

# COMMONWEALTH OF PENNSYLVANIA

## LEGISLATIVE JOURNAL

TUESDAY, JANUARY 25, 1994

SESSION OF 1994

178TH OF THE GENERAL ASSEMBLY

No. 5

### HOUSE OF REPRESENTATIVES

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

#### THE SPEAKER (H. WILLIAM DeWEESE) PRESIDING

#### PRAYER

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

Let us pray:

O God, You have spoken to us in a mighty way in the recent past. You spoke to us in the mud slides, fires, and earthquakes in California and in our own Reading. You spoke to us in the ravaging floods of the Middle West, and You spoke to us mightily through Hurricane Andrew in south Florida.

Lord, what are You saying to us? We grope in darkness trying to find answers.

We remember Your servant Elijah and how You spoke to him on the top of the mountain. First there was a wind, but You were not in the wind. Then there was a fire, but You were not in the fire. And then an earthquake, but You were not in the earthquake. And finally, there was a "still small voice," and You were in that voice and You spoke.

O God our Father, fount of every blessing, speak to us in this legislative body that we may hear Your word and draw closer to You.

In Your dear name we pray. Amen.

#### PLEDGE OF ALLEGIANCE

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

#### JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, the approval of the Journal of Monday, January 24, 1994, will be postponed until printed. The Chair hears no objection.

### PETITION REFERRED

The SPEAKER. Pursuant to Article VI, section 4, of the Pennsylvania Constitution, I am referring a petition for impeachment submitted by Dr. Paul J. Schapiro, D.P.M., to the House Judiciary Committee. The committee is authorized to make a preliminary inquiry into the matter and may, if warranted, report their findings to the House.

### GUESTS INTRODUCED

The SPEAKER. The Chair welcomes the young intern Tori Gray, an intern for Jim Lynch. She will be here all week. Is Tori on the floor of the House? If so, please greet your fellow workers. Welcome to the hall of the House - Tori Gray.

Also, the Chair would like to make welcome in the balcony guests of Tom Dempsey, our colleague, from Williamsport, a group from the chamber of commerce called Leadership Lycoming. Welcome to the hall of the House.

### LEAVES OF ABSENCE

The SPEAKER. The gentleman, Mr. Steighner, is recognized for leaves of absence.

Mr. STEIGHNER. Thank you, Mr. Speaker.

Mr. Speaker, I have no leaves to report at this time.

The SPEAKER. The Chair thanks the gentleman.

Does Mr. Perzel from the Republican side have an announcement relative to leaves of absence?

Mr. PERZEL. Thank you, Mr. Speaker.

We request a leave of absence for the rest of the week for the gentleman from Montgomery County, Mr. GODSHALL.

The SPEAKER. The Chair thanks the gentleman.

### MASTER ROLL CALL

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

The following roll call was recorded:

#### PRESENT-199

Acosta	Fargo	Lucyk	Sather
Adolph	Farmer	Lynch	Saurman
Allen	Fee	Maitland	Saylor
Argall	Fichter	Manderino	Scheetz
Armstrong	Fleagle	Markosek	Schuler
Baker	Flick	Marsico	Scrimanti
Barley	Freeman	Masland	Semmel

Battisto	Gamble	Mayernik	Serafini
Bebko-Jones	Gannon	McCall	Smith, B.
Belardi	Geist	McGeehan	Smith, S. H.
Belfanti	George	McNally	Snyder, D. W.
Birmelin	Gerlach	Melio	Staback
Bishop	Gigliotti	Merry	Stairs
Blaum	Gladeck	Michlovic	Steelman
Boyes	Gordner	Micozzie	Steighner
Brown	Gruitza	Mihalich	Steil
Bunt	Gruppo	Miller	Stern
Butkovitz	Haluska	Mundy	Stetler
Buxton	Hanna	Nailor	Stish
Caltagirone	Harley	Nickol	Strittmatter
Cappabianca	Hasay	Nyce	Sturla
Carn	Hennessey	O'Brien	Surra
Carone	Herman	Olasz	Tangretti
Cawley	Hershey	Oliver	Taylor, E. Z.
Cessar	Hess	Perzel	Taylor, J.
Chadwick	Hughes	Pesci	Thomas
Civera	Hutchinson	Petrarca	Tigue
Clark	Itkin	Petrone	Tomlinson
Clymer	Jadlowiec	Petit	Trello
Cohen, L. I.	James	Phillips	Trich
Cohen, M.	Jarolin	Piccola	True
Colafiglia	Josephs	Pistella	Tulli
Colaizzo	Kaiser	Pitts	Uliana
Conti	Kasunic	Platts	Vance
Cornell	Keller	Preston	Van Horne
Corrigan	Kenney	Raymond	Veon
Cowell	King	Reber	Vitali
Coy	Kirkland	Reinard	Washington
Curry	Krebs	Richardson	Waugh
Daley	Kukovich	Rieger	Williams
DeLuca	LaGrotta	Ritter	Wogan
Dempsey	Laub	Roberts	Wozniak
Dent	Laughlin	Robinson	Wright, D. R.
Dermody	Lawless	Roebuck	Wright, M. N.
Donatucci	Lederer	Rohrer	Yandrisevits
Druce	Lee	Rooney	Yewcic
Durham	Leh	Rubley	Zug
Egolf	Lescovitz	Rudy	
Evans	Levdansky	Ryan	DeWeese,
Fairchild	Lloyd	Santoni	Speaker
Fajt			

ADDITIONS—0

NOT VOTING—0

EXCUSED—2

Bush Godshall

CALENDAR

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1525, PN 2047**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for an age qualification for judges and district justices; and further providing for the selection of judicial officers.

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

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

The question is, shall the bill pass finally?

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

YEAS—199

Acosta	Fargo	Lucyk	Sather
Adolph	Farmer	Lynch	Saurman
Allen	Fee	Maitland	Saylor
Argall	Fichter	Manderino	Scheetz
Armstrong	Fleagle	Markosek	Schuler
Baker	Flick	Marsico	Scrimenti
Barley	Freeman	Masland	Semmel
Battisto	Gamble	Mayernik	Serafini
Bebko-Jones	Gannon	McCall	Smith, B.
Belardi	Geist	McGeehan	Smith, S. H.
Belfanti	George	McNally	Snyder, D. W.
Birmelin	Gerlach	Melio	Staback
Bishop	Gigliotti	Merry	Stairs
Blaum	Gladeck	Michlovic	Steelman
Boyes	Gordner	Micozzie	Steighner
Brown	Gruitza	Mihalich	Steil
Butkovitz	Gruppo	Miller	Stern
Buxton	Haluska	Mundy	Stetler
Caltagirone	Hanna	Nailor	Stish
Cappabianca	Harley	Nickol	Strittmatter
Carn	Hasay	Nyce	Sturla
Carone	Hennessey	O'Brien	Surra
Cawley	Herman	Olasz	Tangretti
Cessar	Hershey	Oliver	Taylor, E. Z.
Chadwick	Hess	Perzel	Taylor, J.
Civera	Hughes	Pesci	Thomas
Clark	Hutchinson	Petrarca	Tigue
Clark	Itkin	Petrone	Tomlinson
Clymer	Jadlowiec	Petit	Trello
Cohen, L. I.	James	Phillips	Trich
Cohen, M.	Jarolin	Piccola	True
Colafiglia	Josephs	Pistella	Tulli
Colaizzo	Kaiser	Pitts	Uliana
Conti	Kasunic	Platts	Vance
Cornell	Keller	Preston	Van Horne
Corrigan	Kenney	Raymond	Veon
Cowell	King	Reber	Vitali
Coy	Kirkland	Reinard	Washington
Curry	Krebs	Richardson	Waugh
Daley	Kukovich	Rieger	Williams
DeLuca	LaGrotta	Ritter	Wogan
Dempsey	Laub	Roberts	Wozniak
Dent	Laughlin	Robinson	Wright, D. R.
Dermody	Lawless	Roebuck	Wright, M. N.
Donatucci	Lederer	Rohrer	Yandrisevits
Druce	Lee	Rooney	Yewcic
Durham	Leh	Rubley	Zug
Egolf	Lescovitz	Rudy	
Evans	Levdansky	Ryan	DeWeese,
Fairchild	Lloyd	Santoni	Speaker
Fajt			

NAYS—0

NOT VOTING—0

EXCUSED—2

Bush Godshall

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

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

The SPEAKER. The Chair would congratulate the gentleman, Mr. Fichter, on the passage of his first piece of legislation.

**BILL ON SECOND CONSIDERATION**

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

**HB 2396, PN 3011.**

**RULES SUSPENDED**

The SPEAKER. The Chair recognizes the majority leader. Mr. TIKIN. Mr. Speaker, I move that the rules of the House be temporarily suspended in order that the Pitts amendment may be considered and SB 701 run today.

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

The following roll call was recorded:

**YEAS—187**

Acosta	Fajt	Lynch	Saylor
Adolph	Fargo	Manderino	Schuler
Allen	Farmer	Markosek	Scrimenti
Argall	Fee	Marsico	Semmel
Armstrong	Fichter	Masland	Serafini
Baker	Fleagle	McCall	Smith, B.
Barley	Flick	McGeehan	Smith, S. H.
Battisto	Freeman	McNally	Snyder, D. W.
Bebko-Jones	Gannon	Melio	Staback
Belardi	Geist	Merry	Stairs
Belfanti	George	Michlovic	Steelman
Bishop	Gerlach	Micozzie	Steighner
Blaum	Gigliotti	Mihalich	Steil
Boyes	Gordner	Miller	Stern
Brown	Gruitza	Mundy	Stetler
Bunt	Gruppo	Nailor	Stish
Butkowitz	Haluska	Nickol	Strittmatter
Buxton	Harley	Nyce	Sturla
Caltagirone	Hasay	O'Brien	Surra
Cappabianca	Hennessey	Olasz	Tangretti
Cam	Herman	Oliver	Taylor, E. Z.
Cawley	Hershey	Petzel	Taylor, J.
Cessar	Hess	Pesci	Thomas
Chadwick	Hughes	Petrarca	Tigue
Civera	Hutchinson	Petrone	Tomlinson
Clark	Itkin	Pettit	Trello
Clymer	Jadlowiec	Phillips	Trich
Cohen, L. I.	James	Piccola	Truc
Cohen, M.	Jarolin	Pistella	Tulli
Colafiglia	Josephs	Pitts	Uliana
Colaizzo	Kaiser	Preston	Vance
Conti	Kasunic	Raymond	Van Horne
Cornell	Keller	Reber	Veon
Corrigan	Kenney	Reinard	Vitali
Cowell	King	Richardson	Washington

Coy	Kirkland	Rieger	Waugh
Curry	Kukovich	Ritter	Williams
Daley	LaGrotta	Roberts	Wogan
DeLuca	Laub	Robinson	Wozniak
Dempsey	Laughlin	Rohrer	Wright, D. R.
Dent	Lawless	Rooney	Wright, M. N.
Dermody	Lederer	Rubley	Yandrisevits
Donatucci	Leh	Rudy	Yewcic
Druce	Lescovitz	Ryan	Zug
Durham	Levdansky	Santoni	
Egolf	Lloyd	Sather	DeWeese,
Evans	Lucyk	Saurman	Speaker
Fairchild			

**NAYS—10**

Birmelin	Krebs	Mayernik	Roebuck
Carone	Lee	Platts	Scheetz
Hanna	Maitland		

**NOT VOTING—2**

Gamble	Gladeck
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**EXCUSED—2**

Bush	Godshall
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A majority of the members elected to the House having voted in the affirmative, the question was determined in the affirmative and the motion was agreed to.

**BILLS ON THIRD CONSIDERATION CONTINUED**

The House proceeded to third consideration of **SB 701, PN 1756**, entitled:

An Act amending the act of May 17, 1921 (P. L. 789, No. 285), entitled, as amended, "The Insurance Department Act of one thousand nine hundred and twenty-one," further providing for group policies, for computation of reserve liability and certain other reserves, for certain managers and agents and for the suspension of business.

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

The SPEAKER. We have a momentary delay. It should take 3 or 4 minutes.

The gentleman, Mr. Pitts, is recognized to explain our momentary dilemma. Mr. Pitts from Chester County.

Mr. PITTS. Thank you, Mr. Speaker.

Mr. Speaker, the amendment is being run off and distributed at this point. I do not know if it is actually on the floor or not.

But over the holiday break, the Department of Insurance came and requested that we work out a compromise solution. This amendment reflects that compromise. This is the language that the Department of Insurance has given us that we are offering as an amendment. They have agreed to support this in the Senate, and I understand that the Governor's Office has no objections. I believe it is an agreed-to amendment.

### PARLIAMENTARY INQUIRY

Mr. COY. Mr. Speaker, a point of parliamentary inquiry.

The SPEAKER. Mr. Coy is recognized.

Mr. COY. Mr. Speaker, just for the information of the members, the matter before the House?

The SPEAKER. The matter before the House: We are on SB 701, PN 1756. We are anticipating a Pitts amendment which is being duplicated at this time. The Chair was granting some latitude to the gentleman from Chester County as he explained elements of the discussion that led to the amendment rather than the substance of the amendment.

If the gentleman wants to make a point of order, the Chair would ask Mr. Pitts to momentarily desist.

Mr. COY. No, Mr. Speaker. I was just trying to clarify for the members, because there was nothing on the board, the matter before the House. Thank you very much.

The SPEAKER. It is an appropriate clarification. The Chair thanks the gentleman.

Mr. Pitts.

Mr. PITTS. Thank you, Mr. Speaker.

So the bill is SB 701. The issue is the Christian Brotherhood Newsletter and the dispute between the department and that organization. This is the compromise that I think is agreed to and will be supported by all sides. Once we get the amendment, we can fill you in on the substance. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Pitts amendment is being distributed at this time.

### BILLS REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

**HB 611, PN 3078 (Amended)** By Rep. CALTAGIRONE

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for aggravated assault and for assault by prisoner.

JUDICIARY.

**HB 1781, PN 3079 (Amended)**

By Rep. CALTAGIRONE

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for penalties for patronizing prostitutes.

JUDICIARY.

**HB 2194, PN 2720**

By Rep. CALTAGIRONE

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, providing for financial affairs of the judiciary.

JUDICIARY.

**SB 1384, PN 1801**

By Rep. CALTAGIRONE

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for damages for conversion of timber.

JUDICIARY.

### CONSIDERATION OF SB 701 CONTINUED

On the question recurring,

Will the House agree to the bill on third consideration?

Mr. PITTS offered the following amendment No. A0133:

Amend Title, page 1, line 13, by inserting after "for" application of the act and for

Amend Bill, page 1, lines 18 through 20, by striking out all of said lines and inserting

Section 1. Section 103 of the act of May 17, 1921 (P.L.789, No.285), known as The Insurance Department Act of 1921, amended June 5, 1947 (P.L.439, No.200), is amended to read:

Section 103. Application of Act.—(a) The provisions of this act shall apply to all companies, associations, and exchanges transacting any class of insurance business, to rating organizations and to all insurance agents and insurance brokers. The provisions of this act, excepting sections two hundred and nineteen (219), three hundred and five (305), five hundred and one (501), five hundred and two (502), five hundred and four (504), five hundred and five (505), five hundred and six (506), five hundred and seven (507), five hundred and eight (508), five hundred and nine (509), five hundred and ten (510) and six hundred and seven (607) hereof, shall not apply to fraternal benefit societies, orders, or associations conducted not for profit, and having a lodge system with ritualistic form of work and representative form of government, or to beneficial or relief associations conducted not for profit formed by churches, societies, classes, firms, or corporations, with or without ritualistic form of work, the privilege of membership in which are confined to the members of such churches, societies, or classes, and to members and employees of such firms or corporations. The provisions of this act, excepting sections two hundred and thirteen (213), two hundred and fourteen (214), two hundred and sixteen (216), two hundred and nineteen (219), five hundred and one (501), five hundred and two (502), five hundred and three (503), five hundred and four (504), five hundred and five (505), five hundred and six (506), five hundred and seven (507), five hundred and eight (508), five hundred and nine (509), and five hundred and ten (510) hereof, shall not apply to domestic mutual fire insurance companies of this Commonwealth, incorporated under special acts of Assembly or under the act of May first, one thousand eight hundred and seventy-six, with unlimited or limited liability to assessment for payment of expenses and of losses and loss adjustments, set forth in the policy contract or in the promissory notes attached to said policy.

(b) Nothing in this act shall apply to a religious publication, or its subscribers, that meet all of the following criteria:

(1) Is a nonprofit religious organization.

(2) Is limited to individuals who separately subscribe and who are members of the same denomination or religion, who have the approval of their pastor.

(3) Acts as an organizational clearinghouse for information between subscribers who have financial, physical or medical needs and subscribers who choose to assist with those needs, matching subscribers with a willingness to pay with subscribers with a present financial or medical need.

(4) Arranges for the payment of subscribers' financial or medical needs by payments directly from subscriber to subscriber.

(5) Suggests amounts to give that are voluntary among the subscribers, with no assumption of risk or promise to pay either among the subscribers or between the subscribers and the publication.

(6) Does not use any compensated agents, representatives or other persons to solicit or enroll subscribers.

(7) Does not make any direct or indirect representation that it is operating in a financially sound manner or that it has had a successful history of meeting subscribers' financial or medical needs.

(8) Provides a written monthly statement to all subscribers, listing the total dollar amount of qualified needs submitted for publication, as well as the amount actually published and assigned for payment.

(9) Does not use funds paid by subscribers for medical needs to cover administrative costs.

(10) Provides the following verbatim written disclaimer as a separate cover sheet for any and all documents distributed by or on behalf of the exempt entity, including applications, guidelines, promotional or informational materials and all periodic publications:

**NOTICE**

This publication is not an insurance company nor is it offered through an insurance company. This publication does not guarantee or promise that your medical bills will be published or assigned to others for payment. Whether anyone chooses to pay your medical bills will be totally voluntary. As such, this publication should never be considered a substitute for insurance. Whether you receive any payments for medical expenses and whether or not this publication continues to operate, you are always liable for any unpaid bills.

31, Section 2. Section 208(e) of the act, amended or added July  
Amend Sec. 2, page 6, line 20, by striking out "2" and inserting

3

Amend Sec. 3, page 6, line 22, by striking out "3" and inserting

4

Amend Sec. 4, page 11, line 17, by striking out "4" and inserting

5

Amend Sec. 5, page 12, line 6, by striking out "5" and inserting

6

Amend Sec. 6, page 16, line 21, by striking out "6" and inserting

7

Amend Sec. 7, page 18, line 1, by striking out "7" and inserting

8

Amend Sec. 8, page 19, line 24, by striking out "8" and inserting

9

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

10

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

The SPEAKER. Mr. Pitts.  
Mr. PITTS. Thank you, Mr. Speaker.  
This is—

The SPEAKER. The House will please come to order. We have got to maintain better order.

Sergeants at Arms, I still see a lot of staff people walking around the floor of the House. You are not asked to work 7 days a week, 18 hours a day. Sergeants at Arms will please make certain that staff people, if they want to meet with members, can meet in the back of the hall of the House. They will not be standing around the sides or walking up and down the aisles. That is up to the Sergeants at Arms.

Mr. Pitts, you are recognized.  
Mr. PITTS. Thank you, Mr. Speaker.

Again, this amendment, A0133, is the suggested compromise by the department, completely agreed to by the attorneys for the Christian Brotherhood Newsletter, which basically says the same thing our amendment did and adds just a few more requirements.

The amendment outlines the requirements that a religious publication must meet to qualify for the charitable exemption from the regulation from the Insurance Department. I think it is self-explanatory, and it is agreed to by both sides.

I urge adoption of the amendment.

The SPEAKER. Mr. Colafella is recognized from Beaver County on the Pitts amendment.

Mr. COLAFELLA. Thank you, Mr. Speaker.

I think the way that the Insurance Department crafted the amendment along with Representative Pitts' office, it is an agreed-to amendment and I support the amendment.

The SPEAKER. The gentleman, Mr. Lee, is recognized on the Pitts amendment.

Mr. LEE. Thank you, Mr. Speaker.

I am not rising really to speak so much on the substance of the Pitts amendment but, once again, on the procedure that is being used to consider this amendment, the fact that we suspended the rules to be able to do so. And I promise the House, this will probably be the last time I speak on this subject, because, quite frankly, I am getting tired of it.

But way back a year or so ago when we were debating the rules changes of this House, we could not agree on much, but the one thing over and over and over the members of the House came to us with was the idea that we did not like the fact that at the last minute, all of this snow, all this paper, was appearing on our desks at the very last minute and we were being forced to vote on it without really knowing what was in it, having a good chance to take a look at what specifically was in the bills and in the amendments. And everyone said at the beginning of the year, is it not nice to have these nice packets so we can caucus on them and know what is in the amendments before we vote on them. Of course, our fear then was because we do not have a supermajority for suspension of the rules, that as a courtesy, we will just begin allowing people to offer amendments without sufficient notice, and that is what we have done again today.

I do not have a problem with the substance of the Pitts amendment, but I just want to point out to the House what we have done. We have obfuscated that rule. Basically, we do not have that rule anymore, and that is a disappointment to me. But if that is what the House basically wants to do, then I am certainly not going to stand in the way. Thank you very much.

The SPEAKER. The Chair thanks the gentleman. His remarks are poignant, accurate, and worth making.

Are there any other observations on the Pitts amendment?  
The gentleman, Mr. Wright, is recognized.

Mr. D. R. WRIGHT. Would the gentleman, Mr. Pitts, stand for a brief interrogation?

The SPEAKER. The gentleman from Chester indicates in the affirmative.

Mr. D. R. WRIGHT. Mr. Speaker, I intend to vote for your amendment. I want to say that just up front. But I do want to ask you a little bit about the kind of publicity that has been circulated on this issue.

One of the statements that has been widely circulated in my district is that the Speaker of this House did an unprecedented thing by recognizing a motion to reconsider. Do you regard that as an unprecedented activity of this House?

Mr. PITTS. No, Mr. Speaker.

Mr. D. R. WRIGHT. Is it possible for some of us to get an apology from those people who are promoting this program for the kind of misrepresentation that they have done to the leadership of this House and to those of us who have tried to be cooperative in this endeavor?

It seems to me that one of the things that we need to do if we are trying to resolve these problems is to at least tell the truth about what it is that we are dealing with. I personally resented those comments with regard to the Speaker, and I hope that at least you will put on the record a public apology to the Speaker and to the members of this House.

Mr. PITTS. Mr. Speaker, I think you are talking about procedure — the bill being held over the summer and then the reconsideration motion after we came back after the summer break. I will be happy to clarify what happened if you would like, Mr. Speaker.

Mr. D. R. WRIGHT. Well, I do not have the letter with me, but there needs no clarification. All it needs is an apology for the misrepresentation with regard to the procedure of this particular amendment.

Mr. PITTS. You know, I can transmit your concern to the ones who are saying that and ask them to make an apology if you wish.

The SPEAKER. Apologies are always welcome.

Mr. D. R. WRIGHT. Thank you, Mr. Speaker. I have concluded my remarks.

The SPEAKER. On the Pitts amendment, any further debate?

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

The following roll call was recorded:

YEAS—198

Acosta	Fargo	Lucyk	Sather
Adolph	Farmer	Lynch	Saurman
Allen	Fee	Maitland	Saylor
Argall	Fichter	Manderino	Scheetz
Armstrong	Fleagle	Markosek	Schuler
Baker	Flick	Marsico	Scrimenti
Barley	Freeman	Masland	Semmel
Battisto	Gamble	Mayernik	Serafini
Bebko-Jones	Gannon	McCall	Smith, B.
Belardi	Geist	McGeehan	Smith, S. H.
Belfanti	George	McNally	Snyder, D. W.
Birmelin	Gerlach	Melio	Staback
Bishop	Gigliotti	Mery	Stairs
Blaum	Gladeck	Michlovic	Steelman
Boyes	Gordner	Micozzie	Steighner
Brown	Gruitza	Mihalich	Steil
Bunt	Gruppo	Miller	Stern

Butkovitz	Haluska	Mundy	Stetler
Buxton	Hanna	Nailor	Stish
Caltagirone	Harley	Nickol	Strittmatter
Cappabianca	Hasay	Nyce	Sturla
Carone	Hennessey	O'Brien	Surra
Cawley	Herman	Olasz	Tangretti
Cessar	Hershey	Oliver	Taylor, E. Z.
Chadwick	Hess	Perzel	Taylor, J.
Civera	Hughes	Pesci	Thomas
Clark	Hutchinson	Petrarca	Tigue
Clymer	Itkin	Petrone	Tomlinson
Cohen, L. I.	Jadlowiec	Pettit	Trello
Cohen, M.	James	Phillips	Trich
Colaella	Jarolin	Piccola	True
Colaizzo	Josephs	Pistella	Tulli
Conti	Kaiser	Pitts	Uliana
Cornell	Kasunic	Platts	Vance
Cornigan	Keller	Preston	Van Horne
Cowell	Kenney	Raymond	Veon
Coy	King	Reber	Vitali
Curry	Kirkland	Reinard	Washington
Daley	Krebs	Richardson	Waugh
DeLuca	Kukovich	Rieger	Williams
Dempsey	LaGrotta	Ritter	Wogan
Dent	Laub	Roberts	Wozniak
Dermody	Laughlin	Robinson	Wright, D. R.
Donatucci	Lawless	Roebuck	Wright, M. N.
Druce	Lederer	Rohrer	Yandrisevits
Durham	Lee	Rooney	Yewcic
Egolf	Leh	Rubley	Zug
Evans	Lescovitz	Rudy	
Fairchild	Levdansky	Ryan	DeWeese,
Fajt	Lloyd	Santoni	Speaker

NAYS—0

NOT VOTING—1

Cam

EXCUSED—2

Bush

Godshall

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

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—199

Acosta	Fargo	Lucyk	Sather
Adolph	Farmer	Lynch	Saurman
Allen	Fee	Maitland	Saylor
Argall	Fichter	Manderino	Scheetz
Armstrong	Fleagle	Markosek	Schuler
Baker	Flick	Marsico	Scrimenti
Barley	Freeman	Masland	Semmel
Battisto	Gamble	Mayernik	Serafini
Bebko-Jones	Gannon	McCall	Smith, B.

Belardi	Geist	McGeehan	Smith, S. H.
Belfanti	George	McNally	Snyder, D. W.
Birmelin	Gerlach	Melio	Staback
Bishop	Gigliotti	Merry	Stairs
Blaum	Gladeck	Michlovic	Steelman
Boyes	Gordner	Micozzie	Steighner
Brown	Gruitza	Mihalich	Steil
Bunt	Gruppo	Miller	Stern
Butkovitz	Haluska	Mundy	Stetler
Buxton	Hanna	Nailor	Stish
Caltagirone	Harley	Nickol	Strittmatter
Cappabianca	Hasay	Nyce	Sturla
Carn	Hennessey	O'Brien	Surra
Carone	Herman	Olasz	Tangretti
Cawley	Hershey	Oliver	Taylor, E. Z.
Cessar	Hess	Perzel	Taylor, J.
Chadwick	Hughes	Pesci	Thomas
Civera	Hutchinson	Petrarca	Tigue
Clark	Itkin	Petrone	Tomlinson
Clymer	Jadlowicc	Petit	Trello
Cohen, L. I.	James	Phillips	Trich
Cohen, M.	Jarolin	Piccola	True
Colafiglia	Josephs	Pistella	Tulli
Colaizzo	Kaiser	Pitts	Uliana
Conti	Kasunic	Platts	Vance
Cornell	Keller	Preston	Van Horne
Corrigan	Kenney	Raymond	Veon
Cowell	King	Reber	Vitali
Coy	Kirkland	Reinard	Washington
Curry	Krebs	Richardson	Waugh
Daley	Kukovich	Rieger	Williams
DeLuca	LaGrotta	Ritter	Wogan
Dempsey	Laub	Roberts	Wozniak
Dent	Laughlin	Robinson	Wright, D. R.
Dermody	Lawless	Roebuck	Wright, M. N.
Donatucci	Lederer	Rohrer	Yandrisevits
Druce	Lee	Rooney	Yewcic
Durham	Leh	Rublely	Zug
Egolf	Lescovitz	Rudy	
Evans	Levdansky	Ryan	DeWeese,
Fairchild	Lloyd	Santoni	Speaker
Fajt			

NAYS—0

NOT VOTING—0

EXCUSED—2

Bush Godshall

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

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

The SPEAKER. The Chair would like to thank the members of the House for the maintenance of good order this morning.

**RULES COMMITTEE MEETING**

The SPEAKER. The Chair would like to recognize the gentleman, Mr. Itkin, for the purpose of an announcement.

Mr. ITKIN. Mr. Speaker, we have concluded our morning bills and we will now be breaking for lunch meetings. And with respect to meetings, there will be a Rules Committee meeting at 1:45 p.m. in the majority caucus room, and we will report back to the floor at 2 o'clock.

The SPEAKER. The first item on the agenda will be the campaign finance legislation, HB 690, with myriad amendments.

**ANNOUNCEMENT BY MR. ITKIN**

Mr. ITKIN. Mr. Speaker, if I may have the floor again.

The SPEAKER. The gentleman is recognized.

Mr. ITKIN. I would like to announce to the leadership on our side of the aisle, the committee chairmen, there will be a meeting immediately upon the break, a luncheon meeting, in the majority caucus room.

The SPEAKER. The Chair thanks the gentleman.

**STATEMENT BY MR. OLASZ**

The SPEAKER. Does the gentleman, Mr. Olasz, seek recognition? For what purpose does the gentleman rise?

Mr. OLASZ. Point of personal privilege, Mr. Speaker.

The SPEAKER. The gentleman will state his point.

Mr. OLASZ. Mr. Speaker, I lost my sister in the early part of last December. I just want to issue my thanks and praise for the members of this unique group for their many messages of sympathy and condolence.

Thank you all very much. The family certainly appreciates it.

The SPEAKER. The Chair thanks the gentleman.

**RECESS**

The SPEAKER. The House stands in recess until 2 p.m.

**AFTER RECESS**

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

The SPEAKER. The members here on the floor should be aware that both floor leaders indicated they will be arriving on the floor within about 5 minutes from the Rules Committee.

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

**HB 2111, PN 3080 (Amended)** By Rep. PETRONE

An Act amending the act of June 26, 1931 (P.L.1379, No.348), referred to as the Third Class County Assessment Board Law, providing for notice of proposed changes and changes in the established predetermined ratio.

URBAN AFFAIRS.

**HB 2337, PN 2914**

By Rep. PETRONE

An Act amending the act of July 15, 1957 (P.L.901, No.399), known as the Optional Third Class City Charter Law, further providing for form of government.

URBAN AFFAIRS.

**EDUCATION COMMITTEE MEETING**

The SPEAKER. The Chair recognizes the gentleman from Allegheny County, Mr. Cowell, for the purpose of an announcement.

Mr. COWELL. Thank you, Mr. Speaker.

Mr. Speaker, I want to sunshine a meeting of the House Education Committee. The meeting will be held tomorrow, on Wednesday, January 26, at 9:30 a.m. in room 22 of the Capitol Annex. The agenda will include HB's 1520, 1521, 1996, 2106, 2187, 2372, and 2419, and any other business that may come before the committee. For the purpose of information to members of the Education Committee, you have already received this information through the mail. This announcement is only for additional sunshine purposes. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman for his sunshine announcement.

**RESOLUTION REPORTED  
FROM COMMITTEE****HR 227, PN 3075**

By Rep. ITKIN

A Resolution congratulating the 1993 Phillies.

RULES.

**BILLS ON CONCURRENCE REPORTED  
FROM RULES COMMITTEE****HB 299, PN 2878**

By Rep. ITKIN

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, reenacting provisions on inspection by police and Commonwealth personnel; further defining "terminal"; defining "maxi-cube vehicle" and "stinger-steered automobile" or "boat transporter"; further providing for suspension of registration for lack of financial responsibility, for the length, width, maximum number and operation of certain vehicles and for the authority to issue permits, for use of miscellaneous motor vehicle business registration plates, for emission inspection program expenditures and for weighing and measurement of vehicles; waiving certain school bus driver recertification tests; further providing for certain emission inspection; and making repeals.

RULES.

**HB 353, PN 2964**

By Rep. ITKIN

An Act amending the act of April 9, 1929 (P. L. 343, No. 176), known as The Fiscal Code, further providing for penalties for failure to make certain payments by electronic transfer and for failure to file returns or documents or for filing false or fraudulent returns or documents; adding and amending certain definitions; regulating activities regarding uncashed Commonwealth checks and abandoned and unclaimed property; providing for the revival and priority of tax liens; providing for the timely filing of petitions for resettlement, redetermination, reassessment or similar petitions; adding provisions relating to political subdivision

procurement interest payments; transferring certain powers from the Governor to the Secretary of the Commonwealth; and making editorial changes.

RULES.

**CALENDAR CONTINUED****BILLS ON THIRD CONSIDERATION**

The House proceeded to third consideration of **HB 690, PN 754**, entitled:

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, further providing for the form of official primary ballots; providing for funding of certain Statewide elections; limiting certain contributions; imposing powers and duties on the Department of State; and providing penalties.

On the question,

Will the House agree to the bill on third consideration?

Mr. VEON offered the following amendment No. A4402:

Amend Sec. 3 (Sec. 1613-A), page 13, by inserting between lines 23 and 24

(d) Any contribution in excess of thirty dollars (\$30) shall be made by check or money order.

On the question,

Will the House agree to the amendment?

**DEMOCRATIC AND REPUBLICAN  
CAUCUSES**

The SPEAKER. The House will please come to order.

The gentleman, Mr. Ryan, and the gentleman, Mr. Itkin, after a brief colloquy, have decided that it would be to the advantage of both caucuses to repair to our caucus rooms at this time. We will attempt to return to the floor at 4 o'clock. There are immediate Democratic and Republican caucuses.

**RECESS**

The SPEAKER. This House stands in recess.

**RECESS EXTENDED**

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

**AFTER RECESS**

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

**COMMITTEE MEETING POSTPONED**

The SPEAKER. Does the gentleman, Mr. Trello, seek recognition for the purpose of an announcement?

Mr. TRELLO. Mr. Speaker, I would like to announce that the House Finance Committee meeting that was scheduled for today is canceled. It will be rescheduled for tomorrow right after session in room 39E. It is a very important meeting. I



would appreciate all the members from both sides of the aisle being there. Thank you.

The SPEAKER. The Chair thanks the gentleman from Allegheny County; a Finance Committee meeting tomorrow.

### SENATE MESSAGE

#### ADJOURNMENT RESOLUTION FOR CONCURRENCE

The clerk of the Senate, being introduced, presented the following extract from the Journal of the Senate, which was read as follows:

In the Senate  
January 25, 1994

RESOLVED, (the House of Representatives concurring), That when the Senate adjourns this week it reconvene on Monday, January 31, 1994, unless sooner recalled by the President Pro Tempore of the Senate; and be it further

RESOLVED, That when the House of Representatives adjourns this week it reconvene on Monday, January 31, 1994, unless sooner recalled by the Speaker of the House of Representatives.

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

On the question,  
Will the House concur in the resolution of the Senate?  
Resolution was concurred in.  
Ordered, That the clerk inform the Senate accordingly.

### SENATE MESSAGE

#### JOINT SESSION

The clerk of the Senate, being introduced, presented the following extract from the Journal of the Senate, which was read as follows:

In the Senate  
January 25, 1994

RESOLVED, (the House of Representatives concurring), That the Senate and House of Representatives meet in Joint Session on Wednesday, January 26, 1994 at 11:00 a.m. in the Hall of the House of Representatives for the purpose of hearing an address by His Excellency, Governor Robert P. Casey; and be it further

RESOLVED, That a committee of three on the part of the Senate be appointed to act with a similar committee on the part of the House of Representatives to escort His Excellency, the Governor of the Commonwealth of Pennsylvania, to the Hall of the House of Representatives.

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

On the question,  
Will the House concur in the resolution of the Senate?  
Resolution was concurred in.  
Ordered, That the clerk inform the Senate accordingly.

### ANNOUNCEMENT BY MR. CALTAGIRONE

The SPEAKER. The Chair recognizes the gentleman from Berks County, Mr. Caltagirone, for the purpose of an announcement. The gentleman from Berks may proceed.

Mr. CALTAGIRONE. Thank you, Mr. Speaker.

For the benefit of the members, I just want to mention that in the well of the House, at the amendment clerk's stand there, we have a piece of legislation that would allow for the exemption of the certificate of need for the Temple University Shriners Crippled Children's Hospital, and those of you that would like to sign on as a cosponsor, we will have the bill down there waiting for you if you would like to sign on. Thank you, Mr. Speaker.

### CONSIDERATION OF HB 690 CONTINUED AMENDMENT WITHDRAWN TEMPORARILY

The SPEAKER. For the information of the chamber, the Veon amendment 4402 has been temporarily withdrawn.

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

The SPEAKER. The gentleman, Mr. Reber, has an amendment to HB 690, which the clerk will read.

For the information of the members in the chamber, this is in packet No. 1. Does the gentleman intend to offer amendment 0097? The gentleman indicates that he does.

On the question recurring,  
Will the House agree to the bill on third consideration?  
Mr. REBER offered the following amendment No. A0097:

Amend Title, page 1, line 14, by inserting after "State;"  
providing for defamation actions involving  
public officials and candidates;  
Amend Sec. 3, page 4, line 6, by striking out "an article"  
and inserting  
articles

Amend Sec. 3, page 15, by inserting between lines 15 and  
16

#### ARTICLE XVIII-B DEFAMATION INVOLVING PUBLIC OFFICIALS AND CANDIDATES

Section 1801-B. Cause of Action Limited.—No public official or candidate for public office shall have more than one cause of action for damages for libel or slander, or invasion of privacy, or any other tort founded upon any single publication, or exhibition, or utterance, such as any one edition of a newspaper, or book, or magazine, or direct mail for an election, campaign or other purpose, or any one presentation to an audience, or any one broadcast over radio or television. Recovery in any action shall include all damages for any such tort suffered by the plaintiff in all jurisdictions, provided that the cause of action arose during a campaign for election or re-election.

Section 1802-B. Burden of Proof.—In an action for defamation, the plaintiff has the burden of proving, when the issue is properly raised:

- (1) The defamatory character of the communication.
- (2) Its publication by the defendant.
- (3) Its application to the plaintiff.
- (4) The understanding by the recipient of its defamatory meaning.

(5) The understanding by the recipient of it as intended to be applied to the plaintiff.

(6) Special harm resulting to the plaintiff from its publication.

(7) Abuse of a conditionally privileged occasion.

(8) The communication was made with actual malice.

Section 1803-B. Damages.—Where liability is found under this article, the plaintiff shall be entitled to recover for the following:

(1) The harm to the plaintiff's reputation.

(2) The expenses, including reasonable attorney fees incurred by the plaintiff in the proceedings.

(3) Treble damages in an amount equal to three times the amount of compensatory damages resulting from the defamation.

(4) Punitive damages, where appropriate.

On the question,

Will the House agree to the amendment?

The SPEAKER. On the amendment, the Chair recognizes the gentleman from Montgomery County, Mr. Reber.

Mr. REBER. Thank you, Mr. Speaker.

It is with great honor that I have the opportunity today to speak first on this campaign reform package.

I think one of the things that we can all attest to is the fact that negative campaigning, personal attacks on candidates, institution and candidate bashing, has in fact been something of a buzzword that we hear a lot of these days. I think we all as individual candidates are certainly weary of these kinds of tactics. More importantly, I think our constituents, the electorate in the Commonwealth of Pennsylvania, are not only weary but turned off by disgusting tactics such as these — dirty campaigns, Mr. Speaker, smears, mudslinging, putting just the right spin on an incumbent's vote on a controversial issue.

In spite of the best efforts of campaign strategists, such tactics, in my opinion, do not improve the public image of one politician over another. Furthermore, Mr. Speaker, I think they destroy the credibility of both the institution as well as the process itself. Many people in my district and, I am sure, Mr. Speaker, in a lot of our districts, frankly in all of the districts throughout the Commonwealth of Pennsylvania, are interested in positive messages.

### POINT OF ORDER

Mr. COY. Mr. Speaker?

The SPEAKER. Does the gentleman, Mr. Coy, seek recognition?

Mr. COY. Mr. Speaker, just a point of order.

In packet No. 1, this amendment is listed, but it is not in packet No. 1. Many members are confused. I think we need some instruction as to where the amendment is.

Mr. Speaker, for the benefit of the staff and everyone, it is listed that it is in this packet, and it says "certificate," but indeed, it is not there, and this is what has members confused.

The SPEAKER. The gentleman, Mr. Coy, is correct. The Chair apologizes to the gentleman and to the chamber. The Reber amendment is being duplicated at this time. We will momentarily move to another amendment.

Mr. COY. Thank you, Mr. Speaker.

The SPEAKER. The gentleman, Mr. Reber, will yield momentarily.

The gentleman, Mr. Argall, has amendment 3521, which is also in packet No. 1.

Mr. REBER. Mr. Speaker? Point of personal privilege, Mr. Speaker.

The SPEAKER. The gentleman will please state his point.

Mr. REBER. Could I please withdraw my compliments for being allowed to speak first on this bill? Thank you.

The SPEAKER. That is appropriate.

On the question recurring,

Will the House agree to the bill on third consideration?

Mr. ARGALL offered the following amendment No. A3521:

Amend Bill, page 4, by inserting between lines 5 and 6 Section 3. Section 1634.1 of the act, amended July 11, 1980 (P.L.591, No.127), is amended to read:

Section 1634.1. Lawful Election Expenses.—(a) No candidate, chairman or treasurer of any political committee shall make or agree to make any expenditure or incur any liability, except as provided in section 1621(d).

(b) During each expense reporting period, not more than fifty (50) per cent of the aggregate contributions to a candidate for the General Assembly shall be accepted by or on behalf of the candidate from an individual, political committee or political action committee which has an address of record outside the county or counties which are wholly or partially located in the district which the candidate seeks to represent.

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

4

Amend Sec. 4, page 15, line 16, by striking out "4" and inserting

5

Amend Sec. 5, page 15, line 22, by striking out "5" and inserting

6

On the question,

Will the House agree to the amendment?

The SPEAKER. On the amendment, the Chair recognizes Mr. Argall.

Mr. ARGALL. Thank you, Mr. Speaker.

Mr. Speaker, many of us have given this subject of campaign reform a substantial amount of thought in recent years. I think we are all looking for some commonsense solutions. The solution that was suggested to me, as enclosed in this amendment, is what I would consider a commonsense solution which will solve at least part of the problem of legislative election campaign finances. I think, Mr. Speaker, that if this amendment would be passed, as I hope it will, it would be a major step forward.

This amendment would require that 50 percent of all of the spending, of all of the amounts raised by a candidate, would have to be raised by that candidate for the legislature from within the counties that that member would seek to represent, and so in my mind, it would begin to reduce the amount of spending which is coming into a legislative district, coming in from far outside a legislative district, coming in from special interests. While not completely eliminating all of those things,

it would begin to reduce the amount of influence so that 50 percent, at least, of the amount spent by a candidate for this legislature would have to come from the counties included within the district.

Mr. COY. Mr. Speaker?

The SPEAKER. Does the gentleman, Mr. Coy, seek recognition again?

Mr. COY. Will the gentleman, Mr. Argall, stand for interrogation?

Mr. ARGALL. Yes. Hopefully, I will be able to hear you.

The SPEAKER. Mr. Argall, if you cannot hear Mr. Coy, please make the Chair aware.

Mr. Coy may proceed.

Mr. COY. Thank you, Mr. Speaker.

This is truly a question for which I do not have the answer or know the answer, unlike some interrogation which happens from time to time.

I guess my question is, how do we begin to enforce a contribution? When does the timeframe start? In other words, if a contribution is received from an individual that is outside the district, then does the timeframe start for that reporting period and does it end for that reporting period?

Mr. ARGALL. Yes.

Mr. COY. Is the sponsor of the amendment following the direction of my argument?

Mr. ARGALL. The first words in the amendment, which I did not read, would say, "During each expense reporting period..."

Mr. COY. So that, Mr. Speaker, if a contribution is received from outside the district, outside the county, then for the remainder of that period and that period only— In other words, how, Mr. Speaker, does a candidate or his committee know that it is time to begin to be concerned that I have received more than half? In other words, when does the time period start for which you should be concerned? In other words, at what point during that period?

Mr. ARGALL. Each candidate would have to keep an accurate record of where his money or her money is coming from within each expense reporting period, so that 99 percent could not come in at one point and then 50 percent at another.

Mr. COY. So that, Mr. Speaker, at 30 days through that period, if you have X number of dollars from outside the district, you cannot accept more at that point in time, or is it at the end of the period?

Mr. ARGALL. I am not sure that I understand the question.

Mr. COY. Well, Mr. Speaker, the amendment attempts to say that half of the contributions must be from within the county where the candidate resides. Is that not correct?

Mr. ARGALL. That is correct.

Mr. COY. How do you know during that period, or do you wait till the end of the reporting period and hope you are in balance?

Mr. ARGALL. I would think that you would have to keep track of each one as it comes through.

Mr. COY. So if you were to raise X amount from outside the district, outside the county, then by the end of that

reporting period, you would have to make sure you raised X amount from inside the county.

Mr. ARGALL. That is correct.

Mr. COY. Thank you, Mr. Speaker.

The SPEAKER. The gentleman, Mr. Sturla, is recognized on the Argall amendment.

Mr. STURLA. Mr. Speaker, will the maker of the amendment stand for interrogation?

Mr. Speaker, correct me if I am wrong on this. If I am a candidate in Philadelphia County, I would then get to raise contributions from approximately 1.5 million or however many people there are in the county of Philadelphia. Is that correct?

Mr. ARGALL. That is correct.

Mr. STURLA. But if I am from a rural county in Pennsylvania, I would only get to raise money from, say, 30,000 residents in that county. Is that correct?

Mr. ARGALL. That is also correct.

Mr. STURLA. One other question, Mr. Speaker, on the address of the individual or political committee that is making the contribution. If I have a business in my district that is located in my district but its main headquarters are outside my district or its principals are outside my district, are those principals which are related to a business in my district allowed to make contributions through the address of the business located in my district, or do they have to use their own home, personal address, even though they are affiliated with the business that is located in my district?

Mr. ARGALL. I am uncertain as to exactly what present law would dictate. This amendment does not speak to that kind of a circumstance.

Mr. STURLA. Well, present law says that I can accept a contribution from anywhere in the State. I guess what I am concerned about is, if there is a group of individuals in my district that have locations throughout the State, can they, because they have an address in my district, make contributions through that address in my district?

Mr. ARGALL. My guess would be that if this amendment were to pass, that kind of a circumstance would have to be addressed by another amendment.

Mr. STURLA. So in other words, it is not clear then as to who—

Mr. ARGALL. That is correct.

Mr. STURLA. —can make a contribution to me as a result of this amendment.

Mr. ARGALL. In that kind of a circumstance, yes.

Mr. STURLA. Mr. Speaker, if I could make a comment.

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

Mr. STURLA. Mr. Speaker, I mean, I do not have a problem with what I believe is the intent of Mr. Argall here, but the fact that it is unclear as to who can and cannot make a contribution as a result of this amendment, I think it would be best to vote against this amendment rather than create confusion in the campaign laws. Thank you.

The SPEAKER. The gentleman, Mr. Kukovich, is recognized on the Argall amendment.

Mr. KUKOVICH. Thank you, Mr. Speaker.

There are going to be a lot of amendments, and I do not think we need to spend a lot of time debating each and every one. As a matter of fact, I intend to support probably most of the amendments, even ones that I do not agree with that strongly, because I think we need to move the process along.

However, with that being said, I would ask for a "no" vote on this amendment. I agree with Representative Sturla that the intentions are fine, but I cannot figure out how this can possibly be appropriately administered. I think it also would have the effect of working against rural legislators. I think there could be some constitutional problems because of the lack of flexibility in this also.

Rather than gum up this bill, I think we should move on expeditiously and vote "no" against this amendment.

The SPEAKER. The Chair recognizes the gentleman from Clarion County, David Wright.

Mr. D. R. WRIGHT. Mr. Speaker, this amendment is a clear illustration of why we are not ready to consider this bill today.

I was inclined to interrogate Mr. Argall on this amendment in relationship to counties that were more wealthy than others, the per capita income. If you happen to be from Forest County, it would be considerably more difficult, it would seem to me, for you to raise 50 percent of your contributions than if you were from Berks County or if you were from Lancaster County or Lebanon or Delaware.

Mr. Speaker, this is the kind of amendment which we ought not to be considering today, and it would seem to me that as we consider this, we ought to think seriously about whether we want to legislate this serious, important issue in the committee of the whole.

I am going to ask for a "no" vote on the Argall amendment.

The SPEAKER. The Chair recognizes the gentleman from Coraopolis, Representative Trello.

Mr. TRELLO. Mr. Speaker, as I look over this amendment and many other amendments that are on our desks, I find if these are adopted, not only will we have to have a campaign treasurer, we are going to need an attorney and an accountant to keep track of everything, and I do not want that. I urge defeat of the amendment and many others to come.

The SPEAKER. The gentleman, Curtis Thomas, from Philadelphia is recognized on the amendment.

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, I rise and join my colleagues in opposition to this amendment.

My fundamental problem with this amendment and I think that when you talk about campaign expense reform and when you talk about election reform, we have to apply an old saying, and that is, "What's good for the gander is good for the goose."

We need not begin implementing laws that have one effect on one county and another effect on another county. If we are going to reform the process, then reform must be applicable to all 67 counties in the Commonwealth of Pennsylvania. So I do

not think we need to be dealing with amendments that apply a different standard in one county as opposed to another. Thank you.

### MOTION TO RECOMMIT

The SPEAKER. The gentleman from Philadelphia, Chairman Frank Oliver, is recognized on the amendment.

Mr. OLIVER. Thank you, Mr. Speaker.

Mr. Speaker, as the chairman of the State Government Committee, this committee did not have an opportunity to review any of these amendments. Because of that, Mr. Speaker, I move that this bill, with all of the amendments, be recommitted to the State Government Committee.

The SPEAKER. The gentleman from Philadelphia, Mr. Oliver, has made a motion that the bill be recommitted to the State Government Committee.

On the question,

Will the House agree to the motion?

The SPEAKER. This motion is debatable. The gentleman, Mr. Clymer, indicates that he would like to debate the motion to recommit.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, I rise to support the majority chair, Representative Oliver, State Government Committee, in asking for the recommitment of HB 690 to State Government.

Just a few brief remarks, Mr. Speaker.

When the bill was reported out back in April of last year, it was reported out with limited amendments, and today we are here with over 110 amendments to be debated and to be considered. Many of those amendments were never considered by State Government. In fact, Mr. Speaker, 30 amendments would impose contribution limits, one form or another, on individuals and PAC's (political action committees), and, Mr. Speaker, many of those amendments were never considered by State Government.

Another issue created by many of these amendments is aimed at improving the current expenditure and contribution reporting requirements, such as imposing higher penalties on late filers, requiring PAC's to submit expenditure reports to county boards of elections. Again, those amendments were not considered by State Government.

Mr. Speaker, we have amendments that redefine in-kind contributions. Then there are amendments in the minds of those who submitted them to refine, to make HB 690 more responsible and more effective. There are amendments to redefine eligibility for the absentee ballot. There are a number of amendments dealing with the Election Code, Mr. Speaker. Mr. Speaker, there are amendments to deal with compensation to poll workers and others that redefine when the polls should open and close.

Mr. Speaker, what we do not want is a bill that is somewhat helter-skelter but has some continuity and is framed in a fashion that is understandable by the members of this General Assembly.

So for these and other reasons, as I just mentioned at the outset of my remarks, I support the majority chair, Representative Oliver, in asking that the bill be recommitted back to the Committee on State Government. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

Does the gentleman, Mr. Kukovich, seek recognition? On the motion to recommit, Mr. Kukovich is recognized.

Mr. KUKOVICH. Mr. Speaker, I would ask the maker of the motion to recommit, the chairman of the State Government Committee, to please stand for interrogation.

The SPEAKER. The gentleman indicates that he will respond to interrogation. Mr. Kukovich may proceed.

Mr. KUKOVICH. Thank you.

Mr. Speaker, this bill has been introduced in the past eight sessions, and in all of those sessions in which you have been the chairman of the State Government Committee, you and your committee have done an excellent job in having hearings on this bill, reporting this bill from committee, and doing so very cleanly, and you did so again this session. My concern has been, of course, that no matter how efficiently your committee operates, these same amendments will come up again. My other concern is how much delay will hurt the chances for eventual passage this session.

With that being said, I would ask you just one question. If the bill is recommitted to your committee, could you give us a timeframe as to when it could be reported directly to the House floor?

Mr. OLIVER. Mr. Speaker, I would guarantee you that these amendments will be discussed in their entirety, and I would also say to you that within the next 30 days, I will guarantee you that this bill will be voted out of committee with the amendments.

Mr. KUKOVICH. Mr. Speaker, if you could stand for one more question.

Under this scenario where you once again have done your job and the committee has done its job and the bill is reported out basically as it is at this point, if the same set of circumstances occurs where 100 amendments, maybe half of them not serious, are introduced, what course of action would you as chairman of the committee then advise?

Mr. OLIVER. Mr. Speaker, I understand what you are saying very clearly, but, Mr. Speaker, by the same token, that remains to be seen. I would say to you, we will just have to deal with whatever the course might be.

Mr. KUKOVICH. Mr. Speaker, with that being said and because I do not want to risk my longstanding friendship with the chairman of that committee, I will let the members vote their conscience. I will not speak against his motion to recommit.

Mr. OLIVER. Thank you, Mr. Speaker.

I ask that this House vote for recommitment.

The SPEAKER. The gentleman, Mr. Levdansky, is recognized on the motion to recommit.

Mr. LEVDANSKY. Thank you, Mr. Speaker.

Mr. Speaker, I rise to urge a "no" vote on the motion to recommit this bill.

This bill has been brought out of committee; it has been tabled; it has been brought back off the table for our consideration. Over the last 3 or 4 months, there have been numerous discussions amongst members of this chamber, rank-and-file members, leadership personnel. There have been a lot of discussions about the issue of campaign finance reform. It seems to me, you know, that there are a lot of members that want to be for campaign finance reform as long as it does not affect them.

I think that the motion to recommit is just another effort to put the bill back into committee to bury the issue. I mean, this is an election year. We all understand that. There are a lot of people that want to see this issue buried so that it will not be brought up, so that we will not have to make a tough decision in an election year.

A vote to recommit really represents a vote for business as usual. It represents contentment in supporting the unbridled influence of moneyed interests on the legislative process. Your vote to recommit means that you are against campaign finance reform, and that is the way the people of this State ought to interpret it. A vote to recommit is a vote for the status quo, and I guess if you are a friend of the moneyed interests, you ought to be happy with recommitting this, but I, for one, am not.

I would suggest that as legislators we have a responsibility to represent the people that sent us here to represent their interests. A vote to recommit is a vote to hide from the issue; it is a vote to duck a tough controversial measure.

Let us not pretend that this issue is going to go away and that it is going to be resolved in the State Government Committee, because it is not. There have been many, many years when this issue has been discussed and debated; many, many years this thing has been fought, and it has never been brought to this floor for a vote. This is not the first time that we have seen a bill loaded up with a lot of amendments. We know that there are not going to be 101 amendments offered. There are 101 amendments drafted; 101 amendments will not be voted on here. You know that; I know that. A vote to recommit this is a vote to duck the issue, and do not forget that, because that is really what it boils down to. You are abrogating your responsibility to vote for meaningful reform by sending this bill back to committee. Thank you.

The SPEAKER. The gentleman from Coraopolis, Mr. Trello, on the motion to recommit.

Mr. TRELLO. Mr. Speaker, I rise to support the motion to recommit.

If I am going to stay here until 12 o'clock tonight, 8 or 9 or 10 hours working on an issue, I want to make sure it is important to my constituents. What are our priorities? I think our priorities should be jobs, reduction of business taxes, and a number of other things, health care for kids, and a number of other things.

I think it is more than proper to have the chairman of the State Government Committee bring this bill back into

committee, analyze all of the issues dealing with the amendments, and bring it back before this committee, and I think we can reserve our energies for more important things — on what is really important to our district — and deal with this issue as it comes.

I take issue with the gentleman saying that we do not feel this is important. I think every member of this chamber from both sides of the aisle feels this is a very important issue, but I also think there are other issues that have a higher priority than this, and I urge you to vote for recommitment. Thank you.

The SPEAKER. The Chair thanks the gentleman and recognizes the gentleman from Allegheny County, Mr. Preston.

Mr. PRESTON. Thank you, Mr. Speaker.

Will the gentleman, Mr. Levdansky, stand for interrogation?

The SPEAKER. The gentleman, Mr. Preston, indicates he would like to interrogate the gentleman, Mr. Levdansky, on the motion to recommit. The gentleman is in order and may proceed.

Mr. PRESTON. Mr. Speaker, I take it that you have amendments for HB 690. Am I correct?

Mr. LEVDANSKY. Yes.

Mr. PRESTON. How long have you had those amendments prepared, sir?

Mr. LEVDANSKY. The amendment that I have prepared is essentially an amended version of HB 1375. HB 1375 was HB 550 from last session, and I forget the number from the session before that. So I have had this measure drafted for years.

Mr. PRESTON. For over a year.

Have you ever gone to the chairman of the State Government Committee when this bill was up and asked to have your amendment submitted for that committee?

Mr. LEVDANSKY. My bill has been in the State Government Committee this session and last session, and, yes, I have asked to have it brought up for consideration but have not been successful with that.

Mr. PRESTON. Let me ask the question a little bit more succinctly. Have you ever asked for your amendments for HB 690 to be considered when HB 690 was in the State Government Committee?

Mr. LEVDANSKY. I did not have my bill drafted as an amendment to HB 690 when it was in committee. I had it drafted as an amendment to HB 690 when it is being offered on the floor.

Mr. PRESTON. Thank you.

Mr. Speaker, may I address HB 690?

The SPEAKER. The gentleman is in order, and not to address the bill itself but to address the motion to recommit. Yes, sir, you are in order and may proceed.

Mr. PRESTON. I am concerned because I heard something possibly questioning the integrity of the chairman of State Government when he used the word "guarantee." Secondly, I was concerned, as we always have been, when we got involved with changing our rules and regulations and trying to respect the committee process.

I do not think that any member here is trying to abrogate their responsibilities as far as the people that they are elected here to represent, as compared to the previous speaker and some of the statements that he was using, in my opinion, to try to mislead us. To be able to recommit this bill will be only doing one thing — that is, the appropriate thing — as the motion, to my understanding, Mr. Speaker, was with all of the amendments that were submitted to be considered along with the bill, and the chairman and Mr. Clymer on the minority side both agreed that this would be an appropriate way of being able to do this.

With all due respect to the gentleman that I just questioned, I asked him repeatedly, did he ever prepare amendments to HB 690 when the bill was in committee? He said, no. I understand possibly he has a bill on the specific subject, but the gentleman just does not have, to my understanding, one amendment; there were several different amendments, and to me this is what the process is.

Personally, I am not on the State Government Committee. However, I will respect the work of the committee to be able to save us some time so that this House can run more efficiently after we have had some of these rule changes.

Let us respect both sides of the aisle; let us respect the chairman and try to go on about the work of what they were elected to do, and this is what the committee is supposed to do, where both people will address the issues. Possibly we may be able to save some time and have a better bill when it comes out and when it is presented for us. So I am going to support the issue about asking that the bill be able to be recommitted, Mr. Speaker.

The SPEAKER. The gentleman, Mr. Saurman, from Montgomery County rises on the motion to recommit.

Mr. SAURMAN. Thank you, Mr. Speaker.

Mr. Speaker, I rise to support the motion to recommit.

This issue is extremely important, and it is disturbing to me to see the manner in which the process had begun, because I heard a comment that said, I am going to vote for a lot of amendments, whether I agree with them or not, to move the process. Mr. Speaker, I thought the process was to develop the best legislation that would deal with campaign funding that we can devise.

The very first amendment, Mr. Speaker, the maker of the amendment was unable to correct or to clarify what will happen under certain circumstances when certain moneys begin at one point in the State where they may have a branch in the area where the individual is being elected.

Mr. Speaker, we have a very, very diverse State, and this has been mentioned before. Certain regulations that we may put in place for Philadelphia may impact very adversely in Greene County. I do not think that there is evidence of the fact that this diversity has been adequately considered either in the bill or in the amendment, and therefore, I think that the recommitment motion is the best way to allow these 100-and-some comments that have been made by, really, expert witnesses, because all of us are involved in campaign funding.

It has indeed become an abuse, but you do not just try to solve that abuse without really looking at the impact of each of the provisions that are being suggested or recommended, and, Mr. Speaker, I think that that area, the arena, for that kind of debate is in the committee where people can be called in, where committee members and other members who wish to testify or to add their comments can do so.

I would certainly urge that we put this very important piece of legislation back into the State Government Committee and trust that they will take into consideration the ideas, the thoughts, the intentions of this body, to indeed rein in on campaign funding, to focus, however, on fairness and to focus on openness and to recognize that we have a diverse State so that we in fact can be proud of a piece of legislation, not to move the process but to accomplish an objective.

I would ask that we vote "yes" on recommitment. Thank you.

The SPEAKER. The gentleman, Mr. Chadwick, is recognized on the motion to recommit.

Mr. CHADWICK. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of the motion to recommit.

I believe that we desperately need reform in Pennsylvania, but the amendment that we were just considering is a perfect example of why this bill is not yet ready to vote.

I believe strongly that we ought to limit contributions to 50 percent from outside our districts, and yet the way the amendment was drafted, it had a fatal flaw. If a PAC's home address was located within your district, you had access to unlimited amounts of money from that PAC even though the money came from people who lived all over the State, and you could use that money that came from all over the State as your local money to allow you to get more money from outside your district. That is the kind of thing that has to be cleaned up before we can bring this bill to a vote.

I think Dave Argall has a terrific idea. I would like to see his idea integrated into this bill, but it is not yet ready to vote. I think we should recommit it and come back when it is ready and vote it then. Thank you, Mr. Speaker.

The SPEAKER. The Chair requests the gentleman, Mr. Fajt, to preside temporarily.

**THE SPEAKER PRO TEMPORE  
(GREGORY C. FAJT) PRESIDING**

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the Speaker, Mr. DeWeese.

Mr. DeWEESE. Thank you, Mr. Speaker.

This is a comparatively unusual predicament, and I would like to share a few perspectives of my own on this matter.

This legislation has been introduced into our process eight consecutive terms, eight consecutive terms. Thirty of our sister States have acted, and some form of campaign finance reform has been put upon the statutes of 30 States. We are asking today for an incremental step. Mr. Kukovich's proposal

unamended is, in my view, a strong step toward substantive campaign finance reform.

The myriad amendments that are percolating in the process are worthy of our overview. Some are good, some are otherwise, but nevertheless, for well over a decade we have been considering this kind of effort, and when we came to the brink, we pulled back.

In the late 1970's at a town meeting in Washington County at the courthouse, a handsome and distinguished United States Senator named John Heinz was confronted by a young politician in blue jeans and dingo boots and a flannel shirt, and he was asked, when are we going to allow the sons and daughters of the middle class to compete against Kennedys and Rockefellers and Heinzes? In a very gracious and sensitive and positive way, he responded that he thought campaign finance reform was a worthy project and it was something that he would like to work on in the United States Senate.

Almost 15 years have expired since that moment in Washington County. We have failed at the Federal level and the State level to make any kind of incremental advance. Some people say that campaign finance reform, in the general scheme of things, goes too far; other people say it does not go far enough. That is what we are all about. We are about trying to forge compromise, trying to seek a balance.

I do not embrace all of the Levdansky language, but I do think that he is correct when he says that we are abrogating our responsibility on campaign finance reform. It is an issue that needs to be confronted by the General Assembly of Pennsylvania. He is probably correct that there will not be 100 amendments. He is probably correct that there will only be a fraction of that number, but no matter if there are 200 amendments, that is our assignment; that is what we are here for.

I cannot help but think that after eight sessions of the General Assembly, the time has come to debate this bill, and I am asking my colleagues to not vote to recommit. I think it would be shortsighted in the extreme, and I think it would be an abrogation of our responsibility. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks Mr. DeWeese.

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

The following roll call was recorded:

**YEAS—30**

Barley	Farmer	Oliver	Saurman
Bishop	Fichter	Perzel	Scheetz
Brown	Flick	Petrarca	Smith, B.
Chadwick	Gladeck	Piccola	Steighner
Clymer	Hennessey	Preston	Taylor, J.
Cohen, M.	Hershey	Richardson	Trello
Druce	Kenney	Ryan	Wright, D. R.
Fargo	O'Brien		

**NAYS—168**

Acosta	Fajt	Lucyk	Sather
Adolph	Fee	Lynch	Saylor

Allen	Fleagle	Maitland	Schuler
Argall	Freeman	Manderino	Scrimenti
Armstrong	Gamble	Markosek	Semmel
Baker	Gannon	Marsico	Serafini
Battisto	Geist	Masland	Smith, S. H.
Bebko-Jones	George	Mayernik	Snyder, D. W.
Belardi	Gerlach	McCall	Staback
Belfanti	Gigliotti	McGeehan	Stairs
Birmelin	Gordner	McNally	Steelman
Blaum	Gruitza	Melio	Steil
Boyes	Gruppo	Merry	Stern
Bunt	Haluska	Michlovic	Stetler
Butkovitz	Hanna	Micozzie	Stish
Buxton	Harley	Mihalich	Strittmatter
Caltagirone	Hasay	Miller	Sturla
Cappabianca	Herman	Mundy	Surra
Carn	Hess	Nailor	Tangretti
Carone	Hughes	Nickol	Taylor, E. Z.
Cawley	Hutchinson	Nyce	Thomas
Cessar	Itkin	Olasz	Tigue
Civerra	Jadlowiec	Pesci	Tomlinson
Clark	James	Petrone	Trich
Cohen, L. I.	Jarolin	Pettit	True
Colafella	Josephs	Phillips	Tulli
Colaizzo	Kaiser	Pistella	Uliana
Conti	Kasunic	Pitts	Vance
Cornell	Keller	Platts	Van Horne
Corrigan	King	Raymond	Veon
Cowell	Kirkland	Reber	Vitali
Coy	Krebs	Reinard	Washington
Curry	Kukovich	Rieger	Waugh
Daley	LaGrotta	Ritter	Williams
DeLuca	Laub	Roberts	Wozniak
Dempsey	Laughlin	Robinson	Wright, M. N.
Dent	Lawless	Roebuck	Yandrisevits
Dermody	Lederer	Rohrer	Yewcic
Donatucci	Lee	Rooney	Zug
Durham	Leh	Rubley	
Egolf	Lescovitz	Rudy	DeWeese,
Evans	Levdansky	Santoni	Speaker
Fairchild	Lloyd		

NOT VOTING—1

Wogan

EXCUSED—2

Bush Godshall

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

The SPEAKER pro tempore. The Chair asks the members to turn to consideration of amendment 3521 as brought up by Representative Argall.

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

The SPEAKER pro tempore. Is anybody else seeking recognition?

The Chair recognizes Representative Sturla on the Argall amendment.

Mr. STURLA. Mr. Speaker, will the maker of the amendment stand for interrogation?

Mr. Speaker, I have a question. If, say, for instance, there is a Representative that represents a portion of my county and

a portion of an adjoining county and he happens to live in my county but he represents a portion of an adjoining county, under your amendment, would it be possible for someone to make a contribution to his campaign because it would be considered his home county, the neighboring county, and then he could turn around and make a campaign contribution to my campaign because, after all, he does live in my county? And would that be considered an in-county contribution?

Mr. ARGALL. My understanding of your question would be that he would be allowed to give to both as he would now. In the one case, it would be listed, since the district covers both counties, it would be listed as an inside contribution, if you will, and in the other case, it would be listed as an outside.

Mr. STURLA. Okay. So in other words, I could get money from in essence outside my county as long as it was channeled through someone who lived in my county.

Mr. ARGALL. No. You would be able to get it from outside because you are allowed 50 percent of your contributions anyway. This is not a ban on outside-your-county contributions.

Mr. STURLA. Well, I want it to count as an in-county contribution.

Mr. ARGALL. But your whole question is, because of where he lives? My guess is that, you know, under current law, the Department of State has some regulatory authority. Some of these questions could be handled in that way. Some of these, as I said, might need additional wording through an additional amendment. I do not know how we can, on this floor today certainly, address every conceivable question such as that.

Mr. STURLA. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes Representative Coy.

Mr. COY. Thank you, Mr. Speaker.

Mr. Speaker, I rise to oppose the amendment.

Mr. Speaker, I believe this amendment is inherently unfair to more rural legislative districts in the Commonwealth of Pennsylvania. I think it is also unfair to districts that might not have and counties that might not have a number of professional offices, professional organizations, which headquarter in their areas. And I do not see a thing in the world wrong, Mr. Speaker, with contributions coming from organizations which do not happen to be headquartered in an individual's county but whose members, whether they be teachers or telephone company employees or electric company employees or union members, who happen to belong to an organization that is headquartered in another area but who happen to live in your county or your legislative district, to be able to contribute whatever amount that organization sees fit to a legislative race.

Mr. Speaker, in my earlier interrogation with Representative Argall, I pointed out what I believe to be the difficulty with how you calculate contributions and when in effect you go over the 50-percent level, and I think the problem comes on that last day before filing that report that I pointed out. The problem comes because at the last day before



filing the report, if you find that you have more than 50 percent in that filing period from outside the county, you are outside the law; you would be illegal unless you raised so much from inside your county at that given time. I think that in and of itself makes the amendment unworkable.

I understand the gentleman's purpose, but very frankly, I think an artificial limit like this is disproportionately unfair to rural areas, and as a legislator, and as a legislator who occasionally votes for urban concerns, I would ask colleagues on both sides of the aisle to be concerned about the fairness of this issue to legislative districts which are not in urban areas, which do not happen to house large organizations and their headquarters.

I think it is extremely unfair, and on that basis alone and on the basis of the difficulty of the calculation of amounts toward the end of a filing period, I ask for opposition to the amendment. Thank you, Mr. Speaker.

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

Mr. PRESTON. Thank you, Mr. Speaker.

Coming from Allegheny County, I have no choice but to look at the merits of the Argall amendment. In all honesty, I think it is a good amendment, and I am going to vote for it.

There are some questions, I think, that are going to have to be worked out in relationship to the many different things as far as accounting is concerned; for an example, whether or not a person has 5 or 10 percent of their legislative district in one county and 50 percent in another county and 80 percent in another county or however that works out. I am not the best mathematician. But I think if we are going to be accountable and be responsible to the people, any check and balance that we are going to be able to put on ourselves, I think that that is what we are here to do today and to be able to be responsible for it.

So therefore, I would encourage my colleagues to vote positively for the Argall amendment.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes Representative Kukovich.

Mr. KUKOVICH. Mr. Speaker, for the second and last time on this amendment, I am not going to support anything that weakens this bill. I will support some amendments I do not necessarily like.

Let me tell you, again, I think the intention may be a fine intention, but this is just not workable. It is going to cause too many problems. It will cause an imbalance between rural and urban districts. I do think there is a serious constitutional question here, which I will not raise except in debate, and I do not think any member on this floor has to be worried that if they vote "no" on this amendment, that they are voting to weaken campaign finance reform. That is simply not the case. I dare any of my opponents to say I am weak on campaign finance reform because I oppose this amendment. I suggest we do so and get on with some of the more serious aspects of this bill.

The SPEAKER pro tempore. The Chair thanks the gentleman from Manor and recognizes Representative Tighe.

Mr. TIGHE. Thank you, Mr. Speaker.

Mr. Speaker, I rise to oppose the Argall amendment. I think that it is grossly unfair for a number of reasons, some of which have been mentioned prior to my speaking, but let me say a few things.

One is, if you represent a district in which you do not have the majority of the political party registered in your favor, you are really at a serious disadvantage if you vote for this, because this will eliminate any House campaign committee funds, any State campaign committee funds, any House campaign committee contributions, such as mailings, et cetera. The one person who would really be helped by this amendment would be Representative Ron Buxton, who represents the Harrisburg area, because that is where most of the political action committees are addressed. This would prohibit family members, friends, who do not live in your county, from helping you. This has nothing to do— And I am for reforming campaign financing, but this particular amendment I would ask that you defeat. Thank you.

The SPEAKER pro tempore. The Chair recognizes Representative Argall for the second time on the amendment.

Mr. ARGALL. Mr. Speaker, I will be brief. I know we have many amendments awaiting us.

There is a lot of talk about perceived weaknesses or imbalance in this amendment. I would point out to you that current law has many, many more imbalances, imbalances in favor of incumbents and against challengers.

I think what this amendment will do, it is, in the words of the Speaker, an incremental step, but I understand that, you know, this is not rocket science. If it were, only the majority leader would understand perhaps what this bill is all about. We have today 201 experts on this subject because this is something that we have all had to live with.

Now, I do not believe that my district is exceedingly different from many of the other districts that are represented on this floor. I can tell you that when I tested this question, as many of us do, on a recent questionnaire, 91 percent of the people in my district thought it was a good idea, as compared to 9 percent who thought that it was a bad idea. I would suggest that perhaps in some of your districts, it might be 85-15 or in many of your other districts, maybe 80-20, but I would be very, very surprised, if you would check this question on your own questionnaire, if your results would be exceedingly different from mine.

With that in mind, in asking for a level playing field, I would ask for a "yes" vote on a commonsense amendment, which may be far from perfect, but I do believe, as I said earlier, that it is at least an incremental step in the right direction and perhaps much more, perhaps a big step.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes Representative Mihalich.

Mr. MIHALICH. I would like to just comment on the statement made by the previous speaker, who said that we should all go out and check our districts. He has checked his,

and in his opinion, it would be fair. I would assume that he would come to that conclusion since his district represents two counties. My district represents one county. I think that puts me at a disadvantage. His potential is twice as big as mine, or the couple of legislators adjacent to him who are only located in one county, and a couple other ones who are adjacent to him have two counties. That is the unfairness of it.

I just wanted to put that on the record — that we have checked our districts and those of us in single districts do not compare favorably with the proposer of this amendment who has two counties in his district.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—62

Allen	Cornell	Kenney	Platts
Argall	Corrigan	King	Preston
Baker	Dent	Laub	Raymond
Battisto	Egolf	Laughlin	Rubley
Belardi	Fajt	Lawless	Rudy
Belfanti	Farmer	Lee	Sather
Birmelin	Flick	Lucyk	Saylor
Blaum	Gannon	Masland	Serafini
Boyes	Geist	Mayernik	Smith, B.
Brown	Hanna	McCall	Snyder, D. W.
Bunt	Harley	Merry	Stairs
Carone	Hasay	Mundy	Stern
Chadwick	Herman	Nyce	Stish
Civera	Hess	Petrarca	Vance
Clark	Hutchinson	Petit	Wright, M. N.
Cohen, L. I.	Kaiser		

NAYS—135

Acosta	Gamble	Michiovic	Staback
Adolph	George	Micozzie	Steelman
Armstrong	Gerlach	Mihalich	Steighner
Barley	Gigliotti	Miller	Steil
Bebko-Jones	Gladeck	Nailor	Stetler
Bishop	Gordner	Nickol	Strittmatter
Butkovitz	Gruitza	O'Brien	Sturla
Buxton	Gruppo	Olasz	Surra
Caltagirone	Haluska	Oliver	Tangretti
Cappabianca	Hennessey	Perzel	Taylor, E. Z.
Carn	Hughes	Pesci	Taylor, J.
Cawley	Itkin	Petrone	Thomas
Cessar	Jadlowiec	Phillips	Tigue
Clymer	James	Piccola	Tomlinson
Cohen, M.	Josephs	Pistella	Trello
Colafrella	Kasunic	Pitts	Trich
Colaizzo	Keller	Reber	True
Conti	Kirkland	Reinard	Tulli
Cowell	Krebs	Richardson	Uliana
Coy	Kukovich	Rieger	Van Horne
Curry	LaGrotta	Ritter	Veon
Daley	Lederer	Roberts	Vitali
DeLuca	Leh	Robinson	Washington
Dempsey	Lescovitz	Roebuck	Waugh
Dermody	Levdansky	Rohrer	Williams
Donatucci	Lloyd	Rooney	Wogan
Druce	Lynch	Ryan	Wozniak
Durham	Maitland	Santoni	Wright, D. R.
Evans	Manderino	Saurman	Yandrisevits

Fairchild	Markosek	Scheetz	Yewcic
Fargo	Marsico	Schuler	Zug
Fee	McGeehan	Scrimenti	
Fichter	McNally	Semmel	DeWeese,
Fleagle	Melio	Smith, S. H.	Speaker
Freeman			

NOT VOTING—2

Hershey	Jarolin
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EXCUSED—2

Bush	Godshall
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The question was determined in the negative, and the amendment was not agreed to.

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

Mr. REBER offered the following amendment No. A0097, which had been read previously by the clerk:

- Amend Title, page 1, line 14, by inserting after "State;" providing for defamation actions involving public officials and candidates;
- Amend Sec. 3, page 4, line 6, by striking out "an article" and inserting articles
- Amend Sec. 3, page 15, by inserting between lines 15 and 16

ARTICLE XVIII-B  
DEFAMATION INVOLVING PUBLIC OFFICIALS  
AND CANDIDATES

Section 1801-B. Cause of Action Limited.—No public official or candidate for public office shall have more than one cause of action for damages for libel or slander, or invasion of privacy, or any other tort founded upon any single publication, or exhibition, or utterance, such as any one edition of a newspaper, or book, or magazine, or direct mail for an election, campaign or other purpose, or any one presentation to an audience, or any one broadcast over radio or television. Recovery in any action shall include all damages for any such tort suffered by the plaintiff in all jurisdictions, provided that the cause of action arose during a campaign for election or re-election.

Section 1802-B. Burden of Proof.—In an action for defamation, the plaintiff has the burden of proving, when the issue is properly raised:

- (1) The defamatory character of the communication.
- (2) Its publication by the defendant.
- (3) Its application to the plaintiff.
- (4) The understanding by the recipient of its defamatory meaning.
- (5) The understanding by the recipient of it as intended to be applied to the plaintiff.
- (6) Special harm resulting to the plaintiff from its publication.
- (7) Abuse of a conditionally privileged occasion.
- (8) The communication was made with actual malice.

Section 1803-B. Damages.—Where liability is found under this article, the plaintiff shall be entitled to recover for the following:

- (1) The harm to the plaintiff's reputation.
- (2) The expenses, including reasonable attorney fees incurred by the plaintiff in the proceedings.
- (3) Treble damages in an amount equal to three times the amount of compensatory damages resulting from the defamation.
- (4) Punitive damages, where appropriate.

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

The SPEAKER pro tempore. On the amendment, the Chair recognizes Representative Reber.

Mr. REBER. Thank you, Mr. Speaker.

As I said earlier, Mr. Speaker, I think all of us and many people who have elected not to run are weary of certain tactics that seem to go on, not only here in Pennsylvania but nationwide. Our constituents, the electorate, they are also very weary, and on top of that, I think they are turned off with the whole concept of negative campaigns, personal attacks on the families and candidates themselves.

I think, Mr. Speaker, that the concept of dirty campaigns, smears, mudslinging, putting just the right spin on an incumbent's vote on a controversial issue has to go by the wayside. In spite of the best efforts of campaign strategists, such tactics do not, in my opinion, improve the public image of one politician over another. They frankly destroy the credibility of both.

Mr. FAIRCHILD. Mr. Speaker?

The SPEAKER pro tempore. The Chair asks the gentleman to suspend, the gentleman, Mr. Reber.

The Chair recognizes Representative Fairchild. For what purpose does the gentleman rise?

Mr. FAIRCHILD. Mr. Speaker, I may not have it on my desk, but we still do not have a copy of the amendment. Our section over here does not have it.

The SPEAKER pro tempore. We have been told— And I see other members holding the amendment up. I assume it has been distributed, but I will ask that you be given a specific copy of the amendment, Representative Fairchild. I think we missed one section over there.

Mr. REBER. Mr. Speaker, for the members on my side of the aisle, just trust me. Trust me; you will like it; you will like it.

The SPEAKER pro tempore. I think most of the members have heard that comment before, Representative.

The Chair will ask the pages to please see that that amendment is circulated to section 1 of the House floor.

The gentleman, Mr. Reber, may proceed on the amendment.

Mr. REBER. Thank you, Mr. Speaker.

Mr. Speaker, my concern really goes to the situation where there are a lot of malicious distortions of facts to create a negative public image in order to defeat a candidate. I think this is wrong.

I feel that the existing civil remedies in Pennsylvania for defamation and libel of public officials, candidates for public office at all levels is inadequate. This particular amendment, Mr. Speaker, is the reason why that I am proposing such as part of the Election Code.

In addition, Mr. Speaker, I think that we have to move where those that are maliciously defamed during a campaign have appropriate redress.

In addition to compensatory and punitive damages, which are currently permitted under existing common law and statute in Pennsylvania, this amendment provides for a triple damage provision authorizing, Mr. Speaker, an award of three times the

amount of compensatory damages that might be entered by a trier of fact — a judge or jury — following an award in a suit brought pursuant to this statute.

This amendment, Mr. Speaker, I think, will put all the players in the election process — campaigns, the candidates, campaign staffs, and the high-priced consultants that tend to put what I consider to be very negative spins — on the same playing field.

Mr. Speaker, it is time in Pennsylvania to say that lies in campaigns, half-truths in campaigns, innuendos, and smear tactics will no longer be tolerated for any candidate that desires to run for public office, whether it be local, State, or Federal.

Mr. Speaker, I submit that the amendment that I propose has rooted in its elements the statutory language that is currently law in Pennsylvania relative to defamation. Furthermore, Mr. Speaker, it incorporates the actual malice test that is required by the Federal Constitution and the United States Supreme Court emanating out of the public official cases that got their genesis in the New York Times v. Sullivan case and the progeny that followed. This way, Mr. Speaker, I think the First Amendment rights of the candidates and their campaigns as well as the newspapers are protected. But more importantly, Mr. Speaker, I think the rights of the public officials and those individuals that desire to aspire to seek public office are also protected.

But most importantly, Mr. Speaker, I think something that has continually been neglected over the years in the most recent history in the Commonwealth of Pennsylvania is that the integrity of the election process will be restored. Truth, Mr. Speaker, needs no longer to be the first casualty in a campaign. Hopefully, in my opinion, Mr. Speaker, cynicism and distrust on the part of the electorate will be the only casualty.

I urge my colleagues to cast a "yes" vote for this amendment. I think the citizens of the Commonwealth deserve no less, and so do each of you and those that may in years to come run for your office.

I urge the adoption of this amendment, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes Representative Geist. For what purpose does the gentleman rise?

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

If I could, would it be possible to interrogate the majority leader for a moment?

The SPEAKER pro tempore. The gentleman indicates he is willing to be interrogated, and Representative Geist may proceed.

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

We have not had a chance to caucus on quite a few of these amendments. The question would be, how long do you plan to run amendments this evening, A. If the answer is for quite a while, then B, would we have the ability to go to caucus and caucus on a list of the amendments? We do not have to do them all, but we could do whatever you want to run tonight and then maybe return to caucus tomorrow to caucus on a lot of these. There are a lot of amendments that are not understood by an awful lot of people.

Mr. ITKIN. Mr. Speaker, it is my intention to keep the House in session tonight until about 7 o'clock. The Governor's Office has requested that the Governor have an opportunity to use the hall of the House in order to prepare for his State of the State Address. So it was my desire to work until about 7 o'clock.

Tomorrow is the Governor's State of the State Address. We are also going to consider a resolution, and members of the Phillies baseball team will be coming here. We may be able to get some time on the floor to continue this debate, but I am not sure about that.

What I would like to do, if it is acceptable to the other side, would be to bear with it until about 7 o'clock and then to pass over the bill and adjourn the House for today; tomorrow if we do have some time, maybe to resurrect the measure and to keep on doing an amendment or two or three, and then basically return to the bill when we come back next Monday and continue to deal with this issue as long as it takes.

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

Mr. Speaker, I would request then that— I know that Woody on your staff and our staff get along very well, have a very good work relationship. I would ask that we check with Susan over here, the staffer, and that we only run amendments that have been caucused on previously and then tomorrow we would have an opportunity to go to caucus to caucus on amendments that have not been gone over thoroughly.

Thank you very much, and if we could honor that request, then there is no necessity to go to caucus now. Thank you.

Mr. ITKIN. Mr. Speaker?

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

Mr. ITKIN. I just want to make the members aware of the fact that because the Governor will be presenting his State of the State Address at 11, the House will be in session at 10:30. If any caucus wishes to meet, it should do so prior to the 10:30 hour.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Allegheny County, Representative Michlovic.

Mr. MICHLOVIC. Thank you, Mr. Speaker.

May I ask the maker of the amendment to stand for interrogation? I would like to interrogate the maker of the amendment.

The SPEAKER pro tempore. The gentleman indicates that he is willing to be interrogated, and the gentleman may proceed.

Mr. MICHLOVIC. Mr. Speaker, is it your intention under the burden-of-proof section of the amendment that all eight of the items must be met in order for a person to successfully file a defamation-of-character suit?

Mr. REBER. Mr. Speaker, I will assume for purposes of answering that you are familiar with subchapter D, section 8341, of Title 42—

Mr. MICHLOVIC. Please do not assume that.

Mr. REBER. In that event, Mr. Speaker, I will recite from that particular section, the specific section 8343, which relates to burden of proof.

The burden-of-proof language that I have taken and put into this amendment is paragraphs (1) through (7), which are the identical burdens that currently must be required as the sustaining elements in a defamation action under statutory law in the Commonwealth of Pennsylvania today. There is no deviation from that whatsoever.

Mr. MICHLOVIC. Okay.

Mr. REBER. We have added subparagraph (8), which specifically states, "The communication was made with actual malice." This is the New York Times v. Sullivan test that must apply for a defamation action when it is brought on behalf, or I should say by a public official for a defamatory action against that individual. That is where that language comes. So we do track current statutory law in Pennsylvania under "Defamation."

What this amendment does and the only difference is that it provides for inclusion into the Election Code for purposes of consideration by any particular candidate that would otherwise be covered by the Election Code where in fact a defamatory action takes place during the election process, and the only difference is the triple-damage provision and the reasonable-attorney-fee provisions that are a nuance, new, if you will, to this particular concept.

Mr. MICHLOVIC. Thank you.

Mr. Speaker, could you in a brief way explain item No. (7), "Abuse of a conditionally privileged occasion"? Do you have an idea of what is meant by that?

Mr. REBER. Mr. Speaker, it is a very, very unique set of circumstances when this may apply, but there are certain instances where defamatory statements may be privileged to be given as a result of, an example, in an employer relationship where there has to be information transgressed. Statute does provide for such. It is a very limited particular set of circumstances. Again, this is something that has been embodied in statutory law, and we are not deviating from that.

Mr. MICHLOVIC. Okay.

But my question then, and the first part of my questioning stands: Do all eight of those circumstances have to be met, even this very, as you say, very special circumstance?

Mr. REBER. Yes; yes. That is correct. There is no deviation from the elements under current law relative to a defamation action against a public official under this. We are not changing the burden one iota. There is no intent to do that.

Mr. MICHLOVIC. Okay.

Thank you, Mr. Speaker. I appreciate it.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the Representative from Adams County, Representative Maitland.

Mr. MAITLAND. Mr. Speaker, may I interrogate the maker of the amendment, please?

The SPEAKER pro tempore. The gentleman indicates that he is willing to be interrogated, and you may proceed.

Mr. MAITLAND. Mr. Speaker, can you tell me what the difference is exactly from the current law, just those two paragraphs, for attorney's expenses and the treble damages? Is that correct?

Mr. REBER. Yes, Mr. Speaker. The only difference from current law is the fact that it is being specifically placed in the Election Code, and in this particular type of civil cause of action, attorney's fees would be recoverable by a successful party and there would be triple damages assessed for any compensatory damage award that would be given by the trier of fact, vis-a-vis the jury in the award itself or by a judge sitting without a jury.

Mr. MAITLAND. Okay.

What do the treble damages do? Could not the plaintiff sue for triple the amount he intended to sue for in the first place?

Mr. REBER. Well, from the standpoint of how the request for damages would be structured, under current law, he could recover compensatory damages, which would have to be damages actually shown, and then if there was such an egregious violation, punitive damages could also be assessed under common law, under case law. That does not change. What we are doing though, in my opinion, is taking a public policy standard and applying it to the case where there are compensatory damages shown and in fact an award is entered that a defamation has taken place, that these will be tripled to, in essence, make people think twice before they carry out these types of acts.

Mr. MAITLAND. Okay.

Does this amendment do anything for the case where the plaintiff is filing a lawsuit without cause or for political purposes or the plaintiff is suing someone for libel, slander, and defamation of character when they know in fact that they have no grounds for such a suit?

Mr. REBER. Well, what you have there is no different than current law - frivolous litigation. That is no different than current law. You know, the attorney in the Federal sphere would subject himself to redress under Federal rule 11 and would also subject himself under the Title 42 current provisions and mandates for frivolous litigation in the Commonwealth of Pennsylvania. And the plaintiff who would bring such an action would also be subject to such sanction, contempt or whatever.

Mr. MAITLAND. Thank you, Mr. Speaker. I have finished with my interrogation. *On the amendment.*

The SPEAKER pro tempore. The gentleman may proceed on the amendment.

Mr. MAITLAND. Thank you, Mr. Speaker.

I am not sure that this amendment does anything profound to change the law, but I urge a "yes" vote for it. Thank you.

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

Mr. KUKOVICH. Thank you, Mr. Speaker.

I would ask the members to vote for this amendment. I think it is a reasonable mechanism to reduce negative campaigning. This is one of the areas where we can agree and

move ahead with this bill, and I would again ask for an affirmative vote.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—189

Acosta	Fairchild	Lucyk	Santoni
Adolph	Fajt	Lynch	Sather
Allen	Farmer	Maitland	Saurman
Argall	Fee	Manderino	Saylor
Armstrong	Fichter	Markosek	Scheetz
Baker	Fleagle	Marsico	Schuler
Barley	Flick	Masland	Scrimenti
Battisto	Freeman	Mayernik	Semmel
Bebko-Jones	Gamble	McCall	Serafini
Belardi	Gannon	McGeehan	Smith, B.
Belfanti	Geist	McNally	Smith, S. H.
Birmelin	George	Melio	Staback
Bishop	Gerlach	Merry	Stairs
Blaum	Gigliotti	Michlovic	Steighner
Brown	Gladeck	Micozzie	Steil
Bunt	Gordner	Mihalich	Stern
Butkovitz	Gruitza	Miller	Stetler
Buxton	Gruppo	Mundy	Stish
Caltagirone	Haluska	Nailor	Strittmatter
Cappabianca	Hanna	Nickol	Sturla
Carn	Harley	O'Brien	Surra
Carone	Hasay	Olasz	Tangretti
Cawley	Herman	Oliver	Taylor, E. Z.
Cessar	Hershey	Perzel	Taylor, J.
Chadwick	Hess	Pesci	Tigue
Civera	Hughes	Petrarca	Tomlinson
Clark	Hutchinson	Petrone	Trelio
Clymer	Itkin	Pettit	Trich
Cohen, L. I.	Jadlowiec	Phillips	True
Cohen, M.	James	Piccola	Tulli
Colafrella	Jarolin	Pistella	Vance
Colaizzo	Kaiser	Pitts	Van Horne
Conti	Kasunic	Platts	Veon
Cornell	Keller	Preston	Vitali
Corrigan	Kenney	Raymond	Washington
Cowell	King	Reber	Waugh
Coy	Kirkland	Reinard	Williams
Curry	Krebs	Richardson	Wogan
Daley	Kukovich	Rieger	Wozniak
DeLuca	LaGrotta	Ritter	Wright, D. R.
Dempsey	Laub	Roberts	Wright, M. N.
Dent	Laughlin	Robinson	Yandrisevits
Dermody	Lawless	Roebuck	Yewcic
Donatucci	Lederer	Rohrer	Zug
Druce	Lee	Rooney	
Durham	Leh	Rubley	DeWeese,
Egolf	Lescovitz	Rudy	Speaker
Evans	Levdansky	Ryan	

NAYS—7

Boyes	Lloyd	Snyder, D. W.	Uliana
Fargo	Nyce	Thomas	

NOT VOTING—3

Hennessey	Josephs	Steelman
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EXCUSED—2

Bush Godshall

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

VOTE CORRECTIONS

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

Mr. HENNESSEY. To correct the record, Mr. Speaker.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. HENNESSEY. Mr. Speaker, while we have a lull in the proceedings here a bit, on the vote for the motion to recommit HB 690, I had taken a phone call in the lobby in the rear of the House, so I was out of my seat. I was improperly recorded as voting in favor of the motion to recommit. I would like to correct the record and vote against the motion to recommit. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman and asks that his remarks be spread across the record.

The Chair recognizes the gentelady, Ms. Steelman. For what purpose do you rise?

Ms. STEELMAN. To correct the record, Mr. Speaker.

The SPEAKER pro tempore. The gentelady may proceed.

Ms. STEELMAN. On the vote on Mr. Reber's amendment 0097, I voted in the affirmative but my vote was not recorded.

The SPEAKER pro tempore. The Chair thanks the lady and asks that her comments be spread upon the record.

Mr. PERZEL. Mr. Speaker?

The SPEAKER pro tempore. The gentleman, Mr. Perzel, is recognized. For what purpose does the gentleman rise?

Mr. PERZEL. Mr. Speaker, my heart was not in that last amendment, and I made a mistake and voted in the affirmative instead of the negative. I would like the record to reflect that.

The SPEAKER pro tempore. The Chair thanks the gentleman and asks that his comments be spread upon the record.

CONSIDERATION OF HB 690 CONTINUED

On the question,

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

Mr. NICKOL offered the following amendment No. A3615:

Amend Title, page 1, line 12, by striking out "funding" and inserting

spending limits

Amend Sec. 1 (Sec. 1002), page 2, lines 12 through 17, by striking out all of lines 12 through 16 and "equal number of times" in line 17 and inserting

county to another and shall be so alternated between counties that each name shall appear, insofar as may be reasonably possible, to substantially an equal number of voters

Amend Sec. 2 (Sec. 1633), page 3, line 18, by inserting after "Corporations"

, Partnerships

Amend Sec. 2 (Sec. 1633), page 3, line 19, by inserting after "bank,"

any

Amend Sec. 2 (Sec. 1633), page 4, line 1, by inserting after "bank,"

partnership,

Amend Sec. 2 (Sec. 1633), page 4, line 2, by inserting after "bank"

, partnership

Amend Sec. 3 (Article Heading), page 4, line 8, by striking out "Fund" and inserting

Spending Limits

Amend Sec. 3, page 4, by inserting between lines 8 and 9

Section 1601-A. Legislative Intent.—The General Assembly recognizes that fair and competitive elections are the keystone of representative democracy and essential to maintaining citizens' confidence in the government. In order to promote the integrity of the electoral process, the members of the General Assembly find it to be a compelling interest of this Commonwealth to encourage candidates for State-wide elections to accept restrictions on the raising and spending of campaign funds. Therefore, the following provisions are enacted to encourage adherence to spending limits, to inform the public regarding a candidate's compliance and to promote the integrity of this Commonwealth's elections.

Amend Sec. 3 (Sec. 1601-A), page 4, line 9, by striking out "1601-A" and inserting

1602-A

Amend Sec. 3 (Sec. 1601-A), page 4, lines 16 and 17, by striking out all of said lines

Amend Sec. 3 (Sec. 1602-A), page 4, line 22, by striking out "1602-A" and inserting

1603-A

Amend Sec. 3 (Sec. 1602-A), page 4, lines 24 and 25, by striking out "who elect to apply for campaign funding under this article"

Amend Sec. 3 (Sec. 1602-A), page 5, line 5, by striking out "funding of" and inserting

expenditure limits for

Amend Sec. 3 (Sec. 1603-A), page 5, line 10, by striking out "1603-A" and inserting

1604-A

Amend Sec. 3, page 5, lines 14 through 30; pages 6 through 10, lines 1 through 30; page 11, lines 1 through 7, by striking out all of said lines on said pages and inserting

Section 1605-A. Declaration of Intention.—Any candidate for a State-wide office as described in section 1603-A shall, at the time of filing nomination petitions, also file with the department a declaration on forms, designed by the secretary, stating whether or not he elects to accept restrictions on the raising and spending of campaign funds pursuant to this article. No candidate shall be obligated to accept the restrictions, and, if a candidate elects to not accept the restrictions, the restrictions contained in this article shall be inapplicable to the person and his candidacy. A candidate who has elected to not accept the restrictions may change his election for the year by filing a new declaration with the department within fifteen (15) days after the deadline for filing nomination petitions, or he may change his election for the general election by filing a new declaration no later than thirty (30) days after the primary election. However, once a candidate has elected to accept the restrictions pursuant to this article, he may not change that election through the remainder of the year. Any and all committees authorized to receive contributions or make expenditures for the candidate who has elected to accept the restrictions shall abide by the provisions of section 1606-A.

Amend Sec. 3 (Sec. 1612-A), page 11, line 8, by striking out "1612-A" and inserting

1606-A

Amend Sec. 3 (Sec. 1612-A), page 11, lines 10 and 11, by striking out "amounts of funds distributed under this article."

Amend Sec. 3 (Sec. 1612-A), page 11, lines 29 and 30; page 12, lines 1 through 17, by striking out all of said lines on said pages and inserting

(c) Notwithstanding any other provision of this article, a candidate who has elected to accept restrictions on the spending of campaign funds pursuant to section 1605-A, but whose major political party opponent in a general or municipal election elects to not accept the restrictions, shall not be bound by the expenditure limits specified in this section.

(d) Notwithstanding any other provision of this article, a candidate who has elected to accept restrictions on the spending of campaign funds pursuant to section 1605-A, but at least one of whose opponents in the same political party in a primary election elects to not accept the restrictions, shall not be bound by the expenditure limits specified in this section.

Amend Sec. 3 (Sec. 1613-A), page 12, line 18, by striking out "1613-A" and inserting

1607-A

Amend Sec. 3 (Sec. 1614-A), page 13, line 24, by striking out "1614-A" and inserting

1608-A

Amend Sec. 3 (Sec. 1614-A), page 13, lines 25 and 26, by striking out "sections 1607-A, 1609-A and 1612-A" and inserting section 1606-A

Amend Sec. 3, page 14, lines 7 through 27, by striking out all of said lines and inserting

Section 1609-A. Advertisement of Compliance.—(a) No later than three (3) days before each election, the secretary shall cause to be published once, in at least two and not more than three newspapers of general circulation in each county, a list of candidates for each State-wide office as described in section 1603-A, clearly identifying which candidates have elected to accept restrictions on the raising and spending of campaign funds for that election and which candidates have elected to not accept the restrictions. The notice shall be prefaced with a statement as to the legislative intent of this article.

(b) In order to help meet the requirements of this section, the secretary may require the information to be contained in the election proclamations otherwise issued by the county boards of elections under provisions of this act.

Amend Sec. 3 (Sec. 1617-A), page 14, line 28, by striking out "1617-A" and inserting

1610-A

Amend Sec. 3 (Sec. 1617-A), page 15, line 5, by striking out "1611-A or 1612-A" and inserting

1606-A

Amend Sec. 4, page 15, lines 16 through 19, by striking out "to returns of" in line 16, all of lines 17 and 18 and "shall be provided" in line 19

Amend Sec. 4, page 15, line 20, by striking out "8"

On the question,

Will the House agree to the amendment?

The SPEAKER pro tempore. On the amendment, the Chair recognizes Representative Nickol.

Mr. NICKOL. Thank you, Mr. Speaker.

I agree with the basic thrust of HB 690 that limits need to be placed on campaign contributions and expenditures. These goals, I feel, are highly desirable.

In addition, I acknowledge the court decisions that expenditure limits must be voluntary or they will intrude on free speech. Where I differ with HB 690 is over the need to bribe politicians with public funds to get them to limit spending.

My amendment would strip public financing from the bill while retaining the same contribution and overall expenditure limits. It would allow voluntary agreement by candidates to accept expenditure limits. If all candidates in a race agree to expenditure limits, it would make them legally enforceable, but

if any candidate in a race fails to agree to the limits, it waives them for everyone else in that race. And before each election, publicly advertise which candidates were willing up front to accept expenditure limits and which did not.

My amendment would put into effect a system for expenditure limits which would encourage individual voters to use the ultimate pressure, the ballot box, to pressure candidates into accepting expenditure limits.

Most importantly, in my amendment, no public funds for politicians.

We do not really need to be competing for limited public dollars with libraries, low-income energy assistance, day care, and other such programs where we have told constituents they are going to have to live with less State support.

I would like to share some numbers from an article in the July 29, 1993, York Daily Record: "Fewer than 18 percent of taxpayers opted to earmark \$1 or \$2 of their taxes for the presidential election campaign fund..." in 1992, "a marked decline from the peak year of 1980, when almost 29 percent participated. This year"—1993—"looks to be even worse."

If Americans are voting with their tax returns, politicians may be in more trouble than they expect if they think the use of public funds for campaigns has widespread support.

Campaign spending reform, yes, but not welfare for politicians.

I would appreciate your support for my amendment. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Kukovich.

Mr. KUKOVICH. Thank you, Mr. Speaker.

This is one of the major amendments, I think, to this bill.

By eliminating the public financing provision, we cut to the heart of what makes this bill a strong bill and what is embodied in most of the other States that have moved in a direction of true reform. By doing that, we provide no incentive whatsoever for candidates to participate. We also maintain a tremendous advantage for rich candidates for office.

Quite frankly, I am not sure if it is constitutional or not. I know of only one other State where this effort has been tried; that is New Hampshire. To the best of my knowledge, there has been no lawsuit yet in New Hampshire. There has been no precedent or no court decision dealing with that. It is clearly a constitutionally gray area. I do not know if it is constitutional or not. What I do know is that if this goes in the bill, the bill then becomes eventually subject to a constitutional challenge.

So for both reasons — one, that we leave this bill legally dangling if we pass it; and secondly, my primary argument is that we are not providing the incentive for massive participation, we are not taking away the advantages for the wealthy and the privileged — for those reasons I would ask for a "no" vote.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—130

Adolph	Fargo	Lloyd	Santoni
Allen	Farmer	Lucyk	Sather
Argall	Fichter	Lynch	Saurman
Armstrong	Fleagle	Maitland	Saylor
Baker	Flick	Marsico	Scheetz
Barley	Gamble	Masland	Schuler
Birmelin	Gannon	McGeehan	Scrimenti
Boyes	Geist	Merry	Semmel
Brown	George	Micozzie	Serafini
Bunt	Gerlach	Miller	Smith, B.
Cappabianca	Gigliotti	Nailor	Smith, S. H.
Cawley	Gladeck	Nickol	Snyder, D. W.
Cessar	Gordner	Nyce	Stairs
Chadwick	Gruppo	O'Brien	Steil
Civiera	Hanna	Olasz	Stern
Clark	Harley	Perzel	Strittmatter
Clymer	Hasay	Pesci	Taylor, E. Z.
Cohen, L. I.	Hennessey	Pettit	Taylor, J.
Colaizzo	Herman	Phillips	Tigue
Conti	Hershey	Piccola	Tomlinson
Cornell	Hess	Pitts	True
Corrigan	Hutchinson	Platts	Tulli
Coy	Jadlowiec	Preston	Uliana
DeLuca	Kasunic	Raymond	Vance
Dempsey	Keller	Reber	Vitali
Dent	Kenney	Reinard	Waugh
Dermody	King	Rieger	Wogan
Donatucci	Iaub	Roberts	Wozniak
Druce	Laughlin	Rohrer	Wright, M. N.
Durham	Lawless	Rublely	Yandrisevits
Egolf	Lee	Rudy	Yewcic
Fairchild	Leh	Ryan	Zug
Fajt	Lescovitz		

NAYS—68

Acosta	Fee	McCall	Steighner
Battisto	Freeman	McNally	Stetler
Bebko-Jones	Gruitza	Melio	Stish
Belardi	Haluska	Michlovic	Sturla
Belfanti	Hughes	Mihalich	Surra
Bishop	Itkin	Mundy	Tangretti
Blaum	James	Oliver	Thomas
Butkowitz	Josephs	Petrarca	Trello
Buxton	Kaiser	Petrone	Trich
Caltagirone	Kirkland	Pistella	Van Horne
Carn	Krebs	Richardson	Veon
Carone	Kukovich	Ritter	Washington
Cohen, M.	LaGrotta	Robinson	Williams
Colafella	Lederer	Roebuck	Wright, D. R.
Cowell	Levdansky	Rooney	
Curry	Manderino	Staback	DeWeese,
Daley	Markosek	Steelman	Speaker
Evans	Mayernik		

NOT VOTING—1

Jarolin

EXCUSED—2

Bush Godshall

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

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

Mr. FREEMAN offered the following amendment No. A0078:

Amend Title, page 1, line 14, by inserting after "State;" providing for debates;

Amend Sec. 3, page 14, by inserting between lines 27 and 28

Section 1617-A. Debates.—(a) Any person who is a primary or general election candidate for any of the offices enumerated in section 1602-A, and who qualifies for funding under this article, is required as a condition of this funding to participate in any public debate held for the candidates for the respective office, as described in this section.

(b) The series of primary debates shall consist of two debates. Each of the debates shall be of at least one hour's duration. The first debate in the series shall occur not earlier than the date on which the ballot for the primary election in which candidates are to be nominated is finally certified by the Department of State to the county boards of elections, and the second debate in the series shall occur not later than the eleventh day prior to the primary election to select candidates for that office unless an emergency, as determined by the vote of a majority of the participating candidates, requires the postponement thereof, but the second primary debate shall in no event be held later than the second day preceding that primary election.

(c) The series of general election debates shall consist of two debates. Each of the general election debates shall be of at least one hour's duration. The first debate in the series shall occur not earlier than the third Tuesday following the first Monday in September of the year in which a general election is to be held, and the second debate in the series shall occur not later than the eleventh day prior to the general election unless an emergency, as determined by the vote of a majority of the participating candidates, requires the postponement thereof, but the final election debate shall in no event be held later than the second day preceding that general election.

(d) Organizations which are not affiliated with any political party or with any holder of or candidate for public office, which have an established reputation of being a non-partisan organization, which have not endorsed any candidate in the pending primary or general election, and which have previously sponsored one or more televised debates among candidates for Statewide office in this Commonwealth, shall be eligible to sponsor one or more interactive primary debates or interactive general election debates under subsection (b) or (c). In addition, any association of two or more separately owned news publications or broadcasting outlets, including newspapers, radio stations or networks and television stations or networks having between or among them a substantial readership or audience in this Commonwealth and any association of print or broadcast news or press service correspondents having among them a substantial readership or audience in this Commonwealth shall be eligible to sponsor any such primary or general election debate, without regard to whether that association or any of its members shall previously have sponsored any debate among candidates for Statewide office.

(e) The Department of State shall accept applications from eligible organizations and eligible associations of news publications and broadcasting outlets or news or press service correspondents to sponsor one or more of those interactive debates. Applications to sponsor debates under subsection (b) shall be submitted to the department no later than March 15 of any year in which a primary election is to be held to nominate candidates for any of the offices enumerated in section 1602-A and applications to sponsor debates under subsection (c) shall be submitted to the department no later than July 1 of any year in which a general election is to be held.



(f) Where the number of eligible applicants to sponsor primary debates or general election debates exceeds the number prescribed under subsection (b) or (c), the Department of State shall select the sponsors from among the applicants within thirty (30) days of the last day for submitting those applications, as provided by this section. To the maximum extent practicable and feasible, the department shall select a different sponsor for each of the interactive debates, but shall not be precluded from selecting the same sponsor for more than one debate.

(g) The sponsors selected by the Department of State shall be responsible for selecting the date, time and location of the debates, subject to the limitations set forth in this section. The rules for conducting each debate shall be solely the responsibility of the sponsors so selected, but shall not be made final without consultation with the chairman of the various political parties recognized as parties under this act in the case of primary debates, and with a representative designated by each of the participating candidates in the case of general election debates.

Amend Sec. 3 (Sec. 1617-A), page 14, line 28, by striking out "1617-A" and inserting  
1618-A

On the question,

Will the House agree to the amendment?

The SPEAKER pro tempore. On the amendment, the Chair recognizes Representative Freeman.

Mr. FREEMAN. Thank you, Mr. Speaker.

If we may be at ease just for a moment. I have to get the other packet.

The SPEAKER pro tempore. The Chair has been informed that this amendment is in packet No. 6, for the information of the members.

The gentleman, Mr. Freeman, may proceed at his leisure.

Mr. FREEMAN. Thank you, Mr. Speaker.

Mr. Speaker, this amendment was drafted with the cooperation of the League of Women Voters and is very similar to an existing provision of the New Jersey public finance law.

Under this amendment, candidates for statewide office who are eligible to receive public funds would be required to participate in a series of public debates.

### PARLIAMENTARY INQUIRY

Mr. YANDRISSEVITS. Point of order, Mr. Speaker.

The SPEAKER pro tempore. The Chair asks the gentleman to suspend for a moment.

For what purpose does Representative Yandrisevits rise?

Mr. YANDRISSEVITS. Mr. Speaker, in light of the previous amendment being adopted stripping public funds, is this amendment currently in order?

The SPEAKER pro tempore. The Chair has been informed that the amendment is not out of order, even though we voted on the previous amendment. This amendment deals with different lines, and if the House agrees to reinsert the language of this amendment, it may do so.

Mr. YANDRISSEVITS. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The gentleman, Mr. Freeman, may proceed.

Mr. GERLACH. Mr. Speaker? Mr. Speaker?

The SPEAKER pro tempore. The Chair asks the gentleman, Mr. Freeman, to suspend for one moment and recognizes Representative Gerlach. For what purpose does the gentleman rise?

Mr. GERLACH. Mr. Speaker, thank you very much.

There are a number of the members here in this section that do not have a copy of this amendment. It apparently is in No. 6, booklet No. 6. We do not have that along our row. If we can get that distributed to us, we would appreciate it.

The SPEAKER pro tempore. The Chair thanks the gentleman, and the Chair asks the cooperation of the House employees and the pages to intermittently go back through the House floor and to insure that members have all copies of all amendments that we will be considering in today's debate on campaign finance reform. Thank you.

### PARLIAMENTARY INQUIRY

Mr. LLOYD. A parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore. The gentleman may state his point of parliamentary inquiry.

Mr. LLOYD. Mr. Speaker, in order that I can understand the previous ruling, I recognize that this amends different lines, but in reading proposed section 1617-A, sub (a), it says, any person who is a candidate and so forth, "and who qualifies for funding under this article," and there is no funding under this article as a result of the last amendment.

Now, I do not know if that means that the amendment is out of order or not. It certainly means that the amendment is a nonsensical one. Maybe that is not a parliamentary objection, but I wonder if we could focus on the question of, since this amendment makes a reference as a predicate for being triggered to something which is no longer in the bill, whether the amendment can still be in order.

The SPEAKER pro tempore. The gentleman, Mr. Lloyd, is correct in the sense that this amendment, while it may be nonsensical, is not objectionable from a parliamentary point of view and therefore may be considered by the House.

Mr. LLOYD. So it is just a bad idea, but it is in order. Thanks.

The SPEAKER pro tempore. The gentleman is correct.

The Chair recognizes the gentleman, Mr. Freeman.

Mr. FREEMAN. I trust the Speaker's comments of "nonsensical" did not refer to the body of the amendment but only to its location within the bill as it now stands.

The SPEAKER pro tempore. The gentleman is correct.

Mr. FREEMAN. Thank you, Mr. Speaker.

### AMENDMENT WITHDRAWN

Mr. FREEMAN. Mr. Speaker, given the circumstances that are before us and the hope that we will reconsider the Nickol amendment, which obviously had an effect on the impact of this legislation, I would ask to withdraw this amendment at this time but still make it viable for consideration given the turn of events that might come before us.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

Mr. DENT offered the following amendment No. A3911:

Amend Title, page 1, line 13, by inserting after "elections" and for candidates for the General Assembly

Amend Bill, page 4, by inserting between lines 5 and 6 Section 3. The act is amended by adding a section to read: Section 1643. Limitations on Certain Contributions for

General Assembly Candidates.—

(a) During any calendar year, no person or political action committee, as defined in section 1621(1), may give to any candidate for the General Assembly aggregate contributions in an amount more than the amount listed in the table of this section. This subsection shall not apply to contributions to a candidate or a candidate's political committee by the candidate or the candidate's parents, spouse, children, brothers or sisters.

Political Office	Individual Limit	Political Action Committee Limit
Senate	\$500	\$250
House of Representatives	\$500	\$250

(b) 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 control or 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's or conduit's role in soliciting or arranging the contribution for the candidate.

(c) For purposes of subsection (b), a contribution shall not be considered to be a contribution by an intermediary or conduit to the candidate if—(1) the intermediary or conduit has been retained by the candidate's committee for the purpose of fund-raising 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 fund-raising, or the individual occupies a significant position within the candidate's campaign organization; or (3) in the case of a political committee, the intermediary or conduit is an authorized committee of the candidate.

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

4

Amend Sec. 4, page 15, line 16, by striking out "4" and inserting

5

Amend Sec. 5, page 15, line 22, by striking out "5" and inserting

6

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

The SPEAKER pro tempore. On the amendment, the Chair recognizes Representative Dent.

This amendment is in packet No. 1, for the members on the floor.

Mr. DENT. Thank you, Mr. Speaker.

My amendment simply limits contributions from an individual to a candidate for either the State House or the State Senate to \$500. It also limits a contribution from a political action committee, from one political action committee, to \$250

to a person running for the State House or the State Senate. This will occur only during the calendar year.

So in other words, those would be the limits, again, on a calendar-year basis. Over a 2-year period, the limits would be \$1,000 and \$500 for individuals and political action committees respectively. We have limits at the Federal level with respect to individual and political action committee contributions. I feel it is appropriate that we do the same here at the State level.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes Representative Kukovich on the amendment.

Mr. KUKOVICH. Thank you, Mr. Speaker.

This is one of those amendments that may be very politically popular, but I would suggest to members that if they are so inclined to vote for this type of amendment, that there are other amendments that have been drafted to this legislation which are more comprehensive and a little more equitable.

I think this is somewhat taken out of context, and I think we should oppose this amendment and perhaps wait until there are others down the line which are drafted more appropriately to deal with this issue.

I would ask for a "no" vote.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—125

Adolph	Durham	Lescovitz	Ryan
Allen	Egolf	Lucyk	Santoni
Argall	Fairchild	Lynch	Sather
Armstrong	Fajt	Maitland	Saurman
Baker	Fargo	Marsico	Saylor
Barley	Farmer	Masland	Scheetz
Battisto	Fichter	McCall	Schuler
Belardi	Fleagle	Melio	Semmel
Belfanti	Gamble	Merry	Serafini
Blaum	Gannon	Micozzie	Smith, B.
Boyes	Geist	Mundy	Smith, S. H.
Brown	Gordner	Nailor	Snyder, D. W.
Bunt	Gruppo	Nickol	Staback
Buxton	Hanna	Nyce	Stairs
Caltagirone	Harley	O'Brien	Steil
Cappabianca	Hasay	Olasz	Stern
Carone	Herman	Perzel	Stish
Cawley	Hess	Pesci	Tangretti
Cessar	Hutchinson	Petrarca	Taylor, J.
Chadwick	Jadlowiec	Petrone	Tigue
Civera	Jarolin	Petit	Tomlinson
Clark	Kasunic	Phillips	Trello
Clymer	Keller	Piccola	Trich
Cohen, L. I.	Kenney	Platts	True
Colaizzo	King	Preston	Tulli
Conti	Krebs	Raymond	Vance
Cornell	Laub	Reber	Vitali
DeLuca	Laughlin	Reinard	Waugh
Dempsey	Lawless	Roberts	Wogan
Dent	Lee	Rohrer	Wright, M. N.

Dermody	Leh	Rooney	Zug
Druce			
NAYS—74			
Acosta	Gerlach	Markosek	Steighner
Bebko-Jones	Gigliotti	Mayernik	Stetler
Birmelin	Gladeck	McGeehan	Strittmatter
Bishop	Gruitza	McNally	Sturla
Butkovitz	Haluska	Michlovic	Surra
Carn	Hennessey	Mihalich	Taylor, E. Z.
Cohen, M.	Hershey	Miller	Thomas
Colafella	Hughes	Oliver	Uliana
Corrigan	Itkin	Pistella	Van Horne
Cowell	James	Pitts	Veon
Coy	Josephs	Richardson	Washington
Curry	Kaiser	Rieger	Williams
Daley	Kirkland	Ritter	Wozniak
Donatucci	Kukovich	Robinson	Wright, D. R.
Evans	LaGrotta	Roebuck	Yandrisevits
Fee	Lederer	Rubley	Yewcic
Flick	Levdansky	Rudy	
Freeman	Lloyd	Scrimenti	DeWeese,
George	Manderino	Steelman	Speaker
NOT VOTING—0			
EXCUSED—2			
Bush	Godshall		

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

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

The SPEAKER pro tempore. Does the gentleman, Mr. Dent, also want to offer amendment 3993?

**PARLIAMENTARY INQUIRY**

Mr. BELFANTI. Mr. Speaker?

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

Mr. BELFANTI. Mr. Speaker, a point of parliamentary inquiry.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. BELFANTI. Thank you, Mr. Speaker.

Given the comments by Representative Kukovich prior to the vote on the last amendment, is it still not so that any other amendment that involves amending the same sections of the bill, which change those dollar amounts and change some of the other mechanics involved in those sections, will then, as passed, supersede the amendment that we just passed prior? So that as we go along, each amendment that replaces the same section is going to be the most current amendment and will be the only amendment remaining in the bill by the time we get to final passage.

The SPEAKER pro tempore. The gentleman, Mr. Belfanti, is correct. The last amendment that we consider will be the controlling amendment as it conflicts with prior passed amendments. So the last amendment that we consider, if it is

in conflict with any prior amendment, it will replace the language of that prior amendment.

Mr. BELFANTI. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question recurring,

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

The SPEAKER pro tempore. The Chair recognizes Representative Dent. For what purpose does the gentleman rise?

Mr. DENT. Mr. Speaker, you asked if I would withdraw amendment 3993, and I will.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair next recognizes Representative Kukovich for the purpose of offering amendment 3913, which is in packet No. 1 and which the clerk will read.

On the question recurring,

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

Mr. KUKOVICH offered the following amendment No. A3913:

Amend Title, page 1, line 12, by inserting after "ballots;" further defining "independent expenditure"; further providing for reporting;

Amend Bill, page 3, by inserting between lines 14 and 15 Section 2. Section 1621(e) of the act, added October 4, 1978 (P.L.893, No.171), is amended to read:

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

\* \* \*

(e) The words "independent expenditure" shall mean an expenditure by a person [made for the purpose of influencing an election without cooperation or consultation with any candidate or any political committee authorized by that candidate and which is not made in concert with or at the request or suggestion of any candidate or political committee or agent thereof.] or political committee, other than a candidate's campaign committee, that expressly advocates the election or defeat of a clearly identified candidate, that is made without cooperation or consultation with any candidate or committee or agent of the candidate and that is not made in concert with or at the request or suggestion of a candidate or any committee or agent of the candidate. An expenditure is not an independent expenditure if any of the following applies:

(1) Any officer, member, employe or agent of the political committee making the expenditure is also an officer, member, employe or agent of the committee of the candidate whose election or whose opponent's defeat is being advocated by the expenditure or an agent of the candidate whose election or whose opponent's defeat is being advocated by the expenditure.

(2) There is an arrangement, coordination or direction with respect to the expenditure between the candidate or the candidate's agent and the person making the expenditure, including any officer, director, employe or agent of that person.

(3) In the same election, the person making the expenditure, including any officer, director, employe or agent of that person, is or has been:

(i) Authorized to raise or expend moneys on behalf of the candidate or the candidate's authorized committees.

(ii) Receiving any form of compensation or reimbursement from the candidate, the candidate's committees or the candidate's agent.

(4) The expenditure is based on information about the candidate's plans, projects or needs or those of his campaign committee, provided to the expending person by the candidate or by the candidate's agents or any officer, member or employe of the candidate's campaign committee with a view toward having the expenditure made.

Section 3. Section 1626(a) and (j) of the act, added October 4, 1978 (P.L.893, No.171) and July 21, 1979 (P.L.189, No.63), 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) regardless if the amount received or expended is for one candidate or a number of candidates. Should such an amount not exceed two hundred fifty dollars (\$250), then the candidate or 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.

\* \* \*

(j) All "Political Action Committees" shall report to the Secretary of the Commonwealth and the respective county board of elections all expenditures to or made on behalf of, any State-wide candidate, candidate for the Pennsylvania House of Representatives, or candidate for the State Senate, in the same manner as indicated in this section as a candidate's political committee. This provision shall be in addition to any other filing and reporting provisions of this act which apply to such committees, their treasurers and chairmen.

(k) Any loan to a candidate's political committee from that candidate shall be reported as required under subsection (b). The report shall include the candidate's account number from a national or State bank or any other lending institution regulated by the Commonwealth from which the loan was made. The candidate's account number shall remain confidential and may not be disclosed to any person, except as necessary for purposes of review by the Secretary of the Commonwealth and the proper county board of elections in accordance with this act.

Section 4. Section 1628 of the act, amended July 11, 1980 (P.L.600, No.128), is amended to read:

Section 1628. Late Contributions and Independent Expenditures.—

(a) Any candidate or political committee, authorized by a candidate and created solely for the purpose of influencing an election on behalf of that candidate, which receives any contribution or pledge of five hundred dollars (\$500) or more, and any person making an independent expenditure, as defined by this act, of five hundred dollars (\$500) or more after the final pre-election report has been deemed completed shall report such contribution, pledge or expenditure to the appropriate supervisor by telegram or mailgram. Such telegram or mailgram shall be sent by the candidate, chairman or treasurer of the political committee within twenty-four (24) hours of receipt of the contribution. It shall be the duty of the supervisor to confirm the substance of such telegram or mailgram. Any candidate in his own behalf, or chairman, treasurer or candidate in behalf of the political committee may also comply with this section by appearing personally before such supervisor and reporting such late contributions or pledges.

(b) In addition to the information concerning independent expenditures reported by a political committee under section 1626, a political committee that makes independent expenditures relating to any one candidate or office within thirty (30) days before the day of any election to which the expenditures relate and which aggregate five hundred dollars (\$500) shall report the independent

expenditures within twenty-four (24) hours. If a person or political committee makes an independent expenditure for campaign literature or an advertisement, the political committee making the expenditure shall also send by certified mail a copy of the campaign literature or advertisement to each candidate named or otherwise referred to in the literature or advertisement within twenty-four (24) hours of the expenditure or distribution.

(c) An independent expenditure report filed under subsection (b) shall be filed with the officer prescribed in section 1626 and shall contain all of the following:

(1) The name and address of any person to whom an independent expenditure was made.

(2) The date and amount of the independent expenditure.

(3) The purpose of the independent expenditure, including a description of what was purchased.

(4) The name of each candidate whose election or defeat was advocated by the expenditure and, for each candidate, the office sought by the candidate and the year of the election.

(5) The names, occupations, employers and amount contributed by each of the three (3) contributors that contributed the most money within the preceding six (6) months. If any other contributor contributed the same amount during this time period as any of the top three (3) contributors, the information shall be provided for that contributor as well. If any of these contributors is a political committee, the report shall include the names, occupations and employers of the committee's chairman and treasurer.

(6) Under penalty of perjury, a certification stating that the claimed independent expenditure is not made in cooperation, consultation or concert with or at the request or suggestion of any candidate or any campaign committee or agent of that candidate.

(7) A copy of any literature or advertisement or other communication, including an advertisement in an electronic or print medium, that was purchased with the independent expenditure.

(d) If a political committee makes an independent expenditure of less than five hundred dollars (\$500) for campaign literature or an advertisement for the purpose of influencing an election, including an advertisement in electronic or print media, in the last thirty (30) days preceding the election or if an independent expenditure is made for campaign literature or advertisements that are distributed during the last thirty (30) days preceding the election, the political committee making the expenditure shall file a copy of the campaign literature or advertisement with the Secretary of the Commonwealth within twenty-four (24) hours of the expenditure or distribution.

(e) Filing by electronic facsimile or by telegram is permissible.

(f) An expenditure by a political committee or a person that does not meet the definition of an independent expenditure is an in-kind contribution to the candidate and a corresponding expenditure by the candidate unless otherwise exempted.

(g) A person who violates this section is subject to a civil penalty of three (3) times the cost of the literature or advertisement that was distributed in violation of this section.

Amend Sec. 2, page 3, line 15, by striking out "2" and inserting

5

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

6

Amend Sec. 4, page 15, line 16, by striking out "4" and inserting

7

Amend Sec. 5, page 15, line 22, by striking out "5" and inserting

8

On the question,

Will the House agree to the amendment?

The SPEAKER pro tempore. On the amendment, the Chair recognizes Representative Kukovich.

Mr. KUKOVICH. Thank you, Mr. Speaker.

Various members of both caucuses have discussed with me the problems under the existing campaign finance law where potentially other money does not go to one's opponent or directly to a candidate but to other groups or organizations who can then make independent expenditures against that candidate for office.

What this section does is tighten the restrictions on independent expenditures by prohibiting collusion with your opponent's campaign operatives. It adds various reporting requirements whenever candidates would loan their campaign money. The basic thrust of this is to try to protect those of you who have seen a lot of money come in against you in your campaigns and yet not seen it reported by your opponent, because your opponent has not directly spent that money but some independent operator has on behalf of your opponent. This would make sure that there would be proper accountability in the campaign finance laws.

I think this is a very bipartisan amendment. I think it tightens up a loophole in the existing law, and I would ask for an affirmative vote.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—199

Acosta	Fargo	Lucyk	Sather
Adolph	Farmer	Lynch	Saurman
Allen	Fee	Maitland	Saylor
Argall	Fichter	Manderino	Scheetz
Armstrong	Fleagle	Markosek	Schuler
Baker	Flick	Marsico	Scrimenti
Barley	Freeman	Masland	Semmel
Battisto	Gamble	Mayernik	Serafini
Bebko-Jones	Gannon	McCall	Smith, B.
Belardi	Geist	McGoehhan	Smith, S. H.
Belfanti	George	McNally	Snyder, D. W.
Birmelin	Gerlach	Melio	Staback
Bishop	Gigliotti	Merry	Stairs
Blaum	Gladeck	Michlovic	Steelman
Boyes	Gordner	Micozzie	Steighner
Brown	Gruitza	Mihalich	Steil
Bunt	Gruppo	Miller	Stern
Butkovitz	Haluska	Mundy	Stetler
Buxton	Hanna	Nailor	Stish
Caltagirone	Harley	Nickol	Strittmatter
Cappabianca	Hasay	Nyce	Sturla
Carn	Hennessey	O'Brien	Surra
Carone	Herman	Olasz	Tangretti
Cawley	Hershey	Oliver	Taylor, E. Z.
Cessar	Hess	Perzel	Taylor, J.
Chadwick	Hughes	Pesci	Thomas
Civera	Hutchinson	Petrarca	Tigue
Clark	Itkin	Petrone	Tomlinson
Clymer	Jadlowiec	Petit	Trello
Cohen, L. I.	James	Phillips	Trich
Cohen, M.	Jarolin	Piccola	True
Colafella	Josephs	Pistella	Tulli

Colaizzo	Kaiser	Pitts	Uliana
Conti	Kasunic	Platts	Vance
Cornell	Keller	Preston	Van Horne
Corrigan	Kenney	Raymond	Veon
Cowell	King	Reber	Vitali
Coy	Kirkland	Reinard	Washington
Curry	Krebs	Richardson	Waugh
Daley	Kukovich	Rieger	Williams
DeLuca	LaGrotta	Ritter	Wogan
Dempsey	Laub	Roberts	Wozniak
Dent	Laughlin	Robinson	Wright, D. R.
Dermody	Lawless	Roebuck	Wright, M. N.
Donatucci	Lederer	Rohrer	Yandrisevits
Druce	Lee	Rooney	Yewcic
Durham	Leh	Rublely	Zug
Egolf	Lescovitz	Rudy	
Evans	Levdansky	Ryan	DeWeese,
Fairchild	Lloyd	Santoni	Speaker
Fajt			

NAYS—0

NOT VOTING—0

EXCUSED—2

Bush Godshall

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

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

The SPEAKER pro tempore. The Chair next recognizes Representative Strittmatter for the purpose of offering amendment 4081, which is in packet No. 1, which the clerk will read.

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

Mr. STRITTMATTER offered the following amendment No. A4081:

Amend Title, page 1, line 14, by inserting after "the" Legislative Reference Bureau, the Department of Revenue and the Amend Sec. 3 (Sec. 1605-A), page 5, line 26, by inserting after "Fund.—"

(a) Amend Sec. 3 (Sec. 1605-A), page 6, lines 6 and 7, by striking out "All of these designated tax" in line 6 and all of line 7 and inserting

(b) All of these designated tax revenues shall be paid into the fund.

(c) The check-off and Amend Bill, page 15, lines 18 through 22, by striking out "Funding from the Pennsylvania Fair Campaign Fund" in line 18 and all of lines 19 through 22 and inserting

Section 5. The Department of Revenue shall tabulate tax returns subject to section 1605-A(a) of the act. When a majority of the individuals filing tax returns subject to section 1605-A(a) of the act have designated contributions to the Pennsylvania Fair Campaign Fund for a taxable year, the department shall certify that fact to the Legislative Reference Bureau for publication in the Pennsylvania Bulletin.

Section 6. This act shall take effect as follows:

(1) The following provisions shall take effect upon publication of the certification under section 5 of this act:

(i) The addition of sections 1601-A through 1604-A of the act.

(ii) The addition of section 1605-A(b) of the act.

(iii) The addition of sections 1606-A through 1617-A of the act.

(2) The remainder of this act shall take effect immediately.

On the question,

Will the House agree to the amendment?

The SPEAKER pro tempore. On the amendment, the Chair recognizes Representative Strittmatter.

### PARLIAMENTARY INQUIRY

Mr. KUKOVICH. Mr. Speaker, while we are waiting, point of parliamentary inquiry.

The SPEAKER pro tempore. The gentleman may state his point.

Mr. KUKOVICH. I realize that, I believe, Representative Lloyd and a few other people mentioned the validity of offering an amendment whenever the language he addresses has already been removed. I think the issue is moot at this point. I might suggest that such amendments that are no longer necessary be withdrawn unless the language is changed. It would certainly streamline the process and save us debating something that does not necessarily need to be debated.

The SPEAKER pro tempore. The Chair thanks the gentleman.

### AMENDMENT WITHDRAWN TEMPORARILY

The SPEAKER pro tempore. On the amendment, the Chair recognizes Representative Strittmatter.

Mr. STRITTMATTER. Thank you, Mr. Speaker.

I withdraw the amendment temporarily at this time to see what happens with the rest of the debate. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

### VOTE CORRECTION

The SPEAKER pro tempore. For what purpose does the gentlelady rise?

Mrs. RUDY. To correct the record, Mr. Speaker.

The SPEAKER pro tempore. Representative Rudy may proceed.

Mrs. RUDY. Thank you.

On amendment 3615 I was voted in the affirmative, and I would like to correct it to be shown in the negative. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentlelady.

### ANNOUNCEMENT BY MRS. VANCE

The SPEAKER pro tempore. While the House is at ease for a moment, the Chair recognizes the gentlelady, Mrs. Vance, for the purpose of an announcement.

Mrs. VANCE. Thank you, Mr. Speaker.

I just wanted to be sure that you all knew that this afternoon PEMA (Pennsylvania Emergency Management Agency) sent out a notice to all counties' emergency management personnel regarding the snow emergency. The Governor has talked to the President, and there is a possibility that we may be eligible for Federal funding, but in order to be eligible, we must be able to validate the cost and the assessments of damage. Each of your counties has this information, but I urge you to check with your municipalities, because the information has to be back by Friday at the close of business. I know this seems like a short period of time, but last year in the blizzard, we had a 36-hour turnaround time. So if you want to aid your municipalities, make sure that they have this information back to their county as quickly as possible, because it needs to be back to PEMA by Friday afternoon. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentlelady for that important announcement.

### VOTE CORRECTIONS

The SPEAKER pro tempore. The Chair recognizes the Representative from Erie, Representative Cappabianca. For what purpose does the gentleman rise?

Mr. CAPPABIANCA. Thank you, Mr. Speaker.

I rise, Mr. Speaker, to correct the vote on the Nickol amendment No. 3615. I was recorded in the affirmative. I wish to be recorded in the negative.

The SPEAKER pro tempore. The Chair thanks the gentleman and asks that his comments be spread upon the record.

The Chair recognizes the gentleman, Mr. Jarolin. For what purpose does the gentleman rise?

Mr. JAROLIN. Correction of the record, Mr. Speaker.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. JAROLIN. Thank you.

On amendment 3521 and amendment 3615 to HB 690, I would like to be recorded in the negative.

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Scrimenti. For what purpose does the gentleman rise?

Mr. SCRIMENTI. Mr. Speaker, I would like to correct the record on the vote for amendment No. 3615. I voted for the amendment. I would like the record to reflect a negative vote, please. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman and asks that his comments be spread upon the record.

**CONSIDERATION OF HB 690 CONTINUED**

The SPEAKER pro tempore. The Chair calls up amendment 4406, which is in packet No. 3, offered by Representative Veon. The Chair asks the clerk to please read the amendment.

On the question recurring,

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

Mr. VEON offered the following amendment No. A4406:

Amend Sec. 3, page 13, by inserting between lines 23 and 24

Section 1614-A. Limitations on Certain Contributions to Candidates for General Assembly.—During any election cycle, no person or political action committee, as defined in section 1621, may give to any candidate for the General Assembly aggregate contributions in an amount more than the amount listed in the table set forth in this section. This section shall not apply to contributions to a candidate or a candidate's political committee by the candidate or the candidate's parents, spouse, children, brothers or sisters.

Office	Individual Limit	PAC Limit
Senate	25	500
House	25	500

Amend Sec. 3 (Sec. 1614-A), page 13, line 24, by striking out "1614-A" and inserting

1615-A

Amend Sec. 3 (Sec. 1615-A), page 14, line 7, by striking out "1615-A" and inserting

1616-A

Amend Sec. 3 (Sec. 1616-A), page 14, line 15, by striking out "1616-A" and inserting

1617-A

Amend Sec. 3 (Sec. 1617-A), page 14, line 28, by striking out "1617-A" and inserting

1618-A

On the question,

Will the House agree to the amendment?

**AMENDMENT WITHDRAWN TEMPORARILY**

The SPEAKER pro tempore. On the amendment, the Chair recognizes Representative Veon.

Mr. VEON. Mr. Speaker, would it be possible to go over this amendment temporarily?

The SPEAKER pro tempore. Yes, it would be, and the Chair notes that the amendment will be over temporarily.

Mr. VEON. Thank you.

On the question recurring,

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

The SPEAKER pro tempore. The Chair asks the members to please turn to packet No. 2. Amendment 4098 has been withdrawn.

The House will now take up amendment 4099, as offered by Representative Wright, which the clerk will read.

On the question recurring,

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

Mr. D. R. WRIGHT offered the following amendment No. A4099:

Amend Sec. 4, page 15, line 20, by striking out "8"

On the question,

Will the House agree to the amendment?

The SPEAKER pro tempore. On that amendment, the Chair recognizes Representative Wright.

Would Mr. Kukovich also approach the rostrum.

(Conference held at Speaker's podium.)

**AMENDMENT WITHDRAWN**

The SPEAKER pro tempore. The Chair wishes to inform the members that amendment 4099 is being withdrawn, and there is currently a conference taking place to determine what direction we are going to go in for the remainder of the evening. There is some conflict as to whether amendments are taking place and amendments are being considered that are irrelevant based on other amendments that we passed today, and that should be resolved here momentarily. So the Chair asks for the patience of the members, and we will be at ease for a couple of moments.

On the question recurring,

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

The SPEAKER pro tempore. Please turn to amendment 4404, as offered by Representative Veon, in packet No. 3, and the Chair asks that the clerk please read that amendment.

On the question recurring,

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

Mr. VEON offered the following amendment No. A4404:

Amend Sec. 3, page 13, by inserting between lines 23 and 24

Section 1614-A. Limitations on Certain Contributions to Candidates for General Assembly.—During any election cycle, no person or political action committee, as defined in section 1621, may give to any candidate for the General Assembly aggregate contributions in an amount more than the amount listed in the table set forth in this section. This section shall not apply to contributions to a candidate or a candidate's political committee by the candidate or the candidate's parents, spouse, children, brothers or sisters.

Office	Individual Limit	PAC Limit
Senate	100	500
House	100	500

Amend Sec. 3 (Sec. 1614-A), page 13, line 24, by striking out "1614-A" and inserting

1615-A

Amend Sec. 3 (Sec. 1615-A), page 14, line 7, by striking out "1615-A" and inserting

1616-A

Amend Sec. 3 (Sec. 1616-A), page 14, line 15, by striking out "1616-A" and inserting

1617-A

Amend Sec. 3 (Sec. 1617-A), page 14, line 28, by striking out "1617-A" and inserting

1618-A

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

The SPEAKER pro tempore. On the amendment, the Chair recognizes Representative Veon.

Mr. VEON. Thank you, Mr. Speaker.

Mr. Speaker, this amendment is a different approach than the amendment offered by the gentleman, Mr. Dent. Very simply and very clearly, Mr. Dent's amendment allowed for a \$500 limit for individual contributors and a \$250 limit for PAC contributors. My amendment reverses that order, changes that philosophy.

PAC's, as we know, were formed to give the ability of small donors to come together collectively, small contributors to come together collectively, and put that money into a PAC, and the PAC would make that contribution.

I think the gentleman, Mr. Dent's amendment gives too much influence to the individuals at the expense of the PAC's. I would like to change that. My amendment would limit individuals to \$100 and PAC's to \$500, and I would ask for an affirmative vote.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes Representative Fairchild.

Mr. FAIRCHILD. Thank you, Mr. Speaker.

I rise to oppose the Veon amendment.

I think the issue of the House is whether we empower individuals or we empower PAC's. As Representative Veon stated, this reverses the process from the previously passed amendment. I urge all my fellow legislators to let the individual have the final say in this process over the PAC money. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes Representative Druce. For what purpose does the gentleman rise?

Mr. DRUCE. To comment on the amendment, Mr. Speaker.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. DRUCE. Mr. Speaker, I would point out that this amendment is a rather simple one. You are going to put PAC's before people, and if you believe that, you vote for the amendment. If you believe people should come before PAC's—and I think we have already demonstrated that—we supported the amendment by Mr. Dent earlier. I believe, Mr. Speaker, this would send the wrong message, and we ought to put the people first for a change and not special interests in the Commonwealth. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes Representative Belfanti for comment on the amendment.

Mr. BELFANTI. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of the Veon amendment, and I would like to remind the members in the chamber today about my question on parliamentary inquiry, that each of these amendments—and there are many, many, many of them that deal with individual and political action committee contributions—will supersede the one prior.

I am not convinced that the amounts that we are going to vote on presently in the Veon amendment are going to be the

final amounts that will be left in the bill when it travels to the Senate, but I do know this: The amendment that was passed prior, which I also voted for, allows the fat cats of the State, the people that can afford to write that \$500 check, and if you happen to have 200 fat-cat buddies in your district, you can make a lot of money. Then on the other hand, a candidate who is looking to small organizations, who collect \$2 or \$5 per year from their members, from the carpenters in their union, or from some other organization, those people who cannot afford \$500 but still would like to have some small say in the electoral process, those people who collectively pool their money and form a political action committee should still have the same say, because after all, they are people also. They are our constituents also. They are not some group that comes down from the sky at election time. These are people who put those \$2 bills and \$5 bills and \$10 bills collectively to help offset the fat-cat money.

I believe that the Veon amendment, while it may reverse what we did prior, I am going to vote for it, and if we have an amendment Monday that calls for 50 cents on individuals and \$1 on political action committees, I might vote for that one, too. But I do know one thing: I hope that when we get to the end of this process, we have some realistic numbers that we are going to be dealing with that are going to allow people from all walks of life to seek public office, irregardless of how much money their family has or how many rich friends they have. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and would like to bring up one point, that this amendment does not deal with the same section as the Dent amendment did, so this amendment will not necessarily supersede the Dent amendment because it deals with a different section.

On the amendment, the Chair recognizes Representative Dent.

Mr. DENT. Thank you, Mr. Speaker.

I want to commend Representative Veon for attempting to put limits on political action committees and individuals. However, I must oppose this amendment, because as was pointed out earlier, I think the purpose of campaign finance reform is to empower individuals, to get them involved in the political process, and this particular amendment, I feel, does just the opposite. We empower special interests at the expense of individuals.

It should also be noted that anyone who does make a contribution to a political action committee can also make a contribution, large or small, to a particular candidate running for office. I think oftentimes people will tend to hide behind the political action committees, and I just feel that we must oppose this particular amendment, because again, it does disenfranchise individuals and it does empower special interests. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes Representative Uliana on the amendment.

Mr. ULIANA. Thank you, Mr. Speaker.



I rise to oppose the amendment. I do so and I would like to thank the majority whip, who had the privilege of sending us this book, all of us—it was an excellent expenditure of House funds—and that is, “What’s In It For Me?” It reveals in there the effects of the State of Arizona’s \$220-per-person contribution limit, and what that did, exactly like it did in the Federal reforms of 1974, is it forced spouses, it forced children, it forced uncles and aunts to now become donors in a way for politicians and candidates to escape the reporting requirements and the limits. All it did was force the candidates to spend more time getting names on a list rather than actually doing their work, and this amendment will do exactly the same thing. It will not limit the corrosive effect of money in our political system; it will not reduce the cost of campaigning. In fact, it will make all of us and everyone in this body, everyone aspiring for this body, it will force us to spend more and more time campaigning and less and less time addressing the issues.

If all of you who believe very strongly about campaign finance reform want to get off and make this the proper reform, we need to reduce the cost of campaigning. That will be the only way in which we will reduce money’s corrosive effects. This amendment will not do it, just like Arizona’s \$220 limit did not reduce the need for money in their political system.

Again, I rise strongly to oppose this amendment. Thank you very much, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentlelady from Philadelphia, Representative Manderino, on the amendment.

Ms. MANDERINO. Thank you, Mr. Speaker.

I rise in support of the Veon amendment, and I want to speak specifically to the arguments that have been made by several prior speakers about what the impact of this amendment is and who really it puts first, because there has been a lot of rhetoric about whether it puts people or PAC’s first and PAC’s supposedly being some special interest.

Well, I do not know about in your district, Mr. Speaker, but I suspect it is very much like mine, and my working men and women of the 194th and the working men and women of the Commonwealth of Pennsylvania are very much active in the political process through political action committees, and they are individuals just as much as a rich or wealthy individual who can afford to give a lot. I think there is nothing bad about being concerned, about pooling together with your fellow person to make an impact.

But more importantly, let us use an example to see how those numbers work out. If the numbers were such as they are in the amendment that we passed prior, Mr. Dent’s, I have XYZ company in my legislative district, and the five head, top management individuals in that company can give me \$500 for a total of \$2,500 from five people within XYZ corporation that represents their top management, but the 350 working men and women, many and most of whom live in my district, can collectively pool their meager resources and give me \$250, under the Dent amendment.

Now let us look at the Veon amendment. The Veon amendment, you take those same five top managers in XYZ corporation in my district and their collective pooling power equals \$500, and you take those same 350 working men and women of the 194th District and their collective pooling power equals \$500.

Now I ask you, which amendment levels the playing field more and which one puts the people first? I suggest that this amendment puts the people first and that we should vote collectively, all 199 of us here today, in support of the people, the working people, of the Commonwealth of Pennsylvania. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentlelady and recognizes the Representative from Kersey, Representative Surra.

Mr. SURRA. Thank you, Mr. Speaker.

I do not know if I can top that, but I rise to support the Veon amendment, and Representative Manderino said it very succinctly.

All this talk about political action committees all of a sudden being special interests. When I have very wealthy individuals in an area that can put together \$500 checks to promote their interest, they are not a special interest all of a sudden? The poor working individual, when they pool their money so they can together have an effect, that is why PAC’s were initiated to begin with, to give the people a chance.

I think the Veon amendment very much levels the playing field and is definitely a vote for people. It puts people first, not necessarily the people who can afford to get involved in politics.

I urge that we all vote for the Veon amendment. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Tioga County, Representative Baker.

Mr. BAKER. Thank you, Mr. Speaker.

I rise to respectfully oppose this amendment.

I hail from a rural legislative district. We do not have a lot of labor unions in that area, but we have a lot of individuals; the same amount of individuals that all of us represent, approximately 58,000 to 60,000 people. What we have are a lot of people that come from humble surroundings, that do not have a lot of money to give, but yet those are the grassroots people that elect each and every one of us.

I would like to say, how many challengers, when they run for office, are supported by PAC’s? Not many at all. There is the propensity, the proclivity, or preponderance of past transactions and activity by PAC’s to support incumbents. If this is truly reform legislation, then I think that we need to reform how much money our PAC’s donate to incumbents.

This is truly a pro-incumbent, antichallenger piece of legislation, and with all due respect to Representative Veon, I believe that we do need to put the individual first. We do not have to have \$500 contributions from PAC’s. How many as challengers out there—and history will reflect this—are supported by PAC’s? Not many. They support incumbents.

This sounds like an incumbency amendment and legislation, and therefore, I rise to oppose it. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

### PARLIAMENTARY INQUIRY

The SPEAKER pro tempore. The Chair recognizes Representative Snyder on the amendment.

Mr. SNYDER. Thank you, Mr. Speaker.

Mr. Speaker, I rise for a question of parliamentary procedure.

The SPEAKER pro tempore. The gentleman may state his point.

Mr. SNYDER. Under Mason's rule, section 401, paragraph 1, provides that "An amendment which is frivolous or absurd is not in order, and the presiding officer may refuse to state amendments which, in the presiding officer's opinion, are frivolous or absurd."

Mr. Speaker, the amendment before us right now would permit PAC's to give \$500 in an election cycle, which would mean if there are two election cycles in a calendar year, a limit of \$1,000 a year. Therefore, section 1614-A would be in the law restricting PAC contributions to \$1,000 for two election cycles, whereas the amendment that we already approved by the House, a different section, section 1643, limits political action committee contributions to \$250 in a calendar year. Therefore, you have two separate sections producing an absurd result, and I think that this amendment should be declared out of order. Thank you.

The SPEAKER pro tempore. The Chair notes the gentleman's comments and agrees that the presiding officer is entitled to declare amendments or other matters absurd and therefore not within the ambit of the consideration of the House, but the Chair declines to rule this amendment in that category.

Mr. SNYDER. Mr. Speaker, are you saying you refuse to make a ruling or you refuse to rule that this is absurd?

The SPEAKER pro tempore. I refuse to rule that this is absurd.

Mr. SNYDER. So you are denying a parliamentary inquiry by refusing to respond to the question?

The SPEAKER pro tempore. I did respond to the question. Your question was that the presiding officer has the authority to rule this matter absurd and therefore not within the ambit of consideration of the House. I have ruled that it is within the ambit of consideration of the House and that it is not absurd.

Mr. SNYDER. So your ruling, which becomes a record of this House, is that incorporation of two amendments that produce two different results, that are totally at conflict with each other, for future reference, is not an amendment that is out of order under section 401.1 of Mason's rules. Is that the precedent that you wish to set at this time?

### POINT OF ORDER

Mr. BELFANTI. Mr. Speaker?

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

Mr. BELFANTI. Point of order, Mr. Speaker.

The SPEAKER pro tempore. The gentleman may please state his point.

Mr. BELFANTI. Thank you, Mr. Speaker.

Mr. Speaker, when these amendments, all 110 of them, were drafted, none of them were drafted by the makers as absurd amendments, and there was no way by the makers of these amendments to know what other amendments would precede or post or be in the rear end of an amendment prior. Therefore, the gentleman, Mr. Snyder's argument is absolutely ludicrous.

I believe that a previous ruling by the Parliamentarian dealing with the Freeman amendment was a good case in point. There was no objection posted there. Mr. Freeman withdrew his amendment, but it was in fact in order, because all of these amendments were drafted by the makers not as frivolous, not as absurd, but as their desire to have some impact on the campaign finance reform laws that are before us today. So therefore, I believe that the Snyder amendments are what are absurd. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

Mr. SNYDER. Mr. Speaker?

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

Mr. SNYDER. Again, I think to respond to the parliamentary comments that were just raised.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. SNYDER. Mr. Speaker, in prior issues of this nature, usually the response is that if it is an amendment to the same section and there are some conflicts, if they are not totally at conflict with each other, the Legislative Reference Bureau has the opportunity to resolve those conflicts.

We have here two separate sections of the law. The Veon amendment does not amend the same section that the Dent amendment amended. Therefore, Mr. Speaker, the procedure here would be to have reconsideration of the Dent amendment, and if that reconsideration then results in the Dent amendment being disapproved by the House, then the Veon amendment would certainly be in order for consideration. But to allow the House to approve two amendments and then go for final passage of a bill in which we definitely have conflicting results of this House, in terms of this legislation, produces a result that cannot be resolved through conflict.

The SPEAKER pro tempore. The Chair thanks the gentleman.

### PARLIAMENTARY INQUIRY

The SPEAKER pro tempore. The Chair recognizes Representative Gannon. For what purpose does the gentleman rise?

Mr. GANNON. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman may please state his point of parliamentary inquiry.

Mr. GANNON. Maybe, in listening to the debate and the comments by the prior speakers, I think a lot of us are confused as to how the Veon amendment affects the Dent amendment, which has already been adopted by the House. If the Veon amendment were to be adopted, how would that affect the first paragraph of the Dent amendment and all the subsequent parts of the Dent amendment?

The SPEAKER pro tempore. It is the opinion of the Chair that the Veon amendment and the Dent amendment amend different sections of the bill. The language is different in the separate amendments. One applies to limitations in a calendar year; one applies to limitations in an election cycle, and therefore, both amendments are proper for inclusion in the bill.

### PARLIAMENTARY INQUIRY

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Fairchild. For what purpose does the gentleman rise?

Mr. FAIRCHILD. Parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore. The gentleman can please state his point.

Mr. FAIRCHILD. Mr. Speaker, I am, I think, as confused as everybody.

The question I have is, if you have two provisions that have been amended into a bill and those provisions conflict, is it proper to ask the Chair if those provisions of the amendments conflict as it regards the two amendments, because obviously, as you have just stated, one applies to the year, the other applies to the election cycle. Even though they are in two different sections, I think anyone can see that these are going to conflict, or at least my question to you is, is it proper to ask if these two amendments conflict with each other, even though we all recognize they are addressing different sections of the bill? That is the question, Mr. Speaker.

The SPEAKER pro tempore. The answer to the gentleman is yes.

The Chair recognizes Representative Lloyd.

Mr. GANNON. Mr. Speaker?

The SPEAKER pro tempore. Will the gentleman, Mr. Lloyd, suspend.

Mr. GANNON. Mr. Speaker, I had not yielded; I had not yielded the floor.

The SPEAKER pro tempore. The Chair apologizes for the confusion on the House floor due in large part to the number of amendments and the number of conflicting amendments, and in an effort to finally resolve this issue, the Chair would like to ask that Mr. Kukovich, Mr. Itkin, Mr. Ryan, please approach the rostrum.

For what purpose does the gentleman, Mr. Geist, arise?

Mr. GEIST. Thank you, Mr. Speaker.

Just a question about—while we are waiting for your meeting at the rostrum to take place—just a question, based upon the weather forecast for tonight and the calling for freezing rain, snow, and the conditions for the next couple days. What is your prognosis on how long we are going to run tonight for those members that have to travel?

The SPEAKER pro tempore. My prognosis is that we will keep with the majority leader's earlier comment — about 7 o'clock we will be out of here. The Governor does want to come in and prepare for his address tomorrow.

The House will stand at ease for a couple of moments.

(Conference held at Speaker's podium.)

The SPEAKER pro tempore. The conclusion of the meeting at the Chair has been that we would like to ask for the indulgence of the members to please vote on the Veon amendment 4404. We all recognize that there are inherent conflicts in the Veon amendment and the Dent amendment. It is the intention of the Parliamentarian, along with the Democratic and Republican leaders, to fix the amendments as the conflicts currently exist, and we will reconsider the bill at a future date.

Mr. RYAN. Mr. Speaker?

The SPEAKER pro tempore. The Chair recognizes the Republican leader. For what purpose does the gentleman rise?

Mr. RYAN. That is not accurate.

The SPEAKER pro tempore. The gentleman may proceed with his—

Mr. RYAN. I have never agreed to fix anything. I heard it said that, let things happen and they will be fixed later. I never agreed to fix anything.

What I suggested be done was that we allow the House the opportunity to get the amendments in some kind of order so that the Chair could properly call them up and we would not run into these problems time and time again. If there is a conflict between the Dent amendment and the Veon amendment, then that conflict exists or it does not exist, as the case may be, but I am not going to stand here now and say that I will or will not, quote, "fix up" whatever happens.

I, for one, am in favor of the Dent amendment and against the Veon amendment. If Veon gets in, I do not know what it is even going to do. It may very well be that the prudent thing for all of us to do is to—it is 7 o'clock; it is the witching hour—the prudent thing for us to do—and I know the majority leader wants to run Veon, and I am not quarreling with that—the prudent thing for all of us to do perhaps would be to close down and have this bill reprinted with amendments, although that would create havoc in the Reference Bureau redrafting amendments, but that might very well be the prudent thing to do, but I am not agreeing to fix anything without having a look at what needs to be fixed.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair asks that the House return to consideration of amendment 4404.

On the amendment, the Chair recognizes Representative Nyce.

Mr. NYCE. Thank you, Mr. Speaker.

Mr. RYAN. Mr. Speaker?

The SPEAKER pro tempore. Will the gentleman please suspend.

The Chair recognizes the Republican leader.

Mr. RYAN. Point of parliamentary inquiry.

The SPEAKER pro tempore. The gentleman may state his point.

Mr. RYAN. I withdraw that; I am sorry.

The SPEAKER pro tempore. The Chair thanks the gentleman.

### PARLIAMENTARY INQUIRY

Mr. FAIRCHILD. Mr. Speaker, point of parliamentary inquiry.

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

Mr. FAIRCHILD. Mr. Speaker, I would like to rule that this amendment is unconstitutional based upon the ruling of you, the Speaker, when asked whether the two amendments would create a conflict and you answered yes; that was your answer.

The SPEAKER pro tempore. The Chair has been informed that that is not the proper basis to ask for a ruling of constitutionality on this amendment.

The Chair recognizes the majority leader, Representative Itkin.

Mr. ITKIN. In order to move this process forward and come to a timely resolution, I am going to propose the following procedure:

One, we vote the Veon amendment. If the Veon amendment fails, then there is no conflict. If the Veon amendment passes, then we reconsider the Dent amendment, because the House has made a decision between Veon and Dent; very simple. Then after that, what we ought to do is, I want to stop our proceedings, because I think that what the Republican leader has said is, we have got to look at this stuff and see what is there, because we at this point do not know what we have in that bill.

### PARLIAMENTARY INQUIRY

Mr. RYAN. Mr. Speaker?

The SPEAKER pro tempore. The Chair recognizes, who I believe is talking, Mr. Ryan.

Mr. RYAN. Point of parliamentary inquiry.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. RYAN. You know, I hate to beat this dead horse to death, to quote someone.

If Veon goes in and later Dent is reconsidered and— I think the gentleman— No. If Veon goes down— How did you say that?

Mr. ITKIN. I said, if Veon goes in, then the next consideration would be the reconsideration of the Dent amendment. Obviously— And then if the reconsideration— We would just withdraw the other amendment; that is all. Reconsider it, just reconsider the vote of the Dent amendment. That takes the Dent amendment out of the bill, if the Veon amendment goes in, and we stop the proceedings tonight at that point. Then we try to find out and decide how we are going to proceed from that point forward.

Mr. RYAN. Now, is it my understanding you expect us to kind of roll over and allow the Dent amendment just to be withdrawn for the heck of it?

Mr. ITKIN. No. No. I am saying, if you do not favor the Veon amendment over the Dent amendment, you vote against the Veon amendment. In other words, if the Veon amendment fails, then the Dent amendment stays. It is very simple.

The SPEAKER pro tempore. The Chair recognizes Mr. Belfanti. For what purpose does the gentleman rise?

Mr. BELFANTI. A brief point of personal privilege.

The SPEAKER pro tempore. Will the gentleman please state his point.

Mr. BELFANTI. Thank you, Mr. Speaker.

Mr. Speaker, I came to the floor prepared to vote on 110 or 120 amendments. Again, simply by the manner in which the amendments were called up, we are now being told by some folks that, well, we should not be allowed to vote on this one simply because of the luck of the draw the way we voted on an amendment.

I believe that if we are serious about campaign finance reform, we ought to be prepared to take up all of these amendments, all 120 of them, and then reconsider the ones that are in conflict at the end of the debate. I do not even believe that we need to do it immediately after the Veon amendment because there are 17 other Veon amendments and there is a Levdaysky amendment; there are about 20 other amendments. We are going to go through this debate and this discussion over and over and over again because 112 drafters decided that they wanted to say something about campaign finance reform, and if they wanted to say it, I, as a member, want to have a right to vote on it. I would like to not leave town this week without having the opportunity of voting on the Veon amendment, which I prefer over the Dent amendment even though I voted for it. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes Representative Lloyd. For what purpose does the gentleman rise?

Mr. LLOYD. Mr. Speaker, I would like to interrogate the sponsor of the amendment.

Mr. GANNON. Mr. Speaker? Mr. Speaker?

The SPEAKER pro tempore. The Chair recognizes Representative Gannon. For what purpose does the gentleman rise?

Mr. GANNON. Mr. Speaker, as I recall the sequence of events, I was in the process of addressing the issue and

Representative Fairchild raised a parliamentary inquiry, and it has not come back to me since then. So I believe I have not yielded and I still have the floor.

The SPEAKER pro tempore. The gentleman is correct.

The Chair asks the indulgence of Representative Lloyd.

For what purpose does the gentleman, Mr. Gannon, rise?

Mr. GANNON. I would like to interrogate the sponsor of the amendment.

The SPEAKER pro tempore. The gentleman indicates he is willing to be interrogated, and Mr. Gannon may proceed.

Mr. GANNON. Thank you, Mr. Speaker.

Mr. Speaker, we have already adopted an amendment to this bill. Your amendment amends a separate section of the same bill. They appear to be in conflict. My question to you, since no one has really asked this question up to this point—and you are the maker of the amendment, and I am going to assume you knew what you were doing when you drafted this amendment you are now offering—what effect does your amendment have, as the drafter of the amendment, on the Dent amendment, which has already been adopted by the House?

Mr. VEON. Mr. Speaker, I hate to say it, but I could not hear the question. I will put my earplug in, Mr. Speaker.

The SPEAKER pro tempore. The Chair asks that we please get some order in the House. This is extremely confusing debate. I think that is obvious to everybody. It only becomes more confusing when members continue to talk in the aisles. I ask for some indulgence and some attention to the debate.

Mr. GANNON. Let me repeat my question.

Mr. VEON. Please.

Mr. GANNON. We have already adopted the Dent amendment. Your amendment amends a separate section of the bill. My question to you: What effect, as the drafter of the amendment, what effect does your amendment have on the Dent amendment, if any?

### PARLIAMENTARY INQUIRY

Mr. VEON. Mr. Speaker, before I respond to the gentleman, I would like to ask a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman may state his point.

Mr. VEON. Would it be an appropriate motion at this point to temporarily withdraw my amendment and my amendment still would be in order at the next opportune time to continue this debate?

The SPEAKER pro tempore. The gentleman is in order to make that motion.

### AMENDMENT WITHDRAWN

Mr. VEON. With the indulgence of the gentleman, Mr. Gannon, I would like to make that motion or ask the Speaker that this amendment be withdrawn.

The SPEAKER pro tempore. The amendment is withdrawn. Thank you.

Mr. VEON. Thank you, Mr. Speaker.

### BILL PLACED ON THIRD CONSIDERATION POSTPONED CALENDAR

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

Mr. ITKIN. At this time I am going to ask you to place the bill on the—what would be appropriate, the final passage postponed? third consideration postponed? placed on the third consideration—I will learn this, Matt—third consideration postponed calendar, without objection.

The SPEAKER pro tempore. The Chair, hearing none, grants the majority leader's request.

Mr. ITKIN. There will be no further votes taken tonight. We will come into session tomorrow at 10:30 a.m. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

### REPORT OF COMMITTEE ON COMMITTEES

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Olasz, who submits the following supplemental report, which the clerk will read.

The following report was read:

#### Committee on Committees Supplemental Report

In the House of Representatives  
January 25, 1994

RESOLVED, That  
Representative Thomas Tigue, Luzerne County, is elected a member of the Finance Committee vice Representative Thomas Murphy resigned.

Respectfully submitted,  
Richard D. Olasz, Chairman  
Committee on Committees

On the question,  
Will the House adopt the resolution?  
Resolution was adopted.

### HOUSE BILLS INTRODUCED AND REFERRED

No. 2454 By Representatives LEDERER, CESSAR, CARN, MIHALICH, COWELL, BELARDI, COY, MANDERINO, DALEY, GORDNER, KING, CAPPABIANCA, FAIRCHILD, HENNESSEY, VEON, MARKOSEK, E. Z. TAYLOR, MELIO, TRICH, BEBKO-JONES, PISTELLA, PRESTON, WILLIAMS, TRELLO, MERRY, LEVDANSKY, RAYMOND, DeLUCA, GERLACH, ROONEY, LAUGHLIN, MAITLAND, CURRY and TANGRETTI

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, establishing the

Senior Citizens' Fraud Unit in the Department of Aging; and providing for its powers and duties.

Referred to Committee on AGING AND YOUTH, January 25, 1994.

**No. 2455** By Representatives LEDERER, CESSAR, CARN, MIHALICH, BELARDI, CAWLEY, COY, MUNDY, GORDNER, KING, CAPPABIANCA, FAIRCHILD, HENNESSEY, VEON, TRUE, MELIO, FAJT, TRICH, LAUB, M. COHEN, PISTELLA, PRESTON, JOSEPHS, WILLIAMS, GERLACH, ROONEY, LAUGHLIN and KENNEY

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, providing for Statewide elderly volunteer programs involving work with children; and making an appropriation.

Referred to Committee on AGING AND YOUTH, January 25, 1994.

**No. 2456** By Representatives STISH, DEMPSEY, FAIRCHILD, WOGAN, COLAFELLA, PITTS, MELIO, TIGUE, McCALL, BIRMELIN, BUNT, TRUE, COY, MASLAND, BATTISTO, RAYMOND, SAURMAN, SCHEETZ, SURRA, STABACK, KING, EGOLF, DALEY, M. COHEN, LEDERER and ADOLPH

An Act amending the act of November 29, 1990 (P.L.585, No.148), known as the Confidentiality of HIV-Related Information Act, further providing for legislative intent, for consent to testing, for counseling and for confidentiality of records; and repealing provisions relating to certification of significant exposure and testing procedures.

Referred to Committee on HEALTH AND WELFARE, January 25, 1994.

**No. 2459** By Representatives EGOLF, LaGROTTA, FLEAGLE, GEIST, YANDRISEVITS, NYCE, HUTCHINSON, HENNESSEY, BUNT, MASLAND, BELFANTI, SATHER, SAURMAN, NAILOR, WAUGH, HESS, TULLI and MERRY

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for liability for certain costs.

Referred to Committee on JUDICIARY, January 25, 1994.

**No. 2462** By Representatives ITKIN, L. I. COHEN, FAJT, YANDRISEVITS, HENNESSEY, COY, VEON, WILLIAMS, BUTKOVITZ, PRESTON, SAYLOR, STEELMAN, TRELLO, BELFANTI, CURRY, ULIANA, DENT, STURLA, ROONEY, GODSHALL, STERN, CAWLEY, BUXTON, TANGRETTI, HASAY, PISTELLA, MUNDY, PHILLIPS, LAUB, LEVDANSKY, FREEMAN, BLAUM, PETRARCA, SURRA, LEDERER, GIGLIOTTI, VAN HORNE, TOMLINSON, CARONE and DRUCE

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for the offense of ethnic intimidation.

Referred to Committee on JUDICIARY, January 25, 1994.

**No. 2464** By Representatives CLARK, GEIST, SCRIMENTI, LYNCH, FAIRCHILD, NYCE, SATHER, BOYES, STERN, HERSHEY, FLEAGLE, ROBERTS, CHADWICK, DEMPSEY, HUTCHINSON, JADLOWIEC, ZUG, HERMAN, PITTS, NICKOL, CESSAR, TIGUE, PHILLIPS, FLICK, BUNT, EGOLF, NAILOR, J. TAYLOR, E. Z. TAYLOR, WAUGH, GODSHALL, SURRA, HESS, TULLI, KING, D. W. SNYDER, MERRY and LAUGHLIN

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, providing for the election by judicial districts of justices and judges of the Supreme, Superior and Commonwealth Courts from established judicial districts.

Referred to Committee on JUDICIARY, January 25, 1994.

**No. 2465** By Representatives STURLA, BELFANTI, COY, VEON, FAJT, MIHALICH, STISH, MARKOSEK, LAUB, DENT, FARMER, MILLER, COLAIZZO, M. COHEN, LEDERER, BATTISTO, GERLACH, JAROLIN, NAILOR, TANGRETTI, DeLUCA, FREEMAN, ROONEY, MELIO, KING, SAURMAN, ZUG, SCHULER, STRITTMATTER, J. TAYLOR, WAUGH, PISTELLA, RUDY, STABACK, DALEY, WILLIAMS and GEIST

An Act providing for additional terms of imprisonment and fines for offenses committed to promote criminal gang activity and a related civil cause of action; establishing the Street Terrorism and Gang Deterrence Fund to assist community organizations; and imposing duties on the Pennsylvania Commission on Crime and Delinquency.

Referred to Committee on JUDICIARY, January 25, 1994.

**No. 2466** By Representatives CLARK, DALEY, PHILLIPS, FAIRCHILD, STERN, S. H. SMITH, HANNA, WAUGH, HERSHEY, BUNT, HESS, NICKOL, KING, SCHEETZ, FARGO, SEMMEL, HENNESSEY, CLYMER and ALLEN

An Act amending Title 15 (Corporations and Unincorporated Associations) of the Pennsylvania Consolidated Statutes, further providing for fees.

Referred to Committee on STATE GOVERNMENT, January 25, 1994.

**No. 2467** By Representatives ITKIN, CESSAR, L. I. COHEN and YANDRISEVITS

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, further providing for special occasion permits.

Referred to Committee on LIQUOR CONTROL, January 25, 1994.

**No. 2468** By Representatives DALEY, CESSAR, ROBERTS, RUDY, BELFANTI and TOMLINSON

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for victim impact education.

Referred to Committee on JUDICIARY, January 25, 1994.

**No. 2469** By Representatives DALEY, CESSAR, ROBERTS, RUDY, BELFANTI and TOMLINSON

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for sentences for third offenses.

Referred to Committee on JUDICIARY, January 25, 1994.

**No. 2471** By Representatives DALEY, CESSAR, ROBERTS, RUDY, TOMLINSON and SERAFINI

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, empowering the Governor to authorize the transfer of certain convicted offenders pursuant to outstanding treaties.

Referred to Committee on JUDICIARY, January 25, 1994.

**No. 2472** By Representatives DALEY, CESSAR, ROBERTS, RUDY, BELFANTI and TOMLINSON

An Act providing for hard time for convicted felons.

Referred to Committee on JUDICIARY, January 25, 1994.

**No. 2473** By Representatives DALEY, CESSAR, ROBERTS, RUDY and TOMLINSON

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for anticrime counseling.

Referred to Committee on EDUCATION, January 25, 1994.

**No. 2474** By Representatives FAJT, GORDNER, HASAY, LAUB, CESSAR, VAN HORNE, D. W. SNYDER, PISTELLA, LYNCH, TRELLO, CIVERA, FLICK, FARGO, COY, KIRKLAND, WOZNIAK, DERMODY, NYCE and LEH

An Act providing for limited liability companies.

Referred to Committee on BUSINESS AND ECONOMIC DEVELOPMENT, January 25, 1994.

**No. 2475** By Representatives FAJT, GORDNER, MIHALICH, NAILOR, KAISER, WAUGH, MARSICO, DENT, TRUE, TANGRETTI, BOYES, CESSAR, MARKOSEK, LEH, FARMER, HERMAN, M. N. WRIGHT, LEDERER, KREBS, SERAFINI, COY, LAUB, ROONEY, NYCE, GEIST, MELIO, COWELL, WILLIAMS, PRESTON, TRELLO, PISTELLA, MERRY,

SAYLOR, PETTTT and SAURMAN

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for aggravated assault.

Referred to Committee on JUDICIARY, January 25, 1994.

**No. 2476** By Representatives LAWLESS, FICHTER, ADOLPH, LYNCH, OLASZ, FLICK, SAURMAN, MICOZZIE, HENNESSEY and E. Z. TAYLOR

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for tuition grant alternative.

Referred to Committee on EDUCATION, January 25, 1994.

**No. 2477** By Representatives BLAUM, GRUPPO, BELARDI, THOMAS, DeWEESE, D. R. WRIGHT, TIGUE, HALUSKA, TRELLO, BUSH, PHILLIPS, M. N. WRIGHT, MUNDY, LESCOVITZ, JAROLIN, E. Z. TAYLOR, WOGAN, COLAFELLA, PISTELLA, PESCI, PETRARCA, ROONEY, GEIST, STETLER, OLASZ, LYNCH, GORDNER, DeLUCA, FREEMAN, FLICK, HERMAN, SAYLOR, BATTISTO, ARGALL, DALEY, SCRIMENTI, GIGLIOTTI, KIRKLAND, YANDRISEVITS, FAJT, BELFANTI, D. W. SNYDER, RITTER, TOMLINSON, KENNEY, STISH, WOZNIAK, LAUGHLIN, KASUNIC, VEON, WILLIAMS, COLAIZZO, RICHARDSON, TRICH, J. TAYLOR, COY and STURLA

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing criminal penalties for the mistreatment of care-dependent persons by caretakers; and imposing additional duties on the Office of Attorney General and the district attorneys.

Referred to Committee on AGING AND YOUTH, January 25, 1994.

**No. 2478** By Representatives MELIO, TANGRETTI, GIGLIOTTI, DeLUCA and COLAIZZO

A Supplement to the act of (P.L. , No. ), known as the Highway Supplement to the Capital Budget Act of 1993-1994, itemizing public highway projects to be constructed by the Department of Transportation, together with the estimated financial costs; authorizing the incurring of debt without the approval of the electors for the purpose of financing the projects to be constructed by the Department of Transportation; stating the estimated useful life of the projects; and making appropriations.

Referred to Committee on APPROPRIATIONS, January 25, 1994.

**No. 2479** By Representatives TRICH, TANGRETTI, KUKOVICH, COY, SANTONI, TRELLO, ROBINSON, JOSEPHS, STERN, LAUGHLIN, BELFANTI, DeLUCA, MERRY and BEBKO-JONES

An Act amending the act of May 1, 1933 (P.L.216, No.76), known as The Dental Law, extending licensing and registration

provisions to dental assistants; and making editorial changes.

Referred to Committee on PROFESSIONAL LICENSURE, January 25, 1994.

### HOUSE RESOLUTIONS INTRODUCED AND REFERRED

**No. 226** By Representatives EVANS, MANDERINO, KENNEY, LEDERER, RIEGER, ACOSTA, THOMAS, JAMES, ROEBUCK, RICHARDSON, BISHOP, CARN, M. COHEN, JOSEPHS and WILLIAMS

A Resolution designating January 24, 1994, as "Opportunities Industrialization Center Day."

Referred to Committee on RULES, January 25, 1994.

**No. 228** By Representatives WAUGH, LESCOVITZ, BUXTON, FICHTER, GAMBLE, KING, CESSAR, FAIRCHILD, MIHALICH, SATHER, JAROLIN, BELARDI, NICKOL, PETTTT, CAWLEY, COY, MANDERINO, MUNDY, GORDNER, YANDRISEVITS, BROWN, FARGO, MASLAND, HERSHEY, M. N. WRIGHT, SAURMAN, CAPPABIANCA, CLYMER, NAILOR, HESS, GEIST, SAYLOR, LEH, ZUG, KREBS, HASAY, LYNCH, HERMAN, HENNESSEY, MILLER, WOZNIAK, MAITLAND, MARKOSEK, DENT, FAJT, ARMSTRONG, MELIO, SANTONI, DEMPSEY, BEBKO-JONES, ALLEN, HARLEY, RUBLEY, LAUB, NYCE, PLATTS, PERZEL, JOSEPHS, PISTELLA, PRESTON, GERLACH, DeLUCA, RAYMOND, B. SMITH, STERN, BAKER, TULLI, DRUCE, ROONEY, LAUGHLIN, TIGUE and KENNEY

A Resolution designating the week of May 1 through 7, 1994, as "Correctional Officers Week" in Pennsylvania.

Referred to Committee on RULES, January 25, 1994.

**No. 229** By Representatives BIRMELIN, VEON, LESCOVITZ, DEMPSEY, STERN, ARMSTRONG, SANTONI, LYNCH, KENNEY, RUBLEY, FAIRCHILD, ZUG, JOSEPHS, JADLOWIEC, GIGLIOTTI, HENNESSEY, M. N. WRIGHT, BATTISTO, VANCE, FICHTER, FARGO, HARLEY, HERSHEY, RAYMOND, BAKER, B. SMITH, MARSICO, SATHER, MILLER, STABACK, HESS, SAURMAN, KING, L. I. COHEN, LAUB, DALEY, LAUGHLIN, BELARDI and MAITLAND

A Resolution designating May 6, 1994, as "55 Alive/Mature Driving Day" in Pennsylvania.

Referred to Committee on RULES, January 25, 1994.

**No. 230** By Representatives GEORGE, WOZNIAK, BELARDI, SURRA, FEE, MUNDY, TANGRETTI, MELIO, LaGROTTA, LAUGHLIN, DALEY, STISH, HANNA, BUXTON, BISHOP, JOSEPHS, VITALI, RITTER, CAPPABIANCA, COLAIZZO, COLAFELLA, ROBINSON,

HALUSKA, YANDRISEVITS, ROONEY, SCRIMENTI and FAJT

A Resolution directing the Conservation Committee of the House of Representatives to conduct a thorough review of the response of utilities to the severe winter storm that affected this Commonwealth during the week of January 16, 1994.

Referred to Committee on RULES, January 25, 1994.

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

**SB 1066, PN 1848** (Amended)

By Rep. GAMBLE

An Act authorizing the Pennsylvania Historical and Museum Commission to acquire, for a nominal sum or gift, on behalf of the Commonwealth, the Masonic Temple to be operated as a cultural center for the City of Scranton and for the Scottish Rite Cathedral to be operated as a cultural center for the City of New Castle; providing for their restoration and renovation; and authorizing agreements for the administration thereof.

TOURISM AND RECREATIONAL DEVELOPMENT.

### BILLS AND RESOLUTIONS PASSED OVER

The SPEAKER pro tempore. Without objection, all remaining bills and resolutions on today's calendar will be passed over. The Chair hears no objection.

### ADJOURNMENT

The SPEAKER pro tempore. The Chair recognizes the gentlelady, Representative Cohen, from Montgomery County.

Mrs. COHEN. Mr. Speaker, I move that this House do now adjourn until Wednesday, January 26, 1994, at 10:30 a.m., c.s.t., unless sooner recalled by the Speaker.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 7:17 p.m., c.s.t., the House adjourned.