COMMONWEALTH OF PENNSYLVANIA

Legislative Journal

THURSDAY, JANUARY 3, 2002

SESSION OF 2002 186TH OF THE GENERAL ASSEMBLY No. 2

SENATE

THURSDAY, January 3, 2002

The Senate met at 1 p.m., Eastern Standard Time

The PRESIDENT (Lieutenant Governor Robert C. Jubelirer) in the Chair.

PRAYER

The following prayer was offered by the Secretary of the Senate, Hon. MARK R. CORRIGAN:

Let us pray.

Heavenly Father, be gracious to us and bless us with a measure of Your spirit this day. As the Senate gathers, may it be with confidence, hope, and faith in You and each other, that these, the servants of the people, may do with excellence the work to which they have been called. And when this day is done, may their accomplishments be pleasing in Your sight. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding Session of January 1, 2002.

The Clerk proceeded to read the Journal of the preceding Session, when, on motion of Senator BRIGHTBILL, and agreed to by voice vote, further reading was dispensed with and the Journal was approved.

COMMUNICATIONS FROM THE GOVERNOR

RECALL COMMUNICATIONS LAID ON THE TABLE

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 laid on the table:

MEMBER OF THE PENNSYLVANIA CANCER CONTROL, PREVENTION AND RESEARCH ADVISORY BOARD

January 2, 2002

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated July 19, 2001 for the appointment of Joel S Noumoff, M.D., 238 Lloyd Lane, Wynnewood 19096, Montgomery County, Seventeenth Senatorial District, as a member of the Pennsylvania Cancer Control, Prevention and Research Advisory Board, to serve for a term of four years and until his successor is appointed and qualified, vice Christine E. Szarka, M.D., Pennlyn, whose term expired.

I respectfully request the return to me of the official message of nomination on the premises.

Mark S. Schweiker
Governor

CONTROLLER, MONROE COUNTY

January 2, 2002

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated August 31, 2001 for the appointment of Marlo A. Merhige, R.R. 1, Box 333, Tannersville 18372, Monroe County, Twenty-ninth Senatorial District, as Controller, in and for the County of Monroe, to serve until the first Monday of January 2002, vice The Honorable Kelly Lewis, resigned.

I respectfully request the return to me of the official message of nomination on the premises.

Mark S. Schweiker
Governor

CORONER, BUTLER COUNTY

January 2, 2002

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated August 31, 2001 for the appointment of William F. Young, III, Box 223 863 Halston Road, West Sunbury 16001, Butler County, Twenty-first Senatorial District, as Coroner, in and for the County of Butler, to serve until the first Monday of January 2002, vice William F. Young, Jr., resigned.

I respectfully request the return to me of the official message of nomination on the premises.

Mark S. Schweiker
Governor

JUDGE, COURT OF COMMON PLEAS, NORTHAMPTON COUNTY

January 2, 2002

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated June 21, 2001 for the appointment of Edward G. Smith, Esquire, 5522 Kesslersville Road, Easton 18040, Northampton County, Eighteenth Senatorial District, as Judge of the Court of Common Pleas of Northampton County, to serve until the first Monday of January 2002, vice The Honorable James C. Hogan, resigned.

I respectfully request the return to me of the official message of nomination on the premises.

Mark S. Schweiker
Governor

SHERIFF, POTTER COUNTY

January 2, 2002

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated August 30, 2001 for the appointment of Kenneth G. Sauley, 215 Earl Road, Sabinsville 16943, Potter County, Twenty-fifth Senatorial District, as Sheriff, in and for the County of Potter, to serve until the first Monday of January 2004, vice Dale I. Cogley, resigned.

I respectfully request the return to me of the official message of nomination on the premises.

Mark S. Schweiker
Governor

SHERIFF, TIOGA COUNTY

January 2, 2002

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated August 29, 2001 for the appointment of John L. Perry, 25 Dantz Run Road, Wellsboro 16901, Tioga County, Twenty-third Senatorial District, as Sheriff, in and for the County of Tioga, to serve until the first Monday of January 2002, vice Lamar G. Green, resigned.

I respectfully request the return to me of the official message of nomination on the premises.

Mark S. Schweiker
Governor

TREASURER, BRADFORD COUNTY

January 3, 2002

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated August 31, 2001 for the appointment of Rebecca A. Clark, RR 1, Box 165, Towanda 18848, Bradford County, Twenty-third Senatorial District, as Treasurer, in and for the County of Bradford, to serve until the first Monday of January 2002, vice Nancy Schrader, resigned.

I respectfully request the return to me of the official message of nomination on the premises.

Mark S. Schweiker
Governor

HOUSE MESSAGE

HOUSE INSISTS UPON ITS AMENDMENTS NONCONCURRED IN BY THE SENATE TO SB 1200, AND APPOINTS COMMITTEE OF CONFERENCE

The Clerk of the House of Representatives informed the Senate that the House insists upon its amendments nonconcurred in by the Senate to **SB 1200**, and has appointed Messrs. S.H. SMITH, BARLEY, and VEON as a Committee of Conference to confer with a similar committee of the Senate, already appointed, to consider the differences existing between the two houses in relation to said bill.

BILL INTRODUCED AND REFERRED

The PRESIDENT laid before the Senate the following Senate Bill numbered, entitled, and referred as follows, which was read by the Clerk:

January 2, 2002

Senators O'PAKE, MELLOW, MUSTO, SCHWARTZ, LOGAN, COSTA, LAVALLE, ERICKSON, BOSCOLA, STOUT, WOZNIAK and KUKOVICH presented to the Chair **SB 1239**, entitled:

An Act prohibiting school districts from levying or collecting real property taxes after June 30, 2004.

Which was committed to the Committee on FINANCE, January 2, 2002.

REPORT OF COMMITTEE OF CONFERENCE SUBMITTED

Senator BRIGHTBILL submitted the Report of the Committee of Conference on **SB 1200**, which was placed on the Calendar.

DISCHARGE PETITIONS

The PRESIDENT laid before the Senate the following communications, which were read by the Clerk as follows:

January 3, 2002

A PETITION

To place before the Senate the nomination of Carol R. Brown, as a member of the Council of the Arts.

TO: The President Officer of the Senate:

WE, The undersigned members of the Senate, pursuant to section 8 (b) of Article IV of the Constitution of Pennsylvania, do hereby request that you place the nomination of Carol R. Brown, as a member of the Council of the Arts, before the entire Senate body for a vote, the nomination not having been voted upon within 15 legislative days:

Raphael J. Musto
Robert J. Mellow
Michael A. O'Pake
Jack Wagner
Richard A. Kasunic
J. Barry Stout
Vincent J. Fumo

January 3, 2002

A PETITION

To place before the Senate the nomination of Gwendolyn M. White, as a member of the State Board of Dentistry.

TO: The President Officer of the Senate:

WE, The undersigned members of the Senate, pursuant to section 8 (b) of Article IV of the Constitution of Pennsylvania, do hereby request that you place the nomination of Gwendolyn M. White, as a member of the State Board of Dentistry, before the entire Senate body for a vote, the nomination not having been voted upon within 15 legislative days:

Raphael J. Musto
Robert J. Mellow
Michael A. O'Pake
Jack Wagner
Richard A. Kasunic
J. Barry Stout
Vincent J. Fumo

January 3, 2002

A PETITION

To place before the Senate the nomination of The Honorable Kim Pizzingrilli, as a member of the Public Utility Commission.

TO: The President Officer of the Senate:

WE, The undersigned members of the Senate, pursuant to section 8 (b) of Article IV of the Constitution of Pennsylvania, do hereby request that you place the nomination of The Honorable Kim Pizzingrilli, as a member of the Public Utility Commission, before the entire Senate body for a vote, the nomination not having been voted upon within 15 legislative days:

Raphael J. Musto
Robert J. Mellow
Michael A. O'Pake
Jack Wagner
Richard A. Kasunic
J. Barry Stout
Vincent J. Fumo

The PRESIDENT. The communications will be laid on the table.

LEGISLATIVE LEAVES

The PRESIDENT. The Chair recognizes the gentleman from Lebanon, Senator Brightbill.

Senator BRIGHTBILL. Mr. President, I ask for legislative leaves for Senator Bell and Senator Piccola.

The PRESIDENT. Senator Brightbill requests legislative leaves for Senator Bell and Senator Piccola. Without objection, the leaves will be granted.

The Chair recognizes the gentleman from Berks, Senator O'Pake.

Senator O'PAKE. Mr. President, I request legislative leaves for Senator Bodack and Senator Fumo, and a temporary Capitol leave for Senator Anthony Williams.

The PRESIDENT. Senator O'Pake requests legislative leaves for Senator Bodack and Senator Fumo, and a temporary Capitol leave for Senator Anthony Williams. Without objection, those leaves will be granted.

SPECIAL ORDER OF BUSINESS
SUPPLEMENTAL CALENDAR No. 1

REPORT OF COMMITTEE OF CONFERENCE

REPORT ADOPTED

SB 1200 (Pr. No. 1645) -- The Senate proceeded to consideration of the bill entitled:

An Act to apportion the Commonwealth of Pennsylvania into congressional districts in conformity with constitutional requirements; providing for the nomination and election of Congressmen; and requiring publication of notice of the establishment of congressional districts following the Federal decennial census.

Senator BRIGHTBILL. Mr. President, I move that the Senate adopt the Report of the Committee of Conference on Senate Bill No. 1200.

On the question,
Will the Senate agree to the motion?

The PRESIDENT. The Chair recognizes the gentleman from Berks, Senator O'Pake.

Senator O'PAKE. Mr. President, thank you for the opportunity to speak in opposition to this plan, and I will concentrate my remarks on the impact of this plan on the 6th Congressional District, presently constituting the counties of Berks, Schuylkill, and some of the smaller parts of adjoining counties.

Mr. President, it is a shame today that the leaders of the Republican Party are trying to use their control of State government to punish the people of Berks County by chopping us up into three small pieces. For 40 years, Democrats in the State legislature have kept Berks County's identity intact. In fact, we had to go to court 10 years ago to do that. Now the Republican Majority want to have pieces of Berks County represented by Congressmen from Lancaster, Chester, and Dauphin Counties so that Berks County, one of the largest and fastest growing counties in the State, is relegated to the tail wagging the dog, and you know what that means. When we try to compete for Federal dollars to help local taxpayers with better roads, affordable housing, more police, economic development and jobs, and other federally funded projects, Berks County will play second or third or fourth fiddle to counties that have their own Congressmen. Under this policy of divide and conquer, Berks County will be divided, and the people of Berks County will be conquered.

I strongly oppose this plan. It is worse than the one that we heard about last week, and I hope that the people of Berks County will pay attention to who is responsible for this massacre.

Thank you.

The PRESIDENT. The Chair recognizes the gentlewoman from Philadelphia, Senator Tartaglione.

Senator TARTAGLIONE. Mr. President, in all good conscience, I cannot vote for the congressional redistricting plan

that we have before us today. In fact, Mr. President, I am deeply disappointed we are even considering Senate Bill No. 1200 in its present form. The people of Pennsylvania are not naive, Mr. President, and I am sure that they expect a certain degree of partisan political posturing from this body. However, it is unreasonable that they be expected to tolerate the level of partisanship that is contained in Senate Bill No. 1200.

Mr. President, in no uncertain terms, Senate Bill No. 1200 is an attempt to compel the residents of this State, who are primarily registered Democrat voters, to be represented in Congress by a delegation that is dominated by Republicans. I use the term "represented" freely here because Senate Bill No. 1200 creates a scenario in which genuine representation is, at best, minimal. This poorly conceived piece of legislation would eliminate or merge districts in which experienced and dedicated congressional representatives have served all constituents, Democrats and Republicans alike, with unfailing excellence. Because of their experience and their performance, many of our congressional delegation have earned coveted influential leadership positions in Congress, a highly-prized status that creates even more value for their representative districts and the entire Commonwealth.

In the private sector, Mr. President, these people would be far too valuable to be replaced as casually as proposed in Senate Bill No. 1200. In the private sector, high-powered headhunters would spare no effort or expense to compete for their services. However, in the fantasy world of partisan politics, such proven and capable leaders are mere targets for termination for the sake of political opportunism.

Mr. President, this calloused and biased plan violates all basic tenets of representative democracy and the spirit of redistricting itself. To say that I am disheartened by the blatant disregard for fairness in this process would be an understatement. Why are only Democrats losing seats? Why are only incumbent Democrats being forced to run against each other in newly-crafted districts? Why do we not see Congressman Gekas running against Congressman Pitts? Why not Congressman Peterson running against freshman Congressman Shuster? Why are we creating two congressional districts for two sitting Republican State Senators at the expense of two veteran Democratic Congressmen?

Mr. President, I am particularly disappointed that Senate Bill No. 1200 creates one of those districts in an attempt to unseat a Democratic Congressman from the southeast. Senate Bill No. 1200 would force my Congressman, Congressman Borski, into a primary election with Congressman Hoeffel, and the winner will have to compete in a district that would favor a Republican challenger. Congressman Borski has served the people of Pennsylvania admirably for the past 19 years, and our State stands to lose an effective, respected veteran leader. That, Mr. President, is unfortunate for all of us.

Senate Bill No. 1200 is a bad joke on Pennsylvanians, and no one is laughing. I have yet to see one editorial that condones the tactics or underlying intent of this legislation. The Daily News from Delaware County writes, "The name of the game for Republicans is reinforcing the seats controlled by Republicans to strengthen the ability of Republicans to control Congress." And the Washington Post describes the plan as "...the most extreme case study of party vengeance this year."

Senate Bill No. 1200 is about control, not governing or democracy. Is it democracy when a duly-elected official who has--

POINT OF ORDER

Senator MELLOW. Mr. President--excuse me, Senator--Mr. President, I rise for a point of order.

The PRESIDENT. The gentleman will state his point.

Senator MELLOW. Mr. President, this is a very important issue. It is something that will determine the congressional makeup of the Commonwealth of Pennsylvania for the next 10 years, and if individuals care to choose to discuss their own private discussions, would you please have them take it off the floor so those of us who want to listen to the debate will have an opportunity to hear exactly what the speaker is saying. I would appreciate that.

The PRESIDENT. The Chair asks that all Members kindly respect the floor, and the Chair apologizes. I did not hear the disruption as perhaps you did from down there, but at least I ask that all Members kindly take all of their sidebar conferences off the floor on both sides of the aisle in the entire Senate. Senator Tartaglione deserves to be heard, and the Chair agrees with Senator Mellow.

Senator Tartaglione, you have the floor.

Senator TARTAGLIONE. Thank you, Mr. President.

Senate Bill No. 1200 is about control, not governing or democracy. Is it democracy when a duly-elected official, who has faithfully served in the best interests of you, your family, your neighbors, your businesses and communities, is arrogantly cast out into the street simply because he or she had the nerve to be a registered Democrat?

Mr. President, I have the privilege of serving on the Senate Committee on State Government, and in preparation for the inevitable task of redistricting, we recently held hearings in Allentown, Harrisburg, and Pittsburgh. The purpose of these hearings, Mr. President, was to solicit input and direction as how to best accomplish the task of redistricting. Time and again the one refrain we heard from each area was to retain the commonality of interest of existing congressional districts. Citizens who testified at these hearings asked that we preserve their districts because they made sense. What they feared was that reapportionment would carve them out of their current district and insert them into a district with divergent needs and priorities.

Mr. President, with the commonality of interest removed, citizens living in the victimized area dread a new era of either misrepresentation or nonrepresentation. With the plan we have before us today, those worst fears have been realized, and the stated wishes of our citizens have been rudely ignored. The only commonality of interest present in Senate Bill No. 1200 is the Republican Party's common interest to accomplish through legislation what they fear they cannot rightfully earn at the ballot box.

Senate Bill No. 1200 is not rush legislation that was thrown together to meet a tight deadline. It is far more sinister. It is a crafted master plan to dissect Pennsylvania in order to isolate or submerge current Democratic districts. It does not have to be this way, Mr. President. In the past year, other States have taken on reapportionment and have approved plans that either maintain the status quo or effect minimal changes.

According to an article in last week's Philadelphia Inquirer, the reason for the assault on Pennsylvania's districts is that Republicans are trying to gain all the seats they anticipated but did not receive nationwide. Mr. President, they did not get what they wanted in States such as Texas and Georgia, so Pennsylvania has become the Republican focal point for making up lost ground. Never mind the socioeconomic makeup of the Commonwealth, never mind the needs and priorities of individual regions and districts, never mind Pennsylvania's overwhelmingly Democratic voting enrollment. What we are presented with here is a bill in which lone beneficiaries are elected Republicans, and those who aspire to such status. Everyone else is just a victim.

Mr. President, Senate Bill No. 1200 must not stand in its present form, and I ask that the Senate reject this bill in its current form. In the end, Senate Bill No. 1200, or any reapportionment plan, should pass into law only if it accurately reflects the demographics of this Commonwealth and the wishes of its citizens.

Thank you, Mr. President.

The PRESIDENT. The Chair recognizes the gentlewoman from Montgomery, Senator Constance Williams.

Senator C. WILLIAMS. Mr. President, many of the disputes that arise between the two parties on this floor arise as a result of philosophical differences or conflicting points of view, but the congressional reapportionment plan before us today represents neither principle nor conviction; this plan represents pure political arrogance. The Majority party stands here today willing to sacrifice Pennsylvania's prestige and influence in Washington in order to carve out a bigger piece of the political pie for its own Members, willing to pit two strong, experienced public servants against one another to replace one with a less effective freshman with no seniority and no influence.

Make no mistake, Mr. President, it is not the Minority Caucus of this Chamber nor the Democratic Party of this Commonwealth who will be damaged by this sham of a proposal. All Pennsylvanians will suffer. Many of my own constituents will be among the hardest hit. Rather than have one representative in Congress to represent their interests as a unified community, they will be parceled out among a half- dozen representatives, none of whom represents the community as a whole. The voices of 800,000 Montgomery County residents will effectively be silenced as the bonds between municipalities are severed.

It is no surprise that the Majority party should want to divide and conquer Montgomery County, as they are fearful of their dwindling support. But the plan before us guarantees the loss of one of Pennsylvania's two most valuable representatives in Congress. It guarantees that Pennsylvania will lose out in competition for Federal funds and resources. It guarantees that the strides that we have made as a Commonwealth will be sabotaged. Two experienced, dedicated representatives will be pitted against one another, with the loss of one of them assured.

Mr. President, how much of our Commonwealth's prestige and influence is the Majority party willing to throw away in the name of partisanship? The loss of either Congressman Bob Borski or Congressman Joe Hoeffel will be devastating not only to their own constituencies but to the State as a whole. Congressman Hoeffel has brought more than $50 million in Federal resources to Montgomery County in his first term alone, including funding for school districts, the Norristown Community Health Center, SEPTA, and public school teacher training at area colleges. He has been a tireless advocate for senior citizens, introducing legislation to create a Medicare prescription drug benefit, and serving as a member of the Congressional Task Force on Social Security. He has made public education a top priority. Congressman Hoeffel's Education Reinvestment Act would increase Federal investment in public education by $35 billion over the next 5 years, the largest single increase in the history of the Elementary and Secondary Education Act. He successfully fought to restore a million dollars scheduled to be cut from remedial education for Montgomery County schools.

Congressman Borski, meanwhile, is the third-ranking Democrat on the House Committee on Transportation and Infrastructure, and the ranking member of the Highways and Transit Subcommittee. His reelection would put him in a position to help write the reauthorization of the Surface Transportation Act, better known as T-21. T-21's significance to economic development in Pennsylvania and Montgomery County is impossible to overestimate. For every dollar Pennsylvanian's repay in gas taxes, the Commonwealth receives $1.22. No other State has benefitted more than Pennsylvania, but without Congressman Borski in his senior position on the Transportation Infrastructure Committee, Pennsylvania cannot be expected to compete with the more powerful States during the T-21 reauthorization process. Mr. President, Pennsylvanians are privileged to have such dedicated representatives fighting for them in Washington. The reapportionment plan before us today makes a mockery of the very concept of public service.

Finally, Mr. President, I find it appalling that the Senate leadership is also willing to call a Special Session in order to pad the political fortunes of the Majority party while the fate of the health care system in Pennsylvania is allowed to teeter on the brink of disaster until the end of this month. Many doctors in Pennsylvania are at this moment unable to practice because they cannot get malpractice insurance. Unless we are able to send a message that political dealmaking is more important than our citizens' access to medical care, I suggest that Governor Schweiker call an immediate Special Session of the legislature to deal with the malpractice insurance crisis.

Thank you, Mr. President.

The PRESIDENT. The Chair recognizes the gentlewoman from Philadelphia, Senator Schwartz.

Senator SCHWARTZ. Mr. President, I would like to add my comments briefly to my deep concerns about this plan that we are voting on, the redistricting plan. It is very clear that it is more a political plan, with the interests of one political party over another, than an interest in representing the people of the

Commonwealth in Washington. I represent a part of Montgomery County, as you know, and Montgomery County, as we might have suspected because of its population, might be divided into several, one or two, maybe even three congressional districts, but it has been divided into six congressional districts. And while it has been reported in the paper, and I understand that newspaper reports are not always accurate, the Majority party said that they believe Pennsylvanians will be best represented when represented by Republicans. Well, how much more partisan can you get? And while this is again a very partisan process, the fact is that the people of Pennsylvania will be best represented when they can come together in some commonality and have their areas represented and be able to demonstrate some force in voting for their representatives. And the kind of dividing up of geographic areas, as it has been, into so many little pieces does not bode well for people who have been a very strong and important part of the Commonwealth being able to maintain that kind of continuity in who represents them in Washington.

So, when you see a plan like this that is far more about partisan politics than it is about the common interests of the people of Pennsylvania, I have to rise and object, and that is why I do. There are better ways to do this. There might have been a greater opportunity for some discussion about how we might draw the lines. It was going to be a difficult process because we were losing two seats, but it need not have been quite so partisan, quite so directed in believing that, in fact, this State ought to be represented by one party, and not by the kind of dynamic political process that certainly I personally believe in.

So while I hope that, in fact, the expectations of the Majority party are not realized, that there is still going to be a competitive process where fine candidates rise to the occasion to take on what will be much less competitive districts, I hope that they do and I hope the people come out and vote in force in any case. My concern is that they will be discouraged, they will feel divided, they will feel divided and conquered. That is not what we want when we do redistricting. We should instead encourage people to believe in the process and get out and want to vote for their representative in Washington. This plan does not do well in helping people to understand that process and have faith in that process. I will certainly be voting "no," as I believe many of my colleagues will be, and again, I think this represents a real disappointment, not for me personally, but for the people of Pennsylvania in not being able to trust the Majority party, which does control both Chambers and the Governor's Office, in truly taking the best interests of Pennsylvanians into account in setting this plan forward. So I will vote "no," and I certainly would encourage all my colleagues to do so as well.

Thank you, Mr. President.

The PRESIDENT. The Chair recognizes the gentleman from Washington, Senator Stout.

Senator STOUT. Mr. President, it is my sad duty this afternoon to have to revisit this issue that we addressed several weeks before Christmas on the congressional redistricting plan. Those Pennsylvanians who are watching this afternoon's Session trying to learn about how democracy works are going to be shocked to see what happens here, because it is preordained what will happen here, because the Republican Party controls the Majority in the State House, in this Chamber, the Governor's Office, and the courts of this Commonwealth. But what is going to happen here on congressional redistricting will have an impact on all 12 million Pennsylvanians, because it will determine how the Federal government operates for the next 10 years, how Federal funds are distributed throughout the nation, how they are impacted here in the Commonwealth of Pennsylvania.

What I saw in 1971 when I first became a Member of the House and was involved in the redistricting plan was that at that time I got one sheet of paper, 8 1/2 x 11, signed by Dr. Thomas Morgan, a ranking Democrat from Pennsylvania, and Congressman Saylor. That was the redistricting plan for the Commonwealth. Today we have printouts and computers spitting out information and deviations and all types of statistics, but in that day it was done in a fair process between the Democratic Party and Republican Party to determine how the districts would be redesigned for Pennsylvania. And that has happened over the years. This year we are seeing a plan that is blatantly political and will divert the control of Congress in this Commonwealth from a fair and balanced plan to a plan that is predominantly Republican, and in the future will actually disenfranchise many Pennsylvanians, particularly those who happen to be registered Democrats, because they are going to be watered down.

What we are seeing is that the previous speakers this afternoon have focused on southeastern Pennsylvania. I wanted to focus on southwestern Pennsylvania, because one of the things that the courts have looked at is communities of interest over the years, and communities of interest in the counties of Washington, Greene, and Fayette have been of common interests, the same type of people, demographics, the same type of economic interests, and so forth, and for nearly a hundred years have been part of a congressional district. The plan that is before us this afternoon meanders through southwestern Pennsylvania, from Cambria County through nine different counties, through the extreme southwestern Greene County, and will split that up and that continuity will not be there as it has been over the years to represent the people of southwestern Pennsylvania, and they will be ill-served.

What we see here is that communities of interest over the years have built up projects such as the Mon-Fayette Expressway, which unites Fayette County, Washington County, portions of Westmoreland County, Allegheny County, and Greene County to become the economic lifeline for southwestern Pennsylvania have moved forward because of communities of interest. Now we are going to be split into different congressional districts. What happened about 3 weeks ago? We all know what happened. At that time, the plan in the so-called 12th District, starting up in Cambria County and coming down through nine different counties, would have pitted incumbent Congressman Jack Murtha against incumbent Congressman Frank Mascara from Washington County. What they did, because there was an outcry, Congressman Murtha may decide to retire and not seek reelection, there was an outcry to separate him from Congressman Mascara, and they did that. It was a very clever thing. Maybe the conference committee had a microsurgeon, because what they did was split the borough of Charleroi, where Congressman Mascara resides. Where he puts his head down at night, he is in the new 18th District, and when he goes out to get in his car in the morning parked across the street, he would be in

the 12th District, which would be represented by Congressman Murtha, and that is really splitting the area.

What they have done is created so-called census blocs. When they do the census every 10 years, it is a grid system that breaks up municipalities. In Washington County there are nine communities that are now in the census bloc and have been split up. What that does is creates mass confusion on election day--

The PRESIDENT. The Senate will come to order.

Senator STOUT. Thank you, Mr. President.

On election day there will be mass confusion in the polling places with people coming in from some municipalities where a guy may live in one congressional district and his neighbor across may be in another congressional district, and there will be mass confusion. We all complain about the people not participating in our election process and that it has been dropping over the years, and things like we are going to do today on this unfair redistricting plan will create further voter apathy and people will be turned off from voting because they will not know which precinct they are going to be in. It will create problems in the election bureaus in several counties, because they have difficulty getting people to serve on election boards now and there will be more confusion, people will get turned off, there will be additional costs to the taxpayers of the counties impacted by the splitting of municipalities in order to meet the so-called deviation requests, and I think it is grossly unfair to the people in southwestern Pennsylvania.

The year 2000 census figures showed that Allegheny County had a population of about 1.2 million people, and since it takes about 647,000 residents to become a congressional district, Allegheny County could support two full congressional seats within Allegheny County. What they want to do is get three seats, and what they are going to do is control the majority from Allegheny County and they are going to bleed off the other counties that are contiguous to Allegheny, such as Washington County and Westmoreland County and Beaver County, and pull those votes in so that Allegheny County could end up controlling three seats at the expense of these neighboring counties. And yet, we are always told of the so-called regional aspect of southwestern Pennsylvania, but it seems it always just goes one way, toward Allegheny County or the city of Pittsburgh, and shortchanges all the contiguous counties in southwestern Pennsylvania.

So, I think today the only responsible thing that we as Members of this Senate can do is to vote against this redistricting plan because it is grossly unfair, it will cause people to become disenfranchised, it will cause people to become disillusioned and not participate in our electoral process, and that is a thing we should encourage, not discourage by people not knowing which district they live in. There is going to be mass confusion. It is going to be extremely expensive for counties to administer these programs, and so forth. So, I urge that the responsible thing is to vote against this redistricting plan. I am sure we can come up with a better, more responsible plan.

Thank you, Mr. President.

The PRESIDENT. The Chair recognizes the gentleman from Cambria, Senator Wozniak.

Senator WOZNIAK. Mr. President, I also rise to oppose this reapportionment plan. Even though the conference committee tweaked it a little bit, it still does not play any fairness, particularly to southwestern Pennsylvania. And although I know the people of Washington County, Greene County, Fayette County, they are all wonderful people because they are represented by Senator Barry Stout and Senator Rich Kasunic, that district is now over 160 miles long, and I will tell you what, it is going to be a very enthusiastic, energetic individual who is going to be representing that area. But it is not just the 12th Congressional District that has major changes in it. When I look at Congressman Shuster's, he is in two time zones, too. So I guess it has been fairly split among the Democrats and Republicans.

But what I would like to say is that this smacks completely of power politics. No matter which way you want to cut the pie to say you made some very strong Democratic congressional seats and that your Congressman is not completely opposed to this, when you look at the bigger picture, what the attempt has been is to make Pennsylvania one of the most Republican-controlled States in the Union, and I guess when you control the Pennsylvania House, you control the Pennsylvania Senate, and you have the Governor, you pretty much can do what you want to do. But there is one final group of individuals who have the final say, and in Pennsylvania, there are over 350,000 more Democrats in this State than Republicans, and I hope that next election they are awakened, they are enlightened, and they will see how crass and how obviously politically motivated it was to take this Commonwealth and make it potentially a State with 13 Republican Congressmen and 6 Democratic Congressmen. Exceedingly lopsided.

So he who laughs last laughs best. Perhaps this might be an opportunity to motivate our people to get to the polls and do exactly what America is supposed to do, go out and vote, vote their conscience, and vote the candidates of their choice.

Thank you, Mr. President, for the opportunity to rise today. I hope that we have a split decision here and not a party-line vote on saying that we should be able to go back and make a few more changes to this, but I have been around here a few more years than I would like to announce, and I know that this vote is going to be an up-and-down vote and this is what is going to go to the Governor's desk. What happens after that is any guess. I do not know if the congressional delegation will take it to court or not, but for my sake, my vote will be in the negative, and I also urge all my colleagues, both Democrats and Republicans alike, to do the same.

Thank you, Mr. President.

The PRESIDENT. The Chair recognizes the gentleman from Philadelphia, Senator Stack.

Senator STACK. Mr. President, I must voice my unyielding opposition to Senate Bill No. 1200. In its present form, Senate Bill No. 1200 violates every basic tenet of representative government. This is legislation that seeks Draconian alterations of congressional districts for one reason and one reason only, to benefit elected Republicans. Never mind that most of Pennsylvania's registered voters are Democrats, never mind that the redrawn districts ignore traditional regional commonalities, never mind that many of the incumbents affected by this plan have served long, honorable terms in Congress, never mind that the citizens who voted these people into office will be robbed of their representation with absolutely no say in the matter. Never

mind any of that, Mr. President, because none of that matters to those who support this legislation. Senate Bill No. 1200 is a Republican version of a new Lottery game, a game that is rigged at every level to serve the few and disregard the many.

While this bill casts a bleak shadow over the entire State, I would like to draw my colleagues' attention to the situation in my district in northeast Philadelphia. Senate Bill No. 1200 proposes to merge the northeast district now held by Democratic Congressman Robert Borski with the Montgomery County district of Democratic Congressman Joe Hoeffel. The merged district helps neither the citizens of northeast Philadelphia nor of Montgomery County. I have no qualms with the work of Congressman Joe Hoeffel. I think he does a great job. But Congressman Borski is a ranking House member who has done much to help his district, its residents, its neighborhoods, its economy, and its businesses. He has spent 20 years gaining invaluable seniority in a body that values seniority above all else. Democrats and Republicans alike have benefitted from his consistently superior tenure and benefitted from millions of dollars that Congressman Borski has brought home to Pennsylvania and Philadelphia and to his district. In essence, the reapportionment plan approved in both State Chambers have compromised Congressman Borski's district and complicated his reelection chances. They have taken two strong Congressmen and placed them in a situation where one will lose his seat.

Both of these cynical reapportionment plans represent partisan politics at its absolute worst. In their quest for pure political gain, and nothing more, both Houses are aggressively gutting the basic precept of representative government. They are taking away the average citizen's right to vote for their own representative in Congress.

Montgomery County needs Joe Hoeffel, northeast Philadelphia needs Bob Borski. It appears that reapportionment will blithely ignore the needs of one of these constituencies, and probably both. Senate Bill No. 1200 may make perfect sense in another universe, but for those of us who do not have seats on the mothership, let me offer a dose of reality: I recommend that we revise Senate Bill No. 1200 to maintain Congressman Hoeffel's district as is and merge Congressman Borski's current 3rd Congressional District with a portion of neighboring lower Bucks County. This is a proposal that makes geographic and political sense. In fact, it is just plain common sense. I would further recommend that if the Republican Party wants to change the face of Congress, that they take a more traditional approach, and that approach is the ballot box.

Thank you, Mr. President.

The PRESIDENT. The Chair recognizes the gentleman from Allegheny, Senator Wagner.

Senator WAGNER. Mr. President, I rise in opposition to Senate Bill No. 1200 on the Supplemental Calendar, a bill that for the second time we are voting on in the last 30 days, and quite frankly, Mr. President, I have to say that Senate Bill No. 1200, as we see it today, is no better than Senate Bill No. 1200 that we saw in early December. I think anyone who was to honestly look at this plan would agree with me. Mr. President, we hear initials for everything and we hear different phrases for different items that we read about and see, but this, very frankly, is a PPP - a purely partisan plan - and there is no doubt about it. It is as partisan a plan as I have ever seen as an elected official.

As I indicated, Mr. President, the last time I was on the floor and we had a vote on this, I thought you only got one vote every 10 years. I guess you get two every 10 years, because we are voting on pretty much the same plan that we voted on 30 days ago. Mr. President, I started out then and I am going to start out also today by saying this vote is vitally important. We really only have redistricting every 10 years, and it is one of the most important votes we have as a Member of the General Assembly, that we have the right and we have the honor as elected officials in all States, the 50 States across America, to vote on congressional reapportionment. We as State legislators vote on that, and sometimes the public does not even know that, Mr. President, that we at the State level vote on Federal redistricting. We are doing that today. And this vote is an education in government and it is a vote that is an education on politics, but unfortunately, it is bad politics. It is a very important vote though because it impacts 12.2 million people in Pennsylvania.

As I said before, what is so important to me about this is it is how Pennsylvania stacks up against other States in this country with our congressional delegation. It is not really about who can run for what office or what party is in control, it is about how Pennsylvania stacks up against Alabama, Nevada, Louisiana, California, and every other State in America. And quite frankly, the way I read this plan, and I think the way everyone reads this plan, Pennsylvania does not stack up well, because we are throwing people out of Congress. That is what this plan is doing. We are throwing some very influential Pennsylvanians out of Congress, and we are diminishing the ability of certain people to stay in Congress, people who have fought every day for Pennsylvania, and if they had the ability would continue to fight. Unfortunately, this plan does not give them that ability.

The other unfortunate item as it relates to this plan, Mr. President, and as I have read in newspaper article after newspaper article, and I read about 50 newspaper articles in the last day, is that the Republican National Committee, or people outside of Pennsylvania, are influencing how this plan is drawn. In other words, not Pennsylvanians. Consequently, we have people from Illinois, Dennis Hastert, the Speaker of the House of Representatives; we have the Republican congressional chairman of the Republican Party, Tom Davis, who has influenced this plan. We have Karl Rove, I am not sure where he is from, but he is not from Pennsylvania, influencing this plan, and we even have the President, who is from Texas, influencing this plan. And I have to say for the record, none of them really care about Pennsylvania like anyone in this room should care about Pennsylvania, because this plan is about Pennsylvania and its ability to compete nationally. We should be doing what is best for Pennsylvania, and we are throwing certain people out of office, Mr. President, and in the process we are throwing the baby out with the bath water. That is what we are doing with this plan.

Mr. President, we presently have 21 congressional districts, 11 are Republican and 10 are Democratic, and we all know that a plan could have been drawn based on the new census information for Pennsylvania to have two less congressional

representatives, or to have 19, where the plan could have been 11 Republicans and 8 Democrats, and that plan could have been drawn very easily. Unfortunately, that was not acceptable to the other side of the aisle, or the Majority party in Pennsylvania. The plan we are voting on today has the objective of creating, quite frankly, 13 Republicans and 6 Democrats. That is okay when you are talking about numbers, it is not okay when you are talking about real people and whom they represent, especially when they represent Pennsylvanians, and what we are really talking about is hurting Pennsylvania because we are throwing the people out of office who have done a great job representing Pennsylvania, and we, in essence, are lessening our ability to bring home dollars in projects for Pennsylvania, and that is really the bottom-line issue.

It is not who serves in office, because the public, the 12 million people do not really care the majority of time who serves them in office. They do not care if it is Jack Wagner or Rich Kasunic or anyone else. They simply want good representation and they want someone in Washington who can get things done for their congressional district, get things done for Pennsylvania, and what we are doing with this plan is reducing our ability for that to happen in Washington. We are throwing people out of office who are very influential on certain committees, people who have had significant tenure, people who can compete with the Dennis Hasterts and the Tom Davises of the world. We are throwing them out of office, so we are giving the advantage to other States.

Mr. President, I read an article yesterday, a letter to the editor in the Pittsburgh Tribune Review, January 2, 2002, and I will just read two paragraphs very briefly. It is written by a Mr. George Huss, Jr., from New Florence, and he talks about redistricting. *(Reading:)*

"I would like to voice my opposition to the congressional redistricting plan that shows the congressional district currently represented by John Murtha stretching in a thin line from Cambria County to the West Virginia border. In my opinion, due to the area that must be covered, this new district will hurt the effectiveness of anyone," **--and I repeat, anyone--** "who may wind up representing the district, including Rep. Murtha.

"As a lifelong Republican, I feel the Pennsylvania Republican majority is doing a great disservice to folks like me by watering down our voice in Washington. I understand that there is a political game to be played, but I also believe that a more centralized district rather than the long, thin version in this plan would be more beneficial to the people of the district by allowing regionalized representation.

"Mr. George Huss, Jr., New Florence."

The way the people see this plan, Mr. President, and quite frankly, the way I see the plan, Congressman John Murtha, in his district, I guess he will survive in his district, but his new district is the worst, ugliest drawn district I have ever seen in looking at a congressional district. It is, as someone described, an upside down Chinese dragon, because it goes from one area of the northwest back to the east and back to the southwest. He is a Congressman with 27 years' experience in the United States Congress. It is my understanding he is 10th in seniority, he is a ranking member of the Defense Appropriations Committee, and he gets one of the worst drawn districts I have ever seen, and that is what the gentleman, Mr. Huss, just described in his letter, that not only will it be difficult for Congressman Murtha to represent this district appropriately, but it would be very difficult for anyone to represent this district appropriately. Why? Because people in different counties do not know who they are represented by in Congress. Congressman Murtha previously represented the majority of Indiana County, Somerset County, I believe all of Cambria County. Now, he is in Allegheny County, Westmoreland County, Greene County, Fayette County, Washington County, and maybe some other counties. And this was drawn purposely to create a Republican district and to put another Congressman, Congressman Frank Mascara, at a distinct disadvantage.

Mr. President, I said the last time I spoke on this floor, and I will say it again, basically what has happened here is we have reduced our effectiveness in the Congress of the United States with this map to favor the Republican Party to have more seats in Congress. That is the only reason why this plan is in front of us today. It is not for any practical reason to help Pennsylvania, and that is what is most offensive about it. This plan could have been drawn with 11 Republicans and 8 Democrats, and we could have retained every single congressional member in the Congress of the United States of America, but we have chosen not to do that, and in the process hurt Pennsylvania.

Mr. President, as it relates to western Pennsylvania, it is especially harmful, and I know my colleagues in southeastern Pennsylvania have some serious concerns, and rightfully so, and have voiced them and have put them on the record, in terms of the elimination of certain congressional people with significant influence, like Congressman Borski, for instance, who has 20 years on the Transportation Committee.

Well, Mr. President, there are a number of projects in southwestern Pennsylvania that are in serious jeopardy now as a result of this plan, and I would like to mention a few of them. Everyone in this Chamber has heard about the Pennsylvania high-speed magnetic levitation proposal. There were seven regions of the country competing for the most progressive, highly-advanced transportation system in the world, high-speed magnetic levitation, where electromagnets are utilized to propel a transportation system. It is in use today in a demonstration project in Germany, and there is one in Japan. There is none in the United States of America. The Congress of the United States has made that project a priority for this country, and out of the seven regions that were pursuing it, five were eliminated and two are left. The two that are left are western Pennsylvania and a project where a system would be built from Washington, D.C., to Baltimore, Maryland. The two are competing, and the final choice will be made in January 2003. So, the two are in the final stretch of determining which of the two proposals is better and which has more political influence in Washington.

Well, I have to tell you, based on the congressional plan put in front of us today, in terms of the political influence and which region will win, it will be Washington-Baltimore and not western Pennsylvania, because they are retaining their congressional people who are in influential positions, and Pennsylvania is losing theirs. And many of these projects, yes, do come down to influence in Washington. Unfortunately, when it comes to the western Pennsylvania plan, which would start, incidentally, in my district at Pittsburgh International Airport, would go to downtown Pittsburgh, to Monroeville, and end in Senator

Kukovich's district in Greensburg, a 45-mile system that will receive $950 million from the Federal government. The winner, one of those two regions next January is going to receive $950 million. Well, based on the Republican congressional plan put in front of us today, it is my prediction, Mr. President, that Pennsylvania, specifically western Pennsylvania, will lose, because we will not have the influence in Washington. We are going to eliminate Congressman Borski, 20 years on the Transportation Committee. We are going to eliminate Congressman Mascara, 8 years on the Transportation Committee. We lost Congressman Shuster, he retired, who was the chairman of the Transportation Committee. Who is going to be in Washington to fight for Pennsylvania? That is what I want to know. And quite frankly, based on this plan, there is not going to be anyone in Washington.

So, this plan in front of us is going to kill the high-speed magnetic levitation transportation system for western Pennsylvania. We are going to lose at least $950 million of Federal money. But, Mr. President, we are going to lose much more. There is another project, the Mon-Fayette Highway in western Pennsylvania, that desperately needs, and Senator Stout knows this very well because he has worked on it long and hard, Federal money for its completion. We take away these congressional leaders and that money will not flow to western Pennsylvania. We have another project at Pittsburgh International Airport, hopefully to save U.S. Airways, in terms of building a maintenance facility where we are going to be coming to the State for dollars to do that. Hopefully, the State money will be there from the Governor and the General Assembly, but it requires Federal money also. Again, we are losing our effectiveness by throwing people out of office who are the people fighting for these projects in Washington.

Mr. President, this plan is not in the best interest of Pennsylvania. As a matter of fact, if we vote to approve this plan today, who really wins are the other States in this country, because we have put them in a more competitive position in Washington than Pennsylvania, so that there can be a couple more Republican congressional members in the Congress of the United States, out of 435 members. That is really what we are talking about here today, what is in the best interest of Pennsylvania. And quite frankly, Mr. President, this plan is not in the best interest of 12,200,000 Pennsylvanians, and is the reason why we should vote "no."

Thank you.

The PRESIDENT. The Chair recognizes the gentleman from Fayette, Senator Kasunic.

Senator KASUNIC. Mr. President, today I stand in the Senate Chamber to speak against a plan that I feel is nothing more than a deliberate power grab by the Majority party of the State Senate and the House of Representatives. Of particular concern to me are the newly drawn 12th, 18th, and 9th Districts. The 12th District encompasses nine counties and yet does not contain one entire county as it snakes through western Pennsylvania. Looking at the map, it is truly a gerrymandered district. How anybody who sat down and helped devise this plan and put this map together and felt that this was going to be in the best interest of the people in those nine counties is beyond me. Without looking at the map, we all know why this is being done.

Mr. President, this plan goes even further. It splits precincts or voting districts within a congressional district. For example, a resident can have a different Congressman than their next door neighbor. This is simply unacceptable in this day and age when, and we all know this as elected officials, many of our constituents simply do not know who their elected officials are. Now we are going to make it even more difficult by splitting streets and alleys and neighborhoods. We are going to ask people on one side of a lot to vote for one Congressman and ask somebody on the next lot to vote for another Congressman. This is going to be confusing, it is going to be expensive, it is going to create havoc for counties and election bureaus, it just is not going to work out. We are simply going to disenfranchise more people, and more people are going to quit voting.

Within the 12th District, this plan divides voting districts in Brackenridge in Allegheny County, ward 1. In Fayette County, Connellsville City, wards 1, 2, and 3 are divided. In Washington County, ward 5 in North Strabane is going to be split. Split voting precincts do not do us any bit of good, it only further dilutes the representation of our citizens. Likewise, Mr. President, the 18th District also splits ward 5 in North Strabane Township, Washington County. The intertwining of the 12th District through the 18th District indicates the Majority's will of picking up a few voters here, a few voters there, sacrificing, yes, sacrificing the representation of those constituents, all for the political gain of one Member sitting across the aisle. This action, Mr. President, is despicable.

I question what similarities communities in Greene County and Fayette County will have with those in Armstrong County and Cambria County, or what those citizens in Fayette County will have in common with Bedford County constituents or Altoona area people. How often will the citizens of Fayette County get the chance to see Congressman Shuster in Dunbar Township or North Union Township or Spring Hill Township? Do you think he will really get there very often to visit?

Mr. President, these new districts are not communities of interest. They were carved out to give Republicans a leg up and to challenge the viability of Democrats in the future. Congressman Murtha is the senior member of the Pennsylvania delegation. He sits on the powerful Appropriations Committee and is the ranking member of the Defense Appropriations Subcommittee, in addition to being one of the most senior members in Congress today. Congressman Mascara, as has already been mentioned, has served 8 years on the very powerful and influential Transportation Committee. I believe next year we are going to be formulating a plan on how to spend the Federal highway moneys. Do you think by eliminating Congressman Mascara we will have a seat at that table? Do you think we will really have a voice? Do you think Pennsylvania will really get its fair share of an appropriation to help us with our much-needed projects in our highways? These men wield tremendous influence in Washington for the people they represent. Causing damage to these districts is nothing more than a slap in the face to the people they represent.

Unfortunately, this bill is going to be voted on today, and it will probably pass, but those who vote for this will simply be diluting the effectiveness of Pennsylvania's representation in Washington, especially in western Pennsylvania where two

proven leaders, Congressman Murtha and Congressman Mascara, live.

Mr. President, we cannot forget the most important issue in all of this and why they are facing elimination under this plan: They are Democrats. That is right, they are Democrats, and that is why they are paying the price. The representation of Pennsylvania is being compromised by the political ambitions of this body. Again, Mr. President, the formulation of this plan and the affirmative votes of my colleagues across the aisle are disheartening, at best. It should not be about politics. It should not be about political opportunities, Mr. President. It should be about doing what is right for the people of Pennsylvania. So, for the next 10 years, for the next 10 years, anyone in this General Assembly who votes for this plan will be responsible for Pennsylvania losing clout in Washington, D.C. They will be responsible when Federal funding for much-needed projects dries up, and they will be responsible when the White House turns its back on the inexperienced new members of Congress.

So, as a last minute appeal, I ask my colleagues here in the Senate to please, please do the right thing and do what is best for the people of Pennsylvania. Join me and vote "no" for this plan that is before us today.

Thank you, Mr. President.

The PRESIDENT. The Chair recognizes the gentlewoman from Philadelphia, Senator Kitchen.

Senator KITCHEN. Mr. President, I rise in total opposition to Senate Bill No. 1200, since it does something that I feel is wrong. This bill reduces the number of African-Americans in the 1st Congressional District from 52 percent to 47 percent. In essence, this is an insult to the countless number of dedicated persons who worked so hard to reach this number over the years. African-Americans will not take a step backwards. This bill is a largely partisan matter which negatively affects people of color, namely African-Americans. We cannot sit back and allow the largest number of minorities in Pennsylvania to be diluted. African-Americans comprise about 10 percent of the total population in Pennsylvania, and we will not allow ourselves to be ignored. Over the years the African-American community has grown in political power. This power has grown through hard work and struggle. For this reason, we will not allow ourselves to be disenfranchised for the sake of partisanship. Today, I feel as if I can speak for all African-Americans in the 1st Congressional District when I urge all Members in this Senate to reject Senate Bill No. 1200.

Thank you, Mr. President.

The PRESIDENT. The Chair recognizes the gentleman from Lackawanna, Senator Mellow.

Senator MELLOW. Mr. President, it seems like just yesterday that I was standing at this microphone addressing the issue of congressional reapportionment, and I was happy the next day when the House of Representatives decided not to concur in the plan that was passed here in the Senate because I felt the same way then as I feel today, that that plan in the Senate was not in the best interests of the 12.2 million to 12.4 million people who live in Pennsylvania. Mr. President, today, on January 3, I feel the same as I did on that particular day, because somewhere, Mr. President, on Pennsylvania Avenue in Washington, D.C., a Republican operative is laughing, and that person is laughing because a plan to assassinate the Democratic congressional districts was carried out to a T, like fine work being done by an executioner. And while, Mr. President, I do not subscribe easily to the conspiracy theories that drip with evil and opportunistic intent, I am dangerously close to doing so today because of what we are considering, for not only did Republicans pull off what I consider to be one of the most shameless political power grabs in the history of Pennsylvania, but some of them actually are walking around acting like they did us a favor in bringing about this power grab.

The first plan, Mr. President, which I talked about, which the Capitol Hill newspaper Roll Call reported was laden with junior United States Senator Rick Santorum's fingerprints, was concocted in a Republican fantasyland where only the most reactionary individuals are allowed admission. Not even the finest fiction writers in America could have scripted such a debacle which would have left Pennsylvania with 13 Republican members in Congress and 6 Democratic members in Congress. Mr. President, that is shamelessness.

Then there is a level above which I believe baffles the mind and cannot even be comprehended. It defies logic and reason, and it insults everyone's intelligence in the process. This is what Members of the Republican Caucus not only here in the Senate but also in the House of Representatives are doing to the people of Pennsylvania today. Never, Mr. President, in my wildest imagination, never in the four times since I have gone through congressional reapportionment since I have been a Member of this august body, could we have foreseen the splitting of 60 municipalities in Pennsylvania solely for the purpose of trying to bring about a Republican plan that would guarantee 13 members of the Republican Party who would be elected to the Congress of the United States. Mr. President, the splitting of 60 municipalities in Pennsylvania was done for partisan political gain to further feather the nest of an already bloated Republican General Assembly that consistently places their appetite for power above the interests and the common good of the people of Pennsylvania.

Mr. President, I am not going to talk over and over about the things that have been discussed, that have been talked about by Members of my Caucus, about the injustices that have been done to many areas of the Commonwealth of Pennsylvania, from the southeast to the southwest, to the area that represents the northeastern part of this great Commonwealth of ours, to the areas that go from the line of West Virginia, the State line of West Virginia, up to and including the Susquehanna River. But the area that bothers me in the district that I represent, Mr. President, the same way it bothers every Member on this side of the aisle, is what has taken place in the 10th Congressional District and the 11th Congressional District that represent northeastern Pennsylvania, because history will show that the counties of Lackawanna and Luzerne heretofore have never been split in their congressional representation. Lackawanna County was always represented by one member of Congress, and the 11th Congressional District, or Luzerne County, was always represented by one member of Congress. Now, Mr. President, I would have no problem whatsoever if that member of Congress representing either one of those districts would represent both

counties, but to split and divide those two counties in the great northeastern part of the Commonwealth is an absolute shame.

Mr. President, let me give you a point in fact. Two of the communities that will be impacted on significantly in Lackawanna County are two communities of populations of less than 8,000 people. The community of the borough of Jessup, which has a population of less than 5,000 people, in their 3rd ward in the municipality of Jessup, based on the amendment that was given to us in the congressional redistricting and the identification of the districts, there will be two members of Congress representing the 3rd ward of Jessup. So depending on what side of the street you live on, in that same ward, you will either be represented by the Congressman representing the 10th Congressional District or the 11th Congressional District.

In the 1st ward of the municipality of Dickson City, the representation will be the same. With the 1st ward in Dickson City, depending on where you live in that ward, you will either be represented by a Democratic member of Congress or a Republican member of Congress in a different district. It is highly unfortunate, Mr. President, that we in the northeastern part of the State, purely and simply for political gain and satisfaction, have been divided so badly.

Mr. President, there appeared today in the Scranton newspaper a great editorial, and the headline of the editorial says, "Area's Future on Line in Harrisburg Today," and I am going to read one paragraph from that editorial. The paragraph says: *(Reading)*

> "Even though GOP leaders in the State House have revised their original political evisceration of northeastern Pennsylvania, they continue to embrace a gerrymandered map that would divide Lackawanna County and Scranton into two separate districts, all for the sake of ensuring Republican control of the 10th District. Rep. Don Sherwood of Tunkhannock, the Republican who would benefit from the contrived redistricting, has yet to forcefully condemn it, even though former Rep. Joseph McDade, a Republican and Mr. Sherwood's predecessor, has condemned it in the strongest possible terms."

It does not represent the best interests of the people of northeastern Pennsylvania. It is unfortunate that some of the architects of this plan reside in northeastern Pennsylvania, they reside in the county of Luzerne, and they had the opportunity to bring about and do right and to change something that was wrong and make it right, but for some reason, they chose not to do it.

Mr. President, it is very unfortunate because at worst, the absolute worst that we could imagine, noses were thumbed at the people of Pennsylvania when it came to establishing what was right to represent for the next 10 years the basic needs of our people. Mr. President, if you look at what this plan will steal from Pennsylvania with regard to seniority on very important committees, all I have heard over and over from the Department of Transportation here in Harrisburg is that we are running out of money and that we cannot do the proper projects in Pennsylvania that must be done, and that the bridges in Pennsylvania are in terrible condition and are in dire need of repair. Yet three Democratic members of Congress serve on the most important committee with regard to repair of highways, the Transportation Committee - Congressman Mascara, Congressman Borski, and Congressman Holden - and all three, based on the plan submitted by the Republican Party here in Harrisburg, are being jeopardized, and it is extremely possible that we can go from having three senior members on the Transportation Committee, that when the new Congress convenes in the year 2003, it is very possible that we will not have one member on the very important Transportation Committee.

Mr. President, the number one industry in Pennsylvania is agriculture. We have an individual who serves on the Agriculture Committee from Pennsylvania, and he is a person right now with rather significant seniority. In the plan that has been presented to the body for a vote on this conference committee report, that individual, Congressman Holden, is being put in a seat in the new 17th Congressional District that includes Congressman Gekas, in a seat that would be virtually impossible for Congressman Holden to win, and therefore what it would mean is that the number one industry in Pennsylvania, agriculture, which has Pennsylvania representation on the Agriculture Committee in the House of Representatives, when that new Congress convenes in 2003, based on the plan that you have submitted and you are going to vote for, we will have no representation on the Agriculture Committee in the Congress of the United States.

Finally, and I guess maybe the part that might cut and hurt just as much as any of them, is what is taking place in Montgomery County. In the Pennsylvania Senate as we talk here today, prior to our own redistricting, we have Senator Gerlach, Senator Greenleaf, Senator Holl, Senator Schwartz, Senator Constance Williams, and Senator Mike Stack who represent parts of Montgomery County. In this plan that is being advocated today, again, purely and simply for political reasons, there will be six members of Congress representing a county that has over 750,000 people living in that county. You would think, Mr. President, that the individuals who represent Montgomery County in this body would have the best interests, not the political interests of those people in Washington, D.C., but the political interests of the people who have elected them to serve here in Harrisburg. You would think that all six indi viduals - Gerlach, Greenleaf, Holl, Schwartz, Connie Williams, and Stack - would be on the same page with regard to representing Montgomery County. But, Mr. President, it appears that the three Democrats who represent Montgomery County will vote for the people of Montgomery County so that they could have one member of Congress representing the major part of Montgomery County, or 647,000 people, and the other 100,000-some-odd people from Montgomery County would go into another congressional district, Mr. President.

It appears that we will have a split vote today, that the Democrats on this side of the aisle will support the residents and their constituents in Montgomery County and vote against the plan that will put six members of Congress representing Montgomery County, and the Republican Party, who have authored this plan under the direction, based on the Capitol Hill newspaper report in Roll Call, based on the fact that the architect was the junior Senator from this great State of Pennsylvania, the Republicans in this body will vote against the people in Montgomery County who have elected them to represent their best interests right here in Harrisburg. When those things happen, there is something wrong with the system, when we are so interested in putting our political ambitions and the interest of some congressional wannabees here in this body ahead of the

best interests of the people of Pennsylvania, then something is wrong because the system has fallen apart. We should reject this plan, we should send it back to the conferees, we should instruct them as to exactly what should be done in Montgomery County, what should be done in the southwestern part of the State, and how we should correct the wrong that has taken place in northeastern Pennsylvania for the benefit of the 12-plus million people who live in the Commonwealth for the next 10 years.

Mr. President, I ask for a negative vote on this conference report for the people of Pennsylvania.

And the question recurring,
Will the Senate agree to the motion?
(The Clerk proceeded to call the roll.)

Senator BRIGHTBILL. Mr. President, could we be at ease?

The PRESIDENT. The Senate will be at ease.

(The Senate was at ease.)

Senator BRIGHTBILL. Mr. President, I have just two short points to make, and even I believe we will be ready for a roll call.

Senator MELLOW. Mr. President, the roll call was started and cannot be interrupted.

The PRESIDENT. You are correct, except the first name that was called did not answer. He was not on the floor.

Senator MELLOW. Well, maybe we should call his name again, Mr. President. The roll call was started and cannot be interrupted.

The PRESIDENT. I asked the Parliamentarian whether we were in the roll call, and he said as long as he did not answer the roll call, I could do that. Perhaps by agreement we can keep this brief and roll it on.

Senator BRIGHTBILL. Mr. President, I will accede to Senator Mellow.

And the question recurring,
Will the Senate agree to the motion?

The yeas and nays were required by Senator BRIGHTBILL and were as follows, viz:

YEA-28

Armstrong	Gerlach	Mowery	Scarnati
Bell	Greenleaf	Murphy	Thompson
Brightbill	Helfrick	Orie	Tomlinson
Conti	Holl	Piccola	Waugh
Dent	Jubelirer	Punt	Wenger
Earll	Lemmond	Rhoades	White, Donald
Erickson	Madigan	Robbins	White, Mary Jo

NAY-22

Bodack	Kasunic	Musto	Wagner
Boscola	Kitchen	O'Pake	Williams, Anthony H.
Corman	Kukovich	Schwartz	Williams, Constance
Costa	LaValle	Stack	Wozniak
Fumo	Logan	Stout	
Hughes	Mellow	Tartaglione	

A majority of the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Secretary of the Senate inform the House of Representatives accordingly.

COMMUNICATIONS FROM THE GOVERNOR TAKEN FROM THE TABLE

Senator ROBBINS, by unanimous consent, called from the table communications from His Excellency, the Governor of the Commonwealth, recalling the following nominations, which were read by the Clerk as follows:

MEMBER OF THE COUNCIL OF TRUSTEES OF CALIFORNIA UNIVERSITY OF PENNSYLVANIA OF THE STATE SYSTEM OF HIGHER EDUCATION

December 17, 2001

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated September 28, 2001 for the appointment of Barbara Kauffman, 3182 Cornerstone Drive, Lancaster 17603, Lancaster County, Thirteenth Senatorial District, as a member of the Council of Trustees of California University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January 2003, and until her successor is appointed and qualified, vice Steven P. Stout, Washington, resigned.

I respectfully request the return to me of the official message of nomination on the premises.

Mark S. Schweiker
Governor

MEMBER OF THE PENNSYLVANIA CANCER CONTROL, PREVENTION AND RESEARCH ADVISORY BOARD

January 2, 2002

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated July 19, 2001 for the appointment of Joel S. Noumoff, M.D., 238 Lloyd Lane, Wynnewood 19096, Montgomery County, Seventeenth Senatorial District, as a member of the Pennsylvania Cancer Control, Prevention and Research Advisory Board, to serve for a term of four years and until his successor is appointed and qualified, vice Christine E. Szarka, M.D., Pennlyn, whose term expired.

I respectfully request the return to me of the official message of nomination on the premises.

Mark S. Schweiker
Governor

CONTROLLER, MONROE COUNTY

January 2, 2002

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated August 31, 2001 for the appointment of Marlo A. Merhige, R.R. 1, Box 333, Tannersville 18372, Monroe County, Twenty-ninth Senatorial District, as Controller, in and for the County of Monroe, to serve until the first Monday of January 2002, vice The Honorable Kelly Lewis, resigned.

I respectfully request the return to me of the official message of nomination on the premises.

Mark S. Schweiker
Governor

CORONER, BUTLER COUNTY

January 2, 2002

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated August 31, 2001 for the appointment of William F. Young, III, Box 223 863 Halston Road, West Sunbury 16001, Butler County, Twenty-first Senatorial District, as Coroner, in and for the County of Butler, to serve until the first Monday of January 2002, vice William F. Young, Jr., resigned.

I respectfully request the return to me of the official message of nomination on the premises.

Mark S. Schweiker
Governor

MEMBER OF THE DELAWARE VALLEY REGIONAL PLANNING COMMISSION

December 17, 2001

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated September 28, 2001 for the appointment of Stephanie Moore, 40 Red Barberry Drive, Etters 17319, York County, Thirty-first Senatorial District, as a member of the Delaware Valley Regional Planning Commission, to serve until terminated, vice Timothy J. Carson, Rosemont, resigned.

I respectfully request the return to me of the official message of nomination on the premises.

Mark S. Schweiker
Governor

JUDGE, COURT OF COMMON PLEAS, PHILADELPHIA COUNTY

December 17, 2001

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated September 26, 2001 for the appointment of Doris M. Leisch, Esquire, 3437 West Penn Street, Philadelphia 19129, Philadelphia County, Seventh Senatorial District, as Judge of the Court of Common Pleas of Philadelphia County, to serve until the first Monday of January 2002, vice The Honorable Bernard J. Goodheart, mandatory retirement.

I respectfully request the return to me of the official message of nomination on the premises.

Mark S. Schweiker
Governor

JUDGE, COMMONWEALTH COURT OF PENNSYLVANIA

December 17, 2001

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated September 26, 2001 for the appointment of Gregory E. Dunlap, Esquire, 613 Sweetbriar Drive, Harrisburg 17111, Dauphin County, Fifteenth Senatorial District, as Judge of the Commonwealth Court of Pennsylvania, to serve until the first Monday of January 2002, vice The Honorable James J. Flaherty, mandatory retirement.

I respectfully request the return to me of the official message of nomination on the premises.

Mark S. Schweiker
Governor

JUDGE, COURT OF COMMON PLEAS, NORTHAMPTON COUNTY

January 2, 2002

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated June 21, 2001 for the appointment of Edward G. Smith, Esquire, 5522 Kesslersville Road, Easton 18040, Northampton County, Eighteenth Senatorial District, as Judge of the Court of Common Pleas of Northampton County, to serve until the first Monday of January 2002, vice The Honorable James C. Hogan, resigned.

I respectfully request the return to me of the official message of nomination on the premises.

Mark S. Schweiker
Governor

JUDGE, SUPERIOR COURT OF PENNSYLVANIA

December 17, 2001

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated September 26, 2001 for the appointment of Gregory E. Dunlap, Esquire, 613 Sweetbriar Drive, Harrisburg 17111, Dauphin County, Fifteenth Senatorial District, as Judge of the Superior Court, to serve until the first Monday of January 2002, vice The Honorable John T.J. Kelly, Jr., mandatory retirement.

I respectfully request the return to me of the official message of nomination on the premises.

Mark S. Schweiker
Governor

RECORDER OF DEEDS,
ALLEGHENY COUNTY

December 17, 2001

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated September 27, 2001 for the appointment of Elizabeth Schehr, 65 Suffolk Road, Harrisburg 17112, Dauphin County, Fifteenth Senatorial District, as Recorder of Deeds, in and for the County of Allegheny, to serve until the first Monday of January 2002, vice The Honorable Michael A. Della Vecchia, resigned.

I respectfully request the return to me of the official message of nomination on the premises.

Mark S. Schweiker
Governor

SHERIFF, POTTER COUNTY

January 2, 2002

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated August 30, 2001 for the appointment of Kenneth G. Sauley, 215 Earl Road, Sabinsville 16943, Potter County, Twenty-fifth Senatorial District, as Sheriff, in and for the County of Potter, to serve until the first Monday of January 2004, vice Dale I. Cogley, resigned.

I respectfully request the return to me of the official message of nomination on the premises.

Mark S. Schweiker
Governor

SHERIFF, TIOGA COUNTY

January 2, 2002

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated August 29, 2001 for the appointment of John L. Perry, 25 Dantz Run Road, Wellsboro 16901, Tioga County, Twenty-third Senatorial District, as Sheriff, in and for the County of Tioga, to serve until the first Monday of January 2002, vice Lamar G. Green, resigned.

I respectfully request the return to me of the official message of nomination on the premises.

Mark S. Schweiker
Governor

TREASURER, BRADFORD COUNTY

January 3, 2002

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated August 31, 2001 for the appointment of Rebecca A. Clark, RR 1, Box 165, Towanda 18848, Bradford County, Twenty-third Senatorial District, as Treasurer, in and for the County of Bradford, to serve until the first Monday of January 2002, vice Nancy Schrader, resigned.

I respectfully request the return to me of the official message of nomination on the premises.

Mark S. Schweiker
Governor

NOMINATIONS RETURNED TO THE GOVERNOR

Senator ROBBINS. Mr. President, I move that the nominations just read by the Clerk be returned to His Excellency, the Governor.

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

The PRESIDENT. The nominations will be returned to the Governor.

EXECUTIVE NOMINATIONS

EXECUTIVE SESSION

Motion was made by Senator ROBBINS,

That the Senate do now resolve itself into Executive Session for the purpose of considering a certain nomination made by the Governor.

Which was agreed to by voice vote.

NOMINATION TAKEN FROM THE TABLE

Senator ROBBINS. Mr. President, I call from the table a certain nomination and ask for its consideration.

The Clerk read the nomination as follows:

SECRETARY OF GENERAL SERVICES

August 7, 2001

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, Kelly Powell Logan, 700 Moores Mountain Road, Mechanicsburg 17055, York County, Thirty-First Senatorial District, for appointment as Secretary of General Services, to serve until the third Tuesday of January 2003 and until her successor is appointed and qualified, vice The Honorable Gary E. Crowell, Camp Hill, resigned.

THOMAS J. RIDGE
Governor

On the question,

Will the Senate advise and consent to the nomination?

The yeas and nays were required by Senator ROBBINS and were as follows, viz:

YEA-50

Armstrong	Greenleaf	Mowery	Tartaglione
Bell	Helfrick	Murphy	Thompson
Bodack	Holl	Musto	Tomlinson
Boscola	Hughes	O'Pake	Wagner

Brightbill	Jubelirer	Orie	Waugh
Conti	Kasunic	Piccola	Wenger
Corman	Kitchen	Punt	White, Donald
Costa	Kukovich	Rhoades	White, Mary Jo
Dent	LaValle	Robbins	Williams, Anthony H.
Earll	Lemmond	Scarnati	Williams, Constance
Erickson	Logan	Schwartz	Wozniak
Fumo	Madigan	Stack	
Gerlach	Mellow	Stout	

NAY-0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Senator ROBBINS. Mr. President, I move that the Executive Session do now rise.

The motion was agreed to by voice vote.

SENATE RESOLUTION ADOPTED

Senators HUGHES, SCHWARTZ, BODACK, WAGNER, O'PAKE, MELLOW, COSTA, A. WILLIAMS, FUMO, BOSCOLA, KITCHEN KUKOVICH, WOZNIAK, TARTAGLIONE, LAVALLE, STACK, C. WILLIAMS, STOUT, KASUNIC, LOGAN, MUSTO and RHOADES, by unanimous consent, offered **Senate Resolution No. 148**, entitled:

A Resolution designating the week of January 13 through 19, 2002, as "Martin Luther King, Jr., Holiday Week."

On the question,

Will the Senate adopt the resolution?

The PRESIDENT. The Chair recognizes the gentleman from Philadelphia, Senator Hughes.

Senator HUGHES. Mr. President, I just wanted to make sure that all Members know, if it is appropriate with the Chair, that on the King resolution, we would like everyone to have an opportunity to cosponsor that.

The PRESIDENT. The resolution commemorating Martin Luther King, Jr., Week is on the desk. For any Member wishing to sign the resolution, it is here for such a purpose.

Senator HUGHES. Thank you, Mr. President.

And the question recurring,

Will the Senate adopt the resolution?

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

SPECIAL ORDER OF BUSINESS GUESTS OF SENATOR ALLYSON Y. SCHWARTZ PRESENTED TO THE SENATE

The PRESIDENT. The Chair recognizes the gentlewoman from Philadelphia, Senator Schwartz.

Senator SCHWARTZ. Mr. President, I would just like to briefly introduce an intern who has been working with me during her winter break. I do not know if she is still in the gallery, but she did come up with me to Harrisburg today. Her name is Amy Baumann, and she is from Cheltenham, Montgomery County, and she is a student at Brown University. She is doing a wonderful job in my district office, and I am glad that she had an opportunity to see us in Session.

The PRESIDENT. If the guest of Senator Schwartz is still in the gallery, would she please rise so that we may recognize you with a welcome to the Senate of Pennsylvania.

(Applause.)

INTERROGATION BY MINORITY LEADER

The PRESIDENT. The Chair recognizes the gentleman from Lackawanna, Senator Mellow.

Senator MELLOW. Mr. President, would Senator Brightbill permit himself to be briefly interrogated?

Senator BRIGHTBILL. Mr. President, I would love to be interrogated.

The PRESIDENT. Senator, Mellow, it sounds like he is very happy.

Senator MELLOW. Mr. President, it sounds like he is very optimistic.

Mr. President, with regard to the problem with medical malpractice, we on this side of the aisle were going to introduce a resolution today that would ask for a Special Session of the General Assembly on medical malpractice, but before I would even consider doing that, I would first like to ask the question, is there some ongoing discussion taking place, and can the gentleman share with us what is happening right now with regard to the medical malpractice problem in Pennsylvania?

Senator BRIGHTBILL. Mr. President, I would be pleased to do that, and I understand the desire to create a Special Session. I would note that I do not believe a Special Session is necessary or advisable, for the reason that once we get into Special Session, in order to move a bill it has to have three readings in the Senate, three readings in the House before it can be finally passed and sent to the Governor. I think at this point of our Session, we can actually move faster once we have a consensus using existing vehicles that are perhaps in one committee or another. I know there are some bills in my committee, the Committee on Rules and Executive Nominations, that we could use. So, I think once a consensus is developed, I believe we can actually move faster. So, I appreciate the gentleman's forbearance on that point.

Secondly, we had a long discussion in caucus before we adjourned back in December about this problem. I am sure you had -- I would guess that you had a similar discussion with your Caucus. There is a great concern. As a result of that caucus, Senator Jubelirer and I had some meetings with some of the interested parties. I have had some additional meetings with interested parties. We have developed a work group. The work group includes representatives of the House, the Governor's Office, and the Senate. And I know I had a private conversation with Senator Connie Williams, and she indicated her particular interest in the issue, and I expressed to her that we would do our best to keep her advised. My understanding is, through staff, we have been able to do that. I assume that is true. I would hope that it is. We would be very happy to have representatives from your Caucus participate in the work group, and frankly, I apologize for not extending the invitation before today. I think it was my

obligation to do that, and I expect that we will be working together to try to solve this problem.

Senator MELLOW. Thank you, Mr. President.

Mr. President, just one final point or question. I would like to be able to be in a position to meet with Senator Brightbill shortly after our conclusion here. We will not, obviously, introduce the resolution so we can work out mutual representation on our side of the aisle working with the group of individuals who are trying to draft a compromise so that hopefully when we come back later on this month we will be able to address the issue. But I feel it extremely important so that we can develop a consensus that we have the opportunity of having some input into that as it is being developed, and not necessarily to be informed and updated as to what is taking place, but to be part of the group that is developing the final legislative agenda.

Senator BRIGHTBILL. Mr. President, I would indicate that was my intent, and I have total confidence that Senator Mellow, or whoever he suggests to be their participants, will do a good job and be contributing Members, and I do not think we really need to confer. If he would just indicate to me whom he would like in those meetings, we will be happy to make sure that they are there. We have worked together before, and I think we will on this occasion, too. This is a very serious problem.

Senator MELLOW. Mr. President, I thank the gentleman.

PETITIONS AND REMONSTRANCES

The PRESIDENT. The Chair recognizes the gentlewoman from Northampton, Senator Boscola.

Senator BOSCOLA. On behalf of my colleagues, I want to wish everybody a happy, healthy, prosperous New Year. I think it is so fitting that our first day of Session in the Senate fell on the very first day of the new year. Traditionally, this is a time when we look back on the year that just passed and pause for a time of reflection. But for many families in Pennsylvania, it is hard today to look back before September 11 and picture how normal their lives used to be. For Bob Norder, the Fire Chief of Bethlehem Township Fire Company, every time he looks back he can still see the smoke and the rubble and the horror all around him as he and his men searched for victims at Ground Zero. And for one of my constituents, Laura Largo, when she looks back, she thinks about her two good neighbors, Paul and Charlie, who went to elementary school with her and were killed in the attack at the World Trade Center and whose bodies were never found in the rubble at Ground Zero.

Like so many Pennsylvanians who were personally touched in so many ways by these terrorist attacks, we all have a feeling of uncertainty as we look ahead to what this brand new calendar of days might bring us. But it is our job, Mr. President, it is our job as we begin this new year, to all work together to bring all of Pennsylvania's families together as proud Americans. And I know we cannot pass a bill to end the war in Afghanistan or guarantee that people all across Pennsylvania will be secure in their homes or safe from anthrax or future terroristic attacks, but we can do our part to help make Pennsylvania families more secure and not worry that they will lose their jobs or lose their homes or lose the opportunity to send their children to college. For those who lived through other wars, those who served to preserve our freedom, our greatest generation of older Pennsylvanians, we must work together so they do not lose their health because they cannot afford to buy their medicines, or lose their homes because they cannot afford to pay their property taxes.

As we begin this new year, Mr. President, I hope all of us remember that there is great power in gratefulness, and there is no power greater than hope for a better and brighter tomorrow. We can work together in the year ahead to make Pennsylvania a better and brighter place for families to call home. We can turn those challenges that are yet to come into great opportunities, and we can resolve from this day forward to look at every adversity and every obstacle and see that each one carries with it a seed of greater benefit.

In the year ahead in this Chamber, let us be grateful for the responsibility that so many people have entrusted in us and grateful for the challenges of tax reform, lowering the cost of prescription drugs, balancing the budget, and helping our local firefighters. Because all of these challenges, Mr. President, will test our resolve, stretch the limits of our abilities, and they will try to defy our will. But as one proud American and one very proud Pennsylvanian, I am confident that we will work together and we will succeed.

Thank you, Mr. President.

The PRESIDENT. The Chair recognizes the gentleman from Lebanon, Senator Brightbill.

Senator BRIGHTBILL. Mr. President, I would just like to make two brief comments regarding redistricting. The plan that we just passed was prepared with very careful attention to the requirements of the Federal Voting Rights Act, and the 1st District and the 2nd District were drawn based upon recommendations from Congressman Fattah and Congressman Brady. Of the 19 districts, 10 have a Republican registration edge and 9 have a Democratic registration edge.

Thank you, Mr. President.

The PRESIDENT. The Chair recognizes the gentleman from York, Senator Waugh.

Senator WAUGH. Mr. President, every year around this time when the snow begins to fly and we think of ice on our roadways, there is another thing that comes to mind for those of us who have lived around Pennsylvania all of our lives, and that is the annual Pennsylvania State Farm Show. I have an opportunity this year as chairman of the Committee on Agriculture and as a member of the Farm Show Commission to take this time here at the end of our day today to remind all the Members of the Senate, all the staff members and other folks in the Capitol building who may be listening to this transmission, and certainly the folks in our audience at home who are watching over Pennsylvania Cable Network, that the Farm Show will begin on Saturday, January 5, with Governor's Day; Sunday is Family Day, a good day to attend the show; Monday is Agricultural Heritage Day; Tuesday is Dairy Day; Wednesday is Youth Day; and Thursday is the sale of all champion animals at the 2002 edition of the Pennsylvania State Farm Show.

This event, for those who may not know it, is a national spectacle, if you will. It is one of the most often cited national and certainly statewide events that showcases Pennsylvania's agricultural products. So take the time to come out, learn a little bit about our State's number one industry. Have a good time at

the Farm Show; it is really a nice place to spend a cold January day.

Thank you, Mr. President.

CONGRATULATORY RESOLUTIONS

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

Congratulations of the Senate were extended to Mr. and Mrs. Clifford Aukamp, Mr. and Mrs. Russell Garber, Mr. and Mrs. Robert L. Weiler, Mr. and Mrs. John Kruger, Mr. and Mrs. John Lefever, Mr. and Mrs. Paul Weaver, Mr. and Mrs. James Phipps, Mr. and Mrs. Robert Rebman, Andy Church, Andrew M. Gonner, Robert H. Thompson, Matthew B. Breiner, Christopher Breneman and to Derren Brunner by Senator Armstrong.

Congratulations of the Senate were extended to Joseph Thomas Krajewski and to St. Paul's Episcopal Church of Chester by Senator Bell.

Congratulations of the Senate were extended to Wagner Quality Shoes, Inc., of Pittsburgh by Senator Bodack.

Congratulations of the Senate were extended to Gregory Robert Kocher, Penn State Lehigh Valley, Pennsylvanians With Disabilities Day Committee of Macungie and to Northampton Borough Centennial, Inc., by Senator Boscola.

Congratulations of the Senate were extended to Michael F. Wahmann, Farmers Pride, Inc., of Fredericksburg and to Clover Hill Vineyards and Winery of Breinigsville by Senator Brightbill.

Congratulations of the Senate were extended to Ryan Callahan and to the Pennsylvania Association of Student Assistance Professionals (PASAP) by Senator Conti.

Congratulations of the Senate were extended to Mr. and Mrs. Don F. Warfel, Mr. and Mrs. Leon A. Rhodes, Mr. and Mrs. Ralph Kelley, Shane William Cohen, Christie Welsh, Aaron E. W. Cleaver and to Pennsylvania 4-H, Pennsylvania State University, of University Park, by Senator Corman.

Congratulations of the Senate were extended to Larry T. Welfer by Senators Corman and Helfrick.

Congratulations of the Senate were extended to Helen Formica by Senator Costa.

Congratulations of the Senate were extended to the Reverend Warren S. Harding, Mark Weidner, Aaron Nash, Anthony Joseph Boodhansingh, Andrew J. Wirth, Matthew James Weber and to Daniel Emery Taglioli by Senator Dent.

Congratulations of the Senate were extended to John A. Jordan, Jr., Robert M. Episcopo and to St. Luke Hospital-Allentown Campus by Senators Dent, Brightbill, Gerlach and Boscola.

Congratulations of the Senate were extended to David Richardson by Senator Earll.

Congratulations of the Senate were extended to Robert H. Craft, Andrew Wasuwongse and to Stephen G. Hoffner-McCall by Senator Erickson.

Congratulations of the Senate were extended to Daniel Hady, Brian Hady, Brock Smale and to the Downingtown High School Girls' Soccer Team by Senator Gerlach.

Congratulations of the Senate were extended to Mr. and Mrs. Raymond Knight, Sr., Jason William Merrill, Kyle Patrick McNealy, Mildred Brown and to Ellen B. Renish by Senator Greenleaf.

Congratulations of the Senate were extended to Mr. and Mrs. Delmar Shipe, Mr. and Mrs. John Yodock, Mr. and Mrs. Harry Edwin Boyer, Mr. and Mrs. Myles William Holdren, Mr. and Mrs. Fred L. Whitenight and to Dora Higgins by Senator Helfrick.

Congratulations of the Senate were extended to Mr. and Mrs. Victor Wisilosky, Corey Michael Barndt, Thomas Beggs and to the members of the Shanksville Volunteer Fire Company by Senator Kasunic.

Congratulations of the Senate were extended to the Reverend Dr. William B. Moore, Bishop Dr. Audrey F. Bronson and to Fannie Mae Belcher Jackson by Senator Kitchen.

Congratulations of the Senate were extended to Joshua McGeary, Leona Ellen Freda and to Steve Todoric by Senator Kukovich.

Congratulations of the Senate were extended to Mr. and Mrs. Adam Matalavy, Mr. and Mrs. William Thomas, Mr. and Mrs. Joseph Svecz, Mr. and Mrs. Charles Orner, Mr. and Mrs. Bill Moss, Brent T. Hoban, the Reverend Albert A. Chaffee, Ira Reynolds, Robert Luffe, Zachary F. Garm, Paul Meagher, Michael J. Hogan, Geraldine R. Hourigan and to the Wyoming Seminary Girls' Field Hockey Team by Senator Lemmond.

Congratulations of the Senate were extended to Kimberly Lang, Kathy Basel, The Honorable Ruth K. Fowler and to Mon-Yough Fire Defense Council, Inc., of McKeesport by Senator Logan.

Congratulations of the Senate were extended to Mr. and Mrs. William E. Nichols, Mr. and Mrs. Daniel Vogt, Mr. and Mrs. Joseph Badman, Mr. and Mrs. Donald Bennett, the Reverend and Mrs. Charles M. Heaps, Mr. and Mrs. Boyd Ferry, Mr. and Mrs. Charles Schucker, Mr. and Mrs. Donald Sebring, Mr. and Mrs. Leon Robinson, Mr. and Mrs. Ernest Young, Mr. and Mrs. Melvin Corson, Mr. and Mrs. Alvin Harvey, Mr. and Mrs. Harold Wakely, Mr. and Mrs. Henry D. Quigel, Sr., Matt Keller, Caleb Derr, Shay Boyles, Dan Weaver and to Wayne Lyon by Senator Madigan.

Congratulations of the Senate were extended to Ryan N. Worden by Senator Mowery.

Congratulations of the Senate were extended to Luke Edward Robinson, Rory P. Bigger, Brad Michael Schaming, South Fayette High School Varsity Cheerleading Squad of McDonald, Baldwin-Whitehall Hurricanes, South Fayette Sixth Grade Youth Football Team and to the West Allegheny High School Football Team of Imperial by Senator Murphy.

Congratulations of the Senate were extended to James Alansky, Paul Kemmerer, John E. Marut, Roman Markosky, Edward F. Konopka, Jack Griffiths, Joseph W. Gavlick, Stewart J. Emery, Frank Buzin, Edward Kobusky, Florian Suchar, Ruth E. Prutzman, Edward G. Leyshon, Cataldo Castellino, John J. Donnini, Eleanor R. Goch and to Mary K. Zambotti by Senator Musto.

Congratulations of the Senate were extended to George J. Baxewanis, the Reverend J. Raymond Brubaker, Pennsylvania Association of School Nurses and Practitioners and Berks County School Health Association, Centre Park Historic District of Reading, Reading Facility of Rohm and Haas Company,

Morton Powder Coatings, and to the organizers of the 9th Annual Berks County Dr. Martin Luther King, Jr. Community Celebration by Senator O'Pake.

Congratulations of the Senate were extended to Mr. and Mrs. William Volk, Mr. and Mrs. Edward Perpich, Mr. and Mrs. Herman Willis, Mr. and Mrs. Charles Blosser, Mary Hritz, Loraine Day, Linda Kelly, Jean Weber, Michael W. Zeitler, Chris Panos, John K. Thornburgh, Gail Ghai, Casey Melvin, Bobby Hasenbein, James Beuth, Diane Holden, Dr. Richard A. Jennings, Deborah Josbeno, Muriel Petschke, John Fries, Erin Ebeck, the Honorable William J. Coyne, Joseph Javersack, Richard James Gable, Susan Kelly, Lillian Kelly, Elaine Shaffer, Nicola A. Hood, Scott Golmic, Michael Penn, Kelly Mistick, Jason Hawk, Mark Van Der Feyst, Steve Zorbas, Larry Clutter, Steve Dancisin, Richard L. Stover, the Reverend Robert Strobel, Megan McCormick, Betty Harris, Dave DiSanti, Mike Maffucio, Natalie Sarver, Fred Bartok, James L. Barto, Michael Ban, Tom Kritko, Jordan Ellis, Pat Van Eman, Dave Berneburg, seventh grade students of Hampton Middle School, Ingomar Middle School of Pittsburgh, North Allegheny Association for the Advancement of Sports and Education of Pittsburgh, Hilltop Hose Company No. 3 of Natrona Heights, and to the Ingomar United Methodist Church of Pittsburgh by Senator Orie.

Congratulations of the Senate were extended to the Honorable Peter W. Panza, John J. Mank, Denver Allen McDowell, Jr., Ilene Patricia Scoop, Eileen Holtzman and to the Free in the Herd Sanctuary of Harrisburg by Senator Piccola.

Congratulations of the Senate were extended to Faye Signor by Senator Punt.

Congratulations of the Senate were extended to Mr. and Mrs. Robert Hope, Thomas W. Ward, Jr., Michael J. Davis and to Brett Banditelli by Senator Rhoades.

Congratulations of the Senate were extended to Andrew J. Skladanek, MCAR, Inc., of Hermitage, and to the Farrell Area High School Girls' Volleyball Team by Senator Robbins.

Congratulations of the Senate were extended to Mike T. Bilder, Leonard Strom, Leon F. Robertson, Amelia Musantry and to David Brennen by Senator Scarnati.

Congratulations of the Senate were extended to the Slavery Museum by Senator Schwartz.

Congratulations of the Senate were extended to Matthew S. Naughton, Robert A. Hood III and to Bruce Horn by Senator Stack.

Congratulations of the Senate were extended to Mr. and Mrs. William L. Purdy by Senator Stout.

Congratulations of the Senate were extended to Matthew Marvin, Eddie Lee Mallard, Kevin L. Karabin, Gregory Lysko, William Burson Teodecki, James L. Head and to Brian G. Jefferes by Senator Thompson.

Congratulations of the Senate were extended to F. Nicholas Imperato by Senators Thompson and Gerlach.

Congratulations of the Senate were extended to Michael Pugh, Fred C. Colteryahn, James DeVita and to the Fairless Hills Volunteer Fire Company by Senator Tomlinson.

Congratulations of the Senate were extended to Timothy P. Logue and to Mazie Willetta Smith by Senator Wagner.

Congratulations of the Senate were extended to Franklin Ross Grove III, Darin Steven Sherfey, Garrett S. Jay, Stella M. Klinedinst, Dr. Kieren P. Knapp, Aaron Wells, Michael C. McCullough and to the York Conference Tutoring Program by Senator Waugh.

Congratulations of the Senate were extended to Peter Stephen Daniels, Nathan M. Kapp, Shawn M. Miller, Ryan Miles Porter and to Ray William Yohe by Senator Wenger.

Congratulations of the Senate were extended to Mr. and Mrs. John Bukosky, Mr. and Mrs. James Bernard, Mr. and Mrs. LeJuene Pyer, Mr. and Mrs. Walter Hooks, Robert P. Polenik and to Joseph Riddle by Senator D. White.

Congratulations of the Senate were extended to Mr. and Mrs. Wayne Gruber, Alan Cacciamani, Pete Hufnagel, James J. Strange and to Piney Creek Limited Partnership by Senator M. J. White.

Congratulations of the Senate were extended to Michael McNair by Senator A. H. Williams.

Congratulations of the Senate were extended to Mr. and Mrs. Hal Cooley, Mr. and Mrs. Jay Clark, Mr. and Mrs. John Yanko, Mr. and Mrs. Joseph J. Slavick, Mr. and Mrs. George Ripple, Mr. and Mrs. William L. Tittle, Mr. and Mrs. Frank Smiach, Mr. and Mrs. William L. Schellhammer, Sr., Mr. and Mrs. Carl Massimo, Mr. and Mrs. Benjamin L. Baltzer, Mr. and Mrs. Hal Cooley, Mr. and Mrs. Louis Vigna, Mr. and Mrs. John Haluska, Mr. and Mrs. Ted Scislowicz, Mr. and Mrs. Robert Nemeth, Jr., and to Mr. and Mrs. Louis Fabina by Senator Wozniak.

CONDOLENCE RESOLUTIONS

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

Condolences of the Senate were extended to the family of the late Honorable Warner M. Depuy by Senator Lemmond.

Condolences of the Senate were extended to the family of the late Anthony Martrano, Jr., to the family of the late Mary Lynn Cervone, to the family of the late Pearl Watts, to the family of the late Margaret Hollo, to the family of the late James W. Knox and to the family of the late Albert A. Franceschina, Jr., by Senator Orie.

Condolences of the Senate were extended to the family of the late Joseph Bosnic by Senator D. White.

POSTHUMOUS CITATION

The PRESIDENT laid before the Senate the following citation, which was read, considered, and adopted by voice vote:

A posthumous citation honoring the late Joseph Saporito was extended to the family by Senator Musto.

RECESS

The PRESIDENT. The Chair recognizes the gentleman from Lebanon, Senator Brightbill.

Senator BRIGHTBILL. Mr. President, I move for a recess of the Senate to the call of the Chair.

The motion was agreed to by voice vote.

The PRESIDENT. Without objection, the Senate will stand in recess to the call of the Chair.

AFTER RECESS

The PRESIDENT. The time of recess having expired, the Senate will come to order.

HOUSE MESSAGE

HOUSE ADOPTS REPORT OF COMMITTEE OF CONFERENCE

The Clerk of the House of Representatives informed the Senate that the House has adopted the Report of Committee of Conference on **SB 1200**.

BILL SIGNED

The PRESIDENT (Lieutenant Governor Robert C. Jubelirer) in the presence of the Senate signed the following bill:

SB 1200.

ADJOURNMENT

The PRESIDENT. The Chair recognizes the gentleman from Lebanon, Senator Brightbill.

Senator BRIGHTBILL. Mr. President, I move that the Senate do now adjourn until Tuesday, January 22, 2002, at 1 p.m., Eastern Standard Time.

The motion was agreed to by voice vote.

The Senate adjourned at 5:25 p.m., Eastern Standard Time.