

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

WEDNESDAY, APRIL 26, 1995

SESSION OF 1995

179TH OF THE GENERAL ASSEMBLY

No. 35

HOUSE OF REPRESENTATIVES

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

THE SPEAKER (MATTHEW J. RYAN) PRESIDING

PRAYER

REV. DR. EMLYN H. JONES, pastor of Stoverdale United Methodist Church, Hummelstown, Pennsylvania, offered the following prayer:

God of our fathers, whose almighty arm has established in this hemisphere a noble experiment of liberty and freedom previously unknown in the long history of mankind, You led to the shores of this magnificent land peoples of many cultures, languages, and races to create America – a melting pot of earth's people whose greatest desire was to escape tyrannies and dictatorships in favor of human dignity, formulated on the amazing concept that all persons have a God-given right to pursue their dreams of happiness and personal fulfillment.

These peoples of earth, while preserving their own roots and having agreed on goals common to all, have made their new land the breadbasket of the world – the inventors of things that enhance the lives of everyone, the leaders of industry, and the protectors of the weak and the frail. Your blessings have made America the most successful blending of Your creatures ever.

The good folk of Pennsylvania, who helped to inaugurate the American dream, have created a system of government that promotes the worthwhileness of every citizen. Our people have cultivated every valley to bloom with life. They have settled from the gentle slopes of the Alleghenies to the rolling hills of the Poconos. From the winding, windy shores of Lake Erie to the powerful Delaware; from the wondrous beauty of Pine Creek, carving out our Grand Canyon, to the hallowed memorials of Gettysburg; from the historic heart of Philadelphia to the gleaming beauty of Pittsburgh; from the slow meanderings of the Susquehanna to the mighty rush of the Monongahela, the dreams of William Penn are daily fulfilled in our Commonwealth.

May these elected leaders of this wondrous land, full of good and beautiful persons, be the recipients of Your gift of wisdom – that they may embroider and embellish the idea that every citizen should live with responsible liberty. O God, may Pennsylvania always and forever be the land of free people and the home of brave patriots.

Bless, we pray, the Speaker of this noble House in his daily tasks of leadership.

Gracious God, hear our humble petition. Amen.

PLEDGE OF ALLEGIANCE

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

The SPEAKER. The Reverend Dr. Jones will be leaving us today, and at this time I would like to present him with a ceremonial gavel, which in fact I did use this morning, to remember us and continue to remember us in his prayers.

REV. DR. JONES. Thank you. Thank you very much.

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, the approval of the Journal of Tuesday, April 25, 1995, will be postponed until printed. The Chair hears no objection.

HOUSE BILLS INTRODUCED AND REFERRED

No. 1459 By Representatives J. TAYLOR, BUTKOVITZ, KENNEY, O'BRIEN, WOGAN, CIVERA, BUXTON, HORSEY, LUCYK, TANGRETTI, MAYERNIK, McGEEHAN, KELLER, LEDERER, LEVDANSKY, PISTELLA, KAISER, RAYMOND and THOMAS

An Act specifically authorizing collective bargaining between school administrators in school districts of the first class and their public employers; providing for arbitration in order to settle disputes; and requiring compliance with collective bargaining agreements and findings of arbitrators.

Referred to Committee on EDUCATION, April 26, 1995.

No. 1460 By Representatives KUKOVICH, BELARDI, THOMAS, KING, COWELL, E. Z. TAYLOR, GORDNER, MIHAJICII, ITKIN, PISTELLA, STEELMAN, BEBKO-JONES, CURRY, MUNDY, DeWEESE, JOSEPHS, STABACK, STURLA, L. I. COHEN, MANDERINO, CAWLEY, SURRA, VAN HORNE, CAPPABIANCA, STETLER, DeLUCA, GEORGE, MELIO, BUXTON, ROBINSON, COY, CORPORA, DALEY, GIGLIOTTI, SAYLOR, TRICH, McCALL, LUCYK, RUDY, HALUSKA, PLATTS, WALKO, TRELLO, LEDERER, ROONEY and BATTISTO

An Act amending the act of June 9, 1936 (Sp. Sess., P.L.13, No.4), entitled, as reenacted and amended, "An act imposing an emergency State tax on liquor, as herein defined, sold by the Pennsylvania Liquor Control Board; providing for the collection and payment of such tax; and imposing duties upon the Department of Revenue and the Pennsylvania Liquor

Control Board," further providing for the disposition of tax revenues; and making a repeal.

Referred to Committee on FINANCE, April 26, 1995.

No. 1461 By Representatives LUCYK, COY, BEBKO-JONES, WALKO, GEORGE, VAN HORNE, SCHULER, CAWLEY, PESCI, BAKER, JAROLIN, BUNT, NAILOR, STABACK, BELARDI, KING, ADOLPH, GEIST, McCALL, SURRA, OLASZ, TRELLO, BATTISTO, PRESTON, LEVDANSKY, ROONEY, DEMPSEY, KENNEY, TANGRETTI, DALEY, BELFANTI, MIHALICH, LEDERER, MELIO, GIGLIOTTI, PISTELLA and BOSCOLA

An Act amending the act of July 8, 1957 (P.L.569, No.317), known as the Korean Conflict Veterans' Compensation Act, extending the time period for filing applications for compensation.

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, April 26, 1995.

No. 1462 By Representatives LUCYK, COY, BEBKO-JONES, WALKO, GEORGE, VAN HORNE, SCHULER, CAWLEY, BAKER, JAROLIN, BUNT, NAILOR, STABACK, BELARDI, KING, ADOLPH, GEIST, McCALL, SURRA, OLASZ, TRELLO, BATTISTO, PRESTON, LEVDANSKY, ROONEY, DEMPSEY, KENNEY, TANGRETTI, DALEY, BELFANTI, MIHALICH, LEDERER, MELIO, GIGLIOTTI, PISTELLA and BOSCOLA

An Act amending the act of July 18, 1968 (P.L.405, No.183), known as the Vietnam Conflict Veterans' Compensation Act, extending the time period for filing applications for compensation.

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, April 26, 1995.

No. 1463 By Representatives LUCYK, COY, BEBKO-JONES, WALKO, GEORGE, VAN HORNE, SCHULER, CAWLEY, PESCI, BAKER, JAROLIN, BUNT, NAILOR, STABACK, BELARDI, KING, ADOLPH, GEIST, McCALL, SURRA, OLASZ, TRELLO, BATTISTO, PRESTON, LEVDANSKY, ROONEY, DEMPSEY, KENNEY, TANGRETTI, DALEY, BELFANTI, MIHALICH, LEDERER, MELIO, GIGLIOTTI, PISTELLA and BOSCOLA

An Act amending the act of June 11, 1947 (P.L.565, No.248), known as the World War II Veterans' Compensation Act, extending the time during which applications may be filed for veterans' compensation.

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, April 26, 1995.

No. 1464 By Representatives LUCYK, DALEY, ROONEY, CAWLEY, GEIST, COY, ALLEN, BELFANTI, STABACK, BELARDI, TRELLO, PISTELLA and YOUNGBLOOD

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for veterans' preference.

Referred to Committee on EDUCATION, April 26, 1995.

No. 1465 By Representatives KREBS, CORNELL, SATHER, TIGUE, CURRY, STETLER, OLASZ, ROBINSON, BELARDI, CARONE, RAYMOND, BELFANTI, HENNESSEY, PISTELLA and STEELMAN

An Act amending the act of January 30, 1974 (P.L.13, No.6), referred to as the Loan Interest and Protection Law, providing for the payment of interest by residential mortgage lenders on certain amounts held in escrow.

Referred to Committee on COMMERCE AND ECONOMIC DEVELOPMENT, April 26, 1995.

No. 1466 By Representatives KREBS, STABACK, RUBLEY, ZUG, DeLUCA, FARGO, STETLER, PESCI, BELARDI, RAYMOND, WOGAN, TIGUE, MELIO, HENNESSEY, PISTELLA, COLAFELLA and YOUNGBLOOD

An Act amending the act of December 20, 1985 (P.L.457, No.112), known as the Medical Practice Act of 1985, providing for the regulation of tattoo artists.

Referred to Committee on PROFESSIONAL LICENSURE, April 26, 1995.

No. 1467 By Representative GODSHALL

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for altering or obliterating marks of identification of firearms.

Referred to Committee on JUDICIARY, April 26, 1995.

No. 1468 By Representatives MICOZZIE, GANNON, FICHTER, LYNCH, PETTIT, GODSHALL, NICKOL, LEH, SCHRODER, L. I. COHEN, BUXTON, D. W. SNYDER, FLICK, TULLI, SAYLOR, HERMAN, SCHULER, FAIRCHILD, PITTS, DEMPSEY, FLEAGLE, STRITTMATTER, CONTI, BIRMEIN, HUTCHINSON, ARMSTRONG, SATHER, KING, STISH, RUBLEY, CLARK, COLAFELLA, TRELLO, RAYMOND, HERSHEY, STERN, KENNEY, BARLEY, EGOLF, DRUCE, BATTISTO, PLATTS, HANNA, REINARD, DeLUCA, STURLA, MELIO, MERRY, E. Z. TAYLOR, STABACK, CLYMER, FARGO, MILLER, SERAFINI, TANGRETTI, ADOLPH, O'BRIEN, J. TAYLOR, WAUGH, BAKER, HENNESSEY, TRICH, TRUE, CIVERA, LAUGHLIN and MAITLAND

An Act providing for the establishment and regulation of individual and employer-provided medical care savings accounts.

Referred to Committee on INSURANCE, April 26, 1995.

No. 1469 By Representatives DeLUCA, GIGLIOTTI, BELARDI, KUKOVICH, DRUCE, KENNEY, JAMES, COLAIZZO, CARONE, BELFANTI, RUBLEY, VAN HORNE, ROBINSON, ITKIN, HALUSKA and MAITLAND

An Act amending the act of May 21, 1937 (P.L.774, No.211), referred to as the Pennsylvania Turnpike Commission Act, further providing for commission membership; and requiring the commission to submit annual reports to the Governor and General Assembly.

Referred to Committee on STATE GOVERNMENT, April 26, 1995.

No. 1470 By Representatives STRITTMATTER, SCHULER, COLAIZZO, BROWNE, BOSCOLA, STISH, COY, SEMMEL, FARGO, MERRY, PETRONE, GANNON, FLICK, PETTIT, GEIST, ROHRER, LEH, E. Z. TAYLOR and HENNESSEY

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, further providing for classes of income.

Referred to Committee on FINANCE, April 26, 1995.

No. 1471 By Representatives RUDY, BELARDI, HALUSKA, CORRIGAN, FAIRCHILD, HANNA, YOUNGBLOOD, JOSEPHS, TRAVAGLIO, ITKIN, TRELLO and READSHAW

An Act amending Title 24 (Education) of the Pennsylvania Consolidated Statutes, further providing for creditable nonschool service.

Referred to Committee on EDUCATION, April 26, 1995.

No. 1472 By Representatives FARGO, GEIST, TRELLO, LYNCH, COLAFELLA, DEMPSEY, PISTELLA, SEMMEL, GEORGE, MILLER, L. I. COHEN, PETTIT, BARD, ALLEN, CLARK, SCHRODER, NAILOR, HENNESSEY, MELIO and SATHER

An Act amending the act of February 1, 1966 (1965 P.L.1656, No.581), known as The Borough Code, further providing for borough councils' and mayors' salaries.

Referred to Committee on LOCAL GOVERNMENT, April 26, 1995.

No. 1473 By Representatives SURRA, VILON, JADLOWIEC, STURLA, ROBERTS, FEESE, GIGLIOTTI, S. H. SMITH, BOYES, GODSHALL, BOSCOLA, LESCOVITZ, LYNCH, DeWEESE, GEORGE, McCALL, LAUGHLIN and ROONEY

An Act repealing section 3525 of Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, relating to protective equipment for motorcycle riders.

Referred to Committee on TRANSPORTATION, April 26, 1995.

No. 1474 By Representative PITTS

An Act making an appropriation from the State Employees' Retirement Fund to provide for expenses of the State Employees' Retirement Board for the fiscal year July 1, 1995, to June 30, 1996, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 1995.

Referred to Committee on APPROPRIATIONS, April 26, 1995.

No. 1475 By Representative PITTS

An Act making an appropriation from the Public School Employees' Retirement Fund to provide for expenses of the Public School Employees' Retirement Board for the fiscal year July 1, 1995, to June 30, 1996, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 1995.

Referred to Committee on APPROPRIATIONS, April 26, 1995.

No. 1476 By Representative PITTS

An Act making appropriations from the Workmen's Compensation Administration Fund to the Department of Labor and Industry and the Department of Commerce to provide for the expenses of administering the Workers' Compensation Act, The Pennsylvania Occupational Disease Act and the Office of Small Business Advocate for the fiscal year July 1, 1995, to June 30, 1996, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 1995.

Referred to Committee on APPROPRIATIONS, April 26, 1995.

No. 1477 By Representative PITTS

An Act making appropriations from the Professional Licensure Augmentation Account and from restricted revenue accounts within the General Fund to the Department of State for use by the Bureau of Professional and Occupational Affairs in support of the professional licensure boards assigned thereto.

Referred to Committee on APPROPRIATIONS, April 26, 1995.

No. 1478 By Representative PITTS

An Act making an appropriation to the Treasury Department out of the Fish Fund for payment of general obligation debt service.

Referred to Committee on APPROPRIATIONS, April 26, 1995.

No. 1479 By Representative PITTS

An Act providing for adoption of capital projects to be financed from current revenues of the Keystone Recreation, Park and Conservation Fund.

Referred to Committee on APPROPRIATIONS, April 26, 1995.

No. 1480 By Representative PITTS

An Act providing for the capital budget for the fiscal year 1995-1996.

Referred to Committee on APPROPRIATIONS, April 26, 1995.

No. 1481 By Representatives ALLEN, HASAY, LESCOVITZ, RYAN, PERZEL, DeWEESE, BARLEY, ITKIN, PHILLIPS, COY, D. W. SNYDER, OLASZ, PITTS, E. Z. TAYLOR, FARGO, BELARDI, M. COHEN, ZUG, SEMMEL, CORNELL, BUNT, FAIRCHILD, ARGALL, FLICK, RAYMOND, BOYES, NYCE, LaGROTTA, BAKER, MUNDY, M. N. WRIGHT, WOZNIAK, BROWNE, GORDNER, DENT, ROBERTS, KING, LAUGHLIN, FARMER, HESS, HERSHEY, SAYLOR, BROWN, MERRY, MILLER, ROHRER, HARHART, GANNON, HUTCHINSON, CIVERA, GRUPPO, NAILOR, HERMAN, KENNEY, CONTI,

STABACK, GODSHALL, MELIO, SATHER, TRELLO, MARKOSEK, BATTISTO, FAJT, FLEAGLE, PRESTON, MAYERNIK, MARSICO, GEIST, HABAY, BELFANTI, STISH, CHADWICK, LUCYK, SHEEHAN, O'BRIEN, SERAFINI, DEMPSEY, VAN HORNE, McCALL, ZIMMERMAN, PETRONE, TULLI, LYNCH, STEIL, MCGILL, MAJOR, FEESE, CLARK, ADOLPH, D. R. WRIGHT, FICHTER, PETTIT, MAITLAND, GLADECK, NICKOL, SCHULER, S. H. SMITH, TRUE, B. SMITH, JADLOWIEC, J. TAYLOR, HENNESSEY and MICOZZIE

An Act amending the act of November 30, 1965 (P.L.847, No.356), known as the Banking Code of 1965, to harmonize with the Federal interstate banking law by providing for interstate mergers and branching; providing for authorization to receive deposits, fiduciary powers, bank holding companies, limits on indebtedness, qualifications of directors, conversions and enforcement and other provisions applicable to the department.

Referred to Committee on COMMERCE AND ECONOMIC DEVELOPMENT, April 26, 1995.

No. 1482 By Representatives JOSEPHS, KUKOVICH, STURLA, TANGRETTI, YOUNGBLOOD, STEELMAN and WASHINGTON

An Act providing for the establishment of a joint task force between the Department of Health and the Department of Public Welfare to develop and implement on a pilot basis a health insurance continuation program for insured people with acquired immunodeficiency syndrome (AIDS) and human immunodeficiency virus (HIV); and making an appropriation.

Referred to Committee on HEALTH AND HUMAN SERVICES, April 26, 1995.

No. 1483 By Representatives JOSEPHS, KUKOVICH, DALEY, E. Z. TAYLOR, KENNEY, TANGRETTI, YOUNGBLOOD and STEELMAN

An Act providing for cesarean section delivery practice parameters; establishing peer review boards; and providing for duties of the Health Care Cost Containment Council.

Referred to Committee on HEALTH AND HUMAN SERVICES, April 26, 1995.

No. 1484 By Representatives JOSEPHS, KUKOVICH, KENNEY, TIGUE, YOUNGBLOOD and MICHLOVIC

An Act regulating the practice of assumption reinsurance; and conferring powers and duties upon the Insurance Department.

Referred to Committee on INSURANCE, April 26, 1995.

No. 1485 By Representatives JOSEPHS, STETLER, STURLA, YOUNGBLOOD, ITKIN and STEELMAN

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, repealing provisions relating to advanced health care directives for pregnant women.

Referred to Committee on JUDICIARY, April 26, 1995.

No. 1486 By Representatives JOSEPHS and STURLA

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, authorizing county boards of elections to place nonbinding referendums on ballots; and providing for school directors' affidavits and for a procedure for certain electors.

Referred to Committee on STATE GOVERNMENT, April 26, 1995.

No. 1487 By Representatives PLATTS, WAUGH, TIGUE, ARGALL, STISH, MELIO, E. Z. TAYLOR, STEIL and GIGLIOTTI

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for the definition of "strike"; and further providing for collective bargaining.

Referred to Committee on EDUCATION, April 26, 1995.

No. 1488 By Representatives BARD, FICHTER, FARGO, BELARDI, ARMSTRONG, SCHULER, HORSEY, MUNDY, FAIRCHILD, BUNT and VANCE

An Act amending the act of June 17, 1913 (P.L.507, No.335), referred to as the Intangible Personal Property Tax Law, further providing for a variable rate of taxation on the value of personal property.

Referred to Committee on FINANCE, April 26, 1995.

No. 1489 By Representatives BUNT, MCGILL, FICHTER and REBER

An Act amending the act of June 17, 1913 (P.L.507, No.335), referred to as the Intangible Personal Property Tax Law, further providing for the rate of tax imposed on certain personal property.

Referred to Committee on FINANCE, April 26, 1995.

HOUSE RESOLUTION INTRODUCED AND REFERRED

No. 127 By Representatives HANNA and KREBS

A Resolution amending the Rules of the House of Representatives by adding rules relating to special elections to fill vacancies, for automatic calendars and floor votes and for guaranteed committee consideration of certain bills and amending rules relating to fiscal notes, automatic discharge from Appropriations Committee, for consideration of bills, for amendments on third consideration and for suspension and adoption of rules.

Referred to Committee on RULES, April 26, 1995.

SENATE BILL FOR CONCURRENCE

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

SB 433, PN 452

Referred to Committee on CONSUMER AFFAIRS, April 26, 1995.

LEAVES OF ABSENCE

The SPEAKER. *The Chair recognizes the majority whip, Mr. Barley, for the purpose of taking leaves of absence.*

Mr. BARLEY. Thank you, Mr. Speaker.

I would like to request a leave of absence for the gentleman from Philadelphia for the day, Mr. TAYLOR.

The SPEAKER. Without objection, leave will be granted. The Chair hears none.

The Chair recognizes the gentleman, Mr. Itkin, for the purpose of taking leaves of absence.

Mr. ITKIN. Mr. Speaker, I request a leave of absence for the gentleman from Philadelphia, Mr. EVANS, for today's session; the gentleman from Philadelphia, Mr. MCGEEHAN, for today's session; the gentleman from Delaware, Mr. KIRKLAND, for today's session; and the gentleman from Washington, Mr. DALEY, for today's session. Thank you.

The SPEAKER. *The Chair thanks the gentleman. Without objection, leaves will be granted.*

FILMING PERMISSION

The SPEAKER. The Chair advises the members that permission has been granted to John Sanks of TV-6 to take photographs during the introduction of the Merion Mercy basketball team and to Holly Claycomb to take photographs generally of the Democrat members. Ms. Claycomb is a member of the Democratic Information Office.

Permission has also been granted to Paul Vathis of AP (Associated Press) to take photographs on the floor of the House.

GUESTS INTRODUCED

The SPEAKER. There are a number of guests on the floor today. I would like to introduce them. This is an important event to many of the guests, it is an important event for many of our members, and as a matter of courtesy, I would like to have the attention of the House as we go through this. I will go through it quickly so that we can reach today's calendar.

I am pleased to introduce, as a guest page, Allison Bard, daughter of Representative Ellen Bard of Montgomery County. Allison is sitting here. Would she please stand up. Representative Bard's parents, Jim and Elaine Bard, are sitting over to the left of the Speaker. *Would they rise, please.*

As the guests of Representative Lisa Boscola, we have two guest pages today from Northampton County — Gwendolyn Sarver and Makinlee Grello. *Would the pages please rise.*

Here today as the guests of Representative Lawless from Montgomery County is a group from the BVM Elementary School in Trooper, Pennsylvania. *Would that group of students kindly rise. That is a big group of students.*

I would like to say something about these students that just stood up and about the group of people that are in the balcony. The Speaker today, when we were saying the prayer and the opening portion of today's session, ordinarily says that "members and guests will please rise." I neglected to do that today, for some reason, and as the members automatically stood up for the prayer and a number of our staff people automatically stood up, this large group of young citizens of Pennsylvania automatically stood up for the prayer, the

Pledge of Allegiance, as did the folks in the gallery, without being reminded by the Speaker, and I commend them on that. I noticed it principally because of my own shortcoming in forgetting to make the announcement, and for that I thank you.

MERION MERCY ACADEMY BASKETBALL TEAM PRESENTED

The SPEAKER. The lady, Mrs. Cohen, is recognized.

Mrs. COHEN. Thank you, Mr. Speaker.

My fellow Representatives, today is a great day for women and certainly a great day for parochial school education. I introduce to you the women of Merion Mercy Academy and their basketball team, because these women, under the direction of Coach Joseph D'Antonio and other assistant coaches and certainly under the guidance of Sister Teresa, the principal of the school — which just happens to be across the street from where I live — but these women have won the PIAA Eastern Class AA basketball championship by defeating Pine Grove by a score of 64 to 57. For those of you that were in Hershey and saw the game, it was absolutely remarkable.

We have the team here today with us. Two representatives behind me are Kate Dougherty and Shanette Lee. I would like for all the women of Merion Mercy, the parents, the coaches, Sister Barbara, everybody, to stand up and join us, and please congratulate our women from Merion Mercy Academy.

Thank you, Mr. Speaker. Thank you.

LEAVE OF ABSENCE CANCELED

The SPEAKER. The Chair returns to leaves of absence and recognizes the gentleman, Mr. Itkin.

Mr. ITKIN. Mr. Speaker, I would like to rescind my request for a leave of absence for the gentleman from Philadelphia, Mr. Kirkland. He is in the Capitol, and I want him to, at the present time, be available to — He will be coming to the floor to vote. I would then request at some future time today to place him on leave again, but right now he is available to be voting.

The SPEAKER. The gentleman from Delaware, Mr. Kirkland, is removed from the leave of absence list.

GUESTS INTRODUCED

The SPEAKER. Here today in the balcony, as guests of the gentleman from Montgomery, Mr. Fichter, are students and teachers from the Hancock Elementary School in Norristown. This school took first place among elementary schools in the National Service Learning Fair. They are to be congratulated. *Would the students and faculty please rise.*

The Chair welcomes to the hall of the House the senior class from High Point Baptist Academy. The class and its advisers, Randy Stone and Ken Lang, are guests of Representative Sam Rohrer. The guests are in the balcony. *Would they please rise.*

Representative Sheila Miller has a guest page, Emilie Christine Miller, her daughter, lovely girl. Emilie is a student at Bethel Center in the Tulpehocken School District. Emilie is here to participate in a "Daughter's Day at Work."

The Democratic floor leader, the distinguished Bill DeWeese, has as his guests on the House floor this morning, to the left of the

Speaker, Marjorie Taylor, the sister-in-law of his distinguished counsel, Mike Edmiston, and Phillip and Andrew Taylor, nephews of Mr. Edmiston, as well in the gallery, David and Rose Fegley, the father-in-law and mother-in-law of Mr. Edmiston, who is general counsel to the Democratic floor leader. Would these guests please rise.

MASTER ROLL CALL

The SPEAKER. The Chair is about to take today's master roll call. Members will proceed to vote.

The following roll call was recorded:

PRESENT-198

- Adolph Allen Argall Armstrong Baker Bard Barley Battisto Bebkko-Jones Belardi Belfanti Birmelin Bishop Blaum Boscola Boyes Brown Browne Bunt Butkovitz Buxton Caltagirone Cappabianca Carn Carone Cawley Chadwick Civera Clark Clymer Cohen, L. I. Cohen, M. Colafella Colaizzo Conti Cornell Corpora Corrigan Cowell Coy Curry DeLuca Dempsey Dent Dermody DeWeese DiGirolamo Donatucci Druce Durham Egolf Fairchild Fajt Fargo Farmer Feese Fichter Fleagle Flick Gamble Gannon Geist George Gigliotti Gladeck Godshall Gordner Gruitza Gruppo Habay Haluska Hanna Harhart Hasay Hennessey Hershey Hess Horsey Hutchinson Itkin Jadlowiec James Jarolin Josephs Kaiser Keller Kenney King Kirkland Krebs Kukovich LaGrotta Laughlin Lawless Lederer Leh Lescovitz Levdansky Lloyd Lucyk Lynch Maitland Major Manderino Markosek Marsico Masland Mayernik McCall McGill Melio Merry Michlovic Micozzie Mihalich Miller Mundy Nailor Nickol Nyce O'Brien Olasz Oliver Perzel Pesci Petrarca Petrone Pettit Phillips Piccola Pistella Pitts Platts Preston Ramos Raymond Readshaw Reber Reinard Richardson Rieger Roberts Robinson Roebuck Rohrer Rooney Rubley Rudy Sainato Santoni Sather Saylor Schroder Schuler Scrimmell Semmel Serafini Shaner Sheehan Smith, B. Smith, S. H. Snyder, D. W. Staback Stairs Steelman Steil Stern Stetler Stish Strittmatter Sturla Surra Tangretti Taylor, E. Z. Thomas Tigue Travaglio Trello Trich True Tulli Vance Van Horne Veon Vitali Walko Washington Waugh Williams Wogan Wozniak Wright, D. R. Wright, M. N. Yewcic Youngblood Zimmerman Zug Ryan, Speaker

ADDITIONS-0

NOT VOTING-0

EXCUSED-5

- Daley Evans Herman McGeehan Taylor, J.

LEAVES ADDED-2

- Kirkland Veon

LEAVES CANCELED-1

- Veon

CALENDAR

BILLS ON SECOND CONSIDERATION

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

HB 908, PN 1702; HB 929, PN 1703; and HB 1154, PN 1704.

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of SB 753, PN 790, entitled:

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

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

BILL RECOMMENDED

The SPEAKER. The Chair recognizes the majority leader, Mr. Perzel.

Mr. PERZEL. Mr. Speaker, I move that SB 753 be recommended to the Committee on Appropriations.

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

The House proceeded to third consideration of SB 754, PN 791, entitled:

An Act making an appropriation from a restricted revenue account within the General Fund to the Office of Consumer Advocate in the Office of Attorney General.

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

BILL RECOMMITTED

The SPEAKER. The Chair recognizes the gentleman, Mr. Perzel. Mr. PERZEL. Mr. Speaker, I move that SB 754 be recommitted to the Committee on Appropriations.

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

* * *

The House proceeded to third consideration of **SB 755, PN 792**, entitled:

An Act making an appropriation from a restricted revenue account within the General Fund to the Office of Small Business Advocate in the Department of Commerce.

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

BILL RECOMMITTED

The SPEAKER. The Chair recognizes the gentleman, Mr. Perzel. Mr. PERZEL. Mr. Speaker, I move that SB 755 be recommitted to the Committee on Appropriations.

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

RECESS

The SPEAKER. Are there any reports of committee in regular session?

The Chair, hearing none, declares the regular session in recess to the call of the Chair.

AFTER RECESS

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

CALENDAR CONTINUED

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 20, PN 1648**, entitled:

An Act providing for agricultural education programs; and imposing duties on the Department of Education.

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-198

- | | | | |
|--------------|------------|------------|---------------|
| Adolph | Egolf | Lynch | Sather |
| Allen | Fairchild | Maitland | Saylor |
| Argall | Fajt | Major | Schroder |
| Armstrong | Fargo | Manderino | Schuler |
| Baker | Farmer | Markosek | Scrimenti |
| Bard | Feese | Marsico | Semmel |
| Barley | Fichter | Masland | Serafini |
| Battisto | Fleagle | Mayernik | Shaner |
| Bebko-Jones | Flick | McCall | Sheehan |
| Belardi | Gamble | McGill | Smith, B. |
| Belfanti | Gannon | Melio | Smith, S. H. |
| Birmelin | Geist | Merry | Snyder, D. W. |
| Bishop | George | Michlovic | Staback |
| Blaum | Gigliotti | Micozzie | Stairs |
| Boscola | Gladeck | Mihalich | Steelman |
| Boyes | Godshall | Miller | Steil |
| Brown | Gordner | Mundy | Stern |
| Browne | Gruitza | Nailor | Stetler |
| Bunt | Gruppo | Nickol | Stish |
| Butkovitz | Habay | Nyce | Strittmatter |
| Buxton | Haluska | O'Brien | Sturla |
| Caltagirone | Hanna | Olasz | Surra |
| Cappabianca | Harhart | Oliver | Tangretti |
| Carn | Hasay | Perzel | Taylor, E. Z. |
| Carone | Hennessey | Pesci | Thomas |
| Cawley | Hershey | Petrarca | Tigues |
| Chadwick | Hess | Petrone | Travaglio |
| Civera | Horsey | Pettit | Trello |
| Clark | Hutchinson | Phillips | Trich |
| Clymer | Itkin | Piccola | True |
| Cohen, L. I. | Jadlowiec | Pistella | Tulli |
| Cohen, M. | James | Pitts | Vance |
| Colafella | Jarolin | Platts | Van Horne |
| Colaizzo | Josephs | Preston | Veon |
| Conti | Kaiser | Ramos | Vitali |
| Cornell | Keller | Raymond | Walko |
| Corpora | Kenney | Readshaw | Washington |
| Corrigan | King | Reber | Waugh |
| Cowell | Kirkland | Reinard | Williams |
| Coy | Krebs | Richardson | Wogan |
| Curry | Kukovich | Rieger | Wozniak |
| DeLuca | LaGrotta | Roberts | Wright, D. R. |
| Dempsey | Laughlin | Robinson | Wright, M. N. |
| Dent | Lawless | Roebuck | Yewcic |
| Dermody | Lederer | Rohrer | Youngblood |
| DeWeese | Leh | Rooney | Zimmerman |
| DiGirolamo | Lescovitz | Rubley | Zug |
| Donatucci | Levdansky | Rudy | |
| Druce | Lloyd | Sainato | Ryan, |
| Durham | Lucyk | Santoni | Speaker |

NAYS-0

NOT VOTING-0

EXCUSED-5

- | | | | |
|-------|--------|----------|------------|
| Daley | Herman | McGeehan | Taylor, J. |
| Evans | | | |

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

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

The House proceeded to third consideration of **HB 569, PN 1651**, entitled:

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

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

LEAVE OF ABSENCE

The SPEAKER. The Chair returns to leaves of absence and recognizes the gentleman, Mr. Itkin, who asks that the gentleman from Delaware, Mr. KIRKLAND, be placed on leaves of absence for the day. Without objection, the leave is granted.

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

CONSIDERATION OF HB 569 CONTINUED

BILL PASSED OVER TEMPORARILY

The SPEAKER. For what purpose does the gentleman, Mr. O'Brien, rise?

Mr. O'BRIEN. Mr. Speaker, I was wondering if it would be possible to go over this bill very temporarily? Representative James has an issue he wants to discuss with me, and we should have that information directly.

The SPEAKER. Without objection, HB 569 will be over temporarily. The Chair hears none.

The House proceeded to third consideration of **HB 1076, PN 1324**, entitled:

An Act amending the act of May 16, 1923 (P.L.207, No.153), referred to as the Municipal Claim and Tax Lien Law, providing for attorney fees in actions involving municipal claims.

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-197

Adolph	Egolf	Maitland	Saylor
Allen	Fairchild	Major	Schroder
Argall	Fajt	Manderino	Schuler
Armstrong	Fargo	Markosek	Scrimenti
Baker	Farmer	Marsico	Semmel
Bard	Feese	Masland	Serafini
Barley	Fichter	Mayernik	Shaner
Battisto	Fleagle	McCall	Sheehan
Bebko-Jones	Flick	McGill	Smith, B.

Belardi	Gamble	Melio	Smith, S. H.
Belfanti	Gannon	Merry	Snyder, D. W.
Birmelin	Geist	Michlovic	Staback
Bishop	George	Micozzie	Stairs
Blaum	Gigliotti	Mihalich	Steelman
Boscola	Gladeck	Miller	Steil
Boyes	Godshall	Mundy	Stern
Brown	Gordner	Nailor	Stetler
Browne	Gruitza	Nickol	Stish
Bunt	Gruppo	Nyce	Strittmatter
Butkovitz	Habay	O'Brien	Sturla
Buxton	Haluska	Olasz	Surra
Caltagirone	Hanna	Oliver	Tangretti
Cappabianca	Harhart	Perzel	Taylor, E. Z.
Carn	Hasay	Pesci	Thomas
Carone	Hennessey	Petrarca	Tigue
Cawley	Hershey	Petrone	Travaglio
Chadwick	Hess	Pettit	Trello
Civera	Horsey	Phillips	Trich
Clark	Hutchinson	Piccola	True
Clymer	Itkin	Pistella	Tulli
Cohen, I. I.	Jadlowiec	Pitts	Vance
Cohen, M.	James	Platts	Van Horne
Colafella	Jarolin	Preston	Veon
Colaizzo	Josephs	Ramos	Vitali
Conti	Kaiser	Raymond	Walko
Cornell	Keller	Readshaw	Washington
Corpora	Kenney	Reber	Waugh
Corrigan	King	Reinard	Williams
Cowell	Krebs	Richardson	Wogan
Coy	Kukovich	Rieger	Wozniak
Curry	LaGrotta	Roberts	Wright, D. R.
DeLuca	Laughlin	Robinson	Wright, M. N.
Dempsey	Lawless	Roebuck	Yewcic
Dent	Lederer	Rohrer	Youngblood
Dermody	Leh	Rooney	Zimmerman
DeWeese	Lescovitz	Rublely	Zug
DiGirolamo	Levdansky	Rudy	
Donatucci	Lloyd	Sainato	Ryan,
Druce	Lucyk	Santoni	Speaker
Durham	Lynch	Sather	

NAYS-0

NOT VOTING-0

EXCUSED-6

Daley	Herman	McGeehan	Taylor, J.
Evans	Kirkland		

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

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

BILL PASSED OVER

The SPEAKER. HB 843, PN 931, is over.

BILL PASSED OVER TEMPORARILY

The SPEAKER. HB 1212 is over temporarily.

The House proceeded to third consideration of **HB 47, PN 1649**, entitled:

An Act amending the act of April 27, 1927 (P.L.450, No.291), referred to as the State Fire Marshal Law, providing for certain gasoline dispensing nozzles at self-service stations.

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—195

- | | | | |
|--------------|------------|------------|---------------|
| Adolph | Egolf | Lynch | Santoni |
| Allen | Fairchild | Maitland | Sather |
| Argall | Fajt | Major | Saylor |
| Armstrong | Fargo | Manderino | Schuler |
| Baker | Farmer | Markosek | Scrimenti |
| Bard | Feese | Marsico | Semmel |
| Barley | Fichter | Masland | Serafini |
| Battisto | Fleagle | Mayernik | Shaner |
| Bebko-Jones | Flick | McCall | Sheehan |
| Belardi | Gamble | McGill | Smith, B. |
| Bellanti | Gannon | Melio | Smith, S. H. |
| Birmelin | Geist | Merry | Snyder, D. W. |
| Bishop | George | Michlovic | Staback |
| Blaum | Gigliotti | Micozzie | Stairs |
| Boscola | Gladeck | Mihalich | Steelman |
| Boyes | Godshall | Miller | Steil |
| Brown | Gordner | Mundy | Stern |
| Browne | Gruitza | Nailor | Stetler |
| Bunt | Gruppo | Nickol | Stish |
| Butkovitz | Habay | Nyee | Sturla |
| Buxton | Haluska | O'Brien | Surra |
| Caltagirone | Hanna | Olasz | Tangretti |
| Cappabianca | Harhart | Oliver | Taylor, E. Z. |
| Carn | Hasay | Perzel | Thomas |
| Carone | Hennessey | Pesci | Tigue |
| Cawley | Hershey | Petrarca | Travaglio |
| Chadwick | Hess | Petrone | Trello |
| Civera | Horsey | Pettit | Trich |
| Clark | Hutchinson | Phillips | True |
| Clymer | Itkin | Piccola | Tulli |
| Cohen, J. I. | Jadlowiec | Pistella | Vance |
| Cohen, M. | James | Pitts | Van Horne |
| Colafrilla | Jarolin | Platts | Veon |
| Colaizzo | Josephs | Preston | Vitali |
| Conti | Kaiser | Ramos | Walko |
| Cornell | Keller | Raymond | Washington |
| Corpora | Kenney | Readshaw | Waugh |
| Corrigan | King | Reber | Williams |
| Cowell | Krebs | Reinard | Wogan |
| Coy | Kukovich | Richardson | Wozniak |
| Curry | LaGrotta | Rieger | Wright, D. R. |
| DeLuca | Laughlin | Roberts | Wright, M. N. |
| Dempsey | Lawless | Robinson | Yewcic |
| Dent | Lederer | Roebuck | Youngblood |
| Dermody | Leh | Rohrer | Zimmerman |
| DeWeese | Lescovitz | Rooney | Zug |
| DiGirolamo | Levdanskyy | Rubley | |
| Donatucci | Lloyd | Rudy | Ryan, |
| Druce | Lucyk | Sainato | Speaker |
| Durham | | | |

NAYS—0

NOT VOTING—2

Schroder Strittmatter

EXCUSED—6

Daley Herman McGeehan Taylor, J.
Evans Kirkland

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

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

The House proceeded to third consideration of **HB 48, PN 1650**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further defining "pedalcycles"; further providing for the operation of pedalcycles on Commonwealth highways, for pedalcycle helmets, for the use of hearing impairment devices and for hand and arm signals; repealing the Pedalcycle Helmet Fund; and providing for the establishment of the Pennsylvania Pedalcycle and Pedestrian Advisory Committee.

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

Mr. **NICKOL** offered the following amendment No. **A2072**:

Amend Title, page 1, line 6, by striking out "and"

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

; and further providing for exemption from surcharge.

Amend Bill, page 11, by inserting between lines 18 and 19

Section 8. Section 6506(a) of Title 75 is amended to read:

§ 6506. Surcharge.

(a) Levy and imposition. In addition to any fines, fees or penalties levied or imposed as provided by law, under this title or any other statute, a surcharge shall be levied for disposition in accordance with subsection (b) as follows:

(1) Upon conviction for any violation of the provisions of this title or other statute of the Commonwealth, or regulations promulgated under this title, which is a traffic violation and which is not included within the provisions of paragraphs (2) through (7), exclusive of parking offenses, a surcharge of \$30.

(2) Upon conviction for a violation of the following provisions of this title, a surcharge of \$40:

(i) Section 3306(a)(1) (relating to limitations on driving on left side of roadway).

(ii) Section 3745 (relating to accidents involving damage to unattended vehicle or property).

(3) Upon conviction for a violation of section 3345(a) (relating to meeting or overtaking school bus), a surcharge of \$50.

(4) Upon conviction for a violation of section 3362 (relating to maximum speed limits), the following applicable surcharge:

(i) \$30 for exceeding the maximum speed limit by 6 to 10 miles per hour or 11 to 15 miles per hour.

- (ii) \$40 for exceeding the maximum speed limit by 16 to 25 miles per hour.
- (iii) \$50 for exceeding the maximum speed limit by at least 26 miles per hour.

(5) Upon conviction for violation of section 4902 (relating to restrictions on use of highways and bridges), Subchapter C of Chapter 49 (relating to maximum weights of vehicles) or Subchapter E of Chapter 49 (relating to measuring and adjusting vehicle size and weight), a surcharge of \$150.

(6) Upon conviction for violation of Chapter 47 (relating to inspection of vehicles), by the owner or operator or driver of a vehicle which is subject to the provisions of Chapter 49 (relating to size, weight and load), a surcharge of \$30.

(7) Upon conviction of offenses under section 3731 (relating to driving under influence of alcohol or controlled substance), or upon admission to programs for Accelerated Rehabilitative Disposition for offenses enumerated in section 3731, a surcharge, respectively, of:

- (i) \$50 for the first offense.
- (ii) \$100 for the second offense.
- (iii) \$200 for the third offense.
- (iv) \$300 for the fourth and subsequent offenses.

The provisions of this subsection shall not apply to any violation committed by the operator of a motorcycle, motor-driven cycle, pedalcycle, motorized pedalcycle or recreational vehicle not intended for highway use.

Amend Sec. 8, page 11, line 19, by striking out "8" and inserting
9

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

The SPEAKER. On the question of the adoption of the amendment, the Chair recognizes the gentleman, Mr. Nickol.

Mr. NICKOL. Thank you, Mr. Speaker.

I would like to explain the situation that led to this amendment.

One day about a year ago a 12-year-old was flying through some of the alleys on his bike in Hanover, Pennsylvania, and he had the good fortune, from a parent's perspective, maybe misfortune from his own perspective, to fly out onto one of the major borough streets right in front of one of the borough police officers. When dad heard about it, dad was livid, and he proudly marched the boy to the district justice's office to pay his just fine. What dad found out though was that in addition to the fine for going through the stop sign, the boy was assessed \$30 for the CAT Fund (Catastrophic Loss Trust Fund), \$25 court costs, \$1.50 for the judicial computer system augmentation account, and I believe a \$10 fee for the emergency services. Dad came home irate. The district justice had told him, I am sorry; it is the law; you will have to talk to your legislator. It was my misfortune to have just sent out my newsletter, so my telephone number was right in front of his nose when he arrived home, and I got the call.

I find it very difficult to justify charging people who are riding bicycles to pay the CAT Fund fee. We have already provided exceptions for motorcycles, motor-driven cycles, motorized pedalcycles, or recreational vehicles not intended for highway use. My amendment would simply add pedalcycles to that exemption.

I urge the members to support this amendment. Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS-195

Adolph	Egolf	Maitland	Saylor
Allen	Fairchild	Major	Schroder
Argall	Fajt	Manderino	Schuler
Armstrong	Fargo	Markosek	Scrimenti
Baker	Farmer	Marsico	Semmel
Bard	Feese	Masland	Serafini
Barley	Fichter	Mayernik	Shaner
Battisto	Fleagle	McCall	Sheehan
Bebko-Jones	Flick	McGill	Smith, B.
Belardi	Gamble	Melio	Smith, S. H.
Belfanti	Gannon	Merry	Snyder, D. W.
Birmelin	Geist	Michlovic	Staback
Bishop	George	Micozzie	Stairs
Blaum	Gigliotti	Mihalich	Steelman
Boscola	Gladeck	Miller	Steil
Boyes	Godshall	Mundy	Stern
Brown	Gordner	Nailor	Stetler
Browne	Gruitza	Nickol	Stish
Bunt	Gruppo	Nyce	Strittmatter
Butkovitz	Habay	O'Brien	Sturla
Buxton	Haluska	Olasz	Surra
Caltagirone	Hanna	Oliver	Tangretti
Cappabianca	Harhart	Perzel	Taylor, E. Z.
Carn	Hasay	Pesci	Thomas
Carone	Hennessey	Petrarca	Tigue
Cawley	Hershey	Petrone	Travaglio
Chadwick	Hess	Pettit	Trello
Civera	Horsey	Phillips	Trich
Clark	Hutchinson	Piccola	True
Clymer	Itkin	Pistella	Tulli
Cohen, L. I.	Jadlowiec	Pitts	Vance
Cohen, M.	James	Platts	Van Horne
Colafella	Jarolin	Preston	Veon
Colaizzo	Josephs	Ramos	Vitali
Conti	Kaiser	Raymond	Walko
Cornell	Keller	Readshaw	Washington
Corpora	Kenney	Reber	Waugh
Corrigan	King	Reinard	Williams
Cowell	Kukovich	Richardson	Wogan
Coy	LaGrotta	Rieger	Wozniak
Curry	Laughlin	Roberts	Wright, D. R.
DeLuca	Lawless	Robinson	Wright, M. N.
Dempsey	Lederer	Roebuck	Yewcic
Dent	Leh	Rohrer	Youngblood
Dermody	Lescovitz	Rooney	Zimmerman
DeWeese	Levdansky	Rudy	Zug
DiGirolamo	Lloyd	Sainato	
Donatucci	Lucyk	Santoni	Ryan,
Druce	Lynch	Sather	Speaker
Durham			

NAYS-0

NOT VOTING-2

Krebs	Rubley
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EXCUSED-6

Daley	Herman	McGeehan	Taylor, J.
Evans	Kirkland		

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

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—187

Adolph	Druce	Manderino	Schroder
Allen	Durham	Markosek	Schuler
Argall	Egoff	Marsico	Scrimenti
Armstrong	Fairchild	Masland	Semmel
Baker	Fajt	Mayermik	Serafini
Bard	Fargo	McCall	Shaner
Barley	Farmer	McGill	Sheehan
Battisto	Fichter	Melio	Smith, B.
Bebko-Jones	Fleagle	Merry	Smith, S. H.
Belardi	Flick	Michlovic	Snyder, D. W.
Belfanti	Gamble	Micozvie	Staback
Birmelin	Gannon	Mihalich	Stairs
Bishop	Geist	Miller	Steil
Blaum	George	Nailor	Stern
Boscola	Gigliotti	Nickol	Stetler
Boyes	Gladeck	O'Brien	Stish
Brown	Godshalf	Olasz	Strittmatter
Browne	Gordner	Oliver	Sturla
Bunt	Gruitza	Perzel	Surra
Butkovitz	Gruppo	Pesci	Tangretti
Buxton	Habay	Petrarca	Taylor, E. Z.
Caltagirone	Haluska	Petrone	Thomas
Cappabianca	Harhart	Pettit	Tigue
Carn	Hasay	Phillips	Travaglio
Carone	Hennessey	Piccola	Trello
Cawley	Hershey	Pistella	Trich
Chadwick	Hess	Pitts	True
Civera	Horsey	Platts	Tuffi
Clark	Itkin	Preston	Vance
Clymer	James	Ramos	Van Horne
Cohen, L. I.	Jarolin	Raymond	Veon
Cohen, M.	Josephs	Readshaw	Vitali
Colafrilla	Kaiser	Reber	Walko
Colaizzo	Keller	Reinard	Washington
Conti	Kenney	Richardson	Waugh
Cornell	Kukovich	Rieger	Williams
Corpora	LaGrotta	Roberts	Wogan
Corrigan	Laughlin	Robinson	Wozniak
Cowell	Lawless	Roebuck	Wright, D. R.
Coy	Lederer	Rohrer	Wright, M. N.
Curry	Leh	Rooney	Yewcic
DeLuca	Lescovitz	Rubley	Youngblood
Dempsey	Levdansky	Rudy	Zimmerman
Dent	Lloyd	Sainato	Zug
Denmody	Lucyk	Santoni	
DeWeese	Maitland	Sather	Ryan,
DiGirolamo	Major	Saylor	Speaker
Donatucci			

NAYS—10

Feese	Jadlowiec	Lynch	Nyce
Hanna	King	Mundy	Steelman
Hutchinson	Krebs		

NOT VOTING—0

EXCUSED—6

Daley	Herman	McGeehan	Taylor, J.
Evans	Kirkland		

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

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

* * *

The House proceeded to third consideration of **HB 640, PN 1448**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for special registration plates, and providing for special registration plates for Vietnam veterans.

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

Mr. **SURRA** offered the following amendment No. **A1880**:

Amend Title, page 1, line 3, by striking out "AND"
Amend Title, page 1, line 4, by removing the period after "veterans" and inserting
; and providing for the operating hours of inspection stations.

Amend Sec. 4, page 6, line 24, by striking out "A SECTION" and inserting
sections

Amend Sec. 4, page 7, by inserting between lines 4 and 5
§ 4734. Operating hours.

An inspection station shall be open for business a minimum of 20 hours, Monday through Friday between 7 a.m. and 10 p.m. This section does not apply to Commonwealth or fleet inspection stations.

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

The SPEAKER. On the question of the adoption of the amendment, the Chair recognizes the gentleman, Mr. Surra.

Mr. **SURRA**. Thank you, Mr. Speaker.

Mr. Speaker, under current law in Pennsylvania, inspection stations are required to be open a minimum of 40 hours per week, restricted hours of operation between Monday through Friday, 7 a.m. to 5 p.m. Waivers are available, Mr. Speaker, to make it 8 a.m. to 5 p.m., in which 50 percent of the hours must be available.

My reason for offering this amendment, Mr. Speaker, is, many small businesses are not able to be open between 7 a.m. and 5 p.m. A gentleman in my district, who happens to inspect the cars for the Pennsylvania State Police, had a job where he worked until 3 o'clock at the borough and he would come home from work, change his clothes, eat supper, and open his garage at approximately 4:30 and work until 8 or 9 p.m. He was in violation of Pennsylvania regulations, Mr. Speaker, and pretty much unable to operate his business.

Mr. Speaker, this is a good bill for small businesses. It allows them to be open between the hours of 7 a.m. and 10 p.m., a minimum of 20 hours a week, Mr. Speaker. This is a good business vote; it is good for small business, and I would appreciate the support of the members. Thank you.

The SPEAKER. The Chair recognizes the gentleman, Mr. Geist, on the question of the adoption of the amendment.

Mr. GEIST. Thank you very much, Mr. Speaker.
 There is no argument with this amendment, but what we would ask is that we would ask the members to vote "no" on it. We will bring this amendment out as a separate bill very soon. What we would like to do is ask the gentleman at this time to withdraw so we can run this bill clean.

AMENDMENT WITHDRAWN

Mr. SURRA. Thank you, Mr. Speaker.
 If I have a commitment to run the bill, I will withdraw the amendment. Thank you.
 The SPEAKER. Is it my understanding that the gentleman is withdrawing the amendment? The amendment is withdrawn.

LEAVE OF ABSENCE

The SPEAKER. The Chair recognizes the Democratic leader, Mr. DeWeese, who asks that the Chair return to leaves of absence and places the gentleman, Mr. VEON, on temporary leave of absence. Without objection, the leave is granted.

CONSIDERATION OF HB 640 CONTINUED

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

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

YEAS—196

- | | | | |
|-------------|------------|-----------|---------------|
| Adolph | Egolf | Maitland | Sather |
| Allen | Fairchild | Major | Saylor |
| Argall | Fajt | Manderino | Schroder |
| Armstrong | Fargo | Markosek | Schuler |
| Baker | Farmer | Marsico | Scrimenti |
| Bard | Feese | Masland | Semmel |
| Barley | Fichter | Mayermik | Serafini |
| Battisto | Fleagle | McCall | Shaner |
| Bebko-Jones | Flick | McGill | Sheehan |
| Belardi | Gamble | Melio | Smith, B. |
| Belfanti | Gannon | Merry | Smith, S. H. |
| Birmelin | Geist | Michlovic | Snyder, D. W. |
| Bishop | George | Micozzie | Staback |
| Blaum | Gigliotti | Mihalich | Stairs |
| Boscola | Gladeck | Miller | Steelman |
| Boyes | Godshall | Mundy | Steil |
| Brown | Gordner | Nailor | Stern |
| Browne | Gruitza | Nickol | Stetler |
| Bunt | Gruppo | Nyce | Stish |
| Butkovitz | Habay | O'Brien | Strittmatter |
| Buxton | Haluska | Olasz | Sturla |
| Caltagirone | Hanna | Oliver | Surra |
| Cappabianca | Harhart | Perzel | Tangretti |
| Carn | Hasay | Pesci | Taylor, E. Z. |
| Carone | Hennessey | Petrarca | Thomas |
| Cawley | Hershey | Petrone | Tiguc |
| Chadwick | Hess | Pettit | Travaglio |
| Civera | Horsey | Phillips | Trello |
| Clark | Hutchinson | Piccola | Trich |
| Clymer | Itkin | Pistella | True |

- | | | | |
|--------------|-----------|------------|---------------|
| Cohen, L. I. | Jadlowiec | Pitts | Tulli |
| Cohen, M. | James | Platts | Vance |
| Colafrella | Jarolin | Preston | Van Home |
| Colaizzo | Josephs | Ramos | Vitali |
| Conti | Kaiser | Raymond | Walko |
| Cornell | Keller | Readshaw | Washington |
| Corpora | Kenney | Reber | Waugh |
| Corrigan | King | Reinard | Williams |
| Cowell | Krebs | Richardson | Wogan |
| Coy | Kukovich | Rieger | Wozniak |
| Curry | LaGrotta | Roberts | Wright, D. R. |
| DeLuca | Laughlin | Robinson | Wright, M. N. |
| Dempsey | Lawless | Roebuck | Yewcic |
| Dent | Lederer | Rohrer | Youngblood |
| Dermody | Leh | Rooney | Zimmerman |
| DeWeese | Lescovitz | Rubley | Zug |
| DiGirolamo | Levdanský | Rudy | |
| Donatucci | Lloyd | Sainato | Ryan, |
| Druce | Lucyk | Santoni | Speaker |
| Durham | Lynch | | |

NAYS—0

NOT VOTING—0

EXCUSED—7

- | | | | |
|-------|----------|------------|------|
| Daley | Herman | McGeehan | Veon |
| Evans | Kirkland | Taylor, J. | |

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.

BILLS PASSED OVER

The SPEAKER. HB's 943 and 1174, on page 4, are over.

RESOLUTIONS

RESOLUTION PASSED OVER TEMPORARILY

The SPEAKER. HR 39 is over temporarily.

RESOLUTION PASSED OVER

The SPEAKER. HR 74 is over.

RESOLUTION PASSED OVER TEMPORARILY

The SPEAKER. HR 92 is over temporarily.

RESOLUTIONS PASSED OVER

The SPEAKER. HR 101 is over. HR 106 is over. Concurrent Resolution 75 is over. Concurrent Resolution, HR 82, is over.

RESOLUTION PURSUANT TO RULE 35

Mrs. RUDY called up **HR 128, PN 1701**, entitled:

A Resolution declaring the month of May 1995 as "Skin Cancer Awareness, Detection and Prevention Month" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-194

Adolph	Egolf	Maitland	Sather
Allen	Fairchild	Major	Saylor
Argall	Fajt	Manderino	Schroder
Armstrong	Fargo	Markosek	Schuler
Baker	Farmer	Marsico	Scrimenti
Bard	Feese	Masland	Semmel
Barley	Fichter	Mayermik	Serafini
Battisto	Fleagle	McCall	Shaner
Bebko-Jones	Flick	McGill	Sheehan
Belardi	Gamble	Melio	Smith, B.
Belfanti	Gannon	Merry	Smith, S. H.
Birmelin	Geist	Michlovic	Snyder, D. W.
Bishop	George	Micozzie	Staback
Blaum	Gigliotti	Mihalich	Stairs
Boscola	Gladeck	Miller	Steelman
Boyes	Godshall	Mundy	Steil
Brown	Gordner	Nailor	Stern
Browne	Gruitz	Nickol	Stetler
Bunt	Gruppo	Nyce	Stish
Butkovitz	Habay	O'Brien	Strittmatter
Buxton	Haluska	Olasz	Sturla
Caltagirone	Harhart	Oliver	Surra
Cappabianca	Hasay	Perzel	Tangretti
Carn	Hennessey	Pesci	Taylor, E. Z.
Cawley	Hershey	Petrarca	Thomas
Chadwick	Hess	Petrone	Tigue
Civera	Horsy	Pettit	Travaglio
Clark	Hutchinson	Phillips	Trello
Clymer	Itkin	Piccola	Trich
Cohen, L. I.	Jadlowiec	Pistella	True
Cohen, M.	James	Pitts	Tulli
Colafella	Jarolin	Platts	Vance
Colaizzo	Josephs	Preston	Van Horne
Conti	Kaiser	Ramos	Vitali
Cornell	Keller	Raymond	Walko
Corpora	Kennedy	Readshaw	Washington
Corrigan	King	Reber	Waugh
Cowell	Krebs	Reinard	Williams
Coy	Kukovich	Richardson	Wogan
Curry	LaGrotta	Rieger	Wozniak
DeLuca	Laughlin	Roberts	Wright, D. R.
Dempsey	Lawless	Robinson	Wright, M. N.
Dent	Lederer	Roebuck	Yewcic
Dermody	Leh	Rohrer	Youngblood
DeWeese	Lescovitz	Rooney	Zimmerman
DiGirolamo	Levdanskyy	Rubley	Zug
Donatucci	Lloyd	Rudy	
Druce	Lueyk	Sainato	Ryan,
Durham	Lynch	Santoni	Speaker

NAYS-0

NOT VOTING-2

Carone Hanna

EXCUSED-7

Daley Herman McGeehan Veon
Evans Kirkland Taylor, J.

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

EDUCATION COMMITTEE MEETING

The SPEAKER. The Chair recognizes the gentleman, Mr. Stairs, for the purpose of making an announcement.

Mr. STAIRS. Thank you, Mr. Speaker.

I would like to call a meeting of the House Education Committee in room 22 at your call of the recess. Thank you, Mr. Speaker.

ENVIRONMENTAL RESOURCES AND ENERGY COMMITTEE MEETING

The SPEAKER. The Chair recognizes the gentleman, Mr. Reber, for the purpose of making an announcement.

The House will come to order. These are announcements with respect to committee meetings which you might be interested in.

Mr. REBER. Thank you, Mr. Speaker.

Mr. Speaker, it is the desire of both the majority and the minority chairmen of the House Environmental Committee to reconvene the committee meeting that was held earlier this morning in the back of the hall of the House immediately upon the call of the recess. This is regarding SB 1; in the back of the hall of the House on the recess motion. Thank you.

The SPEAKER. The Chair thanks the gentleman.

MOTION TO SUSPEND RULES

The SPEAKER. It is my understanding the gentleman, Mr. Kukovich, desires recognition.

The Chair recognizes the gentleman, Mr. Kukovich.

Mr. KUKOVICH. Thank you, Mr. Speaker.

I rise at this point to make a motion to suspend all of the appropriate House rules to offer a resolution for immediate consideration.

I think it is imperative, as we move into the more serious phase of our special session and into the budget season, that we take action on rules of the House. There has been extensive debate on some of these in the past, and back in January we were very close, not we, but I think the party leaders were very close to—

The SPEAKER. Will the gentleman yield.

The question of suspension of the rules is not debatable unless the Democratic leader has yielded to you. He now indicates that he has yielded to you.

The gentleman may proceed.

Mr. KUKOVICH. Thank you, Mr. Speaker.

I will be brief and I will only touch on the substance of the resolution.

I would like to remind the members that a short time ago I did send out a memo to all of you enumerating what those rules were. In the resolution that I would offer if we get to suspend the rules, I have, at the request of some of my colleagues on the Republican side of the aisle, removed actually the rules changes that were dearest to me, and that dealt with the fiscal note with the prison and children's impact statement. That is not in there. What is in there I think is fairly noncontroversial, except possibly in one case, and I will allude to that. Some of my colleagues have talked about that. But almost everything else is things which I think the leaders have been agreeing to.

Number one, regarding the vacancy. The Speaker would be required to schedule a special election at the next primary, municipal, or general election at least 60 days after the vacancy occurs.

The one issue, which some members have commented to me about, deals with cars, and I did make a change at the request of a few members also.

Mr. GANNON. Mr. Speaker?

Mr. KUKOVICH. For those who continue to own their cars and get reimbursed for—

The SPEAKER. Will the gentleman yield.

POINT OF ORDER

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

Mr. GANNON. Point of order, Mr. Speaker.

The SPEAKER. Will the gentleman state his point of order.

Mr. GANNON. Mr. Speaker, the gentleman is debating his resolution. I believe the issue before the House is suspension of the rules.

The SPEAKER. It is very close.

I think, Mr. Kukovich, in asking to suspend the rules, you are entitled to brief over the reasons behind your request to suspend the rules, but to go into it in any depth, I think, would be improper and would be debating the substance. I would ask you just to skim across the top of what your intention is.

The gentleman, Mr. Jarolin, were you seeking recognition at the same time?

As long as we have interrupted the gentleman, Mr. Kukovich, I will take two at once.

Mr. JAROLIN. Thank you, Mr. Speaker.

But it does not seem that everybody has that resolution he is referring to.

The SPEAKER. It is the understanding of the Chair that the resolution was sent to each member's office, but that is not what is before the House right now. What is before the House is the question of suspension of the rules.

The gentleman may proceed.

Mr. KUKOVICH. Thank you, Mr. Speaker.

I was trying to lay it out because this is a suspension and it is not distributed in the same way. Also, I was trying to comply with section 279 of Mason's Manual, in response to Representative Gannon. Since it is a rule to change our own rules, it says specifically in section 279, paragraph 2, that I should lay out the object of the suspension, and I am trying to comply with Mason's Manual in that regard, but I will be brief.

I think everything else in this resolution is pretty much agreed to. I think it streamlines and saves some funds. The one point I was bringing up, which members might have some problems with and I think we have dealt with that, deals with the car leases, and obviously this would not affect any existing lease. A House rule cannot retroactively affect a contract that any members have, so they would not have any problem with what is currently before them.

I would just like to say that why I think we need to suspend the rules now is that I am getting very old, and I have been at the rules changes for almost— I can remember my first rules fight 15 years ago, and I can remember session after session where committees are appointed and the session drags on and eventually nothing much is changed.

Again, as we get into some very substantive and important legislation in this legislature, I would like us to simply vote on rules which the vast majority of these members at one time or another have voted for, agree with, and I think we need to do that before we go any further in this session. I think that is reasonable. I think it will help the perception of all of us, on both sides of the aisle in the House, as we begin to streamline and clean up the way we do business.

I would ask the members for the courtesy and the farsightedness to allow us to suspend the rules to vote on this motion on its substance. Thank you.

The SPEAKER. The Chair thanks the gentleman.

On the question,

Will the House agree to the motion?

The SPEAKER. On the question of suspension of the rules, the gentleman, Mr. Perzel.

Mr. PERZEL. Mr. Speaker, I would strongly suggest that we do not suspend the rules.

There are a couple of things that we have done here to make this chamber a lot more efficient and effective. Number one, back on January 31, I asked each member to send me, with the exception of leadership, both sides of the aisle, I asked them to give me an idea of what bills they would like to see brought up. I got seven requests, Mr. Speaker. Of those seven, four of them have been voted on or are scheduled to be voted on in the near future. If you look at the calendar and read through the pages right now, there are three Democrat bills on the calendar. We have legitimately tried to run this in a fair, reasonable manner, Mr. Speaker.

Incidentally, there is a bill on page 3, Representative Tom Druce's bill, which, as I have told the members, I wanted to see a rules change to affect the way we do primaries and generals when we have vacant seats in statute rather than seeing it only in the rules that could be changed next time whoever takes control of the General Assembly takes control of the General Assembly. That is a fairer way to do it, to put it in statute.

If Representative Kukovich would withdraw his amendments, we will run that bill next, not 5 hours from now or 5 weeks from now; we will run it today next, but he has several agendas all at one time that he wants to accomplish.

Next, Mr. Speaker, I wanted to mention several things on the rules. We have purposely avoided suspending the rules, Mr. Speaker, which is something the rules reformers asked us to do. As I said, we have asked each member to send us the bill that they wanted to see run, and we are trying to accomplish that before we leave here on June 30, Mr. Speaker.

Generally, the members know the voting schedule a week in advance. When you read through the calendar, you will see we do not run 30 pages of calendar. You know what we are running, when we are running it. The definition at the bottom of each one of the bills that is on the calendar is much clearer than it ever was before.

Mr. Speaker, we have tried to make sure that we are not here after 11 o'clock at night. We were here only one time, and it was one of our colleagues from the other side of the aisle that suspended the rules so we could be here. We have tried to give you a livable working schedule where you are not here hour after hour—

Mr. KUKOVICH. Mr. Speaker, point of order, please.

Mr. PERZEL. —not knowing what you are doing — going to caucus, coming back to the floor, Mr. Speaker. We have tried truthfully to run it in a fair, reasonable manner.

Mr. KUKOVICH. Mr. Speaker?

Mr. PERZEL. I would ask for a “no” vote on the suspension of the rules.

The SPEAKER. The gentleman, Mr. Kukovich.

Mr. KUKOVICH. Thank you, Mr. Speaker.

I guess I am glad I got to hear all of the campaign speech.

The SPEAKER. You have had your opportunity to speak on the suspension.

Mr. KUKOVICH. And I do have the possibility of responding.

The SPEAKER. I am sorry?

Mr. KUKOVICH. And I do have the ability to respond to the remarks, I assume.

The SPEAKER. The gentleman is recognized.

Mr. KUKOVICH. Thank you.

I appreciate your courtesy, Mr. Speaker.

I would just say that Mr. Perzel is right, that I do have an agenda, and I think most of the members have been aware of it for a long time. It is a commitment to honesty in campaign finance reform; it is a commitment to doing things properly on the floor of the House, and I think most of my colleagues agree. All we want is a chance to prove that with a vote on a resolution such as this, and I am not wed to everything in this resolution. I have colleagues on both sides of the aisle who have ideas that I have not included with which I agree, and I think they should have the opportunity.

I would like just one step in that direction today with a “yes” vote to suspend the rules. Thank you again, Mr. Speaker.

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

YEAS-75

attisto	Curry	Markosek	Santoni
Bebko-Jones	DeLuca	Mayernik	Scrimiento
Belardi	DeWeese	McCall	Shaner
Belfanti	Fajt	Melio	Staback
Bishop	George	Michlovic	Steelman
Boscola	Gordner	Mihalich	Stetler
Buxton	Gruitzza	Mundy	Sturla
Caltagirone	Haluska	Oliver	Surra
Cappabianca	Hanna	Pesci	Thomas
Carn	James	Petrarca	Tigue
Carone	Josephs	Petrone	Trich
Cawley	Kaiser	Platts	Van Home
Cohen, M.	Krebs	Ramos	Vitali
Colafella	Kukovich	Richardson	Washington

Colaizzo	Laughlin	Rieger	Waugh
Corpora	Lescovitz	Robinson	Williams
Corrigan	Levdansky	Roebuck	Yewcic
Cowell	Lloyd	Rooney	Youngblood
Coy	Manderino	Rudy	

NAYS-120

Adolph	Farmer	Maitland	Schroder
Allen	Feese	Major	Schuler
Argall	Fichter	Marsico	Semmel
Armstrong	Fleagle	Masland	Serafini
Baker	Flick	McGill	Sheehan
Bard	Gamble	Merry	Smith, B.
Barley	Gannon	Micozzie	Smith, S. H.
Birmelin	Geist	Miller	Snyder, D. W.
Blaum	Gigliotti	Nailor	Stairs
Boyes	Gladeck	Nickol	Steil
Brown	Godshall	Nyce	Stern
Browne	Gruppo	O'Brien	Stish
Bunt	Habay	Olasz	Strittmatter
Butkovitz	Harhart	Perzel	Tangretti
Chadwick	Hasay	Pettit	Taylor, E. Z.
Civera	Hennessey	Phillips	Travaglio
Clark	Hershey	Piccola	Trello
Clymer	Hess	Pistella	True
Cohen, L. I.	Horsey	Pitts	Tulli
Conti	Hutchinson	Preston	Vance
Cornell	Itkin	Raymond	Walko
Dempsey	Jadlowiec	Readshaw	Wogan
Dent	Jarolin	Reber	Wozniak
Dermody	Keller	Reinard	Wright, D. R.
DiGirolamo	Kenney	Roberts	Wright, M. N.
Donatucci	King	Rohrer	Zimmerman
Druce	LaGrotta	Rublely	Zug
Durham	Lawless	Sainato	
Egolf	Leh	Sather	Ryan,
Fairchild	Lucyk	Saylor	Speaker
Fargo	Lynch		

NOT VOTING-1

Lederer

EXCUSED-7

Daley	Herman	McGeehan	Veon
Evans	Kirkland	Taylor, J.	

Less than a majority of the members elected to the House having voted in the affirmative, the question was determined in the negative and the motion was not agreed to.

VOTE CORRECTIONS

The SPEAKER. Does the gentleman from Chester, Mr. Schroder, seek recognition?

Mr. SCHRODER. Thank you, Mr. Speaker.

I wish to correct the record.

On the vote on HB 47, my switch malfunctioned, and I wish to be recorded in the affirmative, a “yea” vote on final passage of HB 47.

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

The gentleman, Mr. Strittmatter.

Mr. STRITTMATTER. Thank you, Mr. Speaker.

Likewise, I would like to be recorded as a “yes” vote on HB 47. Thank you.

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

Are there any further corrections to the record?

The Chair recognizes the lady from Chester, Mrs. Rubley.

Mrs. RUBLEY. Thank you, Mr. Speaker.

I also would like to correct the record.

My switch did not function on HIB 48. I would like to be recorded in the affirmative for amendment 2072.

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

REPUBLICAN CAUCUS

The SPEAKER. The Chair is about to request of the caucus chairmen whether or not caucuses are required by the two parties.

The Chair recognizes the gentleman, Mr. Fargo.

Mr. FARGO. Thank you, Mr. Speaker.

Yes, there will be a caucus of the Republican members immediately upon recess, and we will come back on the floor at a quarter after 1 to reconvene and finish. The caucus will be to finish consideration of the amendments on HB 1212, the motor-voter bill. Thank you. That is immediately upon recess.

The SPEAKER. The Chair is going to take the liberty of adding a little lunch time to that.

DEMOCRATIC CAUCUS

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

Mr. COHEN. Mr. Speaker, I appreciate your adding lunch time to Mr. Fargo's motion.

We, too, need a caucus. The problem is that there have been a large number of last-minute amendments which are not agreed to to the motor-voter law. So I would urge the members of the Democratic Caucus who are interested in the motor-voter law to come to immediate caucus.

The SPEAKER. How much time does the Democratic caucus require?

Mr. COHEN. I would say the caucus might be 30 minutes, and if you could leave an hour for lunch, that would be good.

The SPEAKER. We will split. The Chair will recess until 1:30.

RECESS

The SPEAKER. Hearing no objections, this House is in recess.

AFTER RECESS

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

BILLS REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader.

Mr. PERZEL. Mr. Speaker, I move that HB 729, PN 808, on page 3 of today's tabled calendar, and HIB 961, PN 1078, on page 4 of today's tabled calendar, be removed from the tabled calendar and placed on the active calendar.

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

CALENDAR CONTINUED

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 569, PN 1651**, entitled:

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

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

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

The question is, shall the bill pass finally?

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

YEAS-196

Adolph	Egolf	Maitland	Sather
Allen	Fairchild	Major	Saylor
Argall	Fajt	Manderino	Schroder
Armstrong	Fargo	Markosek	Schuler
Baker	Farmer	Marsico	Scrimenti
Bard	Feese	Masland	Semmel
Barley	Fichter	Mayernik	Serafini
Battisto	Fleagle	McCall	Shaner
Bebko-Jones	Flick	McGill	Sheehan
Belardi	Gamble	Melio	Smith, B.
Belfanti	Gannon	Merry	Smith, S. H.
Birmelin	Geist	Michlovic	Snider, D. W.
Bishop	George	Micozzie	Staback
Blaum	Gigliotti	Mihalich	Stairs
Boscola	Gladeck	Miller	Steelman
Boyes	Godshall	Mundy	Steil
Brown	Gordner	Nailor	Stern
Browne	Gruitza	Nickol	Stetler
Bunt	Gruppo	Nyce	Stish
Butkovitz	Habay	O'Brien	Strittmatter
Buxton	Haluska	Olasz	Sturla
Caltagirone	Hanna	Oliver	Surra
Cappabianca	Harhart	Perzel	Tangretti
Carn	Hasay	Pesci	Taylor, E. Z.
Carone	Hennessey	Petrarca	Thomas
Cawley	Hershey	Petrone	Tigue
Chadwick	Hess	Pettit	Travaglio
Civera	Horsey	Phillips	Trello
Clark	Hutchinson	Piccola	Trich
Clymer	Itkin	Pistella	True
Cohen, L. I.	Jadlowiec	Pitts	Tulli
Cohen, M.	James	Platts	Vance
Colafella	Jarolin	Preston	Van Horne
Colaizzo	Josephs	Ramos	Vitali
Conti	Kaiser	Raymond	Walko
Cornell	Keller	Readshaw	Washington
Corpora	Kenney	Reber	Waugh
Corrigan	King	Reinard	Williams
Cowell	Krebs	Richardson	Wogan
Coy	Kukovich	Rieger	Wozniak
Curry	LaGrotta	Roberts	Wright, D. R.
DeLuca	Laughlin	Robinson	Wright, M. N.
Dempsey	Lawless	Roebuck	Yewcic
Dent	Lederer	Rohrer	Youngblood

Dermody	Leh	Rooney	Zimmerman
DeWeese	Jescovitz	Rubley	Zug
DiGirolamo	Levdansky	Rudy	
Donatucci	Lloyd	Sainato	Ryan,
Druce	Lucyk	Santoni	Speaker
Durham	Lynch		

NAYS-0

NOT VOTING-0

EXCUSED-7

Daley	Herman	McGeehan	Veon
Evans	Kirkland	Taylor, J.	

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.

STATEMENT BY MR. KUKOVICH

The SPEAKER. Does the gentleman from Westmoreland, Mr. Kukovich, desire recognition?

Mr. KUKOVICH. Yes, I do, Mr. Speaker, under unanimous consent, briefly.

The SPEAKER. The Chair hears no objection.

Mr. KUKOVICH. Thank you, Mr. Speaker.

In the spirit of bipartisanship, as the debate ended this morning, the majority leader said, in regard to the vacancy bill, HB 843, if I would remove my amendments, that he would immediately run the bill today. So in that spirit, I would like to at least temporarily withdraw my amendment so he can live up to his promise and run that bill. Thank you.

RESOLUTIONS

Mr. O'BRIEN called up **HR 39, PN 1547**, entitled:

A Resolution directing the Urban Affairs Committee, in cooperation with the Veterans Affairs and Emergency Preparedness Committee, to conduct a study on the feasibility of using airship technology to assist police agencies to combat crime.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-195

Adolph	Egolf	Lynch	Sather
Allen	Fairchild	Maitland	Saylor
Argall	Fajt	Major	Schroder
Armstrong	Fargo	Manderino	Schuler
Baker	Farmer	Markosek	Scrimenti
Bard	Feesse	Marsico	Semmel
Barley	Fichter	Masland	Serafini
Battisto	Fleagle	Mayernik	Shaner
Bebko-Jones	Flick	McCall	Sheehan
Belardi	Gamble	McGill	Smith, B.

Belfanti	Gannon	Melio	Smith, S. H.
Birmelin	Geist	Merry	Snyder, D. W.
Bishop	George	Michlovic	Staback
Blaum	Gigliotti	Micozzie	Stairs
Boscola	Gladeck	Mihalich	Steelman
Boyes	Godshall	Miller	Steil
Brown	Gordner	Mundy	Stern
Browne	Gruitza	Nailor	Stetler
Bunt	Gruppo	Nickol	Stish
Butkovitz	Habay	Nyce	Strittmatter
Buxton	Haluska	O'Brien	Sturla
Callagirone	Hanna	Olasz	Surra
Cappabianca	Harhart	Oliver	Tangretti
Carn	Hasay	Perzel	Taylor, E. Z.
Carone	Hennessey	Pesci	Thomas
Cawley	Hershey	Petrarca	Tigue
Chadwick	Hess	Petrone	Travaglio
Civera	Horsey	Pettit	Trello
Clark	Hutchinson	Phillips	Trich
Clymer	Itkin	Piccola	True
Cohen, L. I.	Jadlowiec	Pistella	Tulli
Cohen, M.	James	Pitts	Vance
Colaella	Jarolin	Platts	Van Horne
Colaizzo	Josephs	Preston	Vitali
Conti	Kaiser	Ramos	Walko
Cornell	Keller	Raymond	Washington
Corpora	Kenney	Reber	Waugh
Corrigan	King	Reinard	Williams
Cowell	Krebs	Richardson	Wogan
Coy	Kukovich	Rieger	Wozniak
Curry	LaGrotta	Roberts	Wright, D. R.
DeLuca	Laughlin	Robinson	Wright, M. N.
Dempsey	Lawless	Roebuck	Yewcic
Dent	Lederer	Rohrer	Youngblood
Dermody	Leh	Rooney	Zimmerman
DeWeese	Lescovitz	Rubley	Zug
DiGirolamo	Levdansky	Rudy	
Donatucci	Lloyd	Sainato	Ryan,
Druce	Lucyk	Santoni	Speaker
Durham			

NAYS-0

NOT VOTING-1

Readshaw

EXCUSED-7

Daley	Herman	McGeehan	Veon
Evans	Kirkland	Taylor, J.	

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

Mr. WAUGH called up **HR 92, PN 1390**, entitled:

A Resolution directing the Committee on Health and Human Services to investigate the effectiveness of the emergency health service system.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-196

Adolph	Egolf	Maitland	Sather
Allen	Fairchild	Major	Saylor
Argall	Fajt	Manderino	Schroder
Armstrong	Fargo	Markosek	Schuler
Baker	Farmer	Marsico	Scrimenti
Bard	Feese	Masland	Semmel
Barley	Fichter	Mayernik	Serafini
Battisto	Fleagle	McCall	Shaner
Bebko-Jones	Flick	McGill	Sheehan
Belardi	Gamble	Melio	Smith, B.
Belfanti	Gannon	Merry	Smith, S. H.
Birmelin	Geist	Michlovic	Snyder, D. W.
Bishop	George	Micozzie	Staback
Blaum	Gigliotti	Mihalich	Stairs
Boscola	Gladeck	Miller	Steelman
Boyes	Godshall	Mundy	Steil
Brown	Gordner	Nailor	Stern
Browne	Gruitza	Nickol	Stetler
Bunt	Gruppo	Nyce	Stish
Butkovitz	Habay	O'Brien	Strittmatter
Buxton	Haluska	Olasz	Sturla
Caltagirone	Hanna	Oliver	Surra
Cappabianca	Harhart	Perzel	Tangretti
Carn	Hasay	Pesci	Taylor, E. Z.
Carone	Hennessey	Petrarca	Thomas
Cawley	Hershey	Petrone	Tigue
Chadwick	Hess	Pettit	Travaglio
Civera	Horsey	Phillips	Trello
Clark	Hutchinson	Piccola	Trich
Clymer	Itkin	Pistella	True
Cohen, L. I.	Jadlowiec	Pitts	Tulli
Cohen, M.	James	Platts	Vance
Colafella	Jarolin	Preston	Van Horne
Colaizzo	Josephs	Ramos	Vitali
Conti	Kaiser	Raymond	Walko
Cornell	Keller	Readshaw	Washington
Corpora	Kenney	Reber	Waugh
Corrigan	King	Reinard	Williams
Cowell	Krebs	Richardson	Wogan
Coy	Kukovich	Rieger	Wozniak
Curry	LaGrotta	Roberts	Wright, D. R.
DeLuca	Laughlin	Robinson	Wright, M. N.
Dempsey	Lawless	Roebuck	Yewcic
Dent	Lederer	Rohrer	Youngblood
Dermody	Leh	Rooney	Zimmerman
DeWeese	Lescovitz	Rubley	Zug
DiGirolamo	Levdanský	Rudy	
Donatucci	Lloyd	Sainato	Ryan,
Druce	Lucyk	Santoni	Speaker
Durham	Lynch		

NAYS-0

NOT VOTING-0

EXCUSED-7

Daley	Herman	McGeehan	Veon
Evans	Kirkland	Taylor, J.	

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

GUESTS INTRODUCED

The SPEAKER. The Chair is pleased to welcome to the hall of the House today Mr. Chris Keene, an intern from Lehigh University, serving in the district office of Representative Corpora. Would the

gentleman, Mr. Keene, please rise. He is over to the left of the Speaker.

The Chair is also pleased to have the opportunity to introduce to the House the students and teachers of the fourth grade class of the Truman Elementary School in Salisbury Township, Lehigh County, here today as the guests of Representative Browne. Will the students and their teachers please rise.

I think maybe the Speaker is ahead of the students. I do not believe they have arrived yet. I will reintroduce them when they arrive.

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1212, PN 1652**, entitled:

An Act providing for voter registration, for a Statewide central registry and registration commissions and for remedies; imposing penalties; making appropriations; and making repeals.

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

Mr. **STRITTMATTER** offered the following amendment
No. **A2077**:

Amend Sec. 528, page 47, lines 20 through 23, by striking out "The right of an individual to be registered shall not be" in line 20, all of lines 21 and 22 and "application." in line 23

Amend Sec. 529, page 49, line 23, by striking out "register" and inserting

be registered

Amend Sec. 529, page 49, line 29, by striking out "applicant" and inserting

individual

Amend Sec. 529, page 49, line 30, by striking out "applicant" and inserting

individual

Amend Sec. 529, page 50, line 8, by striking out "applicant" and inserting

individual

Amend Sec. 529, page 50, line 10, by striking out "applicant's" and inserting

individual's

Amend Sec. 529, page 50, line 11, by striking out "applicant" and inserting

individual

Amend Sec. 529, page 50, line 13, by striking out "applicant" and inserting

individual

Amend Sec. 530, page 50, line 16, by striking out "applicant" and inserting

individual

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

The SPEAKER. On that question, the Chair recognizes the gentleman.

Mr. STRITTMATTER. Thank you, Mr. Speaker.

This amendment will help clarify the motor-voter legislation dealing with challenges of voters and help with insuring the integrity

of the elections. I believe that this is agreed to by Representative Levdansky, if he could so state. Thank you.

I wish for an affirmative vote. Thank you.

The SPEAKER. On the question, the Chair recognizes the gentleman, Mr. Levdansky.

Mr. LEVDANSKY. Thank you, Mr. Speaker.

Mr. Speaker, I agree with the amendment and urge an affirmative vote.

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

The following roll call was recorded:

YEAS-196

Adolph	Egolf	Maitland	Sather
Allen	Fairchild	Major	Saylor
Argall	Fajt	Manderino	Schroder
Armstrong	Fargo	Markosek	Schuler
Baker	Farmer	Marsico	Scrimenti
Bard	Feese	Masland	Semmel
Barley	Fichter	Mayernik	Serafini
Battisto	Fleagle	McCall	Shaner
Bebko-Jones	Flick	McGill	Sheehan
Belardi	Gamble	Melio	Smith, B.
Belfanti	Gannon	Merry	Smith, S. H.
Birmelin	Geist	Michlovic	Snyder, D. W.
Bishop	George	Micozzie	Staback
Blaum	Gigliotti	Mihalich	Stairs
Boscola	Gladeck	Miller	Steelman
Boyes	Godshall	Mundy	Steil
Brown	Gordner	Nailor	Stern
Browne	Gruitza	Nickol	Stetler
Bunt	Gruppo	Nyce	Stish
Butkovitz	Habay	O'Brien	Strittmatter
Huxton	Haluska	Olasz	Sturla
Caltagirone	Hanna	Oliver	Surra
Cappabianca	Harhart	Perzel	Tangretti
Carn	Hasay	Pesci	Taylor, E. Z.
Carone	Hennessey	Petrarca	Thomas
Cawley	Hershey	Petrone	Tigue
Chadwick	Hess	Pettit	Travaglio
Civera	Horsey	Phillips	Trello
Clark	Hutchinson	Piccola	Trich
Clymer	Itkin	Pistella	True
Cohen, I. I.	Jadlowiec	Pitts	Tulli
Cohen, M.	James	Platts	Vance
Colafella	Jarolin	Preston	Van Home
Colaizzo	Josephs	Ramos	Vitali
Conti	Kaiser	Raymond	Walko
Cornell	Keller	Readshaw	Washington
Corpora	Kenney	Reber	Waugh
Corrigan	King	Reinard	Williams
Cowell	Krebs	Richardson	Wogan
Coy	Kukovich	Rieger	Wozniak
Curry	LaGrotta	Roberts	Wright, D. R.
DeLuca	Laughlin	Robinson	Wright, M. N.
Dempsey	Lawless	Roebuck	Yeweic
Dent	Lederer	Rohrer	Youngblood
Dermody	Leh	Rooney	Zimmerman
DeWeese	Lescovitz	Rubley	Zug
DiGirolamo	Levdansky	Rudy	
Donatucci	Lloyd	Sainato	Ryan.
Druce	Lueyk	Santoni	Speaker
Durham	Lynch		

NAYS-0

NOT VOTING-0

EXCUSED-7

Daley	Herman	McGeehan	Veon
Evans	Kirkland	Taylor, J.	

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

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

Mr. STRITTMATTER offered the following amendment No. A2076:

- Amend Sec. 525, page 34, by inserting between lines 23 and 24
 - (4) The statement, "In order to be qualified to register to vote, you must be at least 18 years of age on the day of the next election, you must have been a citizen of the United States for at least one month and have resided in Pennsylvania and the election district where you plan to vote for at least 30 days prior to the next election."
- Amend Sec. 525, page 34, line 24, by striking out "(4)" and inserting (5)
- Amend Sec. 525, page 34, line 28, by striking out "(5)" and inserting (6)

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

The SPEAKER. On the question of the adoption of the amendment, the Chair recognizes the gentleman, Mr. Strittmatter.

Mr. STRITTMATTER. Thank you, Mr. Speaker.

Once again, this will help clarify the motor-voter legislation in another section making it quite clear that those people that are not eligible to vote, to make sure that they would not be signing those forms just without thought. So this will make sure that when people are assisting people to register to vote, that they understand what the qualifications are in order to be a registered voter.

So I would ask for an affirmative vote. Thank you.

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

Mr. LEVDANSKY. Thank you, Mr. Speaker.

Mr. Speaker, this amendment largely makes the language in the bill consistent. Instead of one section referring to "applicant" and the other to "individual," it makes a consistent reference to "individual," and I support the amendment.

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

The following roll call was recorded:

YEAS-196

Adolph	Egolf	Maitland	Sather
Allen	Fairchild	Major	Saylor
Argall	Fajt	Manderino	Schroder
Armstrong	Fargo	Markosek	Schuler
Baker	Farmer	Marsico	Scrimenti
Bard	Feese	Masland	Semmel
Barley	Fichter	Mayernik	Serafini
Battisto	Fleagle	McCall	Shaner

Bebko-Jones	Flick	McGill	Sheehan
Belardi	Gamble	Melio	Smith, B.
Belfanti	Gannon	Merry	Smith, S. H.
Birmelin	Geist	Michlovic	Snyder, D. W.
Bishop	George	Micozzie	Staback
Blaum	Gigliotti	Mihalich	Stairs
Boscola	Gladeck	Miller	Steelman
Boyes	Godshall	Mundy	Steil
Brown	Gordner	Nailor	Stern
Browne	Gruitza	Nickol	Stetler
Bunt	Gruppo	Nyce	Stish
Butkovitz	Habay	O'Brien	Strittmatter
Buxton	Haluska	Olasz	Sturla
Caltagirone	Hanna	Oliver	Surra
Cappabianca	Harhart	Perzel	Tangretti
Carn	Hasay	Pesci	Taylor, E. Z.
Carone	Hennessey	Petrarca	Thomas
Cawley	Hershey	Petrone	Tigue
Chadwick	Hess	Pettit	Travaglio
Civera	Horsey	Phillips	Trello
Clark	Hutchinson	Piccola	Trich
Clymer	Itkin	Pistella	True
Cohen, L. I.	Jadlowiec	Pitts	Tulli
Cohen, M.	James	Platts	Vance
Colafella	Jarolin	Preston	Van Home
Colaizzo	Josephs	Ramos	Vitali
Conti	Kaiser	Raymond	Walko
Cornell	Keller	Readshaw	Washington
Corpora	Kenney	Reber	Waugh
Corrigan	King	Reinard	Williams
Cowell	Krebs	Richardson	Wogan
Coy	Kukovich	Rieger	Wozniak
Curry	LaGrotta	Roberts	Wright, D. R.
DeLuca	Laughlin	Robinson	Wright, M. N.
Dempsey	Lawless	Roebuck	Yewcic
Dent	Lederer	Rohrer	Youngblood
Dermody	Leh	Rooney	Zimmerman
DeWeese	Lescovitz	Rublely	Zug
DiGirolamo	Levdansky	Rudy	
Donatucci	Lloyd	Sainato	Ryan,
Druce	Lucyk	Santoni	Speaker
Durham	Lynch		

NAYS-0

NOT VOTING-0

EXCUSED-7

Daley	Herman	McGeehan	Veon
Evans	Kirkland	Taylor, J.	

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

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

Mr. **CLYMER** offered the following amendment No. **A2100**:

- Amend Table of Contents, page 4, lines 5 through 9, by striking out all of said lines and inserting
- Section 5103. Appropriations.
- Section 5104. Severability.
- Section 5105. Repeals.
- Section 5106. Applicability.
- Section 5107. Retroactivity.
- Section 5108. Effective date.
- Amend Sec. 911, page 70, line 23, by striking out "or suspension"

- Amend Sec. 911, page 70, line 25, by striking out "or suspended"
- Amend Sec. 1301, page 72, line 19, by striking out "or suspended"
- Amend Bill, page 80, by inserting between lines 19 and 20

Section 5103. Appropriations.
(a) Department of State. The sum of \$500,000, or as much thereof as may be necessary, is hereby appropriated to the Department of State for the fiscal year July 1, 1994, to June 30, 1995, for expenses incurred to implement the requirements of the National Voter Registration Act (Public Law 103-31, 42 U.S.C. Sec. 1973gg et seq.), including a study of the technological needs and other aspects of the development and implementation of a central registry.

(b) Department of Transportation. The sum of \$740,000, or as much thereof as may be necessary, is hereby appropriated to the Department of Transportation for the fiscal year July 1, 1994, to June 30, 1995, for expenses incurred to integrate voter registration with driver licensing to implement the requirements of the National Voter Registration Act of 1993.

Amend Sec. 5103, page 81, line 5, by striking out "5103" and inserting

5104

Amend Sec. 5104, page 81, line 11, by striking out "5104" and inserting

5105

Amend Sec. 5104, page 81, by inserting between lines 19 and 20

(b) Appropriations. The following acts and parts of acts are repealed:

The appropriation for costs to implement National Voter Registration Requirements in section 221 of the act of June 16, 1994 (P.L. , No.6A), known as the General Appropriation Act of 1994.

The appropriation for costs to integrate voter registration with driver licensing in section 222 of the General Appropriation Act of 1994.

Amend Sec. 5104, page 81, line 29, by striking out "(B)" and inserting (c)

Amend Sec. 5105, page 82, line 1, by striking out "5105" and inserting

5106

Amend Sec. 5106, page 82, line 17, by striking out "5106" and inserting

5107

Amend Sec. 5107, page 82, line 20, by striking out "5107" and inserting

5108

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

The **SPEAKER**. On the question of the adoption of the amendment, the Chair recognizes the gentleman from Bucks.

Mr. **CLYMER**. Thank you, Mr. Speaker.

Mr. Speaker, my amendment does two things. Number one, in the bill it makes reference to a suspension of registrations. There are no suspensions. Either you have the ability to vote or not to vote, and so it is a technical amendment in that respect.

The other part of my amendment restores the funding that was in the bill prior to going to Appropriations. It puts \$500,000 that was placed for the use by the Department of State in the Casey budget, it puts that money to the use of the Secretary of State so that the Secretary can do an analysis of the need for counties to bring their hardware, their computer hardware, up to date so that we can do a central registry system. Those counties that do not have a computer system, it will also determine how much cost it will be for those counties to institute a system that would be in line with a central registry system. So the Secretary can use that money to find out what the costs would be prior to putting in money to the State for a line-item cost analysis for these counties.

The second part, it restores the \$740,000 back to the Department of Transportation so that they can begin to initiate the requirements necessary for implementation of the National Voter Registration Act. These funds have already been appropriated. They are not new dollars.

I would ask for an affirmative vote. Thank you, Mr. Speaker.

The SPEAKER. The gentleman, Mr. Levdansky.

Mr. LEVDANSKY. Thank you, Mr. Speaker.

Mr. Speaker, I agree with this amendment.

It is vitally important that this amendment goes in so that it can restore funding so that the Secretary of the Commonwealth can undertake a feasibility study to the effectiveness of instituting a statewide registry in Pennsylvania. When this legislation passed the House last year, it required the State to form a central voter registry. At Governor Ridge's request, we put language in the bill to make the central voter registry optional, but it is imperative that the Secretary have the necessary funds to enable her to do the study to make that determination down the line.

For those reasons and others I would ask for an affirmative vote on the Clymer amendment.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS-195

Adolph	Egolf	Lynch	Sather
Allen	Fairchild	Maitland	Saylor
Argall	Fajt	Major	Schroder
Armstrong	Fargo	Manderino	Schuler
Baker	Farmer	Markosek	Scriminti
Bard	Feese	Marsico	Semmel
Barley	Fichter	Masland	Serafini
Battisto	Fleagle	Mayernik	Shaner
Bebko-Jones	Flick	McCall	Sheehan
Belardi	Gamble	McGill	Smith, B.
Belfanti	Gannon	Melio	Smith, S. H.
Birmelin	Geist	Merry	Snyder, D. W.
Bishop	George	Michlovic	Staback
Blaum	Gigliotti	Micozzie	Stairs
Boscola	Gladeck	Mihalich	Steelman
Boyes	Godshall	Miller	Steil
Brown	Gordner	Mundy	Stern
Browne	Gruitza	Nailor	Stetler
Bunt	Gruppo	Nickol	Stish
Butkovitz	Habay	Nyce	Strittmatter
Buxton	Haluska	Olasz	Sturla
Caltagirone	Hanna	Oliver	Surra
Cappabianca	Harhart	Perzel	Tangretti
Carn	Hasay	Pesci	Taylor, E. Z.
Carone	Hennessey	Petrarca	Thomas
Cawley	Hershey	Petrone	Tigue
Chadwick	Hess	Pettit	Travaglio
Civera	Horsey	Phillips	Trello
Clark	Hutchinson	Piccola	Trich
Clymer	Itkin	Pistella	True
Cohen, L. I.	Jadlowiec	Pitts	Tulli
Cohen, M.	James	Platts	Vance
Colafella	Jarolin	Preston	Van Horne
Colaizzo	Josephs	Ramos	Vitali
Conti	Kaiser	Ray.nond	Walko
Cornell	Keller	Readshaw	Washington
Corpora	Kenney	Reber	Waugh
Corrigan	King	Reinard	Williams
Cowell	Krebs	Richardson	Wogan
Coy	Kukovich	Rieger	Wozniak

Curry	I.aGrotta	Roberts	Wright, D. R.
DeLuca	Laughlin	Robinson	Wright, M. N.
Dempsey	Lawless	Roebuck	Yewcic
Dent	Lederer	Rohrer	Youngblood
Dermody	Leh	Rooney	Zimmerman
DeWeese	Lescovitz	Rubley	Zug
DiGirolamo	Levdansky	Rudy	
Donatucci	Lloyd	Sainato	Ryan,
Druce	Lucy	Santoni	Speaker
Durham			

NAYS-1

O'Brien

NOT VOTING-0

EXCUSED-7

Daley	Herman	McGeehan	Veon
Evans	Kirkland	Taylor, J.	

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

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

Mr. COHEN offered the following amendment No. **A2069**:

Amend Sec. 704, page 56, line 17, by striking out "year" and inserting date

Amend Sec. 704, page 56, line 22, by striking out "year" and inserting date

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

The SPEAKER. On the question of the adoption of the amendment, the Chair recognizes the gentleman.

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, this is an agreed-to amendment.

It merely provides that the date of birth, the information of the voter's date of birth, is available under this bill as it is under current law.

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

Mr. CLYMER. Thank you, Mr. Speaker.

Indeed, this is an agreed-to amendment, and I urge concurrence. Thank you.

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

The following roll call was recorded:

YEAS-196

Adolph	Egolf	Maitland	Sather
Allen	Fairchild	Major	Saylor
Argall	Fajt	Manderino	Schroder
Armstrong	Fargo	Markosek	Schuler
Baker	Farmer	Marsico	Scrimenti
Bard	Feese	Masland	Semmel
Barley	Fichter	Mayernik	Serafini
Battisto	Fleagle	McCall	Shaner
Bebko-Jones	Flick	McGill	Sheehan
Belardi	Gamble	Melio	Smith, B.
Belfanti	Gannon	Merry	Smith, S. H.
Birmelin	Geist	Michlovic	Snyder, D. W.
Bishop	George	Micozzie	Staback
Blaum	Gigliotti	Mihalich	Stairs
Boscola	Gladeck	Miller	Steelman
Boyes	Godshall	Mundy	Steil
Brown	Gordner	Nailor	Stern
Browne	Gruitza	Nickol	Stetler
Bunt	Gruppo	Nyce	Stish
Butkovitz	Habay	O'Brien	Strittmatter
Buxton	Haluska	Olasz	Sturla
Caltagirone	Hanna	Oliver	Surra
Cappabianca	Harhart	Perzel	Tangretti
Cam	Hasay	Pesci	Taylor, E. Z.
Carone	Hennessey	Petrarca	Thomas
Cawley	Hershey	Petrone	Tigue
Chadwick	Hess	Pettit	Travaglio
Civera	Horsey	Phillips	Trello
Clark	Hutchinson	Piccola	Trich
Clymer	Itkin	Pistella	True
Cohen, L. I.	Jadlowiec	Pitts	Tulli
Cohen, M.	James	Platts	Vance
Colafella	Jarolin	Preston	Van Horne
Colaizzo	Josephs	Ramos	Vitali
Conti	Kaiser	Raymond	Walko
Cornell	Keller	Readshaw	Washington
Corpora	Kenney	Reber	Waugh
Corrigan	King	Reinard	Williams
Cowell	Krebs	Richardson	Wogan
Coy	Kukovich	Rieger	Wozniak
Curry	LaGrotta	Roberts	Wright, D. R.
DeLuca	Laughlin	Robinson	Wright, M. N.
Dempsey	Lawless	Roebuck	Yewcic
Dent	Lederer	Rohrer	Youngblood
Dermody	Leh	Rooney	Zimmerman
DeWeese	Lescovitz	Rubley	Zug
DiGirolamo	Levdansky	Rudy	
Donatucci	Lloyd	Sainato	Ryan,
Druce	Lucyk	Santoni	Speaker
Durham	Lynch		

NAYS-0

NOT VOTING-0

EXCUSED-7

Daley	Herman	McGeehan	Veon
Evans	Kirkland	Taylor, J.	

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

On the question recurring,

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

Mrs. FARMER offered the following amendment No. A2101:

Amend Sec. 303, page 12, line 12, by inserting after "canceled."
Whenever a registered elector's name is changed for any reason, the initial registration number shall remain the same and the file shall reflect the former name change to the new name.

On the question,

Will the House agree to the amendment?

The SPEAKER. On the question of the adoption of the amendment, the Chair recognizes the lady, Mrs. Farmer.

Mrs. FARMER. Thank you, Mr. Speaker.

My amendment would eliminate the practice in some counties of requiring someone to reregister to vote when they change their name, be it through a marriage, divorce, or what have you. This amendment would correct that process and would leave intact the person's voter registration number together with their voting record.

I ask for your approval of this amendment.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS-196

Adolph	Egolf	Maitland	Sather
Allen	Fairchild	Major	Saylor
Argall	Fajt	Manderino	Schroder
Armstrong	Fargo	Markosek	Schuler
Baker	Farmer	Marsico	Scrimenti
Bard	Feese	Masland	Semmel
Barley	Fichter	Mayernik	Serafini
Battisto	Fleagle	McCall	Shaner
Bebko-Jones	Flick	McGill	Sheehan
Belardi	Gamble	Melio	Smith, B.
Belfanti	Gannon	Merry	Smith, S. H.
Birmelin	Geist	Michlovic	Snyder, D. W.
Bishop	George	Micozzie	Staback
Blaum	Gigliotti	Mihalich	Stairs
Boscola	Gladeck	Miller	Steelman
Boyes	Godshall	Mundy	Steil
Brown	Gordner	Nailor	Stern
Browne	Gruitza	Nickol	Stetler
Bunt	Gruppo	Nyce	Stish
Butkovitz	Habay	O'Brien	Strittmatter
Buxton	Haluska	Olasz	Sturla
Caltagirone	Hanna	Oliver	Surra
Cappabianca	Harhart	Perzel	Tangretti
Cam	Hasay	Pesci	Taylor, E. Z.
Carone	Hennessey	Petrarca	Thomas
Cawley	Hershey	Petrone	Tigue
Chadwick	Hess	Pettit	Travaglio
Civera	Horsey	Phillips	Trello
Clark	Hutchinson	Piccola	Trich
Clymer	Itkin	Pistella	True
Cohen, L. I.	Jadlowiec	Pitts	Tulli
Cohen, M.	James	Platts	Vance
Colafella	Jarolin	Preston	Van Horne
Colaizzo	Josephs	Ramos	Vitali
Conti	Kaiser	Raymond	Walko
Cornell	Keller	Readshaw	Washington
Corpora	Kenney	Reber	Waugh
Corrigan	King	Reinard	Williams
Cowell	Krebs	Richardson	Wogan
Coy	Kukovich	Rieger	Wozniak
Curry	LaGrotta	Roberts	Wright, D. R.
DeLuca	Laughlin	Robinson	Wright, M. N.
Dempsey	Lawless	Roebuck	Yewcic

Dent	Lederer	Rohrer	Youngblood
Dermody	Leh	Rooney	Zimmerman
DeWeese	Lescovitz	Rubley	Zug
DiGirolamo	Levdansky	Rudy	
Donatucci	Lloyd	Sainato	Ryan,
Druce	Lucyk	Santoni	Speaker
Durham	Lynch		

NAYS-0

NOT VOTING-0

EXCUSED-7

Daley	Herman	McGeehan	Veon
Evans	Kirkland	Taylor, J.	

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

On the question recurring,

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

Mr. O'BRIEN offered the following amendment No. A2096:

- Amend Sec. 525, page 34, by inserting between lines 27 and 28
 - (5) Transmit each change of address to the appropriate registration commission.
- Amend Sec. 525, page 34, line 28, by striking out "(5)" and inserting
 - (6)

On the question,

Will the House agree to the amendment?

The SPEAKER. On the question of the adoption of the amendment, the Chair recognizes the gentleman, Mr. O'Brien, on amendment A2096.

Mr. O'BRIEN. Thank you, Mr. Speaker.

This amendment will require agencies conducting voter registration under section 525 - offices providing public assistance, county marriage license bureaus, offices providing services for the disabled, and military recruiting offices - to send address changes to the registration offices.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS-196

Adolph	Egolf	Maitland	Sather
Allen	Fairchild	Major	Saylor
Argall	Fajt	Manderino	Schroder
Armstrong	Fargo	Markosek	Schuler
Baker	Farmer	Marsico	Scrimenti
Bard	Feese	Masland	Semmel
Barley	Fichter	Mayernik	Serafini
Battisto	Fleagle	McCall	Shaner
Bebko-Jones	Flick	McGill	Sheehan
Belardi	Gamble	Melio	Smith, B.
Belfanti	Gannon	Merry	Smith, S. H.
Birmelin	Geist	Michlovic	Snyder, D. W.

Bishop	George	Micozzie	Staback
Blaum	Gigliotti	Mihalich	Stairs
Boscola	Gladeck	Miller	Stelman
Boyes	Godshall	Mundy	Steil
Brown	Gordner	Nailor	Stern
Browne	Gruitza	Nickol	Stetler
Bunt	Gruppo	Nyce	Stish
Butkovitz	Habay	O'Brien	Strittmatter
Buxton	Haluska	Olasz	Sturla
Caltagirone	Hanna	Oliver	Surra
Cappabianca	Harhart	Perzel	Tangretti
Carn	Hasay	Pesci	Taylor, E. Z.
Carone	Hennessey	Petrarca	Thomas
Cawley	Hershey	Petrone	Tigue
Chadwick	Hess	Pettit	Travaglio
Civera	Horsey	Phillips	Trello
Clark	Hutchinson	Piccola	Trich
Clymer	Itkin	Pistella	True
Cohen, L. I.	Jadlowiec	Pitts	Tulli
Cohen, M.	James	Platts	Vance
Colafella	Jarolin	Preston	Van Horne
Colaizzo	Josephs	Ramos	Vitali
Conti	Kaiser	Raymond	Walko
Cornell	Keller	Readshaw	Washington
Corpora	Kenney	Reber	Waugh
Corrigan	King	Reinard	Williams
Cowell	Krebs	Richardson	Wogan
Coy	Kukovich	Rieger	Wozniak
Curry	LaGrotta	Roberts	Wright, D. R.
DeLuca	Laughlin	Robinson	Wright, M. N.
Dempsey	Lawless	Roebuck	Yeweic
Dent	Lederer	Rohrer	Youngblood
Dermody	Leh	Rooney	Zimmerman
DeWeese	Lescovitz	Rubley	Zug
DiGirolamo	Levdansky	Rudy	
Donatucci	Lloyd	Sainato	Ryan,
Druce	Lucyk	Santoni	Speaker
Durham	Lynch		

NAYS-0

NOT VOTING-0

EXCUSED-7

Daley	Herman	McGeehan	Veon
Evans	Kirkland	Taylor, J.	

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

On the question recurring,

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

Mr. O'BRIEN offered the following amendment No. A2098:

- Amend Sec. 522, page 25, line 9, by inserting after "registration."
 - The commission shall mail the voter's identification card in accordance with section 527(a)(4)(v).

On the question,

Will the House agree to the amendment?

The SPEAKER. The Chair recognizes the gentleman, Mr. O'Brien.

Mr. O'BRIEN. Thank you, Mr. Speaker.

This amendment would require voter identification cards to be mailed to voters when they register in person. This would provide some degree of verification in that the registrant's address could be confirmed to the extent that one could at least make sure that the address listed is a bona fide residence.

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

The following roll call was recorded:

YEAS-196

Adolph	Egolf	Maitland	Sather
Allen	Fairchild	Major	Saylor
Argall	Fajt	Manderino	Schroder
Armstrong	Fargo	Markosek	Schuler
Baker	Farmer	Marsico	Scrimenti
Bard	Feese	Masland	Semmel
Barley	Fichter	Mayernik	Serafini
Battisto	Fleagle	McCall	Shaner
Bebko-Jones	Flick	McGill	Sheehan
Belardi	Gamble	Melio	Smith, B.
Belfanti	Gannon	Merry	Smith, S. H.
Birmelin	Geist	Michlovic	Snyder, D. W.
Bishop	George	Micozzie	Staback
Blaum	Gigliotti	Mihalich	Stairs
Boscola	Gladeck	Miller	Steelman
Boyes	Godshall	Mundy	Steil
Brown	Gordner	Nailor	Stern
Browne	Gruitza	Nickol	Stetler
Bunt	Gruppo	Nyce	Stish
Butkovitz	Habay	O'Brien	Strittmatter
Buxton	Haluska	Olasz	Sturla
Caltagirone	Hanna	Oliver	Surra
Cappabianca	Harhart	Perzel	Tangretti
Carn	Hasay	Pesci	Taylor, E. Z.
Carone	Hennessey	Petrarca	Thomas
Cawley	Hershey	Petrone	Tigue
Chadwick	Hess	Pettit	Travaglio
Civera	Horsley	Phillips	Trello
Clark	Hutchinson	Piccola	Trich
Clymer	Itkin	Pistella	Truc
Cohen, L. I.	Jadlowiec	Pitts	Tulli
Cohen, M.	James	Platts	Vance
Colafella	Jarolin	Preston	Van Horne
Colaizzo	Josephs	Ramos	Vitali
Conti	Kaiser	Raymond	Walko
Cornell	Keller	Readshaw	Washington
Corpora	Kenney	Reber	Waugh
Corrigan	King	Reinard	Williams
Cowell	Krebs	Richardson	Wogan
Coy	Kukovich	Rieger	Wozniak
Curry	LaGrotta	Roberts	Wright, D. R.
DeLuca	Laughlin	Robinson	Wright, M. N.
Dempsey	Lawless	Roebuck	Yewcic
Dent	Lederer	Rohrer	Youngblood
Dermody	Leh	Rooney	Zimmerman
DeWeese	Lescovitz	Rublely	Zug
DiGirolamo	Levdansky	Rudy	
Donatucci	Lloyd	Sainato	Ryan,
Druce	Lucyk	Santoni	Speaker
Durham	Lynch		

NAYS-0

NOT VOTING-0

EXCUSED-7

Daley Evans	Herman Kirkland	McGeehan Taylor, J.	Veon
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The majority having voted in the affirmative, the question was determined in the affirmative and the amendment was agreed to.

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

Mr. O'BRIEN offered the following amendment No. A2099:

Amend Sec. 301, page 9, line 27, by inserting after "Transportation" and the computerized records of the agencies specified in section 525

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

The SPEAKER. On the question of that amendment, the Chair recognizes the gentleman.

Mr. O'BRIEN. Thank you, Mr. Speaker.

HB 1212 currently allows the Department of State to have access to the computerized records of PennDOT for voter registration purposes only. This amendment would give the Department of State similar access to the computerized records of the agencies conducting voter registration activities for voter registration purposes only.

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

The following roll call was recorded:

YEAS-196

Adolph	Egolf	Maitland	Sather
Allen	Fairchild	Major	Saylor
Argall	Fajt	Manderino	Schroder
Armstrong	Fargo	Markosek	Schuler
Baker	Farmer	Marsico	Scrimenti
Bard	Feese	Masland	Semmel
Barley	Fichter	Mayernik	Serafini
Battisto	Fleagle	McCall	Shaner
Bebko-Jones	Flick	McGill	Sheehan
Belardi	Gamble	Melio	Smith, B.
Belfanti	Gannon	Merry	Smith, S. H.
Birmelin	Geist	Michlovic	Snyder, D. W.
Bishop	George	Micozzie	Staback
Blaum	Gigliotti	Mihalich	Stairs
Boscola	Gladeck	Miller	Steelman
Boyes	Godshall	Mundy	Steil
Brown	Gordner	Nailor	Stern
Browne	Gruitza	Nickol	Stetler
Bunt	Gruppo	Nyce	Stish
Butkovitz	Habay	O'Brien	Strittmatter
Buxton	Haluska	Olasz	Sturla
Caltagirone	Hanna	Oliver	Surra
Cappabianca	Harhart	Perzel	Tangretti
Carn	Hasay	Pesci	Taylor, E. Z.
Carone	Hennessey	Petrarca	Thomas
Cawley	Hershey	Petrone	Tigue
Chadwick	Hess	Pettit	Travaglio
Civera	Horsley	Phillips	Trello
Clark	Hutchinson	Piccola	Trich

Clymer	Itkin	Pistella	True
Cohen, L. I.	Jadlowiec	Pitts	Tulli
Cohen, M.	James	Platts	Vance
Colafella	Jarolin	Preston	Van Home
Colaizzo	Josephs	Ramos	Vitali
Conti	Kaiser	Raymond	Walko
Cornell	Keller	Readshaw	Washington
Corpora	Kenney	Reber	Waugh
Corrigan	King	Reinard	Williams
Cowell	Krebs	Richardson	Wogan
Coy	Kukovich	Rieger	Wozniak
Curry	LaGrotta	Roberts	Wright, D. R.
DeLuca	Laughlin	Robinson	Wright, M. N.
Dempsey	Lawless	Roebuck	Yewcic
Dent	Lederer	Rohrer	Youngblood
Dermoddy	Leh	Rooney	Zimmerman
DeWeese	Lescovitz	Ruble	Zug
DiGirolamo	Levdansky	Rudy	
Donatucci	Lloyd	Sainato	Ryan,
Druce	Lucyk	Santoni	Speaker
Durham	Lynch		

NAYS-0

NOT VOTING-0

EXCUSED-7

Daley	Herman	McGeehan	Veon
Evans	Kirkland	Taylor, J.	

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

On the question recurring,

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

The SPEAKER. It is my understanding the gentleman, Mr. O'Brien, has two further amendments - A2097, which the gentleman offers--

Mr. O'BRIEN. They are withdrawn, Mr. Speaker.

The SPEAKER. And A2095 is withdrawn?

Mr. O'BRIEN. Yes, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

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

Mr. **LEVDANSKY** offered the following amendment No. **A2085**:

Amend Sec. 5102, page 80, lines 12 through 19, by striking out all of said lines and inserting

(d) Prohibition. No political party or third party entity may produce or reproduce absentee ballot applications.

On the question,

Will the House agree to the amendment?

The SPEAKER. On the question of the adoption of the amendment, the Chair recognizes the gentleman.

Mr. LEVDANSKY. Thank you, Mr. Speaker.

Mr. Speaker, a little earlier in the year, when Pennsylvania failed to pass the enabling legislation to bring our State into compliance with the National Voter Registration Act, a number of counties got different kinds of messages as to whether or not they should conduct purges for people that have not voted in the last 2 1/2 years. Some counties have purged since January, others have--

Mr. CLYMER. Mr. Speaker?

The SPEAKER. Will the gentleman yield.

For what purpose does the gentleman rise?

Mr. CLYMER. I believe the gentleman is on the wrong amendment. If he would look at the board, he would see it is amendment 2085, not amendment 2056.

Mr. LEVDANSKY. I am sorry. I stand corrected.

The SPEAKER. That is the error of the Chair, I might add. We have this that it should have been offered as A2056 first.

Would the gentleman prefer to take A2056 first?

Mr. LEVDANSKY. Yes.

AMENDMENT WITHDRAWN TEMPORARILY

The SPEAKER. The gentleman withdraws amendment A2085 at this time, temporarily.

On the question recurring,

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

Mr. **LEVDANSKY** offered the following amendment No. **A2056**:

Amend Sec. 302, page 10, line 22, by removing the period after "act" and inserting

, and all electors registered for Federal elections shall, upon the effective date of this act, become registered for State and local elections.

On the question,

Will the House agree to the amendment?

The SPEAKER. On the question of the adoption of amendment A2056, the Chair recognizes the gentleman, Mr. Levdansky, on that amendment.

Mr. LEVDANSKY. Thank you, Mr. Speaker.

Again, when Pennsylvania was not in conformance with the Federal law, beginning this past January of 1995, some counties conducted purges for not voting; other counties did not. What the language in this amendment does is it will make it so that those people that were purged for nonvoting from January until today, or when the legislation becomes effective actually, then those people will be reinstated to the voter registration rolls.

I urge an affirmative vote.

The SPEAKER. On the question of amendment A2056, initially let me thank the gentleman, Mr. Clymer, for calling the mistake of the Speaker to his attention and recognize you on that amendment 2056.

Mr. CLYMER. Thank you, Mr. Speaker.

This is an agreed-to amendment, and I urge concurrence.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS-196

Adolph	Egolf	Maitland	Sather
Allen	Fairchild	Major	Saylor
Argall	Fajt	Manderino	Schroder
Armstrong	Fargo	Markosek	Schuler
Baker	Farmer	Marsico	Scrimenti
Bard	Feese	Masland	Semmel
Barley	Fichter	Mayernik	Serafini
Battisto	Fleagle	McCall	Shaner
Bebko-Jones	Flick	McGill	Sheehan
Belardi	Gamble	Melio	Smith, B.
Belfanti	Gannon	Merry	Smith, S. II.
Birmelin	Geist	Michlovic	Snyder, D. W.
Bishop	George	Micozzie	Staback
Blaum	Gigliotti	Mihalich	Stairs
Boscola	Gladeck	Miller	Steelman
Boyes	Godshall	Mundy	Steil
Brown	Gordner	Nailor	Stern
Browne	Gruitza	Nickol	Stetler
Bunt	Gruppo	Nyce	Stish
Butkovitz	Habay	O'Brien	Strittmatter
Buxton	Haluska	Olasz	Sturla
Caltagirone	Hanna	Oliver	Surra
Cappabianca	Harhart	Perzel	Tangretti
Carn	Hasay	Pesci	Taylor, E. Z.
Carone	Hennessey	Petrarca	Thomas
Cawley	Hershey	Prtrone	Tigue
Chadwick	Hess	Pettit	Travaglio
Civera	Horsey	Phillips	Trello
Clark	Hutchinson	Piccola	Trich
Clymer	Itkin	Pistella	True
Cohen, L. I.	Jadlowiec	Pitts	Tulli
Cohen, M.	James	Platts	Vance
Colaifella	Jarolin	Preston	Van Horne
Colaizzo	Josephs	Ramos	Vitali
Conti	Kaiser	Raymond	Walko
Cornell	Keller	Readshaw	Washington
Corpora	Kenney	Reber	Waugh
Corrigan	King	Reinard	Williams
Cowell	Krebs	Richardson	Wogan
Coy	Kukovich	Rieger	Wozniak
Curry	LaGrotta	Roberts	Wright, D. R.
DeLuca	Laughlin	Robinson	Wright, M. N.
Dempsey	Lawless	Roebuck	Yewcic
Dent	Lederer	Rohrer	Youngblood
Dermody	Leh	Rooney	Zimmerman
DeWeese	Lescovitz	Rubley	Zug
DiGirolamo	Levdansky	Rudy	
Donatucci	Lloyd	Sainato	Ryan,
Druce	Lucyk	Santoni	Speaker
Durham	Lynch		

NAYS-0

NOT VOTING-0

EXCUSED-7

Daley	Herman	McGeehan	Veon
Evans	Kirkland	Taylor, J.	

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

On the question recurring,

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

Mr. LEVDANSKY reoffered the following amendment No. A2085:

Amend Sec. 5102, page 80, lines 12 through 19, by striking out all of said lines and inserting

(d) Prohibition.—No political party or third party entity may produce or reproduce absentee ballot applications.

On the question recurring,

Will the House agree to the amendment?

The SPEAKER. The Chair recognizes the gentleman from Allegheny County on the amendment.

Mr. LEVDANSKY. Thank you, Mr. Speaker.

Mr. Speaker, with the language in this amendment, essentially it will make it illegal for political parties or third-party interest groups to reproduce absentee ballot applications. There has been a lot of concern over the last year or so pursuant to the Second Senatorial District election and I think some other races statewide about the abuse of the absentee ballot process.

Under Pennsylvania law presently, an individual voter can only request an absentee ballot application if they will not be present in the county of residence on election day or if because of some illness or infirmity they cannot make it to the polls on that particular day. Those are the only reasons why people are allowed to vote absentee ballot in Pennsylvania.

My concern is that if political parties and other third-party entities mass-distribute absentee ballot applications, in essence what we are doing is encouraging people, a lot of people, to basically break the law, because it is going to be too convenient and people are going to think it just would be a lot easier to vote absentee than it is to show up at the polls on election day, and even if they are going to be in town on election day and if they are not physically incapacitated, the tendency is going to be for them to want to make themselves available to the absentee ballot process when the law makes it clear that they should show up at the polls on that day and not vote absentee.

So rather than sort of encouraging potential misuse of the absentee ballot process, I think this amendment tightens up the language a little bit. It does not forbid political parties from circulating absentee ballots. It just prohibits them from mass-producing them for circulation.

I would ask for an affirmative vote.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Perzel.

Mr. PERZEL. Mr. Speaker, although I was never enamored with the concept of motor-voter, the purpose of it is to increase participation in the electoral process, and the AFL-CIO, the Republican State Committee, the Democrat State Committee, all send out application forms to ask people if they would like to vote by absentee. I see absolutely nothing wrong with that, Mr. Speaker. That has never been where the problems were, not in the Second Senatorial District nor anywhere else in the Commonwealth of Pennsylvania.

So I would strongly suggest a "no" vote on the Levdansky amendment, and let us allow people to vote by absentee ballot if they would like.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Druce.

Mr. DRUCE. Mr. Speaker, can I interrogate the maker of the amendment, please?

The SPEAKER. The gentleman, Mr. Levdansky, indicates he will stand for interrogation. The gentleman, Mr. Druce, may proceed.

Mr. DRUCE. Thank you, Mr. Speaker.

I wonder if the maker of the amendment could answer two questions, one of which, is there an assurance from the Department of State and the local election boards that the Commonwealth and those counties would print sufficient numbers of applications for distribution by political parties, and if so, do you have a fiscal note that may give us an estimation of the cost incurred to taxpayers, who are now going to pick up the process that traditionally has been employed by the political parties in this Commonwealth?

Mr. LEVDANSKY. Mr. Speaker, no, I have not contacted the 67 county bureaus of elections, and I am sure— There are 67 counties; you are going to have a variance as to how many absentee ballot applications probably each county prints and makes available for distribution. I have not made that inquiry. Whatever the practice is of counties insofar as printing up numbers of absentee ballots and how many they make available to interested individuals and organizations is something that has traditionally been left to the discretion of those county officials, and under my amendment, I would just continue that history of giving the discretion to the local county election boards to make that determination.

Mr. DRUCE. Well, can I ask, Mr. Speaker, what recourse do individuals have when they solicit their local boards of elections and are told they can only have 20 applications at a time? How then does the process move forward when you need to distribute far more than that, where the political parties have reproduced the exact form and provided a sufficient number to give people the opportunity to vote by absentee ballot?

Mr. LEVDANSKY. I suppose, Mr. Speaker, if an individual or an organization feels that 20 absentee ballot applications is not enough, they could send another representative to that organization on the same day to pick up another 20 or they can come back the next day and pick up another 20, and I have never heard of any instances where anybody has actually ever been denied access to absentee ballot applications. If it is a problem, it is certainly one that has never been brought to my attention.

Mr. DRUCE. Mr. Speaker, I am finished with my interrogation. Can I comment on the amendment, please?

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

Mr. DRUCE. Thank you.

Mr. Speaker, in this bill it seems to be the goal of greater participation by making it easier for people to register and participate in the political process, but this is one amendment, in my opinion, that does exactly the opposite, and just listening to the maker of the amendment's explanation about the game that would have to be played by our political parties of having to send in their troops one after another in order to get sufficient applications, to me, it impedes this process.

Before my service here in the House, I served as an executive director of our State Republican Party and worked with my counterpart at the Democratic State Committee in having a statewide program where we did provide the application for absentee ballots directly to the voters from both political parties, and the process worked, Mr. Speaker. Put aside the Second Senatorial District. This does not correct the problems in the Second Senate District. When you have dead people voting, you have got a bigger problem than the applications of absentee ballots.

I would argue, Mr. Speaker, that the process that has been employed by both political parties in the State by providing a replica of the State's application has done a couple of things: One, it has saved the taxpayers money, because the political parties have incurred the cost for that process; and two, it has made it easier for people to then apply to their local county board of elections to get an absentee ballot. Without that, Mr. Speaker, you are going to impede the people's ability to get involved in the political process, and I think that is exactly what this bill is trying to promote but this amendment does not.

I would argue, Mr. Speaker, one final point, and I do this more for my colleagues on the other side of the aisle, because I think most people on this side of the aisle have seen the benefit of this process work around the State, bar the Second Senatorial District in Philadelphia, but many times I had an opportunity to talk with and work with my counterpart at the Democratic State Committee, when I served down there, Mr. Tony May, and I found Mr. May to be a very capable and quality individual, and I believe if he saw this amendment, he would argue that this would be something that would not be helpful to the political parties in trying to increase people's participation, and we often talked about statewide voter applications that would be the same and be uniform and the ability for both parties to reproduce the forms, because at that time we had many boards of elections saying, well, we are not going to take them because the law is not clear if the parties are allowed to reproduce them or not. Well, if you look at the bill, on page 80, it allows the parties to do that, and it clears up that question by producing an exact replica of the current form.

Mr. Speaker, I would also argue, when the parties do that, they are run through the computer so that they are already addressed to the proper boards of elections, they already know exactly where to go, and it makes the process simple, and all it does is it is just the application. The voter still must get the actual ballot, but if we adopt the Levdansky amendment, you have eliminated that completely, Mr. Speaker, and I think what you have done is put an obstruction into this bill that I do not believe is the intent of the maker of the bill because it is supposed to increase participation.

So on my side of the aisle, I hope we all oppose this, and for those of you who believe that Mr. May is a pretty good political operative for the Democratic side — and I, quite frankly, thought he was very capable — I tend to think that he would be standing here if he could today telling you that the political parties ought to be strengthened and ought to be allowed to continue the process that they already do now in the Commonwealth by allowing the parties to participate.

Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Bucks, Mr. Clymer.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, just let me add my words to oppose this amendment.

The idea of the legislation that we are looking at right now is to make the voting process available to more people. By supporting this amendment, we certainly reduce the number of people that could conceivably participate in the election process.

So without further ado, I would just appeal to my good friends on both sides of the aisle and ask for a "no" vote. Thank you.

The SPEAKER. The Chair recognizes the gentleman from Allegheny County, Mr. Kaiser.

Mr. KAISER. Thank you, Mr. Speaker.

I would just like to comment on the Levdansky amendment, and it is most important that my colleagues on the other side of the aisle pay attention to this, because there are more Democrats than Republicans in the State, and what the Democratic Party can do, basically, is send the application out to every registered voter in your district along with the slate card from the Democratic Party, and that is what is happening.

As a Democrat, I should sit down and not say one word, but in a sense of fairness, I do not think this is the way we should be conducting elections. There are many more Democrats than Republicans. It is going to happen. If you have a swing district over there or if you have a district where there are more Democrats than Republicans and you are the elected Republican, you are going to pay the price, there is no doubt about it, because your seat is going to be targeted and those applications are going to go into your district with a ballot from the Democratic State Committee.

I think we should not conduct business like this. I agree with the Levdansky amendment. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman, Mr. Coy.
Mr. COY. Thank you, Mr. Speaker.

Mr. Speaker, I am not going to try to persuade votes one way or the other so much with what I am going to say except to say that I do not think anyone should vote for or against this amendment, especially for it, thinking that this is going to end some sort of corrupt procedure or some sort of procedure that has not made sense in one district or another. The fact of the matter is, people that want to influence elections, whether it is a political committee, whether it is a State committee, a local committee, are going to find ways to do it. They are going to find ways to access these applications, and they are going to try to influence people to register the way they want to.

So I do not think you should enter into the debate on this amendment, especially if you happen to be for it, thinking that this is going to clean up a process. The fact is that one way or another, people who want to influence elections— And I think Representative Kaiser was right in his comments to the extent that probably if you are outregistered in an individual district, this could be used against you. It is just one of a myriad of things that could be used against you. I know it from a personal point of view, but that should not make your mind up on this amendment.

This amendment speaks a little bit to the idea of the entire subject of process, on whether or not these types of applications should be made available to anybody at any given time, and if political parties are one of those groups that should do it, we should think about letting them do it, add more opportunities. But do not go into this debate thinking that if you vote for this, this is going to end some sort of corrupt procedure or it is going to make for cleaner elections, because people who want to influence elections, whether they want to win control of this body, whether they want to win control of the State Senate, whether they want to elect any given political party or group or candidate, are going to find a way to influence voters in a given district. So whether you are for or against the ability of political parties to distribute these forms and hand them out and make them available and mail them out and whatever else they might do with them, do not enter into this thinking that this is going to clean it up, because people who want to influence elections are going to find a way to do it.

Make your mind up on this amendment as to whether or not you think this extends the franchise further or limits the franchise. Thank you, Mr. Speaker.

FILMING PERMISSION

The SPEAKER. The Chair advises the members that permission has been given to John Sanks of TV-6 to take video of the motor-voter bill.

LEAVE OF ABSENCE CANCELED

The SPEAKER. The Chair at this time returns to leaves of absence and removes from leave the gentleman, Mr. Veon.

CONSIDERATION OF HB 1212 CONTINUED

The SPEAKER. On the question of the Levdansky amendment, the Chair recognizes the gentleman.

Mr. LEVDANSKY. Thank you, Mr. Speaker.

Mr. Speaker, very briefly, let me say this. This amendment is designed to attempt to enhance the integrity of the voter registration process. We want to get people registered to vote, and I want to do everything we can, through this legislation and others, to get people turned out to vote, but I just think that the historic abuse of the absentee ballot application process is what sort of gives all of us, Democrat and Republican, a bit of a black eye, and I do not think this amendment in and of itself is going to solve that entire problem. Okay? Put let me also be clear that this legislation does not prohibit political parties from circulating absentee ballot applications; it just prohibits them from reproducing them. So in no way, shape, or form are we going to hinder political parties when they want to circulate absentee ballot applications. We are just going to prohibit them from the mass production and mass distribution of them, which I think encourages people to vote at home when we ought to be encouraging people to turn out and vote at the polls.

And one final thing, Mr. Speaker, I forgot to mention a little bit earlier, but I view this as sort of a quintessential good-government amendment, which is supported by the League of Women Voters, and would urge an affirmative vote. Thank you.

The SPEAKER. The Chair recognizes the gentleman from Montgomery County, Mr. Bunt, on the question.

Mr. BUNT. Thank you, Mr. Speaker.

On the amendment.

Mr. Speaker, the gentleman, Mr. Levdansky, is to be congratulated on putting a bill together, but unfortunately, Mr. Speaker, he is way off base on this particular amendment. The gentleman made remarks concerning the Second District in Philadelphia, the senatorial district. The problem, Mr. Speaker, was not absentee ballot forms; the problem in Philadelphia was fraudulent absentee ballot forms.

In Montgomery County, Mr. Speaker, in Presidential elections, as a rule, there is a wider participation of the elected voter rolls, and those people that cannot come out to register to vote will vote by absentee ballot if they are out of town or they are on vacation or they are sick. Now, in Montgomery County, as a former chief clerk of the election board in Montgomery County, I can tell you that the counties routinely run out of absentee ballot forms that are provided by the Department of State. We have in the past, in Montgomery County and in Delaware County and in Chester County and in Bucks County, routinely printed our own facsimile of these official absentee ballot forms. We are not concerned, Mr. Speaker, with the type of form.

What Mr. Levdansky is really concerned about is the fraudulent application, if you will, but not the substance of the form.

Mr. Speaker, I do not feel that this amendment is good government, as has been alleged by the sponsor of the amendment. I believe that by voting against this amendment, we will invite greater participation. When an absentee ballot form of any sort comes into the particular election boards in the respective counties, they are verified, the signatures are verified by the registrars as to the validity of that application, and once that has been ascertained, they then will send out an official sample ballot.

The reason for this amendment — and make no other concern about it — is to reduce participation. This does not, by passage of this amendment, offer greater and wider access to the voting platform. Thank you.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—64

Battisto	Gruitza	Michlovic	Stetler
Bebko-Jones	Haluska	Mundy	Sturla
Belardi	Hanna	Olasz	Surra
Bellanti	Horsey	Pesci	Tangretti
Bishop	Itkin	Petrarca	Thomas
Caltagirone	James	Petrone	Travaglio
Cappabianca	Kaiser	Ramos	Trich
Cawley	Kukovich	Readshaw	Van Home
Cohen, L. I.	LaGrotta	Richardson	Veon
Cohen, M.	Laughlin	Robinson	Vitali
Colafella	Lescovitz	Rooney	Washington
Curry	Levdansky	Rudy	Williams
Dermody	Lloyd	Santoni	Wozniak
DeWeese	Lucyk	Scrimenti	Wright, D. R.
George	Manderino	Shaner	Yewcic
Gordner	McCall	Steelman	Youngblood

NAYS—132

Adolph	Druce	Leh	Rubley
Allen	Durham	Lynch	Sainato
Argall	Egolf	Maitland	Sather
Armstrong	Fairchild	Major	Saylor
Baker	Fajt	Markosek	Schroder
Bard	Fargo	Marsico	Schuler
Barley	Farmer	Masland	Semmel
Birmelin	Feese	Mayernik	Serafini
Blaum	Fichter	McGill	Sheehan
Boscota	Fleagle	Meho	Smith, B.
Boyes	Flick	Merry	Smith, S. H.
Brown	Gamble	Micozzie	Snyder, D. W.
Browne	Gannon	Miller	Staback
Bunt	Geist	Nailor	Stairs
Butkovitz	Gigliotti	Nickol	Steil
Buxton	Gladeck	Nyce	Stern
Carn	Godshall	O'Brien	Stish
Carone	Gruppo	Oliver	Strittmatter
Chadwick	Habay	Perzel	Taylor, E. Z.
Civera	Harhart	Pettit	Tigue
Clark	Hasay	Phillips	Trello
Clymer	Hennessey	Piccola	True
Colaizzo	Hershey	Pistella	Tulli
Conti	Hess	Pitts	Vance
Cornell	Hutchinson	Platts	Walke
Corpora	Jadlowiec	Preston	Waugh
Corrigan	Jarolin	Raymond	Wogan
Cowell	Josephs	Reher	Wright, M. N.

Coy	Keller	Reinard	Zimmerman
DeLuca	Kennedy	Rieger	Zug
Dempsey	King	Roberts	
Dent	Krebs	Roebuck	Ryan,
DiGirolamo	Lawless	Rohrer	Speaker
Donatucci	Lederer		

NOT VOTING—1

Mihalich

EXCUSED—6

Daley	Herman	McGeehan	Taylor, J.
Evans	Kirkland		

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

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

Mr. GANNON offered the following amendment No. A2088:

Amend Title, page 1, line 3, by striking out "making appropriations;"
Amend Bill, page 80, by inserting between lines 19 and 20
Section 5103. Federal appropriation.

The secretary of the Commonwealth shall publish a notice in the Pennsylvania Bulletin when funds are received from the Federal Government to cover all the costs of the implementation of this act.

Amend Sec. 5103, page 81, line 5, by striking out "5103" and inserting
5104

Amend Sec. 5104, page 81, line 11, by striking out "5104" and inserting
5105

Amend Sec. 5105, page 82, line 1, by striking out "5105" and inserting
5106

Amend Sec. 5106, page 82, line 17, by striking out "5106" and inserting
5107

Amend Sec. 5107, page 82, line 20, by striking out "5107" and inserting
5108

Amend Sec. 5107, page 82, line 21, by striking out "immediately." and inserting
as follows:

(1) Section 5103 and this section shall take effect immediately.

(2) The remainder of this act shall take effect upon publication of the notice in the Pennsylvania Bulletin as prescribed in section 5103.

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

AMENDMENT WITHDRAWN

The SPEAKER. The Chair recognizes the gentleman from Delaware, Mr. Gannon, on A2088.

Mr. GANNON. Mr. Speaker, I would like to withdraw amendment 2088 and be recognized on consideration of amendment 2089.

The SPEAKER. Amendment A2088 is withdrawn.

On the question recurring,

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

Mr. GANNON offered the following amendment No. A2089:

Amend Title, page 1, line 3, by striking out "making appropriations;"

Amend Table of Contents, page 4, lines 5 through 9, by striking out all of said lines and inserting

Section 5103. Federal appropriation.

Section 5104. Severability.

Section 5105. Repeals.

Section 5106. Applicability.

Section 5107. Retroactivity.

Section 5108. Effective date.

Amend Bill, page 80, by inserting between lines 19 and 20

Section 5103. Federal appropriation.

(a) Effectiveness.—The secretary shall publish a notice in the Pennsylvania Bulletin when funds are received from the Federal Government to cover all of the costs of the implementation of this act.

(b) Procedure.—For the year 1996 and every year thereafter, the following procedure shall apply:

(1) By June 30, each county election board shall certify to the secretary the costs of implementing this act in that county. The costs shall include fraud prevention.

(2) By August 1, the secretary shall petition the Pennsylvania Congressional delegation for an amount which is the total of the amounts under paragraph (1).

(3) By November 1, the secretary shall receive the total amount under paragraph (2) from the Federal Government. The secretary shall publish notice in the Pennsylvania Bulletin upon receipt of the funds. The secretary also shall publish notice in the Pennsylvania Bulletin if the appropriate funds were not received.

(4) By December 1, the secretary shall disburse the funds under paragraph (3) to the counties.

(c) Suspension.—This act shall be suspended during any year in which there is a notice in the Pennsylvania Bulletin that the appropriate funds were not received from the Federal Government.

Amend Sec. 5103, page 81, line 5, by striking out "5103" and inserting

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Amend Sec. 5104, page 81, line 11, by striking out "5104" and inserting

5105

Amend Sec. 5105, page 82, line 1, by striking out "5105" and inserting

5106

Amend Sec. 5106, page 82, line 17, by striking out "5106" and inserting

5107

Amend Sec. 5107, page 82, lines 20 and 21, by striking out all of said lines and inserting

Section 5108. Effective date.

This act shall take effect as follows:

(1) Section 5103(a) and this section shall take effect immediately.

(2) The remainder of this act shall take effect upon publication of the notice in the Pennsylvania Bulletin under section 5103(a).

On the question,

Will the House agree to the amendment?

The SPEAKER. On the question of the adoption of amendment 2089, the Chair recognizes the gentleman, Mr. Gannon.

Mr. GANNON. Mr. Speaker, as everyone in this chamber knows, this Federal law is a Federal mandate on the States without the money to pay for it. At least that is the way it was sent by the Congress to the President and by the President to the several States. Mr. Speaker, we have heard a great deal over the past several months, prior to the last election, about unfunded mandates, particularly unfunded mandates coming from the Federal Government.

Now, what this amendment does is very simple. It simply says that we are willing to go forward with this motor-voter. Many of us think it is a very good idea. We believe it will increase voter participation, perhaps. With the defeat of the last amendment, we believe it will increase the number of people who may vote absentee who would be confined to a home or out of town on business. But this is going to cost money, and it is going to cost a lot of money. Estimates are, just to start up the centralized voter registration data base will be about \$3 million. That does not count the cost to individual counties. Armstrong County alone estimates, just to do the administration of this law is going to cost about \$150,000, and if you multiply that out times every county in the Commonwealth, just using that number — and I am sure in counties like Philadelphia and Delaware and Pittsburgh, Allegheny County, it is going to cost a lot more — we get a figure of about \$6 million. Now, how many children can you feed with \$6 million? How many children can you send to school for \$6 million? We can send quite a few, Mr. Speaker.

If the Federal Government really wants this in place, then the Federal Government should be willing to compensate the States for the cost. What this amendment says is, very briefly, each county will certify to the Treasurer of the State what it will cost that county; the Treasurer will send a voucher down to the U.S. Congress, and the Congress will reimburse the counties for the cost, and then we will go forward with implementing this act; and until the Federal Government comes up with the money to pay for it, it is held in abeyance.

As I stated, Mr. Speaker, this amendment simply says, when the Federal Government comes up with the money to pay our counties for the cost of implementing this Federal law, then it will go forward and be implemented, and we have a specific procedure in this amendment to determine exactly what it will cost each county, and each county will be reimbursed by the State Treasurer upon receipt of the Federal moneys for that cost. What it does is, it puts the funding back in an unfunded mandate.

I ask for a "yes" vote on the amendment, Mr. Speaker.

The SPEAKER. Does the gentleman, Mr. DeWeese, desire recognition? The gentleman, Mr. DeWeese, is recognized.

Mr. DeWEESE. The gentleman, Mr. Gannon, talks to us today about unfunded mandates. Mandates, according to Mr. Gannon, are in the eye of the beholder. Mr. Gannon had no trouble with mandating here, in our State Capitol, what we should do with Temple University and their zoning requirements. Mr. Gannon had no trouble allowing big government to intercede when it came time for Philadelphia's police pension challenges. He wanted mandates then.

I would respectfully suggest that the gentleman maintain some degree of consistency when he argues mandates.

The SPEAKER. The Chair recognizes the gentleman from Allegheny County, Mr. Levdansky.

Mr. LEVDANSKY. Thank you, Mr. Speaker.

This may be a little bit of a difficult act to follow, but let me point out, from my perspective, the reason why we are here today to do this legislation is fundamentally to bring Pennsylvania in compliance with the requirements of the Federal Voter Registration Act and at the same time to get our Governor and our administration and our State off the hook for outstanding obligations in court, wherein a Federal judge has ruled that Pennsylvania must implement motor-voter registration, and if we do not pass this legislation, the judge has already laid down the timeframe for Pennsylvania to begin to implement motor-voter registration without the enabling legislation. But you need to be aware that without this legislation or with the legislation and Representative Gannon's amendment, if we do not get this legislation passed without controversial amendments, what is going to happen is Pennsylvania is going to be mandated to have a dual registration system. You will have a dual registration system where the counties will be required to keep two sets of books — one set of books for voters registered for Federal elections; another set of books for voters registered for State, county, and local elections. And I would submit to you, if that happens, that is going to be the biggest mandate of all. We are going to mandate double the cost of voter registration on each of our county election boards. I do not want to see that happen, and that is what will happen if the Gannon amendment succeeds.

Let me also point out relative to mandates, the Federal Congress just this year passed legislation carrying out this antimandate sentiment that we hear about, but they had the good sense, the Republicans in Congress had the good sense to basically say, in their antimandate legislation was a provision that said, any Federal mandate that costs the States combined less than \$25 million is not covered by the Federal antimandate legislation. Motor-voter costs less than that nationwide to implement. This is not a mandate. This is a good, commonsense approach to getting more people registered to vote and participation in our democracy.

This is a killer amendment that will halt this legislation on its legislative trail, hopefully on to the Governor's desk, and it is going to have Pennsylvania continue to be a shame when you consider what other States are doing to enhance voter registration. I ask for a negative vote.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Bucks, Mr. Clymer.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, I certainly understand in a philosophical way what the gentleman, Mr. Gannon, is attempting to do. Unfortunately, this would not be able to bear the fruit. It would create more problems than it would solve. It would not move the bill forward, which is what we are attempting to do today.

As I just mentioned, while I can sympathize with my good friend, Representative Gannon, I must tell you that I have to oppose the amendment and ask the members to do likewise. Thank you.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—56

Allen	Fleagle	Lawless	Schuler
Armstrong	Flick	Leh	Serafini
Baker	Gannon	Lescovitz	Sheehan
Barley	Geist	Lynch	Smith, B.
Birmelin	Gladeck	Maitland	Smith, S. H.
Boyes	Godshall	Nyce	Snyder, D. W.
Brown	Habay	O'Brien	Strittmatter
Bunt	Hanna	Perzel	True
Conti	Harhart	Pitts	Wogan
Cornell	Hasay	Raymond	Zimmerman
Dent	Hershey	Reinard	Zug
DiGirolamo	Hutchinson	Rohrer	
Druce	Jadlowiec	Saylor	Ryan,
Durham	Kenney	Schroder	Speaker
Feese	King		

NAYS—138

Adolph	Egolf	Mayernik	Sather
Argall	Fairchild	McCall	Scrimenti
Bard	Fajt	McGill	Semmel
Battisto	Fargo	Melio	Shaner
Bebko-Jones	Farmer	Merry	Staback
Belardi	Fichter	Michlovic	Stairs
Belfanti	Gamble	Micozzie	Steelman
Bishop	George	Mihalich	Steil
Blaum	Gigliotti	Miller	Stern
Boscola	Gordner	Mundy	Steller
Browne	Gruitza	Naifor	Stish
Butkowitz	Gruppo	Nickol	Sturla
Buxton	Haluska	Olasz	Surra
Caltagirone	Hennessey	Oliver	Tangretti
Cappabianca	Hess	Pesci	Taylor, E. Z.
Cam	Horsey	Petrarca	Thomas
Carone	Itkin	Petrone	Tigue
Cawley	James	Pettit	Travaglio
Chadwick	Jarolin	Phillips	Trello
Clark	Josephs	Piccola	Trich
Clymer	Kaiser	Pistella	Tulli
Cohen, L. I.	Keller	Piaffs	Vance
Cohen, M.	Krebs	Preston	Van Horne
Colafella	Kukovich	Ramos	Veon
Colaizzo	LaGrotta	Readshaw	Vitali
Corpora	Laughlin	Reber	Walko
Corrigan	Lederer	Richardson	Washington
Cowell	Levdansky	Robinson	Waugh
Coy	Lloyd	Roebuck	Williams
Curry	Lucyk	Rooney	Wozniak
DeLuca	Major	Rubley	Wright, D. R.
Dempsey	Manderino	Rudy	Wright, M. N.
Dermody	Markosek	Saimato	Yewcic
DeWeese	Marsico	Santoni	Youngblood
Donatucci	Masland		

NOT VOTING—3

Civera	Rieger	Roberts
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EXCUSED—6

Daley	Hernan	McGeehan	Taylor, J.
Evans	Kirkland		

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

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

Mr. **NICKOL** offered the following amendment No. **A2102**:

Amend Table of Contents, page 4, lines 5 through 9, by striking out all of said lines and inserting

Section 5103. Delivering or mailing official absentee ballots.

Section 5104. Severability.

Section 5105. Repeals.

Section 5106. Applicability.

Section 5107. Retroactivity.

Section 5108. Effective date.

Amend Bill, page 80, by inserting between lines 19 and 20

Section 5103. Delivering or mailing official absentee ballots.

(a) General rule.—Except as provided under subsection (b), an absentee ballot shall only be delivered to an elector by mail or obtained directly by an elector who appears at the office of the county election board. An elector who obtains an absentee ballot at the office of the county election board shall be required to sign an acknowledgment of receipt of the ballot which shall be retained by the county election board under section 1302.3(a) of the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code. If any person delivers or attempts to deliver his absentee ballot by any other means, the ballot shall be declared void. A person who delivers or attempts to deliver another person's ballot by any other means commits a misdemeanor and shall, upon conviction, be sentenced to a fine of not more than \$1,000 or to imprisonment for one year, or both, at the discretion of the court.

(b) Exception.—An otherwise qualified elector who is physically disabled or ill and who has executed an emergency absentee ballot application in accordance with section 1302.1 of the Pennsylvania Election Code may designate a person who shall be permitted to deliver the absentee ballot to the elector. The designation shall be in the form of a statement prescribed by the secretary and shall be witnessed by one adult person.

Amend Sec. 5103, page 81, line 5, by striking out "5103" and inserting

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Amend Sec. 5104, page 81, line 11, by striking out "5104" and inserting

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Amend Sec. 5105, page 82, line 1, by striking out "5105" and inserting

5106

Amend Sec. 5106, page 82, line 17, by striking out "5106" and inserting

5107

Amend Sec. 5107, page 82, line 20, by striking out "5107" and inserting

5108

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

The **SPEAKER**. On the question of the adoption of the amendment, the Chair recognizes the gentleman.

Mr. **NICKOL**. Thank you, Mr. Speaker.

On November 28, 1994, the supervising judge of the Ninth Statewide Investigating Grand Jury, the Honorable G. Thomas Gates, senior judge of the court of common pleas of Lebanon County, issued an order accepting Investigating Grand Jury Report No. 2 issued by the Ninth Statewide Investigating Grand Jury. This was an investigation relating to the 1993 special election in the

Second Senatorial District in Philadelphia. In his order, Judge Gates found that the report regards public corruption and that it proposes recommendations for legislative, executive, and/or administrative action.

One of the recommendations for legislative action called for prohibiting delivery of absentee ballots except by mail unless someone appears in person at the elections office. My amendment would add this language to HB 1212 but provide an exemption for emergency absentee ballot applications, the timing of which would make mail delivery all but impossible.

I would urge the members to support the amendment. Thank you.

The **SPEAKER**. The Chair thanks the gentleman.

On the question, the Chair recognizes the gentleman from Allegheny County, Mr. **Levdansky**.

Mr. **LEVDANSKY**. Mr. Speaker, I urge an affirmative vote on the amendment.

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

The following roll call was recorded:

YEAS—197

Adolph	Egolf	Maitland	Saylor
Allen	Fairchild	Major	Schroder
Argall	Fajt	Manderino	Schuler
Armstrong	Fargo	Markosek	Scrimenti
Baker	Farmer	Marsico	Semmel
Bard	Feese	Masland	Serafini
Barley	Fichter	Mayernik	Shaner
Battisto	Fleagle	McCall	Sheehan
Bebko-Jones	Flick	McGill	Smith, B.
Belardi	Gamble	Melio	Smith, S. H.
Belfanti	Gannon	Merry	Snyder, D. W.
Birmelin	Geist	Michlovic	Staback
Bishop	George	Micozzie	Stairs
Blaum	Gigliotti	Mihalich	Steelman
Boscola	Gladeck	Miller	Steil
Boyes	Godshall	Mundy	Stern
Brown	Gordner	Nailor	Stetler
Browne	Gruitza	Nickol	Stish
Bunt	Gruppo	Nyce	Strittmatter
Butkovitz	Habay	O'Brien	Sturla
Buxton	Haluska	Olasz	Surra
Caltagirone	Hanna	Oliver	Tangretti
Cappabianca	Harhart	Perzel	Taylor, E. Z.
Carone	Hasay	Pesci	Thomas
Cawley	Hennessey	Petrarca	Tigue
Chadwick	Hershey	Petrone	Travaglio
Civera	Hess	Pettit	Trello
Clark	Horsey	Phillips	Trich
Clymer	Hutchinson	Piccola	True
Cohen, L. I.	Itkin	Pistella	Tulli
Cohen, M.	Jadlowiec	Pitts	Vance
Colaella	James	Platts	Van Horne
Colaizzo	Jarolin	Preston	Veon
Conti	Josephs	Ramos	Vitali
Cornell	Kaiser	Raymond	Walko
Corpora	Keller	Readshaw	Washington
Corrigan	Kenney	Reber	Waugh
Cowell	King	Reinard	Williams
Coy	Krebs	Richardson	Wogan
Curry	Kukovich	Rieger	Wozniak
DeLuca	LaGrotta	Roberts	Wright, D. R.
Dempsey	Laughlin	Robinson	Wright, M. N.
Dent	Lawless	Roebuck	Yeweic
Dermody	Lederer	Rohrer	Youngblood
DeWeese	Leh	Rooney	Zimmerman
	Lescovitz	Rubley	Zug

DiGirolamo	Levdansky	Rudy	Ryan,
Donatucci	Lloyd	Sainato	Speaker
Druce	Lucyk	Santoni	
Durham	Lynch	Sather	

NAYS—0

NOT VOTING—0

EXCUSED—6

Daley	Herman	McGeehan	Taylor, J.
Evans	Kirkland		

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

On the question recurring,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

The Chair recognizes the gentleman from Allegheny County, Mr. Levdansky.

Mr. LEVDANSKY. Thank you, Mr. Speaker.

Mr. Speaker, the National Voter Registration Act of 1993 requires States to offer its citizens the opportunity to register to vote when they renew their drivers' licenses or when they have occasion to visit various government agency offices.

I have been fighting to implement motor-voter in Pennsylvania for 7 years. I hope we can now pass this legislation and quickly get it to Governor Ridge's desk for his signature. We cannot sit back and wait any longer. If we continue to wait, Pennsylvanians will continue to be disenfranchised and our legal fees will continue to mount. Other States are registering voters by the tens and hundreds of thousands since the Federal law took effect. If Pennsylvania continues to wait to implement motor-voter, our voice in the American governmental system will fade. We must implement motor-voter so that we can begin to register people as other States have already done, and other States' experience has been not only do we get more and more people registered to vote but we see a significant increase in voter participation as well.

This program works. New voters registered under the motor-voter law in 1995 have grown dramatically. According to news reports, over 637,000 people in 27 States have registered to vote just since January of 1995. We have not seen this many new registered voters in our country since the Voting Rights Act of 1965 took effect.

We must continue to make access to voting easy for our citizens because voting is a right and not a privilege. This law will provide a more readily available means to register and to change registration when an individual has changed residences.

We must also act quickly because the U.S. Department of Justice and several citizen action groups have filed Federal lawsuits against the Commonwealth for its failure to implement this legislation. In order to comply with the law of the land and to have these lawsuits

removed, we must pass this legislation expeditiously and have it signed into law. HB 1212 is the best plan to bring Pennsylvania into conformity with the National Voter Registration Act.

This bill before us today is the result of a bipartisan effort here in the House. I want to thank Chairman Clymer and Chairman Oliver and their staffs for all their assistance in bringing this legislation to the floor, as well as Representative Perzel and his staff as well. We have spent countless hours discussing this legislation and making changes in order to have a bill that we can pass and send to the Senate. I also want to thank Governor Ridge and his staff for their input and assistance in developing this legislation.

Finally, let me say this: Democracy is something that our forefathers fought hard to obtain. That fight has continued and will continue. But today we have the opportunity to advance democracy even further. Let us pass HB 1212 and show the citizens of Pennsylvania and the people in our Nation that democracy can and will work for them. HB 1212 improves access to democracy for all Pennsylvanians — rich and poor, rural and urban, black and white or Hispanic, men and women. It is good for all of us, and I urge an affirmative vote. Thank you.

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

Mr. GANNON. Yes, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. GANNON. Mr. Speaker, I would like to interrogate the prime sponsor of the bill.

The SPEAKER. The gentleman, Mr. Levdansky, indicates he will stand for interrogation. The gentleman, Mr. Gannon, may proceed.

Mr. GANNON. Mr. Speaker, this matter was brought before us by a Federal lawsuit. The Attorney General, Janet Reno, filed a lawsuit against the State of Pennsylvania. A Federal judge then enjoined our Secretary of the Commonwealth to follow the provisions of the Federal law.

Now, my question is this: If this Federal law is ultimately found to be unconstitutional in that it regulates and tells the States how to conduct elections, will this, HB 1212, should it become law, continue as the law of Pennsylvania or will it too fall?

Mr. LEVDANSKY. Mr. Speaker, I think the best response I can give to that is that the constitutionality of the Federal law has already been tried in Federal court, and Federal courts have already deemed the Federal Voter Registration Act to be constitutional, so that issue has already been answered. The Federal legislation is constitutional, and by passing this law, Pennsylvania will come into compliance with the Federal law.

Mr. GANNON. Mr. Speaker, has this Federal law been tested at any Federal appellate court?

Mr. LEVDANSKY. Yes.

Mr. GANNON. Which appellate court heard this?

Mr. LEVDANSKY. Mr. Speaker, with a little bit of research, I could be extremely accurate about this, but I believe it was either Illinois or California that tested the constitutionality of the Federal law, and Federal court, in one of those regions of the country, deemed the Federal law to be constitutional.

Mr. GANNON. Are you saying this was a Federal appeals court?

Mr. LEVDANSKY. Yes.

Mr. GANNON. Has this law—

Mr. LEVDANSKY. Excuse me. Maybe not appeals court; I believe it was Federal district court.

Mr. GANNON. So it would be fair to say that we are at the very beginning of the judicial process on the constitutionality of this law?

Mr. LEVDANSKY. Mr. Speaker, from my perspective, the legal challenge has been raised and has been answered in other States as well as here in Pennsylvania. You know, Pennsylvania took the approach that not only did Janet Reno bring our Governor and our State into Federal court charging us with noncompliance with the Federal law but so did several citizen organizations. I believe Common Cause and the League of Women Voters and other organizations brought suit, and it has been determined by a Federal judge here in Pennsylvania, who, I might add, is a Republican from Lancaster County, I believe, who has said that Pennsylvania must come into compliance with the Federal law. So I think all the legal questions have been raised and have been answered sufficiently to this point.

Mr. GANNON. Well, the United States Supreme Court, has it heard the question of the constitutionality of this law?

Mr. LEVDANSKY. No, not to my knowledge.

Mr. GANNON. All right. Now my question is this; let me rephrase my question.

If the United States Supreme Court ultimately determines that this law is unconstitutional, will this HB 1212 continue as the law of Pennsylvania if the Federal law which forced us here today is ultimately held to be unconstitutional?

Mr. LEVDANSKY. Mr. Speaker, I am not a constitutional attorney; I am not even an attorney. But my understanding is, if the Federal Supreme Court says that a law is unconstitutional, then it is unconstitutional, but that is a determination to be made by the Federal Supreme Court.

In the meantime, Mr. Speaker, in the meantime, I think it is incumbent upon everyone to follow the law of the land, and the law of the land says that this legislation, this Federal legislation, is constitutional, and until the United States Supreme Court says otherwise, I think it is incumbent upon us to follow the law of the land.

Mr. GANNON. Mr. Speaker, I have a followup question. I am sorry, Mr. Speaker.

Is there anything in the bill that says if the Federal law is held unconstitutional, the law that this bill enacts becomes null and void?

Mr. LEVDANSKY. Mr. Speaker, there is a clear severability clause in the legislation. If that is held to be so, then the regular voter registration part of the bill can stand and the motor-voter provision of it can be severable, if courts at a later date deem it to be unconstitutional.

Mr. GANNON. Thank you, Mr. Speaker.

That is all the questions I have, Mr. Speaker. Just a comment for the record.

The SPEAKER. The gentleman is in order.

Mr. GANNON. To the minority leader, consistency is the hobgoblin of small minds.

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. James.

Mr. JAMES. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of HB 1212, because only one in three Pennsylvania residents turned out to cast their vote during the general election last November, and I believe those figures represent a government that is failing to accommodate its constituents. As State legislators, we are compelled to take action and raise the level of participation in the democratic process. Motor-voter legislation would do just that.

In West Virginia, more than 6,250 individuals registered in the first 2 months of 1995 compared to 10,000 registrations in all of 1994. In New York State, more than 21,000 individuals registered in the first 13 days of 1995, and through February, New York registered a total of 36,892 new voters under the motor-voter law. Delaware registered a total of 7,861 new voters through February. So therefore, motor-voter legislation has proven successful across the country, and I believe that Pennsylvania should be part of that success.

This bill is desperately needed to protect and maintain the constitutional rights of every Pennsylvania resident through very simple reforms.

Motor-voter legislation would update and improve voter registration, and it would simplify the process by targeting major flaws in the system. It would allow anyone applying for or renewing a driver's license to register to vote. Motor-voter legislation would involve more Pennsylvania residents in the democratic process by eliminating bureaucratic hurdles.

It would also allow changes of address filed with the State Department of Transportation to serve as a change of address for voter registration. Motor-voter legislation would remove unnecessary barriers that keep many individuals from registering to vote.

It would require public assistance offices, State offices that provide services to the disabled, and armed services recruitment offices to provide clients with help in completing voter registration applications. Florida registered more than 18,000 poor women and minorities at public assistance agencies during January of 1995. Texas registered more than 19,000, and Indiana registered more than 12,000 during the same month.

Mr. Speaker, motor-voter legislation would save the State and local municipalities from spending taxpayer money on a frivolous lawsuit that would cost the State millions and cast Pennsylvania in a shadow of national embarrassment. The Federal Voter Registration Act of 1993 requires we have motor-voter legislation, so we cannot punish taxpayers for our lack of action. We approved a bill last session, 159 to 41, to ease voter registration restrictions and meet Federal requirements. That measure was rejected by the Senate on the last day of the 2-year legislative session in 1994 by a vote of 24 to 26.

It is important to note the bipartisan effort that went into producing this bill, and it is a product of ongoing negotiations between Republicans, Democrats, and other officials within State government. This measure does not benefit either party; it benefits democracy and the residents of Pennsylvania.

So I urge my fellow House members to vote as they did last year and in greater numbers as we approve this important measure. We need to come together here today to save taxpayers money and to increase citizen participation in our democracy and vote for this bill. Thank you.

The SPEAKER. On the question of final passage of HB 1212, the Chair recognizes the Democratic leader, Mr. DeWeese.

Mr. DeWEESE. Sixty seconds, Mr. Speaker. Thank you.

I would like to congratulate Governor Ridge, because without his intercessions and inspirations and motivations, this particular measure, notwithstanding the dogged and assiduous work of Mr. Levinsky, would probably not be on our table today. But Mr. Levinsky and his unyielding efforts over the span and Governor Ridge with his enlightened perspective of the moment allow us to commence a new 100 days, Mr. Speaker, and I think it is auspicious, and I hope that for the next 100 days our brothers and

sisters in the State Senate will do as they did with the "no means no" legislation that came flying out of the House Democrats' bailiwick last year. They passed it this year. I hope they will also work hard and work quickly to make sure this measure is signed into law and to make sure that other measures such as local property tax reform and budget reform are also realized.

So with those observations, thanking Mr. Ridge, Mr. Levdansky, et al., I do hope that we can commence the next 100 days in this same cooperative spirit. Thank you, Mr. Speaker.

The SPEAKER. The gentleman used 63 seconds.

The Chair recognizes the gentleman, Mr. Clymer.

Mr. CLYMER. Thirty seconds, Mr. Speaker.

Mr. Speaker, we are providing today the citizens of Pennsylvania to participate in the election process not only of Pennsylvania but of these United States of America, the greatest nation in the world. Hopefully, they will become the good citizens they should and take advantage of what we are providing for them today with this motor-voter process. Thank you.

The SPEAKER. The Chair thanks the gentleman. Twenty-one seconds, Mr. DeWeese.

On the question recurring,
Shall the bill pass finally?

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

YEAS—184

Adolph	Durham	Masland	Scrimenti
Allen	Fajt	Mayernik	Semmel
Argall	Fargo	McCall	Serafini
Armstrong	Farmer	Melio	Shaner
Baker	Fleagle	Merry	Sheehan
Bard	Gamble	Michlovic	Smith, B.
Barley	Gannon	Micozzie	Smith, S. H.
Battisto	Geist	Mihalich	Snyder, D. W.
Hebko-Jones	George	Miller	Staback
Belardi	Gigliotti	Mundy	Stairs
Belfanti	Godshall	Nailor	Steelman
Birmelin	Gordner	Nickol	Steil
Bishop	Gruitza	Nyce	Stern
Blaum	Gruppo	O'Brien	Stetler
Boscola	Habay	Olasz	Stish
Boyes	Haluska	Oliver	Strittmatter
Browne	Hanna	Perzel	Sturla
Bunt	Harhart	Pesci	Surra
Butkovitz	Hasay	Petrarca	Tangretti
Buxton	Hennessey	Petrone	Taylor, E. Z.
Caltagirone	Hershey	Pettit	Thomas
Cappabianca	Hess	Phillips	Tigue
Carn	Horsey	Piccola	Travaglio
Carone	Hutchinson	Pistella	Trello
Cawley	Itkin	Pitts	Trich
Chadwick	Jadlowiec	Platts	True
Civera	James	Preston	Tulli
Clark	Jarolin	Ramos	Vance
Clymer	Josephs	Raymond	Van Horne
Cohen, I. I.	Kaiser	Readshaw	Veon
Cohen, M.	Keller	Reber	Vitali
Colafella	Kenney	Reinard	Walko
Colaizzo	King	Richardson	Washington
Conti	Krebs	Rieger	Waugh
Corpora	Kukovich	Roberts	Williams
Corrigan	LaGrotta	Robinson	Wogan
Cowell	Laughlin	Roebuck	Wozniak
Coy	Lawless	Rooney	Wright, D. R.
Curry	Lederer	Rubley	Wright, M. N.
DeLuca	Lescovitz	Rudy	Yewcic
Dempsey	Levdansky	Sainato	Youghblood

Dent	Lloyd	Santoni	Zimmerman
Dermody	Lucyk	Sather	Zug
DeWeese	Major	Saylor	
DiGirolamo	Manderino	Schroder	Ryan,
Donatucci	Markosek	Schuler	Speaker
Druce	Marsico		

NAYS—11

Brown	Feese	Leh	McGill
Cornell	Fichter	Lynch	Rohrer
Egolf	Gladeck	Maitland	

NOT VOTING—2

Fairchild	Flick
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EXCUSED—6

Daley	Herman	McGeehan	Taylor, J.
Evans	Kirkland		

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 recognizes the Democratic floor leader, the gentleman, Mr. DeWeese.

Mr. DeWEESE. Mr. Speaker, the gentleman, Mr. Perzel, indicated that HB 843 would be brought up for a vote if Mr. Kukovich withdrew his amendments. Mr. Kukovich has withdrawn his amendments, and I am just anxious to know what the rest of the day's calendar will be relative to Mr. Perzel's unequivocal pronouncements.

The SPEAKER. The Chair recognizes the gentleman, Mr. Perzel. Mr. PERZEL. Thank you, Mr. Speaker.

Earlier today, Mr. Speaker, I made an announcement about what we would do with the Druce bill. It was my understanding from talking to my staff that they had talked to Representative DeWeese's staff and that all the amendments were withdrawn with the exception of the Kukovich amendments. Obviously, I was mistaken, Mr. Speaker, because there are still a number of amendments left on there. At this point in time we would not anticipate running that bill as long as those amendments are still on there.

I would like to at least ask for a caucus on the bill on Monday and end the legislative session for today.

The SPEAKER. The Chair thanks the gentleman.

Does the majority leader, Mr. Perzel, have any further business in connection with the regular session?

The gentleman, Mr. DeWeese?

Mr. DeWEESE. Believe it or not, this is a very amiable moment.

I would like to, on behalf of the men and women I am privileged to work with and serve, wish the Speaker a happy birthday. I hope you have many more, sir.

The SPEAKER. Thank you.

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

HB 401, PN 1741 (Amended) By Rep. STAIRS

An Act amending the act of April 27, 1927 (P.L.465, No.299), referred to as the Fire and Panic Act, providing for penalties relating to school tobacco control; and further providing for penalties relating to smoking in prohibited areas.

EDUCATION.

HB 1414, PN 1635 By Rep. STAIRS

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for definition of "professional employe" to include school social workers.

EDUCATION.

SB 1, PN 1019 (Amended) By Rep. REBER

An Act providing for the recycling of existing industrial and commercial sites; further defining the cleanup liability of new industries and tenants; establishing a framework for setting environmental remediation standards; establishing the Voluntary Cleanup Loan Fund and the Industrial Land Recycling Fund to aid industrial site cleanups; assigning powers and duties to the Environmental Quality Board and the Department of Environmental Resources; and making repeals.

ENVIRONMENTAL RESOURCES AND ENERGY.

SB 11, PN 1017 (Amended) By Rep. REBER

An Act limiting environmental liability for economic development agencies, financiers and fiduciaries.

ENVIRONMENTAL RESOURCES AND ENERGY.

SB 12, PN 1018 (Amended) By Rep. REBER

An Act providing grants for conducting assessments of abandoned industrial sites; establishing a fund; providing for funding; and imposing duties upon the Department of Commerce.

ENVIRONMENTAL RESOURCES AND ENERGY.

HB 1212 RECONSIDERED

The SPEAKER. The Chair recognizes the gentleman, Mr. Perzel, who moves that the vote by which HB 1212 was passed on the 26th day of April be reconsidered.

There was an oversight in the vote on HB 1212. There is a motion to reconsider the vote by which HB 1212 passed on the 26th day of April. There is a motion to reconsider it.

We will take a quick vote on this without debate, hopefully.

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

The following roll call was recorded:

YEAS-194

Adolph	Egolf	Maitland	Saylor
Allen	Fairchild	Major	Schroder
Argall	Fajt	Manderino	Schuler
Armstrong	Fargo	Markosek	Scrimenti
Baker	Farmer	Marsico	Semmel
Bard	Feese	Masland	Serafini
Barley	Fichter	Mayernik	Shaner
Battisto	Fleagle	McCall	Sheehan
Bebko-Jones	Flick	McGill	Smith, B.
Belardi	Gamble	Melio	Smith, S. H.
Belfanti	Gannon	Merry	Snyder, D. W.
Birmelin	Geist	Michlovic	Staback
Bishop	George	Micozzie	Stairs
Blaum	Gigliotti	Mihalich	Steelman
Boscola	Gladeck	Miller	Steil
Boyes	Godshall	Mundy	Stern
Brown	Gordner	Nailor	Stetler
Browne	Gruitza	Nickol	Stish
Bunt	Gruppo	Nyce	Strittmatter
Butkovitz	Habay	O'Brien	Sturla
Buxton	Haluska	Olasz	Surra
Caltagirone	Hanna	Oliver	Tangretti
Cappabianca	Harhart	Perzel	Taylor, E. Z.
Carn	Hasay	Pesci	Thomas
Carone	Hennessey	Petrarca	Tigue
Cawley	Hershey	Petrone	Travaglio
Chadwick	Hess	Pettit	Trello
Civera	Horsey	Phillips	Trich
Clark	Hutchinson	Piccola	True
Clymer	Itkin	Pistella	Tulli
Cohen, L. I.	Jadlowiec	Pitts	Vance
Cohen, M.	James	Platts	Van Horne
Colafella	Jarolin	Preston	Veon
Colaizzo	Josephs	Ramos	Vitali
Conti	Kaiser	Raymond	Walko
Cornell	Keller	Readshaw	Washington
Corpora	Kenney	Reber	Waugh
Corrigan	King	Reinard	Williams
Cowell	Krebs	Richardson	Wogan
Coy	Kukovich	Rieger	Wozniak
Curry	Laughlin	Roberts	Wright, D. R.
DeLuca	Lawless	Robinson	Wright, M. N.
Dempsey	Lederer	Roebuck	Yeweic
Dent	Leh	Rohrer	Youngblood
DeWeese	Lescovitz	Rooney	Zimmerman
DiGirolamo	Levdansky	Rubley	Zug
Donatucci	Lloyd	Rudy	
Druce	Lucyk	Santoni	Ryan,
Durham	Lynch	Sather	Speaker

NAYS-0

NOT VOTING-3

Dermody	LaGrotta	Sainato
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EXCUSED-6

Daley	Herman	McGeehan	Taylor, J.
Evans	Kirkland		

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

On the question recurring,
Shall the bill pass finally?

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

YEAS-184

Adolph	Durham	Marsico	Schuler
Allen	Fairchild	Masland	Scrimenti
Argall	Fajt	Mayernik	Semmel
Armstrong	Fargo	McCall	Serafini
Baker	Farmer	Melio	Shaner
Bard	Fleagle	Merry	Sheehan
Barley	Gamble	Michlovic	Smith, B.
Battisto	Gannon	Micozzie	Smith, S. H.
Bebko-Jones	Geist	Mihalich	Snyder, D. W.
Belardi	George	Miller	Staback
Belfanti	Gigliotti	Mundy	Steelman
Birmelin	Godshall	Nailor	Steil
Bishop	Gordner	Nickol	Stern
Blaum	Gruitza	Nyce	Stetler
Boscola	Gruppo	O'Brien	Stish
Boyes	Habay	Olasz	Strittmatter
Browne	Haluska	Oliver	Sturla
Bunt	Hanna	Perzel	Surra
Butkovitz	Harhart	Pesci	Tangretti
Buxton	Hasay	Petrarca	Taylor, E. Z.
Caltagirone	Hennessey	Petrone	Thomas
Cappabianca	Hershey	Pettit	Tigue
Carn	Hess	Phillips	Travaglio
Carone	Horsey	Piccola	Trello
Cawley	Hutchinson	Pistella	Trich
Chadwick	Itkin	Pitts	True
Civera	Jadlowiec	Platts	Tulli
Clark	James	Preston	Vance
Clymer	Jarolin	Ramos	Van Horne
Cohen, L. I.	Josephs	Raymond	Veon
Cohen, M.	Kaiser	Readshaw	Vitali
Colafella	Keller	Reber	Walko
Colaizzo	Kenney	Reinard	Washington
Conti	King	Richardson	Waugh
Corpora	Krebs	Rieger	Williams
Corrigan	Kukovich	Roberts	Wogan
Cowell	LaGrotta	Robinson	Wozniak
Coy	Laughlin	Roebuck	Wright, D. R.
Curry	Lawless	Rooney	Wright, M. N.
DeLuca	Lederer	Rubley	Yewcic
Dempsey	Iescovitz	Rudy	Youngblood
Dent	Levdansky	Sainato	Zimmerman
Dermody	Lloyd	Santoni	Zug
DeWeese	Lucyk	Sather	
DiGirolamo	Major	Saylor	Ryan,
Donatucci	Manderino	Schroder	Speaker
Druce	Markosck		

NAYS-13

Brown	Fichter	Lch	McGill
Cornell	Flick	Lynch	Rohrer
Egolf	Gladeck	Maitland	Stairs
Feese			

NOT VOTING-0

EXCUSED-6

Daley	Herman	McGeehan	Taylor, J.
Evans	Kirkland		

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 thanks the members of the House for their patience.

VOTE CORRECTION

The SPEAKER. For what purpose does the gentleman, Mr. Roberts, from Fayette seek recognition ?

Mr. ROBERTS. For a correction to the record, please.

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

Mr. ROBERTS. Mr. Speaker, during the voting of HB 1212, amendment 2089, my switch malfunctioned, and I would like to be shown as voting in the negative.

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

Mr. ROBERTS. Thank you, Mr. Speaker.

BILLS REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader, Mr. Perzel.

Mr. PERZEL. Mr. Speaker, I move that HB 401, HB 1095, HB 1414, SB 1, SB 11, and SB 12 be removed from the table.

On the question,

Will the House agree to the motion ?

Motion was agreed to.

BILLS RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader, Mr. Perzel.

Mr. PERZEL. Mr. Speaker, I move that HB 401, HB 1095, HB 1414, SB 1, SB 11, and SB 12 be recommitted to the Committee on Appropriations.

On the question,

Will the House agree to the motion ?

Motion was agreed to.

BILL RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader.

Mr. PERZEL. Mr. Speaker, I move that HB 961, PN 1078, be recommitted to the Committee on Appropriations.

On the question,

Will the House agree to the motion ?

Motion was agreed to.

The SPEAKER. Does the majority leader, Mr. Perzel, have any further business in regular session ?

Do the Democratic floor leaders have any further business in regular session ?

ADJOURNMENT

The SPEAKER. The Chair recognizes the gentleman from Philadelphia County, Mr. Horsey.

Mr. HORSEY. Mr. Speaker, I move that this House do now adjourn until Monday, May 1, 1995, at 1 p.m., e.d.t., unless sooner recalled by the Speaker.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 3:10 p.m., e.d.t., the House adjourned.