

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

WEDNESDAY, OCTOBER 25, 1995

FIRST SPECIAL SESSION OF 1995

No. 65

HOUSE OF REPRESENTATIVES

The House convened at 11:08 a.m., a.d.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. KENNETH F. SHAFER, Chaplain of the House of Representatives, from Seneca, Pennsylvania, offered the following prayer:

Let us pray:

Almighty God, we thank You for the men and women that are willing to accept responsibility and even the frustration sometimes of leadership. We ask that today You would reveal Yourself to each one and lead them in the way of integrity, upright before You and before the people with values.

We would pray today that You would grant wisdom in any decisions that are to be made. May they seek You for this wisdom. Help each member to realize that faithfulness far exceeds going alone in success. May they be faithful.

Strengthen them, dear Lord, that they may live in such a way with integrity and they would live before You and before the people, that they would put to silence and prove wrong the cynical critics that stand on the sidelines many times.

I pray today, dear Father, that You would just grant Your strength and Your grace, in the name of the living Lord that we serve. Amen.

PLEDGE OF ALLEGIANCE DISPENSED WITH

The SPEAKER. Without objection, the Pledge of Allegiance will be dispensed with.

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, the approval of the Journal of Tuesday, October 24, 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 be granted in today's special session.

MASTER ROLL CALL

The SPEAKER. The master roll call taken in the regular session will operate as the master roll call in the special session.

The Chair hears no objection to any of the foregoing procedures.

LEAVES OF ABSENCE

The SPEAKER. The Chair returns to leaves of absence and recognizes the gentleman, Mr. IRLIN, who asks that the gentleman from Lawrence County, Mr. LACIROTIA, be granted leave of absence for today's session.

Without objection, leave is granted. The Chair hears no objection.

The gentleman, Mr. IRLIN.

Mr. IRLIN. Mr. Speaker, I would like to request leave also for the gentleman from Westmoreland, Mr. KUKOVICH, for the remainder of today's session.

The SPEAKER. The Chair hears no objection. Leave will be granted.

CALENDAR

BILL ON FINAL PASSAGE

The House proceeded to consideration on final passage of SB 98, PN 159, entitled:

An Act amending the act of March 10, 1949 (P. L. 30, No. 14), entitled "Public School Code of 1949," further providing for penalties for truancy; providing for suspension of operating privilege and for antitrust programs; further providing for arrests of children failing to attend school and for power of arrest.

On the question recurring, Shall the bill pass finally?

DECISION OF CHAIR RESCINDED

The SPEAKER. Without objection, the Chair rescinds its announcement that SB 98 was agreed to on third consideration as amended.

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

RULES SUSPENDED

The SPEAKER. The Chair recognizes the gentleman, Mr. Thomas. Mr. THOMAS. Thank you, Mr. Speaker. Mr. Speaker, I rise to move to suspend the rules to allow for an amendment to SB 98.

On the question, Will the House agree to the motion? The following roll call was recorded:

YEAS 188

- Adolph, Allen, Anzell, Armstrong, Baker, Baird, Barley, Battisto, Becke-Jones, Belardi, Beltrami, Birmelin, Bishop, Blaum, Boscola, Boyes, Brown, Browne, Hurr, Butkowitz, Buxton, Catragirone, Cappabianca, Cam, Caswley, Chadwick, Cavera, Clark, Clymer, Cohen, L. I., Cohen, M., Colafella, Coluzzo, Conri, Connett, Corpora, Corriasso, Cowell, Coy, Curry, Dalry, DeLuca, Dempsey, Dent, Dermodis, DiStefano, Donatucci, Duce, Durham, Egolf, Evans, Fairchild, Fair, Farjo, Farmer, Feene, Fischer, Fiegler, Filak, Gamble, Gannon, Gest, George, Gigliotti, Gladeck, Godshall, Gordon, Grutza, Gruppo, Habay, Halaska, Hanna, Hartst, Haay, Hennessy, Herman, Hershey, Hess, Hershey, Hutchinsin, Ithin, Indlowiec, Jarolin, Josephs, Kasser, Keller, Kenney, King, Kirkland, Laughlin, Lavless, Lederer, Ledt, Lescauwitz, Leydinsky, Lloyd, Lucyk, Major, Mandrino, Markosck, Masoso, Mastand, Mayemik, McCall, McGeehan, McGill, Melio, Mery, Mielhovic, Miller, Mundy, Nailor, Nickel, Nyce, O'Brien, Olasz, Oliver, Orzell, Pasi, Piccola, Petrara, Petrone, Perrit, Phillips, Pierola, Pistella, Pitts, Preston, Ramos, Raymond, Readshaw, Reber, Reinard, Risler, Roberts, Robinson, Roebuck, Roluse, Rooney, Rubley, Rudy, Sarrato, Santoni, Sarber, Saylor, Schroder, Schuler, Scrimanti, Sammel, Saalfnit, Sbaner, Sheehan, Smith, H., Smith, S. H., Snyder, D. W., Sluback, Szary, Steelman, Stern, Steiner, Stillmutter, Surtis, Sura, Tangretti, Taylor, E. Z., Taylor, J., Thomas, Tuce, Trelle, Trub, Truc, Tull, Vance, Van Horne, Veon, Virali, Walker, Washington, Waugh, Williams, Wogan, Wozniak, Wright, D. R., Wright, M. N., Yewcic, Youngblood, Zimmerman, Zug, Ryan, Speaker

NAYS-7

- Carone, Krebs, Lynch, Maitland, Potts, Srell, Sliah, James, Micozzie, DeWeese, Kukulovich, LaGrotta, Nihalich, Travaglio

NOT VOTING 2

EXCUSED 5

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

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

Mr. THOMAS offered the following amendment No. A5506:

- Amend Title, page 1, line 7, by striking out "and"
Amend Title, page 1, line 8, by removing the period after "arrest" and inserting
and making an appropriation.
Amend Sec. 1 (Sec. 1333), page 5, by inserting between lines 24 and 25
"District justice" shall mean such court as the court of common pleas shall direct in counties not having district justices.
Amend Sec. 3 (Sec. 1341), page 9, line 24, by striking out "OR" and inserting a comma.
Amend Sec. 3 (Sec. 1341), page 9, line 24, by inserting after "AUTHORITELY" where it appears the second time
and school
Amend Sec. 1 (Sec. 1343), page 9, line 30, by striking out "OR" and inserting a comma.
Amend Sec. 4 (Sec. 1313), page 9, line 30, by inserting after "AUTHORITY" where it appears the third time
or school
Amend Bill, page 10, by inserting between lines 8 and 9
Section 5. The sum of \$500,000, or as much thereof as may be necessary, is hereby appropriated to the Department of Education to fund antitruancy programs under this act for the 1995-1996 fiscal year.
Amend Sec. 3, page 10, line 9, by striking out "5" and inserting 6

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

PARLIAMENTARY INQUIRY AMENDMENT DIVIDED

The SPEAKER. The Chair recognizes the gentleman, Mr. Thomas, who has asked that the amendment be divided between lines 19 and 20 so that the first portion of the amendment to be voted upon shall be from the beginning down to and including line 19, and lines 20 through 24 will not be voted in this time.

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

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The amendment is divisible. The first vote will be on that portion of the amendment from line 1 to and including line 19.

On the question, Will the House agree to part 1 of the amendment?

The following roll call was recorded:

YEAS—196

- List of names: Adolph, Aiken, Argall, Armstrong, Baker, Bard, Bartley, Battista, Bekko-Jones, Bellardi, Bellardi, Binerman, Bishop, Blaum, Boscolo, Boyes, Brown, Browne, Bunt, Butkowsky, Buxton, Castiglione, Cappabianca, Carn, Carone, Cassico, Chudwick, Civera, Clark, Chramer, Cohen, L. I., Cohen, M., Colafella, Colabrese, Curti, Connett, Casperia, Casgrain, Cowell, Coy, Curry, Dalry, DeLaca, Donahy, Dorn, Dermody, Deonimo, Domatecci, Drisc, Durham

NAYS 0

NOT VOTING 1

James

EXCUSED 5

- DeWeese, Kukovich, LaGrotta, Mihalich, Travaglio

The majority having voted in the affirmative, the question was determined in the affirmative and part 1 of the amendment was agreed to.

PART 2 OF AMENDMENT WITHDRAWN

The SPEAKER. It is my understanding that the gentleman withdraws the second portion of the amendment. Is that accurate?

Mr. THOMAS. That is correct, Mr. Speaker, and just for the record, I am withdrawing the second part of the amendment primarily because there is an understanding that the Pennsylvania Commission on Crime and Delinquency is going to work with myself and leadership to make available to Philadelphia County and other counties some resources necessary to implement the parenting and antitruancy programs, because the second part of the amendment dealt with an unfunded mandate. So we have an understanding to work on that, and therefore, it is not necessary to go forward with the second part of the amendment.

The SPEAKER. The Chair thanks the gentleman.

It is my understanding that the gentleman, Mr. Stairs, is withdrawing his amendment, it being essentially the exact duplicate of the amendment offered by the gentleman, Mr. Thomas. Is that correct? Apparently that is correct.

Mr. THOMAS. Yes, Mr. Speaker, I wanted to extend my sincere thanks and appreciation to you, to the majority leader, leadership on our side, for your efforts to encourage and support bipartisanship with respect to this amendment.

I thank you, and I will remain forever indebted.

The SPEAKER. I will remember that.

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?

Does the gentleman, Mr. Yewcic, desire recognition?

Mr. YEWIC. On final passage.

The SPEAKER. The gentleman is recognized on the question of final passage.

Mr. YEWIC. Thank you, Mr. Speaker.

I am wondering if the majority chairman of the Education Committee would stand for interrogation?

The SPEAKER. Will the gentleman, Mr. Stairs, permit himself to be interrogated? He will. You may proceed.

Mr. YEWIC. Thank you, Mr. Speaker.

Very briefly, on reading the language of the bill on page 2 where we are increasing the fines and we are including a parenting program, together with court costs, offered and operated by a school district, medical institution, or other community resources,

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NAYS 0

NOT VOTING 1

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EXCUSED 5

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The majority having voted in the affirmative, the question was determined in the affirmative and part 1 of the amendment was agreed to.

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and after reading that and reading the fiscal note, I am wondering, who is going to pay for that?

Mr. STAIRS, I do not know what you are talking about.

Mr. YEWICIC, Well—

Mr. STAIRS, I cannot hear you, Mr. Speaker. Could you explain that?

The SPEAKER, The gentleman will yield. Conferences on the floor, please break up.

Will the gentleman repeat his question?

Mr. YEWICIC, Thank you, Mr. Speaker.

Part of the bill institutes a parenting program to reach parents, to go through a program to be better parents. I guess, that is one of the major aspects of this bill, and I am wondering, who is going to pay for that program, for the parenting program, when they go through a medical institution or a local school district or some other community resource? The bill does not say, and according to also the fiscal note, it does not direct who is going to make the payments, and I am wondering what this bill is going to cost.

Mr. STAIRS, Thank you, Mr. Speaker, for letting me respond to that question.

The cost of, as you refer to, the parenting program, that would be a cost that would be incurred by the school district or the existing authority, yes.

Mr. YEWICIC, So the costs will go to the taxpayers of the local school district to run these programs. Do we have any idea how much that is going to cost? I mean, has the Senate Education Committee done—

Mr. STAIRS, This program you are referring to, I do not believe we are going to be costing any new moneys, I am not saying there is no cost for that. This is existing programs that they have. So my answer to you is that this would continue to maintain a program that is already in effect, and there would be no new moneys incurred other than what would be in effect now.

Mr. YEWICIC, In other words, we are going to put people into a program and counsel them, teach them, and it is not going to cost any more money. Okay.

Mr. STAIRS, That is my understanding.

Mr. YEWICIC, Okay.

Later in the bill, if the parents— According to this legislation, if the parents go to a district magistrate and prove that they took every reasonable step to get their kids in school, they are not going to be held liable for these penalties. However, if the child or the student still is delinquent, they are then fining the child \$300 or adjudicating him in some other program if they do not have the money, and I am wondering, once we send the student into these programs, who is going to pay for that? Pages 4 and 5 of the bill.

Mr. STAIRS, What page is that? Page 4?

Mr. YEWICIC, Page 4, sections (2), (3), and (4) pages 4 and 5.

Mr. STAIRS, It would be my understanding, to answer that question, that that would be picked up again by, in this case, the school district or the pertinent party, yes.

Mr. YEWICIC, So at that point, a student could be sent to a mental health agency, the school district— some kind of program but we do not have any indication of what that is going to cost.

Mr. STAIRS, If the school district can work out some kind of an agreement with the appropriate agencies, whether they be charitable or government agencies, they may certainly look for innovative ways to cut costs. But as you state, certain costs are going to be incurred. That is undeniable, yes.

Mr. YEWICIC, Has there been a study done on how many kids are truant and what the income levels of the parents are of the kids that are truant?

Mr. STAIRS, Certainly I think, in answering your question, I am not aware of any, although there may well be, but I would certainly think that this would be an option. I think a very important part of this legislation is the judicial system and of course the district magistrate, so this would be one of the considerations they could take into account as they are in the process here whether to impose a fine or to find some other alternative way to provide the punishment of this legislation. So I do not have those statistics, no.

Mr. YEWICIC, So all the hard work we heard about yesterday, over the years working on this language, we really do not know how many kids are truant, we do not know what it is going to cost, and I am concerned about that.

Mr. STAIRS, Well, to answer your question on the truancy, I know there are too many students who are truant. Now, to give you an exact number, I do not have that. I am sure that we could probably find something that would come close to estimating, but unfortunately, across the Commonwealth, whether it be in large cities or in small towns or in the countryside, the number of truancy is out of control, I feel, and we have to take measures to find more rigid ways plus finding more flexible ways of addressing this very serious problem.

Mr. YEWICIC, Thank you, Mr. Speaker.

On the bill.

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

Mr. YEWICIC, Mr. Speaker, when you read this legislation, you have to be really concerned about a couple of things: number one, the direction we are going in society that we now have to have laws to send our parents to parenting classes, and I am really wondering, once we do that, then we get to a situation where we do not know what it is going to cost the taxpayers; we do not know what it is going to cost our school districts; we do not know if it is going to cost anything in our courts. We also do not know, when we fine students \$300, or if they come from poor districts, as many students do who are truant, we are then going to impose these penalties on their parents, and we have to wonder who is going to pay these costs when we adjudicate these students.

Then we get to the section of driver's licensing, a suspension of license. How can we suspend or penalize somebody 4 years after a violation? I do not think it makes any sense. I do not think it is fair, and again, we are taxing the parents. When a child makes a mistake at age 12 and we are going to suspend his license at age 16, 17, or 18, it is the parents who are going to have to drive him around and take him to places he needs to be. I think if we are going to penalize someone, it should be at the point of the violation, not 4 years down the line.

This is just one more bill that exacerbates the problem, that is fiscally unsound, because there is no indication of what this legislation is going to cost. The fiscal note even says, the bill requires that the parent or the guardian pay the court and the fines, but there is not any indication of who is responsible for paying the parental education classes, and that is the major portion of this bill—the educating, getting the parents into these classes. We increase the penalty, but we do not know what it is going to cost. We hear that there are all these truant kids across Pennsylvania, but we do not know what the numbers are. We do not know the income levels of the people. We have not identified anyone where the truancy

and after reading that and reading the fiscal note, I am wondering, who is going to pay for that?

Mr. STAIRS, I do not know what you are talking about.

Mr. YEWICIC, Well—

Mr. STAIRS, I cannot hear you, Mr. Speaker. Could you explain that?

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Mr. STAIRS, That is my understanding.

Mr. YEWICIC, Okay.

Later in the bill, if the parents— According to this legislation, if the parents go to a district magistrate and prove that they took every reasonable step to get their kids in school, they are not going to be held liable for these penalties. However, if the child or the student still is delinquent, they are then fining the child \$300 or adjudicating him in some other program if they do not have the money, and I am wondering, once we send the student into these programs, who is going to pay for that? Pages 4 and 5 of the bill.

Mr. STAIRS, What page is that? Page 4?

Mr. YEWICIC, Page 4, sections (2), (3), and (4) pages 4 and 5.

Mr. STAIRS, It would be my understanding, to answer that question, that that would be picked up again by, in this case, the school district or the pertinent party, yes.

Mr. YEWICIC, So at that point, a student could be sent to a mental health agency, the school district— some kind of program but we do not have any indication of what that is going to cost.

Mr. STAIRS, If the school district can work out some kind of an agreement with the appropriate agencies, whether they be charitable or government agencies, they may certainly look for innovative ways to cut costs. But as you state, certain costs are going to be incurred. That is undeniable, yes.

Mr. YEWICIC, Has there been a study done on how many kids are truant and what the income levels of the parents are of the kids that are truant?

Mr. STAIRS, Certainly I think, in answering your question, I am not aware of any, although there may well be, but I would certainly think that this would be an option. I think a very important part of this legislation is the judicial system and of course the district magistrate, so this would be one of the considerations they could take into account as they are in the process here whether to impose a fine or to find some other alternative way to provide the punishment of this legislation. So I do not have those statistics, no.

Mr. YEWICIC, So all the hard work we heard about yesterday, over the years working on this language, we really do not know how many kids are truant, we do not know what it is going to cost, and I am concerned about that.

Mr. STAIRS, Well, to answer your question on the truancy, I know there are too many students who are truant. Now, to give you an exact number, I do not have that. I am sure that we could probably find something that would come close to estimating, but unfortunately, across the Commonwealth, whether it be in large cities or in small towns or in the countryside, the number of truancy is out of control, I feel, and we have to take measures to find more rigid ways plus finding more flexible ways of addressing this very serious problem.

Mr. YEWICIC, Thank you, Mr. Speaker.

On the bill.

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

Mr. YEWICIC, Mr. Speaker, when you read this legislation, you have to be really concerned about a couple of things: number one, the direction we are going in society that we now have to have laws to send our parents to parenting classes, and I am really wondering, once we do that, then we get to a situation where we do not know what it is going to cost the taxpayers; we do not know what it is going to cost our school districts; we do not know if it is going to cost anything in our courts. We also do not know, when we fine students \$300, or if they come from poor districts, as many students do who are truant, we are then going to impose these penalties on their parents, and we have to wonder who is going to pay these costs when we adjudicate these students.

Then we get to the section of driver's licensing, a suspension of license. How can we suspend or penalize somebody 4 years after a violation? I do not think it makes any sense. I do not think it is fair, and again, we are taxing the parents. When a child makes a mistake at age 12 and we are going to suspend his license at age 16, 17, or 18, it is the parents who are going to have to drive him around and take him to places he needs to be. I think if we are going to penalize someone, it should be at the point of the violation, not 4 years down the line.

This is just one more bill that exacerbates the problem, that is fiscally unsound, because there is no indication of what this legislation is going to cost. The fiscal note even says, the bill requires that the parent or the guardian pay the court and the fines, but there is not any indication of who is responsible for paying the parental education classes, and that is the major portion of this bill—the educating, getting the parents into these classes. We increase the penalty, but we do not know what it is going to cost. We hear that there are all these truant kids across Pennsylvania, but we do not know what the numbers are. We do not know the income levels of the people. We have not identified anyone where the truancy

problem is, and we have not identified how much it is going to cost those people in those districts.

Therefore, I think this bill needs to go back to the— I am not making a motion, but it should go back to the Education Committee so we could answer these questions and be a little more fiscally responsible before we vote on legislation like this. I do not know what it is going to cost and neither does anyone else.

Therefore, I urge a "no" vote on this legislation. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Stairs.

Mr. STAIRS. Thank you, Mr. Speaker.

I certainly stand to support the passage of this very important piece of legislation in our special session that is in regards to truancy. Unfortunately, over the years this has become a grave problem in our Commonwealth, and our young people are not going to be learning while they are not in school, at least learning the skills that are going to make them productive citizens once they leave our public and private school systems.

This legislation certainly goes back a couple years of work, being finalized this session by the Senate and the House Education Committee and, of course, the Governor's Office, and I think really the key to this is incorporating our local school districts with the court system, the district court system. I think it is tough legislation, and it is firm legislation, but also, it is very flexible, with the intent that if it need be, we have very serious consequences and fines, but they are being compassionate in having ways to get around the fines and letting other work projects or other means to compensate for the fines.

This legislation certainly will be one of the very important keys to our Commonwealth, our education reform package, making it possible to get our kids into school and finding new and innovative ways.

The question was raised, are our school boards going to have extra costs on this? It could be argued that there may be minimal costs to our school districts, but I refer to this body the board of school directors, the PSBA (Pennsylvania School Boards Association), have recommended passage of this legislation, and certainly, over the years they have been very concerned about cost, and anytime we try to put unbearable mandates upon them, they always are the first to let us know, but they do support this, realizing the cost to be minimal but the benefits they are going to reap will be gigantic.

So I hope that my colleagues can support this very important special session bill from the Governor's crime package. Thank you.

The SPEAKER. The gentleman from Allegheny County, Mr. Cowell, is recognized.

Mr. COWELL. Thank you, Mr. Speaker.

Mr. Speaker, I join Representative Stairs in encouraging an affirmative vote on this legislation.

This legislation has been in the making for more than a year. As I said the other day, it probably has some of its roots in the work of Representative Cessari two or three sessions ago. But this legislation is about making our truancy law more effective, and ultimately, it is about getting kids back in school.

On its face, this legislation provides for more serious penalties for the parent of a truant youngster where the parent does not demonstrate that the parent is making every reasonable effort to get the kids back in school, but in addition to providing those more

serious penalties, it gives to those who are required to enforce the law more tools.

First of all, it extends enforcement authority to those other than just the truancy officers of a school district. Under the terms of this legislation, housing authority police, school police in the district of Philadelphia, port authority police or transit police in some of our communities, and our municipal police will be authorized to enforce this important section of the law, and very importantly, district magistrates, for the first time, will be given much more discretionary authority than they have currently to get kids back in school.

For the first time, the magistrate, rather than imposing the financial penalty, can direct the parent to participate in an existing parenting program, or the district magistrate, for the first time, will have the authority to direct the student to participate in a community service program, or for the first time, the district magistrate will have the authority, when this proves successful and the student changes his or her behavior and returns to school, to actually suspend the fines or the penalties.

There is general agreement that this will be a far more effective enforcement of the truancy law that we currently have on the books, which in many respects has proven itself to be unenforceable or largely ignored because of the inability to adequately enforce it.

Mr. Speaker, this is a step forward. It is about getting kids back in school. I urge that we approve this legislation.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Armstrong, on final passage.

Mr. ARMSTRONG. Thank you, Mr. Speaker.

I would like to interrogate the former speaker, if I may.

The SPEAKER. The gentleman, Mr. Cowell, indicates he will stand for interrogation.

You made me hesitate for a moment when you said that.

The gentleman, Mr. Cowell, indicates he will stand for interrogation.

Mr. ARMSTRONG. Mr. Speaker, you made a comment about the new authority for the police, and I have already spoken to the chairman of the Education Committee on that and would like to establish our legislative intent in this area.

When you state that they have new authority, how do you see that they have that authority, and what I am getting at is, if they see a student on the street or on the sidewalk, are they compelled to pick that student up and to try to determine if this student was a student at a local school and what school they go to? How do you interpret this language on page 9?

Mr. COWELL. I interpret the language on page 9 to extend the authority that currently is given to school attendance officers or home school officers of a school district to those other authorities that are indicated on lines 23 and 24, which would be State Police, municipal police, port authority police, transit authority or housing authority police, or with the recent amendment, school police in Philadelphia. It extends to them the authority to enforce the truancy law.

Mr. ARMSTRONG. Okay. So what you are saying to me is that a police officer is driving down the street and he sees a young person walking along during regular school hours, that he has the authority to stop and pick that student up. Is that correct?

Mr. COWELL. It would have the authority to enforce the truancy law. I am not going to speak to the procedures that any particular police department might use. I would assume that all the

problem is, and we have not identified how much it is going to cost those people in those districts.

Therefore, I think this bill needs to go back to the— I am not making a motion, but it should go back to the Education Committee so we could answer these questions and be a little more fiscally responsible before we vote on legislation like this. I do not know what it is going to cost and neither does anyone else.

Therefore, I urge a "no" vote on this legislation. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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Mr. STAIRS. Thank you, Mr. Speaker.

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Mr. COWELL. It would have the authority to enforce the truancy law. I am not going to speak to the procedures that any particular police department might use. I would assume that all the

protections that are normally available to any one of us who is subject to a stop by a police official would pertain here to the student as well.

But this is in response to municipal police, and in Allegheny County, for instance, port authority police. Say that in the middle of the schoolday, when every school district in the county is in business and kids are supposed to be in school, you have got kids riding buses or you have got kids hanging out on the street corner in downtown Pittsburgh, for instance, and unless the school officials come down and get the kid, do something about it, the municipal police and the transit police and others are not legally authorized to step in and do anything about the issue.

Mr. ARMSTRONG: All right, Mr. Speaker, I am a little confused about what these expanded powers mean. I am picking up a different understanding of them, and at this point, I guess, I would like to switch my interrogation to the chairman of the Education Committee.

The SPEAKER: The gentleman, Mr. Stairs, indicates he will stand for interrogation. You may begin.

Mr. ARMSTRONG: Okay, Mr. Speaker, I am sure you have heard the comments of the former speaker, and they are not consistent with my conversation with you. Can you provide me with a little bit more enlightenment?

Mr. STAIRS: Thank you.

I refer to the School Code and "Pupils and Attendance," and the courts have ruled on this, and I would like to very briefly quote how I interpret it.

The exclusive authority in areas of a student's conduct and discipline certainly rests with the school district, and I do believe that the authorities — whether it be housing authorities, the police authorities, or whatever other law enforcement authorities — should complement the school district, and the school district would be the one that would initiate the actions, and other police would just be there to help.

But I think the idea of the truancy rests with the school district and certainly hoping that we will give the police powers — whether it be the city police or State Police — powers to assist the school district in preventing and apprehending truancy, but I do not think it is the intent of this legislation to have the primary powers given to the police, to take that away from the schools.

Mr. ARMSTRONG: Okay. That is why it is very important to establish that intent right now, because there is flexibility. Many things could happen out there in the communities, and so we have to make sure that that intent is very clear, because it is not clear here.

Let me say what I am hearing from you, and you tell me if that is correct.

What I am hearing from you is that the school district sets the policy as to a student being truant, and they determine that a particular student is truant on a particular day. They then call the police, call the port authority, and they say, we are missing John Doe; if you see him on the street, feel free to pick him up. That is what I am understanding you are saying. Is that correct?

Mr. STAIRS: Yeah; that is correct, and certainly I will even add to that. If a district wants to go beyond that and give the police a carte blanche, so to speak, they have the right to do that, but I would think that most districts would maintain this principle of setting the discipline and the authority and the attendance requirements for them and asking assistance from the police, yes, and the police would, I would hope, work with the school district when they see a group of students. Say there are a number of

students congregating along the street during normal school hours. The police would certainly take into account the interest of the school district and the school before they act, because how do they know if there is school going on at that time or not? I think they should work with the school district before they act.

Mr. ARMSTRONG: Okay. You established basically that the school sets the policy, but the school could set the policy that if there is any young person out there during school hours, if the school board decides to set this policy, the school board could say to those local police, if you see anyone out there and you did not get a call from us, we want you to feel free to go ahead and pick them up and then give us a call and find out if they are students from our school and they are truant. I have a major problem with that, and that is why this has to be resolved for me. I was planning on voting for this bill, but if you are telling me that they are going to have a carte blanche authority to go out and pick up any student, I do not think that is the intent of what many of us would like to see.

Mr. STAIRS: Certainly I can agree with where you are coming from, but certainly the school in question could not have one policy for the police, the city police, and a different policy for their school truancy enforcement officers. So I would hope that the two could work together, and I see where you are coming from, although I do not think this would happen, but conceivably I guess anything could happen, and certainly an innocent child who may be a home-schooler, for that example, who happened to be on an assignment being a home-schooler and not a school student could be in a city or in a town, and I think he has a right to be protected and not apprehended, so I would hope that the schools, the local school districts, would have not only the common sense but the intelligence to realize that this is a very important power that they have and they would use it wisely and not simply try to harass anybody just at will.

Mr. ARMSTRONG: Mr. Speaker, you are not helping me at all here. I want legislative intent. I want you to be able to say, the school district does not have the authority to carte blanche give it to police to pick up those students. If you would say, it is not our intent for that to happen, it is our intent for the school district solely to give the police the assistance power and help them receive a student or get a student but only under the direction of a school district. I can buy that, but to say that they just have carte blanche authority and the school district could give them that authority, you are leaving the legislative intent wide open here on the House floor, and I am very concerned about that.

Mr. STAIRS: Well, and I do not know, if I can answer your question, but what I am trying to say is that the school district cannot give the police or any other police group more authority than they give to their own internal, whether it be attendance officer or attendance police or whatever they may be called. So they cannot give more power to the housing authority police or any other police department, power that their own people do not have. So I would certainly hope that they would not attempt it, because it is not the intent for them to give more power than what they already have.

Mr. ARMSTRONG: I understand that.

Is it your opinion at this point, if we vote this bill, it is going to the Governor's desk? Is there any process here along the line that we can —

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Mr. ARMSTRONG: I understand that.

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Mr. STAIRS: No; it cannot go to the Governor's desk because it has to go back to the Senate for concurrence. It is a Senate bill, and we amended it. Twice we amended it with two amendments.

Representative Rohrer amended it, and Representative Thomas amended it. So it has to go back to the Senate, and certainly, they would have a chance to nonconcur or to concur, and if they would concur, then it would go to the Governor's desk, yes.

Mr. ARMS TRONG. I apologize for my ignorance there. You are correct. We made those changes.

So I guess I would ask that the danger of voting this bill right now with this flexibility and inadequacies of interpretation here is that if we send it to the Senate, they may not look at it with the kind of scrutiny that I would hope that they would look at it, and they could very easily pass it on to the Governor right away.

Would you be in favor of temporarily — and really, I am not standing up here to obstruct the flow of this legislation; I would like to see it move — but would you be of a will to at least temporarily hold it over so that we could amend that section there to make sure it is very clear?

Mr. STAIRS. Well, I understand your concerns, and I certainly would like to be accommodating, but unless the majority leader would give me some guidance that I do not have, my intent is to move this bill now, because we got this bill in the summertime. We have had it for several months. We amended it in the committee. It has been around a long time, and I would think my intent would be to move this legislation at this time. Unless I get wisdom other than that, I would like to see the bill being moved.

Mr. ARMSTRONG. I can understand that, Mr. Speaker. However, not all of us get to read every single piece of legislation as it flows through the process, but we are made aware of it when it comes before us for a vote, and this is right before me right now, and I can see the glaring problem that is there right now.

If we cannot at least temporarily take some time to further amend that, to clarify that, then I am forced to vote "no," because I am concerned about the expanded police powers that we have here.

(Conference held.)

Mr. ARMSTRONG. Mr. Speaker, I think we reached maybe some type of understanding here, so if you can, please state for us the legislative intent of this section of the bill, on page 9, from line 23 to the end.

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

Mr. STAIRS. Thank you, Mr. Speaker.

I think, in my opinion, the intent is that the power, the enforcement of the truancy, rests with the school board. They are the ones that have the power, as it has been and it will continue to be, so this does not change in this legislation. So certainly, as you asked the question, the intent is the local school board has the power, certainly, to have discipline as well as other truancy problems in the school district, yes.

Mr. ARMSTRONG. And the local police officers or the expanded authorities do not have the authority themselves to implement this legislation?

Mr. STAIRS. I agree with you. It is up to the local school board to do that, right, the school board.

Mr. ARMSTRONG. All right, thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Nyce.

Mr. NYCE. Thank you, Mr. Speaker.

On the bill, I would just like to say that we ought to be very careful about this. I will probably support the bill. We want to keep

truant kids off the street. But understand what we are doing here. We are going to fine parents, we may put some in jail, and we are going to force kids who do not want to be in school back in school.

Now, if any of you have spent any time in a school, kids who do not want to be in school are the kids who are disrupting our classrooms. So we recently passed legislation to handle disruptive students with alternative ed programs. Now we are going to go out and we are going to send the police out to round them all up, and we are going to bring them back into the schools so they can disrupt the classrooms so that we can put them in an alternative ed program.

I think we ought to be a little bit more cautious when we are addressing issues like this and what the purpose is. If we are assuming that we can force kids to sit in an education program and become educated, then this is the kind of program we want. If you believe that you really cannot make these kids learn, you cannot force them to learn, and you are going to have to deal with the problems we are creating by bringing them back into our classrooms and disrupting the classroom, then maybe you ought to consider a vote on this bill in the negative. Thank you very much.

The SPEAKER. Does the gentleman, Mr. Stairs, desire recognition?

Mr. STAIRS. Thank you, Mr. Speaker.

I just want to finally say that after much debate, I hope some of the problems have been clarified, because even though there are truant students out there who may cause trouble in the school, I think if they are in school, we can certainly try to address their needs much better than we can as they roam around the community causing havoc.

So I would hope that the schools would take the opportunity to apprehend the truant students, and either through alternative classes or through social programs, whatever it may be, to try to correct the problems that are out there and make these productive students and productive citizens. Thank you, Mr. Speaker.

The SPEAKER. Does the gentleman, Mr. Sturla, now want recognition? Do you want recognition, Mr. Sturla?

Mr. STURLA. Yes, Mr. Speaker.

The SPEAKER. The gentleman is recognized.

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, just a few points that I think need to be clarified in the bill. At least to the way I read the bill, the portion dealing with the police officers and the housing police, to the best of my knowledge, school boards do not have the power to dictate to local police departments whether they can or cannot enforce laws that we have given them powers to enforce.

Beyond that though, I would like to talk about the point that was raised about, do we really want to take truant kids and put them back in the classroom? If we really are not interested in taking truant kids and putting them back in the classroom and getting them into alternative education, then I suggest we remove the law that mandates that they attend school for 180 days, and until we do that, I think it is wholly appropriate that we do this type of legislation. Thank you.

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.

Representative Rohrer amended it, and Representative Thomas amended it. So it has to go back to the Senate, and certainly, they would have a chance to nonconcur or to concur, and if they would concur, then it would go to the Governor's desk, yes.

Mr. ARMS TRONG. I apologize for my ignorance there. You are correct. We made those changes.

So I guess I would ask that the danger of voting this bill right now with this flexibility and inadequacies of interpretation here is that if we send it to the Senate, they may not look at it with the kind of scrutiny that I would hope that they would look at it, and they could very easily pass it on to the Governor right away.

Would you be in favor of temporarily — and really, I am not standing up here to obstruct the flow of this legislation; I would like to see it move — but would you be of a will to at least temporarily hold it over so that we could amend that section there to make sure it is very clear?

Mr. STAIRS. Well, I understand your concerns, and I certainly would like to be accommodating, but unless the majority leader would give me some guidance that I do not have, my intent is to move this bill now, because we got this bill in the summertime. We have had it for several months. We amended it in the committee. It has been around a long time, and I would think my intent would be to move this legislation at this time. Unless I get wisdom other than that, I would like to see the bill being moved.

Mr. ARMSTRONG. I can understand that, Mr. Speaker. However, not all of us get to read every single piece of legislation as it flows through the process, but we are made aware of it when it comes before us for a vote, and this is right before me right now, and I can see the glaring problem that is there right now.

If we cannot at least temporarily take some time to further amend that, to clarify that, then I am forced to vote "no," because I am concerned about the expanded police powers that we have here.

(Conference held.)

Mr. ARMSTRONG. Mr. Speaker, I think we reached maybe some type of understanding here, so if you can, please state for us the legislative intent of this section of the bill, on page 9, from line 23 to the end.

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

Mr. STAIRS. Thank you, Mr. Speaker.

I think, in my opinion, the intent is that the power, the enforcement of the truancy, rests with the school board. They are the ones that have the power, as it has been and it will continue to be, so this does not change in this legislation. So certainly, as you asked the question, the intent is the local school board has the power, certainly, to have discipline as well as other truancy problems in the school district, yes.

Mr. ARMSTRONG. And the local police officers or the expanded authorities do not have the authority themselves to implement this legislation?

Mr. STAIRS. I agree with you. It is up to the local school board to do that, right, the school board.

Mr. ARMSTRONG. All right, thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Nyce.

Mr. NYCE. Thank you, Mr. Speaker.

On the bill, I would just like to say that we ought to be very careful about this. I will probably support the bill. We want to keep

truant kids off the street. But understand what we are doing here. We are going to fine parents, we may put some in jail, and we are going to force kids who do not want to be in school back in school.

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I think we ought to be a little bit more cautious when we are addressing issues like this and what the purpose is. If we are assuming that we can force kids to sit in an education program and become educated, then this is the kind of program we want. If you believe that you really cannot make these kids learn, you cannot force them to learn, and you are going to have to deal with the problems we are creating by bringing them back into our classrooms and disrupting the classroom, then maybe you ought to consider a vote on this bill in the negative. Thank you very much.

The SPEAKER. Does the gentleman, Mr. Stairs, desire recognition?

Mr. STAIRS. Thank you, Mr. Speaker.

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So I would hope that the schools would take the opportunity to apprehend the truant students, and either through alternative classes or through social programs, whatever it may be, to try to correct the problems that are out there and make these productive students and productive citizens. Thank you, Mr. Speaker.

The SPEAKER. Does the gentleman, Mr. Sturla, now want recognition? Do you want recognition, Mr. Sturla?

Mr. STURLA. Yes, Mr. Speaker.

The SPEAKER. The gentleman is recognized.

Mr. STURLA. Thank you, Mr. Speaker.

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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.

Diace, Durham, Egolf, Lloyd, Fuyek, Lynch, Santoni, Suther, Ryan, Speaker

NAYS 0

NOT VOTING-1

Argall

EXCUSED 5

DeWeese, Kukerich, LaGaroni, Mihalich, Travaglio

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

Ordered, That the clerk return the same to the Senate with the information that the House has passed the same without amendment.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE AND REFERRED TO COMMITTEE ON RULES

The clerk of the Senate, being introduced, returned **HB 126, PN 201**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

RULES COMMITTEE MEETING

The SPEAKER. The Chair recognizes the majority leader, who asks that there be an immediate meeting of the Rules Committee at his desk.

BILL ON CONCURRENCE REPORTED FROM RULES COMMITTEE

HB 126, PN 201 By Rep. PERZEL

An Act amending the act of April 9, 1929 (P.L. 177, No. 175), known as The Administrative Code of 1929, further providing for crime victims' compensation and for definitions; establishing the Bureau of Victims Services; further providing for the existence and powers and duties of the Crime Victim's Compensation Board, for crime victims' compensation eligibility and claims, for crime victims' compensation awards and subrogation, for crime victims' compensation costs, for law enforcement responsibilities relating to crime victims' compensation, for proceeds from crimes, for responsibilities of service providers and insurers as to crime victims' compensation and for the Basic Bill of Rights for Victims; imposing duties on the Department of Corrections, the Pennsylvania Board of Probation and Parole and the Department of Public Welfare; and providing for a transfer of the functions of the Crime Victim's Compensation Board to the Bureau of Victims Services.

RULES.

VICKI VanMETER PRESENTED

The SPEAKER. May I have your attention. Earlier today I introduced, as is our custom, different guest pages and guests of the House, guests of members of the House, and when I introduced this young lady to my left, Vicki VanMeter, at the time I simply introduced her as the guest of Representative Teresa Brown, which in and of itself, of course, is a pleasure. However, it was not until her turn was passed that I realized just who this young lady was, and I think you would be interested in knowing.

At age 11 this young lady, who is now 13, flew across the United States from Maine to San Diego in 33 hours of flying time in 3 1/2 days; at age 12 she flew the Atlantic from Maine to Frankfurt, Germany, in 2 days, 16 hours of flying time. She is now 13. She is in the eighth grade. She is the coauthor of a book that came out in August called "Taking Flight." She has been recognized by the Commission on Women as a role model for young women.

Now, during these various flights, she was accompanied by an adult because until she is 16, she is not permitted, as I understand the law, to fly solo, but I am told she did all of the flying on these various adventures, if you will, and I think that this is a special person who deserves a special round of applause.

Miss VanMETER. I do not know what to say. Thank you very much.

I have had a fun time these last couple of days because I have been able to be a guest page. I was over at the Senate, and then I was over here, and you guys work very, very hard.

I just wanted to say I have had a lot of fun. So thank you.

The SPEAKER. We are going to do one bill and then we are going to break. The Democratic leaders have requested a short break for a caucus.

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 102, PN 194**, entitled:

An Act amending Titles 18 (Crimes and Offenses) and 75 (Vehicles) of the Pennsylvania Consolidated Statutes, authorizing police officers to record certain oral communications; and further providing for windshield obstructions and wipers.

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?

The Chair recognizes the gentleman, Mr. Mayernik.

Mr. MAYERNIK. Thank you, Mr. Speaker. A brief statement. It has taken me 5 years to get here, so I would like at least 1 minute of the Assembly's time.

When we look at the police cars and we see the audiovisual cameras, this bill would permit the audio portion of those cameras. It would be basically the principle of what you see and what you

Diace, Durham, Egolf, Lloyd, Fuyek, Lynch, Santoni, Suther, Ryan, Speaker

NAYS 0

NOT VOTING-1

Argall

EXCUSED 5

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hear is what you get. It would permit single-party consent for the audio portion of the camcorders.

Presently the police are limited under Title 75 of using this under the legislation. Many departments already have the camcorders, but they cannot use the audio portion. This would permit it. When we go to look at the State Police, they have around 68 cameras right now, but they cannot use the audio portion. This would permit the audio portion to be used.

When we look at cases such as the Rodney King case, if these video cameras and camcorders would have been in police cars, we would not have just seen one little segment; we would have seen the beginning to the end.

Just recently in southwestern Pennsylvania, Allegheny County, in Representative Kaiser's district, we had an incident where an individual was pulled over around 7 a.m. and an altercation occurred with the police. I was not there so I cannot speak to what happened, but if we would have had the camcorders, we would have had five different views of what happened and we would have had five tape recordings of what happened, and there would not be controversy; there would not be an FBI investigation; there would not be a homicide investigation. What you see and what you hear is what you get.

This bill is badly needed. It is a tool for the police. The I.O.P. (Fraternal Order of Police) supports it. The Attorney General's Office has worked with me with the language and all other law enforcement offices. So I would ask for an affirmative vote.

Thank you, Mr. Speaker, for the courtesy.

The SPEAKER. The Chair thanks the gentleman.

The gentleman, Mr. Kaiser.

Mr. KAISER. Thank you, Mr. Speaker.

I rise to support HB 102.

I represent six communities in the South Hills of Allegheny County just outside the city of Pittsburgh. Several weeks ago a tragic incident occurred — a young man lost his life and four police officers were injured after a traffic chase.

I believe that there is a great need for video and audio recording of police officers' activities. This will protect both the suspect's rights as well as the police officer's rights. These recording devices will document the incidents.

Please support HB 102. Thank you, Mr. Speaker.

The SPEAKER. The gentleman, Mr. Veon.

Mr. VEON. Thank you, Mr. Speaker.

Mr. Speaker, I would like to have a brief interrogation of the sponsor of the bill, please.

The SPEAKER. Mr. MayerNIK consents. You may begin.

Mr. VEON. Thank you, Mr. Speaker.

Mr. Speaker, there has been at least some confusion among some members that your bill in some way, shape, or form has something to do with radar, and I was wondering if you might be willing to comment on that.

Mr. MAYERNIK. This bill in no way affects the radar provision. It only deals with the camcorders in police cars. It does not touch or affect existing laws regarding radar nor does it expand. It does not deal with radar at all, Mr. Speaker.

Mr. VEON. Thank you very much, Mr. Speaker. I am finished with the interrogation.

The SPEAKER. The Chair thanks the gentleman.

Mr. VEON. Thank you very much.

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—197

Table listing names of representatives who voted 'YEAS' for HB 102. Includes names like Adolph, Allen, Argall, Armstrong, Baker, Bard, Barnes, Battista, Bekko Jones, Belardi, Bellardi, Bonello, Bishop, Blum, Boncola, Boyer, Brown, Brownie, Burt, Butkovic, Cahan, Caltagirone, Cappabianca, Cera, Carone, Casale, Chadwick, Civera, Clark, Clymer, Collins, Cohen, M., Colabella, Colazzo, Conti, Corbett, Corpora, Corrigan, Cosell, Coy, Curry, Daley, DeLuca, Dempsey, Dent, Dermody, DiGirolamo, Donatucci, Drace, Durham, Egolf, Evans, Fawcitt, Felt, Fargo, Farmer, Farley, Fichter, Feigle, Flick, Gamble, Gannon, Geist, George, Gigliotti, Gladeck, Godshall, Gordon, Grutza, Grupp, Habny, Habuck, Harna, Harter, Hasny, Hennessey, Herrman, Herlihy, Hess, Hooley, Hutchinson, Irkin, Jadowiec, James, Jarolin, Jucolis, Kaiser, Keller, Kenney, King, Kirkland, Krebs, Laughlin, Lawless, LeDert, Leli, Levovitz, Levodansky, Lloyd, Lueck, Lynch, Mastland, Major, Manderino, Markoski, Marzico, Mastrom, Masarik, McCull, McGeehan, McGilli, Melillo, Merry, Michlevic, Mizozne, Miller, Mundy, Naylor, Niekel, Nyce, O'Brien, Olinz, Oliver, Orzell, Pardo, Parnass, Perrone, Petri, Phillips, Piccola, Pistella, Pittz, Plans, Preston, Ramos, Raymond, Roublos, Ruter, Reimard, Rizzo, Roberts, Robinson, Roebuck, Rohrer, Rooney, Rubley, Rudy, Samota, Santom, Sarber, Saylor, Schneider, Schuler, Serrenti, Semmel, Serafini, Slaner, Sleshon, Smith, B., Smith, S. II., Spitzer, D. W., Staback, Stairs, Steelman, Still, Stora, Stuber, Still, Strumatter, Strain, Surra, Targrett, Taylor, F. J., Thomas, Tighe, Trillo, Trish, True, Tull, Vance, Van Horne, Veon, Vitale, Walker, Washington, Waudt, Williams, Wright, D. B., Wright, M. S., Yewick, Youngblood, Zimmerman, Zing, Ryan, Speaker

NAYS 0

NOT VOTING 0

EXCUSED 3

Table listing names of representatives who were 'EXCUSED': DeWesse, Kukovich, LaGratta, Mihalich, Traviglio

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

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The SPEAKER. The Chair thanks the gentleman.

The gentleman, Mr. Kaiser.

Mr. KAISER. Thank you, Mr. Speaker.

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The SPEAKER. The gentleman, Mr. Veon.

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Mr. VEON. Thank you very much, Mr. Speaker. I am finished with the interrogation.

The SPEAKER. The Chair thanks the gentleman.

Mr. VEON. Thank you very much.

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—197

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NAYS 0

NOT VOTING 0

EXCUSED 3

Table listing names of representatives who were 'EXCUSED': DeWesse, Kukovich, LaGratta, Mihalich, Traviglio

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.

DEMOCRATIC CAUCUS

The SPEAKER. The Democratic leaders have requested that the Democratic Caucus meet immediately. The House will stand in recess until 4 p.m. There will be no votes taken until 4 p.m. I will continue to do some housekeeping work, but there will be no votes taken until 4 p.m.

The members are free to leave the chamber, provided they are back here at 4, when we will go back into the voting portion of the day.

The Democrat members should report to their caucus immediately.

SENATE MESSAGE

HOUSE AMENDMENTS CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to the Senate amendments to **HB 22, PN 200**; and **HB 103, PN 185**.

SENATE MESSAGE

AMENDED SENATE BILLS RETURNED FOR CONCURRENCE AND REFERRED TO COMMITTEE ON RULES

The clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives by amending said amendments to **SB 100, PN 167**; and **SB 109, PN 168**.

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

VOTE CORRECTION

The SPEAKER. The gentleman, Mr. Belfanti.

Mr. BELFANTI. Thank you, Mr. Speaker.

Would this be an appropriate time to make a correction of the record?

The SPEAKER. It would. This is in special session?

Mr. BELFANTI. Yes, Mr. Speaker.

The SPEAKER. Yes.

Mr. BELFANTI. Mr. Speaker, on the final passage vote on SB 98, I was recorded in the negative, and I would like to have been recorded in the positive. Thank you.

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

Any further corrections of the record in special session? Any reports of committee, any committee announcements, any other announcements in special session?

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 22, PN 200

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for arrest without warrant.

HB 103, PN 185

An Act amending the act of April 9, 1929 (P. L. 177, No. 175), known as The Administrative Code of 1929, further providing for basic bill of rights for victims and for responsibilities of local correctional facilities.

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

RECESS

The SPEAKER. Do the Republican or Democratic floor leaders have any further business at this time?

Tearing, none, the House will stand in recess until 4 p.m., unless sooner recalled by the Speaker.

AFTER RECESS

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

RECESS

The SPEAKER. The Chair declares the special session in recess.

AFTER RECESS

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

CALENDAR CONTINUED

BILLS ON THIRD CONSIDERATION

BILLS PASSED OVER

The SPEAKER. The Chair turns to page 2 of the special calendar.

SB 72 is over.

SB 81 is over.

The House proceeded to third consideration of **SB 99, PN 161**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for juvenile history record information and for adjudication.

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

DEMOCRATIC CAUCUS

The SPEAKER. The Democratic leaders have requested that the Democratic Caucus meet immediately. The House will stand in recess until 4 p.m. There will be no votes taken until 4 p.m. I will continue to do some housekeeping work, but there will be no votes taken until 4 p.m.

The members are free to leave the chamber, provided they are back here at 4, when we will go back into the voting portion of the day.

The Democrat members should report to their caucus immediately.

SENATE MESSAGE

HOUSE AMENDMENTS CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to the Senate amendments to **HB 22, PN 200**; and **HB 103, PN 185**.

SENATE MESSAGE

AMENDED SENATE BILLS RETURNED FOR CONCURRENCE AND REFERRED TO COMMITTEE ON RULES

The clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives by amending said amendments to **SB 100, PN 167**; and **SB 109, PN 168**.

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

VOTE CORRECTION

The SPEAKER. The gentleman, Mr. Belfanti.

Mr. BELFANTI. Thank you, Mr. Speaker.

Would this be an appropriate time to make a correction of the record?

The SPEAKER. It would. This is in special session?

Mr. BELFANTI. Yes, Mr. Speaker.

The SPEAKER. Yes.

Mr. BELFANTI. Mr. Speaker, on the final passage vote on SB 98, I was recorded in the negative, and I would like to have been recorded in the positive. Thank you.

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

Any further corrections of the record in special session? Any reports of committee, any committee announcements, any other announcements in special session?

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 22, PN 200

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for arrest without warrant.

HB 103, PN 185

An Act amending the act of April 9, 1929 (P. L. 177, No. 175), known as The Administrative Code of 1929, further providing for basic bill of rights for victims and for responsibilities of local correctional facilities.

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

RECESS

The SPEAKER. Do the Republican or Democratic floor leaders have any further business at this time?

Tearing, none, the House will stand in recess until 4 p.m., unless sooner recalled by the Speaker.

AFTER RECESS

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

RECESS

The SPEAKER. The Chair declares the special session in recess.

AFTER RECESS

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

CALENDAR CONTINUED

BILLS ON THIRD CONSIDERATION

BILLS PASSED OVER

The SPEAKER. The Chair turns to page 2 of the special calendar.

SB 72 is over.

SB 81 is over.

The House proceeded to third consideration of **SB 99, PN 161**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for juvenile history record information and for adjudication.

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

Mr. MICILOVIC offered the following amendment No. A-5444:

Amend Sec. 2 (Sec. 6341), page 3, line 19, by inserting after "child," The building principal or his or her designee shall inform the child's teacher of all information received under this subsection.

Amend Sec. 2 (Sec. 6341), page 3, by inserting between lines 23 and 24

(5) Any information provided to and maintained by the building principal or his or her designee under this subsection shall be transferred to the building principal or his or her designee of any public, private or parochial school to which the child transfers enrollment.

Amend Sec. 2 (Sec. 6341), page 3, line 24, by striking out "(5)" and inserting

(6) Amend Sec. 2 (Sec. 6341), page 3, line 29, by striking out "paragraph (4)" and inserting paragraphs (4) and (5)

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

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

Mr. MICILOVIC. Thank you, Mr. Speaker.

The SPEAKER. Will the gentleman yield for a moment.

There are seven amendments to this bill that I am aware of some may be withdrawn — and there may be one or two other bills to be considered today. So please cooperate, let the debate take place, keep the conferences at a minimum, please.

The gentleman may proceed.

Mr. MICILOVIC. Thank you, Mr. Speaker.

Mr. Speaker, amendment 5444 is a rather straightforward, simple amendment. It adds to the persons being informed about a juvenile's felonious activity or his felonious criminal history. It adds to the principal of the building advising the teacher of that minor.

It seems to me that simply informing the principal that a child in their school building has a record of this sort is not enough. I think we have to inform the teacher, for two reasons: one, so that the teacher can, hopefully understanding that the child is a troubled child, can try to help that child; and secondly, for the safety of both the students and the teacher in the future.

There is a second part of the amendment, and it would require that if that child is transferred to another school or another building, that the information would follow to the building principal and the principal would have to advise the teachers in that building of the same kind of information. All along the information would be kept confidential and not apply to the academic record of the child.

I urge support of the amendment. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Dauphin County, Mr. Piccola.

Mr. PICCOLA. Thank you, Mr. Speaker.

This is a good addition to the bill, and the amendment is agreed to.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YLA8 195

Table with 4 columns of names: Adolph, Allen, Agassi, Amstrong, Baker, Dard, Barley, Battista, Bekko-Jones, Belland, Belland, Bonestro, Blum, Tencela, Boyes, Brown, Browne, Bunt, Rutkowitz, Ruston, Calabrone, Cappabianca, Carr, Carone, Casley, Chabwick, Civera, Clark, Clymer, Cohen, L. J., Cohen, M., Colafella, Colarizzo, Corbi, Corradi, Corpora, Corrigan, Cowell, Cury, Curre, Dadey, Delora, Dempsey, Dent, Dornaszy, Dyczkowski, Domaucci, Dross, Durham, Egolf, Evans, Fairchild, Fajt, Farzo, Farmer, Finess, Fishel, Fleagle, Flick, Gamble, Gannon, Geist, George, Gliotti, Gledock, Grodshol, Gordon, Grutza, Gruppo, Habas, Halaska, Hanne, Harhart, Harney, Hennessy, Herman, Harshay, Hess, Hutchinsan, Huse, Jaskowicz, James, Janelin, Josephs, Kaban, Kahan, Keller, Kennedy, King, Kirkland, Krahe, Laughlin, Lawless, Leader, Leff, Lescochy, Lewdanski, Lloyd, Lucyk, Lynch, Maitland, Major, Mandarino, Markosek, Marisco, Masland, Mavennik, McGill, McCall, McLachlan, McCall, McElie, Mery, Michtovics, Micozzie, Miller, Mundy, Naffor, Niekol, Nyce, O'Brien, Oboz, Oliver, Perzel, Peral, Patareva, Petrone, Pettit, Phillips, Pivolski, Pirella, Pitter, Plato, Puzon, Ramos, Raymond, Readshaw, Reber, Reissard, Riegler, Roberts, Robinson, Robuck, Rooney, Rusby, Rudy, Sefinato, Santoni, Sattler, Secker, Schroeder, Schuler, Scrimanti, Semmel, Szwedni, Shoner, Sheehan, Smith, D., Smith, S. D., Snyder, D. W., Staback, Stads, Stuchman, Streif, Stern, Sverish, Stish, Strimmarer, Sunja, Surra, Ungretti, Taylor, E. Z., Taylor, J., Thomas, Treane, Trich, True, Fuli, Vance, Van Horn, Veon, Vitali, Walke, Washington, Wajch, Williams, Wozan, Wozniak, Wright, D. R., Wright, M. N., Yewstic, Youngblood, Zimmerman, Zag, Ryan, Speaker

NAYS-0

NOT VOTING-2

Bishop Heisey

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

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Amend Sec. 2 (Sec. 6341), page 3, line 19, by inserting after "child," The building principal or his or her designee shall inform the child's teacher of all information received under this subsection.

Amend Sec. 2 (Sec. 6341), page 3, by inserting between lines 23 and 24

(5) Any information provided to and maintained by the building principal or his or her designee under this subsection shall be transferred to the building principal or his or her designee of any public, private or parochial school to which the child transfers enrollment.

Amend Sec. 2 (Sec. 6341), page 3, line 24, by striking out "(5)" and inserting

(6) Amend Sec. 2 (Sec. 6341), page 3, line 29, by striking out "paragraph (4)" and inserting paragraphs (4) and (5)

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

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

Mr. MICILOVIC. Thank you, Mr. Speaker.

The SPEAKER. Will the gentleman yield for a moment.

There are seven amendments to this bill that I am aware of some may be withdrawn — and there may be one or two other bills to be considered today. So please cooperate, let the debate take place, keep the conferences at a minimum, please.

The gentleman may proceed.

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It seems to me that simply informing the principal that a child in their school building has a record of this sort is not enough. I think we have to inform the teacher, for two reasons: one, so that the teacher can, hopefully understanding that the child is a troubled child, can try to help that child; and secondly, for the safety of both the students and the teacher in the future.

There is a second part of the amendment, and it would require that if that child is transferred to another school or another building, that the information would follow to the building principal and the principal would have to advise the teachers in that building of the same kind of information. All along the information would be kept confidential and not apply to the academic record of the child.

I urge support of the amendment. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Dauphin County, Mr. Piccola.

Mr. PICCOLA. Thank you, Mr. Speaker.

This is a good addition to the bill, and the amendment is agreed to.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YLA8 195

Table with 4 columns of names: Adolph, Allen, Agassi, Amstrong, Baker, Dard, Barley, Battista, Bekko-Jones, Belland, Belland, Bonestro, Blum, Tencela, Boyes, Brown, Browne, Bunt, Rutkowitz, Ruston, Calabrone, Cappabianca, Carr, Carone, Casley, Chabwick, Civera, Clark, Clymer, Cohen, L. J., Cohen, M., Colafella, Colarizzo, Corbi, Corradi, Corpora, Corrigan, Cowell, Cury, Curre, Dadey, Delora, Dempsey, Dent, Dornaszy, Dyczkowski, Domaucci, Dross, Durham, Egolf, Evans, Fairchild, Fajt, Farzo, Farmer, Finess, Fishel, Fleagle, Flick, Gamble, Gannon, Geist, George, Gliotti, Gledock, Grodshol, Gordon, Grutza, Gruppo, Habas, Halaska, Hanne, Harhart, Harney, Hennessy, Herman, Harshay, Hess, Hutchinsan, Huse, Jaskowicz, James, Janelin, Josephs, Kaban, Kahan, Keller, Kennedy, King, Kirkland, Krahe, Laughlin, Lawless, Leader, Leff, Lescochy, Lewdanski, Lloyd, Lucyk, Lynch, Maitland, Major, Mandarino, Markosek, Marisco, Masland, Mavennik, McGill, McCall, McLachlan, McCall, McElie, Mery, Michtovics, Micozzie, Miller, Mundy, Naffor, Niekol, Nyce, O'Brien, Oboz, Oliver, Perzel, Peral, Patareva, Petrone, Pettit, Phillips, Pivolski, Pirella, Pitter, Plato, Puzon, Ramos, Raymond, Readshaw, Reber, Reissard, Riegler, Roberts, Robinson, Robuck, Rooney, Rusby, Rudy, Sefinato, Santoni, Sattler, Secker, Schroeder, Schuler, Scrimanti, Semmel, Szwedni, Shoner, Sheehan, Smith, D., Smith, S. D., Snyder, D. W., Staback, Stads, Stuchman, Streif, Stern, Sverish, Stish, Strimmarer, Sunja, Surra, Ungretti, Taylor, E. Z., Taylor, J., Thomas, Treane, Trich, True, Fuli, Vance, Van Horn, Veon, Vitali, Walke, Washington, Wajch, Williams, Wozan, Wozniak, Wright, D. R., Wright, M. N., Yewstic, Youngblood, Zimmerman, Zag, Ryan, Speaker

NAYS-0

NOT VOTING-2

Bishop Heisey

EXCUSED—5

DeWeese Kirkovich LaGrotta Mihalic Trivaglio

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?

The SPEAKER. The Chair recognizes the lady from Centre, Mrs. Rudy. It is my understanding her amendments have been withdrawn?

The gentleman, Mr. Sturla, it is my understanding his amendments are withdrawn? To SB 99, yes. Thank you, Mr. Sturla.

And the Rudy amendments are withdrawn.

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?

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

YEAS—197

- Adolph Allen Argall Armstrong Baker Beard Bailey Baskette Becke-Jones Bisher Belfanti Birmelin Bishop Blamm Bassolet Boyer Brown Browne Burk Burkowitz Busson Calabrozza Cappabianca Cao Carson Cavley Chadwick Cysna Clark Clymer Cohen, L. J. Cohen, M. Colatella

- Colozzo Conri Corbett Corpora Corrigan Cossell Clay Clery Daley DeLuca Dempsey Dent DiGirolamo Donatucci Dorce Durham James Jarolin Josephs Kaiser Keller Kenney King Kirkland Krebs Lautz Lawless Lederer Leeb Lescovitz Lovdanskoy Lloyd Luck Preston Raines Raymond Reardonshay Reber Reinhard Rieger Roberts Robinson Roebuck Roeder Rooney Rubley Rudy Saimato Santoni Sather Vlahi Walke Washington Waugh Williams Wogan Wozniak Wright, D. R. Wright, M. N. Yewick Youngblood Zimmerman Zug Ryan, Speaker

NAYS—0

NOT VOTING—0

EXCUSED—5

DeWeese Kirkovich LaGrotta Mihalic Trivaglio

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

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

SUPPLEMENTAL CALENDAR A

BILL ON CONCURRENCE IN SENATE AMENDMENTS

The House proceeded to consideration of concurrence in Senate amendments to HB 126, PN 201, 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 crime victims' compensation and for definitions; establishing the Bureau of Victims Services; further providing for the existence and powers and duties of the Crime Victim's Compensation Board, for crime victims' compensation eligibility and claims, for crime victims' compensation awards and subrogation, for crime victims' compensation costs, for law enforcement responsibilities relating to crime victims' compensation, for proceeds from crimes, for responsibilities of service providers and insurers as to crime victims' compensation and for the Basic Bill of Rights for Victims, imposing duties on the Department of Corrections, the Pennsylvania Board of Probation and Parole and the Department of Public Welfare; and providing for a transfer of the functions of the Crime Victim's Compensation Board to the Bureau of Victims Services.

On the question.

Will the House concur in Senate amendments?

The SPEAKER. On that question, the Chair recognizes the gentleman from Chester, Mr. Schroder.

Mr. SCHROEDER. Thank you, Mr. Speaker.

EXCUSED—5

DeWeese Kirkovich LaGrotta Mihalic Trivaglio

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

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

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Bill as amended was agreed to.

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NAYS—0

NOT VOTING—0

EXCUSED—5

DeWeese Kirkovich LaGrotta Mihalic Trivaglio

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

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

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On the question.

Will the House concur in Senate amendments?

The SPEAKER. On that question, the Chair recognizes the gentleman from Chester, Mr. Schroder.

Mr. SCHROEDER. Thank you, Mr. Speaker.

Mr. Speaker, a review of the bill this afternoon indicates that the Senate made several amendments, mostly technical in nature, and made a few amendments that improve the bill. I would urge the House to concur with the Senate amendments. Thank you.

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

- Adolph Allen August Armstrong Baker Barr Barley Dattiso Bubko-Jones Bellardi Bellardi Romolino Bishop Blaum Boscola Boyss Brown Browne Bunt Bukowitz Huston Calmgroene Cappabianca Cam Carone Cavales Chadwick Clavera Clark Crona Cohen, I. I. Cohen, M. Colafella Colalizo Court Cornell Coppola Corrigan Crowell Coy Curry Daley DeLuca Dempsey Dem Dermody Nicholson Dwanneke Druce Durham Egolf Evans Fairchild Fuji Henge Hanger Heese Fichter Fleagle Flick Gorbale Granno Gelfo George Gigliotti Gillock Gillock Gostshall Gordoner Graitza Grappo Habib Haluska Hannon Harhart Hasky Hennessy Herman Hershey Hess Horsey Hutchinson Irwin Jachowicz Jameson Joseph Josephs Kaiser Kahan Kahaney King Kirkland Krebs Kuehlin Lawless Lederer Leah Lewisitz Lewitonsky Lloyd Lucy Lyach Kiarland Major Manderino Markosak Mastio Mastland Mayemak McCall McFiehan McMill Nello Meery Michlosic Micozzie Miller Mundy Nallou Nickel Nye O'Brien Olaso Oliver Ortolani Pardi Penzano Petrone Pettit Phillips Horsey Piacella Pitts Plims Preston Ramos Raymond Readshaw Reber Richmond Rieger Roberts Robinson Rosabuck Rohrer Rooney Ruby Sainato Santoni Sarber Saylor Schroder Schuler Scrimow Sammel Sarfani Shaner Shoshan Smith, B. Smith, S. H. Snyder, D. W. Staback Stafs Stelmman Sreal Stern Sretter Seish Surtimatur Sturle Suris Tangredi Taylor, T. Z. Taylor, J. Thomas Tighe Trich True Tullini Vance Van Horne Vean Vitiello Walker Washington Wengh Williams Wozan Wozniak Wright, D. B. Wright, M. W. Swedie Younablood Zimmerman Zug Ryan, Speaker

NAYS—0

NOT VOTING—0

EXCUSED—5

- DeWeese LaGrotta Nihalich Travaglio Kukovich

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.

BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

HB 126, PN 201

An Act amending the act of April 9, 1929 (P.L. 177, No. 175), known as The Administrative Code of 1929, further providing for crime victims' compensation and for definitions; establishing the Bureau of Victims Services; further providing for the existence and powers and duties of the Crime Victim's Compensation Board; for crime victims' compensation eligibility and claims; for crime victims' compensation awards and subrogation; for crime victims' compensation, for law enforcement responsibilities relating to crime victims' compensation, for proceeds from crimes, for responsibilities of service providers and insurers as to crime victims' compensation and for the Basic Bill of Rights for Victims, imposing duties on the Department of Corrections, the Pennsylvania Board of Probation and Parole and the Department of Public Welfare; and providing for a transfer of the functions of the Crime Victim's Compensation Board to the Bureau of Victims Services.

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

ADJOURNMENT

The SPEAKER, Do the majority leader or the Democratic floor leaders have any further business in special session? Are there any announcements in special session? Are there any corrections of the record in special session?

Hearing none, the Chair recognizes the gentleman from Allegheny County, Mr. Readshaw.

Mr. READSHAW, Mr. Speaker, I move that this House do now adjourn in special session until Monday, October 30, 1995, at 1:05 p.m., e.s.t., unless sooner recalled by the Speaker.

On the question, Will the House agree to the motion? Motion was agreed to, and at 4:26 p.m., e.d.t., the House adjourned.

Mr. Speaker, a review of the bill this afternoon indicates that the Senate made several amendments, mostly technical in nature, and made a few amendments that improve the bill. I would urge the House to concur with the Senate amendments. Thank you.

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

- Adolph Allen August Armstrong Baker Barr Barley Dattiso Bubko-Jones Bellardi Bellardi Romolino Bishop Blaum Boscola Boyss Brown Browne Bunt Bukowitz Huston Calmgroene Cappabianca Cam Carone Cavales Chadwick Clavera Clark Crona Cohen, I. I. Cohen, M. Colafella Colalizo Court Cornell Coppola Corrigan Crowell Coy Curry Daley DeLuca Dempsey Dem Dermody Nicholson Dwanneke Druce Durham Egolf Evans Fairchild Fuji Henge Hanger Heese Fichter Fleagle Flick Gorbale Granno Gelfo George Gigliotti Gillock Gillock Gostshall Gordoner Graitza Grappo Habib Haluska Hannon Harhart Hasky Hennessy Herman Hershey Hess Horsey Hutchinson Irwin Jachowicz Jameson Joseph Josephs Kaiser Kahan Kahaney King Kirkland Krebs Kuehlin Lawless Lederer Leah Lewisitz Lewitonsky Lloyd Lucy Lyach Kiarland Major Manderino Markosak Mastio Mastland Mayemak McCall McFiehan McMill Nello Meery Michlosic Micozzie Miller Mundy Nallou Nickel Nye O'Brien Olaso Oliver Ortolani Pardi Penzano Petrone Pettit Phillips Horsey Piacella Pitts Plims Preston Ramos Raymond Readshaw Reber Richmond Rieger Roberts Robinson Rosabuck Rohrer Rooney Ruby Sainato Santoni Sarber Saylor Schroder Schuler Scrimow Sammel Sarfani Shaner Shoshan Smith, B. Smith, S. H. Snyder, D. W. Staback Stafs Stelmman Sreal Stern Sretter Seish Surtimatur Sturle Suris Tangredi Taylor, T. Z. Taylor, J. Thomas Tighe Trich True Tullini Vance Van Horne Vean Vitiello Walker Washington Wengh Williams Wozan Wozniak Wright, D. B. Wright, M. W. Swedie Younablood Zimmerman Zug Ryan, Speaker

NAYS—0

NOT VOTING—0

EXCUSED—5

- DeWeese LaGrotta Nihalich Travaglio Kukovich

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.

BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

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

ADJOURNMENT

The SPEAKER, Do the majority leader or the Democratic floor leaders have any further business in special session? Are there any announcements in special session? Are there any corrections of the record in special session?

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Mr. READSHAW, Mr. Speaker, I move that this House do now adjourn in special session until Monday, October 30, 1995, at 1:05 p.m., e.s.t., unless sooner recalled by the Speaker.

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