

# COMMONWEALTH OF PENNSYLVANIA

## LEGISLATIVE JOURNAL

TUESDAY, JANUARY 1, 1991

SESSION OF 1991

175TH OF THE GENERAL ASSEMBLY

No. 1

### SENATE

TUESDAY, January 1, 1991, 12:00 m.

The PRESIDENT. This is the constitutional day and hour for the convening of the 175th Regular Session of the General Assembly.

The PRESIDENT (Lieutenant Governor Mark S. Singel) called the Senate to order at 12:00 m., Eastern Standard Time.

### PRAYER

The Chaplain, Monsignor Michael Servinsky, of Our Lady of Lourdes Catholic Church, Altoona, offered the following prayer:

Let us pray.

O God, the Creator of all and the Lord of all history, bless this august assemblage, who meet on this New Year's Day of 1991 to open this legislative Session.

The first day of a new year always brings with it energetic hope and revitalized strength to confront the difficulties which so vex us.

Grant the newly elected Members of this Legislature a warm, gracious and amicable welcome. May they bring fresh insights into old problems. May their energy and zeal renew those who have been worn down over the years. Bless, too, the reelected Members of the Senate and General Assembly. Grant them the gift of leadership and the courage to exercise it.

Bestow upon all our Legislators the prudence and patience to listen and learn from others. Grant them the gift of wisdom so that this Commonwealth may be safely piloted through the turbulent times which face us.

O God, You know our thoughts even before we do, so You know how worried and anxious we are about the events in the Persian Gulf. We all pray for our Armed Forces. We remember in a very special way all the men and women from Pennsylvania and those of our own families who serve our country. Watch over them, Lord, and keep them safe, but, most of all, Almighty God, grant us peace.

Our thoughtful and heartfelt concerns include those who live here in Pennsylvania. We are indeed grateful for the passage last year of Act 31. Nonetheless, there are still many life issues challenging us. In brief, how do we provide our citizens with needed health care and housing? How can we feed the hungry and furnish recreation? What can be done to

supply our children with free choice in education, including a value centered education? There are questions of employment, crime and punishment. We are faced with a deteriorating infrastructure as well as the crises of our cities, boroughs and townships. Then, to solve these, Lord, we will need the financial wherewithal in a time of dwindling resources. Without despairing, we trust in Your divine providence and guidance. Already You provide us with freedom and the power of commitment. Freedom equips us with the capacity to discover numberless solutions, while our commitment dedicates us to the accomplishment of our goals.

In ancient Rome it was the custom to seek the seat of the senate or public office in order to get rich. Moreover, we know the infamous story of the Emperor Nero who was unconcerned about the people. So indifferent was he to the needs of the state that he fiddled while Rome burned.

Heavenly Master, these men and women have pledged themselves to the service of their constituents and of the Commonwealth. Do not allow them to become self-serving or narrow in their thinking. Save them from the temptations of power, greed and politics. May the primary concern of each individual Senator be the welfare of all the citizens of Pennsylvania. May their days in office be a contribution to the people and not be reduced to petty competition or bickering over individual or party self-interest, and may the spirit of God come upon you. May you be granted the spirit of cooperation and collaboration in order to give food to the hungry, shelter to the homeless, justice to the needy, hope to the despairing, knowledge to the ignorant, love to all, and at all times may you realize that it is only by working together with one another and with God above that the tasks laid upon you today can be fulfilled.

Let us, too, remember the families and the friends of our Senators, those here present and those who cannot be here with us today. Bless them, Lord, that they might support these Senators with love and understanding as they attend to their sworn duty. We lift our hearts and our hands to God with this prayer, to Him Who lives and reigns for ever and ever. Amen.

The PRESIDENT. The Chair thanks Monsignor Servinsky for the prayer and for establishing the legislative agenda for the year.

**PRESENTATION OF ELECTION RETURNS**

The PRESIDENT. The Chair recognizes the Sergeant-at-Arms. Would the Sergeant-at-Arms please come forward.

The SERGEANT-AT-ARMS. Mr. President, I have the honor to present the Deputy Secretary of the Commonwealth, Robert Grant.

Deputy Secretary GRANT. Mr. President, I have the honor to present the official election returns of the Senate and General Assembly, the Governor and Lieutenant Governor for the General Election held on November 6, 1990.

**ELECTION RETURNS FOR GOVERNOR AND LIEUTENANT GOVERNOR LAID ON TABLE**

The PRESIDENT. The returns of the election for Governor and Lieutenant Governor of the Commonwealth of Pennsylvania will lie on the table.

**RETURNS OF ELECTION OF SENATORS**

The PRESIDENT. The Clerk will read the returns.  
The Clerk read the election returns as follows:

SECOND SENATORIAL DISTRICT		
Philadelphia	Francis J. Lynch (D)	28,203
	Bruce S. Marks (R)	27,352
FOURTH SENATORIAL DISTRICT		
Philadelphia	Allyson Schwartz (D)	39,675
	M. Joseph Rocks (R)	28,495
SIXTH SENATORIAL DISTRICT		
Bucks	H. Craig Lewis (D)	37,107
	Henry F. Schickling (R)	24,645
EIGHTH SENATORIAL DISTRICT		
Philadelphia	Hardy Williams (D)	34,906
	Joseph M. Terinoni (R)	8,699
TENTH SENATORIAL DISTRICT		
Bucks	Jim Greenwood (R)	47,958
	Samuel C. Totaro, Jr. (D)	24,805
TWELFTH SENATORIAL DISTRICT		
Montgomery	Stewart J. Greenleaf (R)	50,366
	Charles R. Mulvany, Jr. (R)	23,321
FOURTEENTH SENATORIAL DISTRICT		
Luzerne	Raphael J. Musto (D)	35,807
SIXTEENTH SENATORIAL DISTRICT		
Lehigh	Roy C. Afflerbach (D)	39,811
	Tom Ritter (R)	16,915
EIGHTEENTH SENATORIAL DISTRICT		
Northampton	Jeanette F. Reibman (D)	35,521
	Richard T. Grucela (R)	24,988

TWENTIETH SENATORIAL DISTRICT		
Luzerne	Charles D. Lemmond, Jr. (R)	34,982
TWENTY-SECOND SENATORIAL DISTRICT		
Lackawanna	Robert J. Mellow (D)	38,900
	Donna Dunio (R)	25,591
TWENTY-FOURTH SENATORIAL DISTRICT		
Montgomery	Edwin G. Holl (R)	35,776
TWENTY-SIXTH SENATORIAL DISTRICT		
Delaware	F. Joseph Loeper (R)	48,991
	Dai Williams (D)	22,597
TWENTY-EIGHTH SENATORIAL DISTRICT		
York	Mike Bortner (D)	32,073
	Donald W. Dorr (R)	26,320
THIRTIETH SENATORIAL DISTRICT		
Blair	Robert C. Jubelirer (R)	36,964
	Alan R. Mikula (D)	19,394
THIRTY-SECOND SENATORIAL DISTRICT		
Fayette	J. William Lincoln (D)	43,521
THIRTY-FOURTH SENATORIAL DISTRICT		
Centre	J. Doyle Corman (R)	33,918
	John J. Elnitski (D)	24,659
THIRTY-SIXTH SENATORIAL DISTRICT		
Lancaster	Noah W. Wenger (R)	40,738
THIRTY-EIGHTH SENATORIAL DISTRICT		
Allegheny	Leonard J. Bodack (D)	38,127
	A. John Koehler (R)	15,042
FORTIETH SENATORIAL DISTRICT		
Allegheny	Melissa A. Hart (R)	34,783
	John W. Regoli (D)	33,113
FORTY-SECOND SENATORIAL DISTRICT		
Allegheny	Eugene F. Scanlon (D)	42,575
FORTY-FOURTH SENATORIAL DISTRICT		
Allegheny	Frank A. Pecora (R)	34,637
	Robert A. Polinsky (D)	32,351
FORTY-SIXTH SENATORIAL DISTRICT		
Washington	J. Barry Stout (D)	39,772
	William Hodgkiss (R)	18,050
FORTY-EIGHTH SENATORIAL DISTRICT		
Lebanon	David J. Brightbill (R)	37,349
	Michael F. Feeney (D)	22,896
FIFTIETH SENATORIAL DISTRICT		
Mercer	Robert D. Robbins (R)	36,248
	Charles W. Flynn (D)	26,031

Whereupon, the following named persons were declared duly elected Senators in the General Assembly of the Commonwealth of Pennsylvania:

Second District—Francis J. Lynch  
 Fourth District—Allyson Schwartz  
 Sixth District—H. Craig Lewis  
 Eighth District—Hardy Williams  
 Tenth District—Jim Greenwood  
 Twelfth District—Stewart J. Greenleaf  
 Fourteenth District—Raphael J. Musto  
 Sixteenth District—Roy C. Afflerbach  
 Eighteenth District—Jeanette F. Reibman  
 Twentieth District—Charles D. Lemmond, Jr.  
 Twenty-second District—Robert J. Mellow  
 Twenty-fourth District—Edwin G. Holl  
 Twenty-sixth District—F. Joseph Loeper  
 Twenty-eighth District—Mike Bortner  
 Thirtieth District—Robert C. Jubelirer  
 Thirty-second District—J. William Lincoln  
 Thirty-fourth District—J. Doyle Corman  
 Thirty-sixth District—Noah W. Wenger  
 Thirty-eighth District—Leonard J. Bodack  
 Fortieth District—Melissa A. Hart  
 Forty-second District—Eugene F. Scanlon  
 Forty-fourth District—Frank A. Pecora  
 Forty-sixth District—J. Barry Stout  
 Forty-eighth District—David J. Brightbill  
 Fiftieth District—Robert D. Robbins

#### STATEMENT BY THE PRESIDENT

The PRESIDENT. For the record, the Chair has been informed by the Secretary of the Commonwealth that all of the Senators-elect have filed in the Secretary's Office the accounts and affidavits as required by the Act of June 3, 1937, P.L. 1333, Section 1632.

Before proceeding to the administration of the oaths of office, the Chair would like to request the cooperation of all news photographers and all individuals who would like to take pictures, so that during the actual ceremonies there will be no picture taking. Those Senators who are sworn in are asked to please, at the conclusion of the actual administration of the oaths of office, stay a few moments at the bar so that anybody who wishes to take a picture can do so. That is to say, we will interrupt the proceedings after the swearing-in to allow for an opportunity for all of you to take whatever pictures you like. Please do not take pictures during the actual ceremonies.

#### ADMINISTRATION OF OATH OF OFFICE

The PRESIDENT. The next order of business will be the administration of the oath of office to the newly elected Senators. It is a distinct honor and privilege to have with us today two very distinguished judges: Judge Robert L. Byer and Judge James R. Kelley of the Commonwealth Court of Pennsylvania, Judge Kelley being an alumnus of this very august Body.

These jurists have kindly consented to come here today to administer the oath of office to our Senators-elect and offi-

cers in accordance with Article VI, Section 3 of the Constitution of Pennsylvania.

We will now proceed to the administration of the oath of office to the Republican Senators-elect by Judge Byer.

Will the Republican Senators-elect present themselves in front of the rostrum. Please bring with you the Bibles which have been placed on your desks.

Would you all please rise.

I have the honor of presenting Judge Byer who will now administer the oath of office to the Republican Senators-elect.

Judge BYER. This is a very distinct honor for me.

Senators-elect, would you please place your left hand on your Bible and raise your right hand and repeat after me:

I, please state your names, do solemnly swear, that I will support, obey and defend the Constitution of the United States and the Constitution of the Commonwealth, and that I will discharge the duties of my office with fidelity.

Congratulations, Senators.

(Applause.)

The PRESIDENT. Would all the Senators and guests please be seated for a few moments while we allow photographs to be taken. Those individuals who wish to take photographs, please come forward at this time.

Would the Republican Senators please wait for a few moments to accommodate your public.

The Senate will be at ease.

(The Senate was at ease.)

The PRESIDENT. Would the photographers bear with us and exit so that we can swear in the Democrats, after which we will invite you back.

Would the Senators and all the guests please be seated.

The next order of business will be the administration of the oath of office to the newly elected Democratic Senators. The oath will be administered to the Democratic Senators-elect by Judge Kelley.

Will all of the Democratic Senators-elect present themselves in front of the rostrum. Please bring with you the Bibles that have been placed at your desks.

Would you all please rise.

It is an honor to present Judge Kelley who will administer the oath of office to the Democratic Senators-elect.

Judge KELLEY. Mr. President, I share the same pride that Judge Byer does in performing and serving the perpetuation of this great Body. I also share the personal additional pleasure in having been one of the colleagues and serving in this great Body.

Would each of you put your left hand on the Bible and raise your right hand, please.

As I commence this, I will ask you to give your name as it was read by the Clerk in the certification of the record on the election. And likewise, the Constitution Article VI, Section 3 provides for the alternative of your swearing or affirming.

After I ask you to give your name, you will give your name as I requested and then it is your choice; you will say I affirm or swear.

Would you please repeat after me:

I, and state your name, do solemnly swear or affirm, that I will support, obey and defend the Constitution of the United States and the Constitution of this Commonwealth, and that I will discharge the duties of my office with fidelity.

Sworn. Congratulations.

(Applause.)

The PRESIDENT. Would the other Members of the Senate and all the guests please be seated while photographs are now taken. Would the Democratic Senators please wait for a moment so they can get their pictures taken.

The Senate will be at ease.

(The Senate was at ease.)

### NOTIFICATION OF SPECIAL CEREMONY

The PRESIDENT. The Chair wishes to announce at this time that the oath of office was administered to the Honorable Robert C. Jubelirer on November 30, 1990, so that he could assume the duties of President pro tempore in accordance with Section 44 of the Act No. 428, Session of 1959.

The transcript of these proceedings will be entered in the Legislative Journal at this time.

(The following is the transcript of the administration of the oath of office.)

### RETURNS OF ELECTION OF SENATOR

The PRESIDENT. The Chair acknowledges its receiving the certified election returns from the Secretary of the Commonwealth for the 30th Senatorial District. The Chair has also been informed by the Secretary of the Commonwealth that Senator-elect Robert C. Jubelirer has also filed the accounts and affidavits as required by the Act of June 3, 1937, Public Law 1333, Section 1632.

The Secretary read the returns as follows:

### COMMONWEALTH OF PENNSYLVANIA

TO HIS EXCELLENCY, THE LIEUTENANT GOVERNOR OF THE COMMONWEALTH OF PENNSYLVANIA, AND THE MEMBERS OF THE SENATE OF THE GENERAL ASSEMBLY OF THE COMMONWEALTH OF PENNSYLVANIA,

### GREETINGS:

I have the honor to present the official results from the General Election held November 6, 1990, from the various county boards of elections for the Office of Senator in the General Assembly of the Thirtieth District of the Commonwealth of Pennsylvania, which remain of record in my office:

Robert C. Jubelirer  
Republican

Bedford County	7,746
Blair County	21,707
Fulton County	1,668
Huntingdon County	5,843

Therefore, Robert C. Jubelirer, having received 36,964 votes, was duly elected Senator in the General Assembly for said district.

In addition, I hereby certify that Robert C. Jubelirer has fully complied with the provisions of Article XVI of the Pennsylvania Election Code pertaining to Primary and Election Day Expenses.

WITNESS my hand and seal of my office this twenty-eighth day of November, one thousand nine hundred and ninety, and of the Commonwealth the two hundred and fifteenth.

(SEAL)

CHRISTOPHER A. LEWIS  
Secretary of the Commonwealth

### ADMINISTRATION OF OATH OF OFFICE AS SENATOR

The PRESIDENT. The next order of business will be the administration of oath of office to Senator-elect Robert C. Jubelirer.

It is an honor to have with us today the Honorable David W. Craig, Judge of the Commonwealth Court of Pennsylvania, to administer the oath.

Please rise.

Judge CRAIG. Senator, would you put your hand on the Bible, raise your right hand and repeat after me, using your name or "I" in response.

I, Robert C. Jubelirer, do solemnly swear that I will support the Constitution of the United States and the Constitution of the Commonwealth of Pennsylvania, and that I will discharge the duties of my office as Senator and as President pro tempore of the Senate with fidelity.

(Applause.)

The PRESIDENT. The Chair directs the Secretary of the Senate to enter these proceedings in the Senate Journal on the first day of the next regular Session convening on January 1, 1991.

The purpose for which this meeting was called having been fulfilled, I now declare this meeting adjourned.

### QUORUM PRESENT

The PRESIDENT. The Clerk will now call the roll to determine if a quorum is present. Will the Senators please answer "present" when your name is called, and the Clerk will proceed.

The Clerk called the roll and the following Senators were present:

Second District—Francis J. Lynch  
Third District—Roxanne H. Jones  
Fourth District—Allyson Schwartz  
Fifth District—Frank A. Salvatore  
Sixth District—H. Craig Lewis  
Seventh District—Chaka Fattah  
Eighth District—Hardy Williams  
Ninth District—Clarence D. Bell  
Tenth District—Jim Greenwood  
Eleventh District—Michael A. O'Pake  
Twelfth District—Stewart J. Greenleaf  
Thirteenth District—Gibson E. Armstrong  
Fourteenth District—Raphael Musto  
Fifteenth District—John J. Shumaker  
Sixteenth District—Roy C. Afflerbach  
Seventeenth District—Richard A. Tilghman  
Eighteenth District—Jeanette F. Reibman  
Nineteenth District—Earl M. Baker  
Twentieth District—Charles D. Lemmond, Jr.  
Twenty-first District—Tim Shaffer

Twenty-second District—Robert J. Mellow  
 Twenty-third District—Roger A. Madigan  
 Twenty-fourth District—Edwin G. Holl  
 Twenty-fifth District—John E. Peterson  
 Twenty-sixth District—F. Joseph Loeper  
 Twenty-seventh District—Edward W. Helfrick  
 Twenty-eighth District—Michael E. Bortner  
 Twenty-ninth District—James J. Rhoades  
 Thirtieth District—Robert C. Jubelirer  
 Thirty-first District—John D. Hopper  
 Thirty-second District—J. William Lincoln  
 Thirty-third District—Terry Punt  
 Thirty-fourth District—J. Doyle Corman  
 Thirty-fifth District—William J. Stewart  
 Thirty-sixth District—Noah W. Wenger  
 Thirty-seventh District—D. Michael Fisher  
 Thirty-eighth District—Leonard J. Bodack  
 Thirty-ninth District—Gene Porterfield  
 Fortieth District—Melissa A. Hart  
 Forty-first District—Patrick J. Stapleton  
 Forty-second District—Eugene F. Scanlon  
 Forty-third District—Michael M. Dawida  
 Forty-fourth District—Frank A. Pecora  
 Forty-fifth District—Albert V. Belan  
 Forty-sixth District—J. Barry Stout  
 Forty-seventh District—James E. Ross  
 Forty-eighth District—David J. Brightbill  
 Forty-ninth District—Anthony B. Andrezeski  
 Fiftieth District—Robert D. Robbins

The PRESIDENT. Forty-nine Senators having answered to their names, a quorum is present.

### NEWLY ELECTED AND REELECTED SENATORS WELCOMED TO THE SENATE

The PRESIDENT. The Chair at this time would like to welcome all of the reelected Senators and all the newly elected Senators. We heard from Monsignor Servinsky just a few minutes before about the senate of ancient Rome, and I assure you that if you are seeking self aggrandizement as a Senator, you will be sorely disappointed. On the other hand, if you desire to serve others, you will find this to be a rewarding and a challenging experience. I wish all of you good luck in this coming Session, and I look forward to working with all of you.

### STATEMENT BY THE PRESIDENT

The PRESIDENT. Before taking up the next order of business, dealing with the election of the President pro tempore and several officers of the Senate, the Chair would like to continue the practice started a few Sessions ago that if there is, in fact, only one candidate for each of the several offices, the Chair will dispense with the calling of the roll and ask for a voice vote on the nomination. Is there any objection to the voice vote in the case that there be only one candidate? The Chair hears none.

### ELECTION OF PRESIDENT PRO TEMPORE

The PRESIDENT. The next order of business will be the election of a President pro tempore of the Senate for the 1991 Session. This is in accordance with Article II, Section 9, of the Constitution of Pennsylvania.

Senator LOEPER. Mr. President, our first and highly significant responsibility today is to elect for this Body a President pro tempore. I think if we reflect for a moment to the office of President pro tempore, Mr. President, we ask a great deal of the individual who holds that position. That individual must demonstrate fairness in presiding over events in this Chamber and remain dignified, gracious and thoughtful in difficult pressured circumstances to uphold the ideals and traditions of this institution, maintain and advance the professional services that allow us to better represent our constituents and be a faithful and diligent champion of this institution, of this branch of government and certainly to Pennsylvania as a whole. We are fortunate, Mr. President, to have had Senator Robert Jubelirer serve as President pro tempore for the past six years, whether it has been presiding over the Senate, meeting an individual Member's needs or promoting and defending this institution. He certainly has served this institution admirably. He has not just filled a ceremonial role but he has worked to achieve solutions for the Members of the Senate and for the people of Pennsylvania. I know, as we look back over the Senate record, Members on both sides of the aisle have been moved to pay tribute to his leadership, his judgment and dedication to that position. Senator Jubelirer is passionate in his commitment to this institution and has continually earned our trust and respect. It is a distinct privilege to nominate an outstanding Senator, leader and friend, Robert C. Jubelirer, to serve as President pro tempore of the Senate of Pennsylvania.

Senator MADIGAN. Mr. President, I rise to second the nomination of Senator Robert C. Jubelirer as President pro tempore of this Body.

In his previous years of service as President pro tempore, Senator Jubelirer has with diligence distinguished himself and this institution by faithfully administering the important duties this demanding role requires in a fair and judicious manner.

I am honored to second this nomination, Mr. President, knowing that in the selection of Senator Jubelirer we recognize the commitment that he has given this office. We assure the furtherance of what certainly is a deep and abiding concern for this institution and for the continuation of its long and meaningful traditions. Thank you, Mr. President.

Senator MELLOW. Mr. President, I think in seconding the nomination, I would have to start by repeating what the gentleman from Delaware, Senator Loeper, said, that this is the first order of business, actually, of the day because it places a very high degree of significance on the operation of the Senate as an institution.

I believe, Mr. President, that any of us who over the past three weeks have had the opportunity of reading the newspaper, have also had the opportunity of understanding that

institutionally there are some concerns as to the operation of the Pennsylvania State Senate. Our concerns, Mr. President, on this side of the aisle really do not deal with political considerations but, in fact, deal with considerations of the Senate as a Body of the 50 Members and, basically, in the operation of the Senate as an institution.

Mr. President, I would like to make a reflection in just three different areas in a very strong spirit of cooperation.

Mr. President, we on the Democrat side are very much so concerned about the standing committees and the way standing committees in the Senate are structured. Mr. President, for the past several years since I have been elected as the Democrat leader, we have talked over and over about the facilities and about the working conditions which our Members have to deal with, but I think, Mr. President, that we need other considerations given to some of those particular conditions that we have.

Mr. President, we have an abiding concern on this side of the aisle that as we develop into our legislative Calendar and into our legislative history for the Session, some strong consideration be given to bills that are sponsored by Members of the Democrat Party and not only bills that are sponsored by the Republican Party.

Mr. President, I am not saying that all of these particular things would come under the direction of the Office of the President pro tempore, but I think the President pro tempore can go ahead and he or she could establish policy within the framework that we have to operate to go ahead and to make the institution work in a better way.

It is with having said these things in a spirit of cooperation to try to rekindle that type of cooperation that is needed, I believe, to run the institution in the proper fashion, I stand before you seconding the nomination of Robert Jubelirer as President pro tempore of the Senate.

Senator LINCOLN. Mr. President, I rise with a great deal of pride today to be able to second the nomination of a person whom I have become pretty good friends with over the past few years. Surprisingly enough, people outside the circle of those of us in the Senate may not believe that because we are probably as adversarial toward one another as you could get at times, but I found Bob Jubelirer to be a person who does have a great deal of respect for the institution of the Senate. I have found him to be able to take off the mantle of partisanship and take on a bipartisan feeling whenever it meant something to the institution. I found him to be a very difficult adversary to get through, because even though I am doing this seconding with a great deal of pride, there is also a very large twinge within me that I wish I were nominating Bob Mellow.

But the finality of our election process is that last year's elections are over and the vitality of this political process is that there will be another one coming up ahead of us.

I think the opening prayer probably pointed out to us, even though we do not like to admit it at times, very clearly that we have a great deal of challenge ahead of us, the challenge of dealing with the problems of the society which we live in and which all fifty of us are obligated and dedicated to doing, but

I think Bob Jubelirer's challenge in the next two years is going to be even greater, because last year this election process brought about a lot of acrimony and bitterness and some very difficult days within the Senate Chamber itself. I think those things are not going to go away without a very good, strong leader. I think the challenge that Bob Jubelirer faces in the next six months or a year is to see that whenever we all leave here, whether it be a year from now or ten years from now, the Senate will still be here and that we will be doing things in a manner in which there is respect and pride for one another.

I believe that Bob can do that and I believe he will face the challenge and I am looking forward to spending another two to four years, whatever, and we are going to all be around here together. I say, Bob, good luck to you. I very happily second his nomination.

#### NOMINATIONS CLOSED

The PRESIDENT. Are there any other nominations or seconds? If not, the Chair will declare the nominations for President pro tempore closed. The candidate for the office of President pro tempore is the Honorable Robert C. Jubelirer of Blair County.

(A voice vote having been taken, the question was determined to be in the affirmative.)

The PRESIDENT. Robert C. Jubelirer is unanimously elected President pro tempore.

(Applause.)

#### COMMITTEE APPOINTED TO ESCORT PRESIDENT PRO TEMPORE-ELECT TO THE ROSTRUM

The PRESIDENT. The Chair takes pleasure in appointing the following committee to escort the President pro tempore to the rostrum for the administration of the oath of office: the gentleman from Delaware, Senator Bell; the gentleman from Bradford, Senator Madigan; and the gentleman from Lackawanna, Senator Mellow. Will the committee proceed to the performance of their duty.

(Whereupon, the President pro tempore-elect was escorted to the rostrum of the Senate.)

#### ADMINISTRATION OF OATH OF OFFICE TO PRESIDENT PRO TEMPORE-ELECT

The PRESIDENT. The oath of office will be administered to Senator Jubelirer by Judge Byer.

Please rise.

Judge BYER. Please place your left hand on the Bible, raise your right hand and repeat after me:

I, Robert C. Jubelirer, do solemnly swear, that I will support, obey and defend the Constitution of the United States and the Constitution of this Commonwealth, and that I will discharge the duties of my office with fidelity.

Congratulations.

(Applause.)

REMARKS BY THE PRESIDENT  
PRO TEMPORE

The PRESIDENT. It is now an honor and a privilege to present your President pro tempore, the Honorable Robert C. Jubelirer of Blair County.

(Applause.)

The PRESIDENT pro tempore. Thank you, Lieutenant Governor Singel. Monsignor Servinsky, my old golfing buddy, it is good to have you here. You told it straight today—not always on the golf course, but you told it straight today. We are delighted to have you here. Honorable Judges Bob Byer, an old long-time friend, and Jim Kelley, one of the real decent, outstanding people who has graduated from our Body and gone on to higher service in the judicial system, we are delighted to have both of you back.

Distinguished guests, families and friends of the Senate, thank you all for joining us as we begin a new year, a new Session and hopefully a new era of progress for Pennsylvania.

It is always very special to me to have an opportunity to introduce members of my family, and at this time I would like to introduce my two sons, Andy and Jeff, who are here. Andy is from Harrisburg and Jeff is a sophomore at that great university up in the middle of the state, Pennsylvania State University, my alma mater.

I would like Andy and Jeff to please stand.

(Applause.)

The PRESIDENT pro tempore. I bring you greetings, those of you who have asked, How is your mother doing? Well, she is a lot better right now, I can tell you. She is a lot better, breathing a little easier that this time has come, and she is doing just fine. Octogenarian that she may be, she is my hero. She has been my inspiration and without her strong support I would not be here today. To Laurie and Chuck and Michelle who could not be here today, I know they would want to be and want to be remembered.

It is an honor. When I left you before the break at the end of the Session I said, today you honor me. I hope always I will honor you. It is an honor to receive the trust and confidence of your colleagues, Members of this absolutely most distinguished Body.

Time does not diminish the gratitude I feel or the recognition or the expectations that must be fulfilled. There are lessons about dignity, cooperation and communication that are taught in this Chamber, and I have taken those to heart and hope to benefit by them. We are never, ever too old to learn.

To Senator Joe Loeper, thank you so much for your generous words of nomination, but most important, for the special friendship that you have offered over so many years. To Roger Madigan, your warm words meant a great deal to me today. To Bob Mellow, sure we joust a lot, but when it comes to this institution today, I very much appreciate the fact that you as the leader of the Democratic Party in the Senate were one of the seconders. To Bill Lincoln, well, I do not think any two people have come farther than Bill Lincoln and Bob Jubelirer, who love to debate on the floor and who

have been political adversaries, but who have more respect for one another, who care more about this institution and probably two of the most emotional people in the Senate who have shown their love and care for the people who work here and the institution itself. Thank you for your kind words as well, Bill.

Over the past six years, counsel and friendship—and let me emphasize the word “friendship”—from the Members on both sides of the aisle meant a great deal. Today I reaffirm my commitment to fairly and diligently serve the Members in the institution of the Senate. It is what we inherited from our forefathers and it is what we will give to posterity.

I want to welcome the new Members. You are going to serve in the greatest institution of its kind anywhere. I think you will find it a very fulfilling experience. Let me say to each of you, as I have said to every Member of this Senate, my door is open, and if I can ever help personally or professionally, as I have done with many others, I would certainly welcome you.

In November the Senate bid farewell to several esteemed friends and colleagues. Today we have the privilege of welcoming their successors: Senator Mike Bortner from York, Senator Melissa Hart from North Hills of Allegheny County, Senator Bob Robbins from the Shenango Valley and Senator Allyson Schwartz from the City of Philadelphia. We welcome you. Freshman Senators are no longer regarded as novices, for those who survive the rigors of modern day campaigns are indeed battle-tested by the time they take the oath of office. We will benefit from your talents, your perspectives and your contributions.

This is a day of ceremony, one of few occasions. It is wonderful to see all the children and the grandchildren here enjoying the festive day—New Year's Day—a day of ceremony on few occasions when the Senate sticks to the script and refrains from endless debate and maneuver. By coincidence of the Calendar, this is a day of both oath taking and resolution making. In a broad sense, we all resolve to serve our constituents in our state with energy and fidelity.

There are challenges facing our state and our people that will require resolve, the resolve of action, not merely of words. There are consequential issues that will be resurrected and revisited. Priority will be given to putting a judicial reform amendment before the voters by the spring primary in May of 1991. New proposals will take their place on the legislative agenda as well. Over the past decade state government has taken an increasingly important role because of mandates handed us or responsibility shifted our way because of new or more assertive public demands and because of a rising commitment to ensuring Pennsylvania's recovery and competitive capability. This expansion of responsibility has come, not through added bureaucracy or stifling regulation, but through investment and programs and services that make a difference for individuals and for communities. Our challenge in the months ahead is to sustain progress despite the difficult financial times confronting each and every one of us. For the state to renege on commitments, to forego opportunities, to radically shift responsibilities would be to ill serve our citizens.

Incidentally, George Allen, who sadly passed away yesterday, was fired as head coach of the Washington Redskins despite a consistently winning record. When he was pressed for a reason, the owner explained, I gave him an unlimited budget and he exceeded it. Well, clearly, we are not in an era of unlimited budgets or infinite resources. It is not spending and taxing levels we must exceed, but standards of performance and productivity and, yes, accountability. We are reminded that we cannot afford to be careless, and that is an admonition we will heed. We also cannot afford to ignore the public insistence on education reform, retreat from the war on drugs or to sacrifice the momentum generated on environmental cleanup. We cannot afford to curtail services to the underprivileged or those with special needs or to mortgage the future through a political facade of false economy.

In these days of fierce competition of interest we can never fully satisfy all viewpoints, but we will endeavor to find the balance that most benefits the people. My experience through 16 years in this Senate has brought confidence in our capacity to act decisively and to respond prudently. Perhaps those who join us today know and appreciate that what happens here is different than what tends to be reported. Shortly after the conclusion of the last Session, my hometown paper criticized the General Assembly for lack of substantial production and for passing some less than illustrious measures, yet a subsequent editorial lauded the Governor's signature on bills they believe of great merit. Well, ladies and gentlemen, somehow they managed to miss where the abundance of quality legislation is initiated, where it is debated, where it is shaped and where it is adopted, and that is right here in the Senate and in the House of Representatives. Others write of legislative gridlock, but the volume and nature of the legislation we consider and approve gives lie to such contentions. The Senate has been a wellspring of ideas and ultimately a channel of bipartisan cooperation in the range of issues of consequence to economy, education, environment, and human services, and that will remain true in the Session ahead.

There has been some pointed criticism of the legislative profession in recent years. Well, sometime ago Justice Louis D. Brandeis described a profession as comprised of the knowledge derived from experience, the advancing and passing along of that knowledge, the enforcement of ethics and values, the cherishing of performance above reward and the moral imperative to serve others. I submit to you and to all the people of Pennsylvania that the men and women I have had the privilege of serving with have been professionals in the finest sense of the Brandeis description, individuals of stature dedicated, innovative, wise. These people, some gone, many yet here today, have helped bring the great Commonwealth of Pennsylvania forward and inspire pride in this great Commonwealth of yours and mine, a Commonwealth that we give to our children. The 50 Members here share a sense that we are not here just to oversee, but to achieve, be faithful to the duty to be responsive, the obligation to provide leadership, the expectation to decide in the public interest.

And so the support of our families and our friends reminds us of the true rewards of public service and the importance of public trust.

Ladies and gentlemen, friends, family, colleagues, I extend my sincere appreciation from the bottom of my heart for your continued confidence. It is a very, very special day because it is the beginning of a new year, and let me extend my wishes to each and every one of you, your families and friends a very, very happy and healthy 1991. Truly you have made this a most special day for me and my family. God bless you and happy new year.

(Applause.)

## ELECTION OF SECRETARY OF THE SENATE

The PRESIDENT. The next order of business is the election of a Secretary of the Senate.

Senator FISHER. Mr. President, many of the changes in the legislative process over the last decade have placed heavier demands than ever on our Senate support services. For the past nine and one-half years, Mark Corrigan has served as Secretary of the Senate in a thoroughly capable and professional manner. He has carried out the modernization of the many services provided by that office and helped us to fulfill our responsibilities as efficiently as possible. In his most visible role, that as Parliamentarian, Mark has demonstrated fairness, patience, knowledge and wisdom and has been able to provide the proper counsel and guidance at times of contention to all presiding officers, most importantly those of us who have served temporarily in that position, and he has provided that counsel and guidance in a truly nonpartisan and decisive fashion.

Through late nights, long days and pressure-packed Sessions Mark Corrigan has earned our confidence, our trust and our respect. It is my privilege, Mr. President, to nominate the honorable Mark R. Corrigan as Secretary of the Senate of Pennsylvania, and I would ask my colleagues for their unanimous support of that nomination.

Senator O'PAKE. Mr. President, as my colleague from Allegheny has so well pointed out, since 1981 Mark Corrigan has served the Senate and all of its Members with distinction. We know Mark for his professionalism and his responsiveness in administering the office of Secretary both on the floor of the Senate and off the floor. Mark runs that office in an even-handed and even-tempered manner. His experience, his hard work, his integrity and his commitment to the institution of the Senate are unquestioned. Some of us also know Mark for his active involvement in his church, St. Patrick's, and his community. He is indeed a man for all seasons and it is my pleasure on behalf of this side of the aisle to second the nomination of a well regarded, true professional, Secretary Mark R. Corrigan.

## NOMINATIONS CLOSED

The PRESIDENT. Are there other nominations or seconds?

If not, the Chair will declare the nominations for Secretary of the Senate closed. The candidate for the office of Secretary of the Senate is Mark R. Corrigan of Dauphin County.

(A voice vote having been taken, the question was unanimously determined in the affirmative.)

The PRESIDENT. The Chair declares Mark R. Corrigan unanimously elected Secretary of the Senate.

(Applause.)

### **OATH OF OFFICE ADMINISTERED TO THE SECRETARY-ELECT**

The PRESIDENT. The Secretary-elect will now approach the rostrum in order that the oath of office may be administered. Once again we want to call on Judge Byer to administer the oath of office to the newly elected officer.

Please rise.

Judge BYER. Please place your left hand on your Bible and raise your right hand and repeat after me:

I, Mark R. Corrigan, do solemnly swear that I will support, obey and defend the Constitution of the United States and the Constitution of this Commonwealth, and that I will discharge the duties of my office with fidelity.

Congratulations.

(Applause.)

### **ELECTION OF CHIEF CLERK OF THE SENATE**

The PRESIDENT. The next order of business is the election of the Chief Clerk of the Senate.

Senator WENGER. Mr. President, in March of 1986 Gary Crowell became the Chief Clerk of the Senate of Pennsylvania. Four and a half years of administering a multi-million dollar budget is no small task. His conduct during this time has won our admiration and our respect. I think his handling and his example of fiscal prudence and his professionalism have been outstanding. He is not only a highly professional and competent administrator, but he is a fine gentleman. He is personable and he is a very popular Chief Clerk. Mr. President, he deserves to be reelected. I am pleased at this time to nominate Gary Crowell to be the Chief Clerk of the Senate of Pennsylvania.

Senator LINCOLN. Mr. President, you talk about a tough job. Here is a guy who has to deal with 50 people who know they are right all the time, and he has to tell them how to spend their money. He has to make sure they do not do anything that will get them in trouble, and I found that getting an ex-marine may be the only person who could handle that. I think we have been fortunate in that we have an ex-marine in Gary Crowell who has decided to stay with us. I did not realize, Gary, that it has been four years, but time flies real quick when you are having a good time. That job becomes doubly more difficult because not only does he have to deal with the 50 of us, he also has a situation where there are 26 of one party and 24 of the other, which sometimes becomes part of his operation, unfortunately.

I have to say the four and a half years that I have been privileged to deal with Gary, I found him to be fair and I also found him to have the quality that it would take. If you are wrong, when you go to see him, you are going to know you are wrong because he is going to tell you, and I think that has kept a lot of us from having problems. Because we both served together on the Joint Legislative Audit Commission, I want to tell you with a great deal of pride, when we do that process, every year for a number of years now, there have been no exceptions for the Senate, and whenever there is an exception, that means that somebody has done something in their expenses that was not particularly within the rules and it takes a while to work that out. We have gone through audit after audit after audit now here in the Senate without even having any exceptions to begin the process with, and I think that is a tribute to Gary Crowell. I think it is a tribute to the people who have served here in the Senate in that they have enough respect for him and trust in him that they accept his decisions, and those decisions in the four and a half years or five years, or whatever it has been, Gary, have been good ones. I wish you well for the next two years, and I would urge you to continue to do the kind of job you have been doing and I know you will do in the future. With a great deal of respect for you personally and a great deal of pride, I second your nomination.

### **NOMINATIONS CLOSED**

The PRESIDENT. Are there any other nominations? Are there other seconds? If not, the Chair will declare the nominations for Chief Clerk of the Senate closed.

The candidate for the office of Chief Clerk of the Senate is Gary E. Crowell of Cumberland County.

(A voice vote having been taken, the question was unanimously determined in the affirmative.)

The PRESIDENT. The Chair declares Gary E. Crowell unanimously elected Chief Clerk of the Senate.

(Applause.)

### **OATH OF OFFICE ADMINISTERED TO THE CHIEF CLERK-ELECT**

The PRESIDENT. The Chief Clerk-elect will now approach the rostrum in order that the oath of office may be administered. Once again we want to call on Judge Byer to administer the oath of office to the newly elected officer.

Please rise.

Judge BYER. Please place your left hand on your Bible and raise your right hand and repeat after me:

I, Gary E. Crowell, do solemnly swear that I will support, obey and defend the Constitution of the United States and the Constitution of this Commonwealth, and that I will discharge the duties of my office with fidelity.

Congratulations.

(Applause.)

**SENATE RESOLUTIONS****ADOPTION OF SENATE RULES**

Senator LOEPER offered the following resolution (**Senate Resolution No. 1**), which was read, considered and adopted:

In the Senate, January 1, 1991.

**RESOLVED**, That the Rules of the Senate during the 1990 Session be adopted for the government of this 175th and 176th Regular Sessions until amended, repealed or otherwise altered or changed.

**ADOPTION OF FINANCIAL OPERATING RULES OF THE SENATE**

Senator LOEPER offered the following resolution (**Senate Resolution No. 2**), which was read, considered and adopted:

In the Senate, January 1, 1991.

**RESOLVED**, That the Financial Operating Rules of the Senate for the government of the 175th and 176th Regular Sessions read as follows:

**FINANCIAL OPERATING RULES OF THE SENATE****I. PERSONNEL****1. Central Office.**

The office of the Chief Clerk of the Senate shall serve as the central office of the Senate for all personnel and payroll matters.

**2. Employees of the Senate.****(a) Personnel Files.**

Before any person is placed on any payroll of the Senate, there must be in the office of the Chief Clerk a payroll file containing:

- (1) Full name of employee.
- (2) Full address including county.
- (3) Date of employment/termination/or job transfer.
- (4) Actual functional job title or description to include general hours of work, general job responsibilities and job location.
- (5) The name of the Senator or Officer responsible for monitoring the employee's performance.
- (6) Letter of appointment signed by the authorizing Senator or Officer including a delineation of the account from which the employee is to be paid.
- (7) The current compensation level with signature approval of the authorizing Senator or Officer. Overtime payments may be authorized only in emergency maintenance and security situations with the signature approvals of the Senator or Officer responsible for monitoring performance, the authorizing Senator or Officer and the President Pro Tempore.

(8) All information necessary for tax withholding and benefit eligibility.

**(9) Employment Eligibility Verification Form.****(b) Maintenance of the Personnel Files.**

It is the responsibility of the Chief Clerk to develop procedures necessary to maintain this payroll file information on a current basis. All payroll changes shall be reflected by the next appropriate payroll period providing said change is received in the office of the Chief Clerk prior to processing of the payroll.

**(c) Reclassification of Employees.**

Any reclassification of employees under the Senate of Pennsylvania Pay Plan and Job Classifications shall be submitted by the Member or Officer authorizing such reclassification to the Committee on Management Operations for approval or disapproval. The Committee on Management Operations established a bi-partisan subcommittee of the members of the Committee on Management Operations to consider and approve or disapprove all such requests subject to an appeal by the Member or Officer for consideration of the reclassification by the Committee on Management Operations.

**3. Personal Service Contracts.****(a) Personal Contract Files.**

For any person retained on a contractual basis by any Officer or Member of the Senate, there shall be in the office of the Chief Clerk a file containing:

(1) A copy of the contract signed by the authorizing Senator or Officer including:

(i) Full name, address, including county and social security number of person (or Federal tax identification number) from whom the services are contracted.

(ii) Duration of the contract. No contract may extend beyond the expiration of the term of the Member or Officer.

(iii) Cost of the contract and terms of payment.

(iv) Clear, detailed description of the type of service to be performed or product to be delivered.

(2) The name of the Senator or Officer responsible for monitoring the contractor's performance.

**(b) Contract Review.**

All personal service contracts shall be submitted to the Chief Clerk for review and approval regarding conformity with applicable laws and rules.

**(c) Payment.**

Payments under contract shall be made in accordance with provisions of the contract provided that a voucher for such payment is received in the office of the Chief Clerk before the applicable deadline date. Contractor performance shall be reviewed by the monitoring individual so named in the file (Rule I.3.(a)(2)), who under conditions of satisfactory performance and conformity to the contract shall approve the voucher prior to processing.

#### 4. Authorized Accounts.

Salaries, wages and related benefits shall be paid from accounts so authorized by the General Appropriation Act. Such accounts also may pay expenses related to personal service contracts.

### II. TRAVEL ALLOWANCES AND REIMBURSEMENTS

#### 1. Member Travel.

Travel allowances or reimbursements may be paid to a Member who is engaged in travel in the performance of legislative duties. Travel payments may be claimed in connection with the following:

(1) One round trip between home district and Harrisburg for each week a Member is in actual attendance at a session of the Legislature ("Session Mileage").

(2) Round trip travel between home district and Harrisburg for other legislative activities.

(3) All travel on intradistrict and interdistrict legislative business.

(4) All travel to attend committee meetings, hearings, conferences and seminars.

#### 2. Employee Travel.

Travel reimbursement may be paid to employees engaged in travel from their work place to the place of legislative business provided that the travel is necessary for the performance of official business. Except as provided in Rule II.3.(c), employees are not authorized to lease vehicles on a long-term basis, and no payments will be made with respect to long-term lease vehicle expenses incurred by employees. When away from the Harrisburg area and from their work place, employees may rent cars on a short-term basis for a period not in excess of that needed to carry out official business.

#### 3. Rental of Vehicle or Conveyance.

##### (a) Long-Term Rental.

A Member who leases a vehicle or conveyance on a long-term basis may be reimbursed for 95% of the cost of such lease payments, a net amount not to exceed such amount as may be authorized by the Senate Committee on Management Operations. Expenses attributable to insurance and operation of the vehicle or conveyance are not included in determining the cost of the lease. No lease reimbursements will be made for any period after a Member has left office. For rules regarding reimbursement of expenses of operation, see Rule II.4.(a)(3). No reimbursement is permitted for lease purchase agreements.

##### (b) Short-Term Rental of Vehicle or Conveyance.

A Member whose long-term rental is unavailable may be reimbursed 95% of actual expenses for a short-term rental. A Member or employee who rents a vehicle or conveyance on a short-term basis (other than a Member's temporary replacement of a long-term rental) may be reimbursed only on an actual cost basis for the cost of the rental payments and expenses of operation.

##### (c) Vehicle Rental by Chief Clerk.

The Chief Clerk is authorized to lease no more than three vehicles for the operation of the Senate. The actual expenses of the lease and operation shall be paid by the Senate's Incidental Expense Account.

#### 4. Allowable Transportation Expenses.

##### (a) General.

(1) Common or Chartered Carrier. A Member or employee may be reimbursed for reasonable actual costs of carriage when traveling by common or chartered carrier, including expenses for parking, taxis, limousines and tolls. Claims for payment based on miles travelled cannot be paid.

(2) Personal Vehicle and Noncommercial Conveyance. A Member or employee who uses a personal vehicle may be reimbursed on such mileage basis as may be established by the Senate Committee on Management Operations. Reimbursement for use of other noncommercial vehicles or noncommercial aircraft shall be made on such basis as may be established by the Senate Committee on Management Operations.

(3) Leased Vehicle. A Member who uses a vehicle leased on a long-term basis may elect to be reimbursed either on a mileage basis (Rule II.4.(a)(2)) or an actual cost basis. However, having elected to receive reimbursement on a mileage basis after having been reimbursed on an actual cost basis, the member shall offset against future expense claims an amount equal to the paid but unused portion of automobile insurance for that vehicle. Such Member may be reimbursed only for up to 95% of the actual vehicle operating expenses. Actual vehicle operating expenses shall include gasoline, oil, lubrication, repairs, tires, supplies, insurance, maintenance and other reasonable incidental items necessary to the operation of the vehicle. A Member may not be reimbursed for the use of a personal vehicle during any period of time that the Member is being reimbursed for a leased vehicle, except when the leased vehicle is unavailable for reasons beyond the control of the Member.

(4) Session Mileage. The mileage rate for Session Mileage payments under Rule II.1.(1) shall be as set forth by law.

##### (5) Out-of-State Travel.

(i) Nonmember Officers of the Senate and their employees may claim expenses for travel outside the Commonwealth, provided that such travel is approved in the manner described in Rule XI. All claims for Members' and employees' travel outside the Commonwealth shall be filed with the Office of the Chief Clerk in the manner described in Rule XI.

(ii) Members of the Senate may claim expenses for travel outside the Commonwealth provided that the travel is necessary to attend a conference, seminar or meeting regularly or specially scheduled by an

organization which conference, seminar or meeting has a legislative purpose. Members shall submit a copy of a registration and agenda, in addition to any other documentation required by these rules.

(iii) Members of the Senate may also claim expenses for travel outside the Commonwealth when the travel has a legislative purpose, but is not for attending a conference, seminar or meeting, provided the purpose is approved by the Committee on Management Operations, and provided further that approval is not required for legislative business in Washington, DC.

(b) No Duplication.

(1) Session Mileage. Members claiming reimbursement for actual expenses of leased vehicle operation shall reduce such claim by an amount equal to the "session mileage" entitlement for the same period. Likewise, a Member electing to travel to the session by common carrier shall reduce such claim by an amount to the "session mileage" entitlement.

(2) Reimbursement From One Source. If a Member or employee is entitled to reimbursement from more than one source for legislative business performed on behalf of more than one committee or group, payment shall be received from only one source.

5. Documentation.

(a) Expense Voucher.

All requests for travel payments must be made on an expense voucher showing:

(1) Dates of travel.

(2) Legislative purpose of travel described in reasonable specificity. For all claims involving out-of-state travel, the voucher must be supported by sufficient documentation to describe the legislative purpose of the travel. Claims for out-of-state travel shall also include such information as may be required under Section 4.(a).

(3) The number of miles travelled when claiming reimbursement on a mileage basis. Such mileage claims also should reflect an itinerary including point of origin, furthest destination, and intermediate points except travel within a Member's district.

(b) Receipts.

Receipts must be submitted to support the cost association with claims for:

(1) Travel by common or chartered carrier.

(2) Leased vehicle or conveyance operation.

Receipts for gasoline and maintenance shall include the license number of the vehicle and the location of the purchase. In addition, a copy of such lease and vehicle registration certificate must be on file with the Office of the Chief Clerk.

(3) Parking, limousine, toll charges and other miscellaneous incidental items when any of these items exceed \$10.

6. Authorized Accounts.

Travel payments can be made from any of the following accounts. Long-term vehicle or conveyance rental payments may be made from all accounts except (3) and (6). Authorized accounts are:

(1) Leadership Operations Accounts.

(2) Appropriations Committee Accounts.

(3) Legislative Management Committee Accounts, exclusive of expenses for leased car.

(4) Senators' Legislative Accountable Expense Accounts.

(5) Contingent Accounts.

(6) Senators' Mileage and Expense Accounts for "session mileage" travel.

(7) Senators' District Office Expense Accounts.

(8) Incidental Expense Account.

III. MEALS AND LODGING

1. General.

A Member may receive payments attributable to ordinary and necessary expenses for meals, lodging and incidental items provided that the Member is engaged in the performance of legislative duties. Depending on the nature and location of the activity, as explained below, payments may be made in one of the following forms: per diem allowance; reimbursement for actual costs incurred; or, in the case of lodging rental payments, a combination of partial per diem allowance and reimbursement of the cost of lodging rental.

2. Lodging Rental in the Harrisburg Area.

A Member who resides outside of Harrisburg and who rents lodging in the Harrisburg area may claim payments for the cost of the lodging lease and related expenses. No lodging rental payments will be made for any period after a Member's term expires.

3. Per Diem Allowance.

(a) Per Diem Entitlement.

A Member is entitled to receive a per diem allowance for each day the Member is in the performance of legislative duties while in the Harrisburg area (defined as within Dauphin County or otherwise within a 10-mile radius of the Capitol) or elsewhere in the Commonwealth but away from home. Specific legislative duties include attendance at sessions of the Senate, attendance at official committee meetings and participation in all other activities necessary or appropriate to the carrying out of the responsibilities of the Member.

(b) Types of Per Diem Allowance.

(1) Full Per Diem. A full per diem allowance not to exceed such amount as maybe established by the Senate Committee on Management Operations may be claimed as an allowance for meals and lodging.

(2) Partial Per Diem. A Member who claims the cost of lodging rental as provided in Rule III.2., may not receive a full per diem allowance except when the per diem

entitlement derives from attendance at official committee meetings outside of the Harrisburg area. When the per diem entitlement derives from the performance in the Harrisburg area of the specified legislative duties defined in Rule III.3.(a), a Member may receive a partial per diem allowance up to an amount established by the Senate Committee on Management Operations for meals and incidentals.

#### 4. Actual Costs.

A Member may claim actual costs for lodging, meals and other incidental items incurred in the performance of legislative duties. Expense claims for costs of lodging, meals and other incidental expenses incurred in the performance of legislative duties outside of the Commonwealth shall only be by claims for actual costs and shall not be through a claim of per diem.

#### 5. Employees' Travel.

If an employee is engaged in travel away from the normally assigned place of work necessary for the performance of official business, the employee may be reimbursed for reasonable actual cost of lodging, meals and other incidental items. For rules regarding Out-of-State travel, see Rule XI.

#### 6. Payment From One Source.

If a Member is entitled to a meal and lodging claim from more than one source for legislative business performed on behalf of more than one committee or group, payments shall be received from only one source.

#### 7. Review.

All authorized and approved meals and lodging claims shall be reviewed for inadvertent duplication by the Office of the Chief Clerk prior to processing and payment.

#### 8. Record Keeping.

Where a per diem allowance or reimbursement is paid by a legislative service agency cofunded between both Houses of the General Assembly, a copy of the approved claim shall be furnished to the Office of the Chief Clerk.

#### 9. Documentation.

##### (a) Per Diem Allowance.

For payment of a per diem allowance, a Member must submit a voucher showing the date, the legislative activity in which the Member was engaged on that date, and the location of the activity.

##### (b) Actual Expenses of a Member or an Employee.

For payment of actual expenses, a Member or employee must submit a voucher showing the date, amount, place and the legislative activity in which the Member or employee was engaged and must submit a vendor or credit card receipt or invoice for each item exceeding \$10.

##### (c) Lodging Rental.

A copy of each lease must be on file with the Office of the Chief Clerk. A Member must submit a voucher and, if appropriate, an invoice or receipt for any related expenses.

#### 10. Authorized Accounts.

##### (a) Incidental Expense Account.

Payments shall be made from the Incidental Expense Account for authorized Per Diem Allowances only for attendance at sessions of the Senate during which roll call votes are recorded.

##### (b) Accountable Expense Account.

Payments shall be made from Senator's Legislative Accountable Expense Account for lodging rental payment.

##### (c) Other Accounts.

Payment may be made from the following accounts for other authorized per diem meal and lodging claims:

- (1) Leadership Operations Accounts.
- (2) Appropriations Committee Accounts.
- (3) Legislative Management Committee Accounts.
- (4) Senators' Legislative Accountable Expense Accounts.
- (5) Contingent Accounts.
- (6) Senators' District Office Expense Accounts, meals only.
- (7) Incidental Expense Account.

#### IV. EQUIPMENT AND FURNISHING CONTROL AND INVENTORY

##### 1. Office of Chief Clerk Sole Agent.

The Office of the Chief Clerk shall act as the sole agent for improvements or renovations to Senate facilities at the Capitol Complex and for the purchase, rental, control and inventory of durable equipment, furniture and furnishings with a useful life of one year or more and a cost greater than the limit established by the Committee on Management Operations for utilization in both the Capitol and District Offices. Nonrecoverable items including, but not limited to, carpeting, draperies and air conditioners for use in and improvements or renovations to district office facilities shall be purchased pursuant to standards developed by the Senate Committee on Management Operations. The Chief Clerk shall serve as the sole agent for the purchase of United States and Pennsylvania flags.

##### 2. Approval of Purchase or Rental.

All requests for the purchase or rental of such equipment, furniture and furnishings must be reviewed and approved by the Chief Clerk. When due for renewal, rental contracts entered into prior to July 1, 1981 shall be reviewed by the Chief Clerk and if approved funded only as provided in Rule IV.8.

##### 3. Inventory.

All approved requests shall be processed by the office of the Chief Clerk, which shall maintain a full and current inven-

tory of all durable equipment, furniture and furnishings secured on behalf of a Member, Officer or employee of the Senate.

#### 4. Lowest Available Price.

The Chief Clerk shall take all necessary and reasonable steps to ensure that the purchase or rental of durable equipment, furniture and furnishings with a useful life of one year or more and a cost greater than the limit established by the Committee on Management Operations shall be transacted at the lowest available price for the quality, compatibility and service of the items being purchased or leased.

#### 5. Educational or Informational Literature.

The Secretary of the Senate shall provide for the publication and dissemination of educational or informational literature pertaining to the Senate of Pennsylvania, the Commonwealth of Pennsylvania or the Government of the United States.

#### 6. Public Records.

The records of the Secretary of the Senate and the Chief Clerk shall be considered public records and be available for public inspection in the manner similar to that provided in these Rules.

#### 7. Documentation Required.

##### (a) Request for Purchase or Rental Showing:

- (1) Date of request.
- (2) Item requested.
- (3) By whom request made.
- (4) Purpose.
- (5) Signature approvals.
- (6) Record of Rule IV.4. actions taken.

##### (b) Vendor's invoice or receipt detailing:

- (1) Date of purchase or rental.
- (2) Vendor's identity.
- (3) Description of item purchased or rented.
- (4) Length of rental contract when applicable.
- (5) Cost and payment terms of the purchase or rental.

#### 8. Authorized Accounts.

(a) Legislative and Printing Expense Account as provided in General Appropriations Act.

(b) The account as provided in the General Appropriations Act for the purchase of flags.

(c) Senators District Office Expense Accounts and Senators Legislative Accountable Expense Accounts for the purchase of flags and for the rental of durable equipment, furniture and furnishings.

### V. DISTRICT OFFICE EXPENSES

#### 1. Authorized Expenses.

Expenses authorized shall include:

(1) Aggregate office rental and utilities other than telephone totaling up to such monthly amount for one or more offices as may be established by the Senate Committee on Management Operations. Whenever a Member or any of his immediate family has an equity interest in a district office, the Member shall obtain an independent appraisal of the office rental cost which shall be filed with the Chief Clerk.

- (2) Insurance
- (3) Printing services.
- (4) Telephone and answering services.
- (5) Postage and mailing services.
- (6) Publications and subscriptions.
- (7) Nondurable supplies.
- (8) Member and employee parking.
- (9) Janitorial maintenance and cleaning services.

#### 2. Documentation Required.

A copy of the district office lease indicating the amount and payment terms shall be filed with the office of the Chief Clerk. Such copy may be referenced on the voucher and serve as appropriate documentation of the expense. Vouchers appropriately documenting expenses and legislative purpose for each expenditure. Receipts or invoices shall be included for all expenditures in excess of \$25 per occurrence.

#### 3. Authorized Accounts.

Accounts authorized include:

- (1) Senators' Legislative Accountable Expense Accounts.
- (2) Senators' District Office Expense Accounts.

### VI. CAPITOL OFFICE EXPENSES

#### 1. Authorized Expenses.

Expenses authorized shall include:

- (1) Utility services.
- (2) Insurance.
- (3) Printing services.
- (4) Telephone and answering services.
- (5) Postage and mailing services.
- (6) Publications and subscriptions.
- (7) Nondurable supplies.
- (8) Employee parking.
- (9) Janitorial maintenance and cleaning services.
- (10) Other items authorized for expenses as defined in the General Appropriations Act.

#### 2. Documentation Required.

Documentation required shall include vouchers appropriately documenting expenses and legislative purpose for each expenditure. Receipts or invoices shall be included for all expenditures in excess of \$25 per occurrence.

#### 3. Authorized Accounts.

Accounts authorized include:

- (1) Legislative Printing and Expense Account.
- (2) Postage Account of Chief Clerk (for postage only).
- (3) Senators' Legislative Accountable Expense Accounts.
- (4) Contingent Accounts and Incidental Expense Accounts.
- (5) Leadership Operations Accounts, exclusive of office rental.
- (6) Appropriations Committee Accounts, exclusive of office rental.
- (7) Legislative Management Committee Accounts, exclusive of office rental.

## VII. OFFICIAL EXPENSES

### 1. General.

While engaged in the performance of legislative duties, a Member, Officer or employee expressly authorized by a Member may claim actual expenses as set forth below.

### 2. Participation in Conferences and Seminars.

Expenses, such as registration fees, incurred in participating in legislative conferences and seminars may be claimed. Related travel expenses incurred are discussed in Rule II. Related meals and lodging expenses incurred are discussed in Rule III.

### 3. Conducting Meetings.

Expenses attributable to conducting legislative meetings may be claimed. Such expenses may include: food and refreshment, meeting room rental, and incidental items.

### 4. Entertainment.

Expenses incurred in connection with business entertainment may be claimed. Such expenses may include: meals, refreshments, and related items which are ordinary to the performance of a Member's legislative duties, and for which there is a legislative purpose. In general, these entertainment expenses will be incurred during, immediately preceding or immediately following a substantial and bona fide legislative business discussion.

### 5. Documentation.

#### (a) Participation in Conferences and Seminars.

Vouchers shall show the amount, date, place and legislative purpose. Registration or other receipts must be attached.

#### (b) Conducting Meetings.

Vouchers shall show or reference to records which show the amount, date, place and legislative purpose. Restaurant, hotel, or credit card receipt or invoices must be attached.

#### (c) Entertainment.

Vouchers shall show or reference to records which show the amount, date, place, legislative purpose and if claimed by a Member, the portion of the amount attributable to his enter-

tainment expense. Restaurant, hotel or credit card receipt or invoices must be attached.

#### (d) Claims by Nonofficer Employees.

Vouchers involving any official expenses claimed by non-officer employees shall reflect the formal authorization by a Member.

### 6. Authorized Accounts.

Payments shall be made from the following accounts:

- (1) Leadership Operations Accounts.
- (2) Appropriations Committee Accounts.
- (3) Legislative Management Committee Accounts.
- (4) Senator's Legislative Accountable Expense Accounts.
- (5) Senator's District Office Expense Accounts.
- (6) Contingent Accounts.
- (7) Incidental Expense Account.

## VIII. SPECIAL EXPENSES

### 1. Authorized Expenses.

Expenses authorized include:

(1) Flowers, baskets of fruit or other appropriate items or memorial contributions to designated charities not to exceed \$35. Recipients are limited to instances of death or illness for Members, Officers, employees or their immediate families, or former Members or their immediate families or dignitaries including both incumbent or former elected or appointed officials or their immediate families.

(2) Rental of common carrier and other expenditures inherent thereto for attendance at funerals of a Member or members of a Member's immediate family, former Members, dignitaries, or Officers.

### 2. Documentation Required.

Documentation required shall include receipt, vendor invoice and general invoice showing: recipient, instance, description of items delivered, date delivered and cost.

### 3. Authorized Accounts.

Payment shall be made only from Contingent Accounts or the Incidental Expense Account.

## IX. MISCELLANEOUS EXPENSES OF STANDING AND SPECIAL COMMITTEES

### 1. Committee Proceedings.

Rental of meeting rooms and hearing facilities and payments to qualified court reporters or stenographers to record the proceedings authorized by the chairman of a standing or special committee of the Senate, including the cost of transcripts. Witnesses served with a subpoena to testify before such proceedings shall be paid witness fees and travel expenses as provided by Section 5903 of the Judicial Code.

### 2. Printing and Mailing.

Committee printing and mailing costs for mailings relating to legislative business.

### 3. Publications and Subscriptions.

Publications and subscriptions.

### 4. Documentation Required.

Vouchers or vendors receipts or invoices stating vendor's name, services or amount of postage, date, place, and total amount due or paid. Postage purchases shall require a receipt stamped by the Postmaster.

### 5. Authorized Accounts.

Accounts authorized include:

- (1) Legislative Management Committees Accounts.
- (2) Leadership Operation Accounts.
- (3) Appropriations Committee Accounts.

## X. COMMITTEE ON MANAGEMENT OPERATIONS

### 1. Duties.

In addition to duties imposed by law or otherwise by these rules, the duties of the Senate Committee on Management Operations shall be:

(1) To arbitrate a decision of the Secretary or Chief Clerk of the Senate relating to these Rules, in the event that a Member, Officer or employee shall disagree with a decision of the Secretary or Chief Clerk of the Senate.

(2) To make a final decision in case of a dispute on a question of legislative intent or legislative purpose regarding an expenditure.

(3) To make a continuing review of these Rules as to expenditures and the reporting of expenditures, and, from time to time, to make such recommendations as are appropriate.

### 2. Records.

A record of the committee's decisions shall be maintained. The Chief Clerk shall be responsible for maintaining such records.

## XI. OUT-OF-STATE TRAVEL

### 1. Request for Approval.

No nonmember Officer of the Senate or any employee of any nonmember Officer shall be reimbursed nor shall any of his or her expenses be paid for any travel outside the Commonwealth unless such travel has been approved by a majority of the membership of the Committee on Management Operations. All requests for such approval shall be made on forms, provided by the Chief Clerk, and shall include information relating to the destination, the estimated cost of such travel, the number of days involved, and the relationship that the travel has to the duties of the Officer or employee making the request. In the case of an employee, the request shall also be approved by the Officer.

### 2. Approval of Request.

All Members of the committee who approve such travel shall indicate their approval by signing the request form. Should any Member disapprove of the request, he or she shall note such disapproval on the form and provide an explanation.

### 3. Filing of Request.

All such requests, whether approved or disapproved, shall be filed with the office of the Chief Clerk and shall be made available for public information on request to the Office of the Chief Clerk.

### 4. Time Limit for Filing.

A copy of any request for reimbursement or for the payment of any expenses relating to out-of-state travel by a Senator or employee assigned to a Senator shall be filed with the Office of the Chief Clerk within 30 days of such travel. Copies of these requests shall be made available for public information on request of the Office of the Chief Clerk.

## XII. LIST OF EMPLOYEES

### 1. Publication and Distribution.

(1) The Chief Clerk shall have published quarterly and shall mail to each Member's residence a listing of all employees of the Senate or any of its Officers, Committee Chairmen, and Members and all persons holding purchase of service contracts with the Senate or any of its Officers, Committee Chairmen and Members. The list for employees shall contain the full name of the employee, county of residence, the job title of the employee, the compensation of the employee, and the name of the Senator or Officer for such employee. For individuals holding purchase of service contracts with the Senate, the list shall contain the name of the contractor, the address of the contractor, a statement of the nature of the duties of the contractor, and the fee of the contractor as well as the name of the Senator or Officer responsible for monitoring the performance of the contractor.

(2) The list shall be submitted by February 1, for the quarter ending December 31; by May 1, for the quarter ending March 31; by August 1, for the quarter ending June 30; and by November 1, for the quarter ending September 30. Said list shall also be updated on a monthly basis including additions and deletions and shall be available for public inspection in the office of the Chief Clerk.

### 2. Public Inspection of Vouchers and Requisitions.

All vouchers and requisitions relating to all expenditures, expenses, disbursements and other obligations out of all appropriated funds of the Senate shall be available for public inspection during regular business hours in the office of the Chief Clerk or at such other location within the Capitol as the Chief Clerk shall prescribe.

### 3. Request to Review Vouchers and Requisitions.

All requests to review payroll and independent contractor records of the Senate or any other vouchers or requisitions for funds appropriated to the Senate shall be made to the Chief Clerk, in writing, at least three working days prior to the date on which the review is requested. The request shall be signed by the party who will be making the review and it shall indicate the name of the organization or entity employing such individual. The Chief Clerk shall establish a time during normal business hours for the review to occur and he shall provide that the review shall not interfere with the necessary functioning of the Chief Clerk's Office.

#### 4. Photocopies of Records.

Photocopies of financial records maintained in the office of the Chief Clerk shall be limited to the vouchers which are normally submitted by the Members on a monthly basis. Cost of copies will be determined by the Chief Clerk.

#### 5. Monthly Accounting of Other Disbursements.

For any appropriation to any Officer or Member for which the records are not maintained in the office of the Chief Clerk, the Officer or Member receiving the appropriation shall monthly file with the Chief Clerk an accounting of all disbursements made from the fund which shall include a separate listing for each expenditure and the address of the payee and which shall include as a minimum the information required for public review by this section. Such accounting shall be filed monthly in the office of the Chief Clerk not later than 15 days after the end of the month. Such accounting shall be open for public inspection as in the case of other records provided for herein.

### XIII. PERSONNEL POLICIES

#### 1. Preparation of Rules and Regulations.

The Senate Committee on Management Operations created pursuant to Section 1.1 of Act No. 417 of 1967 is authorized to prepare and adopt rules and regulations for uniform personnel policies and procedures, job specification and pay plans including periodic increments for Senate Officers and employees.

#### 2. Approval of Rules and Regulations.

Each such rule or regulation or any amendment thereto shall be prepared in resolution form and shall be placed on the Senate calendar for final approval or disapproval. The committee may when approved by at least four members of the committee and by both Floor Leaders implement such rules and regulations pending final Senate consideration of them. Such resolution shall have the force and effect of law in accordance with its terms when it has been approved by the full Senate.

### XIV. ACCOUNTING AND OPERATIONS MANUAL

#### 1. Preparation and Approval.

The Chief Clerk shall prepare an Accounting and Operations Manual with separate sections applicable to Members and their employees and fund custodians. This Manual shall

be submitted to the Senate Committee on Management Operations for its approval.

#### 2. Distribution.

Upon approval applicable sections of the Accounting and Operations Manual shall be distributed to all Members and Officers. A complete manual shall be forwarded to the Legislative Audit Advisory Commission.

#### 3. Maintenance and Updating.

The Chief Clerk shall be responsible for maintaining and updating this manual as a result of revisions or amendments promulgated by the Senate Committee on Management Operations or the Subcommittee of the Committee on Rules and Executive Nominations.

### XV. DURATION TO RULES

These rules shall be in full force and effect until altered, changed, amended or repealed as provided herein.

### XVI. CHANGES TO RULES

The consent of a majority of the Senators elected shall be necessary to alter, change or amend these rules.

### XVII. PROCEDURE FOR CHANGING RULES

All alterations, changes or amendments to these rules shall be by resolution which shall not be considered until first referred to and reported from the Committee on Rules and Executive Nominations.

### ANNOUNCEMENT OF MAJORITY AND MINORITY LEADERSHIP

The PRESIDENT. The Chair has been informed by the Majority caucus that they have elected as Majority Leader, Senator F. Joseph Loeper of Delaware County; as Whip, Senator D. Michael Fisher of Allegheny County; as Caucus Chairman, Senator Noah W. Wenger of Lancaster County; as Caucus Secretary, Senator Frank A. Salvatore of Philadelphia County; as Majority Policy Committee Chairman, Senator David J. Brightbill of Lebanon County; and as Caucus Administrator, Senator John D. Hopper of Cumberland County.

The Chair has also been informed by the Minority caucus that they have elected as Minority Leader, Senator Robert J. Mellow of Lackawanna County; as Whip, Senator J. William Lincoln of Fayette County; as Caucus Chairman, Senator Leonard J. Bodack of Allegheny County; as Caucus Secretary, Senator Michael A. O'Pake of Berks County; as Minority Policy Committee Chairman, Senator Patrick J. Stapleton of Indiana County; and as Caucus Administrator, Senator Jeanette F. Reibman of Northampton County.

### STATEMENT BY THE PRESIDENT

The PRESIDENT. We are now ready to notify the House that the Senate is organized.

**SENATE RESOLUTION****NOTIFICATION TO THE HOUSE**

Senator ROBBINS offered the following resolution which was read, considered and adopted:

In the Senate, January 1, 1991.

RESOLVED, That a committee of three Senators be appointed to inform the House of Representatives that the Senate is organized in Regular Session and ready to proceed to business.

**APPOINTMENT OF COMMITTEE  
TO NOTIFY THE HOUSE**

The PRESIDENT. Pursuant to the resolution just adopted, the Chair wishes to announce the following committee to notify the House that the Senate is organized: the gentleman from Franklin County, Senator Terry L. Punt; the gentleman from Mercer County, Senator Robert D. Robbins; and the gentleman from York County, Senator Michael E. Bortner.

That committee will convene and leave immediately to discharge its duties.

**SENATE RESOLUTION****NOTIFICATION TO HIS EXCELLENCY,  
THE GOVERNOR**

Senator GREENWOOD offered the following resolution which was read, considered and adopted:

In the Senate, January 1, 1991.

RESOLVED, That a committee of three Senators be appointed to wait upon His Excellency, the Governor, and inform him that the Senate is convened and organized in Regular Session and ready to receive any communications he may be pleased to make.

**APPOINTMENT OF COMMITTEE  
TO NOTIFY THE GOVERNOR**

The PRESIDENT. Pursuant to the resolution just adopted, the Chair wishes to announce the following committee to notify the Governor: the gentleman from Centre County, Senator J. Doyle Corman; the gentleman from Luzerne County, Senator Charles D. Lemmond; and the gentle woman from Philadelphia County, Senator Allyson Schwartz.

Will the committee please convene and leave immediately to discharge its duties.

**SENATE RESOLUTION****THANKS OF SENATE TENDERED TO THE  
HONORABLE ROBERT L. BYER FOR  
ADMINISTERING OATH OF OFFICE TO  
NEWLY ELECTED REPUBLICAN SENATORS**

Senator HART offered the following resolution which was read, considered and adopted:

In the Senate, January 1, 1991.

RESOLVED, That the thanks of the Senate is hereby tendered to the Honorable Robert L. Byer, Judge of the Commonwealth Court of Pennsylvania, for his services in qualifying the newly elected Republican Senators.

**STATEMENT BY THE MINORITY LEADER**

Senator MELLOW. Mr. President, on behalf of Senator Schwartz, I would like to offer the following resolution, but before I do that, Mr. President, I would also like the record to indicate that the more things change, the more they stay the same. I would like to thank Senator Kelley for his swearing in of the new Members of the Senate and also for his interpretation of the Constitution. We appreciate that tremendously.

**SENATE RESOLUTION****THANKS OF SENATE TENDERED TO THE  
HONORABLE JAMES R. KELLEY FOR  
ADMINISTERING OATH OF OFFICE TO  
NEWLY ELECTED DEMOCRATIC SENATORS**

Senator MELLOW, on behalf of Senator SCHWARTZ, offered the following resolution which was read, considered and adopted:

In the Senate, January 1, 1991.

RESOLVED, That the thanks of the Senate is hereby tendered to the Honorable James R. Kelley, Judge of the Commonwealth Court of Pennsylvania, for his services in qualifying the newly elected Democratic Senators.

**DISTINGUISHED GUESTS WELCOMED  
TO THE SENATE**

The PRESIDENT. The Chair would take a moment to explain that there is a specific reason why there is not an item on the agenda entitled "Introductions" and the reason is because there are so many distinguished visitors among us. We are very grateful for the presence of so many of you who have come today to witness this auspicious occasion, most notably wives, husbands, supporters from districts, and so on. The Chair also took note of several Congressmen in our midst. I will venture forth and say that Congressman Gekas is with us. Congressman-elect Santorum is with us. The Chair earlier noticed Congressman Ridge and Congressman Murtha in various parts of the Capitol today. Some of the staff from Congressman Gray's office are to our right, and to all of the other dignitaries—city councilmen, former Senators and others who are with us today—we thank you very much. Having dispensed with the majority of the introductions, the Chair would very much like to call upon the gentleman from Lackawanna, Senator Mellow, for an especially appropriate and important introduction.

Senator MELLOW. Mr. President, it is not the first time we have had the opportunity of having this gentleman attend

one of our Sessions or even attend a swearing-in ceremony. I think more importantly this year than probably ever in the last 15 years, because of the problems we are having in our country and because of what is taking place with "Desert Shield" in Saudi Arabia, I think it is important that I have the opportunity of introducing a gentleman who has been able to distinguish himself above and beyond. In fact, Mr. President, I believe it was President Truman who said that if he had the opportunity of being President of the United States or the recipient of the Congressional Medal of Honor, he would choose the latter. I would like to present to the Body the recipient of the Congressional Medal of Honor from Lackawanna County and from my hometown of Peckville, Mr. Gino Merli, who is seated over here.

(Applause.)

## SENATE CONCURRENT RESOLUTIONS

### RECESS ADJOURNMENT

Senator LOEPER offered the following resolution, which was read, considered and adopted:

In the Senate, January 1, 1991.

RESOLVED, (the House of Representatives concurring), That when the Senate adjourns this week it reconvene on Monday, January 14, 1991, unless sooner recalled by the President Pro Tempore of the Senate; and be it further

RESOLVED, That when the House of Representatives adjourns this week it reconvene on Monday, January 14, 1991, unless sooner recalled by the Speaker of the House of Representatives.

Ordered, That the Secretary of the Senate present the same to the House of Representatives for concurrence.

### JOINT SESSION

Senator BRIGHTBILL offered the following resolution which was read, considered and adopted:

In the Senate, January 1, 1991

RESOLVED, (the House of Representatives concurring), That the Senate and House of Representatives meet in Joint Session, Monday, January 14, 1991 at 2:30 P.M. in the Hall of the House of Representatives for the purpose of witnessing the opening, counting and computing the official returns of the election for Governor and Lieutenant Governor, held on Tuesday, November 6, 1990, in the several counties of the Commonwealth and to elect a Director of the Legislative Reference Bureau.

Ordered, That the Secretary of the Senate present the same to the House of Representatives for concurrence.

### TELLER TO COMPUTE AND COUNT VOTE FOR GOVERNOR AND LIEUTENANT GOVERNOR

Senator GREENLEAF offered the following resolution which was read, considered and adopted:

In the Senate, January 1, 1991.

RESOLVED, That the gentleman from Philadelphia County, Senator Salvatore, be appointed Teller on the part of the Senate for the purpose of witnessing the opening, computing and counting the votes for Governor and Lieutenant Governor.

## SENATE CONCURRENT RESOLUTION

### INAUGURAL COMMITTEE

Senator LOEPER offered the following resolution (Senate Concurrent Resolution No. 3), which was read, considered and adopted:

In the Senate, January 1, 1991.

RESOLVED, (the House of Representatives concurring), That the President Pro Tempore of the Senate be and is hereby authorized to appoint a committee of sixteen Senators to act in conjunction with a committee of twenty Members of the House of Representatives to be appointed by the Speaker, to make necessary arrangements for the inauguration of the Governor-elect to wait upon His Excellency; and be it further

RESOLVED, That the inaugural ceremonies take place at twelve o'clock noon on the third Tuesday of January, the fifteenth instant, 1991, on the front steps of the Main Capitol Building.

Ordered That the Secretary of the Senate present the same to the House of Representatives for concurrence.

## COMMUNICATIONS FROM THE GOVERNOR

### NOMINATIONS BY THE GOVERNOR REFERRED TO COMMITTEE

The PRESIDENT laid before the Senate the following communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Rules and Executive Nominations:

#### DISTRICT JUSTICE

December 4, 1990.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Jayne F. Duncan, Esquire, 271 Stone Mill Drive, Elizabethtown 17022, Lancaster County, Thirteenth Senatorial District, for appointment as District Justice in and for the County of Lancaster, Magisterial District 2-3-09, to serve until the first Monday of January, 1992, vice Harold E. Greiner, resigned.

ROBERT P. CASEY.

#### MEMBER OF THE BRANDYWINE BATTLEFIELD PARK COMMISSION

December 5, 1990.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Eugene L. DiOrto, 201 Walnut Street, Coatesville 19320, Chester County, Thirty-sixth Senatorial District, for reappointment as a member of the Brandywine Battlefield Park Commission, to serve until December 5, 1992, and until his successor is appointed and qualified.

ROBERT P. CASEY.

**MEMBER OF THE BRANDYWINE BATTLEFIELD  
PARK COMMISSION**

December 5, 1990.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Cuyler H. Walker, Rolling Plains Farm, Wollaston Road, Unionville 19375, Chester County, Thirty-sixth Senatorial District, for reappointment as a member of the Brandywine Battlefield Park Commission, to serve until June 24, 1993, and until his successor is appointed and qualified.

ROBERT P. CASEY.

**MEMBER OF THE BOARD OF TRUSTEES  
OF WHITE HAVEN CENTER**

December 11, 1990.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, James W. Burke, Jr., R. R. 2, Box 244, Sugarloaf 18249, Luzerne County, Fourteenth Senatorial District, for appointment as a member of the Board of Trustees of White Haven Center, to serve until the third Tuesday of January, 1995, and until his successor is appointed and qualified, vice Angeline L. Lamana, Hazleton, whose term expired.

ROBERT P. CASEY.

**MEMBER OF THE STATE BOARD  
OF LANDSCAPE ARCHITECTS**

December 13, 1990.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, William H. Reed, Jr. (Public Member), 8017 Thon Drive, Verona 15147, Allegheny County, Forty-fourth Senatorial District, for appointment as a member of the State Board of Landscape Architects, to serve until April 11, 1991 and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Judith C. Lieberman, Allentown, resigned.

ROBERT P. CASEY.

**MEMBER OF THE BOARD OF TRUSTEES  
OF ALLENTOWN STATE HOSPITAL**

December 14, 1990.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Frances P. Fuge, 106 West Broad Street, Bethlehem 18018, Northampton County, Eighteenth Senatorial District, for appointment as a member of the Board of Trustees of Allentown State Hospital, to serve until the third Tuesday of January, 1991, and until her successor is appointed and qualified, vice Donald Kirts, Ed.D., Easton, resigned.

ROBERT P. CASEY.

**MEMBER OF THE HEALTH CARE  
POLICY BOARD**

December 14, 1990.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, William R. Alexander, M.D., 1417 Old Mill Road, Wyomissing 19610, Berks County, Forty-eighth Senatorial District, for reappointment as a member of the Health Care Policy Board, to serve until March 11, 1994, and until his successor is appointed and qualified.

ROBERT P. CASEY.

**MEMBER OF THE HEALTH CARE  
POLICY BOARD**

December 14, 1990.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Marcia J. Eldred, 2423 Wynnefield Drive, Havertown 19083, Delaware County, Twenty-sixth Senatorial District, for appointment as a member of the Health Care Policy Board, to serve until March 11, 1991, and until her successor is appointed and qualified, vice Francis R. Grady, Camp Hill, resigned.

ROBERT P. CASEY.

**MEMBER OF THE HEALTH CARE  
POLICY BOARD**

December 14, 1990.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Victor F. Greco, M.D., E-Z Acres, R. R. 1, Drums 18222, Luzerne County, Fourteenth Senatorial District, for appointment as a member of the Health Care Policy Board, to serve until March 11, 1993, and until his successor is appointed and qualified, vice William G. Fisher, West Chester, whose term expired.

ROBERT P. CASEY.

**MEMBER OF THE HEALTH CARE  
POLICY BOARD**

December 14, 1990.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Joseph Rauscher, 307 Lodge Road, Philadelphia 19128, Philadelphia County, Fourth Senatorial District, for appointment as a member of the Health Care Policy Board, to serve until March 25, 1994, and until his successor is appointed and qualified, vice Dwayne Cooper, Ohioville, whose term expired.

ROBERT P. CASEY.

**MEMBER OF THE BOARD OF TRUSTEES  
OF FARVIEW STATE HOSPITAL**

December 17, 1990.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Charles Snigar, R. D. 1, Pleasant Mount 18453, Wayne County, Twentieth Senatorial District, for appointment as a member of the Board of Trustees of Farview State Hospital, to serve until the third Tuesday of January, 1991, and until his successor is appointed and qualified, vice Robert L. Ryan, Waymart, deceased.

ROBERT P. CASEY.

MEMBER OF THE BOARD OF TRUSTEES OF  
PHILIPSBURG STATE GENERAL HOSPITAL

December 17, 1990.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, June Roxbey, R. D. 1, Box 244, Philipsburg 16866, Clearfield County, Thirty-fourth Senatorial District, for appointment as a member of the Board of Trustees of Philipsburg State General Hospital, to serve until the third Tuesday of January, 1993, and until her successor is appointed and qualified, vice Dennis G. Shealer, Philipsburg, resigned.

ROBERT P. CASEY.

MEMBER OF THE BOARD OF TRUSTEES  
OF LAURELTON CENTER

December 19, 1990.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Evelyn C. Marboe, 705 West Hamilton Avenue, State College 16801, Centre County, Thirty-fourth Senatorial District, for appointment as a member of the Board of Trustees of Laurelton Center, to serve until the third Tuesday of January, 1991, and until her successor is appointed and qualified, vice Jane B. Troup, Lewisburg, resigned.

ROBERT P. CASEY.

MEMBER OF THE PENNSYLVANIA  
LABOR RELATIONS BOARD

December 21, 1990.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Wendell W. Young, III, 210 East Courtland Street, Philadelphia 19120, Philadelphia County, Fourth Senatorial District, for appointment as a member of the Pennsylvania Labor Relations Board, to serve until June 2, 1995 and until his successor is appointed and qualified, vice Ralph F. Scalera, Esquire, Beaver, whose term expired.

ROBERT P. CASEY.

DISTRICT JUSTICE

December 27, 1990.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, James Albert, 417 Culbertson Avenue, Greensburg 15601, Westmoreland County, Thirty-ninth Senatorial District, for appointment as District Justice in and for the County of Westmoreland, Magisterial District 10-2-10, to serve until the first Monday of January, 1992, vice Michael S. Moschetti, mandatory retirement.

ROBERT P. CASEY.

PROTHONOTARY AND CLERK OF COURTS,  
VENANGO COUNTY

December 28, 1990.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Evelyn McLaughlin, 8 Gateway Drive, Oil City 16301, Venango County, Twenty-fifth Senatorial District, for appointment as Prothonotary and Clerk of Courts in and for the County of Venango, to serve until the first Monday of January, 1992, vice Donald F. Fischer, resigned.

ROBERT P. CASEY.

## HOUSE MESSAGE

### HOUSE CONCURS IN SENATE CONCURRENT RESOLUTION

The Clerk of the House of Representatives informed the Senate that the House has concurred in resolution from the Senate, entitled:

Recess Adjournment.

### COMMITTEE DESIGNATION UNDER REGULATORY REVIEW ACT

The PRESIDENT laid before the Senate the following communication, which was read by the Clerk as follows:

#### SENATE OF PENNSYLVANIA

January 1, 1991

To: Mark R. Corrigan  
Secretary of the Senate  
From: Senator ROBERT C. JUBELIRER  
President Pro Tempore  
Subject: Committee Designation under  
Regulatory Review Act

Pursuant to the provisions of Act 181 of 1981, as amended and reenacted, known as the Regulatory Review Act, as President Pro Tempore of the Senate, I hereby designate the following standing committees for purpose of regulatory review as authorized in the act.

Standing committees for any departmental boards, commissions, committees, and other agencies not listed herein shall be the standing committee listed for that department. The Committee on Rules and Executive Nominations shall be the designated standing committee for purpose of regulatory review for any other agency not specifically listed herein.

#### AGENCY

#### COMMITTEE

Governor and Office of the Governor	State Government
Attorney General and Office of the Attorney General	Judiciary

Auditor General and Office of Auditor General	Finance	Commission	sources and Energy
State Treasurer and Treasury Department	Finance	Environmental Hearing Board	Environmental Resources and Energy
Adjutant General and Department of Military Affairs	Military and Veterans Affairs	Environmental Quality Board	Environmental Resources and Energy
Secretary and Department of Aging	Aging and Youth	Harness Racing Commission	State Government
Secretary and Department of Agriculture	Agriculture and Rural Affairs	Higher Education and Assistance Agency	Education
Secretary and Department of Banking	Banking and Insurance	Higher Education Facilities Authority	State Government
Secretary and Department of Commerce	Community and Economic Development	Historical and Museum Commission	State Government
Secretary of the Commonwealth and Department of State	State Government	Horse Racing Commission	Labor and Industry
Secretary and Department of Community Affairs, exclusive of housing programs	Local Government	Human Relations Commission	State Government
Secretary and Department of Community Affairs, housing programs	Urban Affairs and Housing	Independent Regulatory Review Commission	Labor and Industry
Secretary and Department of Corrections	Judiciary	Industrial Board	Rules and Executive Nominations
Secretary and Department of Education	Education	Joint Committee on Documents	Labor and Industry
Secretary and Department of Environmental Resources	Environmental Resources and Energy	Labor Relations Board	Law and Justice
Secretary and Department of General Services	State Government	Liquor Control Board	Banking and Insurance
Secretary and Department of Health	Public Health and Welfare	Medical Professional Liability	Agriculture and Rural Affairs
Commissioner and Department of Insurance	Banking and Insurance	Catastrophic Loss Fund	Community and Economic Development
Secretary and Department of Labor and Industry	Labor and Industry	Milk Marketing Board	Finance
Secretary and Department of Public Welfare	Public Health and Welfare	Milrite Council	Law and Justice
Secretary and Department of Revenue	Finance	Municipal Employees Retirement Board	Public Health and Welfare
Commissioner and PA State Police	Law and Justice	Municipal Police Officers Training Commission	Judiciary
Secretary and Department of Transportation	Transportation	Nursing Home Loan Agency	Judiciary
Secretary and Office of Administration	State Government	PA Commission on Crime and Delinquency	State Government
General Counsel and Office of General Counsel	Judiciary	PA Commission for Women	Environmental Resources and Energy
Secretary and Office of Budget	Appropriations	PA Emergency Management Agency	Urban Affairs and Housing
Executive Board	State Government	PA Energy Development Authority	Community and Economic Development
Arbitration Panel for Health Care	Banking and Insurance	PA Housing Finance Agency	Environmental Resources and Energy
Armory Board	Military and Veterans Affairs	PA Industrial Development Authority	Community and Economic Development
Board of Ben Franklin Partnership Fund	Community and Economic Development	PA Infrastructure Investment Authority	Environmental Resources and Energy
Board of Claims	Finance	PA Minority Business Development Authority	Community and Economic Development
Board of Finance and Revenue	Finance	PA Public Television Network Commission	State Government
Board of Governors of State System of Higher Education	Education	Public School Employees Retirement Board	Finance
Board of Pardons	Judiciary	Public Utility Commission	Consumer Protection and Professional Licensure
Board of Probation and Parole	Law and Justice	Securities Commission	Banking and Insurance
Civil Service Commission	State Government	State Athletic Commission	State Government
PA Commission on Sentencing	Judiciary	State Board of Education	Education
Council on the Arts	State Government	State Employees Retirement Board	Finance
Crime Victims Compensation Board	Judiciary	State Ethics Commission	Rules and Executive Nominations
Delaware River Basin	Environmental Re-	State Health Care Hearing Board	Public Health and Welfare
		State Public School Building Authority	Education
		State Tax Equalization Board	Finance
		Turnpike Commission	Transportation

Underground Storage Tank Indemnification Board	Environmental Re- sources and Energy
Unemployment Compensation Board of Review	Labor and Industry
Veterans' Commission	Military and Veterans Affairs
Workmen's Compensation Appeals Board	Labor and Industry
Architects Licensure Board	Consumer Protection and Professional Licensure
Auctioneers Examiners Board	Consumer Protection and Professional Licensure
Barber Examiners Board	Consumer Protection and Professional Licensure
State Board of Chiropractic	Consumer Protection and Professional Licensure
State Board of Cosmetology	Consumer Protection and Professional Licensure
State Board of Dentistry	Consumer Protection and Professional Licensure
Funeral Directors Board	Consumer Protection and Professional Licensure
Landscape Architects Board	Consumer Protection and Professional Licensure
State Board of Medicine	Consumer Protection and Professional Licensure
Motor Vehicles Manufacturers, Dealers and Salesmen Board	Consumer Protection and Professional Licensure
State Board of Nursing	Consumer Protection and Professional Licensure
Nursing Home Administrators	Consumer Protection and Professional Licensure
Occupational Therapy Education and Licensure Bd.	Consumer Protection and Professional Licensure
State Board of Optometry	Consumer Protection and Professional Licensure
State Board of Osteopathic Medical Examiners	Consumer Protection and Professional Licensure
State Board of Pharmacy	Consumer Protection and Professional Licensure
State Board of Physical Therapy	Consumer Protection and Professional Licensure
State Board of Podiatry	Consumer Protection and Professional Licensure
State Board of Psychology	Consumer Protection and Professional Licensure
State Board of Accountancy	Consumer Protection and Professional Licensure
Real Estate Commission	Consumer Protection

Registration Board for  
Professional Engineers

State Board of Examiners  
in Speech-Language  
and Hearing

PA State Board of  
Veterinary Medicine

State Board of Social  
Work Examiners

and Professional  
Licensure  
Consumer Protection  
and Professional  
Licensure  
Consumer Protection  
and Professional  
Licensure  
Consumer Protection  
and Professional  
Licensure  
Consumer Protection  
and Professional  
Licensure

From time to time it may be necessary to redesignate agencies which may not be included in the above designations. You will be advised when those designations are made.

### REPORT OF COMMITTEE TO NOTIFY THE HOUSE

Senator PUNT. Mr. President, I have the honor to report that the committee appointed by the President pro tempore to inform the House of Representatives that the Senate is convened and organized in regular Session has performed its duty.

The PRESIDENT. The Chair thanks the gentleman.

Senator LOEPER. Mr. President, it is my understanding that we are yet awaiting a committee from the House to announce that the House is organized and that committee is on its way here. I would ask that we would stand at ease until they arrive.

The PRESIDENT. The Chair suspects that the committee is on its way.

### REPORT OF COMMITTEE TO NOTIFY THE GOVERNOR

Senator CORMAN. Mr. President, I have the honor to report that the committee appointed by the President pro tempore to inform the Governor the Senate is convened and organized in regular Session has performed its duties.

The PRESIDENT. The Chair thanks the gentleman for doing an outstanding job. It is necessary to await the formal notification from the House that they are, in fact, organized. Some Senators would doubt that premise in any case.

### HOUSE NOTIFIES SENATE IT IS ORGANIZED

The PRESIDENT. The Chair recognizes the Sergeant-at-Arms.

The SERGEANT-AT-ARMS. Mr. President, I have the honor to present a committee on behalf of the House of Representatives.

The PRESIDENT. Would you bring the committee forth.

The SERGEANT-AT-ARMS. Mr. President, I have the honor to present the Chairman of the committee, the Honorable Joseph Preston.

Representative PRESTON. Mr. President, we have been appointed as a committee by the House to inform the Senate the House is organized and ready to proceed with the business of the Session.

The PRESIDENT. The Chair thanks the gentleman for discharging his duties and thanks the gentleman for that information.

### **UNFINISHED BUSINESS**

#### **CONGRATULATORY RESOLUTIONS**

The PRESIDENT laid before the Senate the following resolutions, which were read, considered and adopted:

Congratulations of the Senate were extended to Vivian Baumgardner by Senator Bortner.

Congratulations of the Senate were extended to James Mazzotta by Senator Hart.

Congratulations of the Senate were extended to Robert M. Bullock by Senator Hopper.

Congratulations of the Senate were extended to William Christopher Cummings and to Robert E. Petrie by Senator Robbins.

#### **CONDOLENCE RESOLUTION**

The PRESIDENT laid before the Senate the following resolution, which was read, considered and adopted:

Condolences of the Senate were extended to the family of the late Thomas B. Ickes by Senator Jubelirer.

#### **ADJOURNMENT**

Senator LOEPER. Mr. President, I move the Senate do now adjourn until Monday, January 14, 1991, at 2:00 p.m., Eastern Standard Time, unless sooner recalled by the President pro tempore.

The motion was agreed to.

The Senate adjourned at 1:45 p.m., Eastern Standard Time.