

**HOUSE OF REPRESENTATIVES**

The House convened at 11:05 a.m., e.d.t.

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

**PRAYER**

The SPEAKER. Without objection, the prayer from today's regular session will be printed in today's special session Journal.

REV WAYNE SAWYER, pastor of First Free Methodist Church, Oil City, Pennsylvania, offered the following prayer:

On this day of the Commonwealth Prayer Breakfast, using the theme "Strengthening America's Greatness," let us again join in Prayer.

God our Father, who brings new life in the springtime and who sets the solitary in families, we pray for Your rich blessings to be upon the families of Pennsylvania, especially during the month of May, which highlights family life.

We ask You to protect, enrich, and guide the home of each member of this Assembly and their staff.

We ask You to bring new life to the families of our State, rekindling godly, essential values of faith and hope, justice and compassion.

Lord, amid the technology of our time, help us to remember that such a homemade virtue as "helping others as we would want to be helped" is learned first and best in a family circle.

And then, amid the violence in our world, Lord, help us to model such an attitude, even in this chamber and everywhere.

In the name of God our Saviour, we pray. Amen.

**PLEDGE OF ALLEGIANCE  
DISPENSED WITH**

The SPEAKER. The Pledge of Allegiance will be dispensed with.

**JOURNAL APPROVAL POSTPONED**

The SPEAKER. Without objection, the approval of the Journal of the special session of Monday, May 8, 1995, will be postponed until printed. The Chair hears no objection.

**LEAVES OF ABSENCE**

The SPEAKER. The leaves of absence granted in today's regular session will also be granted in the special session.

**MASTER ROLL CALL**

The SPEAKER. The master roll call in the regular session will be the special session master roll call. The Chair hears no objection.

**CALENDAR**

**BILLS ON CONCURRENCE  
IN SENATE AMENDMENTS**

The House proceeded to consideration of concurrence in Senate amendments to **HB 3, PN 149**, entitled:

An Act providing for DNA testing of certain offenders; establishing the State DNA Data Base and the State DNA Data Bank; further providing for duties of the Pennsylvania State Police, imposing costs on certain offenders; and establishing the DNA Detection Fund.

On the question,

Will the House concur in Senate amendments?

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

**YEAS—197**

Adolph	Dorfum	Luesk	Saylor
Allen	Egolf	Lynch	Schoder
Argall	Farchild	Maitland	Schuler
Armstrong	Fajt	Mason	Serromani
Baker	Fargo	Maderino	Sewell
Bar	Farmer	Markoski	Serbin
Barley	Kass	Marsico	Shaner
Barstow	Fichter	Masland	Sheehan
Bakko-Jones	Fleghly	Mazurak	Smith, J.
Belardi	Flick	McCall	Smith, S. H.
Belloni	Chornick	McCreehan	Snyder, J. W.
Birmelin	Gannon	McGill	Staback
Bishop	Geist	McIn	Stark
Blaug	George	Merry	Steffman
Boscola	Gigliotti	Mihelovic	Stral
Bryce	Gladeck	Micozzie	Stern
Brown	Goldblatt	Strohach	Stratler
Browne	Grodner	Miller	Strumatter
Bunt	Gruppo	Mundy	Sturla
Butkovicz	Habay	Nailor	Naura
Huston	Halska	Niskal	Tangretti
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Clark	Horsev	Pettit	Truh
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Cohen, M.	Jedlowice	Pitts	Van Horne
Colafella	James	Plata	Veen
Coluzzo	Jarolin	Preston	Vitoh
Condi	Josephs	Rasnos	Walke
Cornell	Kaiser	Raymond	Washington
Cortopa	Keller	Reaushaw	Waugh
Corrigan	Kenney	Reber	Williams
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Curry	Krebs	Roberts	Wright, D. R.
Daley	Kukovich	Robinson	Wright, M. N.
DeLuca	Lafretta	Roehrk	Yewick
Dempsey	Laughlin	Rohrer	Youngblood
DeW	Lawless	Rooney	Zimmerman
Dermody	Lederer	Rubley	Zug
DeWissert	Leli	Rudy	
DiCiriolamo	Lescovitz	Sainaso	Byan, Speaker
Dornhueser	Lisowsky	Santoni	
Druce	Lloyd	Sather	

NAYS 0

NOT VOTING—0

EXCUSED 6

Evans	Peterson	Reinard	Stah
Chaplin	Pistella		

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

Ordered, That the clerk inform the Senate accordingly.

\*\*\*

The House proceeded to consideration of concurrence in Senate amendments to HB 5, PN 150, entitled:

An Act amending the act of April 9, 1929 (P.L. 177, No. 175), known as The Administrative Code of 1929, further providing for the powers and duties of the Board of Pardons

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

The SPEAKER. The gentleman, Mr. Armstrong, seeks recognition. The gentleman is recognized.

Mr. ARMSTRONG. Thank you, Mr. Speaker.

I was in a brief discussion with a couple other Representatives, and I could not determine what changes were made in the Senate, so I was wondering if we could have a brief synopsis of what was done.

The SPEAKER. The Chair recognizes the gentleman, Mr. Piccola, and requests that he respond to the gentleman, Mr. Armstrong.

Mr. PICCOLA. Thank you, Mr. Speaker.

The Senate did three things, basically, to this bill.

First, they changed the provisions of the appointment procedures so that this bill will conform to Article IV, section 9, of the Constitution. That will be changed when our constitutional amendment that we adopted in this session of the General Assembly is later passed in the next session and then ratified by the people of Pennsylvania, so this merely says that the method of selection of the members of the Board of Pardons will conform to whatever the Constitution says that it must.

The second issue deals with an issue that was not brought up before the House. There is apparently an internal operating procedure in the Board of Pardons that currently allows two of the five members of the Board of Pardons to require a hearing. In other words, any two can call for a hearing of that particular inmate that has applied for a pardon. We are going to change that and require that a hearing can only be required by a majority of the Board of Pardons; namely, three.

Third, there was some concern about the issue of inmates who have been sentenced to life in prison or to death, and if they were to receive a pardon, immediately going out into the community, and there is some requirement in this bill now that requires they serve a period of time in a halfway house if they ultimately get through the pardon process.

And finally, we had a requirement in this bill that said the inmate who applied for the pardon had to appear at the hearing. There was some concern about security, transportation of inmates, and so forth, and so what we have said is that if the majority of the board calls for a hearing, individual members of the board must at least interview the inmate before they can act on the application. The idea was, we wanted the members of the Board of Pardons to interview the inmate face to face and have some direct contact with him, which does not necessarily happen under the current statute.

I would urge the House concur in the Senate amendments.

The SPEAKER. The Chair thanks the gentleman.

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

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

YEAS—197

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Allen	Egoff	Lynch	Schroder
Argall	Farehild	Maitland	Schafer
Armstrong	Faj	Major	Scrimanti
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Corrigan	Kenny	Reber	Williams
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Delluca	Lacrotta	Rothnick	Yevaic
Dempsey	Laughlin	Rohrer	Youngblood
Dem	Lawless	Rubley	Zimmerman
Demody	Lesh	Rudy	Zug
DeWessa	Lescovitz	Sainato	
DiGirolamo	Lavdansky	Santoro	Room, Speaker
Dumaine	Lloyd	Sather	
Drace			

NAYS—0  
 NOT VOTING—0  
 EXCUSED—0

Ryan	Petrone	Ramont	Steh
Gratza	Pitella		

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

Ordered. That the clerk inform the Senate accordingly.

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The House proceeded to consideration of concurrence in Senate amendments to **HR 6, PN 143** (enfiled)

An Act amending the act of August 6, 1941 (P.L. 851, No. 323), referred to as the Pennsylvania Board of Probation and Parole Law, further providing for investigations and recommendations to the Board of Pardons

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The SPEAKER. The Chair recognizes the lady, Mrs. Cohen, on the question raised by the gentleman, Mr. Armstrong.

Mrs. COHEN. Thank you, Mr. Speaker.

The Senate made essentially two changes. One change would be, the amendment prohibits transfers to halfway houses where the person has a certified terminal illness. The second amendment that

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NAYS 0

NOT VOTING—0

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Cawley	Herman	Perzel	Travaglio
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Cotafazio	James	Potts	Yoon
Couti	Joseph	Preston	Vitali
Cornell	Ramos	Ramos	Walke
Corpora	Reedshaw	Raymond	Washington
Corrigan	Reber	Reedshaw	Wash
Coswell	Richardson	Reber	Williams
Coy	Rieger	Richardson	Wogan
Curry	Kirkland	Rieger	Wozniak
Daley	Roberts	Roberts	Wright, D. R.
Delluca	Kukovich	Robinson	Wright, M. N.
Dempsey	Lacrotta	Rothnick	Yevaic
Dem	Laughlin	Rohrer	Youngblood
Demody	Lawless	Rubley	Zimmerman
DeWessa	Lesh	Rudy	Zug
DiGirolamo	Lescovitz	Sainato	
Dumaine	Lavdansky	Santoro	Ryan, Speaker
Drace	Lloyd	Sather	

NAYS 0

NOT VOTING—0

EXCISEFD-6

Evans  
GrueterPotter  
Pisella

Reinard

Stoltz

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

Ordered, That the clerk inform the Senate accordingly.

#### BILLS SIGNED BY SPEAKER

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

##### HB 3, PN 149

An Act providing for DNA testing of certain offenders; establishing the State DNA Data Base and the State DNA Data Bank; further providing for duties of the Pennsylvania State Police; imposing costs on certain offenders; and establishing the DNA Detection Fund.

##### HB 5, PN 150

An Act amending the act of April 9, 1929 (P.L. 177, No. 175), known as The Administrative Code of 1929, further providing for the powers and duties of the Board of Pardons.

##### HB 6, PN 143

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

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

#### MEMORANDUM SUBMITTED FOR THE RECORD

Ms. WASHINGTON submitted the following memorandum for the Legislative Journal.

House of Representatives  
Commonwealth of Pennsylvania  
Harrisburg

##### MEMO

TO: Clancy Myer, Parliamentarian  
FROM: Rep. LeAnna M. Washington  
DATE: May 9, 1995

I am writing to request my name to be removed as a cosponsor from HB 5, PN 150.  
Thank you in advance.

#### ADJOURNMENT

The SPEAKER. Does the majority leader or the Democratic leader have any further business in special session?

Are there any announcements, corrections of the record, reports of committee in special session? The Chair hears none.

The Chair recognizes the gentleman from Philadelphia, Mr. Ramos.

Mr. RAMOS. Mr. Speaker, I move that this House do now adjourn Special Session No. 1 of 1995 until Wednesday, May 10, 1995, at 12:05 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 11:56 a.m., e.d.t., the House adjourned.

EXCISEFD-6

Evans  
GrueterPotter  
Pisella

Reinard

Stoltz

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

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