

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.

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BILLS PASSED OVER

The SPEAKER. HB 360 is over. HB 413 is over.
Page 3 of today's calendar. HB 658 is over.

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The House proceeded to third consideration of **SB 156, PN 224**, entitled:

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, further providing for the composition and powers of the Board of Pardons.

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. Cohen.

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, will someone submit to interrogation on this bill?

The SPEAKER. This is a Senate bill. Anybody care to—

The gentleman, Mr. Gannon, indicates he will stand for interrogation. You may begin.

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, will the gentleman explain why it is important to fight crime to reduce the confirmation numbers needed from two-thirds of the Senate to a majority of the Senate?

Mr. GANNON. Mr. Speaker, we are adding one crime victim who will replace a member of the bar and also we are adding a corrections expert who would replace a penologist. So there is really no need for a two-thirds vote to do something like that. All that is going on is, we are simply confirming members to the board. There is no need for a supermajority, or we do not see any need for a supermajority to do only that. And this will enable us to get members on the board a lot quicker so that we can get these issues expedited and get the process moving faster.

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, the bill provides that a crime victim shall be on the board. Some years ago I had a car telephone stolen. Does that qualify me for the board?

Mr. GANNON. Mr. Speaker, I would say technically, technically, you are correct, but as a practical matter, that is not what is going to happen.

When we had our special session on crime, one of the focuses of that special session was to bring victims into this arena so that they had some voice in our system. For some strange reason over the past several decades, we have decided to give more rights to criminals, more privileges to criminals, than we have the crime victims, and this is one small step to redress what we have taken away from crime victims.

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, 20 years ago when I was walking down the street—

The SPEAKER. Is the gentleman continuing interrogation or are you speaking on the bill?

Mr. COHEN. Yes, I am continuing interrogation, Mr. Speaker.

Twenty years ago when I was walking down the street a kid I had never met ran by and punched me in the face. That, too, would make me a crime victim, would it not?

Mr. GANNON. About 12 weeks ago somebody broke into my car and tried to steal my cellular phone—

Mr. COHEN. That would make you a crime victim.

Mr. GANNON. —so that makes me a crime victim, too.

Mr. COHEN. Mr. Speaker, over time just about everybody is a crime victim of one kind or another, are they not?

Mr. GANNON. And that is the problem. We have too many crime victims and not enough—

Mr. COHEN. But the problem, in the context of this bill, Mr. Speaker, is that we are basically replacing the requirement of some degree of expertise with a classification that probably includes virtually everybody. It certainly would include virtually everyone in southeastern Pennsylvania, and I suspect just about everybody in the State of Pennsylvania at one time in their life has been victimized by one form of crime or another.

I have no further questions, Mr. Speaker.

Mr. GANNON. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

Mr. COHEN. Mr. Speaker?

The SPEAKER. The gentleman, Mr. Cohen.

Mr. COHEN. Mr. Speaker, this is a bill that sounds a lot better than it really is. It does several things. The most important thing it does is it takes away the power of the minority party in the Senate to have input on the question of who should be on the Board of Pardons. That is the biggest change that this bill makes, and I suspect that the rest of the bill is merely a smokescreen to cover up that the minority party in the Senate loses all authority over the Board of Pardons.

Now, the rest of the language in this bill gets rid of the requirement that an attorney be on the board and puts the requirement that a crime victim should be on the board. Now, maybe this would make sense if it was required that a person be a leader of a crime victims organization or have some leadership role in the field of crime victims' rights, but to require merely that a crime victim be a member of the board means we are taking a qualification of expertise and we are replacing it with a qualification of experience that I would submit that just about everybody, unfortunately, in this society has, and so we are putting a person on this board who has no real qualifications other than he or she has had an experience which is, unfortunately, all too common in this society and which the vast majority of Americans have had.

Finally, Mr. Speaker, we are requiring a unanimous vote in order to find that somebody who is sentenced to death or life imprisonment be given a pardon—

The SPEAKER. Mr. Cohen, you are letting your voice get away from the microphone. We are having difficulty—

Mr. COHEN. Yes, Mr. Speaker; I am sorry. I am suffering from a cold. I suspect it is more my cold than the microphone.

Mr. Speaker, I know this sounds good; it sounds sexy. Nobody wants to be attacked in an election campaign for not having a crime victim on the board, but this bill is really pandering and it is not really solving any problems.

I personally am going to be voting against it although I know it is going to pass.

The SPEAKER. Mr. Gannon.

Mr. GANNON. Thank you, Mr. Speaker.

Mr. Speaker, just for the information of the House, this bill has passed the House in a prior session by 177 to 23.

The SPEAKER. The Chair thanks the gentleman.

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—180

Adolph	DeWeese	Lucyk	Schuler
Allen	DiGirolamo	Lynch	Scrimenti
Argall	Donatucci	Maitland	Semmel
Armstrong	Druce	Major	Serafini
Baker	Eachus	Manderino	Seyfert
Bard	Egolf	Markosek	Shaner
Barley	Evans	Marsico	Smith, B.
Barrar	Fairchild	Masland	Smith, S. H.
Battisto	Fargo	Mayernik	Snyder, D. W.
Bebko-Jones	Feese	McCall	Staback
Belardi	Fichter	McGeehan	Stairs
Belfanti	Fleagle	McGill	Steelman
Benninghoff	Gannon	McIlhattan	Steil
Birmelin	Geist	McNaughton	Stern
Blaum	George	Melio	Stetler
Boscola	Gigliotti	Micozzie	Stevenson
Boyes	Gladeck	Miller	Strittmatter
Brown	Godshall	Mundy	Sturla
Browne	Gordner	Nailor	Surra
Bunt	Gruitza	Nickol	Tangretti
Butkovitz	Gruppo	O'Brien	Taylor, E. Z.
Buxton	Habay	Olasz	Taylor, J.
Caltagirone	Haluska	Orie	Tigue
Cappabianca	Hanna	Perzel	Travaglio
Carone	Harhart	Pesci	Trello
Casorio	Hasay	Petrarca	Trich
Cawley	Hennessey	Petrone	True
Chadwick	Herman	Phillips	Tulli
Civera	Hershey	Pippy	Vance
Clark	Hess	Pistella	Van Horne
Clymer	Horsey	Platts	Veon
Cohen, L. I.	Hutchinson	Preston	Vitali
Colafella	Jadlowiec	Raymond	Walko
Colaizzo	Jarolin	Readshaw	Waugh
Conti	Kaiser	Reber	Williams, C.
Cornell	Keller	Reinard	Wilt
Corrigan	Kenney	Rieger	Wogan
Cowell	Kirkland	Rohrer	Wojnaroski
Coy	Krebs	Ross	Wright, M. N.
Curry	LaGrotta	Rubley	Yewcic
Daley	Lawless	Sainato	Zimmerman
Dally	Lederer	Santoni	Zug
DeLuca	Leh	Sather	

Dempsey	Lescovitz	Saylor	Ryan,
Dent	Levdansky	Schroder	Speaker
Dermody	Lloyd		

NAYS—18

Bishop	James	Oliver	Thomas
Carn	Josephs	Ramos	Washington
Cohen, M.	Michlovic	Robinson	Williams, A. H.
Corpora	Mihalich	Roebuck	Youngblood
Itkin	Myers		

NOT VOTING—0

EXCUSED—5

Flick	Pettit	Roberts	Rooney
Laughlin			

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.

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The House proceeded to third consideration of **HB 171, PN 754**, entitled:

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, further providing for absentee voting.

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

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

The question is, shall the bill pass finally?

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

YEAS—195

Adolph	DiGirolamo	Maitland	Schuler
Allen	Donatucci	Major	Scrimenti
Argall	Druce	Manderino	Semmel
Armstrong	Eachus	Markosek	Serafini
Baker	Egolf	Marsico	Seyfert
Bard	Evans	Masland	Shaner
Barley	Fairchild	Mayernik	Smith, B.
Barrar	Fargo	McCall	Smith, S. H.
Battisto	Feese	McGeehan	Snyder, D. W.
Bebko-Jones	Fichter	McGill	Staback
Belardi	Fleagle	McIlhattan	Stairs
Belfanti	Gannon	McNaughton	Steelman
Benninghoff	Geist	Melio	Steil
Birmelin	George	Micozzie	Stern
Bishop	Gigliotti	Mihalich	Stetler
Blaum	Gladeck	Miller	Stevenson
Boscola	Godshall	Mundy	Strittmatter
Boyes	Gordner	Myers	Sturla
Brown	Gruitza	Nailor	Surra
Browne	Gruppo	Nickol	Tangretti