

COMMONWEALTH OF PENNSYLVANIA
Legislative Journal

WEDNESDAY, DECEMBER 12, 2001

SESSION OF 2001 185TH OF THE GENERAL ASSEMBLY

No. 64

SENATE

WEDNESDAY, December 12, 2001

The Senate met at 11 a.m., Eastern Standard Time.

The PRESIDENT (Lieutenant Governor Robert C. Jubelirer) in the Chair.

PRAYER

The following prayer was offered by the Secretary of the Senate, Hon. MARK R. CORRIGAN:

Let us pray.

Eternal and ever living God, our source of all love, strength, and mercy, pour down Your spirit upon the Members and staff of this Senate of Pennsylvania. Bless us with clear, open, and discerning minds to properly address the many issues confronting us this evening and tonight. May what is decided and enacted be in accordance with Your will and a credit to Your kingdom in this world. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding Session of December 11, 2001.

The Clerk proceeded to read the Journal of the preceding Session, when, on motion of Senator BRIGHTBILL, and agreed to by voice vote, further reading was dispensed with and the Journal was approved.

COMMUNICATIONS FROM THE GOVERNOR

NOMINATIONS REFERRED TO COMMITTEE

The PRESIDENT laid before the Senate the following communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows and referred to the Committee on Rules and Executive Nominations:

**MEMBER OF THE STATE BOARD
OF ACCOUNTANCY**

December 12, 2001

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Donna Kriner, (Public Member), 6320 Darlington Drive, Harrisburg 17112, Dauphin County, Fifteenth Sena-

torial District, for appointment as a member of the State Board of Accountancy, to serve for a term of four years and until her successor is appointed and qualified, but not longer than six months beyond that period, vice Norman D. King, Conneaut Lake, deceased.

Mark S. Schweiker
Governor

**MEMBER OF THE PUBLIC SCHOOL
EMPLOYEES' RETIREMENT BOARD**

December 12, 2001

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Jaime Gibson, 10 B West Beale Avenue, Enola 17025, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the Public School Employees' Retirement Board, to serve until January 1, 2003 and until her successor is appointed and qualified, vice Frederick C. Tecce, Esquire, Gladwyne, resigned.

Mark S. Schweiker
Governor

HOUSE MESSAGES

**HOUSE CONCURS IN SENATE AMENDMENTS
TO HOUSE AMENDMENTS TO SENATE BILLS**

The Clerk of the House of Representatives informed the Senate that the House has concurred in amendments made by the Senate to House amendments to SB 216, 696 and 837.

HOUSE CONCURS IN SENATE BILLS

The Clerk of the House of Representatives returned to the Senate SB 230, 280, 965, and 1215, with the information the House has passed the same without amendments.

**HOUSE CONCURS IN SENATE AMENDMENTS
TO HOUSE BILLS**

The Clerk of the House of Representatives informed the Senate that the House has concurred in amendments made by the Senate to HB 212, 437, 454 and 846.

BILL INTRODUCED AND REFERRED

The PRESIDENT laid before the Senate the following Senate Bill numbered, entitled, and referred as follows, which was read by the Clerk:

December 12, 2001

Senator MADIGAN presented to the Chair **SB 1249**, entitled:
An Act designating a road in Towanda Borough and North
Towanda Township, Bradford County, as the John B. Merrill Parkway.

Which was committed to the Committee on
TRANSPORTATION, December 12, 2001.

GENERAL COMMUNICATIONS

ANNUAL REPORT OF THE PENNSYLVANIA CONSERVATION CORPS

The PRESIDENT laid before the Senate the following
communication, which was read by the Clerk as follows:

DEPARTMENT OF LABOR AND INDUSTRY
Room 1700, Labor & Industry Building
Seventh and Forster Streets
Harrisburg, PA 17120

December 10, 2001

Mark R. Corrigan, Secretary of the Senate
and
Ted Mazia, Chief Clerk of the House of Representatives

Gentlemen:

I am pleased to submit the Pennsylvania Conservation Corps (PCC)
annual report for fiscal year 2000-01, the Corps' seventeenth year of
operation.

Last year, 499 young men and women were given the opportunity
to gain self-confidence and improve their employability as members of
the PCC. More than 115 corpsmembers completed courses at
vocational-technical schools, community colleges and other educational
institutions; 34 were offered GED-preparation classes; and 15 took part
in mentoring with local businesses and individuals. More than one-third
of all corpsmembers moved directly into jobs upon leaving the Corps.

During the fiscal year, the PCC completed 54 projects in 31
counties. Corpsmembers constructed or renovated 26 cabins, 11
playgrounds and 99 support buildings; improved or developed 342
miles of trails and 123 acres of wildlife habitat; helped preserve 12
historic sites; and planted more than 48,000 seedlings and trees--to
name just a few of their accomplishments.

In summary, FY 00-01 reflected a tradition of challenges,
opportunities and accomplishments, all of which are documented in the
pages that follow.

Sincerely,

JOHNNY J. BUTLER
Secretary

The PRESIDENT. This report will be filed in the Library.

2001 SURPLUS PROPERTY DISPOSITION PLAN

The PRESIDENT laid before the Senate the following
communication, which was read by the Clerk as follows:

COMMONWEALTH OF PENNSYLVANIA
Office of the Governor
Harrisburg

December 12, 2001

Mr. Mark R. Corrigan, Secretary
Senate of Pennsylvania
462 Capitol Building
Harrisburg, PA 17120

Mr. Ted Mazia, Chief Clerk
House of Representatives
129 Capitol Building
Harrisburg, PA 17125[sic]

Re: 2001 Property Disposition Plan
Commonwealth Real Estate

Dear Mr. Corrigan and Mr. Mazia:

In accordance with Act 48 of 1981, as amended, 71 P.S. Section
651.1 et seq., I am hereby transmitting to you the revised 2001 Property
Disposition Plan for consideration by the General Assembly. This Plan
was prepared by the Department of General Services, reviewed by the
House and Senate State Government Committees, approved for form
and legality by the Office of Attorney General and approved by me as
Governor.

At the recommendation of the Senate State Government Committee,
the Department of General Services has withdrawn Parcel No. 1
(Haverford State Hospital) and Parcel No. 2 (Western Center). I have
enclosed copies of the letters, dated May 31, 2001, to Chairman
Lemmond and Chairman Clymer.

Thank you for your cooperation in this matter. Should additional
information be required, please contact Secretary Designee Kelly
Powell Logan at 787-5996.

Sincerely,

MARK SCHWEIKER
Governor

The PRESIDENT. This will appear on the Calendar as
Surplus Property Disposition Plan No. 1 of 2001.

REPORTS FROM COMMITTEES

Senator BRIGHTBILL, from the Committee on Rules and
Executive Nominations, reported the following bill:

SB 607 (Pr. No. 1628) (Amended) (Rereported)
(Concurrence)

An Act amending Title 25 (Elections) of the Pennsylvania
Consolidated Statutes, codifying provisions relating to compensation of
clerks of election and machine operators; codifying the Pennsylvania
Voter Registration Act by providing for absentee ballots and for voter
registration and by establishing a Statewide uniform registry of electors;
imposing powers and duties on the Secretary of the Commonwealth and
the Legislative Reference Bureau; and making repeals.

Senator MADIGAN, from the Committee on Transportation,
reported the following bills:

SB 457 (Pr. No. 1623) (Amended)

An Act amending Title 75 (Vehicles) of the Pennsylvania
Consolidated Statutes, requiring compliance with Federal selective
service requirements as part of application for learners' permits or
drivers' licenses.

SB 1225 (Pr. No. 1624) (Amended)

An Act amending Title 75 (Vehicles) of the Pennsylvania
Consolidated Statutes, further defining "vehicle"; defining "electric
personal assistive mobility device" or "EPAMD"; and further providing
for driving upon sidewalk.

SB 1249 (Pr. No. 1621)

An Act designating a road in Towanda Borough and North Towanda Township, Bradford County, as the John B. Merrill Parkway.

HB 1758 (Pr. No. 3084) (Amended)

An Act designating a bridge on SR 1038, over the Allegheny River in Armstrong County, as the Kittanning Citizens' Bridge; designating a bridge on SR 1017, over the north branch of Tunkhannock Creek, as the Nicholson Veterans Memorial Bridge; and redesignating the Apollo Bridge carrying State Route 66 between Oklahoma Borough, Westmoreland County, and Apollo Borough, Armstrong County, as the Leonard C. Miller Bridge.

**SPECIAL ORDER OF BUSINESS
CONDOLENCE RESOLUTION ADOPTED**

Senators HOLL, C. WILLIAMS, GREENLEAF and GERLACH, by unanimous consent, offered **Senate Resolution No. 144**, entitled:

A Resolution expressing condolences on the passing of R. Lawrence Coughlin, Jr.

On the question,
Will the Senate adopt the resolution?

The PRESIDENT. The Chair recognizes the gentleman from Montgomery, Senator Holl.

Senator HOLL. Mr. President, I rise to ask that the Senate join me in consideration of a Condolence Resolution for the family of former Representative R. Lawrence Coughlin, who passed away on November 30 of this year.

Congressman Coughlin became involved in Montgomery County Republican politics in the early 1960s. He won his first election in 1964, capturing a seat in the State House of Representatives. He served in the Pennsylvania Senate from 1967 to 1968. He was elected to his first term in Congress from the 13th District in 1968, and went on to serve 24 years.

We will fondly remember Larry for his years of distinguished service, not only to Pennsylvania but also in Washington. Always dressed with a bow tie and always the gentleman. I note with sadness his passing, and ask you to join me in expressing our condolences to his wife, Susan, and their four children.

Thank you, Mr. President.

And the question recurring,
Will the Senate adopt the resolution?

A voice vote having been taken, the question was determined in the affirmative.

LEGISLATIVE LEAVE

The PRESIDENT. The Chair recognizes the gentleman from Lebanon, Senator Brightbill.

Senator BRIGHTBILL. Mr. President, I request a legislative leave for Senator Helfrick.

The PRESIDENT. Senator Brightbill requests a legislative leave for Senator Helfrick. Without objection, that leave will be granted.

LEAVE OF ABSENCE

Senator BRIGHTBILL asked and obtained a leave of absence for Senator BELL, for today's Session, for personal reasons.

CALENDAR

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

**SENATE CONCURS IN HOUSE AMENDMENTS
TO SENATE AMENDMENTS**

HB 1633 (Pr. No. 3033) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 2, 1915 (P.L.736, No.338), known as the Workers' Compensation Act, further defining "occupational disease."

On the question,
Will the Senate concur in the amendments made by the House to Senate amendments to House Bill No. 1633?

Senator BRIGHTBILL. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate amendments to House Bill No. 1633.

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

The PRESIDENT. The Chair recognizes the gentlewoman from Philadelphia, Senator Tartaglione.

Senator TARTAGLIONE. Mr. President, I rise to ask for an affirmative vote on House Bill No. 1633. It has taken us several years to get to this point, and I am particularly gratified to be casting a vote today on this important legislation.

Mr. President, the dedicated work of the individuals charged with responding to emergencies in our communities cannot be understated. Although the events of September 11 are forever etched in our minds, we need to remember that our first responders are put in harm's way every day they go to work. Whether responding to a terrorist attack or responding to a routine call for assistance, these men and women, in the course of their jobs, are placed in life-and-death situations as a matter of routine.

Mr. President, by virtue of their employment, firefighters, police officers, emergency medical service personnel, and Corrections employees are vulnerable to infectious diseases, especially hepatitis C. It is appropriate that we recognize this work-related danger and bring these brave individuals under the provisions of Pennsylvania's Workers' Compensation Act.

House Bill No. 1633 is before us today, but not without the concerted effort of many individuals dedicated to this cause. I congratulate those for whom this legislation protects, and salute their efforts. I also applaud the work of those Senators and Representatives who have worked out the difficult issues and have co-founded this legislation and have worked in a truly bipartisan effort in putting House Bill No. 1633 before us again today.

Mr. President, this is truly one of the days when what we do has a profound and positive effect on Pennsylvania families, and in that spirit, Mr. President, I ask for an affirmative vote on House Bill No. 1633.

Thank you, Mr. President.

The PRESIDENT. The Chair recognizes the gentleman from Philadelphia, Senator Stack.

Senator STACK. Mr. President, I am pleased to rise in recommendation of passage of House Bill No. 1633. Mr. President, the events of September 11, 2001, dramatically altered many perceptions we have simply accepted for most of our lives. Much tragedy resulted from the September 11 attacks and their aftermath, but it is more important to remember the many shared triumphs. One major victory is a newfound, albeit long overdue, respect and admiration for emergency workers who willingly stride into harm's way to save others. Police officers, firefighters, emergency medical personnel, paramedics, all of them are heroes. They have always been heroes, but only now have we truly grasped the sacrifices they make and the calm bravery they routinely exercise in the service of those of us in need. This radical change in perception has forced many of us to more closely examine what it is we can do to support these unselfishly valiant professionals.

There are many risks that emergency personnel face every time they answer a call for help. Many of them face serious injury, or worse, in the performance of their duties. Many risk harm or death during their response to a crisis situation. These situations are obvious to all of us, but many of the occupational risks are far more insidious. One such silent danger is contracting hepatitis C while in the line of duty. This blood-borne viral disease attacks the liver, causing great pain and suffering. Death is often the result. Treatment of hepatitis C is long and expensive. Without some form of protection, even the most cautious pennypincher can exhaust their savings while paying for hepatitis C treatments. As I speak, Pennsylvania offers no such protection.

The appropriate response is House Bill No. 1633. This bill incorporates hepatitis C as a work-related disease eligible for coverage under Pennsylvania's Workers' Compensation Act. On a more personal note, House Bill No. 1633 is a tribute to one of these brave people, Lieutenant Mary Kohler, a Philadelphia city firefighter who has fought tirelessly for passage of this legislation. During her fight, Mary undertook a 14-day vigil at Philadelphia City Hall. Despite her own illness and pain, she sat and slept on a hard floor to educate Mayor Street about her disease. I am a life-long admirer of anyone who sacrifices in the service of others, but it is Mary Kohler who made this a personal issue for me. I am certain each of the Members here today can personalize an issue. House Bill No. 1633 is common sense and it is common decency. Above all, it is a basic necessity for those who risk everything to serve as the first line of defense whenever we face life-threatening or other emergency situations. When the alarm sounds and emergency personnel are always there for us, no questions are ever asked. Now it is time for us to be there for them. For all of those courageous people whom we call first responders, House Bill No. 1633 represents a long-term, outstanding debt that needs to be paid, and it needs to be paid today.

Mr. President, I implore each and every Senator to vote today in support of House Bill No. 1633.

Thank you, Mr. President.

The PRESIDENT. The Chair recognizes the gentleman from York, Senator Waugh.

Senator WAUGH. Mr. President, House Bill No. 1633, as Members know, calls for the addition of hepatitis C to the list of occupational diseases under the Workers' Compensation Act for police officers, firefighters, and emergency service workers and other public servants who are routinely exposed to blood in the course of their employment.

Members should understand, and I would like to explain briefly, exactly what hepatitis C is and how it affects a person. Hepatitis C is a virus found in a person's blood that can attack and destroy the liver, leading to liver failure, and sometimes leading to death. Most people with hepatitis C do not exhibit any symptoms of the virus and really do not even know, quite often, what it is that they are infected with. Those who do experience symptoms often complain of a loss of appetite, nausea, vomiting, fatigue, and severe pain in the abdominal area. It may surprise some of the Members to know that nearly four times as many people in the United States actually have hepatitis C than those who are today infected with HIV.

Statistically, today as many as 216,000 Pennsylvanians could be infected with hepatitis C. To say that this disease is debilitating really would be an understatement. It robs a person of the ability to work, the ability to live a normal, productive life, and in some cases, unfortunately, actually robs a person of life itself.

The reason I rise this evening, and here is the point of my message, Mr. President. As I said, this virus is passed by the blood system and the exposure to raw blood. So, obviously, firefighters, emergency medical service, rescue service, police service personnel are among the most susceptible, and what we are finding is that they are also among the most exposed, historically. House Bill No. 1633 has been one of the top three legislative priorities for the fire and emergency service people of Pennsylvania for the last couple of years, but certainly once again this year. This legislation is specifically tailored to provide assistance for such occupations as firefighters and emergency service personnel, individuals who routinely come into contact with injured persons, people who obviously are bleeding or dying. It is the job of emergency workers to provide life-sustaining aid. This evening I believe it is our job to insure that these public servants who are exposed to hepatitis C in the course of their duties receive the workers' compensation protection that they rightfully deserve.

I urge Members to support House Bill No. 1633, and thank you, Mr. President.

The PRESIDENT. The Chair recognizes the gentleman from Allegheny, Senator Logan.

Senator LOGAN. Mr. President, just a few months ago I held a public hearing in my Senate district to discuss issues facing Pennsylvania's firefighters and emergency services personnel. Mr. President, we talked extensively about three items: their lack of funding, the decreasing number of recruits, and the health and safety issues that come with the job. Mr. President, one of those

health and safety issues causing serious concern is hepatitis C, a work-related risk facing every firefighter and all emergency services personnel. Unfortunately, a high number of emergency workers in Philadelphia and many others across the State already have been diagnosed.

Today, I rise to ask my colleagues to support a measure that answers one of the many calls for help sent out by our emergency services personnel. House Bill No. 1633 acknowledges what those brave men and women have known for a long time, that for them hepatitis C is an occupational disease, and House Bill No. 1633 provides them some relief from bearing the burden of this health risk alone.

Mr. President, for the sake of the men and women who give so much to protect the lives and property of those in their community, I hope passage of this legislation is the first of many steps we take in the near future to ease their burdens. Answer the call for those who answer our calls; vote "yes" on House Bill No. 1633.

Thank you, Mr. President.

The PRESIDENT. The Chair recognizes the gentleman from Allegheny, Senator Wagner.

Senator WAGNER. Mr. President, I also rise in support of House Bill No. 1633. This is a very, very important piece of legislation to help thousands of Pennsylvanians. Hepatitis C is a serious problem that really was not known in this building just a couple of years, and there has been a lot of hard work done, Mr. President. I know the Republican Leader of the House is a sponsor of this legislation and has done a whole lot to make sure it gets through the General Assembly, but I also want to compliment my colleagues on this side of the aisle and all Senators who have supported this measure - Senator Stack, Senator Tartaglione, the Philadelphia delegation, and Senator Logan. They have worked extremely hard to make sure that this legislation passes, and it will help many, many people, especially, Mr. President, the people who are serving us 24 hours a day, 7 days a week, the firefighters, the volunteer firefighters, the emergency personnel, the police officers. It is an extremely important piece of legislation that we are passing tonight.

Thank you, Mr. President.

GUEST OF SENATOR MICHAEL J. STACK PRESENTED TO THE SENATE

The PRESIDENT. The Chair recognizes the gentleman from Philadelphia, Senator Stack.

Senator STACK. Mr. President, I rise once again. I alluded to someone who inspired me in finding hepatitis C coverage for firefighters, Mary Kohler, the young emergency worker from Philadelphia who had a vigil outside Mayor Street's office.

Well, I am honored to tell you, Mr. President, that Lieutenant Kohler is in the balcony of the Senate Chamber, and I would like my colleagues to give her a warm welcome.

(Applause.)

GUEST OF DAVID J. BRIGHTBILL PRESENTED TO THE SENATE

The PRESIDENT. The Chair recognizes the gentleman from Lebanon, Senator Brightbill.

Senator BRIGHTBILL. Mr. President, I would just like to make an introduction. Seated in the gallery is a police officer from Lebanon County, I think it is South Londonderry Township, Officer Cheryl Pierce.

The PRESIDENT. Would you rise please so we may welcome you.

(Applause.)

And the question recurring,
Will the Senate agree to the motion?

The yeas and nays were required by Senator BRIGHTBILL and were as follows, viz:

YEA-49

| | | | |
|------------|-----------|-------------|----------------------|
| Armstrong | Helfrick | Murphy | Thompson |
| Bodack | Holl | Musto | Tomlinson |
| Boscola | Hughes | O'Pake | Wagner |
| Brightbill | Jubelirer | Orie | Waugh |
| Conti | Kasunic | Piccola | Wenger |
| Corman | Kitchen | Punt | White, Donald |
| Costa | Kukovich | Rhoades | White, Mary Jo |
| Dent | LaValle | Robbins | Williams, Anthony H. |
| Earll | Lemmond | Scarnati | Williams, Constance |
| Erickson | Logan | Schwartz | Wozniak |
| Fumo | Madigan | Stack | |
| Gerlach | Mellow | Stout | |
| Greenleaf | Mowery | Tartaglione | |

NAY-0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Secretary of the Senate inform the House of Representatives accordingly.

THIRD CONSIDERATION CALENDAR

BILLS OUT OF ORDER

Without objection, the bills on today's Third Consideration Calendar were called out of order by Senator BRIGHTBILL, as Special Orders of Business.

BILLS AMENDED

SB 955 (Pr. No. 1584) -- The Senate proceeded to consideration of the bill, entitled:

An Act providing for vaccination against meningococcal disease for students at institutions of higher education and for duties of the Department of Health.

On the question,

Will the Senate agree to the bill on third consideration?

Senator MELLOW offered the following amendment No. A4737:

Amend Sec. 3, page 3, line 26, by inserting a comma after "minor"

On the question,
Will the Senate agree to the amendment?
It was agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Senator BRIGHTBILL.

HB 1405 (Pr. No. 3072) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of August 9, 1955 (P.L.323, No.130), known as The County Code, further providing for classification of counties, for expenses of elected county officers attending the annual meetings of their associations, for other meeting expenses paid by the counties, for filling of vacancies, for reports and for preparation and filing of proposed budget; and making editorial changes.

On the question,
Will the Senate agree to the bill on third consideration?
Senator BRIGHTBILL offered the following amendment No. A4911:

Amend Sec. 10, page 10, line 20, by striking out "AND 444" and inserting: , 444 and 1404

On the question,
Will the Senate agree to the amendment?
It was agreed to.

On the question,
Will the Senate agree to the bill on third consideration, as amended?
Senator MELLOW offered the following amendment No. A4941:

Amend Title, page 1, lines 10 through 12, by striking out "FOR EXPENSES OF ELECTED COUNTY OFFICERS" in line 10, all of line 11 and "OTHER MEETING EXPENSES PAID BY THE COUNTIES," in line 12

Amend Bill, page 3, lines 14 through 30; page 4, lines 1 through 30; page 5, lines 1 through 27, by striking out all of said lines on said pages

Amend Sec. 2 (Sec. 3.1), page 5, line 28, by striking out "3.1" and inserting: 2

Amend Sec. 4, page 6, line 18, by striking out "4" and inserting: 3

Amend Sec. 5, page 7, line 20, by striking out "5" and inserting: 4

Amend Sec. 6, page 9, line 5, by striking out "6" and inserting: 5

Amend Sec. 7, page 9, line 20, by striking out "7" and inserting: 6

Amend Sec. 8, page 10, line 6, by striking out "8" and inserting: 7

Amend Sec. 9, page 10, line 13, by striking out "9" and inserting:

8 Amend Sec. 10, page 10, line 17, by striking out "10" and inserting:

9 Amend Sec. 10, page 10, lines 20 through 22, by striking out all of said lines and inserting:

(i) The amendment of section 210 of the act.

(ii) Sections 7 and 8 of this act.

On the question,
Will the Senate agree to the amendment?
It was agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Senator BRIGHTBILL.

HB 1806 (Pr. No. 3071) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for costs, for Commonwealth portion of fines, for qualifications of jurors and for filling of certain new judgeships.

On the question,
Will the Senate agree to the bill on third consideration?
Senator BRIGHTBILL offered the following amendment No. A4938:

Amend Sec. 1, page 1, line 9, by striking out ", 3571(C) AND 4502" and inserting: and 3571(c)

Amend Sec. 1, page 1, line 10, by inserting after "ARE": reenacted and

Amend Sec. 1 (Sec. 1725.1), page 4, line 24, by striking out all of said line and inserting:

(f) Annual increase in costs.—[Beginning]

(1) Except as provided in paragraph (2), beginning on January 1, 1994,

Amend Sec. 1 (Sec. 1725.1), page 5, by inserting between lines 1 and 2:

(2) For the cost increase to be effective for calendar year 2002 only, the costs under subsections (a), (b) and (c) shall be increased by the percentage of increase in the Consumer Price Index for Urban Workers for calendar year 2000 which shall be published by the Supreme Court in the Pennsylvania Bulletin as soon as possible after enactment. The increase for calendar year 2002 only shall be effective one month after publication in the Pennsylvania Bulletin.

Amend Sec. 1 (Sec. 3571), page 6, line 14, by inserting brackets before and after "BEGINNING" and inserting immediately thereafter: Except as provided in paragraph (5), beginning

Amend Sec. 1 (Sec. 3571), page 6, by inserting between lines 20 and 21:

(5) For the cost increase to be effective for calendar year 2002 only, the costs under paragraph (2) shall be increased by the percentage of increase in the Consumer Price Index for Urban Workers for calendar year 2000 which shall be published by the Supreme Court in the Pennsylvania Bulletin as soon as possible after enactment. The increase for calendar year 2002 only shall be effective one month after publication in the Pennsylvania Bulletin.

Amend Bill, page 6, by inserting between lines 21 and 22:

Section 2. Section 4502 of Title 42 is amended to read:

Amend Sec. 2, page 7, line 18, by striking out "2" and inserting: 3

Amend Bill, page 8, by inserting between lines 3 and 4:

Section 4. The reenactment and amendment of 42 Pa.C.S. §§ 1725.1 and 3571(c) shall be retroactive to January 1, 2001.

Amend Sec. 3, page 8, line 4, by striking out "3" and inserting: 5

On the question,
Will the Senate agree to the amendment?
It was agreed to.
Without objection, the bill, as amended, was passed over in its order at the request of Senator BRIGHTBILL.

BILLS REREPORTED FROM COMMITTEE
AS AMENDED ON THIRD CONSIDERATION
AND FINAL PASSAGE

HB 3 (Pr. No. 3060) -- The Senate proceeded to consideration of the bill, entitled:

An Act establishing a unified workforce investment system; restructuring certain administrative functions, procedures and entities; transferring workforce development functions of Commonwealth agencies; establishing the Pennsylvania Workforce Investment Board; providing for critical job training grants; and authorizing local workforce investment boards.

Considered the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution and were as follows, viz:

YEA-49

| | | | |
|------------|-----------|-------------|----------------------|
| Armstrong | Helfrick | Murphy | Thompson |
| Bodack | Holl | Musto | Tomlinson |
| Boscola | Hughes | O'Pake | Wagner |
| Brightbill | Jubelirer | Orie | Waugh |
| Conti | Kasunic | Piccola | Wenger |
| Corman | Kitchen | Punt | White, Donald |
| Costa | Kukovich | Rhoades | White, Mary Jo |
| Dent | LaValle | Robbins | Williams, Anthony H. |
| Earll | Lemmond | Scarnati | Williams, Constance |
| Erickson | Logan | Schwartz | Wozniak |
| Fumo | Madigan | Stack | |
| Gerlach | Mellow | Stout | |
| Greenleaf | Mowery | Tartaglione | |

NAY-0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Secretary of the Senate return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

HB 453 (Pr. No. 3034) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, further providing for eligibility for paralyzed veteran's pension.

Considered the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution and were as follows, viz:

YEA-49

| | | | |
|-----------|----------|--------|-----------|
| Armstrong | Helfrick | Murphy | Thompson |
| Bodack | Holl | Musto | Tomlinson |
| Boscola | Hughes | O'Pake | Wagner |

| | | | |
|------------|-----------|-------------|----------------------|
| Brightbill | Jubelirer | Orie | Waugh |
| Conti | Kasunic | Piccola | Wenger |
| Corman | Kitchen | Punt | White, Donald |
| Costa | Kukovich | Rhoades | White, Mary Jo |
| Dent | LaValle | Robbins | Williams, Anthony H. |
| Earll | Lemmond | Scarnati | Williams, Constance |
| Erickson | Logan | Schwartz | Wozniak |
| Fumo | Madigan | Stack | |
| Gerlach | Mellow | Stout | |
| Greenleaf | Mowery | Tartaglione | |

NAY-0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Secretary of the Senate return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

BILL REREPORTED FROM COMMITTEE
AS AMENDED REREFERRED

HB 1944 (Pr. No. 3070) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, authorizing municipalities to deny issuing permits, variances, licenses or other approvals to persons who are delinquent in tax payments or are in violation of certain codes, statutes or regulations; codifying provisions on taxation and fiscal affairs for cities of the first class; providing for funds for specified fines and penalties; and making repeals.

Upon motion of Senator BRIGHTBILL, and agreed to by voice vote, the bill was rereferred to the Committee on Rules and Executive Nominations.

SPECIAL ORDER OF BUSINESS
SUPPLEMENTAL CALENDAR No. 1

BILL ON THIRD CONSIDERATION
AND FINAL PASSAGE

HB 1405 (Pr. No. 3089) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of August 9, 1955 (P.L.323, No.130), known as The County Code, further providing for classification of counties, for filling of vacancies, for reports and for preparation and filing of proposed budget; and making editorial changes.

Considered the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution and were as follows, viz:

YEA-49

| | | | |
|------------|-----------|-------------|----------------------|
| Armstrong | Helfrick | Murphy | Thompson |
| Bodack | Holl | Musto | Tomlinson |
| Boscola | Hughes | O'Pake | Wagner |
| Brightbill | Jubelirer | Orie | Waugh |
| Conti | Kasunic | Piccola | Wenger |
| Corman | Kitchen | Punt | White, Donald |
| Costa | Kukovich | Rhoades | White, Mary Jo |
| Dent | LaValle | Robbins | Williams, Anthony H. |
| Earll | Lemmond | Scarnati | Williams, Constance |
| Erickson | Logan | Schwartz | Wozniak |
| Fumo | Madigan | Stack | |
| Gerlach | Mellow | Stout | |
| Greenleaf | Mowery | Tartaglione | |

NAY-0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Secretary of the Senate return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

CONSIDERATION OF CALENDAR RESUMED**THIRD CONSIDERATION CALENDAR RESUMED****BILL ON THIRD CONSIDERATION
AND FINAL PASSAGE**

HB 209 (Pr. No. 1872) -- The Senate proceeded to consideration of the bill, entitled:

An Act providing for a program to assist public and private institutions of higher education to install sprinkler systems in dormitories.

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

The PRESIDENT. The Chair recognizes the gentleman from York, Senator Waugh.

Senator WAUGH. Mr. President, the bill before the Senate is House Bill No. 209. This bill is the end result of a yearlong effort by numerous organizations and groups around the State. Many of the Members might remember that following the tragic fire-related fatalities at Bloomsburg University and Seton Hall University in our neighboring State of New Jersey, Senator Boscola and I sponsored a resolution to direct the Legislative Budget and Finance Committee to work with the Pennsylvania Fire Commissioner to study the feasibility of retrofitting highrise buildings, college dormitories, and other buildings of public access that provide housing with sprinkler systems.

In February 2000, actually here in the Senate, we adopted Senate Resolution No. 132, which was that charge. The Legislative Budget and Finance Committee subsequently contracted with Fire Pro, a fire management consulting and research firm, and they analyzed the cost and feasibility of

installing sprinkler systems in existing structures. In January of 2001, Fire Pro and the committee issued a comprehensive two-volume report on those findings as related to college dormitories. The study concluded that 814 buildings, representing over 28 million square feet of student housing, required full sprinkling, while 113 buildings in our State, representing nearly 6 million square feet, needed partial sprinkling or other suppression devices. Now, the cost for retrofitting dormitories with automatic sprinkler systems ranges from \$3.50 to \$8 per square foot, believe it or not, depending on the circumstances. That is quite a range, and that is why I get a chuckle out of that, and, of course, it all depends on the age of the building or the construction considerations.

The legislation we are considering this evening provides for a program to be administered by the Pennsylvania Higher Education Facilities Authority, PHEFA, as we know it. This program provides for reimbursement of the cost of interest that a facility would pay that would be over a 3-percent interest rate. Effectively, this legislation caps the annual interest rate that colleges and universities would have to pay to retrofit their dormitories at really a low rate of 3 percent.

Dormitories in the legislation are defined in the law as any college-owned building that is used as a residence for students of that college, and colleges include any nonprofit educational institution situated within this Commonwealth which is empowered to provide a program of post-secondary education and one that is recognized by the State Board of Education.

Now, once again, as I mentioned earlier, and some of the Members might wonder why I am getting up and going on about these things this evening, but the fire and emergency services of our State have long supported legislation of this type, and I mean for a long time, not just the last couple of weeks or months. It is interesting that they have been able to work this last year so diligently with the Association of Independent Colleges and Universities to really pull this thing together. These groups all agree that retrofitting older college dorms, while at the same time requiring newly constructed dorms to include fire suppression devices like sprinklers, will undoubtedly save lives and property.

This is a solid bill, it is a reasonable proposal. There was quite a bit of negotiation that went on as it evolved, and it will do an awful lot to protect Pennsylvania's college students and the population of those dorms and other housing units. The building trades, the education community, the administration, PHEFA, and most importantly, the fire services and EMS services of this State support the legislation, and I would like to urge the Members' support on final passage.

And I would like to say just one last thing, if I may, Mr. President. This is really, in my mind, as co-chair of the fire and emergency services caucus, an amazing night. Just a few moments ago we passed hepatitis C legislation, now we are dealing with the university dorm sprinkler legislation. These are two of the top three or four issues that have been battered around by fire and emergency service providers in this State for quite a few years now, and I think it is important to point out for the record this evening that Members of this Senate, Members of the General Assembly obviously as a whole, have stepped up to the plate on these issues, worked hard, and we are finally taking care of a number of requests that our emergency service providers

across the State have urged us to take care of. So I appreciate the Members' support this evening, and I thank you, Mr. President, for the time.

The PRESIDENT. The Chair recognizes the gentlewoman from Northampton, Senator Boscola.

Senator BOSCOLA. Mr. President, I really wanted to say thank you to Senator Waugh because he did work with me when we were trying to get a study together to see what it would cost to retrofit dormitories and highrise buildings. That study gave us a lot of information, and as a result of that information, we have a bill in front of us today that would help retrofit dormitories with sprinkler systems. When you think about it, I think about parents who send their children to college, and I know now that they will feel safe and secure with sprinklers in their dormitories. Lastly, in a highrise in Bethlehem in 1989, there were five people who died, and the firefighters and police officers and municipal officers all said that if there was a sprinkler system, those five people would not have passed away as a result of a highrise fire. This is important legislation. I am so proud to be a part of it, and to see the bipartisan support warms me.

Thank you.

And the question recurring,
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution and were as follows, viz:

YEA-49

| | | | |
|------------|-----------|-------------|----------------------|
| Armstrong | Helfrick | Murphy | Thompson |
| Bodack | Holl | Musto | Tomlinson |
| Boscola | Hughes | O'Pake | Wagner |
| Brightbill | Jubelirer | Orie | Waugh |
| Conti | Kasunic | Piccola | Wenger |
| Corman | Kitchen | Punt | White, Donald |
| Costa | Kukovich | Rhoades | White, Mary Jo |
| Dent | LaValle | Robbins | Williams, Anthony H. |
| Earll | Lemmond | Scarnati | Williams, Constance |
| Erickson | Logan | Schwartz | Wozniak |
| Fumo | Madigan | Stack | |
| Gerlach | Mellow | Stout | |
| Greenleaf | Mowery | Tartaglione | |

NAY-0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Secretary of the Senate return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

SB 391 -- Without objection, the bill was passed over in its order at the request of Senator BRIGHTBILL.

BILLS ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 413 (Pr. No. 1610) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for Substance Abuse Education and Demand Reduction Fund; and imposing assessments.

Considered the third time and agreed to,
And the amendments made thereto having been printed as required by the Constitution,

On the question,
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution and were as follows, viz:

YEA-47

| | | | |
|------------|-----------|----------|----------------------|
| Armstrong | Helfrick | Mowery | Stout |
| Bodack | Holl | Murphy | Tartaglione |
| Boscola | Hughes | Musto | Thompson |
| Brightbill | Jubelirer | O'Pake | Tomlinson |
| Conti | Kasunic | Orie | Wagner |
| Corman | Kitchen | Piccola | Waugh |
| Costa | Kukovich | Punt | Wenger |
| Dent | LaValle | Rhoades | White, Donald |
| Erickson | Lemmond | Robbins | Williams, Anthony H. |
| Fumo | Logan | Scarnati | Williams, Constance |
| Gerlach | Madigan | Schwartz | Wozniak |
| Greenleaf | Mellow | Stack | |

NAY-2

Earll White, Mary Jo

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Secretary of the Senate present said bill to the House of Representatives for concurrence.

HB 476 (Pr. No. 2189) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of August 6, 1941 (P.L.861, No.323), referred to as the Pennsylvania Board of Probation and Parole Law, further providing for membership of an advisory committee.

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution and were as follows, viz:

YEA-49

| | | | |
|------------|-----------|----------|----------------------|
| Armstrong | Helfrick | Murphy | Thompson |
| Bodack | Holl | Musto | Tomlinson |
| Boscola | Hughes | O'Pake | Wagner |
| Brightbill | Jubelirer | Orie | Waugh |
| Conti | Kasunic | Piccola | Wenger |
| Corman | Kitchen | Punt | White, Donald |
| Costa | Kukovich | Rhoades | White, Mary Jo |
| Dent | LaValle | Robbins | Williams, Anthony H. |
| Earll | Lemmond | Scarnati | Williams, Constance |
| Erickson | Logan | Schwartz | Wozniak |

Gerlach Mellow Stout
Greenleaf Mowery Tartaglione

NAY-0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Secretary of the Senate return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL AMENDED

SB 656 (Pr. No. 1574) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Titles 18 (Crimes and Offenses) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for definitions; defining the offense of unlawful access to information; and further providing for unlawful use of computer and for bases of personal jurisdiction over persons outside this Commonwealth.

On the question,

Will the Senate agree to the bill on third consideration?

Senator MELLOW offered the following amendment No. A4738:

Amend Title, page 1, lines 3 through 5, by striking out "; defining the" in line 3, all of line 4, "providing" in line 5 and inserting: and

On the question,

Will the Senate agree to the amendment?

It was agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Senator BRIGHTBILL.

BILLS LAID ON THE TABLE

SB 1011 (Pr. No. 1258) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of October 10, 1975 (P.L.383, No.110), known as the Physical Therapy Practice Act, adding a definition of "mobilization/manual therapy."

Upon motion of Senator BRIGHTBILL, and agreed to by voice vote, the bill was laid on the table.

SB 1012 (Pr. No. 1259) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 16, 1986 (P.L.1646, No.188), known as the Chiropractic Practice Act, adding a definition of "manipulation/adjustment."

Upon motion of Senator BRIGHTBILL, and agreed to by voice vote, the bill was laid on the table.

BILLS OVER IN ORDER

SB 1074 and SB 1177 -- Without objection, the bills were passed over in their order at the request of Senator BRIGHTBILL.

HOUSE MESSAGE

SENATE BILL RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives returned to the Senate **SB 1200**, with the information the House has passed the same with amendments in which the concurrence of the Senate is requested.

RULE XIV SUSPENDED

The PRESIDENT. The Chair recognizes the gentleman from Lebanon, Senator BRIGHTBILL.

Senator BRIGHTBILL. Mr. President, I move to suspend Rule XIV to the extent that it requires that Senate Bill No. 1200 be referred to the Committee on Rules and Executive Nominations, and that Senate Bill No. 1200 be placed on a Supplemental Calendar.

The PRESIDENT. Senator BRIGHTBILL moves to suspend Rule XIV so that Senate Bill No. 1200 can be considered without the necessity of being referred to the Committee on Rules and Executive Nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were required by Senator BRIGHTBILL and were as follows, viz:

YEA-49

| | | | |
|------------|-----------|-------------|----------------------|
| Armstrong | Helfrick | Murphy | Thompson |
| Bodack | Holl | Musto | Tomlinson |
| Boscola | Hughes | O'Pake | Wagner |
| Brightbill | Jubelirer | Orie | Waugh |
| Conti | Kasunic | Piccola | Wenger |
| Corman | Kitchen | Punt | White, Donald |
| Costa | Kukovich | Rhoades | White, Mary Jo |
| Dent | LaValle | Robbins | Williams, Anthony H. |
| Earll | Lemmond | Scarnati | Williams, Constance |
| Erickson | Logan | Schwartz | Wozniak |
| Fumo | Madigan | Stack | |
| Gerlach | Mellow | Stout | |
| Greenleaf | Mowery | Tartaglione | |

NAY-0

A majority of the Senators having voted "aye," the question was determined in the affirmative.

The PRESIDENT. The bill will appear on the Calendar.

SPECIAL ORDER OF BUSINESS
SUPPLEMENTAL CALENDAR No. 3

SENATE NONCONCURS IN HOUSE AMENDMENTS

SB 1200 (Pr. No. 1627) -- The Senate proceeded to consideration of the bill, entitled:

An Act to apportion the Commonwealth of Pennsylvania into congressional districts in conformity with constitutional requirements; providing for the nomination and election of Congressmen; and requiring publication of notice of the establishment of congressional districts following the Federal decennial census.

On the question,

Will the Senate concur in the amendments made by the House to Senate Bill No. 1200?

Senator BRIGHTBILL. Mr. President, I move that the Senate nonconcur in the amendments made by the House to Senate Bill No. 1200, and that a Committee of Conference on the part of the Senate be appointed.

On the question,

Will the Senate agree to the motion?

A voice vote having been taken, the question was determined in the affirmative.

Ordered, That the Secretary of the Senate inform the House of Representatives accordingly.

SPECIAL ORDER OF BUSINESS SUPPLEMENTAL CALENDAR No. 4

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 955 (Pr. No. 1630) -- The Senate proceeded to consideration of the bill, entitled:

An Act providing for vaccination against meningococcal disease for students at institutions of higher education and for duties of the Department of Health.

Considered the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The PRESIDENT. The Chair recognizes the gentleman from Indiana, Senator D. White.

Senator D. WHITE. Mr. President, I rise today in support of Senate Bill No. 955. This is a bill that would require college freshmen living on campus to be vaccinated against the bacteria that causes meningitis. The need for these vaccinations became quite apparent earlier this year with the discovery of meningitis cases at IUP and also LaSalle University. It is really not surprising that meningitis popped up on campus, but rather that we have not seen more cases. College is often the first time that young people live in a communal setting outside their families. That means it is also a prime time for the spread of bacteria and infections. In fact, Mr. President, the Centers for Disease Control in Atlanta has recommended that all incoming college students living on campus receive the vaccination. The vaccine, which is effective for 4 to 5 years, costs approximately \$65 to \$75, depending where you are, and it is covered by many insurance providers.

I understand that this requirement may cause concern for some students and their families. Therefore, this legislation lets students or their legal guardians, in the case of minors, sign a waiver exempting them from the vaccination. However, to get the waiver, the student must be informed by the school of the risks

associated with the disease and the effectiveness of the vaccine. Even if they sign a waiver, we will make students and their families aware of the risk that will aid prevention. By ensuring that every freshman living on campus knows what meningitis is and how it spreads, we are taking a major step in stopping it. That will give parents some peace of mind when they send their son or daughter away to school.

Mr. President, young people are exposed to many new experiences when they leave home to attend college, but meningitis should not be one of them. Therefore, Mr. President, I ask my colleagues for their support and an affirmative vote on Senate Bill No. 955.

Thank you.

And the question recurring,
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution and were as follows, viz:

YEA-47

| | | | |
|------------|-----------|----------|----------------------|
| Armstrong | Helfrick | Mowery | Stout |
| Bodack | Holl | Murphy | Tartaglione |
| Boscola | Hughes | Musto | Thompson |
| Brightbill | Jubelirer | O'Pake | Tomlinson |
| Conti | Kasunic | Orie | Wagner |
| Corman | Kitchen | Piccola | Waugh |
| Costa | Kukovich | Punt | Wenger |
| Dent | LaValle | Rhoades | White, Donald |
| Erickson | Lemmond | Robbins | Williams, Anthony H. |
| Fumo | Logan | Scarnati | Williams, Constance |
| Gerlach | Madigan | Schwartz | Wozniak |
| Greenleaf | Mellow | Stack | |

NAY-2

Earll White, Mary Jo

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Secretary of the Senate present said bill to the House of Representatives for concurrence.

CONSIDERATION OF CALENDAR RESUMED

THIRD CONSIDERATION CALENDAR RESUMED

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 1408 (Pr. No. 1654) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 20, 1967 (P.L.869, No.385), known as the Public Works Contractors' Bond Law of 1967, further providing for enforcement of claims and for financial security to be provided by contractors and bidders.

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution and were as follows, viz:

YEA-49

| | | | |
|------------|-----------|-------------|----------------------|
| Armstrong | Helfrick | Murphy | Thompson |
| Bodack | Holl | Musto | Tomiinson |
| Boscola | Hughes | O'Pake | Wagner |
| Brightbill | Jubelirer | Orie | Waugh |
| Conti | Kasunic | Piccola | Wenger |
| Corman | Kitchen | Punt | White, Donald |
| Costa | Kukovich | Rhoades | White, Mary Jo |
| Dent | LaValle | Robbins | Williams, Anthony H. |
| Earl | Lemmond | Scarnati | Williams, Constance |
| Erickson | Logan | Schwartz | Wozniak |
| Fumo | Madigan | Stack | |
| Gerlach | Mellow | Stout | |
| Greenleaf | Mowery | Tartaglione | |

NAY-0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Secretary of the Senate return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

SECOND CONSIDERATION CALENDAR

BILL REREPORTED FROM COMMITTEE
AS AMENDED ON SECOND CONSIDERATION

SB 1007 (Pr. No. 1615) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of February 14, 1986 (P.L.2, No.2), known as the Acupuncture Registration Act, providing for the definition of "acupuncture educational program"; and further providing for the regulations of the practice of acupuncture.

Considered the second time and agreed to,

Ordered, To be printed on the Calendar for third consideration.

BILL REREPORTED FROM COMMITTEE
AS AMENDED OVER IN ORDER

HB 1830 -- Without objection, the bill was passed over in its order at the request of Senator BRIGHTBILL.

BILLS OVER IN ORDER

HB 227, SB 315 and HB 344 -- Without objection, the bills were passed over in their order at the request of Senator BRIGHTBILL.

BILL ON SECOND CONSIDERATION

SB 460 (Pr. No. 1180) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of February 18, 1998 (P.L.146, No.22), known as the Check Casher Licensing Act, further providing for fees and charges and for applicability.

Considered the second time and agreed to,
Ordered, To be printed on the Calendar for third consideration.

BILLS OVER IN ORDER

SB 462 and SB 533 -- Without objection, the bills were passed over in their order at the request of Senator BRIGHTBILL.

BILL LAID ON THE TABLE

SB 587 (Pr. No. 1464) -- The Senate proceeded to consideration of the bill, entitled:

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

Upon motion of Senator BRIGHTBILL, and agreed to by voice vote, the bill was laid on the table.

BILL OVER IN ORDER

SB 1048 -- Without objection, the bill was passed over in its order at the request of Senator BRIGHTBILL.

BILL REREFERRED

SB 1223 (Pr. No. 1614) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of October 6, 1998 (P.L.705, No.92), known as the Keystone Opportunity Zone and Keystone Opportunity Expansion Zone Act, further providing for the zone authorization and duration of program.

Upon motion of Senator BRIGHTBILL, and agreed to by voice vote, the bill was rereferred to the Committee on Appropriations.

BILL OVER IN ORDER

SB 1244 -- Without objection, the bill was passed over in its order at the request of Senator BRIGHTBILL.

BILLS REREFERRED

HB 1333 (Pr. No. 2994) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for Internet child pornography.

Upon motion of Senator BRIGHTBILL, and agreed to by voice vote, the bill was rereferred to the Committee on Appropriations.

HB 1360 (Pr. No. 1683) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 14, 1988 (P.L.1192, No.147), known as the Special Ad Hoc Municipal Police and Firefighter Postretirement Adjustment Act, further providing for definitions, for special ad hoc postretirement adjustments and for the administration of the Commonwealth's reimbursements for these adjustments; and making editorial changes.

Upon motion of Senator BRIGHTBILL, and agreed to by voice vote, the bill was rereferred to the Committee on Appropriations.

HB 1363 (Pr. No. 3059) -- The Senate proceeded to consideration of the bill, 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 service increments to pensions of police and firefighters.

Upon motion of Senator BRIGHTBILL, and agreed to by voice vote, the bill was rereferred to the Committee on Appropriations.

THIRD CONSIDERATION CALENDAR RESUMED

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 1240 (Pr. No. 1607) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 30, 1995 (P.L.170, No.25), entitled "An act providing for voter registration, for registration commissions, for remedies and for absentee ballots; imposing penalties; making appropriations; and making repeals," further providing for the definitions of "district register," "general register," "qualified elector," "registrant," "registration records" and "Statewide Uniform Registry of Electors" or "SURE system," for departmental responsibilities, for commissions, for legislative intent, for establishment of SURE system, for qualifications to register, for in-person voter registration, for application with driver's license application, for application by mail, for time, for preparation and distribution of applications, for approval of registration applications, for general register, for district registers, for street lists, for public information lists, for retention of records, for removal notices, for transfer of registration, for court of common pleas, for registration, for votes, for official documents, for law enforcement assistance, for preventing registration, for approval of registration, for power of department, for removal of voters and for files; and providing for SURE system costs, for SURE registration number and for conversion of registration records.

On the question,

Will the Senate agree to the bill on third consideration?

Senator TARTAGLIONE offered the following amendment No. A4751:

Amend Title, page 1, lines 1 through 23, by striking out all of said lines and inserting:

Amending the act of June 30, 1995 (P.L.170, No.25), entitled "An act providing for voter registration, for registration commissions, for remedies and for absentee ballots; imposing penalties; making appropriations; and making repeals," providing for a registry board; and further providing for definitions, for departmental responsibilities, for

commissions, for legislative intent, for SURE system, for residence of electors, for application with driver's license application, for preparation and distribution of applications, for approval of registration applications, for challenges, for general register, for direct registers, for street lists, for public information lists, for transfer of registration, for disability, for death of registrant, for checkup of registers, for failure to vote, for altering registration, for official documents, for approval of registration, for power of department, for removal of voters and for files.

Amend Bill, page 1, lines 26 and 27; pages 2 through 67, lines 1 through 30; page 68, lines 1 through 11, by striking out all of said lines on said pages and inserting:

Section 1. Sections 102 and 301 of the act of June 30, 1995 (P.L.170, No.25), known as the Pennsylvania Voter Registration Act, amended or added June 25, 2001 (P.L.674, No.61), are amended to read:

Section 102. Definitions.

The following words and phrases when used in this act shall have the meanings given to them in this section unless the context clearly indicates otherwise:

"Applicant." An individual who applies to be registered to vote as provided for in this act.

"Calendar year." The period commencing January 1 and ending December 31 next following.

"Commission." A registration commission established under section 303.

"Commissioner." A member of a registration commission.

"County." Any county of this Commonwealth. The term includes a county within which is located a city of the first class or with which a city of the first class is coextensive.

"County election board." The board of elections of a county.

"Department." The Department of State of the Commonwealth.

"District." An election district or precinct of a municipality.

"District register." The [registration cards or digitized signature list containing the] list of qualified electors containing the digitized signature of each elector:

(1) arranged, by election district, alphabetically by last name of the registrant; and

(2) prepared by the commission under section 702.

"Election." A general, special, municipal or primary election.

"General election." The election which the Constitution of Pennsylvania requires to be held in even-numbered years.

"General register." The [registration record of a county containing at a minimum all information required on a registration application and a registration card for all registered electors in the county.] data base of all registration records appropriate to a county contained on a computer in accordance with section 701.

"In military service." Serving in the uniformed services as defined in section 102 of the Career Compensation Act of 1949 (Public Law 81-350, 63 Stat. 801) or serving in the Pennsylvania National Guard.

"Members of the merchant marine of the United States." Any of the following:

(1) Individuals employed as officers or members of crews of vessels documented under the law of the United States or of vessels owned by the United States or of vessels of foreign-flag registry under charter to or control of the United States. This paragraph does not include individuals in military service.

(2) Individuals enrolled with the United States for employment or for training for employment or maintained by the United States for emergency relief service as officers or members of crews of vessels referred to in paragraph (1). The term does not include individuals in military service or individuals employed or enrolled for employment or for training for employment or maintained for emergency relief on the Great Lakes or the inland waterways.

"Military elector." Any of the following:

(1) An individual in military service and the individual's spouse and dependents.

(2) An individual in the merchant marine and the individual's spouse and dependents.

(3) An individual in a religious or welfare group officially attached to and serving with the armed forces of the United States and the individual's spouse and dependents.

(4) An individual who is a civilian employee of the United States outside the territorial limits of the United States, whether or not the individual is subject to the civil service laws and the Classification Act of 1949 (Public Law 81-429, 63 Stat. 954) and whether or not the individual is paid from funds appropriated by Congress, and the individual's spouse and dependents.

"Municipal election." The election which the Constitution of Pennsylvania requires to be held in odd-numbered years.

"Municipality." A city, borough, town or township.

"November election." Either the general or the municipal election, or both, according to the context.

"Overseas citizen." An individual who resides outside the territorial limits of the United States and who, but for such residence, would be a qualified elector. The term does not include a military elector.

"Party." Any of the following:

(1) A party or political body, one of whose candidates at the general election immediately preceding the primary:

(i) polled, in each of at least ten counties, at least 2% of the largest entire vote cast in the county for any elected candidate; and

(ii) polled a total vote in this Commonwealth equal to at least 2% of the largest entire vote cast in this Commonwealth for any elected candidate.

(2) A party or political body, one of whose candidates at either the general or municipal election preceding the primary polled at least 5% of the largest entire vote cast for any elected candidate in any county.

"Person authorized to administer oaths." The term includes an individual who is a commissioned officer in military service or a member of the merchant marine of the United States designated for this purpose by the United States Secretary of Commerce.

"Person in military service." The term shall mean a qualified elector who is by enlistment, enrollment or draft in actual military service.

"Political body." A political body not recognized as a political party which has filed proper nomination papers as required by law.

"Primary election." An election for the nomination of candidates.

"Public office." Any Federal, State or political subdivision, office or position of employment requiring the individual elected or appointed to render public service for a fixed fee or compensation. The term does not include the office of notary public or commissioner of deeds.

"Qualified elector." An individual who possesses all of the qualifications for voting prescribed by the Constitution of Pennsylvania and the laws of this Commonwealth or who, being otherwise qualified by continued residence in the election district, obtains such qualifications before the next ensuing election. The term does not include a military elector.

"Registrant." An elector who is registered to vote in accordance with this act.

"Registration card." A registration record containing all information required on the registration application, including the elector's signature, and suitable space for the insertion by the appropriate official of the following information:

(1) The ward and election district of residence.

(2) The registrant's street address.

(3) Data required to be given upon removal from the registrant's residence.

(4) The date of each election at which the registrant votes.

(5) The number and letter of the stub of the ballot issued to the registrant or the registrant's number in the order of admission to the voting machines.

(6) The initials of the election officer who enters the record of voting in the district register.

(7) Whether the registrant needs assistance to vote and, if so, the nature of the disability.]

"Registration [records] record." The [general register, district register and any other record of registration of electors maintained by a county. If provided in regulations promulgated under this act, the term shall also refer to any record maintained by the county on the Statewide Uniform Registry of Electors.] registration information of each registrant contained in the general register of the county.

"Registry." The Statewide Uniform Registry of Electors (SURE) of registered qualified electors established under section 322.

"Secretary." The Secretary of the Commonwealth.

"Statewide Uniform Registry of Electors" or "SURE system." The integrated voter registration system containing a data base of all electors in this Commonwealth established by this act.

Section 301. Departmental responsibilities.

The department shall do all of the following:

(1) Provide for applicants to submit their voter registration application to the commission, the Department of Transportation and other agencies designated in section 525.

(2) Prescribe a procedure for the return of completed voter registration applications from the Department of Transportation, the Department of Public Welfare, armed forces recruitment centers, Offices of the Clerk of Orphan's Court and all other offices under this act to the secretary or the appropriate commission.

(3) Develop [and], establish and administer a Statewide Uniform Registry of Electors to be known as the SURE system, subject to the requirements of [section 321] this act.

(4) Promulgate regulations necessary to administer this act.

(5) Conduct annual training of all State and county officials and personnel responsible for using the SURE system and administering the voter registration laws of this Commonwealth; offer such training as often as necessary but not less than once per year; and provide a training manual. The department shall issue a certification to all persons who complete such training.

(6) The department shall prepare from the SURE system within 20 days after the last day to register to vote at each special, primary, municipal and general election, a statement of the total number of electors registered in each election district, together with a breakdown of registration by each political party or other designation. The department shall forthwith submit such information to the Legislative Data Processing Center and shall publicly report the total number of registered electors for each political party or other designation in each county and in each election district not later than five days prior to the primary, municipal or general election.

(7) Upon request the department shall prepare a statement of the total number of electors within each political party or other designation registered in each Congressional, Senatorial and legislative district or other political subdivision. Such reports shall be made available to the General Assembly, on request, and to the public for a fee, as established by the department.

(8) The department shall maintain and prepare upon request from the SURE system, maps of each election district of the Commonwealth as well as each Congressional, Senatorial or legislative district or other political subdivision. Such maps shall be made available to the General Assembly, on request, and to the public for a fee, as established by the department.

Section 2. Section 303 of the act is amended by adding a subsection to read:

Section 303. Commissions.

(I) Relocation of office.—Any commission who changes the location of the voter registration and/or elections office must provide the Secretary of the Commonwealth with 90 days' notice prior to making such a relocation in order that all necessary changes to the integrated voter registration data base can be accomplished.

Section 3. The act is amended by adding a section to read:

Section 308. Registry board.

There shall be a bipartisan board to advise the secretary in the administration of the SURE system. The registry board shall be composed of the secretary, the chairman of each political party which received the two largest votes at the last preceding gubernatorial election, and two county commissioners not from the same political party or the same county. The county commissioners shall be appointed by the secretary. The commissioners may designate an employee of their county to attend meetings of the board on their behalf. The secretary shall chair the board. The registry board shall meet at least once quarterly and shall have their expenses compensated at the normal rate of compensation for Commonwealth employees. All meetings of the board shall be recorded and shall be open to the public.

Section 4. Sections 321 and 322 of the act, added June 25, 2001 (P.L.674, No.61), are amended to read:

Section 321. Legislative intent.

It is the intent of the General Assembly that a Statewide system of voter registration be established in this Commonwealth to ensure the integrity and accuracy of voter registration records. All commissions shall be linked electronically to a data base containing information pertaining to all registered electors in this Commonwealth. The system shall be in a uniform format and shall be compatible, as far as practicable, with current technologies employed by the commissions with regard to voter registration. The system shall, as far as practicable, preserve the power of the commissions to make determinations as to the qualifications of electors. When commissions fail to perform the duties imposed by this act, the department shall be empowered to enforce compliance in accordance with this act.

Section 322. Establishment of SURE system.

(a) Establishment.—[The department shall develop and implement a Statewide Uniform Registry of Electors containing] The SURE System established by the department in accordance with this act shall contain a data base of all registered electors in this Commonwealth. The SURE data base shall be contained on a central computer in a location to be designated by the secretary. The data base shall contain all data elements required on a voter registration application specified in section 527, the digitized signature of the elector and all other information required to be on the general register. The SURE data base shall contain a uniform record format to be used by all counties as required by subsection (c) and shall be developed in consultation with the county commissions. The secretary shall prescribe the record format for the SURE data base. All commissions shall be linked electronically to the SURE system through one of the options contained in subsection (c). The department shall provide a backup of the SURE data base off site to enable counties access to the integrated voter registration data base should the system become inoperative. The department shall submit to the General Assembly a semiannual report, beginning six months after the effective date of this act until such time as all counties are online with the SURE system, describing the status of the project to implement the SURE system, listing the counties that are online with the system, the schedule for additional counties to be brought online and the incurred costs of the project.

(b) Advisory board.—

(1) The secretary shall form an advisory board to assist the department in determining and identifying the necessary elements and requirements of the SURE system.

(2) The secretary shall appoint nine directors of elections, one from each class of counties, and shall appoint three county commissioners, each from a different class of counties from a list submitted by the County Commissioners Association of Pennsylvania. The advisory board shall also be comprised of four members of the General Assembly who have been appointed to the Joint Select Committee on Election Reform pursuant to House Resolution 14 of 2001 as follows:

(i) Two members of the House of Representatives, one of whom shall be a member of the minority party recommended by the Minority Leader, appointed by the Speaker of the House of Representatives.

(ii) Two members of the Senate, one of whom shall be a member of the minority party recommended by the Minority Leader, appointed by the President pro tempore of the Senate.

(3) On or before October 15, 2001, the secretary shall make a report of the recommendations of the department with regard to the necessary elements and requirements of the SURE system. The report shall be submitted to the State Government Committee of the Senate and the State Government Committee of the House of Representatives. The recommendations shall include, but not necessarily be limited to, the following:

(i) requirements for county participation in the SURE system;

(ii) access to the SURE system for review and search capabilities;

(iii) use of the SURE system as the general register of a county;

(iv) use of signatures or other forms of voter registration identification;

(v) accuracy, security and protection of all information in the SURE system and to ensure that unauthorized entry is not allowed; and

(vi) usage and compatibility of the various equipment and technologies currently possessed by the counties.]

(b.1) Functions.—The SURE system shall have, but not be limited to, the following functions to be used by all counties:

(1) Allow the commissions to add, modify and delete information from the SURE data base regarding registered qualified electors appropriate to their jurisdiction to provide for accurate and up-to-date records. The department or registry board or other State agencies shall have no authority to add, modify or delete information on any registration record contained on the SURE system.

(2) Identify duplicate voter registrations within a county and across this Commonwealth.

(3) Allow the department and each commission to have access to the data base for review and search capabilities to permit viewing by the secretary and commissions of all registration records of all commissions in order to ensure the accuracy of each commission's files; provided, however, that the SURE system shall permit a county to alter only voter registration records appropriate to their jurisdiction.

(4) Permit the uploading of information received from voter registration applications received through the mail or in person in the office of the commission to the registry.

(5) Allow the electronic transfer of completed voter registration applications from the Department of Transportation, the Department of Public Welfare, armed forces recruitment centers, offices of a clerk of court and all other agencies authorized to receive voter registration applications under this act to the appropriate commission for review and approval.

(6) Provide for the distribution of all changes of address filed with the Department of Transportation pursuant to section 523(c)(4)(i) to the proper county commission for review and approval.

(7) Provide security and protection of all information in the registry and ensure that unauthorized entry is not allowed.

(8) Provide for the Department of Health to distribute notices required by section 905 directly to all commissions.

(9) Enable each commission to download their general register from the SURE system in an efficient and expedient fashion in accordance with this act.

(10) Provide for communications to be sent from the department to all counties, between the counties and from the counties to the department.

(11) Permit the transfer of voter registration records from county to county in compliance with this act.

(12) Enable the department to implement section 1901(b)(1)(i) regarding the national change of address and distribute the results to each commission.

(13) Provide a system for each county to identify the precinct to which a voter registration applicant and registered voter should be assigned for voting purposes.

(14) Provide each county with a printed daily maintenance list detailing all changes to their county files on the SURE system, and the various printed reports and labels required by the counties for updating or transferring original records and produce statistical reports reflecting maintenance of voter registration files including such things as the number of records with name changes, party changes, address changes, deletions, additions, etc., and the number of approved/disapproved applications coming via PennDOT, mail, in person and Federal and State agencies.

(15) Permit counties to print a paper copy of electronic voter registration applications and other information placed on the SURE system.

(16) The SURE system shall be designed to enable each county board of elections to maintain maps of each election district in the county and to produce maps of proposed election district alterations. In addition, the SURE system shall be designed to

enable the secretary to produce maps of each election district of the Commonwealth as well as each Congressional, Senatorial or legislative district or other political subdivision.

(17) Enable all counties to perform all other voter registration and election responsibilities required by this act and the act of June 3, 1937 (P.L. 1333, No. 320), known as the Pennsylvania Election Code, which are dependent on interaction with the information contained in the data base of registered electors.

(b.2) Features.—In addition to the functions specified in subsection (b.1), the SURE system shall include, but not be limited to, the following features to be used by counties participating in the SURE system in accordance with subsection (c)(1) and provide for county production and tracking of all registration list maintenance notices and responses required by this act:

(1) Enable counties to maintain and update records of polling place locations and district election officers.

(2) Enable counties to judge the qualifications of absentee ballot applicants and track absentee ballots distributed and received.

(3) Enable each commission to timely produce district registers for distribution to polling places and produce street lists in sufficient time for candidates/political parties to use for the election in accordance with this act and provide the ability for commissions to comply with section 1901(b)(3).

(4) Archive canceled registrations, rejected applications, transferred registrations and other registrations and registration applications required to be maintained.

(5) Enable counties to print wallet-sized identification cards required to be mailed to all applicants whose registration applications a commission has approved.

(c) Options for participating in the SURE system.—

(1) Each commission shall be required to connect to the SURE system for performance of all functions referred to in subsections (b.1) and (b.2), except as provided in paragraph (2), commencing at the earliest practicable time after the effective date of this act, with the department incurring all costs related to development, data conversion including all interface costs, hardware, software, telecommunication lines, connection and ongoing maintenance and telecommunication costs. The SURE data base shall constitute the general register for all counties that connect to the SURE system pursuant to this section.

(2) (i) Any county may use its own data processing facilities and data base for voter registration recordkeeping and utilization functions, provided, however, they must connect to the SURE system via an electronic interface which enables such county to upload voter registration data to the SURE data base and download required information from the SURE system as required by this act. Data uploaded to the SURE system must be in the format required by the department and must include all data elements from the registrant's voter registration application and the digitized signature of the registrant. Each county participating in the SURE system in accordance with this subparagraph shall upload voter registration records daily according to a schedule established by the secretary. The county data base shall constitute the general register for all counties that connect to the SURE system pursuant to this section. A county selecting this alternative must have its electronic interface approved by the department prior to connecting to the SURE system to insure that information is being delivered to the department and received by the county in the format required by the SURE system. The electronic interface shall be bidirectional to be used for the daily exchange of registration records and digitized signature files between the SURE data base and the commission's system in the format able to be read by both the county and the SURE system. The development and cost of this portion of the electronic interface shall be shared equally by the department and the respective county. Any county selecting this option which does not at the time of notifying the department in accordance with subsection (d) utilize signature digitization must have contracted for digitized signature conversion and begun such conversion within one year of filing the notification required in subsection (d).

(ii) If the SURE system is upgraded in such a way that makes the county interface inoperable the State shall pay for any costs to

update the interface. If any county subsequently decides to upgrade its hardware or software in such a way that makes the interface inoperable, the county shall pay for any costs to update the interface.

(d) Timetable.—The timetable for implementation of the SURE system shall be established by the secretary but in no case shall be later than three years after the effective date of this act unless otherwise approved by the General Assembly. The secretary may phase in the use of the system on a county-by-county basis, provided, however, that no county shall use the registry for any purpose authorized by this act until the secretary shall certify that all proper tests have been conducted insuring that the system as established in the county is capable of performing according to all requirements of this act and that the conversion interfaces accurately convert the county registration record and digitized signature files to the SURE format. The commission of each county shall select the alternatives specified in subsection (c) for use in their county and notify the secretary within 30 days of the effective date of this act which option they have selected. Once a commission has selected participation under subsection (c)(1), it may not change the option it has selected. A commission that has selected the option in subsection (c)(2) may at a later date request a change to the option in subsection (c)(1).

(e) Advisory board.—The secretary shall appoint an advisory board to assist the department in developing and implementing the SURE system composed of one representative of the County Commissioners Association of Pennsylvania and one representative of a commission of each class county of the Commonwealth. All meetings of the board shall be recorded and shall be open to the public.

Section 5. Section 502(b)(7) of the act is amended to read:
Section 502. Residence of electors.

(b) Rules for determination.—The following apply:

(7) An individual employed in the service of the Federal Government or of the Commonwealth and required thereby to be absent from the municipality where the individual resided when entering that employment, and the spouse of the individual, may remain registered in the district where the individual resided immediately prior to entering that employment; and the individual and the spouse shall be enrolled in the political party designated by the individual or spouse without declaring a residence by street and number.

(i) An individual who registers under this paragraph for Commonwealth employment must produce a certificate from the head of the State agency, under the seal of office, setting forth that the individual or the individual's spouse is actually employed in the service of the Commonwealth and setting forth the nature of the employment and the time when the employee first entered the employment. The commission shall retain certificates under this subparagraph.

(ii) The commission shall note on the registration [card] record of each individual registered under this paragraph the fact of Federal or State employment.

(iii) At least once every two years the commission shall verify the employment of the individuals registered under this paragraph at the proper Federal or State office. If an individual is found to be no longer a Federal or State employee, the individual's registration shall be canceled under Chapter 9.

Section 6. Section 523(c) of the act, amended June 25, 2001 (P.L. 674, No. 61), is amended to read:

Section 523. Application with driver's license application.

(c) Transmission.—

(1) The Department of Transportation shall forward, within five days of receipt, completed applications or contents of the completed voter registration applications in machine-readable format to the department by the close of registration for the ensuing election.

(2) The department shall transmit the material to the appropriate commission within ten days after the date of its receipt by the Department of Transportation. After the county is connected to the SURE system, the department shall immediately transmit the

applications appropriate to the commission. If a voter registration application is received by the Department of Transportation within five days before the last day to register before an election, the application shall be transmitted to the appropriate commission not later than five days after the date of its receipt by the Department of Transportation.

(3) Upon receipt of the completed voter registration [information] application from the department, the commission shall make a record of the date of the receipt of the application and process the application. No applicant shall be deemed eligible to vote until the commission has received and approved the application.

(4) Changes of address shall comply with the following:

(i) The Department of Transportation shall notify the secretary of changes of address received under subsection (a)(3). The secretary shall notify the commission of the county of the registrant's prior residence. Except as provided in subparagraph (ii), if the registrant has moved outside of the county, the commission shall forward the registrant's registration [card] record from the general register and original record to the commission of the registrant's new county of residence. Except as provided in subparagraph (ii), if the registrant has moved to an address within the commission's jurisdiction, the commission shall update the registration record of the registrant. All changes of address received by the Department of Transportation under this section at least 30 days before a primary, general or municipal election must be processed by the commission for the ensuing election.

(ii) In the case of changes of address received by the Department of Transportation which do not contain a signature of the registrant, the commission receiving the change of address notification shall mail a notice to the registrant at the new residence address requesting verification of the address change. If the change of address is to a new residence outside the commission's jurisdiction, the commission shall mail the following notice:

Date.....

Office of the Registration Commission

..... County, Pennsylvania

..... (Address and Telephone No. of County)

We have been notified by the Department of Transportation that you recently changed your address from (old residence address) to (new residence address) and that this change of address is to serve as a change of address for voter registration purposes. Unless you notify this office within ten days from the date of this notice that this information is not correct, your voter registration will be transferred to County. You may notify this office by writing your residence address, the date and your signature on the bottom of this form and mailing this notice to this office. You need not notify this office if this information is correct.:

.....:

Chief Clerk

If the address change is within the commission's jurisdiction, the county shall mail a voter's identification card to the registrant at the new residence address.

(iii) If the registrant does not return the notice under subparagraph (ii) within the ten-day period, the commission shall process the change of address according to subparagraph (i).

(i) If the registrant notifies the commission that the information is incorrect and the commission is satisfied with the registrant's explanation of the discrepancy, the address of the registrant's registration shall remain unchanged. If the verification notification or voter identification card is returned by the post office as undeliverable as addressed or with a forwarding address, the commission shall send a confirmation notice to the registrant's address of former residence in accordance with section 1901(d)(2).

(5) Upon notification and confirmation of any change of address, a commission shall promptly update information contained in its registration record.

Section 7. Sections 527(a)(5), 528(b) and (c), 701, 702, 703 and 704 of the act are amended to read:

Section 527. Preparation and distribution of applications.

(a) Form.—

[(5) The official voter registration application may be designed in a manner to be inserted in the district register or for transfer to a registration card to be placed in the district register.]

Section 528. Approval of registration applications.

(b) Decision.—

(1) If the commission finds the official registration application not properly completed, the application shall be rejected. The commission should make reasonable efforts to complete the registration before rejecting it for omissions and inconsistencies. If the commission rejects an application under this paragraph, it shall indicate "REJECTED" on the application and state there the reason for rejection and notify the applicant by first class nonforwardable mail, return postage guaranteed. A record of a rejected registration application filed electronically shall be preserved on the registry. Registration applications originating on paper shall be retained in accordance with the provisions of this act.

(2) If the official registration application contains the required information indicating that the applicant is legally qualified to register as stated in the application, the commission shall mail to the applicant a voter's identification card in accordance with subsection (d)(1).

(3) For an application for a transfer of registration or a change in address or name, if the application contains the required information and the applicant is legally qualified to transfer registration or change name or address as stated in the application, the commission shall make the transfer or change. If the commission suspects that the applicant is not entitled to transfer registration or to change name or address, the commission may investigate. If the commission finds that the applicant is not entitled to the transfer or change, the application shall be rejected. The applicant shall be notified of the rejection and the reason for it. Rejection shall be made no later than ten days before the election succeeding the filing of the application.

(c) Result.—[If an] Until such time as the commission is able to use the SURE system for the administration of voter registration pursuant to this act, if a voter registration application is designed to serve as a registration card, the accepted application of an elector may serve as the elector's official registration card, if it was so designed, and shall be filed in the office of the commission in accordance with Chapter 7. If the application is not designed to serve as a registration card, the information contained on the application, including the elector's signature, shall be transferred to the registration card. If a commission utilizes a signature digitization list, it shall transfer all information contained on the application, including the signature, to the registry or, until the registry is established, to a computer file. Once the commission is connected to the registry, the information contained on an approved voter registration application, including the elector's signature, shall be transferred to the registry. If the approved application has been submitted electronically, the commission shall make it a permanent record of the registry and print a paper copy and process it according to section 702(b)(1). Applicants for registration shall be challenged under section 529. For purposes of this subsection a registration card shall be a card containing all information required on the registration application, including the elector's signature, and suitable space for the insertion by the appropriate official of the following information:

(1) The ward and election district of residence.

(2) The registrant's street address.

(3) Data required to be given upon removal from the registrant's residence.

(4) The date of each election at which the registrant votes.

(5) The number and letter of the stub of the ballot issued to the registrant or the registrant's number in the order of admission to the voting machines.

(6) The initials of the election officer who enters the record of voting in the district register.

(7) Whether the registrant needs assistance to vote and, if so, the nature of the disability.

Section 701. General register.

(a) [Original registration] Registration cards.—[If] Before a commission is connected to the SURE system, if a commission uses the original registration cards for registered electors in the county as the district register, the duplicate registration cards or photocopies of the original registration cards shall be placed in exact alphabetical order by last name of the registrant, shall be indexed and shall be kept at the office of the registration commission in a manner as to be properly safeguarded. These cards constitute the general register of the county. They may not be removed from the office of the commission except upon order of a court of record. Nothing in this act shall preclude the use of duplicate registration cards from applications provided under the act of March 30, 1937 (P.L.115, No.40), known as The First Class City Permanent Registration Act, or the act of April 29, 1937 (P.L.487, No.115), known as The Permanent Registration Act for Cities of the Second Class, Cities of the Second Class A, Cities of the Third Class, Boroughs, Towns, and Townships.

(b) Digitized signature lists.—[If] Before a commission is connected to the SURE system, if a commission uses digitized signature lists as the district register, the original registration cards shall be placed in exact alphabetical order by last name of the registrant, indexed and kept at the office of the commission in a manner as to be properly safeguarded. These original cards constitute the general register of the county. They may not be removed from the office of the commission except upon order of a court of record. The commission shall safely retain all registration cards used in the registration of electors or in conducting an election. If a commission has the capability to accept an electronic application, the secretary may require the commission to produce a computer-generated card to file in the general register. If the commission finds a record for a registrant on the computer data base which is not contained in the general register, it shall replace the original card with a computer-generated duplicate card upon written permission from the registrant or upon order of a court of record.

(c) Duplicate files.—[If] Before a commission is connected to the SURE system, if the commission deems a duplicate file of registration cards necessary for administrative purposes, the commission may prepare a reproduction in compliance with the following:

(1) The registration form shall be photographed, microphotographed or reproduced in a manner approved for permanent records by the secretary.

(2) The device used to reproduce the card is one which accurately reproduces the original in all details.

(3) The photographs, microphotographs or other reproductions are open to public inspection and provision is made for preserving, examining and using them.

(d) General rule after connection.—After connection to the SURE system, the data base of registrants appropriate to the county maintained on the SURE system or the county data processing facilities as selected by each commission in accordance with section 322(c) shall constitute the general register of the county and shall be used by the commission for preparation of the district register. The data base for each registrant shall contain all information of the registrant required on the registration application, including his or her signature, and suitable space for the insertion by the appropriate official of the ward and election district of residence, the registrant's street address, data required to be given upon removal from the registrant's residence, the date of each election at which the registrant votes, whether the registrant is a Federal or State employee, an indication whether the registrant needs assistance to vote and, if so, the nature of the disability, and a unique identifier for all registrants established by the secretary, except that identifying numbers currently used by the counties shall also be maintained on the general register.

Section 702. District registers and original records.

[(a) Registration card file.—

(1) Except as provided in subsection (b) and in section 701(b), the original registration cards shall be filed by election districts in exact alphabetical order by last name of the registrant and shall be indexed.

(2) The cards constitute the district register.

(3) The commission shall provide binders, which are capable of being locked, for filing and indexing the registration cards. The keys to the binders shall at all times be retained by the commission.

(4) The district register shall be kept at the office of the commission, except as provided in subsection (b), and shall be open to public inspection, subject to reasonable safeguards and regulations.

(b) Computer lists] (a.1) District register.—

(1) [Instead of using registration cards as the district register as provided in subsection (a), a] Each commission [may] shall use a computer list or computer-generated cards containing the names of registered electors arranged by election district, alphabetically by last name of the registrant[,] which shall constitute the district register. Each page of the list shall contain the name of the county, the ward and election district, the date of the election and date and time the list was prepared.

(2) The computer list or computer-generated cards must be in a form prescribed or approved by the secretary and must contain necessary information that would otherwise be available on the [registration cards] general register, including a legible digitized signature of the registrant copied from the signature on the [registration card. The district election officials shall have computer printouts at the polling places containing the necessary information needed to verify the identity of the elector.] general register, the street address, political party and active or inactive status of each elector, and suitable space for insertion by the proper election official of the number and letter of the stub of the ballot issued to the registrant or the registrant's number in the order of admission to the voting machines and the initials of the election officer who enters the record of voting in the district register and whether the registrant needs assistance to vote and, if so, the nature of the disability. The [digitized signature list] district register shall be open to public inspection, subject to reasonable safeguards, rules and regulations.

(3) A commission [may, during systems conversion periods or emergency conditions, provide for a district register containing the original registration cards. The following apply:] shall, until such time as the commission is connected to the SURE system, utilize a computer list or computer generated cards as the district register in accordance with paragraphs (1) and (2) or provide for a district register containing the original registration cards as follows:

(i) The original registration cards shall be filed by election district, in one of the following orders, as determined by the commission:

(A) Exact alphabetical order by last name of registrant.

(B) Order in which registrants' residences appear upon the streets of the election district, in exact alphabetical order by last name of registrant for each residence.

(ii) The district register containing registration cards shall be kept at the office of the commission and shall be open for public inspection, subject to reasonable safeguards and regulations and to the provisions of this act.

(b) Original records.—

(1) The original registration cards and applications provided for under this act and the former act of March 30, 1937 (P.L.115, No.40), known as The First Class City Permanent Registration Act, or the former act of April 29, 1937 (P.L.487, No.115), known as The Permanent Registration Act for Cities of the Second Class, Cities of the Second Class A, Cities of the Third Class, Boroughs, Towns, and Townships, shall be placed in exact alphabetical order by last name of the registrant, indexed and kept at the office of the commission in a manner as to be properly safeguarded. They may not be removed from the office of the commission except upon order of a court of record. The commission shall safely retain all registration cards used in the registration of electors or in conducting an election. If the commission finds a record for a registrant on the computer data base which is not contained in the general register, it shall create a computer-generated duplicate card upon written permission from the registrant or upon order of a court of record.

(2) If the commission deems a duplicate file of registration applications or records necessary for administrative purposes, the commission may prepare a reproduction in compliance with the following:

(i) The registration form shall be photographed, microphotographed or reproduced in a manner approved for permanent records by the secretary.

(ii) The device used to reproduce the form is one which accurately reproduces the original in all details.

(iii) The photographs, microphotographs or other reproductions are open to public inspection and provision is made for preserving, examining and using them.

(3) Commissions connecting to the SURE system pursuant to section 322(c)(1) may maintain an electronic copy of all records of registered electors in their county who are on the SURE system, provided, however, that all equipment and maintenance costs associated thereto are the sole responsibility of the respective county.

(c) Currency.—It is the duty of the commission to [compare and] correct the general register [and district registers] to ensure [their] its accuracy. By noon of the third day preceding an election, the commission shall have the [district register for each election district and the registry] general register accurately corrected to date.

(d) Delivery.—The commission shall deliver, in the manner required by law for delivery of election materials, the district register to the election officers for use on election day.

(e) Form.—District registers shall be enclosed within a case or container and shall be locked and sealed by the commission before delivery. The district register shall have printed or written thereon the words "District Register of Voters" and the district and ward, if any.

(f) Examination.—Immediately following each election, the commission shall cause each district register to be examined. The commission specifically shall compare the signature of each elector on each voter's certificate with his signature in the district register and shall report in writing to the district attorney any evidence or indication of probable fraud, impersonation or forgery which may appear to the commission by reason of the comparison. In the case of any elector whom the election officers shall have recorded as removed, deceased, or challenged and prevented from voting, the commission shall ascertain the facts and shall correct the general and district registers in accordance with [Chapter 9] Chapters 9 and 19.

Section 703. Street lists.

(a) Preparation.—Commencing not later than the 15th day prior to each election, the registration commission shall prepare for each election district a list of the names and addresses of all registered electors as of that date resident in the district. The list may not include the digitized signature of a registered voter. The list shall clearly indicate which registered electors are inactive in accordance with section 1901(c) and shall contain a notice on the list indicating that such electors have failed to respond to an address verification mailing from the commission. The list shall be arranged in one of the following manners:

(1) By streets and house numbers.

(2) Alphabetically by last name of registrant.

(3) In a manner whereby the location of the elector's residence can be identified.

(b) Copies.—The commission shall retain two copies of the list under subsection (a) on file at its office. These copies shall be available for public inspection during business hours, subject to reasonable safeguards and regulations.

(c) Distribution.—The commission shall distribute the list under subsection (a) upon request as follows:

(1) To officials concerned with the conduct of elections.

(2) To political parties and political bodies.

(3) To candidates.

(d) Organizations.—The commission may, for a reasonable fee approved by the secretary, distribute the list under subsection (a), to organized bodies of citizens.

Section 704. Public information lists.

(a) Establishment.—

(1) The registration commission and secretary shall provide for computer inquiries concerning individual registered voters.

With respect to each voter who is the subject of an inquiry, the information provided shall contain the name, address, date of birth and voting history. Upon request, the commission shall supply a printed record for each such voter subject to the provisions of this act. In addition, the commission may make available for inspection a printed or computerized public information list containing the name, address, date of birth and voting history of each registered voter in the county.

(2) The list may also include information on voting districts.

(3) The list may not contain the digitized signature of the elector.

(b) Access.—

(1) The secretary may promulgate reasonable regulations governing access to the list.

(2) No individual inspecting the list may tamper with or alter it.

(3) No individual who inspects the list or who acquires names of registered voters from the list may use information contained in the list for purposes unrelated to elections, political activities or law enforcement or post any registrant's records on the Internet. Before inspecting the list or obtaining names of voters or other information from the list, the individual must provide identification to the public official having custody of the public information list and must state in writing that any information obtained from the list will not be used for purposes unrelated to elections, political activities or law enforcement or post any registrant's record on the Internet.

(c) Copies.—

(1) The commission and secretary shall provide paper copies of the public information lists and may provide copies in [some other] electronic form to any voter registered in this Commonwealth within ten days of receiving a written request accompanied by payment of the cost of reproduction and postage. The cost of the copies shall be determined by the office providing copies.

(2) An individual who inspects or acquires a copy of a public information list may not use any information contained in it for purposes unrelated to elections, political activities or law enforcement or post any registrant's record on the Internet.

Section 8. Sections 902(a), 904 and 905 of the act, amended June 25, 2001 (P.L.674, No.61), are amended to read:

Section 902. Transfer of registration.

(a) General rule.—Upon timely receipt of notification of removal under section 901(b), the registration commission shall proceed as follows:

(1) The signature on the notification document shall be compared with the signature of the elector as it appears on file with the commission.

(2) If the signature appears authentic, the commission shall enter the change of residence [on the registration card of the elector in the general register and district register and shall transfer the registration card of the elector from the district register of the election district of previous residence to the district register of the election district of new residence.] in the general register and shall update the address on the original registration record. The commission shall advise the elector promptly in writing of its action.

(3) If a request for transfer which is determined to be authentic under paragraph (2) shows a removal within the period of 30 days preceding an election, the commission[, after such election, shall enter the change of residence on the registration card of the elector in the general register and district register and shall transfer the registration card of the elector from the district register of the election district of previous residence. The commission shall advise the elector promptly in writing of its action.] shall update its records in accordance with paragraph (2) after such election.

(4) When a registered elector has filed with a commission a notice that the elector has moved from the county to another county, if the signature appears authentic, the commission shall enter the change of residence on the elector's original registration [records, cancel] record, remove the registration record of the elector [and notify] from the general register and transfer the record

and the original to the commission of the elector's new county of residence to register the elector. Upon receipt of the transfer notice, the commission of the elector's new county of residence shall immediately process the transfer of the elector in accordance with section 528(d)(3). The commission of the elector's prior residence shall keep a record of the transfer.

(5) If a request for transfer which is determined to be authentic under paragraph (4) shows a removal within the period of 30 days preceding an election, the commission[, after such election, shall enter the change of residence on the elector's registration records, cancel the registration of the elector and notify the commission of the elector's new county of residence to register the elector. Upon receipt of the transfer notice, the commission of the elector's new county of residence shall immediately process the transfer of the elector in accordance with section 528(d)(3).] shall update its records in accordance with paragraph (4) after such election.

(6) A commission shall promptly update information contained in its registration records.

Section 904. Disability.

(a) Eligibility.—If an elector by reason of blindness, disability or inability to read or write is unable to read the names on the ballot or on the voting machine labels or is 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 following apply:

(1) The elector may, at least ten days prior to the next election, personally make application to the commission or a registrar or a clerk.

(2) The application must request the entry of the exact nature of the disability on the elector's registration [card] record.

(3) The commission shall make the entry as appropriate.

(4) If the disability is not entered on the registration [card] record of the elector, the elector may receive assistance if the elector completes a declaration in the polling place.

(5) Following the election, the commission shall examine declarations completed under this section and shall update the elector's voter registration [card] record to reflect the need for assistance and the nature of the disability.

(b) Termination.—If the commission ascertains that an elector who has declared need for assistance is no longer in need of assistance, it shall cancel on the registration [card] record the entry relating to illiteracy or disability which authorized assistance. The commission shall notify the elector by mail of its action.

Section 905. Death of registrant.

(a) Department of Health.—The registration commission shall cancel the registration of a registered elector reported dead by the Department of Health. The Department of Health shall, within 60 days of receiving notice of the death of an individual 18 years of age or older, send the name and address of residence of that individual to the commission in a manner and on a form prescribed by the department. The commission shall promptly update information contained in its registration records. The Department of Health shall send such notices electronically to the department which shall make them available on the SURE system to the appropriate commission.

(b) Other sources.—A registration commission may also utilize published newspaper obituaries, letters testamentary or letters of administration issued by the office of the registrar of wills to cancel and remove the registration of an elector, provided that such removals are uniform, nondiscriminatory and in compliance with the Voting Rights Act of 1965 (Public Law 89-110, 42 U.S.C. § 1973 et seq.). The commission shall promptly update information contained in its registration records.

(c) Corrections.—An individual incorrectly reported deceased by the Department of Health or incorrectly removed by the commission for reason of death may appear in person before a commissioner, registrar or clerk at the office of the commission and prove identity. The commission, upon such proof, shall correct its registration records.

Section 9. Sections 906(a), (b) and (d), 910, 911, 1504, 1507 and 1512 of the act are amended to read:

Section 906. Checkup of registers.

(a) General rule.—At any time prior to the 30th day preceding an election, the commission may mail to any qualified elector whose name

appears in any [district] general register a notice setting forth the elector's name and address as it appears in the register and requesting the elector in case of any error to present the notice within ten days at the office of the commission to have the error corrected and warning that any discrepancy between the qualified elector's actual name and address and his name and address as recorded in the original register will constitute ground for challenging the elector's vote. The notice shall contain on the outside, "Do not forward, return to board of elections," and a request of the postal service to return it within five days if it cannot be delivered to the addressee at the address given.

(b) Checkup by postal service.—At any time prior to the 30th day preceding an election, the commission may cause a checkup to be made by the postal service of any qualified elector whose name appears in any [district] general register.

(d) Failure to deliver notice.—Upon the return by the postal service of any notice which it has been unable to deliver at the given address because the addressee cannot be found there or upon report by the postal service that any registered elector does not reside at the address [given] on the registration [card] record, the commission shall do one of the following:

(1) Direct an authorized employee to visit in person the address of the qualified elector and, if the employee finds that the qualified elector does not reside at the address, to leave at the address the notice prescribed by subsection (e).

(2) Mail to the registered qualified elector at the address [given] on the registration [card] record the notice prescribed by subsection (e). The notice shall be sent as first class mail and shall contain on the outside a request to the postmaster to forward it if the addressee does not reside at the address given thereon.

Section 910. Failure to vote.

(a) Check of electors.—By April 1 of each year except in a year in which the commission conducts a check of electors under section 906(c), the commission shall examine all of the district registers.

(b) Suspension.—A qualified elector who has been registered for a period of at least two immediately preceding calendar years but who is not recorded as having voted at an election during that period is subject to suspension of registration in accordance with the following procedure:

(1) If a qualified elector who has been registered for a period of at least two immediately preceding calendar years is not recorded as having voted at an election during that period, the commission shall send to the qualified elector by mail, at the address appearing upon the registration [card] record, a notice setting forth that the records of the commission indicate that the qualified elector has not voted during the two immediately preceding calendar years and that the qualified elector's registration will be canceled at the expiration of 30 days from the date of mailing the notice unless the qualified elector, within that period, files with the commission, either personally or by mail, a written request for reinstatement of registration or a removal notice properly executed setting forth the qualified elector's place of residence and signed by the qualified elector.

(2) Within 30 days from the date of mailing of the notice under paragraph (1), the qualified elector must file with the commission, either personally or by mail, a written request for reinstatement of registration or a properly executed removal notice which sets forth the qualified elector's place of residence and which is signed by the qualified elector. The official registration application card of a qualified elector who has registered by mail qualifies as a request for reinstatement of registration or a removal notice under this paragraph.

(3) Within 30 days from the date of mailing of the notice under paragraph (1), the commission shall cancel the registration of a qualified elector who has not complied with paragraph (2).

(c) Effect.—Cancellation of registration under this section shall not affect the right of a qualified elector to subsequently register in the manner provided by this act.

Section 911. Cancellation, removal and preservation of the registration [cards] record.

(a) General rule.—If the registration of a qualified elector is canceled or removed from the general register for any cause, the record along with the reason and date of cancellation shall be archived for five years. The commission shall mark on the [registration cards] original registration record of the elector the word "canceled" and the date and cause of cancellation and shall remove them from the [general and district registers. Each such card shall be kept for five years, after which the commission may destroy it] file of original records.

(b) Nonessential records.—All records which are not essential for maintaining the current status of a qualified elector may be destroyed by the commission after [three] five years.

Section 1504. Altering registration.

(a) Prohibition.—No registrar, commissioner, clerk or assistant or commission employee may do any of the following:

(1) Intentionally insert or permit to be inserted an entry in a registration [card] record without a proper application under this act or without requiring the proper evidence of the right of the applicant to be registered.

(2) Intentionally materially alter a registration [card] record after the entries have been made. This paragraph does not apply to an alteration pursuant to an order of a court of common pleas or of the commission.

(b) Penalty.—A person who violates subsection (a) commits a misdemeanor of the first degree and shall, upon conviction, be sentenced to pay a fine of not more than \$10,000 or to imprisonment for not more than five years, or both.

Section 1507. Official documents.

(a) Prohibition.—A person may not do any of the following:

(1) Intentionally insert or permit to be inserted a material entry in any registration [card] record, street list, affidavit, petition, subpoena, certificate, report or other record, authorized or required by this act to be made or prepared for a purpose set forth in this act, which entry is not in accordance with this act.

(2) Intentionally materially alter or intentionally destroy an entry which has been made in any registration [card] record, street list, affidavit, petition, subpoena, certificate, report or other record, authorized or required by this act to be made or prepared for a purpose set forth in this act, which alteration or destruction is not in accordance with this act.

(3) Remove a record from lawful custody with the intent to prevent the record from being used, inspected or copied.

(b) Penalty.—A person who violates subsection (a) commits a misdemeanor of the first degree and shall, upon conviction, be sentenced to pay a fine of not more than \$6,000 or to imprisonment for not more than three years, or both.

Section 1512. Approval of registration.

(a) Prohibition.—A person may not do any of the following:

(1) Intentionally alter a party designation on a registration [card] record under section 528(c).

(2) Intentionally fail to make a transmission under section 528(d).

(b) Penalty.—A person who violates subsection (a) commits a misdemeanor of the third degree and shall, upon conviction, be sentenced to pay a fine of \$2,500 or to imprisonment for not more than one year, or both.

Section 10. Sections 1703, 1901 and 1904 of the act, amended or added June 25, 2001 (P.L.674, No.61), are amended to read:

Section 1703. Power of department.

The department shall have the authority to take any actions which are necessary to ensure compliance and participation by the counties in accordance with this act.

Section 1901. Removal of voters.

(a) Removal of elector's registration record.—Commissions shall institute a program to protect the integrity of the electoral process and to ensure the maintenance of accurate and current voter registration records. The program shall be uniform, nondiscriminatory and in compliance with the Voting Rights Act of 1965 (Public Law 89-110, 42 U.S.C. § 1973 et seq.). An elector's registration shall not be canceled except as follows:

- (1) At the request of the elector.
- (2) Upon the death of the elector under section 905.

(3) Upon confirmation that the elector has moved to a residence outside the county.

(4) Under a voter removal program as provided for under subsection (b) and in compliance with the National Voter Registration Act of 1993 (Public Law 103-31, 42 U.S.C. § 1973gg et seq.).

(b) Voter removal program.—

(1) The [commission] secretary shall establish [a] the following program to identify electors whose address may have changed by establishing one of the following programs:

(i) National change of address. The secretary shall establish by regulation a program whereby information supplied by the United States Postal Service through its licensees is used on a periodic basis, but not less than once every calendar year, to identify electors who may have changed addresses. [The information shall be incorporated in the SURE system and shall be forwarded to the commissions in a manner determined by the secretary by regulation.] The secretary shall purchase the information from a licensee in accordance with contracting procedures. The secretary shall conduct the comparative search of names on the list against the SURE data base and notify each county via the SURE system of the change of address information including the date of removal for those electors who should receive a notice according to this section. The secretary shall be responsible for covering all costs associated with the national change of address program. Commissions that maintain their county data base as the general register pursuant to section 322(c)(2) may, at the county's option, conduct the national change of address program locally by contracting with a licensed vendor at county expense.

(A) If it appears from the information provided through the United States Postal Service that an elector has moved to a different residence address within the same county as the elector is currently registered, the commission shall change the registration records to show the new address and shall send the elector, to the address recorded on the elector's registration, a notice of the change of address by forwardable mail and a postage prepaid, preaddressed return form by which the elector may verify or correct the address information.

(B) If it appears from the information provided through the United States Postal Service that an elector has moved to a different residence address outside the county, the commission shall use the notice procedure described in clause (A).

(ii) Confirmation mailing:

(A) [A] In addition to using the program specified in subparagraph (i), a commission may establish a program by sending a direct, nonforwardable first class "return if undeliverable - address correction requested" mailing to all registered electors in the county not marked inactive in accordance with subsection (c).

(B) If this program is established, the commission shall use the notice procedure described in subparagraph (i)(A) and (B) for any elector whose mailing is returned undeliverable.

(2) In conjunction with and not as an alternative to a program established under paragraph (1), a canvass may be used as follows:

(i) The registration commission may, by commissioners or by inspectors of registration, verify the registration in an election district by visiting the building from which an elector is registered and other buildings as the commission deems necessary.

(ii) The commission shall make a record of the name and address of each registered elector who is found not to reside at the registered address or who for any other reason appears to be not qualified to vote in the registered election district.

(iii) The commission shall leave at the address of each person referred to in subparagraph (ii) a notice requiring him to communicate with the commission on or before a date which the commission shall designate, and which shall be not

less than seven days and not more than 15 days from the date of the notice and in any case not later than the 15th day preceding the election next ensuing, and satisfy the commission of his qualifications as an elector. The commission shall cause a confirmation of each such notice to be sent by mail promptly to such person at the address from which he is registered. The envelope containing such information is to be plainly marked that it is not to be forwarded. At the expiration of the time specified in the notice, the commission shall cancel the registration of such person who has not communicated with the commission and proved his qualifications as an elector.

(iv) To facilitate the canvass under this section, the commission may, when necessary, appoint special inspectors of registration, in number not exceeding double the number of election districts being canvassed.

(v) Special inspectors must be qualified electors of the county. They shall be appointed without reference to residence in election districts or to political affiliations or beliefs. The commission shall instruct special inspectors in their duties. Special inspectors have the powers conferred by this act upon inspectors of registration.

(3) In conjunction with and not as an alternative to a program established under paragraph (1), the commission shall send a notice pursuant to subsection (d) to any elector who has not voted nor appeared to vote during the period beginning five years before the date of the notice and ending on the date of the notice and for whom the board of elections did not during that period in any other way receive any information that the voter still resides in the registered election district.

(4) Commissions shall complete, not later than 90 days before each [primary] election, at least once per year the voter removal programs under this section and shall promptly update information contained in its registration records. This paragraph shall not be construed to preclude any of the following:

(i) Cancellation of an elector's registration as provided for under subsection (a)(1) or (2).

(ii) Correction of registration records in accordance with this act.

(c) Identification of inactive voters.—A commission shall mark an "I" or "inactive" on the registration [card] record of each elector who has been mailed a form under subsection (b)(1) or (3) and has failed to respond[, which]. The registration record of each registered elector classified as inactive shall be included with all other registration [cards] records for that polling site and located at the individual's polling site on the day of the election but may be contained on a list separate from electors not marked inactive.

(d) Cancellation of registration.—

(1) A commission shall not cancel the registration of an elector on the ground that the elector has changed residence unless any of the following apply:

(i) The elector confirms in writing that the elector has changed residence to a location outside the county in which the elector is registered.

(ii) The elector:

(A) has failed to respond to a notice described in paragraph (2); and

(B) has not voted nor appeared to vote and, if necessary, corrected the commission's record of the elector's address, in an election during the period beginning on the date of the notice and ending on the day after the date of the second general election for Federal office that occurs after the date of the notice.

(2) A notice, as required in paragraph (1)(ii), is acceptable if it is a postage prepaid and preaddressed return card, sent by forwardable mail, on which the elector may state the elector's current address, if it contains a notice as follows:

(i) The notice must state all of the following:

(A) If the elector did not change residence or changed residence but still resides in the county, the elector must return the card not later than 30 days prior to the next election. If the card is not returned, affirmation or

confirmation of the elector's address may be required before the elector is permitted to vote in an election during the period beginning on the date of the notice and ending on the day after the date of the second general election for Federal office that occurs after the date of the notice. If the elector does not vote in an election during that period, the elector's registration shall be canceled.

(B) If the elector has changed residence to a place outside the county in which the elector is registered, information shall be provided concerning how the elector can register in the new county of residence.

(ii) The notice must state the date of the notice, the date of the next election and the date of the second general election for Federal office occurring after the date of the notice.

(3) The commission shall correct registration records in accordance with change of residence information obtained in conformance with this subsection. The commission shall also promptly update its registration records.

Section 1904. Files.

(a) Cancellation.—If the registration of an elector is canceled, the registration commission shall [mark on the registration cards of the elector the word "canceled" and the date and cause of cancellation. The commission shall remove the card from the general register and the district register. Removed cards shall be retained for five years.] remove the registration record of the elector from the general register and archive the record in a canceled file for five years with a notation for the date and cause of cancellation. The commission shall mark the date and cause of cancellation on removed original cards and they shall be retained for five years. The commission shall promptly update information contained in its registration records.

(b) Nonessential records.—Records and supporting documents which are not essential for maintaining the current status of a qualified elector may be destroyed by the commission [three] five years from the date the commission marks them as nonessential.

Section 11. This act shall take effect immediately.

On the question,

Will the Senate agree to the amendment?

The PRESIDENT. The Chair recognizes the gentlewoman from Philadelphia, Senator Tartaglione.

Senator TARTAGLIONE. Mr. President, I first want to state that the adoption and implementation of a central voter registry would certainly be a positive step forward. Mr. President, I do not think there is anyone in this body who is against a central registry. Such a system would improve the integrity and accuracy of the State's voter registration database by eliminating duplicate voter registrations between counties. Mr. President, it would also facilitate transfer of records with the Department of Health and PennDOT. A central registry will certainly help to ensure that our voters are not disenfranchised on election day.

Mr. President, the merits of such a system are not being debated; however, there is a debate over how it is implemented. This is not a partisan debate, even though some have tried to make it into one. Mr. President, it is a debate over local control and a debate that the county election officials have asked us to have. Mr. President, many county election personnel have expressed reservations about a statewide system that would require them to scrap their current systems and alter the daily operations in their respective offices. Their reservations are based on the fact that a number of counties have already invested in the implementation and upgrading of sophisticated voter registration systems. Mr. President, that is why many election officials favor a system that would allow them to maintain their current advanced systems and simply transfer the data

periodically to a statewide database. That is why we are having this debate, and that is why I am offering this amendment.

The optional system contained in my amendment satisfies the intent of the legislature as contained in Act 61. It would establish a system of voter registration that allows all counties to be "linked electronically to a data base containing information pertaining to all registered electors in this Commonwealth." More importantly, Mr. President, it complies with the stated intent of Act 61, which requires that "The system shall be in a uniform format and shall be compatible, as far as practicable, with current technologies employed by the commissions with regard to voter registration."

Mr. President, Pennsylvania's 67 counties have invested millions of dollars to conform to the requirements of the National Voter Registration Act of 1993 and the Pennsylvania Voter Registration Act of 1995. Local tax revenues were used to procure new data systems and digitized imaging technology in order to comply with the new mandates established for processing voter registration applications. In my home county of Philadelphia, the city commissioners have invested a great deal of time and effort to meet the terms of the new requirements.

In 1997, at a cost of \$1.2 million, Philadelphia purchased a document imaging system that permits them to scan, store, retrieve, and print full images of voter registration affidavits. It enabled them to replace the old binders containing the original record books with computerized poll books. Mr. President, the system has been invaluable to the personnel in efficiently performing their functions to comply with Federal and State laws.

Mr. President, these county systems also provide for functions other than voter registration, such as polling place files, poll worker files, polling place payroll files, street and apartment code files, and absentee ballots. Many of these functions and computer files are tied to the voter records in registration database files existing at the county level.

Mr. President, Act 61 authorized the Secretary of the Commonwealth to establish a statewide voter registration system with a database of all registered voters in Pennsylvania. The Secretary has recommended a single statewide integrated system with a single database located in Harrisburg. That system will require all counties to use the same system software. Mr. President, that recommended system is currently contained in Senate Bill No. 1240. The single system does not permit the counties to continue to use their existing systems, software, or local databases. The local voter registration databases that currently exist in each of the 67 counties would be eliminated. The single system registration does not include the capability for scanning, storing, retrieving, and printing full images of voter registration records, as does the existing Philadelphia system.

Mr. President, many of the counties, including 13 of the Commonwealth's 15 largest jurisdictions, wanted an optional system that would allow counties to choose how they would participate in a statewide system. The Association of Eastern Pennsylvania County Election Directors issued a resolution supported by 30 of the 36 eastern counties in favor of an optional system. The optional system would permit counties that have invested much time, money, and labor in procuring systems, revising procedures, and training employees to use their existing

equipment. These counties would not be subject to potential massive disruptions and administrative burdens associated with converting from their working county systems to a single centralized system.

Mr. President, optional type systems currently exist in West Virginia, Tennessee, Missouri, California, Texas, Utah, and a few other States. Every vendor present at a SURE advisory panel meeting on September 21, 2001, testified that an optional system would allow existing county systems to effectively communicate and exchange data with the State database and could be designed and implemented. Mr. President, all the vendors said that the implementation of an optional system would provide the capability to move to a single system at a later date if desired. An optional system would also allow those counties that were not computerized to accept the State hardware, software, and procedures for updating their files directly on the State central database.

Mr. President, those counties that determine the department system is superior to that available at the county level could also opt in and use the State system as its main data file. The optional system would maintain local control and flexibility over the database. Mr. President, an optional system would fulfill the mandates of Act 61. It would provide the State with a central database containing the names of all eligible voters, and it would have many of the same benefits of a single system. Mr. President, support for an optional central registration system allows the counties to use existing county systems and local databases in conjunction with the statewide file of eligible voters. It is the preferred approach to implementing a statewide uniform registry of electors, and it is supported by the experts in the field of elections, the county voter registration administrators.

Mr. President, it is for those reasons that I offer this amendment today and respectfully request a "yes" vote to the amendment.

Thank you, Mr. President.

The PRESIDENT. The Chair recognizes the gentleman from Dauphin, Senator Piccola.

Senator PICCOLA. Mr. President, I rise to request a negative vote on the amendment that is being offered to Senate Bill No. 1240 by the gentlewoman from Philadelphia.

The amendment that the gentlewoman is offering would strip out from the bill that portion of this bill which would create a statewide uniform registry of electors. The acronym for that is SURE. In my view, the effect of the gentlewoman's amendment would create an un-SURE system for the Commonwealth of Pennsylvania, certainly a system that would be uncertain in many, many regards. The concept of uniformity is completely destroyed with this amendment. It would promote variable systems throughout the Commonwealth, allow counties to opt in, to opt out, and multiple systems are only as good as their weakest link, and we should not go in this direction.

The gentlewoman has cited the experiences of other States, and the experiences of other States are that they have, in some instances, enacted a system similar to the one she is proposing, but in almost every case, and most specifically in the State of North Carolina, which came to Harrisburg and testified, they are moving away from the system that is proposed in this amendment and toward the system that is proposed in this bill. The system

that we are proposing, the SURE system that is embodied in this bill, is the state-of-the-art system, the system that most States are moving toward.

There are a number of other reasons for opposing this amendment. The idea of local control sounds good, and in many instances it is appropriate, but if you are going to have a statewide uniform system, you have to have a system that is the same all across the Commonwealth. And, in fact, this system does not eliminate local control. Local control, under the system embodied in Senate Bill No. 1240, is maintained. The counties remain in control of their own lists, they own their lists, they will input data, they will delete data, and only they can input data and delete data. They will have to use, however, a common system so that each county can share information with the central registry, as well as with each other, almost instantaneously.

Now, it has been suggested, Mr. President, that the counties are in favor of this amendment, and that is simply not the case. The task force that was set up under Act 61 worked all summer, and that task force was made up of representatives of many different types of counties and their voter registration officials, and the counties have had great input into the development of the SURE system as it is embodied in Senate Bill No. 1240. When Senate Bill No. 1240 was introduced, the County Commissioners Association of Pennsylvania strongly endorsed that proposal, and I would like to read a brief portion of that endorsement. This is from the Pennsylvania County Commissioners Association. *(Reading:)*

Our representatives on the Task Force —that is the task force that worked with the Secretary of the Commonwealth— and our Committee, are of the belief that a central registry is necessary if we are to correct the greatest problem our voters faced at the last election—problems at the polls resulting from inaccurate registration records. A central registry gives us current information, allows updates to information without relying on PennDOT and Health to determine which county is the proper recipient of the record, facilitates transfer of registration and voting records, and enhances election day capabilities to resolve registration problems. Accomplishing these objectives in the most accurate and efficient manner requires uniformity of data sets, which is ensured under the Piccola version, but cannot be accomplished with the hybrid system offered in the Josephs/Tartaglione model. —And that is referencing the amendment that is being offered today.

To allow the counties to opt in or opt out creates cost problems for the system. It is estimated by the Office of Information Technology under the Office of Administration that the SURE system that is embodied in Senate Bill No. 1240 will cost no more than about \$11 million or \$12 million, \$8.5 million of which we have already appropriated. However, when you create a system as is being proposed by this amendment where one or more counties could opt out of that system, you create cost increases. For example, if one county would opt out because of the different technologies that are required to be used in order to interface with the system, the cost jumps from about \$12 million to about \$18.5 million. And if you would allow all the counties to opt out, in other words, let every county have any kind of technological system that it wants, any kind of hardware that it wants, the cost would go up to almost \$43 million. That does not make sense from a fiscal point of view, and it does not make any sense from a technological point of view.

Mr. President, this amendment would do grave harm to a system of voter registration that is essential to obtain in this Commonwealth. If we defeat this amendment and adopt the provisions of Senate Bill No. 1240, we will accomplish a win-win-win for the people of Pennsylvania. A win for the Commonwealth, because we will be viewed as having a very state-of-the-art system which will produce accurate voter registration lists. It will be a win for our counties, because they will be able to better manage the election process with the easy elimination of duplicate registrations, people who have moved and people who have passed away. And it is a win, most importantly, for the voters of Pennsylvania, who will have a much easier time at the polls when they go and find that they are, in fact, registered to vote in the precinct in which they live.

Mr. President, for all those reasons, I urge that the Senate cast a negative vote on this amendment.

THE PRESIDENT. The Chair recognizes the gentlewoman from Philadelphia, Senator Tartaglione.

Senator TARTAGLIONE. Mr. President, just a few points of clarification. The gentleman from Dauphin read from a letter from the County Commissioners Association. Through my own research, I have conducted and talked to a number of county commissioners across the Commonwealth who were not contacted by the County Commissioners Association. I believe it was a small policy committee that made that recommendation on the system.

The second point of clarification. The gentleman from Dauphin referenced the testimony of the head of the election bureau in North Carolina. I would like to read from the Interim Report of the Joint Select Committee regarding a Statewide Integrated Voter Registration System, and, this is what was said. "Ms. Mrozkowski cautioned that their state did not include the counties in the early implementation phase and this lead[sic] to problems with the counties and counties were not mandated to adopt SEIMS." The reason they are moving away from the system they adopted was because they did not include their election bureau officials during the RFP and the implementation of their system.

Thank you, Mr. President.

The PRESIDENT. The Chair recognizes the gentleman from Dauphin, Senator Piccola.

Senator PICCOLA. Mr. President, just very briefly, in response to the gentlewoman's arguments, I agree wholeheartedly that North Carolina, in their testimony before our joint select committee, did urge us to involve the counties in the process, and it was for that very reason, Mr. President, that the provisions of Act 61 required the creation of a task force which did involve the counties. The members of the County Commissioners Association, actual county commissioners and registration election officials sat on that task force for month after month after month.

It was also for that reason, Mr. President, that we offered an amendment in the Committee on State Government to Senate Bill No. 1240 which will ensure the continued involvement of the county election officials in this process as the RFPs go out, as the bids are received, and as the system is implemented. An advisory committee will be created and advise the Secretary on the creation and the implementation of this system. The counties are involved. The counties are engaged. They are in support of this

process, and we should move forward by defeating this amendment.

Thank you, Mr. President.

And the question recurring,
Will the Senate agree to the amendment?

The yeas and nays were required by Senator TARTAGLIONE and were as follows, viz:

YEA-21

| | | | |
|---------|----------|-------------|----------------------|
| Bodack | Kitchen | O'Pake | Williams, Anthony H. |
| Boscola | Kukovich | Schwartz | Williams, Constance |
| Costa | LaValle | Stack | Wozniak |
| Fumo | Logan | Stout | |
| Hughes | Mellow | Tartaglione | |
| Kasunic | Musto | Wagner | |

NAY-28

| | | | |
|------------|-----------|---------|----------------|
| Armstrong | Gerlach | Mowery | Scarnati |
| Brightbill | Greenleaf | Murphy | Thompson |
| Conti | Helfrick | Orie | Tomlinson |
| Corman | Holl | Piccola | Waugh |
| Dent | Jubelirer | Punt | Wenger |
| Earll | Lemmond | Rhoades | White, Donald |
| Erickson | Madigan | Robbins | White, Mary Jo |

Less than a majority of the Senators having voted "aye," the question was determined in the negative.

And the question recurring,
Will the Senate agree to the bill on third consideration?
Senator TARTAGLIONE offered the following amendment
No. A4826:

Amend Sec. 16, page 52, line 27, by striking out "1512 and 1701" and inserting: and 1512
Amend Sec. 16 (Sec. 1701), page 56, lines 12 through 23, by striking out all of said lines
Amend Sec. 16, page 56, line 24, by striking out "1704,"
Amend Sec. 17 (Sec. 1703), page 56, line 28, by striking out "(a)
General rule.—"
Amend Sec. 17, page 57, lines 3 through 18, by striking out all of said lines
Amend Bill, page 64, line 30; pages 65 through 67, lines 1 through 30; page 68, lines 1 through 5, by striking out all of said lines on said pages
Amend Sec. 20, page 68, line 6, by striking out "20" and inserting:
19
Amend Sec. 21, page 68, line 7, by striking out "21" and inserting:
20
Amend Sec. 21, page 68, line 8, by striking out ", 18 and 19" and inserting: and 18

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

The PRESIDENT. The Chair recognizes the gentlewoman from Philadelphia, Senator Tartaglione.

Senator TARTAGLIONE. Mr. President, this amendment would remove provisions from Senate Bill No. 1240 relating to the withholding of State appropriations from counties that are not in compliance with the act. The amendment would also remove

language that permits the Secretary of State to adopt regulations without going through the normal regulatory review process and provisions relating to expedited bidding processes.

Mr. President, Senate Bill No. 1240 includes language that allows the withholding of any and all State funds for failure to comply with the provisions of the act. This provision is in addition to the injunctive relief already provided for in the act and could be used in a punitive manner. Mr. President, this provision could be used to prevent counties from challenging the requirements of the act. Since injunctive relief is already provided for in the act, that should be the remedy to resolve disputes over the implementation of the SURE system. Legitimate complaints or concerns with the system should be allowed to proceed to court without the threat of monetary losses.

Mr. President, Senate Bill No. 1240 currently allows the Secretary of State to establish regulations for the implementation of the SURE system without going through the regulatory review process. Mr. President, it also references exceptions to the normal bidding requirements established by the Commonwealth. The timeframe for completion of the SURE system is January 2005. While it is advisable to begin the process as soon as possible, it is also practicable that the process be deliberate and open. This would allow for input from many of the county voter registration offices. These are the offices that are directly affected by the implementation of the SURE system. There is little or no justification for an expedited process that would result in restricted involvement of the county voter registration offices or the withholding of State funds from counties.

For that reason, I ask for a "yes" vote on this amendment.
Thank you, Mr. President.

The PRESIDENT. The Chair recognizes the gentleman from Dauphin, Senator Piccola.

Senator PICCOLA. Mr. President, I urge a negative vote on the amendment offered by the gentlewoman from Philadelphia. First of all, with respect to the enforcement provisions, the provisions that are contained in the bill that the amendment is attempting to strip out are provisions that are not unlike the provisions of the Education Code, which has similar types of enforcement provisions in them. If a school district does not obey the Education Code, does not obey the law, the Secretary of Education has the right to withhold education funds. I might add, Mr. President, that there is an exception, that the State Treasurer and the Secretary cannot withhold from the counties human services funds, so vital human services will continue to be funded to the counties from the Commonwealth if there is an enforcement problem. I submit, however, Mr. President, it would be foolish of us to pass such a law requiring such a uniform system for the benefit of the voters of this Commonwealth without some kind of enforcement to make sure that the counties obey that law and abide by the provisions of the law.

Secondly, with respect to the provisions of the Procurement Code and the regulatory review provisions that are being stripped out of the bill by this amendment, those were done intentionally, Mr. President, so that we can expedite the process by which we implement the SURE system. Under the best of circumstances, under the best scenario, as the gentlewoman indicated, we will not be able to fully implement this system in all 67 counties until the very end of the year 2004, beginning of the year 2005. That

is a long time, and if we allow disgruntled parties or people who wish to undermine the system to protest the procurement policies or procedures or to tie up the process in the regulatory review process, we could be extended well beyond the year 2005, perhaps to the end of the decade. That we do not want to do. We want to get this system up and running as quickly as possible for the benefit of the voters of the Commonwealth of Pennsylvania.

For those reasons, Mr. President, I urge that this amendment be defeated.

And the question recurring,
Will the Senate agree to the amendment?

The yeas and nays were required by Senator TARTAGLIONE and were as follows, viz:

YEA-21

| | | | |
|---------|----------|-------------|----------------------|
| Bodack | Kitchen | O'Pake | Williams, Anthony H. |
| Boscola | Kukovich | Schwartz | Williams, Constance |
| Costa | LaValle | Stack | Wozniak |
| Fumo | Logan | Stout | |
| Hughes | Mellow | Tartaglione | |
| Kasunic | Musto | Wagner | |

NAY-28

| | | | |
|------------|-----------|---------|----------------|
| Armstrong | Gerlach | Mowery | Scarnati |
| Brightbill | Greenleaf | Murphy | Thompson |
| Conti | Helfrick | Orie | Tomlinson |
| Corman | Holl | Piccola | Waugh |
| Dent | Jubelirer | Punt | Wenger |
| Earll | Lemmond | Rhoades | White, Donald |
| Erickson | Madigan | Robbins | White, Mary Jo |

Less than a majority of the Senators having voted "aye," the question was determined in the negative.

And the question recurring,
Will the Senate agree to the bill on third consideration?
It was agreed to.

And the amendments made thereto having been printed as required by the Constitution,

On the question,
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution and were as follows, viz:

YEA-34

| | | | |
|------------|-----------|----------|----------------|
| Armstrong | Gerlach | Murphy | Tomlinson |
| Boscola | Greenleaf | Orie | Wagner |
| Brightbill | Helfrick | Piccola | Waugh |
| Conti | Holl | Punt | Wenger |
| Corman | Jubelirer | Rhoades | White, Donald |
| Costa | Lemmond | Robbins | White, Mary Jo |
| Dent | Logan | Scarnati | Wozniak |
| Earll | Madigan | Schwartz | |
| Erickson | Mowery | Thompson | |

NAY-15

| | | | |
|---------|----------|--------|----------------------|
| Bodack | Kitchen | Musto | Tartaglione |
| Fumo | Kukovich | O'Pake | Williams, Anthony H. |
| Hughes | LaValle | Stack | Williams, Constance |
| Kasunic | Mellow | Stout | |

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Secretary of the Senate present said bill to the House of Representatives for concurrence.

**SPECIAL ORDER OF BUSINESS
SUPPLEMENTAL CALENDAR No. 2**

**SENATE CONCURS IN HOUSE AMENDMENTS
AS AMENDED**

SB 607 (Pr. No. 1628) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 25 (Elections) of the Pennsylvania Consolidated Statutes, codifying provisions relating to compensation of clerks of election and machine operators; codifying the Pennsylvania Voter Registration Act by providing for absentee ballots and for voter registration and by establishing a Statewide uniform registry of electors; imposing powers and duties on the Secretary of the Commonwealth and the Legislative Reference Bureau; and making repeals.

On the question,
Will the Senate concur in the amendments made by the House, as amended by the Senate, to Senate Bill No. 607?

Senator PICCOLA. Mr. President, I move that the Senate do concur in the amendments made by the House, as amended by the Senate, to Senate Bill No. 607.

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

The PRESIDENT. The Chair recognizes the gentlewoman from Philadelphia, Senator Tartaglione.

Senator TARTAGLIONE. Mr. President, we just went through the exercise of trying to amend Senate Bill No. 1240. Senate Bill No. 1240 earlier was amended into Senate Bill No. 607. We are now faced with a "yes" or "no" vote on a central registry bill. In addition to the central registry language, Senate Bill No. 607 contains several other provisions relating to elections, including pay raises for election day personnel. I am proud to say that I worked closely with the committee and Senator Lemmond to provide for the raises for these individuals who are such a vital part of the election process. Unfortunately, in all good conscience, I cannot vote for the final version of Senate Bill No. 607. My objections are once again rooted in the single system's central registry, which fails to consider the concerns and requirements of our county election departments. My "no" vote should not be interpreted as a vote against the central registry system or against the pay raises for the election workers. Rather, it is a vote against the method of design and implementation.

Thank you, Mr. President.

And the question recurring,
Will the Senate agree to the motion?

The yeas and nays were required by Senator PICCOLA and were as follows, viz:

YEA-48

| | | | |
|------------|-----------|----------|----------------------|
| Armstrong | Greenleaf | Mellow | Stack |
| Bodack | Helfrick | Mowery | Stout |
| Boscola | Holl | Murphy | Thompson |
| Brightbill | Hughes | Musto | Tomlinson |
| Conti | Jubelirer | O'Pake | Wagner |
| Corman | Kasunic | Orie | Waugh |
| Costa | Kitchen | Piccola | Wenger |
| Dent | Kukovich | Punt | White, Donald |
| Earll | LaValle | Rhoades | White, Mary Jo |
| Erickson | Lemmond | Robbins | Williams, Anthony H. |
| Fumo | Logan | Scarnati | Williams, Constance |
| Gerlach | Madigan | Schwartz | Wozniak |

NAY-1

Tartaglione

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Secretary of the Senate inform the House of Representatives accordingly.

**SPECIAL ORDER OF BUSINESS
SUPPLEMENTAL CALENDAR No. 5**

**BILL ON THIRD CONSIDERATION
AND FINAL PASSAGE**

HB 1806 (Pr. No. 3091) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for costs, for Commonwealth portion of fines, for qualifications of jurors and for filling of certain new judgeships.

Considered the third time and agreed to,
And the amendments made thereto having been printed as required by the Constitution,

On the question,
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution and were as follows, viz:

YEA-49

| | | | |
|------------|-----------|----------|----------------------|
| Armstrong | Helfrick | Murphy | Thompson |
| Bodack | Holl | Musto | Tomlinson |
| Boscola | Hughes | O'Pake | Wagner |
| Brightbill | Jubelirer | Orie | Waugh |
| Conti | Kasunic | Piccola | Wenger |
| Corman | Kitchen | Punt | White, Donald |
| Costa | Kukovich | Rhoades | White, Mary Jo |
| Dent | LaValle | Robbins | Williams, Anthony H. |
| Earll | Lemmond | Scarnati | Williams, Constance |

| | | | |
|-----------|---------|-------------|---------|
| Erickson | Logan | Schwartz | Wozniak |
| Fumo | Madigan | Stack | |
| Gerlach | Mellow | Stout | |
| Greenleaf | Mowery | Tartaglione | |

NAY-0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Secretary of the Senate return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

**SPECIAL ORDER OF BUSINESS
SUPPLEMENTAL CALENDAR No. 6**

**BILL ON THIRD CONSIDERATION
AND FINAL PASSAGE**

SB 656 (Pr. No. 1631) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Titles 18 (Crimes and Offenses) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for definitions and for unlawful use of computer and for bases of personal jurisdiction over persons outside this Commonwealth.

Considered the third time and agreed to,
And the amendments made thereto having been printed as required by the Constitution,

On the question,
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution and were as follows, viz:

YEA-49

| | | | |
|------------|-----------|-------------|----------------------|
| Armstrong | Helfrick | Murphy | Thompson |
| Bodack | Holl | Musto | Tomlinson |
| Boscola | Hughes | O'Pake | Wagner |
| Brightbill | Jubelirer | Orie | Waugh |
| Conti | Kasunic | Piccola | Wenger |
| Corman | Kitchen | Punt | White, Donald |
| Costa | Kukovich | Rhoades | White, Mary Jo |
| Dent | LaValle | Robbins | Williams, Anthony H. |
| Earll | Lemmond | Scarnati | Williams, Constance |
| Erickson | Logan | Schwartz | Wozniak |
| Fumo | Madigan | Stack | |
| Gerlach | Mellow | Stout | |
| Greenleaf | Mowery | Tartaglione | |

NAY-0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Secretary of the Senate present said bill to the House of Representatives for concurrence.

RECESS

The PRESIDENT. The Chair recognizes the gentleman from Lebanon, Senator Brightbill.

Senator BRIGHTBILL. Mr. President, at this time I ask for a recess of the Senate until approximately 8:30 for purposes of the Members having dinner and getting some stuff together.

The PRESIDENT. For purposes of getting stuff together and having dinner, without objection, the Senate will stand in recess.

AFTER RECESS

The PRESIDENT. The time of recess having expired, the Senate will come to order.

HOUSE MESSAGES**SENATE BILLS RETURNED WITH AMENDMENTS**

The Clerk of the House of Representatives returned to the Senate SB 611 and 1180, with the information the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. Pursuant to Senate Rule XIV, section 5, these bills will be referred to the Committee on Rules and Executive Nominations.

**HOUSE CONCURS IN SENATE AMENDMENTS
BY AMENDING SAID AMENDMENTS
TO HOUSE BILL**

The Clerk of the House of Representatives informed the Senate that the House has concurred in amendments made by the Senate by amending said amendments to HB 1219, in which concurrence of the Senate is requested.

The PRESIDENT. Pursuant to Senate Rule XIV, section 5, this bill will be referred to the Committee on Rules and Executive Nominations.

**SPECIAL ORDER OF BUSINESS
ANNOUNCEMENT BY THE SECRETARY**

The SECRETARY. Consent has been given for the Committee on Rules and Executive Nominations to meet imminently in the Rules room to consider Senate Bills No. 611 and 1180, House Bill No. 1219, and certain nominations.

RECESS

The PRESIDENT. The Chair recognizes the gentleman from Lebanon, Senator Brightbill.

Senator BRIGHTBILL. Mr. President, I ask for a brief recess of the Senate for an imminent meeting of the Committee on Rules and Executive Nominations.

The PRESIDENT. Senator Brightbill requests a brief recess of the Senate for an imminent meeting of the Committee on Rules and Executive Nominations in the Rules room at the rear of the Senate Chamber. For that purpose, without objection, the Senate will stand in recess.

AFTER RECESS

The PRESIDENT. The time of recess having expired, the Senate will come to order.

REPORTS FROM COMMITTEES

Senator BRIGHTBILL, from the Committee on Rules and Executive Nominations, reported the following bills:

SB 611 (Pr. No. 1626) (Rereported) (Concurrence)

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, further providing for mandatory inclusion of child medical support and for information relating to prospective child-care personnel.

SB 1180 (Pr. No. 1608) (Rereported) (Concurrence)

An Act amending the act of December 14, 1992 (P.L.818, No.133), known as the Port of Pittsburgh Commission Act, further defining "port district"; and further providing for economic development projects.

HB 1219 (Pr. No. 3066) (Rereported) (Concurrence)

An Act amending the act of July 31, 1968 (P.L.805, No.247), known as the Pennsylvania Municipalities Planning Code, further providing for planning commission, for zoning ordinance amendments, for procedure for landowner curative amendments, for certain findings, for hearings and for governing body's functions.

**SPECIAL ORDER OF BUSINESS
SUPPLEMENTAL CALENDAR No. 7**

**SENATE CONCURS IN HOUSE AMENDMENTS
TO SENATE AMENDMENTS**

HB 1219 (Pr. No. 3066) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 31, 1968 (P.L.805, No.247), known as the Pennsylvania Municipalities Planning Code, further providing for planning commission, for zoning ordinance amendments, for procedure for landowner curative amendments, for certain findings, for hearings and for governing body's functions.

On the question,

Will the Senate concur in the amendments made by the House to Senate amendments to House Bill No. 1219?

Senator BRIGHTBILL. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate amendments to House Bill No. 1219.

On the question,

Will the Senate agree to the motion?

The yeas and nays were required by Senator BRIGHTBILL and were as follows, viz:

YEA-49

| | | | |
|------------|-----------|-------------|----------------------|
| Armstrong | Helfrick | Murphy | Thompson |
| Bodack | Holl | Musto | Tomlinson |
| Boscola | Hughes | O'Pake | Wagner |
| Brightbill | Jubelirer | Orie | Waugh |
| Conti | Kasunic | Piccola | Wenger |
| Corman | Kitchen | Punt | White, Donald |
| Costa | Kukovich | Rhoades | White, Mary Jo |
| Dent | LaValle | Robbins | Williams, Anthony H. |
| Earll | Lemmond | Scarnati | Williams, Constance |
| Erickson | Logan | Schwartz | Wozniak |
| Fumo | Madigan | Stack | |
| Gerlach | Mellow | Stout | |
| Greenleaf | Mowery | Tartaglione | |

NAY-0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

RECONSIDERATION OF HB 1219

BILL ON CONCURRENCE IN HOUSE AMENDMENTS TO SENATE AMENDMENTS OVER IN ORDER

HB 1219 (Pr. No. 3066) -- The PRESIDENT. The Chair recognizes the gentleman from Lebanon, Senator Brightbill.

Senator BRIGHTBILL. Mr. President, I move that the vote by which House Bill No. 1219 was concurred in be reconsidered, and that House Bill No. 1219 go over in its order.

The PRESIDENT. Senator Brightbill moves that the vote by which House amendments to Senate amendments to House Bill No. 1219 was concurred in be reconsidered, and that the bill go over in its order.

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

A voice vote having been taken, the question was determined in the affirmative.

The PRESIDENT. House Bill No. 1219 remains on the Calendar, and without objection, House Bill No. 1219 will go over in its order.

SENATE CONCURS IN HOUSE AMENDMENTS

SB 611 (Pr. No. 1626) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, further providing for mandatory inclusion of child medical support and for information relating to prospective child-care personnel.

On the question,
Will the Senate concur in the amendments made by the House to Senate Bill No. 611?

Senator BRIGHTBILL. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 611.

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

The yeas and nays were required by Senator BRIGHTBILL and were as follows, viz:

YEA-49

| | | | |
|------------|-----------|-------------|----------------------|
| Armstrong | Helfrick | Murphy | Thompson |
| Bodack | Holl | Musto | Tomlinson |
| Boscola | Hughes | O'Pake | Wagner |
| Brightbill | Jubelirer | Orie | Waugh |
| Conti | Kasunic | Piccola | Wenger |
| Corman | Kitchen | Punt | White, Donald |
| Costa | Kukovich | Rhoades | White, Mary Jo |
| Dent | LaValle | Robbins | Williams, Anthony H. |
| Earll | Lemmond | Scarnati | Williams, Constance |
| Erickson | Logan | Schwartz | Wozniak |
| Fumo | Madigan | Stack | |
| Gerlach | Mellow | Stout | |
| Greenleaf | Mowery | Tartaglione | |

NAY-0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Secretary of the Senate inform the House of Representatives accordingly.

SENATE CONCURS IN HOUSE AMENDMENTS

SB 1180 (Pr. No. 1608) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 14, 1992 (P.L.818, No.133), known as the Port of Pittsburgh Commission Act, further defining "port district"; and further providing for economic development projects.

On the question,
Will the Senate concur in the amendments made by the House to Senate Bill No. 1180?

Senator BRIGHTBILL. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 1180.

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

The yeas and nays were required by Senator BRIGHTBILL and were as follows, viz:

YEA-49

| | | | |
|------------|-----------|----------|----------------------|
| Armstrong | Helfrick | Murphy | Thompson |
| Bodack | Holl | Musto | Tomlinson |
| Boscola | Hughes | O'Pake | Wagner |
| Brightbill | Jubelirer | Orie | Waugh |
| Conti | Kasunic | Piccola | Wenger |
| Corman | Kitchen | Punt | White, Donald |
| Costa | Kukovich | Rhoades | White, Mary Jo |
| Dent | LaValle | Robbins | Williams, Anthony H. |
| Earll | Lemmond | Scarnati | Williams, Constance |
| Erickson | Logan | Schwartz | Wozniak |
| Fumo | Madigan | Stack | |

Gerlach
Greenleaf

Mellow
Mowery

Stout
Tartaglione

NAY-0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Secretary of the Senate inform the House of Representatives accordingly.

REQUEST FOR CAUCUS

Senator BRIGHTBILL. Mr. President, could we stand at ease, and could the Republican Members come over to the podium for a short caucus.

The PRESIDENT. At the request of Senator Brightbill, the Senate will stand at ease.

(The Senate was at ease.)

SPECIAL ORDER OF BUSINESS
SUPPLEMENTAL CALENDAR No. 7 RESUMED

SENATE CONCURS IN HOUSE AMENDMENTS
TO SENATE AMENDMENTS

HB 1219 (Pr. No. 3066) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 31, 1968 (P.L.805, No.247), known as the Pennsylvania Municipalities Planning Code, further providing for planning commission, for zoning ordinance amendments, for procedure for landowner curative amendments, for certain findings, for hearings and for governing body's functions.

And the question recurring,

Will the Senate concur in the amendments made by the House to Senate amendments to House Bill No. 1219?

Senator BRIGHTBILL. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate amendments to House Bill No. 1219.

On the question,

Will the Senate agree to the motion?

The yeas and nays were required by Senator BRIGHTBILL and were as follows, viz:

YEA-48

| | | | |
|------------|-----------|----------|----------------------|
| Armstrong | Greenleaf | Mellow | Stack |
| Bodack | Helfrick | Mowery | Stout |
| Boscola | Holl | Murphy | Tartaglione |
| Brightbill | Hughes | Musto | Thompson |
| Conti | Jubelirer | O'Pake | Tomlinson |
| Corman | Kasunic | Orie | Wagner |
| Costa | Kitchen | Piccola | Waugh |
| Dent | Kukovich | Punt | Wenger |
| Earll | LaValle | Rhoades | White, Donald |
| Erickson | Lemmond | Robbins | Williams, Anthony H. |
| Fumo | Logan | Scarnati | Williams, Constance |
| Gerlach | Madigan | Schwartz | Wozniak |

NAY-1

White, Mary Jo

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Secretary of the Senate inform the House of Representatives accordingly.

UNFINISHED BUSINESS
SENATE RESOLUTION ADOPTED

Senators BRIGHTBILL, MADIGAN, CORMAN, MOWERY, TOMLINSON, STOUT, EARLL, WENGER, KASUNIC, ERICKSON, LAVALLE, ORIE, MURPHY, WAUGH, COSTA, TARTAGLIONE, DENT, MUSTO, THOMPSON, LOGAN, KITCHEN, SCARNATI and LEMMOND, by unanimous consent, offered Senate Resolution No. 145, entitled:

A Resolution proclaiming the week of January 13 through 19, 2002, as "Snowmobile Safety Awareness Week."

Which was read, considered, and adopted by voice vote.

CONGRATULATORY RESOLUTIONS

The PRESIDENT laid before the Senate the following resolutions, which were read, considered, and adopted by voice vote:

Congratulations of the Senate were extended to Gregory Tomlinson, Michael S. Smith, Jr., and to Eric Spohn by Senator Armstrong.

Congratulations of the Senate were extended to Mr. and Mrs. Paul W. McNelly, Mr. and Mrs. James K. Bagley, Mr. and Mrs. John J. O'Malley, Matthew J. Davis, William Thyssen Eckenhoff, Russell Koch, Pete Schiller, Bret Robinson and to Sean Hannan by Senator Bell.

Congratulations of the Senate were extended to Mr. and Mrs. John J. Luncher, Jr., and to Haley Glusic by Senator Bodack.

Congratulations of the Senate were extended to Mr. and Mrs. Elwood Mitchell, Mr. and Mrs. Robert L. Robinson, Sr., Bruce E. Davis, Blanche Varady and to Dun and Bradstreet of Bethlehem by Senator Boscola.

Congratulations of the Senate were extended to Gary Margut, Miriam Wilhelm, Brian Peffley, Department of Military and Veterans Affairs and to Bayer Corporation, Consumer Care Division, of Myerstown, by Senator Brightbill.

Congratulations of the Senate were extended to John McFarland and to Upper Makefield Township by Senator Conti.

Congratulations of the Senate were extended to Mr. and Mrs. Frank Beasom, Mr. and Mrs. Nelson Forsythe, Mr. and Mrs. Harold E. Schlegel, Mr. and Mrs. William V. Clouser, State College Area School District Knowledge Masters Team, Atotech USA, Inc., of State College, Pennsylvania State University and to Lock Haven University Women's Field Hockey Team by Senator Corman.

Congratulations of the Senate were extended to Serafina Vento and to Donald F. Froehlich by Senator Costa.

Congratulations of the Senate were extended to Nicholas Hagel Wagner and to Joshua M. Verba by Senator Dent.

Congratulations of the Senate were extended to George McKinley by Senator Earll.

Congratulations of the Senate were extended to The Most Reverend Joseph A. Pepe, Frank DiLullo, Stephen L. Cross, Joseph H. Green and to ETI International by Senator Fumo.

Congratulations of the Senate were extended to Mr. and Mrs. Edward F. Barbano, John A. Magnant, Jr., Jonathan F. Leather and to Verizon of Pennsylvania of Montgomeryville by Senator Greenleaf.

Congratulations of the Senate were extended to Mr. and Mrs. Donald J. Brady, Mr. and Mrs. Charles Mannello, Mr. and Mrs. Jele Orval Hunsinger, Matthew John Kieski, Keil Orion Troisi, Josiah John Orzolek, Andrew John Makuch, Alan Jacob Wertz, Steven D. Hess II, Travis John Schupp, James Frank Helisek, Mark Robert Price, Henry L. Hullihen, David Wayne Dribelbis, Adam Carl Satteson, Peter James Krum, Lozier Corporation, McClure Facility, and to Merck & Company, Inc., Cherokee Facility, of Danville, by Senator Helfrick.

Congratulations of the Senate were extended to Johathan Hummel, Christopher Jones, Andrew P. Sirianni, St. Luke's United Church of Christ of North Wales, Moyer Packing Company of Souderton and to Merck & Company, Inc., Upper Gwynedd Complex, by Senator Holl.

Congratulations of the Senate were extended to Dr. Vivian B. Ford by Senator Hughes.

Congratulations of the Senate were extended to Mr. and Mrs. Martin Ulicne, Mr. and Mrs. Norman W. MacLaury and to Irene C. Isenberg by Senator Jubelirer.

Congratulations of the Senate were extended to JLG Industries, Inc., Shippensburg Facility, by Senators Jubelirer and Mowery.

Congratulations of the Senate were extended to Joshua McGeary and to Joseph Dochinez by Senator Kasunic.

Congratulations of the Senate were extended to Marie A. Burgman by Senator Kukovich.

Congratulations of the Senate were extended to Gene Matsook and to the Rochester High School Football Team by Senator LaValle.

Congratulations of the Senate were extended to Joann C. Kwasny by Senator Lemmond.

Congratulations of the Senate were extended to Mr. and Mrs. Myron H. Ellison, Mr. and Mrs. Maurice Schultz, Mr. and Mrs. S. Glenn McElrath, Amanda Rabuck and to Dean R. Bedford by Senator Madigan.

Congratulations of the Senate were extended to Mr. and Mrs. John Nagurney and to the University of Scranton by Senator Mellow.

Congratulations of the Senate were extended to Eugene Delicati, John Endres, Samuel T. Perrins and to John Proietto by Senators Mellow and Musto.

Congratulations of the Senate were extended to Barry L. Peters, Chad Matthew Garman, Brandon C. Mader, Bret D. Palmer and to Joseph J. Raisner by Senator Mowery.

Congratulations of the Senate were extended to Kelly Bray, Dominick Caprari, William J. Gelatka, Cataldo Tuminelli, Leo

A. Tighe, Salvatore Alaimo and to the Guard Insurance Group of Wilkes-Barre by Senator Musto.

Congratulations of the Senate were extended to Ken Esterly by Senator O'Pake.

Congratulations of the Senate were extended to Mr. and Mrs. William E. Charlton, Mr. and Mrs. John Isaac, Sr., Mr. and Mrs. Robert Schaltenbrand, Dr. Robert and Karen Ford, Bruce and Bethany Karger, Jameson M. Klug, Julienne Shaw, Sister Mary Louise Weis, Michael A. Cangilla, John Mitro, Shawn Patrick Cully, Jamie Pelusi, Robert A. Veitch, Chris Catanese, Kagan Eden, John Haley, Wyland Elementary School of Allison Park and to Shaler Area High School of Glenshaw by Senator Orie.

Congratulations of the Senate were extended to Alexander Locust and to Ronald P. Speelman by Senator Piccola.

Congratulations of the Senate were extended to Mr. and Mrs. Berton L. Hetherington, Mr. and Mrs. William C. Dunkelberger, the Reverend Canon Charles H. Morris, Amanda K. Hahn and to the Joint Veterans Honor Guard of Pottsville by Senator Rhoades.

Congratulations of the Senate were extended to Mr. and Mrs. Jack Stoyer, James Taylor, Sr., Joseph Daniel Lewandowski, Dan Hruska and to the Cherry Hill Division of Ethan Allen, Inc., by Senator Robbins.

Congratulations of the Senate were extended to Thomas Walter, Metaldyne Sintered Components of St. Marys, Zippo Manufacturing Company of Bradford and to GKN Sinter Metals, Inc., of Emporium by Senator Scarnati.

Congratulations of the Senate were extended to Joseph Walsh by Senator Stack.

Congratulations of the Senate were extended to Mr. and Mrs. William B. Trettel, Mr. and Mrs. John G. Lenco, Mr. and Mrs. John Pavlik and to George B. Klima by Senator Stout.

Congratulations of the Senate were extended to Adam M. Willis, Ben Trajtenberg, Brian Angelotti, C. David Connors and to the Southern Chester County Chamber of Commerce by Senator Thompson.

Congratulations of the Senate were extended to Ryan Filipczak, Richard Lee, Francis Schaeffer and to the Neshaminy High School Football Team by Senator Tomlinson.

Congratulations of the Senate were extended to David E. Hasel by Senators Tomlinson and Conti.

Congratulations of the Senate were extended to Nathan P. Mott, Aaron P. Oxenrider and to Hanover Lodge No. 763, Benevolent and Protective Order of Elks, by Senator Waugh.

Congratulations of the Senate were extended to Mary Clinton and to Christopher R. Burger by Senator Wenger.

Congratulations of the Senate were extended to Mr. and Mrs. George Sankovich, Mr. and Mrs. Neil McDonnell, Mr. and Mrs. John Shimko, Mr. and Mrs. Carl Fitzsimmons, Mr. and Mrs. Kenneth Cook, Mr. and Mrs. Jim McGinnis, Lula Means, Rebekah Woodside, Sara Jane Lyon, Tara Campbell, Jonathan Adam Dulude and to Leading Technologies, Inc., of Leechburg by Senator D. White.

Congratulations of the Senate were extended to Mr. and Mrs. William Hays and to Mr. and Mrs. Chester Hartman by Senator M. J. White.

Congratulations of the Senate were extended to Gilbert Architects and Radnor Elementary School by Senator C. Williams.

Congratulations of the Senate were extended to Mr. and Mrs. Kenneth Cruse, Mr. and Mrs. Anthony M. Beltz and to Mr. and Mrs. George Kauffman by Senator Wozniak.

CONDOLENCE RESOLUTIONS

The PRESIDENT laid before the Senate the following resolutions, which were read, considered, and adopted by voice vote:

Condolences of the Senate were extended to the family of the late Howard Shifrin and to the family of the late Paulina Newland Walters by Senator Orie.

Condolences of the Senate were extended to the family of the late Alma Stella Anderson by Senator A. H. Williams.

POSTHUMOUS CITATIONS

The PRESIDENT laid before the Senate the following citations, which were read, considered, and adopted by voice vote:

A posthumous citation honoring the late Vincent Poplawski was extended to the family by Senators Mellow and Musto.

A posthumous citation honoring the late Joseph B. Sai was extended to the family by Senator Musto.

BILLS ON FIRST CONSIDERATION

Senator SCARNATI. Mr. President, I move that the Senate do now proceed to consideration of all bills reported from committees for the first time at today's Session.

The motion was agreed to by voice vote.

The bills were as follows:

SB 457, SB 1225, SB 1249 and HB 1758.

And said bills having been considered for the first time,

Ordered, To be printed on the Calendar for second consideration.

HOUSE MESSAGES

HOUSE CONCURS IN SENATE AMENDMENTS TO HOUSE BILLS

The Clerk of the House of Representatives informed the Senate that the House has concurred in amendments made by the Senate to **HB 3, 453, 1405 and 1806.**

SENATE BILLS RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives returned to the Senate **SB 16, 834 and 1089**, with the information the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. Pursuant to Senate Rule XIV, section 5, these bills will be referred to the Committee on Rules and Executive Nominations.

RESIGNATION OF MEMBER FROM STANDING COMMITTEE OF THE SENATE

The PRESIDENT. The Chair wishes to announce the following member has resigned from a Standing Committee of the Senate:

Senator Allen G. Kukovich from the Committee on Education.

APPOINTMENT BY THE PRESIDENT PRO TEMPORE

The PRESIDENT. The Chair wishes to announce the President pro tempore has made the following appointment:

Senator Michael L. Waugh as a member of the Chesapeake Bay Commission.

APPOINTMENT OF MEMBER TO STANDING COMMITTEE OF THE SENATE

The PRESIDENT. The Chair wishes to announce that the President pro tempore has made the following appointment to a Standing Committee of the Senate:

Senator Constance Williams as a member of the Committee on Education.

BILLS SIGNED

The PRESIDENT (Lieutenant Governor Robert C. Jubelirer) in the presence of the Senate signed the following bills:

SB 216, SB 230, SB 280, SB 611, SB 696, SB 837, SB 965, SB 1180, SB 1215, HB 3, HB 209, HB 212, HB 437, HB 453, HB 454, HB 476, HB 846, HB 1405, HB 1408, HB 1633 and HB 1806.

ADJOURNMENT

The PRESIDENT. The Chair recognizes the gentleman from Lebanon, Senator Brightbill.

Senator BRIGHTBILL. Mr. President, I move that the Senate do now adjourn until Tuesday, January 1, 2002, at 11:45 a.m., unless sooner recalled by the President pro tempore.

The motion was agreed to by voice vote.

The Senate adjourned at 11:07 p.m., Eastern Standard Time.