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

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

***

BILLS PASSED OVER

The SPEAKER. HB 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

Dempsey
Lescovitz
Saylor
Ryan,
Dent
Ledsansky
Schroder
Speaker
Dermody
Lloyd

NAYS—18

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

NOT VOTING—0

EXCUSED—5

Flick
Petit
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
Allen
Argall
Armstrong
Baker
Barley
Barrar
Battisto
Bekko-Jones
Belardi
Belfanti
Benninghoff
Birmelin
Blaum
Boscola
Boyes
Brown
Brown
Bunt
Butkowitz
Buxton
Calagnione
Cappobianca
Carone
Cassorci
Cawley
Chadwick
Ciera
Clark
Clymer
Cohen, L. I.
Colaizzi
Colaiello
Conti
Corrigan
Cowell
Coy
Curry
Daley
Dally
DeLuca

DiGriolamo
Donatucci
Druce
Druus
Evans
Fargo
Feece
Fichter
Flegle
Gannon
Geist
George
Gigliotti
Gladeck
Goldshall
Gordner
Gruzza
Gruppo
Habay
Haluska
Hanna
Harhart
Hasay
Hennessey
Herman
Hershey
Hess
Horsey
Hutchinson
Jadlowiec
Jarolim
Kaiser
Keller
Kennedy
Kirkland
Krebis
LaGrotta
Lawless
Lederer
Leh
Lucyk
Lynch
Maitland
Major
Manderino
Marsko
Marsico
Mastland
Mayermik
McCall
McGeehan
McIlhatten
McNaughton
Melo
Micozzi
Miller
Mundy
Nailor
Nickel
O'Brien
Orie
Percz
Pesci
Petarca
Petone
Phillips
Pipetty
Platts
Preston
Raymond
Readshaw
Rehr
Rehr
Riegel
Rohrer
Ross
Rubley
Sainato
Santoni
Sather
Sculer
Schiller
Scribent
Semmel
Serafini
Seyfert
Shaner
Smith, B.
Smith, S. H.
Stern
Strittmatter
Sturfa
Surra
Tangretti
Taylor, E. Z.
Taylor, J.
Tigue
Travaglio
Trello
Trich
Trine
True
Tulli
Vance
Van Horne
Vean
Vitali
Waugh
Walters
Wilen
Wigan
Wojnarosi
Wright, M. N.
Yewcic
Zimmerman
Zug

Schuler
Scribent
Semmel
Seyfert
Shaner
Smith, B.
Smith, S. H.
Stern
Strittmatter
Sturfa
Surra
Tangretti