

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal

WEDNESDAY, MARCH 7, 2012

SESSION OF 2012 196TH OF THE GENERAL ASSEMBLY

No. 14

SENATE

WEDNESDAY, March 7, 2012

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

The PRESIDENT pro tempore (Joseph B. Scarnati III) in the Chair.

PRAYER

The Chaplain, Reverend PAUL PRICE, Pastor of Cornerstone Worship Center, Indiana, offered the following prayer:

Let us pray.

Gracious Heavenly Father, we come to You today, and we thank You that this is the day that You have made, and we will rejoice and be glad in it. We ask You, Lord, that You would grant wisdom to these Senators as they deal with the legislation that will come before them, Lord, that Your grace and mercy would be upon them and that they would honor You, help, and do the things that are best for our Commonwealth here in Pennsylvania. We thank You, Lord, that we can ask these things in Your name, and we give You all the glory. In Jesus' name, amen.

The PRESIDENT pro tempore. The Chair thanks Pastor Price, who is the guest today of Senator Don White.

PLEDGE OF ALLEGIANCE

(The Pledge of Allegiance was recited by those assembled.)

BILL INTRODUCED AND REFERRED

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

March 7, 2012

Senator RAFFERTY presented to the Chair **SB 1432**, entitled:
An Act prohibiting Commonwealth agencies from expending funds to construct sewer facilities or sewer infrastructure projects for State correctional institutions in counties of the second class A.

Which was committed to the Committee on LOCAL GOVERNMENT, March 7, 2012.

COMMUNICATION FROM THE GOVERNOR

NOMINATION REFERRED TO COMMITTEE

The PRESIDENT pro tempore laid before the Senate the following communication in writing from His Excellency, the Gov-

ernor of the Commonwealth, which was read as follows and referred to the Committee on Rules and Executive Nominations:

MEMBER OF THE STATE TRANSPORTATION COMMISSION

March 7, 2012

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, Mike Downing, 123 Stanford Court, Mechanicsburg 17050, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the State Transportation Commission, to serve for a term of six years and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Ronald Ertley, Dallas, deceased.

TOM CORBETT
Governor

LEGISLATIVE LEAVES

The PRESIDENT pro tempore. The Chair recognizes the gentleman from Delaware, Senator Pileggi.

Senator PILEGGI. Mr. President, I request a temporary Capitol leave for Senator McIlhinney, and a legislative leave for Senator Tomlinson.

The PRESIDENT pro tempore. The Chair recognizes the gentleman from Allegheny, Senator Costa.

Senator COSTA. Mr. President, I request legislative leaves for Senator Hughes and Senator Washington.

The PRESIDENT pro tempore. Senator Pileggi requests a temporary Capitol leave for Senator McIlhinney, and a legislative leave for Senator Tomlinson.

Senator Costa requests legislative leaves for Senator Hughes and Senator Washington.

Without objection, the leaves will be granted.

LEAVES OF ABSENCE

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

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

JOURNAL APPROVED

The PRESIDENT pro tempore. The Journal of the Session of January 18, 2012, is now in print.

The Clerk proceeded to read the Journal of the Session of January 18, 2012.

Senator PILEGGI. Mr. President, I move that further reading of the Journal be dispensed with and that the Journal be approved.

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

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

YEA-48

Alloway	Erickson	Mensch	Tomlinson
Argall	Farnese	Piccola	Vance
Baker	Ferlo	Pileggi	Vogel
Blake	Folmer	Pippy	Ward
Boscola	Fontana	Rafferty	Washington
Browne	Gordner	Robbins	Waugh
Brubaker	Greenleaf	Scarnati	White Donald
Corman	Hughes	Schwank	White Mary Jo
Costa	Kasunic	Smucker	Williams
Dinniman	Kitchen	Solobay	Wozniak
Earll	Leach	Stack	Yaw
Eichelberger	McIlhinney	Tartaglione	Yudichak

NAY-0

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

The PRESIDENT pro tempore. The Journal is approved.

SPECIAL ORDER OF BUSINESS GUEST OF SENATOR LLOYD K. SMUCKER PRESENTED TO THE SENATE

The PRESIDENT pro tempore. The Chair recognizes the gentleman from Lancaster, Senator Smucker.

Senator SMUCKER. Mr. President, I am pleased to have with us in the gallery today Briana Bolin, who is here to job shadow me to observe the legislature and its process. She is a Millersville graduate, majored in government and political affairs and minored in international studies, Latino studies, and global geography. While at Millersville, she served on the council of trustees, the student senate, and the parking task force. She has also spent many hours of her time as a volunteer at Water Street Rescue Mission, Schreiber Pediatric Rehab Center, and has assisted with different fundraising events for several organizations, including the Millersville University Student Senate. Please join me in welcoming Briana to the Senate today.

The PRESIDENT pro tempore. Would the guest of Senator Smucker please rise to be welcomed by the Senate.

(Applause.)

GUEST OF SENATOR MICHAEL J. FOLMER PRESENTED TO THE SENATE

The PRESIDENT pro tempore. The Chair recognizes the gentleman from Lebanon, Senator Folmer.

Senator FOLMER. Mr. President, shadowing me today is Sawyer Sourbeer, a sophomore at Elizabethtown High School, and the son of Kirsten and Dennis Sourbeer. Sawyer participates in Elizabethtown High School cross country, track, and baseball

programs, and is very, very interested in politics. We have had several debates already, and he is very passionate about it. I ask that we give him a warm welcome from the Senate. Sawyer Sourbeer, please stand up.

The PRESIDENT pro tempore. Will the guest of Senator Folmer please rise to be welcomed by the Senate.

(Applause.)

RECESS

The PRESIDENT pro tempore. The Chair recognizes the gentleman from Delaware, Senator Pileggi.

Senator PILEGGI. Mr. President, I request a recess of the Senate for purposes of a meeting of the Committee on Rules and Executive Nominations, to be followed by a Republican caucus to be held in the Majority Caucus Room.

The PRESIDENT pro tempore. The Chair recognizes the gentleman from Allegheny, Senator Costa.

Senator COSTA. Mr. President, at the conclusion of the meeting of the Committee on Rules and Executive Nominations, Senate Democrats will meet in the rear of the Chamber.

The PRESIDENT pro tempore. For purposes of a meeting of the Committee on Rules and Executive Nominations, to be followed by Republican and Democratic caucuses, without objection, the Senate stands in recess.

AFTER RECESS

The PRESIDENT (Lieutenant Governor Jim Cawley) in the Chair.

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

CALENDAR

THIRD CONSIDERATION CALENDAR

BILL OVER IN ORDER

SB 276 -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

BILL OVER IN ORDER TEMPORARILY

HB 934 -- Without objection, the bill was passed over in its order temporarily at the request of Senator PILEGGI.

LEGISLATIVE LEAVES CANCELLED

The PRESIDENT. Senator McIlhinney and Senator Hughes have returned, and their respective leaves are cancelled.

LEGISLATIVE LEAVE

The PRESIDENT. The Chair recognizes the gentleman from Delaware, Senator Pileggi.

Senator PILEGGI. Mr. President, I request a legislative leave for Senator Don White.

The PRESIDENT. Senator Pileggi requests a legislative leave for Senator Don White. Without objection, the leave will be granted.

CONSIDERATION OF CALENDAR RESUMED**THIRD CONSIDERATION CALENDAR RESUMED****BILLS OVER IN ORDER**

SB 1141 and **HB 1355** -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

**BILL ON THIRD CONSIDERATION
AND FINAL PASSAGE**

SB 1386 (Pr. No. 1979) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of January 8, 1960 (1959 P.L.2119, No.787), known as the Air Pollution Control Act, further providing for Environmental Quality Board; and repealing control of volatile organic compounds from gasoline-dispensing facilities.

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 Beaver, Senator Vogel.

Senator VOGEL. Mr. President, I rise today to urge this body to approve Senate Bill No. 1386, which removes a costly and burdensome regulation requiring a special boutique blend of gasoline from being sold in the seven-county Pittsburgh area of Allegheny, Armstrong, Beaver, Butler, Fayette, Washington, and Westmoreland Counties during the summer months. The summer gas, as it is called, is routinely more expensive than gasoline sold in the rest of Pennsylvania, Ohio, and West Virginia. The closing of three refineries on the east coast and one in the Virgin Islands has created a scenario whereby summer gasoline may not even be able to make it into the fuel pipeline.

With fuel prices already rising and the supply of fuel in doubt, we need to get this legislation passed now in anticipation of the summer gas requirement going into effect for the seven-county region. If we wait, the effects could be catastrophic to the folks in western Pennsylvania, disrupting fuel logistics with a ripple effect that would touch every corner of the Commonwealth. Not only does this mandate mean higher gas prices, but without a supplier of this gas, it could mean that motorists will be scrambling to fill their gas tanks, and that, Mr. President, is unacceptable. We must act now.

This regulation is nothing more than a hidden tax, not only at the pump, but also in the goods and services that we receive. This legislation is a commonsense and bipartisan proposal that would finally end an unfair and costly regulation on the people of western Pennsylvania. In addition, this legislation will allow for the termination of another regulation which requires the installation of Stage II vapor recovery systems on fuel pumps at gas stations in the same seven-county region of Pittsburgh, as well as the five-county region of Bucks, Chester, Delaware, Montgomery, and Philadelphia Counties. The reason this is important is because these pumps prevent the release of gasoline

vapors when in use. The law contains a specific provision to eliminate the requirement if on-board refueling emissions controls in vehicles become widespread. Since the year 2000, all passenger cars and light trucks have been required to be manufactured with on-board refueling emissions controls. These controls work by stopping gasoline vapors from coming back out of the fuel pipe by circulating the vapors back into the fuel tank. However, the combination of on-board refueling controls and Stage II systems on fuel pumps are less effective than either system alone.

I encourage my colleagues to support this bill because if we do not address this issue now, it may mean that my constituents and those who live and work in western Pennsylvania will not have gasoline to fill their tanks this summer. This is a common-sense piece of legislation, and I urge an affirmative vote here today. The hardworking Pennsylvanians we represent deserve no less.

Thank you, Mr. President.

The PRESIDENT. The Chair recognizes the gentleman from Washington, Senator Solobay.

Senator SOLOBAY. Mr. President, I also rise to support Senate Bill No. 1386. Basically, we are here today to avert what I think would be a terrible crisis in western Pennsylvania. We have heard about the direct impacts that the recent closures of the refineries in the Philadelphia area will have on both jobs and the region's economy. What many do not realize is the effect that these closures are also going to have across the Commonwealth and southwestern Pennsylvania.

Those of us representing western Pennsylvania are familiar with the outdated and yet complex mandates to make summer commuting in our area not only difficult, but also very expensive. Our constituents often call us and want to know why our gas prices are so much higher than elsewhere in Pennsylvania, as well as neighboring Ohio and West Virginia. It is because we are forced to use a special blend of gas, summer gas, during the months of May through September. The only other places in the nation where this particular blend of gas is required are areas in Texas and Maine. This unique fuel requirement leaves Pittsburgh in a very precarious position, vulnerable to supply shortages and price averaging that have been anywhere between 10 and 15 cents per gallon more than anywhere else in Pennsylvania.

In the last few years, southwestern Pennsylvania has experienced major supply problems in the summer due to various issues, from glitches in the pipeline supply as well as the refinery process. These issues cause big problems, but they pale in comparison to the refinery issues we are also facing today. If the supply chain cannot meet the need, even when these refineries are up and running, it defies logic to think that they will be able to meet the summer of 2012, when almost 31 percent of this fuel came from the refineries in the Philadelphia area that have since shut down. The legislation measure in Senate Bill No. 1386 will help avert this crisis. It will allow southwestern Pennsylvanians to use the same conventional gas that we use the rest of the year, the same conventional gas around us from the seven counties that basically make us an island.

This is not one of those Democratic or Republican issues, because we all need gasoline to operate vehicles. Let us be clear, the bill will not reverse decades of success that we have seen in the improvement of air quality in Pennsylvania and around the nation. No one can deny that we have also seen tremendous ad-

vantages in automobile technology with the on-board vapor recovery systems as well as fuel efficiency. When this gas shortage hits, 2 million people in the counties affected by this regulation are going to have to stay home from work and wait to get the next gas delivery. Most of them are more than 20 miles away from a gas station outside of this regulation area. They are going to find gas—last year, trucks were actually driving to Detroit to bring gas back to the Pittsburgh area.

A clean air requirement that causes more driving and more consumption is not a clean air regulation at all. We are in a radically different place now than we were when these requirements were first established back in the late 1980s and early 1990s. It is time to modernize the law to also reflect the modernization of the automobile industry. It is time to end these outdated mandates, and provide relief for our taxpayers, who are already staring at the possibility of \$4- and \$5-a-gallon gasoline.

This is an issue where we do not have to wait, Mr. President, for a time when we cannot afford the gas and literally when we do not even have the gas available. I urge an affirmative vote on Senate Bill No. 1386.

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

Senator FERLO. Mr. President, I rise to speak and explain my "no" vote on this matter. I represent the core of the city of Pittsburgh and certainly have small towns throughout a three-county area, so I do not take the vote lightly, but I do want to respond very quickly. I do not object to any resolution of this Senate, or even from the General Assembly, asking that DEP, the AG, or even the Governor intervene on the matter and formally petition the Federal EPA to raise this issue about renewing and reviewing the actions from more than a decade ago on the limitations regarding the so-called summer gas. I do object to the formal adoption of a law that would actually remove the obligations that we have agreed to accept.

The Philadelphia situation is very critical. I would strongly suggest that the retooling and redefining of that industry, the refineries in particular, really should be a matter not only of the highest regard in State government, whether it be a Keystone Opportunity Zone, any incentivizing that we can do with the industry to retool and recraft those plants for the relevant needs that are currently in the marketplace. Quite frankly, it really should be a matter of national security. The refineries and their upgrades, whether they are the three in our Commonwealth and Philadelphia or elsewhere around the country, to me, are probably more important than some of the arguments over base closings, some of which have actually outgrown the relevant use, at least currently, in terms of the way we fight foreign battles.

So, I am all about trying to get the Federal government, and certainly State government, to prioritize upgrading these manufacturing plants. We have had long-held traditions through a lot of battles, and every time things get more expensive, we first want to sacrifice clean air. In the Pittsburgh region, I cannot look at this one issue separate and distinct from all of the other particulates that are in the air space and reduce the healthcare and quality of life for the constituents I represent.

So, for those reasons and more, I just want to clarify my "no" vote. I am very concerned that this would not be receptive to the ears of the Federal EPA. We did agree and approve a State implementation plan. Maybe it is time to go back and revisit that issue. I do not oppose that, but I do oppose the formal construct

of this law, which would remove our legal obligations. I am concerned about the implementation plan, the consent decree that we have entered into. I do not, in any way, want to jeopardize Federal transportation dollars coming into the Commonwealth. I am not a soothsayer; I do not know what the current position is of the EPA. Senator Solobay made an important point about the improved technology of newer automobiles now on the road. I would think that would be some part of an argumentation rationale that we would present to the Federal government.

For a number of reasons, I am not voting for this legislation. I realize that I may be standing alone here on a "no" vote, but I cannot just look at this issue of public health and the particulates in our air separate and distinct from other contributing factors, including the continuation of the lack of upgrades in the coal industry and coal-based emissions from power plants, I mean, I could go on and on.

Despite the commitment, at least the illusion of commitment from Secretary Krancer of DEP, I am still very concerned about the lack of scientific documentation of air quality in and around the Marcellus Shale fields in terms of transmission and other activities. I do not think it is being scientifically monitored, and I would hope that we would consider doing that. I am going to be making that argument to the Allegheny County Health Department as it relates to the placement of a transmission facility's lines in my district, off of Route 28, next month.

So, for those reasons and more, I just want to clarify my "no" vote. Thank you very much.

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-38

Alloway	Eichelberger	Pileggi	Vogel
Argall	Erickson	Pippy	Ward
Baker	Folmer	Rafferty	Waugh
Blake	Fontana	Robbins	White Donald
Boscola	Gordner	Scarnati	White Mary Jo
Browne	Greenleaf	Smucker	Wozniak
Brubaker	Kasunic	Solobay	Yaw
Corman	McIlhinney	Stack	Yudichak
Dinniman	Mensch	Tomlinson	
Earll	Piccola	Vance	

NAY-10

Costa	Hughes	Schwank	Washington
Farnese	Kitchen	Tartaglione	Williams
Ferlo	Leach		

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 GUESTS OF SENATOR JAKE CORMAN PRESENTED TO THE SENATE

The PRESIDENT. The Chair recognizes the gentleman from Centre, Senator Corman.

Senator CORMAN. Mr. President, very briefly, I want to

introduce a very special guest who has just joined us in the Chamber. Young John Bright, a first-grader from Lemont Elementary School in the State College area, is here with his mother, Valerie. John was here a couple of weeks ago with a school tour, and he liked the building so much that he wanted to come back and see the Senate in operation.

So I want to introduce John and his mother, Valerie. If the Senate would please give them its usual welcome, I would appreciate it.

The PRESIDENT. Would the guests of Senator Corman please rise so that the Senate may give you its usual warm welcome.

(Applause.)

GUESTS OF SENATOR LISA M. BOSCOLA PRESENTED TO THE SENATE

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

Senator BOSCOLA. Mr. President, I am so lucky today to have a group of students who are part of Music In Our Schools Month, Capitol Concert Series. The Pen Argyl chorus is in the gallery today. They were so lucky to pick this day. I told them that we were going to debate voter ID soon and that it was a good day to come to the Capitol. I ask you to give them our usual warm welcome.

The PRESIDENT. Would the guests of Senator Boscola please rise so that the Senate may give you its usual warm welcome.

(Applause.)

CONSIDERATION OF CALENDAR RESUMED THIRD CONSIDERATION CALENDAR RESUMED

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 1886 (Pr. No. 2461) -- The Senate proceeded to consideration of the bill, entitled:

An Act designating the bridge carrying State Route 136 over the Monongahela River connecting Forward Township, Allegheny County, to the City of Monongahela, Washington County, as the General Carl E. Vuono Bridge.

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-48

Alloway	Erickson	Mensch	Tomlinson
Argall	Farnese	Piccola	Vance
Baker	Ferlo	Pileggi	Vogel
Blake	Folmer	Pippy	Ward
Boscola	Fontana	Rafferty	Washington
Browne	Gordner	Robbins	Waugh
Brubaker	Greenleaf	Scarnati	White Donald
Corman	Hughes	Schwank	White Mary Jo

Costa	Kasunic	Smucker	Williams
Dinniman	Kitchen	Solobay	Wozniak
Earll	Leach	Stack	Yaw
Eichelberger	McIlhinney	Tartaglione	Yudichak

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 OVER IN ORDER

HB 61 -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

BILL ON SECOND CONSIDERATION AND REREFERRED

SB 209 (Pr. No. 1981) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for disclosure by school entities of certain interscholastic athletic opportunity information.

Considered the second time and agreed to,

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

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

BILLS ON SECOND CONSIDERATION

HB 424 (Pr. No. 2655) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 20, 1983 (P.L.260, No.72), referred to as the Public Adjuster Licensing Law, further providing for definitions and for license; providing for application for public adjuster license, for licensing, for issuance and term of license, for license renewals and for reciprocal licensing; further providing for fees, for bond and for contract; providing for written disclosure of financial interest; further providing for revocation, etc., of license and for violations; providing for civil remedy; further providing for administration and enforcement; and providing for persons licensed as public adjuster solicitors.

Considered the second time and agreed to,

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

SB 623 (Pr. No. 1978) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 62 (Procurement) of the Pennsylvania Consolidated Statutes, providing for contracting with veteran-owned small businesses; and imposing duties on the Department of General Services and other Commonwealth purchasing agencies.

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

HB 816 (Pr. No. 1853) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 9, 1987 (P.L.220, No.39), known as the Social Workers, Marriage and Family Therapists and Professional Counselors Act, further providing for qualifications for license.

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

SB 884 (Pr. No. 938) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Titles 15 (Corporations and Unincorporated Associations) and 54 (Names) of the Pennsylvania Consolidated Statutes, in Title 15, making extensive revisions, additions and deletions to preliminary material on general provisions; to corporation material on general provisions, on incorporation, on corporate powers, duties and safeguards, on officers, directors and shareholders, on fundamental changes, on registered corporations, on insurance corporations, on foreign business corporations, on incorporation and on foreign nonprofit corporations and to material on business trusts; in Title 54, further providing for general provisions and for corporate and other association names; and making related repeals.

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

BILLS OVER IN ORDER

SB 941, SB 943, SB 968, HB 1026, HB 1091, SB 1115, SB 1296, SB 1373, SB 1382, SB 1398, SB 1406, HB 1546 and HB 1813 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

REPORT FROM COMMITTEE ON RULES AND EXECUTIVE NOMINATIONS

Senator ROBBINS, from the Committee on Rules and Executive Nominations, reported the following nomination made by His Excellency, the Governor of the Commonwealth, which was read by the Clerk as follows:

MEMBER OF THE PENNSYLVANIA SECURITIES COMMISSION

November 14, 2011

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, The Honorable Vincent J. Gastgeb, 5791 Glen Ora Drive, Bethel Park 15102, Allegheny County, Thirty-seventh Senatorial District, for appointment as a member of the Pennsylvania Securities Commission, to serve until the third Tuesday of January 2015, and until his successor is appointed and qualified, vice The Honorable Thomas A. Michlovic, North Braddock, whose term expired.

TOM CORBETT
Governor

NOMINATION LAID ON THE TABLE

Senator ROBBINS. Mr. President, I request that the nomination just read by the Clerk be laid on the table.

The PRESIDENT. The nomination will be laid on the table.

EXECUTIVE NOMINATION

EXECUTIVE SESSION

Motion was made by Senator ROBBINS,

That the Senate do now resolve itself into Executive Session for the purpose of considering a certain nomination made by the Governor.

Which was agreed to by voice vote.

NOMINATION TAKEN FROM THE TABLE

Senator ROBBINS. Mr. President, I call from the table a certain nomination and ask for its consideration.

The Clerk read the nomination as follows:

MEMBER OF THE PENNSYLVANIA SECURITIES COMMISSION

November 14, 2011

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, The Honorable Vincent J. Gastgeb, 5791 Glen Ora Drive, Bethel Park 15102, Allegheny County, Thirty-seventh Senatorial District, for appointment as a member of the Pennsylvania Securities Commission, to serve until the third Tuesday of January 2015, and until his successor is appointed and qualified, vice The Honorable Thomas A. Michlovic, North Braddock, whose term expired.

TOM CORBETT
Governor

On the question,

Will the Senate advise and consent to the nomination?

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

YEA-48

Alloway	Erickson	Mensch	Tomlinson
Argall	Farnese	Piccola	Vance
Baker	Ferlo	Pileggi	Vogel
Blake	Folmer	Pippy	Ward
Boscola	Fontana	Rafferty	Washington
Browne	Gordner	Robbins	Waugh
Brubaker	Greenleaf	Scarnati	White Donald
Corman	Hughes	Schwank	White Mary Jo
Costa	Kasunic	Smucker	Williams
Dinniman	Kitchen	Solobay	Wozniak
Earll	Leach	Stack	Yaw
Eichelberger	McIlhinney	Tartaglione	Yudichak

NAY-0

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

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Senator ROBBINS. Mr. President, I move that the Executive Session do now rise.

The motion was agreed to by voice vote.

CONSIDERATION OF CALENDAR RESUMED**THIRD CONSIDERATION CALENDAR RESUMED****HB 934 CALLED UP**

HB 934 (Pr. No. 3166) -- Without objection, the bill, which previously went over in its order temporarily, was called up, from page 1 of the Third Consideration Calendar, by Senator PILEGGI.

**BILL ON THIRD CONSIDERATION
AND FINAL PASSAGE**

HB 934 (Pr. No. 3166) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, in preliminary provisions, defining "proof of identification"; in the Secretary of the Commonwealth, providing for requirements relating to voter identification; in preparation for and conduct of primaries and elections, further providing for manner of applying to vote, persons entitled to vote, voter's certificates, entries to be made in district register, numbered lists of voters and challenges; in voting by qualified absentee electors, further providing for applications for official absentee ballots, for approval of application for absentee ballot, for delivering or mailing ballots, for canvassing of official absentee ballots and for public records; and providing for enforcement and for a special procedure at certain elections.

On the question,

Will the Senate agree to the bill on third consideration?

TARTAGLIONE AMENDMENT A9031 OFFERED

Senator TARTAGLIONE offered the following amendment No. A9031:

Amend Bill, page 13, by inserting between lines 5 and 6:

(a.1) Subsection (a) shall not apply to an elector if the elector is entitled to vote by alternative ballot under the Voting Accessibility for the Elderly and Handicapped Act (Public Law 98-435, 98 Stat. 1678).

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 exempt an electorate if they are entitled to vote under the Voting Accessibility for the Elderly and Handicapped Act. This group of individuals, of which I am one, is often disenfranchised from the election process due to physical barriers or inaccessible polling places that prevent us from exercising our constitutional right in person. Yes, we may vote via alternative ballot if a polling place is deemed inaccessible. We are entitled to bring a person of our choice to assist in the voting process. However, it is still a barrier.

By adding this new requirement, this administration is once again trying to diminish access to individuals with disabilities, whether it is blockading and posting bars in front of elevators in public buildings blocking access to offices, or by requiring photo identification. These are additional barriers, Mr. President, which may be perceived by the able-bodied as insignificant. But, to those of us who vote under the Voting Accessibility for the Elderly and Handicapped Act, it is further diminishing our constitutional right to cast a ballot and elect the same elected officials whose offices we cannot access.

This is wrong. It is bad policy. We are not trying to beat the system or fraudulently cast votes we are not entitled to cast. We simply want, need, and are entitled to be part of the system and should not be precluded from doing so through additional and unnecessary requirements. I ask for an affirmative vote on this amendment.

Thank you, Mr. President.

The PRESIDENT. The Chair recognizes the gentleman from Delaware, Senator Pileggi.

Senator PILEGGI. Mr. President, I ask for a negative vote. The bill does not add any special, additional burdens to people who would qualify under the Federal act cited in the amendment. The existing Federal law provides for anyone who is covered under the Federal law to present the same qualifications to vote as any other citizen. That would be the case under the existing bill for which we are seeking final passage.

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-19

Blake	Ferlo	Leach	Washington
Boscola	Fontana	Schwank	Williams
Costa	Hughes	Solobay	Wozniak
Dinniman	Kasunic	Stack	Yudichak
Farnese	Kitchen	Tartaglione	

NAY-29

Alloway	Erickson	Pippy	Ward
Argall	Folmer	Rafferty	Waugh
Baker	Gordner	Robbins	White Donald
Browne	Greenleaf	Scarnati	White Mary Jo
Brubaker	McIlhinney	Smucker	Yaw
Corman	Mensch	Tomlinson	
Earll	Piccola	Vance	
Eichelberger	Pileggi	Vogel	

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

LEAVE CHANGED

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

Senator COSTA. Mr. President, I request that Senator Brewster's leave be changed from personal leave to legislative leave.

The PRESIDENT. Senator Costa requests that Senator Brewster's leave be changed from personal leave to legislative leave. Without objection, the leave will be changed.

And the question recurring,
Will the Senate agree to the bill on third consideration?

BOSCOLA AMENDMENT A9065 OFFERED

Senator BOSCOLA offered the following amendment No. A9065:

Amend Bill, page 9, line 22, by inserting after "1210,"
a Medicare card or

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

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

Senator BOSCOLA. Mr. President, I do applaud the fact that this bill requires several forms of alternate identification to prove one's eligibility to vote. By allowing for some of the alternatives, it helps protect against disenfranchising qualified voters. However, in looking at ways to protect against blocking eligible voters from voting, one of the largest groups that we need to consider and be concerned about is our senior citizens. Many seniors and veterans no longer have a valid driver's license. As a result, many of them on election day can become confused, hastled, or maybe discouraged by the new voter ID law that most people will not even know about until they get there in November.

Mr. President, if we are going to allow for identification exemptions, why not include U.S. government-issued Medicare cards as an acceptable form of ID? Medicare cards do contain critical personal information. One critical piece of information is the Social Security number. The cards are certainly issued by a verifiable source and would help to protect many seniors and veterans from being denied their right to vote.

Mr. President, I doubt any of us believe senior citizens are at the root of voter fraud in this Commonwealth. Well, supposedly it exists. In fact, the only fraud I ever encountered was absentee ballots, which actually happened in my own district. If we are going to rely on valid, various forms of government IDs, municipals IDs, college IDs, and some expired IDs, why not take the extra step in allowing Medicare cards as an acceptable form of ID? Other States that require ID do allow Medicare cards. I would hope that Pennsylvania would be one of them.

Thank you, Mr. President.

The PRESIDENT. The Chair recognizes the gentleman from Delaware, Senator Pileggi.

Senator PILEGGI. Mr. President, I ask for a negative vote. While I understand the intent of the amendment and sympathize with the intent, I believe the unintended consequence would be to dramatically increase the possibility of identity theft. As most people are aware, Medicare cards issued by the Social Security Administration contain a Social Security number in full on its face, and to have that information, which is the type of information that everyone involved in preventing identity theft says you should not circulate, to have that information circulated at each

polling place through multiple people, just dramatically increases the potential for identity theft. I urge a negative vote.

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

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

YEA-21

Blake	Ferlo	Schwank	Williams
Boscola	Fontana	Solobay	Wozniak
Brewster	Hughes	Stack	Yudichak
Costa	Kasunic	Tartaglione	
Dinniman	Kitchen	Vogel	
Farnese	Leach	Washington	

NAY-28

Alloway	Eichelberger	Piccola	Tomlinson
Argall	Erickson	Pileggi	Vance
Baker	Folmer	Pippy	Ward
Browne	Gordner	Rafferty	Waugh
Brubaker	Greenleaf	Robbins	White Donald
Corman	McIlhinney	Scarnati	White Mary Jo
Earl	Mensch	Smucker	Yaw

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?

WILLIAMS AMENDMENT A9021 OFFERED

Senator WILLIAMS offered the following amendment No. A9021:

Amend Bill, page 12, line 1, by inserting a bracket before "AT"
Amend Bill, page 12, line 1, by inserting after "AT":

] Except as otherwise provided in subsection (a.1), at
Amend Bill, page 12, line 20, by striking out the bracket before
"(A.1)"

Amend Bill, page 12, line 20, by inserting a bracket before
"WHERE"

Amend Bill, page 13, line 5, by inserting after "DONE.]" :
In the case of an elector who is a victim of domestic violence, the following shall apply:

(1) For the primary or election at which the elector appears to vote in the election district for the first time, the elector shall first present to an election officer proof of identification.

(2) The election officer shall examine the proof of identification presented by the elector and sign an affidavit stating that this has been done.

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

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

YEA-20

Blake	Farnese	Kitchen	Tartaglione
Boscola	Ferlo	Leach	Washington
Brewster	Fontana	Schwank	Williams
Costa	Hughes	Solobay	Wozniak
Dinniman	Kasunic	Stack	Yudichak

NAY-29

Alloway	Erickson	Pippy	Ward
Argall	Folmer	Rafferty	Waugh
Baker	Gordner	Robbins	White Donald
Browne	Greenleaf	Scarnati	White Mary Jo
Brubaker	McIlhinney	Smucker	Yaw
Corman	Mensch	Tomlinson	
Earll	Piccola	Vance	
Eichelberger	Pileggi	Vogel	

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?

FARNESE AMENDMENT A9026 OFFERED

Senator FARNESE offered the following amendment No. A9026:

Amend Bill, page 9, by inserting between lines 21 and 22:

(1.1) In the case of a transgender elector, a valid-without-photo driver's license or a valid-without-photo identification card issued by the Department of Transportation.

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

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

Senator FARNESE. Mr. President, amendment No. A9026 allows for a non-photo ID to be used as a valid form of identification at the ballot box for transgender voters and removes the photo ID requirement for these citizens.

Thank you, Mr. President.

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

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

YEA-20

Blake	Farnese	Kitchen	Tartaglione
Boscola	Ferlo	Leach	Washington
Brewster	Fontana	Schwank	Williams
Costa	Hughes	Solobay	Wozniak
Dinniman	Kasunic	Stack	Yudichak

NAY-29

Alloway	Erickson	Pippy	Ward
Argall	Folmer	Rafferty	Waugh
Baker	Gordner	Robbins	White Donald
Browne	Greenleaf	Scarnati	White Mary Jo
Brubaker	McIlhinney	Smucker	Yaw
Corman	Mensch	Tomlinson	
Earll	Piccola	Vance	
Eichelberger	Pileggi	Vogel	

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?

HUGHES AMENDMENT A9024 OFFERED

Senator HUGHES offered the following amendment No. A9024:

Amend Bill, page 10, lines 1 and 2, by striking out "ISSUED BY THE DEPARTMENT OF " in line 1 and "TRANSPORTATION" in line 2

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

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

Senator HUGHES. Mr. President, I offer this amendment to House Bill No. 934, which, as I said in the Committee on Appropriations yesterday, is purely, absolutely a move to suppress voter participation. All of us should be embarrassed that we are having this conversation, since we all got here through the part of people participating in the electoral process. But be that as it may, Mr. President, House Bill No. 934 is to be amended by amendment No. A9024, which permits a voter to use an expired photo ID as long as the ID has not been expired for over a year. The current language in the bill permits the use of expired ID only as it applies to IDs issued by PennDOT. Amendment No. A9024 would expand the application to all types of IDs listed in the bill, and that is essentially all Federal government IDs, non-PennDOT IDs, municipal IDs, institutions of higher learning IDs, and personal care home IDs as examples.

Mr. President, it is truly an embarrassment that we are standing on this floor having to consider a voter suppression bill in House Bill No. 934. This amendment would ease some of that burden, ease some of that pain, and allow folks to participate in the electoral process, as they are so constitutionally provided the protection therefore. So, Mr. President, I ask for support for amendment No. A9024.

The PRESIDENT. The Chair recognizes the gentleman from Bucks, Senator McIlhinney.

Senator McILHINNEY. Mr. President, I ask for a negative vote on this amendment. During the process of putting the bill together, we expanded the ID expiration for the PennDOT licenses. We did not want to continue to have expired proofs of ID to be the norm. I think it is a very important issue that was raised, but it is concerning and I take issue with the statement of the suppression of the vote.

To insure that everyone's legally cast vote is not being diminished by others who are casting fraudulent votes is just as important a position and something that we should fight for in this bill, as opposed to simply stating that we are trying to suppress the vote, which is the furthest thing from what we are trying to do. We are trying to insure the integrity of the election process. I ask for a negative vote on this amendment. Thank you.

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

Senator HUGHES. Mr. President, I respect my colleague, the gentleman who just spoke from Bucks County, and I sincerely believe that he is interested in participation of the electoral pro-

cess. What I do know is that there are so many facts, we talked about them in the Committee on Appropriations yesterday, that indicate that the issue of fraud is almost, almost nonexistent when it comes to voting. This bill is all about voter suppression, so this amendment does something that insures people the right and opportunity to participate in the process by expanding all forms of Federal and State government-issued IDs to allow people to participate. The right to vote is constitutionally protected. We should be supporting this, we should be encouraging it. We should not be in the position of supporting House Bill No. 934, which is all about voter suppression, not about getting people engaged in the electoral process, but about keeping people out of the process.

Thank you, Mr. President.

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

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

YEA-20

Blake	Farnese	Kitchen	Tartaglione
Boscola	Ferlo	Leach	Washington
Brewster	Fontana	Schwank	Williams
Costa	Hughes	Solobay	Wozniak
Dinniman	Kasunic	Stack	Yudichak

NAY-29

Alloway	Erickson	Pippy	Ward
Argall	Folmer	Rafferty	Waugh
Baker	Gordner	Robbins	White Donald
Browne	Greenleaf	Scarnati	White Mary Jo
Brubaker	McIlhinney	Smucker	Yaw
Corman	Mensch	Tomlinson	
Earll	Piccola	Vance	
Eichelberger	Pileggi	Vogel	

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?

KITCHEN AMENDMENT A9077 OFFERED

Senator KITCHEN offered the following amendment No. A9077:

Amend Bill, page 10, line 17, by inserting after "LEARNING":
or a student identification card that has not been expired for more than one year, if the information on the card is otherwise valid

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

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

Senator KITCHEN. Mr. President, my amendment simply asks that students only be able to use their ID if it has expired for a year. A year only. The reason why I ask for this is because we know a lot of times students are in transition and moving around,

and we want to make sure that every student expresses their right to vote. I ask for an affirmative vote. Thank you.

The PRESIDENT. The Chair recognizes the gentleman from Bucks, Senator McIlhinney.

Senator McILHINNEY. Mr. President, again, I respectfully ask for a negative vote on this. We allowed a certain latitude for an expired license, but it was an official PennDOT-issued license or identification card, and I do not think it is needed to expand the other types of ID for expired photo ID for the purposes of voting in Pennsylvania. So I ask for a "no" vote.

Thank you, Mr. President.

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

They yeas and nays were required by Senator KITCHEN and were as follows, viz:

YEA-20

Blake	Farnese	Kitchen	Tartaglione
Boscola	Ferlo	Leach	Washington
Brewster	Fontana	Schwank	Williams
Costa	Hughes	Solobay	Wozniak
Dinniman	Kasunic	Stack	Yudichak

NAY-29

Alloway	Erickson	Pippy	Ward
Argall	Folmer	Rafferty	Waugh
Baker	Gordner	Robbins	White Donald
Browne	Greenleaf	Scarnati	White Mary Jo
Brubaker	McIlhinney	Smucker	Yaw
Corman	Mensch	Tomlinson	
Earll	Piccola	Vance	
Eichelberger	Pileggi	Vogel	

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?

WILLIAMS AMENDMENT A9050 OFFERED

Senator WILLIAMS offered the following amendment No. A9050:

Amend Bill, page 2, line 3, by inserting after "ENFORCEMENT":
, for a study by the Joint State Government Commission
Amend Bill, page 28, by inserting between lines 18 and 19:
Section 9.1. The Joint State Government Commission shall conduct a study in which the effects of the amendments and additions to the act by this act on voters who are members of ethnic minorities are examined. The Joint State Government Commission shall submit a report of its study to the General Assembly within one year of the effective date of this section.

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

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

Senator WILLIAMS. Mr. President, I will not belabor the point. This will fall into a conversation at the conclusion of these

amendments. But this one, obviously, points to a concern that many people have expressed, and that is particular populations, those who may be ethnic, those who may be women, or populations of seniors who may not be able to vote anymore. This one specifically speaks of minority populations in this State.

Thank you, Mr. President.

The PRESIDENT. The Chair recognizes the gentleman from Delaware, Senator Pileggi.

Senator PILEGGI. Mr. President, I request a negative vote, although, I will say that I would be very happy to support a resolution requesting exactly the same study and would be happy to cosponsor it with Senator Williams, should that be introduced independently. But, I ask for a "no" vote on the proposed amendment.

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

Senator WILLIAMS. Mr. President, I will take the gentleman on his word, and I appreciate that. I will still offer the amendment, and then we will figure out the resolution going forward.

Thank you, Mr. President.

And the question recurring,

Will the Senate agree to the amendment?

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

YEA-20

Blake	Farnese	Kitchen	Tartaglione
Boscola	Ferlo	Leach	Washington
Brewster	Fontana	Schwank	Williams
Costa	Hughes	Solobay	Wozniak
Dinniman	Kasunic	Stack	Yudichak

NAY-29

Alloway	Erickson	Pippy	Ward
Argall	Folmer	Rafferty	Waugh
Baker	Gordner	Robbins	White Donald
Browne	Greenleaf	Scarnati	White Mary Jo
Brubaker	McIlhinney	Smucker	Yaw
Corman	Mensch	Tomlinson	
Earl	Piccola	Vance	
Eichelberger	Pileggi	Vogel	

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?

SCHWANK AMENDMENT A9036 OFFERED

Senator SCHWANK offered the following amendment No. A9036:

Amend Bill, page 29, line 16, by striking out "SEPTEMBER 17" and inserting:

December 31

On the question,

Will the Senate agree to the amendment?

The PRESIDENT. The Chair recognizes the gentlewoman from Berks, Senator Schwank.

Senator SCHWANK. Mr. President, this amendment would delay the implementation of House Bill No. 934 until elections after December 31, 2012. As you and I both know, as county commissioners, we also served on boards of elections, so I have some experience with elections. My concern is that we are simply not prepared to implement this legislation as quickly as the bill is requiring us to do. I can tell you from past experience that even minor changes, like moving polls or dividing polls or in some way changing the standard operation that voters are used to, throws them into disarray. Add on top of this the fact that we have 67 election offices that will have to, in some way, inform all of their voters about this, it is a tall order.

I also add the fact that there is a Presidential election, and we know there is great interest in this election. There will be a huge turnout. I have had the experience of having national news interview me on the long lines that we had at polls in the last Presidential election. I do not want to experience that again, and I would not want anyone else to. So I ask my colleagues for an affirmative vote on this.

Thank you, Mr. President.

The PRESIDENT. The Chair recognizes the gentleman from Bucks, Senator McIlhinney.

Senator McILHINNEY. Mr. President, during the deliberations on this bill, there was a lot of concern about rolling it out too soon, putting it upon the public, and people showing up without having an ID, which is the purpose of putting in a soft rollout - having it effective for the primary, but if you do not have ID, you will still be allowed to vote. You just need to be informed that you will need it for the general election in the fall. Furthermore, the delay until next year would remove us from eligibility of almost \$4 million of HAVA funds that we can get from the Federal government to help promote and educate the public here in Pennsylvania. So, a delay would be pretty costly to the people of Pennsylvania, to deprive us of that money. So I ask for a "no" vote on this amendment. Thank you.

The PRESIDENT. The Chair recognizes the gentlewoman from Berks, Senator Schwank.

Senator SCHWANK. Mr. President, thank you for your indulgence. I only add that those HAVA funds could be used for a lot better purposes, such as to inform and get people to the polls, than necessarily implementing this legislation. I understand the idea that we want to use these funds to inform voters, but I can think of things like helping to remove people from the rolls who are no longer on the rolls, and so many other ways of encouraging people to vote. When I look at the kinds of turnouts that we have, in our last primary election, the turnout was abysmal. I think that argument is not really valid. Thank you.

The PRESIDENT. The Chair recognizes the gentleman from Chester, Senator Dinniman.

Senator DINNIMAN. Mr. President, also as a former county commissioner, I want to attest that Senator Schwank's points should be well-taken. It is very hard to make changes. As Senator Schwank said, even when you change a precinct, even when you put it in the newspaper, even when you inform people, people still show up at the wrong precinct. If you are going to change this during the a Presidential election, which has the greatest voter turnout of any election and where people are already waiting in line, now that wait is going to be longer because

we are going to ask for all kinds of identification, this is the wrong election to introduce some new procedures in terms of how we go about. If the previous way we did elections was good enough for the election of Democratic and Republican Presidents in the past, it should be good enough for the election of a Democratic or Republican President today in 2012.

So, Mr. President, I rise to express my concerns because I do not know how it works in other counties, but we often had people waiting in line for hours. Now it is going to be even more hours that they are going to wait in line. Sometimes people get disenfranchised because they cannot wait any longer. They have to go home to take care of their kid or return to work. By putting this requirement in, without the time for proper education, to put it in the busiest election that we have every 4 years, I think it is a mistake.

And I urge my colleagues on the other side of the aisle who believe that it is good to have voter ID, and we could debate that point, but I do not think there is any question that to put it into practice in a Presidential year is not a good idea. It is going to result in lines. What are we going to do, put up signs as you wait in line for 2 or 3 hours and say, your wait is courtesy of the Pennsylvania State Senate and Pennsylvania State House? Because that is, in the end, what it will be. So I urge an affirmative vote on this amendment, whether you are for or against the voter ID bill.

The PRESIDENT. The Chair recognizes the gentleman from Bucks, Senator McIlhinney.

Senator McILHINNEY. Mr. President, I just wanted to comment on one thing said by the gentlewoman from Berks County. I agree concerning the bloated voter rolls, and as chairman of the Committee on State Government, I would be happy to work with the gentlewoman to try to change that. As the Motor Voter Law came upon us, which is probably leading to a lot of the potential for the fraud and abuse, having people on the rolls who have long since moved away, but with no ability to actually remove them from those voting rolls unless you produce a death certificate, is not the best way to keep a list of records.

Unfortunately, that is a Federal law, but anything we could do at the State level to try to press that Motor Voter Law to changes so that we would be able to purge the list and have an accurate account of who is and is not eligible to vote in Pennsylvania, and across the nation, for that matter, is something that I think is a top priority but something we cannot, unfortunately, address ourselves today. So this is the next best thing, but I look forward to working with the gentlewoman in the future to try to address that.

Thank you very much, Mr. President.

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

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

YEA-21

Blake	Farnese	Leach	Williams
Boscola	Ferlo	Schwank	Wozniak
Brewster	Fontana	Solobay	Yudichak
Costa	Hughes	Stack	
Dinniman	Kasunic	Tartaglione	
Earll	Kitchen	Washington	

NAY-28

Alloway	Erickson	Pileggi	Vance
Argall	Folmer	Pippy	Vogel
Baker	Gordner	Rafferty	Ward
Browne	Greenleaf	Robbins	Waugh
Brubaker	McIlhinney	Scarnati	White Donald
Corman	Mensch	Smucker	White Mary Jo
Eichelberger	Piccola	Tomlinson	Yaw

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?

WILLIAMS AMENDMENT A9079 OFFERED

Senator WILLIAMS offered the following amendment No. A9079:

Amend Bill, page 9, line 12, by striking out "A DEFINITION" and inserting:

definitions

Amend Bill, page 11, by inserting between lines 1 and 2:

(z.6) The words "protected class" shall mean a group determined by the Department of State to be capable of prevailing on a claim under section 2 of the Voting Rights Act of 1965 (Public Law 89-110, 42 U.S.C. § 1973).

Amend Bill, page 12, line 1, by inserting a bracket before "AT"

Amend Bill, page 12, line 1, by inserting after "AT":

] Except as otherwise provided in this subsection, at

Amend Bill, page 12, line 19, by inserting after "DONE.":

This subsection shall not apply to an elector who is a member of a protected class.

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

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

Senator WILLIAMS. Mr. President, this amendment speaks to protected classes. Equal protections are categories with which we are all familiar, and I am sure everyone here is quite knowledgeable about why we would be concerned about it. That is why I am introducing the amendment.

The PRESIDENT. The Chair recognizes the gentleman from Delaware, Senator Pileggi.

Senator PILEGGI. Mr. President, I ask for a negative vote.

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

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

YEA-20

Blake	Farnese	Kitchen	Tartaglione
Boscola	Ferlo	Leach	Washington
Brewster	Fontana	Schwank	Williams
Costa	Hughes	Solobay	Wozniak
Dinniman	Kasunic	Stack	Yudichak

NAY-29

Alloway	Erickson	Pippy	Ward
Argall	Folmer	Rafferty	Waugh
Baker	Gordner	Robbins	White Donald
Browne	Greenleaf	Scarnati	White Mary Jo
Brubaker	McIlhinney	Smucker	Yaw
Corman	Mensch	Tomlinson	
Earll	Piccola	Vance	
Eichelberger	Pileggi	Vogel	

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?

WILLIAMS AMENDMENT A9080 OFFERED

Senator WILLIAMS offered the following amendment No. A9080:

Amend Bill, page 12, line 1, by inserting a bracket before "AT"

Amend Bill, page 12, line 1, by inserting after "AT":

] Except as otherwise provided in this subsection, at

Amend Bill, page 12, line 19, by inserting after "DONE.":

This subsection shall not apply to an elector who is at least sixty-five (65) years of age.

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

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

Senator WILLIAMS. Mr. President, this amendment speaks specifically to seniors, members of our society who are above the age of 65. We are trying to protect them in this particular piece of legislation.

The PRESIDENT. The Chair recognizes the gentleman from Delaware, Senator Pileggi.

Senator PILEGGI. Mr. President, I certainly understand and support the goal of the amendment. Unfortunately, it appears to violate Article VII, Section 6, of the Pennsylvania Constitution, providing that "...the holding of elections...shall be uniform throughout the State..." Our Constitution requires people to be treated the same, regardless of age.

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

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

YEA-20

Blake	Farnese	Kitchen	Tartaglione
Boscola	Ferlo	Leach	Washington
Brewster	Fontana	Schwank	Williams
Costa	Hughes	Solobay	Wozniak
Dinniman	Kasunic	Stack	Yudichak

NAY-29

Alloway	Erickson	Pippy	Ward
Argall	Folmer	Rafferty	Waugh
Baker	Gordner	Robbins	White Donald

Browne	Greenleaf	Scarnati	White Mary Jo
Brubaker	McIlhinney	Smucker	Yaw
Corman	Mensch	Tomlinson	
Earll	Piccola	Vance	
Eichelberger	Pileggi	Vogel	

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?

WILLIAMS AMENDMENT A9040 OFFERED

Senator WILLIAMS offered the following amendment No. A9040:

Amend Bill, page 9, lines 19 through 21, by striking out "VALID-WITHOUT-PHOTO DRIVER'S LICENCE OR" in line 19, all of line 20 and "DEPARTMENT OF TRANSPORTATION" in line 21 and inserting:

document that satisfies paragraph (2)(i), (iii) and (iv)

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

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

Senator WILLIAMS. Mr. President, for those who are familiar with American citizens who, for religious reasons, are limited in their access to different types of ID, this is an amendment that relates to them and the protections for them.

The PRESIDENT. The Chair recognizes the gentleman from Bucks, Senator McIlhinney.

Senator McILHINNEY. Mr. President, the bill already contains some accommodation for this, and there is a process for these types of individuals to obtain nonphoto ID or proper identification through PennDOT and the services that we already provide. So, since we already address the issue in the bill itself, I ask for a negative vote on this amendment.

Thank you, Mr. President.

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

Senator WILLIAMS. Mr. President, it is only for PennDOT-issued IDs.

The PRESIDENT. The Chair recognizes the gentleman from Bucks, Senator McIlhinney.

Senator McILHINNEY. Mr. President, yes, but there is already a process by which they can go to obtain that type of identification and still be a valid voter in Pennsylvania.

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

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

YEA-20

Blake	Farnese	Kitchen	Tartaglione
Boscola	Ferlo	Leach	Washington
Brewster	Fontana	Schwank	Williams
Costa	Hughes	Solobay	Wozniak
Dinniman	Kasunic	Stack	Yudichak

NAY-29

Alloway	Erickson	Pippy	Ward
Argall	Folmer	Rafferty	Waugh
Baker	Gordner	Robbins	White Donald
Browne	Greenleaf	Scarnati	White Mary Jo
Brubaker	McIlhinney	Smucker	Yaw
Corman	Mensch	Tomlinson	
Earll	Piccola	Vance	
Eichelberger	Pileggi	Vogel	

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?

KITCHEN AMENDMENT A9032 OFFERED

Senator KITCHEN offered the following amendment No. A9032:

Amend Bill, page 10, line 13, by inserting after "PENNSYLVANIA,":

This clause includes a Pennsylvania access card issued by the Department of Public Welfare.

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

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

Senator KITCHEN. Mr. President, I am asking that ACCESS cards be permitted as a form of ID because of the cost associated with getting all of the necessary documents to get a picture ID, such as a birth certificate, and any other documents with a fee.

Also, Mr. President, people have to travel to get various forms of ID. Now, some people in urban areas, such as in my district, can hop on a bus. It may be a long ride sometimes, but that bus ride has to be paid for. But if you live in Pennsylvania in an area that maybe does not have a transportation system where people can ride to it, then they have to pay someone to take them to get a photo ID. I think it is unfair to ask people to spend money from their already struggling budget to get a form of picture ID, which we should not even request in the first place. I ask for an affirmative vote. Thank you.

The PRESIDENT. The Chair recognizes the gentleman from Delaware, Senator Pileggi.

Senator PILEGGI. Mr. President, I ask for a negative vote. Unfortunately, the history in Pennsylvania is that ACCESS cards tend to be lost frequently. The information that we have received from the Department of Public Welfare includes that just in the past year, almost 4,000 clients reported that 5 or more cards were missing or lost for the calendar year, and the reasons they gave for the missing cards or the need for replacement, 60 percent were that the cards were lost, and 15 percent reported their cards were stolen. So it seems that there are a lot of these cards that are either lost or stolen and then are circulating, certainly not the kind of secure identification we would look to to permit someone to vote and still preserve the integrity of the process.

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

Senator KITCHEN. Mr. President, I would like to go on record as saying it is unfair for some people to have to take from their already pressed budget in order to pay for transportation to get an ID card and to pay fees for such documents as birth certificates. I think that we should not put any unfair burdens on poor people. They are already struggling enough. Mr. President, I know what it is to have to struggle, because I once walked in those shoes. I think that it is a terrible day in this State when we ask poor people to spend more out of their pay than the rest of us. Thank you.

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

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

YEA-20

Blake	Farnese	Kitchen	Tartaglione
Boscola	Ferlo	Leach	Washington
Brewster	Fontana	Schwank	Williams
Costa	Hughes	Solobay	Wozniak
Dinniman	Kasunic	Stack	Yudichak

NAY-29

Alloway	Erickson	Pippy	Ward
Argall	Folmer	Rafferty	Waugh
Baker	Gordner	Robbins	White Donald
Browne	Greenleaf	Scarnati	White Mary Jo
Brubaker	McIlhinney	Smucker	Yaw
Corman	Mensch	Tomlinson	
Earll	Piccola	Vance	
Eichelberger	Pileggi	Vogel	

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?

WILLIAMS AMENDMENT A9025 OFFERED

Senator WILLIAMS offered the following amendment No. A9025:

Amend Bill, page 9, line 22, by striking out "FOR" and inserting:
Except as provided under clause (2.1), for

Amend Bill, page 10, by inserting between lines 18 and 19:

(2.1) An affidavit of corroboration signed by a person who corroborates the identity of the elector. The corroborator must have a valid State identification and the affidavit shall be signed under penalty of perjury.

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

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

Senator WILLIAMS. Mr. President, in lay terms, those of us who vote on frequent occasions tend to be identified by the person who signs us in. This just allows that person who is a corroborator, who actually has State validation, to corroborate who we are.

Thank you, Mr. President.

The PRESIDENT. The Chair recognizes the gentleman from Bucks, Senator McIlhinney.

Senator McILHINNEY. Mr. President, as the bill is written, an individual would not be turned away to vote. They would simply cast a provisional ballot and would have up to 6 days to then provide the proper ID, either through a direct copy to the board of registration or via e-mail or facsimile. So the need to have someone to corroborate is not really necessary when they have an avenue to provide the proper ID. So I ask for a "no" vote on this amendment.

Thank you, Mr. President.

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

Senator WILLIAMS. Mr. President, while I appreciate the intent, the actual execution is different. That means, for some people, it is a sacrifice for them on that one day to actually go and vote. Some take off work, some do a variety of other things, some actually get leave from hospitals, or some actually get out of a bed. To then tell them to turn around on another day and do the same thing, rather than actually completing the process on that one day, unfortunately, puts an additional burden upon that person who is exercising their franchise.

Thank you, Mr. President.

And the question recurring,

Will the Senate agree to the amendment?

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

YEA-20

Blake	Farnese	Kitchen	Tartaglione
Boscola	Ferlo	Leach	Washington
Brewster	Fontana	Schwank	Williams
Costa	Hughes	Solobay	Wozniak
Dinniman	Kasunic	Stack	Yudichak

NAY-29

Alloway	Erickson	Pippy	Ward
Argall	Folmer	Rafferty	Waugh
Baker	Gordner	Robbins	White Donald
Browne	Greenleaf	Scarnati	White Mary Jo
Brubaker	McIlhinney	Smucker	Yaw
Corman	Mensch	Tomlinson	
Earl	Piccola	Vance	
Eichelberger	Pileggi	Vogel	

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?

LEACH AMENDMENT A9017 OFFERED

Senator LEACH offered the following amendment No. A9017:

Amend Bill, page 11, line 8, by inserting after "(B)":

(1)

Amend Bill, page 11, by inserting between lines 17 and 18:

(2) Notwithstanding any other provision of law, the Department of Transportation shall, during the week prior to any election, extend the

hours of Commonwealth driver's license photo centers and shall give priority to individuals at the photo centers who are obtaining identification.

On the question,

Will the Senate agree to the amendment?

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

Senator LEACH. Mr. President, very briefly, to explain what the amendment is, it extends the hours of PennDOT prior to the election so that PennDOT offices are open for people who need an ID. Currently, PennDOT offices are not even open at all on Monday. So, for example, the day before the election, it would allow people to get access to an ID if they need one.

Thank you, Mr. President.

The PRESIDENT. The Chair recognizes the gentleman from Bucks, Senator McIlhinney.

Senator McILHINNEY. Mr. President, I ask for a negative vote on this amendment as well. The increased hours are not as relevant when you take into consideration the ability to actually come in up to 6 days afterward to obtain that ID, provide the proper identification, and your vote would be counted. Again, the individual is not denied access to the ballot. They vote provisionally and then just need to follow up with the proper ID, and extending PennDOT's hours is an unnecessary part of this discussion. So I ask for a "no" vote on 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 LEACH and were as follows, viz:

YEA-20

Blake	Farnese	Kitchen	Tartaglione
Boscola	Ferlo	Leach	Washington
Brewster	Fontana	Schwank	Williams
Costa	Hughes	Solobay	Wozniak
Dinniman	Kasunic	Stack	Yudichak

NAY-29

Alloway	Erickson	Pippy	Ward
Argall	Folmer	Rafferty	Waugh
Baker	Gordner	Robbins	White Donald
Browne	Greenleaf	Scarnati	White Mary Jo
Brubaker	McIlhinney	Smucker	Yaw
Corman	Mensch	Tomlinson	
Earl	Piccola	Vance	
Eichelberger	Pileggi	Vogel	

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?

FONTANA AMENDMENT A9078 OFFERED

Senator FONTANA offered the following amendment No. A9078:

Amend Bill, page 11, line 7, by inserting after "1302.":

The dissemination shall be through mass media, newspapers of high

circulation within each municipality, electronic notification through social media websites and mass mailings where appropriate.

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

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

Senator FONTANA. Mr. President, under House Bill No. 934, "The Secretary of the Commonwealth shall prepare and disseminate information to the public regarding the proof of identification....." In my understanding, there are \$4 million of Federal moneys to do that. Under this amendment, it would require that, "The dissemination shall be through mass media, newspapers of high circulation within each municipality, electronic notification through social media websites and mass mailings where appropriate." The amendment also adds language so that the Department of Transportation, at any time prior to an election, issues, at no cost to the voters, the required identification cards. Mr. President, if we do not adequately notify, we are suppressing voters. Thank you.

The PRESIDENT. The Chair recognizes the gentleman from Delaware, Senator Pileggi.

Senator PILEGGI. Mr. President, I ask for a negative vote on the amendment. The amendment does not define the terms "mass media" or "high circulation." As the bill is presently written, it gives the Secretary the discretion to use the media that best meets the needs of each community across the Commonwealth, which, as we all know, are very different as you move across the Commonwealth. Again, I ask for a negative vote.

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

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

YEA-20

Blake	Farnese	Kitchen	Tartaglione
Boscola	Ferlo	Leach	Washington
Brewster	Fontana	Schwank	Williams
Costa	Hughes	Solobay	Wozniak
Dinniman	Kasunic	Stack	Yudichak

NAY-29

Alloway	Erickson	Pippy	Ward
Argall	Folmer	Rafferty	Waugh
Baker	Gordner	Robbins	White Donald
Browne	Greenleaf	Scarnati	White Mary Jo
Brubaker	McIlhinney	Smucker	Yaw
Corman	Mensch	Tomlinson	
Earl	Piccola	Vance	
Eichelberger	Pileggi	Vogel	

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?

KASUNIC AMENDMENT A9020 OFFERED

Senator KASUNIC offered the following amendment No. A9020:

Amend Bill, page 12, line 20, by striking out the bracket before "(A.1)"

Amend Bill, page 12, line 20, by inserting a bracket before "WHERE"

Amend Bill, page 13, line 5, by inserting after "DONE.]" :
If an elector is unable to produce proof of identification, the elector shall sign an affidavit affirming that he is the person whose name is listed in the district register.

Amend Bill, page 13, line 6, by inserting after "OR":

] If
Amend Bill, page 13, lines 9 through 19, by striking out "] IF ANY OF THE " in line 9 and all of lines 10 through 19

Amend Bill, page 15, line 14, by inserting a bracket before "BE"

Amend Bill, page 15, line 15, by inserting after "BALLOT":

] comply with subsection (a.1)

Amend Bill, page 16, line 3, by striking out "[OR]" and inserting:
or

Amend Bill, page 16, lines 5 through 26, by striking out all of said lines and inserting:
envelope.

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

The PRESIDENT. The Chair recognizes the gentleman from Fayette, Senator Kasunic.

Senator KASUNIC. Mr. President, this amendment would simply allow a voter who is not in possession of identification to sign an affidavit testifying to their identity as a registered voter. An affidavit is a voluntary sworn statement of fact that has historically been accepted by the courts in place of sworn testimony. In fact, affidavits are used by law enforcement to acquire search warrants, they are used by businesses to certify the financial stability of a company, and anyone who has applied for a loan, which includes all of us in this room at one time or another, has signed an affidavit to affirm their financial position.

Mr. President, the signing of an affidavit carries with it the weight of law, and is considered perjury to falsely sign. The use of a signed affidavit for those without identification would provide each polling place with the legal documentation that an individual elector is the person they claim to be.

Mr. President, I ask for an affirmative vote.

The PRESIDENT. The Chair recognizes the gentleman from Delaware, Senator Pileggi.

Senator PILEGGI. Mr. President, I ask for a negative vote. This would essentially create a duplicative process similar to, but different than, the provisional ballot process, which also involves an affidavit of a person wishing to vote who does not have the proper documentation, or there is an absence in the list of voters for that voting district of the identity of that elector. It would also certainly create delays at polling places. Anyone could simply sign an affidavit rather than bringing the appropriate identification to the polls. I ask for a negative vote.

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

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

YEA-20

Blake	Farnese	Kitchen	Tartaglione
Boscola	Ferlo	Leach	Washington
Brewster	Fontana	Schwank	Williams
Costa	Hughes	Solobay	Wozniak
Dinniman	Kasunic	Stack	Yudichak

NAY-29

Alloway	Erickson	Pippy	Ward
Argall	Folmer	Rafferty	Waugh
Baker	Gordner	Robbins	White Donald
Browne	Greenleaf	Scarnati	White Mary Jo
Brubaker	McIlhinney	Smucker	Yaw
Corman	Mensch	Tomlinson	
Earl	Piccola	Vance	
Eichelberger	Pileggi	Vogel	

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?

STACK AMENDMENT A9047 OFFERED

Senator STACK offered the following amendment No. A9047:

Amend Bill, page 11, line 24, by inserting after "(B).":
The Secretary of the Commonwealth shall provide each polling place in this Commonwealth with an adequate number of electronic identification verification devices prior to each election.

Amend Bill, page 12, line 18, by inserting a bracket before "AND"

Amend Bill, page 12, line 18, by inserting after "AND":

] If the proof of identity appears to have been issued by the Department of Transportation, the election officer shall scan it using an electronic identification verification device. If the electronic identification verification device confirms that the proof of identity was issued by the Department of Transportation, the election officer shall

Amend Bill, page 12, line 18, by inserting a bracket before "THIS"

Amend Bill, page 12, line 19, by inserting after "DONE":

] the proof of identification was presented, and if it appears to have been issued by the Department of Transportation, scanned

Amend Bill, page 17, line 2, by striking out "CARE FACILITY" MEANS" and inserting:

the following terms shall have the meanings given to them in this subsection:

"Care facility" shall mean

Amend Bill, page 17, by inserting between lines 9 and 10:

"Electronic identification verification device" shall mean a computerized system or electronic scanning or swiping equipment that assists an election officer in verifying the identity of the elector by confirming that the proof of identification was issued by the Department of Transportation.

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

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

Senator STACK. Mr. President, if we really believe that the bill at hand is designed to fight voter fraud, I think this amendment will really help the bill. What my amendment does is basically authorizes the Department of State to provide electronic identification verification devices at each polling place throughout the Commonwealth. This is the same type of device you would find in bars and nightclubs. The owners and managers at these establishments use them to make sure that young people are not using fake PennDOT licenses.

So, if we are serious about voter fraud, just like we are serious about underage drinking, it is the same exact technology, and I think this amendment is really common sense and fits right

within what the Majority is trying to do. That is why I ask for the support of Members on both sides of the aisle on this particular issue and amendment.

Thank you, Mr. President.

The PRESIDENT. The Chair recognizes the gentleman from Bucks, Senator McIlhinney.

Senator McILHINNEY. Mr. President, I commend my colleague from Philadelphia for going after a more stringent way to enforce the voter ID requirements in Pennsylvania. However, I would urge a little lessening of that. I do not know if we need to go to such a degree to actually cause further delay in the votes and just the simple visual verification of a photo ID should suffice in this instance. I ask for a negative vote.

Thank you, Mr. President.

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

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

YEA-20

Blake	Farnese	Kitchen	Tartaglione
Boscola	Ferlo	Leach	Washington
Brewster	Fontana	Schwank	Williams
Costa	Hughes	Solobay	Wozniak
Dinniman	Kasunic	Stack	Yudichak

NAY-29

Alloway	Erickson	Pippy	Ward
Argall	Folmer	Rafferty	Waugh
Baker	Gordner	Robbins	White Donald
Browne	Greenleaf	Scarnati	White Mary Jo
Brubaker	McIlhinney	Smucker	Yaw
Corman	Mensch	Tomlinson	
Earl	Piccola	Vance	
Eichelberger	Pileggi	Vogel	

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?

STACK AMENDMENT A9043 OFFERED

Senator STACK offered the following amendment No. A9043:

Amend Bill, page 11, line 28, by striking out "A SUBSECTION" and inserting:

subsections

Amend Bill, page 17, by inserting between lines 1 and 2:

(a.5) An elector, other than an elector who appears to vote in that election district for the first time, who is a veteran of any of the following services shall be exempt from the provisions of subsection (a):

(1) Active and reserve components of the Army, Navy, Air Force, Marine Corps or Coast Guard of the United States.

(2) The National Guard and the Pennsylvania National Guard.

(3) The United States Merchant Marine.

The elector shall establish the elector's status under this subsection by signing an affidavit, on a form prescribed by the Secretary of the Commonwealth, swearing or affirming that the elector is a veteran of one of the enumerated services. The county board of elections shall supply each election district with a sufficient supply of such forms.

* * *

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

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

Senator STACK. Mr. President, in the short time that I have had to stand here since my colleague, Senator McIlhinney, spoke, I have had some time to take in what he said, and I agree. That is the reason for my next amendment, which essentially makes it easier for veterans and members of the Armed Services to vote. Here is simply what would happen: it would exempt members of the Armed Services from having to present a license or similar ID card. I am a Guardsman, I serve as a captain in the 56th Stryker Brigade. I see a lot of young folks come back from duty, they are trying to get their affairs in order, and sometimes they do not have all their documents together. So I feel that anytime we can assist these young people to help them get their lives in line and be fully back and a part of this country after they have defended our freedom overseas, we should do it.

The amendment would simply let the elector veteran sign an affidavit to confirm their status as a veteran of one of the enumerated services and they would be allowed to vote. Mr. President, I put my trust in the good faith of those men and women who have served our country, and I trust that their word would be like gold in stating that they were eligible to vote. So this would only apply to those who are voting in their district for the very first time. Once again, this would make the process move further along, let more people vote, and let the right folks vote.

Thank you, Mr. President.

The PRESIDENT. The Chair recognizes the gentleman from Bucks, Senator McIlhinney.

Senator McILHINNEY. Mr. President, I believe this would also violate the uniformity clause in our Constitution with this exemption. Furthermore, with the case of our military veterans, we did provide for them by allowing them to have their military license included, even if it did not have an expiration date on it. So, anytime they are coming back from overseas, they do not have to worry about an expired ID in order to obtain the proper identification to vote. I ask for a negative vote on this amendment as well, Mr. President.

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

Senator STACK. Mr. President, one last point. I want to say that young people in the military, just like young people everywhere, lose things quite often. You would think sometimes that it is easy for them to maintain their documentation. Time and time again, I have seen young soldiers, and I have had the opportunity to try to advise them strongly against doing this, but they lose documentation. Sometimes it is hard to get a replacement photo or military ID. So once again, we want to create less hurdles for them, not more.

The PRESIDENT. The Chair recognizes the gentleman from Bucks, Senator McIlhinney.

Senator McILHINNEY. Mr. President, I would like to also point out that military personnel are very responsible, and I believe even when they are coming home, they still require identification just to get on their base. I cannot imagine that they would not have an identification when returning home. How would you get on base to even obtain a new one? So, I think to say that the military is a special group of individuals that somehow are going

to lose their identification, so we should exempt them, is a little far-reaching for this discussion here today. I still ask for a negative vote on this amendment.

Thank you, Mr. President.

The PRESIDENT. Without objection, the Chair recognizes the gentleman from Philadelphia, Senator Stack.

Senator STACK. Mr. President, as a final remark to my colleague on the other side, you would be surprised. Folks lose things all the time. It is hard to get them replaced. The guy who is supposed to take the picture is someplace else, and it happens. So let us vote on the amendment, Mr. President.

The PRESIDENT. The Chair recognizes the gentleman from Mercer, Senator Robbins.

Senator ROBBINS. Mr. President, I would just make the comment, having been prior military and traveled overseas twice to war, I know very well the military makes the system very easy to renew your photo IDs and the veterans card you carry, because you have to have them with you at all times.

And the question recurring,

Will the Senate agree to the amendment?

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

YEA-21

Blake	Ferlo	Rafferty	Williams
Boscola	Fontana	Schwank	Wozniak
Brewster	Hughes	Solobay	Yudichak
Costa	Kasunic	Stack	
Dinniman	Kitchen	Tartaglione	
Farnese	Leach	Washington	

NAY-28

Alloway	Eichelberger	Piccola	Vance
Argall	Erickson	Pileggi	Vogel
Baker	Folmer	Pippy	Ward
Browne	Gordner	Robbins	Waugh
Brubaker	Greenleaf	Scarnati	White Donald
Corman	McIlhinney	Smucker	White Mary Jo
Earll	Mensch	Tomlinson	Yaw

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?

STACK AMENDMENT A9048 OFFERED

Senator STACK offered the following amendment No. A9048:

Amend Bill, page 1, line 19, by inserting after "IDENTIFICATION":

and providing for on-site voter registration

Amend Bill, page 11, line 2, by striking out "A SECTION" and inserting:

sections

Amend Bill, page 11, by inserting between lines 24 and 25:

Section 702.1. On-site voter registration.

Notwithstanding any other law to the contrary, and in addition to any other method of voter registration available in 25 Pa.C.S. (relating

to elections), an elector may register to vote at the local polling place where the elector would vote if registered. Upon submitting the voter registration form to the election official at the polling location, the elector shall be eligible to vote with a provisional ballot. The submitted provisional ballot shall be counted once the voter registration form has been approved.

Amend Bill, page 15, line 7, by inserting after "VOTE":
or are seeking to register under section 702.1

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

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

Senator STACK. Mr. President, the amendment simply allows the person without ID to recite their date of birth and current place of residence to the polling place manager.

The PRESIDENT. The Chair recognizes the gentleman from Bucks, Senator McIlhinney.

Senator McILHINNEY. Mr. President, the on-site registration is kind of a game changer, I guess, on election day. In Pennsylvania, you have to be registered in order to vote, and this bill concerns having the proper identification that proves you are the one who was already registered to vote. Having same-day voting registration has far-reaching implications to our voting system here in Pennsylvania. For that reason, I ask for a negative vote at this time.

Thank you, Mr. President.

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

Senator STACK. Mr. President, I agree with my colleague on the other side of the aisle. Again, it will have far-reaching consequences, it will get more people registered to vote. We complain about this in this great country of America time and time again, all of the freedoms we have, all of the liberties we have, why do people not take voting seriously? Let us make it easier for them. Let them show up, be registered, vote in the election, and truly be a part of this wonderful country and the wonderful democratic process we have. That is the intention of 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 STACK and were as follows, viz:

YEA-20

Blake	Farnese	Kitchen	Tartaglione
Boscola	Ferlo	Leach	Washington
Brewster	Fontana	Schwank	Williams
Costa	Hughes	Solobay	Wozniak
Dinniman	Kasunic	Stack	Yudichak

NAY-29

Alloway	Erickson	Pippy	Ward
Argall	Folmer	Rafferty	Waugh
Baker	Gordner	Robbins	White Donald
Browne	Greenleaf	Scarnati	White Mary Jo
Brubaker	McIlhinney	Smucker	Yaw
Corman	Mensch	Tomlinson	
Earll	Piccola	Vance	
Eichelberger	Pileggi	Vogel	

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?

BOSCOLA AMENDMENT A9062 OFFERED

Senator BOSCOLA offered the following amendment No. A9062:

Amend Bill, page 12, line 1, by inserting a bracket before "AT"

Amend Bill, page 12, line 1, by inserting after "AT":

] Except as provided in subsection (a.1), at

Amend Bill, page 13, by inserting between lines 5 and 6:

(a.1) An elector may vote without presenting proof of identification if the elector is a member of the Pennsylvania Voter Hall of Fame administered by the Department of State's Bureau of Commissions, Elections and Legislation.

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

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

Senator BOSCOLA. Mr. President, what this amendment does is allow for an exemption for people in the Pennsylvania Voter Hall of Fame. When you look at the Department of State's Web site, it says, "The Voter Hall of Fame inductees hold a special place in Pennsylvania history. They bridge generations -- from a time of war and depression to one of peace and prosperity -- and understand how precious our freedoms truly are. For 50 years, they have placed their responsibilities as citizens of this Commonwealth first." Mr. President, that is key.

These individuals have voted for 50 years consecutively. They are in the Voter Hall of Fame, and our own Web site says, "For 50 years, they have placed their responsibilities as citizens of this Commonwealth first. We are grateful for their lifelong commitment to democracy, and we proudly induct them into the Pennsylvania Voter Hall of Fame." That is the Web site. Right now, we have 20,993 inductees in the hall of fame out of 8,168,254 voters. They have made a lifetime commitment to voting, and I believe that we should not disenfranchise them.

What might happen--and I do not think people are seriously thinking of this--if you do not allow people to understand this November's election, that they will have to show their ID, some people, if they have glaucoma surgery, for instance, they lose their license because the doctor will not allow them to drive. If you have a seizure unexpectedly and you go to the doctor, they will not let you to drive. So you lose your ID. You have somebody who might lose their ID and have to vote in a couple of days. This is somebody who voted 50 years straight, and they might not be able to vote. Or, how about the person who voted 47 times straight, or 49, but because of this election, they were not allowed in the Pennsylvania Voter Hall of Fame. I think it would be a really nice gift to give these individuals something really special that we can do for them, so I would appreciate an affirmative vote.

The PRESIDENT. The Chair recognizes the gentleman from Delaware, Senator Pileggi.

Senator PILEGGI. Mr. President, I ask for a negative vote. I am not sure that there is any way that poll workers can identify a person who is in the Pennsylvania Voter Hall of Fame as opposed to another person in line. I am pleased to have many constituents who are in the Pennsylvania Voter Hall of Fame. As I recall, the designation does not include a photograph, but is a letter or citation type of an award. So, while I certainly respect and share in the sentiment that it is good to honor those people who have such an exemplary voting record, but I do not think it has anything to do with presenting proper identification when coming to vote at the poll. Someone can just as easily try to impersonate a member of the Pennsylvania Voter Hall of Fame as any other voter. So I ask for a negative vote.

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

Senator BOSCOLA. Mr. President, if I could respond to that, if you do something like this, the Department of State could do a regulation which would designate--because they know who these people are in the hall of fame--and what they could do is put them on the electoral register roll when you go in to vote. And believe me, if somebody has voted 50 years in a row, I think we know who they are, and I can tell you what, they are not the people committing voter fraud. Thank you.

And the question recurring,

Will the Senate agree to the amendment?

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

YEA-20

Blake	Farnese	Kitchen	Tartaglione
Boscola	Ferlo	Leach	Washington
Brewster	Fontana	Schwank	Williams
Costa	Hughes	Solobay	Wozniak
Dinniman	Kasunic	Stack	Yudichak

NAY-29

Alloway	Erickson	Pippy	Ward
Argall	Folmer	Rafferty	Waugh
Baker	Gordner	Robbins	White Donald
Browne	Greenleaf	Scarnati	White Mary Jo
Brubaker	McIlhinney	Smucker	Yaw
Corman	Mensch	Tomlinson	
Earl	Piccola	Vance	
Eichelberger	Pileggi	Vogel	

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?

BOSCOLA AMENDMENT A9081 OFFERED

Senator BOSCOLA offered the following amendment No. A9081:

Amend Bill, page 11, line 7, by inserting after "1302":
in accordance with subsection (d)

Amend Bill, page 11, lines 21 through 24, by striking out "THE SECRETARY OF THE COMMONWEALTH, THE SECRETARY" in

line 21 and all of lines 22 through 24 and inserting:

(d) The Secretary of the Commonwealth and the county boards of election shall disseminate information to the public regarding the proof of identification requirements established under sections 1210 and 1302 and the availability of identification cards under subsection (b). For purposes of this subsection, the term "disseminate information" means that the Secretary of the Commonwealth and the county boards of election shall post notice of the proof of identification requirements and the availability of identification cards at each polling place. The notice shall be posted in a conspicuous location at the entrance of the polling place at least one general election prior to the requirements to show proof of identification under sections 1210 and 1302 take effect.

Amend Bill, page 28, lines 19 through 30; page 29, lines 1 through 13, by striking out all of said lines on said pages

Amend Bill, page 29, line 14, by striking out "11" and inserting:
10

Amend Bill, page 29, line 16, by striking out "2012" and inserting:
2013

Amend Bill, page 29, line 17, by striking out "12" and inserting:
11

On the question,

Will the Senate agree to the amendment?

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

Senator BOSCOLA. Mr. President, if at first you do not succeed, try, try again. So here I go. Mr. President, this amendment requires notice to be given in each and every polling place in the Commonwealth for one general election prior to the photo ID requirement going into effect. Under this amendment, detailed information on the new voter ID law would be conspicuously posted at polling places across this State up until the November election. I am one of those individuals who probably would have voted for this photo ID law. I really believe it is the future, but this is going to be ridiculous if people in the general election do not have notice that this is coming, and if you post it in the general election of a Presidential year, and everybody knows that the next time they come to vote they need their ID, everything will go more smoothly. That is why I object to this because November--I do not know what I am going to do, actually. I think for the first time in my life, I am probably going to vote by absentee ballot because I do not want to be in that line, and I do not want to have people being pulled over because they do not have their IDs, and I do not want to see the distress, maybe even a fistfight, happen in these polling places.

So it is my belief that--earlier somebody said, well, we are going to have a soft rollout of this because in the primary, we are going to have this posted. In the primary, independents do not vote. So those individuals probably will not even know that there is a new voter ID law. For anybody who says, well, we are going to try to educate--I ran for election, won that election, but I knew that I had to go to various forms of media before people understood who I was as a candidate. So you cannot tell me that without posting this in the general election is not necessary, just post it, and I would vote for this. If you posted it in November and then come the primary in 2013, everybody had to show their ID from then on. That is being responsible. All I am saying is, if you want to go down this path, fine, I agree with it to some extent, but come on, you have to give these people notice at a polling place, because that is what they are doing. They are voting at a polling place.

Thank you, Mr. President.

The PRESIDENT. The Chair recognizes the gentleman from Bucks, Senator McIlhinney.

Senator McILHINNEY. Mr. President, when the drafting of this bill was put together, I intentionally did not want to get too prescriptive in the order we are giving to our local boards of elections. They are instructed to educate the public. I believe that they did a great job with the many changes over to the new machines we had since the election of 2002. They went into the community, instructed the use of the new machines, and how to handle it. They did a great job. I think we should leave it up to them to follow through in instructing the individuals in their counties exactly what the requirements are going to be for the photo ID law.

Also, again, we had the discussion on moving it back to next year, which is contained in this amendment, and the loss of the funds that we would not have at our availability to meet those educational requirements that are in the underlying bill. So for both of those reasons, Mr. President, I ask for a negative vote.

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

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

YEA-22

Blake	Farnese	Leach	Washington
Boscola	Ferlo	Schwank	Williams
Brewster	Fontana	Solobay	Wozniak
Costa	Hughes	Stack	Yudichak
Dinniman	Kasunic	Tartaglione	
Earll	Kitchen	Vogel	

NAY-27

Alloway	Erickson	Pileggi	Vance
Argall	Folmer	Pippy	Ward
Baker	Gordner	Rafferty	Waugh
Browne	Greenleaf	Robbins	White Donald
Brubaker	McIlhinney	Scarnati	White Mary Jo
Corman	Mensch	Smucker	Yaw
Eichelberger	Piccola	Tomlinson	

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?

COSTA AMENDMENT A9023 OFFERED

Senator COSTA offered the following amendment No. A9023:

Amend Bill, page 2, line 3, by striking out "AND PROVIDING" and inserting:

in primary and election expenses, further providing for definitions, for organization of political committees, for registration and for reporting; in primary and election expenses, providing for limitations on contributions; in primary and election expenses, further providing for late filing fees and certificates of filing, for contributions or expenditures by national banks, corporations or unincorporated associations and for reports by business entities and publication; in primary and election expenses, providing for independent expenditures; and providing for corporate

political accountability,

Amend Bill, page 2, by inserting between lines 4 and 5:

The General Assembly finds and declares as follows:

The Commonwealth has a compelling governmental interest to protect the integrity of the government from actual corruption or the appearance of corruption. The General Assembly recognizes that when people, associations or other entities provide unlimited monetary support for elected government officials or candidates who are seeking governmental offices, there arises the appearance of corruption. The appearance of corruption and actual corruption can be prevented by regulating the contributions that can be made to elected governmental officials and candidates who are seeking governmental offices.

Amend Bill, page 28, by inserting between lines 10 and 11:

Section 9. Section 1621(d) of the act, added October 4, 1978 (P.L.893, No.171), is amended and the section is amended by adding subsections to read:

Section 1621. Definitions.--As used in this article, the following words have the following meanings:

* * *

(d) The word "expenditure" shall mean any of the following:

(1) The payment, distribution, loan or advancement of money or any valuable thing by a candidate, candidate committee, political committee, political action committee, political party committee or other person for the purpose of influencing the outcome of a nomination or an election[;]. Provided, however, That such payment, distribution, loan or advancement of money or any valuable thing shall be made only for expenses directly and exclusively incurred for the campaign in which the candidate is running in the contemporaneous election cycle and that no expenditure of funds from campaign accounts shall be used for any personal purpose.

(2) The payment, distribution, loan, advance or transfer of money or other valuable thing between or among political committees[;].

(3) The providing of a service or other valuable thing for the purpose of influencing the outcome of a nomination or election of any person to any public office to be voted for in this Commonwealth[; or].

(4) The payment or providing of money or other valuable thing by any person other than a candidate or political committee, to compensate any person for services rendered to a candidate or political committee.

* * *

(n) The words "affiliate" or "affiliated committee" shall include:

(1) Any committee established or authorized by a candidate as part of his or her campaign for a specific campaign for a designated office.

(2) Any committee established, financed, maintained or controlled by the same corporation, labor organization, membership association, not-for-profit organization or trade or professional association, person or group of persons, including any parent, subsidiary, branch, division, department or local unit thereof. Local units may include, in appropriate cases, a franchisee, licensee or regional association.

(o) The words "in-kind contribution" shall mean a contribution of goods, services, property or any valuable thing offered free or at less than the fair market value for such goods, property or services, but shall not include any legal or accounting services rendered to or on behalf of any political committee of a political party, an authorized committee of a candidate or any other political committee, if such services are solely for the purpose of ensuring compliance with this article. Such legal or accounting services, however, shall be reported pursuant to section 1631.

(p) The words "personal purpose" mean a purpose that, by its nature, confers a personal benefit, including expenditures such as a home mortgage, home rent, utility payment, clothing purchase, noncampaign automobile expense, country club membership, vacation or a trip of a noncampaign nature, household food items, tuition payments, admission to a sporting event, concert, theater or other form of entertainment and other such expenditures not specifically and directly necessary for the conduct of the campaign.

(q) The words "clearly identified" are satisfied by:

(1) the name of the candidate appears;

(2) a photograph, drawing or other image of the candidate appears;

or

(3) the identity of the candidate or ballot question is apparent by unambiguous reference.

(r) The word "person" shall include any corporation, partnership, limited liability company, business trust, other association, government entity, other than the Commonwealth, estate, trust, foundation or natural

person.

Section 10. Section 1622 of the act, amended or added October 4, 1978 (P.L.893, No.171) and July 11, 1980 (P.L.591, No.127), is amended to read:

Section 1622. Organization of Political Committees; Treasurer and Assistant Treasurer; Records of Candidate and Committees.--

(a) Every political committee shall have a treasurer and a chairman. No contribution shall be received nor shall any expenditure be made when there is a vacancy in either one of these offices. All money received and disbursed by a political committee must be done through the treasurer of the committee.

(b) Every candidate who authorizes a committee [or committees,] to receive and disburse funds on behalf of this candidacy, shall name a sole treasurer[, irrespective of the number of committees so authorized,] to receive and disburse all funds [for] of said [committees. Nothing herein shall be construed to prohibit a candidate from receiving or expending moneys on his behalf or a treasurer of a political party committee or a committee authorized to receive and distribute funds on behalf of more than one (1) candidate from receiving or expending moneys on behalf of said candidates, notwithstanding the appointment of a sole treasurer. A sole treasurer may delegate authority, in writing, to any number of assistant treasurers to receive and disburse moneys collected on behalf of a candidate for election. Nothing in this section shall prohibit authorized individuals from selling tickets or soliciting funds when funds are deposited in the campaign account of the candidate] committee.

(c) Each candidate and committee shall keep records of the names and addresses of each person from whom a contribution of over ten dollars (\$10) has been received and a record of all other information required to be reported pursuant to this act. All such records shall be retained by the candidate or treasurer for a period of three (3) years after such information is reported as required by this act.

(d) Any person receiving any contribution on behalf of a political committee or candidate shall turn such contributions over to the treasurer of that committee or the candidate within ten (10) days of its receipt.

Section 11. Section 1624 of the act, added October 4, 1978 (P.L.893, No.171), is amended to read:

Section 1624. Registration.--

(a) Any political committee which receives contributions in an aggregate amount of two hundred fifty dollars (\$250) or more shall file a registration statement, designed by the Secretary of the Commonwealth, with the appropriate supervisor within twenty (20) days after the date on which it receives such amount. Each committee in existence shall have sixty (60) days from the effective date of this amendatory act to comply with the requirements of this section.

(b) Each registration statement shall contain the following information:

(1) The name, addresses and phone numbers of the political committee.

(2) The name, address and phone number of the committee's treasurer.

(3) The name, address and phone number of the committee's chairman.

(4) The names, addresses and relationships of other affiliated or connected organizations.

(5) The candidates, if any, and their names and addresses.

(6) The ballot question, if any, which the committee intends to support or oppose.

(7) The banks, safety deposit boxes or other repositories and their addresses used by the committee.

(8) The proposed period of operation of the committee.

(9) A political committee which is established, financed, maintained or controlled by a sponsoring organization such as a corporation, labor organization, membership association, not-for-profit organization or trade or professional association shall include in its registered name the full name of its sponsoring organization.

(c) The committee shall inform the appropriate supervisor of any changes in the information contained in subsection (b) within thirty (30) days of that change.

(d) No political committee which receives an aggregate amount of contributions of two hundred fifty dollars (\$250) or more may make a contribution to any candidate or political committee unless it has registered with the appropriate supervisor.

Section 12. Section 1626(a), (b), (d) and (g) of the act, amended or added October 4, 1978 (P.L.893, No.171) and July 11, 1980 (P.L.600, No.128), are amended and the section is amended by adding a subsection to read:

Section 1626. Reporting by Candidate and Political Committees and other Persons.--

(a) Each treasurer of a political committee and each candidate for election to public office shall file with the appropriate supervisor reports of receipts and expenditures on forms, designed by the Secretary of the Commonwealth, if the amount received or expended or liabilities incurred shall exceed the sum of two hundred fifty dollars (\$250). Should such an amount not exceed two hundred fifty dollars (\$250), then the candidate or, in the case of a political committee, the treasurer of the committee shall file a sworn statement to that effect with the appropriate supervisor rather than the report required by this section[.]; Provided, however, That if the amount received or expended by a candidate does not exceed two hundred fifty dollars (\$250) he or she may comply with this section by signing an affidavit to that effect on his/her political committee's report or statement.

(b) Each report shall include the following information:

(1) The full name, mailing address, specific occupation and specific name of the employer, if any, or the principal place of business, if self-employed, of each person who has made one or more contributions to or for such committee or candidate within the reporting period in an aggregate amount or value in excess of [two hundred fifty dollars (\$250)] one hundred dollars (\$100), together with the amount and date of such contributions. The accuracy of the information furnished to the candidate or committee shall be the responsibility of the contributor.

(2) The full name and mailing address of each person [who] and political committee that has made one or more contributions to or for such committee or candidate within the reporting period in an aggregate amount or value in excess of fifty dollars (\$50), together with the amount and date of such contributions. The accuracy of the information furnished by the contributor shall be the responsibility of the contributor.

(3) The total sum of individual contributions made to or for such committee or candidate during the reporting period and not reported under clauses (1) and (2).

(4) Each and every expenditure, the date made, the full name and address of the person to whom made and the purpose for which such expenditure was made. In the event the creditor is a credit card company or like instrumentality that is an intermediary for collecting payments due, it shall not be sufficient to list the name of the collecting organization. The report shall identify the credit card company and also the specific entities and payments being paid through the credit card company or like entity. In the event the payment is being made by a committee to a creditor for expenses on behalf of one or more candidates, the amounts of payments and purposes of the payments shall be broken down to identify each candidate's share of the incurred expenses.

(5) Any unpaid debts and liabilities, with the nature and amount of each, the date incurred and the full name and address of the person owed.

(6) The account shall include any unexpended balance of contributions or other receipts appearing from the last account filed.

(7) Identification of political committees:

(i) If the contributor is a political committee, the official registration number of the committee must be included on the contribution check or in the case of an electronic transfer within the documentation sent to the candidate providing notice to the electronic transfer of funds.

(ii) The official registration number of the committee shall be included on the disclosure report filed by the committee.

(iii) The official committee registration number shall be included on each entry for that committee on a candidate's disclosure report.

* * *

(d) Pre-election reports by candidates for offices to be voted for by the electors of the State at large, candidates for the office of Senator in the General Assembly, candidates for the office of Representative in the General Assembly and all political committees, which have expended money for the purpose of influencing the election of such [candidate] candidates, shall be filed not later than the sixth Tuesday before and the second Friday before an election, provided that the initial pre-election report shall be complete as of fifty (50) days prior to the election and the subsequent pre-election report shall be complete as of fifteen (15) days prior to the election. Pre-election reports by all other candidates

and political committees which have received contributions or made expenditures for the purpose of influencing an election shall be filed not later than the second Friday before an election, provided that such report be complete as of fifteen (15) days prior to the election.

(d.1) During nonelection years in which subsection (d) is not operative, an elected official or announced candidate for any elective office shall file quarterly reports if he or she receives more than two hundred fifty dollars (\$250) during the respective calendar quarter. Reports shall be due thirty days after the end of each calendar quarter and shall be complete through the final day of the calendar quarter the report covers.

(g) [Every] Except as provided under section 1644, every person, other than a political committee or candidate, who makes independent expenditures expressly advocating the election or defeat of a clearly identified candidate, or question appearing on the ballot, other than by contribution to a political committee or candidate, in an aggregate amount in excess of [one hundred dollars (\$100)] one thousand dollars (\$1,000) during a calendar year shall file with the appropriate supervisor, on a form prepared by the Secretary of the Commonwealth, a report which shall include the same information required of a candidate or political committee receiving such a contribution and, additionally, the name of the candidate or question supported or opposed. Reports required by this subsection shall be filed on dates on which reports by political committees making expenditures are required to report under this section.

Section 13. The act is amended by adding a section to read:

Section 1627.1. Limitations on Certain Contributions.--

(a) Aggregate contributions, including in-kind contributions, from any individual to any candidate for the office of Senator or Representative in the General Assembly, court of common pleas or a county or local office, or to the candidate's committee or agent, may not exceed five hundred dollars (\$500) for each election. Furthermore, for each election, a candidate and the candidate's committee or agent may not accept or receive more than five hundred dollars (\$500) in aggregate contributions, including in-kind contributions from any individual for each election.

(b) Aggregate contributions, including in-kind contributions, from any individual to any candidate for Statewide office, his authorized committee or agent may not exceed two thousand five hundred dollars (\$2,500) for each election. Furthermore, for each election, no candidate, his authorized committee or agent may accept or receive more than two thousand five hundred dollars (\$2,500) in aggregate contributions, including in-kind contributions from any individual for each election.

(c) For each election aggregate contributions, including in-kind contributions, from a single political action committee, its affiliate or agent or candidate's political committee, its affiliate or agent to any candidate for Statewide office, the office of Senator or Representative in the General Assembly, court of common pleas or a county or local office, his authorized committee or agent may not exceed five thousand dollars (\$5,000). For each election, no candidate for such office, nor the candidate's committee or agent may accept or receive more than the applicable amount or amounts as specified in this subsection in aggregate contributions, including in-kind contributions, from a single political action committee or agent or candidate's political committee. A donor is an individual or a single committee regardless of the number of contributions made by that individual or committee during the election cycle.

(d) Contributions from political party committees to a political action committee, other party committee or other committee may not exceed five thousand dollars (\$5,000) for each election.

(e) A candidate for the office of Senator or Representative in the General Assembly, judge of a court of common pleas or a county or local office, or the candidate's committee or agent may not accept in excess of one hundred thousand dollars (\$100,000) in aggregate contributions, including in-kind contributions from all political party committees, affiliates or agents. Such contributions, in the aggregate, received by a candidate, may not exceed the aggregate contributions made by individuals per election.

(f) Except for a candidate for the office of Governor, a candidate for Statewide office, his authorized committee or agent may not accept in excess of two hundred fifty thousand dollars (\$250,000) in aggregate contributions, including in-kind contributions from all political party committees, affiliates or agents. A candidate for Governor, his autho-

ized committee or agent may not accept in excess of one million dollars (\$1,000,000) in aggregate contributions, including in-kind contributions from all political party committees, affiliates or agents. Furthermore, such contributions in aggregate received by a candidate may not exceed the aggregate contributions made by individuals per election.

(g) Aggregate contributions, including in-kind contributions, from any person or a single political action committee, its affiliate or agent or any single candidate's political committee, its affiliate or agent to a single political action committee, its affiliate or agent may not exceed five thousand dollars (\$5,000) during any calendar year. Furthermore, for each election, no political action committee, its affiliate or agent may accept or receive more than five thousand dollars (\$5,000) in aggregate contributions, including in-kind contributions, from any individual person or a single political action committee, its affiliate or agent during any calendar year.

(h) Aggregate contributions from any individual, person or a single candidate's political committee, its affiliate or agent or a single political action committee, its affiliate or agent or any other political committee to a single political party committee may not exceed ten thousand dollars (\$10,000) in a calendar year. Furthermore, no single political party committee may accept or receive more than ten thousand dollars (\$10,000) in aggregate contributions from any individual, person, single candidate's political committee or agent or a single political action committee, its affiliate or agent, any political committee or other committee in a calendar year.

(I) The following shall apply to annual aggregate limits:

(1) No individual may make contributions to candidates, political committees or other committees that have a combined aggregate amount or value that exceeds twenty-five thousand dollars (\$25,000) in a calendar year.

(2) No political action committee may make contributions to candidates, political committees and party committees in an aggregate amount or value that exceeds one hundred thousand dollars (\$100,000) in any calendar year.

(j) A gift, subscription, loan, advance or deposit of money or anything of value to a candidate shall be considered a contribution both by the original source of the contribution and by any intermediary or conduit if the intermediary or conduit:

(1) exercises any direction over the making of the contribution; or

(2) solicits the contribution or arranges for the contribution to be made and directly or indirectly makes the candidate aware of such intermediary or conduit's role in soliciting or arranging the contribution for the candidate.

(k) For purposes of subsection (j), a contribution shall not be considered to be a contribution by an intermediary or conduit to the candidate if any of the following situations occurs:

(1) The intermediary or conduit has been retained by the candidate's committee for the purpose of fundraising and is reimbursed for expenses incurred in soliciting contributions.

(2) In the case of an individual, the candidate has expressly authorized the intermediary or conduit to engage in fundraising, or the individual occupies a position within the candidate's campaign organization and is authorized by the organization to engage in fundraising.

(3) In the case of a political committee, the intermediary or conduit is the authorized committee of the candidate.

(l) The following shall apply to out-of-State contributions:

(1) No candidate, candidate committee, party committee, political action committee or political committee may accept a campaign contribution from an out-of-State political action committee if the political action committee's home state has less restrictive disclosure laws than this Commonwealth, except as provided under paragraph (2).

(2) A candidate, candidate committee, party committee, political action committee or political committee may accept a campaign contribution from an out-of-State political action committee if that political action committee is registered in this Commonwealth with the Department of State and, by such registration, has affirmed that the contributor will comply with the contribution, expenditure and reporting requirements of this act, as well as the regulations relating to contributions, expenditures and reporting promulgated under this act by the Department of State and the State Ethics Commission.

(3) The Secretary of the Commonwealth shall list and certify those states that have less restrictive disclosure laws than this Commonwealth. The list shall be compiled and updated annually and published in the Pennsylvania Bulletin not later than January 1, 2013, and each

January 1 thereafter. The list should be made available on the Department of State Internet website and provided in hard copy in campaign committee packets prepared by the department.

(m) The provisions of this section are applicable to any contribution made for the purpose of influencing an election to any public office in this Commonwealth except Federal offices.

(n) For purposes of this section, any contribution made to a candidate in a year other than the calendar year in which the election is held with respect to which such contribution is made, is considered to be made during the calendar year in which the election is held.

(o) For purposes of this section, contribution limits shall apply to each election separately, whether a primary, special, municipal or general election, unless an annual limit or other limit is specified.

(p) No person who has a fiduciary contract for services with the General Assembly may engage in campaign finance activity for candidates of the General Assembly, including, but not limited to, making of contributions, fund raising activities, or involvement in political action committees or candidate political committees.

(q) Nothing in this section shall prohibit a municipality, including a city of the first class, from instituting lower limitations on contributions to candidates for elected offices under the municipality's jurisdiction.

(r) A violation of the contribution limits set forth in this section shall subject the violator to a fine equal to three times the amount of money that exceeds the limits. This penalty applies to both the person making the contribution and the person receiving it.

Section 14. Section 1632(a) of the act, amended July 11, 1980 (P.L.591, No.127), is amended to read:

Section 1632. Late Filing Fee; Certificate of Filing.--

(a) A late filing fee for each report or statement of expenditures and contributions which is not filed within the prescribed period shall be imposed as follows. Such fee shall be [ten dollars (\$10)] twenty dollars (\$20) for each day or part of a day excluding Saturdays, Sundays and holidays that a report is overdue. An additional fee of ten dollars (\$10) is due for each of the first six (6) days that a report is overdue. [The maximum fee payable with respect to a single report is two hundred fifty dollars (\$250).] A supervisor shall receive an overdue report or statement even if any late filing fee due has not been paid but the report or statement shall not be considered filed until all fees have been paid upon the receipt by the supervisor of an overdue report. No further late filing fees shall be incurred once the report or statement is filed notwithstanding the fact that the report or statement is not considered filed. The late filing fee is the personal liability of the candidate or treasurer of a political committee and cannot be paid from contributions to the candidate or committee, nor may such fee be considered an expenditure. A report or statement of expenditures and contributions shall be deemed to have been filed within the prescribed time if the letter transmitting the report or statement which is received by the supervisor is transmitted by first class mail and is postmarked by the United States Postal Service on the day prior to the final day on which the report or statement is to be received: Provided, That this sentence shall not be applicable to the reporting requirements contained in section 1628. All Department of State filing and disclosure requirements for prior campaign activity must have been met in order for a candidate to obtain a place on the ballot.

* * *

Section 15. Section 1633(a) of the act, amended November 26, 1978 (P.L.1313, No.318), is amended to read:

Section 1633. Contributions or Expenditures by National Banks, Corporations or Unincorporated Associations.--(a) It is unlawful for any National or State bank, partnership or any corporation, incorporated under the laws of this or any other state or any foreign country or any unincorporated association, except those corporations formed primarily for political purposes or as a political committee, to make a contribution or expenditure in connection with the election of any candidate or for any political purpose whatever except in connection with any question to be voted on by the electors of this Commonwealth. Furthermore, it shall be unlawful for any candidate, political committee, or other person to knowingly accept or receive any contribution prohibited by this section, or for any officer or any director of any corporation, bank, or any unincorporated association to consent to any contribution or expenditure by the corporation, bank or unincorporated association, as the case may be, prohibited by this section. In the event any portion of this section regarding bans on contributions or expenditures by national banks,

corporations, or unincorporated associations is nullified by a court decision, then the contribution limits established for individuals by this act also shall be applied to the entities currently covered by this section.

* * *

Section 16. Section 1641(a) of the act, amended July 12, 1980 (P.L.649, No.134), is amended and the section is amended by adding a subsection to read:

Section 1641. Reports by Business Entities; Publication by Secretary of the Commonwealth.--

(a) Any business entity including but not limited to a corporation, company, association, partnership or sole proprietorship, which has been awarded [non-bid] contracts or grants over fifty thousand dollars (\$50,000) from the Commonwealth or its political subdivisions during the preceding [calendar year] two-year period, shall report by February 15 of each year to the Secretary of the Commonwealth a list including the amount of the contract, description of the service provided and location and an itemized list of all political contributions known to the business entity by virtue of the knowledge possessed by every officer, director, associate, partner, limited partner or individual owner that has been made by:

(1) any officer, director, associate, partner, limited partner, individual owner or members of their immediate family when the contributions exceed an aggregate of one thousand dollars (\$1,000) by any individual during the preceding year; or

(2) any employee or members of his immediate family whose aggregate political [contribution] contributions exceeded one thousand dollars (\$1,000) during the preceding year.

For the purposes of this subsection, "immediate family" means a person's spouse and any unemancipated child.

* * *

(c) The Department of State, in consultation with the Department of General Services, shall publish a list of all business entities, corporations, companies, associations, partnerships or sole proprietorships receiving grants, contracts and contracts in excess of fifty thousand dollars (\$50,000) from the Commonwealth not later than January 31 of each year for the preceding two-year period. The list shall be updated quarterly.

Section 17. The act is amended by adding sections to read:

Section 1643. Independent Expenditures.

(a) A person may make independent expenditures for the purposes of advocating the election or defeat of a clearly identified candidate or ballot question.

(b) The following shall apply to expenditures made for a written, typed or other printed communication or a web-based, written communication which promotes the success or defeat of a candidate's campaign for nomination or election or the adoption or defeat of a ballot question or solicits funds to benefit a political committee:

(1) No person shall make, incur or contract for an expenditure with the consent of, in coordination with or in consultation with a candidate, candidate committee, political committee or candidate's agent.

(2) No group of two or more individuals acting together that receives funds or makes or incurs expenditures not exceeding one thousand dollars (\$1,000) in the aggregate which have not formed a political committee shall make or incur an independent expenditure.

(b.1) Communications under subsection (b) shall contain the following language:

(1) The words "paid for and approved by" and one of the following:

(I) For an individual, the name and address of the individual.

(ii) For a committee other than a party committee, the name of the committee and its campaign treasurer.

(iii) For a party committee, the name of the committee.

(iv) For a group of two or more individuals that received funds or makes or incurs expenditures not exceeding one thousand dollars (\$1,000) in the aggregate which have not formed a political committee, the name of the group and the name and address of its agent.

(2) The words "approved by" and one of the following:

(I) For an individual, group or political committee other than a candidate committee making or incurring an expenditure with the consent of, in coordination with or in consultation with a candidate committee or candidate's agent, the name of the candidate.

(ii) For a candidate committee, the name of the candidate.

(c) Expenditures:

(1) The following apply:

(I) No person shall make or incur an independent expenditure for a written, typed or other printed communication or a web-based, written communication which promotes the success or defeat of a candidate for nomination or election or promotes or opposes a political party or solicits funds to benefit a political party or committee, unless the communication bears upon its face the words "paid for and approved by" and the name of the person, the name of its chief executive officer or equivalent and its principal business address and the words "This message was made independently of a candidate or political party."

(ii) An entity which is a tax-exempt organization under section 501 of the Internal Revenue Code of 1986 (Public Law 99-514) or an incorporated tax exempt political organization organized under section 527 of the Internal Revenue Code of 1986 (Public Law 99-514), making or incurring an independent expenditure under subparagraph (I), shall also bear upon the face of the communication the words "Top Five Contributors" followed by a list of the five persons making the largest contributions to the organization during the 12-month period before the date of the communication.

(2) Disclosure requirements are as follows:

(I) In addition to the requirements of paragraph (1), no person shall make or incur an independent expenditure for television advertising, radio or Internet video advertising or Internet radio advertising, that promotes the success or defeat of a candidate for election or promotes or opposes a political party or solicits funds to benefit a political party or committee, unless at the end of the advertisement there appears or includes simultaneously for a period of no less than four seconds a clear identifiable audio, video, photographic or similar image of the person's chief executive officer or equivalent and a personal audio message, in the following form:

"I am . . . (name of person's chief executive officer or equivalent), . . . (title) of . . . (entity). This message was made independently of any candidate, political committee or political party, and I approve of its content."

(ii) A tax exempt organization under section 501 of the Internal Revenue Code of 1986 (Public Law 99-514) or an incorporated tax exempt political organization organized under section 527 of the Internal Revenue Code of 1986 (Public Law 99-514), making or incurring an independent expenditure under subparagraph (I), shall include on the advertisement an easily readable written message in the following form:

"The Top Five Contributors to the organization for this advertisement are" followed by a list of the five persons making the largest contributions to the organization during the 12-month period before the date of the communication."

Section 1644. Independent Expenditure Evaluation.--

(a) When the Bureau of Elections audits and evaluates an expenditure that is included in a report under section 1643 to determine whether the expenditure is an independent expenditure, there shall be a rebuttable presumption that the following expenditures are not independent expenditures:

(1) An expenditure made by a person in cooperation, consultation or in concert with, at the request, suggestion or direction of or pursuant to a general or particular understanding with a candidate or political committee or other agent acting on behalf of a candidate or political committee.

(2) An expenditure made by a person for the production, dissemination, distribution or publication, in whole or in substantial part, of a broadcast or a written, graphic or other form of political advertising or campaign communications prepared by a candidate or political committee or a consultant or other agent acting on behalf of a candidate or political committee.

(3) An expenditure made by a person based on information about a candidate's or political committee's plans, projects or needs, provided by a candidate or political committee or a consultant or other agent acting on behalf of a candidate or political committee with the intent that the expenditure be made.

(4) An expenditure made by an individual who, in the same election cycle, is serving or has served as the campaign chairperson, campaign treasurer or deputy treasurer of a political committee benefiting from the expenditure, or another executive or policymaking position, including as a member, employee, fundraiser, consultant or other agent acting on behalf of a candidate or political committee.

(5) An expenditure made by a person whose officer, director, member, employee, fundraiser, consultant or other agent who serves the person in an executive or policymaking position also serves as or has

served in the same election cycle as the candidate or the campaign chairperson, campaign treasurer or deputy treasurer of a candidate or political committee benefiting from the expenditure, or in another executive or policymaking position of the candidate or political committee.

(6) An expenditure made by a person for:

(I) fundraising activities with or for a candidate or political committee or a consultant or other agent acting on behalf of a candidate or political committee; or

(ii) for the solicitation or receipt of contributions on behalf of a candidate or political committee or a consultant or other agent acting on behalf of a candidate or political committee.

(7) An expenditure made by a person based on information about a candidate's campaign plans, projects or needs, that is directly or indirectly provided by a candidate, the candidate's committee or a political committee or a consultant or other agent acting on behalf of the candidate or political committee to the person making the expenditure or the person's agent, with an express or tacit understanding that the person is considering making the expenditure.

(8) An expenditure made by a person for a communication that clearly identifies a candidate or political committee during an election campaign if the person making the expenditure, or the person's agent, has informed the candidate who benefits from the expenditure that the candidate or political committee or a consultant or other agent acting on behalf of the benefiting candidate or political committee concerning the communications content, or of the intended audience, timing, location or mode or frequency of the dissemination.

(9) An expenditure made by a person or an entity for consultant or creative services, including services related to communications strategy or design or campaign strategy, to be used to promote or oppose a candidate's election to office if the provision of these services is also providing consultant or creative services to the candidate or to an opposing candidate in the same election.

(b) As used in this section, the words "agent acting on behalf of a candidate" include:

(1) an individual or a person paid by a candidate or a candidate committee; and

(2) any consultant, printing firm, media production company, Internet website director or webmaster, marketing firm, advertising firm, filed organization firm or other company or firm retained by a candidate or authorized by a candidate or a candidate committee to act on the candidate's behalf.

Section 18. The act is amended by adding an article to read:

ARTICLE XVI-A

CORPORATE POLITICAL ACCOUNTABILITY

Section 1601-A. Definitions.

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

"Contribution" or "expenditure." Includes any monetary and nonmonetary political contributions and expenditures not deductible under section 162(e)(1)(B) of the Internal Revenue Code of 1986 (Public Law 99-514, 26 U.S.C. § 162(e)(1)(B)), including, but not limited to, contributions to or expenditures on behalf of political candidates, political parties, political committees and other political entities organized and operating under section 527 of the Internal Revenue Code of 1986 (26 U.S.C. § 527), and any portion of any dues or similar payments made to any tax-exempt organization that is used for an expenditure or contribution if made directly by the corporation would not be deductible under section 162(e)(1)(B) of the Internal Revenue Code of 1986, any contribution or expenditure, as those terms are defined in section 302 of the Federal Election Campaign Act of 1971 (Public Law 92-225, 2 U.S.C. § 431), as well as any contribution or expenditure defined under this act. The term also includes any direct or indirect payment, distribution, loan, advance, deposit or gift of money, or any services, or anything of value, except a loan of money by a national or State bank made in accordance with the applicable banking laws and regulations and in the ordinary course of business, to any candidate, campaign committee or political party or organization, in connection with any election to any office. The term does not include:

(1) Communications by a corporation to its stockholders and executive or administrative personnel and their families or by a labor organization to its members and their families on any subject.

(2) Nonpartisan registration and get-out-the-vote campaigns by a corporation aimed at its stockholders and executive or administra-

tive personnel and their families or by a labor organization aimed at its members and their families.

(3) The establishment, administration and solicitation of contributions to a separate segregated fund to be utilized for political purposes by a corporation, labor organization, membership organization, cooperative or corporation without capital stock.

As used in this definition, the term "corporation" includes any company, trade or professional union, not-for-profit association and incorporated partnership organized as an incorporated entity under the laws of any state within the United States.

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

"General treasury funds." Those moneys in possession of a corporation incorporated under the laws of Pennsylvania in the normal course of business, including funds from sales, accounts payable, loans, investments, bonds or debt instruments.

"Issue advocacy campaign." Contributions or expenditures for any communication to the general public intended to encourage the public to contact a government official regarding pending legislation, public policy or a government rule or regulation. The term does not include contributions or expenditures for registered lobbyists or other persons employed by the corporation to lobby directly Federal or State government officials.

"Known at the time of the authorization vote." At the time the corporation seeks authorization from shareholders to spend corporate funds for political activities:

(1) the corporation's officers, directors or employees have identified a specific political activity for the corporation to support or oppose;

(2) corporate officers, directors or employees have taken steps to obligate funds to a political activity; or

(3) the corporation has a regularly scheduled payment to a trade association or other entity to pay for a political activity in the next 12 months.

"Majority of shareholders." Fifty percent plus one of all outstanding voting securities. Shareholders not casting votes shall not count toward affirmative authorization under this section.

"Political activities." Any contributions or expenditures made directly or indirectly to, or in support of or opposition to, any candidate, political party, committee, electioneering communication, ballot measure campaign or an issue advocacy campaign. The term does not include activities defined as lobbying under any Federal, State or local law.

"Separate segregated fund." A political action committee formed by a corporation for the purpose of making contributions to candidates for office or to political parties. A separate segregated fund which supports Federal candidates shall have the same meaning as that found in section 316 of the Federal Election Campaign Act of 1971 (Public Law 92-225, 2 U.S.C. § 441b).

Section 1602-A. Shareholder vote on corporate political activities.

(a) Annual vote.--

(1) Any corporation incorporated in this Commonwealth that spends in the aggregate \$10,000 or more of corporate treasury funds on all political activities in this Commonwealth must comply with the requirements of this section.

(2) Any proxy or consent or authorization for an annual meeting of the shareholders of a corporation incorporated in this Commonwealth, or a special meeting in lieu of such meeting, where proxies are solicited in respect of any security occurring on or after six months following the date on which final regulations are published under subsection (d) shall provide for a separate resolution subject to shareholder vote to approve any spending of \$10,000 or more by the corporation for any political activity.

(3) Notwithstanding the requirement for an annual shareholder vote to authorize any spending of \$10,000 or more by the corporation for any political activity, a corporation may request authorization for spending on political activities on a more frequent basis. Any authorization request by the corporation that is not made during an annual authorization shall be deemed a special authorization.

(4) If a corporation spends less than an aggregate of \$10,000 in a 12-month period for political activities, then it does not have to seek shareholder authorization for such spending.

(b) Shareholder approval.--

(1) When seeking shareholder authorization for expenditures for political activities, the corporation shall request the authority to

spend a maximum dollar amount in the next 12 months.

(2) If known at the time of the authorization vote, the company shall articulate whether the corporate treasury funds so authorized are intended to benefit or defeat specific candidates, ballot measures or issue advocacy campaigns or whether it will be paid to specific nonprofits or trade associations for political activities. The following apply:

(i) To be effective, the authorization vote must garner support from a majority of shareholders.

(ii) A vote by the shareholders to approve or disapprove any spending of \$10,000 or more by a corporation for a political activity shall be binding on the corporation.

(iii) Notwithstanding the requirement for an annual shareholder vote to authorize any spending of \$10,000 or more by the corporation for any political activity, a corporation may request a special authorization for additional spending on political activities, provided that:

(A) all spending on political activities of \$10,000 or more must be authorized by a shareholder majority vote; and

(B) for any special authorization, the company shall articulate whether the corporate treasury funds so authorized are intended to benefit or defeat candidates, ballot measures or issue advocacy campaigns or will be paid to specific nonprofits or trade associations for political activities at the time the special authorization is requested.

(c) Director liability.--If a corporation makes an unauthorized contribution or expenditure for a political activity, then the directors at the time that the unauthorized contribution or expenditure was incurred are jointly and severally liable to repay to the corporation the amount of the unauthorized expenditure, with interest at the rate of 8% per year.

(d) Rulemaking.--No later than six months after the effective date of this section, the department shall promulgate final regulations to implement this section.

(e) Sole proprietorships excluded.--Notwithstanding any other provision of this section, nothing in this section shall apply a new duty to the owner of a sole proprietorship.

Section 1603-A. Notification to shareholders of corporate political activities.

(a) Notification to shareholders.--

(1) At least quarterly during each fiscal year, a corporation incorporated in this Commonwealth that makes contributions or expenditures for political activities must notify its shareholders and the department in writing of the nature of all its political activities, funded by either its separate segregated fund or through its general corporate treasury, including contributions or expenditures made directly or indirectly.

(2) A report made pursuant to this section shall include the following:

(i) The date of the contributions or expenditures.

(ii) The amount of the contributions or expenditures.

(iii) The identity of the candidate, political party, committee, electioneering communication, ballot measure campaign or issue advocacy campaign.

(iv) If the contributions or expenditures were made for or against a candidate, including an electioneering communication as defined under Federal law, the office sought by the candidate and the political party affiliation of the candidate.

(v) If the contributions or expenditures were made for or against a ballot measure, the purpose of the measure and whether the contributions or expenditures were made in support or opposition to the ballot measure.

(vi) If the contributions or expenditures were made for or against an issue advocacy campaign, the nature of the political issue and whether the contributions were made in support or opposition to the political issue.

(vii) All independent expenditures made by a separate segregated fund affiliated with the corporation.

(b) Public disclosure.--

(1) The quarterly reports of political activities by a corporation incorporated in this Commonwealth to shareholders shall be public records.

(2) A copy of the reports filed pursuant to subsection (a)(1) shall be:

(i) submitted to the department; and

(ii) posted for at least one year on the corporation's

Internet website, if any.

Section 1604-A. Public disclosure of corporate political activities by the department.

(a) Department duty.--The quarterly reports of political activities by a corporation incorporated in this Commonwealth to shareholders shall be made publicly available by the department.

(b) Electronic form.--A quarterly report required to be filed under this section shall be filed in electronic form using filing software approved or developed by the department in addition to filing in any other form that the department may require by regulation and shall be published on the department's Internet website.

(c) Format.--The department shall ensure that, to the greatest extent practicable, the quarterly reports on political activities are publicly available through the department's Internet website in a format that can be searched, sorted and downloaded.

Section 1605-A. Report by Department of the Auditor General.

(a) Audit.--On an annual basis, the Department of the Auditor General shall audit the extent of compliance or noncompliance with the requirements of this article by corporations incorporated in this Commonwealth, their management and shareholders, as well as the effectiveness of the department in meeting the reporting and disclosure requirements of this article.

(b) Report.--No later than April 1 of each year, the Department of the Auditor General shall submit to the Governor a report on the review required by subsection (a) for the preceding year.

Section 1606-A. Board approval for all corporate political expenditures.

(a) Approval required.--Notwithstanding any other provision of law, no corporation and no trade, business or professional association shall make any campaign contribution or expenditure unless specifically authorized to do so:

(1) by the vote of the board of directors of the corporation or of the executive committee of the trade, business or professional association at a regular or special meeting thereof;

(2) by the president, vice president, secretary or treasurer of a corporation whom the board has specifically empowered to authorize such contributions or expenditures; or

(3) for a corporation, by any other person designated by resolution of the board of directors of a corporation to authorize contributions or expenditures.

(b) Form of contribution.--No corporation, trade, business or professional association shall make any contribution or expenditure as defined under Federal or State law, other than an in-kind contribution or expenditure, except by check.

Section 1607-A. Applicability to foreign corporations.

(a) General rule.--A foreign corporation, other than a foreign association or foreign nonprofit corporation, but including a foreign parent corporation even though it does not itself transact intrastate business, is subject to the requirements of sections 1602-A, 1603-A, 1604-A and 1605-A, if:

(1) the average of property, payroll and sales factors, as defined in section 401 of the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, with respect to the foreign corporation, is more than 50% during its latest full income year; and

(2) more than one-half of its outstanding voting securities are held of record by persons having addresses in this Commonwealth appearing on the books of the corporation on the record date for the latest meeting of shareholders held during its latest full income year or, if no meeting was held during that year, on the last day of the latest full income year.

(b) Determination.--The determination of the property, payroll and sales factors under subsection (a) with respect to any parent corporation shall be made on a consolidated basis, including in a unitary computation, after elimination of intercompany transactions, the property, payroll and sales of the parent and all of its subsidiaries in which it owns directly or indirectly more than 50% of the outstanding shares entitled to vote for the election of directors, but deducting a percentage of the property, payroll and sales of any subsidiary equal to the percentage minority ownership, if any, in the subsidiary. For the purpose of this section, any securities held to the knowledge of the issuer in the names of broker-dealers, nominees for broker-dealers, including clearing corporations or banks, associations or other entities holding securities in a nominee name or otherwise on behalf of a beneficial owner, collectively "nominee holders," shall not be considered outstanding. However, if the

foreign corporation requests all nominee holders to certify, with respect to all beneficial owners for whom securities are held, the number of shares held for those beneficial owners having addresses as shown on the records of the nominee holder in this Commonwealth and outside of this Commonwealth, then all shares so certified shall be considered outstanding and held of record by persons having addresses either in this Commonwealth or outside of this Commonwealth as so certified, provided that the certification so provided shall be retained with the record of shareholders and made available for inspection and copying. A current list of beneficial owners of a foreign corporation's securities provided to the corporation by one or more nominee holders or agent thereof under the requirements of 17 CFR § 240.14b-1(b)(3) (relating to obligation of registered brokers and dealers in connection with the prompt forwarding of certain communications to beneficial owners) or 240.14b-2(b)(3) (relating to obligation of banks, associations and other entities that exercise fiduciary powers in connection with the prompt forwarding of certain communications to beneficial owners) promulgated under the Securities Exchange Act of 1934 (Public Law 48-881, 15 U.S.C. § 78a et seq.) shall constitute an acceptable certification with respect to beneficial owners for the purposes of this subsection.

(c) Applicability.--This section does not apply to any corporation:

(1) With outstanding securities listed on the New York Stock Exchange or the American Stock Exchange.

(2) With outstanding securities designated as qualified for trading on the Nasdaq National Market of the Nasdaq Stock Market, or any successor thereto.

(3) If all of its voting shares, other than directors' qualifying shares, are owned directly or indirectly by a corporation or corporations not subject to this section.

(d) Liability.--Any party who obtains a final determination by a court of competent jurisdiction that the corporation failed to provide to the party information required to be provided by this article or provided the party information of the kind required to be provided by this article that is incorrect, then the court, in its discretion, shall have the power to include in its judgment recovery by the party from the corporation of all court costs and reasonable attorney fees incurred in that legal proceeding to the extent they relate to obtaining that final determination.

Amend Bill, page 28, line 11, by striking out "9" and inserting:

19

Amend Bill, page 28, by inserting between lines 18 and 19:

Section 20. The dollar figures contained in section 1627.1 of the act shall be adjusted biennially at a rate determined by the Federal Election Commission as authorized under 11 CFR § 110. The Secretary of the Commonwealth shall certify the calculation of the rate as determined by the Federal Election Commission and shall publish the new dollar figures in the Pennsylvania Bulletin.

Section 21. The provisions of this act are severable. If any provision of this act or its application to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of this act which can be given effect without the invalid provision or application.

Section 22. A comprehensive, fully searchable and user friendly computerized database to track full implementation of this act shall be made available to the public by the Department of State through its Internet website on or before December 31, 2012.

Amend Bill, page 28, line 19, by striking out "10" and inserting:

23

Amend Bill, page 29, line 14, by striking out "11" and inserting:

24

Amend Bill, page 29, line 17, by striking out "12" and inserting:

25

On the question,

Will the Senate agree to the amendment?

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

Senator COSTA. Mr. President, this amendment addresses the issue of campaign finance reform in the Commonwealth of Pennsylvania, one of the most significant issues as it relates to election law and the electoral process in this Commonwealth. This

amendment accomplishes two primary goals. First, for the first time, it establishes campaign contribution limits and enhanced reporting requirements which would govern our elections here in the Commonwealth of Pennsylvania.

Second, it addresses the important United States Supreme Court decision of *Citizens United* by regulating independent expenditures to include certain disclosure requirements and prohibitions on coordinated activities with political campaigns. Further, it provides shareholders of corporations, members of corporations, and other groups making independent expenditures for advocacy of issues with the ability to review, approve, and control of such independent expenditures.

Currently, Mr. President, no regulations exist to address this decision and these types of expenditures here in the Commonwealth of Pennsylvania. I ask my colleagues to join me on this important issue when today's discussion has been about truthfulness and integrity of elections. There is no question, if you walk outside of this building and ask anyone on the street about the most important part of the electoral process that needs to be addressed in this Commonwealth, they will not tell you it is about voter ID. They will tell you it is about the influence of money in campaigns, and this amendment is designed to address that. I ask for an affirmative vote on this amendment.

The PRESIDENT. The Chair recognizes the gentleman from Delaware, Senator Pileggi.

Senator PILEGGI. Mr. President, I ask for a negative vote. The bill before us deals with the identification of electors appearing at polling places to cast a vote. The subject of campaign finance reform and dealing with the United States Supreme Court cases related to campaign finance reform, those issues are certainly very important issues, but they are issues for another day when we can discuss them and deal with a bill that has been fully vetted through the committee process for such an important topic. I ask for a negative vote.

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

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

YEA-20

Blake	Farnese	Kitchen	Tartaglione
Boscola	Ferlo	Leach	Washington
Brewster	Fontana	Schwank	Williams
Costa	Hughes	Solobay	Wozniak
Dinniman	Kasunic	Stack	Yudichak

NAY-29

Alloway	Erickson	Pippy	Ward
Argall	Folmer	Rafferty	Waugh
Baker	Gordner	Robbins	White Donald
Browne	Greenleaf	Scarnati	White Mary Jo
Brubaker	McIlhinney	Smucker	Yaw
Corman	Mensch	Tomlinson	
Earl	Piccola	Vance	
Eichelberger	Pileggi	Vogel	

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?

HUGHES AMENDMENT A9049 OFFERED

Senator HUGHES offered the following amendment No. A9049:

Amend Bill, page 1, line 20, by inserting after "IDENTIFICATION";

and imposing a duty on the Department of Transportation;

Amend Bill, page 11, line 10, by inserting after "SHALL":

immediately

Amend Bill, page 11, line 17, by inserting after "PURPOSES.":

On the date of a primary or election, the Department of Transportation shall ensure that facilities that issue identification cards described in 75 Pa.C.S. § 1510(b) are open and accessible to the public during the hours prescribed in section 1205.

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

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

Senator HUGHES. Mr. President, I am attempting to try to make some level of improvement in House Bill No. 934, which I and many others have termed as the voter suppression bill, by utilizing amendment No. A9049, which requires PennDOT to insure that facilities which issue identification cards are open between the hours of 7 a.m. and 8 p.m. on the date of the primary or general election so a voter can get an identification card. This has become extremely more important, Mr. President, as my good friend and colleague, Senator Tartaglione, just reminded me as I was coming up here to present this amendment, that PennDOT photo centers, I believe all of those centers are closed on Monday. The days of operation are Tuesday through Saturday. The offices are closed on Monday. So if an individual realized that they needed to get an ID card and did not have Monday available to them. Consequently, we need to make sure that we have the appropriate expanded hours on Tuesday, on election day, so that a person can get the appropriate photo identification from 7 a.m. to 8 p.m.

This is amendment No. A9049. Mr. President, all we are attempting to do is improve the voter suppression bill that is in front of us right now, House Bill No. 934, by requiring that PennDOT offices be open 7 a.m. to 8 p.m. PennDOT photo centers are closed on Monday. So again, Mr. President, in an attempt to improve the voter suppression bill, House Bill No. 934, I am introducing amendment No. A9049. Thank you very much.

The PRESIDENT. The Chair recognizes the gentleman from Bucks, Senator McIlhinney.

Senator McILHINNEY. Mr. President, as I stated earlier, the ability for an individual to cast a ballot and then have up to 6 days to provide for it makes the forcing of the hours of PennDOT unnecessary. So, I ask for a negative vote on this amendment.

Thank you, Mr. President.

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

Senator HUGHES. Mr. President, again, we all are here by hoping that people would vote for all of us and participate in the electoral process. Why we would engage in a bill that only does one thing, it suppresses the people's opportunity to vote, and then when provided with an amendment which would insure that the hours of operation where folks are supposed to get their photo ID, when they decide that on election day they want to partici-

pate, they get their photo ID so they can participate, and those offices are not necessarily open and available, is beyond me.

Amendment No. A9049 requires that those offices be open from 7 a.m. to 8 p.m. It is a simple request. It is an opportunity to make sure that folks have the right and opportunity to participate in the electoral process. It makes it more—I think yesterday's decision in Wisconsin, Mr. President, makes it more emphatic that we be much more vigilant with respect to making sure that every opportunity is made available so that folks can exercise their constitutional right. Thank you.

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

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

YEA-21

Blake	Ferlo	Schwank	Williams
Boscola	Fontana	Solobay	Wozniak
Brewster	Hughes	Stack	Yudichak
Costa	Kasunic	Tartaglione	
Dinniman	Kitchen	Vogel	
Farnese	Leach	Washington	

NAY-28

Alloway	Eichelberger	Piccola	Tomlinson
Argall	Erickson	Pileggi	Vance
Baker	Folmer	Pippy	Ward
Browne	Gordner	Rafferty	Waugh
Brubaker	Greenleaf	Robbins	White Donald
Corman	McIlhinney	Scarnati	White Mary Jo
Earll	Mensch	Smucker	Yaw

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?

HUGHES AMENDMENT A9063 OFFERED

Senator HUGHES offered the following amendment No. A9063:

Amend Bill, page 10, line 14, by striking out "MUNICIPALITY" and inserting:

political subdivision

Amend Bill, page 10, line 15, by striking out "MUNICIPALITY" and inserting:

political subdivision

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

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

Senator HUGHES. Mr. President, again, to allow us to improve this onerous bill, this amendment allows for school district identifications to be listed as acceptable forms of identification. We discussed this issue in the Committee on Appropriations yesterday. It would make a technical change to the amendment

offered by Senator Pileggi in the Committee on Appropriations that permitted ID cards issued by municipalities to be used as proof of identification. The term "municipality" does not include a school district. This amendment would add school district-issued IDs to the list of acceptable forms of identification. Those school district IDs contain essentially the exact same information that other municipal identifications have utilized. Again, Mr. President, this is all an attempt to improve this very onerous House bill, which many of us consider an attempt to deny people their opportunity to vote.

Thank you, Mr. President.

The PRESIDENT. The Chair recognizes the gentleman from Bucks, Senator McIlhinney.

Senator McILHINNEY. Mr. President, I would also like to state, in response, that I think the House bill was already improved tremendously when it came to the Committee on State Government. One of the issues that was brought upon us was how far down in the municipal level, what types of IDs would be used. I think Senator Pileggi's amendment expanded that a little bit as well to provide for the greatest flexibility as we possibly could, but at some point you need to draw a line and say, these are the types of IDs that everybody can readily recognize. For that reason, I ask for a negative vote here today.

Thank you, Mr. President.

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

Senator HUGHES. Mr. President, it is interesting, and I respect the gentleman's comments, but it is interesting that many school districts have -- first of all, they are government-issued, number one. The school district is, in fact, that, but many school districts have thousands of employees across all geographies, across that particular municipality. They are large operations connected to voters and to citizens, and it seems to me to be a reasonable technical change that should be permissible if we are interested in people participating in the right to vote. If we are not interested in folks exercising their constitutional right, then fine, do not vote for this amendment. But all that we are trying to do is improve the opportunity so people can engage in their constitutional right to make the decision of who is going to represent them at all levels of government.

So, Mr. President, again, I ask for an affirmative vote on amendment No. A9063 because all that we want to do and all we are trying to do in this entire process is to make sure that people have the right to participate in the electoral process, a fundamental right that all of us enjoyed when we got the opportunity to serve here in the Senate of the Commonwealth of Pennsylvania.

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

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

YEA-20

Blake	Farnese	Kitchen	Tartaglione
Boscola	Ferlo	Leach	Washington
Brewster	Fontana	Schwank	Williams
Costa	Hughes	Solobay	Wozniak
Dinniman	Kasunic	Stack	Yudichak

NAY-29

Alloway	Erickson	Pippy	Ward
Argall	Folmer	Rafferty	Waugh
Baker	Gordner	Robbins	White Donald
Browne	Greenleaf	Scarnati	White Mary Jo
Brubaker	McIlhinney	Smucker	Yaw
Corman	Mensch	Tomlinson	
Earl	Piccola	Vance	
Eichelberger	Pileggi	Vogel	

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?

SOLOBAY AMENDMENT A9029 OFFERED

Senator SOLOBAY offered the following amendment No. A9029:

Amend Bill, page 1, lines 25 and 26; page 2, lines 1 through 3, by striking out lines 25 and 26 on page 1, all of lines 1 and 2 and "PUBLIC RECORDS;" in line 3 on page 2

Amend Bill, page 10, lines 19 through 30; page 11, line 1, by striking out all of said lines on said pages

Amend Bill, page 11, lines 6 and 7, by striking out "SECTIONS" in line 6 and "1210 AND 1302" in line 7 and: inserting

SECTION 1210

Amend Bill, page 17, lines 10 through 30; pages 18 through 26, lines 1 through 30; page 27, lines 1 through 29, by striking out all of said lines on said pages

Amend Bill, page 27, line 30, by striking out "8" and inserting:

4

Amend Bill, page 28, line 11, by striking out "9" and inserting:

5

Amend Bill, page 28, line 19, by striking out "10" and inserting:

6

Amend Bill, page 29, line 14, by striking out "11" and inserting:

7

Amend Bill, page 29, lines 14 and 15, by striking out ", 1302, " in line 14 and "1302.2, 1305, 1308" in line 15

Amend Bill, page 29, line 17, by striking out "12" and inserting:

8

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

The PRESIDENT. The Chair recognizes the gentleman from Washington, Senator Solobay.

Senator SOLOBAY. Mr. President, basically, this removes the requirement for photo ID on anyone requesting to vote by absentee ballot.

The PRESIDENT. The Chair recognizes the gentleman from Delaware, Senator Pileggi.

Senator PILEGGI. Mr. President, I ask for a negative vote. One of the signature improvements of the House bill in the Senate, under the direction of Chairman McIlhinney, was the addition of additional safeguards for the casting of absentee ballots to insure the integrity of absentee ballots. Here in the Pennsylvania Senate, unfortunately, we had an election where absentee ballots cast in a Senate district based in Philadelphia were the subject of court action that impacted the eventual outcome of that election. So, if there is any area that we want to strengthen, it is the area involved in the casting of absentee ballots. I ask for a negative vote on the amendment.

The PRESIDENT. The Chair recognizes the gentleman from Washington, Senator Solobay.

Senator SOLOBAY. Mr. President, I can appreciate the comments of the previous gentleman. The unique thing about absentee ballots is that those folks normally cannot get out of their homes and have the inability to, in most cases, even obtain an ID, which is the main reason why they oftentimes have to do absentee ballots. I ask for an affirmative vote.

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

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

YEA-19

Blake	Ferlo	Leach	Washington
Brewster	Fontana	Schwank	Williams
Costa	Hughes	Solobay	Wozniak
Dinniman	Kasunic	Stack	Yudichak
Farnese	Kitchen	Tartaglione	

NAY-30

Alloway	Eichelberger	Pileggi	Vogel
Argall	Erickson	Pippy	Ward
Baker	Folmer	Rafferty	Waugh
Boscola	Gordner	Robbins	White Donald
Browne	Greenleaf	Scarnati	White Mary Jo
Brubaker	McIlhinney	Smucker	Yaw
Corman	Mensch	Tomlinson	
Earl	Piccola	Vance	

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 PRESIDENT. The Chair recognizes the gentleman from Delaware, Senator Pileggi.

Senator PILEGGI. Mr. President, I rise to ask for an affirmative vote on House Bill No. 934. This bill is a simple, common-sense measure to protect the integrity of the voting process, which is the very foundation of our democracy.

Mr. President, it is important to note that no voter will be turned away from the polls on election day. No voter will be turned away from the polls on election day. Any voter who appears to vote and does not have a photo ID or other appropriate identification will be permitted to vote by provisional ballot. That simple fact seems to get lost in some of the hyperbole surrounding this debate. So it is worth repeating, there is no elector, no voter who appears at a polling place on election day intending to cast a vote who will be turned away. They will either vote on the voting machine, by the normal method, or by absentee ballot.

The idea of providing a photo identification is not something that is new. It is certain that people now have the experience, if

they go to the drug store to have a prescription filled, if they go to travel on an airplane or a train, or to open a bank account, even to cash a check in a supermarket, to get a marriage license, to apply for a job, to sign an apartment lease, and even to get into some buildings, a photo identification is a necessary part of today's society.

Another added feature of this bill is to make the acquisition of a photo ID free of charge to Pennsylvania citizens valid to vote through the Department of Transportation. An identification card is now available, but has a fee attached.

In addition, this is not a new idea that is unique to Pennsylvania. We have 15 other States in this country, including the States of Florida, Michigan, Wisconsin, and Indiana that already have photo ID requirements in place. Internationally, a number of other countries, including Belgium, Germany, Italy, the Netherlands, Portugal, Spain, and Mexico also require photo identification to vote.

Mr. President, in 2000, President Jimmy Carter and former Secretary of State James Baker III issued a bipartisan report supporting and recommending the use of voter ID. The Carter-Baker report indicated, quote, "Voters in nearly 100 democracies use a photo identification card without fear of infringement of their rights," end quote.

Mr. President, as I said before, this is a very simple, straightforward matter that most Pennsylvanians can understand and appreciate. It is a small step forward to take this additional step to require photo identification, but it will result in a tremendous increase in the integrity of the election process and in the confidence of Pennsylvania citizens in our election process here in Pennsylvania. I ask for an affirmative vote.

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

Senator WILLIAMS. Mr. President, I ask that someone from the other side of the aisle stand for a period of interrogation.

The PRESIDENT. Senator McIlhinney has acknowledged that he will stand for interrogation.

The gentleman may proceed.

Senator WILLIAMS. Mr. President, within the bill, there is a provision that protects veterans who are in long-term care facilities. Is that correct?

Senator McILHINNEY. Veterans? Yes.

Senator WILLIAMS. Mr. President, why were we moved to exempt them from the requirements that others would be required to--

Senator McILHINNEY. The thought process there is that an earlier discussion about the use of a Medicaid card was something we did not find desirable. It did not have a photo on it, and it had other information we did not want to have out there. But we wanted to provide some way for a care facility, if you are living there, to also be eligible to provide an ID to individuals who may not have the ability, as we discussed earlier, to get to a photo ID center, a PennDOT, an official photo ID center. So, any licensed care facility in Pennsylvania is eligible to issue a photo ID to its residents, and it would be an acceptable form of ID for the purpose of voting.

Senator WILLIAMS. Mr. President, I understand this to be the veterans, not to everyone.

Senator McILHINNEY. Mr. President, veterans, no. It is for anybody in a care facility.

Senator WILLIAMS. So, Mr. President, if you choose to care for your loved one at home as opposed to a facility, is there protection for them?

Senator McILHINNEY. Mr. President, that would not happen. They would have to get a regular ID. Only a licensed care facility would be able to authorize and act as if it were a State agency in that respect.

Senator WILLIAMS. Mr. President, does the person representing this piece of legislation recognize they are creating a class by doing so?

Senator McILHINNEY. No, Mr. President, we did not exactly exempt the individual. What we did is we further provided, as we expanded for college and municipality IDs, we further provided for an additional licensed facility to provide an acceptable form of ID.

Senator WILLIAMS. Mr. President, it exempts these individuals from the requirements that other individuals will be required to follow?

Senator McILHINNEY. Mr. President, I respectfully disagree. I think they have to follow the same requirements. You are just providing for an additional agency, so to speak, that is licensed by the State of Pennsylvania to provide a photo ID.

Senator WILLIAMS. But it is different than the rest of the people who are under this law, under the potential--

Senator McILHINNEY. Respectfully, I disagree that it is not a separate class.

Senator WILLIAMS. Then why was it written at all?

Senator McILHINNEY. In an attempt to expand the number of IDs available, that was one consideration that was given, and we decided to allow them to issue an acceptable form of ID, just as we allowed for the colleges, we allowed for military IDs, we allowed for other forms other than a PennDOT ID. That was an ID that we found to be acceptable.

Senator WILLIAMS. Students who are--you mentioned this in your comment--students who are in Pennsylvania are treated differently than students from Pennsylvania who are at colleges outside of Pennsylvania. Is that correct?

Senator McILHINNEY. It would have to be a Pennsylvania university that would allow for it, yes.

Senator WILLIAMS. Even though the student is from Pennsylvania and registered in Pennsylvania. Is that correct?

Senator McILHINNEY. I am sorry, I did not quite hear it.

Senator WILLIAMS. Even though the student may be from Pennsylvania and is registered in Pennsylvania. Is that correct?

Senator McILHINNEY. Mr. President, what we are attempting to do is to allow for an expansion of the list of the agencies and not focus on the individuals themselves so that we can control, or have some say, in a State institution that is accredited in Pennsylvania and allowed to issue an ID. A State nursing care facility or home care facility that is licensed in Pennsylvania is allowed to issue an ID. PennDOT is one of the agencies that is allowed to issue an acceptable form of ID, and we did not focus on the actual individual but who is allowed to make and give out the appropriate forms of identification.

Senator WILLIAMS. I am just trying to establish that a student from Pennsylvania who lives in Pennsylvania and who goes to school in Pennsylvania is treated differently than a student who comes from Pennsylvania but goes to a different State. That is all I am trying to establish.

Senator McILHINNEY. No. I respectfully disagree with that premise, that they are treated--

Senator WILLIAMS. It is not a premise. I mean, some of these things we-- I am not even trying to have a debate. I am just establishing a set of facts. Now you are saying the words do not mean what they mean. I am saying that if a student who is from Pennsylvania and who goes to college outside of Pennsylvania is not allowed to use their ID from Harvard, but you are allowed to use it from Penn State, they are treated differently. You are saying they are not.

Senator McILHINNEY. I will say that the list of IDs that are contained in the underlying bill are listed there, and any student who can get an ID or any other individual from Pennsylvania who can get an ID from one of those approved sources is allowed to get that ID and use it for the purpose of voting.

Senator WILLIAMS. I am not sure what that meant, but if you go to Franklin and Marshall, are you able to use your college ID?

Senator McILHINNEY. If it is an approved Pennsylvania-accredited institution, yes.

Senator WILLIAMS. No, it is a private--well, yes, it is a private institution, a private college in Pennsylvania.

Senator McILHINNEY. Then you could use that ID, if it is accredited in Pennsylvania. If Harvard gets accredited in Pennsylvania, we will accept its ID as well.

Senator WILLIAMS. Okay. I mean, I am asking these for--well, let us just talk to these two particular areas.

The PRESIDENT. Would the gentleman yield just for a moment. Under the Senate Rules, actually, the conversation is to go through the Chair, so occasionally, the two of you might throw in a "Mr. President," every once in a while.

The gentleman may proceed.

Senator WILLIAMS. I apologize, Mr. President. I do not understand why you are coming up with these dumb ideas-- no, I am joking.

So, Mr. President, in an effort to prevent and reduce fraud, the student who comes from Indiana, previously registered in Indiana, comes to the University of Pennsylvania, registers at the University of Pennsylvania, registers for a driver's license and automatically gets signed up to be a voter in Pennsylvania, because that is what we do, is now protected under this process. Is that accurate?

Senator McILHINNEY. Mr. President, is now what under the process?

Senator WILLIAMS. Mr. President, is now a registered voter in Pennsylvania?

Senator McILHINNEY. Mr. President, yes.

Senator WILLIAMS. All right, Mr. President. So now we have a person who is not from Pennsylvania, but simply because they chose to go to school in Pennsylvania, they have a driver's license in Pennsylvania, even though they still have a registration in another State, and may vote in two States by accident, because I am 18 or 21 and I am not thinking about this, we are actually doing something to improve the quality and protection under voter fraud. Is that accurate?

Senator McILHINNEY. Mr. President, I guess that is a circumstance that could happen, but all of the circumstances are not 100 percent foolproof positive. But, I would not say that they would use their driver's license as the ID to vote. If they regis-

tered at that school and exercise right there, under current law and this law, they would still be able to do that.

Senator WILLIAMS. Mr. President, I am glad the gentleman mentioned foolproof positive. Provisional ballots--and I will draw your attention to the fact that in Wisconsin, they just struck down their voter ID law for some of the items that we are talking about today. Provisional ballots, "...no proof shall be made public...." Can the gentleman explain how that is to work?

Senator McILHINNEY. Mr. President, I do not know what happened in Wisconsin, but the process under this bill would be that when you apply for an absentee ballot, you need to fill out the last four numbers of your Social Security number, or your driver's license number, and the voter registration, prior to sending out your ballot, will enter those numbers and have an electronic check with the SURE system to verify that your name indeed matches either the driver's licence number or the last four digits of your Social Security number.

Senator WILLIAMS. Mr. President, there is language that says, "...no proof shall be made public....," which means that a select group of people could determine, without proving why, that you no longer have the right to vote.

Senator McILHINNEY. Mr. President, well, that was a security measure, I guess, an identity theft measure. You do not necessarily want to have a public document with your driver's license number or the last four digits of your Social Security number. It is a check that is done within the voter registration to verify that the name matches and it is indeed the same individual who is requesting the ballot and is a registered voter.

Senator WILLIAMS. Mr. President, unfortunately, that protection may now fly in the face of an individual who, in fact, may be the person who they are. Someone may be able to deny them the right to vote, and they do not have to verify why they are denying them their right to vote. Is that a potential consequence, Mr. President?

Senator McILHINNEY. Mr. President, I do not believe that would be the consequence. I think that if they are denied, they are sent back the denial and maybe there was a typo, maybe they could not understand the handwriting on there and it could not be verified. You could go in there and say, here I am, verify me, and get the absentee ballot, but it is a check that we are putting in to insure the integrity of the system.

Senator WILLIAMS. Mr. President, if you can physically go in there, you are absolutely right, you can go in there. But if you cannot go in there, then you are limited in your ability to verify who you are. My point is, the entity that is doing the verifying does not have to make those reasons public. In other words, they do not have to use the detailed information you are providing. So, maybe I am missing something, but this is actually language from the bill.

Senator McILHINNEY. Mr. President, to what section is the gentleman referring?

Senator WILLIAMS. Mr. President, I do not have the section recorded, but I can get it to the gentleman. We will move on from there.

What source is cited for the necessity that relates to the level of fraud in Pennsylvania?

Senator McILHINNEY. Mr. President, what source is cited for the necessity--

Senator WILLIAMS. Mr. President, what source of information are we using--I mean, I understand this bill to be moving

based upon that we are concerned about voter fraud in Pennsylvania. So, I am simply asking the question, where are we getting information that there is rampant, modest, minor, or negligible voter fraud?

Senator McILHINNEY. Mr. President, if the gentleman is supposing that that was the impetus for the bill, I suggest he talk to the prime sponsor, who is Representative Metcalfe. For my part in the bill, I would say that insuring the integrity of the voting system in Pennsylvania is just as important as any potential fraud that might be out there. If there are steps that we can take to insure that the public feels safe and secure with our voting system, and they do not cause undue hardships upon the voting public, which I do not believe this bill does, then it is something with which we should support and move forward. As for the original thought behind the bill, I suggest that the gentleman ask Representative Metcalfe as to what started the entire process.

Senator WILLIAMS. Mr. President, well, all I can suggest is that we are taking up the bill from Representative Metcalfe, the Governor spoke about voter fraud, Representative Metcalfe and Members of this Senate body have spoken about voter fraud, and, in fact, when it was brought before our Committee on State Government, the impetus behind that was voter fraud. I am not quite sure how that would miss the gentleman, but it has been stated several times that the impetus behind this is voter fraud. Now, maybe the gentleman is immune to that, but I would be shocked if he was. So, I am asking a question, the person who is chairing the committee from which the bill arrived, took it through, managed the process, I am sure is familiar with the term "voter fraud" and its associations. So I am asking the gentleman again--

Senator McILHINNEY. Mr. President, but I do not know the genesis from what that voter fraud was taken. The gentleman would have to take it up with Representative Metcalfe.

Senator WILLIAMS. Mr. President, to the gentleman's knowledge, there is no data or official objective study that relates to any specific voter fraud patterns in Pennsylvania. Would that be accurate?

Senator McILHINNEY. Mr. President, I have no knowledge one way or the other of that. I just simply--as the gentleman said, the bill landed in my committee, I am the chairman of the committee, and I moved the process along.

Senator WILLIAMS. Mr. President, the cost associated with this, is there a fiscal note for this?

Senator McILHINNEY. Mr. President, the gentleman would have to ask the chairman of the Committee on Appropriations.

Senator WILLIAMS. Mr. President, is there knowledge of a fiscal note? Can we find out if there is a fiscal note?

Senator McILHINNEY. Mr. President, yes, I believe they are providing that as we speak.

Senator WILLIAMS. Mr. President, do we know what that number might be?

Senator McILHINNEY. Mr. President, for the record, I am not a Member of the Committee on Appropriations, and was not involved in drafting the fiscal note to the bill.

Senator WILLIAMS. Mr. President, so, does the gentleman happen to know the cost associated with this particular piece of legislation?

Senator McILHINNEY. Mr. President, I think we need to wait for the fiscal note.

Senator WILLIAMS. Mr. President, but would the gentleman be aware of the Independent Fiscal Office? I am sure we are all aware of that, correct?

Senator McILHINNEY. Mr. President, am I aware of that office?

Senator WILLIAMS. Mr. President, yes.

Senator McILHINNEY. Yes, Mr. President.

Senator WILLIAMS. Mr. President, to the gentleman's knowledge, did we require or ask for a cost estimate from that office regarding this piece of legislation?

Senator McILHINNEY. Mr. President, I do not know the answer to that. I know I did not.

Senator WILLIAMS. Mr. President, okay. Is that item that is in the gentleman's hand currently--

Senator McILHINNEY. Mr. President, I have the fiscal note. I ask that they provide Senator Williams with a copy of the fiscal note.

Senator WILLIAMS. Mr. President, I trust that what the gentleman reads is accurate. What does it say?

Senator McILHINNEY. Mr. President, since the gentleman asked, I will start reading it. *(Reading:)*

House Bill 934 amends the Election Code to require each voter to present proof of identification when he or she appears to vote at any election. "Proof of identification" is defined as:

1. In the case of an elector who has religious objection to being photographed, a valid-without-photo driver's license or identification (ID) card, issued by PennDOT;
2. In the case of all other electors who vote in person, a document that satisfies all of the following:
 - a. Shows the name of the individual and the name substantially conforms to the name of the person as it appears in the district register;
 - b. Shows a photograph of the individual;
 - c. Includes an expiration date which is not expired, except in the case of an ID card issued by PennDOT which allows a 12-month grace period for expired licenses, or military ID cards which show an "indefinite" expiration date.
3. The document must be issued by one of the following:
 - a. The Commonwealth of Pennsylvania
 - b. The Federal Government
 - c. A Pennsylvania public or private institution of higher learning
 - d. A Pennsylvania care facility
4. In the case of a qualified absentee elector who is applying for an absentee ballot:
 - a. For an elector who has been issued a valid driver's license, the elector's driver's license number--

Senator WILLIAMS. Mr. President, for the benefit of time, there is a section of the fiscal note that talks about the fiscal impact.

Senator McILHINNEY. Mr. President, I will provide it for the gentleman, and I do not believe it is up to me to read and interpret the fiscal note. I will read it to the gentleman and--

Senator WILLIAMS. Mr. President, no, the gentleman does not need to read the fiscal note, I am asking about the fiscal impact. There is a section that talks about the cost, or there should be.

Senator McILHINNEY. Mr. President, I will be happy to provide it to the gentleman, and he can read it.

Senator WILLIAMS. Mr. President, the gentleman is not reading the fiscal impact portion.

Senator McILHINNEY. Mr. President, this is the fiscal note.

Senator WILLIAMS. Mr. President, right. So there is a section that specifically speaks to the fiscal impact, so that is all we

need for the benefit of the record. Is that attached to the information the gentleman has?

Senator McILHINNEY. Mr. President, I believe I was getting to that, but yes. I can give it to the gentleman, and he can determine what it says.

Senator WILLIAMS. Mr. President, according to this fiscal note, it says \$1 million in FY 2012-13, and then it says \$3.87-plus million in FY 2012-13. So that is a cumulative amount of \$4,837,500. Is that correct?

Senator McILHINNEY. Mr. President, if that is what the fiscal note states, yes. I think we discussed earlier the \$4 million number.

Senator WILLIAMS. Mr. President, well, it is actually almost \$5 million.

Senator McILHINNEY. Mr. President, I believe that the gentleman is a Member of the Committee on Appropriations.

Senator WILLIAMS. Mr. President, I am sorry, no.

Senator McILHINNEY. Mr. President, neither am I, so neither of us were there for the deliberations of the cost.

Senator WILLIAMS. Mr. President, so the cost to the Commonwealth is almost \$5 million. For the benefit of the public, for the gentleman who is explaining the legislation, and for all those who claim to be fiscally responsible and concerned Members of the legislature, I do believe we are running a deficit this year. From what I am told, we are cutting services across the Commonwealth. Where does the gentleman propose that we will get this almost \$5 million?

Senator McILHINNEY. Mr. President, that would be part of the budgetary process that we will undertake in the coming months.

Senator WILLIAMS. Mr. President, so in other words, we will cut education, potentially--

Senator McILHINNEY. Mr. President, I think that is a discussion for another day. I think we are on the topic of this law and the impacts upon the Commonwealth, and if there is a \$5 million fiscal note, then at some point the Governor and the Legislature will come together to provide for it in the budget.

Senator WILLIAMS. Mr. President, I have been here for a little while, and every time that costs come up in the form of a bill, we have talked about it then. It has never been delayed for another day. As a matter of fact, that is the first time I have ever heard it from the gentleman's side of the aisle that we will talk about the cost associated with a bill in a deficit year, and we will delay it for another day. But I will take that as a comment reflected in our deliberations as we approach the budget. This will further drive us into a deficit. Would the gentleman agree to that?

Senator McILHINNEY. Mr. President, I think that the budget process, like any other bill we pass, has fiscal consequences, and we will determine where it will find its spot in the budget when we do the budget in the coming months.

Senator WILLIAMS. Mr. President, I am asking the gentleman a direct question, this \$5 million, which, to my knowledge, there is not a revenue source attached to, unless I am missing something, and since it came out of that committee, I am sure we did a lot of studies on it. I am asking a very direct question, Mr. President. Will this \$5 million be added to the current deficit?

Senator McILHINNEY. Mr. President, the \$5 million will be added to the current budget.

Senator WILLIAMS. Mr. President, which is in deficit.

Senator McILHINNEY. Mr. President, the \$5 million will be added to the current budget.

Senator WILLIAMS. Mr. President, I formally request that the Independent Fiscal Office, if it is okay with the gentleman, that he requests from that Independent Fiscal Office the costs associated with this particular bill.

Senator McILHINNEY. Mr. President, I believe the gentleman can make that request as well.

Senator WILLIAMS. Mr. President, I can, but we are not offering the bill.

Senator McILHINNEY. Mr. President, I am offering the bill right now. Is the gentleman asking me to suspend the offering of the bill to make the request?

Senator WILLIAMS. Mr. President, absolutely not. I am suggesting that in addition to what has already occurred, that a request be forwarded to that office that outlines the costs associated with this bill.

Senator McILHINNEY. Mr. President, respectfully, I request that the gentleman make that request himself.

Senator WILLIAMS. Mr. President, I mean, I am fine with doing that, as I said. Since it is not my piece of legislation and I am not for it, that would not make a lot of sense. I am asking that those who are supporting it and moving it forward, that they might want to make that request, and since they made great arguments to have this independent office, which also costs more money, they might want to use it. But if the gentleman is saying that he does not want to use it and does not want to make the request, that is fine. Just for the record, is that what the gentleman is saying?

Senator McILHINNEY. Mr. President, I am saying, at this point, I relied upon the Committee on Appropriations' fiscal note to set the costs involved in it and I moved the bill accordingly. If the gentleman would like to utilize that office for more information to make sure that the Committee on Appropriations came up with the exact number, then that is well within the gentleman's rights to do.

Senator WILLIAMS. Mr. President, thank you. That ends my period of interrogation. I would like to conclude with comments.

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

Senator WILLIAMS. Mr. President, I think the period of interrogation further illuminates the concerns of all of us and, frankly, many Pennsylvanians, the majority of Pennsylvanians, would have when the intent is to do good but there is not a purpose. In other words, there is an argument in search of a certain level of facts. When I asked the question about voter fraud, there was no support of any document, data, or even speculation that relates to voter fraud. In fact, when we return to the level of integrity that supports the voting process, which I respect and I am sure we all want to protect that process, but the truth is, if you destroy the process in search of integrity, I am not sure we find a lot of character in that argument.

I heard that nothing is foolproof positive. I am not quite clear that comment holds the argument today because there is nothing that we are positive about in terms of moving this bill. The most glaring comment I heard, though, was no voter will be turned away. No voter will be turned away, which would imply that any voter's franchise will be exercised in that process, which would make everybody feel very comfortable and at ease. As it was implied, this a pragmatic, simple suggestion. No voter will be

turned away, but not every vote will be counted, Mr. President, and I think that all of Pennsylvania should be aware of that. After a panel that may review your provisional ballot, it is no longer required to provide public information about how they arrive at a decision, and your vote may not count.

If you cannot afford to pay for a birth certificate, then it implies that an indirect poll tax may be part of this process. In fact, we found in parts of Wisconsin, where actual State government workers were selective in their desire to say who had the right to vote, who had a right to actually get certified, who actually had a right to get the identity associated, the requested identification card, they were discriminated in that execution.

Why this rises to the level of passion for many of us, and I am on my best behavior today to be self-contained. Understand the nature of this country. For all those who will wrap themselves in the flag and describe themselves as removing ourselves from government, cutting the size of government, and require that government no longer intrude in their lives, then I call you a hypocrite today if you vote for this bill. If you want to stand on this floor, rail about how government intrudes in your life, wrap yourself in the flag, then I refer you to what everybody is talking about, the Constitution. This is not like getting a driver's license, which is a privilege. This is not like applying for a job, which is an offer. This is not even like going to a hospital and getting healthcare. This is what defines America as compared to other nations across the world, a true democracy.

When we find ourselves in the next generation, they do not give a hoot enough to participate, but we engage in a charade that suggests that we are protecting the integrity of the voting process. Now, those who want to participate and have sacrificed their lives to participate, and I specifically talk about people of color and women who have died for this country, fought for this country, and have arrived at a point in time in society when they have a right to vote, we are now telling them to go through another hoop.

I come from a proud lineage of parents and great, great, great, great-grandparents who knew what this implied slide method of removal meant. It meant that they no longer counted as full Americans. And understand, I do not normally stand on this floor railing about issues of discrimination. Whatever the playing field is, I will take it. If somebody sees that I am not necessarily of svelte build and they hold it against me, I will still take that on. If somebody recognizes that my hair is now grey, no longer black, and decides they do not particularly care for me, I will take that on. If my faith does not comport with theirs, I do not care, I am an American, I will take that on. And certainly, if my ethnicity, my neighborhood, my background, I will take all of that on because understand, I am a confirmed American and no card, no State identification, nobody could take that from me. But it is defined around certain basic principles, and one of those is the franchise and the right to vote, making all of us equal in the eyes of the government, and as it says, in the eyes of our Lord.

We all should count, and none of us should be scared of how we are counted. This moment represents a changing paradigm not just in Pennsylvania, but in this nation. And unfortunately, in a Presidential year, when people will accuse each other of political motivations, we have now taken politics to a new level. We have integrated this into the conversation of what defines this nation. There are far too many question marks with this particu-

lar piece of legislation. There are far too many facts which would make any logical person be concerned if they truly believe they are doing good, are we doing the best and as good as we possibly can do?

In the pursuit of perfection, are we throwing out a whole category of people? I certainly do not try to plead to anyone's heart today, because those decisions have already been made. But I would make you reflect upon your common sense. Anyone who would suggest that this is about integrity and not about one's right to vote, I would suggest common sense does not resound there. Anyone who will come to a microphone and say nothing is foolproof, then guess what, we should not move on it unless it is, in fact, foolproof because it is about this country and your citizenship. Anyone who would come to a microphone and say, I do not know how much it costs and the Commonwealth is in debt, but we will figure that out later, while at the same time looking at a budget where we cut public education, we cut prisons and safety, we go down the line of cuts and add to a further debt, then I would suggest that that alone would be enough.

But add onto that another State, Wisconsin, which did almost exactly the same thing, has found discrimination applied in this past election in the State, that should draw caution, but, ultimately, anyone, as I mentioned earlier on, anyone who calls themselves a true American, a patriot, if you will, who is concerned about all Americans--and that is what America is supposed to be about, all Americans--then I would suggest that you should not be voting for this bill. If they truly do want to have a plan to protect voters from being fraudulently disenfranchised, I think all of us could support that.

If we could find any set of facts, as a matter of fact, a kernel of fact or credibility that would suggest, here is a pattern of fraudulent behavior, I think all of us would sign up immediately and remove that from the process of voting. But that is not what we find ourselves doing today. It is more about political bidding, nodding, and genuflecting to the short-term. I will tell you, I will be long gone from this Chamber when the consequence of such a law is implemented in Pennsylvania. Our greatest days will be behind us, and unfortunately, a population that is not interested, does not desire to exercise its franchise, will be left with the humble submission of a law that now allows them to exit themselves from voting. That is not what America is about, that is not what Pennsylvania is supposed to be about, and that is certainly not what this General Assembly should be about in these tough, tough times.

We should be talking about jobs, job creation, and an alleviation of pain. Instead, we continue to pile on with these ideas that come from an ideology that is far removed from a majority of the Members that I know in this Senate. I do not care if you are a Democrat or a Republican, most of us are fair-minded. This is a bill which is crammed down by the Majority Members for a vote, and it is required for you to do it because you signed up in a process that is driving and dragging you along. I feel sorry for those who are required to do such, but most importantly, I am afraid of what is going to be in front of us. I am also afraid of the consequence of this law hitting the books.

Thank you, Mr. President.

The PRESIDENT. The Chair recognizes the gentleman from Chester, Senator Dinniman.

Senator DINNIMAN. Mr. President, I rise because I do not understand the problem on which we are willing to spend mil-

lions of dollars. I am not aware, and I think most of the Commonwealth is not aware, of what this voting fraud is. In fact, in the 2004 election, in one of the studies I have looked at, there were 20 million Pennsylvanians who voted in that election and there was not one documented incident of voter fraud. So what is the problem? Why are we spending these millions of dollars?

President George Bush asked the Department of Justice to engage in a study to see if there was a problem of voter fraud nationally, and the Justice Department spent 5 years on this study, looked at 300 million votes nationally, and the only thing they could find of the 300 million votes were 86 cases of possible voter fraud. The majority of those 86 cases were immigrants who had become citizens who simply misunderstood the process. So we are here at a moment in time, solving this problem in the Commonwealth, but a problem that does not really exist.

It would be troublesome in any moment of time, but especially now, because we are almost a half-billion dollars in debt. We are cutting our budgets in education, infrastructure, community services, and taking care of those who are really in need. Yet, at the very moment that we are willing to cut these services, we are going to put 4 million bucks down, 5 million bucks down, to solve a problem that does not exist. What happens when the HAVA money is gone? That is the money the Federal government gives us. Well, we are still going to have to pay for producing the IDs. We are still going to be spending Commonwealth funds.

If we want to look at a problem fairly and completely, maybe one organization we could look to would be the League of Women Voters, a pretty nonpartisan organization, an organization which has certainly established its credibility on this issue. The League of Women Voters of Pennsylvania opposes voter IDs because, quote, "...this legislation creates hurdles to voting that would disenfranchise thousands of our fellow citizens who are currently eligible to vote." What about the County Commissioners Association of Pennsylvania? They are the people who have the responsibility to make sure that voting is done fairly and who have the responsibility, in fact, to share most of the costs in maintaining our voter system. Well, the County Commissioners Association of Pennsylvania opposes this bill to combat fraudulent voting because, quote, "...we find no evidence - substantiated by a search of case records and anecdotal information from the counties - that [voting fraud] is an issue."

What about our retired citizens' organizations, most of which are not partisan in nature, what do they say on this issue? The Pennsylvania Alliance for Retired Americans opposes voter ID because they say it would be unfair to seniors and, quote, "...would spend taxpayer dollars to disenfranchise thousands of Pennsylvanians - all to solve a problem that is mere fiction."

What about the Anti-Defamation League, a group that I think has proven over the years its concern for discrimination, a group whose leadership is nonpartisan, a group who, in our State, is made up of many prominent Republicans and Democrats? Let me read from their letter. It says, "As you may know, the Anti-Defamation League is a leading human relations and civil rights organization, committed to combating all forms of bigotry...It is because of our mission that we write to you today." It says, "We urge you to vote against HB934..." and it quotes the following: "A 2006 study by the Brennan Center for Justice at the New York University School of Law found that as many as 11% of eligible voters do not have a driver's license or state is-

sued..." ID. Most of these individuals are people who earn under \$35,000 a year and that these are the people who will be most impacted.

Finally, Mr. President, I was curious how voter ID might work in the Republican caucuses and the Republican primary, because surely they would want to set an example, a model for us of what should be done. So I was fascinated when in the Iowa caucuses, they decided not to require any identification to vote. And let me read you why they decided that. It says the following: Iowans streamed into their local precincts without showing a driver's license, Federal IDs, or anything else to vote for their favorite Republican candidate. Voter impersonation? It was obviously not a concern for party officials.

They go on to say, why did they not require it? Because Iowa party officials correctly reasoned that illegal voting is not a problem and that, in fact, it would be wrong to place unnecessary barriers in front of Iowan's most important civic duty. So I say to my colleagues and friends on the other side of the aisle, let Pennsylvanians do what Iowans do. Let Pennsylvanians understand what Iowa Republican officials did in the first caucus for the President of the United States. They said there is no problem. Fraudulent voting is mere fiction. It is not worth having these voter IDs. They are not necessary.

Let me tell you, every study done nationally and every study done in Pennsylvania confirms this is fiction. This is not reality. Voter fraud is not a problem. Let us spend the millions on education, and help the young people learn about democracy so they can participate in the process and not spend it, not waste it, not go into further debt trying to solve mere fiction, trying to solve a problem that does not really exist.

Thank you, Mr. President.

The PRESIDENT. The Chair recognizes the gentleman from Lancaster, Senator Smucker.

Senator SMUCKER. Mr. President, amidst the debate here today, it is instructive to know that Pennsylvanians overwhelmingly view this as a reasonable protection of legitimately cast votes. In addition, the amendment done in the Senate makes some constructive changes to the bill that address concerns raised on behalf of voters, ranging from students to seniors.

When more people believe that their votes matter and count, turnout is encouraged rather than discouraged. However, should this bill become law, our job of insuring fair elections is certainly not finished. Both supporters and opponents of this bill likely agree that there are larger election problems to solve. In the age of technology, our voter registration process is antiquated, and the deadline for voter registration is too far removed from the election. That certainly diminishes voter participation. I intend to push the advantages of online registration, which should make it more convenient for those seeking to exercise this fundamental right. The use of that technology should allow us to move the deadline for registering much closer to the actual election. Once more Pennsylvanians are eligible to vote, we improve our chances of seeing increased voter turnout.

Thank you, Mr. President.

The PRESIDENT. The Chair recognizes the gentleman from Cambria, Senator Wozniak.

Senator WOZNIAK. Mr. President, I will be brief, because I just lost my notes.

Mr. President, a few years ago, I stood at this podium and I talked in opposition to the creation of a new Department of Drug

and Alcohol Programs. My fiscally conservative friends here, along with some liberals, created a new department at the same level as Transportation and Education, and they said, we do not care what it costs, let us spend more taxpayer dollars. Fast-forward, and it is on the back burner now, but it was out there - vouchers. Vouchers, in the bill that was going to be passed, was about a quarter of a million dollars. Fast-forward a few years, it is well over a billion dollars, supported by and voted on by my fiscally conservative friends.

Now, we have a bill that, by their own words, said, there is no big deal about this. Well, look at the other side. There is a no big deal to keep things the way they are, because the Secretary of State even said that she was not aware of any voter fraud, she was not aware of any illegal immigrants voting, and she was certainly not aware of, if those two were yeses, that it would have changed an election.

This is a solution looking for a problem. It is already going to cost upward of \$11 million, money we do not have for a program we do not need. Folks, maybe we need to bring NATO into our national elections if things are so amok at our voting precincts. If this would have been on the Democratic national agenda, and if we had introduced this legislation, the Grand Old Party would be running TV ads saying, why do we need such an outrageous thing to prove people who already know who they are, and why do they need to do this at the voting precincts?

Mr. President, every time we make a law here in Harrisburg and in the Federal government, we take a right away. When I vote in my voter precinct, I have to sign my signature. My wife has to sign her signature. My son and my daughter have to sign their signatures. We all just filled out a whole lot of petitions out there, and I am sure when people were questioning, they brought in signature handwriting experts to prove the right people signed the documents.

We do not need to go this far. Eleven million dollars is a lot of money. Maybe in the grand scheme of a \$27 billion budget, it is not, but folks, I do appreciate the fact that the Republicans here have allowed us to have our say in our amendments. I can count. I do not think we are going to change any votes, but maybe I can use a different tactic and reach into the hearts and the minds of the fiscal conservatives and say, once again, this is money we do not have for a program we do not need.

Thank you, Mr. President.

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

Senator LEACH. Mr. President, I have a number of remarks to share with you on this bill, but before I get to the text of the prepared remarks I intend to deliver, I will read a little bit from a court decision that serendipitously just came down. You may be aware that one of the States that has led the way on so many things, one of which is voter ID, is Wisconsin. Wisconsin passed a voter ID bill which was almost identical to the one being proposed in Pennsylvania. That bill was just struck down by the court. I just want to go through, briefly, what the court said, not in great detail, but I think it is instructive as I get to the rest of my remarks. It said, "The right to vote is a fundamental, defining element of our society." And it struck down this bill, which was known as Act 23, for this reason, for two reasons, actually. It said, "Act 23 is addressed to a problem which is very limited, if indeed extant. Seemingly it fails to account for the difficulty its demands impose upon indigent, elderly and disabled citizens

who are qualified under the constitution to vote....The fundamental character of the right in issue is vital to the very existence of our state as a democracy in which political power, whether that be the executive, legislative or judicial, is derived from the free consent of the governed. The scope of the impairment has been shown to be serious, extremely broad and largely needless."

Mr. President, we are changing the rules that have applied in Pennsylvania for over 200 years. As a general matter, we should be very suspicious anytime one political party tries to change the rules of future elections, particularly over the objection of the other political party, and particularly when it seems, coincidentally, that the change benefits the political party pushing the change. That is a situation rife with the opportunities for mischief and rife with the opportunities to play with and rig elections for the future. Mr. President, this is not what our charge is in a democracy.

There are people who claim that this is about fraud. In fact, that has been the only defense I have heard of this bill up until today. It is going to prevent voter fraud. But it is important to remember, and this is a critical point, voter fraud is many, many things. Most of the things that are called voter fraud, this bill does not address in the slightest. If you register voters improperly, voter ID would have nothing to do with that. If you are forging voter registration forms, if you are ballot stuffing, in other words, if you are voting more than once, voter ID--if I am going to vote more than once, I could still have a voter ID. It would have nothing to do with that. Intimidation at polling places, I have gotten e-mails about that. Voter ID would have nothing to do with that. Tampering with election machines has nothing to do with voter ID. Buying votes, printing out misleading ballots, telling people the wrong date to vote--we have heard of those phone banks--voter ID has nothing to do with that. The one I get the most e-mails about, because I am very vocal on this issue, is illegal aliens voting. Well, illegal aliens voting has nothing to do with voter ID. An illegal alien, if they want to vote, either have a photo ID or they do not. If they have a photo ID, it is not going to make any difference at all.

There is only one kind of voter fraud that voter ID addresses. There is only one kind, and that is voter impersonation. That is when I go to the poll and pretend that I am someone I am not in order to get a vote that I do not deserve. Now, voter impersonation is a very low-gain, high-risk crime. When I say it is a crime, as I will discuss briefly, I mean, literally, it is a crime. It is a felony. But in order to successfully commit this felony, I have to know some things. I have to know, if I am going to go--let us say I am going to say that I am John Smith, and I am not really John Smith, and I am going to try to vote. I have to know, first of all, that there is a John Smith registered at that poll. I have to know that John Smith, the one who is registered at that poll, has not already voted, because if he has already voted, there is going to be a problem. I have to know that he does not intend to vote, because if he comes later intending to vote, there is going to be a problem. I have to know that none of the five or six people sitting at the table, the poll watchers, the judge of elections, the constable, none of them in this neighborhood, which is what precincts are, recognize John Smith, because if any of them recognize him, they are going to say, you are not John Smith, and I am going to be busted for this. I have to know that is not going to happen.

Now, every time I go to the poll, I walk up to the poll at Roberts Elementary, I say, hi, Cathy; hi, Chris; hi to the people at the polling place. I know them all. They say, hi, Daylin. Now, you may say, well, you are a State Senator. People will know you. This was true well before I ran for political office. Anywhere I lived more than a year or two, the people at the poll recognized me, I said hello to them. So I have to know that no one at the poll knows John Smith, that no one is his neighbor, no one is his friend, no one recognizes him, because if they do, I am going to be busted. Then, I have to sign his name. So I have to know that my signature is going to at least reasonably approximate his signature, or else, again, there is going to be a problem.

Now, if I am wrong on any one of those five things, what happens is I face 5 years in prison and a \$10,000 fine at the State level, and 5 years in prison and a \$10,000 fine at the Federal level. I have the citations here, 25 P.S. 3502, 3552, 3535, and under the Federal law, 42 USC 1973I (c) and (e). I am going to jail for 5 years for this crime, and it seems like it is very easy for me to get caught.

Now, some crimes are worth it in some people's minds. You get a lot of money, whatever. What do I get out of this crime that would make it worth it for me to risk all of those years in jail, all of those fines? What would that be? It would be that I get one vote. I get one lousy vote in an election which, first of all--another thing I would have to know in order to consider doing this is whether this is even going to be a close election. But keep in mind, the closest congressional election in the last term was a 3,100-vote difference. Now, every once in a while, there is an election decided by two or three votes, but not very often. The closest State legislative election I remember was in 2006, which was 19 votes. So even if I did it, I would still be 18 votes short of making a difference, all right?

So what you would predict with such a high-risk, low-reward crime is that it hardly ever happens, and that is exactly what we have. That is exactly the case. There are studies, and they have been discussed by other Senators here, by the Bush Department of Justice, the Brennan Center, and the Republican National Lawyers Association. All of them studied this issue, and they viewed, collectively, from a period of 2000 to 2010. While there was some talk, there were 86 cases of voter fraud nationwide, none of those cases, except for 3, involved voter impersonation. Do you know how many cases of voter impersonation there have been in terms of how many have been prosecuted, successfully or unsuccessfully, in Pennsylvania in recent years? Zero. Not only is this crime extremely rare, this crime never happens. It never, ever happens.

So, in order to solve this problem that never happens, we then have to look at what are the costs. We already know the benefits. The benefits are that it solves a crime that never happens, or at least there is no evidence that it ever happens, and intuitively, you would think it would never happen. Then there was the other defense of the crime in that we want some sort of a warm, fuzzy feeling about the election process. There is no evidence that I can find anywhere that says the people of Pennsylvania believe that there is rampant voter fraud or do not have confidence in the election system. And to the extent they do not have confidence, there are a lot of other things, as I think a Senator on the other side of the aisle said we could do to increase confidence, like a paper trail for voting, more access to voting, early voting, and

things like that. But voter impersonation is not something that is causing a lot of angst because it never happens, as we have discussed.

Now, those are--I want to give you one more statistic, which I found interesting. In the 10-year period where nationwide, not in Pennsylvania, but nationwide, they found 3 cases of voter impersonation, during the same time, over 300 people were struck by lightning. So, in the United States of America, you have a 100 times greater chance of being struck by lightning than you do of committing voter fraud, and for this, we are going to pass legislation.

What are the costs of that legislation? Well, first of all, there are the fiscal costs. We saw the fiscal note with \$4.5 million. Other independent studies have gone as high as \$11 million. That does not even count the cost of litigation, which I think we knew was inevitable before, but certainly, after this Wisconsin decision, it is even more inevitable. We are talking millions of dollars. Now, I remember Governor Corbett, right over in that other Chamber, when we heard his Budget Address, say that we cannot afford things that are really crucial to Pennsylvania. Some other Senators have gone through the list, and I do not have to talk about all of the things on which the money would be better spent, but I do remember Governor Corbett saying, we can no longer afford the want-to-haves. We are stuck only being able to pay for the have-to-haves. That is his grammatical construct, not one I would have chosen, but the point is, do we have to have this? This is not a want-to-have, this is a have-to-have, to solve a crime that never happens in Pennsylvania?

So there is the money issue, but that is only secondary, Mr. President. The primary issue is disenfranchisement. This is very important. Nationally, according to a number of studies, 11 percent of people do not have valid photo IDs. That translates into 700,000 people, approximately, in Pennsylvania. These are not random people. If you make below \$35,000 a year, 15 percent of you do not have valid IDs. If you are African-American in Pennsylvania, 25 percent of African-Americans do not have proper photo IDs. There are not statistics on the handicapped, but if it is 11 percent, that is a lot of handicapped people who, if you cannot drive, then you probably do not have a driver's license. The elderly, 340,000 seniors, according to the League of Women Voters, in Pennsylvania do not have valid IDs. What are you going to say to your senior citizens, 340,000 of them? Twenty percent of young people 18 to 29 years old do not have valid IDs.

Now, why would these people not have valid IDs? I get that question from time to time. First of all, if you live in the inner city and you are poor, you may not have a car, and so you probably would not keep up with the expense of having a driver's license. I know that I have two photo IDs in my wallet right now. One is a State Senate ID, but if you are not a Senator, you do not get one of those.

The other is a driver's license. If I did not have a driver's license, I would not have a photo ID. Now, coincidentally, these people statistically tend to vote overwhelmingly Democratic. It is only the States with Republican governors and legislators that are pushing this, because this is about suppressing votes of people who do not vote the right way in elections, which is truly shameful. I mean, all of this talk about voter fraud--in no other context in my 10 years in the legislature do I remember spending so much time voting on and discussing a problem which never happens. The conservative legislative group ALEC has been

pushing this aggressively. Mr. President, make no mistake, this is about disenfranchising poor voters and voters who tend to vote, demographically, the wrong way.

Now, some people say, well, you can just go get an ID. Let us explore that for a minute. First of all, it is not so easy to get an ID. You have to show at least, depending on your category, two pieces of ID as foundation documents to get your photo ID. You have to show a Social Security card and you have to show a birth certificate. A birth certificate costs money, which is one basis for which the Wisconsin court just struck down this law, saying that it is the equivalent of a poll tax to have supporting documentation cost money, that you have to pay to get a photo ID if you do not have one. I do not have my birth certificate. I have not known where it is for many years, which means I cannot get a photo ID if I do not have one. Nor, I guess, could I run for President. So, you have to get the birth certificate.

Now keep in mind, in Pennsylvania the birth certificate is \$10, but if you were not born in Pennsylvania, let us say you were born in Wisconsin, it is \$34 to get a birth certificate from Wisconsin. I do not know what every State is, I think Texas is \$22. This is money you have to spend to get the supporting documentation to get that. Then, you have to go to a PennDOT office, if you do not have a car, maybe it is a bus, maybe it is two buses. When I grew up, we did not have a car, we lived in the city, and we had to take two or three buses sometimes to get some places. Wherever the PennDOT office happens to be, you have to get there. You have to wait in line, sometimes it is an hour, sometimes it is 2 hours. All of these are hoops you have to jump through to vote.

Now some people say, but we show ID--and someone said this on the other side of the aisle--we show ID all the time. We show ID to get in buildings, we show ID to buy liquor at the liquor store, we show photo ID in a whole bunch of contexts. That is actually a misleading argument for a number of reasons. First of all, none of those other activities are Federally and constitutionally protected rights. Number two, that is not even true. We do not require photo ID in almost any context in America for people for whom the guy or woman checking the ID knows who that person is.

So when I go to a law firm in Philadelphia, I have to show an ID. As I am standing there, a bunch of the lawyers who work in that firm just walk right by, they just walk right in. Why? Because the security guard knows who they are. When I go to the liquor store, I may have to show ID, I do not have to show it so much anymore because I do not look as young as I once did, but even when I was younger, I had to show it when I went to the liquor store. I did not have to show it at my local liquor store because the person knows me, knows my name, says hello, because I am there with some frequency, and you know, they do not ask for my ID.

Let me give you a couple of concrete examples right here in this building. There is a metal detector that you have to go through and ID you have to show to get into this building. I do not show my ID when I come into this building because the security guards know who I am. Similarly, we have the Lieutenant Governor, who is monitoring and will call for a roll-call vote soon, he is not going to ask any of us for our ID before we cast our vote. We are going to say "aye" or "nay" and he is not going to ask for our ID because he knows who we are. If someone other

than me came in here, who looked different than me, and he said, Senator Leach, and they said "aye" or "nay," there would be a problem. Someone would say, wait a minute, you are not the Senator. But they know who I am, and they know who you are. So, no one is going to ask. Ironically, when you vote to require people in Pennsylvania to show an ID, no one here is going to be asked to show ID before they cast the vote to take away rights from other Pennsylvanians. So this idea that we are all required to show ID all the time is simply not true.

Then, there is the argument that has been made, I think by the Majority Leader and the gentleman from Bucks County, well, you can just cast a provisional ballot. No one is going to be denied the right to vote. That, again, is a misleading argument. It is untrue. Yeah, sure, you can cast a provisional ballot, but it only counts if you then get yourself to the board of elections within 6 days and show them the required photo ID. Other States are not nearly as strict. Wisconsin, which was just struck down, is not nearly as strict. You have 10 days, and you can do it by affidavit. You do not even have to show the ID. Here, you have to show the ID within 6 days. Why is that a problem? Let us say you are like me, and you do not have a birth certificate. Do you know how long it takes to get a birth certificate? Three to four weeks. Do you know how long it takes to get a Social Security card, the other piece of identification you have to get? Ten days from the date of application. So I have to get a Social Security card, I have to get a birth certificate, which both take longer than 6 days. I then have to gather those, go to a PennDOT office, stand in line, get the ID, then go to the board of elections and show them that, and only then will my vote count.

So this is not really a very practical solution. Is this a solution? Sure, a few people will do it, but the great thing about voter suppression is that you do not have to suppress every vote. If you suppress 10 or 20 percent of the vote, that is good enough, that is fine. So, yes, some people will go through all of these hoops and get their ID, but many people will say, I just cannot do it, I cannot afford it, I do not have time to do it, I cannot get to that place, it is not worth it to me, and these voters will all be disenfranchised.

I want to put a human face, for a moment, on what this looks like, what denial of the right to vote for lack of a photo ID for the first time in 200 years looks like. These are stories that have come out recently, including one that happened yesterday in the Republican primary in Ohio. I just want to read a couple of quick vignettes. There was an 93-year-old Tennessee woman, who cleaned the State Capitol for 30 years, including the Governor's Office in Tennessee. She said she will not be able to vote for the first time in decades after being told this week that her old State ID failed to meet the new voter-ID regulations. Thelma Mitchell was even accused of being an undocumented immigrant because she could not produce a birth certificate. Mitchell, who was delivered by a midwife in Alabama in 1918, has never had a birth certificate. But when she told that to a driver's license clerk, he suggested she may be an illegal alien. Thelma Mitchell told her local TV station that she went to the get the driver's license at the driver's license center last week after being told that her State ID from her cleaning job was not good enough, and she was not allowed to vote.

Ninety-one year old Virginia Lasater of Tennessee could not stand in the line long enough to get a photo ID. She is 91 years

old, she stood there for about half an hour. The clerk told her there was nothing he could do to move her up in line. She was denied the right to vote.

Paul Carroll, an 86-year-old World War II veteran who has lived in the same Ohio town for four decades, was denied a chance to vote in yesterday's primary after a poll worker denied his form of identification. The poll worker rejected the ID because it did not contain an address, as required by Ohio law. Carroll told the Cleveland Plain Dealer that he does not have a driver's license because he is not allowed to drive anymore. "I had to stop driving, but I got the photo ID from the Veterans Affairs...I went to war for this country, but now I can't vote in this country," is what Mr. Carroll said.

Now, again, this is about voter suppression. You know, if you look at it demographically, who is going to be most affected by this, of the categories I just mentioned? It is going to be people in big cities, predominantly people in Philadelphia. You can go to YouTube and look up the following: Tom Corbett Keep That Down, and you will hear Tom Corbett say this regarding his election in 2010 as it was coming up, about his opponent Dan Onorato, "I don't think he's going to get 50 percent [voter turnout in Philadelphia]. But we want to make sure they don't get 50 percent. Keep that down." That is what he said. Go to YouTube. You can look at it right now.

In the context of the electoral college plan, another opportunity to rig elections, the Governor said, Philadelphia has too much influence on statewide elections. We have to do something about that. Now, maybe you think we do, but let us at least be intellectually honest about it. Let us not pretend this is about stopping voter impersonation. I mean, come on, that does not pass the laugh test. Everyone knows what this is really about.

Other States, ironically, are expanding the opportunity for people to vote. I ask you to do a thought experiment. Think, if I have a bill to reform the election process, but unfortunately, it disenfranchises about 700,000 conservative evangelical voters, do you think we would be debating that today, just so people felt better about the integrity of the voting process? This is shameful.

We fight like cats and dogs on substantive issues, but we are supposed to be respectful, and have been for 200 years, of the basic pillars of our democracy - the right to vote. We are not supposed to be rigging that from election to election, which is what is happening right now. I am sure when the pendulum swings back, my side will think of ways to do the same thing. No one is a saint here, but we should be above that. Were you elected to disenfranchise a quarter of African American voters? That is what you want to do? That is what you want your legacy to be? We are supposed to be stewards of our political system and respectful of our political system. It is cheap and tawdry to use temporary holds on power to undermine our democracy. Democracy and how we vote is what makes us unique. It is a shame if we do not value that.

Thank you, Mr. President.

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

Senator FARNESE. Mr. President, before I became an elected official and had the privilege to represent the people of the First Senatorial District, I, like a lot of folks, used to believe that the people whom we elect, the people who come up here or go to Washington or wherever you are from, they are the ones who

have the guts and the courage to stand up for what they believe in, to really say what they mean, to be straightforward, that this is an institution, that no matter where you come from or what you believe, whether it is Democrat, Republican, or Independent, that you have the faith of the people who are representing you, that you can believe in what they are doing and in what they say. What I have learned since I have come here is that is not the case. A lot of times, we make up reasons, we make up excuses for the things that we do. Why do we do that? I do not know. Maybe it is because, deep down inside, we know what we are doing is wrong. We know what we are doing is not the reason we were sent here, to help people or to make their lives easier.

I do not have to look very far for examples. This bill, House Bill No. 934, of course, is an example, and I will get into it, but it seems that, over and over again, when we want to do something and it does not feel very right to us, we make up a reason. We did it last year with Senate Bill No. 732. We took away women's right to healthcare access because we pretended that there was a problem with abortion clinics. So what did we do? We went after women. Now, almost a year later, we have to invent a reason to attack the most fundamental right, the most fundamental right that we enjoy as citizens, not of Pennsylvania, but of the United States of America. We had to invent a reason to do that. What was the reason? Voter fraud. In a State where we have a lack of voter enthusiasm, where if we get 15 or 20 percent turnout, that is a good day. We have to invent a reason so that we can go back and tell the people we represent why we did another thing to hurt them.

Do not kid yourselves, you will have to answer for this at some point. Do not kid yourselves. I said that back in June. Just because we leave here and we feel good about what we did does not mean it is right. Something else my parents taught me one time, too, is that even though you have the right or the ability to do something does not mean you should do it. To pretend that what we are doing here today is going to bring integrity or reform to the voting process is hypocritical and simply disingenuous.

The Secretary of the Commonwealth of Pennsylvania, in testimony before the Senate, actually said, and I do not know if it was before the Senate or the House, but during budget hearings, actually said that there have been no reports of voter fraud in that office in the last 10 years. In fact, since 2004, Mr. President, there have been more than 20 million votes cast in Pennsylvania, and only 4 convictions of voter fraud. Four. One, two, three, four. And for that, we have undertaken this costly and wasteful exercise designed to do one thing, and maybe people do not want to talk about it, but we are going to talk about it, but that is to disenfranchise people, to prevent them from casting a ballot that a lot of people's parents who are in this room went to war to protect. That is the ironic thing. People died for this. People died for the right to vote. There should be no obstacle. There should be no obstacle to exercise that right.

Also, when we talk about supporting this, another argument my colleagues put up is that it is a small price to pay. It is a small price to pay to have to show an ID. Now, look, I am not here to talk about statistics or case law. I did that in another life. But I will say, when you say to people, it is no small price to show an ID to cast a vote, we forget that there are many, many, many people throughout the Commonwealth who simply do not have

it. Just because we have it does not mean that other people do. I have a significantly high population, Mr. President, of senior citizens in my district. Many times, we have found senior citizens just do not have photo identification. There is nothing wrong with that. There is nothing criminal afoot. There is no reason to be suspicious of our seniors.

Why are you suspicious of people who do not have a photo ID? My cousin did not have photo ID for years. He has a job, he pays his taxes. Nothing is wrong with that. Maybe this is why, because religiously, two times a year, he goes to the polls and he votes. Yes, Mr. President, he votes Democratic. Is that why you are suspicious of him, because he does not have a photo ID? I guess that will be for the people to decide. Three-hundred and forty thousand Pennsylvania seniors do not have a State-issued photo ID card, 340,000 people that we know of right now who do not have the necessary identification to comply with this law today, and you want to enact it immediately. You want this to go into effect yesterday.

This administration cannot wait to get this law passed, just like they could not wait to go after women's right to healthcare access a year ago, just like they could not wait to get 40,000 people off of adultBasic healthcare. We have a significant, significant priority problem in this building, and it is becoming increasingly clear that the lack of focus and leadership of this administration is more than just troubling. Seniors are in trouble, new citizens, groups that do not regularly vote. It is often difficult for portions of the population to just make it out to the polls. Why does their vote, Mr. President, count less? Not only is it a waste of time, but yes, it is a waste of money, because that seems to be the only thing that resonates with this administration. When this Governor hears about money, he starts perking up because we have to save every single dollar we can. Why? Because the people of Pennsylvania need to tighten their belts. What have we been told? They need to live within their means. There is just no money for that.

I know that is what he believes because his cabinet members came in for 3 solid weeks and said it every single day, after day, after day. They may not really know what it is like to be trying to earn a living in Pennsylvania each and every day, or trying to do it without a job, but they sure know how to stay on message. They are great at that. A fantastic PR firm works for these guys. There is no money. I am sorry, people, there is just no money for the programs that you need, not that you want, or that would make your life full of luxury, programs that you need: education, job training, small business development. There is nothing for that. Four-hundred million dollars we cut to early learning and targeted programs for struggling students, and another 30-percent cut in State-related higher education funding.

How can you sit there and tell these people that there is no money for education, there is no money to help their daughters and sons go to college, and then move to spend \$11 million on this ridiculous, ridiculous program. The biggest question, the first one that comes to my mind, is where the heck did you find the money? Because 2 weeks ago, there was none, and all of a sudden, almost overnight, this Governor found \$11 million to move forward with this voter ID program that does nothing more than take away a citizen's most fundamental right.

You know, it is amazing, Mr. President, it is amazing how we spend our time in this building. It really is. You know, somebody said to me, sometimes you appear very angry when you are up

there, and you are upset. I say, do you know what? The people I represent, they do not want to hear me get up and talk about a road or a bridge. These are people who, when they send e-mails or their faxes come in, they are genuinely upset and they are ticked off. You wonder why so many of us are upset. You wonder why so many of us get pissed when we cannot find money for education for kids.

Eighty-nine thousand kids have been cut from Medicaid since August. Pennsylvania used to be a leader. We used to pride ourselves on having medical care coverage for each and every kid, and what are we now? We are followers. We are going to follow the 15 other States that have gone out of their way to take away someone's right to cast a ballot. How can you go, in less than 24 months, from being a leader to being a follower? That is what we are.

We used to be a leader in so many areas. It did not matter what political persuasion you were. We used to pride ourselves that we had kids who we covered, and since August, 89,000 of them have been cut from Medicaid.

Eleven million dollars. Does it really matter, Mr. President, if it costs \$11 million, or \$5 million, or \$2 million? The fact that it costs anything in these, as they say, difficult budgetary times, is this really the way we should be spending our time? See, I believe this is one of those moments when you get your Constitution out, start looking at it, and wonder why you were sent here, because if you really believe that you were sent here for reform and to make government better, then you do not vote for something like this.

How many people in this building pride themselves because they won an election by a percentage point or two, 50, 60, 70 votes? Imagine if this law was in place then and your 50 or 60 voters got turned away. Then you would have missed out on the opportunity, the honor, and the privilege. I know the way I feel. I thank God each and every day for the ability to do this because I love what I do, I truly, truly do. I love it. I know I am here, I know I am here because people had the right to exercise the most fundamental principles.

So I want to close, Mr. President. We know how this is going to go. This bill is going to pass and this Governor eventually is going to sign some form of this into law. But to anybody out there watching, there is one more shot. There is one more shot, when this thing goes back to the House, to do something. We have one more chance to do the right thing and one more chance to show leadership. I wonder, Mr. President, if this Governor will see the light and say, not now. Now is not the time to do this.

Thank you, Mr. President.

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

Senator FONTANA. Mr. President, an earlier speaker from the other side of the aisle spoke of legislation he would like, or he is going to be working on, that would increase voter participation. Well, I welcome that kind of legislation. Of course, House Bill No. 934 surely does not do that. House Bill No. 934 will decrease voter participation in Pennsylvania. That same speaker also mentioned that many residents are in favor of this legislation. Well, again, Mr. President, I have received hundreds and hundreds of e-mails, and I know this General Assembly, as a whole, has received thousands of e-mails requesting a "no" vote on House Bill No. 934. And why? Because these residents realize that House Bill No. 934 is a takeaway of their basic human

liberty held sacred in this country, and that is our citizens' undeniable right to vote in the democratic process.

So I am going to call this as I see it. This orchestrated plan that will disenfranchise voters is based on an unrealistic premise, that premise being that urban areas such as Philadelphia, Pittsburgh, Harrisburg, and other pockets of the Commonwealth win elections for only Democratic candidates. Of course, we know that is simply false. If that were true, Pennsylvania would have elected President Gore, President Kerry, and Governor Onorato. Of course, we all know that has not happened, but I guess some of you do not want to take any chances, and that is why there is House Bill No. 934.

As many of my colleagues have eloquently stated, this is simply a solution in search of a problem. During the last 10 years, there has been no documented cases of voter fraud in this Commonwealth, that is zero, not one instance. Yet, we are wasting the people's time, the people's efforts, and if estimates are correct, several millions of dollars, valuable tax dollars, to create this program, not just this year but in years going forward. House Bill No. 934 will alienate many of our citizens, especially Pennsylvania's poor, elderly, and minorities. For what? So that this administration, this Governor can say he was tough on a problem that never existed? Frankly, Mr. President, I think this legislation is mean-spirited, and highly suspect at least. It is legislation that will decrease voter participation, and is a slap in the face of our democracy.

Thank you, Mr. President.

The PRESIDENT. The Chair recognizes the gentlewoman from Berks, Senator Schwank.

Senator SCHWANK. Mr. President, we have had a long afternoon, and we have had many Members of this Assembly talk about this bill. I recognize we would probably like to leave and get this over with, but I feel so strongly and so adamantly opposed to this legislation that I have to stand up and talk about this, and help express my views on how wrong this action is that we are about to take.

Here is what I believe this bill will accomplish. Legitimate votes in my district and your district possibly will not be counted. Thousands of involved voters will need to make twice as much effort as others just to vote, the very act that a democratic system depends on to exist. Although it will not affect most voters, for whom it requires nothing more inconvenient than remembering to bring your purse or wallet, it will not be so simple for seniors who no longer drive, the disabled who never drove or no longer drive, and city residents who have never needed a license.

Several years ago, while I was a Berks County Commissioner, I had the good fortune to meet an inspiring 95-year-old woman named Anna Urban. Anna had worked in our area's sewing factories her whole life, and she was proud that her voting record dated back to the Depression. But typically for someone of her age, she did not drive. I met her on an election day because she was determined to vote, but it was too far to walk. She did not have family or friends who could drive her, and she could not remember the phone number for free transportation to the polls. Because of physical disabilities, it was even difficult for her to just get into a car. Here is what she did. She dialed 911. She called our county emergency dispatch center, which put her in contact with our election services director, who in turn referred her to me. I have to tell you that when Anna walked into

that polling place on my arm, she was so happy to be there, you would have thought she was Lady Liberty herself.

The story made national news, and it turned out to be the last vote that Anna ever cast. She died shortly thereafter. If this bill had been law, Mr. President, there would have been a tragic footnote because Anna did not drive and she would not have had a photo ID. In order for her vote to count, not only would she have to find someone to drive her back within 6 days to the election office in Berks County, which is in the courthouse in center city, with the ID, she also would have had to find someone to help her get that ID within 6 days in the first place. She was a very determined woman, so it is possible Anna might have managed to gather up the documents to prove to PennDOT who she was, arrange for a ride to and from the PennDOT license center in time to meet with election officials, and then arrange another ride to and from the election office during business hours.

You and I both know that is much more than most voters have to do, certainly, and at 95, the odds really would have been long for Anna to be able to accomplish that. For her, and tens of thousands of Pennsylvanians like her, this bill makes voting a commitment test. Just how much do you really want to vote anyway? That is what this bill is asking you. But it only applies to some voters. That casts a much broader and darker shadow on the integrity of an election than infrequent and isolated claims of voter fraud. Election fraud can defeat the will of the people, but suppression of that will by the government, which House Bill No. 934 would be, can break the will of the people.

When Anna's generation, the generation we so easily praise as the greatest, were young, they put on the uniform of one country, not of a political party. When they sweated in the jungles and shivered in deep snowy forests, they were protecting democracy for all of us. Like Anna, they believed in the importance of everyone's vote.

Supporters of House Bill No. 934 have asked me, if you have to show ID to cash a check, why not to vote? Sounds simple. Well, voting is a fundamental right, of course, and cashing checks is not. But there is another really big difference. ID is required to cash checks because people fraudulently cash checks all the time. We know that. Even though they risk jail, they have a greater hope of walking away with the cash. I cannot imagine what someone who impersonates a legitimate voter would hope to walk away with, except an "I voted" sticker.

The fact is that the fraud problem House Bill No. 934 claims to address just does not exist. But while many public services face deep cuts, this will cost Pennsylvania taxpayers at least \$4 million, and probably as much as \$11 million. If there is no problem, then voter ID has no more legitimacy than discredited and prohibited voting barriers like poll taxes and literacy taxes did. In fact, I suggest that this bill is nothing more than those barriers, those hated barriers that we have learned about in history books, dressed up in a new suit.

Anna Urban showed me how much determination and assistance just one trip could require, Mr. President. Let us stand up for both fiscal responsibility and the 8.5 million voters in Pennsylvania who expect and deserve a fair count of their votes. Voting should not be an endurance test. Please let us vote this bill down. Thank you.

The PRESIDENT. The Chair recognizes the gentleman from Lackawanna, Senator Blake.

Senator BLAKE. Mr. President, I rise obviously in opposition to House Bill No. 934. Perhaps my remarks can go under the heading, everything has been said but not by everyone. So I will take a few moments here to express some sentiments regarding this bill, and maybe echo some of the comments of my colleagues. The right to vote, the most fundamental right of our democracy, and as it has been said by my colleagues, people have died for this right to vote. I cannot imagine anyone in this Chamber wants to deny or disenfranchise this particular right. I know I do not. I know I will not.

As the Democratic chair of the Committee on Local Government, I am actually proud of the assertion of the County Commissioners Association of Pennsylvania, because they know the dedication of the county workers who take on this responsibility. House Bill No. 934 is an insult to these election workers. They have taken an oath, just as we have taken an oath to serve in this Chamber. They take enormous pride in their work, they take the responsibility seriously, and many of them have spent most of their lives taking on this responsibility, participating in and stewarding our mature democratic process.

I consider the circumstance of a singular voter, perhaps an elderly woman who has voted in every election for 60 years. Maybe she shows up at the poll, and they ask her for ID, and maybe she cannot provide it. You do not have the specified ID. So consider her distress and embarrassment at that moment. Consider the poll worker who knows her, probably lives down the street, maybe around the corner, but he or she cannot let her vote. Consider the insult of that experience, for both of these Americans.

The Majority Leader indicated that no one will be turned away and that there is a provisional ballot. Well, we do not have provisional citizens. Provisional ballots are going to require people to go back to the county election office and produce some ID. Maybe some of them will have to take a day off from work to do that. I can assure you, I submit that if this bill becomes law, provisional ballots will not be counted. I think of this a little bit like Monopoly, when the person gets there and cannot vote, because the ID is the Get Out of Jail Free card. We have made the ID the Get Out of Jail Free card for the voting monopoly that is produced by House Bill No. 934.

The bill is set forth by the Majority in the name of securing integrity in the democratic process, but that assertion itself lacks integrity. You have already heard the data conveyed by my colleagues. And the money. I just came through the Committee on Appropriations, just as you heard from Senator Farnese and others, regarding the fact that there is no money. I looked at the fiscal note for this. There was some exchange here between Senator McIlhinney and Senator Williams, Mr. President, about the fiscal note for this. Four million dollars in one-time money, Federal money for education and outreach; maybe a million dollars, according to the Majority fiscal note, to implement reimbursement to PennDOT for the free IDs that they would provide to enable people to vote. But the other little subtle piece in the fiscal note is the \$2.264 million per year, going forward, that the State taxpayers would have to pay to administer this bill.

You know, we have had a lot of talk here about unfunded mandates. When we have such scarce resources, this really seems like ill-spent money. For every dollar we take from the private sector, we had better be offering at least a dollar in value, we should not be taking it. I do not believe there is any value in

this expenditure. For what benefit do we incur these costs? Next to no benefit, as has been articulated by my Members.

Senator Hughes mentioned a lot of stats in the Committee on Appropriations. Twenty million votes cast, four convictions for fraud. Who would want to go in to impersonate a voter for one vote, given the extraordinary risk and the penalty associated with that? It just does not happen. I looked at the voter turnout back home in the past couple of elections. The general election of 2008, less than 70 percent, meaning 30 percent of registered voters did not vote; primary of 2009, 37 percent; general of 2009, 34 percent; primary of 2010, 36 percent; general of 2010, 46 percent; primary of 2011, 36 percent; and general election 2011, 33 percent. Why such a poor voter turnout? I will tell you why, because when our partisan, self-interest party politics infect the public policies of our governance in this building, voters lose faith, that is why.

This vote on House Bill No. 934 is just another nail in that coffin of voter enthusiasm, because they are already cynical enough about our process. I really believe that we have an obligation to keep our party politics away from our governance once we get inside this Chamber. It is just like redistricting. This is a little bit of a partisan move. I believe, Mr. President, it is the wrong move. I think our voters deserve more, because they are the boss, and there should be no bar set for them to not exercise their most important right as Americans. I encourage a "no" vote on House Bill No. 934.

Thank you, Mr. President.

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

Senator KITCHEN. Mr. President, a lot has been said, but I just want to repeat one final time, there will be a cost for poor people in this State to get the type of ID that we are asking for in the legislation. Yes, people do have ID, and yes, it is legitimate, legal ID, but we are asking for a specific ID. We do not know how much a citizen will have to pay to get someone with a car to take them to the DMV. Is it going to be \$25 one way, \$30 one way, with the rising cost of gasoline? A trip may cost \$60, and in the urban areas, they probably can take the bus, which is still an added expense, but some people in Pennsylvania cannot just jump on a bus.

In addition to that, to get the type of ID we are asking for, certain documents must be produced, and a couple of those documents, I am specifically talking about a birth certificate, do cost money. That is a cost to poor people. It does not matter whether you are in Philadelphia or in Berks County or what county, poor people cannot afford to keep having these new laws costing them money. And what are we doing? We are cutting every program to make poor people independent, to put more money on their tables, and we have the audacity to come up with this proposal, which will be law in a little while, we come up with this and say that it is solving a problem. Well, the poor are the most disenfranchised group of voters because they have yet to realize their power and what they can do.

So this really cannot be checking voter fraud among this group while they have to have this certain ID. We really cannot say, oh, well, in 6 days they can come back—they can vote with an affidavit and come back in 6 days. If the law is to have the ID, then we know that voters have to have the ID. In 6 days, people

may be struggling then to get to the grocery store or get their kids from school or wash and clean up so they can go to work the next day.

So it is not even a good idea to suggest that the alternative method becomes the main source of voting. The problem is, if this legislation passes, then people have to have the ID that is in the legislation. It will cost some people money, and that is one of the big concerns. Also, even if we had more time so that folks could get acclimated to these changes, then I think it would not be such a hardship, and people would not feel like they are being treated unfairly.

So, Mr. President, I hope--and I am not going to talk any longer--but I hope everybody takes note of what I have just said. As I close, I will say that this will cost poor people, just as certain other laws that we have passed have done. This is going to cause poor people across Pennsylvania, no matter where they live, to have to dig deeper into their pockets.

Thank you, Mr. President.

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

Senator STACK. Mr. President, I will be short. A couple of hours ago, I rose with an amendment to encourage the ability of veterans to be able to vote, and that amendment was voted down, 28 to 21. I feel badly about that, and some of the responses that came from the Majority were simply that my amendment was not necessary.

I just want to keep this body current, and I will not read the whole article, but this is from the Cleveland Plain Dealer, yesterday's paper, from the great State of Ohio. It seems that some of this reactionary, anti-democratic legislation seems to flow first through Ohio and then here to Pennsylvania. But from yesterday's paper, "A Portage County World War II veteran was turned away from a polling place this morning because his driver's license had expired in January and his new Veterans Affairs ID did not include his home address." Quote, "My beef is that I had to pay a driver to take me up there because I don't walk so well and have to use this cane and now I can't even vote." This was a World War II veteran named Paul Carroll, 86 years old. Mr. Carroll went on to further say, "I had to stop driving, but I got a photo ID from the Veterans Affairs instead, just a month or so ago. You would think that would count for something. I went to war for this country, but now I can't vote in this country."

One of the election officials who was asked about this had the following response. Her name was Mrs. Lyon. She said, "sometimes voters, especially elderly, don't trust the provisional ballot because they think it's not going to count."

Well, after all of this, Mr. Carroll went home and talked to his wife, Dee, and when the reporter talked to her, she said she was not pleased, naturally. She said, I am kind of glad I was not able to make it to the polling place, "because I would have been really incensed - he's a veteran! I probably would have got on the phone right away and called the mayor or somebody." All I would say to Mrs. Carroll is, it is a good thing she would not call an elected official in the Majority of this body, because she would have been told, sorry, you are out of luck, lady.

Thank you, Mr. President.

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

Senator COSTA. Mr. President, as you can see from this side of the aisle, there is a great amount of passion about this issue

and the amendments we discussed earlier. A number of things have been commented on, and I would like to offer my comments for the record today.

Thank you, Mr. President.

The PRESIDENT. Without objection, the remarks will be spread upon the record.

(The following prepared remarks were made part of the record at the request of the gentleman from Allegheny, Senator COSTA:)

Mr. President, I rise to oppose the so-called voter identification legislation, House Bill No. 934. Let us be clear, what is before us in this legislation is a solution looking for a problem. There is virtually no voter fraud in Pennsylvania and there is no reason for this legislation. We all know the statistics. In the 2008 Presidential election, there were only 4 cases of voter fraud reported out of the 8.7 million registered voters in Pennsylvania. Since 2004, there have been more than 20 million votes cast in Pennsylvania, and there have only been 4 convictions for fraud.

So, what are we doing here? Simply put, this bill is putting into action a part of the national Republican agenda to suppress voters before our next Presidential election in November. And, who are the targets of the national Republicans: seniors, the disabled, minorities, and the poor. Unquestionably, this is a measure that will create obstacles for demographic groups that traditionally cast their votes for Democratic candidates. It is an attempt to prevent folks from exercising their franchise in national, State, and local elections.

The legislation fails the constitutional test of guaranteed equal protection for all. It creates arbitrary barriers for selected constituencies who will be prevented from using their constitutionally protected right to vote. It is a bar from participation, and it is wrong. It will not stand up to judicial scrutiny. But, that is not all. This measure also fails other Constitution protections such as due process. There is no immediate appeal to a court for immediate redress when a citizen who is registered to vote is prevented from casting a ballot in the normal way. Mr. President, please do not tell me about the provisional ballot process as being a suitable legal alternative to the regular voting process. In real terms, the voters who are impacted--seniors, students, minorities, the disabled, and the less affluent--are not going back to an election office to present a photo ID, even if they have one. Their vote will not count.

To be clear, if this bill becomes law, it will be challenged in court. These will be strong challenges, and they will be based on these elements, among others: The bill is discriminatory. The bill violates equal protection. The bill discriminates against students in college who go to school out of State. The bill also discriminates against college students in State because of differing formats of students IDs, some having no expiration dates. The bill muddles the absentee ballot process. It is unclear about the form of identification when casting a vote and how that ID may be presented, creating requirements that are discriminatory. Under the measure, the government is imposing an obligation--the acquisition of an ID to cast a vote--without a plan, and at a cost of millions of dollars. In short, we are creating a barrier to voting.

Let us see what the courts have already said about this approach. Well, a recent case challenging a Wisconsin law that is very similar to what we have in front of us today was struck down. The judge in Wisconsin granted an injunction because there is a "real cost that is imposed on constitutionally eligible voters," adding that was especially "burdensome" for the elderly and disabled. He said the ID requirement fell disproportionately on elderly people, people of color, and poor people, and said claims that the voting process needed to be policed to prevent voter impersonation, or fraudulent voting, were overblown and "extremely unlikely." The judge is correct, but our law is worse because this measure comes with a huge cost that will be borne by the taxpayers of this State. In fact, some outside groups estimate that the cost of the implementation of this measure is \$11 million.

Our Committee on Appropriations' fiscal note says the cost will be \$4 million. The Republican note says the cost is \$1 million, but admits that the recurring cost of continuing this voter identification process will be over \$2 million per year. In this era of tight budgets, when the Corbett Administration is slashing basic education funding by a billion

dollars over the last two years, we suddenly have an extra million or two to earmark for this partisan political purpose?

No, Mr. President, this is the wrong approach. There is virtually no fraud to squelch. The bill violates the Constitution and will not be upheld in court. It will cost between \$1 million and \$11 million to administer, depending on whose number you believe. It will create obstacles that disproportionately impacts seniors, the disabled, students, minorities, and the less affluent. Again, there is virtually no fraud to eradicate. It is like using a 24 karat gold sledgehammer to kill an ant you cannot see.

I ask for a negative vote. Let us stop wasting time and move on to creating jobs, funding transportation, repairing the State's safety net, and investing in schools.

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

Senator HUGHES. Mr. President, I rise, not to anyone's surprise, to encourage people to vote against this voter suppression bill. House Bill No. 934 cannot be considered anything more than the responsibility or the right to keep people away from voting. This measure is all about suppressing the vote, and it targets a very specific constituency that this administration, after 15 months, has shown that it cares absolutely nothing about. As I have said before, Mr. President, this administration has shown that it intends and has already kept its foot on the neck of working people and low-income people, and now it is doing it with their right and their opportunity to vote.

Time and time again, Mr. President, speaker after speaker on this side has shown, for various different constituencies, why this measure does not work. Senator Stack just rose on the floor and talked about the fact that veterans will be denied the opportunity to vote, veterans who have gone to fight for this country, but then when they come home to cast their vote—they fought for the very right that they could not participate in, that they could not access. That is what this voter suppression bill does, Mr. President, House Bill No. 934.

Some people want to call it the voter ID bill. It is clearly, without question, without hesitation, the voter suppression bill. Senator Kitchen talked about low-income individuals and how this measure targets them. It is about voter suppression, Mr. President, nothing more, nothing less. The right to vote is constitutional. It is not a right of access to a building, as was talked about in the Committee on Appropriations yesterday. It is not about the right to even have a driver's license, Mr. President. The right to vote is constitutional. It is a constitutional right provided for in the United States Constitution and is a fundamental and supposedly inalienable right. It is not to be tampered with. It is how each one of us got to this Chamber. We got to this Chamber because people chose to utilize this right, this right to vote, this constitutionally protected right to vote. This measure, this voter suppression bill, tramples all over that right.

It is interesting, Mr. President, as we have gone through our process of trying to get our names on the ballot so that we could get reelected or elected to serve in this body, every aspect of that process errs on the side of rules, on the side of people participating. In our petition process, we try to go through our petitions to make sure that the people who sign, that they sign with the intent of each one of us, or someone who may be running against us, to get access to the ballot. The courts have consistently ruled, up and down, statewide, nationally, and erred on the side of people participating in the electoral process. However, House Bill No. 934, the voter suppression bill, does something that tramples

over all of that history, all of that body of work. It tramples over the rights of individuals who want to exercise their right to vote, something that is fundamental to this nation and to all of us being a part of this process.

House Bill No. 934, the voter suppression bill, is a solution in search of a problem. There is no fraud that this bill intends to protect against. Senator Leach and many others have talked about and have run through all of the statistics, point after point, across this State and nation, about the fact that there is an incredible lack of fraud in this whole area. In the 2008 election, Mr. President, there were only 4 cases of voter fraud reported out of the 8.73 million registered voters here in Pennsylvania. President George Bush's Department of Justice found only 86 cases of fraud in the United States in between 2002 and 2007, out of almost 300 million votes that were cast. Here in Pennsylvania, Mr. President, since 2004, we have cast 20 million votes and have had 4 convictions for fraud.

But it is not just a Pennsylvania situation, Mr. President, it is a national issue. In Ohio, a statewide survey found 4 instances of ineligible voters voting or attempting to vote in 2002 and 2004, out of over 9 million votes cast, a rate of 0.00004 percent, an incredible lack of fraud. In Missouri, out of the 2.3 million votes cast in 2000, only 6 substantiated instances of ineligible voters were uncovered. In Wisconsin, 7 cases of voter fraud were found out of 3 million votes cast during the 2004 election, a fraud rate of 0.0002 percent.

Mr. President, this is a solution searching for a problem, and the problem with that is the fact that it tramples over the rights of the people who intend to vote legitimately, while trying to clean up a problem that simply does not exist. House Bill No. 934, the voter suppression bill, Mr. President, costs money to try to implement. We have a very different number of costs, \$4 million, one study; \$1 million, another study; another study says it is \$11 million. Mr. President, these are precious dollars that could be spent in other areas trying to deal with other crucial issues across the State of Pennsylvania, like kids going to college, kids needing healthcare services, or families needing jobs. All kinds of issues could be addressed by the dollars that have been targeted, or will have to be spent, for this particular measure, Mr. President.

This is only about suppressing the right to vote, because the good logic of this body, I am sure, would say that those dollars could be spent doing something more constructive as opposed to trying to ferret out a problem, fraud that does not exist. Mr. President, House Bill No. 934, this measure, the voter suppression bill—not the voter ID bill, the voter suppression bill—is filled with a process that has flaws up and down every side of it.

They talk about needing a birth certificate in order to get your photo ID. If we look through the process, even the Governor's budget book says it is a 5-day wait to get your birth certificate. But if you check in any one of the offices where you have to go fill in the application, they will tell you it is almost 12 weeks to get a birth certificate. You need those 12 weeks in order to get your photo ID. Mr. President, it does not make sense. It does not add up. The process is inconsistent with what it is we need to get accomplished, when people understand what their circumstances are.

PennDOT photo ID centers, in many places across the Commonwealth of Pennsylvania, are closed on Mondays, and they will be closed before election days in many situations, Mr. Presi-

dent. Then, the centers are not open for the 4 hours that the election polls are open on election day in case someone has to go and process, in an expedited fashion, a photo ID. Mr. President, the process does not work. It is voter suppression. If we are all about trying to make sure that people engage in the political process, we would create an environment that allows that to occur. This does not do that, Mr. President. It is about suppressing the vote.

It is a continued step in this administration's attempt to put its foot on the neck of working individuals, working families, middle-class families, and poor families. Mr. President, when you look at who is targeted in this legislation, in this voter suppression bill, you see that it is a very finite, targeted community that is suffering dramatically from all of the other aspects of the work done by this administration. Three hundred and forty thousand seniors will be targeted in this bill, Mr. President, mostly poor individuals, mostly minority communities, African-American and Latino communities. In many respects, this measure is very consistent with what a judge ruled in Wisconsin. Senator Leach talked about it earlier, when the judge said that this is almost like a poll tax, a poll tax to allow people to vote.

Mr. President, this is a targeted measure. It is about voter suppression. It is a targeted measure in a politicized environment, one of the most politicized national environments that we have seen in many, many decades. It is interesting to note that this whole idea of voter ID or voter suppression is being tried out, tested, and moved on in almost 20 different States across the country. It is interesting to note, Mr. President, in those 20 different States, the Governor's Offices are controlled by the Republican Party. So in 20 different States, Republicans are making a concentrated effort, as is the case here in Pennsylvania, to suppress the vote in a targeted community that should be encouraged to participate in the electoral process. But, in these 20 States, these targeted communities are being addressed and denied, or moved on, to be denied their opportunity to vote. Twenty Republican governors, 20 attempts to suppress the vote.

As I said earlier, Mr. President, there is a continuity here, a continuity of policy that is against those individuals who are working, trying to find a job, or who are on the low rung of the economic ladder. It is really interesting that it runs the course of every one of those individual's life realities. You look at who is being targeted, Mr. President, and it runs every aspect of their situation. Start with last March, or at the end of last February, when the adultBasic program was ended and working individuals lost healthcare services. Move up during the course of the year when over a billion dollars were cut out of basic education funding, and 70 percent of all of the school districts in the Commonwealth of Pennsylvania had to raise their local property taxes, and 14,000 teachers and education personnel lost their jobs, working individuals, trying to make a difference in their lives and communities. Committed to trying—especially in our education profession—to lift folks up by educating them, they lost their jobs.

So they lost their healthcare, a billion dollars was cut out of education, 14,000 education personnel and other folks across the Commonwealth lost their jobs. Tuition increases, 7, 8, 9 percent for kids trying to go to college. There is a continuity here, Mr. President. You can see it. It is very visible, it is very credible, and it is a picture that is becoming even more crystal clear about what this administration is all about. It is not for working indi-

viduals, low-income individuals, or constituencies who want to move themselves forward and try to improve their circumstances.

AdultBasic, cut; education, cut; tuition increases. Just recently, Mr. President, about 3 months ago, the administration announced it is going to throw people off of food stamps. You can no longer get your food stamps. Then, Mr. President, right after that, they cut out about 88,000 children from receiving their healthcare services, and over 100,000 adults in the same process, low-income individuals and poor folks. To cap it all off, the no-jobs program, no attempt to put people back to work. So we cut their healthcare services, we threw them off of food stamps, we cut the Medical Assistance support for children, we shut down the adultBasic program to make sure that folks who are working, mostly women, no longer have healthcare services. We have no jobs program to put Pennsylvania's people back to work. We lay off 14,000 educators and other folks, no job increase. The unemployment rate last April was 7.5 percent. Now, this March it is 7.6 percent. No job increase.

Now the final cut of all, Mr. President, the final dagger in the hearts of Pennsylvania's people is to suppress them and their opportunity to vote, no option to participate in the political process. You are not allowed. You do not count. It was already determined from the cuts in the adultBasic program all the way through food stamps, no job creation, healthcare cuts, no job creation, it was already determined that those individuals did not count, and now the unkindest cut of all, Mr. President, remove their right to vote. There is a picture that is being drawn that is becoming crystal clear about the direction of this administration. Tuition increases, cuts in education services, throwing people out of healthcare programs, do not worry about creating jobs, big tax breaks for the wealthiest corporations in the Commonwealth of Pennsylvania, no help for the average Joe Blow small business person, and the unkindest cut - take away their right to vote.

Mr. President, there is a picture that has been drawn here. It is clear. I have said it before, this administration has its foot on the neck of low-income and working individuals. It has been evidenced by every major policy decision that they have tried to accomplish in the past 15 months. This bill kind of caps it all off. House Bill No. 934, the voter suppression bill, denies people the opportunity to vote, and puts them in second-class status. Mr. President, unequivocally, there must be a "no" vote on this bill.

Thank you, Mr. President.

The PRESIDING OFFICER (Senator John C. Rafferty, Jr.) in the Chair.

LEGISLATIVE LEAVES

The PRESIDING OFFICER. The Chair recognizes the gentleman from Delaware, Senator Pileggi.

Senator PILEGGI. Mr. President, I request a temporary Capitol leave for Senator Piccola.

The PRESIDING OFFICER. The Chair recognizes the gentleman from Allegheny, Senator Costa.

Senator COSTA. Mr. President, I request a legislative leave for Senator Ferlo.

The PRESIDING OFFICER. Senator Pileggi requests a temporary Capitol leave for Senator Piccola.

Senator Costa requests a legislative leave for Senator Ferlo. Without objection, the leaves will be granted.

And the question recurring,
Shall the bill pass finally?

The PRESIDING OFFICER. The Chair recognizes the gentleman from Bucks, Senator McIlhinney.

Senator McILHINNEY. Mr. President, I would just like to submit my remarks for the record, as well as the fiscal note. I urge an affirmative vote.

Thank you, Mr. President.

The PRESIDING OFFICER. Without objection, the remarks will be spread upon the record.

(The following prepared remarks were made part of the record at the request of the gentleman from Bucks, Senator McILHINNEY:)

SENATE APPROPRIATIONS COMMITTEE
FISCAL NOTE

August 17, 2017

BILL NO. House Bill 934 **PRINTER'S NO.** 3166

AMOUNT **FUND**

\$1,000,000 in FY 2012 General

\$3,837,500 in FY 2012 Federal Funds

DATE INTRODUCED **PRIME SPONSOR**

March 4, 2011 Representative Metcalfe

HISTORY OF BILL

Referred to STATE GOVERNMENT, March 4, 2011
Reported as amended, May 9, 2011
First consideration, May 9, 2011
Laid on the table, May 9, 2011
Removed from table, May 24, 2011
(Remarks see House Journal Page), June 20, 2011
Second consideration, with amendments, June 21, 2011
Re-committed to APPROPRIATIONS, June 21, 2011
(Remarks see House Journal Page), June 21, 2011
Re-reported as committed, June 22, 2011
Third consideration and final passage, June 23, 2011 (108-88)
(Remarks see House Journal Page), June 23, 2011

In the Senate

Referred to STATE GOVERNMENT, June 28, 2011
Reported as amended, Dec. 12, 2011
First consideration, Dec. 12, 2011
Re-referred to APPROPRIATIONS, Dec. 14, 2011
Re-reported as amended, March 5, 2012

DESCRIPTION AND PURPOSE OF BILL

House Bill 934 amends the Election Code to require each voter to present proof of identification when he or she appears to vote at any election. "Proof of identification" is defined as:

2. In the case of an elector who has religious objection to being photographed, a valid-without-photo driver's license or identification (ID) card, issued by PennDOT;
2. In the case of all other electors who vote in person, a document that satisfies all of the following:
 - a. Shows the name of the individual and the name substantially conforms to the name of the person as it appears in the district register;
 - b. Shows a photograph of the individual;
 - c. Includes an expiration date which is not expired, except in the case of an ID card issued by PennDOT which allows a 12-month grace period for expired licenses, or military ID cards which show an "indefinite" expiration date.

3. The document must be issued by one of the following:
 - a. The Commonwealth of Pennsylvania
 - b. The Federal Government
 - c. A Pennsylvania public or private institution of higher learning
 - d. A Pennsylvania care facility
4. In the case of a qualified absentee elector who is applying for an absentee ballot:
 - a. For an elector who has been issued a valid driver's license, the elector's driver's license number;
 - b. For an elector who has not been issued a current and valid driver's license, the last four digits of the elector's social security number;
 - c. For an elector who has a religious objection to being photographed, a copy of a non-photo ID card issued by PennDOT;
 - d. For an elector who has not been issued a valid driver's license or a social security number, a copy of the same type of photo identification required at the polls.
5. A qualified absentee elector is not required to provide proof of identification if the elector is entitled to vote by absentee ballot under the Uniformed and Overseas Citizens Absentee Voting Act or by an alternative ballot under the Voting Accessibility for the Elderly and Handicapped Act.
6. For the absentee ballot applicant whose proof of identification was not provided or could not be verified by the election board, the board will send a notice with the absentee ballot to the elector requiring the proof of identification or the ballot will not be counted. If an elector fails to provide proof of identification that can be verified by the county board by the sixth calendar day following the election, then the absentee ballot shall not be counted.

The Secretary of the Commonwealth is required to prepare and disseminate information to the public regarding the proof of identification requirements.

The Department of Transportation is required to issue a non-driver identification card, at no charge, to any voter who signs a statement declaring under oath or affirmation that he or she does not possess proof of identification and that he or she requires such proof for voting purposes.

A provisional ballot may be cast if the elector is unable to produce proof of identification. In this case, the voter must execute an affidavit and provide proof of identification by either appearing in person at the county board of elections or by submitting such proof by electronics means, fax, or copy within six calendar days following the election.

The bill permits a voter to cast a provisional ballot if they are indigent and unable to obtain proof of identification without payment of a fee or otherwise unable to obtain proof of identification. This person must appear before the county board of elections or the county board of elections must receive a copy of the affirmation by electronic means, fax, or copy within six days of the election to affirm his or her indigence in order to have the provisional ballot counted.

The Attorney General has prosecutorial jurisdiction over all violations committed under this act. The district attorney of any county has concurrent powers and responsibilities with the Attorney General.

Effective Date: For elections held after January 1, 2012 and prior to September 17, 2012, election officials at the polling place shall request that every elector show proof of identification. However, if an elector fails to provide proof of identification and the elector is otherwise qualified, the elector may still cast a ballot. For elections beginning September 17, 2012, proof of identification will be required to vote at every election or a provisional ballot must be cast and the elector will be required to provide proof of identification within six calendar days after the election.

FISCAL IMPACT:

The Department of State (DOS) will use the federal funds available through the Help America Vote Act (HAVA) to fund the cost of the education and outreach provisions in the bill in calendar year 2012. All forms of advertising, including newspaper, radio, TV, web, mailings and telephone calls before both the primary and the general elections will cost about \$3,837,500 in federal funds. The DOS has allocated approximately \$4 million in HAVA funds to cover all these types of information dissemination provisions.

The DOS will be responsible for reimbursing PennDOT for the cost of producing the non-driver's license identification (ID) cards to be issued at no charge to a voter who signs a statement declaring under oath or affirmation that he or she does not possess proof of identification and that he or she requires proof of identification for voting purposes. PennDOT states that their cost of producing a non-license ID card is \$13.50 each. It is assumed that about .929% of registered voters in the state do not have a PennDOT ID card. Applying that percentage to the number of registered voters as of 4/18/11 and multiplying that result by the \$13.50 yields a total estimated cost of \$1,024,191 for the latter part of FY 2011-12 and early FY 2012-13.

The Governor's proposed budget for FY 2012-13 contains a General Fund appropriation of \$1,000,000 to reimburse the Motor License Fund for the costs of issuing photo identification cards for voter purposes.

In future years, the DOS will continue to incur costs for reimbursing PennDOT for renewing non-license ID cards which will be issued at no charge to voters who sign a statement declaring under oath or affirmation that he or she does not possess proof of identification and that he or she requires proof of identification for voting purposes. Per PennDOT, the average number of non-license ID renewals per year is 215,000. Per DOS, as of the June 30, 2011 CVAP report to Congress, the registration rate of the voting age population for active voters is 78%. If it is assumed that all of the estimated 167,700 possible active voters who would renew their non-license IDs would sign statements declaring under oath or affirmation that they do not possess proofs of ID and they require such proofs for voting purposes, the cost to DOS to reimburse PennDOT in each future year could maximally be about \$2.264 million.

Because the bill requires additional voter identification information on absentee ballot applications, the counties will need to have their printed absentee ballot applications redesigned to properly protect such information during mailing. The printer of the absentee ballot applications for the majority of counties has advised DOS that increased printing costs of up to 30% could result. However, the number of printed applications needed by the counties should be significantly reduced by the new DOS application system for absentee ballots scheduled to come online by the summer of 2012.

Regarding the counties' dissemination of new proof of identification requirements, the DOS is recommending that the counties publish the new requirements in their required newspaper notices before every election, and therefore, not create any new additional costs to the counties.

Section 1854 provides that the Attorney General shall have prosecutorial jurisdiction over all violations committed under this act. The Office of the Attorney General presently has jurisdiction over violations of the Election Code under 25 P.S. § 3260b and therefore, does not believe that this bill's provisions will have any fiscal impact on their office.

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-26

Alloway	Erickson	Pippy	Vogel
Argall	Folmer	Rafferty	Ward
Baker	Gordner	Robbins	Waugh
Browne	McIlhinney	Scarnati	White Donald
Brubaker	Mensch	Smucker	Yaw
Corman	Piccola	Tomlinson	
Eichelberger	Pileggi	Vance	

NAY-23

Blake	Farnese	Kitchen	Washington
Boscola	Ferlo	Leach	White Mary Jo
Brewster	Fontana	Schwank	Williams
Costa	Greenleaf	Solobay	Wozniak
Dinniman	Hughes	Stack	Yudichak
Earll	Kasunic	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 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.

UNFINISHED BUSINESS BILLS REPORTED FROM COMMITTEES

Senator D. WHITE, from the Committee on Banking and Insurance, reported the following bills:

SB 10 (Pr. No. 173)

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, providing for health care services.

SB 210 (Pr. No. 1992) (Amended)

An Act establishing a task force on Lyme disease and related maladies; and providing for powers and duties of the task force, the Department of Health, the Department of Conservation and Natural Resources and the Pennsylvania Game Commission to execute prevention and education strategies.

HB 2134 (Pr. No. 2979)

An Act amending the act of May 17, 1921 (P.L.789, No.285), known as The Insurance Department Act of 1921, further providing for definitions, for exemptions and for supplemental provisions and rules.

Senator SMUCKER, from the Committee on Intergovernmental Operations, reported the following bills:

SB 1080 (Pr. No. 1995) (Amended)

An Act providing for government support agencies including their organization and their powers and duties; consolidating certain existing agencies into a new agency and providing for its organization and its powers and duties; providing for implementation and the transition of the existing agencies into the new agency; and making related repeals.

SB 1223 (Pr. No. 1525)

An Act amending the act of November 20, 1968 (P.L.1075, No.329), referred to as the Public Television Network System Law, abolishing the Pennsylvania Public Television Network Commission; and making editorial changes.

SENATE RESOLUTION ADOPTED

Senators VOGEL, SCHWANK, SCARNATI, PILEGGI, ALLOWAY, ARGALL, BAKER, BOSCOLA, BREWSTER, BROWNE, BRUBAKER, DINNIMAN, EICHELBERGER, ERICKSON, FERLO, FONTANA, GORDNER, GREENLEAF, KASUNIC, KITCHEN, McILHINNEY, MENSCH, ORIE, PIPPY, RAFFERTY, ROBBINS, SMUCKER, SOLOBAY, STACK, TARTAGLIONE, VANCE, WAUGH, D. WHITE, YAW and YUDICHAK, by unanimous consent, offered **Senate Resolution No. 266**, entitled:

An Act designating March 8, 2012, as "Agriculture Day" in Pennsylvania and congratulating the Agriculture Council of America for its work in promoting the agricultural industry.

On the question,
Will the Senate adopt the resolution?

The PRESIDING OFFICER. The Chair recognizes the gentleman from Beaver, Senator Vogel.

Senator VOGEL. Mr. President, today I offer a resolution designating March 8, 2012, as "Agriculture Day." The Agriculture Council of America was founded in 1973, and has been devoted to further developing public awareness of agriculture's fundamental role in our society through its National Agriculture Day program. The ACA is composed of leaders in the agricultural food and fiber communities who believe that all Americans should better understand how agricultural products are produced, while gaining an appreciation for the role this industry plays in providing safe, affordable, and abundant products, and value the role of agriculture in growing and maintaining a strong economy.

Each American farmer feeds more than 144 people, a number that has grown significantly over the past several decades, and will grow even larger in the future. With the work of ACA, informed citizens will be better able to participate in establishing the policies necessary to support a competitive agriculture industry in this country and abroad. We have 63,000 farm families who own over 7.5 million acres in Pennsylvania. With \$5.7 billion in cash receipts annually from production agriculture, Pennsylvania farmers and agribusinesses are the leading economic driver in our State.

In addition to production agriculture, the industry also raises revenue to supply jobs to support services such as food processing, marketing, transportation, and farm equipment sales. In total, production agricultural and agribusinesses contribute nearly \$57 billion to Pennsylvania's economy.

For these reasons, I would like to recognize March 8, 2012, as Pennsylvania Agriculture Day.

Thank you, Mr. President.

The PRESIDING OFFICER. The Chair recognizes the gentleman from Berks, Senator Schwank.

Senator SCHWANK. Mr. President, I am delighted to join with my colleague in celebrating and recognizing Pennsylvania Agriculture Day. Agriculture provides almost everything we eat, use, and wear on a daily basis. But unfortunately, too few people truly understand this contribution to our lives and to our economy. This is particularly the case in our schools, where often agriculture is not part of the curriculum. Some of us here remember when vocational agriculture was a part of almost every rural high school. But those days have changed, and when you look at our population now, with a preponderance of folks living in urban and suburban areas, too few people understand how important agriculture is.

However, I am proud to say that just last week, I visited a career fair in my county of Berks. I had the pleasure of meeting over 100 individuals, mostly high school and college students, who are interested in careers within agriculture, very encouraging. It was refreshing to see firsthand the next generation coming forward to explore possibilities within our State's number-one industry. My experience last week reinforces how important it is to increase the public's awareness of agriculture's role in modern society, and recognizing this day is certainly one way to do that. I know that we are all going to enjoy a meal very shortly tonight, so we will also have a chance to reflect on the importance of agriculture.

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.

CONGRATULATORY RESOLUTIONS

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

Congratulations of the Senate were extended to Evelyn Bruehn, David W. Musket, Allan George Zajac, Christopher James Porcaro, Tamaqua Area High School Girls' Swimming and Diving Team and to the Schuylkill Haven High School Boys' Swimming and Diving Team by Senator Argall.

Congratulations of the Senate were extended to Dr. Michael A. MacDowell and to George L. S. Wilkes by Senator Baker.

Congratulations of the Senate were extended to Peter J. Danchak and to the Keystone Chapter of UNICO National by Senator Blake.

Congratulations of the Senate were extended to Carol Schneider, Kendall Ohrwashel, Adam Banks Walker and to the Greek-American community of the City of Bethlehem and to the citizens of the Borough of Fountain Hill by Senator Boscola.

Congratulations of the Senate were extended and to the Polish Community of the Lehigh Valley by Senator Boscola and Browne.

Congratulations of the Senate were extended to the Clairton Lions Club by Senator Brewster.

Congratulations of the Senate were extended to Kurt Robert Keller by Senator Browne.

Congratulations of the Senate were extended to Brett Shoultz, Martin's Auto Service of New Holland, Reinholds Restorations, Inc., Keystone Wood Specialties, Inc., of Lancaster, Getz Fire Protection, Inc., of Ephrata and to the Ephrata Area Chamber of Commerce by Senator Brubaker.

Congratulations of the Senate were extended to A.E. Balsbaugh, Charles C. Byers, Evelyn A. Delancey, Marion L. Fortenbaugh, Barbara G. Kennedy, Charles E. Magee, Ivetta M. Neidigh, Kay L. Shambaugh, Janet M. Spotts, Carol J. Stahl, Phyllis M. Watts, Marie B. Weidenhammer, Josephine D. Yeager and to John F. Zimmerman by Senator Corman.

Congratulations of the Senate were extended to Luigi Liberato by Senator Dinniman.

Congratulations of the Senate were extended to Derek Chapman Sonntag by Senator Erickson.

Congratulations of the Senate were extended to Connor Zaleski by Senator Folmer.

Congratulations of the Senate were extended to Garrison Tyler Kunst by Senator Gordner.

Congratulations of the Senate were extended to the Reverend Terrence Carl Hensford by Senator Hughes.

Congratulations of the Senate were extended to John J. Woodruff, Cathy Karwatski, Michael R. Renninger, Jr., and to the Business and Professional Women of Connellsville by Senator Kasunic.

Congratulations of the Senate were extended to the Reverend Paul S. Kim by Senator Kitchen.

Congratulations of the Senate were extended to the Oakmont Fire Company by Senator Leach.

Congratulations of the Senate were extended to Andrew Philip Sproger, Ryan F. Teipel and to the Lower Frederick Fire Company by Senator Mensch.

Congratulations of the Senate were extended to Shawn Funk, Gavin M. Roenigk and to Eric S. Davis by Senator Orie.

Congratulations of the Senate were extended to Christopher Leo Ravasio by Senator Pippy.

Congratulations of the Senate were extended to James H. Hoffer by Senator Piccola.

Congratulations of the Senate were extended to Ruth L. Wetten by Senator Pileggi.

Congratulations of the Senate were extended to Tamara C. Cansler by Senator Rafferty.

Congratulations of the Senate were extended to Cadet Second Lieutenant Mercer Martin, Nicholas Stephen Wolford, Mary Dancu, Kyle Francis Woods and to the Hermitage Volunteer Fire Department, Inc., by Senator Robbins.

Congratulations of the Senate were extended to Joel Adam Leibensperger and to Thomas Frank Bucciaglia by Senator Schwank.

Congratulations of the Senate were extended to Michelle Crisco and to Ernest Fowler by Senator Solobay.

Congratulations of the Senate were extended to Dimitrios Loizos, George Schmid, John Seymour, James Boccalupo, James Snyder and to John J. Egan, Jr., by Senator Stack.

Congratulations of the Senate were extended to Sister Mary Scullion, George Sottung, Anna Jones, Richard Ryan Lees, Stephen Hebenstreit, Danielle Howe, Dawn N. Koziatsek, Kelsey R. Sullivan, Lauren M. Sauers, Marc Anthony Leto and to the Girl Scouts of Eastern Pennsylvania by Senator Tomlinson.

Congratulations of the Senate were extended to Mary T. Casey and to the Cumberland Valley High School Dance Team by Senator Vance.

Congratulations of the Senate were extended to Cole M. Egbert by Senator Vogel.

Congratulations of the Senate were extended to the First Moravian Church of York by Senator Waugh.

Congratulations of the Senate were extended to John P. Corcoran, Sr., Sean J. Gilligan, Patrick M. Bilbow and to James O'Brien by Senator Yudichak.

BILLS ON FIRST CONSIDERATION

Senator WAUGH. 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 10, SB 210, SB 1080, SB 1223 and HB 2134.

And said bills having been considered for the first time,
Ordered, To be printed on the Calendar for second consideration.

ANNOUNCEMENTS BY THE SECRETARY

The following announcements were read by the Secretary of the Senate:

SENATE OF PENNSYLVANIA

COMMITTEE MEETINGS

Off the Floor

RULES AND EXECUTIVE
NOMINATIONS (to consider certain
executive nominations)

Rules Cmte.
Conf. Room

THURSDAY, MARCH 8, 2012

10:30 A.M.

TASK FORCE ON CHILD
PROTECTION (to consider issues
pursuant to Senate Resolution No.
250 - House Resolution No. 522)

Hrg. Rm. 1
North Off.

MONDAY, MARCH 12, 2012

12:30 P.M.

APPROPRIATIONS (to consider
Senate Bills No. 86, 209, 790, 932,
1036, 1200, 1261, 1298 and 1329;
and House Bill No. 1054)

Room 461
Main Capitol

TUESDAY, MARCH 13, 2012

10:00 A.M.

JUDICIARY (public hearing to receive
testimony on possible changes to the
Wiretapping and Electronic
Surveillance Control Act)

Hrg. Rm. 1
North Off.

FRIDAY, MARCH 30, 2012

10:00 A.M.

JUDICIARY (public hearing to receive
testimony on Senate Bill No. 1153,
the Post Conviction Relief Act
amendments)

Phila. Bar
Assn. 1101
Market St.
11th Floor
Conf. Ctr.
Phila., PA

RECESS

The PRESIDING OFFICER. The Chair recognizes the gentleman from Delaware, Senator Pileggi.

Senator PILEGGI. Mr. President, I move that the Senate do now recess until Monday, March 12, 2012, at 1 p.m., Eastern Daylight Saving Time, unless sooner recalled by the President pro tempore.

The motion was agreed to by voice vote.

The Senate recessed at 5:18 p.m., Eastern Standard Time.