#### LEGISLATIVE JOURNAL

### TUESDAY, MAY 9, 1995

#### FIRST SPECIAL SESSION OF 1995

#### HOUSE OF REPRESENTATIVES The House convened at 11.05 a.m., e.d.(

# 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 Methedist Church, Oil City, Permsylvania, offered the following prayer

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

There is strengthening America's Granmass, Tell is again join in Good our Father, who brings new life in the springtime and who sets the softeny 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 stall.
We ask You to bring new life to the families of our State, rekinding godly, essential values of faith and hope, justice and compassion.
Lord, and the technology of our time, help us to remember that such a homemade virtue as "belping others as we would want to be helped" is learned first and best in a family circle.
And then, and 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. Ameu.

# PLEDGE OF ALLEGIANCE DISPENSED WITH

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

#### MASTER ROLL CALL

The SPHAELR 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 Pennes bound State Police, imposing costs on certain offenders; and establishing the DNA Detection bund.

#### the question,

Will the Horse concur in Senate amendments? The SPHAKER, Agreeable to the provisions of the Constitution, the yeas and pays will now be taken.

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### COMMONWEALTH OF PENNSYLVANIA

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### LEGISLATIVE JOURNAL --- HOUSE

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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amondments 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 amonding the act of April 9, 1929 (P.J. 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 clunges were made in the Senate, so it was wondering if we could have a brief synopsis of what was done. The SPEAKER The Chair recognizes the gentleman. as wondering if we could have a brief synopsis of what was done The SPEAKER The Chair recognizes the gentleman . Ficcola, and requests that be respond to the gentleman Armstrong. Mr PICCOLA, Thank you, Mr. Speaker. The Senate did three things, basically, to this bill. N/II:

**LIRNAL** — HOUSE MARY 9 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 Pardous will conform to whatever the Constitution says flust 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 to require a hearing. In other words, any two can call for a hearing of that particular immute 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.

only be required by a magning in 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 solution of terms in a halfway house if they ultimately get through the period of time in a hallway house if they ultimately get through the

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 immate who applied for the pardon had to uppear at the hearing. There was some concern about security, transportation of unnates, and so forth, and so what we have said is that if the majority of the bourd calls for a hearing, individual members of the bound must at least interview the innust before they can act on the application. The idea was, we wanted the members of the Board of Pardons to interview the immate face to four any have some cover operator with him which down app face to face and have some direct contact with him, which does not necessarily happen under the current statute I would urge the House concert in the Senate amendments The SPEAKER. The Chair thanks the gentleman.

On the question recurring, Will the House concur in Senare amondments? The SPEAKER, Agreeable to the provisions of the Constitution, the yeas and mays will now be taken.

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LEGISLATIVE	JOURNAL HOUSE

#### MAY 9

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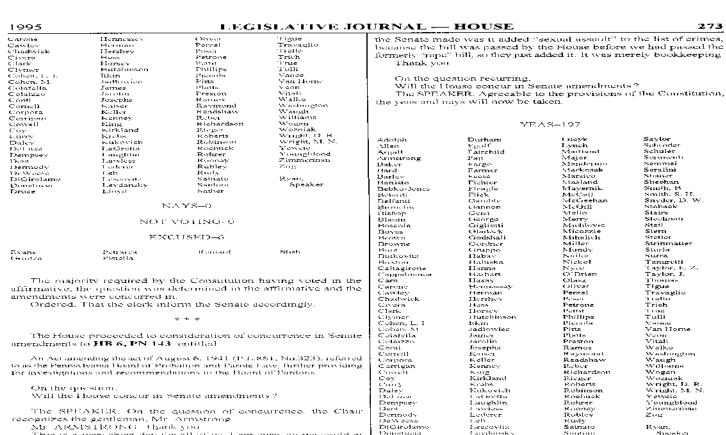
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Will the House concurring sended amenuments? The SPEAKER, On the question of concurrence, the Chair recognizes the gentleman, Mr. Armstrong Mr. ARMSTRONG: thank you Thus is a very short day for all of us, I am sure, so we could at least take a couple seconds to realize what the Senate has done with these bills. Thank you 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

LEGISLATIVE JOURNAL --- HOUSE 273 the Senate made was it added "sexual associt" to the list of erimes, because the bill was passed by the House before we had passed the formerly "pape" bill, so they just added it. It was merely bookkeeping "Thank you

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#### NOT NOTING-0

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	HX	CUSED6		ADJOURNMENT
Evans Gruitza	Petraco Pistella najority required by	Reinard	St	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.
affirmativ amendme	the question was ents were concurred i red. That the clerk inf	determined in th n.	e affirmative and the	The Chair iccognizes 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,
	BILLS SIGN	ED BY SPEA	KER	May 10, 1995, at 12:05 p.m., c.d.t., unless somer recalled by the Speaker
presentati	combered and entitled ion to the Governor, liely read as follows:	and the same be		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
HB 3	, PN 149			adjourned
State DNA duties of the	t providing for DNA les . Data Base and the Sm c Pennsylvania State Pe shing the DNA Detecti	te DNA Data Ban lice; imposing cos	k; further providing for	
HB 5	, PN 150			
The Admi	amending the act of Ap nistrative Code of 192 he Board of Pardons.			
HB 6,	. PN 143			
to as the Pe	amending the act of Au, nnsylvania Board of Pro ations and recommend	bation and Parole.	Law, further providing	
Where same.	upon, the Speaker, in	the presence of t	he House, signed the	
	MEMORAND FOR TI	DUM SUBMIT IE RECORD	TED	
Mis. W the Legisl	ASHINGTON subm ative Journal.	dited the followi	ng memorandum for	
	Commonwea	Representatives dth of Pennsylvan strisburg	a	
	Ъ	MEMO		
TO- FROM: DATE:	Clancy Myer, Parlinn Rep. LeAnna M. Was May 9, 1995			
HB 5, PN 1	riting to request my na 150. you in advance.	ame to be remove	d as a cosponsor from	

274		LE	GISLATIVE JO	URNAL HOUSE MAY 9	
EXCUSED-6				ADJOURNMENT	
Evans Gruitza	Petraco Pistella	Reinard	Niti.du	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	
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 eleck inform the Senate accordingly. BILLS SIGNED BY SPEAKER			no affirmative and the accordingly.	of committee in special session? The Chair hears none. The Chair recognizes the gentleman from Philadelpi Mr. Ramos Mr. RAMOS, Mr. Speaker, 1 move that this House do n adjourn Special Session No. 1 of 1995 until Wedness May 10, 1995, at 12:05 p.m., e.d.t. unless somer recalled 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:			On the question, Will the House agree to the motion? Motion was agreed to, and at 11.56 a m, e.d.t., the F		
нв 3, р	PN 149			adjourned	
State DNA D duties of the U	lata Base and the Str	te DNA Data Bar blice; imposing co	fenders; establishing the ik; further providing for sts on cortain offenders,		
HB 5, P	N 150				
The Adminis	mending the act of A <sub>4</sub> strative Code of 193 Board of Pardons.	nil 9, 1929 (P.I. 1 9. further provid	77, No 175), known as mg for the powers and		
НВ 6, Р	N 143				
			.861, No.323), referred Law, further providing		

to as the Pennsylvania Board of Probation and Parole Law, further providing for investigations and recommendations to the Board of Pardons.

Whereupon, the  $\operatorname{Speaker}_i$  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



Clancy Myer, Parliamentarian Rep. LeAnna M. Washington 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.