

COMMONWEALTH OF PENNSYLVANIA  
**Legislative Journal**

WEDNESDAY, MARCH 13, 2002

SESSION OF 2002 186TH OF THE GENERAL ASSEMBLY

No. 15

**SENATE**

WEDNESDAY, March 13, 2002

The Senate met at 10:30 a.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.

Almighty and merciful God, we pause to seek Your presence here, that those entrusted with the responsibilities of government may feel the sustaining power of Your Spirit. Grant that these Senators may recognize their call to serve our Commonwealth as a sacred duty and privilege. Give them a boldness to stand for right and truth, that when this day is done, all their efforts and actions may 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 March 12, 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.

**HOUSE MESSAGES**

**SENATE BILL RETURNED WITH AMENDMENTS**

The Clerk of the House of Representatives returned to the Senate **SB 1115**, with the information the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. Pursuant to Senate Rule XIV, section 5, this bill will be referred to the Committee on Rules and Executive Nominations.

**HOUSE CONCURS IN SENATE  
CONCURRENT RESOLUTION**

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

Weekly adjournment.

**HOUSE BILLS FOR CONCURRENCE**

The Clerk of the House of Representatives presented to the Senate the following bills for concurrence, which were referred to the committee indicated:

March 12, 2002

**HB 888, 889, 890 and 892** -- Committee on Local Government.

**BILLS INTRODUCED AND REFERRED**

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

March 13, 2002

Senators WAUGH, O'PAKE, HOLL, ERICKSON, BOSCOLA and THOMPSON presented to the Chair **SB 1351**, entitled:

An Act providing for the organization of corporations for the purpose of constructing and operating toll roads; providing for the supervision of same by the Department of Transportation; and establishing the Toll Road Improvement Fund.

Which was committed to the Committee on EDUCATION, March 13, 2002.

Senator KASUNIC presented to the Chair **SB 1352**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for a prototypical school facility design clearinghouse.

Which was committed to the Committee on STATE GOVERNMENT, March 13, 2002.

Senator THOMPSON presented to the Chair **SB 1354**, entitled:

An Act making an appropriation from a restricted revenue account within the General Fund and from Federal augmentation funds to the Pennsylvania Public Utility Commission.

Which was committed to the Committee on APPROPRIATIONS, March 13, 2002.

Senator THOMPSON presented to the Chair **SB 1355**, entitled:

An Act making an appropriation from a restricted revenue account within the General Fund to the Office of Consumer Advocate in the Office of Attorney General.

Which was committed to the Committee on APPROPRIATIONS, March 13, 2002.

Senator THOMPSON presented to the Chair **SB 1356**, entitled:

An Act making an appropriation from a restricted revenue account within the General Fund to the Office of Small Business Advocate in the Department of Community and Economic Development.

Which was committed to the Committee on APPROPRIATIONS, March 13, 2002.

Senator THOMPSON presented to the Chair **SB 1357**, entitled:

An Act making appropriations from the Workmen's Compensation Administration Fund to the Department of Labor and Industry and the Department of Community and Economic Development to provide for the expenses of administering the Workers' Compensation Act, The Pennsylvania Occupational Disease Act and the Office of Small Business Advocate for the fiscal year July 1, 2002, to June 30, 2003, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2002.

Which was committed to the Committee on APPROPRIATIONS, March 13, 2002.

Senator THOMPSON presented to the Chair **SB 1358**, entitled:

An Act making appropriations from the Professional Licensure Augmentation Account and from restricted revenue accounts within the General Fund to the Department of State for use by the Bureau of Professional and Occupational Affairs in support of the professional licensure boards assigned thereto.

Which was committed to the Committee on APPROPRIATIONS, March 13, 2002.

Senator THOMPSON presented to the Chair **SB 1359**, entitled:

An Act making an appropriation from the State Employees' Retirement Fund to provide for expenses of the State Employees' Retirement Board for the fiscal year July 1, 2002, to June 30, 2003, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2002.

Which was committed to the Committee on APPROPRIATIONS, March 13, 2002.

Senator THOMPSON presented to the Chair **SB 1360**, entitled:

An Act making an appropriation from the Public School Employees' Retirement Fund to provide for expenses of the Public School Employees' Retirement Board for the fiscal year July 1, 2002, to June 30, 2003, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2002.

Which was committed to the Committee on APPROPRIATIONS, March 13, 2002.

## RESOLUTION INTRODUCED AND REFERRED

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

March 12, 2002

Senators MURPHY, BRIGHTBILL, BELL, LEMMOND, GREENLEAF, O'PAKE, WENGER, ROBBINS, KUKOVICH, BOSCOLA, RHOADES, WAGNER, WOZNIAK, KITCHEN, THOMPSON, EARLL, TOMLINSON, ERICKSON, COSTA, LOGAN, ORIE, TARTAGLIONE, C. WILLIAMS, FUMO, SCARNATI, DENT, D. WHITE and STACK presented to the Chair **SR 172**, entitled:

A Resolution designating April 6, 2002, as "Tartan Day" in Pennsylvania.

Which was committed to the Committee on RULES AND EXECUTIVE NOMINATIONS, March 12, 2002.

## SPECIAL ORDER OF BUSINESS ANNOUNCEMENT BY THE SECRETARY

The SECRETARY. Consent has been given for the Committee on Rules and Executive Nominations to meet during today's Session to consider House Bill No. 1802, and certain nominations.

## LEGISLATIVE LEAVES

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

Senator MELLOW. Mr. President, I request legislative leaves for Senator Bodack, Senator C. Williams, and Senator Fumo, and a temporary Capitol leave for Senator Kasunic.

The PRESIDENT. Senator Mellow requests legislative leaves for Senator Bodack, Senator C. Williams, and Senator Fumo, and a temporary Capitol leave for Senator Kasunic. Without objection, those leaves are granted.

## LEAVE OF ABSENCE

Senator BRIGHTBILL asked and obtained a leave of absence for Senator HELFRICK, for today's Session, for personal reasons.

## CALENDAR

### SB 1254 CALLED UP OUT OF ORDER

**SB 1254 (Pr. No. 1641)** -- Without objection, the bill was called up out of order, from page 2 of the Third Consideration Calendar, by Senator BRIGHTBILL, as a Special Order of Business.

### BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

**SB 1254 (Pr. No. 1641)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 1, 1933 (P.L.103, No.69), known as The Second Class Township Code, further providing for duties of supervisors.

Considered the third time and agreed to,

On the question,  
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution and were as follows, viz:

**YEA-49**

Armstrong	Greenleaf	Murphy	Thompson
Bell	Holl	Musto	Tomlinson
Bodack	Hughes	O'Pake	Wagner
Boscola	Jubelirer	Orie	Waugh
Brightbill	Kasunic	Piccola	Wenger
Conti	Kitchen	Punt	White, Donald
Corman	Kukovich	Rhoades	White, Mary Jo
Costa	LaValle	Robbins	Williams, Anthony H.
Dent	Lemmond	Scarnati	Williams, Constance
Earll	Logan	Schwartz	Wozniak
Erickson	Madigan	Stack	
Fumo	Mellow	Stout	
Gerlach	Mowery	Tartaglione	

**NAY-0**

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

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

**RECESS**

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

Senator BRIGHTBILL. Mr. President, at this time I ask for a recess of the Senate for the purpose of a caucus in the Rules room to the rear of the Senate Chamber. As soon as we are done with the caucus we expect to have a meeting of the Committee on Rules and Executive Nominations. Following that, we expect to be back on the floor to finish the Calendar and any bills that might be reported from the Committee on Rules and Executive Nominations.

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

Senator MELLOW. Mr. President, we will just wait on the call to return to Session.

The PRESIDENT. For the purpose of a Republican caucus to be held in the Rules room to the rear of the Senate Chamber, followed by a meeting of the Committee on Rules and Executive Nominations, without objection, the Senate will stand in recess.

**AFTER RECESS**

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

**REPORT FROM COMMITTEE**

Senator BRIGHTBILL, from the Committee on Rules and Executive Nominations, reported the following bill:

**HB 1802 (Pr. No. 3420) (Amended) (Rereported) (Concurrence)**

An Act reforming the law on medical professional liability; providing for patient safety and reporting; establishing the Patient Safety Authority and the Patient Safety Trust Fund; abrogating regulations; providing for medical professional liability informed consent, damages, expert qualifications, limitations of actions and medical records; establishing the Interbranch Commission on Venue; providing for medical professional liability insurance; establishing the Medical Care Availability and Reduction of Error Fund; providing for medical professional liability claims; establishing the Joint Underwriting Association; regulating medical professional liability insurance; providing for medical licensure regulation; providing for administration; imposing penalties; and making repeals.

**LEGISLATIVE LEAVE**

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

Senator BRIGHTBILL. Mr. President, I request a legislative leave for Senator Bell.

The PRESIDENT. Senator Brightbill requests a legislative leave for Senator Bell. Without objection, that leave will be granted.

**SPECIAL ORDER OF BUSINESS  
SUPPLEMENTAL CALENDAR No. 1**

**SENATE CONCURS IN HOUSE AMENDMENTS  
TO SENATE AMENDMENTS AS AMENDED**

**HB 1802 (Pr. No. 3420) --** The Senate proceeded to consideration of the bill, entitled:

An Act reforming the law on medical professional liability; providing for patient safety and reporting; establishing the Patient Safety Authority and the Patient Safety Trust Fund; abrogating regulations; providing for medical professional liability informed consent, damages, expert qualifications, limitations of actions and medical records; establishing the Interbranch Commission on Venue; providing for medical professional liability insurance; establishing the Medical Care Availability and Reduction of Error Fund; providing for medical professional liability claims; establishing the Joint Underwriting Association; regulating medical professional liability insurance; providing for medical licensure regulation; providing for administration; imposing penalties; and making repeals.

On the question,

Will the Senate concur in the amendments made by the House to Senate amendments, as further amended by the Senate, to House Bill No. 1802?

Senator BRIGHTBILL. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate amendments, as further amended by the Senate, to House Bill No. 1802.

On the question,

Will the Senate agree to the motion?

The PRESIDENT. The Chair recognizes the gentleman from Dauphin, Senator Piccola.

Senator PICCOLA. Mr. President, I rise to support the motion to concur in the House amendments as amended by the Senate Committee on Rules and Executive Nominations. This bill is a bill on medical malpractice and to make certain reforms in that system, and I think it can be justifiably said that this is a good bill and it takes moderate steps clearly in the right direction in attempting to solve what I believe is a medical malpractice insurance crisis in Pennsylvania. But I do not think, Mr. President, that we should fool ourselves into believing that simply by passing this bill today, which I have every confidence that we are going to, that we are going to permanently solve either the medical malpractice crisis or permanently solve or make any significant changes in the lawsuit abuse problem that we have in the Commonwealth of Pennsylvania. In my view, the only way that we are going to put this issue to rest is to make systemic changes in the tort system of Pennsylvania. And this bill does make a few of those and it is good in that respect. But I do not believe that it goes as far as we could or perhaps should do, but it is a good first step. I think the opinion that I am voicing here on the floor of the Senate today is reflected in the somewhat tepid endorsement of this bill from the Hospital Association of Pennsylvania and certainly the mixed endorsement that is contained in a letter that we received from the Insurance Federation which, of course, represents the insurance companies that write medical malpractice insurance and many other insurances in Pennsylvania.

As I stated in the Committee on Rules and Executive Nominations, Mr. President, the main thing that I was disappointed about in the amendment that the Senate inserted into this bill in the Committee on Rules and Executive Nominations was the fact that we removed a section of the bill that the House had inserted dealing with the concept of joint and severable liability. Now, joint and severable liability, for those who may not know what it is, is the concept that no matter how minuscule your percentage of liability in a particular negligence case might be, in theory you might be held responsible for paying the entire 100 percent of the damages, depending upon what the resources of other party defendants might be in the case. And I personally believe that is an issue we need to address in this General Assembly, and as I said, Mr. President, I was a little disappointed that we chose to take out a very small step actually towards solving that problem in the medical malpractice area alone. I am confident, however, Mr. President, that the Senate and the House and the Governor will take this issue, as well as other tort reform issues that are essential to be enacted in this Commonwealth, seriously and continue to work on this problem as it faces all Pennsylvanians.

For those reasons, Mr. President, I am going to vote for House Bill No. 1802, as amended, and hope that the Senate, the House, and the Governor will continue to address the problems of tort reform and lawsuit abuse reform that we must deal with in this State in order to permanently solve these issues for all time.

Thank you, Mr. President.

The PRESIDENT. The Chair recognizes the gentleman from Lehigh, Senator Dent.

Senator DENT. Mr. President, I, too, rise to concur in House amendments to House Bill No. 1802, Printer's No. 3420. I was one of the six votes against House Bill No. 1802 three weeks ago

because I felt the legislation did not go far enough to deal with the health care crisis affecting many Pennsylvanians, specifically our physicians and our hospitals, and we cannot have good health care without strong hospitals. I think we all understand that.

There are things in this legislation I like very much, and there are some things I wish would be in this legislation that are not here. One of those things in particular deals with the matter of venue. All of us know that too many of our hospitals and our physicians have been dragged into courtrooms in communities far removed from where they actually live or where the alleged malpractice events may have occurred. We know that particularly in the city of Philadelphia we have a problem with venue, that many plaintiffs want to take those cases into Philadelphia courtrooms. We know that, we also know why, because the average jury awards in the city of Philadelphia in medical malpractice cases are more than twice that of just about anywhere else in Pennsylvania, \$970,000, to be exact. This legislation contains language that deals with a venue commission, and I think that is positive for us, and I think that we need to send a message to our friends at the State Supreme Court that venue is very important to all of us. I wish we had retained the original House language on venue that said that the malpractice case would be heard in the county where the alleged malpractice occurred. I would have liked to have legislated that, but I realize this legislation is the result of compromise and negotiation, and on that issue we were unsuccessful. Regardless, we hope through the venue commission the court will hopefully deal with this issue and adopt the changes that were originally recommended by the House.

So with that, I rise to concur in these amendments to House Bill No. 1802, Printer's No. 3420.

I thank you, Mr. President.

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-49

Armstrong	Greenleaf	Murphy	Thompson
Bell	Holl	Musto	Tomlinson
Bodack	Hughes	O'Pake	Wagner
Boscola	Jubelirer	Orie	Waugh
Brightbill	Kasunic	Piccola	Wenger
Conti	Kitchen	Punt	White, Donald
Corman	Kukovich	Rhoades	White, Mary Jo
Costa	LaValle	Robbins	Williams, Anthony H.
Dent	Lemmond	Scarnati	Williams, Constance
Earll	Logan	Schwartz	Wozniak
Erickson	Madigan	Stack	
Fumo	Mellow	Stout	
Gerlach	Mowery	Tartaglione	

NAY-0

A constitutional majority of all 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.

**LEGISLATIVE LEAVE CANCELLED**

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

Senator MELLOW. Mr. President, I should have taken Senator Kasunic off legislative leave before the announcement of the roll call since he is in the Chamber, and I just would like the record to indicate that.

The PRESIDENT. The Chair notes the presence on the floor of Senator Kasunic, and his legislative leave of absence is hereby cancelled, and the Chair notes he was on the floor before the vote.

**CONSIDERATION OF CALENDAR RESUMED****THIRD CONSIDERATION CALENDAR****BILLS OVER IN ORDER**

**SB 206, SB 271 and SB 874** -- Without objection, the bills were passed over in their order at the request of Senator BRIGHTBILL.

**BILL LAID ON THE TABLE**

**SB 1013 (Pr. No. 1715)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for Office for Safe Schools; and requiring the establishment of policies relating to bullying.

Upon motion of Senator BRIGHTBILL, and agreed to by voice vote, the bill was laid on the table.

**BILLS OVER IN ORDER**

**SB 1252 and HB 1469** -- Without objection, the bills were passed over in their order at the request of Senator BRIGHTBILL.

**SECOND CONSIDERATION CALENDAR****BILLS OVER IN ORDER**

**HB 152, SB 212 and HB 235** -- Without objection, the bills were passed over in their order at the request of Senator BRIGHTBILL.

**BILL ON SECOND CONSIDERATION**

**SB 462 (Pr. No. 1465)** -- The Senate proceeded to consideration of the bill, entitled:

An Act providing for the regulation of viatical settlements and for powers and duties of the Insurance Department.

Considered the second time and agreed to,

Ordered, To be printed on the Calendar for third consideration.

**BILLS OVER IN ORDER**

**SB 785, SB 813, SB 1029, SB 1054, SB 1156, SB 1157, SB 1179, SB 1184, SB 1192, SB 1248, HB 1483, HB 1520, HB 1536, HB 1923, HB 2129, HB 2164 and HB 2203** -- Without objection, the bills were passed over in their order at the request of Senator BRIGHTBILL.

**COMMUNICATIONS FROM THE GOVERNOR  
REPORTED FROM COMMITTEE ON RULES  
AND EXECUTIVE NOMINATIONS**

Senator ROBBINS, from the Committee on Rules and Executive Nominations, reported 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**

March 4, 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 February 20, 2002, for the appointment of Cheri B. Bomar, 921 Lindfield Drive, South Park 15129, Allegheny County, Thirty-seventh 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 2007 and until her successor is appointed and qualified, vice Aaron A. Walton, Allison Park, whose term expired.

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

Mark S. Schweiker  
Governor

**MEMBER OF THE STATE BOARD  
OF PHARMACY**

March 5, 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 January 4, 2002, for the appointment of Wha Lee, (Public Member), 820 Clifton Heights Road, #3, Hummelstown 17036, Dauphin County, Fifteenth Senatorial District, as a member of the State Board of Pharmacy, to serve for a term of six years or until her successor is appointed and qualified, but not longer than six months beyond that period, vice Norman P. Hetrick, Esquire, Harrisburg, resigned.

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

Mark S. Schweiker  
Governor

MEMBER OF THE SUSQUEHANNA COUNTY  
BOARD OF ASSISTANCE

March 1, 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 January 4, 2002, for the appointment of Michelle Grove, 1114 Quincy Circle, New Cumberland 17070, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the Susquehanna County Board of Assistance, to serve until December 31, 2004, and until her successor is appointed and qualified, vice Kim M. Spoonhower, Susquehanna, 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.

**REPORT FROM COMMITTEE ON  
RULES AND EXECUTIVE NOMINATIONS**

Senator ROBBINS, from the Committee on Rules and Executive Nominations, reported the following nominations made by His Excellency, the Governor of the Commonwealth, which were read by the Clerk as follows:

MEMBER OF THE PENNSYLVANIA  
COUNCIL ON AGING

December 28, 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, Harold E. Frantz, 100 Mt. Allen-Messiah, Mechanicsburg 17055, Cumberland County, Thirty-third Senatorial District, for reappointment as a member of the Pennsylvania Council on Aging, to serve until October 8, 2004, and until his successor is appointed and qualified.

Mark S. Schweiker  
Governor

MEMBER OF THE COMMONWEALTH OF  
PENNSYLVANIA COUNCIL ON THE ARTS

January 25, 2002

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, Carol R. Brown 5029 Amberson Place, Pittsburgh 15232, Allegheny County, Forty-third Senatorial District, for appointment as a member of the Commonwealth of Pennsylvania Council on the Arts, to serve until July 1, 2004, and until her successor is appointed and qualified, vice Elaine Cassalia, Huntingdon Valley, whose term expired.

THOMAS J. RIDGE  
Governor

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

November 21, 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, Charles M. Greene, 7024 Marion Lane, Philadelphia 19119, Philadelphia County, Fourth Senatorial District, for reappointment as a member of the Council of Trustees of Cheyney University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January 2005 and until his successor is appointed and qualified.

Mark S. Schweiker  
Governor

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

November 21, 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, Rev. Dr. Joseph D. Patterson, Sr., 6213 Walnut Street, Philadelphia 19139, Philadelphia County, Eighth Senatorial District, for reappointment as a member of the Council of Trustees of Cheyney University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January 2007 and until his successor is appointed and qualified.

Mark S. Schweiker  
Governor

MEMBER OF THE DELAWARE VALLEY  
REGIONAL PLANNING COMMISSION

January 31, 2002

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, Caroline Anderson Novak, 1302 West Chester Road, Coatesville 19320, Chester County, Nineteenth Senatorial District, for appointment as a member of the Delaware Valley Regional Planning Commission, to serve until terminated, vice Timothy J. Carson, Rosemont, resigned.

Mark S. Schweiker  
Governor

**MEMBER OF THE PENNSYLVANIA ECONOMIC  
DEVELOPMENT FINANCING AUTHORITY**

February 1, 2002

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, Robert G. Smith, Jr., 427 North 29th Street, Allentown 18104, Lehigh County, Sixteenth Senatorial District, for reappointment as a member of the Pennsylvania Economic Development Financing Authority, to serve for a term of four years and until his successor is appointed and qualified.

Mark S. Schweiker  
Governor

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

December 6, 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, Richard G. Stauffer, 595 Netzley Drive, Denver 17517, Lancaster County, Thirty-sixth Senatorial District, for reappointment as a member of the State Board of Landscape Architects, to serve for a term of three years and until his successor is appointed and qualified, but not longer than six months beyond that period.

Mark S. Schweiker  
Governor

**MEMBER OF THE STATE BOARD  
OF OSTEOPATHIC MEDICINE**

December 10, 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, Warren E. Moser, (Public Member), 100 Hadfield Road, Downingtown 19335, Chester County, Forty-fourth Senatorial District, for reappointment as a member of the State Board of Osteopathic Medicine, to serve for a term of four years or until his successor is appointed and qualified, but not longer than six months beyond that period.

Mark S. Schweiker  
Governor

**MEMBER OF THE PENNSYLVANIA PUBLIC  
TELEVISION NETWORK COMMISSION**

December 5, 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, Penelope M. Gerber, 5 Regency Circle, Penllyn 19422, Montgomery County, Twelfth Senatorial District, for reappointment as a member of the Pennsylvania Public Television Network Commission, to serve for a term of six years or until

her successor is appointed and qualified, but not longer than six months beyond that period.

Mark S. Schweiker  
Governor

**MEMBER OF THE BOARD OF TRUSTEES  
OF SELINGROVE CENTER**

February 20, 2002

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, Ann I. Shadel, R.R. 1 Box 117, Mt. Pleasant Mills 17853, Snyder County, Twenty-seventh Senatorial District, for reappointment as a member of the Board of Trustees of Selingsrove Center, to serve until the third Tuesday of January 2007 and until her successor is appointed and qualified.

Mark S. Schweiker  
Governor

**MEMBER OF THE FAYETTE COUNTY  
BOARD OF ASSISTANCE**

January 17, 2002

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, Reverend Bernard W. Carl, (Republican), 31 Heritage Hills Road, Uniontown 15401, Fayette County, Thirty-second Senatorial District, for reappointment as a member of the Fayette County Board of Assistance, to serve until December 31, 2004, and until his successor is appointed and qualified.

Mark S. Schweiker  
Governor

**MEMBER OF THE FAYETTE COUNTY  
BOARD OF ASSISTANCE**

January 17, 2002

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, Nena Kaminsky, (Republican), 426 High Street, Brownsville 15417, Fayette County, Thirty-second Senatorial District, for appointment as a member of the Fayette County Board of Assistance, to serve until December 31, 2003, and until her successor is appointed and qualified, vice Harry F. Hughes, Jr., Uniontown, whose term expired.

Mark S. Schweiker  
Governor

**MEMBER OF THE LACKAWANNA COUNTY  
BOARD OF ASSISTANCE**

January 17, 2002

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, Edward M. Bush, Sr., (Republican), 102 Vosburg Lane, Clarks Summit 18411, Lackawanna County, Twenty-second Senatorial District, for reappointment as a member of the Lackawanna County Board of Assistance, to serve until December 31, 2004, and until his successor is appointed and qualified.

Mark S. Schweiker  
Governor

MEMBER OF THE LACKAWANNA COUNTY  
BOARD OF ASSISTANCE

January 17, 2002

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, John J. Cerra, (Republican), R.R. 1 Box 1221, Carbondale 18407, Lackawanna County, Twenty-second Senatorial District, for reappointment as a member of the Lackawanna County Board of Assistance, to serve until December 31, 2004, and until his successor is appointed and qualified.

Mark S. Schweiker  
Governor

**NOMINATIONS LAID ON THE TABLE**

Senator ROBBINS. Mr. President, I request that the nominations just read by the Clerk be laid on the table.

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

**UNFINISHED BUSINESS  
SENATE RESOLUTION ADOPTED**

Senators WAUGH, THOMPSON, STOUT, WAGNER, BOSCOLA, MELLOW, STACK, EARLL, BRIGHTBILL, KUKOVICH, ROBBINS, MOWERY, WENGER, HOLL, KITCHEN, TARTAGLIONE, HELFRICK, MUSTO, DENT, O'PAKE, PUNT, HUGHES, MADIGAN, ERICKSON, RHOADES, LOGAN, M.J. WHITE, WOZNIAK, MURPHY, TOMLINSON, ORIE and LEMMOND, by unanimous consent, offered **Senate Resolution No. 177**, entitled:

A Resolution recognizing the week of March 17 through 23, 2002, as "Emergency Services Week" in Pennsylvania.

On the question,  
Will the Senate adopt the resolution?

**The PRESIDING OFFICER (Senator M.J. White) in the Chair.**

The PRESIDING OFFICER. The Chair recognizes the gentleman from York, Senator Waugh.

Senator WAUGH. Madam President, as many of the Members know, the Governor recently declared the week of March 17 through March 23 as Emergency Services Week here in Pennsylvania. It is really an annual recognition to offer our support and thanks to emergency services throughout the State, but I have to say I think this year, probably more than any other in the recent past 6 months since September 11, is probably even more poignant. I would like to just notify the Members and really

the viewers that there are many events scheduled across the State during Emergency Services Week; it is not just something that we do here by way of resolution. The entire week is aimed at providing State and local leaders, and really the public as a whole, an opportunity to broaden their understanding and express their support and appreciation of the emergency service providers throughout the Commonwealth, whether they be volunteer or career or a combination of the two.

The Pennsylvania Fire and Emergency Services Institute, which is a statewide organization that represents these fine folks, is sponsoring the first event, a statewide church service, so to speak, on the morning of Sunday, March 17, at St. Paul's Lutheran Church in my home county, York, Pennsylvania. I am inviting and extending an invitation to all the Members to be with us in York. I know it might be a bit of a drive for some, but you are certainly welcome to attend. More importantly, I guess, I would say it is my hope that all Members of the Senate will take the time to cosponsor this important resolution and on the morning of the 17th, if you are not there, I will be able to convey to the folks who have assembled how the Senate as a whole is in full support of everything they have done and express our thanks.

The resolution will be available for just a while at the Secretary's desk, and I would like all 50 Members of the Senate to take this opportunity to cosponsor the resolution.

Thank you very much, Madam President.

And the question recurring,

Will the Senate adopt the resolution?

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

**UNFINISHED BUSINESS  
CONGRATULATORY RESOLUTIONS**

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

Congratulations of the Senate were extended to Electro-Platers of York, Inc., by Senator Armstrong.

Congratulations of the Senate were extended to Mr. and Mrs. Ernest Paules, Lance Dillon Cortis and to Douglas Frank Boyer by Senator Boscola.

Congratulations of the Senate were extended to Bobby Gerhart by Senator Brightbill.

Congratulations of the Senate were extended to Dr. Adaline Satterthwaite by Senator Conti.

Congratulations of the Senate were extended to Richard J. Rhoades by Senator Corman.

Congratulations of the Senate were extended to George A. Novak and to Woodland Hills High School of Pittsburgh by Senator Costa.

Congratulations of the Senate were extended to Brian Roger Follweiler by Senator Dent.

Congratulations of the Senate were extended to Daniel J. Hunt by Senator Earll.

Congratulations of the Senate were extended to Stephen M. Helms by Senator Gerlach.

Congratulations of the Senate were extended to Helen Petak and to J. Daniel Faus by Senator Helfrick.



Congratulations of the Senate were extended to Dr. E. Robert Jordan and to Ryan Harold Weiss by Senator Holl.

Congratulations of the Senate were extended to Sadie Thompson by Senator Hughes.

Congratulations of the Senate were extended to Barbara Mistick and to Jack L. Bergstein by Senator Kukovich.

Congratulations of the Senate were extended to Ryan Peter Murray, Stephen Mikolajczyk and to Matthew J. Katyl by Senator Lemmond.

Congratulations of the Senate were extended to Dolores Weinstein by Senator Logan.

Congratulations of the Senate were extended to Ella Elizabeth Campbell by Senator Madigan.

Congratulations of the Senate were extended to Shirley A. Sheets and to Carlisle Community Nursery School by Senator Mowery.

Congratulations of the Senate were extended to Jack Maple and to Josh Hensler by Senator Murphy.

Congratulations of the Senate were extended to Dr. Robert P. Metzger and to Nino's Italian Restaurant family of New York by Senator O'Pake.

Congratulations of the Senate were extended to Reverend Joseph P. Newell and to Daniel Anthony Turo by Senator Orie.

Congratulations of the Senate were extended to Sandra J. Sandy, Dianne M. Buffington, Robert J. Zinsky and to Gilbert Isaacman by Senator Piccola.

Congratulations of the Senate were extended to Kyle J. Aucker and to Matthew R. Hosking by Senator Rhoades.

Congratulations of the Senate were extended to Mr. and Mrs. James Hurlbert, Elder Sales Service, Inc., of Stoneboro and to Mercer County Pomona Grange by Senator Robbins.

Congratulations of the Senate were extended to Stephen Nejman by Senator Tartaglione.

Congratulations of the Senate were extended to Adam Andrew Smith, Matthew John Sundquist and to the FC Delco Soccer Club of Downingtown by Senator Thompson.

Congratulations of the Senate were extended to James Quinn by Senator Tomlinson.

Congratulations of the Senate were extended to Joseph DePatto, Alison Kinkel, David E. Barley, Rodney Varner, Charles Ruth and to the Dallastown Area Middle School by Senator Waugh.

Congratulations of the Senate were extended to Steve Borja by Senator Wenger.

Congratulations of the Senate were extended to Thomas G. Coyne, William A. Smith and to John Motosicky by Senator D. White.

Congratulations of the Senate were extended to Dr. Kevin Roth, Angela Davison, Angela Schar and to Seneca Valley Junior Reserve Officers' Training Corps Raider Challenge Team by Senator M.J. White.

Congratulations of the Senate were extended to Donald E. Little by Senator Wozniak.

### CONDOLENCE RESOLUTIONS

The PRESIDING OFFICER 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 Sheila Dorean Matthews by Senator Kitchen.

Condolences of the Senate were extended to the family of the late John A. Chapman and to the family of the late Joseph McCaffrey by Senator Wozniak.

### POSTHUMOUS CITATION

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

A posthumous citation honoring the late Robert J. Winner was extended to the family by Senator Orie.

### PETITIONS AND REMONSTRANCES

The PRESIDING OFFICER. The Chair recognizes the President pro tempore.

The PRESIDENT pro tempore. Madam President, the unrelenting and emotional rhetoric on the issue of medical malpractice reform and House Bill No. 1802 and the amendments thereto and the seemingly unbridgeable gulf between the involved interest groups masked the intensity of our efforts to arrive at a fair, effective, and defensible solution. Several weeks ago we overwhelmingly approved a responsible and respectable package. However, it did not draw the hope for concurrence. The additional time and effort needed to sort out differences has not been without benefit. The package we voted on today contains improvements over the bills voted previously here and in the House. There are some added tort reform provisions, there is help for our hospitals, but most importantly, we increased the savings to be realized on insurance costs and those savings are targeted for the medical specialists: the neurosurgeons, the OB/GYNs, the orthopedic specialists, those most affected by the rising rates for medical malpractice insurance, those most likely to surrender their practices or to move elsewhere, those our health care system can least afford to lose. This was accomplished without giving up any of the crucial patient safety and tort reform measures that were in the bill this Senate passed several weeks ago. While much of the commentary has been about the economic aspects and consequences, our bedrock concern has been for the substantial patient safety provisions.

We arrive at this moment because of the leadership and perseverance of the Majority Leader, and I pay tribute to him, Senator Chip Brightbill. No one has worked harder or done more to get through all the conflicting claims and selective statistics and interest group animosities to find consensus and gain acceptance for it. I do not only salute him, I salute the staff who worked so hard, literally over 100 hours a week, to make this bill the very best we could have. Many Members have made important contributions to this debate and this legislation, but certainly Senator Brightbill provided the leadership to make it happen, and this truly, Madam President, is a bipartisan piece of legislation, an effort for which I applaud Senate Democrats and their leadership for their efforts as well.

At the last, the groups determined to be practical, realizing that no interest would be served by a bill that quickly unraveled and that no interest would be served by one that failed to put the

savings and protections where they are most needed. Because of the complexity of this issue, because of the losses health care has already suffered, this solution cannot be viewed as an unconditional victory. But it is, without question, a win for Pennsylvania, for the future health of our health care system, and for the public, because it clearly elevates the primary concerns of patient care and patient safety.

Thank you, Madam President.

The PRESIDING OFFICER. The Chair recognizes the gentleman from Fayette, Senator Kasunic.

Senator KASUNIC. Madam President, 1 week ago today the Senate Democrats unveiled a sweeping plan that would establish tough new protections for the retirement savings of working men and women here in Pennsylvania. That package of eight bills and resolutions, named the Working Family Retirement Savings and Pension Protection Plan, was crafted in reaction to the many problems and the devastation caused by the collapse of the energy giant Enron. We all have had enough time by now to ponder the enormous amount of retirement dollars that were lost in the Enron debacle. We now know that the scandal has rocked families, crushed hopes and dreams, and facilitated a taste of distrust and betrayal for both the corporate, financial, and political communities.

In response, Madam President, I believe it is our responsibility as lawmakers to put our foot down and make it very clear that the mistakes in lax laws leading to the collapse of Enron cannot be and will not be tolerated. This is the reason why I adamantly believe that the Senate Democratic Retirement Savings and Pension Protection Plan must be passed. It must be passed to prevent another devastating financial atrocity from occurring. It is our obligation to protect Pennsylvania's workers from fraud and abuse while promoting confidence that retirement savings will be available when needed. And as promised, we must come through on that responsibility by providing tough new laws to protect all workers, Madam President, and here are some of the major points of our plan:

We have asked the Attorney General to get active and file a lawsuit against Enron and Arthur Andersen to recover more than \$90 million, repeat that, to recover more than \$90 million that has been lost in the teacher and State employee retirement funds. We propose tough new laws, laws to protect workers, such as the creation of a fire wall which would prevent accountants from auditing their own investment advice. We have also asked for upgrades to protect accountant whistle-blowers from retribution if they uncover and report illegal and unethical activities.

Madam President, the Enron debacle has hit home. Pennsylvania workers have already lost millions of dollars and should not be subject to any further loss. There was a proper time for finger pointing and blame placing. Now is the time, however, to move to the forefront and to protect the retirement savings and pension plans of working men and women here in Pennsylvania. Tough new laws, more enforcement, and real compassion for the needs of working families will help guide us through these rough and uncharted waters, churned up by the unexpected, yet completely possible and allowable, collapse of Enron.

I ask my Senate colleagues to support these bills and resolutions on behalf of those who bought into the American dream, only to discover that those dreams had been smothered by

some very greedy executives and unethical accountants and lax laws.

Thank you very much, Madam President.

The PRESIDING OFFICER. The Chair recognizes the gentleman from Cambria, Senator Wozniak.

Senator WOZNIAK. Madam President, 6 months ago this nation was attacked by foreign terrorists, and we are now engaged in a mighty battle in Afghanistan against the Taliban and the al Qaeda. However, while we were fighting those people, something even worse happened in our own nation. Avarice and greed, corporate power to the nth degree, destroyed one of the largest corporations in the world. Its fake companies, its underhanded accounting procedures bankrupted the company. Worse than that, the people at the top of the food chain in that company are selling their multimillion dollar homes in Colorado. They were able to take millions of dollars out of their own 401Ks, while the thousands of people who worked for Enron woke up one morning with a portfolio of zero. This is criminal and it is wrong, and I hope in Washington, D.C., while the Senate has its hearings and Congress has its hearings, that we find steep, strong laws at the Federal level to make sure that corporate greed and out-of-control power does not have the opportunity to do that again.

Here in Pennsylvania, we have an opportunity to pass a package of bills, and I believe that they will be cosponsored bipartisanship, to protect individuals from these circumstances: protecting 401Ks, giving people more control over their lives, making sure that the Attorney General has the necessary powers and to move forward to protect Joe and Mary Lunch Bucket out there who are working very hard and very honestly. I think it is important.

The wheels of Washington grind at an extremely slow pace, and perhaps there are some frustrations that State government works very slowly, too, but it has been my experience that we can rise to the occasion. We can move very quickly when we want to. I think we have a very solid concept here, and I urge my colleagues to work together to make this package even tighter and move it expeditiously out of the Senate, send it over to the House, and send it on to the Governor, so that our working families are protected from people who have no noblesse oblige and no moral standing. These people should be punished severely, and we should make sure that the ability to accomplish those goals again should never be allowed in the United States.

Thank you, Madam President.

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

Senator O'PAKE. Madam President, the Pennsylvania teachers and State employees retirement systems have lost more than \$90 million as a result of the Enron scandal. Because the funds in both the Pennsylvania school employees and the State employees retirement systems are guaranteed, the Attorney General of Pennsylvania is able to file suit on behalf of State taxpayers. Madam President, as the Commonwealth's attorney, Attorney General Fisher also is in a good position to assist local governments which have lost funds to prepare recovery actions. Because Attorney General Fisher has a responsibility to look out for the taxpayers of the Commonwealth, I and many of my Democratic colleagues have introduced Senate Resolution No.

159, which urges Attorney General Fisher to take action to recover those lost funds.

Furthermore, Madam President, it has been far too long since Pennsylvania has undertaken a complete review of its pension and retirement savings laws. Given the unfortunate numbers of people who have lost their retirement savings, we believe it is time to closely examine where our laws may be falling short. Thus, I have introduced Senate Resolution No. 160, which would order the Joint State Government Commission to conduct a complete examination of State laws governing pension and retirement savings, and to make recommendations to this General Assembly regarding amendments to that law.

Madam President, the people of Pennsylvania must have confidence that both our laws and the public officials charged with enforcing them are strong enough to protect them. My resolutions, and the rest of the Democratic Retirement Savings and Pension Protection Plan introduced by Senate Democrats, are the way to provide that confidence.

I thank you, Madam President.

The PRESIDING OFFICER. The Chair recognizes the gentleman from Philadelphia, Senator Stack.

Senator STACK. Madam President, I am pleased today to seek the Senate's support on Senate Resolution No. 175. This resolution memorializes Congress to require full disclosure of information related to meetings between Vice President Cheney and energy industry officials, including Enron employees. The failure of Enron is a serious national scandal that has affected the average working man and woman in an area where they are most vulnerable, their pensions. Thousands of Enron employees watched helplessly as their hard-earned retirement savings evaporated. However, company executives were not frozen out of their pensions and walked away from Enron's freefall with millions of dollars, and in some cases tens of millions of dollars.

While Enron is based in Texas, its failure has had a coast-to-coast ripple effect, and Pennsylvania has not been immune. Our State pension systems alone have lost at least \$90 million. Many local government authorities and other political subdivisions that had Enron in their investment portfolio lost money as well. This is a situation that requires immediate and aggressive action. That is why the Senate Democrats have set forth a package of bills and resolutions that we call the Working Family Retirement Savings and Pension Protection Plan. I completely support this plan and am proud to introduce Senate Resolution No. 175 as my contribution to the plan, as well as my cosponsorship of the bills in the package.

This resolution seeks full disclosure, because all of us need to understand the full extent to which Enron was involved at various levels of the government. We know that Vice President Cheney had at least six meetings with Enron officials that led to the formation of a new energy policy granting a number of concessions. We know that spouses and relatives of national political figures were employed by Enron or served on its board. We know that Enron used its political influence in Pennsylvania to try to alter certain aspects of electric generation and deregulation. We know that Enron tried to influence public policy that helped precipitate the energy crisis that crippled California. What we still need to know is, how does that happen? The starting place to find out just what Enron said is in Vice

President Cheney's secret meetings. The disclosure of this information is the only way for taxpayers across America and within this Commonwealth to ever be assured that their government is operating on the level.

Madam President, I look forward to working with my colleagues in the Senate to pass this resolution, and all components of our multifaceted approach to protecting the pensions and retirement savings of working families in Pennsylvania.

Thank you, Madam President.

The PRESIDING OFFICER. The Chair recognizes the gentlewoman from Northampton, Senator Boscola.

Senator BOSCOLA. Madam President, today I am introducing legislation that is intended to make sure that no sex offender escapes prosecution in Pennsylvania, no matter how many years have passed before the crime is discovered. Currently in Pennsylvania, charges of abuse of a minor cannot be filed against a sexual offender more than 5 years after the victim's 18th birthday, regardless of when the evidence was discovered. The bill I am introducing today would eliminate that 5-year statute of limitations entirely.

Madam President, abuse is hard enough to talk about as an adult, let alone as a child. And very often these revelations are not made until the victim enters adulthood. However, our current law actually shields sex offenders from prosecution once these revelations are made if the victim has reached the age of 23. Once the calendar runs out for the victim, there is no chance, no chance for justice, no chance for closure, no chance for prosecuting that sexual offender. The victim is simply told, I am sorry, it is too late. Well, I am sorry, that is wrong, and it is not too late. It is the law that is now on the books that is out of date, and my legislation will change that.

I know that some people might argue from a legalistic perspective that the current statute of limitations is needed to avoid creating a bunch of cases that cannot be proven in a court of law due to that time element. I disagree with that. District attorneys weigh each and every case on case-by-case basis, and if a crime was committed yesterday but there is not enough evidence to substantiate bringing criminal charges that will hold up in court, the DA is not going to rush full speed ahead with its prosecution. But if a district attorney has enough evidence, regardless of how old it is or whether it was discovered before the victim's birthday or after, they should be permitted to go for a conviction. After all, advances in DNA testing have been used to free people who were actually behind bars for 15 years serving out a 20-year sentence for a crime they may not have committed because new DNA evidence suddenly came to light. And that same kind of discovery of new evidence should be used just as vigorously to put sex offenders in jail.

I also want to emphasize, I want to do this for the record, that my legislation is not a slap at the Catholic Church. I am a Catholic, and Catholic officials that I have talked to are behind me and support this legislation. The reason is simple. This bill is not about parish priests, the vast majority who are deeply religious, devoted, and caring people. Unfortunately, the highly publicized recent cases involving members of the clergy have brought this issue to light where it is up to us to deal with. And again, I want to repeat, this legislation is aimed at sex offenders

who prey on children, plain and simple, period. By passing this bill we are telling sex offenders that you can no longer hide behind our current antiquated law.

Madam President, it is impossible to overestimate the toll which childhood sex abuse takes on a survivor. I heard from a woman who is 32 years old now and is so incapacitated by depression and anxiety and panic attacks that she rarely leaves her parents' home, and a 40-year-old man told me that the person who abused him killed a portion of his soul, so it is impossible to overestimate the toll which childhood sexual abuse takes on a survivor.

Thank you, Madam President.

### RECESS

The PRESIDING OFFICER. The Chair recognizes the gentleman from Lancaster, Senator Armstrong.

Senator ARMSTRONG. Madam President, I move that the Senate recess to the call of the President, with the intention of returning Monday, March 18, 2002, at 2 p.m., Eastern Standard Time.

The PRESIDING OFFICER. It has been moved by Senator Armstrong that the Senate do now recess to the call of the President, with the intention of reconvening on Monday, March 18, 2002, at 2 p.m., Eastern Standard Time. The Senate may, however, reconvene sometime later today to receive messages from the House of Representatives.

The motion was agreed to by voice vote.

### AFTER RECESS

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

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

### COMMUNICATIONS FROM THE GOVERNOR

#### NOMINATIONS REFERRED TO COMMITTEE

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

#### MEMBER OF THE INDUSTRIAL BOARD

March 13, 2002

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, Amanda Pflugh, 820 Dartmouth Street, Apartment C-380, Harrisburg 17109, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the Industrial Board, to serve until the third Tuesday of January 2003 and until her successor is appointed and qualified, vice Peter Babnis, Hermitage, resigned.

Mark S. Schweiker  
Governor

#### MEMBER OF THE STATE REGISTRATION BOARD FOR PROFESSIONAL ENGINEERS, LAND SURVEYORS AND GEOLOGISTS

March 13, 2002

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, Maggie Baker, (Public Member), 308 Montrose Street, Harrisburg 17110, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the State Registration Board for Professional Engineers, Land Surveyors and Geologists, to serve for a term of six years or until her successor is appointed and qualified, but not longer than six months beyond that period, vice Debra C. Blaschak, Esquire, Pottsville, whose term expired.

Mark S. Schweiker  
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 MUNICIPAL POLICE OFFICERS' EDUCATION AND TRAINING COMMISSION

March 13, 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 November 29, 2001, for the appointment of Elizabeth Schehr, 65 Suffolk Road, Harrisburg 17112, Dauphin County, Fifteenth Senatorial District, as a member of the Municipal Police Officers' Education and Training Commission, to serve for a term of three years, and until her successor is appointed and qualified, vice Thomas F. Rockenbach, Jr., Allegheny, who 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 PUBLIC TELEVISION NETWORK COMMISSION

March 13, 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 November 29, 2001, for the appointment of Michelle Grove, 1114 Quincy Circle, New Cumberland 17070, Cumberland County, Thirty-first Senatorial District, as a member of the Pennsylvania Public

Television Network Commission, to serve for a term of six years or until her successor is appointed and qualified, but not longer than six months beyond that period, vice David Girard-diCarlo, Villanova, resigned.

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

Mark S. Schweiker  
Governor

### HOUSE MESSAGE

#### HOUSE CONCURS IN SENATE AMENDMENTS WHICH FURTHER AMENDED HOUSE AMENDMENTS TO SENATE AMENDMENTS TO HOUSE BILL

The Clerk of the House of Representatives informed the Senate that the House has concurred in amendments made by the Senate which further amended House amendments to Senate amendments to **HB 1802**.

### BILL SIGNED

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

**HB 1802.**

### ADJOURNMENT

The PRESIDENT. The Chair is pleased to recognize the gentlewoman from Erie, Senator Earll.

Senator EARLL. Mr. President, I move that the Senate do now adjourn until Monday, March 18, 2002, at 2 p.m., Eastern Standard Time.

The motion was agreed to by voice vote.

The Senate adjourned at 3:52 p.m., Eastern Standard Time.