned by two or more persons, other than a partnership, a limited liability partnership or a limited liability company that is treated as a partnership for Federal income tax purposes. For purposes of this definition, the words “partnership,” “limited liability partnership” and “limited liability company” shall not include an organization, agency or employe representation committee or plan in which employes participate and which exists for the purpose, in whole or in part, of dealing with disputes between an employer and its employes involving grievances, labor disputes, wages, rates of pay, hours of employment or conditions of work.

* * *

Section 2. Section 402 of the act, amended May 5, 1982 (P.L.374, No.108), is amended to read:

Section 402. Qualifications of Election Officers.—[Election] (a) Except as provided in subsection (b) and section 405(c), election officers shall be qualified registered electors of the district in which they are elected or appointed. No person shall be qualified to serve as an election officer who shall hold, or shall within two months have held, any office, appointment or employment in or under the Government of the United States or of this State or of any city or county or poor district, of any municipal board, commission or trust in any city, save only district justices, notaries public and persons in the militia service of the State; nor shall any election officer be eligible to any civil office to be voted for at a primary or election at which he shall serve, except that of an election officer.

(b) The county board of elections may permit a person who is seventeen (17) years of age to be appointed to serve as a machine inspector at an election if the county board of elections, in permitting the person to serve, complies with all applicable Federal and State laws and if the person meets all of the following requirements:

(1) The person is at least seventeen (17) years of age at the time of the election.

(2) The person is a United States citizen.

(3) The person is a resident of the county in which the person will serve at the time of the election.

(4) The person is enrolled as a student in a high school program which meets the requirements for compulsory attendance under sections 1327 and 1327.1 of the act of March 10, 1949 (P.L.30, No.14), known as the “Public School Code of 1949.”

(5) The person has obtained written permission from the following people and provided it to the board:

(i) The person’s parent or legal guardian.

(ii) The person’s school principal or chief administrator, whomever may be applicable.

(c) The county board of elections shall compensate any person appointed under subsection (b) unless the person waives compensation.

Section 3. Section 405 of the act, repealed in part April 28, 1978 (P.L.202, No.53) and amended June 1, 1978 (P.L.456, No.58), is amended to read:

Section 405. Vacancies in Election Boards; Appointment; Judge and Majority Inspector to Be Members of Majority Party; Minority Inspector to Be Member of Minority Party.—(a) Vacancies in election boards existing by reason of the disqualification, removal, resignation or death of an election officer, or from any other cause, occurring prior to [the day of] the fifth day before any primary or election, shall, in all cases, be filled by appointment, by the court of the proper county, of competent persons, qualified in accordance with the provisions of this act, who shall serve for the unexpired term of the person whose place he is appointed to fill: Provided, however, That any district election officer who, after his election or appointment, changes his political affiliation, shall not thereby become disqualified to serve on said election board, and shall not thereby be subject to removal. In making such appointments, the court shall receive and consider any petitions filed by qualified electors of the district affected, and shall make no appointment to fill any vacancy [occurring more than five days before any primary or election,] unless notice of the time at which they will make such appointment shall have been posted on the polling place of such district, and in the immediate vicinity thereof, at least five days prior thereto. In the appointment of inspectors in any election district, both shall not be of the same political party at the time of said appointment, but one shall be of the party having the largest number of votes and the other shall be of the party having the second largest number of votes in said district at the last preceding November election, as nearly as the judge or judges can ascertain the fact. The judge of election shall, in all cases of appointment, be of the political party having the majority of votes in said district at the last preceding November election, as nearly as the judge or judges can ascertain the fact. Immediately upon the entry of an order of court filling any vacancy on an election board, the clerk of said court shall forthwith transmit a certified copy of said order to the county board, giving the name and address of said appointee. Notwithstanding any provisions to the contrary, in counties which have adopted home rule charters or optional plans and which appoint the members of the county election board under section 301(b), vacancies in the county board of elections shall be filled consistent with the provisions for appointment of county election board members under that section.

(b) The first election board for any new district shall be selected, by the court of the proper county, of competent persons, qualified in accordance with the provisions of this act, who shall serve until the next municipal election at which all election officials are elected under the provisions of section 401.

(c) Vacancies in election boards occurring at any time during the five days immediately preceding any primary or election or on the day of the primary or election may be filled by appointment by the county board of elections from a pool of competent persons who are qualified registered electors of the county and who have been trained by the county to perform the duties of election officers which are required by this act. Any person appointed to fill a vacancy in accordance with this subsection shall serve as a member of the election board on the day of the primary or election only. Any election board position filled in accordance with this subsection shall be deemed vacant on the day immediately following the primary or election and subsequently shall be filled in accordance with subsection (a).

Section 4. The act is amended by adding a section to read:

Section 412.2. (a) In all counties regardless of class, the compensation of judges of election, inspectors of election, clerks and machine operators shall be fixed by the county board of elections for each election in accordance with the following:

<u>Election Officers</u>	<u>Minimum Compensation</u>	<u>Maximum Compensation</u>
<u>Judges of election</u>	<u>\$45</u>	<u>\$200</u>
<u>Inspectors of election</u>	<u>\$45</u>	<u>\$195</u>
<u>Clerks and machine operators</u>	<u>\$40</u>	<u>\$195</u>

(b) If a county board of elections authorizes that the duties of a clerk of elections or machine operator may be performed by two individuals who each perform such duties for one-half of an election day, such individuals shall each be compensated at one-half of the rate

authorized for a single individual who performs the duties for the entire election day.

(c) The county board of elections may, in its discretion, establish different per diem rates within the minima and maxima provided for in subsection (a) based on the number of votes cast for the following groups:

- (1) 150 votes or fewer.
- (2) 151 to 300 votes.
- (3) 301 to 500 votes.
- (4) 501 to 750 votes.
- (5) 751 votes and over.

(d) For transmitting returns of elections and the ballot box or boxes, all judges of election shall be entitled to receive the additional sum of twenty dollars (\$20).

(e) The county board of elections may, in its discretion, require the minority inspector of election to accompany the judge of election in transmitting the returns of elections, in which case the minority inspector of election shall be entitled to receive the additional sum of twenty dollars (\$20).

(f) The person furnishing transportation to the judge of election and the minority inspector in transmitting returns and ballot boxes shall be entitled to a minimum of thirty-five cents (35¢) per circular mile from the polling place to the county court house. The name of such person shall appear on the voucher of the judge of election, and only one person shall receive mileage compensation.

(g) A constable or deputy constable performing duties under section 1207 of this act shall receive compensation at the same rate payable to an inspector.

(h) When a primary and special election or a special election and a general or municipal election take place on the same date, they shall be construed as one election for the purpose of receiving compensation.

(i) Compensation and other payments received by election officials pursuant to this section shall not be deemed income classified and categorized under section 303 of the act of March 4, 1971 (P.L.6, No.2), known as the "Tax Reform Code of 1971."

Section 5. Section 1210 of the act, amended June 10, 1982 (P.L.458, No.135), is amended to read:

Section 1210. Manner of Applying to Vote; Persons Entitled to Vote; Voter's Certificates; Entries to Be Made in District Register; Numbered Lists of Voters; Challenges.—(a) At every primary and election each elector who desires to vote shall first present to an election officer a voter's identification card issued by the county registration commission or any one of the following forms of photo identification:

- (1) a valid driver's license or identification card issued by the Department of Transportation;
- (2) a valid identification card issued by any other agency of the Commonwealth;
- (3) a valid identification card issued by an agency of another state or the United States Government;
- (4) a valid United States passport;
- (5) a valid student identification card;
- (6) a valid employe identification card; or
- (7) a valid armed forces of the United States identification card.

The election officer shall examine the identification presented by the elector.

(a.1) If the elector has presented any one of the forms of identification listed in subsection (a) the elector shall subsequently sign a voter's certificate, and, unless he is a State or Federal employe who has registered under any registration act without declaring his residence by street and number, he shall insert his address therein, and hand the same to the election officer in charge of the district register. Such election officer shall thereupon announce the elector's name so that it may be heard by all members of the election board and by all watchers present in the polling place and shall compare the elector's signature on his voter's certificate with his signature in the district register. If, upon such comparison, the signature upon the voter's certificate appears to be genuine, the elector who has signed the certificate shall, if otherwise qualified, be permitted to vote: Provided, That if the signature on the

voter's certificate, as compared with the signature as recorded in the district register, shall not be deemed authentic by any of the election officers, such elector shall not be denied the right to vote for that reason, but shall be considered challenged as to identity and required to make the affidavit and produce the evidence as provided in subsection (d) of this section. When an elector has been found entitled to vote, the election officer who examined his voter's certificate and compared his signature shall sign his name or initials on the voter's certificate, shall, if the elector's signature is not readily legible, print such elector's name over his signature, and the number of the stub of the ballot issued to him or his number in the order of admission to the voting machines, and at primaries a letter or abbreviation designating the party in whose primary he votes shall also be entered by one of the election officers or clerks. As each voter is found to be qualified and votes, the election officer in charge of the district register shall write or stamp the date of the election or primary, the number of the stub of the ballot issued to him or his number in the order of admission to the voting machines, and at primaries a letter or abbreviation designating the party in whose primary he votes, and shall sign his name or initials in the proper space on the registration card of such voter contained in the district register.

As each voter votes, his name in the order of voting shall be recorded in two (2) numbered lists of voters provided for that purpose, with the addition of a note of each voter's party enrollment after his name at primaries.

(b) If any elector was unable to sign his name at the time of registration, or, if having been able to sign his name when registered, he subsequently shall have lost his sight or lost the hand with which he was accustomed to sign his name, or shall have been otherwise rendered by disease or accident unable to sign his name when he applies to vote, he shall establish his identity to the satisfaction of the election officers, and in such case he shall not be required to sign a voter's certificate, but a certificate shall be prepared for him by one of the election officers, upon which the facts as to such disability shall be noted and attested by the signature of such election officer.

(c) No person who applies to vote shall be permitted by any election officer or clerk or other person to see the signature recorded as his in the district register until after he shall have signed his name to the voter's certificate.

(d) No person, except a qualified elector who is in actual military or naval service under a requisition of the President of the United States or by the authority of this Commonwealth, and who votes under the provisions of Article XIII of this act, shall be entitled or permitted to vote at any primary or election at any polling place outside the election district in which he resides, nor shall he be permitted to vote in the election district in which he resides, unless he has been personally registered as an elector and his registration card appears in the district register of such election district, except by order of the court of common pleas as provided in this act, and any person, although personally registered as an elector, may be challenged by any qualified elector, election officer, overseer, or watcher at any primary or election as to his identity, as to his continued residence in the election district or as to any alleged violation of the provisions of section 1210 of this act, and if challenged as to identity or residence, he shall produce at least one qualified elector of the election district as a witness, who shall make affidavit of his identity or continued residence in the election district: Provided, however, That no person shall be entitled to vote as a member of a party at any primary, unless he is registered and enrolled as a member of such party upon the district register, which enrollment shall be conclusive as to his party membership and shall not be subject to challenge on the day of the primary.

Section 6. Section 1218 of the act, amended February 13, 1989 (P.L.1, No.1), is amended to read:

Section 1218. Assistance in Voting.—

(a) No voter shall be permitted to receive any assistance in voting at any primary or election, unless there is recorded upon his registration card his declaration that, by reason of blindness, disability, or inability to read or write, he is unable to read the names on the ballot or on the voting

machine labels, or that 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, the exact nature of such condition being recorded on such registration card, and unless the election officers are satisfied that he still suffers from the same condition.

(b) Any elector who is entitled to receive assistance in voting under the provisions of this section shall be permitted by the judge of election to select a person of the elector's choice to enter the voting compartment or voting machine booth with him to assist him in voting, such assistance to be rendered inside the voting compartment or voting machine booth except that the judge of election, the elector's employer or an agent of the employer or an officer or agent of the elector's union shall not be eligible to assist the elector.

(c) In every case of assistance under the provisions of this section, the judge of election shall forthwith enter in writing in a book to be furnished by the county board of elections, to be known as the record of assisted voters—(1) the voter's name; (2) a statement of the facts which entitle him to receive assistance; and (3) the name of the person furnishing the assistance. The record of assisted voters shall be returned by the judge of election to the county board of elections with the other papers, as hereinafter provided, and said county board shall permit the

same to be examined only upon the written order of a judge of the court of common pleas: Provided, however, That such record shall be subject to subpoena to the same extent to which other election records may be subpoenaed: And provided further, That the county election board shall permit any registration commission to examine any records of assisted voters without a court order, in order that the registration commission may ascertain whether electors, who have declared, at the time of registration, their need for assistance, actually did receive assistance when voting at any election.

Section 7. Section 1306.1 of the act, added August 13, 1963 (P.L.707, No.379), is amended to read:

Section 1306.1. Assistance in Voting by Certain Absentee Electors.—

Any elector qualified to vote an official absentee ballot in accordance with the provisions of section 1301, subsection (k), may receive assistance in voting (1) if there is recorded on his registration card his declaration that he has a physical disability which renders him unable to see or mark the official absentee ballot, the exact nature of such disability being recorded on such registration card; (2) if such elector requiring assistance submits with his application for an official absentee ballot, a statement setting forth the precise nature of the disability which renders him unable to see or mark the official absentee ballot and that to the best of his knowledge and belief he will still suffer from the said physical disability at the time of voting his official absentee ballot. He shall acknowledge the same before an officer qualified to take acknowledgement of deeds. Such statement shall be in substantially the following form:

Statement of Absentee Elector Requiring Assistance
I,, hereby state

(Name of voter requiring assistance)
that I require assistance in marking the official absentee ballot for the primary or election held,

(Date)
19..., that will be issued to me for the following reason:

.....
(Insert nature of disability)

.....
(Signature or mark of elector)

.....
(Date of signature or mark)

Commonwealth of Pennsylvania:

ss

County of

On this.....day of....., 19..., before me,, the undersigned officer personally appeared....., known to me (or satisfactorily proven) to be the person whose signature or mark appears on the within instrument and acknowledged the same for the purposes therein contained.

In witness whereof, I have hereunto set my hand and official seal

.....
(Title of Officer)

Upon receipt of the official absentee ballot, such elector requiring assistance may select [an adult] a person to assist him in voting, such assistance to be rendered in secret[.]; Provided, however, That the person rendering assistance may not be the elector's employer or an agent of the employer or an officer or agent of the elector's union. The [adult] person rendering the assistance in voting [should be required to fill out] shall complete, date and sign the declaration in such form approved by the Secretary of the Commonwealth, or substantially in the form as set forth below, [as he] that the person has caused the elector's ballot to be marked in accordance with such elector's desires and instruction. Such declaration form shall be returned to the county board of elections in the mailing envelope addressed to the county board of elections within which the small "official absentee ballot" is returned.

Declaration of Person Rendering Assistance

I,, [an adult person]
(Name of Person rendering assistance)

hereby declare that I have witnessed the aforesaid elector's signature or mark and that I have caused the aforesaid elector's ballot to be marked in accordance with the desires and instructions of the aforesaid elector.

.....
(Signature of Person Rendering Assistance)

.....
(Address)

Section 8. Section 1308(b.1) of the act, added July 11, 1980 (P.L.600, No.128), is amended to read:

Section 1308. Canvassing of Official Absentee Ballots.

* * *

(b.1) [(1) In the event that an electronic voting system provides for central tabulations of ballots, such absentee ballots shall be opened and deposited in the ballot box without being counted except as to the number of absentee ballots cast. The absentee ballots shall be counted along with the other ballots from the election district at the location and in the manner specified by the county board of elections and provided for by the electronic voting system utilized.

(2) In the event that an electronic voting system provides for tabulation of votes at the election district, such] In all election districts in which electronic voting systems are used absentee ballots shall be opened at the election district, checked for write-in votes in accordance with section 1113-A and then either hand-counted or counted by means of the automatic tabulation equipment, whatever the case may be.

* * *

Section 9. Section 1642 of the act, added October 4, 1978 (P.L.893, No.171), is amended to read:

Section 1642. Enforcement.—

(a) The Attorney General shall have prosecutorial jurisdiction over all violations [connected with any statement or report and the contents thereof which is to be filed with the Secretary of the Commonwealth.

(b) The district attorneys of the respective counties shall have jurisdiction over any other violations] committed under this act.

(c) The district attorney of any county in which a violation[, referred to in subsection (a) occurs,] occurred has concurrent powers and responsibilities with the Attorney General over such violations.

Section 10. The following acts are repealed:

(1) All acts and parts of acts are repealed insofar as they are inconsistent with the amendment of sections 402 and 405 of the act.

(2) The provisions of 25 Pa.C.S. Ch. 7 Subch. B are repealed.

Section 11. The addition of section 412.2 of the act shall be applicable as constitutionally permissible.

Section 12. This act shall take effect as follows:

(1) The following provisions shall take effect immediately:

(i) The amendment of sections 102 and 1642 of the act.

(ii) The addition of section 412.2 of the act.

(iii) Sections 10(2) and 11 of this act.

(iv) This section.

(2) The remainder of this act shall take effect in 30 days.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—101

Adolph	Egolf	Maher	Scavello
Allen	Evans, J.	Maitland	Schroder
Argall	Fairchild	Major	Schuler
Armstrong	Feese	Marsico	Semmel
Baker, J.	Fichter	McGill	Smith, B.
Baker, M.	Fleagle	McIlhattan	Smith, S. H.
Bard	Flick	McIlhinney	Stairs
Barrar	Forcier	McNaughton	Steil
Bastian	Gabig	Metcalfe	Stern
Benninghoff	Gannon	Micozzie	Stevenson, R.
Birmelin	Geist	Miller, R.	Stevenson, T.
Boyes	Godshall	Miller, S.	Strittmatter
Brooks	Habay	Nailor	Taylor, E. Z.
Browne	Harhart	Nickol	Taylor, J.
Bunt	Hasay	O'Brien	Tulli
Cappelli	Hennessey	Perzel	Turzai
Civera	Herman	Phillips	Vance
Clark	Hershey	Pickett	Watson
Clymer	Hess	Pippy	Wilt
Cohen, L. I.	Hutchinson	Raymond	Wright, M.
Coleman	Jadlowiec	Reinard	Zimmerman
Cornell	Kenney	Rohrer	Zug
Creighton	Leh	Ross	
Dailey	Lewis	Rubley	
Dally	Lynch	Sather	Ryan,
DiGirolamo	Mackereth	Saylor	Speaker

NAYS—100

Bebko-Jones	Frankel	Markosek	Shaner
Belardi	Freeman	Mayernik	Solobay
Belfanti	George	McCall	Staback
Bishop	Gordner	McGeehan	Steelman
Blaum	Grucela	Melio	Stetler
Butkovitz	Gruitza	Michlovic	Sturla
Buxton	Haluska	Mundy	Surra
Caltagirone	Hanna	Myers	Tangretti
Casorio	Harhai	Oliver	Thomas
Cawley	Harper	Pallone	Tigue
Cohen, M.	Horsey	Petrarca	Travaglio
Colafella	James	Petrone	Trello
Corrigan	Josephs	Pistella	Trich
Costa	Kaiser	Preston	Veon
Coy	Keller	Readshaw	Vitali
Cruz	Kirkland	Rieger	Walko
Curry	Krebs	Roberts	Wansacz
Daley	Laughlin	Robinson	Washington
DeLuca	Lawless	Roebuck	Waters

Dermody	Lederer	Rooney	Williams, J.
DeWeese	Lescovitz	Ruffing	Wojnaroski
Diven	Levdansky	Sainato	Wright, G.
Donatucci	Lucyk	Samuelson	Yewcic
Eachus	Manderino	Santoni	Youngblood
Evans, D.	Mann	Scrimenti	Yudichak

NOT VOTING—0

EXCUSED—1

LaGrotta

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

On the question recurring,

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

Mr. DeWEESE. Madam Speaker?

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

Mr. DeWEESE. A point of personal privilege.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. DeWEESE. I would just like to compliment the gentlelady who wields the gavel. The parliamentary dexterity and legerdemain are to be noted. For the record, we won the vote for the first couple of minutes, and the Republican whips proved their mettle, and I just think it is important to know that this was a very close vote, that we did have our side cohesive, and I would not like the moment to go by without noting that the Chair has the opportunity in our rules to keep a vote open for 10 minutes. Notwithstanding that, we wish you would have closed it about a minute earlier.

PARLIAMENTARY INQUIRY

The SPEAKER pro tempore. Will the House agree to the bill as amended? This bill has been considered—

Mr. S. SMITH. Madam Speaker?

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

Mr. S. SMITH. Madam Speaker, just as a point of parliamentary inquiry.

The SPEAKER pro tempore. You may state your parliamentary inquiry.

Mr. S. SMITH. Given that that amendment that just failed—

The SPEAKER pro tempore. It did not fail; it passed, sir.

Mr. S. SMITH. Excuse me. Let me put it this way. Would you state where this bill stands in regard to the original Metcalfe amendment, and then there was the second Metcalfe amendment that we suspended the rules to put in. Is that where this bill stands at this—

The SPEAKER pro tempore. Both amendments are now in the bill.

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

Both amendments are in the bill, correct? Thank you.

On the question recurring,

Will the House agree to the bill on third consideration as

amended?

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

The Chair recognizes the gentleman, Mr. Cohen, on final passage.

Mr. COHEN. Thank you, Madam Speaker.

Madam Speaker, I would just like to remind everybody—

The SPEAKER pro tempore. I am sorry; the lady is not recognized, and I cannot hear her just now.

Mr. COHEN. Madam Speaker, I yield to the lady from Philadelphia.

The SPEAKER pro tempore. The Chair thanks the gentleman.

For what purpose does the lady, Ms. Josephs, rise?

Ms. JOSEPHS. I have amendments which were timely filed. I do not know if the papers are up there. I will give you the numbers. I would like to introduce them.

The SPEAKER pro tempore. We do not have amendments up here. We will look for them.

Ms. JOSEPHS. Timely filed. Does somebody want to—

Oh, not timely filed. Not timely filed; I take it back. Sorry. Yes, I am.

The SPEAKER pro tempore. Yes you are?

Ms. JOSEPHS. Trying to suspend the rules.

The SPEAKER pro tempore. The lady, Ms. Josephs—

DECISION OF CHAIR RESCINDED

The SPEAKER pro tempore. First I must rescind my announcement the bill has been agreed to, without objection.

On the question recurring,

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

RULES SUSPENDED

The SPEAKER pro tempore. The Chair recognizes the lady, Ms. Josephs, for the purpose of making a motion.

Ms. JOSEPHS. I would like to offer amendment 3931. I would like to have the rules suspended so those people who have religious objections to the practice of taking a photo ID will not have to present it at the polling place and presumably will be allowed then to vote without the photo ID, even if they do not have a voter registration card either. I would like to suspend the rules for that, please.

The SPEAKER pro tempore. The lady, Ms. Josephs, moves that the rules of the House be suspended in order to offer amendment No. 3931.

On the question,

Will the House agree to the motion?

The SPEAKER pro tempore. On that question, the Chair recognizes the gentleman, Mr. Perzel.

Mr. PERZEL. Madam Speaker, we would like to ask the

members to suspend the rules for this particular amendment only at this time, until we hear what the other amendments are. Thank you, Madam Speaker.

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—201

Adolph	Evans, D.	Major	Schroder
Allen	Evans, J.	Manderino	Schuler
Argall	Fairchild	Mann	Scrimenti
Armstrong	Feese	Markosek	Semmel
Baker, J.	Fichter	Marsico	Shaner
Baker, M.	Fleagle	Mayernik	Smith, B.
Bard	Flick	McCall	Smith, S. H.
Barrar	Forcier	McGeehan	Solobay
Bastian	Frankel	McGill	Staback
Bebko-Jones	Freeman	McIlhattan	Stairs
Belardi	Gabig	McIlhinney	Steelman
Belfanti	Gannon	McNaughton	Steil
Benninghoff	Geist	Melio	Stern
Birmelin	George	Metcalfe	Stetler
Bishop	Godshall	Michlovic	Stevenson, R.
Blaum	Gordner	Micozzie	Stevenson, T.
Boyes	Grucela	Miller, R.	Strittmatter
Brooks	Gruitza	Miller, S.	Sturla
Browne	Habay	Mundy	Surra
Bunt	Haluska	Myers	Tangretti
Butkovitz	Hanna	Nailor	Taylor, E. Z.
Buxton	Harhai	Nickol	Taylor, J.
Caltagirone	Harhart	O'Brien	Thomas
Cappelli	Harper	Oliver	Tigue
Casorio	Hasay	Pallone	Travaglio
Cawley	Hennessey	Perzel	Trello
Civera	Herman	Petrarca	Trich
Clark	Hershey	Petrone	Tulli
Clymer	Hess	Phillips	Turzai
Cohen, L. I.	Horsey	Pickett	Vance
Cohen, M.	Hutchinson	Pippy	Veon
Colafella	Jadlowiec	Pistella	Vitali
Coleman	James	Preston	Walko
Cornell	Josephs	Raymond	Wansacz
Corrigan	Kaiser	Readshaw	Washington
Costa	Keller	Reinard	Waters
Coy	Kenney	Rieger	Watson
Creighton	Kirkland	Roberts	Williams, J.
Cruz	Krebs	Robinson	Wilt
Curry	Laughlin	Roebuck	Wojnaroski
Dailey	Lawless	Rohrer	Wright, G.
Daley	Lederer	Rooney	Wright, M.
Dally	Leh	Ross	Yewcic
DeLuca	Lescovitz	Rubley	Youngblood
Dermody	Levdansky	Ruffing	Yudichak
DeWeese	Lewis	Sainato	Zimmerman
DiGirolamo	Lucyk	Samuelson	Zug
Diven	Lynch	Santoni	
Donatucci	Mackereth	Sather	
Eachus	Maher	Saylor	Ryan,
Egolf	Maitland	Scavello	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—1

LaGrotta

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

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

Ms. JOSEPHS offered the following amendment No. A3931:

Amend Sec. 5 (Sec. 1210), page 5, line 3 (A3787), by inserting after "elector,"
No photo identification shall be required if the elector dissents on the ground that presentation of photo identification conflicts with the elector's religious beliefs or practices.

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

The SPEAKER pro tempore. On that question, the Chair recognizes the lady, Ms. Josephs.

Ms. JOSEPHS. As I said, this amendment allows people who have religious objections to having a photograph taken or having photo ID to vote without presenting that photo ID, even if they do not have a voter registration card. It is not a voter identification card; it is a voter registration card. It is not meant for identification.

Thank you. I urge a "yes" vote.

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

The following roll call was recorded:

YEAS—192

Adolph	Evans, J.	Manderino	Schuler
Allen	Fairchild	Mann	Scrimenti
Argall	Feese	Markosek	Semmel
Armstrong	Fichter	Marsico	Shaner
Baker, J.	Fleagle	Mayermik	Smith, B.
Baker, M.	Flick	McCall	Smith, S. H.
Bard	Forcier	McGeehan	Solobay
Barrar	Frankel	McGill	Solobay
Bastian	Freeman	McNaughton	Staback
Bebko-Jones	Gabig	Melio	Stairs
Belardi	Gannon	Metcalfe	Steelman
Belfanti	Geist	Michlovic	Steil
Birmelin	George	Micozzie	Stern
Bishop	Godshall	Miller, R.	Stetler
Blaum	Gordner	Miller, S.	Stevenson, R.
Boyes	Grucela	Mundy	Stevenson, T.
Brooks	Gruitza	Myers	Strittmatter
Browne	Habay	Nailor	Sturla
Bunt	Haluska	Nickol	Surra
Butkovitz	Hanna	O'Brien	Tangretti
Buxton	Harhai	Oliver	Taylor, E. Z.
Caltagirone	Harhart	Pallone	Taylor, J.
Cappelli	Harper	Perzel	Thomas
Casorio	Hasay	Petrarca	Tigue
Cawley	Hennessey	Petrone	Travaglio
Civera	Herman	Phillips	Trello
Clymer	Hershey	Pickett	Trich
Cohen, L. I.	Hess	Pippy	Tulli
Cohen, M.	Horsey	Pistella	Turzai
			Vance

Colafella	James	Preston	Veon
Coleman	Josephs	Raymond	Vitali
Cornell	Kaiser	Readshaw	Walko
Corrigan	Keller	Reinard	Wansacz
Costa	Kenney	Rieger	Washington
Coy	Kirkland	Roberts	Waters
Creighton	Krebs	Robinson	Watson
Cruz	Laughlin	Roebuck	Williams, J.
Curry	Lawless	Rohrer	Wojnaroski
Dailey	Lederer	Rooney	Wright, G.
Daley	Leh	Ross	Wright, M.
Dally	Lescovitz	Rubley	Yewcic
DeLuca	Levdansky	Ruffing	Youngblood
Dermody	Lewis	Sainato	Yudichak
DeWeese	Lucyk	Samuelson	Zimmerman
DiGirolamo	Lynch	Santoni	Zug
Diven	Mackereth	Sather	
Donatucci	Maher	Saylor	
Eachus	Maitland	Scavello	Ryan,
Evans, D.	Major		Speaker

NAYS—9

Benninghoff	Hutchinson	McIlhattan	Schroder
Clark	Jadlowiec	McIlhinney	Wilt
Egolf			

NOT VOTING—0

EXCUSED—1

LaGrotta

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

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

MOTION TO SUSPEND RULES

The SPEAKER pro tempore. The Chair again recognizes the lady from Philadelphia, Ms. Josephs, for the purpose of a motion.

Ms. JOSEPHS. Madam Speaker, I would like to suspend the rules for the purposes of amendment 3939. This amendment makes sure what the maker of the original amendment, the gentleman from Butler, was not sure about, that if something happens in the polling place with a 17-year-old machine inspector, that somebody – the parents – will be liable for that action. Now, I do not like sticking parents with this either, but who else is it going to be, the judge of elections? Is it going to be us? Are we going to guess on this or are we going to put it in law?

I ask for a—

The SPEAKER pro tempore. The lady has given a brief description of the amendment. This is on the motion.

Ms. JOSEPHS. I ask for a "yes" vote.

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

The SPEAKER pro tempore. On the motion to suspend, the Chair recognizes the gentleman from Philadelphia, Mr. Perzel.

Mr. PERZEL. Madam Speaker, the bill was posted when it was in a timely fashion. We expect all the members, truthfully, to have

their amendments done in a timely fashion. This was not filed on time. I am asking the members to oppose the motion to suspend the rules based on the fact that the amendment should have been filed timely, Madam Speaker.

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

The following roll call was recorded:

YEAS—95

Bebko-Jones	Evans, D.	McCall	Solobay
Belardi	Frankel	McGeehan	Staback
Belfanti	Freeman	Melio	Steelman
Bishop	George	Michlovic	Stetler
Blaum	Grucela	Mundy	Sturla
Butkovitz	Gruitza	Myers	Surra
Buxton	Haluska	Oliver	Tangretti
Caltagirone	Hanna	Pallone	Thomas
Casorio	Harhai	Petrarca	Tigue
Cawley	Horsey	Petrone	Travaglio
Cohen, M.	James	Pistella	Trello
Colafella	Josephs	Preston	Trich
Corrigan	Kaiser	Readshaw	Veon
Costa	Keller	Rieger	Vitali
Coy	Kirkland	Roberts	Walko
Cruz	Laughlin	Robinson	Wansacz
Curry	Lederer	Roebuck	Washington
Daley	Lescovitz	Rooney	Waters
DeLuca	Levdansky	Ruffing	Williams, J.
Dermody	Lucyk	Sainato	Wojnaroski
DeWeese	Manderino	Samuelson	Wright, G.
Diven	Mann	Santoni	Youngblood
Donatucci	Markosek	Scrimenti	Yudichak
Eachus	Mayernik	Shaner	

NAYS—106

Adolph	Evans, J.	Lynch	Saylor
Allen	Fairchild	Mackereth	Scavello
Argall	Feese	Maher	Schroder
Armstrong	Fichter	Maitland	Schuler
Baker, J.	Fleagle	Major	Semmel
Baker, M.	Flick	Marsico	Smith, B.
Bard	Forcier	McGill	Smith, S. H.
Barrar	Gabig	McIlhattan	Stairs
Bastian	Gannon	McIlhinney	Steil
Benninghoff	Geist	McNaughton	Stern
Birmelin	Godshall	Metcalfe	Stevenson, R.
Boyes	Gordner	Micozzie	Stevenson, T.
Brooks	Habay	Miller, R.	Strittmatter
Browne	Harhart	Miller, S.	Taylor, E. Z.
Bunt	Harper	Nailor	Taylor, J.
Cappelli	Hasay	Nickol	Tulli
Civera	Hennessey	O'Brien	Turzai
Clark	Herman	Perzel	Vance
Clymer	Hershey	Phillips	Watson
Cohen, L. I.	Hess	Pickett	Wilt
Coleman	Hutchinson	Pippy	Wright, M.
Cornell	Jadlowiec	Raymond	Yewcic
Creighton	Kenney	Reinard	Zimmerman
Dailey	Krebs	Rohrer	Zug
Dally	Lawless	Ross	
DiGirolamo	Leh	Rubley	Ryan,
Egolf	Lewis	Sather	Speaker

NOT VOTING—0

EXCUSED—1

LaGrotta

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

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

MOTION TO SUSPEND RULES

The SPEAKER pro tempore. The Chair again recognizes the lady, Ms. Josephs, for the purpose of a motion.

Ms. JOSEPHS. I move to suspend the rules for the purposes of considering amendment 3958, which will eliminate allowing—

The SPEAKER pro tempore. Would the lady suspend just one moment, please.

That amendment conflicts with amendment 4053 and is therefore out of order.

Ms. JOSEPHS. Excuse me. Personal privilege. If you would tell me briefly a little bit more explanation of what it conflicts with.

The SPEAKER pro tempore. Would the lady please come to the rostrum.

(Conference held at Speaker's podium.)

The SPEAKER pro tempore. The lady, Ms. Josephs, may continue. She has moved to suspend the rules in order to offer amendment number— Would you please tell us that amendment number again? 3958.

Ms. JOSEPHS. This amendment, since we have no conclusion whatsoever about the liability of a 17-year-old, the responsibility of the 17-year-old as a machine inspector, and because I have an amendment following which allows 17-year-olds to be watchers, I am asking to suspend the rules to eliminate from the Metcalfe amendment the opportunity for 17-year-olds to be machine inspectors.

I would like a "yes" on the motion to suspend.

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

The SPEAKER pro tempore. On the motion to suspend, the Chair recognizes the gentleman from Philadelphia, Mr. Perzel.

Mr. PERZEL. Thank you, Madam Speaker.

I would respectfully ask the members not to suspend the rules on this amendment. Thank you.

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

The following roll call was recorded:

YEAS—97

Bebko-Jones	Frankel	McCall	Solobay
Belardi	Freeman	McGeehan	Staback
Belfanti	George	Melio	Steelman
Bishop	Grucela	Michlovic	Stetler
Blaum	Gruitza	Mundy	Sturla

Butkovitz	Haluska	Myers	Surra
Buxton	Hanna	Oliver	Tangretti
Caltagirone	Harhai	Pallone	Thomas
Casorio	Horsey	Petrarca	Tigue
Cawley	James	Petrone	Travaglio
Cohen, M.	Josephs	Pistella	Trello
Colafella	Kaiser	Preston	Trich
Corrigan	Keller	Readshaw	Veon
Costa	Kirkland	Rieger	Vitali
Coy	Laughlin	Roberts	Walko
Cruz	Lawless	Robinson	Wansacz
Curry	Lederer	Roebuck	Washington
Daley	Lescovitz	Rooney	Waters
DeLuca	Levdansky	Ruffing	Williams, J.
Dermody	Lucyk	Sainato	Wojnaroski
DeWeese	Manderino	Samuelson	Wright, G.
Diven	Mann	Santoni	Yewcic
Donatucci	Markosek	Scrimenti	Youngblood
Eachus	Mayernik	Shaner	Yudichak
Evans, D.			

NAYS—104

Adolph	Evans, J.	Mackereth	Saylor
Allen	Fairchild	Maher	Scavello
Argall	Feese	Maitland	Schroder
Armstrong	Fichter	Major	Schuler
Baker, J.	Fleagle	Marsico	Semmel
Baker, M.	Flick	McGill	Smith, B.
Bard	Forcier	McIlhattan	Smith, S. H.
Barrar	Gabig	McIlhinney	Stairs
Bastian	Gannon	McNaughton	Steil
Benninghoff	Geist	Metcalfe	Stern
Birmelin	Godshall	Micozzie	Stevenson, R.
Boyes	Gordner	Miller, R.	Stevenson, T.
Brooks	Habay	Miller, S.	Strittmatter
Browne	Harhart	Nailor	Taylor, E. Z.
Bunt	Harper	Nickol	Taylor, J.
Cappelli	Hasay	O'Brien	Tulli
Civera	Hennessey	Perzel	Turzai
Clark	Herman	Phillips	Vance
Clymer	Hershey	Pickett	Watson
Cohen, L. I.	Hess	Pippy	Wilt
Coleman	Hutchinson	Raymond	Wright, M.
Cornell	Jadlowiec	Reinard	Zimmerman
Creighton	Kenney	Rohrer	Zug
Dailey	Krebs	Ross	
Dally	Leh	Rubley	Ryan,
DiGirolamo	Lewis	Sather	Speaker
Egolf	Lynch		

NOT VOTING—0

EXCUSED—1

LaGrotta

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

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

MOTION TO SUSPEND RULES

The SPEAKER pro tempore. The Chair recognizes the lady, Ms. Josephs, for the purpose of a motion.

Ms. JOSEPHS. Thank you, Madam Speaker.

I move to suspend the rules for amendment 3959, which would eliminate the requirement that people produce a photo identification card in order to vote – an undemocratic, unconstitutional, and unwise provision.

I would like a “yes” vote on suspension of the rules, please.

The SPEAKER pro tempore. Could you please repeat that amendment number? Could it be 3931?

Ms. JOSEPHS. I am sorry. 3959; 3959.

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

The SPEAKER pro tempore. On suspension of the rules, the Chair recognizes the gentleman, Mr. Perzel.

Mr. PERZEL. Thank you, Madam Speaker.

Madam Speaker, in Third World countries like Mexico, they require you to have a thumbprint, a picture ID, and a signature in order to be able to vote.

For those above reasons, I would ask the members to please not suspend the rules so that she can offer the amendment.

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

The following roll call was recorded:

YEAS—95

Bebko-Jones	Evans, D.	McCall	Solobay
Belardi	Frankel	McGeehan	Staback
Belfanti	Freeman	Melio	Steelman
Bishop	George	Michlovic	Stetler
Blaum	Grucela	Mundy	Sturla
Butkovitz	Gruitza	Myers	Surra
Buxton	Haluska	Oliver	Tangretti
Caltagirone	Hanna	Pallone	Thomas
Casorio	Harhai	Petrarca	Tigue
Cawley	Horsey	Petrone	Travaglio
Cohen, M.	James	Pistella	Trello
Colafella	Josephs	Preston	Trich
Corrigan	Kaiser	Readshaw	Veon
Costa	Keller	Rieger	Vitali
Coy	Kirkland	Roberts	Walko
Cruz	Laughlin	Robinson	Wansacz
Curry	Lederer	Roebuck	Washington
Daley	Lescovitz	Rooney	Waters
DeLuca	Levdansky	Ruffing	Wojnaroski
Dermody	Lucyk	Sainato	Wright, G.
DeWeese	Manderino	Samuelson	Yewcic
Diven	Mann	Santoni	Youngblood
Donatucci	Markosek	Scrimenti	Yudichak
Eachus	Mayernik	Shaner	

NAYS—105

Adolph	Evans, J.	Lynch	Saylor
Allen	Fairchild	Mackereth	Scavello
Argall	Feese	Maher	Schroder
Armstrong	Fichter	Maitland	Schuler
Baker, J.	Fleagle	Major	Semmel
Baker, M.	Flick	Marsico	Smith, B.
Bard	Forcier	McGill	Smith, S. H.
Barrar	Gabig	McIlhattan	Stairs
Bastian	Gannon	McIlhinney	Steil

Benninghoff	Geist	McNaughton	Stern
Birmelin	Godshall	Metcalfe	Stevenson, R.
Boyes	Gordner	Micozzie	Stevenson, T.
Brooks	Habay	Miller, R.	Strittmatter
Browne	Harhart	Miller, S.	Taylor, E. Z.
Bunt	Harper	Nailor	Taylor, J.
Cappelli	Hasay	Nickol	Tulli
Civera	Hennessey	O'Brien	Turzai
Clark	Herman	Perzel	Vance
Clymer	Hershey	Phillips	Watson
Cohen, L. I.	Hess	Pickett	Wilt
Coleman	Hutchinson	Pippy	Wright, M.
Cornell	Jadlowiec	Raymond	Zimmerman
Creighton	Kenney	Reinard	Zug
Dailey	Krebs	Rohrer	
Dally	Lawless	Ross	
DiGirolamo	Leh	Rubley	Ryan,
Egolf	Lewis	Sather	Speaker

NOT VOTING—1

Williams, J.

EXCUSED—1

LaGrotta

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

On the question recurring,

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

The SPEAKER pro tempore. Does the gentleman, Mr. Levdansky, wish to be recognized for a suspension of the rules?

Mr. LEVDANSKY. Madam Speaker, not as yet. I understand Representative Josephs may have one more.

The SPEAKER pro tempore. Does the lady, Ms. Josephs, wish to make— Do you have another amendment?

Ms. JOSEPHS. I am sorry for the confusion. I am going to withdraw this.

Thank you, Madam Speaker.

The SPEAKER pro tempore. The Chair thanks the lady.

The Chair recognizes the gentleman, Mr. Levdansky.

Mr. LEVDANSKY. Thank you, Madam Speaker.

Madam Speaker, a lot of times I know the inclination when there is a problem, it seems often with legislators the first inclination is to draft a piece of legislation. It is almost as though when we see a problem, you know, and I would say, if there is a problem with voter registration and with voter fraud, we have existing laws to address those problems and those concerns.

I would suggest that this particular amendment that we have adopted here today simply puts in place an obstacle—

The SPEAKER pro tempore. Would the gentleman— Sir, just suspend just a moment.

Are you going to offer a motion, or are you speaking on final passage?

Mr. LEVDANSKY. I guess right now I am speaking on final passage, Madam Speaker.

The SPEAKER pro tempore. We are not quite there yet.

Mr. LEVDANSKY. Okay.

On the question recurring,

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

Bill as amended was agreed to.

The SPEAKER pro tempore. 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 bill analysis was read.)

The SPEAKER pro tempore. On final passage, the Chair recognizes the gentleman, Mr. Levdansky.

Mr. LEVDANSKY. Thank you, Madam Speaker.

Madam Speaker, when this bill left the Senate, it was a freestanding bill. With the amendment that has been adopted today, it is now an Election Code bill. I happen to have some interest in Election Code bills. This particular amendment, I would argue, is a solution in search of a problem. If we have problems with voter fraud in this State, we have existing laws. We have Attorneys General and district attorneys that are empowered to enforce the existing Election Code violations.

I suspect, Madam Speaker, that really what this amendment is about is to do nothing more than put in place another barrier, another obstacle, to getting people to vote in this Commonwealth. Now you are going to have to have an identification card, some form of photo ID, in order to vote in Pennsylvania.

I kind of suspect that if this would become law immediately or pass the House and pass the Senate, this would take effect for this year's election. The cynic in me tells me maybe some people want to see depressed voter turnout in this November. Maybe some people benefit by low turnout. But this is just one form of a way of depressing voter turnout. And I do not just talk to people that vote on election day; I talk to a lot of people that do not vote. And why do people not vote in this Commonwealth? Overwhelmingly, when I talk to people, I find out that the reason why they do not is they do not believe that their vote means anything, and their vote does not mean anything, they say, when they see the scandalous amount of money that is spent in campaigns, that is contributed to candidates; they see that enormous avalanche of cash and the negative TV ads and the media ads that it buys, and it depresses voter turnout.

Madam Speaker, the real problem in the Election Code field is not voter fraud, which can be solved by enforcement of existing laws; the real problem in the Election Code is that we are one of only four States— We are less than a Third World country when it comes to amending our Election Code to get some control of the problem. The problem is the scandalous amount of contributions, the unlimited amount of money that is pumped into candidates' coffers when they run for office, and we know when that happens—

The SPEAKER pro tempore. Would the gentleman please talk about the bill on final passage, the bill that is before us.

MOTION TO SUSPEND RULES

Mr. LEVDANSKY. So, Madam Speaker, in order to deal with the real problem as to why people do not turn out to vote and the real problems associated with the scandalous amount of money

that is infused into campaigns and generates negativity and depressed turnout, Madam Speaker, I would move to suspend the rules to consider amendment A3937 to put in place campaign contribution limits similar to what exists in 46 other States and what has been adopted by Congress as well.

MOTION RULED OUT OF ORDER

The SPEAKER pro tempore. The gentleman's motion is out of order at this time, because this is on final passage, but— The Chair would have to rescind its statement that the bill has been considered for the third time. I did ask you prior to this, did you want to speak on final passage, and you did say yes.

DECISION OF CHAIR RESCINDED

The SPEAKER pro tempore. But we will rescind that the bill has been considered for the third time, without objection.

On the question recurring,

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

MOTION TO SUSPEND RULES

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Levdansky, for the purpose of a motion.

Mr. LEVDANSKY. Thank you, Madam Speaker.

Madam Speaker, so that we could deal with the real root problem of depressed voter turnout, I would move to suspend the rules to consider amendment A3937 that would put in place limits on campaign contributions here in Pennsylvania.

The SPEAKER pro tempore. The gentleman, Mr. Levdansky, moves that the rules of the House be suspended in order to offer amendment 3937.

On the question,

Will the House agree to the motion?

The SPEAKER pro tempore. On that question, the Chair recognizes the gentleman, Mr. Perzel.

Mr. PERZEL. Thank you, Madam Speaker.

Madam Speaker, I truthfully do not know what happened in the Representative's legislative district with turnout in this past primary, but in our area of southeastern Pennsylvania, turnout was about 15 or 20 percent higher than it normally is. It was one of the highest turnouts we ever had, and nothing that we have done here today will stop any turnout from occurring. We are asking people to bring their driver's license down to the polls with them, so I do not see how we are affecting turnout by asking them to bring the license in with them when they come down.

But I do want to address, you know, Madam Speaker, no matter what system, no matter what system of campaign finance reform we use, whether we use the old Federal system or we use the new Federal system, nothing is going to stop people who want to contribute to political campaigns from doing exactly that, Madam Speaker. Whether you set up a 501(c)(3) or a 501(2)(7) or you set up a nonprofit organization, no matter what we talk about, people will be able to contribute to campaigns. It has not stopped people from voting. Turnout is higher today or in the last primary than it has been in the last 5, 6, 7 years, so people are voting.

I would respectfully ask the members, please, not to vote to

suspend the rules. We will look at this some other day, and maybe I will have an answer for it, but going to some system that somebody else has tried and failed, I think, is a foolish thing, Madam Speaker.

The SPEAKER pro tempore. Does the gentleman, Mr. DeWeese, wish to be recognized on the motion to suspend?

Mr. DeWEESE. Thank you, Madam Speaker.

For a long, long time, the gentleman from Bucks County, chairman of the State Government Committee, my honorable colleague from the 145th District, has been trying to maneuver campaign finance into a position that it would come to the floor and we could vote; we could amend, emend, alter, massage, debate; we could work on campaign finance reform.

In March, in April and May, from this same podium, several of us, including the gentleman from Allegheny County who has made the motion, have politely entreated with the committee chairman to push his leadership team so that we could be among the leaders in our nation on campaign finance reform. There is no doubt that the lack of structure and modesty when it comes to spending is a pernicious element within the body politic. It goes beyond pernicious; it is sinister. The gentleman from Philadelphia who was nominated by our party to advance the standard, Mr. Rendell, will end up spending over \$30 million in his gubernatorial quest, and Mr. Fisher will spend at least half of that.

And the gentleman from Allegheny County who just made this motion to suspend the rules to consider something is not considering something in its nascent stage. This is not something inchoate. This is something that we have been dealing with for a long, long time. The work that he has worked on with Mr. Vitali and Mr. Kukovich in the Senate has been percolating; it is refined. Now is a wonderful opportunity for us to, in a bipartisan way, advance this issue.

The gentleman who is the chairman of this committee is guilty of deafening silence on the issue of campaign finance reform. Are we going to be here again in September and October? We are never going to do it if the sloth of that chairman and his committee perpetuates. No wonder, no wonder the honorable gentleman from Allegheny County tries, when he gets a chance, to maneuver a suspension of the rules.

Campaign finance reform, Madam Speaker, is a dominant issue in the American body politic. An unknown man named McGreevey, a mayor of a little hamlet, a few years ago took on Christine Todd Whitman, and the polls had her at 80 and him at 20, and all of a sudden in the Garden State, just across the river, the campaign finance laws took over, and in the media, each of them was given \$3.5 million each for TV, and guess what? Christine Todd Whitman, the incumbent, prevailed by 1 percentage point.

Campaign finance reform is an idea whose time has come. The Honorable John McCain of the Federal Senate and a Republican fugleman from the western hills has been advocating this for a long, long time, and notwithstanding the fact that most of my Republican colleagues here are bereft of McCain's idealism when it comes to this crucial issue and notwithstanding the fact that we are going to end up spending \$40 or \$50 million in a gubernatorial campaign collectively when Dick Thornburgh spent under \$3 million to become Governor early in my tenure here, notwithstanding that, the gentleman from Clarion County and the gentlemen from McKean and Snyder and Union, you just go along with your Philadelphia political bosses and you allow, and you allow this campaign finance reform debate to be sequestered in the

gentleman from the 145th District’s campaign committee, or his standing committee, I might add. The State Government Committee of the House of Representatives is moribund and defunct, and this issue is a characterization of the collective sloth of that endeavor.

I would ask that the rules be suspended so we can get down to business and work on some campaign finance reform.

Thank you, Madam Speaker.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Philadelphia, on the motion to suspend, Mr. Perzel.

Mr. PERZEL. Thank you, Madam Speaker.

Madam Speaker, the minority leader brought up the McCain-Feingold compromise. Right now, Madam Speaker, in Washington, DC, the political action committees will control what goes on. The political parties, the Democrats and the Republicans, have now been shut out of Federal elections. That is effectively what they have done after the year 2002 November 5 campaign, and I do not believe that that is what any one of us wants to see.

I know that my friends on the other side of the aisle believe in the Democrat Party. I believe in the Republican Party. And I believe that when we have candidates, those parties should have the opportunity of being able to fund candidates for public office, but under Feingold-McCain, that will no longer be the case. Political action committees. You can be the candidate of the chamber of commerce now, but you cannot be the Republican candidate. You can be the candidate of the postal workers society, if you would like to be, but not of the Democrat Party. Or you could be vice versa; you could be a Democrat that is a candidate by the chamber, but the political parties cannot be involved. That is not what I think you or I or the public wants to see.

Now, the fact of the matter is, in political campaigns there are two truisms. Your party would like to limit us to small contributions. Nothing wrong with that; I know that is what you would like to see. We would like to see you not allowed to get one dollar in soft money, because both of those scenarios either hurt or help one side or the other. Nobody has ever offered a scenario where both sides would be at the same advantage or disadvantage. Your side has tried to hurt us; our side has tried to hurt you.

That is where we have been in this process. That is what we have meant by campaign finance reform. I do not particularly like what happened in the primary, but I know that people of Pennsylvania and all over the country decided that they wanted to put money into political candidates. Nothing we are going to do here will stop that. We can hide it; we can disguise it; we can pretend it did not happen, but it will happen, and the money will be there no matter what anybody says.

So you are only creating a charade if we continue this, Madam Speaker. We allowed Representative Vitali to offer a campaign finance reform measure a couple weeks ago; it failed. I would respectfully ask the members of both sides of the aisle not to suspend the rules and allow this amendment to come up before the members. It failed 87 to 109. Not every Republican and not every Democrat voted “yes” or “no.” I do not think anybody here wants to kill the Democrat or the Republican Party.

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

The following roll call was recorded:

YEAS—96

Bebko-Jones	Evans, D.	McCall	Solobay
Belardi	Frankel	McGeehan	Staback
Belfanti	Freeman	Melio	Steelman
Bishop	George	Michlovic	Stetler
Blaum	Grucela	Mundy	Sturla
Butkovitz	Gruitza	Myers	Surra
Buxton	Haluska	Oliver	Tangretti
Caltagirone	Hanna	Pallone	Thomas
Casorio	Harhai	Petrarca	Tigue
Cawley	James	Petrone	Travaglio
Cohen, M.	Josephs	Pistella	Trello
Colafella	Kaiser	Preston	Trich
Corrigan	Keller	Readshaw	Veon
Costa	Kirkland	Rieger	Vitali
Coy	Laughlin	Roberts	Walko
Cruz	Lawless	Robinson	Wansacz
Curry	Lederer	Roebuck	Washington
Daley	Lescovitz	Rooney	Waters
DeLuca	Levdansky	Ruffing	Williams, J.
Dermody	Lucyk	Sainato	Wojnaroski
DeWeese	Manderino	Samuelson	Wright, G.
Diven	Mann	Santoni	Yewwic
Donatucci	Markosek	Scrimenti	Youngblood
Eachus	Mayernik	Shaner	Yudichak

NAYS—104

Adolph	Evans, J.	Mackereth	Saylor
Allen	Fairchild	Maher	Scavello
Argall	Feese	Maitland	Schroder
Armstrong	Fichter	Major	Schuler
Baker, J.	Fleagle	Marsico	Semmel
Baker, M.	Flick	McGill	Smith, B.
Bard	Forcier	McIlhattan	Smith, S. H.
Barrar	Gabig	McIlhinney	Stairs
Bastian	Gannon	McNaughton	Steil
Benninghoff	Geist	Metcalfe	Stern
Birmelin	Godshall	Micozzie	Stevenson, R.
Boyes	Gordner	Miller, R.	Stevenson, T.
Brooks	Habay	Miller, S.	Strittmatter
Browne	Harhart	Nailor	Taylor, E. Z.
Bunt	Harper	Nickol	Taylor, J.
Cappelli	Hasay	O’Brien	Tulli
Civera	Hennessey	Perzel	Turzai
Clark	Herman	Phillips	Vance
Clymer	Hershey	Pickett	Watson
Cohen, L. I.	Hess	Pippy	Wilt
Coleman	Hutchinson	Raymond	Wright, M.
Cornell	Jadlowiec	Reinard	Zimmerman
Creighton	Kenney	Rohrer	Zug
Dailey	Krebs	Ross	
Dally	Leh	Rubley	Ryan, Speaker
DiGiroloamo	Lewis	Sather	
Egolf	Lynch		

NOT VOTING—1

Horsey

EXCUSED—1

LaGrotta

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

On the question recurring,

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

Bill as amended was agreed to.

The SPEAKER pro tempore. 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 bill analysis was read.)

The SPEAKER pro tempore. On final passage, the Chair recognizes the gentleman from Philadelphia, Mr. Cohen.

Mr. COHEN. Thank you, Madam Speaker.

Madam Speaker, since we passed the amendment offered by Representative Metcalfe, we have had two minor amendments – one clarifying ambiguous language and the other giving an exemption for presenting photo ID for those who have religious objections. These two amendments do not make this a bill worth voting for. This is still a very, very bad bill.

Now, 101 people voted for the Metcalfe amendment. In order to pass this bill, it takes 102 votes. If everybody would vote the same way, this bill would lose.

I urge everybody to vote the same way and kill this bill.

The SPEAKER pro tempore. The Chair thanks the gentleman.

Could we please have quiet in the hall of the House. There are quite a few people wishing to speak, and it is just going to take a long time.

The Chair recognizes the gentleman from Beaver County, Mr. Colafella.

Mr. COLAFELLA. Thank you, Madam Speaker.

Madam Speaker, if this bill becomes law, I want all of you members to think about one thing. Think about all the senior citizens who are going to go to vote on election day who do not have a photo license or photo ID. Think about it. They are going to be turned away, and they are going to go home, and they are going to blame you. Think about the thousands and thousands of senior citizens who do not have a photo identification card. Think about that.

This is a very, very serious thing you are doing. Think about drivers, for example, who lost their driver's licenses, who do not have a photo ID. The average person, quite frankly, no matter how much publicity we give this bill, is not going to know that when they go to vote on election day, they have to have a photo identification card. I am telling you, you are going to have many, many senior citizens in your district who are going to be turned away and they are going to blame it on you.

This is very, very important, and I hope that you vote against this bill for that reason.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Philadelphia, Mr. Thomas, on final passage.

Mr. THOMAS. Thank you, Madam Speaker.

Madam Speaker, I rise in opposition to SB 824, and, Madam Speaker, I find two things to be fundamentally wrong with this bill.

Number one, we require people coming to vote to have photo identification, but there does not appear to be any photo identification requirement for the election board workers, and so, Madam Speaker, in the absence of who is going to check the identification of the election board workers, in most cases they will not have ID, but yet they will be empowered to require

identification of those coming to vote. We are going to create an adversarial situation that is going to have people looking at one another in a very troubling way.

Secondly, Madam Speaker, the intent, the intent of the Election Code and of our voting laws is to educate and encourage participation. Madam Speaker, when you fill out a voter registration card, you are required to sign and print your signature on that card. You also are notified from the card that any violation of the Election Code can subject you to prosecution. Madam Speaker, when you go into the polling place, the clerk, along with the other election board workers, is required to match your signature with the signature that is on file. So, Madam Speaker, there are more than enough provisions in current law to deal with this whole issue of fraud.

And, Madam Speaker, last but not least, as elected officials, we are restrained or we should be restrained from engaging in conduct that limits the access or limits the participation of people to vote. There are many people throughout the Commonwealth of Pennsylvania who do not have photo identification – seniors, poor people, people with language barriers. Madam Speaker, and it is not just limited to one section of the Commonwealth; it is limited throughout the Commonwealth. This photo ID requirement, this issue around 17-year-olds, is almost analogous, it is almost analogous to the poll tax and to the literacy test that used to be given as a condition to participating in voting.

Madam Speaker, we cannot and should not go down this road. We should not, cannot, and, Madam Speaker, under no circumstances create any more barriers to the electoral process. Right now it is estimated that 60 percent of the polling places in some counties, 60 percent of the polling places, are inaccessible to the handicapped, inaccessible to people with special disabilities. We have enough barriers that we need to break down. We do not need to be aggravating or adding another barrier to one's access to the electoral process.

I urge my colleagues from both sides of the aisle to reject SB 824 in toto; to not add another barrier to one's ability to participate in the voting process, in the electoral process.

Thank you, Madam Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the lady from Philadelphia, Ms. Josephs.

Ms. JOSEPHS. Thank you, Madam Speaker.

Let us just assume that while we know that there are about 7.5 million voter registration cards out there because we have somewhere between 7.5 million registered voters in this State, now let us assume that most of those people cannot locate their card but they have a photo ID of some kind. Let us just say 10 percent of people do not have a card and do not have a photo ID, and they are going to have to contact their county board of elections, as the sponsor of the Metcalfe amendment said. They can just call their county board of election. If 10 percent of the people in this State need to do that, that is 750,000 people contacting their board of elections or their county commissioners to replace their voter registration card.

I think that is an unfunded mandate on the counties, and I would like to see those members on the other side of the aisle who complain about unfunded mandates all the time vote "no" on this bill for that reason if for no reason other than that.

Let me also talk about people who cast absentee ballots. Nobody is requiring a photo ID of those people. They do not have to prove to anybody that their picture and their names match each other. And that is the ballot that is the hardest to control when we

talk about fraud, and if we institute this poll tax on the people and this unfunded mandate on the counties, we are going to create an incentive for people to vote absentee where there is not one now, and this amendment does not tell us how we are going to safeguard those absentee ballots when they transport from one place to another, and this is going to be enormous voter fraud and enormous corruption at the county level, just like what happened in Lebanon County when they counted the absentee ballots the day before election day.

As was said before, two minor amendments passed. One of them was mine. It does not make it good enough. This is a miserable piece of an excuse of legislation.

I very strenuously urge everybody who voted against the Metcalfe amendment to stick there, be consistent, and vote “no” on this.

Thank you, Madam Speaker.

The SPEAKER pro tempore. The Chair thanks the lady and recognizes the gentleman from Philadelphia, Mr. Roebuck.

Mr. ROEBUCK. Thank you, Madam Speaker.

Let me be very brief but very focused in the problems with this particular legislation, SB 824.

It is interesting that the bill requires a photo ID and puts that responsibility upon an election board to ask for the photo ID, but what happens, Madam Speaker, if the board does not do that? What happens? Is there a penalty in not doing that? Well, the language of this bill really does not tell you what happens. There is nothing in this bill that says that if a voting board chooses not to ask for a photo ID when an individual comes to vote, that somehow that has a consequence to it. So some boards might choose to do it; some boards might choose not to do it, and there is nothing in this legislation that addresses that flaw.

Beyond that, this bill as amended hearkens back to the kind of discriminatory policies that we have long abandoned in this country, the United States. This in effect imposes a financial burden on voting. It imposes a financial burden because it says you must get a photo ID, and how do you get a photo ID as a nondriver in Pennsylvania or as a driver? You pay for it. And understand that if you do not drive – and many constituents that I represent do not drive – you have to pay to get that ID. That in effect is a poll tax. That in effect is wrong; it is illegal; it is unconstitutional. And I would think that this State, which has been in the forefront of fighting for human rights, would not want to write into its Election Code a policy that discriminates against any segment of its population.

That is fundamentally wrong, Madam Speaker, and anyone who votes for this ought to understand that they are doing something that is fundamentally wrong, fundamentally immoral, and ought not to be advanced in this Commonwealth. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Luzerne County, Mr. Blaum.

Mr. BLAUM. Thank you, Madam Speaker.

Madam Speaker, I rise in opposition to SB 824 and the Metcalfe amendment. I urge the members to vote “no” for one simple reason, and that is because Mr. Metcalfe went too far. There is a tendency on the floor of this chamber when anyone or any one side goes too far, it blows up in your face.

Madam Speaker, requiring a photo ID to vote is not about fraud. I doubt there is anyone in this room who believes it is about fraud.

The gentleman, Mr. Colafella, is correct; many Pennsylvanians will be prohibited from voting if this becomes law. I do not think it

will become law. I think after today, the majority leader will be smart enough to understand that this bill should not go any further. If it makes its way to the other chamber, I think the members of the Senate will make sure that this does not go any further. If it ever passed both Houses, I think Governor Schweiker would hear and receive a call from Michael Fisher saying, stop that bill in its tracks; it will blow up in our face.

The people of Pennsylvania will not interpret this legislation as an attempt to combat fraud. The media will not interpret this legislation as an attempt to combat fraud. It is transparent; it is transparent in what it means.

So we all have an opportunity here. Here is a lousy piece of legislation. Everyone in this chamber has the opportunity to stand up and vote “no” so that this bill does not blow up in your faces.

Madam Speaker, I ask the members for a negative vote.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Bucks County, Mr. Clymer.

Mr. CLYMER. Thank you, Madam Speaker.

Madam Speaker, I must respond to the remarks made by the minority leader. I do not think he has all his facts correct, and I just would like to make a few comments to the members.

Several years ago – last session, I do believe – I received an invitation from Representative Vitali, Representative Levdansky, and Representative Kukovich at that time – he was also involved – in asking that we do campaign finance reform. I met with them, and I said, yes, we will spend a session trying to do campaign finance reform.

And, Madam Speaker, I had no agenda. Whatever the members on both sides of the aisle wanted to do to frame it would be perfectly all right with me.

Madam Speaker, we met for 2 years. We had—

The SPEAKER pro tempore. Would the gentleman cease a moment.

POINT OF ORDER

The SPEAKER pro tempore. For what purpose does the lady, Ms. Josephs, rise?

Ms. JOSEPHS. Point of order, Madam Speaker.

I am not sure this is to the point of the bill, although I am always happy to hear my minority chairman’s ideas – my majority chairman.

The SPEAKER pro tempore. If you insist, we will recognize the gentleman under personal privilege. The gentleman is recognized.

Mr. CLYMER. Thank you, Madam Speaker.

Madam Speaker, we met and we invited a large number of grassroots organizations to come in to participate with us in our workshops, and we had public hearings, and, Madam Speaker, at each of the workshops, we would have an agenda. We would go through a number of issues, and we would talk about them and try to reach a consensus on each of those issues. Again, whatever the members of both sides of the aisle would come up with would be perfectly all right.

We did that for 2 years. We looked at legislation dealing with statewide judicial races, the Governor and Lieutenant Governor, and campaign finance reform for the legislators themselves, so we tackled three major issues. As I said before, we spent a lot of time trying to reach a consensus.

After we had done our work and we were concluding, I tried to move several bills from committee, to the best of my recollection, and—

The SPEAKER pro tempore. Would the gentleman, Mr. Clymer, cease, please. We have many members telling us they cannot hear. We have members in the aisles. Would they please take their seats, and staff that is not involved in this piece of legislation, please leave the hall of the House. We still have quite a few speakers, and it is going to be very prolonged if we do not have some quiet.

Would the members please take their seats that are in the aisles.

Would the Sergeants at Arms please clear the aisles.

The gentleman, Mr. Clymer, may proceed.

Mr. CLYMER. Thank you, Madam Speaker.

Madam Speaker, whether it was on the limitation on contributions or receiving money from the public through income tax returns, there was always diversity, there was always disagreement, about how the issue should be framed, and the members here who are seated in this hall can attest to it. But nevertheless, we pushed on. We tried our dead-level best to come up with a consensus to try to move a bill forward. And after the work was completed, there was no consensus; there was no, really, affirmative movement to move the legislation forward. We tried. The majority leader did tell about a bill that was moved just recently, but more importantly, at the time that we were doing this legislation, we were unable to get that consensus. To the best of my recollection, we did try to move several bills out of committee, but we failed; we did not have the votes to do that.

And I want to point out that everyone was very conscientious, everyone was trying to exert what they felt would be in the best interest of campaign finance reform for Pennsylvania, and specifically, as we dealt with those three bills that I mentioned, and we were just not able to get the job done.

And I think the members need to know that, that we did make an honest effort to do it. We spent an enormous amount of time. I had no agenda. Whatever the members would do finally would be perfectly all right with me.

So I needed to share those remarks to those in the hall of the House.

Thank you, Madam Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Northampton, Mr. Freeman.

Mr. FREEMAN. Thank you, Madam Speaker.

Madam Speaker, I rise to oppose SB 824 and to urge the members to vote “no” on final passage.

I would remind the members that the photo identification portion of this bill is a “shall” provision. That means that if for one reason or another a legitimately registered voter cannot produce one of the limited forms of identification on election day, they will not be permitted to cast their ballot. That means that despite the fact that that person is a legitimately registered voter, they will not be allowed to cast their ballot. They may have voted in that precinct religiously in every election for the last 60 years of their life, but because they are unable to produce one of those limited forms of identification, they will be turned away from the polling place.

Every poll worker inside that precinct may know that individual, may be able to vouch for the fact that that person is who they claim to be – whether they be majority inspector, minority inspector, judge of elections, Democrat or Republican – each and every one of those poll workers may be able to vouch for that person and to recognize the fact that they are who they are, but under this law, under this very backward provision, they will not be able to cast their ballot. That is simply wrong.

It serves to depress turnout. It serves to disenfranchise legitimately registered voters. That is wrong. That is un-American. That goes against the grain of democracy.

I urge the members of this chamber to vote this bad idea down.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Armstrong County, Mr. Coleman.

The gentleman from Armstrong County, Mr. Coleman, is recognized. The gentleman waives off.

The Chair recognizes the gentleman from Columbia County, Mr. Gordner.

Mr. GORDNER. Thank you, Madam Speaker.

A little earlier we had an opportunity to vote on the Metcalfe amendment, and I was one of those that voted “no” on it, because I believe that I have some concerns with it, and I am not sure how it would be affected back in Columbia County. The majority of the folks in this body approved that amendment, and the amendment is in the final version of the bill.

I believe back in Columbia County, probably what will happen is, the folks that work at the election polls will probably, despite the provisions of this, still recognize those folks that normally vote and, if they do not have an ID, will probably allow them to vote, so they will probably adapt to the provisions of this bill.

Why I am going to vote in favor of this bill is because of the concerns that I have heard from my election workers back in Columbia County. My election workers go in at 6:30 a.m., and they normally work until 9 p.m. – work 14 1/2-, 15-hour days – and right now there is a cap on what they can receive, whether they are a judge of election or otherwise worker, of \$100 or \$95. This bill doubles what is allowed to be paid to those workers. This bill increases the maximum compensation to \$200 for the judges of election and \$195 for the other workers.

I have heard time and time again from the workers in my district that the compensation needs to be substantially increased in order to continue to get good workers to work. It is becoming harder and harder and harder to fill those positions.

I know that the workers back in my polls are fully in support of those increases within this bill, the other provisions that Representative Stern has put in in order to allow the multiple use of workers during a time period, and because of those provisions and because of the increases and because of what I have heard from my workers at the election polls, I will be supporting final passage of this bill.

Thank you, Madam Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Clearfield County, Mr. George.

Mr. GEORGE. Thank you, Madam Speaker.

Madam Speaker, I do not intend to be very long, but if I may and I can receive some latitude, I would like to talk about a couple of things that had prevailed upon by those of us that uniquely feel that we want to do the very best for those we serve, and, Madam Speaker, you and I and everyone here are guilty of one important fact, and that is that— I do not speak very often, Madam, but if you keep them quiet, I might say something— Well, you have been speaking all night, Madam. I guess I ought to speak once.

The SPEAKER pro tempore. The gentleman, Mr. George, is recognized. You may proceed.

Mr. GEORGE. I thank you, Madam Speaker.

Madam Speaker, the previous speaker said that we ought to pay our election workers more money. He is absolutely right. That

means my wife will get a raise, because she is a judge of election. And I am aware that they go to the polls at 7 in the morning and sometimes they count to 11 or 12 at night; I am aware of that. I am also aware that I am happy to say that I voted every year since 1948, and I am going to continue to vote. I also want to remind you, Madam Speaker, nobody on the other side ever gave me one of those 50-year deals when you vote consecutively for 50 years, but maybe I can get my side to do that.

Now, for the gentleman from Columbia, I might remind him that as those election workers endure and as they see that more voters go over a certain limit, their wages go up, and I have waited there at the poll, you know, trying to elect you or me or somebody, and I have watched them wait for one or two more people to come in so they could get that extra \$22.

But what I am concerned about, Madam Speaker, is, you and I are down here and we want to do the right thing, and we see or we are apprised that something is wrong and something has to be corrected, and in order to correct it, we come out here with our heart and our mind and our soul, and we want to do the right thing, so we impose mandates, and those mandates are imposed on those culprits that want to violate the law, that handful that want to do wrong and know they are doing wrong, and in our attempt to be able to contain them, we place these mandates on the thousands of people that do not do any harm; we place these mandates on that old lady or that old man that wobble up the street and who take advantage of their God-given national right and their Constitution to vote.

I have seen times in my years when we change voting precincts, people quit voting. As we tried to consolidate in our county and save money by reducing the number of polls, we lost our electorate. Now, whether or not we are talking about the Governor's race or not, I am not going to talk about it or care about it right now, but what I am saying to you is, do not do anything that is going to make these older people walk into a poll and start to cry or be embarrassed because they do not have a driver's license and they have been voting at that precinct longer than me and that we are doing what is wrong.

And so Republicans and Democrats alike, that lady that is turned down could have been your vote just as well as mine, and so I say to you, this bill and all that can be done can be tabled, can be defeated, because there are some good things.

Let me mention another thing, Madam Speaker, that no one mentioned thus far, and that is the right for an individual that is impaired to be able to exercise his right to go to the polls and ask for help in order to vote. You look at the bill; that extinguishes that right also, so you do not want that fellow with bad eyesight to be able to see that ballot by an honest judge or a friend or a family member to help them. Listen – we pass absentee ballot laws; we do everything we can do to encourage people to get with the system, to recognize their God-given right. I heard the majority leader talking about a driver's license. He knows better than me, because he is smarter than me, he knows that driving in Pennsylvania is not a right; it is a privilege. Read the law.

And so I say to you all, do not do this to these older people. You know, if we have to wait, if we have to defeat it, let us come back, because the gentleman, Mr. Metcalfe, has some good things in it, but there are some things in it that are not good, and the most important is, you are going to stop these old people from voting, and they might be voting for you.

I urge that we vote “no” on this bill.

The SPEAKER pro tempore. The Chair thanks the gentleman

and recognizes the gentleman from Northumberland, Mr. Belfanti.

Mr. BELFANTI. Thank you, Madam Speaker.

I, too, will not belabor the issue. I believe that the media across the Commonwealth of Pennsylvania will belabor this issue between now and election day, because we all know that with the addition of the Metcalfe amendment, with the onerous driver's license or other form of photo ID that is added to this bill – which was a good bill, as the gentleman from Columbia stated, designed to help our 13-hour- or 14- or 15-hour-a-day election workers receive an increase – but the addition of the Metcalfe amendment is going to be obvious to the media of this State that it is designed to hold down the numbers, particularly of minorities, in the State's urban areas in this upcoming November election.

And as the gentleman, Mr. Blaum, mentioned, from Luzerne County, it is going to backfire. If this gets to the Governor's desk and is signed into law, it is going to hinder far more senior citizens than it will what the maker of the amendment and the pushers of this legislation intend. There are a lot of senior citizens that do not get the daily newspaper, do not get to listen to the radio, do not attend the senior action center, are not going to get mail from AARP (American Association of Retired Persons), and otherwise are not going to understand the new provisions of this bill.

You and I all have senior citizens who have given up their right to drive 5, 6, 7, 8 years ago. They have no reason to have a photo ID. They are going to show up at that poll in Columbia County or one of your counties, and they are going to be told they cannot vote.

Now, for my part, Madam Speaker, I do not know what the media is going to do with this, but in my opinion, AARP, all the senior action centers in the State, the Area Agencies on Aging, are going to do their best to educate the public between now and November. They ought to also post a roll-call vote on the door of every polling place so that every senior citizen that is turned away and is told they cannot vote can look at that roll call and see that one political party caused them to lose their right to vote in this November's election. That is what ought to happen, and I hope the media of this State will make sure it happens.

Please vote against this bill.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Blair County, Mr. Stern. The gentleman waives off.

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

Mr. COHEN. Thank you, Madam Speaker.

Madam Speaker, the gentleman from Columbia said that this legislation is not so bad because his election workers will ignore it. That is a violation of law. If his election workers ignore it, they will be deserving of a term in prison. This is not an optional thing that the election workers at their discretion may or may not require photo identification; this is a mandate. Any election worker in Columbia County who does not enforce this law is criminally liable.

Now, maybe the gentleman who is running for reelection is suggesting that we need Federal marshals in Columbia County in this coming election to see that the laws of Pennsylvania are enforced. I hope the gentleman is not suggesting that the workers in Columbia County cannot be counted on to obey the law.

But if what is going to happen on election day is that some election workers are going to be nice guys and say, “Well, I know

you,” and others are going to be severe and say, “I know you and it’s irrelevant,” in that case what is going to happen is we are going to have a very unequally enforced law, and some people will be voting with photo identification and some people will be voting without photo identification, and that is the kind of thing we had when we had literacy tests. Some people were asked to read detailed sections of Constitutions in order to pass the literacy test and other people were told that everybody knows them; they do not have to read anything to pass the literacy test; everybody knows they can read.

This is an arbitrary requirement. It is a requirement that is going to be applied, in many cases, unequally. We have already heard the first legislator say his constituents who are election workers are going to ignore the law. We cannot afford to pass laws that some people are going to ignore, that are going to be applied unequally, that are going to interfere with a fundamental right that every citizen has to vote.

This bill ought to be defeated. The fact that election workers will get a few extra dollars does not make this a good law. This is a law that takes fundamental rights away. This is a law that says that Pennsylvania in 2002 is like Mississippi or Alabama in 1952. This is a law that says that Mike Fisher knows he cannot win a fair vote; that he is trying to steal this election. This is a law of desperation. This is not a constitutional exercise. This is one of the most disgraceful bills ever attempted to be passed in the history of Pennsylvania.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the lady from Erie County, Ms. Bebko-Jones.

Ms. BEBKO-JONES. Thank you, Madam Speaker.

Madam Speaker, we have heard about our senior citizens. We have heard about our citizens who might have some disabilities. I want to talk about the women voters in this Commonwealth. I would like to ask every woman in this chamber, whether you are an elected woman or staff, do you take your purses with you when you go vote? I believe that the majority, the majority of women voters do not do that, and I think if we are honest as women and as women candidates, because we are always in elections, what do we do? We go to the polls. We might have our car keys and our glasses with us. If we are told we need to show our driver’s license because we are candidates, sure, we will go back to the car and we will get our driver’s license.

You look at the women in your district, whether you are a Republican or a Democrat. The women in my district vote during their lunchtimes. The women in my district vote in between taking their children to school or to sports events, or they vote before they go to work or at the end of work. We are discouraging the women voters from voting by asking them to show an ID, because women in Pennsylvania are not going to go back to their cars, get their photo ID when they have to be back at work or pick up their children.

I believe this is also an attack on the women voters in this Commonwealth, and I urge all of you to vote “no” on this most ridiculous bill, and I would like to make a motion to refer this turkey to the Game and Fish Committee.

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

Mr. TRELLO. Are we ignoring that motion, Madam Speaker?

The SPEAKER pro tempore. I did not consider that to be serious.

Mr. TRELLO. Okay.

The SPEAKER pro tempore. The gentleman, Mr. Trello, may

proceed.

Mr. TRELLO. Well, thank you, Madam Speaker.

I think everybody in this chamber knows I belong to the NFL now, which means, not for long, and I am not concerned about whether I get more votes than my opponent in November, because I am not on the ballot and I do not have an opponent. But I have been around for a long, long time. I can remember the first time I ran was when John F. Kennedy ran for President and I ran as a committeeman, and even with my opponent voting for me, I won by eight votes.

I also remember, I think I have the most ethnic district in the whole State of Pennsylvania, and I know a lot of people from all over Europe, all over this great world of ours that came to America because they knew they had the freedom of speech. They also knew that if they worked hard and played by the rules, they could be successful.

Now, with my experience working at the polls for over 40 years, there are a number of people that came to the polls to vote, and for some reason or other, their card was missing and they could not vote, and they had to go to town and see a judge and get a special order. Those people did not do that. They never came back, and that is what is going to happen with this legislation. If somebody comes down to vote – because they are not going to know what laws we pass; the average person is too busy working, taking care of their children, paying their bills, taking them to soccer games and so forth – they are not going to know all the laws that we pass here in Harrisburg. There are going to be a number of people this November that go to the polls that will not have any ID, and they are going to be told, you cannot vote unless you have an ID. Some of them will go through an awful lot of trouble to get to the polls to vote in the first place. If you have to send them back home to get ID, take it from me, they are not coming back.

I can appreciate the fact that we want to eliminate voter fraud, but there is a better way to do that, and as a matter of fact, we have laws already on the books to take care of that, but this particular piece of legislation, the amendment in SB 824, is going to prevent an awful lot of people from voting.

I do not care. I do not have to get more votes than my opponent because I have no opponent and I am not a candidate, but you do, and I think you should give this some very serious thought and vote “no” on this bill.

Thank you very much, Madam Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Lancaster County, Mr. Sturla.

Mr. STURLA. Thank you, Madam Speaker.

Madam Speaker, I urge a “no” vote on this legislation for several reasons. One, it was pointed out earlier that there is higher compensation in this legislation, and I think that is commendable, but when you can imagine the amount of anger and ire that election workers will now have to face from voters coming in and being told that they cannot vote because they do not have their card with them or they do not have a photo ID with them, there will be no amount of compensation that will get those workers back to those polls again the following year.

Secondly, it was pointed out that in some districts and some precincts there will most likely be election workers that do not require people to show their identification. Their neighbor will come to vote without their voter ID or without their election card, and the election worker will say, go ahead; I know you. And then the person behind them will be somebody they do not know, and

they will decide that they have to enforce the election law. They will ask that person for a voter ID, and that person will not have it and they will get sent home, and then this is when we will see the lawsuits start to fly, because there will be unequal protection for

those voters in those districts, and then we will see reelections and recounts and lawsuits as a result of this legislation.

Madam Speaker, this bill deserves to get a hearty “no” vote today, and if we want to go back and try and change the way we do things in a rational manner, we can approach that later, but I would urge members to vote “no” today and avoid the confusion that it will cause this fall and in the future with elections.

Thank you, Madam Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Beaver County, Mr. Colafella, for the second time.

Mr. COLAFELLA. Thank you, Madam Speaker.

Madam Speaker, if I were running for reelection this November and I heard that there were about 5 or 10 people who did not have a photo identification card but were able to vote and I happened to lose the election by 20 votes or 10 votes, I guarantee you I would be taking it to court, and you will see this all over the State.

But let me just conclude this. This legislature has not done anything about prescription drugs, Democrats and Republicans alike; we have not done anything about property taxes for senior citizens, but what we are going to try to do is prevent them from voting. Terrific. Thank you, Madam Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

PARLIAMENTARY INQUIRY

The SPEAKER pro tempore. The Chair recognizes the gentleman from Berks County, Mr. Caltagirone.

Mr. CALTAGIRONE. Madam Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. Please state your parliamentary inquiry.

Mr. CALTAGIRONE. Is it not a rule of the House that only members present and in their seats should be voting?

The SPEAKER pro tempore. Yes, sir.

Mr. CALTAGIRONE. Is that not a rule of the House?

The SPEAKER pro tempore. I did answer you, sir. I said yes.

Mr. CALTAGIRONE. Then I would hope that you would enforce it, because we are talking about voting rights, and let us make sure the voting is done right tonight.

Thank you, Madam Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Philadelphia County, Mr. Myers.

Mr. MYERS. Madam Speaker, I rise to oppose this awful legislation, but I want to spend my time not talking to the people here on the floor, because the people here on the floor are a part of this terrorist movement to blow up the voting process in the Commonwealth. Now, we are supposed to be antiterrorism. Well, we want to terrorize our seniors; we want to terrorize our minorities; we want to terrorize the people that live in urban communities; we want to terrorize people in suburbia; we want to terrorize people in rural communities.

See, I want the people in TV land to hear what I am saying, because this is not about us on the floor tonight. This is about you out there that are listening to us and are looking at us. This is a

sexist, racist, antisenior measure that is being proposed by members that you voted in. Now, the people you voted in, after we are here, we are going to now say you do not have the right to vote. I did not have to show you a photo ID for you to vote for me. Why do you have to show me a photo ID to vote in the next election?

And let me say this here, that if anybody is running scared, there are other ways to win an election without disenfranchising people from their right to vote. And again, I am not talking to the people in this House; I am talking to the voters, to you all. If this measure passes this House, I am asking each and every voter out there in TV land, do every and anything you can to punish those people that voted for this measure on this floor tonight, even if that means we have to help you get green cards – I mean, photo identification.

Look, anyone whose legislator votes for this measure, call his or her opponent and ask them to help you get what you need so that you can show that what happened on this floor tonight was a massacre of your rights.

The question really boils down to this here: You can go buy a 40 ounce and do not have to show a photo ID; you can buy a keg of beer and do not have to show a photo ID; you can buy cigarettes and do not have to show a photo ID; you can buy prescription drugs and you do not have to show a photo ID, and we are saying that in order for you, who elected us, to have the right to continue to vote, the contradiction is, you did not vote for us to come up here and take your rights away.

All I am saying to the voters, people in TV land, hear what I am saying. Check the vote tonight. Any legislator that votes for this measure deserves for you to vote against them in November and send a message that you will not tolerate this political terrorism that is being perpetuated on the voters in this Commonwealth. We are fighting terrorism. We are supposed— I mean, this is a reverse of 9/11. I mean, after 9/11 we talked about, let us come together, let us unify, let us— I love America.

All I am saying, Madam Speaker, to the voters that are listening, hear what I am saying. Remember, whoever votes for this, they do not love America; they do not love you; they love their own selves, and they are trying to rig the election.

I ask for a “no” vote.

MOTION TO SUSPEND RULES

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the minority leader, Mr. DeWeese.

Mr. DEWEESE. Thank you, Madam Speaker.

I would like to make a motion to suspend the rules for the adoption of my own amendment, A4081. That amendment is on its way from the Reference Bureau – A4081.

It is very simple. The provision of the current bill as amended would take effect in 30 days. I am asking that it take effect immediately. I am going to vote against it, of course, but Mr. Barley, who absconded from our chamber in recent weeks, has a replacement coming up here in July, and if this is such a wonderful idea, I think we should put it in place right now.

So I would hope that all of the Republican proselytizers who have been flagellating us with their ersatz argumentation would embrace the idea of doing it now. We will just reduce the time for this wonderful proposal to take place to immediately instead of 30 days. That amendment has been drafted. It is on its way by messenger to the floor. Although, as we have done in the past,

since it is only a very, very limited parliamentary gymnastic to make it immediately instead of 30 days, I do not know whether the majority leader or the Chair will allow us to proceed at this juncture.

DECISION OF CHAIR RESCINDED

The SPEAKER pro tempore. Without objection, the Chair rescinds its decision that the bill was agreed to on third consideration as amended.

We will allow the suspension motion.

On the question recurring,

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

The SPEAKER pro tempore. The gentleman, Mr. DeWeese, moves that the rules of the House be suspended in order to offer amendment A4081.

On the question,

Will the House agree to the motion?

The SPEAKER pro tempore. On that question, the Chair recognizes the gentleman from Philadelphia, Mr. Perzel.

Mr. PERZEL. Thank you, Madam Speaker.

I would just respectfully ask the members to vote “no” on the motion to suspend the rules.

The SPEAKER pro tempore. The Chair again recognizes the minority leader, Mr. DeWeese.

Mr. DeWEESE. Notwithstanding my respect for the honorable gentleman from Philadelphia, I do not think we should embrace a double standard. The argumentation that the gentleman from Philadelphia, the floor leader, and his minions, his proselytes, his acolytes, his devotees have offered over the past couple of hours have been that this proverbial political proposal is pristine, and if it is so inviting, if it is so alluring, why can we not trundle it out in those verdant hills of Lancaster County? Why can we not allow it to be a test case for our Keystone State? If it is not going to work in John Barley’s bailiwick of yesteryear, then we can probably rectify this mischief when we come back in the early autumn, and the Commonwealth’s travails will be circumscribed.

I cannot fathom why the honorable gentleman, who has said this is such a wonderful theme, a wonderful concept, would allow us to now not do it in the Barley district. I want to do it in the Barley district.

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

YEAS-97

Bebko-Jones	Frankel	McCall	Solobay
Belardi	Freeman	McGeehan	Staback
Belfanti	George	Melio	Steelman
Bishop	Grucela	Michlovic	Stetler
Blaum	Gruitza	Mundy	Sturla
Butkovitz	Haluska	Myers	Surra
Buxton	Hanna	Oliver	Tangretti
Caltagirone	Harhai	Pallone	Thomas

Casorio	Horsey	Petrarca	Tigue
Cawley	James	Petrone	Travaglio
Cohen, M.	Josephs	Pistella	Trello
Colafella	Kaiser	Preston	Trich
Corrigan	Keller	Readshaw	Veon
Costa	Kirkland	Rieger	Vitali
Coy	Laughlin	Roberts	Walko
Cruz	Lawless	Robinson	Wansacz
Curry	Lederer	Roebuck	Washington
Daley	Lescovitz	Rooney	Waters
DeLuca	Levdansky	Ruffing	Williams, J.
Dermody	Lucyk	Sainato	Wojnaroski
DeWeese	Manderino	Samuelson	Wright, G.
Diven	Mann	Santoni	Yewcic
Donatucci	Markosek	Scrimenti	Youngblood
Eachus	Mayernik	Shaner	Yudichak
Evans, D.			

NAYS-104

Adolph	Evans, J.	Mackereth	Saylor
Allen	Fairchild	Maher	Scavello
Argall	Feeze	Maitland	Schroder
Armstrong	Fichter	Major	Schuler
Baker, J.	Fleagle	Marsico	Semmel
Baker, M.	Flick	McGill	Smith, B.
Bard	Forcier	McIlhattan	Smith, S. H.
Barrar	Gabig	McIlhinney	Stairs
Bastian	Gannon	McNaughton	Steil
Benninghoff	Geist	Metcalfe	Stern
Birmelin	Godshall	Micozzie	Stevenson, R.
Boyes	Gordner	Miller, R.	Stevenson, T.
Brooks	Habay	Miller, S.	Strittmatter
Browne	Harhart	Nailor	Taylor, E. Z.
Bunt	Harper	Nickol	Taylor, J.
Cappelli	Hasay	O’Brien	Tulli
Civera	Hennessey	Perzel	Turzai
Clark	Herman	Phillips	Vance
Clymer	Hershey	Pickett	Watson
Cohen, L. I.	Hess	Pippy	Wilt
Coleman	Hutchinson	Raymond	Wright, M.
Cornell	Jadlowiec	Reinard	Zimmerman
Creighton	Kenney	Rohrer	Zug
Dailley	Krebs	Ross	
Dally	Leh	Rubley	
DiGirolamo	Lewis	Sather	Ryan,
Egolf	Lynch		Speaker

NOT VOTING-0

EXCUSED-1

LaGrotta

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

On the question recurring,

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

Bill as amended was agreed to.

The SPEAKER pro tempore. 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?

Returning to final passage, the Chair recognizes the gentleman from Philadelphia, Mr. Perzel.

Mr. PERZEL. Madam Speaker, I am going to try to be brief.

This is a piece of legislation that has already passed in 11 States, Madam Speaker. This is not a brand-new idea for America. It has been passed, as I said, in 11 States.

I do not agree with the gentelady from Erie that women do not have the wherewithal to be able to carry an ID card with them wherever they go, Madam Speaker, especially to the polling place. Our senior citizens have a sense of honor and dignity. They will know to carry a piece of ID down to the polling places, Madam Speaker.

When you enter an airport, you are expected to have a photo ID. It was mentioned earlier, when you buy a pack of cigarettes, Madam Speaker, up to age 27, they are expected to ask for a photo ID so that they know that that person is old enough to purchase cigarettes, and they are expected to ask for ID when they purchase liquor in the Commonwealth of Pennsylvania if someone does not look like they are old enough, Madam Speaker. When you use a credit card, you are expected to have a photo ID. When you enter a high-rise in center-city Philadelphia or Pittsburgh or anywhere in this Commonwealth, they now ask for a photo ID. Madam Speaker, as I said, when you cash a check anywhere in the Commonwealth, they will expect and ask for a photo ID. When you drive a car in Pennsylvania, you are expected to have a photo ID.

Madam Speaker, all of a sudden we are saying people do not carry – my friends on the other side are saying people do not carry photo IDs, and they do, Madam Speaker. We are just asking them to carry them to the polls.

This bill doubles the amount of money for elections that a judge can get from \$100 to \$200, and it takes the board members – minority inspector, majority inspector, and the clerks – from \$95 to \$195.

And, Madam Speaker, as a party boss from Philadelphia and a ward leader, I ask all my colleagues to please vote “yes.”

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

Mr. DeWEESE. On final passage.

Madam Speaker, I am under the impression that the photo ID centers are closed on election day. That would cause some complication to the remarks that were just rendered.

The gentleman, as he shared with us his enthusiasm, notwithstanding that it was tempered by our idea of having it go to work in July, was that 11 other States have already done it. Madam Speaker, 42 other States have already energized their own statewide Head Start programs with Federal dollars, and the Ridge-Schweiker administration and you Republicans have held back on that. If 11 States are doing something and 42 States are taking care of Head Start, we wish you would have used that same kind of logic, the same kind of ratiocinative dexterity when you were arguing against putting Head Start at the front of your proverbial political plate.

Tens and tens of other States have already taken care of our property tax dilemma, and our State languishes behind. If you are going to use that other States have done it, then you ought to start using that other States have taken care of prescription drugs and our State has not.

It is amazing that this political depravity that you are interlarding into our system is being argued because other States have done it, and you have not utilized the opportunity when other States took care of prescription drugs and property tax and

Head Start and smaller class sizes. You have just allowed those things to languish.

I think the gentleman from Luzerne, from Wilkes-Barre, Mr. Blaum, said it best. This is going to come back to haunt some of you folks. This is a bad piece of legislation and certainly does not deserve an affirmative vote. I would ask that you join the Democratic phalanx and vote in the negative. Thank you.

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

Mr. PERZEL. Madam Speaker, the last time I looked, we had the finest prescription drug program for senior citizens of any State in the nation. I did not know anybody surpassed us. I would just hope that the gentleman can give us a list of the States that have surpassed us, Madam Speaker.

I did want to mention, though, that the photo ID centers are open on election day.

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.

The following roll call was recorded:

YEAS—102

Adolph	Egolf	Lynch	Sather
Allen	Evans, J.	Mackereth	Saylor
Argall	Fairchild	Maher	Scavello
Armstrong	Feese	Maitland	Schroder
Baker, J.	Fichter	Major	Schuler
Baker, M.	Fleagle	Marsico	Semmel
Bard	Forcier	McGill	Smith, B.
Barrar	Gabig	McIlhattan	Smith, S. H.
Bastian	Gannon	McIlhinney	Steil
Benninghoff	Geist	McNaughton	Stern
Birmelin	Godshall	Metcalfe	Stevenson, R.
Boyes	Gordner	Micozzie	Stevenson, T.
Brooks	Habay	Miller, R.	Strittmatter
Browne	Harhart	Miller, S.	Taylor, E. Z.
Bunt	Harper	Nailor	Taylor, J.
Cappelli	Hasay	Nickol	Tulli
Civera	Hennessey	O'Brien	Turzai
Clark	Herman	Perzel	Vance
Clymer	Hershey	Phillips	Watson
Cohen, L. I.	Hess	Pickett	Wilt
Coleman	Hutchinson	Pippy	Wright, M.
Cornell	Jadlowiec	Raymond	Zimmerman
Creighton	Kenny	Reinard	Zug
Dailey	Lawless	Rohrer	
Dally	Leh	Ross	Ryan,
DiGirolamo	Lewis	Rublely	Speaker

NAYS—93

Bebko-Jones	Frankel	McGeehan	Solobay
Belardi	Freeman	Melio	Staback
Belfanti	George	Michlovic	Steelman
Bishop	Grucela	Mundy	Stetler
Blaum	Gruitza	Myers	Sturla
Butkovitz	Haluska	Oliver	Surra
Buxton	Hanna	Pallone	Tangretti
Casorio	Harhai	Petrarca	Thomas
Cawley	Horseay	Petrone	Tigue
Cohen, M.	James	Pistella	Travaglio
Colafella	Josephs	Preston	Trello
Corrigan	Keller	Readshaw	Trich
Costa	Kirkland	Rieger	Veon
Coy	Krebs	Roberts	Vitali

Cruz	Laughlin	Robinson	Walko
Curry	Lederer	Roebuck	Wansacz
Daley	Lescovitz	Rooney	Washington
DeLuca	Levdansky	Ruffing	Waters
Dermody	Lucyk	Sainato	Williams, J.
DeWeese	Manderino	Samuelson	Wright, G.
Diven	Mann	Santoni	Yewcic
Donatucci	Mayernik	Scrimenti	Youngblood
Eachus	McCall	Shaner	Yudichak
Evans, D.			

NOT VOTING—6

Caltagirone	Kaiser	Stairs	Wojnaroski
Flick	Markosek		

EXCUSED—1

LaGrotta

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

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

PARLIAMENTARY INQUIRY

Mr. DeWEESE. Madam Speaker, point of parliamentary inquiry.

The SPEAKER pro tempore. Please state your parliamentary inquiry.

Mr. DeWEESE. Only a polite request. That vote was not going to be close; it was not going to be challenged, and the gentledady allowed for several minutes an hour or two ago on a vote. We had a couple of our members that were probably wanting to get to their switch and were in the aisle. We only had 93 votes to put up.

I would only ask politely that subsequent votes, especially when they are not close, the Chair give our members a chance to vote. Thank you very much. Notwithstanding the fact that they may not have an ID.

The SPEAKER pro tempore. The Chair thanks the gentleman.

**INTERGOVERNMENTAL AFFAIRS
COMMITTEE MEETING**

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Taylor, for the purpose of an announcement.

Mr. TAYLOR. Thank you, Madam Speaker.

I would ask that members of the Intergovernmental Affairs Committee report to the back of the House immediately for a brief meeting.

The SPEAKER pro tempore. There will be no further votes.

VOTE CORRECTION

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

Mr. TANGRETTI. Thank you, Madam Speaker.

I would like to correct the record.

On amendment A3610 to SB 893, I was recorded in the negative. I wish to be recorded in the affirmative.

The SPEAKER pro tempore. The Chair thanks the gentleman. Your remarks will be cast upon the record.

APPROPRIATIONS COMMITTEE MEETING

The SPEAKER pro tempore. The Chair recognizes the gentleman from Schuylkill, Mr. Argall.

Mr. ARGALL. Thank you, Madam Speaker.

House Appropriations Committee members will be overjoyed to learn that we are in need of a brief meeting upon the announcement of the recess. However, we will be meeting in the majority caucus room downstairs as compared to our usual meeting room, immediately upon the call of the recess.

**STATE GOVERNMENT
COMMITTEE MEETING**

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Clymer, from Bucks County.

Mr. CLYMER. Thank you, Madam Speaker.

The State Government Committee will meet in the rear of the hall right now. We have one bill to consider. Thank you. Right now, State Government Committee.

The SPEAKER pro tempore. The Chair thanks the gentleman.

REPUBLICAN CAUCUS

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

Mr. FEESE. Thank you, Madam Speaker.

The Republicans will have an informal caucus tomorrow morning from 8:30 until 10 o'clock, and then at 10 o'clock we will begin a formal caucus to discuss the bills for tomorrow's voting schedule.

The SPEAKER pro tempore. The Chair thanks the gentleman.

VOTE CORRECTIONS

The SPEAKER pro tempore. The Chair recognizes the lady, Mrs. Rubley.

Mrs. RUBLEY. Thank you, Madam Speaker.

I would like to correct the record.

On SB 893, amendment 3610, my switch malfunctioned. I voted "no" and would like to be recorded in the affirmative.

The SPEAKER pro tempore. The Chair thanks the lady. Your remarks will be cast upon the record. The Chair recognizes the lady from Montgomery County, Ms. Bard.

Ms. BARD. Thank you, Madam Speaker.

I would like to correct the record with regard to SB 893, amendment 3610. The record should record an affirmative vote as opposed to a negative vote. Thank you.

The SPEAKER pro tempore. The Chair thanks the lady.

Her remarks will be cast upon the record.

DEMOCRATIC CAUCUS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Philadelphia, Mr. Cohen.

Mr. COHEN. Thank you, Madam Speaker.

Madam Speaker, there will be informal discussions in the Democratic caucus room tomorrow from 8:30 a.m. to 10 a.m. There will be a Democratic caucus to go over whatever new things have come up at 10 a.m. tomorrow morning. Democratic caucus tomorrow at 10 a.m.; informal discussions, 8:30.

The SPEAKER pro tempore. The Chair thanks the gentleman.

VOTE CORRECTIONS

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

Mr. WOJNAROSKI. Thank you, Madam Speaker.

Madam Speaker, I would like to correct the record, please.

On SB 824 there was a malfunction in my switch. I would like to be recorded as a negative.

The SPEAKER pro tempore. The Chair thanks the gentleman. Your remarks will be cast upon the record.

The Chair recognizes the gentleman, Mr. Kaiser.

Mr. KAISER. Thank you, Madam Speaker.

On SB 824, final passage, I would like to be recorded in the negative. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman. Your vote will be cast upon the record.

GAME AND FISHERIES COMMITTEE MEETING

The SPEAKER pro tempore. The Chair recognizes the gentleman from York County, Mr. Smith.

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

In spite of the late hour for this session to be over, I want to remind the Game and Fisheries Committee members that we have a meeting tomorrow morning at 9 a.m. in 205, the Ryan Office Building. Dr. Gary Alt will make a presentation on the new deer management areas. It is a very important meeting for all members to attend of the Game and Fisheries Committee. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

VOTE CORRECTION

The SPEAKER pro tempore. The Chair recognizes the gentleman, Dr. Bastian.

Mr. BASTIAN. Thank you, Madam Speaker.

I would like to correct the record, if I could.

My switch malfunctioned on HB 1924, amendment 3474. I was recorded in the "yes." I want to be recorded as a "no."

The SPEAKER pro tempore. Your remarks will be cast upon the record.

SENATE BILL FOR CONCURRENCE

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

SB 1448, PN 2150

Referred to Committee on STATE GOVERNMENT, June 26, 2002.

SENATE MESSAGE

AMENDED HOUSE BILLS RETURNED
FOR CONCURRENCE AND
REFERRED TO COMMITTEE ON RULES

The clerk of the Senate, being introduced, returned **HB 497, PN 4032; HB 754, PN 4132; HB 1482, PN 4133; and HB 2020, PN 4089**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

SENATE MESSAGE

HOUSE AMENDMENTS
CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to **SB 33, PN 2133; SB 380, PN 2060; and SB 1109, PN 2105**.

RESOLUTION REPORTED FROM COMMITTEE

HR 557, PN 3776

By Rep. J. TAYLOR

A Resolution memorializing Congress to require the Centers for Medicare and Medicaid Services (CMS) to pay for drugs that reverse neutropenia in Medicare patients choosing chemotherapy for treatment of cancers.

INTERGOVERNMENTAL AFFAIRS.

BILL REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

SB 1213, PN 2163 (Amended)

By Rep. ARGALL

An Act providing for the capital budget for the fiscal year 2001-2002, itemizing public improvement projects, furniture and equipment projects, transportation assistance projects, redevelopment assistance capital projects, flood control projects, Keystone Recreation, Park and Conservation Fund projects, Environmental Stewardship Fund projects, Pennsylvania Fish and Boat Commission projects, Motor License Fund projects and Manufacturer's Fund projects to be constructed or acquired or assisted by the Department of General Services, the Department of Community and Economic Development, the Department of Conservation and Natural Resources, the Department of Environmental Protection, the Pennsylvania Fish and Boat Commission, Pennsylvania Game Commission and the Department of Transportation, together with their estimated financial costs; authorizing the incurring of debt without the approval of the electors for the purpose of financing the projects to be

constructed or acquired or assisted by the Department of General Services, the Department of Community and Economic Development, the Department of Conservation and Natural Resources, the Department of Environmental Protection, the Department of Transportation, the Pennsylvania Fish and Boat Commission or the Pennsylvania Game Commission; stating the estimated useful life of the projects; making appropriations; restricting certain funds; and making repeals.

APPROPRIATIONS.

BILL REMOVED FROM TABLE

The SPEAKER pro tempore. The Chair recognizes the majority leader, Mr. Perzel.

Mr. PERZEL. Madam Speaker, I move that SB 1213 be removed from the table.

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

BILLS AND RESOLUTION PASSED OVER

The SPEAKER pro tempore. Without objection, all remaining bills and the remaining resolution on today's calendar will be passed over. The Chair hears no objection.

ADJOURNMENT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Armstrong, Mr. Coleman.

Mr. COLEMAN. Madam Speaker, I move that this House do now adjourn until Thursday, June 27, 2002, 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 9:18 p.m., e.d.t., the House adjourned.